

ORIGINAL

ORDINANCE NO. 80

AN ORDINANCE OF THE CITY OF WOODINVILLE,
WASHINGTON AMENDING ORDINANCE NO. 43,
RELATING TO CERTAIN SECTIONS OF THE INTERIM
ZONING CODE, WMC 21A.

WHEREAS, pursuant to RCW Chapter 35A.63, cities are authorized to adopt an Interim Zoning Code and map to guide development of property in the city; and

WHEREAS, Ordinance 43 did adopt an Interim Zoning Code; and

WHEREAS, the City of Woodinville has determined that certain amendments are necessary to the Interim Zoning Code to clarify and update regulations; and

WHEREAS, the City of Woodinville, in accordance with Chapter 21A.02.090 of the Interim Zoning Code, did conduct a public hearing before the Planning Commission on October 20, 1993 for the purpose of receiving public testimony regarding the proposed amendments to the Interim Zoning Code; and

WHEREAS, the Planning Commission has reviewed the proposed amendments to Section 21A.12.070 of the Interim Zoning Code and recommends those amendments be adopted by the City Council, and

WHEREAS, the City Council finds it in the best interest to amend the Zoning Code previously adopted in Ordinance No. 43, NOW, THEREFORE,

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

Section 1. Zoning Code Amended. WMC Chapter 21A, the Interim Zoning Code is amended as follows:

21A.06.193 Dwelling unit, townhome. Dwelling unit, townhome: a building containing one dwelling unit that occupies space from the ground to the roof, and is attached to one or more other townhome dwellings by common walls which may be located on lot lines.

* * *

21A.06.532 Schools, preschool. Schools, preschool: establishments providing exclusively educational programs for pre

kindergarten or preschool children (ages 2-5), but excluding daycare as defined by WMC 21A.06.140 DAYCARE.

* * *

21A.08.030A. Home Occupation (8) (chart) [Add the footnote designation "(8)" following Home Occupation, in order to provide a reference in Sec. 21A.08.030 B to the Home Occupation standards contained in Sec. 21A.30.040. (see below)].

21A.08.030B. 8. Home Occupations are subject to the requirements and standards contained in Section 21A.30.040.

21A.08.030A. Home Industry (9) (chart) [Add the footnote designation "(9)" following Home Industry in order to provide a reference in Sec. 21A.08.030 B to the Home Industry standards contained in Sec. 21A.30.050 (see below).]

21A.08.030B. 9. Home Industries are subject to the requirements and standards contained in Section 21A.30.050.

* * *

21A.08.050B.20. b. Only on lots over 2.5 acres:

* * *

21A.08.030A. through 21A.08.100A. (charts)

(*) Definition of this specific Land Use, see WMC 21A.06.

* * *

21A.08.040A. and 21A.08.050A. (charts) Add SIC# 866 churches, synagogues, and temples to the "Cultural" list on the chart on page 63, Sec. 21A.08.040 A and delete same from the list under "Personal Services" on the chart on page 65, Sec. 21A.08.050 A.

* * *

21A.08.050A (chart) Change the land use chart as follows:

Add "*" in SIC# column;

Add Preschool in the SPECIFIC LAND USE column;

Add "C 28" (conditional use subject to Development Condition 28) under the following zone designations: RA, R1-8, R12-48;

Add "P" (permitted use) under the following zone designations:
NB, CB, RB and O.

* * *

21A.08.050B.6. c. Only two non-resident staff are present on-site at any one time.

* * *

21A.08.050B. 28. Operation limited to the hours between 8:30 a.m. and 3:30 p.m., Monday through Friday,

* * *

21A.12.030A.

(chart) In the R-1 column change reference to Development Condition "(12)" to "(14)" for Maximum Building Coverage Percentage and add "(15)" in said column for Maximum Impervious Surface Percentage.

* * *

21A.12.030B. 14. Maximum Building Coverage Percentage

<u>Lot Size</u>	<u>Maximum Percentage Allowed</u>
<15,000 SF	35% (Permitted for R-4 zone)
15,000 to 25,000 SF	28%
25,000 to 35,000 SF	22%
Over 35,000 SF	15%

* * *

21A.12.030B. 15. Maximum Impervious Surface Percentage

<u>Lot Size</u>	<u>Max Percentage Allowed</u>
<15,000 SF	45% (Permitted in R-4 zone)
15,000 to 25,000 SF	37%
25,000 to 35,000 SF	28%
Over 35,000 SF	20%

* * *

21A.12.030B. 10. For townhomes or apartment development, the setback shall be the greater of:

a. 20 feet along any property line abutting R-4 through R-8, and RA zones; or

b. the average setback of the R-4 through R-8 zoned single-family detached dwelling units from the common property line separating said dwelling units from the adjacent townhome or apartment development, provided the required setback applied to said development shall not exceed 60 feet. The setback shall be measured from said property line to the closest point of each single-family detached dwelling unit, excluding projections allowed per WMC 21A.12.160 and accessory structures existing at the time the townhome or apartment development receives Conditional Use Permit approval by the City.

* * *

21A.12.040A. (chart) In the Industrial column, add 10 ft. (9) for a Minimum Street Setback.

* * *

21A.12.040B. 9. 10 foot setback permitted only on those sites not abutting a designated arterial street.

* * *

21A.14.040B. 4. The overall amount and the individual degree of clustering shall be limited to a level that can be adequately served by rural facilities and services, including, but not limited to on-site sewage disposal systems and rural roadways.

* * *

21A.16.100G. The width of the perimeter landscaping may be averaged, provided the minimum width is not less than 5 feet.

* * *

21A.18.030A. (table) Amend required off-street parking table to read: Churches, synagogues, temple, and other group assembly, in the first column, eighth row of said table.

21A.18.030B. An applicant may request a modification of the minimum required number of parking spaces by providing a study that substantiates parking demand can be met with a reduced parking requirement. In such cases, the Planning Director may approve a reduction of up to 50 percent of the minimum required

number of spaces. Said study shall be prepared by a qualified professional approved by the Planning Director.

* * *

21A.18.110F. Lighting shall be provided for safety of traffic and pedestrian circulation on the site, as required by the Washington State Energy Code. It shall be designed to minimize direct illumination of abutting properties and adjacent streets. The Planning Director shall have the authority to waive the requirement to provide lighting.

* * *

21A.32.110 Temporary use permits - exemptions to permit requirement.

- A. The following uses shall be exempt from requirements for a temporary use permit when located in the RB, CB, NB, O or I zones when the use does not exceed a total of 14 days each calendar year:
- a. Amusement rides, carnivals, or circuses;
 - b. Community festivals;
 - c. Parking lot sales; and
 - d. Fireworks stands, subject to the provisions of City Ordinance No. 29.
- B. Any use not exceeding a cumulative total of 2 days each calendar year shall be exempt from requirements for a temporary use permit.
- C. Any community event held in a public park and not exceeding a period of 7 days shall be exempt from requirements for a temporary use permit.

* * *

21A.32.129 Temporary use permits - duration and frequency. Unless specified elsewhere in this chapter, temporary use permits shall be limited in duration and frequency as follows:

- A. The temporary use permit shall be effective for no more than 180 days from the date of the first event- or occurrence.

* * *

21A.40 APPLICATION AND NOTICE REQUIREMENTS

* * *

21A.40.080 Notice -Content.

All required notice of proposed actions shall contain the following information:

1. The file number;
2. The name of the applicant;
3. The description of the requested action and the proposed use of property;
4. A general location description in non-technical terms;
5. A site plan, if applicable;
6. The procedures and deadline for filing comments;
7. The time and place of public hearing, if applicable; and
8. Identification of the responsible City official.

* * *

21A.40.090C. Notice boards shall be:

1. Maintained in good condition by the applicant during the notice period;
2. In place at least 15 days prior to the date of hearing, or the end of any required comment period; and
3. Removed within 15 days after the end of the notice period.

* * *

21A.40.100 Notice - Published notice. Notice of a proposed action shall be published by the City at least 15 days prior to the public hearing or the end of any required comment period in the official City newspaper and or another newspaper of general circulation in the affected area.

21A.40.110 Notice - Mailed notice. Mailed notice for a proposed action shall be:

- A. Sent by the Department by first class mail to owners of property in an area within 500 feet of the site, provided such area shall be expanded as necessary to send mailed notice to at least 20 different property owners.
- B. Considered supplementary to posted or published notice.
- C. Deemed satisfactory despite the failure of one or more owners to receive mailed notice.
- D. Mailed at least 15 days prior to the public hearing or end of any required comment period.
- E. accompanied by a vicinity map and a form to request Department reports or decisions.

* * *

21A.42 REVIEW PROCEDURES

* * *

21A.42.020 (Reserved)

* * *

21A.42.100 Hearing Examiner review - Zone reclassification, variances, and special use permits and conditional use permits referred by the Planning Director. Applications for zone reclassification, special use permits, variances and conditional use permits referred by the Planning Director shall be reviewed by the Hearing Examiner subject to the notice procedures set forth in WMC 21A.40 and applicable criteria set forth in WMC 21A.44.

* * *

21A.42.110 Hearing Examiner Review - Decision final unless appealed or challenged.

A. The decision of the Hearing Examiner regarding variances, special use permits and conditional use permits shall be final unless the applicant or an adverse party files an appeal to the City Council pursuant to City of Woodinville Ordinance No. 18.

B. The decision of the Hearing Examiner regarding zone reclassifications shall be in the form of a recommendation to the City Council for passage of the appropriate ordinance. The applicant or an adverse party may file a challenge to said recommendation to the City Council within fourteen (14) days of the date of the recommendation. If the City Council concludes that significant issues have been raised in a challenge or if they are unsatisfied with the Hearing Examiner's recommendation for any other reason, they may by motion either direct the Hearing Examiner to hold a rehearing on the matter or decide to hold a City Council hearing on the matter. The motion may limit the scope of the issues to be considered at the rehearing or City Council hearing.

C. Prior to an appeal hearing by the City Council, the Planning Director shall mail a notice of the appeal or challenge to all parties of record.

D. The City Council's decision shall be final unless appealed to Superior Court under the provisions of City of Woodinville Ordinance No. 18.

Section 2. Duties of Director of Planning. The Director of Planning is hereby authorized to make the necessary changes to the Interim Zoning Code of the City of Woodinville in order to reflect the changes approved in this ordinance.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

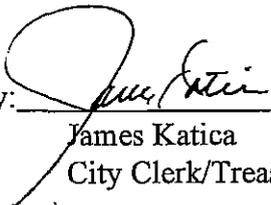
Section 4. Effective date. This Ordinance shall be in force and effect five days from and after its passage by the Woodinville City Council and publication of a summary consisting of the title, as required by law.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 27TH DAY OF DECEMBER, 1993.

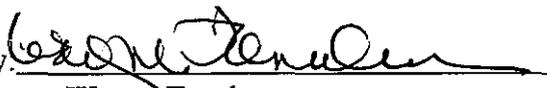
APPROVED:


Lucy DeYoung, Mayor

ATTEST/AUTHENTICATED:

By: 
James Katica
City Clerk/Treasurer

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: 
Wayne Tanaka
City Attorney

FILED WITH THE CITY CLERK: 12/23/94
PASSED BY THE CITY COUNCIL: 12/27/94
PUBLISHED: 1/3/94
EFFECTIVE DATE: 1/8/94
ORDINANCE NO. 80

CITY OF WOODINVILLE

INTERIM

ZONING CODE

January 8, 1994

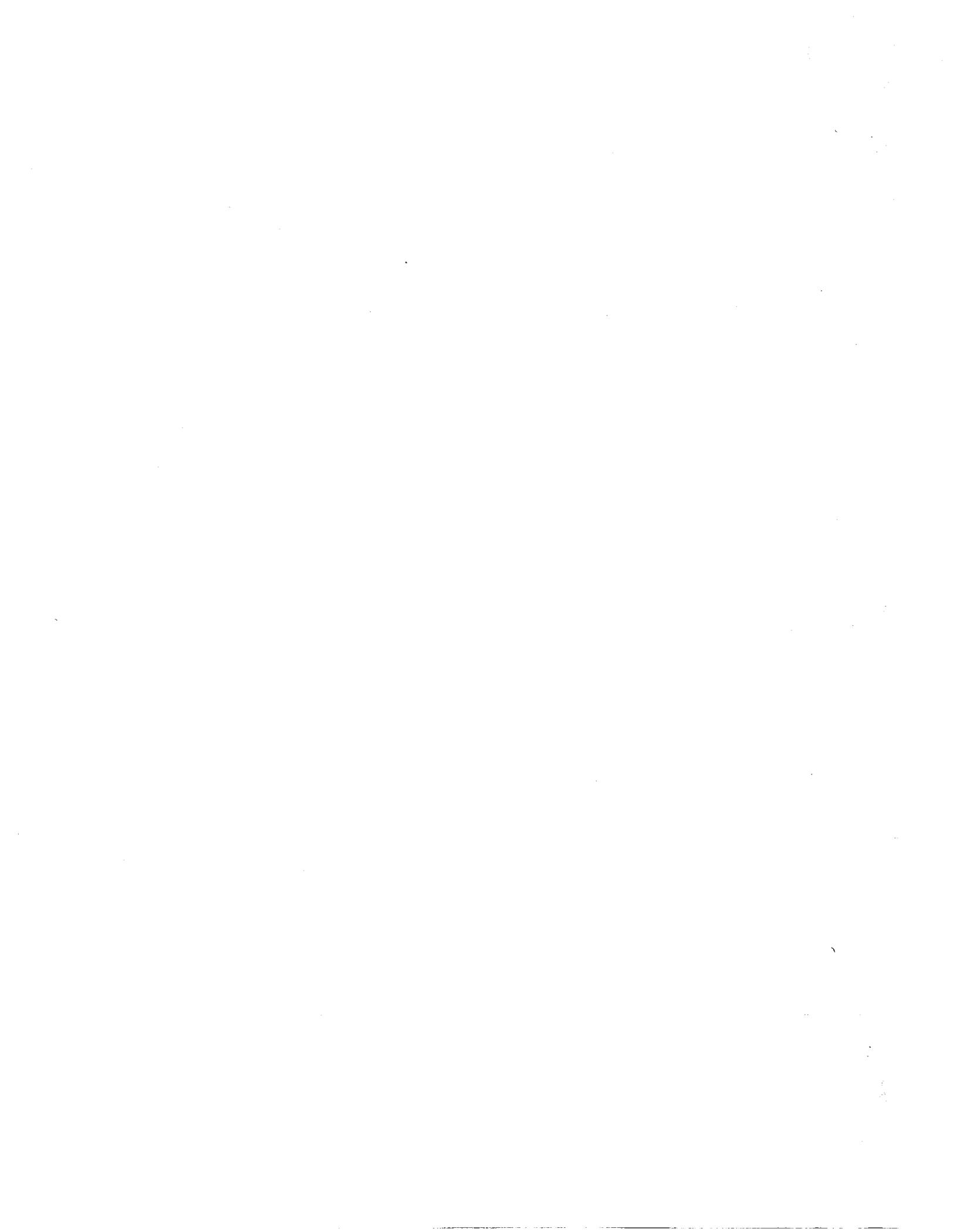


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**CHAPTER 21A.02 AUTHORITY, PURPOSE, INTERPRETATION AND
ADMINISTRATION**

SECTIONS:

- 21A.02.010 Title**
- 21A.02.020 Authority to adopt code**
- 21A.02.030 Purpose**
- 21A.02.040 Conformity with this title required**
- 21A.02.050 Minimum requirements**
- 21A.02.060 Interpretation: General**
- 21A.02.070 Interpretation: Standard industrial classification**
- 21A.02.080 Interpretation: Zoning maps**
- 21A.02.090 Administration and review authority**
- 21A.02.100 Severability**

21A.02.010 Title. This title shall be known as the City of Woodinville Interim Zoning Code, hereinafter referred to as "this title".

21A.02.020 Authority to adopt code. The City of Woodinville Interim Zoning Code is adopted by City of Woodinville ordinance, pursuant to the Washington State Constitution; and RCW Chapter 35A.63.

21A.02.030 Purpose. The general purposes of this title are:

- A. To encourage land use decision making in accordance with the public interest and applicable laws of the State of Washington.
- B. To protect the general public health, safety, and welfare;
- C. To implement the City of Woodinville Interim Comprehensive Plan's policies and objectives through land use regulations;
- D. To provide for the economic, social, and aesthetic advantages of orderly development through harmonious groupings of compatible and complementary land uses and the application of appropriate development standards;
- E. To provide for adequate public facilities and services in conjunction with development; AND
- F. To promote general public safety by regulating development of lands containing physical hazards and to minimize the adverse environmental impacts of development.

21A.02.040 Conformity with this title required.

- A. No use or structure shall be established, substituted, expanded, constructed, altered, moved, maintained, or otherwise changed except in conformance with this title.
- B. Creation of or changes to lot lines shall conform with the use provisions, dimensional and other standards, and procedures of this title and WMC Title 20A, Interim Subdivision Code.
- C. All land uses and development authorized by this title shall comply with all other regulations and or requirements of this title as well as any other applicable local, state or federal law. Where a difference exists between this title and other City regulations, the more restrictive requirements shall apply.
- D. Where more than one part of this title applies to the same aspect of a proposed use or development, the more restrictive requirement shall apply.

21A.02.050 Minimum requirements. In interpretation and application, the requirements set forth in this title shall be considered the minimum requirements necessary to accomplish the purposes of this title.

21A.02.060 Interpretation: General.

- A. In case of inconsistency or conflict, regulations, conditions or procedural requirements that are specific to an individual land use shall supersede regulations, conditions or procedural requirements of general application.
- B. A land use includes the necessary structures to support the use unless specifically prohibited or the context clearly indicates otherwise, subject to other standards in code and any required permits for structures.
- C. Chapter and section headings, captions, illustrations and references to other sections or titles are for reference or explanation only and shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of any section. In case of any ambiguity, difference of meaning or implication between the text and any heading, caption or illustration, the text and the permitted use tables in WMC 21A.08 shall control. All applicable requirements shall govern a use whether or not they are cross-referenced in a text section or land use table.
- D. The word "shall" is mandatory and the word "may" is discretionary.
- E. Unless the context clearly indicates otherwise, words in the present tense shall include past and future tense, and words in the singular shall include the plural, or vice versa. Except for words and terms defined in this title, all words and terms used in this title shall have their customary meanings.

21A.02.070 Interpretation: Standard industrial classification.

- A. All references to the Standard Industrial Classification (SIC) are to the titles and descriptions found in the Standard Industrial Classification Manual, 1987 edition, prepared by United States Office of Management and Budget which are hereby adopted by reference. The SIC is used, with modifications to suit the purposes of this title, to list and define land uses authorized to be located in the various zones.
- B. The SIC categorizes each land use under a general two-digit major group number, or under a more specific three- or four-digit industry group or industry number. A use shown on a land use table with a two-digit number includes all uses listed in the SIC for that major group. A use shown with a three-digit or four-digit number includes only the uses listed in the SIC for that industry group or industry, respectively, and the uses so listed are excluded from the respective major group.
- C. An asterisk (*) in the SIC number column of a land use table means that the SIC definition for the specific land use identified has been modified by this title. The definition may include one or more SIC subclassification numbers, or may define the use without reference to the SIC.
- D. The Planning Director shall determine whether a proposed land use not specifically listed in a land use table or specifically included within a SIC classification is allowed in a zone. The Planning Director's determination shall be based on whether or not permitting the proposed use in a particular zone is consistent with the purposes of this title and the zone's purpose as set forth in WMC 21A.04, by considering the following factors:
 - 1. The physical characteristics of the use and its supporting structures, including but not limited to scale, traffic and other impacts, and hours of operation;
 - 2. Whether or not the use complements or is compatible with other uses permitted in the zone; and
 - 3. The SIC classification, if any, assigned to the business or other entity that will carry on the primary activities of the proposed use.
- E. The decision of the Planning Director on an SIC classification shall be final unless the applicant or an adverse party files an appeal to the Hearing Examiner pursuant to WMC 21A.42.090.

21A.02.080 Interpretation: Zoning maps. Where uncertainties exist as to the location of any zone boundaries, the following rules of interpretation, listed in priority order, shall apply:

- A. Where boundaries are indicated as parallelling the approximate centerline of the street right-of-way, the zone shall extend to each adjacent boundary of the right-of-way. Non road-related uses by

adjacent property owners, if allowed in the right-of-way shall meet the same zoning requirements regulating the property owners lot;

- B. Where boundaries are indicated as following approximately lot lines, the actual lot lines shall be considered the boundaries;
- C. Where boundaries are indicated as following lines of ordinary high water, or government meander line, the lines shall be considered to be the actual boundaries. If these lines should change the boundaries shall be considered to move with them; and
- D. If none of the rules of interpretation described in subparagraphs A. through C. apply, then the zoning boundary shall be determined by map scaling.

21A.02.090 Administration and review authority.

- A. The Hearing Examiner shall have authority to hold public hearings and make decisions and recommendations on variances, reclassification, subdivisions and other development proposals, and appeals, as set forth in WMC.
- B. The Planning Director shall have the authority to grant, condition or deny applications for temporary use permits, conditional use permits, and renewals of permits for mineral extraction and processing, unless a public hearing is required as set forth in WMC 21A.42, in which case this authority shall be exercised by the Hearing Examiner.
- C. The City Building Official shall have authority to grant, condition or deny commercial and residential building permits, and clearing and grading permits in accordance with the procedures set forth in WMC 21A.42.
- D. Except for other agencies with authority to implement specific provisions of this title, the Planning Director shall have the sole authority to issue official interpretations of this title.
- E. The Planning Director is hereby authorized after the date of the adoption of this ordinance to incorporate drawings as necessary for the purpose of illustrating concepts and regulatory standards contained in this title, provided that the adopted provisions of the code shall control.

21A.02.100 Severability. Should any chapter, section, subsection, paragraph, sentence, clause or phrase of this title be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this title.

CHAPTER 21A.04 ZONES, MAPS AND DESIGNATIONS

SECTIONS:

- 21A.04.010 Zones and map designations established
- 21A.04.020 Zone and map designation purposes
- 21A.04.030 Agricultural zone
- 21A.04.040 (Reserved)
- 21A.04.050 Mineral zone
- 21A.04.060 Rural area zone
- 21A.04.070 (Reserved)
- 21A.04.080 Residential zone
- 21A.04.090 Neighborhood business zone
- 21A.04.100 Community business zone
- 21A.04.110 Regional business zone
- 21A.04.120 Office zone
- 21A.04.130 Industrial zone
- 21A.04.140 Regional use designation
- 21A.04.150 Property-specific development standards
- 21A.04.160 Special district overlay designation
- 21A.04.170 Newly annexed territory
- 21A.04.180 Undesignated property
- 21A.04.190 Zoning maps and boundaries

21A.04.010 Zones and map designations established. In order to accomplish the purposes of this title the following zoning designations and zoning map symbols are established:

ZONING DESIGNATIONS

MAP SYMBOL

Agricultural	A (10-acre or 35- acre minimum lot size)
Mineral	M
Rural Area	RA (2.5-acre, 5-acre or 10-acre minimum lot size)
Residential	R (base density in dwellings per acre)
Neighborhood Business	NB
Community Business	CB
Regional Business	RB
Office	O
Industrial	I
Regional Use	Case file number following zone's map symbol
Property-specific development standards	-P(suffix to zone's map symbol)
Special District Overlay	-SO(suffix to zone's map symbol)

21A.04.020 Zone and map designation purpose. The purpose statements for each zone and map designation set forth in the following sections shall be used to guide the application of the zones and designations to all lands in the City of Woodinville. The purpose statements also shall guide interpretation and application of land use regulations within the zones and designations, and any changes to the range of permitted uses within each zone through amendments to this title.

21A.04.030 Agricultural zone.

- A. The purpose of the agricultural zone (A) is to preserve and protect irreplaceable and limited supplies of farmland well suited to agricultural uses by their location, geological formation and chemical and organic composition and to encourage environmentally sound agricultural production. These purposes are accomplished by:
 - 1. Establishing residential density limits to retain lots sized for efficient farming;
 - 2. Allowing for uses related to agricultural production and limiting nonagricultural uses to those compatible with farming, or requiring proximity for the support of agriculture; and
 - 3. Allowing for residential development primarily to house farm owners, on-site agricultural employees and their respective families.
- B. Use of this zone is appropriate for lands within agricultural production districts designated by the Comprehensive Plan and for other farmlands deemed appropriate for long-term protection.
- C. This zone may also be applied to newly annexed territory so that low intensity land uses can be maintained until the orderly and timely process to select the appropriate zoning designation occurs.

21A.04.040 (Reserved)

21A.04.050 Mineral zone.

- A. The purpose of the mineral zone (M) is to provide for extraction and processing of mineral and soil resources in an environmentally responsible manner by:
 - 1. Reserving known deposits of minerals and materials within areas as protection against premature development of the land for non-extractive purposes;
 - 2. Providing neighboring properties with notice of prospective extracting and processing activities; and
 - 3. Providing appropriate location and development standards for extraction and on-site processing to mitigate adverse impacts on the natural environment and on nearby properties.

- B. Use of this zone is appropriate for known deposits of minerals and materials on sites that are of sufficient size to mitigate the impacts of operation and that are served or capable of being served at the time of development by adequate roads and other public services; and for sites containing mineral extracting and processing operations that were established in compliance with land use regulations in effect at the time the use was established.

21A.04.060 Rural area zone.

- A. The purpose of the rural area zone (RA) is to provide for an area-wide long-term rural character and to minimize land use conflicts with nearby agricultural, forest or mineral extraction production districts. These purposes are accomplished by:
 - 1. Limiting residential densities and permitted uses to those that are compatible with rural character and nearby resource production districts and are able to be adequately supported by rural service levels;
 - 2. Allowing small scale farming and forestry activities and tourism and recreation uses which can be supported by rural service levels and which are compatible with rural character; and
 - 3. Increasing required setbacks to minimize conflicts with adjacent agriculture or mineral zones.
- B. Use of this zone is appropriate in rural areas designated by the Comprehensive Plan as follows:
 - 1. RA-2.5 in rural areas where predominant densities already exceed one dwelling per five acres and the soils can support on-site sewage disposal without damage to water resources;
 - 2. RA-5 in rural areas without established subdivision patterns, and predominantly environmentally unconstrained lands; and
 - 3. RA-10 in rural areas next to designated resource production areas where additional buffering is required, or where area-wide environmental features constrain development.

21A.04.070 (Reserved)

21A.04.080 Residential zone.

- A. The purpose of the urban residential zone (R) is to implement Comprehensive Plan goals and policies for housing quality, diversity and affordability, and to efficiently use residential land, public services and energy. These purposes are accomplished by:
 - 1. Providing, in the R-1 through R-8 zones, for a mix of predominantly single detached dwelling units and other development types, with a variety of densities and sizes in locations appropriate for urban densities;

2. Providing, in the R-12 through R-48 zones, for a mix of predominantly apartment and townhome dwelling units and other development types, with a variety of densities and sizes in locations appropriate for urban densities;
 3. Allowing only those accessory and complementary nonresidential uses that are compatible with residential communities; and
 4. Establishing density designations to facilitate advanced area-wide planning for public facilities and services, and to protect environmentally sensitive sites from overdevelopment.
- B. Use of this zone is appropriate in residential areas designated by the Comprehensive Plan as follows:
1. The R-1 zone on or adjacent to lands with area-wide environmental constraints, or in well-established subdivisions of the same density, which are served at the time of development by public or private facilities and services adequate to support planned densities;
 2. The R-4 through R-8 zones on urban lands that are predominantly environmentally unconstrained and are served at the time of development, by adequate public sewers, water supply, roads and other needed public facilities and services; and
 3. The R-12 through R-48 zones in appropriate areas, of the City that are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

21A.04.090 Neighborhood business zone.

- A. The purpose of the neighborhood business zone (NB) is to provide convenient daily retail and personal services for a limited service area and to minimize impacts of commercial activities on nearby properties. These purposes are accomplished by:
1. Limiting nonresidential uses to those retail or personal services which can serve the everyday needs of a surrounding residential area;
 2. Allowing for a mix of housing and retail/service uses; and
 3. Excluding industrial and community/regional business-scaled uses.
- B. Use of this zone is appropriate in neighborhood centers designated by the Comprehensive Plan which are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

21A.04.100 Community business zone.

- A. The purpose of the community business zone (CB) is to provide convenience and comparison retail and personal services for local service areas which exceed the daily convenience needs of adjacent neighborhoods but which cannot be served conveniently by larger activity centers, and to provide retail and personal services in locations within activity centers that are not appropriate for extensive outdoor

storage or auto related and industrial uses. These purposes are accomplished by:

1. Providing for limited small-scale offices as well as a wider range of the retail, professional, governmental and personal services than are found in neighborhood business areas;
 2. Allowing for a mix of housing and retail/service uses; and
 3. Excluding commercial uses with extensive outdoor storage or auto related and industrial uses.
- B. Use of this zone is appropriate in commercial areas that are designated by the Comprehensive Plan and are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

21A.04.110 Regional business zone.

- A. The purpose of the regional business zone (RB) is to provide for the broadest mix of comparison retail, higher density residential (R-12 through R-48), wholesale, service and recreation/cultural uses with compatible storage and fabrication uses, serving regional market areas and offering significant employment and housing opportunities. These purposes are accomplished by:
1. Encouraging compact development that is supportive of transit and pedestrian travel, through higher nonresidential building heights and floor area ratios than those found in CB zoned areas;
 2. Allowing for outdoor sales and storage, regional shopping areas and limited fabrication uses; and
 3. Concentrating large scale commercial and office uses to facilitate the efficient provision of public facilities and services.
- B. Use of this zone is appropriate in the urban center as designated by the Comprehensive Plan that is served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

21A.04.120 Office zone.

- A. The purpose of the office zone (O) is to provide for pedestrian and transit-oriented high-density employment uses together with limited complementary retail and higher density residential development in locations within activity centers where the full range of commercial activities is not desirable. These purposes are accomplished by:
1. Allowing for uses that will take advantage of pedestrian-oriented site and street improvement standards;
 2. Providing for higher building heights and floor area ratios than those found in the CB zone;
 3. Reducing the ratio of required parking to building floor area;
 4. Allowing for on-site convenient daily retail and personal services for employees and residences; and

5. Excluding auto-oriented, outdoor or other retail sales and services which do not provide for the daily convenience needs of on-site and nearby employees or residents.
- B. Use of this zone is appropriate in commercial areas designated by the Comprehensive Plan which are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

21A.04.130 Industrial zone.

- A. The purpose of the industrial zone (I) is to provide for the location and grouping of industrial enterprises and activities involving manufacturing, assembly, fabrication, processing, bulk handling and storage, research facilities, warehousing and heavy trucking. It is also a purpose of this zone to protect the industrial land base for industrial economic development and employment opportunities. These purposes are accomplished by:
1. Allowing for a wide range of industrial and manufacturing uses;
 2. Establishing appropriate development standards and public review procedures for industrial activities with the greatest potential for adverse impacts; and
 3. Limiting residential, institutional, service, office and other non-industrial uses to those necessary to directly support industrial activities.
- B. Use of this zone is appropriate in industrial areas designated by the Comprehensive Plan which are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

21A.04.140 Map designation - Regional use designation. The purpose of the regional use designation (case file number following underlying zone's map symbol) is to provide for the individual review of certain proposed uses with unique characteristics and adverse impacts on neighboring properties. Regional uses are of a size that involve activities which require individual review to determine compatibility with surrounding uses.

21A.04.150 Map designation - Transitional, property-specific development standards. The purpose of the transitional, property-specific development standards designation (-T suffix to zone's map symbol) is to indicate that conditions of approval have been applied by King County to a specific development proposal on the property, prior to City of Woodinville incorporation on March 31, 1993 and said conditions of approval remain in effect pursuant to a concomitant agreement approved by the City and recorded with the County Records and Election Division.

- 21A.04.160 Map designation - Special district overlay.** The purpose of the special district overlay designation (-SO suffix to zone's map symbol) is to carry out Comprehensive Plan policies that identify special opportunities for achieving public benefits by allowing or requiring alternative uses and development standards that differ from the general provisions of this title. Special district overlays are generally applied to a group of individual properties or entire planning subareas.
- 21A.04.170 Map designation - Newly annexed territory.** All newly annexed territory shall be designated A-35 until the zoning map is amended pursuant to WMC 21.04.190 and the annexed territory is classified in conformance with the City of Woodinville Interim Comprehensive Plan.
- 21A.04.180 Map designation - Undesignated property.** All property not designated by the zoning map shall be designated A-35.
- 21A.04.190 Zoning maps and boundaries.**
- A. The location and boundaries of the zones defined by this chapter shall be shown and delineated on a zoning map adopted by ordinance.
 - B. Changes in the boundaries of the zones shall be made by ordinance adopting or amending the zoning map.

CHAPTER 21A.06 TECHNICAL TERMS AND LAND USE DEFINITIONS

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SECTIONS:

- 21A.06.001 **Scope of Chapter.** This Chapter contains definitions of technical and procedural terms used throughout the code as well as definitions of land use shown in WMC 21A.08, Permitted Uses. See WMC 21A.02, Authority, Purpose, Interpretation and Administration, for rules on interpretation of the code, including use of these definitions. Development standards are found in WMC 21A.12 through WMC 21A.38.

- 21A.06.005 **Accessory living quarters.** Accessory living quarters: living quarters in an accessory building for the use of the occupant or persons employed on the premises, or for temporary use of guests of the occupant. Such quarters have no kitchen and are not otherwise used as a separate dwelling unit.

- 21A.06.008 **Accessory use, resource.** Accessory use, resource:
 - A. A use, structure, or part of a structure, which is customarily subordinate and incidental to a resource use including, but not limited to the following uses:
 - 1. Housing of agricultural workers; or
 - 2. Storage of agricultural products or equipment used on site.
 - B. Some accessory uses within the scope of this section may be defined separately to enable the code to apply different conditions of approval.

- 21A.06.010 **Accessory use, commercial/industrial.** Accessory use, commercial/industrial:
 - A. A use that is subordinate and incidental to a commercial or industrial use; including, but not limited to the following uses:
 - 1. Administrative offices;
 - 2. Employee exercise facilities;

3. Employee food service facilities;
 4. Incidental storage of raw materials and finished products sold or manufactured on-site;
 5. Business owner or caretaker residence;
 6. Cogeneration facilities; and
 7. Ground maintenance facilities.
- B. Some accessory uses within the scope of this section may be defined separately to enable the code to apply different conditions of approval.

21A.06.013 Accessory use, residential. Accessory use, residential:

- A. A use, structure, or activity which is subordinate and incidental to a residence including, but not limited to the following uses:
1. Accessory living quarters and dwellings;
 2. Fallout/bomb shelters;
 3. Keeping household pets;
 4. On-site rental office;
 5. Pools, private docks, piers;
 6. Antennae for private telecommunication services;
 7. Storage of yard maintenance equipment; or
 8. Storage of private vehicles, e.g. motor vehicles, boats, trailers or planes.
- B. Some accessory uses within the scope of this section may be defined separately to enable the code to apply different conditions of approval.

21A.06.015 Adult use facility. Adult use facility: An enterprise predominantly involved in the selling, renting or presenting for commercial purposes of books, magazines, motion pictures, films, video cassettes, cable television, live entertainment, performance or activity distinguished or characterized by a predominant emphasis on the depiction, simulation or relation to "specified sexual activities" as defined in this chapter for observation by patrons therein. Examples of such establishments include, but are not limited to, adult book or video stores and establishments offering panoramas, peep shows or topless or nude dancing.

21A.06.018 Agricultural crop sales. Agricultural crop sales: the retail sale of fresh fruits, vegetables and flowers produced on-site. This use is frequently found in roadside stands or U-pick establishments and includes uses located in SIC Major Group and Industry Group Nos.:

- A. 01-Agricultural Production-Crops; and
- B. 543-Fruit and Vegetable Markets.

21A.06.020 Agricultural products. Agricultural products: items resulting from the practice of agriculture, including crops such as fruits, vegetables, grains, seed, feed, and plants, or animal products such as eggs, milk, and meat.

- 21A.06.023 Aircraft, ship and boat manufacturing.** Aircraft, ship and boat manufacturing: the fabrication and/or assembling of aircraft, ships or boats, and including uses located in SIC Industry Group Nos.:
- A. 372-Aircraft and Parts; and
 - B. 373-Ship and Boat Building and Repairing.
- 21A.06.025 Airport/heliport.** Airport/heliport: any runway, landing area or other facility excluding facilities for the primary use of the individual property owner which is designed or used by both public carriers or private aircraft for the landing and taking off of aircraft, including the following associated facilities:
- A. Taxiways;
 - B. Aircraft storage and tie-down areas;
 - C. Hangars;
 - D. Servicing; and
 - E. Passenger and air freight terminals.
- 21A.06.028 Alley.** Alley: an improved thoroughfare or right-of-way, whether public or private, usually narrower than a street, that provides vehicular access to an interior boundary of one or more lots, and is not designed for general traffic circulation.
- 21A.06.030 Amusement arcades.** Amusement arcades: a building or part of a building in which five or more pinball machines, video games, or other such player-operator amusement devices (excluding juke boxes or gambling-related machines) are operated.
- 21A.06.033 Animal, small.** Animal, small: any animal other than livestock or animals considered to be predatory or wild which are kept outside a dwelling unit all or part of the time. Animals considered predatory or wild shall be considered small animals when they are taken into captivity for the purposes of breeding, domestication, training, hunting or exhibition.
- 21A.06.035 Applicant.** Applicant: a property owner or any person or entity acting as an agent for the property owner in an application for a development proposal, permit or approval.
- 21A.06.038 Auction house.** Auction house: An establishment where the property of others is sold by a broker or auctioneer to persons who attend scheduled sales periods or events.
- 21A.06.040 (Reserved)**
- 21A.06.043 Base flood.** Base flood: a flood having a one percent chance of being equaled or exceeded in any given year, often referred to as the "100-year flood."

- 21A.06.045 Base flood elevation.** Base flood elevation: the water surface elevation of the base flood in relation to the National Geodetic Vertical Datum of 1929.
- 21A.06.048 Bed and breakfast guesthouse.** Bed and breakfast guesthouse: a dwelling unit or accessory building within which bedrooms are available for paying guests.
- 21A.06.050 Beehive.** Beehive: a structure designed to contain one colony of honey bees (*apis mellifera*).
- 21A.06.053 Billboard.** Billboard: a sign, including both the supporting structural framework and attached billboard faces, used principally for advertising a business activity, use, product, or service unrelated to the primary use or activity of the property on which the billboard is located; excluding off-premise directional, or temporary real estate signs.
- 21A.06.055 Billboard face.** Billboard face: that portion of a billboard, exclusive of its structural support, on which changeable advertising copy is displayed, either by affixing preprinted poster panels or by painting copy on location; subclassified as follows:
- A. Billboard face I -- a billboard face not exceeding a height of 14 feet or a width of 48 feet; and
 - B. Billboard face II -- a billboard face not exceeding a height of 12 feet or a width of 24 feet.
- 21A.06.058 Biologist.** Biologist: a person who has earned at least a Bachelor of Science degree in the biological sciences from an accredited college or university or who has equivalent educational training and experience.
- 21A.06.060 Book, stationery, video and art supply store.** Book, stationery, video and art supply store: An establishment engaged in the retail sale of books and magazines, stationery, records and tapes, video and art supplies, including uses located in SIC Industry Nos.:
- A. 5942-Book Stores;
 - B. 5943-Stationery Stores;
 - C. 5999-Architectural Supplies and Artists' Supply and Materials Stores;
 - D. 7841-Video tape rental;
 - E. 5735 - Record and prerecorded tape stores; and
 - F. 5736 - Musical Instrument stores.
- 21A.06.063 Broadleaf tree.** Broadleaf tree: a tree characterized by leaves that are broad in width and may include both deciduous and evergreen species.

- 21A.06.065 Buffer, sensitive area.** Buffer, sensitive area: a designated area contiguous to a steep slope or landslide hazard area intended to protect slope stability, attenuation of surface water flows and landslide hazards or a designated area contiguous to a stream or wetland intended to protect the stream or wetland and be an integral part of the stream or wetland ecosystem.
- 21A.06.068 Building.** Building: any structure having a roof.
- 21A.06.070 Building, hardware and garden materials store.** Building, hardware and garden materials store: An establishment engaged in selling lumber and other building materials, feed, and lawn and garden supplies; including, but not limited to uses located in SIC Major Group No. 52-Building Materials, Hardware, Garden Supply, excluding Mobile Home Dealers.
- 21A.06.073 Building coverage.** Building coverage: area of a lot that is covered by the total horizontal surface area of the roof of a building.
- 21A.06.075 Building envelope.** Building envelope: area of a lot that delineates the limits of where a building may be placed on the lot.
- 21A.06.078 Building facade.** Building facade: that portion of any exterior elevation of a building extending from the grade of the building to the top of the parapet wall or eaves, for the entire width of the building elevation.
- 21A.06.080 Building Official.** Building Official: the manager of the City of Woodinville's Building and Land Development Division, or his or her designee.
- 21A.06.083 Bulk retail.** Bulk retail: An establishment offering the sale of bulk goods to the general public, including limited sales to wholesale customers. These establishments may include a variety of lines of merchandise such as: food, building, hardware and garden materials, dry goods, apparel and accessories, home furnishings, housewares, drugs, auto supplies, hobby, toys, games, photographic, and electronics.
- 21A.06.085 Calculated LOS.** Calculated LOS: A quantitative measure of traffic congestion identified by a declining letter scale (A-F) as calculated by the methodology contained in the 1985 Highway Capacity Manual Special Report 209 or as calculated by another method approved by the department. LOS "A" indicates free flow of traffic with no delays while LOS "F" indicates jammed conditions or extensive delay.
- 21A.06.088 Campground.** Campground: an area of land on which accommodations for temporary occupancy such as tents or recreational vehicles without hook-up facilities are permitted and which is used primarily for recreational purposes.

- 21A.06.090 Capacity, school.** Capacity, School: the number of students a school district's facilities can accommodate district-wide, based on the district's standard of service, as determined by the school district.
- 21A.06.093 Capital facilities plan, school.** Capital facilities plan, school: a district's facilities plan adopted by the school board consisting of:
1. A forecast of future needs for school facilities based on the district's enrollment projections;
 2. The long-range construction and capital improvements projects of the district;
 3. The schools under construction or expansion;
 4. The proposed locations and capacities of expanded or new school facilities;
 5. At least a six-year financing plan component, updated as necessary to maintain at least a six-year forecast period, for financing needed school facilities within projected funding levels, and identifying sources of financing for such purposes, including bond issues authorized by the voters and projected bond issues not yet authorized by the voters;
 6. Any other long-range projects planned by the district.
 7. The current capacity of the district's school facilities based on the districts adopted standard of service, and a plan to eliminate existing deficiencies, if any, without the use of impact fees; and
 8. An inventory showing the location and capacity of existing school facilities.
- 21A.06.095 Cattery.** Cattery: a place where adult cats are temporarily boarded for compensation, whether or not for training. An adult cat is of either sex, altered or unaltered, that has reached the age of six months.
- 21A.06.098 Cemetery, columbarium or mausoleum.** Cemetery, columbarium or mausoleum: land or structures used for burial of the dead. For purposes of the code, pet cemeteries are considered a subclassification of this use.
- 21A.06.100 Church, synagogue or temple.** Church, synagogue or temple: A place where religious services are conducted, and including accessory uses in the primary or accessory buildings such as religious education, reading rooms, assembly rooms, and residences for nuns and clergy, but excluding facilities for training of religious orders; including uses located in SIC Industry No. 866.
- 21A.06.103 Classrooms, school.** Classrooms, school: educational facilities of the district required to house students for its basic educational program. The classrooms are those facilities the district determines are necessary to best serve its student population. Specialized facilities as identified by the district, including but not limited to gymnasiums, cafeterias, libraries,

administrative offices, and child care centers, shall not be counted as classrooms.

- 21A.06.105 Clearing.** Clearing: the limbing, pruning, trimming, topping, cutting or removal of vegetation or other organic plant matter by physical, mechanical, chemical or other means.
- 21A.06.108 (Reserved)**
- 21A.06.110 Cogeneration.** Cogeneration: the sequential generation of energy and useful heat from the same primary source or fuel for industrial, commercial, or residential heating or cooling purposes.
- 21A.06.113 Communication facility, major.** Major communication facility: a communication facility for transmission and reception of:
- A. UHF and VHF television signals; or
 - B. FM or AM radio signals.
- 21A.06.115 Communication facility, minor.** Minor communication facility: a communication facility for transmission and reception of:
- A. Two-way and/or citizen band ("CB") radio signals;
 - B. Point-to-point microwave signals;
 - C. Cellular radio signals;
 - D. Signals through FM radio translators; or
 - E. Signals through FM radio boosters under ten volts effective radiated power ("ERP").
- 21A.06.118 Community residential facility ("CRF").** Community residential facility ("CRF"): living quarters meeting applicable federal and state standards that function as a single housekeeping unit and provide supportive services, including but not limited to counseling, rehabilitation and medical supervision, excluding drug and alcohol detoxification; which is classified in Section 21A.08.030 as group residences, if staffed by nonresident staff, each 24 staff hours per day equals one full-time residing staff member for subclassifying CRF's. CRF's are further classified as follows:
- A. CRF-I -- Nine to ten residents and staff; and
 - B. CRF-II -- Eleven or more residents and staff.

- 21A.06.120 Compensatory storage.** Compensatory storage: new, excavated storage volume equivalent to any flood storage which is eliminated by building, filling or grading within the flood plain. For the purpose of this definition, equivalent flood storage capacity is that which is replaced by equal volume between corresponding one-foot contour intervals which are hydraulically connected to the floodway through their entire depth.
- 21A.06.123 Conditional use permit.** Conditional use permit: permit granted by the City to locate a permitted use on a particular property subject to conditions placed on the permitted use to ensure compatibility with nearby land uses.
- 21A.06.125 Conference center.** Conference center: An establishment developed primarily as a meeting facility; including facilities for recreation and related activities provided for conference participants, excluding overnight lodging.
- 21A.06.128 Confinement Area.** Confinement area: any open land area in which livestock are kept where the forage does not meet the definition of a grazing area.
- 21A.06.130 Consolidation.** Consolidation: the relocation to a consolidated transmission structure of the main transmit antennae of two or more FCC broadcast licensees which prior to such relocation utilized transmission structures located within a 1500 foot radius of the center of the consolidated transmission structure to support their main transmit antennae.
- 21A.06.133 Construction cost per student, school.** Construction cost per student, school: the estimated cost of construction of a permanent school facility in the district for the grade span of school to be provided, as a function of the district's facilities standard per grade span and taking into account the requirements of students with special needs.
- 21A.06.135 Critical drainage area.** Critical drainage area: an area which has been formally determined by the King County Surface Water Management Division to require restrictive regulation in order to mitigate severe flooding, drainage, erosion or sedimentation problems which result from the cumulative impacts of development and urbanization.
- 21A.06.138 Critical facility.** Critical facility: a facility necessary to protect the public health, safety and welfare and which is defined under the occupancy categories of "essential facilities", "hazardous facilities" and "special occupancy structures" in the Uniform Building Code. These facilities include, but are not limited to, schools, hospitals, nursing homes and police stations, fire departments and other emergency response facilities. Critical facilities also include nursing homes, public roadway bridges and

sites for hazardous substance storage or production, not including the temporary storage of consumer products containing hazardous substances intended for household use or for retail sale on the site.

- 21A.06.140 Daycare.** Daycare: An establishment for group care of non-resident adult or children.
- A. Daycare shall include, but not be limited to, SIC Industry No. 835, Child Day Care Services, SIC Industry No. 8322, Adult Daycare Centers and the following:
1. Adult Daycare, such as adult day health centers or social day care as defined by the Washington State Department of Social and Health Services;
 2. Nursery schools for children under minimum age for education in public schools;
 3. Privately conducted kindergartens or prekindergartens when not a part of a public or parochial school; and
 4. Programs covering after-school care for school children.
- B. Daycare establishments are subclassified as follows:
1. Daycare I -- a maximum of 12 adults or children in any 24 hour period; and
 2. Daycare II -- over 12 adults or children in any 24 hour period.
- 21A.06.143 Deciduous.** Deciduous: a plant species with foliage that is shed annually.
- 21A.06.145 Density credit, transfer ("TDC").** Density credit, transfer ("TDC"): the ability to transfer potentially buildable dwelling units from an eligible sending site to an eligible receiving site as provided in this code.
- 21A.06.148 Department.** Department: the City of Woodinville Department of Planning and Community Development.
- 21A.06.150 Department and variety store.** Department and variety store: An establishment engaged in the retail sale of a variety of lines of merchandise, such as; dry goods, apparel and accessories, home furnishings, housewares, and including uses located in SIC Major Group and Industry Nos.:
- A. 53-General Merchandise;
 - B. 5947-Gift, Novelty, and Souvenir Shops; and
 - C. 5948-Luggage and Leather Goods Stores.
- 21A.06.153 Destination resort.** Destination resort: an establishment for resource-based recreation and intended to utilize outdoor recreational opportunities, including related services, which may include food, overnight lodging, equipment rentals, entertainment and other conveniences for guests of the resort.

- 21A.06.155 Developer.** Developer: the person or entity who owns or holds purchase options or other development control over property for which development activity is proposed.
- 21A.06.158 Development activity.** Development activity: any construction or expansion of a building, structure or use, any change in use of a building or structure, or any change in the use of land that creates additional demand for school facilities.
- 21A.06.160 Development agreement.** Development agreement: a recorded agreement between an applicant and the City of Woodinville which incorporates the site plans, development standards, and other features of the approved development.
- 21A.06.163 Development proposal.** Development proposal: any activities requiring a permit or other approval from the City of Woodinville relative to the use or development of land.
- 21A.06.165 Development proposal site.** Development proposal site: the legal boundaries of the parcel or parcels of land for which an applicant has or should have applied for authority from the City of Woodinville to carry out a development proposal.
- 21A.06.168 Direct traffic impact.** Direct traffic impact: any increase in vehicle traffic generated by a proposed development which equals or exceeds ten (10) peak hour, peak direction vehicle trips on any roadway or intersection.
- 21A.06.170 (Reserved)**
- 21A.06.173 Dormitory.** Dormitory: A residential building that provides sleeping quarters, but not separate dwelling units, and may include common dining, cooking and recreation or bathing facilities.
- 21A.06.175 Drop box facility.** Drop box facility: a facility used for receiving solid waste and recyclable from off-site sources into detachable solid waste containers, including the adjacent areas necessary for entrance and exit roads, unloading and vehicle turnaround areas. Drop box facilities normally service the general public with loose loads and may also include containers for separated recyclable.
- 21A.06.178 Drug store.** Drug store: An establishment engaged in the retail sale of prescription drugs, nonprescription medicines, cosmetics and related supplies, including uses located in SIC Industry Group and Industry Nos.:
- A. 591-Drug Stores and Proprietary Stores;
 - B. 5993-Tobacco Stores and Stands; and
 - C. 5999-Cosmetics Stores.

- 21A.06.180 Dwelling unit.** Dwelling unit: one or more rooms designed for occupancy by a person or family for living and sleeping purposes, containing kitchen facilities and rooms with internal accessibility, for use solely by the dwelling's occupant; including but not limited to bachelor, efficiency and studio apartments, factory-built housing and mobile homes.
- 21A.06.183 Dwelling unit, accessory.** Dwelling unit, accessory: a separate, complete dwelling unit attached to or contained within the structure of the primary dwelling; or contained within a separate structure that is accessory to the primary dwelling unit on the premises.
- 21A.06.185 Dwelling unit, apartment.** Dwelling unit, apartment: a building containing two or more dwelling units which may be stacked, on one or more dwellings or nonresidential uses.
- 21A.06.188 Dwelling unit, senior citizen assisted.** Dwelling unit, senior citizen assisted: a building containing two or more dwelling units restricted to occupancy by senior citizens, and including, but not limited to the following support services, as deemed necessary:
- A. Food preparation and dining areas;
 - B. Group activity areas;
 - C. Medical supervision; and
 - D. Similar activities.
- 21A.06.190 Dwelling unit, single detached.** Dwelling unit, single detached: a detached building containing one dwelling unit.
- 21A.06.193 Dwelling unit, townhome.** Dwelling unit, townhome: a building containing one dwelling unit that occupies space from the ground to the roof, and is attached to one or more other townhome dwellings by common walls which may be located on lot lines.
- 21A.06.195 Earth station.** Earth station: a communication facility which transmits and/or receives signals to and from an orbiting satellite using satellite dish antennas.
- 21A.06.198 Effective radiated power.** Effective radiated power: the product of the antenna power input and the numerical antenna power gain.
- 21A.06.200 Elderly.** Elderly: a person 62 years of age or older.
- 21A.06.203 Electrical conversion substation.** Electrical conversion substation: a site containing equipment for the conversion of high voltage electrical power transported through transmission lines into lower voltages transported through distribution lines and suitable for individual users.

- 21A.06.205 Energy resource recovery facility.** Energy resource recovery facility: an establishment for recovery of energy in a usable form from mass burning or refuse-derived fuel incineration, pyrolysis or any other means of using the heat of combustion of solid waste.
- 21A.06.208 Enhancement, sensitive area.** Enhancement, sensitive area: an action which increases the functions and values of a stream, wetland or other sensitive area or buffer.
- 21A.06.210 Equipment, heavy.** Equipment, heavy: high-capacity mechanical devices for moving earth or other materials, and mobile power units including, but not limited to:
- A. Carryalls;
 - B. Graders;
 - C. Loading and unloading devices;
 - D. Cranes;
 - E. Drag lines;
 - F. Trench diggers;
 - G. Tractors;
 - H. Augers;
 - I. Bulldozers;
 - J. Concrete mixers and conveyers;
 - K. Harvesters;
 - L. Combines; or
 - M. Other major agricultural equipment and similar devices operated by mechanical power as distinguished from manpower.
- 21A.06.213 Erosion.** Erosion: the process by which soil particles are mobilized and transported by natural agents such as wind, rainsplash, frost action or surface water flow.
- 21A.06.215 Erosion hazard areas.** Erosion hazard areas: those areas in City of Woodinville underlain by soils which are subject to severe erosion when disturbed. Such soils include but are not limited to those classified as having a severe to very severe erosion hazard according to the USDA Soil Conservation Service, the 1973 King County Soils Survey or any subsequent revisions or addition by or to these sources. These soils include, but are not limited to, any occurrence of River Wash ("Rh") and the following when they occur on slopes 15% or steeper:
- A. The Alderwood gravely sandy loam ("AgD");
 - B. The Alderwood and Kitsap soils ("AkF");
 - C. The Beausite gravely sandy loam ("BeD" and "BeF");
 - D. The Kitsap silt loam ("KpD");
 - E. The Ovall gravely loam ("OvD" and "OvF");
 - F. The Ragnar fine sandy loam ("RaD"); and
 - G. The Ragnar-Indianola Association ("RdE").

