

ORDINANCE NO. 488

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON REVISING WMC CHAPTER 21.08 TO ALLOW NORTH AMERICAN INDUSTRIAL CLASSIFICATION SYSTEM NUMBER 8121, PERSONAL CARE SERVICES AS A PERMITTED USE IN THE GENERAL BUSINESS ZONE; MAKING FINDINGS OF FACT; REQUIRING A COPY BE PROVIDED TO THE DEPARTMENT OF COMMERCE; 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 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 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 WMC 21.46.030; and

WHEREAS, a public hearing was held by the City of Woodinville Planning Commission on August 19, 2009; and

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

WHEREAS, adoption of this ordinance will promote the public health, safety, and general welfare within the City of Woodinville;

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

Section 1. Chapter 21.08.050(A), General Services Land Use, of the Woodinville Municipal Code is hereby amended to read as set forth in below. New text is shown by underline.

WMC 21.08.050 A. GENERAL SERVICES LAND USE <u>KEY</u> P - PERMITTED USE C - CONDITIONAL USE S - SPECIAL USE		Z O N E										
		Residential				Commercial/Industrial/Public						
		L o w	M o d e r a t e	M e d i u m	H i g h	N e i g h b o r h o o d	T o u r i s t B u s i n e s s	G e n e r a l B u s i n e s s	C e n t r a l B u s i n e s s	O f f i c e	I n d u s t r i a l	P u b l i c
NAICS#	SPECIFIC LAND USE	R1-4	R5-8	R9-18	R19+	NB	TB	GB	CBD	O	I	P/I
	Personal Services:											
8121	General Personal Service					P20	P	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

NAICS#	SPECIFIC LAND USE	R1-4	R5-8	R9-18	R19+	NB	TB	GB	CBD	O	I	P/I
62199	Miscellaneous Health									P3 23		P18 30
	Education Services:											
61111	Elementary or Middle/Junior High School	P16, 30 C30	P16 30 C15, 30	P16 30 C30	P16 30 C30				C30	C30 31		P30
61111	Secondary or High School	P16 30 C30	P16 30 C15 30	P16 30 C30	P16 30 C30				P30			P30
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		C29 30	
611620	Sports & recreational Instruction					P24						
611699	Misc. Schools & Instruction					P34						
GENERAL CROSS REFERENCES:						R-48/O Regulations, see WMC 21.38.030						
Land Use Table Instructions, see WMC 21.08.020 and 21.02.070						(*) Definition of the specific Land Use, see WMC 21.06						
Development Standards see WMC 21.12. through 21.30						Tourist District Regulations, see WMC 21.38.065						
General Provisions see WMC 21.32. through 21.38						Application and Review Procedures, see WMC 21.40 through 21.44						

Section 2. Findings for Zoning Code Amendment. The findings presented in Attachment 1 to this ordinance, regarding criteria for zoning code amendments, are hereby adopted.

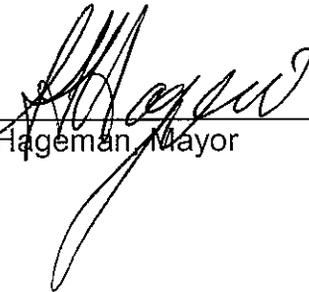
Section 3. Severability. Should any section, paragraph, sentence, clause, or phrase of this Ordinance be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, 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 4. Copy to Department of Commerce. Pursuant to RCW 36.70A.106(3), the City Clerk is directed to send a copy of the amendments to the State Department of Commerce for its files within ten (10) days after adoption of this Ordinance.

Section 5. Effective Date. The adoption of this ordinance, which is a power specifically delegated to the City legislative body, is not subject to referendum. This

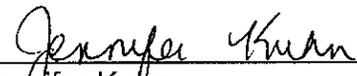
ordinance or a summary thereof consisting of the ordinance title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 8th DAY OF SEPTEMBER 2009.



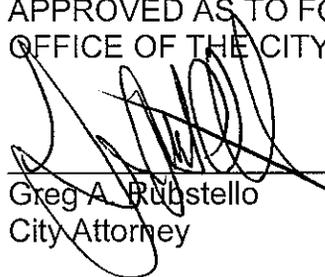
Scott Hageman, Mayor

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: 9-08-2009
PUBLISHED: 9-14-2009
EFFECTIVE DATE: 9-21-2009
ORDINANCE NO. 488

WMC 21.46.030 Criteria for Zoning Code Amendments
FINDINGS

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 meet the criteria contained in WMC 21.46.030, as follows:

1. The amendment is consistent with the purposes of the Comprehensive Plan.
 - a. The Amendments provide consistency with the Growth Management Act and amend the Zoning Code to further implement the Comprehensive Plan by providing a variety of commercial services and employment opportunities, diversifying the economic base, and by allowing existing businesses to expand within the City.
 - b. The Amendments are consistent with the Downtown and Little Bear Creek Corridor Master Plan, which calls for additional office and personal service uses within the General Business zone.

2. The amendment is consistent with the purposes of this title (Zoning Code).
 - a. The amendments are consistent with the general purposes of the Zoning Code. The amendments will allow personal service uses that support other permitted commercial activities.
 - b. The public health, safety and welfare is served by the proposed amendments by providing employment and service opportunities within the General Business zone.

3. The benefit or avoided cost to the public health, safety and welfare is sufficient to warrant the action.
 - a. The proposed amendments are expected to have positive impacts on public health, safety, and welfare.
 - b. The proposed amendments are an implementing tool of the City's Comprehensive Plan, and are one instrument to achieving the goals and polices within this Plan.
 - c. The intent of the of the proposed amendments, will further the public health, safety and welfare by including provisions that will:
 - i. Allow the City to further implement the Downtown and Little Bear Creek Master Plan goals, policies and implementation measures.
 - ii. Implement the goals and objectives of the City's Comprehensive Plan;
 - iii. Implement the goals and objectives of the State Environmental Policy Act (SEPA).