

ORDINANCE NO. 465

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON CONCERNING THE 2008 ANNUAL DOCKET FOR AMENDMENTS TO THE COMPREHENSIVE PLAN AND DEVELOPMENT REGULATIONS; MAKING FINDINGS OF FACT AND THE FOLLOWING AMENDMENTS:

- 1. AMENDING CHAPTER 17.09 WMC, TYPE I – IV PROJECT PERMIT APPLICATIONS TO REFERENCE TECHNICAL REVIEW COMMITTEE MEETINGS AND ALLOW DETERMINATION OF COMPLETENESS LETTERS TO BE SENT BY REGULAR MAIL;**
- 2. AMENDING COMPREHENSIVE PLAN CHAPTER 12 TO REVISE AND ADD LOW IMPACT DEVELOPMENT POLICIES;**
- 3. AMENDING COMPREHENSIVE PLAN CHAPTER 12, IDENTIFIED CRITICAL AREAS MAPS, REGARDING LANDSLIDE HAZARD AREAS AND WILDLIFE CORRIDORS;**
- 4. AMENDING CHAPTER 20.06 AND 20.08 WMC, TO REFERENCE GUARANTEE FOR PERFORMANCE AND WARRANTY AND TO PROVIDE THE PUBLIC WORKS DIRECTOR AND PLANNING DIRECTOR MORE SPECIFIC OVERSIGHT IN THE SUBDIVISION REVIEW AND APPROVAL PROCESS;**
- 5. AMENDING CHAPTER 21.02 WMC, AUTHORITY, PURPOSE, INTERPRETATION AND ADMINISTRATION TO REFERENCE THE 2002 EDITION OF THE NORTH AMERICAN INDUSTRIAL CLASSIFICATION SYSTEM DOCUMENT;**
- 6. AMENDING CHAPTER 21.04 WMC, TO ADD A REFERENCE TO PARK AND RECREATIONAL FACILITIES;**
- 7. AMENDING CHAPTER 21.06 WMC, TECHNICAL TERMS AND LAND USE DEFINITIONS TO AMEND THE DEFINITION FOR BUILDING OFFICIAL, DISGUISED FACILITY, ANIMATED SIGNS AND PLANNING DIRECTOR AND ADD A DEFINITION FOR DEVELOPMENT SERVICE DIRECTOR, READER BOARD SIGNS, AND SIGNS OR DISPLAYS OF LIMITED DURATION;**
- 8. AMENDING CHAPTER 21.08 WMC, PERMITTED USES TO ALLOW NAIL SALONS AND SIMILAR USES DESIGNATED AS NAICS NO. 812113 IN THE NEIGHBORHOOD BUSINESS ZONE ONLY IF THE BUSINESS IS CONNECTED TO A PUBLIC SEWER SYSTEM AND TO ALLOW PICKUP AND DELIVERY ONLY DRY-CLEANING AND LAUNDRY SERVICES, SPORTS AND RECREATION INSTRUCTION, MISCELLANEOUS SCHOOLS AND INSTRUCTION, PHOTOCOPYING AND DUPLICATING SERVICES, MAILBOX RENTAL SERVICES, DRUGSTORES AND LIQUOR STORES IN THE NEIGHBORHOOD BUSINESS ZONE SUBJECT TO SPECIFIED DEVELOPMENT CONDITIONS;**
- 9. AMENDING CHAPTER 21.08 WMC, DEVELOPMENT CONDITIONS, TO ADD A DEVELOPMENT CONDITION TO THE HOTEL/MOTEL, BED AND BREAKFAST AND YOUTH HOSTEL PERMITTED USES IN THE TOURIST BUSINESS DISTRICT ZONE AND ADD A REFERENCE TO THE DEVELOPMENT CONDITION FOR DRUG STORE PERMITTED USE IN THE OFFICE ZONE AND A REFERENCE TO THE PUBLIC WORKS DEPARTMENT;**
- 10. AMENDING CHAPTER 21.08 WMC, PERMITTED USES AND CHAPTER 21.14 WMC, DEVELOPMENT STANDARDS – DESIGN REQUIREMENTS, TO REFERENCE THE CONSTRUCTION CODE;**
- 11. AMENDING CHAPTER 21.12 WMC, TO STIPULATE THE LOCATION WHERE THE BUILDING HEIGHT MEASUREMENT IS TO OCCUR;**
- 12. AMENDING CHAPTER 21.14 WMC, DEVELOPMENT STANDARDS – DESIGN REQUIREMENTS TO REQUIRE A DESIGN REVIEW APPLICATION PRIOR TO SUBMITTING FOR A BUILDING PERMIT AND CLARIFY WHEN THE FEE IN-LIEU OF RECREATION SPACE SHALL BE PAID;**

13. AMENDING CHAPTER 21.20 WMC, DEVELOPMENT STANDARDS – SIGNS TO REVISE AND ADD PORTABLE SIGN REGULATIONS;
14. AMENDING CHAPTER 21.32, WMC, TO CLARIFY TO WHAT EXTENT A NON-CONFORMING STRUCTURE MAY BE REMODELED;
15. AMENDING CHAPTER 21.38 WMC, AND ADDING A NEW CHAPTER 21.37 WMC, TO PROVIDE DEVELOPMENT AGREEMENT PROCEDURES AND CRITERIA;
16. AMENDING CHAPTER 21.40 WMC, TO COMPLY WITH CASE LAW REGARDING VESTING RIGHTS; AND
17. AMENDING CHAPTERS 21.02, 21.06, 21.08, 21.12, 21.14, 21.16, 21.18, 21.20, 21.22, 21.24, 21.25, 21.26, 21.28, 21.30, 21.32, 21.34, 21.36, 21.38, 21.42, 21.44 and 21.50 WMC, TO ADD REFERENCE TO THE DIRECTOR OF DEVELOPMENT SERVICES;

PROVIDING FOR SEVERABILITY; PROVIDING FOR SUMMARY PUBLICATION BY TITLE ONLY; AND PROVIDING FOR 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 Comprehensive Plan, Development Code, Subdivision 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, a public hearing was held by the City of Woodinville Planning Commission on September 17, 2008; 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.

1. The 2008 Annual Docket Applications are organized into two broad categories: (1) Comprehensive Plan Amendments and (2) Development Code Amendments.
2. 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 the City Council.

3. The Comprehensive Plan amendments are consistent with the required decision criteria found in WMC 21.01.170. Analysis of the proposed amendments and decision criteria is contained in Attachment I, which is herein incorporated by reference.
4. The amendments to the text of the Zoning Code are consistent with the requirements of WMC 21.46.030. Analysis of the proposed amendments and decision criteria is contained in Attachment J, which is herein incorporated by reference.
5. The City SEPA Official reviewed the 2008 Annual Docket amendments for environmental impacts under SEPA (RCW 43.21C), and issued a Determination of Non-Significance (DNS) on May 26, 2008. The appeal period ended on June 9, 2008. No comments or appeals were received.
6. The Planning Commission reviewed components of the 2008 Annual Docket during its March 19, May 21, June 4 and 18, July 2 and 16, August 6, and September 3, 2008 public meetings.
7. To encourage public involvement, the City published notice and held two public open house meetings on June 18, 2008 and September 17, 2008 to receive public comment on the 2008 Annual Docket.
8. The Planning Commission held a public hearing for the 2008 Annual Docket on Wednesday, September 17, 2008.
9. The Planning Commission received written comments and public testimony; deliberated and produced a public record and recommendations on the 2008 Annual during the October 1 and November 5, 2008, Planning Commission meetings.
10. The City Council considered the Planning Commission's public record and recommendations concerning the 2008 Annual Docket at a December 2, 2008 study session.
11. The City Council held first reading of Ordinance No. 465 on December 2, 2008.

Section 2. Amendment to Chapter 17.09, Type I – IV Project Permit Applications, of the Woodinville Municipal Code is hereby amended to read as set forth in below. New text is shown by underline; deleted text is shown by ~~strikethrough~~.

17.09.010 Pre-application conference. Technical Review Committee (TRC) – Pre-Application

(1) Applications subject to review pursuant to Chapters 17.07 through 17.17 WMC shall not be accepted by the Director unless the applicant has ~~scheduled and~~ attended a TRC pre-application conference meeting to acquaint the applicant with requirements for a complete application. Pre-application ~~conferences~~ meeting shall be required for all new development, redevelopment, large tenant improvements and commercial additions. Pre-application ~~conferences~~ meeting for all other types of applications are optional.

(2) The Director shall establish procedures, reasonable schedules, and staff participation for pre-application ~~conferences~~ meetings.

(3) The discussions at the conference shall not bind or prohibit the City's future application or enforcement of all applicable law since it is impractical for a pre-application ~~conference~~ meeting to be an exhaustive review of all potential issues. (Ord. 143 § 1, 1996)

17.09.030 Submission and acceptance of application.

(1) Determination of Completeness. Within 28 days after receiving a project permit application, the City shall send by ~~certified~~ mail or personally provide a written determination to the applicant which

states either: (a) that the application is complete or (b) that the application is incomplete and what is necessary to make the application complete.

(2) Identification of Other Agencies with Jurisdiction. To the extent known by the City, other agencies with jurisdiction over the project permit application shall be identified in the City's determination required by WMC 17.09.030(1) above.

(3) "Complete" Application/Additional Information. A project permit application is complete for purposes of this section when it meets the submission requirements in WMC 17.09.020 above, as well as the submission requirements contained in the applicable development regulations. This determination of completeness shall be made when the application is sufficient for continued processing even though additional information may be required or project modifications may be undertaken subsequently. The City's determination of completeness shall not preclude the City from requesting additional information or studies either at the time of the notice of completeness or at some later time, if new information is required or where there are substantial changes in the proposed action.

(4) Incomplete Application Procedure.

(a) If the applicant receives a determination from the City that an application is not complete, the applicant shall have 90 days to submit the necessary information to the City. Within 14 days after an applicant has submitted the requested additional information, the City shall make the determination as described in WMC 17.09.030(1) above, and notify the applicant in the same manner.

(b) If the applicant either refuses in writing to submit additional information or does not submit the required information within the 90 day period, the application shall lapse.

(c) In those situations where the application has lapsed because the applicant has failed to submit the required information within the necessary time period, the applicant may request a refund of the unexpended application fee by the City's determination of completeness.

(5) City's Failure to Provide Determination of Completeness. A project permit application shall be deemed complete under this section if the City does not provide a written determination to the applicant that the application is incomplete as provided in WMC 17.09.030(1) above.

(6) Date of Acceptance of Application. When the project permit application is complete, the Director shall accept it and note the date of acceptance.

(7) The applicant shall designate a single person or entity to receive determination and notices required by this chapter. The single person or entity shall also be the designee for any contact regarding permit activity. (Ord. 143 § 1, 1996)

Section 3. Amendment to the Comprehensive Plan Chapter 12, Environmental, is hereby amended to include the environmental policies regarding low impact development as set forth below. New text is shown by underline; deleted text is shown by ~~strike through~~.

ENV-8.5 ~~Encourage~~ Promote Low Impact Development (LID) techniques as an alternative to standard development practices such as, using natural systems to maintain and enhance environmental quality by having them perform such functions as cleaning air and water, and controlling storm water runoff.

ENV-8.6 Utilize natural filtration systems such as rain gardens with high infiltration soils, bio-channels, green roofs, and ecology embankments.

ENV-8.7 Practice land cover management which includes forest and topsoil preservation, native growth protection easements, dense vegetation zones, and preservation of tree canopy zones.

ENV - 8.8 Reduce effective impervious surface areas by narrowing residential streets and encouraging the use of shared driveways, cul-de-sac planters, rain gardens, and porous pavement for streets and sidewalks.

ENV 8.9 Provide education to all stakeholders concerning natural systems and associated programs and regulations (e.g. Arbor Day events, Salmon Watcher Program, Sammamish ReLeaf, education pamphlets, environmental work shops and neighborhood meetings). Encourage and promote environmental stewardship programs, and techniques in managing urban forests, streams and wetland systems.

ENV 8.10 – Provide incentives for low impact development such as: property tax abatements and credits; reduction of permit fees or other development standards; density bonuses limited to green development and achieved ratings for Lead Environmental Energy Design (LEED); and the preservation and planting of native vegetation in commercial and residential development.

Section 4. Amendment to the Comprehensive Plan Identified Critical Areas in Woodinville Map Adopted. The Comprehensive Plan Identified Critical Areas in Woodinville Map regarding Land slide Hazard Areas and Wildlife Corridors is hereby amended to read as set forth in Attachment A, which is attached hereto and incorporated herein by this reference as if set forth in full.

Section 5. Amendment to Section 20.06.020, Review and approval criteria, of the Woodinville Municipal Code is hereby amended to read as set forth in below. New text is shown by underline; deleted text is shown by ~~strike through~~.

20.06.020 Review and approval criteria.

- (1) Each proposed subdivision or short subdivision shall be reviewed to insure that:
 - (a) The proposal conforms to the goals, policies, criteria and plans set forth in the City of Woodinville Comprehensive Plan, community urban forestry plan, and parks, recreation, and open space plan;
 - (b) The proposal conforms to the development standards set forth in WMC Title 21, Zoning Code;
 - (c) The proposal conforms to the requirements of this section and those set forth in this chapter and WMC 20.06 Subdivision and Short Subdivision Regulations and WMC 17.09.020;
 - (d) The proposed street system conforms to the City of Woodinville public infrastructure standards and specifications and neighborhood street plans, and is laid out in such a manner as to provide for the safe, orderly and efficient circulation of traffic;
 - (e) The proposed subdivision or short subdivision will be adequately served with City approved water and sewer, and other utilities appropriate to the nature of the subdivision or short subdivision;
 - (f) The layout of lots, and their size and dimensions take into account topography and vegetation on the site in order that buildings may be reasonably sited, and that the least disruption of the site, topography, trees and vegetation will result from development of the lots;
 - (g) Identified hazards and limitations to development have been considered in the design of streets and lot layout to assure street and building sites are on geologically stable soil considering the stress and loads to which the soil may be subjected;
 - (h) Safe walk to school procedures, as established by the City, have been met;
 - (i) Tree preservation has been considered in accordance with the community urban forestry plan and tree preservation requirements have been adequately met.
- (2) Lack of compliance with the criteria set forth in subsection (1) of this section shall be grounds for denial of a proposed subdivision or short subdivision, or for the issuance of conditions necessary to more fully satisfy the criteria.
- (3) No final plat or short subdivision shall be approved unless:

- (a) The final plat or short subdivision is in substantial conformance with the provisions for the preliminary approval, including any conditions imposed as part of the approval.
 - (b) The final plat or short subdivision contains a dedication to the public of all common improvements, including but not limited to streets, roads, sewage disposal and water supply systems which were a condition of approval.
 - (c) All common improvements required as conditions of approval of the proposed subdivision or short subdivision have been referenced on the final plat or short subdivision.
 - (d) City approved water and sewer facilities ~~will~~ shall be available to each lot created by the division of land.
 - (e) The final plat or short subdivision is in compliance with the provisions of WMC 21.24, Environmentally Sensitive Areas, and WMC 21.28, Development Standards – Adequacy of Public Facilities and Services.
 - (f) The applicant provides evidence of an adequate water supply for the intended use.
 - (g) Except when a cash deposit or assignment of funds for the construction of certain improvements has been approved pursuant to subsection (h) below, all required improvements, public or private, have been constructed or installed in accord and with the provisions of this chapter and the requirements of the approved preliminary plat, subject to inspection and approval by the Public Works Director.
 - (h) The applicant may be allowed to submit a cash deposit or an assignment of funds acceptable to the City in lieu of actually installing or constructing certain of the required improvements meeting the description in criteria (i), (ii) or (iii) below and subject to written approval by both the Public works Director and Planning Director. Their decision shall consider all of the following criteria:
 - (i) Minor items of the required improvements need to be completed such as the final lift of asphalt pavement and/or landscaping; or
 - (ii) The City and/or other public agency's capital project needs to be completed ahead of the required improvements to allow for logical sequence of construction to prevent damage or disruption to the improvements being made; or
 - (iii) Constructing the required improvements prior to plat approval will create an unnecessary and unusual hardship to the applicant that is not self created; and
 - (iv) The need for the cash deposit or assignment of funds is not the result of deliberate actions of the applicant; and
 - (v) The public health, safety, and welfare is not endangered by allowing plat to be approved without the required improvements being completed.
- (4) When the Planning Director finds that the final plat or short subdivision is in substantial conformity to the preliminary approval, he or she shall endorse his or her approval on the final plat or short subdivision and shall implement the final approval and recording procedures set forth in WMC 20.08, Subdivision and Short Subdivision Procedures, and Chapter 17 WMC.

Section 6. Amendment to Section 20.06.200, Improvements – Completion and guarantee, of the Woodinville Municipal Code is hereby amended to read as set forth in below. New text is shown by underline; deleted text is shown by ~~strikethrough~~.

