

ORDINANCE NO. 428

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, AMENDING CHAPTER 21.06 WMC, TECHNICAL TERMS AND DEFINITIONS TO CLARIFY AND REDUCE REDUNDANCIES IN DEFINITIONS; AND AMENDING CHAPTER 21.08 WMC, PERMITTED USES TO REVISE REGULATION OF CERTAIN NON-RESIDENTIAL USES WITHIN RESIDENTIAL ZONES TO MORE CLOSELY ALIGN WITH PURPOSE OF RESIDENTIAL ZONES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, pursuant to the requirements of the Washington State Growth Management Act, the City of Woodinville is required to develop and adopt development regulations implementing its comprehensive plan; and

WHEREAS, RCW 36.70A.130(4) requires that the City of Woodinville, a "fully planning" city within King County shall update its comprehensive plan and development regulations, as necessary, to reflect local needs, new data, and current laws; and

WHEREAS, the Woodinville City Council has determined that certain amendments are necessary to keep the Development Code and Zoning Code updated and to accommodate the needs of its citizens; and

WHEREAS, the Woodinville City Council has reviewed the amendments contained in this ordinance and finds that these amendments meet the required criteria in Ordinance No. 172 and WMC 21.46.030; and

WHEREAS, public hearings were held by the City of Woodinville Planning Commission on September 14, 2005; and

WHEREAS, the Woodinville City Council deliberated on the Planning Commission recommendations on October 17, 2005 and remanded them back to the Planning Commission; and

WHEREAS, the City of Woodinville Planning Commission discussed nonresidential uses in the residential zones, deliberating on the City Council remand of nonresidential uses in the residential zones and added to the record for their recommendations at their meeting of February 1, 2006; and

WHEREAS, the City of Woodinville Planning Commission voted to recommend amendments to nonresidential uses allowed in the residential zones with the additional record included at their meeting of February 1, 2006; and

WHEREAS, the Woodinville City Council deliberated on the Planning Commission recommendations on April 17, 2006 and recommended drafting of an ordinance; and

WHEREAS, the requirements of the State Environmental Policy Act (SEPA) RCW 43.21C have been met;

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

Section 1. Findings. The City Council hereby adopts the following findings in support of this ordinance, together with the recitals expressed herein.

FACTS & FINDINGS:

1. At the January 19, 2005 Planning Commission meeting, nonresidential uses in residential zones was added as a discussion item and a potential 2005 Annual Docket item.
2. The Planning Commission reviewed components of the 2005 Annual Docket during its February 16, March 16, April 20, May 18, June 1, June 15, July 6, July 20, August 3, and August 18, 2005 public meetings.
3. To encourage public involvement, the City published notice and held two public open house meetings on June 1, 2005 and July 6, 2005 to receive public comment on the 2005 Annual Docket.
4. The Planning Commission set a public hearing date for Wednesday, September 14, 2005 at 7 pm in Council Chambers.
5. Pursuant to the City of Woodinville Municipal Code (WMC) Chapter 17, the Planning Commission is required to hold a public hearing on the amendments, and make a recommendation to Council. The Planning Commission held the public hearing for the proposed 2005 Annual Docket on September 14, 2005.
6. Decision criteria that a use must comply with for varying types of permits, including temporary uses, conditional uses, and special uses are found in WMC 21.44.
7. At the October 17, 2005 City Council study session, the City Council voted to remand nonresidential uses in the residential zones back to the Planning Commission with instruction to provide an analysis and rationale for any recommended changes to the City's codes.
8. The Planning Commission met on February 1, 2006 to discuss nonresidential uses in the residential zones remand and provided more detailed rationale and analysis of why the various recommendations were made. The Planning Commission re-affirmed its decision on nonresidential uses in the residential zones by a vote of 4-0.

9. The City Council reviewed the Planning Commission's recommendation at its April 17, 2006 meeting and requested more information on two subjects and that an ordinance be drafted for first reading.
10. Preschools and Specialized Instruction Schools are not currently permitted uses in the General Business (GB) zone because when the zone was last discussed as part of the Downtown Little Bear Creek Corridor Master Plan, it was considered as more of a gateway area that would redevelop into offices and auto-oriented retail. These school uses were also considered to be provided for in residential zones, as well as the Neighborhood Business and Central Business District zones.
11. There was nothing found in research that indicates that limitations proposed by the Planning Commission on preschools and specialized instruction schools will effectively prevent them from occurring in the residential zones of the City.