- 21A.06.218 **Evergreen.** Evergreen: a plant species with foliage that persists and remains green year round.
- 21A.06.220 (Reserved)
- 21A.06.223 **Fabric shop.** Fabric shop: An establishment engaged in the retail sale of sewing supplies and accessories, including uses located in SIC Industry Nos.:
- A. 5949-Sewing, Needlework, and Piece Goods Stores; and
 - B. Awning Shops, Banner Shops, and Flag Shops found in 5999.
- 21A.06.225 **Facilities standard, school.** Facilities standard, school: the space required, by grade span and taking into account the requirements of students with special needs, which is needed in order to fulfill the educational goals of the school district as identified in the district's capital facilities plan.
- 21A.06.228 **Factory-built commercial building.** Factory-built commercial building: any structure that is either entirely or substantially prefabricated or assembled at a place other than a building site; and designed or used for non-residential human occupancy.
- 21A.06.230 **Fairground.** Fairground: a site permanently designated and improved for holding a county fair, as provided in RCW Chapters 15.76 and 36.37, or for holding similar events, including, but not limited to:
- A. Carnivals;
 - B. Circuses;
 - C. Expositions;
 - D. Animal shows; and
 - E. Exhibitions and/or demonstrations of farm and home products with accompanying entertainment and amusements.
- 21A.06.233 **Family.** Family: an individual; two or more persons related by blood or marriage; a group of eight or fewer residents, who are not related by blood or marriage, living together as a single housekeeping unit; or a group living arrangement where eight or fewer residents receive supportive services such as counseling, foster care, or medical supervision at the dwelling unit by resident or non-resident staff. For purposes of this definition, minors living with parent shall not be counted as part of the maximum number of residents.
- 21A.06.235 **Federal Emergency Management Agency ("FEMA") floodway.** Federal Emergency Management Agency ("FEMA") floodway: the channel of the stream and that portion of the adjoining floodplain which is necessary to contain and discharge the base flood flow without increasing the base flood elevation more than one foot.

- 21A.06.238 Feed Store.** Feed Store: an establishment engaged in retail sale of supplies directly related to the day to day activities of agricultural production.
- 21A.06.240 Fence.** Fence: a barrier for the purpose of enclosing space or separating lots, composed of:
- A. Masonry or concrete walls, excluding retaining walls; or
 - B. Wood, metal or concrete posts connected by boards, rails, panels, wire or mesh.
- 21A.06.243 Flood fringe.** Flood fringe: that portion of the floodplain outside of the zero-rise floodway which is covered by floodwaters during the base flood, generally associated with standing water rather than rapidly flowing water.
- 21A.06.245 Flood hazard areas.** Flood hazard areas: those areas in City of Woodinville subject to inundation by the base flood including, but not limited to, streams, lakes, wetlands and closed depressions.
- 21A.06.248 Flood insurance rate map.** Flood Insurance Rate Map: the official map on which the Federal Insurance Administration has delineated some areas of flood hazard.
- 21A.06.250 Flood insurance study for King County.** Flood Insurance Study for King County: the official report provided by the Federal Insurance Administration which includes flood profiles and the Flood Insurance Rate Map.
- 21A.06.253 Flood protection elevation.** Flood protection elevation: an elevation which is one foot above the base flood elevation.
- 21A.06.255 Floodplain.** Floodplain: the total area subject to inundation by the base flood.
- 21A.06.258 Floodproofing.** Floodproofing: adaptations which will make a structure that is below the flood protection elevation substantially impermeable to the passage of water and resistant to hydrostatic and hydrodynamic loads including the impacts of buoyancy.
- 21A.06.260 Floodway, zero-rise.** Floodway zero-rise: the channel of a stream and that portion of the adjoining floodplain which is necessary to contain and discharge the base flood flow without any measurable increase in flood height. A measurable increase in base flood height means a calculated upward rise in the base flood elevation, equal to or greater than .01 foot, resulting from a comparison of existing conditions and changed conditions directly attributable to development in the floodplain. This definition is

broader than that of the FEMA floodway, but always includes the FEMA floodway. The boundaries of the 100-year floodplain, as shown on the Flood Insurance Study for King County, are considered the boundaries of the zero-rise floodway unless otherwise delineated by a sensitive area special study.

- 21A.06.263 Florist shop.** Florist shop: An establishment engaged in the retail sale of flowers and plants, including uses located in SIC Industry Nos.:
- A. 5992-Florists; and
 - B. 5999-Artificial Flowers.
- 21A.06.265 (Reserved)**
- 21A.06.268 Forest practice.** Forest practice: any activity regulated by the Washington Department of Natural Resources in Washington Administrative Code ("WAC") 222 or RCW 79.06 for which a forest practice permit is required, together with:
- A. Fire prevention, detection and suppression; and,
 - B. Slash burning or removal.
- 21A.06.270 Forest product sales.** Forest product sales: the sale of goods produced, extracted, consumed, gathered or harvested from a forest including, but not limited to:
- A. Trees;
 - B. Wood chips;
 - C. Logs;
 - D. Fuelwood;
 - E. Cones;
 - F. Christmas trees;
 - G. Berries;
 - H. Herbs; or
 - I. Mushrooms.
- 21A.06.273 Forest research.** Forest research: The performance of scientific studies relating to botany, hydrology, silviculture, biology and other branches of science in relation to management of forest lands, including but not limited to SIC Industry Nos:
- A. 8731-Commercial Physical and Biological Research;
 - B. 8733-Noncommercial Research Organizations; and
 - C. 8734-Testing Laboratories.
- 21A.06.275 Frequency, electronic or electrical.** Frequency, electronic or electrical: the number of times the current from a given source of non-ionizing electromagnetic radiation changes from a maximum positive level through a maximum negative level and back to a minimum positive level in one second; measured in cycles per second or Hertz ("Hz").

- 21A.06.278 Furniture and Home Furnishings store.** Furniture and Home furnishings store: An establishment engaged in the retail sale of household furniture and furnishings for the home, including uses located in SIC Major Group and Industry Nos.:
- A. 57-Home Furniture, Furnishings, and Equipment Stores, except Industry Group No. 573; and
 - B. Baby carriages, Cake Decorating Supplies, Hot Tubs, Picture Frames (ready made), Swimming Pools (above-ground, not site-built), Telephone Stores and Typewriter Stores found in 5999.
- 21A.06.280 General business service.** General business service: An establishment engaged in providing services to businesses or individuals, with no outdoor storage or fabrication, including uses located in SIC Major Group Nos.:
- A. 60-Depository Institutions;
 - B. 61-Nondepository Credit Institutions;
 - C. 62-Security and Commodity Brokers, Dealers, Exchanges, and Services;
 - D. 63-Insurance Carriers;
 - E. 65-Real Estate, except 653 (Real Estate Agents and Planning Directors);
 - F. 67-Holding and Other Investment Offices;
 - G. 7299-Miscellaneous Personal Services, not elsewhere classified;
 - H. 73-Business Services, except Industry Group and Industry Nos.:
 - I. 7312-Outdoor Advertising Services; and
 - J. 86-Membership Organizations, including administrative offices of organized religions found in 8661, but excluding churches and places of worship.
- 21A.06.283 Geologist.** Geologist: a person who has earned at least a Bachelor of Science degree in the geological sciences from an accredited college or university or who has equivalent educational training who has at least four years of professional experience as a geologist.
- 21A.06.285 Geotechnical engineer.** Geotechnical engineer: a practicing geotechnical/civil engineer licensed as a professional civil engineer by the State of Washington who has at least four years of professional employment as a geotechnical engineer.
- 21A.06.288 Golf facility.** Golf facility: a recreational facility, under public or private ownership, designed and developed for uses including, but not limited to:
- A. A golf course;
 - B. A driving range;
 - C. Miniature golf;
 - D. Pro shops;
 - E. Caddyshack buildings;
 - F. Restaurants;
 - G. Office and meeting rooms; and

H. Related storage facilities.

- 21A.06.290** **Grade span, school.** Grade span, school: the categories into which a district groups its grades of students; i.e., elementary, middle or junior high school, and high school.
- 21A.06.293** **Grading.** Grading: any excavation, filling, removing the duff layer or any combination thereof.
- 21A.06.295** **Grazing Area.** A grazing area is any open land area used to pasture livestock in which the forage is maintained over 80% of the area at all times of the year.
- 21A.06.298** **Groundcover.** Groundcover: living plants designed to grow low to the ground (generally one foot or less) and intended to stabilize soils and protect against erosion.
- 21A.06.300** **Hazardous household substance.** Hazardous household substance: a substance as defined in RCW 70.105.010.
- 21A.06.303** **Hazardous substance.** Hazardous substance: a substance as defined in RCW 70.105.010.
- 21A.06.304** **Hearing Examiner.** Hearing Examiner: the zoning and subdivision Ordinance No. 17 examiner as established by City of Woodinville.
- 21A.06.305** **Heavy equipment repair.** Heavy equipment repair: the repair and maintenance of self-powered, self-propelled or towed mechanical devices, and equipment and vehicles used for commercial purposes, excluding:
- A. Automobiles;
 - B. Recreational vehicles; and
 - C. Boats and their trailers;
- and including, but not limited to:
- D. Tandem axle trucks;
 - E. Graders;
 - F. Backhoes;
 - G. Tractor trailers;
 - H. Cranes; and
 - I. Lifts.
- 21A.06.308** **Helistop.** Helistop: An area on a roof or on the ground used for the takeoff and landing of helicopters for the purpose of loading or unloading passengers or cargo but not including fueling service, hangers, maintenance or overhaul facilities.

- 21A.06.310 Hobby, toy, and game shop.** Hobby, toy, and game shop: An establishment engaged in the retail sale of toys, games, hobby and craft kits, including uses located in SIC Industry Nos.:
- A. 5945-Hobby, Toy and Game Shops; and
 - B. 5999-Autograph and Philatelist Supply Stores, Coin Shops, and Stamps, philatelist-retail (except mail order).
- 21A.06.313 Home industry.** Home industry: a limited-scale sales, service or fabrication activity undertaken for financial gain, which occurs in a dwelling unit or residential accessory building, or in a barn or other resource accessory building and is subordinate to the primary use of the premises as a residence or farm.
- 21A.06.315 Home occupation.** Home occupation: a limited-scale service or fabrication activity undertaken for financial gain, which occurs in a dwelling unit and is subordinate to the primary use of the premises as a residence.
- 21A.06.318 Household pets.** Household pets: small animals that are kept within a dwelling unit.
- 21A.06.320 Hydroelectric generation facility.** Hydroelectric generation facility: an establishment for the generation of electricity using water sources.
- 21A.06.323 Impervious surface.** Impervious surface: any non-vertical surface artificially covered or hardened so as to prevent or impede the percolation of water into the soil mantle including, but not limited to, roof tops, swimming pools, paved or graveled roads or parking areas and excluding landscaping and surface water retention/detention facilities.
- 21A.06.325 Improved public roadways.** Improved public roadways: public road rights-of-way that have been improved with at least two travel lanes and are maintained by either City of Woodinville or the State of Washington.
- 21A.06.328 Individual transportation and taxi.** Individual transportation and taxi: An establishment engaged in furnishing individual or small group transportation by motor vehicle, including uses located in SIC Industry Group and Industry Nos.:
- A. 412-Taxicabs; and
 - B. 4119-Local Passenger Transportation, not elsewhere Classified.
- 21A.06.330 Interim recycling facility.** Interim recycling facility: A site or establishment engaged in collection or treatment of recyclable materials, which is not the final disposal site, and including:
- A. Drop boxes;
 - B. Source-separated, organic waste processing facilities; and

C. Collection, separation and shipment of glass, metal, paper or other recyclables to others who will re-use them or use them to manufacture new products.

21A.06.333 Jail. Jail: a facility operated by a governmental agency; designed, staffed and used for the incarceration of persons for the purposes of punishment, correction and rehabilitation following conviction of an offense.

21A.06.335 Jail farm. Jail farm: a farm or camp on which persons convicted of minor law violations are confined and participate in agriculture and other work activities of the facility.

21A.06.338 Jewelry store. Jewelry Store: An establishment engaged in the retail sale of a variety of jewelry products, including uses located in SIC Industry Nos.:

- A. 5944-Jewelry Stores; and
- B. Gem stones and Rock specimens found in 5999.

21A.06.340 Kennel. Kennel: a place where adult dogs are temporarily boarded for compensation, whether or not for training. An adult dog is one of either sex, altered or unaltered, that has reached the age of six months.

21A.06.343 Landfill. Landfill: a disposal site or part of a site at which refuse is deposited.

21A.06.345 Landing field. Landing field: a runway or landing area which is designed, used or intended to be used by private aircraft; including necessary taxiways, storage and tie-down areas.

21A.06.348 Landscaping. Landscaping: live vegetative materials included in the development of a site. Said materials provided along the boundaries of a development site is referred to as perimeter landscaping. Landscaping provided on the remainder of the site is referred to as interior landscaping.

21A.06.350 Landslide. Landslide: episodic downslope movement of a mass including, but not limited to, soil, rock or snow.

21A.06.353 **Landslide hazard areas.** Landslide hazard areas: those areas in City of Woodinville subject to severe risks of landslides, including the following:

- A. Any area with a combination of:
 - 1. Slopes steeper than 15%;
 - 2. Impermeable soils, such as silt and clay, frequently interbedded with granular soils, such as sand and gravel; and
 - 3. Springs or ground water seepage;
- B. Any area which has shown movement during the Holocene epoch, from 10,000 years ago to the present, or which is underlain by mass wastage debris from that epoch;
- C. Any area potentially unstable as a result of rapid stream incision, stream bank erosion or undercutting by wave action;
- D. Any area which shows evidence of or is at risk from snow avalanches; or
- E. Any area located on an alluvial fan, presently subject to or potentially subject to inundation by debris flows or deposition of stream-transported sediments.

21A.06.355 **Level of service ("LOS").** Level of service ("LOS"): A measure of traffic congestion along a roadway or at an intersection identified by a letter scale from A to F as calculated by a methodology endorsed by the Institute of Transportation Engineers.

21A.06.358 **Light equipment.** Light equipment: hand-held tools and construction equipment, such as chain saws, wheelbarrows and post-hole diggers.

21A.06.360 **Livestock.** Livestock: grazing animals kept either in open fields or structures for training, boarding, home use, sales, or breeding and production, including but not limited to:

- A. Cattle;
- B. Riding and draft horses;
- C. Hogs excluding pigs under 120 lbs. and standing 20 inches or less at the shoulder which are kept as pets or small animals;
- D. Sheep; and
- E. Goats;

21A.06.363 **Livestock, large.** livestock, large: cattle, horses, llamas, alpaca, and other livestock generally weighing over 500 pounds.

21A.06.365 **Livestock, small.** livestock, small: hogs (excluding pigs under 120 lbs. and standing 20 inches or less at the shoulder which are kept as household pets or small animals), sheep, goats, miniature horses, llamas, alpaca and other livestock generally weighing under 500 pounds.

21A.06.368 Loading space. Loading space: a space for the temporary parking of a vehicle while loading or unloading cargo or passengers.

21A.06.370 Log storage. Log storage: a facility for the open or enclosed storage of logs which may include repair facilities for equipment used on-site or operations offices.

21A.06.373 Lot. Lot: a physically separate and distinct parcel of property, which has been created pursuant to the City of Woodinville Interim Subdivision Code or otherwise legally established.

21A.06.375 Lot line, interior. Lot line, interior: lot lines that delineate property boundaries along those portions of the property which do not abut a street.

21A.06.378 Marina. Marina: an establishment providing docking, moorage space and related activities limited to the provisioning or minor repair of pleasure boats and yachts; and personal services including, but not limited to:

- A. Showers;
- B. Toilets; and
- C. Self-service laundries.

21A.06.380 Material Error. Material Error: substantive information upon which a permit decision is based that is submitted in error or is omitted at the time of permit application.

21A.06.383 Microwave. Microwave: electromagnetic waves with a frequency of 890 megahertz ("mhz) or greater.

21A.06.385 Mitigation. Mitigation: the use of any or all of the following actions listed in descending order of preference:

- A. Avoiding the impact by not taking a certain action;
- B. Minimizing the impact by limiting the degree or magnitude of the action by using appropriate technology or by taking affirmative steps to avoid or reduce the impact;
- C. Rectifying the impact by repairing, rehabilitating or restoring the affected area or;
- D. Reducing or eliminating the impact over time by preservation or maintenance operations during the life of the development proposal;
- E. Compensating for the impact by replacing, enhancing or providing substitute; and
- F. Monitoring the impact and taking appropriate corrective measures.

- 21A.06.388 Mobile home.** Mobile home: a structure transportable in one or more sections; that in the traveling mode is eight body feet or more in width or 32 body feet or more in length; or when erected on site, is 320 square feet or more in area; built on a permanent chassis; designed to be used as a dwelling unit, with or without permanent foundation, when connected to the required utilities; which contains plumbing, heating, air-conditioning and electrical systems; and shall include any structure that meets all the requirements of this section, or of WAC 296-150B, except the size requirements for which the manufacturer voluntarily complies with the standards and files the certification required by the Department of Housing and Urban Development ("HUD").
- 21A.06.390 Mobile home park.** Mobile home park: a development with two or more improved pads or spaces designed to accommodate mobile homes.
- 21A.06.393 Monitoring.** Monitoring: evaluating the impacts of development proposals on natural or manmade systems and assessing the performance of required mitigation through the collection and analysis of data for the purpose of understanding and documenting changes in the natural or manmade systems, functions and features including, but not limited to, gathering baseline data.
- 21A.06.395 Monuments, tombstones, and gravestones sales.** Monuments, tombstones, and gravestones sales: the retail sale of custom stonework products including uses located in SIC Industry No. 5599-Monuments, finished to custom order, Tombstones and Gravestones finished.
- 21A.06.398 Motor vehicle, boat and mobile home dealer.** Motor vehicle, boat and mobile home dealer: An establishment engaged in the retail sale of new and/or used automobiles, motor homes, motorcycles, trailers, boats or mobile homes, including uses located in SIC Major Group and Industry Group Nos.:
- A. 55-Automotive Dealers and Gasoline Service Stations except:
 - 1. 553-Auto and Home Supply Stores;
 - 2. 554-Gasoline Service Stations; and
 - B. Aircraft dealers found in 5599:
 - 1. 527-Mobile Home Dealers; and
 - 2. Yacht brokers found in 7389.
- 21A.06.400 Motor vehicle and bicycle manufacturing.** Motor vehicle and bicycle manufacturing: fabricating or assembling complete passenger automobiles, trucks, commercial cars and buses, motorcycles, and bicycles, including uses located in SIC Industry Group Nos.:
- A. 371-Motor Vehicles and Motor Vehicle Equipment; and
 - B. 375-Motorcycles, Bicycles, and Parts.

- 21A.06.403 Municipal Water Production.** Municipal Water Production: the collection and processing of surface water through means of dams or other methods of impoundment for municipal water systems.
- 21A.06.405 Native vegetation.** Native vegetation: vegetation comprised of plant species, other than noxious weeds, which are indigenous to the coastal region of the Pacific Northwest and which reasonably could have been expected to naturally occur on the site.
- 21A.06.408 Naturalized species.** Naturalized species: non-native species of vegetation that are adaptable to the climatic conditions of the coastal region of the Pacific Northwest.
- 21A.06.410 Nonconformance.** Nonconformance: any use, improvement or structure established in conformance with City of Woodinville or County rules and regulations in effect at the time of establishment that no longer conforms to the range of uses permitted in the site's current zone or to the current development standards of the code due to changes in the code or its application to the subject property.
- 21A.06.413 Nonhydro-electric generation facility.** Nonhydro-electric generation facility: an establishment for the generation of electricity by nuclear reaction, burning fossil fuels, or other electricity generation methods.
- 21A.06.415 Non-ionizing electromagnetic radiation ("NIER").** Non-ionizing electromagnetic radiation ("NIER"): electromagnetic radiation of low photon energy unable to cause ionization.
- 21A.06.418 Noxious weed.** Noxious weed: any plant which is highly destructive, competitive or difficult to control by cultural or chemical practices, limited to those plants on the state noxious weed list contained in WAC 16-750.
- 21A.06.420 Open-work fence.** Open-work fence: a fence in which the solid portions are evenly distributed and constitute no more than fifty (50) percent of the total surface area.
- 21A.06.423 Ordinary high water mark.** Ordinary high water mark: the mark found by examining the bed and banks of a stream or lake and ascertaining where the presence and action of waters are so common and long maintained in ordinary years as to mark upon the soil a vegetative character distinct from that of the abutting upland. In any area where the ordinary high water mark cannot be found, the line of mean high water shall substitute. In any area where neither can be found, the top of the channel bank shall substitute. In braided channels and alluvial fans, the ordinary high water mark or line of mean high water shall be measured so as to include the entire stream feature.

21A.06.425 Outdoor performance center. Outdoor performance center: establishment for the performing arts with open-air seating for audiences. Such establishments may include related services such as food and beverage sales and other concessions.

21A.06.428 Park. Park: a site designed or developed for recreational use by the public including, but not limited to:

- A. Indoor facilities, such as:
 - 1. Gymnasiums
 - 2. Swimming pools; or
 - 3. Activity centers; and
- B. Outdoor facilities, such as:
 - 1. Playfields;
 - 2. Fishing areas; or
 - 3. Picnic and related outdoor activity areas; and
- C. Areas and trails for:
 - 1. Hikers;
 - 2. Equestrians;
 - 3. Bicyclists; or
 - 4. Off-road recreational vehicle users.

21A.06.430 Park service area. Park service area: established by the City, within which the dedications of land and fees received from new residential developments for the benefit of residents within such service area.

21A.06.433 Parking lot aisle. Parking lot aisle: that portion of the off-street parking area used exclusively for the maneuvering and circulation of motor vehicles and in which parking is prohibited.

21A.06.435 Parking lot unit depth. Parking lot unit depth: the linear distance within which one parking aisle is flanked by accessible rows of parking stalls as measured perpendicular to the parking aisle.

21A.06.438 Parking space. Parking space: an area accessible to vehicles, improved, maintained and used for the sole purpose of parking a motor vehicle.

21A.06.440 Parking space angle. Parking space angle: the angle measured from a reference line, generally the property line or center line of an aisle, at which motor vehicles are to be parked.

21A.06.443 Party of record. Party of record ("POR"): A person who has submitted written comments, testified, asked to be notified or is the sponsor of a petition entered as part of the official City record on a specific development proposal.

- 21A.06.445 Peak hour.** Peak hour: The hour during the morning or afternoon when the most critical level of service occurs for a particular roadway or intersection.
- 21A.06.448 Permanent school facilities.** Permanent school facilities: facilities of a school district with a fixed foundation which are not relocatable facilities.
- 21A.06.450 Personal medical supply store.** Personal medical supply store: An establishment engaged in the retail sale of eyeglasses, contact lenses, hearing aids, and artificial limbs, including uses located in SIC Industry Nos.:
- A. 5995-Optical Goods Stores; and
 - B. 5999-Hearing Aids and Orthopedic and Artificial Limb Stores.
- 21A.06.453 Pet shop.** Pet shop: An establishment engaged in the retail sale of pets, small animals, pet supplies, or grooming of pets, including uses located in SIC Industry No. 5999-Pet shops.
- 21A.06.455 Photographic and electronic shop.** Photographic and electronic shop: An establishment engaged in the retail sale of cameras and photographic supplies, and a variety of household electronic equipment, including uses located in SIC Industry No.:
- A. 5946 - Camera and Photographic Supply Stores;
 - B. 5999 - Binoculars and Telescopes;
 - C. 5731 - Radio, Television, and Consumer Electronics Stores; and
 - D. 5734 - Computer and Computer Software Stores.
- 21A.06.458 Planning Director.** Planning Director: the manager of the City of Woodinville's Planning and Community Development Department or his or her designee.
- 21A.06.460 Plant associations of infrequent occurrence.** Plant associations of infrequent occurrence: one or more plant species of a landform type which does not often occur in City of Woodinville because of the rarity of the habitat and/or the species involved or for other botanical or environmental reasons.
- 21A.06.463 Private.** Private: solely or primarily for the use of residents or occupants of the premises; e.g., a non-commercial garage used solely by residents or their guests is a private garage.
- 21A.06.465 Private stormwater management facility.** Private stormwater management facility: a surface water control structure installed by a project proponent to retain, detain or otherwise limit runoff from an individual or group of developed sites specifically served by such structure.

21A.06.468 Professional office. Professional office: an office used as a place of business by licensed professionals, or persons in other generally recognized professions, which use training or knowledge of a technical, scientific or other academic discipline as opposed to manual skills, and which does not involve outside storage or fabrication, or on-site sale or transfer of commodities; including the following SIC Major Group and Industry Nos.:

- A. 64-Insurance Agents, Brokers and Service;
- B. 653-Real Estate Agents and Planning Directors;
- C. 7291-Income Tax Return Preparation Services;
- D. 81-Legal Services;
- E. 871-Engineering, Architectural and Surveying Services;
- F. 872-Accounting, Auditing and Bookkeeping Services; and
- G. 874-Management and Public Relations Services.

21A.06.470 Public agency. Public agency: any agency, political subdivision or unit of local government of this state including, but not limited to, municipal corporations, special purpose districts and local service districts, any agency of the State of Washington, the United States or any state thereof or any Indian tribe recognized as such by the federal government.

21A.06.473 Public agency animal control facility. Public agency animal control facility: a facility for the impoundment and disposal of stray or abandoned small animals.

21A.06.475 Public agency archive. Public agency archive: a facilities for the enclosed storage of public agency documents or related materials, excluding storage of vehicles, equipment, or similar materials.

21A.06.478 Public agency office. Public agency office: an office for the administration of any governmental activity or program, with no outdoor storage and including, but not limited to uses located in SIC Major Group, Industry Group and Industry Nos.:

- A. 91-Executive, Legislative, and General Government, except Finance;
- B. 93-Public Finance, Taxation, and Monetary Policy;
- C. 94-Administration of Human Resource Programs;
- D. 95-Administration of Environmental Quality and Housing Program;
- E. 96-Administration of Economic Programs;
- F. 972-International Affairs;
- G. 9222-Legal Counsel and Prosecution; and
- H. 9229-Public Order and Safety.

21A.06.480 Public agency training facility. Public agency training facility: an establishment or school for training state and local law enforcement, fire safety, national guard or transit personnel and facilities including but not limited to:

- A. Dining and overnight accommodations;
- B. Classrooms;
- C. Shooting ranges;
- D. Auto test tracks; and
- E. Fire suppression simulations.

21A.06.483 Public agency yard. Public agency yard: a facility for open or enclosed storage, repair, and maintenance of vehicles, equipment, or related materials, excluding document storage.

21A.06.485 (Reserved)

21A.06.488 Receiving site. Receiving site: land for which allowable residential density is increased over the base density permitted by the underlying zone, by virtue of permanently securing and dedicating to City of Woodinville, or another qualifying agency (approved by the City), the development potential of an associated sending site.

21A.06.490 Recreational vehicle ("RV"). Recreational vehicle ("RV"): a vehicle designed primarily for recreational camping, travel or seasonal use which has its own motive power or is mounted on or towed by another vehicle, including but not limited to:

- A. Travel trailer;
- B. Folding camping trailer;
- C. Park trailer;
- D. Truck camper;
- E. Park trailer;
- F. Motor home; and
- G. Multi-use vehicle.

21A.06.493 Recreational vehicle parks. Recreational vehicle parks: The use of land upon which two or more recreational vehicle sites, including hook up facilities, are located for occupancy by the general public of recreational vehicles as temporary living quarters for recreation or vacation purposes.

21A.06.495 Recyclable material. Recyclable material: a non-toxic, recoverable substance that can be re-processed for the manufacture of new products.

21A.06.498 Regional stormwater management facility. Regional stormwater management facility: a surface water control structure installed in or

adjacent to a stream or wetland of a basin or sub-basin by the County's surface water management ("SWM") division or a project proponent.

- 21A.06.500 Regional utility corridor.** Regional utility corridor: a right-of-way tract or easement which contains transmission lines or pipelines for utility companies, excluding distribution lines contained within street rights-of-way or lines serving individual lots or developments.
- 21A.06.503 Relocatable facility, school.** Relocatable facility, school: any factory-built structure, transportable in one or more sections that is designed to be used as an education space and is needed to prevent the overbuilding of school facilities, to meet the needs of service areas within a district or to cover the gap between the time that families move into new residential developments and the date that construction is completed on permanent school facilities.
- 21A.06.505 Relocatable facilities cost per student.** Relocatable facilities cost per student: the estimated cost of purchasing and siting a relocatable facility in a school district for the grade span of school to be provided, as a function of the district's design standard per grade span and taking into account the requirements of students with special needs.
- 21A.06.508 Relocation facilities.** Relocation facilities: housing units that provide housing to persons who have been involuntarily displaced from other housing units as a result of conversion of their housing unit to other land uses.
- 21A.06.510 Restoration, sensitive area.** Restoration, sensitive area: returning a stream, wetland, other sensitive area or any associated buffer to a state in which its stability and functions approach its unaltered state as closely as possible.
- 21A.06.513 Retail, comparison.** Retail, comparison. Provides for the sale of comparison good and services and is centrally located in the community or region.
- 21A.06.515 Retail, convenience.** Retail, convenience. Provides for daily living goods, is easy to access and use and is close to residential neighborhoods.
- 21A.06.518 Retention/detention facility.** Retention/detention facility: a type of drainage facility designed either to hold water for a considerable length of time and then to release it by evaporation, plant transpiration and/or infiltration into the ground or to hold run-off for a short period of time and then to release it to the surface and storm water management system.

- 21A.06.520 Salmonid.** Salmonid: a member of the fish family salmonidae, including:
- A. Chinook, coho, chum, sockeye and pink salmon;
 - B. Rainbow, steelhead and cutthroat salmon;
 - C. Brown trout;
 - D. Brook and dolly varden char;
 - E. Kokanee; and
 - F. Whitefish.
- 21A.06.523 School bus base.** School bus base: an establishment for the storage, dispatch, repair and maintenance of coaches and other vehicles of a school transit system.
- 21A.06.525 School district.** School district: any school district whose boundaries include an area of the City.
- 21A.06.528 School district support facility.** School district support facility: uses (excluding schools and bus bases) that are required for the operation of a school district. This term includes school district administrative offices, centralized kitchens, and maintenance or storage facilities.
- 21A.06.530 Schools, elementary, and middle/junior high.** Schools, elementary, and middle/junior high: institutions of learning offering instruction in the several branches of learning and study required by the Education Code of the State of Washington in grades kindergarten through nine, including associated meeting rooms, auditoriums and athletic facilities.
- 21A.06.532 Schools, preschool.** Schools, preschool: establishments providing exclusively educational programs for prekindergarten or preschool children (ages 2-5), but excluding daycare as defined by WMC 21A.06.140 DAYCARE.
- 21A.06.533 Schools, secondary or high school.** Schools, secondary or high school: institutions of learning offering instruction in the several branches of learning and study required by the Education Code of the State of Washington in grades nine through twelve, including associated meeting rooms, auditoriums and athletic facilities.
- 21A.06.535 Seismic hazard areas.** Seismic hazard areas: those areas in City of Woodinville subject to severe risk of earthquake damage as a result of soil liquefaction in areas underlain by cohesionless soils of low density and usually in association with a shallow groundwater table or of other seismically induced settlement.
- 21A.06.538 Self-service storage facility.** Self-service storage facility: an establishment containing separate storage spaces that are leased or rented as individual units.

- 21A.06.540 Sending site.** Sending site: land designated in WMC 21A.36 as capable of providing a public benefit if permanently protected by virtue of having its zoned development potential transferred to another property.
- 21A.06.543 Sensitive areas.** Sensitive areas: any of those areas in City of Woodinville which are subject to natural hazards or those land features which support unique, fragile or valuable natural resources including fishes, wildlife and other organisms and their habitat and such resources which carry, hold or purify water in their natural state. Sensitive areas include erosion hazard areas, flood hazard areas, landslide hazard areas, seismic hazard areas, steep slope hazard areas, streams and wetlands.
- 21A.06.545 Setback.** Setback: the minimum required distance between a structure and a lot, easement, or buffer line that is required to remain free of structures.
- 21A.06.548 Setback, interior.** Interior setback: the setback extending from the interior lot line to a line parallel to and measured perpendicularly from the interior lot lines at the depth prescribed for each zone.
- 21A.06.550 Setback, street.** Street setback: the setback extending from the street right-of-way to a line parallel to and measured perpendicularly from the street right-of-way or the edge of a surface improvement which extends beyond a right-of-way at the depth prescribed for each zone.
- 21A.06.553 Shelters for temporary placement.** Shelters for temporary placement: housing units that provide housing to persons on a temporary basis for a duration not to exceed four weeks.
- 21A.06.555 Shooting range.** Shooting range: a facility designed to provide a confined space for safe target practice with firearms, archery equipment, or other weapons.
- 21A.06.558 Sign.** Sign: any device, structure, fixture, or placard that is visible from a public right-of-way or surrounding properties and uses graphics, symbols, or written copy for the purpose of advertising or identifying any establishment, product, goods, or service.
- 21A.06.560 Sign, awning.** Sign, awning: A sign affixed to the front or side of an awning.
- 21A.06.563 Sign, changing message center.** Sign, changing message center: an electrically controlled sign that contains messages for date, time, and temperature which changes at intervals of one minute or less.

- 21A.06.565 Sign, community bulletin board.** Sign, community bulletin board: a permanent sign used to notify the public of community events and public services, and which contains no commercial advertising.
- 21A.06.568 Sign, directional.** Sign, directional: a sign designed to guide or direct pedestrian or vehicular traffic to an area, place or convenience, and may include incidental graphics such as trade names and trademarks.
- 21A.06.570 Sign, freestanding.** Sign, freestanding: a sign standing directly upon the ground or having one or more supports standing directly upon the ground, and being detached from any building or structure.
- 21A.06.573 Sign, fuel price.** Sign, fuel price: a sign utilized to advertise the price of gasoline and/or diesel fuel.
- 21A.06.575 Sign, incidental.** Sign, incidental: a sign, emblem or decal designed to inform the public of goods, facilities, or services available on the premises, and may include but not limited to signs designating:
- A. Restrooms;
 - B. Hours of operation;
 - C. Acceptable credit cards;
 - D. Property ownership or management;
 - E. Phone booths; and
 - F. Recycling containers.
- 21A.06.578 Sign, indirectly illuminated.** Sign, indirectly illuminated: a sign that is illuminated entirely from an external artificial source.
- 21A.06.580 Sign, monument.** Sign, monument: a freestanding sign that is above ground level and is anchored to the ground by a solid base, with no open space between the sign and the ground.
- 21A.06.583 Sign, off-premise directional.** Sign, off-premise directional: a sign which contains no advertising of a commercial nature which is used to direct pedestrian or vehicular traffic circulation to a facility, service or business located on other premises within six hundred and sixty feet of the sign.
- 21A.06.585 Sign, on-premise.** Sign, on-premise: a sign which displays a message which is incidental to and directly associated with the use of the property on which it is located.
- 21A.06.588 Sign, permanent residential development identification.** Sign, permanent residential development identification: a permanent, freestanding sign identifying the residential development upon which the sign is located.

- 21A.06.590 Sign, portable.** Sign, portable: a sign which is capable of being moved and is not permanently affixed to the ground, a structure or building.
- 21A.06.593 Sign, projecting.** Sign, projecting: any sign, other than a flat wall sign, which is attached to and projects vertically more than one foot from the wall of a building or other structure.
- 21A.06.595 Sign, wall.** Sign, wall: any sign painted on, or attached directly to and supported by a wall, facade, or fence; with the exposed face of the sign on a plane parallel to the portion of the structure to which it is attached; projecting no more than one foot; including window signs which are permanently attached.
- 21A.06.598 Significant tree.** Significant tree: an existing healthy tree which, when measured four feet above grade, has a minimum diameter of:
- A. Eight inches for evergreen trees, or
 - B. Twelve inches for deciduous trees.
- 21A.06.600 Site cost per student.** Site cost per student: the estimated cost of a site in the district for the grade span of school to be provided, as a function of the district's design standard per grade span and taking into account the requirements of students with special needs.
- 21A.06.603 Ski area.** Ski area: an establishment for cross-country or downhill ski runs and including, but not limited to:
- A. Chair lifts;
 - B. Warming huts; and
 - C. Supporting services.
- 21A.06.605 Soil recycling/incineration facility.** Soil recycling/incineration facility: an establishment engaged in the collection, storage and treatment of contaminated soils to remove and reuse organic contaminants.
- 21A.06.608 Source-separated organic material.** Source-separated organic material: vegetative material, scrap lumber or wood, or other materials that provide a source for recycled or composted products. This does not include chemically treated wood products and/or toxic organic substances.
- 21A.06.610 Special use permit.** Special use permit: a permit granted by the City to locate a regional land use at a particular location, subject to conditions placed on the proposed use to ensure compatibility with adjacent land uses.

21A.06.613 Specialized instruction school. Specialized instruction school: establishments engaged in providing specialized instruction in a designated field of study, rather than a full range of courses in unrelated areas; including, but not limited to:

- A. Art;
- B. Dance;
- C. Music;
- D. Cooking;
- E. Driving; and
- F. Pet obedience training.

21A.06.615 Specified sexual activities. Specified sexual activities: human genitalia in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse or sodomy; or erotic fondling, touching or display of human genitalia, pubic region, buttock, or female breast.

21A.06.618 Sporting goods store. Sporting goods store: An establishment engaged in the retail sale of sporting goods and equipment, including uses located in SIC Industry Nos.:

- A. 5941-Sporting Goods Stores and Bicycle Shops; and
- B. 5999-Tent Shops and Trophy Shops.

21A.06.620 Sports club. Sports club: an establishment engaged in operating physical fitness facilities and sports and recreation clubs, including uses located in SIC Industry Nos.:

- A. 7991-Physical Fitness Facilities; and
- B. 7997-Membership Sports and Recreation Clubs.

21A.06.623 Stable. Stable: a structure or facility in which horses or other livestock are kept for:

- A. Boarding;
- B. Training;
- C. Riding lessons;
- D. Breeding;
- E. Rental; or
- F. Personal use.

21A.06.625 Standard of service, school. Standard of service, school: the standard adopted by each school district which identifies the program year, the class size by grade span and taking into account the requirements of students with special needs, the number of classrooms, the types of facilities the district believes will best serve its student population, and other factors as identified by the school district. The district's standard of

service shall not be adjusted for any portion of the classrooms housed in relocatable facilities which are used as transitional facilities or for any specialized facilities housed in relocatable facilities. Except as otherwise defined by the school board pursuant to a board resolution, transitional facilities shall mean those facilities that are used to cover the time required for the construction of permanent facilities; provided that, the "necessary financial commitments" as defined in Section 21A.28 are in place to complete the permanent facilities called for in the capital plan.

21A.06.628 Steep slope hazard areas. Steep slope hazard areas: those areas on slopes 40% or steeper within a vertical elevation change of at least ten feet. A slope is delineated by establishing its toe and top and is measured by averaging the inclination over at least ten feet of vertical relief. For the purpose of this definition:

- A. The toe of a slope is a distinct topographic break in slope which separates slopes inclined at less than 40% from slopes 40% or steeper. Where no distinct break exists, the toe of a steep slope is the lower most limit of the area where the ground surface drops ten feet or more vertically within a horizontal distance of 25 feet; and
- B. The top of a slope is a distinct, topographic break in slope which separates slopes inclined at less than 40% from slopes 40% or steeper. Where no distinct break exists, the top of a steep slope is the upper most limit of the area where the ground surface drops ten feet or more vertically within a horizontal distance of 25 feet.

21A.06.630 Stream functions. Stream functions: natural processes performed by streams including functions which are important in facilitating food chain production, providing habitat for nesting, rearing and resting sites for aquatic, terrestrial and avian species, maintaining the availability and quality of water, such as purifying water, acting as recharge and discharge areas for groundwater aquifers, moderating surface and storm water flows and maintaining the free flowing conveyance of water, sediments and other organic matter.

21A.06.633 Streams. Streams: those areas in City of Woodinville where surface waters produce a defined channel or bed, not including irrigation ditches, canals, storm or surface water run-off devices or other entirely artificial watercourses, unless they are used by salmonids or are used to convey streams naturally occurring prior to construction in such watercourses. For the purpose of this definition, a defined channel or bed is an area which demonstrates clear evidence of the passage of water and includes, but is not limited to, bedrock channels, gravel beds, sand and silt beds and defined-channel swales. The channel or bed need not contain water year-round. For the purpose of defining the following categories of streams, normal rainfall is rainfall that is at or near the mean of the accumulated

annual rainfall record, based upon the water year for King County as recorded at the Seattle-Tacoma International Airport:

- A. Class 1 streams, only including streams inventoried as "Shorelines of the State" under City of Woodinville's Shoreline Master Program pursuant to RCW 90.58;
- B. Class 2 streams, only including streams smaller than class 1 streams which flow year-round during years of normal rainfall or those which are used by salmonids; and
- C. Class 3 streams, only including streams which are intermittent or ephemeral during years of normal rainfall and which are not used by salmonids.

21A.06.635 Street. Street: a public or recorded private thoroughfare providing the main pedestrian and vehicular access through neighborhoods and communities and to abutting property.

21A.06.638 Street frontage. Street frontage: any portion of a lot or combination of lots which directly abut a public right-of-way.

21A.06.640 Structure. Structure: anything permanently constructed in or on the ground, or over the water; excluding fences less than 6 feet in height and decks less than 18 inches above grade or paved areas, and excluding structural or non-structural fill.

21A.06.643 Student factor. Student factor: the number derived by a school district to describe how many students of each grade span are expected to be generated by a dwelling unit. Student factors shall be based on district records of average actual student generated rates for new developments constructed over a period of not more than five years prior to the date of the fee calculation; if such information is not available in the district, data from adjacent districts, districts with similar demographics, or county wide averages must be used. Student factors must be separately determined for single family and multifamily dwelling units, and for grade spans.

21A.06.645 Submerged land. Submerged land: any land at or below the ordinary high water mark.

21A.06.648 Substantial improvement. Substantial improvement: any maintenance, repair, structural modification, addition or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either before the maintenance, repair, modification or addition is started or before the damage occurred, if the structure has been damaged and is being restored.

- 21A.06.650 Temporary use permit.** Temporary use permit: permit to allow a use of limited duration and/or frequency, or to allow multiple related events over a specified period.
- 21A.06.653 Tightline to a sewer.** Tightline to a sewer: a sewer trunk line designed and intended specifically to serve only a particular facility or place, and whose pipe diameter should be sized appropriately to ensure service only to that facility or place. It may occur outside the Local Service Area for sewers, but does not amend the Local Service Area.
- 21A.06.655 Trails.** Trails: man-made pathways designed and intended for use by pedestrians, bicyclists, equestrians, and/or recreational users.
- 21A.06.658 Transfer station.** Transfer station: a staffed collection and transportation facility used by private individuals and route collection vehicles to deposit solid waste collected off-site into larger transfer vehicles for transport to permanent disposal sites; and may also include recycling facilities involving collection or processing for shipment.
- 21A.06.660 Transit base.** Transit base: an establishment for the storage, dispatch, repair and maintenance of coaches, light rail trains, and other vehicles of a public transit system.
- 21A.06.663 Transit park and ride lot.** Transit park and ride lot: vehicle parking specifically for the purpose of access to a public transit system.
- 21A.06.665 Transitional housing facilities.** Transitional housing facilities: housing units owned by public housing authorities, nonprofit organizations or other public interest groups that provide housing to persons on a temporary basis for a duration not to exceed 24 months in conjunction with job training, self sufficiency training, and human services counseling; the purpose of which is to help persons make the transition from homelessness to placement in permanent housing.
- 21A.06.668 Transmission equipment, electronic.** Transmission equipment, electronic: equipment, such as antennae and satellite, or point-to-point microwave dishes, that transmit or receive radio signals.
- 21A.06.670 Transmission line booster station.** Transmission line booster station: an establishment containing equipment designed to increase voltage of electrical power transported through transmission and/or distribution lines to compensate for power loss due to resistance.
- 21A.06.673 Transmission structure.** Transmission structure : a structure intended to support transmission equipment or function as an antenna for AM radio or an earth station satellite dish antenna. The term does not include

brackets, platforms, or other apparatus which mount transmission equipment onto transmission structures, buildings or other structures.

21A.06.675 Transmitter building. Transmitter building: building used to contain communication transmission equipment.

21A.06.678 Transportation system management ("TSM"). Transportation System Management ("TSM"): Projects that can be implemented in a short time frame designed to increase the efficiency of existing transportation facilities. This also includes transit and/or ride sharing measures to decrease single occupancy vehicle trips.

21A.06.680 Ultimate roadway section. Ultimate roadway section: A designation by City of Woodinville that the maximum roadway or intersection capacity has been reached and further right-of-way acquisition and/or improvements are not feasible to increase peak hour vehicle capacity.

21A.06.683 (Reserved)

21A.06.685 Use. Use: activity or function carried out on an area of land, or in a building or structure located thereon. Any use comprising the sole or main use on the site is considered the primary use of the site. Any use subordinate or incidental to the primary use on a site is considered an accessory use.

21A.06.688 Utility facility. Utility facility: a facility for the distribution or transmission of services to an area; requiring location in the area to be served; including, but not limited to:

- A. Telephone exchanges;
- B. Water pumping or treatment stations;
- C. Electrical switching substations;
- D. Water storage reservoirs or tanks;
- E. Municipal groundwater well-fields;
- F. Regional stormwater management facilities;
- G. Natural gas gate stations and limiting stations;
- H. Propane, compressed natural gas and liquified natural gas storage tanks serving multiple lots or uses from which fuel is distributed directly to individual users; and
- I. Sewer lift stations.

21A.06.690 Variance. Variance: an adjustment in the application of standards of a zoning code to a particular property.

21A.06.693 Vegetation. Vegetation: any and all plant life growing at, below or above the soil surface.

- 21A.06.695 Vocational school.** Vocational school: establishments offering training in a skill or trade to be pursued as a career, including uses located in SIC Industry Group No.:
- A. 824-Vocational Schools; and
 - B. 8222-Technical Institutes.
- 21A.06.698 (Reserved)**
- 21A.06.700 Warehousing and wholesale trade.** Warehousing and wholesale trade: establishments involved in the storage and/or sale of bulk goods for resale or assembly, excluding establishments offering the sale of bulk goods to the general public which is classified as a retail use in WMC 21A.08.070. These establishments shall include SIC Major Group Nos. 50 and 51 and SIC Industry Group Nos. 422 and 423.
- 21A.06.703 Wastewater treatment facility.** Wastewater treatment facility: a plant for collection, decontamination and disposal of sewage, including residential, industrial and agricultural liquid wastes, and including any physical improvement within the scope of the definition of "water pollution control facility" set forth in WAC 173-90-015(4) as amended.
- 21A.06.705 Water dependent use, sensitive area.** Water dependent use, sensitive area: a land use which can only exist when the interface between wet meadows, grazed land and water provides the biological or physical conditions necessary for the use.
- 21A.06.708 Wet meadows, grazed.** Wet meadows, grazed: palustrine emergent wetlands typically having up to six inches of standing water during the wet season and dominated under normal conditions by meadow emergents such as reed canary grass, spike rushes, bulrushes, sedges and rushes. During the growing season, the soil is often saturated but not covered with water. These meadows frequently have been or are being used for livestock activities.
- 21A.06.710 Wetland.** Wetlands: those areas which are inundated or saturated by ground or surface water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. According to the 33 CFR 328.3 (1988), wetlands generally include swamps, marshes, bogs and similar areas. Where the vegetation has been removed or substantially altered, a wetland shall be determined by the presence or evidence of hydric or organic soil, as well as by other documentation, such as aerial photographs, of the previous existence of wetland vegetation. When the areas of any wetlands are hydrologically connected to each other, they shall be added together to determine which of the following categories of wetlands apply:

- A. Class 1 wetlands, only including wetlands assigned the Unique/Outstanding #1 rating in the 1983 King County Wetlands Inventory or which meet any of the following criteria:
 - 1. Are wetlands which have present species listed by the federal or state government as endangered or threatened or outstanding actual habitat for those species;
 - 2. Are wetlands which have 40% to 60% permanent open water in dispersed patches with two or more classes of vegetation;
 - 3. Are wetlands equal to or greater than ten acres in size and have three or more wetland classes, one of which is open water; or
 - 4. Are wetlands which have present plant associations of infrequent occurrence;
- B. Class 2 wetlands, only including wetlands assigned the Significant #2 rating in the 1983 King County Wetlands Inventory or which meet any of the following criteria:
 - 1. Are wetlands greater than one acre in size;
 - 2. Are wetlands equal to or less than one acre in size and have three or more wetland classes;
 - 3. Are forested wetlands equal to or less than one acre but larger than 2500 square feet; or
 - 4. Are wetlands which have present heron rookeries or raptor nesting trees; and
- C. Class 3 wetlands, only including wetlands assigned the Lesser Concern #3 rating in the 1983 King County Wetlands Inventory or which are wetlands equal to or less than one acre in size and have two or fewer wetland classes.

21A.06.713 Wetpond. Wetpond: an artificial water body constructed as a part of a surface water management system.

21A.06.715 Wildlife shelter. Wildlife shelter: A facility for the temporary housing of sick or wounded or displaced wildlife.

21A.06.718 Work release facility. Work release facility: a facility which allows the opportunity for convicted persons to be employed outside of the facility, but requires confinement within the facility when not in the place of employment.

21A.06.720 Yard waste processing facility. Yard waste processing facility: a site where yard and garden wastes, including wood and land clearing debris, are processed into new products, which include but are not limited to soil amendments and wood chips.

CHAPTER 21A.07 (RESERVED)

CHAPTER 21A.08 PERMITTED USES

SECTIONS:

- 21A.08.010 Establishment of uses
- 21A.08.020 Interpretation of land use tables
- 21A.08.030 Residential land uses
- 21A.08.040 Recreation/Cultural land uses
- 21A.08.050 General Services land uses
- 21A.08.060 Government/Business Service land uses
- 21A.08.070 Retail/Wholesale land uses
- 21A.08.080 Manufacturing land uses
- 21A.08.090 Resource land uses
- 21A.08.100 Regional land uses

21A.08.010 Establishment of uses. The use of a property is defined by the activity for which the building or lot is intended, designed, arranged, occupied, or maintained. The use is considered permanently established when that use will or has been in continuous operation for a period exceeding sixty days. A use which will operate for less than sixty days is considered a temporary use, and subject to the requirements of WMC 21A.32 of this title. All applicable requirements of this code, or other applicable state or federal requirements, shall govern a use located in the City of Woodinville.

21A.08.020 Interpretation of land use tables.

- A. The land use tables in this chapter determine whether a specific use is allowed in a zone district. The zone district is located on the vertical column and the specific use is located on the horizontal row of these tables.
- B. If no symbol appears in the box at the intersection of the column and the row, the use is not allowed in that district, except for certain temporary uses.
- C. If the letter "P" appears in the box at the intersection of the column and the row, the use is allowed in that district subject to the review procedures specified in WMC 21A.42 and the general requirements of the code.
- D. If the letter "C" appears in the box at the intersection of the column and the row, the use is allowed subject to the conditional use review procedures specified in WMC 21A.42 and the general requirements of the code.
- E. If the letter "S" appears in the box at the intersection of the column and the row, the regional use is permitted subject to the special use permit review procedures specified in WMC 21A.42 and the general requirements of the code.
- F. If a number appears in the box at the intersection of the column and the row, the use may be allowed subject to the appropriate review

process indicated above, the general requirements of the code and the specific conditions indicated in the development condition with the corresponding number immediately following the land use table.

- G. If more than one letter-number combination appears in the box at the intersection of the column and the row, the use is allowed in that zone subject to different sets of limitation or conditions depending on the review process indicated by the letter, the general requirements of the code and the specific conditions indicated in the development condition with the corresponding number immediately following the table.
- H. All applicable requirements shall govern a use whether or not they are cross-referenced in a section.

WMC 21A.08.030
**A. RESIDENTIAL
 LAND USES**

KEY
 P-Permitted Use
 C-Conditional Use
 S-Special Use

ZONE	RESOURCE		RURAL	RESIDENTIAL		COMMERCIAL/INDUSTRIAL				
	A G R I C U L T U R E	M I N E R A L	R U R A L	U R B A I N D E N T I A L	N B E U I S G I H N B E O S R S H O O D	C B O U M I N E S T S Y	R B E U S I O N E S A L S	O F F I C E	I N D U S T R I A L	

SIC#	SPECIFIC LAND USE	A	M	RA	R1-8	R12-48	NB	CB	RB	O	I
	DWELLING UNITS, TYPES:										
*	Single detached	P		P	P	P					
*	Townhome				C7	P	P	P	P	P	
*	Apartment					P	P	P	P	P	
*	Mobile home park				C4	P	P	P	P	P	
*	Senior citizen assisted					P	P	P	P	P	
	GROUP RESIDENCES:										
*	Community residential facility-I			C	C	P	P	P	P	P	
*	Community residential facility-II					P	P	P	P	P	
*	Dormitory			C2	C2	P		P2	P2	P2	P2
	ACCESSORY USES:										
*	Residential accessory uses	P3		P3	P3	P3	P3	P3	P3	P3	
*	Home occupation (8)	P		P	P	P	P	P	P	P	
*	Home industry (9)	C		C	C						
	TEMPORARY LODGING:										
7011(1)	Hotel/Motel							P	P	P	
*	Bed and breakfast guesthouse	P5 C6		P6	P6	P6	P6	P6	P6		
7041	Organization Hotel/Lodging houses								P		

GENERAL CROSS REFERENCES: Land Use Table Instructions, see WMC 21A.08.020 and 21A.02.070
 Development Standards, see WMC 21A.12 through 21A.30
 General Provisions, see WMC 21A.32 through 21A.3
 Application and Review Procedures, see WMC 21A.40 through 21A.44
 (*)Definition of this specific Land Use, see WMC 21A.06

21A.08.030 B. DEVELOPMENT CONDITIONS.