20.06.200 **Improvements – Completion or Guarantee.** The applicant shall complete the required improvements before final approval of the plat and shall financially guarantee installation thereof as set forth in WMC 20.06.210, Improvements – Security for Performance and Warranty prior to construction. The applicant may be allowed to submit a cash deposit or assignment of funds for items not completed at the time of approval of the plat, only as set forth in WMC 20.06.020.3(h). The cash deposit or assignment of funds shall identify the improvements, name the date the improvements are to be completed, and be of a form and substance subject to the approval of the above Directors.

Section 7. Amendment to Subsection 20.06.210, Improvements – Security for performance and warranty, of the Woodinville Municipal Code is hereby amended to read as set forth in below. New text is shown by underline; deleted text is shown by ~~strikethrough~~.

20.06.210 **Improvements – Security for performance and warranty.**

- (1) ~~Prior to actual construction of required improvements and prior to approval of a final plat or short plat, the subdivider shall provide a cash deposit or an assignment of funds guarantee in a form approved by the City Attorney and in an amount to be determined by the City Engineer (site work) Planning Director (landscape, critical areas, etc) and Public Works Director (on and off-site improvements, drainage, lighting, etc) sufficient to guarantee actual construction and installation and acceptance by the City of such improvements within three years prior to of final plat or short plat approval and issuance of a Certificate of Occupancy. The assignment of funds guarantee shall be held in a separate account by the applicant's financial institution and shall only be released to the applicant upon written approval by the Permits Center Director/Building Official Planning Director and Public Works Director. A schedule for the release of funds shall be approved by the City Permits Center Director/Building Official Planning Director and Public Works Director prior to authorization to proceed with construction. In such case where the applicant fails to complete the infrastructure work by the deadline provided herein, the City Permits Center Director/Building Official shall have the option of attaching the assignment of funds guarantee to ameliorate any outstanding environmental concerns at the project site and/or to complete the project. The amount of the security guarantee for completion shall not be less than 125-150 percent of the City Engineer's estimate of the cost of such improvements, but the City Engineer Director may set a higher percentage based upon the complexity of the project. In addition, before acceptance by the City of the improvements, the subdivider shall complete the project closeout requirements and file a warranty bond or other suitable security a maintenance and defect guarantee in a form approved by the City Attorney and in an amount to be determined by City Engineer Planning Director and Public Works Director guaranteeing the repair or replacement of any improvement or any landscaping which provides proves defective or fails to survive within a minimum two year time period after final acceptance of the improvements or landscaping by the City. The City shall withhold acceptance of the improvements until any required security for completion and the required security guarantee for maintenance are filed.~~
Prior to actual construction of required improvements and prior to approval of a final plat or short plat, the subdivider shall provide a cash deposit or an assignment of funds guarantee in a form approved by the City Attorney and in an amount to be determined by the City Engineer (site work) Planning Director (landscape, critical areas, etc) and Public Works Director (on and off-site improvements, drainage, lighting, etc) sufficient to guarantee actual construction and installation and acceptance by the City of such improvements within three years prior to of final plat or short plat approval and issuance of a Certificate of Occupancy. The assignment of funds guarantee shall be held in a separate account by the applicant's financial institution and shall only be released to the applicant upon written approval by the Permits Center Director/Building Official Planning Director and Public Works Director. A schedule for the release of funds shall be approved by the City Permits Center Director/Building Official Planning Director and Public Works Director prior to authorization to proceed with construction. In such case where the applicant fails to complete the infrastructure work by the deadline provided herein, the City Permits Center Director/Building Official shall have the option of attaching the assignment of funds guarantee to ameliorate any outstanding environmental concerns at the project site and/or to complete the project. The amount of the security guarantee for completion shall not be less than 125-150 percent of the City Engineer's estimate of the cost of such improvements, but the City Engineer Director may set a higher percentage based upon the complexity of the project. In addition, before acceptance by the City of the improvements, the subdivider shall complete the project closeout requirements and file a warranty bond or other suitable security a maintenance and defect guarantee in a form approved by the City Attorney and in an amount to be determined by City Engineer Planning Director and Public Works Director guaranteeing the repair or replacement of any improvement or any landscaping which provides proves defective or fails to survive within a minimum two year time period after final acceptance of the improvements or landscaping by the City. The City shall withhold acceptance of the improvements until any required security for completion and the required security guarantee for maintenance are filed.
- (2) The City Permits Center Director/Building Official may enforce the assignment of funds guarantee or other security required by this section according to their terms, pursuant to any and all legal and equitable remedies. In addition, any guarantee or other security filed pursuant to this section shall be subject to enforcement in the following manner:
 - (a) In the event the improvements are not completed as required, or warranty is not performed satisfactorily, the Permits Center Director/Building Official City shall notify the property owner and the guarantor in writing, which shall

set forth the specific defects which must be remedied or repaired and shall state a specific time by which such shall be completed.

- (b) In the event repairs or warranty are not completed as specified in the notice referred to in subsection (2)(a) of this section by the specified time, the City Permits Center Director/Building Official may proceed to repair the defect or perform the warranty by either force account, using City forces, or by private contractor. Upon completion of the repairs or maintenance, the cost thereof, plus interest at 12 percent per annum, shall be due and owing to the City from the owner and guarantor as a joint and several obligation. In the event the City is required to bring suit to enforce maintenance, the subdivider and guarantor shall be responsible for any costs and attorneys' fees incurred by the City as a result of the action.

In the event that the ~~guarantee security~~ is in the form of an assignment of funds or cash deposit with the City ~~Permits Center Director/Building Official~~, the City ~~Permits Center Director/Building Official~~ may deduct all costs set forth in this section from the assignment of funds or cash on deposit and the subdivider shall be required to replenish the same for the duration of the guaranty period.

Section 8. Amendment to Section 20.06.220, Improvements - Construction, of the Woodinville Municipal Code is hereby amended to read as set forth in below. New text is shown by underline; deleted text is shown by ~~strikethrough~~.

20.06.220 Improvements – Construction. Construction of subdivision improvements prior to final plat or short plat approval or subsequent to final plat approval is required subject to WMC 20.06.200 ~~as a condition to meeting financial requirements~~ and shall proceed as follows:

- (1) Complete construction drawings, specifications and related material shall be submitted to the City Permits Center Director/Building Official for approval prior to the commencement of construction. The submitted drawings and specifications shall be designed and certified by a registered civil engineer. Construction drawings shall be in conformance with the conditions, if any, of preliminary plat or short plat approval and applicable City standard.
- (2) Construction of improvements shall not be initiated without authorization of the City Engineer. The City Engineer shall authorize the subdivider to proceed with construction after approval of the construction drawings and specifications by the appropriate City department. The City Engineer may grant approval on condition additions or changes are made in the drawings or specifications, or on the inclusion or implementation of mitigating measures necessary to minimize the impacts of the construction on the environment. Conditions required to minimize environmental impacts shall conform with the requirements of WMC regarding environmental impact procedures.
- (3) Any changes to the construction drawings or specifications involving design of the improvements shall first be reviewed and approved by the City Engineer and the appropriate City department.
- (4) City Tree Official approved tree protection measures shall be installed and inspected prior to beginning any construction activities. Damage to any preserved tree shall result in replacement pursuant to WMC 21.16.130 and 21.16.170 of the damaged tree to equal the number of tree credits lost as a result of the damage. After construction activities are completed, the applicant shall provide an inspection report prepared by a certified arborist of the condition of the preserved trees.

- (5) Construction of the improvements shall proceed as shown in the construction drawings and specifications. Construction inspection shall proceed under the supervision of a registered civil engineer. The City Engineer or his designee shall inspect construction progress on a regular basis to review compliance with construction plans and required standard.
- (6) After the completion of construction in accordance with the approved plans and specifications, as-built drawings showing the improvements as constructed shall be certified as true and complete by a registered civil engineer. The certified as-built drawings on reproducible mylar shall be submitted to the City Permits Center Director/Building Official. When a final plat is involved, the certified as-built drawings are required to be submitted prior to the acceptance of the subdivision improvements and approval of the plat or proper administrative authority for short plats by the City Council.

Section 9. Amendment to Subsection 20.08.030(8), Preliminary plat review – Time Limits, of the Woodinville Municipal Code is hereby amended to read as set forth in below. New text is shown by underline.

20.08.030 Preliminary plat review.

- (8) Time Limits.
 - (a) Approval within 90 Days. A preliminary plat shall be approved, approved with conditions, disapproved or returned to the applicant for modification or correction within 90 days from the date of filing of a complete application and completion of all required improvements unless the applicant agrees to an extension of the time period in writing; provided, should an environmental impact statement (EIS) be required per RCW 43.21C.030, Guidelines for State Agencies, Local Governments, the 90-day period shall not include the time sent in preparing and circulating the EIS by the City. A preliminary plat application shall not be deemed “complete” until all of the preliminary plat application submittal requirements of the City’s checklist have been submitted, pursuant to WMC 17.09.020.

Section 10. Amendment to Section 20.08.040, Final plat, of the Woodinville Municipal Code is hereby amended to read as set forth in below. New text is shown by underline; deleted text is shown by ~~strikethrough~~.

20.08.040 Final plat.

- (1) Application Submittal. The final plat application packet shall include the application, documents, certification, survey data, and demonstration that the required infrastructure has been constructed and/or any approved security for completion of required improvements at a later date.~~and improvement security or construction requirements as set forth in the submittal requirements checklist as developed by the Director, pursuant to WMC 17.09.020.~~
- (2) Review – Time Limits. Final plat shall be approved, disapproved or returned to the applicant for modification or correction within 30 days from the date of filing unless the applicant consents to an extension of such time period.
- (3) Review – Director of Public Works. The Director of Public Works or a licensed professional engineer acting on behalf of the City shall review the survey data, layout of lot lines, streets, alleys and other rights-of-way, design of bridges, and utility systems improvements including storm drainage, water and sanitary sewer. The Director of Public Works or other professional engineer acting on behalf of the City shall convey his findings to the City Council. Prior to approval, the engineer shall assure that:

- (a) The proposed final plat meets all standards established by State law and this section relating to the final plat's drawings and subdivision improvements;
 - (b) The proposed final plat bears the certificates and statements of approval required by this section;
 - (c) Current title insurance report furnished by the subdivider confirms the title of the land in the proposed subdivision is vested in the name of the owners whose signatures appear on the final plat;
 - (d) The legal description of the plat boundary on the current title insurance report agrees with the legal description on the final plat;
 - (e) The facilities and improvements required to be provided by the subdivider have been completed or, alternatively, that the subdivider has provided a security in an amount and with securities commensurate with the improvements such as landscaping or final lift or asphalt paving remaining to be completed, securing to the City the construction and installation of the improvements;
 - (f) The surveyor has certified that all survey monument lot corners are in place and visible.
- (4) Review – City Council. The City Council shall review the final plat as follows:
- (a) At a public meeting, the City Council shall, pursuant to WMC 17.07.030, determine whether the subdivision proposed for final subdivision approval conforms to all terms of preliminary approval, and whether the subdivision meets the requirements of Chapter 20.06 WMC, applicable State laws and all other local ordinances adopted by the City which were in effect at the time of preliminary approval.
 - (b) If the conditions have been met, the City Council shall authorize the Mayor to inscribe and execute the written approval on the face of the plat map. If the City Council disapproves the plat, it will be returned to the applicant with reasons for denial and conditions for compliance.
 - (c) The City Council shall make written findings that appropriate provisions have been made for the public health, safety, and general welfare, including open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools, and school grounds.
- (5) Recording. All final plats shall be recorded in compliance with the following:
- (a) Recording Required. No final plat shall be recorded unless approved by the City Council. The original of an approved final plat shall be filed for record with the County Auditor.
 - (b) Fees and Recording Procedure. Prior to recording, the applicant shall submit the original final plat drawings to the Planning Department together with the plat checking fees and performance bond(s). After the City has approved said drawings, the applicant shall submit the City approved original final plat drawings to the County Auditor together with the recording fees.

Section 11. Amendment to Subsection 20.08.070(3), Short subdivision review – Time Limits, of the Woodinville Municipal Code is hereby amended to read as set forth in below. New text is shown by underline.

20.08.070 Short subdivision review.

- (3) Criteria. As a basis for approval, approval with conditions or disapproval of a short subdivision, the Planning Director shall determine if appropriate provisions have been made for but not limited to the purpose and criteria set forth in Chapter 20.06 WMC, Subdivision and Short Subdivision Regulations.

(a) Approval: Within thirty days of the date of filing the application for a short subdivision, unless an extension is granted in writing by the applicant, the applicant shall be notified in writing of one of the following:

- 1.) That the final approval has been granted;
- 2.) That tentative approval has been granted;
- 3.) That the application is returned due to certain omissions, problems, deficiencies, or noncompliance with short plat requirements; or
- 4.) That the application has been disapproved.

Provided, that all time expended to complete required environmental review under the State Environmental Policy Act for those short subdivisions which are not categorically exempt, including, but not limited to, time expended by the responsible official in reviewing the proposal and issuing a threshold determination, time spent in preparing and issuing a final environmental impact statement, and time spent processing appeals allowed under the city's SEPA regulations, shall be excluded from the thirty-day time limitation provided by this section. Tentative approval under this section means the approval of a short subdivision application subject to the satisfactory completion of improvements, conditions, and/or requirements specified by the Planning Director.

The Planning Director in rendering a decision regarding the short subdivision application, shall consider comments from the City Engineer, the Woodinville Water District, if involved, citizen comments, comments from other departments and affected agencies or jurisdictions; compliance with the city's zoning code; compliance with the adopted comprehensive plan, park and recreation plan, transportation plan, and storm drainage plan; environmental documents and review; and the requirements and standards for short subdivision development. The Planning Director shall prepare a written report of the decision made with supporting facts and reasons. A copy of the written decision with all conditions, if any, shall be mailed in three working days of the decision to the applicant, parties of record, and other persons who have made a written request for notice of the decision.

(b) Tentative Approval: The tentative approval of a proposed short subdivision is effective for one year, unless extended by the Planning Director for a period of not more than one additional year. If all specified requirements are not completed or guaranteed as specified below within the tentative approval period, tentative approval shall expire and a new application in conformity with then current regulations shall be required. If the proposed short subdivision is tentatively approved by the Planning Director, any specified requirements shall be completed within one year, plus any authorized extension, or tentative approval shall expire. In the event of such an expiration a new application in conformity with the then current regulations shall be required before tentative approval is again granted.

Section 12. Amendment to Section 21.02.070, Interpretation – North American Industrial Classification System, of the Woodinville Municipal Code is hereby amended to read as set forth in below. New text is shown by underline; deleted text is shown by ~~strikethrough~~.

21.02.070 Interpretation – North America Industrial Classification System.

- (1) All references to the North America Industrial Classification System (NAICS) are to the titles and descriptions found in the North America Industrial Classification System ~~1997~~ 2002 edition, prepared by United States Office of Management and

Budget which are hereby adopted by reference. The NAICS 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.

- (2) The NAICS categorizes each land use under a general two (2)-digit major group number, or under a more specific five (5) - or six (6)-digit industry group or industry number. A use shown on a land use table with a two (2)-digit number includes all uses listed in the SIC for that major group. A use shown with a five-digit or six-digit number includes only the uses listed in the NAICS for that industry group or industry, respectively, and the uses so listed are excluded from the respective major group.
- (3) An asterisk (*) in the NAICS number column of a land use table means that the NAICS definition for the specific land use identified has been modified by this title. The definition may include one or more NAICS-sub-classification numbers, or may define the use without reference to the NAICS.
- (4) The Planning Director shall determine whether a proposed land use not specifically listed in a land use table or specifically included within a NAICS 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 Chapter 21.04 WMC, by considering the following factors:
 - (a) The physical characteristics of the use and its supporting structures, including but not limited to scale, traffic and other impacts, and hours of operation;
 - (b) Whether or not the use complements or is compatible with other uses permitted in the zone; and
 - (c) The NAICS classification, if any, assigned to the business or other entity that will carry on the primary activities of the proposed use.
- (5) The decision of the Planning Director on an NAICS classification shall be final unless the applicant or an adverse party files an appeal to the Hearing Examiner pursuant to WMC 21.42.090.

Section 13. Amendment to Section 21.04.040, Zones, Maps and Designations, of the Woodinville Municipal Code is hereby amended to read as set forth in below. New text is shown by underline; deleted text is shown by ~~strikethrough~~.

21.04.040 Public/Institutional zone.

- (1) The purpose of the Public/Institutional zone (P/I) is to provide and protect properties devoted to public and semi-public uses and uses providing social and physical services to the Woodinville Community. This purpose is accomplished by:
 - (a) Providing a zone in which uses serving public needs may be located;
 - (b) Limiting residential and privately owned operations; and
 - (c) Protecting adjacent properties from potential impacts of public uses.
- (2) Use of this zone is appropriate on properties designated by the Comprehensive Plan to be public and/or institutional, such as schools, government facilities, social services, hospitals, libraries, utilities, parks and recreational facilities, etc.