Section 2. Amendment to Section 21.06.118, Community residential facility (CRF) is hereby amended to read as set forth below. New text is shown by underline and deleted text is shown by ~~strikethrough~~.

21.06.118 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 WMC 21.08.030 as group residences, if staffed by nonresident staff, each 24 staff hours per day equals one full-time residing staff member. The number of occupants shall not exceed the occupant load of the structure calculated as provided in the ~~2003~~1994 International Building Code, Section 1002, or as hereafter amended. (Ord. 375 § 2, 2004; Ord. 175 § 1, 1997)

Section 3. Amendment to Section 21.06.140, Daycare is hereby amended to read as set forth below. New text is shown by underline and deleted text is shown by ~~strikethrough~~.

21.06.140 Daycare.

Daycare: an establishment for group care of nonresident adults or children.

(1) Daycare shall include, but not be limited to, NAICS Industry No. 624411 – Child daycare services, NAICS Industry No. 62412 – Adult daycare centers, and the following:

(a) Adult daycare, such as adult day health centers or social daycare as defined by the Washington State Department of Social and Health Services;

- (b) Nursery schools for children under minimum age for education in public schools;
 - (c) ~~Privately conducted~~ KKindergartens or prekindergartens when not a part of a public or ~~parochial~~ private school; and
 - (d) Programs covering after-school care for school children.
- (2) Daycare establishments are subclassified as follows:
- (a) Daycare I – a maximum of 12 adults or children in any 24-hour period; and
 - (b) Daycare II – over 12 adults or children in any 24-hour period. (Ord. 375 § 2, 2004; Ord. 347 § 8, 2003; Ord. 175 § 1, 1997)

Section 4. Amendment to Section 21.06.288, Golf facility is hereby amended to read as set forth below. New text is shown by underline and deleted text is shown by ~~strikethrough~~.

21.06.288 Golf facility.

Golf facility: a recreational facility, under public or private ownership, designed and developed primarily for uses as a golf course, and may include~~ing, but not limited to the following~~ accessory uses:

- (1) A golf course;
- (2) ~~A driving range;~~
- (3) ~~Miniature golf;~~
- (4) Pro shops;
- (5) ~~Caddy-shack buildings;~~
- (6) Restaurants;
- (7) Office and meeting rooms; and
- (8) Related storage facilities. (Ord. 375 § 2, 2004; Ord. 175 § 1, 1997)

Section 5. Amendment to Section 21.08.030, Residential Land Uses revising and is hereby amended to read as set forth in Attachment A as if set forth in full below. New text is shown by underline and deleted text is shown by ~~strikethrough~~.

Section 6. Amendment to Section 21.08.040, Recreational/cultural land uses and is hereby amended to read as set forth in Attachment B as if set forth in full below. New text is shown by underline and deleted text is shown by ~~strikethrough~~.

Section 7. Amendment to Section 21.08.050, General services land uses and is hereby amended to read as set forth in Attachment C as if set forth in full below. New text is shown by underline and deleted text is shown by ~~strikethrough~~.

Section 8. Amendment to Section 21.08.100, Regional land uses and is hereby amended to read as set forth in Attachment D as if set forth in full below. New text is shown by underline and deleted text is shown by ~~strikethrough~~.

Section 9. Severability. Should any section, paragraph, sentence, clause, or phrase of this Ordinance be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance. Provided, however, that if any section, sentence, clause, or phrase of this Ordinance, or any change in a land use designation is held to be invalid by a court of competent jurisdiction, or by the Growth Management Hearings Board, then the section, sentence, clause, phrase, or land use designation in effect prior to the effective date of this ordinance, shall be in full force and effect for that invalidated section, sentence, clause, phrase, or land use designation, as if this ordinance had never been adopted.