1. Except bed and breakfast guest houses.
2. Only as an accessory to a school, college/university or church.
3. a. Accessory dwelling units:
 - (1) Only one accessory dwelling per lot;
 - (2) Only in the same building as the principal residence unless the lot is at least 10,000 square feet in area and the allowable density of the zone is not exceeded;
 - (3) The primary residence or the accessory dwelling unit shall be owner occupied;
 - (4) The accessory dwelling unit shall not be larger than 50% of the living area of the primary residence;
 - (5) One additional off-street parking space is provided; and
 - (6) The accessory dwelling unit shall be converted to another permitted use or shall be removed if one of the dwelling units ceases to be owner occupied.
- b. One single or twin engine, general aviation aircraft shall be permitted only on lots which abut, or have a legal access which is not a public right-of-way, to a waterbody or landing field, provided:
 - (1) No aircraft sales, service, repair, charter or rental;
 - (2) No storage of aviation fuel except that contained in the tank or tanks of the aircraft; and
 - (3) Storage hangars shall not exceed 20 feet in height above average finished grade or have a gross area exceeding 3,000 square feet.
4. Mobile home parks shall not be permitted in the R-1 zones.
5. Only as an accessory to the permanent residence of the operator, provided:
 - a. Serving meals to paying guests shall be limited to breakfast; and
 - b. No more than 5 guests per night.
6. Only as an accessory to the permanent residence of the operator, provided:
 - a. Serving meals to paying guests shall be limited to breakfast; and
 - b. The number of persons accommodated per night shall not exceed five, except that a structure which satisfies the standards of the Uniform Building Code as adapted by the City for R-1 occupancies may accommodate up to ten persons per night.
7. A conditional use permit is not required if the townhomes are approved through subdivision review.
8. Home Occupations are subject to the requirements and standards contained in Section 21A.30.040.
9. Home Industries are subject to the requirements and standards contained in Section 21A.30.050.

WMC 21A.08.040
A.RECREATION/CULTURAL
LAND USES

KEY
P-Permitted Use
C-Conditional Use
S-Special Use

Z O N E	RESOURCE		RURAL	RESIDENTIAL		COMMERCIAL/INDUSTRIAL				
	A G R I C U L T U R E	M I N E R A L	R U R A L	U R B A N	R E S I D E N T I A L	N B E U I S G I H B E O R S H O O D	C B O U S M I N E S T S Y	R B E U S I O N E A S L S	O F F I C E	I N D U S T R I A L

SIC#	SPECIFIC LAND USE	A	M	RA	R1-8	R12-48	NB	CB	RB	O	I
	PARK/RECREATION:										
*	Park	P1	P1	P1	P1	P1	P1	P	P	P	P
*	Trails	P	P	P	P	P	P	P	P	P	P
*	Campgrounds			P							P
*	Destination Resorts			S					C		
*	Marina			C	C4	C4	P5	P	P	P	P
*	Recreational Vehicle Park			C2							
	AMUSEMENT/ENTERTAINMENT:										
7832	Theater							P6	P6	P6	
7833	Theater, Drive-in								C6		
792	Plays/Theatrical production							P6	P6		
793	Bowling center							P	P		
*	Sports club			C4	C4	C4	C	P	P		
*	Golf facility			C7	P7	P7					
7999	Golf driving range			C8	P8	P8		P7	P7		
*	Shooting range			C9					P10		
*	Amusement arcades							P	P		
996	Amusement park								C		
*	Outdoor performance center			C12					S		
	CULTURAL:										
823	Library			P11 C	P11 C	P11 C	P	P	P	P	
841	Museum			P11 C	P11 C	P11 C	P	P	P	P	P
842	Arboretum	P		P	P	P	P	P	P	P	
866	Churches, synagogues, and temples			P12 C	P12 C	P12 C	P	P	P	P	
*	Conference Center			P11 C	P11 C	P11 C			P	P	

GENERAL CROSS REFERENCES: Land Use Table Instructions, see WMC 21A.08.020 and 21A.02.070
Development Standards, see WMC 21A.12 through 21A.30
General Provisions, see WMC 21A.32 through 21A.38
Application and Review Procedures, see WMC 21A.40 through 21A.44
(*)Definition of this specific Land Use, see WMC 21A.06

21A.08.040 B. DEVELOPMENT CONDITIONS.

1. The following conditions and limitations shall apply, where appropriate:
 - a. No stadiums on sites less than ten acres;
 - b. Lighting for structures and fields shall be directed away from residential areas;
 - c. Structures or service yards shall maintain a minimum distance of 50 feet from property lines adjoining residential zones; and
 - d. Facilities in the A or M zones shall be limited to trails and trailheads, including related accessory uses such as parking and sanitary facilities.
2. Recreational vehicle parks are subject to the following conditions and limitations:
 - a. The maximum length of stay of any unit shall not exceed 180 days;
 - b. The minimum distance between recreational vehicle pads shall be no less than ten feet; and
 - c. Sewage shall be disposed in a system approved by the Seattle-King County health department or the City of Woodinville.
3. (Reserved)
4. Limited to recreation facilities for residents of a specified residential development.
5. Limited to day moorage.
6. Adult use facilities shall be prohibited within 660 feet of any residential zones, any other adult use facility, or school licensed daycare centers, public parks, community centers, public libraries or churches which conduct religious or educational classes for minors.
7. Structures, driving ranges and lighted areas shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.
8. Only as an accessory to golf courses.
9.
 - a. Structures and ranges shall maintain a minimum distance of 50 feet from property lines adjoining residential zones;
 - b. Ranges shall be designed to prevent stray or ricocheting projectiles or pellets from leaving the property; and
 - c. Site plans shall include safety features of the range; provisions for reducing noise produced on the firing line; and elevations of the range showing target area, backdrops or butts.
10. Only in an enclosed building.
11. Only as accessory to a park or in a building listed on the National Register as an historic site or designated as a County landmark subject to the provisions of WMC 21A.32.
12. Only as accessory to a nonresidential use established through a discretionary permit process and limited in scale to ensure compatibility with surrounding neighborhoods.

WMC 21A.08.050
**A. GENERAL SERVICES
 LAND USES**

KEY
 P-Permitted Use
 C-Conditional Use
 S-Special Use

Z O N E	RESOURCE		RURAL	RESIDENTIAL		COMMERCIAL/INDUSTRIAL				
	A G R I C U L T U R E	M I N E R A L	R U R A L	U R B A N	R E S I D E N T I A L	N B U S I G N B E R S H O D	C B O U S I M M U N E S T R Y	R B U S I N E S S A L S	O F F I C E	I N D U S T R I A L

SIC#	SPECIFIC LAND USE	A	M	RA	R1-8	R12-48	NB	CB	RB	O	I
PERSONAL SERVICES:											
72	General Personal Service						P	P	P	P3	
7216	Dry cleaning plants										P
7218	Industrial Launderers										P
7261	Funeral Home/Crematory				C4	C4		P	P	P4	
*	Cemetery, Columbarium or Mausoleum			P26 C5	P26 C5	P26 C5	P26	P26	P26	P26	
*	Day care I	P6		P6	P6	P6	P	P	P	P7	P7
*	Day care II			P8	P8	P8	P	P	P	P8	P7
*	Veterinary Clinic	P9		P9 C10			P10	P10	P10		P
753 (1)	Automotive repair							P	P		P
754	Automotive service						P11	P	P		P
76	Miscellaneous repair							P	P		P
83 (2)	Social Services			P12 C13	P12 C13	P12 C13	P13	P	P	P	
*	Stable	P14 C		P14 C	P14 C						
*	Kennel or Cattery			C	C			C	P27		
HEALTH SERVICES:											
801-04	Office/Outpatient Clinic			P12 C 13	P12 C 13	P12 C 13	P	P	P	P	
805	Nursing and personal care facilities					C		P	P		
806	Hospital							P	P	C	
807	Medical/Dental Lab							P	P	P	P
808-09	Miscellaneous Health							P	P	P	
EDUCATION SERVICES:											
*	Elementary or Middle/Junior High School			P16 C15	P16 C	P16 C		C	C		
*	Secondary or High School			P16 C15	P16 C	P16 C		C	C		
*	Vocational School								P	P17	P
*	Specialized Instruction School			P19 C20	P19 C20	P19 C20	P	P	P	P17	
*	Preschool			C28	C28	C28	P	P	P	P	
*	School District Support Facility			C25	P25 C	P25 C	C	P	P	P	P
*	Interim Recycling Facility		P21	C23	P23	P23	P24	P24	P		P

GENERAL CROSS REFERENCES: Land Use Table Instructions, see WMC 21A.08.020 and 21A.02.070
 Development Standards, see WMC 21A.12 through 21A.30
 General Provisions, see WMC 21A.32 through 21A.38
 Application and Review Procedures, see WMC 21A.40 through 21A.44
 (*)Definition of this specific Land Use, see WMC 21A.06

21A.08.050 B. DEVELOPMENT CONDITIONS.

1. Except SIC Industry No. 7534-Tire Retreading, see manufacturing permitted use table.
2. Except SIC Industry Group Nos.:
 - a. 835-Day Care Services, and
 - b. 836-Residential Care, which is otherwise provided for on the residential permitted land use table.
3. Limited to SIC Industry Group and Industry Nos.:
 - a. 723-Beauty Shops;
 - b. 724-Barber Shops;
 - c. 725-Shoe Repair Shops and Shoe Shine Parlors;
 - d. 7212-Garment Pressing and Agents for Laundries and Dry cleaners;
 - e. 7217-Carpet and Upholstery Cleaning.
4. Only as an accessory to a cemetery.
5. Structures shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.
6. Only as an accessory to residential use, provided:
 - a. Outdoor play areas shall be completely enclosed by a solid wall or fence, with no openings except for gates, and have a minimum height of six feet; and
 - b. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines adjoining residential zones.
 - c. Only two non-resident staff are present on-site at any one time.
7. Permitted as an accessory use, see commercial/industrial accessory, WMC 21A.08.060A.
8. Only as a re-use of a public school facility subject to the provisions of WMC 21A.32, an accessory use to a school or church, provided:
 - a. Outdoor play areas shall be completely enclosed by a solid wall or fence, with no openings except for gates and have a minimum height of six feet;
 - b. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;
 - c. Direct access to a developed arterial street shall be required in any residential zone; and
 - d. Hours of operation may be restricted to assure compatibility with surrounding development.
9. As a home occupation only, provided that the square footage limitations in WMC 21A.30 for home occupations applies only to the office space for the clinic, and provided further that:
 - a. Boarding or overnight stay of animals is allowed only on sites of 5 acres or more;
 - b. No burning of refuse or dead animals is allowed;
 - c. The portion of the building or structure in which animals are kept or treated shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be surrounded by an

- eight-foot solid wall and surface with concrete or other impervious material; and
- d. The provisions of 21A.30 relative to animal keeping are met.
- 10.
- a. No burning of refuse or dead animals is allowed;
 - b. The portion of the building or structure in which animals are kept or treated shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be surrounded by an eight-foot solid wall and surface with concrete or other impervious material; and
 - c. The provisions of 21A.30 relative to animal keeping are met.
11. Only as an accessory to a gasoline service station, see retail and wholesale permitted use table.
12. Only as a re-use of a public school facility subject to the provisions of WMC 21A.32.
13. Only as a re-use of surplus non-residential facility subject to WMC 21A.32.
14. Covered riding arenas shall not exceed 20,000 square feet; stabling areas, whether attached or detached, shall not be counted in this calculation and subject to the provisions of 21A.30.030.
15. Limited to projects which do not require or result in an expansion of the sewer local service area (LSA), unless a finding is made that no cost effective alternative technologies are feasible, in which case a tightline to a sewer sized only to meet the needs of the school may be used.
16. Only as a re-use of a public school facility subject to the provisions of WMC 21A.32. An expansion of such school facility shall be subject to approval of a conditional use permit and the expansion shall not require or result in an extension of the sewer local service area (LSA), unless a finding is made that no cost effective alternative technologies are feasible, in which case a tightline to a sewer sized only to meet the needs of the school may be used.
17. All instruction must be within an enclosed structure.
18. (Reserved)
19. Only as an accessory to residential use, provided:
- a. Students are limited to twelve per one hour session,
 - b. All instruction must be within an enclosed structure, and
 - c. Structures used for the school shall maintain a distance of 25 feet from property lines adjoining residential zones.
20. Only as an accessory to residential use, provided:
- a. Accessory structures used for school shall maintain a minimum distance of 25 feet from property lines adjoining residential zones; and
 - b. Only lots over 2.5 acres:
 - i. Retail sales of items related to the instructional courses is permitted, provided total floor area for retail sales is limited to 2,000 square feet;

- ii. Sales of food prepared in the instructional courses is permitted, provided total floor area for food sales is limited to 1,000 square feet and is located in the same structure as the school.
21. Limited to source-separated organic waste processing facilities.
 22. (Reserved)
 23. Limited to drop box facilities accessory to a public or community use such as a school, fire station or community center.
 24. All processing and storage of material shall be within enclosed buildings and excluding yard waste processing.
 25. Only when adjacent to an existing or proposed school.
 26. Limited to columbariums accessory to a church provided that existing required landscaping and parking are not reduced.
 27.
 - a. The portion of the building in which animals are kept shall be soundproof.
 - b. All run areas and confinement areas shall be within the building.
 28. Operation limited to the hours between 8:30 a.m. and 3:30 p.m., Monday through Friday.

WMC 21A.08.060
**A. GOVERNMENT/
 BUSINESS SERVICES
 LAND USES**

KEY
 P-Permitted Use
 C-Conditional Use
 S-Special Use

Z O N E	RESOURCE		RURAL	RESIDENTIAL		COMMERCIAL/INDUSTRIAL				
	A G R I C U L T U R E	M I N E R A L	R U R A L	U R B A N	R E S I D E N T I A L	N E U B O R S H O O D	C B O U S I N E S S Y	R B E U S I O N E S A S S	O F F I C E	I N D U S T R I A L

SIC#	SPECIFIC LAND USE	A	M	RA	R1-8	R12-48	NB	CB	RB	O	I
GOVERNMENT SERVICES:											
*	Public agency or utility office			P3 C5	P3C4	P3 C4	P4	P	P	P	
*	Public agency or utility yard			P6					P		P
*	Public agency archives								P	P	P
921	Court							P4	P	P	
9221	Police Facility							P	P	P	P
9224	Fire Facility			C7	C7	C7	P	P	P	P	P
*	Utility Facility	P8 C		P	P	P	P	P	P	P	P
*	Minor Communication Facility (18)	C		C	C	C	C	P	P	P	P
*	Private Stormwater Management Facility	P27	P27	P27	P27	P27	P28	P28	P28	P28	P28
BUSINESS SERVICES:											
15-17	Construction and Trade								P9	P10	P
*	Individual Transportation and Taxi							P25	P	P10	
421	Trucking and Courier Service							P11	P12	P13	P
*	Warehousing, (1) and Wholesale Trade										P
*	Self-service Storage					C14		P	P	P	P
4221 4222	Farm Product Warehousing, Refrigeration and Storage	P15 C		C							P
*	Log Storage	P15		P26							P
47	Transportation Service										P
473	Freight and Cargo Service								P	P10	P
472	Passenger Transportation Service							P	P	P	
48	Communication Offices								P	P	P
482	Telegraph and other Communications							P	P	P	P
*	General Business Service						P	P	P	P	P16
*	Professional Office						P	P	P	P	P16
7312	Outdoor Advertising Service									P17	P
735	Miscellaneous Equipment Rental							P17	P	P17	P
751	Automotive Rental and Leasing								P	P	
752	Automotive Parking			P19	P19	P19	P20	P20	P21		P
7941	Professional Sport Teams/Promoters								P	P	
873	Research, Development and Testing								P2	P2	P2
*	Heavy Equipment and Truck Repair										P
*	Commercial/Industrial Accessory Uses		P	P22			P22	P22	P	P	P
*	Helistop						C23	C23	C24	C23	C24

GENERAL CROSS REFERENCES: Land Use Table Instructions, see WMC 21A.08.020 and 21A.02.070
 Development Standards, see 21A.12 through 21A.30
 General Provisions, see WMC 21A.32 through 21A.38
 Application and Review Procedures, see WMC 21A.40 through 21A.44
 (*) Definition of this specific Land Use, see WMC 21A.06

21A.08.060 B. DEVELOPMENT CONDITIONS.

1. Except self-service storage.
2. Except SIC Industry No. 8732-Commercial Economic, Sociological, and Educational Research, see general business service/office.
3. Only as a re-use of a public school facility subject to the provisions of WMC 21A.32.
4. Only as a re-use of a surplus non-residential facility subject to WMC 21A.32.
5. Utility offices may be located in these zones only if no commercial zoning is available in the district. Utility maintenance yards are allowed outright in conjunction with a utility district office.
6. Limited to material storage for road maintenance facilities.
7.
 - a. All buildings and structures shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;
 - b. Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of 35 feet from such street; and
 - c. No outdoor storage.
8. Limited to utility transmission, distribution and service lines and associated switching stations, substations, booster stations, electrical conversion substations, natural gas gate stations and limiting stations.
9. No outdoor storage of materials.
10. Limited to office uses.
11. Limited to self-service household moving truck or trailer rental accessory to a gasoline service station.
12. Limited to self-service household moving truck or trailer rental accessory to a gasoline service station and SIC Industry No. 4215-Courier Services, except by air.
13. Limited to SIC Industry No. 4215-Courier Services, except by air.
14. Accessory to an apartment development of at least 12 units provided:
 - a. The gross floor area in self service storage shall not exceed 50% of the total gross floor area of the apartment dwellings on the site;
 - b. All outdoor lights shall be deflected, shaded and focused away from all adjoining property;
 - c. The use of the facility shall be limited to dead storage of household goods;
 - d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;
 - e. No outdoor storage or storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals;
 - f. No residential occupancy of the storage units;

- g. No business activity other than the rental of storage units to the apartment dwellings on the site; and
 - h. A resident Manager shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.
15. Limited to products produced on-site.
 16. Only as an accessory use to another permitted use.
 17. No outdoor storage.
 18. Minor communication facilities shall be regulated relative to setback, height and review process pursuant to WMC 21A.26.
 19. Limited to commuter parking facilities for users of transit, carpools or ride-share programs, provided:
 - a. They are located on existing parking lots for churches, schools, or other permitted nonresidential uses which have excess capacity available during commuting hours ; and
 - b. The site is adjacent to a designated arterial that has been improved to a standard acceptable to the Department.
 20. No tow-in lots for damaged, abandoned or otherwise impounded vehicles.
 21. No dismantling or salvage of damaged, abandoned or otherwise impounded vehicles.
 22. Storage limited to accessory storage of commodities sold at retail on the premises or materials used in the fabrication of commodities sold on the premises.
 23. Limited to emergency medical evacuation sites in conjunction with police, fire or health service facility.
 24. Allowed as accessory to an allowed use; or limited to emergency evacuation sites in conjunction with police, fire or health service facility.
 25. Limited to private road ambulance services with no outside storage of vehicles.
 26. Limited to 2 acres or less.
 27. Such facilities shall be located on the same lot that they are designed to serve except in subdivisions that set aside a separate tract for such facilities.
 28. Such facilities which are not located on the lot they are designed to serve shall be located on a lot with the same or more intensive zoning designation.

**WMC 21A.08.070
A. RETAIL
LAND USES**

KEY
P-Permitted Use
C-Conditional Use
S-Special Use

SIC#	SPECIFIC LAND USE	ZONE									
		RESOURCE	RURAL	RESIDENTIAL	COMMERCIAL/INDUSTRIAL						
		A G R I C U L T U R E	M I N E R A L	R U R A L	U R B A N	R E S I D E N T I A L	N E U B I S T R I A L	C B O U S I N E S S E S	R B E U S I N E S S E S	O F F I C E	I N D U S T R I A L
		A	M	RA	R1-8	R12-48	NB	CB	RB	O	I
*	Building, Hardware and Garden Materials			C1			P2	P	P		
*	Forest Products Sales	P3,4		P3, 4							P
*	Department and Variety Stores						P5	P	P		
54	Food Stores			C			P	P	P		
*	Agricultural Crop Sales	P3 C7		P3 C7	P3						
*	Motor Vehicle and Boat Dealers								P8		
553	Auto Supply Stores							P9	P9		
554	Gasoline Service Stations						P	P	P		
56	Apparel and Accessory Stores							P	P		
*	Furniture and Home Furnishings Stores							P	P		
58	Eating and Drinking Places						P10	P	P	P	P6
*	Drug Stores						P	P	P	P	
592	Liquor Stores							P	P		
593	Used Goods: Antiques/Secondhand Shops							P	P		
*	Sporting Goods and related Stores							P	P		
*	Book, Stationery, Video and Art Supply Stores						P11	P11	P11		
*	Jewelry Stores							P	P		
*	Monuments, Tombstones, and Gravestones								P		P
*	Hobby, Toy, Game Shops						P	P	P		
*	Photographic and Electronic Shops						P	P	P		
*	Fabric Shops							P	P		
598	Fuel Dealers							C12	P		P
*	Florist Shops						P	P	P	P	
*	Personal Medical Supply Stores							P	P		
*	Pet Shops						P	P	P		
*	Bulk Retail							P	P		
*	Auction Houses								P13		P
5561	Truck and Motorhome Dealers (14)										P
5015	Auto Parts Yard										P

GENERAL CROSS REFERENCES: Land Use Table Instructions, see WMC 21A.08.020 and 21A.02.070
 Development Standards, see WMC 21A.12 through 21A.30
 General Provisions, see WMC 21A.32 through 21A.38
 Application and Review Procedures, see WMC 21A.40 through 21A.44
 (*)Definition of this specific Land Use, see WMC 21A.06

21A.08.070 B. DEVELOPMENT CONDITIONS

1. Only Feed Stores and Garden Supply Stores.
2. Only Hardware and Garden Materials stores shall be permitted.
3.
 - a. Limited to products produced on-site; and
 - b. Covered sales areas shall not exceed a total area of 500 square feet.
4. No permanent structures or signs.
5. Limited to SIC Industry No. 5331, Variety Stores, and further limited to a maximum of 2,000 square feet of gross floor area.
6. Permitted in conjunction with an on-site food processing facility; otherwise permitted only in multi-tenant building and limited to a maximum of 2,000 square feet of gross floor area.
7.
 - a. The floor area devoted to retail sales shall not exceed 2,500 square feet;
 - b. Sales shall be limited to agricultural produce and plants;
 - c. Storage areas for produce may be included in a farm store structure or in any accessory building;
 - d. Hours of operation shall be limited to 7:00 a.m. to 9:00 p.m. during the months of May through September and 7:00 a.m. to 7:00 p.m. during the months of October through April; Outside lighting is permitted, provided no off-site glare is allowed; and
 - e. Noncontiguous lands within City of Woodinville may be assembled by an individual farmer or group of farmers for the purposes of establishing a source of local products to be sold in a farm store on one of the properties.
8. Excluding retail sale of trucks exceeding one ton capacity.
9. Only the sale of new or reconditioned automobile supplies is permitted.
10. Excluding SIC Industry No. 5813-Drinking Places.
11. Adult use facilities shall be prohibited within 660 feet of any residential zones, any other adult use facility, school, licensed daycare centers, public parks, community centers, public libraries, or churches which conduct religious or educational classes for minors.
12. No outside storage of fuel trucks and equipment.
13. Excluding vehicle and livestock auctions.
14. Includes wholesale and retail sale of trucks exceeding one ton capacity.

WMC 21A.08.080
**A. MANUFACTURING
 LAND USES**

KEY
 P-Permitted Use
 C-Conditional Use
 S-Special Use

Z O N E	RESOURCE		RUR AL	RESIDENTIAL		COMMERCIAL/INDUSTRIAL				
	A G R I C U L T U R E	M I N E R A L	R U R A L	U R B A N	R E S I D E N T I A L	N B E I S I G H B O R S H O O D	C B O U S I M I N E S T S Y	R B E U S I O N E S A S L S	O F F I C E	I N D U S T R I A L

SIC#	SPECIFIC LAND USE	A	M	RA	R1-8	R12-48	NB	CB	RB	O	I
20	Food and Kindred Products	P1		P1					C		P2
2082/ 2084	Winery/Brewery	P1		P3 C					C		P
22	Textile Mill Products										P
23	Apparel and other Textile Products								C		P
24	Wood Products, except furniture	P4		P4					C6		P
25	Furniture and Fixtures								C		P
26	Paper and Allied Products										P
27	Printing and Publishing						P7	P7	P7	P7	P
28	Chemicals and Allied Products										P
2911	Petroleum Refining and related industries										C
30	Rubber and Misc. Plastics Products										P
31	Leather and Leather Goods								C		P
32	Stone, Clay, Glass and Concrete Products							P8	P9		P
33	Primary Metal Industries										C
34	Fabricated Metal Products										P
35	Industrial and Commercial Machinery										P
351-55	Heavy Machinery and Equipment										C
357	Computer and Office Equipment								C	C	P
36	Electronic and other Electric Equipment								C		P
374	Railroad Equipment										C
376	Guided Missile and Space Vehicle Parts										C
379	Miscellaneous Transportation Vehicles										C
38	Measuring and Controlling Instruments								C	C	P
39	Miscellaneous Light Manufacturing										P
*	Motor Vehicle and Bicycle Manufacturing										C
*	Aircraft, Ship and Boat Building										P10 C
7534	Tire Retreading										C
781-82	Movie Production/Distribution								P		P

GENERAL CROSS REFERENCES: Land Use Table Instructions, see WMC 21A.08.020 and 21A.02.070
 Development Standards, see WMC 21A.12 through 21A.30
 General Provisions, see WMC 21A.32 through 21A.38
 Application and Review Procedures, see WMC 21A.40 through 21A.44
 (*)Definition of this specific Land Use, see WMC 21A.06

21A.08.080 B. DEVELOPMENT CONDITIONS.

1. Structures and areas used for processing shall maintain a minimum distance of 75 feet from property lines adjoining residential zones to agriculture products produced on-site.
2. Except slaughterhouses.
3. Only as a home industry, subject to WMC 21A.30.
4. Limited to rough milling and planing of products grown on-site with portable equipment.
5. (Reserved)
6. Limited to uses found in SIC Industry No. 2434-Wood Kitchen Cabinets and No. 2431-Millwork (excluding planing mills).
7. Limited to photocopying and printing services offered to the general public.
8. Only within enclosed buildings, and as an accessory use to retail sales.
9. Only within enclosed buildings.
10. Limited to boat building of craft not exceeding 48 feet in length and aircraft parts.

WMC 21A.08.090
A. RESOURCE
LAND USE

KEY
P-Permitted Use
C-Conditional Use
S-Special Use

Z O N E	RESOURCE		RURAL	RESIDENTIAL		COMMERCIAL/INDUSTRIAL				
	A G R I C U L T U R E	M I N E R A L	R U R A L	U R B A N	R E S I D E N T I A L	N B U I S I G N B E O S H O O D	C B O U M I N I S T S Y	R B U G S I O N E A S L S	O F F I C E	I N D U S T R I A L

SIC#	SPECIFIC LAND USE	A	M	HA	R1-8	R12-48	NB	CB	HB	O	I
	AGRICULTURE:										
01	Growing and Harvesting Crops	P		P	P						P
02	Raising Livestock and Small Animals	P		P	P6						P
	FORESTRY:										
08	Growing and Harvesting Forest Product	P		P	P						P
*	Forest Research			P						P2	P
	Fish and Wildlife Management:										
0921	Hatchery/Fish Preserve (1)	P		P	C						P
0273	Aquaculture (1)	P		P	C						P
*	Wildlife Shelters	P		P							
	MINERAL:										
10-14	Mineral Extraction		P								
32	Processing of Minerals		P								P
2951	Asphalt Paving Mixtures and Block		P								P
	RESOURCE ACCESSORY USES:										
*	Resource Accessory Uses	P3	P5	P3							P4

GENERAL CROSS REFERENCES: Land Use Table Instructions, see WMC 21A.08.020 and 21A.02.070
 Development Standards, see WMC 21A.12 through 21A.30
 General Provisions, see WMC 21A.32 through 21A.38
 Application and Review Procedures, see WMC 21A.40 through 21A.44
 (*)Definition of this specific Land Use, see WMC 21A.06

21A.08.090 B. DEVELOPMENT CONDITIONS.

1. May be further subject to the provisions of City of Woodinville, Shoreline Management Program.
2. Only Forest Research conducted within an enclosed building.
3. Housing for agricultural workers and their families employed on the premises only as an accessory to a permanent residence, provided:
 - a. Sites are limited to those with ten acres or more;
 - b. Accessory housing is limited to one unit on less than 20 acres, or two on 20 acres or more; and
 - c. Accessory housing shall not be rented to the public at large.
4. Excluding housing for agricultural workers
5. Limited to maintenance and/or storage facilities in conjunction with mineral extraction or processing operation.
6. Only allowed in the R-1 zone.

WMC
21A.08.100
A. REGIONAL
LAND USES

KEY
P-Permitted Use
C-Conditional Use
S-Special Use

ZONE	RESOURCE		RURAL	RESIDENTIAL		COMMERCIAL/INDUSTRIAL						
	A G R I C U L T U R E	M I N E R A L	R U R A L	U R B A N	R E S I D E N T I A L	N E U I S I G N B E O S H O O D	C B O U S I M I N E S T S Y	R B E U S I O N E A S L S	O F F I C E	I N D U S T R I A L		
SIC#	SPECIFIC LAND USE		A	M	RA	R1-8	R12-48	NB	CB	HB	O	I
*	Jail				S					S	S	
*	Work Farm/Camp		S		S							
*	Work Release Facility				S					S	S	
*	Public Agency Animal Control Facility				S					S		P
*	Public Agency Training Facility				S3				S3	S3	S3	C4
*	Hydroelectric Generation Facility				C13 S	C13 S						S
*	Non-hydroelectric Generation Facility		C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	P12 S
*	Major Communication Facility		C6c S		C6c S	C6c S	C6c S	C6c S	P	P	P	P
*	Earth Station		P6b C		C6a S	C6a S	C6a S	P6a C	P	P	P	P
13	Oil and Gas Extraction		S	P	S	S	S	S	S	S	S	C
*	Energy Resource Recovery Facility			S	S							S
*	Soil Recycling/Incineration Facility			S	S							C
*	Landfill			S	S							S
*	Transfer Station			S	S				S	S		P
*	Wastewater Treatment Facility				S					S		C
*	Municipal Water Production		S	S	S	S	S	S	S	S	S	S
*	Airport/Heliport		S		S	S	S	S	S	S	S	S
*	Landing Field		S		S	S	S	S	S	S	S	S
*	Transit Bus Base				S					S		P
*	Transit Park and Ride Lot				S	S	S	P	P	P	P	P
*	School Bus Base				C5 S	C5 S	C5 S	S	S	S	S	P
7948	Racetrack				S	S7	S7	S7	S7	S7	S7	
*	Fairground				S					S		
8422(2)	Zoo/Wildlife Exhibit				S8				S	S		
651	Stadium/Arena									S		S
8221-8222(1)	College/University		P9		P9 C10 S	P9 C10 S	P9 C10 S	P9 C10 S	P	P	P	P

GENERAL CROSS REFERENCES: Permitted Use Chart Instructions, see WMC 21A.08.020 and 21A.02.070
Development Standards, see WMC 21A.12 through 21A.30
General Provisions, see KC 21A.32 through 21A.38
Application and Review Procedures, see WMC 21A.40 through 21A.44
(* Definition of this specific Land Use, see WMC 21A.06)

21A.08.100 B DEVELOPMENT CONDITIONS.

1. Except technical institutions. See vocational schools on General Services land use table, WMC 21A.08.050.
2. Except arboretum. See WMC 21A.08.040, Recreation/Cultural land use table.
3. Except weapons armories and outdoor shooting ranges.
4. Except outdoor shooting range.
5. Only in conjunction with an existing or proposed school..
6.
 - a. Limited to one satellite dish antenna.
 - b. Limited to no more than three satellite dish antenna.
 - c. Limited to tower consolidations.
7. Except racing of motorized vehicles.
8. Limited to wildlife exhibit.
9. Only as a re-use of a public school facility subject to the provisions of WMC 21A.32.
10. Only as a re-use of surplus non-residential facility subject to the provisions of WMC 21A.32.
11. (Reserved)
12. Excluding impoundment of water using a dam.
13. Limited to facilities that comply with the following provisions:
 - a. Any new diversion structure shall not:
 1. Exceed a height of eight feet as measured from the streambed, or
 2. Impound more than three surface acres of water at the normal maximum surface level.
 - b. There shall be no active storage.
 - c. The maximum water surface area at any existing dam or diversion shall not be increased.
 - d. An exceedance flow of no greater than 50 percent in mainstream reach shall be maintained.
 - e. Any transmission line shall be limited to a:
 1. Right-of-way of five miles or less; and
 2. Capacity of 230 KV or less.
 - f. Any new, permanent access road shall be limited to five miles or less.
 - g. The facility shall be located above an anadromous fish barrier.

**CHAPTER 21A.12 DEVELOPMENT STANDARDS -
DENSITY AND DIMENSIONS**

SECTIONS:

- 21A.12.010 Purpose
- 21A.12.020 Interpretation of tables
- 21A.12.030 Densities and dimensions - residential zones
- 21A.12.040 Densities and dimensions - resource and commercial/industrial zones
- 21A.12.050 Measurement methods
- 21A.12.060 Minimum urban residential density
- 21A.12.070 Calculations - allowable dwelling units or floor area
- 21A.12.080 Calculations - site area used for density calculations
- 21A.12.090 Lot area - prohibited reduction
- 21A.12.100 Lot area - minimum lot area for construction
- 21A.12.110 Setbacks - specific building or use
- 21A.12.120 Setbacks - modifications
- 21A.12.130 Setbacks - from regional utility corridor
- 21A.12.140 Setbacks - from alley
- 21A.12.150 Setbacks - adjoining half-street or designated arterial
- 21A.12.160 Setbacks - projections allowed
- 21A.12.170 Height - exceptions to limits
- 21A.12.180 Height - limits near major airports
- 21A.12.190 Lot divided by zoning boundary
- 21A.12.200 Sight distance requirements
- 21A.12.210 Nonresidential land uses in residential zones

21A.12.010 Purpose. The purpose of this chapter is to establish requirements for development relative to residential density and basic dimensional standards, as well as, specific rules for general application. The standards and rules are established to provide flexibility in project design, provide solar access, and maintain privacy between adjacent uses.

21A.12.020 Interpretation of tables.

- A. Sections 21A.12.030 and 21A.12.040 contain general density and dimension standards for the various zones and limitations specific to a particular zone(s). Additional rules and exceptions, and methodology are set forth in WMC 21A.12.050 through 21A.12.210.
- B. The density and dimension tables are arranged in a matrix format on two separate tables and are delineated into two general land use categories:
 - 1. Residential; and
 - 2. Resource and Commercial/Industrial.

C. Development standards are listed down the left side of both tables, and the zones are listed at the top. The matrix cells contain the minimum dimensional requirements of the zone. The parenthetical numbers in the matrix identify specific requirements applicable either to a specific use or zone. A blank box indicates that there are no specific requirements. If more than one standard appears in a cell, each standard will be subject to any applicable parenthetical footnote following the standard.

21A.12.030 A Densities and Dimensions - Residential Zones

STANDARDS	RESIDENTIAL											
	RURAL			URBAN RESIDENTIAL								
	RA-2.5	RA-5	RA-10	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48	
Base Density: Dwelling Unit/Acre	0.4 du/ac	0.2 du/ac	0.1 du/ac	1 du/ac	4 du/ac (6)	6 du/ac	8 du/ac	12 du/ac	18 du/ac	24 du/ac	48 du/ac	
Maximum Density: Dwelling Unit/Acre (1)					6 du/ac	9 du/ac	12 du/ac	18 du/ac	27 du/ac	36 du/ac	72 du/ac	
Minimum Density: % of Base Density (2)					75%	85%	85%	80%	75%	70%	65%	
Minimum Lot Width: (3)	135 ft	135 ft	135 ft	35 ft (7)	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft	
Minimum Street Setback (3)	30 ft	30 ft	30 ft	30 ft (7)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	
Minimum Interior Setback (3)	35 ft (9)	35 ft (9)	35 ft (9)	10 ft (7)	5 ft (10)	5 ft (10)	5 ft (10)	5 ft (10)	5 ft (10)	5 ft (10)	5 ft (10)	
Base Height (4)	40 ft	40 ft	40 ft	35 ft	35 ft	35 ft	35 ft	35 ft	45 ft	50 ft	60 ft	
Maximum Building Coverage: Percentage (5)	4% (11) (12)	2% (11) (12)	1% (11) (12)	15% (11) (14)	35%	50%	55%	60%	60%	70%	70%	
Maximum Impervious Surface: Percentage (5)	15% (13)	10% (13)	15% (13)	20% (15)	45%	70%	75%	85%	85%	85%	90%	

21A.12.030 B. DEVELOPMENT CONDITIONS.

1. The maximum density may be achieved only through the application of residential density incentives or transfers of density credits. Maximum density may only be increased pursuant to Section 21A.34.040 F. 1. f.
2. Also see Section 21A.12.060.

3. These standards may be modified under the provisions for zero-lot-line and townhome developments.
4. Height limits may be increased when portions of the structure which exceed the base height limit provide one additional foot of street and interior setback beyond the required setback for each foot above the base height limit, provided that the maximum height may not exceed 60 feet.
5. Applies to each individual lot. Building coverage and impervious surface area standards for:
 - a. Regional uses shall be established at the time of permit review; or
 - b. Nonresidential uses in residential zones shall comply with WMC 21A.12.210.
6. Mobile home parks shall be allowed a base density of six dwelling units per acre.
7. The standards of the R-4 zone shall apply if a lot is less than 15,000 square feet in area.
8. At least 20 linear feet of driveway shall be provided between any garage, carport, or other fenced parking area and the street property line. The linear distance shall be measured along the centerline of the driveway from the access point to such garage, carport or fenced area to the street property line.
9. Residences shall have a setback of at least 100 feet from any property line adjoining A or M zones or existing extractive operations.
10. For townhomes or apartment development, the setback shall be the greater of:
 - a. 20 feet along any property line abutting R-4 through R-8, and RA zones; or
 - b. The average setback of the R-4 through R-8 zoned single-family detached dwelling units from the common property line separating said dwelling units from the adjacent townhome or apartment development, provided the required setback applied to said development shall not exceed 60 feet. The setback shall be measured from said property line to the closest point of each single-family detached dwelling unit, excluding projections allowed per WMC 21A.12.160 and accessory structures existing at the time the townhome or apartment development receives Conditional Use Permit approval by the City.
11. On any lot over 1 acre in area, an additional 5 percent may be used for buildings related to agricultural or forestry practices.
12. The maximum building coverage shall be 10 percent where the lot is between 1.0 and 1.25 acres in area. The maximum shall be 15 percent where the lot is less than 1 acre in area.
13. The impervious surface area shall be:
 - a. Twenty percent when the lot is between 1.0 and 1.25 acres; and

b. Thirty-five percent when the lot is less than 1 acre in area.

14. Maximum Building Coverage Percentage

Lot Size	Max. Percentage Allowed
<15,000 SF	35% (Permitted for R-4 zone)
15,000 to 25,000 SF	28%
25,000 to 35,000 SF	22%
Over 35,000 SF	15%

15. Maximum Impervious Surface Percentage

Lot Size	Max. Percentage Allowed
<15,000 SF	45% (Permitted in R-4 zone)
15,000 to 25,000 SF	37%
25,000 to 35,000 SF	28%
Over 35,000 SF	20%

21A.12.040 A

Densities and Dimensions - Resource and Commercial/Industrial Zones

STANDARDS	Z O N E S	RESOURCE			COMMERCIAL/INDUSTRIAL				
		AGRICULTURE		MINERAL	NEIGHBORHOOD BUSINESS	COMMUNITY BUSINESS	REGIONAL BUSINESS	OFFICE	INDUSTRIAL
		A-10	A-35	M	NB	CB	RB	O	I
Base Density: Dwelling Unit/Acre		0.1 du/ac	.0286 du/ac		8 du/ac (2)	18 du/ac (2)	36 du/ac (2)	36 du/ac (2)	
Maximum Density: Dwelling Unit/Acre					12 du/ac (3)	24 du/ac (3)	48 du/ac (3)	48 du/ac (3)	
Minimum Lot Area		10 acres	35 acres	10 acres					
Minimum Depth/ Width (1)		4 to 1	4 to 1						
Minimum Street Setback		30 ft	30 ft	(12)	10 ft (5)	10 ft (5)	10 ft (5)	10 ft	25 ft 10 ft (9)
Minimum Interior Setback		10 ft	10 ft	(12)	20 ft (7)	20 ft (7)	20 ft (7)	20 ft (7)	20 ft (7) 50 ft (8)
Base Height (10)		35 ft	35 ft		35 ft	35 ft	35 ft	45 ft	45 ft
Maximum Building Coverage: Percentage		5% 15%(11)	5% 15%(11)						
Maximum Floor/Lot Ratio: Square Feet					1/1	2/1	2.5/1	4/1	3/1
Maximum Impervious Surface: Percentage		15% 35%(11)	10% 35%(11)		85%	85%	90%	75%	90%

21A.12.040 B. DEVELOPMENT CONDITIONS.

1. The depth-to-width ratio shall be no greater than the ratio indicated.
2. These densities are allowed only through the application of mixed use development standards.
3. These densities may only be achieved through the application of residential density incentives or transfer of density credits, see WMC 21A.34 and 21A.36.
4. (Reserved)
5. Gas station pump islands shall be placed no closer than 25 feet to street front lines.
6. (Reserved)
7. 20 foot setback only required on property lines adjoining residential zones, otherwise no specific interior setback requirement.
8. 50 foot setback only required on property lines adjoining residential zones for industrial uses established by conditional use permits, otherwise no specific interior setback requirement.
9. 10 foot setback permitted only on those sites not abutting a designated arterial street.

10. Height limits may be increased when portions of the structure building which exceed the base height limit provide one additional foot of street and interior setback beyond the required setback for each foot above the base height limit, provided the maximum height may not exceed 45 feet.
11. Applicable only to lots containing less than one acre of lot area.
12. See Section 21A.22.060 for setback requirements in the mineral zone.

21A.12.050 Measurement methods. The following provisions shall be used to determine compliance with this title:

- A. Street setbacks shall be measured from the existing edge of a street right-of-way or temporary turnaround, except as provided by WMC 21A.12.140;
- B. Lot widths shall be measured by scaling a circle of the applicable diameter within the boundaries of the lot, provided that an access easement shall not be included within the circle;
- C. Building height shall be measured from the average finished grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or the average height of the highest gable of a pitch or hip roof. The average finished grade shall be determined by first delineating the smallest square or rectangle which can enclose the building and then averaging the elevations taken at the midpoint of each side of the square or rectangle, provided that the measured elevations do not include berms;
- D. Lot area shall be the total horizontal land area contained within the boundaries of a lot; and
- E. Impervious surface calculations shall not include areas of turf, landscaping, natural vegetation, 5 ft. (or less) wide pedestrian walkways or surface water retention/detention facilities.

21A.12.060 Minimum Urban Residential Density. Minimum density for residential development in the urban areas designated by the Comprehensive Plan shall be based on the tables in WMC 21A.12.030, adjusted as provided for in 21A.12.070-.080

- A. A proposal may be phased, when compliance with the minimum density requirement results in noncompliance with the standards of WMC 21A.28, provided the overall density of the proposal is consistent with this section.
- B. Minimum density requirements may be waived by City of Woodinville if the applicant demonstrates one or more of the following:
 1. The proposed layout of the lots in a subdivision or the buildings in a multiple dwelling development will not preclude future residential development consistent with the minimum density of the zone.
 2. The non-sensitive area of the parcel is of a size or configuration that results in lots which cannot meet the minimum dimensional requirements of the zone.

3. In the R-12 through R-48 zones, the area of the parcel required to accommodate storm water facilities exceeds 10 percent of the area of the site.
 4. The site contains a national, state or county historic landmark.
- C. The minimum density requirements of 21A.12.030 shall be adjusted for the proportion of sensitive areas on the site, as follows:

<u>Percentage of site in sensitive area and/or buffer</u>	<u>Percentage minimum density</u>
1 - 20%	90%
21 - 40%	80%
41 - 60%	60%
61 - 80%	40%
81 - 99%	20%

Total dwelling units allowed by base density	X	Minimum density (WMC 21A.12.030)	X	Percentage of minimum density	=	Adjusted minimum density
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21A.12.070 Calculations - allowable dwelling units or floor area. Permitted number of units or floor area shall be determined as follows:

- A. The maximum allowed number of dwelling units shall be computed by multiplying the site area (in acres) by the applicable residential density;
- B. The allowed floor area which excludes structured or underground parking areas and mechanical equipment shall be computed by multiplying the project site area by the applicable floor/lot area ratio; and
- C. When calculations result in a fraction, the fraction shall be rounded to the nearest whole number as follows:
 1. Fractions of .50 or above shall be rounded up; and
 2. Fractions below .50 shall be rounded down.

21A.12.080 Calculations - site area used for density calculations.

- A. All areas of a site may be used in the calculation of allowed residential density or project floor area subject to the adjustments for sensitive areas and their buffers set out in subsection (B) through (D)
- B. Sensitive areas and their buffers may be used for calculation of allowed residential density whenever two or more residential lots or dwelling units are created subject to the following limitations:
 1. Full density credit shall be allowed for erosion and seismic hazard areas and for flood hazard areas outside of streams, wetland or associated buffers.

2. No density credit shall be allowed for streams and wetlands; and
3. Partial to full density credit shall be allowed for steep slopes, landslide hazard areas and required buffers for any sensitive area according to the following table:

Percentage of site in sensitive area and/or buffer	Amount of Density Credit
1 - 10%	100%
11 - 20%	90%
21 - 30%	80%
31 - 40%	70%
41 - 50%	60%
51 - 60%	50%
61 - 70%	40%
71 - 80%	30%
81 - 90%	20%
91 - 99%	10%

- C. Allowed density on sites containing sensitive area shall be calculated as follows:
 1. Determine the percentage of site area in sensitive areas and buffers by dividing the total area in required sensitive areas and buffers by the total site area;
 2. Multiply the density credit percentage set forth in subsection (B) by the site area in sensitive areas and buffers to determine the effective sensitive area; and
 3. Add the effective sensitive area to the site area not in sensitive areas or buffers. The resulting acres shall be considered the effective site area for purposes of density calculation and shall be treated the same as the site area for purposes of determining the allowable dwelling units pursuant to WMC 21.12.070; and
- D. Submerged lands are not counted toward density or floor area calculations.

21A.12.090 Lot area - prohibited reduction. Any portion of a lot that was required to calculate and ensure compliance with the standards and regulations of this title shall not be subsequently subdivided or segregated from such lot.

21A.12.100 Lot area - minimum lot area for construction. Except as provided for nonconformances by WMC 21A.32:

- A. In the R zones no construction shall be permitted on a lot that contains an area of less than 2,500 square feet or that does not comply with the applicable minimum lot width, except for townhome developments or zero-lot-line subdivisions; and
- B. In the A or RA zones:
 - 1. Construction shall not be permitted on a lot containing less than 5,000 square feet; and
 - 2. Construction shall be limited to one dwelling unit and residential accessory uses for lots containing greater than 5,000 square feet, but less than 12,500 square feet.

21A.12.110 Setbacks - Specific building or use. When a building or use is required to maintain a specific setback from a property line or other building, such setback shall apply only to the specified building or use.

21A.12.120 Setbacks - modifications. The following setback modifications are permitted:

- A. When the common property line of two lots is covered by a building(s), the setbacks required by this chapter shall not apply along the common property line; and
- B. When a lot is located between lots having nonconforming street setbacks, the required street setback for such lot may be the average of the two nonconforming setbacks or 60 percent of the required street setback, whichever results in the greater street setback.

21A.12.130 Setbacks - from regional utility corridors.

- A. In subdivisions and short subdivisions, areas used as regional utility corridors shall be contained in separate tracts.
- B. In other types of land development permits, easements shall be used to delineate such corridors.
- C. All buildings and structures shall maintain a minimum distance of five feet from property or easement lines delineating the boundary of regional utility corridors, except for utility structures necessary to the operation of the utility corridor.

21A.12.140 Setbacks - from alley.

- A. Structures may be built to the property line abutting an alley, except as provided in subsection B.
- B. Vehicle access points from garages, carports or fenced parking areas shall be set back from the alley property line to provide a straight line length of at least 26 feet from the access point to the opposite edge of

the alley. No portion of the garage or the door in motion may cross the property line.

21A.12.150 Setbacks - adjoining half-street or designated arterial. In addition to providing the standard street setback, a lot adjoining a half-street or designated arterial shall provide an additional width of street setback sufficient to accommodate construction of the planned half-street or arterial.

21A.12.160 Setbacks - projections allowed. Projections may extend into required setbacks as follows:

- A. Fireplace structures, bay or garden windows, enclosed stair landings, closets, or similar structures may project into any setback, provided such projections are:
 - 1. Limited to two per facade;
 - 2. Not wider than 10 feet; and
 - 3. Not more than 24 inches into an interior setback or 30 inches into a street setback;
- B. Uncovered porches and decks which exceed 18 inches above the finished grade may project:
 - 1. Eighteen inches into interior setbacks, and
 - 2. Five feet into the street setback;
- C. Uncovered porches and decks not exceeding 18 inches above the finished grade may project to the property line;
- D. Eaves may not project more than:
 - 1. Eighteen inches into an interior setback,
 - 2. Twenty-four inches into a street setback, or
 - 3. Eighteen inches across a lot line in a zero-lot-line development; and
- E. Fences with a height of six feet or less may project into any setback, provided that the sight distance requirements of WMC 21A.12.200 are maintained.

21A.12.170 Height - exceptions to limits. The following structures may be erected above the height limits of WMC 21A.12.030-.050.

- A. Roof structures housing or screening elevators, stairways, tanks, ventilating fans or similar equipment required for building operation and maintenance; and
- B. Fire or parapet walls, skylights, flagpoles, chimneys, smokestacks, church steeples, communication transmission and receiving structures, utility line towers and poles, and similar structures.

21A.12.190 Lot divided by zone boundary. When a lot is divided by a zone boundary, the following rules shall apply:

- A. When a lot contains both residential and non-residential zoning, the zone boundary between the zones shall be considered a lot line for determining permitted building height and required setbacks on the site;

- B. When a lot contains residential zones of varying density, any residential density transfer within the lot shall only be allowed from the portion with the lesser residential density to that of the greater residential density; and
- C. Uses on each portion of the lot shall only be those permitted in each zone pursuant to WMC 21A.08.

21A.12.200 Sight distance requirements. Except for utility poles and traffic control signs, the following sight distance provisions shall apply to all intersections and site access points:

- A. A sight distance triangle area as determined by Section 21A.12.200.B shall contain no fence, berm, vegetation, on-site vehicle parking area, signs or other physical obstruction between 42 inches and eight feet above the existing street grade;

NOTE: The area of a sight distance triangle between 42 inches and eight feet above the existing street grade shall remain open.

- B. The sight distance triangle at:
 - 1. A street intersection shall be determined by measuring 15 feet along both street property lines beginning at their point of intersection. The third side of the triangle shall be a line connecting the endpoints of the first two sides of the triangle; or
 - 2. A site access point shall be determined by measuring 15 feet along the street lines and 15 feet along the edges of the driveway beginning at the respective points of intersection. The third side of each triangle shall be a line connecting the endpoints of the first two sides of each triangle; and
- C. The Planning Director may require modification or removal of structures or landscaping located in required street setbacks, if:
 - 1. Such improvements prevent adequate sight distance to drivers entering or leaving a driveway, and,
 - 2. No reasonable driveway relocation alternative for an adjoining lot is feasible.

21A.12.210 Nonresidential land uses in residential zones. Except for utility facilities and uses listed in WMC 21A.08.100, all nonresidential uses located in the RA or R zones shall be subject to the following requirements:

- A. Building coverage shall not exceed:
 - 1. Twenty percent of the site in the RA zone.
 - 2. Fifty percent of the site in the R-1 through R-8 zones.
 - 3. Sixty percent of the site in the R-12 through R-48 zones.
- B. Impervious surface coverage shall not exceed:
 - 1. Thirty-five percent of the site in the RA zone.
 - 2. Seventy percent of the site in the R-1 through R-8 zones.
 - 3. Eighty percent of the site in the R-12 through R-48 zones.
- C. Buildings and structures, except fences and wire or mesh backstops, shall not be closer than 30 feet to any property line, except as provided in subsection D.
- D. Single detached dwelling allowed as accessory to a church or school shall conform to the setback requirements of the zone.
- E. Parking areas are permitted within the required setback area from property lines, provided such parking areas are located outside of the required landscape area.
- F. Sites shall abut or be accessible from at least one public street functioning at a level consistent with City of Woodinville street design standards. New high school sites shall abut or be accessible from a public street functioning as an arterial per the City of Woodinville design standards.
- G. The base height shall conform to height limitation of the zone in which the use is located.

**CHAPTER 21A.14 DEVELOPMENT STANDARDS
DESIGN REQUIREMENTS**

SECTIONS:

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- 21A.14.020 General layout standards
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- 21A.14.040 Lot segregations - Clustered development
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- 21A.14.010 Purpose. The purpose of this chapter is to improve the quality of urban development by providing building and site design standards that:
- A. Reduce the visual impact of large residential buildings from adjacent streets and properties;
 - B. Enhance the aesthetic character of large residential buildings;
 - C. Contain sufficient flexibility of standards to encourage creative and innovative site and building design; and
 - D. Meet the on-site recreation needs of project residents.