Section 14. Amendment to Chapter 21.06, Technical Terms and Land Use Definitions, of the Woodinville Municipal Code to add definitions for Development Service Director, Reader board sign, and Signs or displays of limited duration and amend the definitions for Building Official, Disguised facility, Planning Director, and Animated sign, as set forth below. New text is shown by underline; deleted text is shown by ~~strikethrough~~.

- 21.06.080 Building Official.** Building Official: ~~the manager of the City of Woodinville's Permit Center, or his or her designee.~~ The officer or other designated authority charged with the administration and enforcement of construction codes.
- 21.06.160 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.~~ An agreement between the city and a person who owns or controls real property regarding the development, use and mitigation of development of that property.
- 21.06.168 ~~(Reserved)~~ Development Services Director.** Development Services Director. the manager of the City of Woodinville's Development Services Department or his or her designee.
- 21.06.169 Disguised facility.** Disguised facility: when a personal wireless service facility is changed to appear to be something other than what it really is. For example, communication facilities are sometimes disguised to appear as trees or flag poles.
- 21.06.458 Planning Director.** Planning Director: the manager of the City of Woodinville's ~~Community~~ Development Services Department or his or her designee.
- 21.06.559 Sign, animated.** Sign, animated: any sign that includes action or motion or the optical illusion of action or motion or color changes of all or any part of the sign. Animated signs do not include humans advertising products or events by wearing, holding or waving advertisements.
- 21.06.594 Sign, reader board.** Sign, reader board: A sign face consisting of tracks to hold readily changeable letters, allowing frequent changes of copy manually.
- 21.06.599 Signs or displays of limited duration.** Signs or displays of limited duration: Any sign, banner, pennant, or advertising display intended to be displayed for a limited time period. Easily removed signs attached to windows and humans holding signs are considered temporary signs. Signs of limited duration can be manually removed without the use of tools or equipment.

21.06.594595 Sign, recommended face background colors.

Sign, recommended face background colors: colors recommended by the City for use on the sign face background of mall signs, monument signs, perimeter signs, and building signs. Sign, recommended face background colors are defined using the Pantone color system as a reference, as follows:

- | | |
|------------------|--|
| Red | Pantone Nos. 181, 188, 194, 202, 208, 216, 222, 229, 235, 242, 262, 478, 483, 506, 518 or darker or duller (more black or green added to the color). |
| Yellow/
Brown | Pantone Nos. 133, 140, 147, 154, 161, 168, 174, 464, 469, 478, 491, 499 or darker or duller (more black or violet added to the color). |
| Blue | Pantone Nos. 269, 276, 281, 289, 296, 302, 309, 533, 540, 548 or darker or duller (more black or orange added to the color). |
| Green | Pantone Nos. 316, 322, 329, 336, 343, 554, 562, 567, 574 or darker or duller (more black or red added to the color). |
| Gray | Pantone Nos. 404, 409, 416, 425, 431, 437, 444, 450 or darker or duller (more black added to the color). |

21.06.595596 Sign, required frame colors.

Sign, required frame colors: colors required by the City for use on the frames of mall signs, monument signs, and perimeter signs. Required frame colors include white and cream or are defined using the Pantone color system as a reference, as follows:

Red	Pantone Nos. 181, 188, 194, 202, 208, 216, 222, 229, 235, 242, 262, 478, 483, 506, 518 or darker or duller (more black or green added to the color).
Yellow/ Brown	Pantone Nos. 133, 140, 147, 154, 161, 168, 174, 464, 469, 478, 491, 499 or darker or duller (more black or violet added to the color).
Blue	Pantone Nos. 269, 276, 281, 289, 296, 302, 309, 533, 540, 548 or darker or duller (more black or orange added to the color).
Green	Pantone Nos. 322, 329, 316, 336, 343, 554, 562, 567, 574 or darker or duller (more black or red added to the color).
Gray	Pantone Nos. 404, 409, 416, 425, 431, 437, 444, 450 or darker or duller (more black added to the color).

21.06.596597 Sign, wayfinding.

Sign, wayfinding: an off-premises sign that is part of a City-sponsored and coordinated program for the purpose of facilitating vehicular tourist transit to local tourist destinations as designated and recognized by the City's Wayfinding Sign Program.

21.06.597598 Sign, window.

Sign, window: any sign located inside or on, affixed to, or located within three feet of a window of a building, whether temporary or permanent, lighted or unlighted, which may be viewed from the exterior of the building. Merchandise located within three feet of a window is not included in the definition unless the merchandise blocks more than one third of the window.

Section 15. Amendment to Section 21.08.030, Residential Land Use, of the Woodinville Municipal Code regarding hotel/motel, bed & breakfast and youth hostel land uses is hereby amended to read as set forth in Attachment B, which is attached hereto and incorporated herein by this reference as if set forth in full. New text is shown by underline; deleted text is shown by ~~strikethrough~~.

Section 16. Amendment to Section 21.08.050, General Services Land Use, of the Woodinville Municipal Code regarding dry-cleaning & laundry services, nail salon & similar uses designated as NAICS No. 812113, sports & recreation instruction, and miscellaneous schools & instruction is hereby amended to read as set forth in Attachment C, which is attached hereto and incorporated herein by this reference as if set forth in full. New text is shown by underline; deleted text is shown by ~~strikethrough~~.

Section 17. Amendment to Section 21.08.060, Business Services Land Use, of the Woodinville Municipal Code regarding photocopying & duplicating service and mailbox rental services land uses and a reference to the Public Works Department is hereby amended to read as set forth in Attachment D, which is attached hereto and incorporated herein by this reference as if set forth in full. New text is shown by underline; deleted text is shown by ~~strikethrough~~.

Section 18. Amendment to Section 21.08.070, Retail Land Use, of the Woodinville Municipal Code regarding drugstores and liquor stores land uses is hereby amended to read as set forth in Attachment E, which is attached hereto and incorporated herein by this reference as if set forth in full. New text is shown by underline; deleted text is shown by ~~strikethrough~~.

Section 19. Amendment to Subsections 21.08.030B(15), 21.08.040B(13)&(14), and 21.08.050B(32), Development Conditions, and Subsection 21.14.170(1), Mobile home parks – alternative design standards, of the Woodinville Municipal Code are hereby amended to read as set forth in below. New text is shown by underline; deleted text is shown by ~~strikethrough~~.

21.08.030 B DEVELOPMENT CONDITIONS

- (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~~ WMC 15.09 Construction Codes, or as may be hereafter amended.

21.08.040 B DEVELOPMENT CONDITIONS

- (13) Indoor batting facilities are subject to the following conditions and limitations:
- (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~~ WMC 15.09 Construction 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.
- (14) Indoor go-cart racing facilities are subject to the following conditions and limitations:
- (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~~ WMC 15.09 Construction 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.

21.08.050 B DEVELOPMENT CONDITIONS

- (32) Limited to dance instruction and subject to the following conditions:
- (b) 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~~ WMC 15.09 Construction Code) shall not be located in any spaces adjacent to the dance instruction facility; or the facility shall be located in a single occupancy building.

21.14.170 Mobile home parks - alternative design standards. As an alternative to the building separation and internal street standards of WMC 21.14.160:

- (1) Building separation requirements or setbacks between mobile homes and accessory structures on adjacent spaces may be modified, provided:
 - (a) The common walls meet the fire protection standards set forth in ~~the International Building Code~~ WMC 15.09 Construction Codes and the standards set forth in ~~the Uniform Fire Code~~ WMC 15.15 Fire Codes for duplexes, multifamily and condominium developments, as applicable; and
 - (b) Rental agreement clauses, by-laws or other legal mechanisms stipulate maintenance responsibilities for structures, fences and yards;

Section 20. Amendment to Sections 21.12.050, Measurement methods, of the Woodinville Municipal Code is hereby amended to read as set forth in below. New text is shown by underline.

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

- (1) Street setbacks shall be measured as follows:

- (a) Where existing or planned street and sidewalk improvements are both located on a public right-of-way, the street setback shall extend perpendicularly from the lot line,
 - (b) Where existing or planned street improvements are located on a public right-of-way and the City has obtained a public access easement for placement of existing or planned sidewalk improvements, the street setback shall extend perpendicularly from the lot line and may overlap the public easement,
 - (c) Where the existing street improvements are on private property and consist of a separate tract, the street setback shall extend perpendicularly from the lot line, and
 - (d) Where the existing street improvements are located over a private access easement, the street setback shall extend perpendicularly from the edge of the easement closest to the structure.
- (2) 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,
 - (3) Building height shall be measured from the average finished grade measured six feet away from the building 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,
 - (4) Lot area shall be the total horizontal land area contained within the boundaries of a lot,
 - (5) Impervious surface calculations shall not include areas of turf, landscaping, natural vegetation, five (5) foot (or less) wide pedestrian walkways, or surface water retention/detention facilities, and
 - (6) The square footage of buildings and other structures shall be measured from the outside walls and shall include all spaces in between said walls.

Section 21. Amendment to Section 21.14.240, On-site recreation – collection and expenditures of fee in-lieu of space, of the Woodinville Municipal Code is hereby amended to read as set forth in below. New text is shown by underline; deleted text is shown by ~~strikethrough~~.

- 21.14.240 On-site recreation - collection and expenditure of fee in-lieu of space.** The fee in-lieu of recreation space shall be:
- (1) Paid to the City of Woodinville ~~at the time of:~~
 - (a) ~~Subdivision or short subdivision recording of single detached and townhome developments, or~~
 - (b) ~~P~~ prior to issuance of building permits for all ~~other~~ residential or mixed use development.
 - (2) Used by the City for the acquisition and improvement of City parks or public recreational facilities to serve the development; and
 - (3) Expended through City Council's capital budget and program appropriations.

Section 22. Amendment to Section 21.14.320, Commercial Design Standards – Design Review Procedures, and Section 21.14.330, Commercial Design Standards – Alternative Review Procedures, of the Woodinville Municipal Code are hereby amended to read as set forth in Attachment F, which is attached hereto and incorporated herein by this reference as if set forth in full. New text is shown by underline; deleted text is shown by ~~strikethrough~~.

Section 23. Amendment to Chapter 21.20, Development Standards - Signs, of the Woodinville Municipal Code is hereby amended to read as set forth in Attachment G, which is attached hereto and incorporated herein by this reference as if set forth in full. New text is shown by underline; deleted text is shown by ~~strikethrough~~.

Section 24. Amendment to Section 21.32.070, Nonconformance – repair, or reconstruction of nonconformance structure, of the Woodinville Municipal Code is hereby amended to read as set forth in below. New text is shown by underline.

- 21.32.070 Nonconformance - repair, remodel or reconstruction of nonconforming structure.** A damaged or partially destroyed nonconforming structure may be repaired, remodeled or reconstructed provided that:
- (1) The extent of the previously existing nonconformance is not increased;
 - (2) The building permit application for repair or reconstruction is submitted within twelve (12) months of the occurrence of damage or destruction; and
 - (3) The structure has not been damaged or destroyed beyond fifty (50) percent of its assessed value.

Section 25. Amendment to Chapter 21.38, Property – Specific Development Standards and Special District Overlays, to delete Section 21.38.095 and add new Chapter 21.37, Development Agreement Procedure and Criteria of the Woodinville Municipal Code to read as set forth in Attachment H , which is hereto and incorporated herein by this reference as if set forth in full.

Section 26. Amendment to Section 21.40.035, Vesting, of the Woodinville Municipal Code is hereby amended to read as set forth in below. New text is shown by underline; deleted text is shown by ~~strikethrough~~.

- 21.40.035 Vesting.**
- ~~(1) A complete application for a land use, building, site development, grading, or sign permit shall be deemed vested at the date of submittal provided that such application meets all codes in effect at the time of submittal. A complete status vesting shall be granted for applications that do not meet all codes in effect at the time of submittal for land use, building, site development, grading, or sign permit and considered under zoning and other land use control ordinances in effect at the time the complete application is accepted, pursuant to WMC 17.09.030.~~
 - ~~(1)(2)~~ Supplemental information required after acceptance and vesting of a complete application, pursuant to WMC 17.09.020, shall not affect the validity of the vesting for such application.
 - ~~(2)(3)~~ Vesting of an application does not vest any subsequently required permits, nor does it affect the requirements for vesting of subsequent permits or approvals.
 - ~~(3)~~ A project will vest upon the submittal of a complete request for a pre-application meeting if a complete project permit application, pursuant to WMC 17.09.020, is filed within 21 days of the date of the pre-application request or seven days from the end of the pre-application meeting, whichever is later.

Section 27. Amendment to Chapters 21.02, 21.06, 21.08, 21.12, 21.14, 21.16, 21.18, 21.20, 21.22, 21.24, 21.25, 21.26, 21.28, 21.30, 21.32, 21.34, 21.36, 21.38, 21.42, 21.44 and

21.50 WMC, of the Woodinville Municipal Code to replace the title Planning Director with Development Services Director.

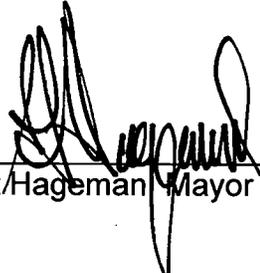
Section 28. Authorization for changing the Comprehensive Plan Future Land Use Adopted. The Planning Director is hereby authorized and directed to make the necessary changes to the City's official Comprehensive Plan Future Land Use Map as set forth in this Ordinance.

Section 29. 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 30. 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.

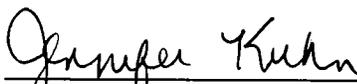
Section 31. Effective Date. The adoption of this Ordinance, which is a power specifically delegated to the City legislative body, is not subject to referendum. This Ordinance or a summary thereof shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL AND SIGNED IN AUTHENTICATION OF ITS
PASSAGE THIS 9th DAY OF DECEMBER, 2008.**



Scott Hageman, Mayor

ATTEST/AUTHENTICATED:



Jennifer Kuhn
City Clerk/CMC

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY



Greg A. Rubstello
City Attorney

PASSED BY THE CITY COUNCIL: 12-9-2008

PUBLISHED: 12-15-2008

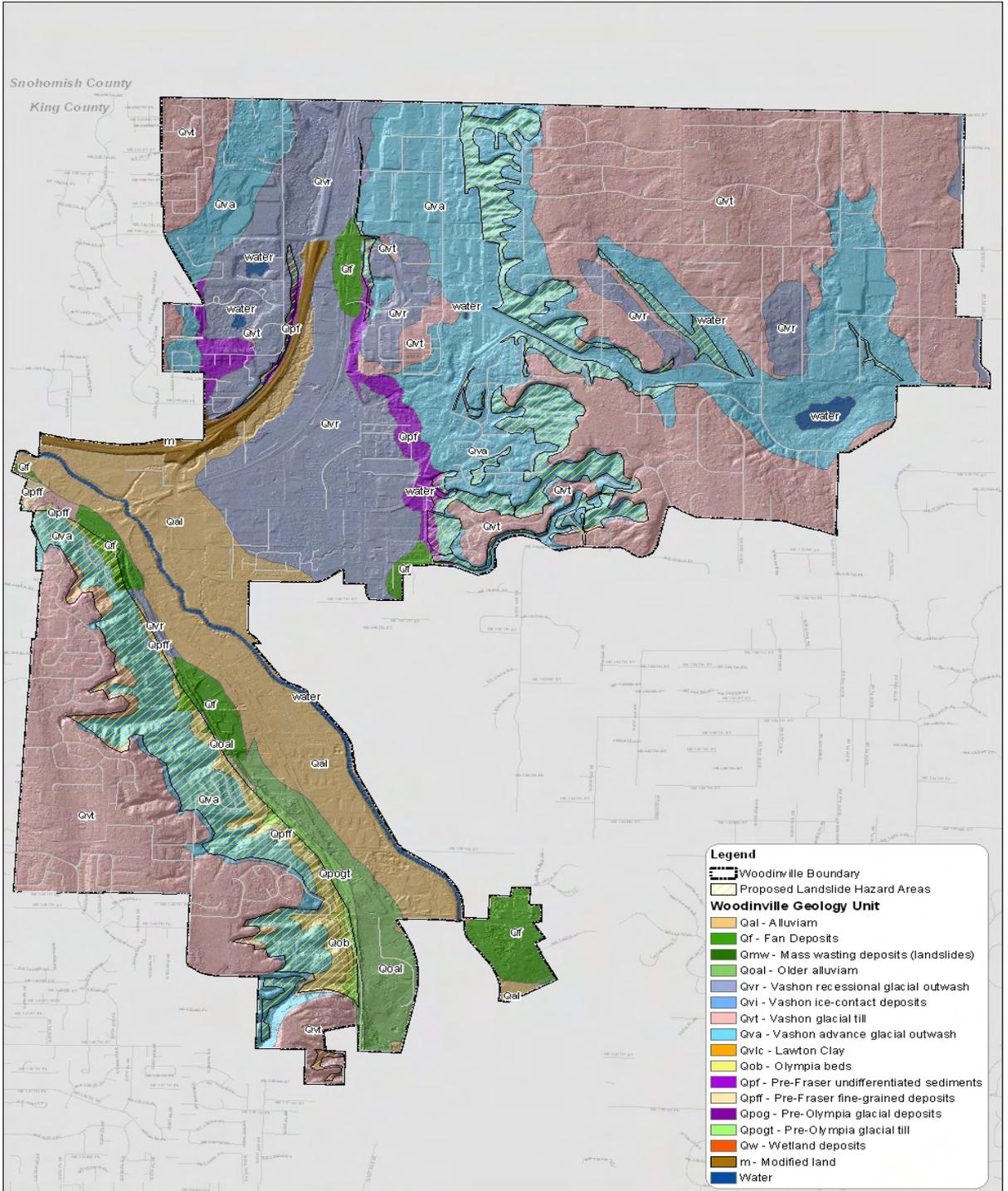
AMENDED SUMMARY PUBLICATION & TITLE PUBLISHED: 12-22-2008

