

ORDINANCE NO. 133

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, AMENDING SECTION 21A.38.065 OF ORDINANCE NO. 43, ADOPTING THE INTERIM ZONING CODE AND ZONING MAP, TO INCLUDE REVISED DEVELOPMENT REGULATIONS FOR THE TOURIST DISTRICT OVERLAY; AND AMENDING THE ZONING MAP TO INCLUDE THE TOURIST DISTRICT OVERLAY.

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

WHEREAS, Ordinance No. 43 did adopt an Interim Zoning Code and Zoning Map; and

WHEREAS, a public hearing was held on August 8, 1995, for the Zoning Map Amendment, and another public hearing was held on August 20, 1995, on the Zoning Code Amendment, and

WHEREAS, the City of Woodinville's Hearing Examiner has recommended approval of the Zoning Map Amendment, and the City of Woodinville Planning Commission has recommended approval of the Zoning Code Amendment; and

WHEREAS, in compliance with WMC 21A.46.030, Required Findings, the City Council has determined the following amendment to the text of the City of Woodinville Interim Zoning Code is appropriate based on the following conclusions:

1. The proposed Tourist District Overlay meets the purpose of a "special district overlay," as defined in the Zoning Code (WMC 21A. 04.160.B);
2. The requested Zoning Code Amendment preserves the relevant goals and policies of the Comprehensive Plan (WMC21A.46.030.A);
3. The requested Zoning Map Amendment allows for the preservation of the uses allowed in the underlying zoning (WMC21A.46.030.B);
4. There have been significant changes in recent years to warrant changes to the Tourist District regulations (WMC21A.44.070.C);
5. The changes will have a benefit to the public health, safety, and welfare sufficient to warrant the action (WMC21A.46.030.D);
6. The changes to the Tourist District Zoning Code regulations will not negatively affect environmental planning in the area; and

WHEREAS, in compliance with WMC 21A.44.070, Zone Reclassification criteria, the City Council has determined the following amendment to the City of Woodinville Zoning Map is appropriate based on the following conclusions:

1. The proposed Tourist District Overlay meets the purpose of a “special district overlay,” as defined in the Zoning Code (WMC 21A. 04.160);
2. The requested Zoning Map Amendment preserves the relevant goals and policies of the Comprehensive Plan (WMC21A.44.070);
3. The requested Zoning Map Amendment would not alter the intent and applicability of the Shoreline Master Plan (WMC21A.44.070);
4. There is a demonstrated need for the proposed zoning (WMC21A.44.070.A);
5. The proposed reclassification is consistent and compatible with the uses and zoning of the affected properties (WMC21A.44.070.B);
6. There have been significant changes in recent years to warrant a tourist district designation (WMC21A.44.070.C);
7. The properties are physically and practically suited to the proposed zoning overlay (WMC21A.44.070.D); and
8. Implementation of the overlay will not negatively affect environmental planning in the area.

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

Section 1: **Section 21A.38.065** of the Woodinville Municipal Code (WMC) will be amended as follows:

21A.38.065 Tourist District Overlay.

- A. The purpose of the Tourist District Overlay is to provide for tourist-oriented retail and commercial uses in the Sammamish Valley, south of, and including, the Seattle Tolt River Watermain Corridor, and east of, and including, the Belt Line of the Burlington Northern Railroad. These uses are additional to the uses permitted in the underlying zoning, are visually compatible with surrounding uses, complement the agricultural and recreational activities 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 the

overlay area fit harmoniously and compatibly and inappropriate 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 primarily for products produced on-site, public concert and theatrical events, restaurants, as well as beer and wine tasting events and facilities;
2. Manufacture of arts and crafts, provided that at least 10% of floor area is devoted to retail;
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 provided:
 - a. Movie theaters with more than one screen and drive-in theaters are prohibited.
6. Lodging facilities, including bed and breakfast guest houses, lodges, and inns, provided:
 - a. The number of rooms is limited to 24 per acre;
 - b. Impervious surface shall be limited to fifty percent of the site;
 - c. The height is limited to 35 feet, not exceeding three stories; and
 - d. The style of the structure shall
 - (1) Fit one of the following styles: country inn, bed and breakfast, Victorian, woodland lodge, or other style defined in the Tourist District Master Plan and approved by the Planning Commission Design Review Subcommittee;
 - (2) Be compatible with existing development; and
 - (3) Meet the criteria as listed in the Tourist District Master Plan.
7. Conference centers, provided that:
 - a. The design and scope of the project fit in with the intent of the Tourist District and are compatible with surrounding development; and
 - b. The design meets the criteria of the Tourist District Master Plan.
8. Passenger train stations;
9. Parks, trails and recreation services providing rental of bicycles, roller skates or blades, canoes, kayaks, rowboats, and floatation devices;
10. Restaurants, except drive-through facilities;
11. Antique stores and book stores;
12. Art dealers and galleries (retail);
13. River-related uses and accessories, such as small-boat rentals or steamboat quays/docking;
14. Accessory uses incidental to or dependent upon permitted uses; and