- 21A.14.020 General layout standards. For residential developments in the R zones:

- A. The maximum length of blocks shall be 1,320 feet; and
- B. Except for corner lots, lots for single detached dwellings shall not have street frontage along two sides unless one of said streets is a neighborhood collector street or an arterial street.

21A.14.030 Lot segregations - Zero lot line development. In any R zone, interior setbacks may be modified during subdivision or short subdivision review as follows:

- A. If a building is proposed to be located within a normally required interior setback:
 - 1. An easement shall be provided on the abutting lot of the subdivision that is wide enough to ensure a 10-foot separation between the walls of structures on adjoining lots, except as provided for common wall construction;
 - 2. The easement area shall be free of structures and other obstructions that would prevent normal repair and maintenance of the structure's exterior;
 - 3. Buildings utilizing reduced setbacks shall not have doors that open directly onto the private yard areas of abutting property. Windows in such buildings shall not be oriented toward such private yard areas unless they consist of materials such as glass block, textured glass, or other opaque materials, and shall not be capable of being opened, except for clerestory-style windows or skylights; and
 - 4. The final plat or short plat shall show the approximate location of buildings proposed to be placed in a standard setback area.
- B. In the R zones, setbacks on existing individual lots may be modified provided that the standards set forth in subsection A-1 of this section are met.

21A.14.040 Lot segregations - Clustered development. When residential lot clustering is proposed, the following provisions shall be met:

- A. Any open space resulting from lot clustering shall not be altered or disturbed except as specified on recorded documents creating the open space. Such open spaces may be retained under ownership by the subdivider, conveyed to residents of the development, or conveyed to a third party;
- B. In the RA zone:
 - 1. No more than eight lots of less than 2.5 acres shall be allowed in a cluster;
 - 2. No more than eight lots of less than 2.5 acres shall be served by a single cul-de-sac street;
 - 3. Clusters containing two or more lots of less than 2.5 acres, whether in the same or adjacent developments, shall be separated from similar clusters by at least 120 feet, and
 - 4. The overall amount, and the individual degree of clustering shall be limited to a level that can be adequately served by rural facilities

and services, including, but not limited to on-site sewage disposal systems and rural roadways.

- 21A.14.050 Townhome development.** In the R-1 through R-8 zones, a building that contains a grouping of attached townhome units shall not exceed a 120 foot maximum length without a separation of at least 20 feet from other groupings or rows of townhomes.
- 21A.14.060 Attached dwellings and group residences - Applicability.** The standards of WMC 21A.14.070 through 21A.14.090 shall apply to all new apartment developments exceeding four dwelling units, new townhome development and new group residences except Class I Community Residential Facilities ("CRF-I"). Expansions of existing development that involve four or more dwelling units shall be subject to compliance with WMC 21A.14.070 to 21A.14.090.
- 21A.14.070 Attached dwellings and group residences - Vehicular access and parking location.**
- A. On sites abutting an alley constructed to a width of at least 20 feet, apartment and townhome development and all group residences except Class I Community Residential Facilities ("CRF-I") shall have parking areas placed to the rear of buildings with primary vehicular access via the alley, except when waived by the Planning Director due to physical site limitations.
 - B. When alley access is provided, no additional driveway access from the public street shall be allowed except as necessary to access parking under the structure.
 - C. When common parking facilities for attached dwellings and group residences exceed 30 spaces, no more than 50 percent of the required parking shall be permitted between the street property line and any building, except when authorized by the Planning Director due to physical site limitations.
- 21A.14.080 Attached dwellings and group residences - Building facade modulation.** Apartment and townhome developments and all group residences shall provide building facade modulation on facades exceeding 60 feet in length. The following standards shall apply:
- A. The maximum wall length without modulation shall be 30 feet;
 - B. The minimum modulation depth shall be three feet; and
 - C. The minimum modulation width shall be eight feet.
- 21A.14.090 Attached dwellings and group residences - Roofline variation.** Apartments and townhome developments and all group residences shall provide roofline variation on rooflines exceeding 60 feet according to the following standards:
- A. The maximum roof length without variation shall be 30 feet;

- B. The minimum horizontal or vertical offset shall be three feet;
- C. The minimum variation length shall be eight feet; and
- D. Roofline variation shall be achieved using one or more of the following methods:
 - 1. Vertical off-set in ridge line;
 - 2. Horizontal off-set in ridge line;
 - 3. Variations of roof pitch;
 - 4. Gables;
 - 5. False facades; or
 - 6. Any other technique approved by the Planning Director that achieves the intent of this section.

21A.14.100 (Reserved)

21A.14.110 (Reserved)

21A.14.120 (Reserved)

21A.14.130 (Reserved)

21A.14.140 (Reserved)

21A.14.150 **Mobile home parks - Standards for existing parks.**

- A. Mobile home parks established prior to the effective date of this code shall continue to be governed by all standards relating to density, setbacks, landscaping and off-street parking in effect at the time they were approved.
- B. Placement of new accessory structures and replacement mobile homes, either standard or nonstandard, in these mobile home parks shall be governed by the dimensional standards in effect when the parks were approved, unless two or more replacement mobile homes are proposed to be installed adjacent to each other under the flexible setback option set forth in WMC 21A.14.170. Where internal setbacks are not specified, the average of the prevailing setbacks on the pads to either side of the proposed new or replacement structure shall apply.
- C. No spaces or pads in an existing mobile home park shall be used to accommodate recreational vehicles (RVs), except when the spaces or pads were specifically for RVs at the time the park was established.
- D. An existing mobile home park may be enlarged, provided the proposed enlargement meets the standards set forth in WMC 21A.14.160 and WMC 21A.14.170.
- E. Both insignia and non-insignia mobile homes may be installed in established parks, provided that all mobile homes supported by piers shall be fully skirted, and that nonstandard mobile homes shall meet the minimum livability and safety requirements set forth in the Uniform Building Code.

- 21A.14.160 Mobile home parks - Standards for new parks.** New mobile home parks shall be developed subject to the following standards:
- A. A mobile home park shall be at least three acres in area;
 - B. Residential densities in a mobile home park shall be as follows:
 - 1. Six dwellings per acre in R-4 zone;
 - 2. The base density of the zone in which the park is located in all R-6 through R-48 zones; and
 - 3. Mobile home parks shall be eligible to achieve the maximum density permitted in the zone by providing the affordable housing benefit for mobile home parks set forth in WMC 21A.34;
 - C. Both insignia and non-insignia mobile homes may be installed in mobile home parks, provided that non-insignia mobile homes shall meet the minimum livability and safety requirements set forth in the Uniform Building Code;
 - D. A mobile home park shall be exempt from the building coverage and impervious surface limits set forth in WMC 21A.12;
 - E. At least one of the off-street parking spaces required for each mobile home shall be located on or adjacent to each mobile home pad;
 - F. Internal roads and sidewalks shall provide access to each mobile home space and shall be constructed in accordance with the adopted City of Woodinville street standards for residential minor access streets;
 - G. There shall be a minimum of ten feet of separation maintained between all mobile homes on the site, unless the flexible setback option set forth in WMC 21A.14.170 is used. Accessory structures shall be located no closer than:
 - 1. Ten feet to mobile homes on adjacent spaces, unless constructed of noncombustible materials, in which case the minimum setback shall be five feet;
 - 2. Five feet to accessory structures of mobile homes on adjacent spaces; and
 - 3. Five feet to the mobile home or other accessory structures on the same space, except a carport or garage may be attached to the mobile home, and the separation may be waived when such structures are constructed of noncombustible materials;
 - H. All mobile homes and RVs supported by piers shall be fully skirted; and
 - I. A mobile home park may include a storage area for RVs owned by residents of the park, provided the storage area contains no utility hook-ups and no RV within the storage area shall be used as living quarters.

- 21A.14.170 Mobile home parks - Alternative design standards.** As an alternative to the building separation and internal street standards of WMC 21A.14.160:
- A. Building separation requirements or setbacks between mobile homes and accessory structures on adjacent spaces may be modified, provided:

1. The common walls meet the fire protection standards set forth in the Uniform Building Code and the standards set forth in the Uniform Fire Code for duplexes, multifamily and condominium developments, as applicable; and
 2. Rental agreement clauses, by-laws or other legal mechanisms stipulate maintenance responsibilities for structures, fences and yards;
- B. Private streets may be used with a minimum driving surface of 22 feet in width, provided:
1. The streets comply in all other respects with the City of Woodinville adopted street standards;
 2. All required parking is located off-street and as specified in WMC 21A.14.160.E; and
 3. Such streets shall not:
 - a. Directly connect two or more points of vehicular access to the park; or
 - b. Serve over 100 dwelling units within the park.

21A.14.180 On-site recreation - Space required.

- A. Except when fees-in-lieu of commonly owned recreation space are provided pursuant to WMC 21A.14.210 through 21A.14.240, residential developments in the R zones shall provide recreation space as follows:
1. Residential subdivision and townhome developed at a density of eight units or less per acre - 390 square feet per unit;
 2. Mobile home park - 260 square feet per unit; and
 3. Apartment, townhomes developed at a density of greater than eight units per acre, and mixed use:
 - a. Studio and one bedroom - 90 square feet per unit;
 - b. Two bedroom - 130 square feet per unit; and
 - c. Three or more bedroom - 170 square feet per unit;.
- B. Any recreation space located outdoors shall:
1. Be of a grade and surface suitable for recreation;
 2. Be on the site of the proposed development;
 3. Contain at least 5,000 square feet in area, provided that when more than one recreation space is proposed, only one of the proposed recreation spaces is required to meet the area requirement;
 4. Have no dimensions less than 30 feet (except trail segments);
 5. In single detached or townhome subdivision development, have a street roadway or parking area frontage along 10 to 50 percent of the recreation space perimeter (except trail segments);
 6. Be centrally located and accessible and convenient to all residents within the development ; and
 7. Be connected by trail or walkway to any existing or planned community park, public open space or trail system, which may be located on adjoining property.

- C. Indoor recreation areas may be credited towards the total recreation space requirement, when the City determines that such areas are located, designed and improved in a manner which provides recreational opportunities functionally equivalent to those recreational opportunities available outdoors.

21A.14.190 On-site recreation - Play areas required.

- A. All apartment, townhome, and mixed use development, excluding senior citizen apartments, shall provide tot/children play areas within the recreation space on-site, except when facilities are available within 1/4 mile that are developed as public parks or playgrounds and are accessible without the crossing of arterial streets.
- B. If any play apparatus is provided in the play area, the apparatus shall meet Consumer Product Safety Standards for equipment, soft surfacing and spacing, and shall be located in an area that is:
 - 1. At least 400 square feet in size with no dimension less than 20 feet; and
 - 2. Adjacent to main pedestrian paths or near building entrances.
 - 3. Visual access from adjacent residential structures is provided.

21A.14.200 On-site recreation - Maintenance of recreation space or dedication.

- A. Unless the recreation space is dedicated to City of Woodinville pursuant to subsection B., maintenance of any recreation space retained in private ownership shall be the responsibility of the owner or other separate entity capable of long-term maintenance and operation in a manner acceptable to the City.
- B. Recreation space may be dedicated as a public park when the following criteria are met:
 - 1. The dedicated area is at least 5 acres in size, except when adjacent to an existing or planned public park; and
 - 2. The dedicated land provides one or more of the following:
 - a. Shoreline access,
 - b. Regional trail linkages,
 - c. Habitat linkages,
 - d. Recreation facilities, or
 - e. Heritage sites.
 - 3. The entire dedicated area is located less than 1 mile of the project site

21A.14.210 On-site recreation - Fee in-lieu of recreation space . If on-site recreation space is not provided, the applicant shall pay a fee in-lieu of actual recreation space .

21A.14.220 On-site recreation - Acceptance criteria for fee in-lieu of recreation space . City of Woodinville acceptance of this payment is discretionary, and may be permitted if:

- A. The proposed on-site recreation space does not meet the criteria of WMC 21A.14.180.B; or
- B. The recreation space provided within a public park in the vicinity will be of greater benefit to the prospective residents of the development.

21A.14.230 On-site recreation - Determination of fee in-lieu of space .

- A. Fees provided in-lieu of on-site recreation space shall be determined annually by the City on the basis of the typical market value of the recreation space prior to development.
- B. Any recreational space provided by the applicant shall be credited towards the required fees.

21A.14.240 On-site recreation - Collection and expenditure of fee in-lieu of space .

The fee in-lieu of recreation space shall be:

- A. Paid to the City at the time of:
 - 1. Subdivision or short subdivision recording of single detached and townhome developments, or
 - 2. Prior to issuance of building permits for all other residential or mixed use development.
- B. Used by the City for the acquisition and improvement of City parks or public recreational facilities to serve the development; and
- C. Expended through City Council's capital budget and program appropriations.

21A.14.250 Storage space and collection points for recyclables. Developments shall provide storage space for the collection of recyclables as follows:

- A. The storage space shall be provided at the rate of:
 - 1. One and one-half square feet per dwelling unit in multiple-dwelling developments except where the development is participating in a public agency-sponsored or approved direct collection program in which individual recycling bins are used for curbside collection;
 - 2. Two square feet per every 1,000 square feet of building gross floor area in office, educational and institutional developments;
 - 3. Three square feet per every 1,000 square feet of building gross floor area in manufacturing and other non-residential developments; and
 - 4. Five square feet per every 1,000 square feet of building gross floor area in retail developments.
- B. The storage space for residential developments shall be apportioned and located in collection points as follows:
 - 1. The required storage area shall be dispersed in collection points throughout the site when a residential development comprises more than one building.
 - 2. There shall be one collection point for every 30 dwelling units.
 - 3. Collection points may be located within residential buildings, in separate buildings/structures without dwelling units, or outdoors.

4. Collection points located in separate buildings/structures or outdoors shall be no more than 200 feet from a common entrance of a residential building.
 5. Collection points shall be located in a manner so that hauling trucks do not obstruct pedestrian or vehicle traffic on-site, or project into any public right-of-way.
- C. The storage space for non-residential development shall be apportioned and located in collection points as follows:
1. Storage space may be allocated to a centralized collection point.
 2. Outdoor collection points shall not be located in any required setback areas.
 3. Collection points shall be located in a manner so that hauling trucks do not obstruct pedestrian or vehicle traffic on-site, or project into any public right-of-way.
 4. Access to collection points may be limited, except during regular business hours and/or specified collection hours.
- D. The collection points shall be designed as follows:
1. Dimensions of the collection points shall be of sufficient width and depth to enclose containers for recyclables.
 2. Architectural design of any structure enclosing an outdoor collection point or any building primarily used to contain a collection point shall be consistent with the design of the primary structure(s) on the site.
 3. Collection points shall be identified by signs not exceeding two square feet.
 4. A six foot wall or fence shall enclose any outdoor collection point, excluding collection points located in industrial developments that are greater than 100 feet from residentially zoned property.
 5. Enclosures for outdoor collection points and buildings used primarily to contain a collection point shall have gate openings at least 12 feet wide for haulers. In addition, the gate opening for any building or other roofed structure used primarily as a collection point shall have a vertical clearance of at least 12 feet.
 6. Weather protection of recyclables shall be ensured by using weather-proof containers or by providing a roof over the storage area.
- E. Only recyclable materials generated on-site shall be collected and stored at such collection points. Except for initial sorting of recyclables by users, all other processing of such materials shall be conducted off-site.

21A.14.260 Fences. Fences are permitted as follows:

- A. Fences shall not exceed a height of six feet in all residential and NB zones.
- B. Fences exceeding a height of six feet in CB, RB, O and I zones shall comply with the applicable street and interior setbacks of the zone in which the property is located;

- C. The height of a fence located on a rockery, retaining wall, or berm shall be measured from the top of the fence to the ground on the low side of the rockery, retaining wall, or berm;
- D. When a protective fence is located on top of a rockery within the required setback area, any portion of the fence above a height of six feet shall be an open-work fence;
- E. Electric fences shall:
 - 1. Be permitted in all zones, provided that when placed within R-4 through R-48 zones, additional fencing or other barriers shall be constructed to prevent inadvertent contact with the electric fence from abutting property;
 - 2. Comply with the following requirements:
 - a. An electric fence using an interrupted flow of current at intervals of about one second on and two seconds off shall be limited to 2,000 volts at 17 milliamp;
 - b. An electric fence using continuous current shall be limited to 1,500 volts at seven milliamp;
 - c. All electric fences in the R-4 through R-48 zones shall be posted with permanent signs a minimum of 36 square inches in area at 50 foot intervals stating that the fence is electrified; and
 - d. Electric fences sold as a complete and assembled unit can be installed by an owner if the controlling elements of the installation are certified by an A.N.S.I. approved testing agency; and
- F. No barbed or razor-wire fence shall be located in any R-4 through R-48 zone or any commercial zone.

21A.14.270 Trail Corridors - Applicability. Trail easements shall be provided by any development, except for single detached residential permits, when such developments are located within any community or regional trail corridor identified by the Comprehensive Plan as a part of a local and/or regional trail systems. The residents or tenants of the development shall be provided access to the trail easement. The area of the trail easement is included in density and floor area calculations.

21A.14.280 Trail Corridors - Design standards. Trail design shall be reviewed by the Department for consistency with adopted standards for:

- A. Width of the trail corridor;
- B. Location of the trail corridor on the site;
- C. Surfacing improvements; and
- D. Use(s) permitted within the corridor.

21A.14.290 Trail Corridors - Maintenance of trail corridors/improvements. Maintenance of any trail corridor or improvements, retained in private ownership, shall be the responsibility of the owner or other separate entity capable of long-term maintenance and operation in a manner acceptable to the Department.

**CHAPTER 21A.16 DEVELOPMENT STANDARDS
TREE RETENTION AND LANDSCAPING**

SECTIONS:

21A.16.010	Purpose
21A.16.020	Application
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21A.16.090	Landscaping - general requirements
21A.16.100	Landscaping - alternative options
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21A.16.120	Landscaping - installation
21A.16.130	Significant trees - retention required
21A.16.140	Significant trees - retention plan
21A.16.150	Significant trees - incentives for retention
21A.16.160	Significant trees - protection
21A.16.170	Significant trees - replacement
21A.16.180	Maintenance
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21A.16.010 Purpose. The purpose of this chapter is to preserve the aesthetic character of communities; to improve the aesthetic quality of the built environment; to promote retention and protection of existing vegetation; to reduce the impacts of development on drainage systems and natural habitats; and to increase privacy for residential zones by:

- A. Providing visual relief from large expanses of parking areas and reduction of perceived building scale;
- B. Providing physical separation between residential and non-residential areas;
- C. Providing visual screens and barriers as a transition between differing land uses;
- D. Retaining existing vegetation and significant trees by incorporating them into the site design; and
- E. Providing increased areas of permeable surfaces to allow for:
 - 1. Infiltration of surface water into groundwater resources;
 - 2. Reduction in the quantity of storm water discharge; and
 - 3. Improvement in the quality of storm water discharge.

21A.16.020 Application. Except for communication facilities regulated pursuant to WMC 21A.26, all new development listed in WMC 21A.16.030 shall be subject to the landscaping and significant tree retention provisions of this

chapter, provided that specific landscaping and tree retention provisions for uses established through a conditional use permit or a special use permit shall be determined during the applicable review process. For the purpose of this chapter, a new development is one that requires a change of occupancy permit or a substantial improvement as defined in WMC 21A.06.648.

21A.16.030 Land use grouping. In order to facilitate the application of this chapter, the land uses of WMC 21A.08 have been grouped in the following manner.

- A. Residential development shall refer to those uses listed in WMC 21A.08.030, except those uses listed under Accessory uses, provided:
 - 1. Attached/group residences shall refer to:
 - a. Townhomes;
 - b. Apartments;
 - c. Senior citizen assisted;
 - d. Temporary lodging; and
 - e. Group residences other than Type I Community Residential Facilities;
 - f. Mobile home parks; and
 - 2. Single detached development shall refer to:
 - a. Residential subdivisions; and
 - b. Type I Community Residential Facilities.
- B. Commercial development shall refer to those uses in:
 - 1. WMC 21A.08.040 as amusement/entertainment uses, except golf facilities;
 - 2. WMC 21A.08.050 except recycling centers, health and educational services, daycare I, churches, synagogues, and temples; and
 - 3. WMC 21A.08.070, except forest product sales and agricultural crop sales.
- C. Industrial development shall refer to those listed in:
 - 1. WMC 21A.08.050 as recycling center;
 - 2. WMC 21A.08.060 except government services;
 - 3. WMC 21A.08.080; and
 - 4. WMC 21A.08.090 as mineral extraction and processing.
- D. Institutional development shall refer to those uses listed in:
 - 1. WMC 21A.08.040 as cultural uses, except arboretums;
 - 2. WMC 21A.08.050 as churches, synagogues and temples, health services, and education services except specialized instruction schools permitted as an accessory use; and
 - 3. WMC 21A.08.060 as government services.
- E. Utility development shall refer to those listed in WMC 21A.08.060 as subregional utilities.
- F. Uses contained in WMC 21A.08 that are not listed in subsections A-E of this section shall not be subject to landscaping and tree retention except as specified in any applicable review of a conditional use or special use permit.

21A.16.040 Landscaping - types and description. The four types of landscaping are described and applied as follows:

A. Type I landscaping:

1. Type I landscaping is a "full screen" that functions as a visual barrier. This landscaping is typically found adjacent to freeways and between residential and non-residential areas.
2. Type I landscaping shall consist of:
 - a. A mix of primarily evergreen trees and shrubs placed to form a continuous screen;
 - b. At least 70 percent evergreen trees;
 - c. Evergreen trees spaced no more than 15 feet on center;
 - d. Broadleaf trees spaced no more than 20 feet on center;
 - e. Evergreen shrubs spaced no more than four feet apart; and
 - f. Ground cover pursuant to WMC 21A.16.090;

B. Type II landscaping:

1. Type II landscaping is a "filtered screen" that functions as a visual separator. This landscaping is typically found between commercial and industrial uses; between differing types of residential development; and to screen industrial uses from the street;
2. Type II landscaping shall consist of:
 - a. A mix of evergreen and broadleaf trees and shrubs spaced to create a filtered screen;
 - b. At least 50 percent broadleaf trees and at least 30 percent evergreen trees;
 - c. Evergreen trees spaced no more than 15 feet on center;
 - d. Broadleaf trees spaced no more than 20 feet on center;
 - e. Shrubs spaced no more than five feet apart; and
 - f. Ground cover pursuant to WMC 21A.16.090;

C. Type III landscaping:

1. Type III landscaping is a "see-through buffer" that functions as a partial visual separator to soften the appearance of parking areas and building elevations. This landscaping is typically found along street frontage or between apartment developments;
2. Type III landscaping shall consist of:
 - a. A mix of evergreen and/or broadleaf trees spaced to create a continuous canopy;
 - b. At least 70 percent broadleaf trees;
 - c. Trees spaced no more than 25 feet on center;
 - d. Shrubs, that do not exceed a height of four feet , spaced no more than four feet apart; and
 - e. Ground cover pursuant to WMC 21A.16.090;

D. Type IV landscaping:

1. Type IV landscaping is "parking area landscaping" that provides shade and visual relief while maintaining clear sight lines within parking areas;
2. Type IV landscaping shall consist of:

- a. Canopy-type broadleaf or evergreen trees, evergreen shrubs and ground covers planted in islands or strips;
- b. Shrubs that do not exceed a height of four feet;
- c. Plantings contained in planting islands or strips having an area of at least 75 square feet and with a narrow dimension of no less than four feet;
- d. Ground cover pursuant to WMC 21A.16.090; and
- e. At least 90 percent of the trees shall be broadleaf.

21A.16.050 Landscaping - street frontages. Perimeter landscaping along street frontages shall be provided as follows:

- A. A twenty foot width of Type II landscaping shall be provided for an institutional use, excluding playgrounds and playfields;
- B. A ten foot width of Type II landscaping shall be provided for an industrial development, except a 25 foot width of Type II landscaping shall be provided for development on I zoned property abutting SR202 or Woodinville-Snohomish Highway.
- C. A ten foot width of Type II landscaping shall be provided for an above ground subregional utility development located outside a public right-of-way;
- D. A ten foot width of Type III landscaping shall be provided for a commercial or attached/group residence development; and
- E. For single detached subdivisions:
 - 1. Trees shall be planted at the rate of one tree for every:
 - a. Fifty feet of frontage along a neighborhood collector street; and
 - b. Forty feet of frontage along an arterial street.
 - 2. The trees shall be:
 - a. Located within the street right-of-way if permitted by the custodial state or local agency;
 - b. No more than 20 feet from the street right-of-way line when located within a lot;
 - c. Maintained by the adjacent landowner unless part of a City maintenance program; and
 - d. A species approved by the City.
 - 3. The trees may be spaced at irregular intervals in order to accommodate sight distance requirements for driveways and intersections.

21A.16.060 Landscaping - interior lot lines. Perimeter landscaping along interior lot lines shall be provided as follows:

- A. A twenty foot width of Type I landscaping shall be included in a commercial or industrial development along any portion adjacent to a residential development;
- B. A twenty foot width of Type II landscaping shall be included in an attached/group residence development along any portions of the development adjacent to a single-family detached residential development. Along portions of the development adjacent to another

attached/group residence development or any non-residential use the requirement shall be a ten foot width of Type II landscaping;

- C. A ten foot width of Type II landscaping shall be included in an industrial development along any portion adjacent to a commercial or institutional development; and
- D. A ten foot width of Type II landscaping shall be included in an institutional use, excluding of playgrounds and playfields, or an above-ground subregional utility development, excluding distribution or transmission corridors, when located outside a public right-of-way.

21A.16.070 Landscaping - surface parking areas. Type IV landscaping shall be provided within surface parking areas with ten or more parking stall as follows:

- A. Residential developments with common parking areas shall provide planting areas at the rate of 20 square feet per parking stall;
- B. Commercial, industrial, or institutional developments, shall provided landscaping a rate of:
 - 1. Twenty square feet per parking stall when 10 to 30 parking stalls are provided; and
 - 2. Twenty-five square feet per parking stall when 31 or more parking stalls are provided;
- C. Trees shall be provided and distributed throughout the parking area at a rate of:
 - 1. One tree for every five parking stalls for a commercial or industrial development; and
 - 2. One tree for every ten parking stalls for residential or institutional development;
- D. The maximum distance between any parking stall and required parking area landscaping shall be no more than 65 feet;
- E. Permanent curbs or structural barriers shall be provided to protect the plantings from vehicle overhang.

21A.16.080 Landscaping - adjacent to freeway rights-of-way.

- A. All residential developments shall provide a minimum of 20 feet of Type I landscaping adjacent to freeway rights-of-way.
- B. All other developments shall provide a minimum of 20 feet of Type III landscaping adjacent to freeway rights-of-way.

21A.16.090 Landscaping - general requirements. Landscape designs shall conform to the following provisions:

- A. New landscaping materials shall include species native to the coastal region of the Pacific Northwest or non-invasive naturalized species that have adapted to the climatic conditions of the coastal region of the Pacific Northwest in the following amounts:
 - 1. Seventy-five percent of groundcover and shrubs, and
 - 2. Fifty percent of trees;

- B. At least 60 percent of new landscaping materials shall consist of drought-tolerant species, except where site conditions within the required landscape areas assure adequate moisture for growth;
- C. Existing vegetation may be used to augment new plantings to meet the standards of this chapter;
- D. Broadleaf trees shall have a caliper of at least 1.75 inches at the time of planting. The caliper may be averaged, but no individual tree shall have a caliper of less than 1.5 inches;
- E. Evergreen trees shall be at least six feet in height measured from treetop to the ground at the time of planting;
- F. When the width of any landscape strip is 20 feet or greater, the required trees shall be staggered in two or more rows;
- G. Shrubs shall be :
 - 1. Two-gallon size at time of planting in Type II, III and IV landscaping,
 - 2. At least 24 inches in height at the time of planting for Type I landscaping, and
 - 3. Maintained at a height not exceeding four feet when located in Type III or IV landscaping;
- H. Ground covers shall be planted and spaced to result in total coverage of the required landscape area within three years as follows:
 - 1. Four-inch pots at 18-inches on center, or
 - 2. One-gallon or greater sized containers at 24-inches on center;
- I. Grass may be used as ground cover in landscape areas provided that the grass area:
 - 1. Constitutes no more than 30 percent of Type I and II landscape areas; and
 - 2. Is at least five feet wide at the smallest dimension;
- J. Grass and ground cover areas shall contain at least two inches of composted organic material at finish grade;
- K. All fences shall be placed on the inward side of any required perimeter landscaping.
- L. Berms shall not exceed a slope of two horizontal feet to one vertical foot (2:1);
- M. Existing soils shall be augmented with a two-inch layer of fully composted organic material rototilled a minimum of six inches deep;
- N. Landscape areas shall be covered with at least two inches of mulch to minimize evaporation. Mulch shall consist of materials such as yard waste, sawdust and/or manure that is fully composted;
- O. Drought-tolerant and nondrought-tolerant species shall be grouped separately and be served by separate irrigation systems ;
- P. Required street landscaping may be placed within City of Woodinville street rights-of-way subject to the City's street design standards with the permission of the City of Woodinville Department of Public Works, provided adequate space is maintained along the street line on site to replace the required landscaping should subsequent street

improvements require the removal of landscaping within the rights-of-way.

21A.16.100 Landscaping - alternative options. The following alternative landscape options may be allowed only if they accomplish equal or better levels of screening and are subject to City approval:

- A. When the total area for required landscaping and that within the dripline of retained trees exceeds 15 percent of the area of the site, the landscaping requirement may be reduced so that the total required landscape and tree retention area will not exceed the 15 percent of site area;
- B. The width of the perimeter landscape strip may be reduced up to 25 percent along any portion where:
 1. Berms at least 3 feet in height or architectural barriers at least six feet in height are incorporated into the landscape design; and
 2. The landscape materials are incorporated elsewhere on-site;
- C. The width of the perimeter landscaping may be reduced up to 10 percent when a development retains an additional 10 percent of significant trees or 10 significant trees per acre on-site (above the requirements of WMC 21A.16.130.C. and D.), whichever is greater;
- D. The landscaping requirement may be modified when existing conditions on or adjacent to the site, such as significant topographic differences, vegetation, structures or utilities would render application of this chapter ineffective or result in scenic view obstruction;
- E. Street perimeter landscaping may be waived provided a site plan, is approved that provides a significant amount of street trees and other pedestrian-related amenities; and
- F. When an existing structure precludes installation of the total amount of required site perimeter landscaping, such landscaping material shall be incorporated on another portion of the site.
- G. The width of the perimeter landscaping may be averaged, provided the minimum width is not less than 5 feet.

21A.16.110 Landscaping - irrigation.

- A. Except for areas of undisturbed existing vegetation or low areas with existing high soil moisture conditions, landscape areas shall have temporary irrigation systems. Such systems shall be removed after 24 months or two growing seasons, whichever occurs first, provided that the plantings are established;
- B. Areas of undisturbed existing vegetation or areas where existing site conditions assure adequate soil moisture for growth within the required landscape area shall have temporary irrigation systems only as required to sustain new plantings and shall be determined on a case-by-case basis by the City; and
- C. Areas of undisturbed existing vegetation, low areas with existing high soil moisture conditions, or landscape areas consisting of drought-tolerant vegetation shall not have permanent irrigation systems.

Permanent irrigation systems may be permitted within all other required landscape areas, provided such systems shall be designed by a certified water use auditor and with:

1. Moisture or precipitation sensors;
2. Automatic timers set for operation during periods of minimum evaporation and that assure adequate moisture levels;
3. Head-to-head spacing, if sprinkler heads are proposed;
4. Pressure regulating devices;
5. Backflow prevention devices; and
6. Separate irrigation zones for:
 - a. Turf and planting beds; and
 - b. Other non-drought-tolerant species.

21A.16.120 Landscaping - installation.

- A. Landscaping shall be installed no later than one month after issuance of a certificate of occupancy for the project or project phase.
- B. The time limit for compliance may be extended to allow installation of landscaping during the next appropriate planting season.

21A.16.130 Significant trees - retention required. Except as provided in WMC 21A.16.170, significant trees shall be retained in all residential, commercial, industrial or institutional developments as follows:

- A. All significant trees located within any required perimeter landscaping area shall be retained;
- B. Ten percent of the significant trees located in the interior of the lot, excluding sensitive areas or their buffers shall be retained in an apartment, townhome or institutional developments;
- C. Five percent of the significant trees located in the interior of the lot, excluding sensitive areas or their buffers shall be retained in commercial or industrial developments;
- D. Utility developments and mineral extraction operations shall be exempt from the significant tree retention requirements of this chapter;
- E. If significant trees were previously located in a closed, forested situation, an adequate buffer of smaller trees shall be retained or replaced on the fringe of such significant trees;
- F. A grouping of three or more existing trees with canopies that touch or overlap, may be substituted for each required significant tree, provided each tree has a diameter of at least three inches when measured four feet above grade;
- G. Except as provided in subsection H, significant trees to be retained shall not include significant trees that are:
 1. Damaged or diseased,
 2. Safety hazards due to potential root, trunk or primary limb failure, or exposure of mature trees which have grown in a closed, forested situation; and
- H. At the discretion of the City, damaged or diseased or standing dead trees may be retained and counted toward the significant tree

requirement if demonstrated that such trees will provide important wildlife habitat and are not classified as a danger tree.

- 21A.16.140 Significant trees - retention plan.** The applicant shall submit a tree retention plan concurrent with a grading permit, building permit or preliminary subdivision or short subdivision application, whichever is reviewed and approved first. The tree retention plan shall consist of:
- A. A tree survey that identifies the location, size and species of all significant trees on a site. The tree survey may be conducted by a method that locates individual significant trees or by using standard timber cruising methods to reflect general locations, numbers and grouping of significant trees provided that, when using either method, the survey:
 - 1. Shall also show the location and species of each significant tree that is intended to qualify for additional credit pursuant to WMC 21A.16.150, and
 - 2. Any tree 18 inches or greater diameter for the purpose of establishing wildlife habitat value;
 - B. A development plan identifying the significant trees that are proposed to be retained, transplanted or restored.

21A.16.150 Significant trees - incentives for retention. Each significant tree that is located outside of the area for perimeter landscaping and is retained may be credited as two trees for complying with the retention requirements of WMC 21A.16.130, provided it meets one or more of the following criteria:

- A. The tree exceeds 60 feet in height, or 24 inches in diameter for evergreen trees or 30 inches for broadleaf trees;
- B. The tree is located in a grouping of at least five trees with canopies that touch or overlap;
- C. The tree provides energy savings through winter wind protection or summer shading as a result of its location relative to buildings;
- D. The tree belongs to a unique or unusual species;
- E. The tree is located within 25 feet of any sensitive area or required sensitive area buffers; and
- F. The tree is 18 inch or greater and is identified as providing valuable wildlife habitat.

- 21A.16.160 Significant trees - protection.** To provide the best protection for significant trees:
- A. No clearing shall be allowed on a site until approval of tree retention and landscape plans;
 - B. An area of prohibited of disturbance, generally corresponding to the drip line of the significant tree shall be identified during the construction stage with a temporary five-foot high chainlink or plastic net fence;

- C. No impervious surfaces, fill, excavation, or storage of construction materials shall be permitted within the area defined by such fencing or stakes;
- D. A rock well shall be constructed if the grade level around the tree is to be raised by more than one foot. The inside diameter of the well shall be equal to the diameter of the dripline of the tree ;
- E. The grade level shall not be lowered within the larger of the two areas defined as follows:
 - 1. The drip line of the tree(s); or
 - 2. An area around the tree equal to one foot diameter for each inch of tree trunk diameter measured four feet above the ground; and
- F. Alternative protection methods may be used if determined by the Planning Director to provide equal or greater tree protection.

21A.16.170 Significant trees - replacement. When the required number of significant trees cannot be retained, significant trees that are removed shall be replaced with:

- A. Transplanted significant trees; or
- B. New trees measuring three inch caliper or more, at a replacement rate of one and one-half (1.5) inches diameter for every one inch diameter of the removed significant tree; or
- C. New trees measuring less than three inch caliper at a replacement rate of two inches diameter for every one inch diameter of the removed significant tree on a space available basis in conjunction with the site plan.

21A.16.180 Maintenance.

- A. All landscaping and significant trees shall be maintained for the life of the project.
- B. All landscape materials and significant trees shall be pruned and trimmed as necessary to maintain a healthy growing condition or to prevent primary limb failure;
- C. With the exception of dead, diseased or damaged trees specifically retained to provide wildlife habitat; other dead, diseased, damaged or stolen plantings shall be replaced within three months or during the next planting season if the loss does not occur in a planting season; and
- D. Landscape areas shall be kept free of trash.

21A.16.190 Bonds/security. Performance bonds or other appropriate security (including letters of credit and set aside letters) shall be required for a period of two years after the planting or transplanting of vegetation to insure proper installation, establishment and maintenance.

**CHAPTER 21A.18 DEVELOPMENT STANDARDS -
PARKING AND CIRCULATION**

SECTIONS:

- 21A.18.010 Purpose**
- 21A.18.020 Authority and application**
- 21A.18.030 Computation of required off-street parking spaces**
- 21A.18.040 Shared parking requirements**
- 21A.18.050 Exceptions for community residential facilities (CRF)**
- 21A.18.060 Handicapped parking requirements**
- 21A.18.070 Loading space requirements**
- 21A.18.080 Stacking spaces for drive-through facilities**
- 21A.18.090 Transit and rideshare provisions**
- 21A.18.100 Pedestrian circulation and access**
- 21A.18.110 Off-street parking plan design standards**
- 21A.18.120 Off-street parking construction standards**
- 21A.18.130 Compact car allowance requirements**
- 21A.18.140 Internal circulation road standards**

- 21A.18.010 Purpose.** The purpose of this chapter is to provide adequate parking for all uses allowed in this title; to reduce demand for parking by encouraging alternative means of transportation including public transit, rideshare and bicycles; and to increase pedestrian mobility in urban areas by:
- A. Setting minimum off street parking standards for different land uses that assure safe, convenient and adequately sized parking facilities within activity centers;
 - B. Providing incentives to rideshare through preferred parking arrangements;
 - C. Providing for parking and storage of bicycles;
 - D. Providing safe direct pedestrian access from public rights-of-way to structures and between developments; and
 - E. Requiring uses which attract large numbers of employees or customers to provide transit stops.

- 21A.18.020 Authority and application.**
- A. Before an occupancy permit may be granted for any new or enlarged building or for a change of use in any existing building, the use shall be required to meet the provisions of this chapter.
 - B. If this chapter does not specify a parking requirement for a land use, the Planning Director shall establish the minimum requirement based on a study of anticipated parking demand. In the study the applicant shall provide sufficient information to demonstrate that the parking demand for a specific land use will be satisfied. Parking studies shall be prepared by a professional engineer with expertise in traffic and

parking analyses, unless an equally qualified individual is authorized by the Planning Director.

- C. If the required amount of off-street parking has been proposed to be provided off-site, the applicant shall provide written contracts with affected landowners showing that required off-street parking shall be provided in a manner consistent with the provisions of this chapter. The contracts shall be reviewed by the Planning Director for compliance with this chapter, and if approved, the contracts shall be recorded with the County records and elections division as a deed restriction on the title to all applicable properties. These deed restrictions may not be revoked or modified without authorization by the Planning Director.

21A.18.030 Computation of required off-street parking spaces.

- A. Off-street parking areas shall contain at a minimum the number of parking spaces as stipulated in the following table. Off-street parking ratios expressed as number of spaces per square feet means the usable or net square footage of floor area, exclusive of non-public areas. Non-public areas include but are not limited to building maintenance areas, storage areas, closets, or restrooms. If the formula for determining the number of off-street parking spaces results in a fraction, the number of off-street parking spaces shall be rounded to the nearest whole number with fractions of .50 or greater rounding up and fractions below .50 rounding down.

LAND USE	MINIMUM PARKING SPACES REQUIRED
GENERAL SERVICES (WMC 21A.08.050A):	
General services uses:	1 per 300 square feet
Exceptions:	
Funeral home/Crematory	1 per 50 square feet of chapel area
Daycare I	2 per facility
Daycare II	2 per facility, plus 1 space for each 20 children
Churches, synagogues, temple, and other group assembly	1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without fixed seats used for assembly purposes
Outpatient and Veterinary, clinic offices	1 per 300 square feet of office, labs and examination rooms
Nursing and personal care facility	1 per 4 beds
Hospital	1 per bed
Elementary schools	1 per classroom, plus 1 per 50 students
Secondary schools Middle/junior high schools High schools High schools with stadiums	1 per classroom, plus 1 per 50 students 1 per classroom, plus 1 per 10 students greater of 1 per classroom plus 1 per 10 students, or 1 per 3 fixed seats in stadium
Vocational schools	1 per classroom, plus 1 per five students
Specialized instruction schools	1 per classroom, plus 1 per two students
GOVERNMENT/BUSINESS SERVICES (WMC 21A.08.060A):	
Government/business services uses:	1 per 300 square feet
Exceptions:	
Public agency yard	1 per 300 square feet of offices, plus .9 per 1,000 square feet of indoor storage or repair areas
Public agency archives	.9 per 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas
Courts	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas
Police facility	(Planning Director)
Fire facility	(Planning Director)
Construction and trade	1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area

LAND USE

MINIMUM PARKING SPACES REQUIRED

Warehousing and storage	1 per 300 square feet of office, plus .9 per 1,000 square feet of storage area
Self-service storage	1 per 3,500 square feet of storage area, plus 2 for any resident manager unit
Outdoor advertising services	1 per 300 square feet of office, plus .9 per 1,000 square feet of storage area
Heavy equipment repair	1 per 300 square feet of office, plus .9 per 1,000 square feet of indoor repair areas
Office	1 per 300 square feet
RETAIL/WHOLESALE (WMC 21A.08.070A):	
Retail trade uses:	1 per 300 square feet
Exceptions:	
Food stores, less than 15,000 square feet	3 plus 1 per 350 square feet
Gasoline service stations without grocery	3 per facility, plus 1 per service bay
Gasoline service stations with grocery, no service bays	1 per facility, plus 1 per 300 square feet of store
Restaurants	1 per 75 square feet in dining or lounge areas
Wholesale trade uses	.9 per 1,000 square feet
Retail and wholesale trade mixed use	1 per 300 square feet
MANUFACTURING (WMC 21A.08.080A):	
Manufacturing uses	.9 per 1,000 square feet
Winery/Brewery	.9 per 1,000 square feet, plus 1 per 50 square feet of testing area
RESOURCES (WMC 21A.08.090A):	
Resources uses	(Planning Director)
REGIONAL (WMC 21A.08.100A):	
Regional Uses	(Planning Director)

- B. An applicant may request a modification of the minimum required number of parking spaces by providing a study that substantiates parking demand can be met with a reduced parking requirement. In such cases, the Planning Director may approve a reduction of up to 50 percent of the minimum required number of spaces. Said study shall be prepared by a qualified professional approved by the Planning Director.
- C. When the City has received a shell building permit application, off-street parking requirements shall be based on the possible tenant improvements or uses authorized by the zone designation and compatible with the limitations of the shell permit. When the range of possible uses result in different parking requirements, the Planning Director will establish the amount of parking based on a likely range of uses.
- D. In any development required to provide six or more parking spaces, bicycle parking shall be provided. Bicycle parking shall be bike rack or locker-type parking facilities unless otherwise specified.
 - 1. Off-street parking areas shall contain at least one bicycle parking space for every 12 spaces required for motor vehicles except as follows:
 - a. The Planning Director may reduce bike rack parking facilities for patrons when it is demonstrated that bicycle activity will not occur at that location.
 - b. The Planning Director may require additional spaces when it is determined that the use or its location will generate a high volume of bicycle activity. Such a determination will include but not be limited to the following uses:
 - (1) Park/playfield,
 - (2) Marina,
 - (3) Library/museum/arboretum,
 - (4) Elementary/secondary school,
 - (5) Sports club, or
 - (6) Retail business (when located along a developed bicycle trail or designated bicycle route).
 - 2. Bicycle facilities for patrons shall be located within 100 feet of the building entrance and shall be designed to allow either a bicycle frame or wheels to be locked to a structure attached to the pavement.
 - 3. All bicycle parking and storage shall be located in safe, visible areas that do not impede pedestrian or vehicle traffic flow, and shall be well lit for nighttime use.
 - 4. When more than ten people are employed on site, enclosed locker type parking facilities for employees shall be provided. The Planning Director shall allocate the required number of parking spaces between bike rack parking and enclosed locker type parking facilities.

5. One indoor bicycle storage space shall be provided for every two dwelling units in townhome and apartment residential uses, unless individual garages are provided for every unit. The Planning Director may reduce the number of bike rack parking spaces if indoor storage facilities are available to all residents.

21A.18.040 Shared parking requirements. The amount of off-street parking required by WMC 21A.18.030 may be reduced by an amount determined by the Planning Director when shared parking facilities for two or more uses are proposed, provided:

- A. The total parking area exceeds 5,000 square feet;
- B. The parking facilities are designed and developed as a single on-site common parking facility, or as a system of on-site and off-site facilities, if all facilities are connected with improved pedestrian facilities and no building or use involved is more than eight hundred feet from the most remote shared facility;
- C. The amount of the reduction shall not exceed ten percent for each use, unless:
 1. The normal hours of operation for each use are separated by at least one hour; or
 2. A parking demand study is prepared by a professional traffic engineer and submitted by the applicant documenting that the hours of actual parking demand for the proposed uses will not conflict and that uses will be served by adequate parking if shared parking reductions are authorized;
 3. The Planning Director will determine the amount of reduction but subject to paragraph D.
- D. The total number of parking spaces in the common parking facility is not less than the minimum required spaces for any single use;
- E. A covenant or other contract for shared parking between the cooperating property owners is approved by the Planning Director. This covenant or contract must be recorded with the County records and elections division as a deed restriction on both properties and cannot be modified or revoked without the consent of the Planning Director; and
- F. If any requirements for shared parking are violated, the affected property owners must provide a remedy satisfactory to the Planning Director or provide the full amount of required off-street parking for each use, in accordance with the requirements of this chapter, unless a satisfactory alternative remedy is approved by the Planning Director.

21A.18.050 Exceptions for community residential facilities (CRF's).

- A. The requirement of one off-street parking space per two bedrooms may be reduced to no less than one space for every four bedrooms, as determined by the Planning Director based on the following considerations:

1. Availability of private, convenient transportation services to meet the needs of the CRF residents;
 2. Accessibility to and frequency of public transportation; and
 3. Pedestrian access to health, medical, and shopping facilities;
- B. If a CRF facility is no longer used for such purposes, additional off-street parking spaces shall be required in compliance with this chapter prior to the issuance of a new certificate of occupancy.

21A.18.060 Handicapped parking requirements. Off-street parking and access for physically handicapped persons shall be provided in accordance with Section 7503 of the regulations adopted pursuant to RCW 19.27, State Building Code, and RCW 70.92, Public Buildings- Provisions for Aged and Handicapped.

21A.18.070 Loading space requirements.

- A. Every non-residential building engaged in retail, wholesale, manufacturing or storage activities, excluding self-service storage facilities, shall provide loading spaces in accordance with the standards listed below.

GROSS FLOOR AREA				REQUIRED NUMBER OF LOADING SPACES
10,000	to	16,000	square feet	1
16,001	to	40,000	square feet	2
40,001	to	64,000	square feet	3
64,001	to	96,000	square feet	4
96,001	to	128,000	square feet	5
128,001	to	160,000	square feet	6
160,001	to	196,000	square feet	7
For each additional 140,000 square feet				1 additional

- B. Every building engaged in retail, hotel, office building, restaurant, hospital, auditorium, convention hall, exhibition hall, sports arena/stadium, or other similar use shall provide loading spaces in accordance with the standards listed below.

GROSS FLOOR AREA				REQUIRED NUMBER OF LOADING SPACES
40,000	to	60,000	square feet	1
60,001	to	160,000	square feet	2
160,001	to	264,000	square feet	3
264,001	to	388,000	square feet	4
388,001	to	520,000	square feet	5
520,001	to	652,000	square feet	6
652,001	to	784,000	square feet	7
784,001	to	920,000	square feet	8
For each additional 140,000 square feet				1 additional

- C. Each loading space required by this section shall be a minimum of 10 feet wide, 30 feet long, and have an unobstructed vertical clearance of 14 feet six inches, and shall be surfaced, improved and maintained as required by this chapter. Loading spaces shall be located so that trucks shall not obstruct pedestrian or vehicle traffic movement or project into any public right-of-way. All loading space areas shall be separated from required parking areas and shall be designated as truck loading spaces.
- D. Any loading space located within 100 feet of areas zoned for residential use shall be screened and operated as necessary to reduce noise and visual impacts. Noise mitigation measures may include architectural or structural barriers, beams, walls, or restrictions on the hours of operation.
- E. Multi-story self-service storage facilities shall provide two loading spaces, and single story facilities one loading space, adjacent to each building entrance that provides common access to interior storage units. Each loading berth shall measure not less than twenty-five feet by twelve feet with an unobstructed vertical clearance of 14 feet six inches, and shall be surfaced, improved and maintained as required by this chapter. Any floor area additions or structural alterations to a building shall be required to provide loading space or spaces as set forth in this chapter.

21A.18.080 Stacking spaces for drive-through facilities.

- A. A stacking space shall be an area measuring eight feet by 20 feet with direct forward access to a service window of a drive-through facility. A stacking space shall be located to prevent any vehicles from extending onto the public right-of-way, or interfering with any pedestrian circulation, traffic maneuvering, or other parking space areas. Stacking spaces for drive-through or drive-in uses may not be counted as required parking spaces.
- B. Uses providing drive-up or drive-through services shall provide vehicle stacking spaces as follows:
 - 1. For each drive-up window of a bank/financial institution, business service, or other drive-through use not listed, a minimum of five stacking spaces shall be provided; and
 - 2. For each service window of a drive-through restaurant, a minimum of seven stacking spaces shall be provided.

21A.18.090 Transit and rideshare provisions.

- A. All land uses listed in WMC 21A.08.060 A (Government/Business Services), and in WMC 21A.08.080 A (Manufacturing), shall be required to reserve one parking space of every 20 required spaces for rideshare parking as follows:
 - 1. The parking spaces shall be located closer to the primary employee entrance than any other employee parking except handicapped;
 - 2. Reserved areas shall have markings and signs indicating that the space is reserved; and
 - 3. Parking in reserved areas shall be limited to vanpools and carpools established through ride share programs by public agencies and to vehicles meeting minimum rideshare qualifications set by the employer;
- B. The Planning Director may reduce the number of required off-street parking spaces when one or more scheduled transit routes provide service within 660 feet of the site. The amount of reduction shall be based on the number of scheduled transit runs between 7:00 - 9:00AM and 4:00 - 6:00PM each business day up to a maximum reduction as follows:
 - 1. Four percent for each run serving land uses in WMC 21A.08.060 A (Government/Business Services) and WMC 21A.08.080 A (Manufacturing) up to a maximum of forty percent; and
 - 2. Two percent for each run serving land uses in WMC 21A.08.040 A (Recreation/Culture), 21A.08.050 A (General Services) and 21A.08.060 A (Retail/Wholesale) up to a maximum of twenty percent; and
- C. All uses which are located on an existing transit route and are required under the computation for required off-street parking spaces in WMC 21A.18.030 A. to provide more than 200 parking spaces may be required to provide transit shelters, bus turnout lanes or other transit

improvements as a condition of permit approval. Uses which reduce required parking under subsection B of this section shall provide transit shelters if transit routes adjoin the site.

21A.18.100 Pedestrian circulation and access.

- A. All uses, except single detached building permits, shall provide pedestrian access onto the site. Pedestrian access points shall be provided at all pedestrian arrival points to the development including the property edges, adjacent lots, abutting street intersections, crosswalks, and at transit stops. Pedestrian access shall be located as follows:
 - 1. Access points at property edges and to adjacent lots shall be coordinated with existing development to provide circulation patterns between developments; and
 - 2. Residential developments shall provide links between cul-de-sacs or groups of buildings to allow pedestrian access from within the development and from adjacent developments to activity centers, parks, common tracts, open spaces, schools or other public facilities, transit stops and public streets.
- B. Pedestrian walkways shall form an on-site circulation system that minimizes the conflict between pedestrians and traffic at all points of pedestrian access to on-site parking and building entrances. Pedestrian walkways shall be provided when the pedestrian access point or any parking space is more than 75 feet from the building entrance or principal on-site destination and as follows:
 - 1. All developments which contain more than one building shall provide walkways between the principal entrances of the buildings;
 - 2. All non-residential buildings set back more than 100 feet from the public right-of-way shall provide for direct pedestrian access from the building to buildings on adjacent lots; and
 - 3. Pedestrian walkways across parking areas shall be located as follows:
 - a. Walkways running parallel to the parking rows shall be provided for every four rows. Rows without walkways shall be landscaped or contain barriers or other means to encourage pedestrians to use the walkways; and
 - b. Walkways running perpendicular to the parking rows shall be no further than twenty parking spaces. Landscaping, barriers or other means shall be provided between the parking rows to encourage pedestrians to use the walkways;
- C. Pedestrian access and walkways shall meet the following minimum design standards:
 - 1. Access and walkways shall be well lit and physically separated from driveways and parking spaces by landscaping, berms, barriers, grade separation or other means to protect pedestrians from vehicular traffic;

2. Access and walkways shall be a minimum of 60 inches of unobstructed width and meet the surfacing standards of the City of Woodinville standards for walkways or sidewalks;
 3. Access shall be usable by mobility impaired persons and shall be designed and constructed to be easily located by the sight impaired pedestrian by either grade change, texture or other equivalent means;
 4. A crosswalk shall be required when a walkway crosses a driveway or a paved area accessible to vehicles;
 5. Wherever walkways are provided, raised crosswalks or speed bumps shall be located at all points where a walkway crosses the lane of vehicle travel; and
- D. Blocks in excess of 900 feet shall be provided with a crosswalk at the approximate midpoint of the block.

21A.18.110 Off-street parking plan design standards.