EFFECTIVE DATE: 12-22-2008

AMENDED EFFECTIVE DATE: 12-30-2008

ORDINANCE NO. 465

City of Woodinville



Proposed Landslide Hazard Area Map

1 inch equals 1,604.166667 feet

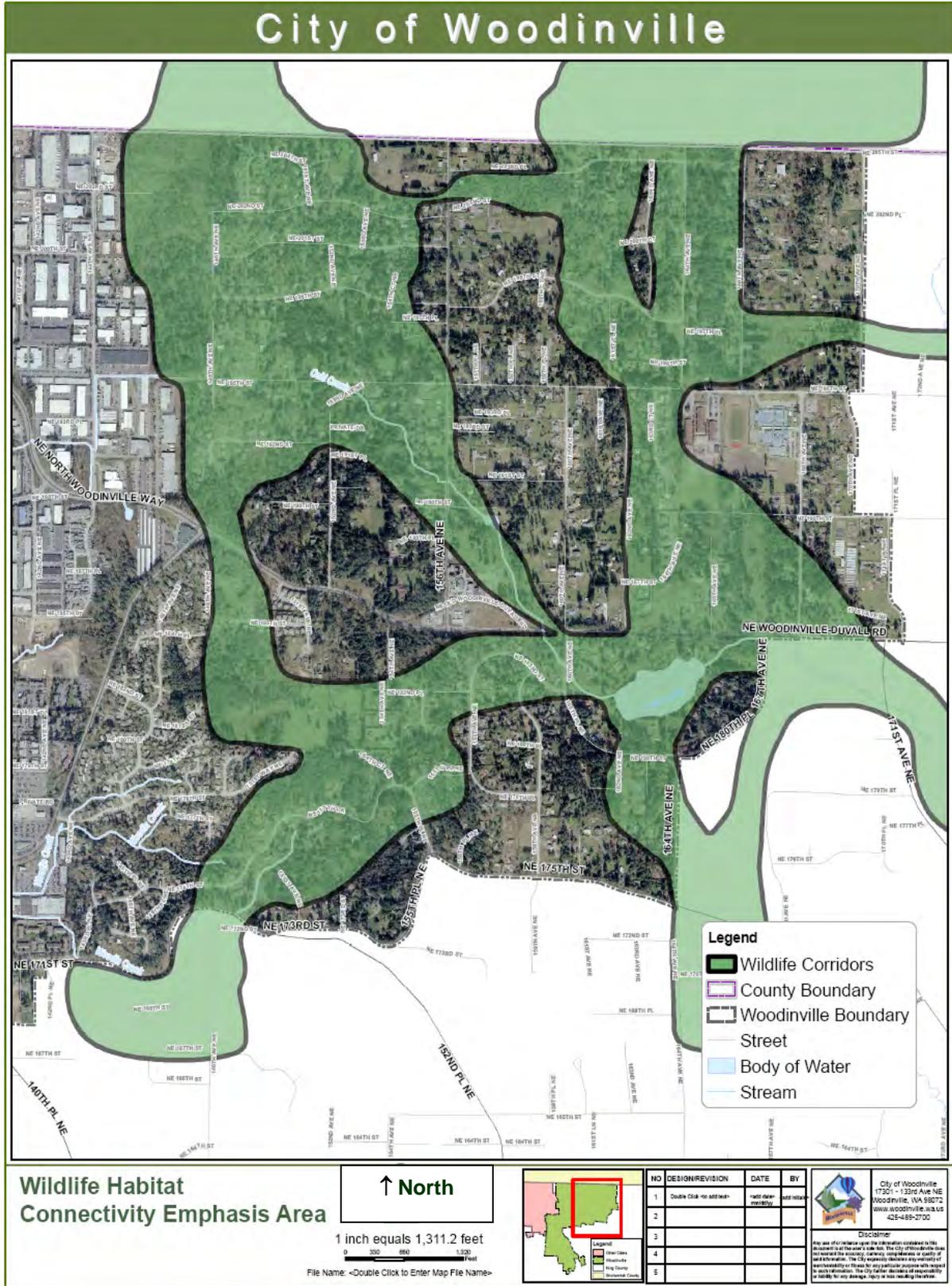
September 25 2008

File Name: L:\Projects\Planning\Deb C\Landslide Hazard.mxd

NO	DESIGN/REVISION	DATE	BY
1		09/25/08	DC
2			
3			
4			
5			

City of Woodinville
17301 - 133rd Ave NE
Woodinville, WA 98072
www.woodinville.wa.gov
425-485-2700

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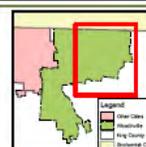


Wildlife Habitat Connectivity Emphasis Area



1 inch equals 1,311.2 feet
 0 300 600 1,200 Feet

File Name: <Double Click to Enter Map File Name>



NO	DESIGN/REVISION	DATE	BY
1	Double Click to add revision		
2			
3			
4			
5			


 City of Woodinville
 17301 - 133rd Ave NE
 Woodinville, WA 98072
 www.woodinville.wa.us
 425-489-2700

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WMC 21.08.030 A. RESIDENTIAL 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	G e n e r a l	C e n t r a l	O f f i c e	I n d u s t r i a l	P u b l i c
NAICS#		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 (see 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						<u>P5</u>	P	P			
721191 *	Bed and Breakfast Inns	P6	P6	P6			<u>P5</u>		P6			
721310	Organization Hotel/Lodging											
624221 *	Temporary Shelter								P4			P17
* 721199	Youth Hostel						<u>P5</u>		P14			
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												

21.08.030 B DEVELOPMENT CONDITIONS

- (1) Reserved.
- (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)~~ See WMC 21.38.065 Special district overlay – Tourist District.
- (6) Only as an accessory to the permanent residence of the operator, provided:
 - (a) Serving meals to paying guests shall be limited to breakfast;
 - (b) The number of guest rooms shall not exceed three; and
 - (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.
- (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 percent of the entire area development may include residential uses. No direct residential dwelling unit entrances or exits may be permitted onto NE 148th Avenue NE, NE 145th Street, or Woodinville-Redmond Road.

Ordinance No. 465 - Attachment C

<p>WMC 21.08.050</p> <p>A.</p> <p>GENERAL SERVICES LAND USE</p> <p>KEY</p> <p>P – PERMITTED USE C – CONDITIONAL USE S – SPECIAL USE</p>		<p>Z O N E</p>										
		<p>Residential</p>				<p>Commercial/Industrial/Public</p>						
		<p>L o w</p>	<p>M o d e r a t e</p>	<p>M e d i u m</p>	<p>H i g h</p>	<p>N e i g h b o r h o o d</p>	<p>T o u r i s t B u s i n e s s</p>	<p>G e n e r a l B u s i n e s s</p>	<p>C e n t r a l B u s i n e s s</p>	<p>O f f i c e</p>	<p>I n d u s t r i a l</p>	<p>P u b l i c</p>
<p>NAICS#</p>	<p></p>	<p>R1-4</p>	<p>R5-8</p>	<p>R9-18</p>	<p>R19+</p>	<p>NB</p>	<p>TB</p>	<p>GB</p>	<p>CBD</p>	<p>O</p>	<p>I</p>	<p>P/I</p>
	Personal Services:											
8121	General Personal Service					P20	P		P	P3 23		P18
81232	Dry-cleaning & Laundry Services					P33					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					P10		P10	P10		P	
81111- 81112	Automotive repair (1)					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			P18, 30
62211	Hospital								P30			P18 30
6215 339116	Medical / Dental Lab								P30		P30	P18 30
62199	Miscellaneous Health									P3 23		P18 30

NAICS#		R1-4	R5-8	R9-18	R19+	NB	TB	GB	CBD	O	I	P/I
	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
61151*	Vocational School							P30	P30	P17 20 23	P30	P30
*	Specialized Instruction School	P19, 30	P19 30	P19 30	P19 30	P			P30		C32	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	C25 30			P30	P30		P30	P30
611620	Gymnastic Schools								P29 30		P29 30	
611620 611699	<u>Sports & recreation Instruction</u> <u>Misc. Schools & Instruction</u>					<u>P24,</u> <u>34</u>						
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) Reserved.
- (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;

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- (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) Reserved.
- (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;
 - (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.~~ Nail salons and similar uses designated as NAICS No. 812113 are permitted only if the business is connected to a public sewer.
- (21) Limited to publicly owned facilities.
- (22) Reserved.
- (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).~~ Limited to martial arts instruction, yoga instruction and fitness instruction and training.
- (25) Only when adjacent to an existing or proposed school.
- (26) Limited to columbarium's 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. 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

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- 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.
- (32) Limited to dance instruction and subject to the following conditions:
- (a) Pedestrian walkways shall be clearly marked.
 - (b) 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 dance instruction facility; or the facility shall be located in a single occupancy building.
 - (c) Retail sales shall be limited to dance-related items, and the total retail sales area shall not exceed 500 square feet.
 - (d) On site food preparation is prohibited.
 - (e) A safe pedestrian “pick-up/drop-off” area that does not interfere with local traffic shall be provided.
- (33) Service limited to:
- (a) Drop-off and pick-up only.
 - (b) Gross floor area of 1800 square feet, and
 - (c) The cleaning technology used at the off-site laundry cleaning process facility to clean clothing delivered for pick-up is restricted to certified non-toxic products and chemicals. Proof of compliance with this requirement shall be provided to the Director of Development Services or his designee upon request on a form approved by the Director.
- (34) These facilities may not provide shower and bathing facilities, hot tubs, spas, swimming pools, or other uses that use a large volume of water.

Ordinance No. 465 - Attachment D

<p>WMC 21.08.060 A</p> <p>BUSINESS SERVICES 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
NAICS#		R1-4	R5-8	R9-18	R19+	NB	TB	GB	CBD	O	I	P/I
233-235	Construction and Trade							P	P9	P10 7	P	
*	Individual Transportation & Taxi							P	P			
4841-2 492	Trucking and Courier Service							P	P12	P13 7	P	
493	Warehousing, (1) and Wholesale Trade										P	
53113 *	Self-Service Storage			C14	C14			P	P	P7 11	P	
49313, 49312	Farm Product Warehousing, Refrigeration and Storage										P	
*	Log Storage										P	
4882, 48849, 488991	Transportation Service							P			P	
48851	Freight and Cargo Service							P		P10 7	P	
5615	Passenger Transportation Service							P	P	P7		
51322	Communication Offices							P	P	P7	P	
5133	Telegraph and other Communications							P	P	P7	P	
*	General Business Service					P8	P	P	P	P	P16	
*	Professional Office					P	P26 27	P	P	P	P16	P3
54185	Outdoor Advertising Service							P	P	P17 7	P	
323114 561439	Photocopying and duplicating Service					P15, 28	P					
53212 5322-4	Miscellaneous Equipment Rental							P	P		P	P4
53211	Automotive Rental and Leasing							P	P			
81293	Automotive Parking	P19	P19	P19	P19			P	P		P	P5
711211 7113 - 4	Professional Sport Teams/Promoters							P	P7			
5417	Research, Development and Testing							P2	P2		P2	P6
* 8113	Heavy Equipment and Truck Repair							P			P	
*	Commercial/Industrial Accessory Uses		P22				P22	P	P	P7	P	
*	Helistop						C23	C23	C24	C24	C7, 23	C24
561431	Mailbox Rental Services					P15, 28						

21.08.060 B DEVELOPMENT CONDITIONS

- (1) Except self-service storage.
- (2) Except NAICS Industry No. 54172-Commercial Economic, Sociological, and Educational Research, see general business service/office.
- (3) Only as a government, public agency, community service, or nonprofit use, or as an accessory to a permitted use.
- (4) Only as an accessory to a permitted use.
- (5) Only as an accessory to a permitted use and as a facility fully accessible to the public.
- (6) Only as a medical research and development facility associated with a hospital or other medical service provider.
- (7) 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.
- (8) Except for NAICS Major Group No. 541, 561 and 323.
- (9) No outdoor storage of materials.
- (10) Limited to office uses. No storage of non-office equipment, tools, machinery, supplies or commercial vehicles exceeding one-ton capacity.
- (11) Limited to current location. No new self-storage land uses are permitted in the office zone as of January 1, 2003.
- (12) Limited to self-service household moving truck or trailer rental accessory to a gasoline service station and NAICS Industry No. 49211-Courier Services, except by air.
- (13) Limited to NAICS Industry No. 49211-Courier Services, except by air.
- (14) Accessory to an apartment development of at least twelve units provided:
 - (a) The gross floor area in self-service storage shall not exceed fifty percent 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) ~~(Reserved)~~. Service limited to the use of dry-ink toner copying only, and toxic chemical usage for any of the processing equipment, either as part of the process, or for cleaning and maintenance of equipment is prohibited.
- (16) Only as an accessory use to another permitted use, not to exceed 49 percent of gross floor area.
- (17) No outdoor storage.
- (18) (Reserved).
- (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 Public Works Department.
- (20) (Reserved).

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- (21) (Reserved).
- (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) (Reserved).
- (26) Permitted Professional Office uses shall be limited to the following NAICS Major Group and Industry Numbers:
 - (a) 5242 - Insurance Agents, Brokers and Service,
 - (b) 53121 - Real Estate Agents and Managers
 - (c) 54111 - Legal Services
 - (d) 541330 - Engineering Services
 - (e) 541611 - Administrative Management and General Management Consulting Services, and
 - (f) 54182 - Public Relations Services
- (27) A maximum of 20% of the gross square footage of the ground floor of any building may be used for professional office uses, and up to 40% of gross square footage of floors above the ground floor for the entire development may be used for professional office uses.
- (28) Services such as photographic processing, photo printing or other types of photo processing that employ wet chemical processes are prohibited.

