

# ORIGINAL

## ORDINANCE NO. 126

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON AMENDING ORDINANCES NOS. 43, 45 AND 80, RELATING TO CERTAIN SECTIONS OF THE INTERIM ZONING CODE, AND SUBDIVISION CODE.

**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**, Ordinance 80 amended Ordinance No. 43; and

**WHEREAS**, Ordinance No. 45 adopted the Subdivision Code; and

**WHEREAS**, the City of Woodinville has determined that certain amendments are necessary to the Interim Zoning Code and Subdivision 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 June 7, 1995 for the purpose of receiving public testimony regarding the proposed amendments to the Interim Zoning Code and Subdivision Code; and

**WHEREAS**, the Planning Commission has reviewed the proposed amendments to Section 21A.12.070 of the Interim Zoning Code and Subdivision 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 and Subdivision Code, previously adopted in Ordinance No. 45, and Ordinance No. 43, as amended by Ordinance No.80 , NOW, THEREFORE,

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

Section 1: Section 21A.06.003 is added to the Woodinville Municipal Code (WMC) Section 21A.06 Definitions to read:

**21A.06.003** and **Abutting, adjoining.** To touch along a border or bounding at a point or line.

# ORIGINAL

Section 2: Section 21A.06.197 is added to the WMC Section 21A.06 Definitions to read:

21A.06.197 Eaves. The lower border of a roof that overhang the wall.

Section 3: Section 21A.08.030A (Chart) of the WMC which previously read:

A. RESIDENTIAL LAND USES, SPECIFIC LAND USE, **DWELLING UNITS, TYPES:**,  
Senior citizen assisted

is hereby amended to read as follows:

A. RESIDENTIAL LAND USES, SPECIFIC LAND USE, **DWELLING UNITS, TYPES:**,  
Senior citizen assisted (See 21A.06.188 for definition)

Section 4: Section 21A.08.030B(2) of the WMC which previously read:

2. Only as an accessory to a school, college/university or church.

is hereby amended to read as follows:

2. Only as an accessory to a school, college/university, church or fire station.

Section 5: Section 21A.12.180 of the WMC which previously read:

21A.12.180 Height - limits near major airports

is hereby amended to read as follows:

21A.12.180 Reserved

Section 6: Section 21A.12.030A of the WMC which previously read:

Maximum Building Coverage: Percentage (5)

and

Maximum Impervious Surface: Percentage (5)

is hereby amended to read as follows:

Maximum Building Coverage: Percentage (5) (16)

and

Maximum Impervious Surface: Percentage (5) (16)

# ORIGINAL

Section 7: **Section 21A.12.030B(16)** is added to the WMC Section 21A.12 Density and Dimensions to read:

16. New Mobile home parks are exempt from this requirement.

Section 8: **Section 21A.12.040A** of the WMC which previously read:

Base Density: Dwelling Unit/Acre, 8 du/ac (2), 18 du/ac (2), 36 du/ac (2), 36 du/ac (2)

is amended to read:

Base Density: Dwelling Unit/Acre, NB, 8 du/ac, CB, 18 du/ac, RB, 36 du/ac, O, 36 du/ac.

Section 9: **Section 21A.12.040B(2)** of the WMC which previously read:

2. These densities are allowed only though the application of mixed use development standards.

is hereby deleted.

Section 10: **Section 21A.12.040A** of the WMC which previously read:

**Minimum Street Setback**, NB, 10 ft (5), CB, 10 ft (5)

is hereby amended to read:

**Minimum Street Setback**, NB, 10 ft (5) (2), CB, 10 ft (5) (2).

Section 11: **Section 21A.12.040B(2)** is added to the WMC Section 21A.12 Density and Dimensions to read:

2. 10 foot setback may be required on those sites abutting a designated pedestrian-oriented street pursuant to City of Woodinville Ordinance No. 112, Interim Design Principles.

Section 12: **Section 21A.12.040A** (chart) which previously read:

**Minimum Interior Setback**

is hereby amended to read:

**Minimum Interior Setback (13)**

Section 13: Section 21A.12.040B(13) is added to the WMC Section 21A.12 Development Conditions to read:

- 13. See WMC 21A.16.060, Landscaping - interior lot lines.