- A. Off-street parking areas shall not be located more than 500 feet from the building they are required to serve for all uses except those specified below; where the off-street parking areas do not abut the buildings they serve, the required maximum distance shall be measured from the nearest building entrance that the parking area serves:
 1. For all single detached dwellings the parking spaces shall be located on the same lot they are required to serve;
 2. For all other residential dwellings at least a portion of parking areas shall be located within 100 feet from the building(s) they are required to serve; and
 3. For all non-residential uses permitted in residential zones, the parking spaces shall be located on the same lot they are required to serve and at least a portion of parking areas shall be located within 150 feet from the nearest building entrance they are required to serve.
- B. The minimum parking space and aisle dimensions for the most common parking angles are shown on chart below. For parking angles other than those shown on the chart, the minimum parking space and aisle dimensions shall be determined by the Planning Director. Regardless of the parking angle, one-way aisles shall be at least 10 feet wide, and two-way aisles shall be at least 20 feet wide. Parking plans for angle parking shall use space widths no less than eight feet six inches for a standard parking space design and eight feet for a compact car parking space design.

MINIMUM PARKING STALL AND AISLE DIMENSIONS.

A	B	C	D	E		F	
PARKING ANGLE	STALL WIDTH	CURB LENGTH	STALL DEPTH	AISLE WIDTH 1-WAY 2-WAY		UNIT DEPTH 1-WAY 2-WAY	
0	8.0*	20.0*	8.0	12.0	20.0	**	**
	Min 8.5	22.5	8.5	12.0	20.0	29.0	37.0
	Desired 9.0	22.5	9.0	12.0	20.0	30.0	38.0
30	8.0*	16.0*	15.0	10.0	20.0	**	**
	Min 8.5	17.0	16.5	10.0	20.0	42.0	53.0
	Desired 9.0	18.0	17.0	10.0	20.0	44.0	54.0
45	8.0*	11.5*	17.0*	12.0	20.0	**	**
	Min 8.5	12.0		12.0	20.0	50.0	58.0
	Desired 9.0	12.5		12.0	20.0	51.0	59.0
60	8.0*	9.6*	18.0	18.0	20.0	**	**
	Min 8.5	10.0	20.0	18.0	20.0	58.0	60.0
	Desired 9.0	10.5	21A.0	18.0	20.0	60.0	62.0
90	8.0*	8.0*	16.0*	23.0	23.0	**	**
	Min 8.5	8.5	20.0	23.0	23.0	63.0	63.0
	Desired 9.0	9.0	20.0	23.0	23.0	63.0	63.0

* for compact stalls only

** variable with compact and standard combinations

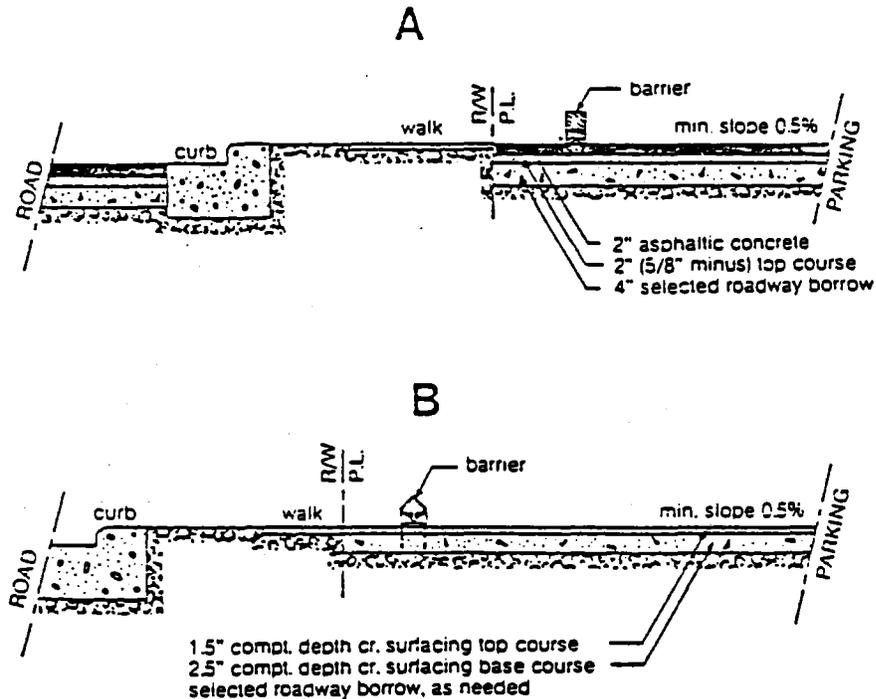
- C. Any parking spaces abutting a landscaped area on the driver or passenger side of the vehicle shall provide an additional 18 inches above the minimum space width requirement to provide a place to step other than in the landscaped area. The additional width shall be separated from the adjacent parking space by a parking space division stripe. The parking space depth may be reduced when vehicles overhang a walkway under the following conditions:
1. Wheelstops or curbs are installed; and
 2. The remaining walkway provides a minimum of 60 inches of unimpeded passageway for pedestrians.
- D. The amount of space depth reduction is limited to a maximum of 18 inches.
- E. Driveways providing ingress and egress between off-street parking areas and abutting streets shall be designed, located and constructed in accordance with the provisions of City of Woodinville street standards. Driveways for single detached dwellings, no more than 20 feet in width, may cross required setbacks or landscaped areas in order to provide access between the off-street parking areas and the street, provided no more than 15 percent of the required landscaping or setback area is displaced by the driveway. Driveways for all other developments may cross required setbacks or landscaped areas in order to provide access between the off-street parking areas and the street, provided no more than 10 percent of the required landscaping or setback area is displaced by the driveway.

- F. Lighting shall be provided for safety of traffic and pedestrian circulation on the site, as required by the Washington State Energy Code. It shall be designed to minimize direct illumination of abutting properties and adjacent streets. The Planning Director shall have the authority to waive the requirement to provide lighting.
- G. Tandem or end-to-end parking is allowed in single detached residential developments. Driveways crossing required setback areas may be used for parking when serving single detached dwellings but shall not be considered for purposes of calculating required parking. Apartment/townhome developments may have tandem parking areas for each dwelling unit but shall not combine parking for separate dwelling units in tandem parking areas.
- H. All vehicle parking and storage for single detached dwellings must be in a garage, carport or on an approved impervious surface. Any impervious surface used for vehicle parking or storage must have direct and unobstructed driveway access.
- I. Vanpool/carpool parking areas shall meet the following minimum design standards:
 - 1. A minimum vertical clearance of 7 feet 3 inches shall be provided to accommodate van vehicles if designated vanpool/carpool parking spaces are located in a parking structure; and
 - 2. A minimum turning radius of 26 feet 4 inches with a minimum turning diameter (curb to curb) of 52 feet 5 inches shall be provided from parking aisles to adjacent carpool/vanpool parking spaces.
- J. Direct access from the street right-of-way to off-street parking areas shall be subject to the requirements of WMC 21A.28.120.
- K. No dead-end alley may provide access to more than eight required off-street parking spaces.
- L. Any parking stalls located in enclosed buildings must be totally within the enclosed building.

21A.18.120 Off-street parking construction standards.

- A. Off-street parking areas shall have dust-free, all-weather surfacing. Typical approved sections are illustrated below. Frequently used (at least five days a week) off-street parking areas shall conform to the standards shown in A below or an approved equivalent. If the parking area is to be used more than 30 days per year but less than five days a week, then the standards to be used shall conform to the standards shown in B below or an approved equivalent. An exception to these surfacing requirements may be made for certain uses that require intermittent use of their parking facilities less than 30 days per year. Any surface treatment other than those graphically illustrated below must be approved by the Planning Director.

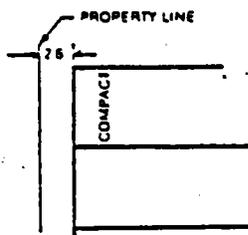
MINIMUM SURFACING REQUIREMENTS



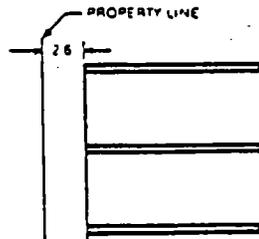
- B. Grading work for parking areas shall meet the requirements of the Uniform Building Code. Drainage and erosion/sedimentation control facilities shall be provided in accordance with City of Woodinville Ordinance No. 25.

- C. Asphalt or concrete surfaced parking areas shall have parking spaces marked by surface paint lines or suitable substitute traffic marking material in accordance with the Washington State Department of Transportation Standards. Wheel stops are required where a parked vehicle would encroach on adjacent property, pedestrian access or circulation areas, right-of-way or landscaped areas. Typically approved markings and wheel stop locations are illustrated below.

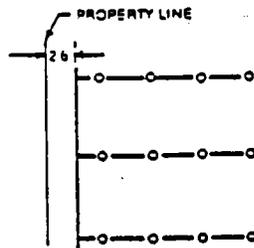
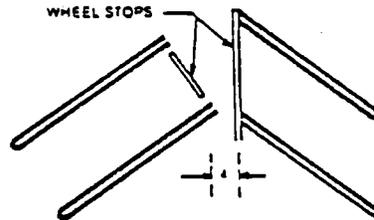
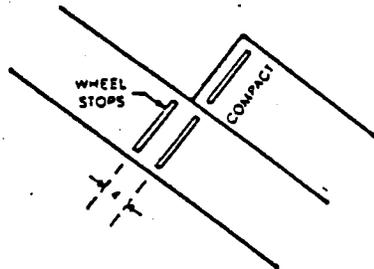
STALL MARKINGS AND WHEEL STOP LOCATIONS



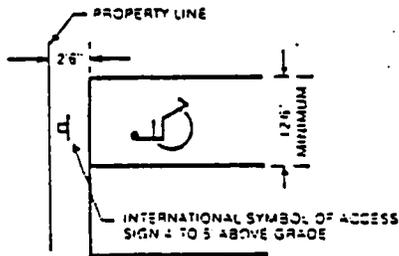
COMPACT MARKING



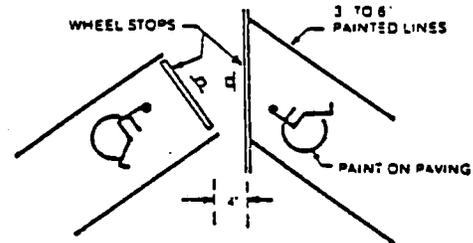
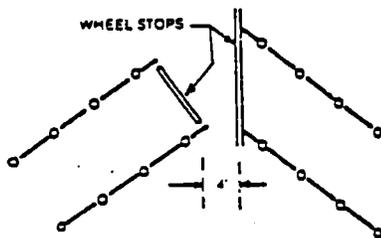
PAINTED HORSESHOE MARKING



METAL OR PLASTIC TRAFFIC MARKING



HANDICAP MARKING



21A.18.130 Compact car allowance requirements. In any development containing more than 20 parking spaces, up to 50 percent of the total number of spaces may be sized to accommodate compact cars, subject to the following:

- A. Each space shall be clearly identified as a compact car space by painting the word "COMPACT" in capital letters, a minimum of 8 inches high, on the pavement at the base of the parking space and centered between the striping;
- B. Aisle widths shall conform to the standards set for standard size cars; and
- C. Apartment developments with less than twenty parking spaces may designate up to 40 percent of the required parking spaces as compact spaces.

21A.18.140 Internal circulation road standards. Internal access roads to off-street parking areas shall conform with the surfacing and design requirements for private commercial roads set forth in the City of Woodinville street standards.

CHAPTER 21A.20 DEVELOPMENT STANDARDS - SIGNS

SECTIONS:

- 21A.20.010 Purpose
- 21A.20.020 Permit requirements
- 21A.20.030 Exempt signs
- 21A.20.040 Prohibited signs
- 21A.20.050 Sign area calculation
- 21A.20.060 General sign requirements
- 21A.20.065 Community bulletin board signs
- 21A.20.070 Resource zone signs
- 21A.20.080 Residential zone signs
- 21A.20.090 Office zone signs
- 21A.20.095 Neighborhood business zone signs
- 21A.20.100 Community business and Industrial zone signs
- 21A.20.110 Regional business zone signs
- 21A.20.120 Signs or displays of limited duration
- 21A.20.130 Billboards: General requirements

- 21A.20.010 **Purpose.** The purpose of this chapter is to enhance the visual environment of the City by:
- A. Establishing standards that regulate the type, number, location, size, and lighting of signs;
 - B. Recognizing the private purposes of signs for the identification of businesses and promotion of products and services; and
 - C. Recognizing the public purposes of signs which includes considerations of traffic safety, economic and aesthetic welfare.

- 21A.20.020 **Permit requirements.**
- A. Except as otherwise permitted by this chapter, no sign shall be erected, altered or relocated without approval by the City.
 - B. No building permit shall be required for repainting, cleaning, or other normal maintenance and repair of a sign, or for sign face and copy changes that do not alter the size or structure of the sign.

- 21A.20.030 **Exempt signs.** The following signs or displays are exempted from the regulations under this chapter:
- A. Historic site markers or plaques, gravestones, and address numbers;
 - B. Signs required by law, including but not limited to:
 - 1. Official or legal notices issued and posted by any public agency or court; or
 - 2. Traffic directional or warning signs.
 - C. Plaques, tablets or inscriptions indicating the name of a building, date of erection, or other commemorative information, which are an integral part of the building structure or are attached flat to the face of

the building, which are nonilluminated, and which do not exceed four square feet in surface area;

- D. Incidental signs, which shall not exceed two square feet in surface area, provided that said size limitation shall not apply to signs providing directions, warnings or information when established and maintained by a public agency;
- E. State or Federal flags;
- F. Religious symbols; and
- G. The flag of a commercial institution, provided no more than one flag is permitted per business premises, and further provided the flag does not exceed 20 square feet in surface area.

21A.20.040 Prohibited signs. Except as indicated by this chapter, the following signs or displays are prohibited:

- A. Portable signs including, but not limited to, sandwich/A-frame signs and mobile readerboard signs, and excluding signs permitted under WMC 21A.20.120;
- B. Private signs on utility poles;
- C. Signs which, by reason of their size, location, movement, content, coloring or manner of illumination may be confused with traffic control signs or signals;
- D. Signs located in the public right-of-way, except where permitted in this chapter; and
- E. Poster, pennants, string of lights, blinking lights, balloons, searchlights and other displays of a carnival nature; except as architectural features, or on a limited basis as seasonal decorations or as provided for in Section 21A.20.120 as grand opening displays.
- F. Off-premise signs including, but not limited to, billboards, poster boards and other advertising for products or business not located on the site of the business or place of sale.

21A.20.050 Sign area calculation.

- A. Sign area for freestanding signs shall be calculated by determining the total surface area of the sign as viewed from any single vantage point, including support structures.
- B. Sign area for letters or symbols painted or mounted directly on walls or fences shall be calculated by measuring the smallest single rectangle which will enclose the combined letters and symbols.

21A.20.060 General sign requirements.

- A. All signs, except billboards, community bulletin boards, political signs, real estate signs and special event signs, shall be on-premise signs; provided that uses located on lots without public street frontage in business, office and industrial zones may have one off-premise directional sign of no more than 16 square feet.

- B. Fuel price signs shall not be included in sign area or number limitations of WMC 21A.20.090-110, provided such signs do not exceed 20 square feet per street frontage.
- C. Projecting and awning signs shall not be permitted for uses in the Resource and Residential zones. In other zones, projecting and awning signs may be used in lieu of wall signs, provided:
 - 1. They maintain a minimum clearance of eight feet above finished grade;
 - 2. They do not project more than six feet from the supporting building facade; and
 - 3. They shall not exceed the number or size permitted for wall signs in a zone district.
- D. Changing message center signs for date, time and temperature, which can be a wall or freestanding sign, shall not exceed the size permitted for a wall or freestanding sign, and shall be permitted only in the NB, CB, RB, O, and I zones. Changing message center signs shall not exceed the maximum sign height permitted in the zone.
- E. Directional signs shall not be included in the sign area or number limitation of WMC 21A.20.070 -.110, provided they shall not exceed 6 square feet in surface area and are limited to one for each entrance or exit to surface parking areas or parking structure.
- F. Sign illumination and glare:
 - 1. All signs in the NB, CB, RB, O, or I zone districts may be illuminated. Signs in all other zones may be indirectly illuminated, provided the light source for indirectly illuminated signs shall be no farther away from the sign than the height of the sign;
 - 2. Indirectly illuminated signs shall be arranged so that no direct rays of light are projected from such artificial source into residences or any street right-of-way.
 - 3. Electrical requirements for signs shall be governed by Chapter 19.28 of the Revised Code of Washington and Chapter 296-46-910 of the Washington Administrative Code, and
 - 4. Signs with a on/off operation shall be permitted only in the CB, RB, and I zones.
- G. Maximum height for wall signs shall not extend above the highest exterior wall upon which the sign is located.
- H. Except as otherwise permitted by this chapter, off-premise directional signs shall not exceed four square feet in sign area.

21A.20.065 Community bulletin board signs. Community bulletin board signs shall be limited as follows:

- A. In the R and RA zones community bulletin board signs may not exceed 32 square feet and are only permitted at public schools, police stations, fire stations or other public facilities;
- B. In the O and NB zones community bulletin board signs may not exceed 40 square feet;

- C. In the CB and I zones community bulletin board signs may not exceed 60 square feet; and
- D. In the RB zone community bulletin board signs may not exceed 100 square feet.

21A.20.070 Resource zone signs. Signs in the A and M zones are limited as follows:

- A. One residential identification sign, not exceeding two square feet, is permitted. One additional sign, not exceeding 24 square feet, is permitted to identify non-residential uses or to advertise goods or services available on site; and
- B. Freestanding signs shall not exceed a height of six feet, and shall be setback at least 10 feet from street right-of-way.

21A.20.080 Residential zone signs. Signs in the R and RA zones are limited as follows:

- A. Non-residential use:
 - 1. One sign identifying non-residential uses, not exceeding 32 square feet is permitted, provided schools are permitted one additional sign not exceeding 32 square feet if the parking areas or vehicular entrances utilize more than one street or are separated by at least 660 feet; and
 - 2. Home occupation and home industry signs are limited to wall signs not exceeding six square feet.
- B. Residential use:
 - 1. One residential identification sign not exceeding two square feet is permitted; and
 - 2. One permanent residential development identification sign not exceeding 32 square feet is permitted per development. The maximum height for the sign shall be 6 feet. The sign may be freestanding or mounted on a wall, fence, or other structure.

21A.20.090 Office zone signs. Signs in the O zones shall be limited as follows:

- A. Wall signs are permitted, provided they do not total an area more than 10 percent of the building facade on which they are located and provided they are limited to building facades with street frontage.
- B. Freestanding signs:
 - 1. One freestanding sign not exceeding 50 square feet is permitted for each street frontage of the lot, provided corner lots with a street frontage of less than 100 feet on each street shall be permitted only one freestanding sign;
 - 2. On lots where more than one freestanding sign is permitted, the sign area permitted for individual freestanding signs may be combined; provided the combined sign does not exceed 80 square feet; and
 - 3. The maximum height for freestanding signs shall be 15 feet.

21A.20.095 Neighborhood business zone signs. Signs in the NB zones shall be limited as follows:

- A. Wall signs are permitted, provided they do not total an area more than 10 percent of the building facade on which they are located;
- B. Freestanding signs:
 - 1. One freestanding sign not exceeding 50 square feet is permitted for each street frontage of the lot, provided corner lots with a street frontage of less than 100 feet on each street shall be permitted only one freestanding sign;
 - 2. Multiple tenant developments that have more than 300 feet of street frontage on one street may have one additional freestanding sign for each 300 feet of street frontage, or portion thereof. Such signs shall be separated from one another by a minimum of 150 feet, if located on the same street frontage;
 - 3. On lots where more than one freestanding sign is permitted, the sign area permitted for individual freestanding signs may be combined; provided the combined sign does not exceed 150 square feet; and
 - 4. The maximum height for freestanding signs shall be 25 feet.

21A.20.100 Community business and Industrial zone signs. Signs in the CB and I zones shall be limited as follows:

- A. Wall signs are permitted, provided they do not total an area more than 15 percent of the building facade on which they are located;
- B. Freestanding signs:
 - 1. One freestanding sign not exceeding 100 square feet, plus an additional 20 square feet for each additional business in a multiple tenant structure but not to exceed 160 square feet total, is permitted for each street frontage of the lot, provided corner lots with a street frontage of less than 100 feet on each street shall be permitted only one freestanding sign;
 - 2. Multiple tenant developments that have more than 300 feet of street frontage on one street may have one additional freestanding sign for each 300 feet of street frontage, or portion thereof. Such signs shall be separated from one another by a minimum of 150 feet, if located on the same street frontage;
 - 3. On lots where more than one freestanding sign is permitted, the sign area permitted for individual freestanding signs may be combined provided the combined sign area does not exceed 300 square feet; and
 - 4. The maximum height for freestanding signs shall be 30 feet.

21A.20.110 Regional business zone signs. Signs in the RB zone shall be limited as follows:

- A. Wall signs are permitted, provided they do not total an area more than 15 percent of the building facade on which they are located;
- B. Freestanding signs;

1. One freestanding sign not exceeding 200 square feet is permitted for each street frontage of the lot, provided corner lots with a street frontage of less than 100 feet on each street shall be permitted only one freestanding sign;
2. Multiple tenant developments that have more than 300 feet of street frontage on one street may have one additional freestanding sign for each 300 feet of street frontage, or portion thereof. Such signs shall be separated from one another by a minimum of 150 feet, if located on the same street frontage not exceeding 150 square feet;
3. On lots where more than one freestanding sign is permitted, the sign area permitted for individual freestanding signs may be combined; provided the combined sign area does not exceed 300 square feet; and
4. The maximum height for a freestanding sign shall be 35 feet.

21A.20.120 Signs or displays of limited duration. The following temporary signs or displays are permitted and except as required by the Uniform Building Code, or as otherwise permitted in this chapter, do not require building permits:

A. Grand opening displays:

1. Signs, posters, pennants, strings of lights, blinking lights, balloons and searchlights are permitted for a period of up to 30 consecutive days to announce the opening of a new enterprise or the opening of an enterprise under new management; and
2. All grand opening displays shall be removed upon the expiration of 30 consecutive days;

B. Construction signs:

1. Construction signs identify architects, engineers, planners, contractors or other individuals or firms involved with the construction of a building and announcing the character of the building or the purpose for which the building is intended may be displayed;
2. One nonilluminated, double-faced sign is permitted for each public street upon which the project fronts;
3. No sign shall exceed 32 square feet in surface area or ten feet in height, or be located closer than 30 feet from the property line of the adjoining property; and
4. Construction signs must be removed by the date of first occupancy of the premises or one year after placement of the sign, whichever occurs first;

C. Political Signs:

1. On-premise political signs, posters or bills located at the headquarters of a political party, candidate or public service office, or a public issue decided by ballot are permitted. All on-premise political signs, posters or bills shall comply with the dimensional and locational requirements of zoning district in which located.

2. Off-premise political signs that do not exceed four square feet in area may be displayed on private property with the consent of the property owner.
 3. Political signs, posters or bills may be displayed from the closing date for filing for an election until fourteen (14) days after the general election, except that after a primary election, candidates not advancing to the general election shall remove their signs within fourteen (14) days after the primary election.
 4. No political sign, poster, bill or other advertising device shall be located on public property or within public easements or street right-of-way.
 5. Permits for political signs, posters or bills are not required.
 6. A \$250.00 bond shall be posted with the City by each campaign headquarters for candidates and issues decided by ballot to ensure that all political signs, posters and bills are removed within the specified time after the election. Failure to remove such signs, posters or bills will result in the forfeiture of the bond.
- D. Real estate signs. All temporary real estate signs can be single or double-faced signs.:
1. Signs advertising an individual residential unit for sale or rent shall be limited to one sign per street frontage. The sign may not exceed eight square feet in area, and shall not exceed six feet in height. The sign shall be removed within five days after closing of the sale, lease or rental of the property.
 2. Portable off-premise residential directional signs announcing directions to a specific residence open house for sale or rent shall not exceed six square feet in area for each sign, and shall not exceed 42 inches in height. Signs shall be permitted only when the agent or seller is in attendance at the property for sale or rent and may be located on the right-of-way outside of vehicular and bicycle lanes.
 3. On-site commercial or industrial property for sale or rent signs shall be limited to one sign per street frontage, and shall not exceed 32 square feet in area. The sign shall not exceed 12 feet in height. The sign shall be removed within 30 days after closing of the sale, lease or rental of the property. A building permit is required and shall be issued for a one year period. The permit is renewable for one year increments up to a maximum of three years.
 4. On-site residential neighborhood or multi-family complex for sale or rent sign shall be limited to one sign per development. The sign shall not exceed 32 square feet in area, and shall not exceed 12 feet in height. A building permit is required and shall be issued for a one year period. The permit is renewable annually for up to a maximum of three years.

5. Off-site directional signs for residential developments shall be limited to six signs. Each sign shall not exceed 16 square feet in area, and shall include only the name of and directions to the subdivision. The sign(s) shall be placed a maximum of two miles from the nearest residential development entrance. No two signs for one residential development shall be located closer than 500 feet from one another on the same street. A single building permit is required for all signs and shall be issued for a one year period. The permit number and the permit expiration date must be clearly displayed on the face of each sign. The permit is renewable for one year increments up to a maximum of three years, provided that extensions will only be granted if the sign permit applicant has complied with the applicable regulations.
 6. Residential on-premise informational signs shall be limited to one sign per feature including but not limited to signs for information centers, model homes, parking areas or announcing features such as parks, playgrounds, or trails. Each sign shall not exceed 16 square feet in area, and shall not exceed six feet in height.
- E. Community event signs:
1. Community event signs shall be limited to announcing or promoting a non-profit sponsored community fair, festival or event;
 2. Community event signs may be displayed no more than the time period specified in the temporary use permit issued pursuant to WMC 21A.44; and
 3. Community event signs shall be removed by the event sponsor within 14 days following the end of the community fair, festival or event.

21A.20.130 Billboards: General requirements.

- A. The total number of billboard faces within the City of Woodinville shall not exceed the total number of billboard faces existing on March 31, 1993.
- B. In the event that the City of Woodinville annexes areas containing billboards after March 31, 1993, the total number of allowable billboard faces shall be increased by the number of faces existing in such areas on the effective date of annexation.
- C. Except as provided in WMC 21A.20.160 D, and E billboards shall not be altered with regard to size, shape, orientation, height, or location.
- D. Removal or demolition of a billboard shall require the issuance of a demolition permit for the removal of the existing billboard. Billboard removal or demolition shall be completed within 90 days of permit issuance.
- E. Ordinary and necessary repairs which do not change the size, shape, orientation, height, or location of billboard shall not require a permit. Billboard copy replacement may occur at any time and is also exempt from the requirement for a permit.

**CHAPTER 21A.22 DEVELOPMENT STANDARDS -
MINERAL EXTRACTION**

SECTIONS:

- 21A.22.010 Purpose**
- 21A.22.020 Exemptions**
- 21A.22.030 Grading permit required**
- 21A.22.040 Nonconforming extractive operations**
- 21A.22.050 Periodic review**
- 21A.22.060 Site design standards**
- 21A.22.070 Operating standards**
- 21A.22.080 Reclamation**
- 21A.22.090 Bonds**

21A.22.010 Purpose. The purpose of this chapter is to establish standards which minimize the impacts of extractive operations upon surrounding properties by:

- A. Ensuring adequate review of all operating aspects of extractive sites;
- B. Requiring project phasing to ensure that an extractive site is reclaimed in a timely manner prior to the disturbance of additional areas or removal of additional materials;
- C. Requiring minimum site areas large enough to provide setbacks and mitigation necessary to protect environmental quality; and
- D. Requiring periodic review of extractive operations to ensure compliance with the most current operating standards.

21A.22.020 Exemptions. The provisions of this chapter shall not apply to uses or activities specifically exempted by the WMC.

21A.22.030 Grading permits required. Extractive operations shall commence only after issuance of a grading permit.

21A.22.040 Nonconforming extractive operations. To the extent determined feasible by the City, nonconforming extractive operations shall be brought into conformance with the operating standards of WMC 21A.22.070.

21A.22.050 Periodic review. Unless a more frequent review is required by the City, periodic review of extractive operations shall be provided as follows:

- A. All extractive operations shall be subject to a review of development and operating standards as well as reclamation progress at five year intervals;
- B. The periodic review shall be:
 1. Conducted by the Planning Director pursuant to the review process outlined in WMC 21A.42.040 - .090.; and

2. Used to determine that the site is operating consistent with the most current standards and to establish other conditions as necessary to mitigate identifiable environmental impacts.

21A.22.060 Site design standards. Except as provided for nonconforming extractive operations in WMC 21A.22.040, all extractive operations shall comply with the following minimum standards:

- A. The minimum site area of an extractive operation shall be 10 acres.
- B. Extractive operations on sites larger than 20 acres shall occur in phases to minimize environmental impacts. The size of each phase shall be determined during the review process;
- C. Fences shall be:
 1. Provided in a manner which discourages access to safety hazards which may arise on areas of the site where:
 - a. Active extracting, processing, stockpiling and loading of materials is occurring;
 - b. Any unstable slope or any slope exceeding a grade of 40 percent is present; or
 - c. Any settling pond or other stormwater facility is present;
 2. At least six feet in height above the grade measured at a point five feet from the outside of the fence;
 3. Installed with lockable gates at all openings or entrances;
 4. No more than four inches from the ground to fence bottom; and
 5. Maintained in good repair.
- D. Warning and trespass signs advising of the extractive operation shall be placed on the perimeter of the site adjacent to RA or R zones at intervals no greater than 200 feet along any unfenced portion of the site where the items noted in subsection C.1.a-c are present;
- E. Structural setbacks from property lines shall be as follows:
 1. Buildings or structures used in the processing of materials shall be no closer than:
 - a. One hundred feet from any R zoned properties except that the setback may be reduced to 50 feet when the grade where such building or structures are proposed is 50 feet or greater below the grade of said R zoned property, or
 - b. Twenty feet from any other zoned property, except when adjacent to another extractive site, or from any public street.
 2. Offices, scale facilities, equipment storage buildings and stockpiles shall not be closer than 20 feet from any property line except when adjacent to another extractive site;
- F. No clearing, grading or excavation, excluding that necessary for roadway or storm drainage facility construction, shall be permitted within 20 feet of any property line except along any portion of the perimeter adjacent to another extractive operation provided that such activities may be pursuant to an approved reclamation plan;
- G. Landscaping as required pursuant to WMC 21A.16 shall be provided along any portion of the site perimeter where disturbances such as site

clearing and grading, or mineral extraction or processing is performed, except where adjacent to another extractive operation; and

H. Lighting shall:

1. Be limited to that required for security, lighting of structures and equipment, and vehicle operations; and
2. Not direct glare onto surrounding properties.

21A.22.070 Operating standards. All operating standards shall be as specified in the WMC except:

- A. Noise levels produced by an extractive operation shall not exceed levels specified by the City of Woodinville Noise Ordinance.
- B. Blasting shall be conducted:
 1. Consistent with the methods specified in the Office of Surface Mining, 1987 Blasting Guidance Manual;
 2. During daylight hours; and
 3. According to a time schedule that:
 - a. Features regular or predictable times, except in the case of an emergency; and
 - b. Is provided to residents within one-half mile of the site;
- C. Dust and smoke produced by extractive operations shall not substantially increase the existing levels of suspended particulates at the perimeter of the site and shall be controlled by watering of the site and equipment or other methods specified by the City;
- D. The applicant shall provide for measures to prevent transport of rocks, dirt and mud from trucks onto public roadways;
- E. Traffic control measures such as flagmen or warning signs as determined by the City shall be provided by the applicant during all hours of operation; and
- F. The applicant shall be responsible for cleaning of debris or repairing of damage to roadways caused by the operation.

21A.22.080 Reclamation. A reclamation plan shall be submitted with each application or renewal which addresses:

- A. Subsequent land uses on the reclaimed lands anticipating reclassification of zones;
- B. Present and proposed final topography;
- C. The relationship and impact of alternative post-reclamation land uses on surrounding properties as they relate to possible alternative land uses;
- D. A time schedule indicating how and when reclamation will occur during and after extractive operations; and
- E. The requirements of RCW 78.44.090.

21A.22.090 Bonds.

- A. Extractive operations shall be bonded as outlined in the WMC.
- B. The bond amount may be reduced proportionately as extraction on each phase is completed and the phase is reclaimed.

C. Reclamation bonds posted with the Washington State Department of Natural Resources or U.S. Office of Surface Mining may be used to comply with this section.

CHAPTER 21A.24 ENVIRONMENTALLY SENSITIVE AREAS

SECTIONS:

- 21A.24.010 Purpose
- 21A.24.020 Applicability
- 21A.24.030 Appeals
- 21A.24.040 Sensitive areas rules
- 21A.24.045 Alteration
- 21A.24.050 Complete exemptions
- 21A.24.060 Partial exemptions
- 21A.24.070 Exceptions
- 21A.24.080 Sensitive area maps and inventories
- 21A.24.090 Disclosure by applicant
- 21A.24.100 Sensitive area review
- 21A.24.110 Sensitive area special study requirement
- 21A.24.120 Contents of sensitive area special study
- 21A.24.130 Mitigation, maintenance, monitoring and contingency
- 21A.24.140 Bonds to insure mitigation, maintenance and monitoring
- 21A.24.150 Vegetation management plan
- 21A.24.160 Sensitive area markers and signs
- 21A.24.170 Notice on title
- 21A.24.180 Sensitive area tracts and designations on site plans
- 21A.24.190 Building setbacks
- 21A.24.200 (Reserved)
- 21A.24.210 Erosion hazard areas: development standards and permitted alterations
- 21A.24.220 Flood hazard areas: components
- 21A.24.230 Flood fringe: development standards and permitted alterations
- 21A.24.240 Zero-rise floodway: development standards and permitted alterations
- 21A.24.250 FEMA floodway: development standards and permitted alterations
- 21A.24.260 Flood hazard areas: certification by engineer or surveyor
- 21A.24.270 Landslide hazard areas: development standards and permitted alterations
- 21A.24.280 Seismic hazard areas: development standards and permitted alterations
- 21A.24.290 (Reserved)
- 21A.24.300 Steep slope hazard areas: development standards and permitted alterations
- 21A.24.310 Wetlands: development standards
- 21A.24.320 Wetlands: permitted alterations
- 21A.24.330 Wetlands: mitigation requirements
- 21A.24.340 Wetlands: limited exemption
- 21A.24.350 Streams: development standards
- 21A.24.360 Streams: permitted alterations
- 21A.24.370 Streams: mitigation requirements
- 21A.24.380 Sensitive areas mitigation fee - creation of fund
- 21A.24.390 Sensitive areas mitigation fee - source of funds
- 21A.24.400 Sensitive areas mitigation fee - use of funds
- 21A.24.410 Sensitive areas mitigation fee - investment of funds

21A.24.010 Purpose. The purpose of this chapter is to implement the goals and policies of the Washington State Environmental Policy Act, RCW 43.21C, and the City of Woodinville Comprehensive Plan which call for protection of the natural environment and the public health and safety by:

- A. Establishing development standards to protect defined sensitive areas;
- B. Protecting members of the public and public resources and facilities from injury, loss of life, property damage or financial loss due to flooding, erosion, landslides, seismic events, soil subsidence or steep slope failures;
- C. Protecting unique, fragile and valuable elements of the environment including, but not limited to, wildlife and its habitat;
- D. Requiring mitigation of unavoidable impacts on environmentally sensitive areas by regulating alterations in or near sensitive areas;
- E. Preventing cumulative adverse environmental impacts on water availability, water quality, wetlands and streams;
- F. Measuring the quantity and quality of wetland and stream resources and preventing overall net loss of wetland and stream functions;
- G. Protecting the public trust as to navigable waters and aquatic resources;
- H. Meeting the requirements of the National Flood Insurance Program and maintaining City of Woodinville as an eligible community for federal flood insurance benefits;
- I. Alerting members of the public including, but not limited to, appraisers, owners, potential buyers or lessees to the development limitations of sensitive areas; and
- J. Providing City officials with sufficient information to protect sensitive areas.

21A.24.020 Applicability.

- A. The provisions of this chapter shall apply to all land uses in City of Woodinville, and all persons within the City shall comply with the requirements of this chapter.
- B. City of Woodinville shall not approve any permit or otherwise issue any authorization to alter the condition of any land, water or vegetation or to construct or alter any structure or improvement without first assuring compliance with the requirements of this chapter.
- C. Approval of a development proposal pursuant to the provisions of this chapter does not discharge the obligation of the applicant to comply with the provisions of this chapter.
- D. When any provision of any other chapter of the City of Woodinville Code conflicts with this chapter or when the provisions of this chapter are in conflict, that provision which provides more protection to environmentally sensitive areas shall apply unless specifically provided otherwise in this chapter or unless such provision conflicts with federal or state laws or regulations.

E. The provisions of this chapter shall apply to all forest practices over which the City has jurisdiction pursuant to RCW 76.09 and WAC 222.

21A.24.030 Appeals. Any decision to approve, condition or deny a development proposal based on the requirements of WMC 21A.24 may be appealed according to and as part of the appeal procedure for the permit or approval involved.

21A.24.040 Sensitive areas rules. Applicable departments within City of Woodinville are authorized to adopt such administrative rules and regulations as are necessary and appropriate to implement WMC 21A.24 and to prepare and require the use of such forms as are necessary to its administration.

21A.24.045 Alteration. Any human activity which results or is likely to result in an impact upon the existing condition of a sensitive area is an alteration which is subject to specific limitations as specified for each sensitive area. Alterations include, but are not limited to, grading, filling, dredging, draining, channelizing, applying herbicides or pesticides or any hazardous substance, discharging pollutants except stormwater, grazing domestic animals, paving, constructing, applying gravel, modifying for surface water management purposes, cutting, pruning, topping, trimming, relocating or removing vegetation or any other human activity which results or is likely to result in an impact to existent vegetation, hydrology, wildlife or wildlife habitat. Alterations do not include walking, fishing or any other passive recreation or other similar activities.

21A.24.050 Complete exemptions. The following are exempt from the provisions of this chapter and any administrative rules promulgated thereunder:

- A. Alterations in response to emergencies which threaten the public health, safety and welfare or which pose an imminent risk of damage to private property as long as any alteration undertaken pursuant to this subsection is reported to the City immediately. The Planning Director shall confirm that an emergency exists and determine what, if any, mitigation shall be required to protect the health, safety, welfare and environment and to repair any resource damage;
- B. Agricultural activities in existence before March 31, 1993, as follows:
 - 1. Mowing of hay, grass or grain crops;
 - 2. Tilling, dicing, planting, seeding, harvesting and related activities for pasture, food crops, grass seed or sod if such activities do not take place on steep slopes;
 - 3. Normal and routine maintenance of existing irrigation and drainage ditches not used by salmonids; and
 - 4. Normal and routine maintenance of farm ponds, fish ponds, manure lagoons and livestock watering ponds;
- C. Public water, electric and natural gas distribution, public sewer collection, cable communications, telephone utility and related

activities undertaken pursuant to City-approved best management practices, as follows:

1. Normal and routine maintenance or repair of existing utility structures or rights-of-way;
 2. Relocation of electric facilities, lines, equipment or appurtenances, not including substations, with an associated voltage of 55,000 volts or less, only when required by a local governmental agency which approves the new location of the facilities;
 3. Replacement, operation, repair, modification or installation or construction in an improved public road right-of-way of all electric facilities, lines, equipment or appurtenances, not including substations, with an associated voltage of 55,000 volts or less when such facilities are located within an improved public road right-of-way or City authorized private roadway;
 4. Relocation of public sewer local collection, public water local distribution, natural gas, cable communication or telephone facilities, lines, pipes, mains, equipment or appurtenances, only when required by a local governmental agency which approves the new location of the facilities; and
 5. Replacement, operation, repair, modification, installation or construction of public sewer local collection, public water local distribution, natural gas, cable communication or telephone facilities, lines, pipes, mains, equipment or appurtenances when such facilities are located within an improved public right-of-way or City authorized private roadway.
- D. Maintenance, operation, repair or replacement of publicly improved roadways as long as any such alteration does not involve the expansion of roadways or related improvements into previously unimproved rights-of-way or portions of rights-of-way when such facilities are located within an improved public right-of-way or City authorized private roadway;
- E. Maintenance, operation or repair of publicly improved recreation areas as long as any such alteration does not involve the expansion of improvements into previously unimproved recreation areas;
- F. Public agency development proposals only to the extent of any construction contract awarded before March 31, 1993, provided that any law or regulation in effect at the time of such award shall apply to the proposal, and
- G. All clearing and grading activities which are exempt from the requirement for a clearing and grading permit as specified in the WMC, unless these activities require other permits or authorizations as specified in WMC 21A.24.020.

21A.24.060 Partial exemptions.

- A. The following are exempt from the provisions of this chapter and any administrative rules promulgated thereunder, except for the notice on

title provisions, WMC 21A.24.170 - 21A.24.180, and the flood hazard area provisions, WMC 21A.24.220 - 21A.24.260:

1. Structural modification of, addition to or replacement of structures, except single detached residences, in existence before March 31, 1993 which do not meet the building setback or buffer requirements for wetlands, streams or steep slope hazard areas if the modification, addition, replacement or related activity does not increase the existing footprint of the structure lying within the above-described building setback area, sensitive area or buffer;
 2. Structural modification of, addition to or replacement of single detached residences in existence before March 31, 1993 which do not meet the building setback or buffer requirements for wetlands, streams or steep slope hazard areas if the modification, addition, replacement or related activity does not increase the existing footprint of the residence lying within the above-described buffer or building setback area by more than 1000 square feet over that existing before March 31, 1993 and no portion of the modification, addition or replacement is located closer to the sensitive area or, if the existing residence is in the sensitive area, extends farther into the sensitive area; and
 3. Maintenance or repair of structures which do not meet the development standards of this chapter for landslide or seismic hazard areas if the maintenance or repair does not increase the footprint of the structure and there is no increased risk to life or property as a result of the proposed maintenance or repair;
- B. The grazing of livestock is exempt from the provisions of this chapter and any administrative rules promulgated thereunder, except for the livestock restriction provisions, WMC 21A.24.310 and 21A.24.350, and any animal density limitations established by law, if the grazing activity was in existence before March 31, 1993;
- C. A permit or approval sought as part of a development proposal for which multiple permits are required is exempt from the provisions of this chapter and any administrative rules promulgated thereunder, except for the notice on title provisions, WMC 21A.24.170 - 21A.24.180, if:
1. City of Woodinville previously reviewed all sensitive areas on the site;
 2. There is no material change in the development proposal since the prior review;
 3. There is no new information available which is important to any sensitive area review of the site or particular sensitive area;
 4. The permit or approval under which the prior review was conducted has not expired or, if no expiration date, no more than five years lapsed since the issuance of that permit or approval; and
 5. The prior permit or approval, including any conditions, has been complied with.

21A.24.070 Exceptions.

- A. If the application of this chapter would prohibit a development proposal by a public agency or public utility, the agency or utility may apply for an exception pursuant to this subsection:
1. The public agency or utility shall apply to the Department and shall make available to the department other related project documents such as permit applications to other agencies, special studies and SEPA documents. The Department shall prepare a recommendation to the Hearing Examiner;
 2. The Hearing Examiner shall review the application and conduct a public hearing pursuant to the provisions of City of Woodinville Ordinance No. 18. The Hearing Examiner shall make a recommendation to the City Council based on the following criteria:
 - a. There is no other practical alternative to the proposed development with less impact on the sensitive area; and
 - b. The proposal minimizes the impact on sensitive areas;
 3. This exception shall not allow the use of the following sensitive areas for regional retention/detention facilities except where there is a clear showing that the facility will protect public health and safety or repair damaged natural resources:
 - a. Class 1 streams or buffers;
 - b. Class 1 wetlands or buffers with plant associations of infrequent occurrence; or
 - c. Class 1 or 2 wetlands or buffers which provide critical or outstanding habitat for herons, raptors or state or federal designated endangered or threatened species unless clearly demonstrated by the applicant that there will be no impact on such habitat.
- B. If the application of this chapter would deny all reasonable use of the property, the applicant may apply for an exception pursuant to this subsection:
1. The applicant shall apply to the Department, and the Department shall prepare a recommendation to the Hearing Examiner. The applicant may apply for a reasonable use exception without first having applied for a variance if the requested exception includes relief from standards for which a variance cannot be granted pursuant to the provisions of WMC 21A.44;
 2. The Hearing Examiner shall review the application in consultation with the City Attorney and shall conduct a public hearing pursuant to the provisions of City of Woodinville Ordinance No. 18. The Hearing Examiner shall make a final decision based on the following criteria:
 - a. The application of this chapter would deny all reasonable use of the property;
 - b. There is no other reasonable use with less impact on the sensitive area;

- c. The proposed development does not pose an unreasonable threat to the public health, safety or welfare on or off the development proposal site and is consistent with the general purposes of this chapter and the public interest; and
 - d. Any alterations permitted to the sensitive area shall be the minimum necessary to allow for reasonable use of the property; and
3. Any authorized alteration of a sensitive area under this subsection shall be subject to conditions established by the Hearing Examiner including, but not limited to, mitigation under an approved mitigation plan.

21A.24.080 Sensitive area maps and inventories. The distribution of many environmentally sensitive areas in the City of Woodinville is displayed on maps in the King County Sensitive Areas Map Folio. Many of the wetlands are inventoried and rated and that information is published in the King County Wetlands Inventory Notebooks. Many flood hazard areas are mapped by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for King County." If there is a conflict among the maps, inventory and site-specific features, the actual presence or absence of the features defined in this title as sensitive areas shall govern.

21A.24.090 Disclosure by applicant.

- A. The applicant shall disclose to City of Woodinville the presence of sensitive areas on the development proposal site and any mapped or identifiable sensitive areas within 100 feet of the applicant's property.
- B. If the development proposal site contains or is within a sensitive area, the applicant shall submit an affidavit which declares whether the applicant has knowledge of any illegal alteration to any or all sensitive areas on the development proposal site and whether the applicant previously has been found in violation of this chapter, pursuant to WMC 21A.50 Enforcement. If the applicant previously has been found in violation, the applicant shall declare whether such violation has been corrected to the satisfaction of City of Woodinville.

21A.24.100 Sensitive area review.

- A. The City of Woodinville shall perform a sensitive area review for any City of Woodinville development proposal permit application or other request for permission to proceed with an alteration on a site which includes a sensitive area or is within an identified sensitive area buffer or building setback area.
- B. As part of the sensitive area review, City of Woodinville shall:
 - 1. Determine whether any sensitive area exists on the property and confirm its nature and type;
 - 2. Determine whether a sensitive area special study is required;
 - 3. Evaluate the sensitive area special study;

4. Determine whether the development proposal is consistent with this chapter;
5. Determine whether any proposed alteration to the sensitive area is necessary; and
6. Determine if the mitigation and monitoring plans and bonding measures proposed by the applicant are sufficient to protect the public health, safety and welfare, consistent with the goals, purposes, objectives and requirements of this chapter.

21A.24.110 Sensitive area special study requirement.

- A. An applicant for a development proposal which includes a sensitive area or is within an identified sensitive area buffer shall submit a sensitive area special study to adequately evaluate the proposal and all probable impacts.
- B. The City of Woodinville may waive the requirement for a special study if the applicant shows, to the City of Woodinville's satisfaction, that:
 1. There will be no alteration of the sensitive area or buffer;
 2. The development proposal will not have an impact on the sensitive area in a manner contrary to the goals, purposes, objectives and requirements of this chapter; and
 3. The minimum standards required by this chapter are met.
- C. If necessary to insure compliance with this chapter, City of Woodinville may require additional information from the applicant, separate from the special study.

21A.24.120 Contents of sensitive area special study.

- A. The sensitive area special study shall be in the form of a written report and shall contain the following, as applicable:
 1. Identification and characterization of all sensitive areas on or encompassing the development proposal site;
 2. Assessment of the impacts of any alteration proposed for a sensitive area or buffer, assessment of the impacts of any alteration on the development proposal, other properties and the environment, and/or assessment of the impacts to the development proposal resulting from development in the sensitive area or buffer;
 3. Studies which propose adequate mitigation, maintenance, monitoring and contingency plans and bonding measures;
 4. A scale map of the development proposal site; and
 5. Detailed studies, as required by City of Woodinville.
- B. A sensitive area special study may be combined with any studies required by other laws and regulations; and
- C. If the development proposal will affect only a part of the development proposal site, the City may limit the scope of the required special study to include only that part of the site which may be affected by the development.

21A.24.130 Mitigation, maintenance, monitoring and contingency.

- A. As determined by the City of Woodinville, mitigation, maintenance and monitoring measures shall be in place to protect sensitive areas and buffers from alterations occurring on the development proposal site.
- B. Where monitoring reveals a significant deviation from predicted impacts or a failure of mitigation or maintenance measures, the applicant shall be responsible for appropriate corrective action which, when approved, shall be subject to further monitoring.

21A.24.140 Bonds to insure mitigation, maintenance and monitoring.

- A. When mitigation required pursuant to a development proposal is not completed prior to City of Woodinville finally approving the proposal, City of Woodinville may delay final approval until mitigation is completed or may require the applicant to post a performance bond or other security in a form and amount deemed acceptable by City of Woodinville. The bond shall be sufficient to guarantee that all required mitigation measures will be completed no later than the time established by City of Woodinville in accordance with this chapter.
- B. If the development proposal is subject to mitigation, maintenance or monitoring plans, the applicant shall post a maintenance/monitoring bond or other security in a form and amount deemed acceptable by City of Woodinville. The bond shall be sufficient to guarantee satisfactory workmanship on, materials in and performance of or related to structures and improvements allowed or required by this chapter for a period of up to five years. The duration of maintenance/monitoring obligations shall be established by City of Woodinville, based upon the nature of the proposed mitigation, maintenance or monitoring and the likelihood and expense of correcting mitigation or maintenance failures.
- C. Performance and maintenance/monitoring bonds or other security shall also be required for restoration of a sensitive area or buffer not performed as part of a mitigation or maintenance plan, except that no bond shall be required for minor stream restoration carried out pursuant to this chapter. The bond or other security shall be in a form and amount deemed acceptable by City of Woodinville.
- D. Performance and maintenance/monitoring bonds or other security authorized by this section shall remain in effect until City of Woodinville determines, in writing, that the standards bonded for have been met.
- E. Depletion, failure or collection of bond funds shall not discharge the obligation of an applicant or violator to complete required mitigation, maintenance, monitoring or restoration.
- F. Public development proposals shall be relieved from having to comply with the bonding requirements of this section if public funds have previously been committed for mitigation, maintenance, monitoring or restoration.

21A.24.150 Vegetation management plan.

- A. For all development proposals where preservation of existing vegetation is required by this chapter, a vegetation management plan shall be submitted and approved prior to issuance of the permit or other request for permission to proceed with an alteration.
- B. The vegetation management plan shall identify the proposed clearing limits for the project and any areas where vegetation in a sensitive area or its buffer is proposed to be disturbed.
- C. Where clearing includes cutting any merchantable stand of timber, as defined in WAC 222-16-010(28), the vegetation management plan shall include a description of proposed logging practices which demonstrates how all sensitive areas will be protected in accordance with the provisions of this chapter.
- D. Clearing limits as shown on the plan shall be marked in the field in a prominent and durable manner. Proposed methods of field marking shall be reviewed and approved by City of Woodinville prior to any site alteration. Field marking shall remain in place until the certificate of occupancy or final project approval is granted.
- E. The vegetation management plan may be incorporated into a temporary erosion and sediment control plan or landscaping plan where either of these plans is required by other laws or regulations.
- F. Submittal requirements for vegetation management plans shall be set forth in administrative rules.

21A.24.160 Sensitive area markers and signs.

- A. Permanent survey stakes delineating the boundary between adjoining property and sensitive area tracts shall be set, using iron or concrete markers as established by current survey standards.
- B. The boundary between a sensitive area tract and contiguous land shall be identified with permanent signs.

21A.24.170 Notice on title.

- A. The owner of any property containing sensitive areas or buffers on which a development proposal is submitted, except a public right-of-way or the site of a permanent public facility, shall file a notice approved by City of Woodinville with the County's records and elections division. The required contents and form of the notice shall be set forth in administrative rules. The notice shall inform the public of the presence of sensitive areas or buffers on the property, of the application of this chapter to the property and that limitations on actions in or affecting such sensitive areas or buffers may exist. The notice shall run with the land.
- B. The applicant shall submit proof that the notice has been filed for public record before City of Woodinville shall approve any development proposal for the property or, in the case of subdivisions, short subdivisions and binding site plans, at or before recording.

21A.24.180 Sensitive area tracts and designations on site plans.

- A. Sensitive area tracts shall be used to delineate and protect those sensitive areas and buffers listed below in development proposals for subdivisions, short subdivisions or binding site plans and shall be recorded on all documents of title of record for all affected lots:
 - 1. All landslide hazard areas and buffers which are one acre or greater in size;
 - 2. All steep slope hazard areas and buffers which are one acre or greater in size;
 - 3. All wetlands and buffers; and
 - 4. All streams and buffers.
- B. Any required sensitive area tract shall be held in an undivided interest by each owner of a building lot within the development with this ownership interest passing with the ownership of the lot or shall be held by an incorporated homeowner's association or other legal entity which assures the ownership, maintenance and protection of the tract.
- C. Site plans submitted as part of development proposals for building permits, master plan developments and clearing and grading permits shall include and delineate all flood hazard areas, [if they have been mapped by FEMA, King County or City of Woodinville or if a special study is required] landslide and steep slope hazard areas, streams and wetlands, buffers and building setbacks. If only a part of the development site has been mapped pursuant to WMC 21A.24.120, the part of the site which has not been mapped shall be clearly identified and labeled on the site plans. The site plans shall be attached to the notice on title required by WMC 21A.24.170.

21A.24.190 Building setbacks. Unless otherwise provided, buildings and other structures shall be set back a distance of 15 feet from the edges of all sensitive area buffers or from the edges of all sensitive areas, if no buffers are required. The following may be allowed in the building setback area:

- A. Landscaping;
- B. Uncovered decks;
- C. Building overhangs if such overhangs do not extend more than 18 inches into the setback area; and
- D. Impervious ground surfaces, such as driveways and patios, provided that such improvements may be subject to special drainage provisions specified in administrative rules adopted for the various sensitive areas.