<p align="center">WMC 21.08.070</p> <p align="center">A.</p> <p align="center">RETAIL LAND USE</p> <p>KEY</p> <p>P – PERMITTED USE C – CONDITIONAL USE S – SPECIAL USE</p>		<p align="center">Z O N E</p>										
		<p align="center">Residential</p>				<p align="center">Commercial/Industrial/Public</p>						
		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#		R1-4	R5-8	R9-18	R19+	NB	TB	GB	CBD	O	I	P/I
*	Building, Hardware and Garden Materials					P2	P	P	P			
*	Forest Products Sales										P	
*	Department and Variety Stores						P5	P	P			
445	Food Stores					P	P	P	P			
*	Agricultural Crop Sales	P3, 7										
*	Motor Vehicle and Boat Dealers							P	P8			
4413	Auto Supply Stores							P9				
4471	Gasoline Service Stations					P	P	P	P12			
448	Apparel, Jewelry and Accessory Stores					P	P		P			
*	Furniture and Home Furnishings Stores						P21	P	P			
722	Eating and Drinking Places					P10, 16	P10, 16	P	P12	P17	P6	P1
*	Drug Stores					P23	P	P	P	P 18 19		P 13
44531	Liquor Stores					P24		P	P			
45331	Used Goods: Antiques/Secondhand Shops					P	P4		P			
*	Sporting Goods & related Stores					P	P	P	P			
*	Book, Stationary, Video and Art Supply Stores					P	P11		P11			
*	Monuments, Tombstones, and Gravestones							P			P	
*	Hobby, Toy, Game Shops					P	P		P			
*	Photographic and Electronic Shops					P	P		P			
*	Fabric Shops					P	P		P			
45431	Fuel Dealers							P			P	

NAICS#		R1-4	R5-8	R9-18	R19+	NB	TB	GB	CBD	O	I	P/I
*	Florist Shops					P	P		P			P13
*	Personal Medical Supply Stores					C			P			
*	Pet Shops					P	P		P			
*	Bulk Retail							P	P12			
*	Auction Houses							P			P	
4412	Truck & Motorhome Dealers (14)							P			P	
*	Auto Parts Yard										P20	
*	Sexually Oriented Businesses (15)							P11			P11	
*	Gift Shops					P	P		P			P13
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												

21.08.070 B DEVELOPMENT CONDITIONS

- (1) Only as an accessory to a permitted use.
- (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) Excludes used building material stores and pawnshops.
- (5) Limited to NAICS Industry No. 45299, 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;
(e) Noncontiguous lands within the 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 NAICS Industry No. 72241-Drinking Places.
- (11) Sexually oriented businesses shall be prohibited within:
 - (a) 660 feet of the perimeter of the building or point of access in which: any other sexually oriented business is located; or
 - (b) 330 feet from any office zone or residential zone, except the single-family residential zoned areas to the west and east of the North Industrial Neighborhood Sexually Oriented Business Overlay District; or

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- (c) 330 feet of any school, licensed daycare, public park, community center, public library, or church which conducts religious or educational classes for minors; or
- (d) 330 feet of the Woodinville Fire and Life Safety District Station No. 31.
- (12) Subject to the City's adopted Design Principles.
- (13) Only as an accessory to a hospital or other medical facility.
- (14) Includes wholesale and retail sale of trucks exceeding one-ton capacity.
- (15) See WMC 17.19 for regulations governing a sexually oriented business. See Ordinance No. 101 for regulations governing the location of sexually oriented businesses.
- (16) No drive-through window restaurants are permitted except drive-through kiosks with a footprint of less than 200 square feet that serve beverages and pre-prepared, pre-packaged food items to be consumed off-site.
- (17) Permitted only on sites with a High Density Residential R-48/Office zone designation.
- (18) Except NAICS 453991 – Tobacco Stores and Stands, which are not permitted.
- (19) Drug Stores are limited to 25% of total office building square footage.
- (20) The perimeter of all areas used for the storage of inoperable vehicles or vehicle parts must be screened with a six (6) foot sight obscuring fence and a ten foot width of Type I landscaping.
- (21) Limited to culinary-related uses under the following NAICS categories:
443111 Household Appliance Stores and
44229 Other Home Furnishings Store.
These uses are only permitted as part of a development that integrates residential with tourist-oriented business development on the property and is conditioned through a development agreement with the City that ensures the proposed mixed-use development meets the vision and goals of the Tourist District Master Plan.
- (22) (Reserved).
- (23) Gross floor area of drug stores shall not exceed 3,500 square feet.
- (24) Beverage sales limited to beer and wine.

21.14.320 Commercial Design Standards - Design Review Procedures. Design review is available and encouraged in phases described below:

- (1) Schematic Design Review. Schematic design, as used here, is a preliminary graphic representation of the proposed development that is based on available information. The graphic representation may be supplemented with written information.

The intent of Schematic Design Review is to provide a way for the developer to convey information that describes the developer’s objectives early so the Design Standards that relate to the development can be identified for consideration. Most issues will be addressed at the Schematic Design Review with the understanding that details of these issues will be addressed subsequently.

Schematic Design Review will be conducted by the City’s Technical Review Committee (TRC). Multiple TRC reviews may be justified for larger developments. TRC review will be most beneficial if the following items are included in schematic plans:

- (a) Site layout;
- (b) Pedestrian, bicycle and vehicular circulation on-site and in relation to connecting walks and streets;
- (c) Building elevations;
- (d) Landscaping in concept and general material types; and
- (e) Storm drainage system concept.

- (2) Permit Document Development Design Review. ~~At the developer’s option~~ Prior to building permit application, the City will provide reasonable periodic design review during preparation of development permit documents. This review may be conducted by TRC or the Staff person responsible for the issue reviewed.

- (3) Prior to the submittal of a building permit application, the applicant shall complete and submit a City of Woodinville Design Review application packet for tentative approval of the design for the proposed building and site landscaping. Subsequent to any Planning Commission review, the Director shall respond to the applicant by written tentative approval, approval with conditions, or disapproval with reasons for disapproval. The applicant and the City are to retain duplicates of documents accepted for design review as references for Final Design Confirmation.

- ~~(3)~~(4) Dispute Resolution. Either the applicant or the staff may request consultation with the Planning Commission as provided in WMC 21.14.340.

- ~~(4)~~(5) Final Design Review. A final Design Standards Checklist will be prepared using documents submitted for development permits. Staff will also prepare a final decision with conditions of approval as may be required.

- ~~(5)~~(6) Appeal. Any appeal of the decision shall be made to the City Council pursuant to Chapter 2.30 WMC and Title 17 WMC.

21.14.330 Commercial Design Standards - Alternative Review Procedure.

- (1) Intent.
 - (a) To provide an alternative review procedure that recognizes the unique opportunities and special challenges of developments that merit special

considerations. Such considerations include environmental constraints or circumstances or large lot development (2 acres or larger).

- (b) To permit greater flexibility and encourage more creative and imaginative site planning and design than may be possible under procedures described in (1)(a), above.
 - (c) Qualifying developments may utilize Alternative Review Procedure to gain flexibility to vary from the strict requirements of certain of the City's Zoning development standards (Chapters 21.12 through 21.18) and Commercial Design Standards provided that the Director determines that the proposal complies with the City's Comprehensive Plan, meets the intent of the development standards and Commercial Design Standards and provides public benefit by meeting terms of WMC 21.14.310(1) SCHEMATIC DESIGN REVIEW and as further specified below:
 - (i) To provide more economic and efficient use of the land;
 - (ii) To reduce the negative impacts to adjacent properties;
 - (iii) To increase convenient pedestrian and vehicular circulation in the vicinity of the subject property;
 - (iv) To enhance the overall visual quality in the commercial areas of Woodinville and maintain a human architectural scale;
 - (v) To produce consistent design identity compatible with the surrounding commercial area;
 - (vi) To take advantage of special opportunities to create a pleasing composition of buildings and landscape features; and
 - (vii) To create a focal point in the downtown.
- (2) **Applicability.** Alternate Review Procedures may be used by holders of an equitable interest in or option on property. The applicant must submit evidence of such interest.
- (3) **Permitted Uses.** Land uses of the site plan review process shall be limited to those permitted in the underlying zone.
- (4) **Public Service Availability.** Design review under Commercial Design Standards shall consider sufficiency of public facilities such as water lines and streets. Sufficiency shall mean that either the systems exist or are planned to serve the proposed development and integrate the total systems of which the reviewed system is a part.
- (5) **Site Plan Review Criteria.**
- (a) The TRC may consider and approve plans submitted under the Alternative Review Procedures for development that vary from the development standards of WMC 21.12-18 and these Commercial Design Standards provided that the TRC finds that all of the following standards are met:
 - (i) The proposal is consistent with the intent of the City's Commercial Design Standards.
 - (ii) The proposal complies with the City's Comprehensive Plan.
 - (iii) The proposal provides a public benefit by meeting the following standards: The site planning for developments reviewed under this Alternative Review Procedure shall demonstrate unifying organization as well as accomplish the following goals:

- 1) Mitigate transportation impacts and conform to the City's objectives for better circulation by connecting through streets;
 - 2) Provide convenient, inviting pedestrian circulation connecting all on-site activities to adjacent pedestrian routes and street rights-of-way and encourage bicycle access and use;
 - 3) Encourage buildings to complement adjacent activities and visual character and create human scale;
 - 4) Incorporate open space and landscape design as a significant unifying element;
 - 5) Enhance the quality of pedestrian-oriented streets if adjacent to streets classified as "pedestrian oriented street" for design review purposes;
 - 6) Incorporate screening, environmental mitigation, utilities, and drainage as positive elements in site design, such as creating a "natural" open space or wet pond as a site feature to accommodate surface water runoff;
 - 7) Reduce the visual and functional impacts of parking through placement and design of parking lots; and
 - 8) Where it is warranted and feasible, incorporate shared or joint use parking, transit access, and other parking/auto trip reduction measures.
- (6) Schematic Site Plan Review.
- (a) Before filing any application, the prospective applicant shall submit for review by the TRC information noted in WMC 21.14.320(1) (a)-(e).
 - (b) The TRC will meet with the applicant, who will provide information necessary for a complete application. The TRC's recommendations and comments shall be provided to the applicant in writing after the meeting.
 - (c) The Director shall issue a letter indicating acceptance when documents submitted for Schematic Site Plan Design Review for major issues identified in WMC 21.14.320(1)(a)-(e) above are satisfactory to the City. Approved documents, marked for identification, will be provided to the applicant and retained in the City's files.
- (7) Permit Document Development Design Review.
- (a) Subsequent to Schematic Site Plan Review, the City will provide periodic design review at the applicant's request and reasonably scheduled by the City during development of permit documents.
 - (b) The City will reasonably schedule Permit Document Development Design Reviews until the applicant is prepared to submit documents for Final Design Review.
 - (c) Prior to the submittal of a building permit application, the applicant shall complete and submit a City of Woodinville Design Review application packet for tentative approval of the design for the proposed building and site landscaping. The applicant may request tentative approval of design acceptance for this phase upon completion of the phase. Subsequent to any required Planning Commission review, The the Director shall respond to the applicant by written tentative approval, approval with conditions, or disapproval with reasons for disapproval. The applicant and the City are to retain duplicates of documents accepted for design review as references for Final Design Confirmation.

- (8) Final Design Confirmation.
 - (a) Documents submitted for Final Design Confirmation are documents submitted for permit approval. Where the project is to be developed in phases, a master plan shall be prepared that indicates phasing and methods for ensuring functionality of phased utility, circulation, and drainage systems.
 - (b) Submission requirements for Final Design Confirmation shall conform to permit submission requirements as follows:
 - (i) Building and Planning Departments requirements;
 - (ii) SEPA Checklist or determination from prior SEPA review for the project proposed;
 - (iii) Updated Design Review Checklist indicating conformance with Design Standards of the final design compared with Checklist review conducted for Schematic Site Plan Review and Permit Document Development Design Review; and
 - (iv) A written description of phasing proposed and measures included in the design to assure the public's safety and welfare during all phases of the development.

CHAPTER 21.20 - DEVELOPMENT STANDARDS – SIGNS

SECTIONS:

- 21.20.010 Purpose.
- 21.20.020 Permit requirements.
- 21.20.030 Exempt signs.
- 21.20.040 Prohibited signs.
- 21.20.050 Sign area calculation.
- 21.20.060 General sign requirements.
- 21.20.065 Community bulletin board signs.
- 21.20.070 Sign types permitted by zone.
- 21.20.080 Mall signs.
- 21.20.090 Monument signs.
- 21.20.095 Perimeter signs.
- 21.20.100 Changing general message electronic reader boards.
- 21.20.105 Employment signs.
- 21.20.110 Building signs.
- 21.20.120 Window signs.
- 21.20.130 Signs or displays of limited duration.
- 21.20.140 Nonconforming signs.

21.20.010 Purpose. The purpose of this chapter is to enhance the visual environment and safety of the City by:

- (1) Establishing standards that regulate the type, number, location, size, and lighting of signs, and
- ~~(2) Recognizing the private purposes of signs for the identification of businesses and promotion of products and services;~~
- ~~(3) Recognizing the public purposes of signs, which includes considerations of traffic safety, economic and aesthetic welfare; and~~
- (4) Encouraging attractive, effective signage throughout the community, and providing clearly identifiable design objectives for public and private signage in the downtown.

21.20.020 Permit requirements.

- (1) Except as otherwise permitted by this chapter, no sign shall be erected, altered or relocated without approval by the City.
- (2) No permit shall be required for cleaning or other normal maintenance and repair of a sign, including changes to tenant or business names on multi-tenant signs; provided, that an overall consistency of color and design is maintained, or for copy changes on changeable copy signs that do not alter the size, amount of space allocated to each tenant, color, or structure of the sign, except as such changes are regulated in WMC 21.20.140.

21.20.030 Exempt signs. The following signs or displays are exempted from the regulations under this chapter:

- (1) Historic site markers or plaques, gravestones, and address numbers;
- (2) Signs required by law, including but not limited to:
 - (a) Official or legal notices issued and posted by any public agency or court, or
 - (b) Traffic directional or warning signs;
- (3) 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 non-illuminated, and which do not exceed four square feet in surface area;

- (4) 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;
- (5) State or Federal flags;
- (6) Religious symbols; and
- (7) The flag of a commercial institution; provided, no more than one on-site flag is permitted per business premises, or one per tenant in a multi-tenant building; and further provided, the flag does not exceed 20 square feet in surface area and does not advertise a product.

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

- (1) Portable signs, ~~including, but not limited to, sandwich/A frame signs and mobile readerboard signs. Temporary signs permitted under WMC 21.20.130 are allowed except as provided for in WMC 21.20.130, Signs or displays of limited duration;~~
- (2) ~~Private s~~Signs on utility poles;
- (3) Signs which, by reason of their size, location, movement, content, coloring or manner of illumination, may be confused with traffic control signs or signals;
- (4) Signs located in the public right-of-way, except where permitted in this chapter;
- (5) Posters, pennants, strings of lights, blinking lights, balloons, searchlights and other displays of a carnival nature; except as provided for in WMC 21.20.130, Signs or displays of limited duration;
- (6) Billboards, poster boards and other advertising for products or business not located on the site of the business or place of sale, except as permitted by WMC 21.20.060(6) and (7);
- (7) Signs that are located so as to interfere with visibility for the safe movement of pedestrians, bicycles, and vehicles;
- (8) Animated signs;
- (9) Highly reflective frame materials such as mirrored glass or chrome metal are not permitted; and
- (10) Signs for businesses that are no longer operating and open for business.

21.20.050 Sign area calculation.

- (1) Sign area for freestanding signs shall be calculated by determining the total surface area of the sign as viewed from any single vantage point, excluding sign structures which do not form part of the sign proper or of the display, such as the sign mounting and frame.
- (2) Sign area for letters or symbols painted or mounted directly on walls shall be calculated by measuring the smallest single rectangle which will enclose the combined letters and symbols.

21.20.060 General sign requirements.

- (1) All signs, except billboards, community bulletin boards, political signs, ~~street banners, real estate signs,~~ wayfinding signs ~~and special event~~ and portable signs, shall be on-premises signs; provided, that uses located on lots without public street frontage in the Central Business District, Tourist Business District, General Business, Office, Industrial, or Public/Institutional zones may have one off-premises directional sign and one off-premises sign as provided by subsections (6) and (7) of this section.
- (2) Because fuel price signs are required by federal statute, such signs shall not be included in determining sign area square footage or number limitations as referenced in WMC 21.20.090. Service stations can have the same amount of signage square footage as other business (excluding the square footage of the fuel price signs). Fuel price signs

shall be part of or attached to a permanent monument sign and shall not be included in sign area or number limitations of WMC 21.20.090; provided, such signs do shall not exceed 20 square feet per street frontage. The price display may be electronic as long as it meets the requirements for changing message signs in WMC 21.20.100, do not create a traffic safety issue by glare or by including blinking or flashing lights.

- (3) Changing message center signs for date, time and temperature only, which can be incorporated into a building, mall, or monument sign, shall not exceed the size or height permitted for a building, mall, or monument sign, and shall be permitted only in the CBD, GB, O, I and P/I zones, except in the Tourist District.
- (4) On-premises direction signs shall not be included in the sign area or number limitation of WMC 21.20.080 through 21.20.120; provided, they shall not exceed six square feet in surface area and are limited to one for each entrance or exit to surface parking areas, parking structures, drive-through lanes, or as determined by the Planning Director for safe circulation.
- (5) Sign Illumination and Glare.
 - (a) WMC 21.20.080 through 21.20.120 contains sign illumination regulations for various sign types. In those cases where indirectly illuminated signs are permitted, the light source shall be no farther away from the sign than the height of the sign.
 - (b) 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.
 - (c) Electrical requirements for signs shall be governed by Chapter 19.28 RCW and Chapter 296-46B WAC.
 - (d) Signs should not exhibit undue brightness. "Undue brightness" means illumination in excess of that which is necessary to make the sign reasonably visible to the average person on the abutting street, as determined by the Planning Director.
- (6) Off-premises directional signs and wayfinding signs shall not be permitted except as part of a coordinated City-authorized program or as otherwise permitted by this chapter.
- (7) One off-premises mall, monument, or perimeter sign for each business is permitted on private property only as allowed in WMC 21.20.060(8) below, and as regulated in WMC 21.20.080, 21.20.090, and 21.20.095 respectively. To qualify for an off-premises mall sign, two or more businesses must be advertised, the receiving site may have no, one, or multiple tenants, and the businesses advertised must have no street frontage.
- (8) A total of no more than one monument, perimeter, or mall sign per site is permitted, with the exception of the following:
 - (a) Sites with two street frontages may have two signs; a maximum of one sign per street frontage is permitted; and
 - (b) Sites with more than 250 feet of street frontage and a minimum of six businesses or organizations, including businesses or organizations whose building signs are not visible from the street or that are more than 150 feet from the street, may have more than one sign. If multiple signs are allowed, they must be spaced a minimum of 150 feet apart.
- (9) All signs, except for signs or displays of limited duration as permitted under WMC 21.20.130, must be constructed of durable, maintainable materials, and must be properly maintained. Signs that are made of materials that deteriorate quickly or that feature impermanent construction are not permitted. For example, plywood or plastic sheets without a sign face overlay or without a frame to protect exposed edges are not permitted.
- (10) Reader boards are permitted subject to the requirements for the type of sign proposed. If the reader board features dark letters on a light or white background, the sign will not be considered as featuring "recommended colors" and the smaller sign allowance for mall, monument, and building signs will apply.
- (11) Signs shall be set back in accordance with the minimum setback requirements in Chapter 21.12 WMC unless otherwise provided in this section.