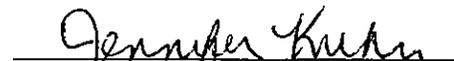
Section 10. Copy to CTED. Pursuant to RCW 36.70A.106(3), the City Clerk is directed to send a copy of the amendments to the State Department of Community, Trade, and Economic Development for its files within ten (10) days after adoption of this Ordinance.

Section 11. Effective Date. The adoption of this Ordinance, which is a power specifically delegated to the City legislative body, is not subject to referendum. This Ordinance or a summary thereof shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 6TH DAY OF NOVEMBER 2006.


Cathy VonWald, Mayor

ATTEST/AUTHENTICATED:


Jennifer Kuhn,
City Clerk

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY



J. Zachary Leil
City Attorney

PASSED BY THE CITY COUNCIL: 11-06-2006

PUBLISHED: 11-13-2006

EFFECTIVE DATE: 11-18-2006

ORDINANCE NO. 428

CHAPTER 21.08 PERMITTED USES

WMC 21.08.030 A. RESIDENTIAL LAND USE <u>KEY</u> P – PERMITTED USE C – CONDITIONAL USE S – SPECIAL USE		Z O N E										
		Residential					Commercial/Industrial/Public					
		Low	Mod er ate	Med lum	H igh	N e igh bor hood	T our ist B us i ness	G en eral B us i ness	C en tral B us i ness	O ff ice	I nd us trial	P u b lic I n s t i t u t i o n
NAICS #	SPECIFIC LAND USE	R1-4	R5-8	R9-18	R19+	NB	TB	GB	CBD	O	I	P/I
	Dwelling Units, Types:											
*	Single Detached	P, C19	P, C19	P								
*	Duplex	P10	P10	P10	P10							
*	Townhome	C10 12	C7, 10 12	P	P		P20		P	P18		
*	Apartment		P11	P	P		P20		P			
*	Mobile Home Park		P	P					P			
623311 623312	Senior Citizen Assisted (sec 21.06.188 for definition)		P11	P	P				P			
	Group Residences:											
*	Community Residential Facility	C15	C15	P15	P15				P15			P15
721310	Dormitory	C2	C2	P2	P2				P2		P2	P13
	Accessory Uses:											
*	Residential Accessory Uses	P3	P3	P3	P3				P3			P16
*	Home Occupation (8)	P	P	P	P				P			
*	Home Industry (9)	C	C	C	C							
	Temporary Lodging:											
721110	Hotel/Motel								P			
721191 *	Bed and Breakfast Inns	P6	P6	P6					P6			
721310	Organization Hotel/Lodging											
624221 *	Temporary Shelter								P4			P17
* 721199	Youth Hostel								P14			

21.08.030 B DEVELOPMENT CONDITIONS

- (1) Except bed and breakfast guest houses.
- (2) Only as an accessory to a school, college/university, church, or fire station.
- (3) (a) Accessory dwelling units:
 - (i) Only one accessory dwelling per lot;
 - (ii) The primary residence or the accessory dwelling unit shall be owner occupied;
 - (iii) If the accessory dwelling unit is a separate structure, the accessory dwelling unit shall not be larger than fifty percent of the living area of the primary residence;
 - (iv) One additional off-street parking space is provided; and
 - (v) 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) Accessory Aircraft: 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:
 - (i) No aircraft sales, service, repair, charter or rental;
 - (ii) No storage of aviation fuel except that contained in the tank or tanks of the aircraft; and
 - (iii) Storage hangars shall not exceed twenty feet in height above average finished grade or have a gross area exceeding 3,000 square feet.
- (4) Only as an accessory use to an institution, school, public agency, church, synagogue, temple, or non-profit community organization.
- (5) (Reserved)
- (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~~ guest rooms shall not exceed three; ~~except that a~~
~~structure which satisfies the standards of the International Building Code as adapted by~~
~~the City for R-1 occupancies may accommodate up to ten persons per night.~~
 - (c) The fee owner of the residence serving as a bed & breakfast must reside on the premises.
- (7) A conditional use permit is not required if the townhomes are approved through subdivision review or if the project is in the R-8 zone.
- (8) Home Occupations are subject to the requirements and standards contained in Section 21.30.040.
- (9) Home Industries are subject to the requirements and standards contained in Section 21.30.050.
- (10) Townhomes and duplexes must be compatible in design, height, color, style, and materials with existing neighborhood.
- (11) Permitted only in the R-8 zone.
- (12) Permitted only in the R-4 and R-6 zones, on parcels where protection of critical areas prohibit traditional single-family development.
- (13) Only as an accessory to a public school.
- (14) Also permitted in the Tourist District. See WMC 21.38.065.
- (15) The number of occupants shall not exceed the occupant load of the structure, calculated as provided in the 1994 International Building Code, Section 1002, or as may be hereafter amended.
- (16) Only as an accessory to a permitted use.
- (17) Only as an accessory to an institution, school, or public agency.
- (18) Limited to current location. No new townhomes are permitted in the office zone except on the site currently containing townhomes on January 1, 2002.