21A.24.200 (Reserved)

21A.24.210 Erosion hazard areas: development standards and permitted alterations.

- A. Clearing on an erosion hazard area is allowed only from March 31 to September 30, except that:
 - 1. Up to 15,000 square feet may be cleared on any lot, subject to any other requirement for vegetation retention and subject to any clearing and grading permit required by the WMC; and

2. Timber harvest may be allowed pursuant to an approved forest practice permit issued by the Washington Department of Natural Resources.
- B. All development proposals on sites containing erosion hazard areas shall include a temporary erosion control plan consistent with this section and other laws and regulations prior to receiving approval. Specific requirements for such plans shall be set forth in administrative rules.
- C. All subdivisions, short subdivisions or binding site plans on sites with erosion hazard areas shall comply with the following additional requirements:
 1. Except as provided in this section, existing vegetation shall be retained on all lots until building permits are approved for development on individual lots;
 2. If any vegetation on the lots is damaged or removed during construction of the subdivision infrastructure, the applicant shall be required to submit a restoration plan to City of Woodinville for review and approval. Following approval, the applicant shall be required to implement the plan;
 3. Clearing of vegetation on lots may be allowed without a separate clearing and grading permit if City of Woodinville determines that:
 - a. Such clearing is a necessary part of a large scale grading plan;
 - b. It is not feasible to perform such grading on an individual lot basis; and
 - c. Drainage from the graded area will meet water quality standards to be established by administrative rules.
- D. Where City of Woodinville determines that erosion from a development site poses a significant risk of damage to downstream receiving waters, based either on the size of the project, the proximity to the receiving water or the sensitivity of the receiving water, the applicant shall be required to provide regular monitoring of surface water discharge from the site. If the project does not meet water quality standards established by law or administrative rules, the City may suspend further development work on the site until such standards are met.
- E. The use of hazardous substances, pesticides and fertilizers in erosion hazard areas may be prohibited by City of Woodinville.

21A.24.220 Flood hazard areas: components.

- A. A flood hazard area consists of the following components:
 1. Floodplain;
 2. Flood fringe;
 3. Zero-rise floodway; and
 4. Federal Emergency Management Agency ("FEMA") floodway.
- B. City of Woodinville shall determine the flood hazard area after obtaining, reviewing and utilizing base flood elevations and available floodway data for a flood having a one percent chance of being equaled or exceeded in any given year, often referred to as the "100-

year flood." The base flood is determined for existing conditions, unless a basin plan including projected flows under future developed conditions has been completed and adopted by City of Woodinville, in which case these future flow projections shall be used. In areas where the Flood Insurance Study for King County includes detailed base flood calculations, those calculations may be used until projections of future flows are completed and approved by the City of Woodinville.

21A.24.230 Flood fringe: development standards and permitted alterations.

- A. Development proposals shall not reduce the effective base flood storage volume of the floodplain. Grading or other activity which would reduce the effective storage volume shall be mitigated by creating compensatory storage on the site or off the site if legal arrangements can be made to assure that the effective compensatory storage volume will be preserved over time. Grading for construction of livestock manure storage facilities to control non-point source water pollution designed to the standards of and approved by the King County Conservation District is exempt from this compensatory storage requirement.
- B. No structure shall be allowed which would be at risk due to stream bank destabilization including, but not limited to, that associated with channel relocation or meandering.
- C. All elevated construction shall be designed and certified by a professional structural engineer licensed by the State of Washington and shall be approved by City of Woodinville prior to construction.
- D. Subdivisions, short subdivisions and binding site plans shall meet the following requirements:
 - 1. New building lots shall contain 5,000 square feet or more of buildable land outside the zero-rise floodway, and building setback areas shall be shown on the face of the plat to restrict permanent structures to this buildable area;
 - 2. All utilities and facilities such as sewer, gas, electrical and water systems shall be located and constructed consistent with subsections E., F. and I.;
 - 3. Base flood data and flood hazard notes shall be shown on the face of the recorded subdivision, short subdivision or binding site plan including, but not limited to, the base flood elevation, required flood protection elevations and the boundaries of the floodplain and the zero-rise floodway, if determined; and
 - 4. The following notice shall also be shown on the face of the recorded subdivision, short subdivision or binding site plan for all affected lots:

"NOTICE"

"Lots and structures located within flood hazard areas may be inaccessible by emergency vehicles during flood events. Residents and property owners should take appropriate advance precautions."

- E. New residential structures and substantial improvements of existing residential structures shall meet the following requirements:
 - 1. The lowest floor shall be elevated to the flood protection elevation;
 - 2. Portions of a structure which are below the lowest floor area shall not be fully enclosed. The areas and rooms below the lowest floor shall be designed to automatically equalize hydrostatic and hydrodynamic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for satisfying this requirement shall meet or exceed the following requirements:
 - a. A minimum of two openings on opposite walls having a total open area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided;
 - b. The bottom of all openings shall be no higher than one foot above grade; and
 - c. Openings may be equipped with screens, louvers or other coverings or devices if they permit the unrestricted entry and exit of floodwaters;
 - 3. Materials and methods which are resistant to and minimize flood damage shall be used; and
 - 4. All electrical, heating, ventilation, plumbing, air conditioning equipment and other utility and service facilities shall be flood-proofed to or elevated above the flood protection elevation.
- F. New nonresidential structures and substantial improvements of existing nonresidential structures shall meet the following requirements:
 - 1. The elevation requirement for residential structures contained in subsection E.1. shall be met; or
 - 2. The structure shall be flood-proofed to the flood protection elevation and shall meet the following requirements:
 - a. The applicant shall provide certification by a professional civil or structural engineer licensed by the State of Washington that the flood-proofing methods are adequate to withstand the flood-depths, pressures, velocities, impacts, uplift forces and other factors associated with the base flood. After construction, the engineer shall certify that the permitted work conforms with the approved plans and specifications; and
 - b. Approved building permits for flood-proofed nonresidential structures shall contain a statement notifying applicants that flood insurance premiums shall be based upon rates for structures which are one foot below the flood-proofed level;

3. Materials and methods which are resistant to and minimize flood damage shall be used; and
 4. All electrical, heating, ventilation, plumbing, air conditioning equipment and other utility and service facilities shall be flood-proofed to or elevated above the flood protection elevation.
- G. All new construction shall be anchored to prevent flotation, collapse or lateral movement of the structure.
- H. Mobile homes and mobile home parks shall meet the following requirements:
1. Mobile homes shall meet all requirements for flood hazard protection for residential structures, shall be anchored and shall be installed using methods and practices which minimize flood damage; and
 2. No permit or approval for the following shall be granted unless all mobile homes within the mobile home park meet the requirements for flood hazard protection for residential structures:
 - a. A new mobile home park;
 - b. An expansion of an existing mobile home park; or
 - c. Any repair or reconstruction of streets, utilities or pads in an existing mobile home park which equals or exceeds 50 percent of the value of such streets, utilities or pads.
- I. Utilities shall meet the following requirements:
1. New and replacement utilities including, but not limited to, sewage treatment facilities shall be flood-proofed to or elevated above the flood protection elevation;
 2. New on-site sewage disposal systems shall be, to the extent possible, located outside the limits of the base flood elevation. The installation of new on-site sewage disposal systems in the flood fringe may be allowed if no feasible alternative site is available;
 3. Sewage and agricultural waste storage facilities shall be flood-proofed to the flood protection elevation;
 4. Above-ground utility transmission lines, other than electric transmission lines, shall only be allowed for the transport of non-hazardous substances; and
 5. Buried utility transmission lines transporting hazardous substances shall be buried at a minimum depth of four feet below the maximum depth of scour for the base flood, as predicted by a professional civil engineer licensed by the State of Washington, and shall achieve sufficient negative buoyancy so that any potential for flotation or upward migration is eliminated.
- J. Critical facilities may be allowed within the flood fringe of the floodplain, but only when no feasible alternative site is available. Critical facilities shall be evaluated through the conditional or special use permit process. Critical facilities constructed within the flood fringe shall have the lowest floor elevated to three or more feet above the base flood elevation. Flood-proofing and sealing measures shall be taken to ensure that hazardous substances will not be displaced by or

released into floodwaters. Access routes elevated to or above the base flood elevation shall be provided to all critical facilities from the nearest maintained public street or roadway.

- K. Prior to approving any permit for alterations in the flood fringe, City of Woodinville shall determine that all permits required by state or federal law have been obtained.

21A.24.240 Zero-rise floodway: development standards and permitted alterations.

- A. The requirements which apply to the flood fringe shall also apply to the zero-rise floodway. The more restrictive requirements shall apply where there is a conflict.
- B. A development proposal including, but not limited to, new or reconstructed structures shall not cause any increase in the base flood elevation unless the following requirements are met:
 - 1. Amendments to the Flood Insurance Rate Map are adopted by FEMA, in accordance with 44 CFR 70, to incorporate the increase in the base flood elevation; and
 - 2. Appropriate legal documents are prepared in which all property owners affected by the increased flood elevations consent to the impacts on their property. These documents shall be filed with the title of record for the affected properties.
- C. The following are presumed to produce no increase in base flood elevation and shall not require a special study to establish this fact:
 - 1. New residential structures outside the FEMA floodway on lots in existence before March 31, 1993 which contain less than 5,000 square feet of buildable land outside the zero-rise floodway and which have a total building footprint of all proposed structures on the lot of less than 2,000 square feet;
 - 2. Substantial improvements of existing residential structures in the zero-rise floodway, but outside the FEMA floodway, where the footprint is not increased; or
 - 3. Substantial improvements of existing residential structures meeting the requirements for new residential structures in WMC 21A.24.230.
- D. Post or piling construction techniques which permit water flow beneath a structure shall be used.
- E. All temporary structures or substances hazardous to public health, safety and welfare, except for hazardous household substances or consumer products containing hazardous substances, shall be removed from the zero-rise floodway during the flood season from September 30 to May 1.
- F. New residential or non-residential structures shall meet the following requirements:
 - 1. The structures shall be outside the FEMA floodway; and
 - 2. The structures shall be on lots in existence before March 31, 1993 which contain less than 5000 square feet of buildable land outside the zero-rise floodway.

- G. Utilities may be allowed within the zero-rise floodway if the City determines that no feasible alternative site is available, subject to the following requirements:
 - 1. Installation of new on-site sewage disposal systems shall be prohibited unless a waiver is granted by the department of public health; and
 - 2. Construction of sewage treatment facilities shall be prohibited.
- H. Critical facilities shall not be allowed within the zero-rise floodway except as provided in subsection J.
- I. Livestock manure storage facilities and associated non-point source water pollution facilities designed, constructed and maintained to the standards of and approved in a conservation plan by the King County Conservation District may be allowed if the City reviews and approves the location and design of the facilities.
- J. Structures and installations which are dependent upon the floodway may be located in the floodway if the development proposal is approved by all agencies with jurisdiction. Such structures include, but are not limited to:
 - 1. Dams or diversions for water supply, flood control, hydroelectric production, irrigation or fisheries enhancement;
 - 2. Flood damage reduction facilities, such as levees and pumping stations;
 - 3. Stream bank stabilization structures where no feasible alternative exists for protecting public or private property;
 - 4. Storm water conveyance facilities subject to the development standards for streams and wetlands and the King County Surface Water Design Manual;
 - 5. Boat launches and related recreation structures;
 - 6. Bridge piers and abutments; and
 - 7. Other fisheries enhancement or stream restoration projects.

21A.24.250 FEMA floodway: development standards and permitted alterations.

- A. The requirements which apply to the zero-rise floodway shall also apply to the FEMA floodway. The more restrictive requirements shall apply where there is a conflict.
- B. A development proposal including, but not limited to, new or reconstructed structures shall not cause any increase in the base flood elevation.
- C. New residential or nonresidential structures are prohibited within the FEMA floodway.
- D. Substantial improvements of existing residential structures in the FEMA floodway, meeting the requirements of WAC 173-158-070, as amended, are presumed to produce no increase in base flood elevation and shall not require a special study to establish this fact.

21A.24.260 Flood hazard areas: certification by engineer or surveyor.

- A. For all new structures or substantial improvements in a flood hazard area, the applicant shall provide certification by a professional civil engineer or land surveyor licensed by the State of Washington of:
 - 1. The actual as-built elevation of the lowest floor, including basement; and
 - 2. The actual as-built elevation to which the structure is flood-proofed, if applicable.
- B. The engineer or surveyor shall indicate if the structure has a basement.
- C. City of Woodinville shall maintain the certifications required by this section for public inspection.

21A.24.270 Landslide hazard areas: development standards and permitted alterations.

A development proposal on a site containing a landslide hazard area shall meet the following requirements:

- A. A minimum buffer of 50 feet shall be established from all edges of the landslide hazard area. The buffer shall be extended as required to mitigate a steep slope or erosion hazard or as otherwise necessary to protect the public health, safety and welfare;
- B. Unless otherwise provided herein or as part of an approved alteration, removal of any vegetation from a landslide hazard area or buffer shall be prohibited, except for limited removal of vegetation necessary for surveying purposes and for the removal of hazard trees determined to be unsafe according to tree selection rules promulgated pursuant to this chapter. Notice to the City of Woodinville shall be provided prior to any vegetation removal permitted by this subsection;
- C. Vegetation on slopes within a landslide hazard area or buffer which has been damaged by human activity or infested by noxious weeds may be replaced with vegetation native to the Puget Sound Region pursuant to an enhancement plan approved by the City of Woodinville. The use of hazardous substances, pesticides and fertilizers in landslide hazard areas and their buffers may be prohibited by City of Woodinville; and
- D. Alterations to landslide hazard areas and buffers may be allowed only as follows:
 - 1. A landslide hazard area located on a slope 40% or steeper may be altered only if the alteration meets the standards and limitations set forth for steep slope hazard areas in WMC 21A.24.300;
 - 2. A landslide hazard area located on a slope less than 40% may be altered only if the alteration meets the following requirements:
 - a. The development proposal will not decrease slope stability on contiguous properties; and
 - b. Mitigation based on the best available engineering and geological practices is implemented which either eliminates or minimizes the risk of damage, death or injury resulting from landslides; and

3. Neither buffers nor a sensitive area tract shall be required if the alteration meets the standards of subsection D.2.

21A.24.280 Seismic hazard areas: development standards and permitted alterations. A development proposal on a site containing a seismic hazard area shall meet the following requirements:

- A. Unless exempt, development proposals shall be subject to review standards based on two occupancy types: critical facilities and other structures. The review standards for critical facilities shall be based on larger earthquake reoccurrence intervals. The review standards for both occupancy types shall be set forth in administrative rules;
- B. Alterations to seismic hazard areas may be allowed only as follows:
 1. The evaluation of site-specific subsurface conditions shows that the proposed development site is not located in a seismic hazard area; or
 2. Mitigation based on the best available engineering and geological practices is implemented which either eliminates or minimizes the risk of damage, death or injury resulting from seismically induced settlement or soil liquefaction; and
 3. Mobile homes may be placed in seismic hazard areas without performing special studies to address the seismic hazard. Such mobile homes may be subject to special support and tie-down requirements. These requirements shall be set forth in administrative rules.
- C. Buildings with less than 2500 square feet of floor area or roof area (whichever is greater) that contain no living quarters and that are not used as places of employment or public assembly exempt from the provisions of this section.

21A.24.290 (Reserved)

21A.24.300 Steep slope hazard areas: development standards and permitted alterations. A development proposal on a site containing a steep slope hazard area shall meet the following requirements:

- A. A minimum buffer of 50 feet shall be established from the top, toe and along all sides of any slope 40% or steeper. The buffer shall be extended as required to mitigate a landslide or erosion hazard or as otherwise necessary to protect the public health, safety and welfare. The buffer may be reduced to a minimum of ten feet if, based on a special study, the City of Woodinville determines that the reduction will adequately protect the proposed development and the sensitive area. For single family residential building permits only, the City of Woodinville may waive the special study requirement and authorize buffer reductions if the City of Woodinville determines that the reduction will adequately protect the proposed development and the sensitive area;

- B. Unless otherwise provided herein or as part of an approved alteration, removal of any vegetation from a steep slope hazard area or buffer shall be prohibited, except for limited removal of vegetation necessary for surveying purposes and for the removal of hazard trees determined to be unsafe according to tree selection rules promulgated pursuant to this chapter. Notice to the City of Woodinville shall be provided prior to any vegetation removal permitted by this subsection;
- C. Vegetation on steep slopes within steep slope hazard areas or their buffers which has been damaged by human activity or infested by noxious weeds may be replaced with vegetation native to the Puget Sound Region pursuant to a vegetation management plan approved by the City of Woodinville. The use of hazardous substances, pesticides and fertilizers in steep slope hazard areas and their buffers may be prohibited by the City of Woodinville;
- D. Alterations to steep slope hazard areas and buffers may be allowed only as follows:
 - 1. Approved surface water conveyances, as specified in the King County Surface Water Design Manual, may be allowed on steep slopes if they are installed in a manner to minimize disturbance to the slope and vegetation;
 - 2. Public and private trails may be allowed on steep slopes as approved by the City. Under no circumstances shall trails be constructed of concrete, asphalt or other impervious surfaces which will contribute to surface water run-off, unless such construction is necessary for soil stabilization or soil erosion prevention or unless the trail system is specifically designed and intended to be accessible to handicapped persons. Additional requirements for trail construction may be set forth in administrative rules;
 - 3. Utility corridors may be allowed on steep slopes if a special study shows that such alteration will not subject the area to the risk of landslide or erosion;
 - 4. Limited trimming and pruning of vegetation may be allowed on steep slopes pursuant to an approved vegetation management plan for the creation and maintenance of views if the soils are not disturbed and the activity is subject to administrative rules;
 - 5. Approved mining and quarrying activities may be allowed; and
 - 6. Stabilization of sites where erosion or landsliding threaten public or private structures, utilities, roads, driveways or trails, or where erosion and landsliding threatens any lake, stream, wetland or shoreline. Stabilization work shall be performed in a manner which causes the least possible disturbance to the slope and its vegetative cover; and
- E. The following are exempt from the provisions of this section:
 - 1. Slopes which are 40% or steeper with a vertical elevation change of up to 20 feet if no adverse impact will result from the exemption based on the City of Woodinville's review of and concurrence with a soils report prepared by a geologist or geotechnical engineer; and

2. The approved regrading of any slope which was created through previous legal grading activities. Any slope which remains 40% or steeper following site development shall be subject to all requirements for steep slopes.

21A.24.310 Wetlands: development standards. A development proposal on a site containing a wetland shall meet the following requirements:

- A. The following minimum buffers shall be established from the wetland edge:
 1. A class 1 wetland shall have a 100-foot buffer;
 2. A class 2 wetland shall have a 50-foot buffer;
 3. A class 3 wetland shall have a 25-foot buffer;
 4. Any wetland restored, relocated, replaced or enhanced because of a wetland alteration shall have the minimum buffer required for the highest wetland class involved; and
 5. Any wetland within 25 feet of the toe of a slope 30% or steeper, but less than 40%, shall have:
 - a. The minimum buffer required for the wetland class involved or a 25-foot buffer beyond the top of the slope, whichever is greater, if the horizontal length of the slope including small benches and terraces is within the buffer for that wetland class; or
 - b. A 25-foot buffer beyond the minimum buffer required for the wetland class involved if the horizontal length of the slope including small benches and terraces extends beyond the buffer for that wetland class;
- B. Buffer width averaging may be allowed by the City of Woodinville if it will provide additional protection to wetlands or enhance their functions, as long as the total area contained in the buffer on the development proposal site does not decrease;
- C. Increased buffer widths shall be required by the City of Woodinville when necessary to protect wetlands. Provisions for additional buffer widths shall be contained in administrative rules promulgated pursuant to this chapter including, but not limited to, provisions pertaining to critical drainage areas, location of hazardous substances, critical fish and wildlife habitat, landslide or erosion hazard areas contiguous to wetlands, groundwater recharge and discharge and the location of trail or utility corridors;
- D. The use of hazardous substances, pesticides and fertilizers in the wetland and its buffer may be prohibited by the City of Woodinville;
- E. Unless otherwise provided, the following restrictions shall apply to all development proposals which include the introduction of livestock:
 1. To prevent damage to class 1 and 2 wetlands:
 - a. A plan to protect and enhance the wetland's water quality shall be implemented pursuant to 21A.30; or
 - b. Fencing located not closer than the buffer edge shall be required; and

2. Standards pertaining to access to streams for watering purposes, stream crossing requirements and use of natural barriers and vegetative buffering in lieu of fencing shall be included in administrative rules promulgated pursuant to this chapter;
- F. The livestock restrictions contained in subsection E. shall not apply to wetlands defined as grazed wet meadows, regardless of their classification;

21A.24.320 Wetlands: permitted alterations. Alterations to wetlands and buffers may be allowed only as follows:

- A. Alterations may be permitted if the City of Woodinville determines, based upon its review of special studies completed by qualified professionals, that:
 1. The wetland does not serve any of the valuable functions of wetlands identified in WMC 21A.06.710 including, but not limited to, biologic and hydrologic functions; or
 2. The proposed development will protect or enhance the wildlife habitat, natural drainage or other valuable functions of the wetland and will be consistent with the purposes of this chapter;
- B. To establish the conditions in subsection A., detailed studies may be required as part of the special study on habitat value, hydrology, erosion and deposition and/or water quality. Such detailed studies shall include specific recommendations for mitigation which may be required as a condition of any development proposal approval. The recommendations may include, but are not limited to, construction techniques or design, drainage or density specifications;
- C. If a wetland is in a flood hazard area, the applicant shall notify affected communities and native tribes of proposed alterations prior to any alteration and submit evidence of such notification to the Federal Insurance Administration;
- D. There shall be no introduction of any plant or wildlife which is not indigenous to the Puget Sound Region into any wetland or buffer unless authorized by a state or federal permit or approval;
- E. Utilities may be allowed in wetland buffers if:
 1. The City of Woodinville determines that no practical alternative location is available; and
 2. The utility corridor meets any additional requirements set forth in administrative rules including, but not limited to, requirements for installation, replacement of vegetation and maintenance;
- F. Sewer utility corridors may be allowed in wetland buffers only if:
 1. The applicant demonstrates that sewer lines are necessary for gravity flow;
 2. The corridor is not located in a wetland or buffer used by species listed as endangered or threatened by the state or federal government or containing critical or outstanding actual habitat for those species or heron rookeries or raptor nesting trees;

3. The corridor alignment including, but not limited to, any allowed maintenance roads follows a path beyond a distance equal to 75% of the buffer width from the wetland edge;
 4. Corridor construction and maintenance protects the wetland and buffer and is aligned to avoid cutting trees greater than 12 inches in diameter at breast height, when possible, and pesticides, herbicides and other hazardous substances are not used;
 5. An additional, contiguous and undisturbed buffer, equal in width to the proposed corridor including any allowed maintenance roads, is provided to protect the wetland;
 6. The corridor is revegetated with appropriate native vegetation at pre-construction densities or greater immediately upon completion of construction or as soon thereafter as possible, and the sewer utility ensures that such vegetation survives;
 7. Any additional corridor access for maintenance is provided, to the extent possible, at specific points rather than by a parallel road; and
 8. The width of any necessary parallel road providing access for maintenance is as small as possible, but not greater than 15 feet, the road is maintained without the use of herbicides, pesticides or other hazardous substances and the location of the road is contiguous to the utility corridor on the side away from the wetland;
- G. Joint use of an approved sewer utility corridor by other utilities may be allowed.
- H. The following surface water management activities and facilities may be allowed in wetland buffers only as follows:
1. Surface water discharge to a wetland from a detention facility, pre-settlement pond or other surface water management activity or facility may be allowed if the discharge does not increase the rate of flow, change the plant composition in a forested wetland or decrease the water quality of the wetland;
 2. A class 1 or 2 wetland or buffer may be used for a retention/detention facility if:
 - a. A public agency and utility exception is granted pursuant to WMC 21A.24.070;
 - b. All requirements of the King County Surface Water Design Manual are met;
 - c. The use will not alter the rating or the factors used in rating the wetland;
 - d. The proposal is in compliance with the latest adopted findings of the Puget Sound Wetlands Research Project; and
 - e. There are no significant adverse impacts to the wetland;
 3. A class 3 wetland or buffer which has as its major function the storage of water may be used as a retention/detention facility if a pre-settlement pond is required and all requirements of the King County Surface Water Design Manual are met; and

4. Use of a wetland buffer for a surface water management activity or facility, other than a retention/detention facility, such as an energy dissipater and associated pipes, may be allowed only if the applicant demonstrates, to the satisfaction of the City of Woodinville, that:
 - a. No practicable alternative exists; and
 - b. The functions of the buffer or the wetland are not adversely affected;
- I. Public and private trails may be allowed in wetland buffers only upon adoption of administrative rules consistent with the following:
 1. The trail surface shall not be made of impervious materials, except that public multi-purpose trails may be made of impervious materials if they meet all other requirements including water quality; and
 2. Buffers shall be expanded, where possible, equal to the width of the trail corridor including disturbed areas;
- J. A dock, pier, moorage, float or launch facility may be allowed in a wetland, subject to the applicable provisions of the WMC, if:
 1. The existing and zoned density around the wetland is three dwelling units per acre or more;
 2. Over 50% of the lots around the wetland have been built upon and no significant buffer or wetland vegetation remains on these lots; and
 3. Open water is a significant component of the wetland;
- K. Alterations to isolated wetlands may be allowed only as follows:
 1. Isolated wetlands may be altered by combining their functions into one or more replacement wetlands on or adjacent to the site pursuant to an approved mitigation plan; and
 2. Whenever an isolated wetland is altered pursuant to this subsection, the replacement wetland shall include enhancement for wildlife habitat;
- L. One additional agricultural building or associated residence may be allowed within the wetland buffer on a grazed wet meadow if all hydrologic storage is replaced on or adjacent to the site;
- M. Subject to a clearing and grading permit issued by the City of Woodinville, the cutting of up to one cord of firewood may be permitted in buffers of five acres or larger in any year if the overall function of the buffer is not adversely affected. Removal of brush may also be permitted for the purpose of enhancing tree growth if the area of removal is limited to the diameter of the tree canopy at the time of planting; and
- N. Wetland road crossings may be allowed if:
 1. The City of Woodinville determines that no alternative access is practical;
 2. All crossings minimize impact to the wetland and provide mitigation for unavoidable impacts through restoration, enhancement or replacement of disturbed areas;

3. Crossings do not change the overall wetland hydrology;
4. Crossings do not diminish the flood storage capacity of the wetland; and
5. All crossings are constructed during summer low water periods.

21A.24.330 Wetlands: mitigation requirements.

- A. Restoration shall be required when a wetland or its buffer is altered in violation of law or without any specific permission or approval by the City of Woodinville. The following minimum requirements shall be met for the restoration of a wetland:
 1. The original wetland configuration shall be replicated including its depth, width, length and gradient at the original location;
 2. The original soil type and configuration shall be replicated;
 3. The wetland edge and buffer configuration shall be restored to its original condition;
 4. The wetland, edge and buffer shall be replanted with native vegetation which replicates the original vegetation in species, sizes and densities; and
 5. The original wetland functions shall be restored including, but not limited to, hydrologic and biologic functions.
- B. The requirements in subsection A. may be modified if the applicant demonstrates that greater wetland functions can otherwise be obtained.
- C. Replacement shall be required when a buffer is altered pursuant to an approved development proposal or a wetland is used for a retention/detention facility or other approved use. The requirements for the restoration of wetlands shall be met by replacement wetlands.
- D. Enhancement may be allowed when a wetland or buffer will be altered pursuant to a development proposal, but the wetland's biologic and/or hydrologic functions will be improved. Minimum requirements for enhancement shall be established in administrative rules.
- E. All alterations of wetlands shall be replaced or enhanced on the site using the following formulas: class 1 and 2 wetlands on a 2:1 basis and class 3 wetlands on a 1:1 basis with equivalent or greater biologic functions including, but not limited to, habitat functions and with equivalent hydrologic functions including, but not limited to, storage capacity.
- F. Replacement or enhancement off the site may be allowed if the applicant demonstrates to the satisfaction of the City of Woodinville that the off-site location is in the same drainage sub-basin as the original wetland and that greater biologic and hydrologic functions will be achieved. The formulas in subsection E. shall apply to replacement and enhancement off the site.
- G. Surface water management or flood control alterations including, but not limited to, wetponds shall not constitute replacement or enhancement unless other functions are simultaneously improved.

21A.24.340 Wetlands: limited exemption. Isolated wetlands less than 1000 square feet may be exempted from the provisions of WMC 21A.24.310 - 21A.24.330 and may be altered by filling or dredging if the City of Woodinville determines that the cumulative impacts do not unduly counteract the purposes of this chapter and are mitigated pursuant to an approved mitigation plan.

- 21A.24.350 Streams: development standards.** A development proposal on a site containing a stream shall meet the following requirements:
- A. The following minimum buffers shall be established from the ordinary high water mark or from the top of the bank if the ordinary high water mark cannot be identified:
 - 1. A class 1 stream shall have a 100-foot buffer;
 - 2. A class 2 stream used by salmonids shall have a 100-foot buffer;
 - 3. A class 2 stream shall have a 50-foot buffer;
 - 4. A class 3 stream shall have a 25-foot buffer;
 - 5. Any stream restored, relocated, replaced or enhanced because of a stream alteration shall have the minimum buffer required for the stream class involved;
 - 6. Any stream with an ordinary high water mark within 25 feet of the toe of a slope 30% or steeper, but less than 40%, shall have:
 - a. The minimum buffer required for the stream class involved or a 25-foot buffer beyond the top of the slope, whichever is greater, if the horizontal length of the slope including small benches and terraces is within the buffer for that stream class; or
 - b. A 25-foot buffer beyond the minimum buffer required for the stream class involved if the horizontal length of the slope including small benches and terraces extends beyond the buffer for that stream class; and
 - 7. Any stream adjoined by a riparian wetland or other contiguous sensitive area shall have the buffer required for the stream class involved or the buffer which applies to the wetland or other sensitive area, whichever is greater;
 - B. Buffer width averaging may be allowed by the City of Woodinville if it will provide additional natural resource protection, as long as the total area contained in the buffer on the development proposal site does not decrease;
 - C. Increased buffer widths shall be required by the City of Woodinville when necessary to protect streams. Provisions for additional buffer widths shall be contained in administrative rules promulgated pursuant to this chapter including, but not limited to, critical drainage areas, location of hazardous substances, critical fish and wildlife habitat, landslide or erosion hazard areas contiguous to streams, groundwater recharge and discharge and the location of trail or utility corridors;
 - D. The use of hazardous substances, pesticides and fertilizers in the stream corridor and its buffer may be prohibited by the City of Woodinville; and

- E. The livestock restrictions in WMC 21A.24.310 shall also apply to class 1 and 2 streams and their buffers.

21A.24.360 Streams: permitted alterations. Alterations to streams and buffers may be allowed only as follows:

- A. Alterations may only be permitted if based upon a special study;
- B. The applicant shall notify affected communities and native tribes of proposed alterations prior to any alteration if a stream is in a flood hazard area and shall submit evidence of such notification to the Federal Insurance Administration;
- C. There shall be no introduction of any plant or wildlife which is not indigenous to the Puget Sound Region into any stream or buffer unless authorized by a state or federal permit or approval;
- D. Utilities may be allowed in stream buffers if:
 - 1. No practical alternative location is available;
 - 2. The utility corridor meets any additional requirements set forth in administrative rules including, but not limited to, requirements for installation, replacement of vegetation and maintenance;
 - 3. The requirements for sewer utility corridors in WMC 21A.24.320 shall also apply to streams; and
 - 4. Joint use of an approved sewer utility corridor by other utilities may be allowed.
- E. The following surface water management activities and facilities may be allowed in stream buffers as follows:
 - 1. Surface water discharge to a stream from a detention facility, pre-settlement pond or other surface water management activity or facility may be allowed if the discharge is in compliance with the King County Surface Water Design Manual;
 - 2. A class 2 stream or buffer may be used for a retention/detention facility if:
 - a. A public agency and utility exception is granted pursuant to WMC 21A.24.070;
 - b. All requirements of the King County Surface Water Design Manual are met;
 - c. The use will not alter the rating or the factors used in rating the stream;
 - d. There are no significant adverse impacts to the stream; and
 - 3. A class 3 stream or buffer may be used as a retention/detention facility if the alteration will have no lasting adverse impact on any stream and all requirements of the King County Surface Water Design Manual are met;
- F. Except as provided in subsection G, public and private trails may be allowed in stream buffers only upon adoption of administrative rules consistent with the following:
 - 1. The trail surface shall not be made of impervious materials, except that public multi-purpose trails may be made of impervious

materials if they meet all other requirements including water quality; and

2. Buffers shall be expanded, where possible, equal to the width of the trail corridor including disturbed areas;

G. Stream crossings may be allowed if:

1. All crossings use bridges or other construction techniques which do not disturb the stream bed or bank, except that bottomless culverts or other appropriate methods demonstrated to provide fisheries protection may be used for class 2 or 3 streams if the applicant demonstrates that such methods and their implementation will pose no harm to the stream or inhibit migration of fish;
2. All crossings are constructed during the summer low flow and are timed to avoid stream disturbance during periods when use is critical to salmonids;
3. Crossings do not occur over salmonid spawning areas unless the City of Woodinville determines that no other possible crossing site exists;
4. Bridge piers or abutments are not placed within the FEMA floodway or the ordinary high water mark;
5. Crossings do not diminish the flood-carrying capacity of the stream;
6. Underground utility crossings are laterally drilled and located at a depth of four feet below the maximum depth of scour for the base flood predicted by a civil engineer licensed by the State of Washington; and
7. Crossings are minimized and serve multiple purposes and properties whenever possible;

H. Stream relocations may be allowed only for:

1. Class 2 streams as part of a public road project for which a public agency and utility exception is granted pursuant to WMC 21A.24.050; and
2. Class 3 streams for the purpose of enhancing resources in the stream if:
 - a. Appropriate floodplain protection measures are used; and
 - b. The relocation occurs on the site, except that relocation off the site may be allowed if the applicant demonstrates that any on-site relocation is impracticable, the applicant provides all necessary easements and waivers from affected property owners and the off-site location is in the same drainage sub-basin as the original stream;

I. For any relocation allowed by this section, the applicant shall demonstrate, based on information provided by a civil engineer and a qualified biologist, that:

1. The equivalent base flood storage volume and function will be maintained;
2. There will be no adverse impact to local groundwater;
3. There will be no increase in velocity;
4. There will be no increase in transfer of water;

5. There will be no increase in the sediment load;
 6. Requirements set out in the mitigation plan are met;
 7. The relocation conforms to other applicable laws; and
 8. All work will be carried out under the direct supervision of a qualified biologist;
- J. A stream channel may be stabilized if:
1. Movement of the stream channel threatens existing residential or commercial structures, public facilities or improvements, unique natural resources or the only existing access to property; and
 2. The stabilization is done in compliance with the requirements of WMC 21A.24.220 - 21A.24.260 and administrative rules promulgated pursuant to this chapter;
- K. Stream enhancement not associated with any other development proposal may be allowed if accomplished according to a plan for its design, implementation, maintenance and monitoring prepared by a civil engineer and a qualified biologist and carried out under the direct supervision of a qualified biologist pursuant to provisions contained in administrative rules;
- L. A minor stream restoration project for fish habitat enhancement may be allowed if:
1. The restoration is accomplished by a public agency with a mandate to do such work;
 2. The restoration is unassociated with mitigation of a specific development proposal;
 3. The restoration does not cost more than \$25,000;
 4. The restoration is limited to placement of rock weirs, log controls, spawning gravel and other specific salmonid habitat improvements;
 5. The restoration only involves the use of hand labor and light equipment; and
 6. The restoration is performed under the direct supervision of a qualified biologist;
- M. Roadside and agricultural drainage ditches which carry streams with salmonids may be maintained through use of best management practices developed in consultation with relevant city, county, state and federal agencies. These practices shall be adopted as administrative rules; and
- N. Subject to a clearing and grading permit issued by the City of Woodinville, the cutting of up to one cord of firewood may be permitted in buffers of five acres or larger in any year if the overall function of the buffer is not adversely affected. Removal of brush may also be permitted for the purpose of enhancing tree growth if the area of removal is limited to the diameter of the tree canopy at the time of planting.

21A.24.370 Streams: mitigation requirements.

- A. Restoration shall be required when a stream or its buffer is altered in violation of law or without any specific permission or approval by the

City of Woodinville. A mitigation plan for the restoration shall demonstrate that:

1. The stream has been degraded and will not be further degraded by the restoration activity;
 2. The restoration will reliably and demonstrably improve the water quality and fish and wildlife habitat of the stream;
 3. The restoration will have no lasting significant adverse impact on any stream functions; and
 4. The restoration will assist in stabilizing the stream channel.
- B. The following minimum requirements shall be met for the restoration of a stream:
1. All work shall be carried out under the direct supervision of a qualified biologist;
 2. Basin analysis shall be performed to determine hydrologic conditions;
 3. The natural channel dimensions shall be replicated including its depth, width, length and gradient at the original location, and the original horizontal alignment (meander lengths) shall be replaced;
 4. The bottom shall be restored with identical or similar materials;
 5. The bank and buffer configuration shall be restored to its original condition;
 6. The channel, bank and buffer areas shall be replanted with native vegetation which replicates the original vegetation in species, sizes and densities; and
 7. The original biologic functions of the stream shall be recreated.
- C. The requirements in subsection B. may be modified if the applicant demonstrates to the satisfaction of City of Woodinville that a greater biologic function can otherwise be obtained;
- D. Replacement or enhancement shall be required when a stream or buffer is altered pursuant to an approved development proposal. There shall be no net loss of stream functions on a development proposal site and no impact on stream functions above or below the site due to approved alterations.
- E. The requirements which apply to the restoration of streams in subsection B. shall also apply to the relocation of streams, unless the applicant demonstrates to the satisfaction of the City of Woodinville that a greater biologic function can be obtained by modifying these requirements.
- F. Replacement or enhancement for approved stream alterations shall be accomplished in streams and on the site unless the applicant demonstrates to the satisfaction of the City of Woodinville that:
1. Enhancement or replacement on the site is not possible;
 2. The off-site location is in the same drainage sub-basin as the original stream; and
 3. Greater biologic and hydrologic functions will be achieved.

G. Surface water management or flood control alterations shall not be considered enhancement unless other functions are simultaneously improved.

21A.24.380 Sensitive areas mitigation fee - creation of fund. There is hereby created a Sensitive Areas Mitigation Fund. This fund shall be administered by the City of Woodinville.

21A.24.390 Sensitive areas mitigation fee - source of funds. All monies received from penalties resulting from the violation of rules and laws regulating development and activities within sensitive areas shall be deposited into the fund.

21A.24.400 Sensitive areas mitigation fee - use of funds. Monies from the fund shall only be used for paying the cost of enforcing and implementing sensitive area laws and rules.

21A.24.410 Sensitive areas mitigation fee - investment of funds. Monies in the fund not needed for immediate expenditure shall be deposited in a separate investment fund pursuant to RCW 36.29.020. The Planning Director shall be designated as the investment fund manager.

**CHAPTER 21A.26 DEVELOPMENT STANDARDS
COMMUNICATION FACILITIES**

SECTIONS:

- 21A.26.010 Purpose
- 21A.26.020 Exemptions
- 21A.26.030 Applicability
- 21A.26.040 Review process by zone
- 21A.26.050 Setback requirements
- 21A.26.060 Landscaping requirements
- 21A.26.070 Color and lighting standards
- 21A.26.080 Fencing and NIER warning signs
- 21A.26.090 Interference
- 21A.26.100 NIER exposure standards
- 21A.26.110 NIER measurements and calculations
- 21A.26.120 Measurements and monitoring
- 21A.26.130 Shock and burn standard
- 21A.26.140 Modifications
- 21A.26.150 Consolidation
- 21A.26.160 Supplemental application requirements
- 21A.26.170 Notification requirements
- 21A.26.180 NIER compliance criteria
- 21A.26.190 NIER enforcement
- 21A.26.200 Periodic review of NIER standard
- 21A.26.210 State regulation

21A.26.010 Purpose. The purpose of this chapter is to assure greater compatibility between communication facilities and adjacent land uses and to protect the general public from the effects of non-ionizing electromagnetic radiation (NIER), and to provide the communication needs of the regions by:

- A. Establishing design and operating standards for communication facilities;
- B. Limiting exposure to NIER; and
- C. Providing for the modification or consolidation of existing communication facilities.

21A.26.020 Exemptions. The following are exempt from the provisions of this chapter and shall be permitted in all zones:

- A. Industrial processing equipment and scientific or medical equipment using frequencies regulated by the Federal Communications Commission (FCC);
- B. Machines and equipment that are designed and marketed as consumer products, such as microwave ovens and remote control toys;
- C. The storage, shipment or display for sale of transmission equipment;

- D. Radar systems for military and civilian communication and navigation;
- E. Hand-held, mobile, marine and portable radio transmitters and/or receivers;
- F. Two-way radio utilized for temporary or emergency services communications;
- G. Licensed amateur (Ham) radio stations and citizen band stations;
- H. Earth station downlink using satellite dish antennas with a diameter of less than 12 feet and less than ten watts, provided that stations in excess of one dish antennas are subject to conditional use permits;
- I. Receive-only satellite dish antennas as an accessory use;
- J. Two-way radio antennas, point-to-point microwave dishes, and cellular radio antennas which are not located on a transmission structure (lattice towers and monopoles); and
- K. Any maintenance, reconstruction, repair or replacement of a conforming or nonconforming communication facility, transmission equipment, transmission structure or transmitter building; provided, that the transmission equipment does not result in noncompliance with WMC 21A.26.100 and 21A.26.130.
- L. In the event a building permit is required for any emergency maintenance, reconstruction, repair or replacement, filing of the building permit application shall not be required until 30 days after the completion of such emergency activities. In the event a building permit is required for nonemergency maintenance, reconstruction, repair or replacement, filing of the building permit application shall be required prior to the commencement of such nonemergency activities.

21A.26.030 Applicability. The standards and process requirements of this chapter supersede all other review process, setback or landscaping requirements of this title. All communication facilities which are not exempt pursuant to WMC 21A.26.020 shall comply with the provisions of this chapter as follows:

- A. New communication facilities, with the exception of consolidations, shall comply with the provisions of WMC 21A.26.020 through 21A.26.130 and WMC 21A.26.160 through 21A.26.190;
- B. Modified communication facilities, with the exception of consolidations, shall comply with standards as provided in WMC 21A.26.020 through 21A.26.040; WMC 21A.26.060 through 21A.26.140; and WMC 21A.26.160 through 21A.26.190;
- C. Consolidations shall comply with standards as provided in WMC 21A.26.020 through 21A.26.040; WMC 21A.26.060 through 21A.26.130; and WMC 21A.26.150 through 21A.26.190.

21A.26.040 Review process by zone.

- A. Except for cellular radio as regulated pursuant to subsection B, communication facilities shall be permitted and reviewed pursuant to WMC 21A.08.060 and 21A.08.100.

B. Minor communication facilities for the transmission or reception of cellular radio signals shall be permitted and reviewed as follows:

<u>TYPE OF TRANSMISSION STRUCTURE</u>	<u>ZONE</u>	<u>REVIEW PROCESS</u>	<u>SETBACKS³</u>
Poles no more than 100 feet tall	R-4	C ²	Front: 35 feet
	to R-48		Side: 20 feet Rear: 20 feet
	R-1	C	Front: 30 feet
	and RA		Side: 10 feet Rear: 10 feet
Other	P		10 feet ⁴
Zones			

<u>TYPE OF TRANSMISSION STRUCTURE</u>	<u>ZONE</u>	<u>REVIEW PROCESS</u>	<u>SETBACKS³</u>
Poles more than 100 feet tall	R-4	C ²	One-half
	to R-48		for one _s
Lattice towers	R-1	C	Front: 40 feet
	and RA		Side: 30 feet Rear: 30 feet
Other	C		10 feet ⁴
Zones			
	R-4	S ²	One
	to R-48		for one ⁵
	R-1	C	One-half
	and RA		for one
Other	C		20 feet ⁴
Zones			

Key: P - Permitted Use, S - Special Use Permit, C - Conditional Use Permit

FOOTNOTES:

1. The Department may decide whether a pole no more than 100 feet tall will be wood or steel based on a determination of which material would be more appropriate at the proposed location;
2. The following special procedures and conditions shall apply to the review and issuance of permits:
 - a. The applicant shall demonstrate that the proposed facility complies with all applicable laws and that it requires placement at a particular location to meet the needs of the cellular telephone system;
 - b. The applicant shall arrange a public meeting with owners of the property near the proposed facility for the purpose of providing information and receiving comments about the proposed facility;
 - c. The applicant shall provide notice of the public meeting announcing time, date, location and purpose of the public meeting; and
 - d. A Department representative shall attend the public meeting;
3. The setback requirements apply to the transmission pole or tower and transmission equipment placed on the pole or tower. The City may reduce the setback where the applicant demonstrates that the facility will be adequately screened from public view;
4. Transmission structures shall be set back an additional 20 feet from any property line abutting any R or RA zoned properties; and
5. "One-half for one" and "one for one" means the transmission structure shall be set back from the property lines one-half foot or one foot, respectively, for every foot of pole or tower height.

- 21A.26.050 Setback requirements.** Except as outlined for modifications and consolidations pursuant to WMC 21A.26.140 and 21A.26.150, or when setbacks are increased to ensure compliance with NIER exposure limits, communication facilities shall comply with the following setbacks:
- A. Transmission structures, which do not exceed the height limit of the zone in which they are located, shall be set back from the property line as required for other structures by the zone in which such transmission structure is located;
 - B. Transmission structures, which exceed the height limit of the zone in which they are located, shall be set back from property lines either a minimum of 50 feet or one foot for every foot in height, whichever results in the greater setback, except:
 1. Transmission structures shall be set back from the property line as required by the zone in which they are located; and
 2. Transmission structures for the transmission or reception of cellular radio signals shall be set back from the property line as provided in WMC 21A.26.040.B.;
 - C. When two or more communication facilities share a common boundary, the setback from such boundary shall comply with the requirements of the zone in which the facilities are located, unless easements are provided:

1. On the adjoining sites which limit development to communication facilities;
 2. Of sufficient depth to provide the setbacks required in subsections A and B; and
 3. Which provide for the City of Woodinville as a third party signatory to the agreement; and
- D. Transmitter buildings shall be subject to the setback requirements of the zone in which they are located.

21A.26.060 Landscaping requirements. A communication facility site shall provide landscaping as follows:

- A. When the facility is located in:
 1. The B, O, or I zone, the base of any transmission structure or transmitter building shall be landscaped with eight feet of Type II landscaping as defined by WMC 21A.16.040.B, if there is no existing landscaping consistent with WMC 21A.16 along the lot line abutting R or RA zoned properties.
 2. The A or M zone, the base of the transmission structure or transmitter building shall be landscaped with ten feet of Type III landscaping (groundcover may be excluded) as defined by WMC 21A.16.040.C, if the base of such transmission structure or transmitter building is within 300 feet of any lot line abutting R or RA zoned properties.
 3. The R or RA zone, the base of any transmission structure or transmitter building shall be landscaped with ten feet of Type I landscaping as defined by WMC 21A.16.040.A.
- B. When a security fence is used to prevent access onto a transmission structure or transmitter building, any landscaping required pursuant to WMC 21A.26.060.A shall be placed outward of such security fence.
- C. When a security fence is used:
 1. In the B, O, or I zone, wood slats shall be woven into the security fence if made of chain-link material.
 2. In the R or RA zone, climbing evergreen shrubs or vines capable of growing on the fence shall supplement any landscaping required pursuant to WMC 21A.26.060.A.
- D. Landscaping shall be planted according to accepted practice in good soil and maintained in good condition at all times. Landscaping shall be planted as a yard improvement at or before the time of completion of the first structure or within a reasonable time thereafter, considering weather and planting conditions.
- E. Existing vegetation may be used and/or supplemented with additional vegetation to comply with the requirements of WMC 21A.26.060.A.

21A.26.070 Color and lighting standards. Except as specifically required by the Federal Aviation Administration ("FAA") or the FCC, transmission structures shall:

- A. Use colors such as grey, blue or green which reduce their visual impacts; provided, wooden poles do not have to be painted; and
- B. Not be illuminated, except transmitter buildings may use lighting for security reasons which is compatible with the surrounding neighborhood.

21A.26.080 Fencing and NIER warning signs. Communication facility sites shall be:

- A. Fenced in a manner which prevents access by the public to transmission structures and/or areas of the site where NIER or shock/burn levels are exceeded. This may be modified if natural features, such as an adjoining waterway, or a topographic feature preclude access;
- B. Signed to warn the public of areas of the site where:
 1. NIER standards are exceeded; and
 2. Potential risks for shocks or burns are present.

21A.26.090 Interference. Permit applications for communication facilities shall include:

- A. A statement describing the nature and extent of interference which may be caused by the proposed communication facility and the applicant's responsibilities under FCC rules and regulations;
- B. Unless the Department determines that there will be no noticeable interference from the proposed communication facility, notification of expected interference shall be provided as specified in WMC 21A.26.170; and
- C. General information concerning the causes of interference and steps which can be taken to reduce or eliminate it.

21A.26.100 NIER exposure standards. To prevent whole-body energy absorption of .08 W/Kg or more, a communication facility, by itself or in combination with others, shall not expose the public to NIER that exceeds the electric or magnetic field strength, or the power density, for the frequency ranges and durations described as follows:

NIER Exposure Standards* (1)

Frequency (2)	Mean squared electric field strength (3)	Mean squared magnetic field strength (4)	Equivalent plane-wave power density (5)
0.1 to 3	80,000	0.5	20,000
3 to 30	4,000 x (180/f ²)	0.025 x (180/f ²)	180,000/f ²
30 to 300	800	0.005	200
300 to 1,500	4,000 x (f/1,500)	0.025 x (f/1,500)	f/1.5
1,500 to 300,000	4,000	0.025	1,0000

- (1) All standards refer to root mean squared measurements averaged over a six minute period;
- (2) Frequency or f is measured in megahertz (MHz);
- (3) Electric field strength is expressed in volts squared per meter squared (V^2/m^2);
- (4) Magnetic field strength is expressed in amperes squared per meter squared (A^2/m^2); and
- (5) Power density is expressed in microvolts per centimeter squared ($\mu W/cm^2$).
- (6) Peak NIER levels shall not exceed the following equivalent plane-wave power densities:
 - a. Twenty times the average values in the frequencies below 300 MHz;
 - b. 4,000 $\mu W/cm^2$ in the frequencies between 300 Mhz and six gigahertz (GHz);
 - c. $(f/1.5)\mu W/cm^2$ in the frequencies between six GHz and 30 GHz; and
 - d. 20,000 $\mu W/cm^2$ in the frequencies above 30 GHz.

21A.26.110 NIER measurements and calculations. NIER levels shall be measured and calculated as follows:

- A. When measuring NIER for compliance with WMC 21A.26.100:
 1. Measuring equipment used shall be generally recognized by the Environmental Protection Agency (EPA), National Council on Radiation Protection and Measurement (NCRPM), American National Standards Institute (ANSI), or National Bureau of Standards (NBS) as suitable for measuring NIER at frequencies and power levels of the proposed and existing sources of NIER;
 2. Measurement equipment shall be calibrated as recommended by the manufacturer in accordance with methods used by the NBS and ANSI, whichever has the most current standard;
 3. The effect of contributing individual sources of NIER within the frequency range of a broadband measuring instrument may be specified by separate measurement of these sources using a narrowband measuring instrument;
 4. NIER measurements shall be taken when and where NIER levels are expected to be highest due to operating or environmental conditions;
 5. NIER measurements shall be taken along the perimeter of the communication facility site and other areas on-site or off-site where the County department of public health deems necessary to take measurements; and
 6. NIER measurements shall be taken following spatial averaging procedures generally recognized and used by experts in the field of RF measurement or other procedures recognized by the FCC, EPA, NCRPM, ANSI, NBS;
- B. NIER calculations shall be consistent with the FCC, Office of Science and Technology (OST) bulletin 65 or other engineering practices

recognized by the EPA, NCRPM, ANSI, NBS or similarly qualified organization; and

- C. Measurements and calculations shall be certified by a licensed professional engineer and shall be accompanied by an explanation of the protocol, methods, equipment, and assumptions used.

21A.26.120 Measurements and monitoring.

- A. The County department of public health shall measure or contract for measurement of NIER levels as necessary to insure that the NIER standard is not being exceeded.
- B. If the NIER level of an existing major communication facility has not been measured within 3 years of the effective date of this title, such facility shall be measured within 120 days from the effective date of this title and every third year thereafter. The measurements shall be submitted to the department of public health for review within 60 days of measurement. The department of public health shall be reimbursed for its review of the measurements pursuant to this section.
- C. New major communication facilities shall be measured within 120 days from the commencement of the operation and every third year thereafter. The department of public health shall be reimbursed for its review of the measurements pursuant to this section.
- D. The department of public health shall have the authority to assess fees for the cost of plan review. The fee shall be based upon the time required by staff, including overhead cost, for plan review.

21A.26.130 Shock and burn standard. The communication facility shall not emit radiation such that the public will be exposed to shock and burn in excess of the standards contained in ANSI C-95.1 or subsequent amendments thereto by a qualified organization recognized by ANSI.

21A.26.140 Modifications.

- A. Cumulative modifications of conforming or nonconforming communication facilities, transmission structures or transmission equipment which do not increase the overall height of the transmission structure or transmission equipment by more than 30 percent shall be allowed provided:
 - 1. A nonconformance with respect to the transmission structure shall not be created or increased, except as otherwise provided above as to height;
 - 2. Existing perimeter vegetation or landscaping shall not be reduced; and
 - 3. The modification results in compliance with WMC 21A.26.100 and 21A.26.130. The applicant shall provide the City of Woodinville a detailed certification of compliance with these provisions which has been prepared by a licensed professional engineer.
- B. Except for consolidations allowed by WMC 21A.26.150, modifications which increase the overall height of the transmission structure or

transmission equipment by more than 30 percent shall be subject to the following provisions:

1. Applications for such transmission structures shall be reviewed pursuant to the applicable process specified in WMC 21A.26.040; and
2. Such transmission structures shall comply with the provisions of WMC 21A.26.020 through 21A.26.040; WMC 21A.26.060 through 21A.26.140; and WMC 21A.26.160 through 21A.26.190.