21.20.065 Community bulletin board signs. Community bulletin board signs shall be limited as follows:

- (1) In the R 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;
- (2) In the P/I, O, TB and NB zones, community bulletin board signs may not exceed 40 square feet;
- (3) In the I zone, community bulletin board signs may not exceed 60 square feet; and
- (4) In the CBD and GB zones, community bulletin board signs may not exceed 100 square feet.

21.20.070 Sign types permitted by zone. Signs are permitted in the zones indicated on the following chart. The Planning Director shall determine which sign type category applies to a proposed sign.

ZONE/AREA	Mall	Monument	Perimeter	Building	Window	Employment
Central Business District (CBD); General Business (GB)	P	P	P	P	P	X
Residential Zones (SF and MF)	X	1	2	3	X	X
Tourist District	4	P	X	P	P	X
Neighborhood Business (NB); Office (O); Public/Institutional (P/I)	7	P	X	P	P	X
Industrial (I)	5	6	X	6	P	P
Public Park/Open Space	X	P	P	P	P	X

Notes: P = Permitted in accordance with standards.

X = Not permitted.

- 1 = Permitted in accordance with standards for subdivision or multifamily development identification only, except that the maximum height is six feet, maximum sign face size is 20 square feet, subdued or “recommended background” colors are required, and internal lighting is not allowed.
- 2 = Permitted in accordance with standards for home occupation or home industry identification only, except the maximum sign face size is 10 square feet, subdued or “recommended background” colors are required, and internal lighting is not allowed.
- 3 = Permitted in accordance with standards except internal lighting is not allowed, subdued or “recommended background” colors are required, and plastic is not allowed as a material. The maximum sign area for multifamily development buildings is 20 square feet. The maximum sign area for single-family zones is 10 square feet.
- 4 = Permitted only in the TB zone.
- 5 = Permitted only in accordance with standards, except street address must be prominently displayed and the number of tenants listed on sign directory is not limited.
- 6 = Permitted in accordance with standards, except street address must be prominently displayed.
- 7 = Permitted in accordance with standards. A commercial premise may display one additional off-premises mall sign in the NB zone for the combined use of all tenants located upon said commercial premises that lack frontage on the Woodinville-Duvall Road.

21.20.080

Mall signs. To qualify for a mall sign, a site must be occupied by more than one business and have at least 200 linear feet of frontage.

- (1) The maximum allowable sign height is 10 feet. If sight distance requirements or physical constraints of the site do not allow a monument type sign to be placed on the street front, then a pole type sign with a maximum height of 20 feet may be approved by the Planning Director.
- (2) The maximum allowable sign face area, excluding the frame and mounting:
 - (a) Is 30 square feet if the sign face background is backlit or does not use recommended sign face background color(s).
 - (b) If the sign face background is not backlit and uses recommended sign face background color(s), the sign face is allowed an additional 30 square feet. Sign lettering and logos may be backlit, and neon lettering may be used.
 - (c) If the provisions of subsection (2)(b) of this section are met, an additional 10 square feet of sign face is allowed for each of the following features: (a) the sign face uses recommended materials, or (b) the sign face uses architectural design features that support or reflect the architecture of building(s) or other site elements, or (c) the landscaping includes additional significant landscaping area, other than lawn, or includes strong vertical elements such tall shrubs and/or tree(s) as approved by the Planning Director.
- (3) Location.
 - (a) A five-foot minimum setback from the public right-of-way and any driveway is required.
 - (b) A 20-foot minimum setback from the side property line is required. If the driveway entrance or other feature makes this setback infeasible, the Planning Director may modify the requirement.
 - (c) All signs shall meet the sight distance requirements of WMC 21.12.200.
- (4) Number per Site and Minimum Spacing.
 - (a) Unless otherwise stated in subsections (b) or (c) of this section, one mall sign per site is allowed. The sign should be located near the principal entrance.
 - (b) Sites fronting on two streets may have one mall sign per street; provided these mall signs are at least 150 feet apart.
 - (c) Sites with more than 250 feet of street frontage and a minimum of six businesses or organizations, including businesses and organizations whose building signs are not visible from the street or that are more than 150 feet from the street, may have more than one sign. If multiple signs are allowed, the signs must be spaced a minimum of 150 feet apart with no more than two mall signs permitted per street front.
- (5) Frame and Mounting. Total frame and mounting square feet are limited to a maximum of 50 percent of the allowed sign face area for the proposed sign. If the frame and mounting use (a) recommended colors and materials, or (b) uses significant architectural features that reflect the architecture of building(s) or other site elements as approved by the Planning Director, then the total frame and mounting area are limited to a maximum of 100 percent of the allowed sign face area.
- (6) Materials.
 - (a) Sign frames constructed of wood, anodized metal or concrete are encouraged.
 - (b) Sign faces constructed of anodized metal, wood or bronze are encouraged. Plastic is discouraged except for backlit lettering.
 - (c) Sign mountings constructed of wood, stone, concrete, masonry or structural metal are encouraged.
- (7) Landscaping. At least one square foot of landscaping per each square foot of sign face (single side) shall be provided at the base of the sign. The landscaping shall consist of a planting bed with a perimeter border and small trees, shrubs, and/or floral displays. An alternate landscaping plan, which must use landscaping but which may also use alternative elements, such as brick or concrete bases, pedestrian seating, planter boxes,

pole covers, or decorative framing, may be approved by the Planning Director.
Landscaping shall be well maintained at all times of the year.

- (8) Lettering. A minimum lettering height of four inches is recommended.
- (9) Lighting.
 - (a) Internal. A sign with internally lit logos and lettering is allowed. A 30 square foot maximum area is allowed for an internally lit “can” sign.
 - (b) External. A sign with external lighting is encouraged; provided, it avoids glare into the street right-of-way as required by WMC 21.14.110(3).
- (10) Color.
 - (a) Required frame colors include natural materials, such as brick, stone, concrete and stained wood; white; cream; and other colors as defined in WMC 21.06.595596, Sign, required frame colors. Sign frames may include accent colors with no color restrictions for up to 10 percent of the visible sign frame surface.
 - (b) Recommended sign face background colors are defined in WMC 21.06.594595, Sign, recommended face background colors. Light and/or bright colored lettering is allowed. If other colors are used, the sign face area is restricted to a maximum of 30 square feet per mall sign. On mall signs with individual tenant identification, all tenant signs shall have the same sign face background color; however, color of individual lettering and/or logos may vary.
- (11) Other Requirements. Each mall sign shall include the street address number(s) with six-inch minimum lettering that is clearly readable from the street. The area for the street address numbers shall not be included in determining the maximum allowable sign face area stipulated in WMC 21.20.080(2). Sculptural form or architectural elements are encouraged. A directory of tenants or services, if included on a mall sign, ~~is limited to six entries per mall sign with no~~ may not devote more than 50 percent of the sign face advertising a single tenant. Similar colors, materials, and character of all signs for a multi-business site, including building and other ground-mounted signs, are encouraged.

21.20.090

Monument signs.

- (1) The maximum allowable sign height, measured to the top of the frame, is eight feet.
- (2) The maximum allowable sign face area, excluding the frame and mounting, is:
 - (a) Sixteen square feet, if the sign face is backlit or does not use recommended sign face background colors;
 - (b) Twenty-four square feet, if the sign uses recommended sign face background colors as described in subsection (10) of this section, and the sign face is not backlit. Sign lettering and logos may be backlit without affecting the maximum sign face area; and
 - (c) If the provisions of subsection (2)(b) of this section are met, an additional four square feet of sign face is allowed for each of the following features: (a) the sign face uses recommended materials; or (b) the sign face uses architectural design features that support or reflect the architecture of building(s) or other site elements; or (c) the landscaping includes additional significant landscaping area, other than lawn, or includes strong vertical elements such tall shrubs and/or tree(s) as approved by the Planning Director.
- (3) Location.
 - (a) A three-foot minimum setback from the public right-of-way and any driveway is required.
 - (b) A 10-foot minimum setback from the side property line is required. If the driveway entrance or other feature makes this setback infeasible, the Planning Director may modify the requirement.
 - (c) All signs shall meet the sight distance requirements of WMC 21.12.200.
- (4) Number per Site and Minimum Spacing.

- (a) Unless otherwise stated in subsections (b) or (c) below, one monument sign per site is allowed.
 - (b) Sites fronting on two streets may have one monument sign per street; provided these monument signs are at least 150 feet apart.
 - (c) Sites with more than 250 feet of street frontage, and a minimum of six businesses or organizations, including businesses and organizations whose building signs are not visible from the street or that are more than 150 feet from the street, may have more than one sign. If multiple signs are allowed, they must be spaced a minimum of 150 feet apart.
- (5) Mounting. The base must be solid and the height of the base shall not be less than 75 percent of the sign width, or double posts (with a panel sign), unless an alternate sculptural base design is approved by the Planning Director. The mounting must be double-sided if the back is visible from the street. A double-post and panel sign must be designed so that the length of the panel is no less than 60 percent of the length of the posts.
- (6) Materials.
- (a) Sign frames constructed of wood, anodized metal or concrete are encouraged.
 - (b) Sign faces constructed of metal, wood or bronze are encouraged. Plastic is discouraged except for backlit lettering.
 - (c) Sign mountings constructed of wood, stone, concrete, masonry or structural metal are encouraged.
- (7) Landscaping. At least one square foot of landscaping per each square foot of sign face (single side) shall be provided at the base of the sign. The landscaping shall consist of a planting bed with a perimeter border and small trees, shrubs, and/or floral displays. An alternate landscaping plan, which must use landscaping but which may also use alternative elements, such as brick or concrete bases, pedestrian seating, planter boxes, pole covers or decorative framing, may be approved by the Planning Director. Landscaping shall be well maintained at all times of the year.
- (8) Lettering. A minimum lettering height of six inches is recommended.
- (9) Lighting.
- (a) Internal. A sign with internally lit logos and lettering is encouraged. A 16 square foot maximum area is allowed for an internally lit “can” sign.
 - (b) External. A sign with external lighting is encouraged; provided it avoids glare into the street right-of-way.
- (10) Color.
- (a) Required frame colors include natural materials, such as brick, stone and stained wood; white; cream; and other colors as defined in WMC 21.06.~~595~~596, Sign, required frame colors. Sign frames may include accent colors with no color restrictions for up to 10 percent of the visible sign frame surface.
 - (b) Recommended sign face background colors as defined in WMC 21.06.~~594~~595, Sign, recommended face background colors. Light and/or bright colored lettering is allowed. If other colors are used, the sign face area is restricted to a maximum of 16 square feet per monument sign.
- (11) Other Requirements. Each monument sign shall include the street address number(s) with four-inch minimum lettering. Sculptural form or architectural elements are encouraged. Signs should not impair visibility as required for safety.

21.20.095

Perimeter signs.

- (1) The maximum allowable sign height is six feet.
- (2) The maximum allowable sign face area, excluding the frame and mounting, is 15 square feet.
- (3) Location.

- (a) A three-foot minimum setback from the public right-of-way and any driveway is required.
 - (b) A five-foot minimum setback from the side property lines is required. If the driveway entrance or other feature makes this setback infeasible, the Planning Director may modify the requirement.
 - (c) All signs shall meet the sight distance requirements of WMC 21.12.200.
- (4) Number per Site and Minimum Spacing.
- (a) Unless otherwise stated in subsections (4)(b) or (c) of this section, one perimeter sign per site is allowed.
 - (b) Sites fronting on two streets may have one perimeter sign per street, provided these perimeter signs are at least 150 feet apart.
 - (c) Sites with more than 250 feet of street frontage and a minimum of six businesses organizations, including businesses and organizations whose building signs are not visible from the street or that are more than 150 feet from the street, may have more than one sign. If multiple signs are allowed, they must be spaced a minimum of 150 feet apart.
- (5) Mounting. Post mounted signs are allowed. If the back of the sign is visible from the street the mounting must be double-sided. A double-post and panel sign is permitted and must be designed so that the length of the panel is no less than 60 percent of the length of the posts.
- (6) Materials.
- (a) Sign frames constructed of wood, metal or masonry are encouraged.
 - (b) Sign faces constructed of wood, metal, or porcelain enamel panel are encouraged. Synthetic materials are allowed if approved by the Planning Director. The applicant must submit a sample of the material to the Planning Director.
 - (c) Sign mountings constructed of wood, metal, concrete or masonry are encouraged.
- (7) Landscaping. At least one square foot of landscaping per each square foot of sign face (single side) shall be provided at the base of the sign. The landscaping shall consist of a planting bed with a perimeter border and low shrubs, flowers, or lawn. An alternate landscaping plan, which must use landscaping but which may also use alternative elements, such as brick or concrete bases, pedestrian seating, planter boxes, pole covers, or decorative framing, may be approved by the Planning Director. Landscaping shall be well maintained at all times of the year.
- (8) Lettering. A minimum lettering height of three inches is recommended.
- (9) Lighting.
- (a) Internal lighting is not permitted.
 - (b) External lighting is acceptable, subject to limitations in WMC 21.20.060(5).
- (10) Color.
- (a) Required frame colors include natural materials, such as brick, stone, concrete, or stained wood; white; cream; and other colors as defined in WMC 21.06.~~595~~596, Sign, required frame colors. Sign frames may include accent colors with no color restrictions for up to 10 percent of the visible sign frame surface.
 - (b) Recommended sign face background colors are defined in WMC 21.06.~~594~~595, Sign, recommended face background colors. Light and/or bright colored lettering is allowed.
- (11) Other Requirements. If more than one perimeter sign and/or a perimeter sign plus a mall or monument sign are constructed on a single site, such as a shopping center site, then all sign frames and mountings must match one another in color, materials, and design character. The building or sign must prominently display the street address number(s), unless the address is already on a mall sign. The intent of permitting this sign type is to allow property and business owners the option of a smaller, ground-mounted sign in cases where a monument sign would obstruct vision or not fit site conditions.

21.20.100 Changing general message electronic reader boards. In the Public/Institutional zone, a single changing general message electronic reader board may be substituted for one of the permitted signs, not to exceed 32 square feet; provided, all of the following conditions are met:

- (1) The facility and sign are located on a principal or minor arterial;
- (2) The traffic generated by the facility exceeds 1,200 daily trips as determined by Public Works Director, excluding special events;
- (3) The sign must be a monument type sign with an architectural base and frame made of wood, stone, brick, hand-crafted metal, or other similar materials as approved by the Planning Director;
- (4) The maximum height of the structure may not exceed eight feet;
- (5) The sign base includes landscaping at a minimum of one square foot of shrubs, flowers, or lawn for every square foot of sign face (single side) surrounding the sign. An alternate landscaping plan, which must use landscaping but which may also use alternative elements, such as brick or concrete bases, pedestrian seating, planter boxes, pole covers, or decorative framing, may be approved by the Planning Director. Landscaping shall be well maintained at all times of the year;
- (6) The sign must include the name and address clearly visible from the street in non-electronic lettering not smaller than four inches high;
- (7) The electronic message may not change more frequently than every four seconds;
- (8) The sign may only display messages for school or community events or activities; and
- (9) The sign's lights are limited to a single color and must be a warm-toned off-white or similar color as approved by the Planning Director.