ATTACHMENT A

- (19) A Conditional Use Permit is required for a single-family structure exceeding 8,500 gross square feet in the R-1 through R-6 zones.
- (20) Residential development is not permitted on the ground floor and is only permitted as part of a development that integrates residential with tourist-oriented business development and is conditioned through a development agreement with the City that ensures a City approved economic analysis will be provided and the proposed mixed-use development meets the vision and goals of the Tourist District Master Plan. No more than 25% of the entire area development may include residential uses. No direct residential dwelling unit entrances or exits may be permitted on to NE 148th Avenue NE, NE 145th Street, or Woodinville-Redmond Road.

ATTACHMENT B

<p>WMC 21.08.040</p> <p>A.</p> <p>RECREATIONAL / CULTURAL LAND USE</p> <p>KEY</p> <p>P – PERMITTED USE C – CONDITIONAL USE S – SPECIAL USE</p>	Z O N E											
	Residential				Commercial/Industrial/Public							
	L o w	M o d e r a t e	M e d i u m	H i g h	N e i g h b o r h o o d	T o u r i s t B u s i n e s s	G e n e r a l B u s i n e s s	C e n t r a l B u s i n e s s	O f f i c e	I n d u s t r i a l	P u b l i c	I n s t i t u t i o n

NAICS #	SPECIFIC LAND USE	R1-4	R5-8	R9-18	R19+	NB	TB	GB	CBD	O	I	P/I
	Park / Recreation											
*	Parks	P1	P1	P1	P1	P1	P1	P	P		P	P
*	Trails	P	P	P	P	P	P	P	P		P	P
*	Destination resorts								C2			
*	Marina			C4	C4		P5	P	P		P	
	Amusement/ Entertainment:											
512131	Theater							P6	P6			
512132	Theater, drive-in							C6	C6			
711110 711130	Plays / Theatrical production ..								P6			
71395	Bowling center							P				
* 71394	Sports club	C4	C4	C4	C4		C	P	P			
71391 *	Golf facility	C7	C7	C7	C7			P				
71391	Golf driving range	C8	C8	C8	C8			P7				
*	Shooting range							P10				
71312 *	Amusement Arcades						P	P	P			
71311	Amusement park							P	C			
*	Outdoor performance center						S	S	S			
*	Indoor batting cage facility										C13	
*	Indoor go-cart facility							P14				
	Cultural:											
51412	Library	P11, C	P11, C	P11, C	P11, C		P		P			P3
71211	Museums and Art Galleries	P11, C	P11, C	P11, C	P11, C		P		P		P	P3
71213	Arboretum	P	P	P	P		P		P			P3
81311	Churches, temples and, synagogues	P12, C	P12, C	P12, C	P12, C		P	P	P			P15
*	Civic Center											P
*	Community Center											P
*	Conference Center	P11, C	P11, C	P11, C	P11, C				P			

GENERAL CROSS REFERENCES:

Land Use Table Instructions, see WMC 21.08.020 and 21.02.070
 Development Standards, see WMC 21.12. through 21.30
 General Provisions, see WMC 21.32 through 21.38

Application and Review Procedures, see WMC 21.40 through 21.44
 Tourist District Regulations, see WMC 21.38.065
 R-48/O Regulations, see WMC 21.28.030
 (*) Definition of the specific Land Use, see WMC 21.06