21A.26.150 Consolidation. Consolidation of two or more existing transmission structures may be permitted subject to the following:

- A. If the consolidated transmission structure cannot meet the requirements of WMC 21A.26.050, it shall be located on the portion of the parcel on which it is situated which, giving consideration to the following, provide the optimum practical setback from adjacent properties:
 1. Topography and dimensions of the site,
 2. (in the case of a consolidation) To any existing structures to be retained, and
 3. (in the case of a guyed transmission tower) To guy anchor placement necessary to assure structural integrity of the consolidated transmission tower.
- B. Consolidated transmission structures shall be set back from abutting residential property a minimum of ten percent of the height of the consolidated transmission structure, but in all cases no less than 100 feet;
- C. If a consolidation involves the removal of transmission structures from two or more different sites and if a consolidated transmission structure is to be erected on one of those sites, it shall be erected on the site which provides for the greatest compliance with the standards of this chapter;
- D. All existing transmission equipment on the site of a communication facility which does not comply with the provisions of this chapter shall be relocated to the consolidated transmission structure before the relocation of transmission equipment from a non-exempt off-site, conforming communication facility is permitted;
- E. The consolidation shall eliminate NIER and electrical current levels attributable to the consolidating transmission equipment which exceed the limits of WMC 21A.26.100 and 21A.26.130;
- F. Any transmission structure to be removed as part of a consolidation shall be removed within 12 months of relocation of the transmitting equipment;
- G. Consolidation shall result in a net reduction in the number of transmission structures; and
- H. Consolidated facilities shall require a conditional use permit.

21A.26.160 Supplemental application requirements.

- A. In addition to any required site plan, a permit application for any communication facility shall also include:
 - 1. A site plan which shows existing and proposed transmission structures; guy wire anchors; warning signs; fencing and access restrictions;
 - 2. A report by a licensed professional engineer demonstrating compliance with applicable structural standards of the UBC, and describing the general structural capacity of any proposed transmission structure(s), including:
 - a. The number and type of antennas that can be accommodated; and
 - b. The basis for the calculation of capacity;
 - 3. A report by a state licensed professional engineer that includes the following:
 - a. A description of any proposed transmission tower(s) or structure(s), including height above grade, materials, color and lighting; and
 - b. Information related to interference required by WMC 21A.26.090.
- B. Where a permit for a non-exempt communication facility is required, the application shall also include the following information:
 - 1. The name and address of the operator(s) of proposed and existing antennas on the site;
 - 2. The height of any proposed antennas;
 - 3. Manufacture, type, and model of such antennas;
 - 4. Frequency, modulation and class or service;
 - 5. Transmission and maximum effective radiated power;
 - 6. Direction of maximum lobes and associated radiation;
 - 7. The calculated NIER levels attributable to the proposed antennas at points along the property line and other areas off-site which are higher than the property line points, as well as calculated power density (NIER levels) in areas that are expected to be unfenced on-site;
 - 8. For a major communication facility, if there is another major communication facility within one mile of the site of the proposed facility, the level of NIER at the points identified in subsection B.7. as measured within 30 days prior to application; and
 - 9. For a minor communication facility, if there is an existing major communication facility within one-half mile of the site of the proposed facility, the level of NIER at the points identified in subsection B.7. as measured within 30 days prior to the application.

21A.26.170 Notification requirements. Notification of a permit application shall be given to adjacent property owners within a 500 foot radius. The area within which mailed notice is required shall be expanded to include at

least 20 different owners in rural or lightly inhabited areas or in other appropriate cases to the extent the Planning Director determines is necessary. The standards of published notice and posting of property required by WMC 21A.42 shall be pursuant to WMC 21A.40.

21A.26.180 NIER compliance criteria. The County department of public health shall consider the following criteria in determining compliance with WMC 21A.26.100:

- A. The number and location of points at which levels have been determined to exceed NIER standards;
- B. The duration of exposure to NIER levels above the standard;
- C. The extent by which the levels measured at such points exceed the standards established by this chapter; and
- D. The relative contribution of individual sources in a multiple source environment.

21A.26.190 NIER enforcement.

- A. The County department of public health shall be responsible for the enforcement of the provisions of WMC 21A.26.100 in accordance with KCC 23. The department director shall allow no more than 10 days to elapse from the date of a violation before corrective action is commenced. If this deadline cannot be met, the director shall issue a stop work order.
- B. If the approved NIER standard is exceeded in an area where there are multiple users and transmission equipment, all users shall share in the NIER reductions, scaled proportionally to their current discharges.

21A.26.200 Periodic review of NIER standard. The County department of public health shall review the City approved NIER standard every three years and report to the City on whether it should be changed.

21A.26.210 State regulation.

- A. If state regulations establish a NIER exposure standard which is more restrictive than the City standard, the state standard shall automatically become effective.
- B. If such state standards are intended to preempt local enforcement with respect to specific sections of this chapter, said sections shall automatically be deemed ineffective.
- C. Application of the provisions of this chapter shall be subject to any rule, regulation, order or decision of any state or federal court or government agency with which such communication facility is obligated to comply.

**CHAPTER 21A.28 DEVELOPMENT STANDARDS - ADEQUACY OF PUBLIC
FACILITIES AND SERVICES**

SECTIONS:

- 21A.28.010 Purpose
- 21A.28.020 General requirements
- 21A.28.030 Adequate sewage disposal
- 21A.28.040 Adequate water supply
- 21A.28.050 Surface water management
- 21A.28.060 Adequate roads
- 21A.28.070 Adequate roads - Road Capacity level of service ("LOS") Standard
- 21A.28.080 Adequate roads - Applicability of Capacity Standard
- 21A.28.090 Adequate roads - General conditions
- 21A.28.100 Adequate roads - Special conditions
- 21A.28.110 Exceptions
- 21A.28.120 Adequate vehicular access
- 21A.28.130 Adequate fire protection
- 21A.28.140 Concurrence- applicability and relationship with fees
- 21A.28.150 Findings, recommendations, and decisions regarding school capacities.
- 21A.28.160 School Concurrence standard.
- 21A.28.170 Interim Period.
- 21A.28.180 Credit for improvements.

21A.28.010 Purpose. The purpose of this chapter is to ensure that public facilities and services necessary to support development are adequate or will be provided in a timely manner consistent with the Public Facilities and Services planning goal of the Washington State Growth Management Act of 1990 by:

- A. Specifying the on-site and off-site facilities and services that must be in place or otherwise assured of timely provision prior to development;
- B. Allocating the cost of those facilities and services fairly; and
- C. Providing a general framework for relating development standards and other requirements of this code to:
 - 1. Adopted service level standards for public facilities and services;
 - 2. Procedural requirements for phasing development projects to ensure that services are provided as development occurs; and
 - 3. The review of development permit applications.

21A.28.020 General Requirements.

- A. All new development proposals including any use, activity, or structure allowed by WMC 21A.08 that requires the City of Woodinville approval shall be adequately served by the following facilities and services prior to the time of occupancy, plat recording, or other land use approval, as further specified in this chapter:
 - 1. Sewage disposal;

2. Water supply;
3. Surface water management;
4. Roads and access;
5. Fire protection service; and
6. Schools.

B. Regardless of the number of sequential permits required, the provisions of this chapter shall be applied only once to any single development proposal. If changes and modifications result in impacts not considered when the proposal was first approved, the City shall consider the revised proposal as a new development proposal.

21A.28.030 Adequate sewage disposal. All new development shall be served by an adequate public or private sewage disposal system, including both collection and treatment facilities as follows:

A. A public sewage disposal system is adequate for a development proposal provided that:

1. For the issuance of a building permit, preliminary plat approval or other land use approval the site of the proposed development is served by an existing disposal system consistent with the City-approved Comprehensive Sewer Plan, and the disposal system has been approved by the City as being consistent with applicable state and local design and operating guidelines;
2. For the issuance of a certificate of occupancy for a building or change of use permit, the approved public sewage disposal system as set forth in subsection A.1 of this section is installed to serve each building or lot;
3. For recording a final plat, final short plat or binding site plan the approved public sewage disposal system set forth in subsection A.1 of this section shall be installed to serve each lot respectively; or a bond or similar security shall be deposited with the City for the future installation of an adequate sewage disposal system. The bond may be assigned to a purveyor to assure the construction of such facilities within two years of recording; and
4. For a zone reclassification, the timing of installation of required sewerage improvements shall be contained in the approving ordinance as specified in WMC 20.24.230; and

B. A private individual sewage system is adequate, if an on-site sewage disposal system for each individual building or lot is installed to meet the requirements and standards of the County department of public health as to lot size, soils, and system design prior to issuance of a certificate of occupancy for a building or change of use permit.

21A.28.040 Adequate water supply. All new development shall be served by an adequate public or private water supply system as follows:

A. A public water system is adequate for a development proposal provided that:

- B. No improvements to county roads shall be required unless the county requests such improvements and an interlocal agreement is adopted by county and city ordinances. An application of different standards than set forth in WMC 21A.28.070 may be allowed within the City limits or the city's planning area, outside the city, through an interlocal agreement if such standards are agreed upon through an interlocal agreement and have been adopted as an official control by City and county ordinance; and
- C. The standard established in WMC 21A.28.070 shall be applied to a project unless a different standard as provided in subsection B has been adopted prior to the project date, or in the case of plats, it has been adopted prior to the preliminary plat approval date.

21A.28.090 Adequate roads - General conditions.

- A. A development proposal which will have a direct traffic impact on a roadway or intersection which results in a calculated LOS F shall not be approved unless:
 1. The non-project LOS is D or better and the applicant agrees to fund improvements needed to attain LOS D or better;
 2. The non-project LOS is E or F and the applicant agrees to fund improvements to LOS E or better;
 3. The applicant achieves LOS E by phasing the project or using Transportation Demand Management ("TDM") techniques to reduce the number of peak hour trips generated by the project;
 4. The City of Woodinville has established a date for final approval of subdivisions to become effective corresponding with the anticipated date of award of a construction contract for city, county, or state improvements needed to provide LOS D or better, or when the calculated non-project LOS is E or F, to provide LOS E or better; provided such effective approval date may be established only when the anticipated date of award of construction contract is within twelve months of final approval; or
 5. The roadway or intersection has already been improved to its ultimate roadway section and the applicant agrees to use TDM incentives and/or phase the development proposal as determined by the City of Woodinville.
- B. Developments proposed which will have a direct impact on City traffic facilities or designated areas pursuant to WMC 21A.28.080 may attain the LOS specified in the adopted interlocal agreements rather than meeting WMC 21A.28.070.

21A.28.100 Adequate roads - Special conditions. The conditions set forth in WMC 21A.28.070 shall be considered fulfilled for all developments proposed, except building permits, if the following conditions are met:

- A. Intersection improvements need only attain LOS E or better;
- B. A construction contract is scheduled to be awarded within twelve months; and

21A.28.050 Surface water management. All new development shall be served by an adequate surface water management system as follows:

- A. The proposed system is adequate if the development proposal site is served by a surface water management system approved by the Department as being consistent with the design, operating and procedural requirements of the King County Surface Water Design Manual and the City;
- B. For a subdivision or zone reclassification, the phased installation of required surface water management improvements shall be stated in the approving ordinance. Such phasing may require that a bond or similar security be deposited with the City of Woodinville; and
- C. A variance request from the requirements of the King County Surface Water Design Manual shall be reviewed as set forth in WMC 21A.42.100 and does not require a variance from this title unless relief is requested from a building height, setback, landscaping or other development standard set forth in WMC 21A.12 through WMC 21A.38.

21A.28.060 Adequate roads.

- A. All new development shall be served by adequate roads. Roads are adequate if the development's traffic impacts on surrounding public roads are acceptable under the level-of-service standards as stated in WMC 21A.28.070 and the compliance procedures established in WMC 21A.28.080 and WMC 21A.28.090.
- B. The renewal of permits or the issuance of a new permit for existing uses constitutes a new development proposal only if it will generate additional traffic above that currently generated by the use.
- C. A variance request from the road cross-section or construction standards established by the WMC shall be reviewed as set forth in WMC 21A.42.100 and does not require a variance from this title unless relief is requested from a building height, setback, landscaping or other development standard set forth in WMC 21A.12 through WMC 21A.38.

21A.28.070 Adequate roads - Road Capacity Level of Service ("LOS") Standard.

- A. A calculated LOS D or better shall be considered desirable.
- B. A calculated LOS E shall be considered adequate.
- C. A calculated LOS F shall be considered inadequate.

21A.28.080 Adequate Roads - Applicability of Capacity Standard. The road adequacy standards as stated in WMC 21A.28.070 shall apply to all public city, county, or state roads, other than freeways, provided that:

- A. No improvements to state roads shall be required unless the state requests such improvements and there is an agreement between the state, city and applicant;

1. For the issuance of a building permit, preliminary plat approval or other land use approval, the applicant must demonstrate that the existing water supply system serving the site:
 - a. Complies with the applicable planning, operating and design requirements of the State; the County; Coordinated Water system plans; and other applicable provisions of the rules and regulations of the City; and any limitation or condition imposed by the City-approved comprehensive plan of the water purveyor; and
 - b. The proposed improvements to an existing water system have been reviewed by the City and determined to comply with the design standards and conditions specified in paragraph a of this subsection; or
 - c. A proposed new water supply system has been reviewed by the City and determined to comply with the design standards and conditions specified in paragraph a of this subsection;
 2. Prior to issuance of a certificate of occupancy for a building or change of use permit, the approved public water system and any system improvements set forth in subsection A. 1 of this section shall be installed to serve each building or lot respectively;
 3. For recording a final plat, final short plat or binding site plan, either the approved public water supply system or system improvements set forth in subsection A.1 of this section shall be installed to serve each lot or a bond or similar security shall be deposited with the City and may be assigned to a purveyor to assure the construction of required water facilities in Group A systems as defined by board of health regulations, within two years of recording; and
 4. For a zone reclassification, the timing of installation of required water system improvements shall be included in the approving ordinance.
- B. An on-site, individual water system is adequate and the plat or short plat may receive preliminary and final approval if:
1. The buildings or lots to be served are located outside of an approved water purveyor service area; or
 2. The water purveyor has indicated that service cannot be provided in compliance with the purveyor's approved comprehensive plan; and
 3. The County department of public health has approved the proposed method of water supply in accordance with the applicable rules and regulations and this section. The applicant shall provide appropriate information to demonstrate to the City and the County department of public health that a private individual water system will be adequate. The Seattle-King County department of public health may require installation of private individual water systems prior to final approval of a plat or short plat where information is insufficient to show an adequate water supply can be made available.

- C. Complete funding for the necessary improvements is assured by the city, county, state, developer, or any combination thereof.

21A.28.110 Exceptions.

- A. Exceptions from the standards of WMC 21A.28.060 - .070 may be granted only when extraordinary circumstances make compliance with the standards infeasible or when a traffic impact fee is proposed.
- B. For those developments proposed where the Hearing Examiner makes a recommendation to the City Council, the record must reflect the basis for the exception, and the approving ordinance must grant the exception in order for it to be effective. The ordinance approving the proposal shall be determinative and conclusive as to the proposal's compliance with this chapter.
- C. For developments proposed for which the Hearing Examiner decision is final, the decision of the Hearing Examiner shall be determinative and conclusive as to the proposal's compliance with this chapter.
- D. For permits which are administrative and ministerial for which no appeal is normally available, the issue of the application of the standards in this chapter to a development proposed may be appealed to the Hearing Examiner for a final decision. Such an appeal together with appeal arguments shall be filed with the City within 10 days of the Planning and Community Development Department's decision.

21A.28.120 Adequate vehicular access. All new development shall be served by adequate vehicular access as follows:

- A. The property upon which the development proposed is to be located has direct access to:
 - 1. A public or private street, other than a half-street, that meets City street standards or is formally declared acceptable by the City; or
 - 2. The property has access to such a street over a private driveway approved by the City;
- B. The proposed circulation system of a proposed subdivision, short subdivision or binding site plan shall intersect with existing and anticipated streets abutting the site at safe and convenient locations, as determined by the City; and
- C. Every lot upon which one or more buildings is proposed to be erected or traffic generating use is proposed to be established, shall establish safe access as follows:
 - 1. Safe passage from the street right-of-way to building entrances for transit patrons and other pedestrians, in accordance with the design standards set forth in WMC 21A.18;
 - 2. Direct access from the street right-of-way, fire lane or a parking space to any part of the property as needed to provide public services in accordance with adopted standards (e.g. fire protection, emergency medical service, mail delivery or trash collection); and

3. Direct access from the street right-of-way, driveway, alley or other means of ingress/egress approved by the City of Woodinville, to all required off-street parking spaces on the premises.

21A.28.130 Adequate fire protection. All new development shall be served by adequate fire protection as set forth below:

- A. The site of the development proposed is served by a water supply system that provides at least minimum fire flow and a road system or fire lane system that provides life safety/rescue access, and other fire protection requirements for buildings as required by the Uniform Fire Code and Uniform Building Code as adopted by the City;
- B. For a zone reclassification, the timing of installation of required fire protection improvements shall be stated in the approving ordinance, secured with a bond or similar security, and deposited with the City of Woodinville; and
- C. A variance request from the requirements established by the Uniform Fire Code, shall be reviewed and does not require a variance from this Title unless relief is requested from a building height, setback, landscaping or other development standard set forth in WMC 21A.12 through WMC 21A.38.

21A.28.140 Concurrence - Applicability and Relationship with Fees.

- A. The concurrence standard set out in Section 21A.28.160 shall apply to applications for preliminary plat which would result in the creation of new residential building lots or mobile home parks or the construction of new dwelling units, requests for multifamily zoning, and building permits for multifamily housing projects which have not been previously evaluated for compliance with the concurrence standard.
- B. The City's finding of concurrence shall be made at the time of preliminary plat approval, at the time that a request to actualize potential multifamily zoning is approved, or prior to building permit issuance for multifamily housing projects which have not been previously established for compliance with the concurrence standard. Once such a finding has been made, the development shall be considered as vested for purposes of the concurrence determination.
- C. Excluded from the application of the concurrence standard are building permits for individual single family dwellings, any form of housing exclusively for the elderly, including nursing homes and retirement centers. Also excluded from the application of the concurrence standard are shelters for temporary placement, relocation facilities and transitional housing facilities. Replacement reconstruction or remodeling of existing dwelling units is not subject to the provisions of this chapter.
- D. Also excluded from the application of the concurrence standard set out in this chapter are short subdivisions.

- E. All of the development activities which are excluded from the application of the concurrence standard are subject to school impact fees.
- F. The assessment and payment of impact fees are governed by and shall be subject to the provisions in the WMC addressing school impact fees.
- G. A certification of concurrence for a school district shall not preclude the City from collecting impact fees for the district. Impact fees may be assessed and collected as long as the fees are used to fund capital and system improvements needed to serve the new development, and as long as the use of such fees is consistent with the requirements of Chapter 82.02 RCW and this chapter. Pursuant to Chapter 82.02 RCW, impact fees may also be used to recoup capital and system improvement costs previously incurred by a school district to the extent that new growth and development will be served by the previously constructed improvements or incurred costs.

21A.28.150 Findings, recommendations, and decisions regarding school capacities.

- A. The Planning Director and/or the Hearing Examiner, in the course of reviewing proposals for residential development including applications for plats or multi-family zoning, and multifamily building permits, shall consider the school district's capital facilities plan as adopted by the City Council.
- B. Documentation which the district is required to submit pursuant to King County Code (KCC) Section 21A.61.060 shall be incorporated into the record in every case without requiring the district to offer such plans and data into the record. The school district is also authorized to present testimony and documents demonstrating a lack of concurrence in the district and the inability of the district to accommodate the students to be generated by a specific development.
- C. Based upon a finding that the impacts generated by the plat or the multi-family development were generally not anticipated at the time of the last City Council review and approval of a school district capital plan and were not included in the district's long-range forecast, the Planning Director may require or recommend phasing or provision of the needed facilities and/or sites as appropriate to address the deficiency or deny or condition approval, consistent with the provisions of this chapter, the State Subdivision Act, and the State Environmental Policy Act.
- D. Determinations of the Hearing Examiner or Planning Director regarding concurrence can be appealed only pursuant to the provisions for appeal of the development permit process for which the determination has been made. Where no other administrative appeal process is available, an appeal may be taken to the Hearing Examiner using the appeal procedures for variances. Any errors in the formula identified as a result of an appeal should be referred to the City Council for possible modifications.

- E. Where the City Council has not adopted an impact fee ordinance for a particular school district, the language of this section shall not affect the authority or duties of the Hearing Examiner or the Planning Director pursuant to the State Environmental Policy Act or the State Subdivision Act.

21A.28.160 School concurrence standard.

- A. Schools shall be considered to have been provided concurrently with the development which will impact the schools if:
 - 1. The permanent and interim school improvements necessary to serve the development are planned to be in place at the time the impacts of development are expected to occur; or
 - 2. The necessary financial commitments are in place to assure the completion of the needed improvements to meet the district's standard of service within 3 years of the time that the impacts of development are expected to occur. Necessary improvements are those facilities identified by the district in its capital facilities plan.
- B. Any combination of the following shall constitute the "necessary financial commitments" for the purposes of subsection A.
 - 1. The district has received voter approval of and/or has bonding authority;
 - 2. The district has received approval for federal, state, or other funds;
 - 3. The district has received a secured commitment from a developer that the developer will construct the needed permanent school facility, and the school district has found such facility to be acceptable and consistent with its capital facilities plan; and/or
 - 4. The district has other assured funding, including but not limited to school impact fees which have been paid.
- C. Compliance with this concurrence requirement of this section shall be sufficient to satisfy the provisions of RCW 58.17.060 and RCW 58.17.110.

21A.28.170 Interim Period.

- A. During the interim period prior to the School Capacity Technical Review Committee completing its review of a district's plans and the City incorporating the plan into the City's Comprehensive Plan, the district shall submit the following materials to the Hearing Examiner and Planning Director:
 - 1. A copy of the Inventory of Permanent School Facilities prepared by the Superintendent of Public Instruction which identifies the number of classrooms at each of the schools by grade span and by type of student;
 - 2. Documentation of the number of other classrooms available in the district which the district believes will best serve its student population; and
 - 3. Based on the information in subsections 1. and 2., a resolution of the school board adopting an interim estimate of the district's

overall capacity over the next six (6) years, which shall be a function of the district's standard of service, by the number of students which can be housed in district facilities.

- B. Until such time as the committee is able to conduct the review required by KCC Section 21A.61.065, the Hearing Examiner and the Planning Director shall be guided by the interim capacity submitted by the district and adopted by the school board in making finds of concurrence.
- C. In the event that the Hearing Examiner or the Planning Director finds that the district's interim capacity is unreasonable based on the standards identified in KCC Section 21A.61.065, the Hearing Examiner or the Planning Director shall request the City Council to review the interim capacity consistent with the requirements of KCC Section 21A.61.070 or KCC Title 20.
- D. Determinations of the Hearing Examiner or Planning Director may be appealed to the City Council pursuant to the provisions for appeal of the underlying permit process.

21A.28.180 Credit for Improvements. Whenever a development is granted approval subject to a condition that the development proponent actually provide a school facility acceptable to the district, the development proponent shall be entitled to a credit for the actual cost of providing the facility, against the fee that would be chargeable under the formula provided by City of Woodinville ordinance. The cost of construction shall be estimated at the time of approval, but must be documented and the documentation confirmed after the construction is completed to assure that an accurate credit amount is provided. If construction costs are less than the calculated fee amount, the difference remaining shall be chargeable as a school impact fee.

**CHAPTER 21A.30 DEVELOPMENT STANDARDS
ANIMALS, HOME OCCUPATION, HOME INDUSTRY**

SECTIONS:

- 21A.30.010 Purpose**
- 21A.30.020 Animal regulations-small animals**
- 21A.30.030 Animal regulations-livestock - purpose**
- 21A.30.032 Animal regulations-livestock densities**
- 21A.30.033 Farm management plan**
- 21A.30.035 Animal regulations-livestock - management standards**
- 21A.30.037 Existing livestock operations**
- 21A.30.040 Home occupation**
- 21A.30.050 Home industry**

21A.30.010 Purpose. The purpose of this chapter is to enhance and preserve the compatibility between neighboring properties by regulating the scope and intensity of accessory uses or activities.

21A.30.020 Animal regulations-small animals. The raising, keeping, breeding or fee boarding of small animals are subject to King County Code (KCC) 11.04, Animal Control Regulations, and the following requirements:

- A. Small animals which are kept indoors as household pets in aquariums, terrariums, cages or similar containers shall not be limited in number, except as may be provided in KCC Title 11.
- B. Other small animals kept outside, including adult cats and dogs, shall be limited to a maximum of 20, unless more are allowed as an accessory use pursuant to paragraph E, provided that not more than three of such cats or dogs are unaltered, or as authorized for a hobby kennel or cattery or commercial kennel or cattery pursuant to KCC 11.04 Animal Control Regulations.
- C. Excluding kennels and catteries, the total number of unaltered adult cats and dogs per household shall not exceed three, whether those animals are kept in a dwelling or outside.
- D. Animals considered to be household pets shall be treated as other small animals pursuant to WMC 21A.30.020E when they are kept for commercial breeding, boarding or training;
- E. Small animals and household pets kept as an accessory use outside the dwelling, shall be raised, kept or bred only as an accessory use on the premises of the owner or in a kennel or cattery approved through the conditional use permit process, subject to the following limitations:
 - 1. Birds shall be kept in an aviary or loft that meets the following standards:
 - a. The aviary or loft shall provide 1/2 square foot for each parakeet, canary or similarly sized birds, 1 square foot for each

- pigeon, small parrot or similarly sized bird, and 2 square feet for each large parrot, macaw or similarly sized bird.
- b. Aviaries or lofts shall not exceed 2000 square feet, provided this limit shall not apply in rural or agricultural zones,
 - c. The aviary is set back at least 10 feet from any property line, and 20 feet from any dwelling unit.
2. Small animals other than birds shall be kept according to the following standards
- a. The minimum site area shall be one-half acre if more than 3 small animals are being kept;
 - b. All animals shall be confined within a building, pen, aviary or similar structure;
 - c. Any covered structure used to house or contain such animals shall maintain a distance of not less than 35 feet to any property line, except structures used to house mink and fox shall be a distance of not less than 150 feet;
 - d. Poultry, chicken, squab and rabbits are limited to a maximum of one animal per one square foot of structure used to house such animals, up to a maximum of 2000 square feet; provided that this maximum structure size limit shall not apply in rural or agricultural zones;
 - e. Hamsters, nutria and chinchilla are limited to a maximum of one animal per square foot of structure used to house such animals, up to a maximum of 2000 square feet; provided that this maximum structure size limit shall not apply in rural or agricultural zones;
 - f. Mink and fox are permitted only on sites having a minimum area of five acres;
 - g. Beekeeping is limited as follows:
 - i. Beehives are limited to 50 on sites less than five acres;
 - ii. The number of beehives shall not be limited on sites of five acres or greater;
 - iii. Colonies shall be maintained in movable-frame hives at all times;
 - iv. Adequate space shall be provided in each hive to prevent overcrowding and swarming;
 - v. Colonies shall be requeened following any swarming or aggressive behavior;
 - vi. All colonies shall be registered with the County Extension agent prior to April 1st of each year, on a state registration form acceptable to the county; and
 - vii. Abandoned colonies, diseased bees, or bees living in trees, buildings, or any other space except in movable-frame hives shall constitute a public nuisance, and shall be abated as set forth in WMC 21A.50, Enforcement;
3. Kennels and catteries are subject to the following requirements:
- a. For kennels located on residential zoned sites:

- i. The minimum site area shall be five acres; and
- ii. Structures housing animals and outdoor animal runs shall be a minimum distance of 100 feet from property lines abutting residential zones;
- b. For kennels located on non-residential zoned sites, run areas shall be completely surrounded by an eight foot solid wall or fence, and be subject to the requirements in KCC 11.04.060; and
- c. Catteries shall be on sites of 35,000 square feet or more, and buildings used to house cats shall be a minimum distance of 50 feet from property lines abutting residential zones.

21A.30.030 Animal regulations-livestock - purpose. The primary purpose of this section is to support the raising and keeping of livestock in the City by setting livestock densities and by implementing applicable best management practices for land used to accommodate such livestock in ways which reduce the impact of livestock on the environment, particularly with regard to their impacts on water quality. The regulations set forth in this section are intended to be consistent with livestock welfare: however, those concerns are more appropriately addressed through KCC 11.04.

21A.30.032 Animal regulations-livestock - densities. The raising, keeping, breeding or fee boarding of livestock are subject to KCC 11.04, Animal Control Regulations, and the following requirements:

- A. The minimum site which may be used to accommodate large livestock shall be 35,000 square feet, provided that the portion of the total site area used for confinement or grazing meets the requirements of this section; and
- B. The maximum number of livestock shall be as follows:
 - 1. Commercial dairy farms - as authorized by the Washington State Department of Ecology NPDES permit;
 - 2. Stables with covered arenas for which farm management plans are implemented and maintained pursuant to WMC 21A.030.033 such that pasture and paddock use does not exceed the equivalent of 3 animals using the areas on a full-time basis, up to 6 resident horses per acre, provided further that higher densities may be allowed subject to the conditional use permit process to confirm compliance with the management standards;
 - 3. For all large livestock not covered by paragraph 1. or 2. above:
 - a. If a farm management plan pursuant to WMC 21A.030.033 is implemented and maintained as or, in the alternative, all of the management standards of sections WMC 21A.030.035 are met, three horses, cows or similarly sized animals per gross acre of total site area, provided further that 2 ponies shall be counted as being equivalent to one horse and that miniature horses shall be treated as small livestock subject to paragraph 4 below.

- b. If paragraph a is not met, one horse, cow, or similarly sized animal (excluding any young under 6 months of age) per 2 acres of fenced grazing area;
4. Five of each or any combination of small livestock (excluding sucklings) per one acre of fenced pasturage, or per one-half acre of total site area subject to the management standards set out in WMC 21.30.035 below.

21A.30.033 Farm management plan. In order to achieve the maximum livestock density allowances provided for in WMC 21A.030.032, above, a farm management plan (conversion) plan developed by the property owner with the assistance of the King County Conservation District which incorporates best management practices for grazing and pasture management, manure management, watering and feeding area management, and stream corridor management must be developed, implemented and maintained. Such plans must include a schedule for implementation and shall be reviewed by the SWM division if the plan is for a site that has streams or wetlands present. Any Indian tribe with tribal rights to protection of the fisheries habitat provided by the site shall have 60 days from plan submission to comment on the plan. The plan must, as a minimum, achieve 25 foot vegetated buffers for all class I and class II streams on the site, and assure that drainage ditches on the site do not channel animal waste to such streams.

21.30.035 Animal regulations-livestock - management standards.

- A. As an alternative to a farm management plan, any property owner may implement the following management standards:
1. Livestock access to streams and their buffers shall be limited to stream crossings which have been addressed by a crossing plan designed to SCS/SCD specifications which shall prevent free access along the length of the stream; fencing shall be used to meet this standard wherever topographic constraints or impassible vegetative barriers do not prevent livestock access to streams. Bridges may be used in lieu of stream crossings, provided that piers and abutments shall not be placed within the ordinary high water mark or top-of-bank, whichever is greater. Bridges shall be designed to allow free flow of flood waters and shall not diminish the flood carrying capacity of the stream; these bridges may be placed without a City building permit, provided that such permit waiver shall not constitute any assumption of liability by the City with regard to such bridge or its placement. The waiver of City building permit requirements does not constitute a waiver from other required agency permits;
 2. Grazing areas not addressed by the sensitive areas regulations shall maintain buffers of 10 feet from any naturally occurring pond, wetland edge of a class I or II wetland (except those wetlands meeting the definition of a grazed wet meadow) or the ordinary

high water mark of a class I or II stream (excluding grazed wet meadows) within five years of the effective date of this section. If the buffer does not contain vegetation sufficient for bank stability and biofiltration, fencing or timed rotational grazing shall be used to establish and maintain the buffer.

3. Confinement areas located within 200 feet of any class I or II streams shall:
 - a. Have a 20 foot wide vegetative filter strip downhill from the confinement area, consisting of heavy grasses or other ground cover with high stem density and which may also include tree cover;
 - b. Not be located in any stream or wetland buffer area required by the City's sensitive areas regulations in effect at the time the confinement area is built, or within 50 feet of any naturally occurring pond, wetland edge of any class I or II wetland or the ordinary high water mark of any class I or II stream, unless some other distance has been approved by a City permit issued following an environment review or by a conservation district plan pursuant to paragraph B. Existing confinement areas which do not meet these requirements shall be modified as necessary to provide the buffers specified herein within five years of the effective date of this section provided further that buildings in the confinement area need not be modified;
 - c. Have roof drains of any buildings in the confinement area diverted away from the confinement area; and
4. Manure storage areas shall be managed as follows:
 - a. Surface flows and roof runoff shall be diverted away from manure storage areas.
 - b. All manure stockpiled within 200 feet of any stream or wetland shall be covered during the winter months (October 15 to April 15) in a manner that excludes precipitation and allows free flow of air to minimize fire danger; and
 - c. Manure shall be stored in a location that avoids having runoff from the manure enter streams or wetlands. Manure piles shall not be closer than 50 feet to any wetland edge, the ordinary high water mark of any stream, or any ditch to which the topography would generally direct runoff from the manure, nor in any stream buffer.
5. Manure shall be spread on fields only during the growing season, and not on saturated or frozen fields.
- B. The following setback and buffer requirements apply to the keeping of livestock:
 1. Any building used to house, confine or feed livestock shall not be located closer than 10 feet to any boundary property line or 35 feet to any residence existing when the livestock structure is built, and shall be increased to 100 feet for any building used to house, confine or feed swine;

2. Any building used to house, confine or feed livestock shall not be located closer than 35 feet to any dwelling unit or accessory living quarters on the same premises, except that a barn or stable may contain a caretaker's accessory living quarters;
 3. There shall be no uncovered storage of manure, shavings or similar organic material closer than 45 feet to any dwelling unit or accessory living quarters; and
 4. Grazing and confinement areas may extend to the property line.
- C. In residential zones, fee boarding of livestock other than in a legally established stable shall only be as an accessory use to a residence on the subject property; and
- D. A barn or stable may contain a caretaker's accessory living quarters.

21A.30.037 Existing livestock operations. All existing livestock operations shall either implement a farm management plan pursuant to WMC 21A.30.033 or meet the management standards in WMC 21A.30.035 within five years of the adoption date of this ordinance: existing buildings are exempt from this provision.

21A.30.040 Home occupation. Residents of a dwelling unit may conduct one or more home occupations as accessory activities, provided:

- A. The total area devoted to all home occupation(s) shall not exceed twenty percent of the floor area of the dwelling unit. Areas within attached garages and storage buildings shall not be considered part of the dwelling unit for purposes of calculating allowable home occupation area but may be used for storage of goods associated with the home occupation;
- B. All the activities of the home occupation(s) shall be conducted indoors, except for those related to growing or storing of plants used by the home occupation(s);
- C. No non-resident shall be employed by the home occupation(s);
- D. The following activities shall be prohibited as home occupations:
 1. Automobile, truck and heavy equipment repair;
 2. Autobody work or painting;
 3. Parking and storage of heavy equipment; and
 4. Storage of building materials for use on other properties;
- E. In addition to required parking for the dwelling unit, one on-site parking stall shall be provided when services are rendered on-site;
- F. Sales shall be limited to mail order and telephone sales with off-site delivery;
- G. Services to patrons shall be arranged by appointment or provided off-site;
- H. The home occupation(s) may use or store a vehicle for pickup of materials used by the home occupation(s) or the distribution of products from the site, provided:
 1. No more than one such vehicle shall be allowed;

2. Such vehicle shall not park within any required setback areas of the lot or on adjacent streets; and
3. Such vehicle shall not exceed a weight capacity of one ton; and
- I. The home occupation(s) shall not use electrical or mechanical equipment that results in:
 1. A change to the fire rating of the structure(s) used for the home occupation(s);
 2. Visual or audible interference in radio or television receivers, or electronic equipment located off-premises; or
 3. Fluctuations in line voltage off-premises.
- J. A home occupation permit is approved by the City for each home occupation.

21A.30.050 Home industry. A resident may establish a home industry as an accessory activity, provided:

- A. The site area shall be no less than one acre;
- B. The area of the home industry shall not exceed 50 percent of the floor area of the dwelling unit. Areas within attached garages and storage buildings shall not be considered part of the dwelling unit for purposes of calculating allowable home industry area but may be used for storage of goods associated with the home occupation;
- C. No more than two non-residents shall be employed in a home industry;
- D. In addition to required parking for the dwelling unit, on-site parking shall be provided as follows:
 1. One stall for each non-resident employee of the home industry; and
 2. One stall for customer parking;
- E. Additional customer parking shall be calculated for areas devoted to the home industry at the rate of one stall per:
 1. 1,000 square feet of building floor area; and
 2. 2,000 square feet of outdoor work or storage area;
- F. Sales shall be limited to items produced on-site, except for items collected, traded and occasionally sold by hobbyists, such as coins, stamps, and antiques;
- G. Ten feet of Type I landscaping shall be provided around portions of parking and outside storage areas which are otherwise visible from adjacent properties or public rights-of-way; and
- H. The Planning Director shall ensure compatibility of the home industry by:
 1. Limiting the type and size of equipment used by the home industry to those which are compatible with the surrounding neighborhood;
 2. Providing for setbacks or screening as needed to protect adjacent residential properties;
 3. Specifying hours of operation;
 4. Determining acceptable levels of outdoor lighting; and
 5. Requiring sound level tests for activities determined to produce sound levels which may be in excess of those set forth in the WMC.

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- I. The following activities shall be prohibited as a home industry:
 - 1. Outdoor repair of any automobile, truck or heavy equipment;
 - 2. Outdoor autobody work; and
 - 3. Autobody painting.
 - J. No vehicle, equipment or material shall be parked or stored within any required setback areas of the lot or on adjacent streets.
 - K. A home industry permit is approved by the City for each home industry.

**CHAPTER 21A.32 GENERAL PROVISIONS -
NONCONFORMANCE, TEMPORARY USES, AND RE-USE OF FACILITIES**

SECTIONS:

- 21A.32.010 Purpose
- 21A.32.020 Nonconformance - applicability
- 21A.32.030 Nonconformance - determining status
- 21A.32.040 Nonconformance - abatement of illegal use, structure or development
- 21A.32.050 Nonconformance - continuation and maintenance of nonconformance
- 21A.32.060 Nonconformance - re-establishment of discontinued nonconformance
- 21A.32.070 Nonconformance - repair or reconstruction of nonconforming structure
- 21A.32.080 Nonconformance - alteration of nonconforming structure
- 21A.32.090 Nonconformance - expansion of nonconformance prohibited.
- 21A.32.100 Temporary use permits - uses requiring permits
- 21A.32.110 Temporary use permits - exemptions to permit requirement
- 21A.32.120 Temporary use permits - duration and frequency
- 21A.32.130 Temporary use permits - parking
- 21A.32.140 Temporary use permits - traffic control
- 21A.32.145 Temporary education or public facilities
- 21A.32.150 Temporary construction buildings
- 21A.32.160 Temporary construction residence
- 21A.32.170 Temporary mobile home for medical hardship
- 21A.32.180 Temporary real estate offices
- 21A.32.190 Re-use of facilities - general standards
- 21A.32.200 Re-use of facilities - re-establishment of closed public school facilities
- 21A.32.210 Re-use of facilities - standards for conversion of historic buildings

- 21A.32.010 Purpose. The purposes of this chapter are to:
- A. Establish the legal status of a nonconformance by creating provisions through which a nonconformance may be maintained, altered, reconstructed or terminated;
 - B. Provide for the temporary establishment of uses that are not otherwise permitted in a zone and to regulate such uses by their scope and period of use; and
 - C. Encourage the adaptive re-use of existing public facilities which will continue to serve the community, and to ensure public review of redevelopment plans by allowing:
 - 1. Temporary re-use of closed public school facilities retained in school district ownership, and the reconversion of a temporary re-use back to a school use;
 - 2. Permanent re-use of surplus nonresidential facilities (e.g. schools, fire stations, government facilities) not retained in school district ownership; or
 - 3. Permanent re-use of historic structures listed on the National Register or designated as county landmarks.

21A.32.020 Nonconformance - applicability.

- A. With the exception of nonconforming extractive operations identified in WMC 21A.22, all nonconformances shall be subject to the provisions of this chapter.
- B. The provisions of this chapter do not supersede or relieve a property owner from compliance with:
 - 1. The requirements of the Uniform Building and Fire Codes; or
 - 2. The provisions of this code beyond the specific nonconformance addressed by this chapter.

21A.32.030 Nonconformance - determining status.

- A. Any use, structure or other site improvement (e.g. landscaping or signage) development standard which was legally established prior to the effective date of this title shall be considered nonconforming if:
 - 1. The use is now prohibited or cannot meet use limitations applicable to the zone in which it is located; or
 - 2. The use does not comply with the density, dimensions, landscaping, parking sign or residential design standards of this title.
- B. A change in the required permit review process shall not create a nonconformance.
- C. Any nonconformance that is brought into conformance for any period of time shall forfeit status as a nonconformance, except as specified by WMC 21A.32.060.

21A.32.040 Nonconformance - abatement of illegal use, structure or development.

Any use, structure or other site improvement not established in compliance with use and development standards in effect at the time of establishment shall be deemed illegal and shall be discontinued or terminated and subject to removal pursuant to the applicable provisions of WMC.

21A.32.050 Nonconformance - continuation and maintenance of nonconformance. A nonconformance may be continued or physically maintained as provided by this chapter.

21A.32.060 Nonconformance - re-establishment of discontinued nonconforming use. A nonconforming use may be re-established as a nonconformance, except any nonconforming use that is discontinued for a period of 12 continuous months shall be deemed abandoned and shall not be re-established.

21A.32.070 Nonconformance - repair or reconstruction of nonconforming structure. A damaged or partially destroyed nonconforming structure may be repaired or reconstructed provided that:

- A. The extent of the previously existing nonconformance is not increased;
- B. The building permit application for repair or reconstruction is submitted within 12 months of the occurrence of damage or destruction; and

- C. The structure has not been damaged or destroyed beyond 50% of its assessed value.

21A.32.080 Nonconformance - modifications to nonconforming structure.

Modifications to a nonconforming structure may be permitted, provided the modification does not increase the area, height or degree of an existing nonconformity.

21A.32.090 Nonconformance - expansion of nonconformance prohibited. A nonconformance may not be expanded.

21A.32.100 Temporary use permits - uses requiring permits. Except as provided by WMC 21A.32.110, a temporary use permit shall be required for:

- A. Uses not otherwise permitted in the zone that can be made compatible for periods of limited duration and/or frequency; or
- B. Limited expansion of any use that is otherwise allowed in the zone but which exceeds the intended scope of the original land use approval.

21A.32.110 Temporary use permits - exemptions to permit requirement.

- A. The following uses shall be exempt from requirements for a temporary use permit when located in the RB, CB, NB, O or I zones when the use does not exceed a total of 14 days each calendar year:
 - a. Amusement rides, carnivals, or circuses;
 - b. Community festivals;
 - c. Parking lot sales; and
 - d. Fireworks stands, subject to the provisions of City Ordinance No. 29.
- B. Any use not exceeding a cumulative total of 2 days each calendar year shall be exempt from requirements for a temporary use permit.
- C. Any community event held in a public park and not exceeding a period of 7 days shall be exempt from requirements for a temporary use permit.

21A.32.120 Temporary use permits - duration and frequency. Unless specified elsewhere in this chapter, temporary use permits shall be limited in duration and frequency as follows:

- A. The temporary use permit shall be effective for no more than 180 days from the date of the first event or occurrence;
- B. The temporary use shall not exceed a total of 60 days, provided that this requirement applies only to the days that the event(s) actually takes place;
- C. The temporary use permit shall specify a date upon which the use shall be terminated and removed; and
- D. A temporary use permit shall not be granted for the same temporary use on a property more than once per calendar year, provided that a temporary use permit may be granted for multiple events during the approval period.

21A.32.130 Temporary use permits - parking. Parking and access for proposed temporary uses shall be approved by the City.

21A.32.140 Temporary use permits - traffic control. The applicant for a proposed temporary use shall provide any parking/traffic control attendants as specified by the City of Woodinville.

21A.32.145 Temporary education or public facilities. Temporary education or public structures may be permitted provided that such structures are:

- A. Allowed only during periods of permit review by the appropriate permitting agency and active construction or remodeling;
- B. Do not exceed the capacity or square footage of the structure to be constructed or remodeled; and
- C. Removed within 30 days of project completion or cessation of work.

21A.32.150 Temporary construction buildings. Temporary structures for storage of tools and equipment, or for supervisory offices may be permitted for construction projects, provided that such structures are:

- A. Allowed only during periods of active construction; and
- B. Removed within 30 days of project completion or cessation of work.

21A.32.160 Temporary construction residence.

- A. A mobile home may be permitted on a lot as a temporary dwelling for the property owner, provided a building permit for a permanent dwelling on the site has been obtained.
- B. The temporary mobile home permit shall be effective for a period of 12 months. The permit may be extended for one additional period of 12 months if the permanent dwelling is constructed with a finished exterior by the end of the initial approval period.
- C. The mobile home shall be removed within 90 days of:
 1. The expiration of the temporary mobile home permit; or
 2. The issuance of a certificate of occupancy for the permanent residence, whichever occurs first.

21A.32.170 Temporary mobile home for medical hardship.

- A. A mobile home may be permitted as a temporary dwelling on the same lot as a permanent dwelling, provided:
 1. The applicant demonstrates the temporary dwelling is necessary to provide daily care to an individual certified by a physician as needing such care;
 2. The primary provider of daily care shall reside on-site; and
 3. The mobile home together with the permanent residence shall meet the setback, height, building footprint, and lot coverage provisions of the applicable zone.
- B. Temporary mobile home permits for medical hardships shall be effective for 12 months. Extensions of the temporary mobile home

permit may be approved in 12 month increments subject to demonstration of continuing medical hardship.

- C. The mobile home shall be removed within 90 days of:
1. The expiration of the temporary mobile home permit; or
 2. The cessation of provision of daily care.

21A.32.180 Temporary real estate offices. One temporary real estate office may be located on any new residential development, provided that activities are limited to the initial sale or rental of property or units within the development. The office use shall be discontinued within one year of recording of a subdivision or short subdivision, or issuance of a final certificate of occupancy in the case of an apartment development.

21A.32.190 Re-use of facilities - general standards. The interim or permanent re-use of surplus nonresidential facilities in residential zoned areas shall require that no more than 50 percent of the original floor area may be demolished for either permanent or interim re-use of facilities.

21A.32.200 Re-use of facilities - re-establishment of closed public school facilities. The re-establishment or reconversion of an interim nonschool use of school facilities back to school uses shall require a site plan and the issuance of a change of use permit.

21A.32.210 Re-use of facilities - standards for conversion of historic buildings. In order to insure that significant features of the property are protected, the following standards shall apply to conversion of historic buildings:

- A. Gross floor area of building additions or new buildings required for the conversion shall not exceed 20 percent of the gross floor area of the historic building, unless allowed by the zone;
- B. Conversions to apartments shall not exceed one dwelling unit for each 3,600 square feet of lot area, unless allowed by the zone; and,
- C. Any construction required for the conversion shall require certification of appropriateness from the King County Landmark Commission.

**CHAPTER 21A.34 GENERAL PROVISIONS -
RESIDENTIAL DENSITY INCENTIVES**

SECTION:

- 21A.34.010 Purpose**
- 21A.34.020 Permitted locations of residential density incentives**
- 21A.34.030 Maximum densities permitted through residential density incentive review**
- 21A.34.040 Public benefits and density incentives**
- 21A.34.050 Rules for calculating total permitted dwelling units**
- 21A.34.060 Review process**
- 21A.34.070 Minor adjustments in final site plans**
- 21A.34.080 Applicability of development standards**

- 21A.34.010 Purpose.** The purpose of this chapter is to provide density incentives to developers of residential lands in exchange for public benefits to help achieve Comprehensive Plan goals of affordable housing, open space protection, historic preservation and energy conservation, by:
- A. Defining in quantified terms the public benefits that can be used to earn density incentives;
 - B. Providing rules and formulae for computing density incentives earned by each benefit;
 - C. Providing a method to realize the development potential of sites containing unique features of size, topography, environmental features or shape; and
 - D. Providing a review process to allow evaluation of proposed density increases and the public benefits offered to earn them, and to give the public opportunities to review and comment.
- 21A.34.020 Permitted locations of residential density incentives.** Residential density incentives (RDI) shall be used only on sites served by public sewers and only in the following zones:
- A. In R-4 through R-48 zones; and
 - B. In NB, CB, RB and O zones.
- 21A.34.030 Maximum densities permitted through residential density incentive review.** The maximum density permitted through RDI review shall be 150 percent of the base density of the underlying zone of the development site or 200 percent of the base density for RDI proposals with 100 percent affordable units.
- 21A.34.040 Public benefits and density incentives.**
- A. The public benefits eligible to earn increased densities, and the maximum incentive to be earned by each benefit, are set forth in

subsection E. The density incentive is expressed as additional bonus dwelling units (or fractions of dwelling units) earned per amount of public benefit provided.

- B. Bonus dwelling units may be earned through any combination of the listed public benefits.
- C. The guidelines for affordable housing bonuses including the establishment of rental levels, housing prices and asset limitations, will be updated and adopted annually by the City Council.
- D. Bonus dwelling units may also be earned and transferred to the project site through the transfer of density credit ("TDC") process set forth in WMC 21A.36, by providing any of the open space, park site or historic preservation public benefits set forth in subsections F.2. or F.3. on sites other than that of the RDI development.
- E. Residential development in R-4 through R-48 zones with property specific development standards requiring any public benefit enumerated in this chapter, shall be eligible to earn bonus dwelling units as set forth in subsection F when the public benefits provided exceed the basic development standards of this title. When a development is located in a special overlay district, bonus units may be earned if the development provides public benefits exceeding corresponding standards of the special district .

F. The following are the public benefits eligible to earn density incentives through RDI review:

BENEFIT	DENSITY INCENTIVE
1. AFFORDABLE HOUSING	
a. Benefit units consisting of rental housing permanently priced to serve non-elderly low-income households (i.e. no greater than 30 percent of gross income for households at or below 50 percent of King County median income, adjusted for household size). A covenant on the site that specifies the income level being served, rent levels and requirements for reporting to the City shall be recorded at final approval.	1.5 bonus units per benefit unit, up to a maximum of 30 low-income units per five acres of site area; projects on sites of less than five acres shall be limited to 30 low-income units.
b. Benefit units consisting of rental housing designed and permanently priced to serve low-income senior citizens (i.e. no greater than 30 percent of gross income for 1 or 2-person households, 1 member of which is 62 years of age or older, with incomes at or below 50 percent of King County median income, adjusted for household size). A covenant on the site that specifies the income level being served, rent levels and requirements for reporting to City of Woodinville shall be recorded at final approval.	1.5 bonus units per benefit unit, up to a maximum of 60 low-income units per five acres of site area; projects on sites of less than five acres shall be limited to 60 low-income units.

BENEFIT	DENSITY INCENTIVE
<p>c. Benefit units consisting of moderate income housing reserved for income- and asset-qualified home buyers (total household income at or below 80 percent of King County median, adjusted for household size). Benefit units shall be limited to owner-occupied housing with prices restricted based on typical underwriting ratios and other lending standards, and with no restriction placed on resale. Final approval conditions shall specify requirements for reporting to the City on both buyer eligibility and housing prices.</p>	.75 bonus unit per benefit unit.
<p>d. Benefit units consisting of moderate income housing reserved for income- and asset-qualified home buyers (total household income at or below 80 percent of King County median, adjusted for household size). Benefit units shall be limited to owner-occupied housing with prices restricted based on typical underwriting ratios and other lending standards, and with a 15 year restriction binding prices and eligibility on resale to qualified moderate income purchasers. Final approval conditions shall specify requirements for reporting to the City on both buyer eligibility and housing prices.</p>	1 bonus unit per benefit unit.

BENEFIT

DENSITY INCENTIVE

e. Benefit units consisting of moderate income housing reserved for income- and asset-qualified home buyers (total household income at or below 80 percent of King County median, adjusted for household size). Benefit units shall be limited to owner-occupied housing, with prices restricted to same income group, based on current underwriting ratios and other lending standards for 30 years from date of first sale. A covenant on the site that specifies the income level and other aspects of buyer eligibility, price levels and requirements for reporting to City of Woodinville shall be recorded at final approval.

1.5 bonus units per benefit unit.

f. Projects in which 100 percent of the units are reserved for moderate income - and asset-qualified buyers (total household income at or below 80 percent of the King County median, adjusted for household size). All units shall be limited to owner-occupied housing with prices restricted based on current underwriting ratios and other lending standards, and with prices restricted to same income group for 15 years from the date of first sale. Final approval conditions shall specify requirements for reporting to City of Woodinville on both buyer eligibility and housing prices.

200 percent of the base density of the underlying zone. Limited to parcels 5 acres or less in size and located in the R-4 through R-8 zones. Housing types in the R-4 or R-6 zones shall be limited to structures containing four or less units, except for townhomes. Such RDI proposals shall not be eligible to utilize other RDI bonus density incentives listed in this section.

g. Benefit units consisting of mobile home park space or pad reserved for the relocation of an insignia or non-insignia mobile home, that has been or will be displaced due to closure of a mobile home park located in the City of Woodinville.

1.0 bonus unit per benefit unit.