Section 14: Section 21A.12.080(3) (Table) of the WMC which was previously untitled:  
is amended to read:

**Density Credit Table**

Section 15: Section 21A.16.050D of the WMC which previously read:

- D. A ten foot width of Type III landscaping shall be provided for a commercial or attached/group residence development; and

is hereby amended to read:

- D. A ten foot width of Type III landscaping shall be provided for a commercial or attached/group residence development, except the ten foot width of Type III landscape may not be required pursuant to City of Woodinville Ordinance No. 112, Interim Design Principles; and

Section 16: Section 21A.16.060A of the WMC which previously read:

- 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;

is hereby amended to read:

- 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 or zone;

# ORIGINAL

Section 17: Section 21A.16.090G(1) of the WMC which previously read:

1. Two-gallon size at time of planting in Type II, III and IV landscaping,

is hereby amended to read:

1. Two gallon size, and minimum 18 inches in height, at time of planting in Type II, III and IV landscaping,

Section 18: Section 21A.16.090L of the WMC which previously read:

- L Berms shall not exceed a slope of two horizontal feet to one vertical foot (2:1);

is hereby amended to read:

- L. Berms shall not exceed a slope of three horizontal feet to one vertical foot (3:1) for lawns and shall not exceed a slope of two horizontal feet to one vertical foot (2:1) for other plant materials;

Section 19: Section 21A.24.190 of the WMC which previously read:

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.

is hereby amended to read:

21A.24.190 (Reserved)

Section 20: Section 21A.24.360E(2) of the WMC which previously read:

2. Class 2 streams or buffers 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;

# ORIGINAL

- d. There are no significant adverse impacts to the stream.

is hereby amended to read:

2. Class 1 and Class 2 streams or buffers 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.

Section 21: Section 20A.06.160A(3a) of the WMC which previously read:

(a) Permanent survey control monuments shall be the standard concrete monuments as required by King County or City approved equivalent. Permanent survey control monuments within a street shall be set after the street is paved. Every lot corner shall be marked by a 2 inch diameter x 24 inch long galvanized iron pipe with a cap identifying the surveyor or survey company that placed the monument. Said pipe or city approved equivalent, shall be driven into the ground. If any land in a subdivision or short subdivision is contiguous to a meandered body of water, the meander line shall be re-established and shown on the final plat or short plat.

is hereby amended to read as follows:

(a) Permanent survey control monuments shall be the standard concrete monuments as required by King County or City approved equivalent. Permanent survey control monuments within a street shall be marked by a 2 inch diameter x 24 inch long galvanized iron pipe with a cap identifying the surveyor or survey company that placed the monument and shall be set after the street is paved. Every lot corner shall be marked by rebar at least 1/2 inch diameter x 24 inch long with a cap identifying the surveyor or survey company that placed the monument. Said pipe or City approved equivalent, shall be driven into the ground. If any land in a subdivision or short subdivision is contiguous to a meandered body of water, the meander line shall be re-established and shown on the final plat or short plat.

Section 22: Section 20A.06.020A(8) is added to the WMC Section 20A.06 Review and Approval Criteria to read:

8. Safe walk to school procedures, as established by the City, have been met.

Section 23: Section 20A.06.020C(6) is added to the WMC Section 20A.06 Review and Approval Criteria to read:

6. "The applicant provides evidence of an adequate water supply for the intended use".

# ORIGINAL

Section 24: Section 20A.06 Appendix item III A(12) is added to the WMC Section 20A.06 Appendix III- Short Subdivision Administrative Procedures and Standards to read:

12. Certification - The following certificates shall be shown on the final short plat. Items in subsections a and b of this section shall be signed before the final plat is submitted for review:

a. Survey - The surveyor shall place his seal and signature on the plat, along with:

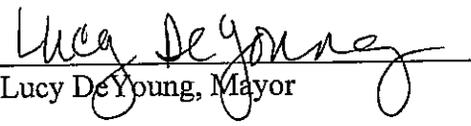
- i. A statement certifying that the plat was prepared by him, or under his supervision.
- ii. A statement certifying that the plat is a true and correct representation of the land surveyed.
- iii. A full and correct description of the land to be divided.

b. Owner - The following statements or certifications shall be placed upon the final plat by the owner:

- i. A statement that the subdivision has been made with the free consent and in accordance with the desires of the owner or owners. Owners of other interest shown on the title report shall certify that they have notice of the short subdivision.
- ii. If the plat is subject to a dedication, a certificate containing the dedication of all streets and other areas, together with a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land from the required construction, drainage and maintenance of the area. The certificates shall be signed and acknowledged before a notary public by all parties having any ownership interest in the lands subdivided.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 26TH DAY OF JUNE 1995.**

APPROVED:

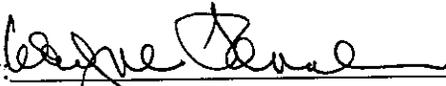
  
Lucy DeYoung, Mayor

**ORIGINAL**

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:  
PASSED BY THE CITY COUNCIL: July 10, 1995  
PUBLISHED: July 17, 1995  
EFFECTIVE DATE: July 22, 1995  
ORDINANCE NO. 126