21.08.040 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 fifty feet from property lines adjoining residential zones; and
- (2) Except recreational vehicle parks.
- (3) Limited to publicly owned facilities.
- (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 that conduct religious or educational classes for minors.
- (7) Structures, driving ranges and lighted areas shall maintain a minimum distance of fifty feet from property lines adjoining residential zones.
- (8) Only as an accessory to golf courses.
- (9) (Reserved).
- (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 landmark subject to the provisions of WMC 21.38.080.
- (12) Only as accessory to a nonresidential use established through a discretionary permit process and limited in scale to ensure compatibility with surrounding neighborhoods.
- (13) Indoor batting facilities are subject to the following conditions and limitations:
 - (a) Facilities open to youth under the age of eighteen (18) shall not be located in the Sexually Oriented Business Overlay District.
 - (b) The facility shall require the minimum safety standards as provided for a national youth baseball association such as the Little League Association.
 - (c) Signs regarding safety rules must be prominently displayed.
 - (d) Pedestrian walkways shall be clearly marked.
 - (e) The business owner shall provide to the City a signed statement by the building owner declaring that High Hazard Occupancies (Type H Occupancies as defined in the International Building Code) shall not be located in any spaces adjacent to the indoor batting facility; or, the facility shall be located in a single occupancy building.
 - (f) Retail sales at an indoor batting facility shall be limited to baseball-related items, and the retail sales area shall not exceed 500 square feet.
 - (g) Children under the age of fifteen (15) are not permitted on the premises without a supervising adult.
 - (h) On site food preparation is prohibited.
 - (i) A safe pedestrian "pick-up/drop-off" area that does not interfere with local traffic shall be provided.
- (14) Indoor go-cart racing facilities are subject to the following conditions and limitations:
 - (a) Signs regarding safety rules must be prominently displayed.
 - (b) Pedestrian walkways shall be clearly marked.

ATTACHMENT B

- (c) The business owner shall provide to the City a signed statement by the building owner declaring that high hazard occupancies (Type H occupancies as defined in the International Building Code) shall not be located in any spaces adjacent to the indoor go-cart racing facility, or the facility shall be located in a single occupant building.
- (d) A safe pedestrian “pick-up/drop-off” area that does not interfere with local traffic shall be provided.
- (e) Until and unless the City adopts an overriding noise ordinance, the maximum noise levels (dBA) associated with the operation of any go-cart racing facility shall not exceed the following maximum dBAs:

	Receiving Property	
Residential Zones	Commercial Zones	Industrial Zones
57*	60	65

*Reduced to 10 dBA between the hours of 10 p.m. and 7 a.m.

- (f) Loitering outside the facility shall be strictly controlled by the facility’s management.
 - (g) Prior to the opening of the facility, proof of suitable insurance is required.
- (15) Permitted within a publicly-owned building as part of a standard lease or other use agreement between the church, temple, or synagogue and the owner or operator of the underlying property.