21.20.105 Employment signs.

- (1) The maximum allowable sign height is three feet.
- (2) The maximum allowable sign face area, excluding the frame and mounting, is four square feet.
- (3) A removable employment sign no greater than two square feet is allowed on an existing perimeter or monument sign and is not counted towards the maximum sign area for a freestanding sign. The employment sign must be adequately secured to the permanent sign. An employment sign attached to an existing sign may contain the positions or jobs available.
- (4) Location.
 - (a) A three-foot minimum setback from the public right-of-way and any driveway is required.
 - (b) A five-foot minimum setback from the side property lines is required. If the driveway entrance or other feature makes this setback infeasible, the Planning Director may modify the requirement.
 - (c) One off-premises employment sign is allowed for lots not abutting a public street. The sign must be on private property with written property owner permission.
 - (d) All signs shall meet the sight distance requirements of WMC 21.12.200.
- (5) Number Per Site and Minimum Spacing.
 - (a) One employment sign for every three tenants on a site with a maximum of two signs per site is allowed.
 - (b) If multiple signs are allowed, they must be spaced a minimum of 100 feet apart.
- (6) Mounting and Materials. The following mounting and materials specifications are required for employment signs. Wood surfaces may be stained exposing natural color but not painted. Signs may be removable but must be secured to the ground by brackets or other appropriate device as approved by the Planning Director.
 - (a) Single-tenant sign design;
 - (b) Multi-tenant sign design.
- (7) Lettering. A minimum lettering height of three inches is recommended.

- (8) Lighting.
 - (a) Internal lighting is not permitted.
 - (b) External lighting is acceptable, subject to limitations in WMC 21.20.060(5).
- (9) Other Requirements. Employment signs shall be nonelectric. The signs shall comply with the standard design requirements for employment signs above. Employment signs are limited to messages displaying business names hiring, telephone numbers, email address, and/or street or mailing address except as provided in WMC 21.20.105(3).

21.20.110**Building signs.**

- (1) Building signs must not be higher than the building eave or cornice.
- (2) The maximum allowable sign face area is:
 - (a) Twenty-five square feet plus twelve percent of the building facade area facing the street or main parking area, if:
 - (i) The sign uses recommended sign face background colors as described in WMC 21.06.~~594595~~, and the sign face background is not backlit. Sign lettering and logos may be backlit; or
 - (ii) All tenant building signs on the building are in a similar location, architecturally integrated into the building, and employ a coordinated color scheme. Sign area calculations are per facade and allowable sign area is nontransferable to other facades;
 - (b) Eight percent of the building facade area facing the street or main parking area if the sign face is backlit or does not use recommended sign face background colors. Sign area calculations are per facade with signage allowed on no more than two facades of a building unless approved by the Planning Director. Signs on awnings count as part of the total building sign area. See subsection (10) of this section for awning, canopy, or marquee sign special provisions.
- (3) Number per Site and Minimum Spacing. Each tenant is allowed a maximum of one sign per facade up to a maximum of two facades, unless otherwise approved by the Planning Director. Each building may also have one building sign.
- (4) Mounting. Building signs must be mounted plumb with the building, with a maximum protrusion of one foot unless the sign incorporates sculptural elements or architectural devices. The sign frame must be concealed or integrated into the building's architectural character in terms of form, color, and materials. Each tenant may also display a single shingle sign that has a face perpendicular to the building provided the sign is no larger than three square feet, is no less than eight feet above the ground, and does not extend more than three feet from the building or beyond an existing architectural canopy.
- (5) Materials.
 - (a) Sign frames should be concealed or similar to building materials.
 - (b) Sign faces constructed of anodized or treated metal, wood, masonry, tile, or neon are encouraged. Plastic signs, except for lit letters and logos, are limited to eight percent of the building facade area.
- (6) Lettering. The maximum height for lettering is three feet. The maximum height for logos is four feet. Greater heights for lettering and logos may be approved through the Design Guidelines and Standards review process.
- (7) Lighting.
 - (a) Internal. A sign with internally lit lettering and logos is allowed. Fully backlit signs, including backlit awnings, may not exceed eight percent of the building facade facing the street or main parking area. See subsection (10) of this section for awning, canopy, and marquee sign special provisions.
 - (b) External. A building sign with external lighting is allowed.
- (8) Sign Frame Color.
 - (a) Sign frame colors must be similar throughout the building.

- (b) If all tenant signs conform to a specified color scheme approved by the Planning Director, the total sign area may be up to twelve percent of the building facade plus twenty-five square feet.
- (9) Other Requirements. Tenant signs in multiple tenant buildings must be similar in mounting, location, configuration, materials, and construction.
- (10) Special Provisions for Awning, Canopy, or Marquee Signs.
 - (a) Measurement. For backlit awning signs, the measurement for signs on awnings shall be the smallest rectangle that the lettering and logo or other decorative device can fit within. This area shall count as part of the total area for building signs.
 - (b) Materials. Materials must be durable and mildew- and dirt-resistant. Metal or glazed canopies and marquees must be constructed of durable material, with edges and corners constructed and trimmed to avoid corrosion or damage.
 - (c) Depth, Height and Projection. Awning, canopy, or marquee signs shall maintain a minimum clearance of eight feet above finished grade and shall not project more than six feet from the supporting building unless a greater projection is approved by the Planning Director through the Design Guidelines and Standards review process.
 - (d) Lighting. The maximum amount of illumination for backlit vinyl awnings shall be one fluorescent tube running parallel to the awning face. Downlighting of canopies or awnings is allowed.

21.20.120 Window signs.

- (1) The maximum allowable sign area is twenty percent of the window area per building face.
- (2) Location. Window signs shall be located in a window or glazed area.
- (3) Mounting. Window signs shall be integral with the window or hung directly behind the window.
- (4) Materials. Window signs constructed of neon, stained glass, gold leaf, cut vinyl, and etched glass are allowed. Painted signs must display the highest level of quality and permanence as determined by the Planning Director.
- (5) Lighting. An internally lit neon or stained glass window sign is allowed.
- (6) Color. There are no color requirements for window signs.
- (7) Other Requirements. Temporary window signs for holidays, sales, and other events shall conform to the requirements of WMC 21.20.130. Allowable window sign area is in addition to allowable building sign area as set forth in WMC 21.20.110.

21.20.130 Signs or displays of limited duration. Unless otherwise regulated by this chapter, temporary signs regulated under this chapter not removed by the applicable post-event deadline will be subject to removal by the City of Woodinville Public Works Department and any and all costs associated with such removal may be assessed against the person(s) responsible for having the temporary signs put on display, the owner of the temporary sign and/or the sponsor(s) of the event or sale for which the temporary signs were put on display. The following temporary signs or displays are allowed, and except as required by the International Building Code, or as otherwise ~~allowed~~ required in this chapter, do not require permits. The signs allowed in this section are in addition to any other signs allowed in WMC 21.20. Each type of sign or display of limited duration is allowed on a premise, subject to the regulation listed for the type of sign.

~~(1) Grand Opening Displays.~~

- ~~(a) 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.~~
- ~~(b) All grand opening displays shall be removed upon the expiration of 30 consecutive days.~~

~~(2) Special Event Business Signs.~~

- (a) One banner per ~~business premise~~ business premise is allowed by permit to announce grand openings or other special events or promotions, other than grand openings, for no more than 60 days within a 12 month period, and not for more than 30 days for any one event. Property owners may apply for 1 annual permit for all special event signs within a 12 month period, or permits may be granted for each special event up to 14 days at a time, with up to four permits per business per year. Temporary banners are ~~to be~~ allowed on or inside a building, on or adjacent to the ~~business or tenant~~ premises; none are to be allowed on public rights-of-way, or on trees or utility poles.
 - (b) Temporary signs or banners for organized mall-wide promotions may be allowed by permit for up to five days, with up to two permits per mall per year.
 - (c) Seasonal lights and decorations of a non-carnival nature for the current season or holiday are allowed without a permit.
 - (d) No sign shall exceed 32 square feet in surface area and may be no taller than the building eave or cornice if on a building, and not taller than 10 feet if freestanding.
- (32) Construction Signs.
- (a) Construction signs that identify architects, engineers, planners, contractors or other individuals or firms involved with the construction or funding of a building and announcing the character of the building or the purpose for which the building is intended may be displayed.
 - (b) One non-illuminated, double-faced sign is permitted for each public street upon which the project fronts.
 - (c) No sign shall exceed 32 square feet in surface area and may be no taller than 10 feet in height, or be located closer than 30 feet from the property line of the adjoining property.
 - (d) Construction signs must be removed by the date of issuance of the first occupancy permit for the premises or one year after placement of the signs, whichever occurs first. If the signs are not removed within this time period, they may be removed by the City at the expense of the owner of the property and/or the person(s) responsible for having the signs put on display.
- (43) Political Signs.
- (a) On-premises 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-premises political signs, posters or bills shall comply with the dimensional and locational requirements of the zoning district in which they are located, or of the applicable sign type.
 - (b) Off-premises political signs that do not exceed four square feet in area (i.e., four feet by one foot, two feet by two feet, etc.) may be displayed in the public right-of-way as allowed in subsection (43)(e) below. Off-premises political signs that do not exceed 32 square feet in area and six feet in height may be displayed on private property. Freestanding political signs with a height greater than four feet and signs made of wood or metal which are attached to buildings must submit a sign application for safety and structural review.
 - (c) Dividing a sign into several smaller pieces as a means to circumvent the political sign dimensional requirements of WMC 21.20.130(43)(a) and (43) (b) of this section is not permitted.
 - (d) Political signs, posters or bills may be displayed from the closing date for filing for an election until seven days after the general election. It shall be the responsibility of the candidate to have his/her campaign/political signs removed within this time period or the City may remove such signs at the candidate's expense.
 - (e) No person, firm or corporation shall post, paint, nail, fasten or affix a political sign, poster, bill, or other advertising device of any kind on any streetlight, crosswalk, curb, curbstone, lamppost, street sign, utility pole, hydrant, tree, shrub, or public building or structure. Political signs are permissible on parking strips, the periphery

of the public right-of-way and other portions of the right-of-way not used for vehicular or pedestrian travel preceding a primary or general election. Political signs must be installed with the permission of the owner of the property abutting said areas and installed in such a manner as not to constitute a traffic hazard or impair or impede pedestrian thoroughfares. No political sign placed within the public right-of-way shall create a safety hazard for pedestrians or motorists as determined by the Police Administrator or Public Works Director.

- (f) Permits for political signs, posters or bills are not required unless the height of the freestanding sign is greater than four feet or the sign is made of wood or metal and is attached to a building.
- (54) Real Estate Signs. All temporary real estate signs can be single- or double-faced signs:
- (a) Single-family residential for sale or rent. Signs advertising an individual residential unit for sale or rent shall be limited to one sign per street frontage on-site. 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~~ thirty days after closing of the sale, lease or rental of the property.
 - ~~(b) For an open house or similar event, portable off-premises 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.~~
 - ~~(e)~~(b) Commercial or industrial for sale or rent. On-site commercial or industrial property for sale or rent signs shall be limited to one sign per street frontage on-site, 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.
 - ~~(d)~~(c) Multi-family or neighborhood residential for sale or rent. On-site residential neighborhood or multifamily 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 a maximum of three years.
 - (d) Other real estate signs are permitted pursuant to WMC 21.20.130(7).
 - ~~(e)~~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.
 - (f) Residential on-premises informational signs shall be limited to one sign per feature including but not limited to signs for information centers, model homes, parking areas 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.
- (65) Community Event Signs.
- (a) Community event signs shall be limited to announcing or promoting a nonprofit sponsored community fair, festival or a special event.

- (b) Community event signs may be displayed no more than the time period specified in the temporary use permit issued pursuant to WMC 21.44.
 - (c) Community event signs shall be removed by the event sponsor within 72 hours following the end of the community fair, festival or a special event.
 - (d) On-premises and off-premises signs for recurring community events, such as farmers' markets, may be allowed annually by permit. Such signs shall be removed by the event sponsor within 24 hours following the end of the event, and may be erected again no more than 24 hours before the next event.
- (76) Street Banners Announcing Community Fairs, Festivals, and Special Events.
- (a) Street banners shall be limited to announcing or promoting a nonprofit sponsored community fair, festival, or a special event.
 - (b) Street banners shall be permitted only within the Central Business District and Tourist Business zones at approved locations.
 - (c) Street banners may be displayed no more than 30 days and shall be removed within five days following the end of the community fair, festival, or a special event. It shall be the responsibility of the event sponsor to remove the street banner or the City will remove such banner and retain the application deposit.
 - (d) The event sponsor shall provide a certificate of insurance evidencing commercial general liability insurance as described in the street banner application form provided.
 - (e) The event sponsor shall submit site placement and street banner mounting plans and specifications with the application. The minimum street clearance of the banner is 18 feet above the street.
- (8) ~~Garage or Yard Sale Signs.~~
- ~~(a) Signs are limited to providing direction to a household sale.~~
 - ~~(b) Sign face area may be up to four square feet.~~
 - ~~(c) Signs must display the following:~~
 - ~~(i) Address of sale location;~~
 - ~~(ii) Dates of sale.~~
 - ~~(d) Up to six signs may be placed on site of the sale and/or in nearby public rights-of-way with a maximum of advertising for six sales per household per year.~~
 - ~~(i) Signs placed in public rights-of-way must be self-supported by a stake or similar device.~~
 - ~~(ii) Signs may not be attached to utility poles, traffic signs, or street/public trees.~~
 - ~~(iii) Signs shall be no higher than 42 inches at the highest point, as measured from the street grade to the top of the sign. Placement of the sign shall not create a hazard to the public by obstructing the view or passage of pedestrians, cyclists or motorists.~~
 - ~~(iv) The City may remove signs when obstructing or preventing City-scheduled maintenance or work.~~
 - ~~(e) Garage or yard sale signs may be displayed for up to three days.~~
 - ~~(f) Signs must be removed within 24 hours after the sale.~~
 - ~~(g) Sign violations are subject to civil penalties and shall be assessed as follows:~~
 - ~~(i) On the first offense, an order to remove the sign immediately shall be served in writing to the owner, tenant and/or other person responsible for the condition; failure to remove the sign within the time specified shall result in issuance of a notice of civil penalty with a penalty not to exceed \$25.00. The person to which the notice is issued shall have the right to appeal pursuant to WMC 1.06.090.~~
 - ~~(ii) The second or subsequent offense shall result in issuance of an immediate notice of civil penalty not to exceed \$100.00. The person to which the notice is issued shall have the right to appeal pursuant to WMC 1.06.090.~~
 - ~~(iii) If the required corrective work is not completed within the time specified, the Director may proceed to abate the violation and cause the work to be done. The~~

~~Director will charge the costs thereof as a personal obligation of any person who is in violation.~~

- (7) Portable signs in residential zones. Portable signs that display information regarding directions to real estate, garage sale, or other events are permitted in all residential zones subject to the following requirements. Portable signs in the Tourist District Overlay shall also be subject to WMC 21.38.065 and WMC 21.32 for special event requirements.
- (a) Permit not required. A permit is not required for portable signs.
 - (b) Number of signs permitted. Up to six (6) portable signs per destination may be permitted.
 - (c) Location. Portable signs may be located on property owned or controlled by the sign owner or in the public right-of-way, subject to the following requirements:
 - (i) Portable signs may not be located in a street, on a sidewalk, or where they would obstruct vehicular, bicycle or pedestrian traffic.
 - (ii) Portable signs may not be placed on public property other than public rights-of-way.
 - (iii) Portable signs may only be placed in residential zones.
 - (iv) Portable signs shall not block the sight distance triangle pursuant to WMC 21.12.200.
 - (v) Portable signs placed in public rights-of-way shall:
 - 1. Not create a traffic safety or maintenance problem; the City may remove and dispose of any signs that do create a safety or maintenance problem.
 - 2. Be freestanding.
 - 3. Not be attached to any structure or vegetation.
 - 4. Not be attached to utility poles, traffic signs, or street signs.
 - (d) Size. All portable signs are limited to a maximum six (6) square feet of sign area. Signs may have no more than two (2) sign faces. Two-sided signs may each display up to six (6) square feet on each face.
 - (e) Height. All portable signs are limited to a maximum height of three (3) feet.
 - (f) Duration of display. Portable signs may be displayed only during the hours of the event plus an additional half an hour before and after the event to place and remove the signs. It is the responsibility of the sign owner to remove the sign outside the hours of the event. The City may remove any portable sign that is displayed outside the hours of the event.
 - (g) Limitations.
 - (i) Portable signs shall be non-illuminated.
 - (ii) Portable signs in residential zones are intended only to provide directions to events within residential zones.
 - (iii) No landscaping may be damaged or modified to accommodate portable signs. The City may require replacement of any damaged landscaping.
 - (h) Appearance and maintenance. Signs shall be constructed of durable materials by a person skilled in the art of graphic design and shall be well maintained.
 - (i) Failure to comply with requirements of this chapter. Portable signs that do not comply with the provisions of this section may be confiscated by the City. Signs that are confiscated are subject to immediate disposal. Sign owners that do not comply with the requirements of this chapter may be subject to the code enforcement procedures pursuant to WMC 1.06.
- (8) Portable signs in Neighborhood Business, Tourist Business, General Business or Office zones. Portable signs in Neighborhood Business, Tourist Business, General Business or Office zones are permitted subject to the following requirements. Portable signs in the Tourist District Overlay shall also be subject to WMC 21.38.065 and WMC 21.32 for special event requirements.
- (a) Permit required. Portable signs shall be subject to an annually renewable permit.
 - (b) Number of signs permitted. One (1) sign per premises is permitted.