15. Uses similar to those listed above which the Planning Director determines are consistent with the purposes of the Tourist District Master Plan.
- C. Manufacturing uses that are permitted in the underlying zoning are allowed in the Tourist District, except that:
1. No primary manufacturing, including smelting or refining, as defined in the SIC Manual, is allowed;
 2. All manufacturing activities must take place indoors;
 3. No on-going outdoor storage of machinery, raw materials, or finished products is permitted in excess of 60 days without proper and complete screening from public view;
 4. Noxious and persistent odors must be minimized to the greatest extent available and feasible; and
 5. Repetitive noise that is attributable to manufacturing must be minimized between the hours of 9 pm and 7 am.
- D. The following development criteria shall apply to development proposals within the Tourist District Overlay:
1. Building architecture, including design, materials, bulk and scale shall be compatible with the recreational, agricultural, and tourist character of surrounding uses and consistent with the purposes of Tourist District Master Plan;
 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;
 3. Site design shall minimize connections to the Woodinville-Redmond Road (SR 202) through use of shared driveways;
 4. All development is subject to the City of Woodinville's Interim Design Principles, except that:
 - a. Developments shall provide a 10-foot width of Pedestrian Space as defined in Appendix A and Section II.H.2.a of the Interim Design Principles or provide 10 feet of Type III landscaping; and
 - b. A ten-foot sidewalk/bike path shall be provided; and
 5. All development with frontage on SR 202 is subject to Interim Design Principle regulations for pedestrian-oriented streets.
- E. 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, Type I landscaping and/or architectural features;
4. All buildings shall maintain a 20-foot landscaped setback from residentially zoned or developed areas, unless it can be shown that 20 feet of permanent landscaped buffer exists between structures;
5. All buildings shall maintain a 5-foot wide landscaped setback from interior property lines abutting nonresidentially zoned areas;
6. All buildings shall maintain a 100' landscaped setback from the Sammamish River.
7. Trails shall either be provided or land for trails dedicated along the Sammamish River.
8. The site coverage standards set forth in WMC 21A.12 are modified as follows:
 - a. The total permitted impervious lot coverage shall be 85 percent. The remaining 15 percent shall be devoted to open space. Open space may include all required landscaping, and any unbuildable environmentally sensitive areas and their associated buffers;
 - b. Trails may be provided in the area dedicated to open space; and
 - c. When a subdivision or a binding site plan is proposed for a unified site, the site coverage standards apply to the total unified site and not each proposed lot;
9. Landscaping shall meet the standards set forth in the Interim Design Principles, provided that:
 - 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. Either 10 feet of street front landscaping or 10 feet of pedestrian-oriented space shall be provided;
 - c. 5 feet of Type II landscaping shall be provided along lines adjacent to nonresidentially zoned or developed areas;
 - d. 20 feet of Type I landscaping shall be provided between any commercial or industrial development along lines adjacent to residentially zoned or developed areas, unless it can be shown that 20 feet of permanent landscaped buffer exists between structures; and
 - e. 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; and
 - f. Notable trees identified in the Tree Board inventory shall be retained as set forth in WMC 21A.16;
10. Refuse collection/recycling areas and loading or delivery areas shall be located at least 20 feet from residential areas, tourist related uses, or trails and screened with Type I landscaping;
 11. Sign standards set forth in Chapter 21A.10 are modified as follows:
 - a. Monument identification signs are limited to one sign at each entrance. Such signs shall not exceed an area of 64 square feet per sign;
 - b. Wall signs are permitted, provided they do not exceed 10 percent of the building facade on which they are located;
 - c. All other signs shall be visible only from within the site;
 - d. No freestanding signs, other than monument signs, shall be permitted;
 - e. No backlit or internally lit signage shall be allowed;
 - f. Decorative flags and decorative street banners are permitted, provided they are not a form of advertisement; and
 - g. No billboards, portable, or message changing signs are permitted.
 12. All rooftop mechanical equipment shall be screened architecturally to minimize its visual impact, provided that the screen is as high as the equipment.
- F. All development in the Tourist District shall be subject to design review, provided:
1. Applications shall be reviewed by the Planning Commission Design Review Subcommittee; and
 2. Design review shall be performed considering the following factors:
 - a. these regulations;
 - b. the Interim Design Guidelines;
 - c. the ability of the development to fit compatibly with existing development; and
 - d. the Tourist District Master Plan.
- G. Street frontage standards shall adhere to the following:
1. Landscaping and open space shall conform to WMC 21A.38.065.D.8 above;
 2. A ten-foot sidewalk/bike path made of asphalt shall be provided in lieu of standard sidewalks and bike paths;
 3. The sidewalk/bike path shall be separated from vehicle lanes by a minimum five-foot landscaped strip;
 4. The sidewalk/bike path may meander on to private property with a public access easement; and
 5. Street trees shall be planted in the landscaping strip 25 feet on center utilizing one of the six species of street tree designated in the Interim Design Principles until such time as the City's Street Tree Plan or the Tourist District Master Plan designates otherwise.

H Special events and outdoor performances shall comply with the Temporary Use Permits section of the WMC 21.32 and the following:

1. All needed parking will be accommodated on-site by a combination of permanent and temporary facilities or on other private sites with appropriate written consent;
2. An event management plan covering sanitation, crowd control, traffic parking and emergency services shall be filed with the City; and
3. The maximum permissible sound levels for receiving property shall not exceed 59dB(A) per KCC 12.88.020 as modified by KCC 12.88.030 for short duration increased levels.

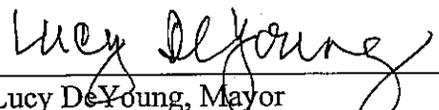
Section 2: The City's official Zoning Map is amended to include the "Tourist District Overlay," over the existing zoning, as shown in Attachment 1 attached.

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 or a summary thereof consisting of the title shall be published in the official newspaper for the City, and shall take effect and be in full force five (5) days after publication.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 23rd DAY OF October, 1995.

APPROVED:



Lucy DeYoung, Mayor

ATTEST/AUTHENTICATED:

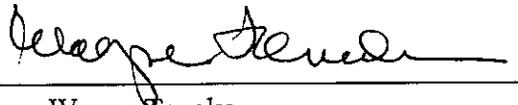
By: 

James Katica
City Clerk/Treasurer

APPROVED AS TO FORM:



OFFICE OF THE CITY ATTORNEY

By: 
Wayne Tanaka
City Attorney

FILED WITH THE CITY CLERK: 11-2-95
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