WMC 21.08.050 A. GENERAL SERVICES LAND USE KEY P – PERMITTED USE C – CONDITIONAL USE S – SPECIAL USE		Z O N E											
		Residential				Commercial/Industrial/Public							
		L o w	M o d e r a t e	M e d i u m	H i g h	N e i g h b o r h o o d	T o u r i s t B u s i n e s s	G e n e r a l B u s i n e s s	C e n t r a l B u s i n e s s	O f f i c e	I n d u s t r i a l	P u b l i c	I n s t i t u t i o n
NAICS #	SPECIFIC LAND USE	R1-4	R5-8	R9-18	R19+	NB	TB	GB	CBD	O	I	P/I	
	Personal Services:												
8121	General Personal Service					P	P		P	P3 23		P18	
81232	Dry-cleaning & Laundry Services										P		
812332	Industrial Launderers										P		
81221	Funeral Home/Crematory	C4	C4	C4	C4			P	P				
81222	Cemetery, Columbarium	P26, C5	P26, C5	P26 C5	P26 C5			P26 C5	P26 C5				
*	Day care I	P6	P6	P6	P6	P		P	P	P7 23	P7	P18	
*	Day care II	P8	P8	P8	P8	P		P	P		P7	P18	
*	Veterinary Clinic	P9, C10				P10		P10	P10		P		
81111- 81112	Automotive repair (I)					P11		P	P		P	P	
81119	Automotive service					P11	P11	P	P		P		
8112	Miscellaneous repair							P	P		P		
6241- 6243	Social Services	P12, C13	P12 C13	P12 C13	P12 C13	P13			P	P23		P	
*	Stable	P14, C											
*	Kennel or Cattery	C						P	P27				
	Health Services:												
6211- 6214	Office/Outpatient Clinic	P12, 30 C13, 30	P12 30, C13 30	P12 30, C13 30	P12 30 C13 30	P			P30	P30		P18 30	
6231- 6232	Nursing and Personal Care Facilities					C30			P30			P19 30	
62211	Hospital								P30			P18 30	
6215 339116	Medical / Dental Lab								P30		P30	P18 30	
62199	Miscellaneous Health									P3 23		P18 30	
	Education Services:												
61111	Elementary or Middle/Junior High School	P16, 30 C30	P16 30 C15, 30	P16 30 C30	P16 30 C30				C30	C30 31		P30	
61111	Secondary or High School	P16 30 C30	P16 30 C15 30	P16 30 C30	P16 30 C30				P30			P30	

Attachment C

NAICS #	SPECIFIC LAND USE	R1-4	R5-8	R9-18	R19+	NB	TB	GB	CBD	O	I	P/I
61151*	Vocational School							P30	P30	P17 20 23	P30	P30
*	Specialized Instruction School	P19, 30 C20, 30	P19 30 C20 30	P19 30 C20 30	P19 30 C20 30	P			P30			P21 30
	Education Services Continued:											
*	Preschool	C28, 30	C28 30	C28 30	C28 30	P			P30			P21 30
*	School District Support Facility	C25 30	C25 30	C25 30 C30	C25 30 C30			P30	P30		P30	P30
71394	Gymnastic Schools								P29 30		P29 30	

GENERAL CROSS REFERENCES:

Land Use Table Instructions, see WMC 21.08.020 and 21.02.070
 Development Standards see WMC 21.12. through 21.30
 General Provisions see WMC 21.32. through 21.38

R-48/O Regulations, see WMC 21.38.030
 (*) Definition of the specific Land Use, see WMC 21.06
 Tourist District Regulations, see WMC 21.38.065
 Application and Review Procedures, see WMC 21.40 through 21.44

21.08.050 B DEVELOPMENT CONDITIONS

- (1) Except NAICS Industry No. 326212-Tire Retreading, see manufacturing permitted use table.
- (2) Except NAICS Industry Group Nos.:
 - (a) 62441-Day Care Services; and
 - (b) 62321-Residential Care, which is otherwise provided for on the residential permitted land use table.
- (3) Permitted only on sites with a High Density Residential (R-48)/Office zone designation and limited to NAICS Industry Group and Industry Nos.:
 - (a) 81211-Beauty Shops,
 - (b) 81211-Barber Shops, and
 - (c) 81232-Garment Pressing and Agents for Laundries and Dry cleaners.
- (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 twenty feet from property lines adjoining residential zones;
 - (c) Only two non-resident staff is present on-site at any one time.
- (7) Permitted as an accessory use, see commercial/industrial accessory, WMC 21.08.060A.
- (8) Only as a re-use of a public school facility subject to the provisions of WMC 21.32, 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 twenty 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) Only in the R-1 zone as a home occupation, provided that the square footage limitations in WMC 21.30 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 five 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 WMC 21.30 relative to animal keeping are met.