- (c) Location. Portable signs shall be located within five (5) feet of the building entrance for the business the sign is advertising. Portable signs may be placed within public right-of-way only where the building entrance is located on the property line. Portable signs may not be placed in a street. Portable signs placed within public right-of-way shall not block pedestrian or bicycle traffic. Portable signs shall not block the sight distance triangle pursuant to WMC 21.12.200.
- (d) Size. All portable signs are limited to a maximum six (6) square feet of sign area. Signs may have no more than two (2) sign faces. Two-sided signs may each display up to six (6) square feet on each face.
- (e) Height. All portable signs are limited to a maximum height of three (3) feet.
- (f) Duration of display. Portable signs may be displayed only during the hours of operation of the establishment. It is the responsibility of the sign owner to remove the sign when the establishment is not open to the public. The City may remove any portable sign that is displayed outside the operation hours of the establishment.
- (g) Limitations.

 - (i) Portable signs shall be non-illuminated.
 - (ii) No landscaping may be damaged or modified to accommodate portable signs. The City may require replacement of any damaged landscaping.
- (h) Appearance and maintenance. Signs shall be constructed of durable materials by a person skilled in the art of graphic design and shall be well maintained.
- (i) Failure to comply with requirements of this chapter. Portable signs that do not comply with the provisions of this section may be confiscated by the City. Signs that are confiscated are subject to immediate disposal. Sign owners that do not comply with the requirements of this chapter may be subject to the code enforcement procedures pursuant to WMC 1.06 and may result in revocation of the sign permit.
- (j) An administrative variance, decided by the Director, shall be available for those properties that can meet the following requirements:

 - (i) The variance criteria in WMC 21.44.040 shall be used to determine if the variance is warranted.
 - (ii) If the applicant can demonstrate that the variance criteria have been met, the following regulations may be modified by the director: number, location, and/or height of signs.
 - (iii) This administrative variance shall be considered a Type I permit, and shall be exempt from the project permit procedures in WMC 17.09.
- (9) Portable signs in Industrial zones. Portable signs in Industrial zones that display information regarding commercial businesses or services are permitted in Industrial zones subject to the following requirements. Portable signs in the Tourist District Overlay shall also be subject to WMC 21.38.065 and WMC 21.32 for special event requirements.

 - (a) Permit required. Portable signs shall be subject to an annually renewable permit.
 - (b) Number of signs permitted. Two (2) signs per premises are permitted.
 - (c) Location. Portable signs may be placed in the industrial zones in conformance with the following requirements:

 - (i) Portable signs may be placed within public right-of-way, but not within a street or on a sidewalk.
 - (ii) Portable signs placed within public right-of-way shall not block pedestrian, bicycle or vehicle traffic.
 - (iii) Portable signs may not be placed on public property other than public rights-of-way.
 - (iv) Portable signs shall not block the sight distance triangle pursuant to WMC 21.12.200.

- (d) Size. All portable signs are limited to a maximum six (6) square feet of sign area. Signs may have no more than two (2) sign faces. Two-sided signs may each display up to six (6) square feet on each face.
- (e) Height. All portable signs are limited to a maximum height of three (3) feet.
- (f) Duration of display. Portable signs may be displayed only during the hours of operation of the establishment. It is the responsibility of the sign owner to remove the sign when the establishment is not open to the public. The City may remove any portable sign that is displayed outside the operation hours of the establishment.
- (g) Limitations.
 - (i) Portable signs shall be non-illuminated.
 - (ii) No landscaping may be damaged or modified to accommodate portable signs. The City may require replacement of any damaged landscaping.
- (h) Appearance and maintenance. Signs shall be constructed of durable materials by a person skilled in the art of graphic design and shall be well maintained.
- (i) Failure to comply with requirements of this chapter. Portable signs that do not comply with the provisions of this section may be confiscated by the City. Signs that are confiscated are subject to immediate disposal. Sign owners that do not comply with the requirements of this chapter may be subject to the code enforcement procedures pursuant to WMC 1.06 and may result in revocation of the sign permit.

21.20.140 Nonconforming signs.

- (1) Signs in existence at the effective date of this chapter that do not comply with the standards of this chapter shall be deemed legally nonconforming and may continue to exist.
- (2) Legal nonconforming signs may be removed for cleaning and routine maintenance, i.e., changing of lighting and wiring. Legal nonconforming signs may continue to exist, except as noted in subsections (3) through (8) of this section.
- (3) Any legal nonconforming sign (except a billboard) that undergoes a name change or a change to 20 percent or more of the text, form, colors, content, or structure shall be brought into conformance immediately.
- (4) Any legal nonconforming sign that is damaged in excess of 50 percent of the original value of the sign shall be brought into conformance immediately, or removed within 90 days.
- (5) Any legal nonconforming sign that is relocated or replaced shall be brought into conformance immediately, or removed within 90 days.
- (6) If a business ceases to operate, all existing nonconforming signs associated with the business shall be removed by the property owner within 90 days. If the business had signage on a mall sign or building or related structure, the surface or facade or structure at the previous location of the nonconforming sign(s) shall be repaired at the time of nonconforming sign removal.
- (7) A nonconforming sign, when being an accessory to a business operation which changes its use or location, shall no longer be considered a legal sign and shall be removed within 90 days.
- (8) Billboards.
 - (a) New billboards are not permitted.
 - (b) Existing billboards are subject to the following:
 - (i) Except as provided in subsections (8)(b)(ii) and (8)(b)(iii) of this section, billboards shall not be altered with regard to size, shape, orientation, height, advertising method or function such as three dimensional, moving or lighted display or location. Such alteration shall result in an illegal nonconforming status, and the billboard shall be removed within 90 days of the alteration.

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- (ii) Removal of a billboard shall require the issuance of a demolition permit. The demolition shall be completed within 90 days of permit issuance.
- (iii) Ordinary and necessary repairs that do not change the size, shape, orientation, height, advertising method or function such as three dimensional, moving or lighted display, or location of billboards shall not require a permit. Billboard copy replacement may occur at any time and does not require issuance of a permit.
- (iv) Any billboard that is damaged in excess of 50 percent of the original value of the sign shall be removed within 90 days.
- (v) Any billboard that is relocated or replaced shall be removed within 90 days.

Chapter 21.37

DEVELOPMENT AGREEMENT PROCEDURE AND CRITERIA

Sections:

21.37.010 Scope.

21.37.020 Purpose.

21.37.030 Authority.

21.37.040 Public hearing.

21.37.050 Real property covered.

21.37.060 Agreement contents.

21.37.070 Decision criteria.

21.37.080 Recording.

21.37.010 Scope. This chapter establishes the procedure and criteria for development agreements between the city and a person who owns or controls real property, pursuant to RCW 36.70B.170 through 36.70B.210.

21.37.020 Purpose. Certainty in the development review process can significantly encourage development or redevelopment of real property. This certainty is especially important for large-scale or multiphase developments that take years to complete and that require substantial financial commitments at an early stage. The city may, when appropriate, enhance certainty by entering into a development agreement with a project sponsor that addresses the “ground rules” for review of the development application and construction of the project. A development agreement provides the opportunity for the city and the developer to agree on the scope and timing of the project, applicable regulations and requirements, mitigation requirements and other matters relating to the development process. A development agreement promotes the general welfare by balancing the public and private interests, providing reasonable certainty for a development project, and addressing other matters, including reimbursement over time for the financing of public facilities. Development agreements may provide public benefits such as affordable housing, pedestrian-oriented communities, mixed use development and creation of public amenities such as park and open spaces.

21.37.030 Authority. Pursuant to RCW 36.70B.170 through 36.70B.210, and as a legislative action, the City Council may approve and enter into a development agreement with any person, partnership, corporation or other entity that controls real property.

21.37.040 Public hearing and notice.

(1) Pursuant to WMC 17.07030, the Planning Commission shall hold a public hearing on a proposed development agreement prior to the City Council acting on the proposed agreement.

(2) A notice of the public hearing on a proposed development agreement shall be prepared and distributed pursuant to Chapter 17.11 WMC.

21.37.050 Real property covered. A development agreement may apply to any real property within the city and to any real property within the city’s urban growth area.

21.37.060 Agreement contents. A proposed development agreement shall, at a minimum, include provisions required by RCW 36.70B.170 through 36.70B.210, and shall set forth the development standards and other provisions that shall apply to and govern the use and development of the real property for the duration specified in the agreement not to exceed ten (10) years. An agreement may also contain such other provisions as the city and the property owner or person controlling the property may mutually agree on, such as, but not limited to, the financing for or timing of mitigation and the vesting of development rights. A development agreement shall be consistent with applicable development regulations. Each development agreement shall include findings of consistency for any modification to existing regulations and standards.

21.37.070 Decision criteria. The City Council may approve by resolution and enter into a proposed development agreement if the Council finds, in its sole discretion that a proposed agreement is consistent

with the City's Comprehensive Plan, the development regulations and the purpose of this chapter and that entering into the agreement is in the City's best interest.

21.37.080 Recording. The development agreement shall include a provision that requires the applicant to record the agreement with the county auditor of the county in which the subject property is located.

WMC 21.01.170 Required Findings for Comprehensive Plan Amendments

21.01.170 Decision criteria.

Applications for Comprehensive Plan amendments shall be subject to the following criteria.

- (1) The proposed action shall be consistent with the Growth Management Act and other applicable State laws;

The proposed amendments to the Future Land Use Map and the proposed updates to the critical area maps are consistent with the Growth Management Act and other state laws.

The Office to Central Business District Future Land Use designation proposal encourages development in an urban area where adequate public facilities and services exist or can be provided in an efficient manner (GMA 36.70A.020 (1)). This project will encourage growth within the downtown area and further economic development within the community

The proposed Low Impact Development Policies will serve to implement GMA Environmental Goal 36.70A.020 (10) by providing the policy framework for the development of regulations that will sustain our quality of life for future generations, land-uses and future development in the community in a manner that minimizes negative impacts on the water quality.

- (2) The proposed action shall be consistent with the applicable Countywide planning policies;

The proposed 2008 Amendments to the Comprehensive Plan are consistent with the Countywide Planning Policies

The proposals support Countywide Planning Policies which mandate contiguous and orderly development. The proposals further support the Countywide Planning Policies of requiring land use patterns that reduce consumption of land and concentrate development (FW-11); provide enough land to accommodate future development (FW-12); promote expansion of the economic base (ED-6); identify urban development within the Urban Growth Area (UGA) (LU-26); direct urban development to areas with the capacity to absorb the growth (LU-28); protect geological hazards (CA-13); and, require the use of best management practices (CA-10).

- (3) The proposed action shall be consistent with the goals and policies of the Comprehensive Plan (a change to a particular goal or policy not included);

Amendments to the Comprehensive Plan are consistent with the goals and policies of the Comprehensive Plan.

The Office to Central Business District Future Land Use Map designation proposal is consistent with the City of Woodinville's Comprehensive Plan policies for encouraging future development in areas that have the capacity to absorb development (LU-1.2).

The proposed Low Impact Development Policies are consistent and serve to implement Comprehensive Plan Goal ENV-8.5 - Encourage Low Impact Development.

- (4) The proposed action shall be beneficial to the City as a whole, and to the health, safety, and welfare of its residents;

Updating information in the Comprehensive Plan is beneficial to the City as a whole, ensuring that goals and policies are consistent with the best available information at the time that they are adopted.

The Office to Central Business District Future Land Use Map designation proposed amendment will promote the efficient and beneficial development and use of land within the City; and, residents will benefit from the availability of the future development of business associated with the sale of goods and services on the edge of downtown.

- (5) The various types of applications shall be subject to the following decision criteria:
(a) Type A. Amendments to the City's Future Land Use Map (Comprehensive Plan Figure 3-3) shall be subject to the criteria listed in Section 3.4.2 in the City's Comprehensive Plan.

Changes proposed to the Comprehensive Plan reflect an update to the "conditions in the field"—an update to the critical areas map based on current information.

1. How is the proposed land use designation supported by or consistent with the existing policies of the various elements of the Comprehensive Plan? If it isn't, the development should demonstrate how the change is in the best long-term interest of the City.

The proposals are consistent with a number of City land use policies from the City's Comprehensive Plan outlined in subsection (3) above.

The Office Future to Central Business District Land Use designation is consistent with Comprehensive Plan section 3.7-2: "From time to time...growth trends cause a shift in land use needs...When such changes occur, it is appropriate to review the goals and policies." Changes to the amounts and characteristics of anticipated future growth have occurred in the area.

2. How does the proposed land use designation promote a more desirable land use pattern for the community? If so, a detailed description of the qualities of the proposed land use designation that make the land use pattern for the community more desirable should be provided to enable the Planning Commission and City Council to find that the proposed land use designation is in the community's best interest.

The Office Future to Central Business District Land Use designation; there have been changes in the circumstances of the property that encourage a reclassification. The subject properties are impacted from increasing traffic on 140th Avenue NE. The change of this property likely would contribute to infrastructure improvements in the area, serving to enhance the general welfare of the public.

3. What impacts would the proposed change of land use designation have on the current use of other properties in the vicinity, and what measures should be taken to ensure compatibility with the uses of other properties in the vicinity?

Pursuant to WMC 21.16.060, the Central Business District designation requires a visual screen landscape barrier of 20 feet between land classified as commercial and residential properties. This requirement will serve to mitigate impacts on the adjacent residential properties. In addition, the west line of the residential property adjacent to and east of the subject property contains a six foot high block wall that topographically separates the parcels and modifies physical and visual impacts between the properties.

4. Comments received from affected property owners and residents.

Two business owners next door to the proposed Comprehensive Plan Future Land Use map change to Central Business District (CP08012) expressed concern that additional traffic generated by the commercial development of the subject property would have on traffic safety on the abutting street, 140th Avenue NE. Members of the Sustainable Development Citizen Advisory Panel expressed their support for the proposed Low Impact Development polices (CPC08003) and the adoption of the critical area maps (CPA08004).

(b) Type B. Amendments to the City's goals and policies shall meet the criteria described in Section 3.7.2 of the City's Comprehensive Plan.

In order to sustain our quality of life for future generations, land-uses and future development in the community need to be managed in a manner that minimizes negative impacts on the water quality and improve water quality and flow conditions where degradation has already occurred. Before creating and implementing LID regulations and strategies to address these issues, the City needs to first update and expand its Comprehensive Plan environmental policies. Including the proposed LID policies in the City's Comprehensive Plan, Environmental Element (Chapter 12) will serve to guide the creation of LID requirements. The adoption of LID regulations and standards is scheduled to be completed as part of the 2009 Annual Docket.

(c) Type C. Other text amendments shall meet one of the following criteria:

- (i) The change is necessary because of changes to the State Office of Financial Management's population projection;
- (ii) The change is necessary because of changes to the counties' allocation of population to the City;
- (iii) There has been a change to the law;
- (iv) There is an error that requires correction;
- (v) The text needs to be refined or to better reflect the goals and policies of the Comprehensive Plan, changes in or clarification of the plan's ability to provide services or accommodate the needs of the City's citizens, or changes in or clarification of conditions in the field.

Not Applicable – The Capital Improvement Plan amendment to be considered under separate cover.

(d) Type D. The City has determined that it is necessary or desirable to add or delete an element or subarea plan of the Comprehensive Plan in order to better the ability of the plan to accommodate the needs of the existing or future City, or as required by State law. (Ord. 172 § 8, 1997)

Not Applicable – the 2008 Annual Docket does not include any new elements or sub-area plans

WMC 21.46.030 Criteria for Zoning Code Amendments
WMC 21.46.030 criteria for evaluating a proposed Zoning Code Amendment

Pursuant to the City of Woodinville Municipal Code (WMC) Chapter 17, amendments to the Zoning Code must be recommended by the Planning Commission to the City Council for adoption. The amendments must meet the criteria, as follows:

1. The (proposed) amendments are consistent with the purposes of the Comprehensive Plan.

The proposed Amendments provide consistency with GMA and correct errors, update and add mandatory language and amend the development and zoning codes to further implement the Comprehensive Plan. Amendments include adding definitions and regulations to add clarity and ensure consistency in regulating land uses in accordance with the purposes of the Comprehensive Plan.

2. The (proposed) amendments are consistent with the purposes of this title (Zoning Code).

The amendments are consistent with the general purposes of the Zoning Code. The amendments will clarify code language and add definitions resulting in better land use decisions and more effective application of development regulations.

3. The benefit or avoided cost to the public health, safety and welfare is sufficient to warrant the action (proposed amendments).

The proposed amendments are expected to have positive impacts on public health, safety, and welfare.