BENEFIT	DENSITY INCENTIVE
2. OPEN SPACE, TRAILS AND PARKS	
a. Dedication of park site or trail right-of-way meeting City of Woodinville location and size standards for neighborhood, community or regional park, or trail, and accepted by the City.	.5 bonus unit per acre of park area or quarter-mile of trail exceeding the minimum requirement of WMC 21A.14 for on-site recreation space or trail corridors, computed on the number of dwelling units permitted by the site's base density.
b. Improvement of dedicated park site to City of Woodinville standards for developed parks.	.75 bonus unit per acre of park improvement. If the applicant is dedicating the site of the improvements, the bonus units earned by improvements shall be added to the bonus units earned by the dedication.
c. Improvement of dedicated trail segment to City of Woodinville standards.	1.8 bonus units per quarter-mile of trail constructed to City standard for pedestrian trails; or 2.5 bonus units per quarter-mile of constructed to City standard for multipurpose trails (pedestrian/bicycle/equestrian). Shorter segments shall be awarded bonus units on a pro-rata basis. If the applicant is dedicating the site of the improvements, the bonus units earned by improvements shall be added to the bonus units earned by the dedication.
d. Dedication of open space, meeting City of Woodinville acquisition standards, to the City, county or a qualified public or private organization such as a nature conservancy.	.5 bonus unit per acre of open space.

BENEFIT

DENSITY INCENTIVE

3. HISTORIC PRESERVATION

a. Dedication of a site containing a historic landmark to the City of Woodinville or a qualifying nonprofit organization capable of restoring and/or maintaining the premises to standards set by the King County Landmarks Commission.

.5 bonus unit per acre of historic site.

b. Restoration of a site or structure designated as an historic landmark in to a specific architectural or site plan approved by the King County Landmarks Commission.

.5 bonus unit per acre of site or one thousand square feet of floor area of building restored.

4. ENERGY CONSERVATION

a. Benefit units that incorporate conservation features in the construction of all on-site dwelling units heated by electricity that save at least 20 percent of space heat energy use from the maximum permitted by the Northwest Energy Code, as amended. No more than 50 percent of the required savings may result from the installation of heat pumps. None of the required savings shall be achieved by reduction of glazing area below 15 percent of floor area. Energy use shall be expressed as allowable energy load per square foot or as total transmittance (UA).

0.15 bonus unit per benefit unit that achieves the required savings.

BENEFIT	DENSITY INCENTIVE
<p>b. Benefit units that incorporate conservation features in the construction of all on-site dwelling units heated by natural gas, or other non-electric heat source, that save at least 25 percent of space heat energy use from the maximum permitted by the Northwest Energy Code, as amended. None of the required savings shall be achieved by reduction of glazing area below 15 percent of floor area. Energy use shall be expressed as allowable energy load per square foot or as total transmittance (UA).</p>	<p>0.10 bonus unit per benefit unit that achieves the required savings.</p>
<p>c. Developments located within 1/4 mile of transit routes served on at least a half-hourly basis during the peak hours and hourly during the daytime non-peak hours.</p>	<p>10 percent increase above the base density of the zone.</p>

NOTE: When proposed energy conservation bonus units of WMC 21A.34.040 are reviewed in conjunction with a subdivision or a short subdivision, the applicant shall provide data and calculations for a typical house of the type to be built in the development that demonstrates to the Department's satisfaction how the required savings will be achieved. A condition of approval shall be recorded with the plat and shown on the title of each lot specifying the required energy savings that must be achieved in the construction of the dwelling unit. The plat notation shall also specify that the savings shall be based on the energy code in effect at the time of preliminary plat application.

21A.34.050 Rules for calculating total permitted dwelling units.

- A. The formula for calculating the total number of dwelling units permitted through RDI review is as follows:

DUs allowed by RDI site base density + Bonus DUs + DUs allowed by sending site density (if any) = TOTAL RDI DUs

- B. The total dwelling units permitted through RDI review shall be calculated using the following steps:
1. Calculate the number of dwellings permitted by the base density of the site in accordance with WMC 21A.12;
 2. Calculate the total number of bonus dwelling units earned by providing the public benefits listed in WMC 21A.34.040;
 3. Add the number of bonus dwelling units earned to the number of dwelling units permitted by the base density;
 4. Add the number of dwelling units permitted by the base density of the site sending TDCs, if any;
 5. Round fractional dwelling units to the nearest whole number; .49 or less dwelling units are rounded down; and
 6. On sites with more than one zone or zone density, the maximum density shall be calculated for the site area of each zone. Bonus units may be reallocated within the zone's in the same manner set forth for base units in WMC 21A.12.180.

21A.34.060 Review process.

- A. All RDI proposals shall be reviewed concurrently with a primary proposal to consider the proposed site plan and methods used to earn extra density as follows:
1. For the purpose of this section, a primary proposal is defined as a proposed subdivision, conditional use permit or commercial building permit.
 2. When the primary proposal requires a public hearing, the public hearing on the primary proposal shall serve as the hearing on the RDI proposal, and the reviewing authority shall make a consolidated decision on the proposed development and use of RDI;
 3. When the primary proposal does not require a public hearing under this title or WMC Title 20A Interim Subdivision Code, the RDI proposal shall be subject to the decision criteria for conditional use permits outlined in WMC 21A.42 and to the procedures set forth for Planning Director review in this title; and
 4. The notice for the RDI proposal also shall include the development's proposed density and a general description of the public benefits offered to earn extra density.
- B. RDI applications which propose to earn bonus units by dedicating real property or public facilities shall include a letter from the applicable receiving agency certifying that the proposed dedication qualifies for the density incentive and will be accepted by the agency or other qualifying organization.

- 21A.34.070 Minor adjustments in final site plans.** When issuing building permits in an approved RDI development, the Department may allow minor adjustments in the approved site plan involving the location or dimensions of buildings or landscaping, provided such adjustments shall not:
- A. Increase the number of dwelling units;
 - B. Decrease the amount of perimeter landscaping (if any);
 - C. Decrease residential parking facilities (unless the number of dwelling units is decreased);
 - D. Locate structures closer to any site boundary line; or
 - E. Change the locations of any points of ingress and egress to the site.

21A.34.080 Applicability of development standards.

- A. RDI developments shall comply with dimensional standards of the zone with a base density most closely comparable to the total approved density of the RDI development, provided that an RDI proposal in the R-4 through R-8 zone shall conform to the height requirements of the underlying zone in which it is located.
- B. RDI developments in the R-4 through R-8 zones shall be landscaped as follows:
 - 1. When 75 percent or more of the units in the RDI development consists of townhomes or apartments, the development shall provide perimeter landscaping and tree retention in accordance with WMC 21A.16 for townhome or apartment projects.
 - 2. When less than 75 percent of the units in the RDI consists of townhomes or apartments, the development shall provide landscaping and tree retention in accordance with WMC 21A.16 for townhomes or apartments on the portion(s) of the development containing such units provided that, if buildings containing such units are more than 100 feet from the development's perimeter, the required landscaping may be reduced by 50 percent.
 - 3. All other portions of the RDI shall provide landscaping or retain trees in accordance with WMC 21A.16.
- C. RDI developments in all other zones shall be landscaped or retain trees in accordance with WMC 21A.16.
- D. RDI developments shall provide parking as follows:
 - 1. Projects with 100 percent affordable housing shall provide one off-street parking space per unit. The Planning Director may require additional parking, up to the maximum standards for attached dwelling units, which may be provided in common parking areas.
 - 2. All other RDI proposals shall provide parking for:
 - a. Market rate/bonus units at levels consistent with WMC 21A.18, and
 - b. Benefit units at 50 percent of the levels required for market rate/bonus units.
- E. RDI developments shall provide on-site recreation space as follows:
 - 1. Projects with 100 percent affordable housing shall provide recreation space at the levels required in WMC 21A.14.

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2. All other RDI proposals shall provide recreation space for:
 - a. Market rate/bonus units at levels consistent with WMC 21A.14,
and
 - b. Benefit units at 50 percent of the levels required for market
rate/bonus units.

**CHAPTER 21A.36 GENERAL PROVISIONS -
TRANSFER OF RESIDENTIAL DENSITY CREDITS**

SECTIONS:

- 21A.36.010 Purpose**
- 21A.36.020 Authority and application**
- 21A.36.030 Sending sites**
- 21A.36.040 Receiving sites**
- 21A.36.050 Transfer rules**
- 21A.36.060 Review process**

21A.36.010 Purpose. The purpose of the transfer of residential density credit system is to supplement land use regulation and open space acquisition programs and to encourage increased residential development density where it can be accommodated with the least impacts on the natural environment and public services, by:

- A. Providing an incentive for private property owners to protect open space, environmentally sensitive areas, park sites, historic sites, rural and resource areas beyond the minimum requirements of the code;
- B. Involving Woodinville residents, land owners and other public agencies in designating appropriate sending and receiving areas; and
- C. Providing a review system to ensure that transfers of residential density credits to receiving sites are balanced with other City goals and policies, and are adjusted to the specific conditions of each receiving site.

21A.36.020 Authority and application. The transfer of residential density credit ("TDC") system for City of Woodinville is established. The base residential density of a sending site may be transferred and credited to a non-contiguous receiving site only when the TDC is approved in accordance with the rules and procedures in this chapter.

21A.36.030 Sending sites.

- A. Sending sites shall be maintained in a natural state, except for agricultural lands, proposed public park or trail sites suitable for active recreation, shoreline access areas, or historic sites.
- B. Sending sites must contain one or more of the following features, as defined in the Comprehensive Plan or other functional plan adopted by the City or County:
 - 1. Open spaces
 - 2. Wildlife habitat;
 - 3. Woodlands
 - 4. Shoreline access;
 - 5. Community separator;

6. Regional trail/natural linkage;
 7. Historic landmark designation;
 8. Agricultural land not encumbered through the county's farmlands preservation development rights purchase program; or
 9. Park site that meets adopted size, distance and other standards for serving the receiving sites to which the density credits are being transferred.
- C. Sending sites shall have zoning consistent with the Comprehensive Plan map designation.

21A.36.040 Receiving sites.

- A. Receiving sites shall be zoned R-4 through R-48, NB, CB, RB or O, or any combination thereof, before being eligible to participate in a TDC.
- B. Except as provided in this chapter, development of a receiving site shall remain subject to all use, lot coverage, height, setback and other requirements of its zone.
- C. A receiving site may accept density credits, up to the maximum density permitted pursuant to WMC 21A.12, from any sending site.

21A.36.050 Transfer rules.

- A. The number of density credits that a sending site is eligible to send to a receiving site shall be determined by applying the base density of the zone to the total sending site area, less any portion of the sending site already in a conservation easement or other encumbrance, or any land area already used to calculate residential density for another development. A plot plan showing environmentally sensitive areas and buffers, conservation easements or other encumbrances shall be submitted as part of the development application to demonstrate compliance with the density calculation rules set forth in WMC 21A.12.
- B. Sending sites with environmentally sensitive areas that have been declared unbuildable under WMC 21A.12 shall be considered to have a base density calculated in accordance with that chapter, except that the areas of the sending and receiving sites shall be combined to calculate the overall site percentage of sensitive areas and buffers necessary for determining the allowable density credit as set forth in WMC 21A.24.
- C. Density credits from one sending site may be allocated to more than one receiving site provided that the site is segregated into segments in accordance with WMC Title 20A Interim Subdivision Code or deed restrictions documenting the density credit transfer are recorded with the title to all sending and receiving properties, and that the credit from each segment is allocated to a specified receiving site. A parcel zoned A or RA need not segregate a sending a site from the remainder of the parcel when the entire parcel is subject to a conservation easement pursuant to subsection E.

- D. When the sending site consists only of a portion(s) of an unsubdivided parcel, said portion(s) shall be segregated from the remainder of the lot pursuant to WMC Title 20A Interim Subdivision Code or deed restrictions documenting the density credit transfer shall be recorded with the title to both the sending and receiving site. A parcel zoned A or RA need not segregate a sending a site from the remainder of the parcel when the entire parcel is subject to a conservation easement pursuant to subsection E.
- E. Conservation easements shall be required for land contained in the sending site, whether or not such land is dedicated, as follows:
 - 1. For a sending site not zoned A-10 or A-35, a conservation easement shall be recorded on the sending site to indicate development limitations on the sending site.
 - 2. For a sending site zoned A-10 or A-35, a conservation easement shall be recorded on the sending site, consistent in form and substance with the purchase agreements used in the agricultural land development rights purchase program. The conservation easement shall preclude subdivision of the subject property but may permit not more than one dwelling per sending site, and agricultural uses as provided in the A-10 or A-35 (agriculture) zone.
- F. Upon submitting an application to develop a receiving site under the provisions of this chapter, the applicant shall provide evidence of ownership or full legal control of all sending sites proposed to be used in calculating total density on the receiving site. It shall be the applicant's responsibility, prior to application, to ascertain what form of permanent protection of the sending site will be acceptable to the City of Woodinville.
- G. Density credits from a sending site shall be considered transferred to a receiving site when the sending site is permanently protected by a completed and recorded land dedication or conservation easement .
- H. TDC developments shall comply with dimensional standards of the zone with a base density most closely comparable to the total approved density of the TDC development.

21A.36.060 Review process. All TDC proposals shall be reviewed concurrently with a primary proposal as follows:

- A. For the purpose of this section, a primary proposal is defined as a proposed subdivision, conditional use permit, or commercial building permit.
- B. When the primary proposal requires a public hearing under this title or WMC Title 20A Interim Subdivision Code, that public hearing shall also serve as the hearing on the TDC proposal, and the reviewing authority shall make a consolidated decision on the proposed development and use of TDC;
- C. When the primary proposal does not require a public hearing that TDC proposal shall be subject to the decision criteria for conditional use

permits outlined in WMC 21A.42 and to the procedures set forth for Planning Director review in this title.

**CHAPTER 21A.38 TRANSITIONAL, PROPERTY-SPECIFIC DEVELOPMENT STANDARDS
AND SPECIAL DISTRICT OVERLAYS**

SECTIONS:

- 21A.38.010 Purpose**
- 21A.38.020 Authority and application**
- 21A.38.030 Transitional, property-specific development standards - general provisions**
- 21A.38.040 Special district overlay - general provisions**
- 21A.38.050 Special district overlay - pedestrian-oriented commercial development**
- 21A.38.060 Special district overlay - office/research park development**
- 21A.38.065 Special district overlay - tourist district**

21A.38.010 Purpose. The purposes of this chapter are to provide for alternative development standards to address unique site characteristics and to address development opportunities which can exceed the quality of standard developments, by:

- A. Establishing authority to adopt property-specific development standards for increasing minimum requirements of the code on individual sites; and
- B. Establishing special district overlays with alternative standards for special areas designated by master or neighborhood plans.

21A.38.020 Authority and application.

- A. This chapter authorizes the City of Woodinville to increase development standards or limit uses on specific properties beyond the general requirements of the code through property-specific development standards, and to carry out Comprehensive Plan policies through special overlay districts which supplement or modify standard zones through different uses, design or density standards or review processes;
- B. Property-specific development standards shall be applied to specific properties through reclassification of individual properties as provided in WMC 21A.44; and
- C. Special district overlays shall be applied to specific properties or areas containing several properties through zoning reclassification as provided in WMC 21A.44.

21A.38.030 Transitional, property-specific development standards - general provisions.

- A. Transitional, property-specific development standards, denoted by the zoning map symbol -T after the zone's map symbol, shall be established on individual properties through the zoning reclassification process or area zoning process and the recording of a City approved concomitant agreement. Upon the recording of said agreement with the County records and election division,

the King County conditions of approval for a specific development proposal on property prior to incorporation shall apply subject to City review and approval of any building permit, grading permit, temporary use permit, conditional use permit, variance, special use permit, subsequent reclassification to a new zone, and the modification to the plat or plan for the specific development proposal.

- B. The transitional property-specific development standards concomitant agreement shall cite the conditions of approval, and shall include the plat or site plan for the specific development proposal, as well as the tax lot numbers and the legal description, or other means of identifying the properties that are subject to the conditions of approval. The property-specific development standards are limited to:
 - 1. Modifying the range of permitted residential dwelling type;
 - 2. Requiring special development standards for property with physical constraints (e.g. environmental hazards, view corridors);
 - 3. Requiring specific site design features (e.g. building orientation, lot layout, clustering, trails or access location);
 - 4. Specifying the phasing of the development of a site;
 - 5. Requiring public facility dedications or improvements (e.g. roads, utilities, parks, open space, trails, school sites); or
 - 6. Designating send and receiving sites for transferring density credits as provided in WMC 21A.36.
- C. Except as provided for in WMC 21A.38.030B, above, transitional, property-specific development standards and designation shall not be used to expand permitted uses or reduce minimum requirements of this title.

21A.38.040 Special district overlay - general provisions. Special district overlays shall be designated on the City zoning map as follows:

- A. Designation of an overlay district shall include policies that prescribe the purposes and location of the overlay;
- B. A special district overlay shall be indicated on the zoning map with the suffix "-SO" following the map symbol of the underlying zone or zones;
- C. The special district overlays set forth in this chapter are the only overlays authorized by the code. New or amended overlays to carry out new or different goals or policies shall be adopted as part of this chapter;
- D. The special district overlays set forth in this chapter may expand the range of permitted uses and development standards established by the code for any use or underlying zone;
- E. Unless they are specifically modified by the provisions of this chapter, the standard requirements of the code and other City ordinances and regulations govern all development and land uses within special district overlays; and

- F. A special district overlay on an individual site may be modified by property-specific development standards as provided in WMC 21A.38.030.

21A.38.050 Special district overlay - pedestrian-oriented commercial development.

- A. The purpose of the pedestrian-oriented commercial development special district overlay is to provide for high-density, pedestrian-oriented retail/employment uses. Pedestrian-oriented commercial district shall only be established in areas zoned CB, RB or O. Permitted uses shall be those uses permitted in the underlying zone, excluding the following:
1. Motor vehicle, boat and mobile home dealer;
 2. Gasoline service station;
 3. Drive-through retail and service uses;
 4. Car washes;
 5. Retail and service uses with outside storage, e.g. lumber yards, miscellaneous equipment rental or machinery sales;
 6. Wholesale uses;
 7. Recreation/cultural uses as set forth in WMC 21A.08.040, except parks, sports clubs, theaters, libraries and museums;
 8. SIC Major Group 75 (Automotive repair, services and parking) except 7521 (automobile parking; but excluding tow-in parking lots);
 9. SIC Major Group 76 (Miscellaneous repair services), except 7631 (Watch, clock and jewelry repair);
 10. SIC Major Group 78 (Motion pictures), except 7832(theater) and 7841 (video tape rental);
 11. SIC Major Group 80 (Health services), except offices and outpatient clinics (801-804);
 12. SIC Industry Group 421 (Trucking and courier service);
 13. Public agency archives;
 14. Self-service storage;
 15. Manufacturing land uses as set forth in WMC 21A.08.080, except 2759 (Commercial printing); and
 16. Resource land uses as set forth in WMC 21A.08.090.
- B. The following development standards shall apply to uses locating in pedestrian-oriented commercial overlay districts:
1. Every use shall be subject to pedestrian-oriented use limitations and street facade development standards (e.g. placement and orientation of buildings with respect to streets and sidewalks, arcades or marquees);
 2. Floor/lot area ratio shall not exceed 5:1, including the residential component of mixed use developments, but not including parking structures;
 3. Building setback and height requirements may be waived, except for areas within 50 feet of the perimeter of any special district overlay area abutting an R-12 or lower density residential zone;

4. The landscaping requirements of WMC 21A.16 may be waived if landscaping conforms to a special district overlay landscaping plan adopted as part of the zoning reclassification process. The overlay district landscaping plan shall include features addressing street trees, and other design amenities (e.g. landscaped plazas or public parks);
5. Sidewalk width requirements shall be increased to a range of 8 to 12 feet on streets designated as major pedestrian corridors. The sidewalk widths exceeding the amount required in the City of Woodinville street standards may occur on private property adjoining the public street right-of-way; and
6. Off-street parking requirements WMC 21A.18 are modified as follows for all nonresidential uses:
 - a. No less than one space for every 1000 square feet of floor area shall be provided;
 - b. No more than 75 percent of parking shall be on-site surface parking. Such parking shall be placed in the interior of the lot, or at the rear of the building it serves; and
 - c. At least 25 percent of the required parking shall be enclosed in an on-site parking structure or located at an off-site common parking facility, provided that this requirement is waived when the applicant signs a no protest agreement to participate in any improvement district for the future construction of such facilities.

21A.38.060 Special district overlay - office/research park development.

- A. The purpose of the office/research park special district overlay is to establish an area for development to occur in a campus setting with integrated building designs, flexible grouping of commercial and industrial uses, generous landscaping and buffering treatment, and coordinated auto and pedestrian circulation plans. Office/research park districts shall only be established in areas zoned RB, O or I zones. Permitted uses shall include all uses permitted in the RB, O and I zones, as set forth in WMC 21A.08, regardless of the classification used as the underlying zone on a particular parcel of land.
- B. The following development standards shall apply to uses locating in office/research park overlay districts:
 1. All uses shall be conducted inside an entirely enclosed building;
 2. An internal circulation plan shall be developed to facilitate pedestrian and vehicular traffic flow between major project phases and individual developments;
 3. The standards set forth in this section shall be applied to the development as a unified site, notwithstanding any division of the development site under a binding site plan or subdivision;
 4. All buildings shall maintain a 50-foot setback from perimeter streets and from residential zoned areas;

5. The total permitted impervious lot coverage shall be 80 percent. The remaining 20 percent shall be devoted to open space. Open space may include all required landscaping, and any unbuildable environmentally sensitive areas and their associated buffers;
6. The landscaping standards set forth in WMC 21A.16 are modified as follows:
 - a. 20-foot wide Type II landscaping shall be provided along exterior streets, and 20-foot wide Type III landscaping shall be provide along interior streets;
 - b. 20-foot wide Type I landscaping shall be provided along property lines adjacent to residential zoned areas;
 - c. 15-foot wide Type II landscaping shall be provided along lines adjacent to nonresidential zoned areas; and
 - d. Type IV landscaping shall be provided within all surface parking lots as follows:
 - (1) Fifteen percent of the parking area, excluding required perimeter landscaping, shall be landscaped in parking lots with more than 30 parking stalls;
 - (2) At least one tree for every four parking stalls shall be provided, to be reasonably distributed throughout the parking lot; and
 - (3) No parking stall shall be more than 40 feet from some landscaping;
 - e. An inventory of existing site vegetation shall be conducted pursuant to the procedures set forth in WMC 21A.16. Significant trees identified in the inventory shall be retained as set forth in WMC 21A.16 for commercial and industrial developments, and
 - f. An overall landscaping plan which conforms to the requirements of this subsection shall be submitted for the entire district or each major development phase prior to the issuance of any site development, grading, or building permits;
7. Lighting within an office/industrial park shall shield the light source from the direct view of surrounding residential areas;
8. Refuse collection/recycling areas and loading or delivery areas shall be located at least 100 feet from residential areas and screened with a solid view obscuring barrier;
9. Off street parking standards as set forth in Chapter 21A.18 are modified as follows:
 - a. One space for every 300 square feet of floor area shall be provided for all uses, except on-site daycare, exercise facilities, eating areas for employees, archive space for tenants, retail/service uses;
 - b. Parking for on-site daycare, exercise facilities, eating areas for employees, archive space for tenants, and retail/service uses shall be no less than one space for every 1000 square feet of

- floor area and no greater than one space for every 500 square feet of floor area; and
- c. At least 25 percent of required parking shall be located in a parking structure; and
10. Sign standards as set forth in Chapter 21A.20 are modified as follows:
- a. Signs visible from the exterior of the park shall be limited to one monument office/research park identification sign at each entrance. Such signs shall not exceed an area of 64 square feet per sign;
 - b. No pole signs shall be permitted; and
 - c. All other signs shall be visible only from within the park.

21A.38.065 Tourist district overlay.

- A. The purpose of the tourist overlay is to provide for tourist-oriented retail and commercial uses in the Sammamish Valley, south of the Seattle-Tolt River Watermain Corridor, which are visually compatible with surrounding uses; complement the agricultural/rural activity in the Valley and are planned and conducted in an environmentally sensitive manner. Permitted uses in the tourist district overlay and development standards are established to ensure that uses and development within said overlay area fit harmoniously and compatibly and incongruous intrusion is minimized.
- B. The following additional uses are permitted in the tourist district overlay:
 1. Wineries, breweries and distilleries (SIC No. 208) and those uses customarily associated with wineries, breweries, and distilleries including administrative offices, grounds maintenance, gardens, parking, visitor services, retail outlets for products produced on-site, public concert and theatrical events, restaurants, as well as beer and wine tasting facilities;
 2. Manufacture of art and craft products produced from metal, stone, clay and glass provided that at least 10% of the products manufactured on site must be sold on site;
 3. Manufacture of bakery SIC No. 205, confectionery SIC No. 286, and other specialty food and kindred products provided that at least 10% of the products manufactured on site must be sold on site;
 4. Tourist-related retail and commercial uses: bike shops, delicatessens, art/northwest craft shops, and food stores limited to SIC No. 543 through 549;
 5. Theaters, museums, and outdoor performance centers;
 6. Bed and Breakfast Guesthouses only as an accessory to the permanent residence of the operator, provided:
 - a. Serving meals to paying guests shall be limited to breakfast; and
 - b. The number of persons accommodated per night shall not exceed five, except that a structure which satisfies the standards

- of the Uniform Building Code as adapted by the City for R-1 occupancies may accommodate up to ten persons per night.
7. Conference Centers limited to not exceed a capacity of 200 people;
 8. Passenger train stations;
 9. Parks, trails and recreation services providing rental of canoes, kayacks, rowboats, and floatation devices;
 10. Uses similar to those listed above which the Planning Director determines are consistent with the purposes of the tourist district overlay; and
 11. Accessory uses incidental to or dependent upon permitted uses.
- C. The following development criteria shall apply to development proposals within the tourist district overlay:
1. Building architecture including bulk and scale shall be compatible with the recreation, rural, agricultural and tourist character of surrounding uses and consistent with the purposes of the tourist district overlay; and
 2. Site and landscape design shall facilitate pedestrian, bicycle, and vehicular traffic flow between major project phases and individual developments and any adjacent tourist-related uses as well as minimize connections to the Woodinville-Redmond Road through use of shared driveways.
- D. The following development standards and requirements shall apply to all development and all property under common ownership located within the tourist district overlay:
1. All uses except for accessory uses shall be conducted inside an entirely enclosed building provided that uses that are not contained in the enclosed building shall be treated architecturally to minimize visual impact;
 2. The height of each building and accessory structures shall not exceed 45' from the finished floor elevation existing grade, provided height may be increased by the City when the increase is for architectural or functional features integral to the design or use of the structure and is consistent with the purpose of the tourist district overlay. Said architectural or functional features shall be limited to: penthouses or roof structures for housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building; fire or parapet walls, skylights, towers, flag poles, chimneys, smoke stacks, church steeples and belfries, wireless mast, utility line towers and poles, windmills, food silos and barns, and similar structures required for the use of the building.
 3. All loading areas shall be screened so that they are not visible from public roads and trails by berms, landscaping and/or architectural features;
 4. All buildings shall maintain a 50' landscaped setback from perimeter streets and from residentially zoned areas;

5. All buildings shall maintain a 100' landscaped setback from the Sammamish River;
6. The site coverage standards set forth in WMC 21A.12 are modified as follows:
 - a. The total permitted impervious lot coverage shall be 50 percent and the total permitted building coverage shall be 35 percent. The remaining 50 percent shall be devoted to open space. Open space may include all required landscaping, and any unbuildable environmentally sensitive areas and their associated buffers; and
 - b. When subdivision or a binding site is proposed for a unified site and the site coverage standards apply to the total unified site and not each proposed lot;
7. The landscaping standards set forth in WMC 21A.16 are modified as follows:
 - a. An overall landscaping plan for each development phase shall be approved by the City prior to the issuance of any site development, grading, or building permits;
 - b. 50' wide Type II landscaping shall be provided along exterior streets, and 20' wide Type III landscaping shall be provided along interior streets;
 - c. 15' wide Type II landscaping shall be provided along lines adjacent to nonresidential zoned areas; and
 - d. Type IV landscaping shall be provided within all surface parking lots as follows:
 - (1) Fifteen percent of the parking area, excluding required perimeter landscaping, shall be landscaped in parking lots with more than 30 parking stalls;
 - (2) At least one tree for every four parking stalls shall be provided, to be reasonably distributed throughout the parking lot; and
 - (3) No parking shall be more than 40 feet from some landscaping;
 - e. An inventory of existing site vegetation shall be conducted pursuant to the procedures set forth in WMC 21A.16. Significant trees identified in the inventory shall be retained as set forth in WMC 21A.16;
8. Refuse collection/recycling areas and loading or delivery areas shall be located at least 100' from residential areas, tourist related uses, or trails and screened with a solid view obscuring barrier;
9. Sign standards set forth in Chapter 21A.10 are modified as follows:
 - a. Signs visible from the exterior of the site shall be limited to one monument identification sign at each entrance. Such signs shall not exceed an area of 64 square feet per sign;
 - b. No pole signs shall be permitted;
 - c. All other signs shall be visible only from within the site; and
 - d. No backlit or neon signage shall be allowed.

10. All rooftop mechanical equipment must be screened architecturally to minimize its visual impact;
11. Special events and outdoor performances shall comply with the Temporary Use Permits section of the WMC 21.32 and the following:
 - a. All needed parking will be accommodated on-site by a combination of permanent and temporary facilities;
 - b. An event management plan covering sanitation, crowd control, traffic parking and emergency services shall be filed with the City; and
 - c. The maximum permissible sound levels for receiving property shall not exceed 49dB(A) per KCC 12.88.020 as modified by KCC 12.88.030 for short duration increased levels.

CHAPTER 21A.39 (Reserved)

CHAPTER 21A.40 APPLICATION AND NOTICE REQUIREMENTS

SECTIONS:

- 21A.40.010 Applications - Specific form and content of application determined
- 21A.40.020 Applications - Initiation of required approvals or permits
- 21A.40.030 Applications - Complete applications
- 21A.40.035 Applications - Vesting
- 21A.40.040 Applications - Modifications to proposal
- 21A.40.050 Applications - Supplemental information
- 21A.40.060 Applications - Oath of accuracy
- 21A.40.070 Applications - Limitations on refiling of applications
- 21A.40.080 Notice - Content
- 21A.40.090 Notice - Posted notice
- 21A.40.100 Notice - Published notice
- 21A.40.110 Notice - Mailed notice
- 21A.40.120 Notice - Additional notice
- 21A.40.130 Notice - Exception to notice requirements

- 21A.40.010 Applications - Specific form and content of application determined. The Department shall:
 - A. Prescribe, prepare and provide the form on which applications required by this code are made; and
 - B. Prescribe the type of information to be submitted by the applicant.
- 21A.40.020 Applications - Initiation of required approvals or permits. The Department shall not commence review of any application set forth in this chapter until the property owner has submitted the materials and fees specified for complete applications.
- 21A.40.030 Applications - Complete applications.
 - A. Applications for conditional use permits, variances, zone reclassification and special use permits shall be considered complete as of the date of submittal upon determination by the Department that the materials submitted contain the following:
 1. Application forms provided by the Department and completed by the applicant;
 2. Certificates of sewer and water availability from the appropriate purveyors, where sewer and/or water service is proposed to be obtained from a purveyor, confirming that the proposed water supply and/or sewage disposal are adequate to serve the development in compliance with adopted state and local system design and operating guidelines;
 3. Receipt signed by the fire district verifying application submittal, if applicable;

4. Identification on the site plan of all easements, deed restrictions, or other encumbrances restricting the use of the property, if applicable;
 5. Proof that the lot or lots are recognized as separate lots pursuant to the provisions of WMC Title 20A Interim Subdivision Code;
 6. A sensitive area affidavit as provided by WMC 21A.24;
 7. A completed environmental checklist, if required by WMC environmental procedures;
 8. Payment of any development permit review fees, excluding impact fees collectible pursuant to WMC required development permit fees; and
 9. Complete applications for other required permits that are required to be processed concurrently with the proposed application, or copies of approved permits that are required to be obtained prior to the proposed application.
- B. Applications found to contain material errors shall not be deemed complete until such material errors are corrected.
- C. The Planning Director may waive specific submittal requirements determined to be unnecessary for review of an application.

21A.40.035 Vesting.

- A. Only a complete application for a conditional use permit shall be considered under zoning and other land use control ordinances in effect as of the date of submittal.
- B. Supplemental information required after acceptance and vesting of a complete application shall not affect the validity of the vesting for such application.
- C. Vesting of an application does not vest any subsequently required permits, nor does it affect the requirements for vesting of subsequent permits or approvals.
- D. This section vests only conditional use permits. Vesting for other development permits shall be governed by other applicable titles.

21A.40.040 Applications - Modifications to proposal.

- A. Modifications to an application required by the City shall not be deemed a new application.
- B. An applicant-requested modification occurring either before or after issuance of the permit shall be deemed a new application for the purpose of vesting when such modification would result in a substantial increase in a project's impacts as determined by the Department. Such substantially increased impacts may include increases in residential density or traffic generation or a greater than 10 percent increase in building square footage.

21A.40.050 Applications - Supplemental information.

- A. The Department may cease processing of a complete application while awaiting supplemental information which is found to be necessary for

continued review subsequent to the initial screening by the Department.

- B. The Department shall set a reasonable deadline for the submittal of such supplemental information and shall provide written notification to the applicant by certified mail. An extension of such deadline may be granted upon submittal by the applicant of a written request providing satisfactory justification for an extension.
- C. Failure by the applicant to meet such deadline shall be cause for the Department to cancel/deny the application:
- D. When granting a request for a deadline extension, the Department shall give consideration to the number of days between receipt by the Department of a written request for a deadline extension and the mailing to the applicant of the Department's decision regarding that request.

21A.40.060 Applications - Oath of accuracy. The applicant shall attest by written oath to the accuracy and completeness of all information submitted for an application.

21A.40.070 Applications - Limitations on refiling of applications. Upon denial by the City Council of a zone reclassification or a special use permit, no new application for substantially the same proposal shall be accepted within one year from the date of denial.

21A.40.080 Notice - Content.

All required notice of proposed actions shall contain the following information:

1. The file number;
2. The name of the applicant;
3. The description of the requested action and the proposed use of the property;
4. A general location description in non-technical terms;
5. A site plan, if applicable;
6. The procedures and deadline for filing comments;
7. The time and place of public hearing, if applicable; and
8. Identification of the responsible City official.

21A.40.090 Notice - Posted Notice. Posted notice for a proposed action shall consist of one or more notice boards as follows.

- A. A single notice board shall be placed by the applicant:
 1. At the midpoint of the site street frontage or as otherwise directed by the Department for maximum visibility;
 2. Five feet inside the street property line except when the board is structurally attached to an existing building, provided that no notice board shall be placed more than five feet from the street property without approval of the Department;

3. So that the top of the notice board is between seven to nine feet above grade; and
 4. Where it is completely visible to pedestrians.
- B. Additional notice boards may be required when:
1. The site does not abut a public road;
 2. A large site abuts more than one public road; or
 3. The Department determines that additional notice boards are necessary to provide adequate public notice.
- C. Notice boards shall be:
1. Maintained in good condition by the applicant during the notice period;
 2. In place at least 15 days prior to the date of hearing or the end of any required comment period; and
 3. Removed within 15 days after the end of the notice period.
- D. Removal of the notice board prior to the end of the notice period may be cause for discontinuance of the Department review until the notice board is replaced and remains in place for the specified time period.
- E. An affidavit of posting shall be submitted to the Department by the applicant prior to the hearing or final comment date.
- F. Notice boards shall be constructed and installed in accordance with specifications promulgated by the Department.

21A.40.100 Notice - Published notice. Notice of a proposed action shall be published by the City at least 15 days prior to the public hearing or the end of any required comment period in the official City newspaper or another newspaper of general circulation in the affected area.

21A.40.110 Notice - Mailed notice. Mailed notice for a proposed action shall be:

- A. sent by the Department by first class mail to owners of property in an area within 500 feet of the site, provided such area shall be expanded as necessary to send mailed notice to at least 20 different property owners;
- B. considered supplementary to posted or published notice;
- C. deemed satisfactory despite the failure of one or more owners to receive mailed notice;
- D. mailed at least 15 days prior to the public hearing or end of any required comment period; and
- E. accompanied by a vicinity map and a form to request Department reports or decisions.

21A.40.120 Notice - Additional notice. The Department may provide additional notice or may expand the area of notice in order to inform affected property owners of a proposed action.

21A.40.130 Notice - Exception to notice requirements. If testimony cannot be completed prior to adjournment on the date set for a hearing, the presiding official shall:

- A. Announce prior to adjournment the time and place said hearing will be continued; or
- B. Provide mailed notice for a continued hearing to all parties of record, when a new time and place is determined.

CHAPTER 21A.42 REVIEW PROCEDURES

SECTIONS:

- 21A.42.010 Code compliance review - Actions subject to review
- 21A.42.020 (Reserved)
- 21A.42.030 Planning Director review - Decisions and appeals
- 21A.42.040 Planning Director review - Actions subject to review
- 21A.42.050 Planning Director review - Notice requirements and comment period
- 21A.42.060 Planning Director review - Decision or public hearing required
- 21A.42.070 Planning Director review - Additional requirements prior to hearing
- 21A.42.080 Planning Director review - Decision regarding proposal
- 21A.42.090 Planning Director review - Decision final unless appealed
- 21A.42.100 Hearing Examiner review - Zone reclassification, variances, special use permits and conditional use permits referred by the Planning Director
- 21A.42.110 Hearing Examiner review - Decision final unless appealed or challenged
- 21A.42.120 Combined review
- 21A.42.130 Establishment of hearing rules
- 21A.42.140 Records

- 21.42.010 Code compliance review - Actions subject to review. The following actions shall be subject to the administrative review for determining compliance with the provisions of this title and/or any applicable development conditions which may affect the proposal:
 - A. Building permits;
 - B. Grading permits; and
 - C. Temporary use permits.

- 21A.42.020 (Reserved)

- 21A.42.030 Planning Director review - Decisions and appeals.
 - A. The Planning Director shall approve with conditions or deny permits based on compliance with this title and any other development conditions affecting the proposal.
 - B. Planning Director decisions may be appealed to the Hearing Examiner.
 - C. Permits approved through code compliance review shall be effective for the time periods and subject to the terms set out as follows:
 - 1. Building permits shall comply with Uniform Building Code as adopted by the City of Woodinville;
 - 2. Grading permits shall comply with Uniform Building Code as adopted by the City of Woodinville; and
 - 3. Temporary use permits shall comply with WMC 21A.32

- 21A.42.040 Planning Director review - Actions subject to review. The following actions shall be subject to the Planning Director review procedures set forth in this chapter:

- A. Applications for conditional uses; and
- B. Periodic review of extractive operations.

21A.42.050 Planning Director review - Notice requirements and comment period.

- A. The Department shall provide published, posted and mailed notice pursuant to WMC 21A.40.080- .130 for all applications subject to Planning Director review.
- B. Written comments and materials regarding applications subject to Planning Director review procedures shall be submitted within 15 days of the date of published notice or the posting date, whichever is later.

21A.42.060 Planning Director review - Decision or public hearing required. Following the comment period provided in WMC 21A.42.050, the Planning Director shall:

- A. Review the information in the record and render a decision pursuant to WMC 21A.42.080; or
- B. Forward the application to the Hearing Examiner for public hearing, if:
 - 1. Adverse comments are received from at least five persons or agencies during the comment period which are relevant to the decision criteria of WMC 21A.44 or state specific reasons why a hearing should be held; or
 - 2. The Planning Director determines that a hearing is necessary to address issues of vague, conflicting or inadequate information, or issues of public significance.

21A.42.070 Planning Director review - Additional requirements prior to hearing.

When a hearing before the Hearing Examiner is deemed necessary by the Planning Director:

- A. Application processing shall not proceed until the supplemental permit review fees set forth in the WMC are received; and
- B. The application shall be deemed withdrawn if the supplemental fees are not received within 30 days of applicant notification by the Department.

21A.42.080 Planning Director review - Decision regarding proposal.

- A. Decisions regarding the approval or denial of proposals (excluding periodic review of extractive operations) subject to Planning Director review pursuant to WMC 21A.42.040 shall be based upon compliance with the required showings of WMC 21A.44. Periodic reviews of extractive operations shall be based upon the criteria outlined in WMC 21A.22.050.B.
- B. Decisions shall be rendered no more than 40 days after the termination of comment period or a public hearing, if required. A comment period or public hearing may be reopened for purposes of obtaining additional information.
- C. The written decision contained in the record shall show:

1. Facts, findings and conclusions supporting the decision and demonstrating compliance with the applicable decision criteria; and
 2. Any conditions and limitations imposed, if the request is granted.
- D. The Planning Director shall mail a copy of the written decision to the applicant and to all parties of record.

21A.42.090 Planning Director review - Decision final unless appealed.

- A. The decision of the Planning Director shall be final unless the applicant or an adverse party files an appeal to the Hearing Examiner pursuant to City of Woodinville Ordinance No. 18.
- B. Prior to an appeal hearing by the Hearing Examiner, the Hearing Examiner shall mail notice of the appeal to parties of record.
- C. The Hearing Examiner shall review and make decisions based upon information contained in the written appeal and the record.
- D. The Hearing Examiner shall render a decision within ten working days of the closing of hearing; and
- E. The Hearing Examiner's decision shall be final unless appealed to Superior Court under the provisions of City of Woodinville Ordinance No. 18.
- F. Permit approvals which are subject to review per WMC 21A.42.040 shall have a time-limit of two years from issuance or date of the final appeal decision, whichever is applicable, in which any required conditions of approval must be met; however, conditional use approval for schools shall have a time limit of five years. The time-limit may be extended one additional year by the Planning Director or the Hearing Examiner if the applicant provides written justification prior to the expiration of the time limit. For the purpose of this chapter, issuance date shall be the date the permit is issued or date upon which the Hearing Examiner's decision is issued on an appeal of a permit, whichever is later. A permit is effective indefinitely once any required conditions of approval have been met.

21A.42.100 Hearing Examiner review - Zone reclassification, variances, special use permits and conditional use permits referred by the Planning Director. Applications for zone reclassification, special use permits, variances and conditional use permits referred by the Planning Director shall be reviewed by the Hearing Examiner subject to the notice procedures set forth in WMC 21A.40 and applicable criteria set forth in WMC 21A.44.

21A.42.110 Hearing Examiner review - Decision final unless appealed or challenged.

- A. The decision of the Hearing Examiner regarding variances, special use permits and conditional use permits shall be final unless the applicant or an adverse party files an appeal to the City Council pursuant to City of Woodinville Ordinance No. 18.
- B. The decision of the Hearing Examiner regarding zone reclassifications shall be in the form of a recommendation to the City Council for passage of the appropriate ordinance. The applicant or an adverse

party may file a challenge to said recommendation to the City Council within fourteen (14) days of the date of the recommendation. If the City Council concludes that significant issues have been raised in a challenge or if they are unsatisfied with the Hearing Examiner's recommendation for any other reason, they may by motion either direct the Hearing Examiner to hold a rehearing on the matter or decide to hold a City Council hearing on the matter. The motion may limit the scope of the issues to be considered at the rehearing or City Council hearing.

- C. Prior to hearing by the City Council, pursuant to WMC21A.42.110A and B above, the Planning Director shall mail a notice of the appeal or challenge to all parties of record.
- D. The City Council's decision shall be final unless appealed to Superior Court under the provisions of City of Woodinville Ordinance No. 18.

- 21A.42.120** Combined review. Proposed actions may be combined for review purposes with any other action subject to the same review process, provided:
- A. Notice requirements for combined review shall not be less than the greatest individual action requirement; and
 - B. No permit shall be approved without prior review and approval of any required variance.

- 21A.42.130** Establishment of hearing rules. The Hearing Examiner shall establish rules governing the conduct of public hearings before the Hearing Examiner.

- 21A.42.140** Records. The Department shall maintain public records for all permit approvals and denials containing the following information:
- A. Application documents;
 - B. Tape recorded verbatim records of required public hearing;
 - C. Written recommendations and decisions for proposed actions;
 - D. Ordinances showing final City Council actions;
 - E. Evidence of notice;
 - F. Written comments received; and
 - G. Material submitted as exhibits.

CHAPTER 21A.44 DECISION CRITERIA

SECTIONS:

- 21A.44.010 Purpose
- 21A.44.020 (Reserved)
- 21A.44.030 Temporary use permit
- 21A.44.040 Variance
- 21A.44.050 Conditional use permit
- 21A.44.060 Special use permit
- 21A.44.070 Zone reclassification
- 21A.44.080 Home occupation permit
- 21A.44.090 Home industry permit

- 21A.44.010 **Purpose.** The purposes of this chapter are to allow for consistent evaluation of land use applications and to protect nearby properties from the possible effects of such requests by:
- A. Providing clear criteria on which to base a decision;
 - B. Recognizing the effects of unique circumstances upon the development potential of a property;
 - C. Avoiding the granting of special privileges;
 - D. Avoiding development which may be unnecessarily detrimental to neighboring properties;
 - E. Requiring that the design, scope and intensity of development is in keeping with the physical aspects of a site and adopted land use policies for the area; and
 - F. Providing criteria which emphasize protection of the general character of neighborhoods.

- 21A.44.020 (Reserved)

- 21A.44.030 **Temporary use permit.** A temporary use permit shall be granted by the City, only if the applicant demonstrates that:
- A. The proposed temporary use will not be materially detrimental to the public welfare;
 - B. The proposed temporary use is compatible with existing land use in the immediate vicinity in terms of noise and hours of operation;
 - C. The proposed temporary use, if located in a resource zone, will not be materially detrimental to the use of the land for resource purposes and will provide adequate off-street parking if necessary to protect against compacting soils.
 - D. Adequate public off-street parking and traffic control for the exclusive use of the proposed temporary use can be provided in a safe manner; and
 - E. The proposed temporary use is not otherwise permitted in the zone in which it is proposed.

- 21A.44.040 Variance.** A variance shall be granted by the City, only if the applicant demonstrates all of the following:
- A. The strict enforcement of the provisions of this title creates an unnecessary hardship to the property owner;
 - B. The variance is necessary because of the unique size, shape, topography, or location of the subject property;
 - C. The subject property is deprived, by provisions of this title, of rights and privileges enjoyed by other properties in the vicinity and under an identical zone;
 - D. The need for the variance is not the result of deliberate actions of the applicant or property owner;
 - E. The variance does not create health and safety hazards;
 - F. The variance does not relieve an applicant from any of the procedural provisions of this title;
 - G. The variance does not relieve an applicant from any standard or provision that specifically states that no variance from such standard or provision is permitted;
 - H. The variance does not relieve an applicant from conditions established during prior permit review or from provisions enacted pursuant to WMC 21A.38, Property-Specific Development Standards;
 - I. The variance does not allow establishment of a use that is not otherwise permitted in the zone in which the proposal is located;
 - J. The variance does not allow the creation of lots or densities that exceed the base residential density for the zone;
 - K. The variance is the minimum necessary to grant relief to the applicant;
 - L. The variance from setback or height requirements does not infringe upon or interfere with easement or covenant rights or responsibilities; and
 - M. The variance does not relieve an applicant from any provisions of WMC 21A.24 Sensitive Areas, except for the required buffer widths set forth in WMC 21A.24.270, 21A.24.300, 21A.24.310, or 21A.24.350.

- 21A.44.050 Conditional use permit.** A conditional use permit shall be granted by the City, only if the applicant demonstrates that:
- A. The conditional use is designed in a manner which is compatible with the character and appearance with the existing, or proposed development in the vicinity of the subject property;
 - B. The location, size and height of buildings, structures, walls and fences, and screening vegetation for the conditional use shall not hinder neighborhood circulation or discourage the permitted development or use of neighboring properties;
 - C. The conditional use is designed in a manner that is compatible with the physical characteristics of the subject property;
 - D. Requested modifications to standards are limited to those which will mitigate impacts in a manner equal to or greater than the standards of this title;

- E. The conditional use is not in conflict with the health and safety of the community;
- F. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood; and
- G. The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts on such facilities.

21A.44.060 Special use permit. A special use permit shall be granted by the City, only if the applicant demonstrates that:

- A. The characteristics of the special use will not be unreasonably incompatible with the types of uses permitted in surrounding areas;
- B. The special use will not materially endanger the health, safety and welfare of the community;
- C. The special use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood;
- D. The special use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts;
- E. The location, size and height of buildings, structures, walls and fences, and screening vegetation for the special use shall not hinder or discourage the appropriate development or use of neighboring properties; and
- F. The special use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this title.

21A.44.070 Zone reclassification. 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:

- A. There is a demonstrated need for additional zoning as the type proposed.
- B. The zone reclassification is consistent and compatible with uses and zoning of the surrounding properties.
- C. There have been significant changes in the circumstances of the property to be rezoned or surrounding properties to warrant a change in classification.
- D. The property is practically and physically suited for the uses allowed in the proposed zone reclassification.

21A.44.080 Home occupation permit. A home occupation permit shall be granted by the City only if the applicant demonstrates that the home occupation will be conducted in compliance with the provisions of WMC 21A.30.040.

21A.44.090 Home industry permit. A home industry permit shall be granted by the City only if the applicant demonstrates that the home industry will be conducted in compliance with the provisions of WMC 21A.30.050.

CHAPTER 21A.46 AMENDMENTS

SECTIONS:

- 21A.46.010 Purpose
- 21A.46.020 Authority and Application
- 21A.46.030 Required Findings
- 21A.46.040 Burden of Proof

21A.46.010 Purpose. After reviewing the Planning Commission's recommendation concerning a proposed amendment, the City Council may amend, supplement, or change by ordinance, any of the provisions, herein.

21A.46.020 Authority and Application. Amendments to the text of this title may be initiated by the City Council, the Planning Commission, City staff, or petition submitted by a citizen.

21A.46.030 Required Findings. Amendments to the text to this title may be made if all the following findings are made:

- A. The amendment is consistent with the purposes of the Comprehensive Plan;
- B. The amendment is consistent with the purpose of this title;
- C. There have been significant changes in the circumstances to warrant a change;
- D. The benefit or cost to the public health, safety and welfare is sufficient to warrant the action.

21A.46.040 Burden of Proof. The applicant must demonstrate that the proposed amendment meets the conditions of the required findings above.

CHAPTER 21A.50 ENFORCEMENT

SECTIONS:

- 21A.50.010 Purpose**
- 21A.50.020 Authority and application**
- 21A.50.030 Violations defined**
- 21A.50.040 Permit suspension, revocation or modification**
- 21A.50.050 Initiation of revocation or modification proceedings**

21A.50.010 Purpose. The purpose of this chapter is to promote compliance with this title by establishing enforcement authority, defining violations, and setting standards for initiating the procedures set forth in WMC 21A.50, Enforcement, when violations of this title occur.

21A.50.020 Authority and application. The Planning Director is authorized to enforce the provisions of this code, any implementing administrative rules, and approval conditions attached to any land use approval, through revocation or modification of permits, or through the enforcement, penalty and abatement provisions of the WMC.

21A.50.030 Violations defined. No building permit or land use approval in conflict with the provisions of this title shall be issued. Structures or uses which do not conform to this title, except legal nonconformances specified in WMC 21A.32 and approved variances, are violations subject to the enforcement, penalty and abatement provisions of this chapter, including but not limited to:

- A. Establishing a use not permitted in the zone in which it is located;
- B. Constructing, expanding or placing a structure in violation of setback, height and other dimensional standards in this title;
- C. Establishing a permitted use without complying with applicable development standards set forth in other titles, ordinances, rules or other laws, including but not limited to, road construction, surface water management, the Fire Code, and rules of the County department of public health;
- D. Failing to carry out or observe conditions of land use or permit approval, including contract development standards;
- E. Failing to secure required land use or permit approval prior to establishing a permitted use; and
- F. Failing to maintain site improvements, such as landscaping, parking or drainage control facilities as required by this code or other City of Woodinville ordinances.

21A.50.040 Permit suspension, revocation or modification.

- A. Permit suspension, revocation or modification shall be carried out through the procedures set forth herein. Any permit, variance, or

other land use approval issued by the City of Woodinville pursuant to this title may be suspended, revoked or modified on one or more of the following grounds:

1. The approval was obtained by fraud;
 2. The approval was based on inadequate or inaccurate information;
 3. The approval, when given, conflicted with existing laws or regulations applicable thereto;
 4. An error of procedure occurred which prevented consideration of the interests of persons directly affected by the approval;
 5. The approval or permit granted is being exercised contrary to the terms or conditions of such approval or in violation of any statute, law or regulation;
 6. The use for which the approval was granted is being exercised in a manner detrimental to the public health or safety;
 7. The holder of the permit or approval interferes with the Planning Director or any authorized representative in the performance of his or her duties; or
 8. The holder of the permit or approval fails to comply with any notice and order issued pursuant to the WMC.
- B. Authority to revoke or modify a permit or land use approval shall be exercised by the issuer, as follows:
1. The City Council may, after a recommendation from the Hearing Examiner, revoke or modify any residential density incentive approval, transfer of development credit, preliminary subdivision, zone reclassification or special use permit;
 2. The Hearing Examiner may revoke or modify any variance or conditional use permit, provided that it was reviewed through a public hearing and a new public hearing was held on its revocation or modification; and
 3. The Planning Director may revoke or modify any permit or other land use approval issued by the Planning Director.

21A.50.050 Initiation of revocation or modification proceedings.

- A. The Planning Director may suspend any permit, variance or land use approval issued by any City of Woodinville issuing agency and processed by the Department pending its revocation or modification, or pending a public hearing on its revocation or modification;
- B. The issuing agency may initiate proceedings to revoke or modify any permit or land use approval it has issued; and
- C. Persons who are aggrieved may petition the issuing agency to initiate revocation or modification proceedings, and may petition the Planning Director to suspend a permit, variance or land use approval pending a public hearing on its revocation or modification.

INTRODUCED AND READ for the first time this _____ day of _____, 19__.

PASSED this _____ day of _____, 19_____.

City of Woodinville COUNCIL
City of Woodinville, WASHINGTON

Chair

ATTEST:

City of Woodinville Clerk

APPROVED this _____ day of _____, 19_____.

City of Woodinville Mayor