ATTACHMENT C

- (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 WMC 21.30 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 21.32.
- (13) Only as a re-use of surplus non-residential facility subject to WMC 21.32.
- (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 21.30.030.
- (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 21.32. 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) Only as an accessory to a hospital or other permitted institutional use.
- (19) Only as an accessory to residential use, provided:
 - (a) Students are limited to twelve in any twenty-four hour period 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 twenty-five feet from property lines adjoining residential zones.
- (20) ~~(Reserved) Only as an accessory to residential use, provided:~~
 - ~~(a) Accessory structures used for school shall maintain a minimum distance of twenty five 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 are permitted, provided total floor area for retail sales is limited to 2,000 square feet; and~~
 - ~~(ii) Sales of food prepared in the instructional courses are 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 publicly owned facilities.
- (22) Only as an accessory use to on-site medical offices.
- (23) Not permitted on sites contiguous to property designated Low Density Residential or less by the City of Woodinville adopted Comprehensive Plan. This limitation also applies to sites in unincorporated King County with equivalent designations.
- (24) (Reserved).
- (25) Only when adjacent to an existing or proposed school.
- (26) Limited to columbarium's accessory to a church provided that existing required

ATTACHMENT C

- 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. A maximum of twelve (12) children at any one time may be present, with no more than twenty-four (24) children permitted in a twenty-four (24) hour period.
- (29) Gymnastics schools are allowed, subject to the following conditions:
(a) A gymnastic school shall be a member in good standing of the United States Gymnastics Federation.
(b) A gymnastic school shall demonstrate conformance to guidelines of the United States Gymnastics Federation for equipment used for gymnastics instruction.
(c) A safe student "pick-up/drop-off" area that does not interfere with local traffic shall be provided.
(d) Retail sales at a gymnastic school shall be limited to gymnastic-related items, and the retail sales area shall not exceed 500 square feet.
- (30) If use abuts an agriculturally zoned property, the following conditions apply:
(a) Buildings and parking areas must be set back 50 feet from the property line abutting a agriculturally zoned parcel;
(b) 50 feet of Type II landscaping is required in the setback; and
(c) Non-emergency access through or to the agriculturally zoned parcel is prohibited.
- (31) Elementary/Junior High Schools are allowed in Office Zones that are adjacent to the Urban Growth Area Boundary.

ATTACHMENT D

<p align="center">WMC 21.08.100</p> <p align="center">A.</p> <p align="center">REGIONAL</p> <p align="center">LAND USE</p> <p align="center">KEY</p> <p>P – PERMITTED USE C – CONDITIONAL USE S – SPECIAL USE</p>		Z O N E										
		Residential				Commercial/Industrial/Public						
		L o w	M o d e r a t e	M e d i u m	H i g h	N e i g h b o r h o o d	T o u r i s t B u s i n e s s	G e n e r a l B u s i n e s s	C e n t r a l B u s i n e s s	O f f i c e	I n d u s t r i a l	P u b l i c
NAICS #	SPECIFIC LAND USE	R1-4	R5-8	R9-18	R19+	NB	TB	GB	CBD	O	I	P/I
*	Jail							S11	S11			S11
*	Secure Community Transition Facility							S16	S16			
*	Work Release Facility							S11	S11			
*	Public Agency Animal Control Facility							S11	S11		P11	S11
*	Public Agency Training Facility							S3, 11	S3, 11		C4 11	S11
*	Hydroelectric Generation Facility	C11 13 S11									S11	
*	Non-hydroelectric Generation Facility	C11 12 S11						C11 12 S11	C11 12 S11	C11 12 S11 15	P11 12 S11	
*	Major Communication Facility										S6C 11	
*	Personal Wireless Facilities (14)	14	14	14	14	14	14	14	14	14 15	14	14
*	Earth Station	P6a	P6a	P6a	P6a		P6b 11	P6b 11	P6b 11	P6b 11 15	P6b 11	P6b 11
21111	Oil and Gas Extraction	S11	S11	S11	S11			S11	S11	S11 15	C11	
*	Energy Resource Recovery Facility										S11	
*	Soil Recycling/Incineration Facility										C11	
*	Landfill										S11	S8,11
*	Transfer Station										S17	
*	Wastewater Treatment Facility							S11	S11		C11	S11
*	Municipal Water Production	S11	S11	S11	S11			S11	S11		S11	S11
*	Airport/Heliport	S11	S11	S11	S11			S11	S11		S11	S8,11
*	Landing Field	S11	S11	S11	S11			S11	S11		S11	S8,11
*	Transit Bus Base							S11	S11		P11	S11
*	Transit Park and Ride Lot	S11	S11	S11	S11			P11	P11		P11	S11

ATTACHMENT D

NAICS #	SPECIFIC LAND USE	R1-4	R5-8	R9-18	R19+	NB	TB	GB	CBD	O	I	P/I
*	School Bus Base	C5, 11 S11	C5, 11 S11	C5, 11 S11	C5, 11 S11			S11	S11		P11	S8, 11
711212	Racetrack	S7, 11	S11	S7, 11	S7, 11			S11	S7, 11			
*	Fairground							S11	S11			S8, 11
71213 71219	Zoo/Wildlife Exhibit (2)						S	S11	S11			S8, 11
71131	Stadium/Arena							S11	S11		P11	S8, 11
6113 6112	Junior College College / University	P9, 11 C10 11 S11	P9, 11 C10 11 S11	P9, 11 C10 11 S11	P9, 11 C10 11 S11				P11		P11	P11
GENERAL CROSS REFERENCES: Land Use Table Instructions, see WMC 21.08.020 and 21.02.070 Development Standards see WMC 21.12. through 21.30 General Provisions see WMC 21.32. through 21.38						Application and Review Procedures, see WMC 21.40 through 21.44 Tourist District Regulations, see WMC 21.38.065 R-48/O Regulations, see WMC 21.38.030 (*) Definition of the specific Land Use, see WMC 21.06						

21.08.100 B DEVELOPMENT CONDITIONS

- (1) Except technical institutions. See vocational schools on General Services land use table, WMC 21.08.050.
- (2) Except arboretum. See WMC 21.08.040, 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 receive-only satellite parabolic antenna not exceeding one meter in diameter in a residential zone and not exceeding two meters in diameter in all other zones.
 - (b) Limited to no more than three satellite parabolic antennas not exceeding one meter in diameter in a residential zone and not exceeding two meters in diameter in all other zones.
 - (c) Limited to tower consolidations.
- (7) Except racing of motorized vehicles.
- (8) Only as an accessory to a permitted use or if operated by a public agency.
- (9) Only as a re-use of a public school facility subject to the provisions of WMC 21.32.
- (10) Only as a re-use of surplus non-residential facility subject to the provisions of WMC 21.32.
- (11) If use abuts an agriculturally zoned property, the following conditions apply:
 - (a) Buildings and parking areas must be set back 50 feet from the property line abutting a agriculturally zoned parcel;
 - (b) 50 feet of Type II landscaping is required in the setback; and
 - (c) Non-emergency access through or to the agriculturally zoned parcel is prohibited.
- (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:
 - (i) Exceed a height of eight feet as measured from the streambed; or
 - (ii) 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.
- (14) Personal wireless service facilities shall be regulated pursuant to WMC Chapter 21.26.
- (15) Not permitted on sites contiguous to property designated Low Density Residential or less by the City of Woodinville adopted Comprehensive Plan. This limitation also applies to sites in unincorporated King County with equivalent designations.
- (16) Secure Community Transition Facility (SCTF) shall in no case be sited adjacent to, immediately across a street or parking lot from, or within the line of sight of risk potential facilities defined in the law as schools, school bus stops, preschool facilities,

day care facilities, public parks, publicly dedicated trails, sports fields, recreational and community centers, churches, synagogues, temples, mosques or public libraries.

- (17) Permitted only (1) within the North Industrial Neighborhood as illustrated by Figure 1-2 of the Woodinville Comprehensive Plan, (2) upon approval of a Special Use Permit, and (3) upon the Hearing Examiner's determination that appropriate measures have been or - prior to operation of the Transfer Station - will be implemented sufficient to mitigate the anticipated impacts of the Transfer Station. Such mitigation measures may include, but are not necessarily limited to, the following:
- (a) odor control
 - (b) vector control
 - (c) waste residency durational limitations
 - (d) containment and/or covering of waste transport vehicles
 - (e) operating hour limitations
 - (f) facility size limitations
 - (g) maximum weight limitations for waste transport vehicles
 - (h) noise control
 - (i) truck tip limitations