

ORDINANCE NO. 511

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON CONCERNING AMENDMENTS TO THE ZONING CODE, MAKING FINDINGS OF FACT AND THE FOLLOWING REVISIONS:

- 1. REVISING CHAPTER 21.06 WMC TO REVISE THE DEFINITION OF THE TERMS "COMMUNITY CENTER" AND "VOCATIONAL SCHOOL";**
- 2. REVISING CHAPTER 21.08 WMC TO ALLOW SPORTS AND RECREATION INSTRUCTION AND MISCELLANEOUS SCHOOLS AND INSTRUCTION WITHIN THE GENERAL BUSINESS AND CENTRAL BUSINESS DISTRICT AS A PERMITTED USE, WITHIN THE TOURIST BUSINESS AND INDUSTRIAL ZONES AS A CONDITIONAL USE, AND IN THE RESIDENTIAL ZONES AS AN ACCESSORY USE, SUBJECT TO REVISED DEVELOPMENT CONDITIONS.**
- 3. REVISING WMC 21.08.030(B), 21.08.040(B), 21.08.050(B), 21.14.170, AND 21.24.280 TO CORRECT A REFERENCE TO CHAPTER 15.04 WMC, BUILDING CODES;**
- 4. REVISING WMC 21.08.070(B), 21.38.050, AND 21.38.065 TO CORRECT AND SIMPLIFY REFERENCES TO THE COMMERCIAL DESIGN STANDARDS AND DESIGN REVIEW PROCESS;**
- 5. REVISING WMC 21.16.050, 21.16.060 AND 21.16.080 TO REMOVE A REFERENCE TO THE GENERAL BUSINESS DESIGN GUIDELINES;**
- 6. REVISING WMC 21.28.050 AND 21.28.060 TO ALLOW ADMINISTRATIVE DEDICATION OF ROAD AND SURFACE WATER RIGHT-OF-WAY AND EASEMENTS;**

ADOPTING FINDINGS FOR ZONING CODE AMENDMENTS; PROVIDING FOR SEVERABILITY; REQUIRING A COPY BE PROVIDED TO THE DEPARTMENT OF COMMERCE; 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 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 September 15, 2010 and October 20, 2010; and

WHEREAS, a public hearing was held by the City of Woodinville City Council on November 16, 2010; 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, DO 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 2010 Docket list, including staff and Council initiated Comprehensive Plan and Development Code Amendments, was approved for further review by the Woodinville City Council on June 1, 2010.
2. Pursuant to Woodinville Municipal Code (WMC) Chapter 17, the Planning Commission is required to hold a public hearing on the proposed amendments and make a recommendation to the City Council.
3. The City SEPA Official reviewed the 2010 Docket amendments for environmental impacts under SEPA (RCW 43.21C), and issued a Determination of Nonsignificance (DNS) or SEPA Exemption for each proposed amendment. The appeal periods ended without any comments or appeals being received.
4. Pursuant to the Growth Management Act, the 2010 Docket proposed amendments were submitted to the Washington State Department of Commerce for review and comment. The state initiated the required 60-day state agency review period on August 17, 2010. No comments were received from any state agency regarding the amendments that are the subject of this ordinance.
5. The Planning Commission reviewed components of the 2010 Docket during its June 16, August 18, and October 6, 2010 public meetings.
6. To encourage public involvement, the City held a public open house on September 1, 2010. This open house was noticed in the Woodinville Weekly and on the City website
7. A public hearing was held by the Planning Commission on September 15, 2010 and October 20, 2010. The public hearing was noticed in the Woodinville Weekly and posted on the City's web site
8. The Planning Commission received written comments and public testimony; deliberated and produced a public record and recommendations on the amendments that are subject of this ordinance during the September 15, and October 20, 2010 Planning Commission meetings.
9. The City Council considered the Planning Commission's public record, included as Attachment C of this Ordinance, and recommendations concerning the amendments that are subject of this ordinance at a public hearing on November 16, 2010.
10. The City Council held first reading of Ordinance No. 511 on December 7, 2010.

11. The City Council held second reading of Ordinance No. 511 on December 14, 2010.
12. The Zoning Code amendments that are the subject of this ordinance are consistent with the required decision criteria found in WMC 21.46.030 and WMC 21.44.070. Analysis of the proposed amendments and decision criteria is contained in Attachment B, which is incorporated herein by reference.

Section 2. Chapter 21.06 WMC, Technical Terms and Definitions, of the Woodinville Municipal Code is hereby amended to read as set forth below. New text is shown by underline. Deletions are shown by strikethrough. All other provisions of Chapter 21.06 shall remain unchanged and in full force and effect.

21.06.117 Community center. Community center: a building or other enclosed structure open to the general public that is owned and operated by the City of Woodinville, ~~or another public agency,~~ or a non-profit organization, and that is used predominantly for cultural, educational, recreational, or social purposes.

...

21.06.697 Vocational school. Vocational school: establishments offering training in a skill or trade to be pursued as a career, including uses located in NAICS Industry Group No.:
(1) ~~561151~~-Apprenticeship Training, and
(2) 61121-Junior Colleges.

Section 3. Section 21.08.030, Residential Land Uses, of the Woodinville Municipal Code is hereby amended to read as set forth below. New text is shown by underline. Deletions of text are shown by strikethrough. All other provisions of this section shall remain unchanged and in full force and effect.

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 Chapter 15.04 WMC, Building Codes ~~15.09 Construction Codes~~, or as may be hereafter amended.

Section 4. Section 21.08.040, Recreational/Cultural Land Uses, of the Woodinville Municipal Code is hereby amended to read as set forth below. New text is shown by underline. Deletions of text are shown by strikethrough. All other provisions of this section shall remain unchanged and in full force and effect.

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 Chapter 15.04 WMC, Building Codes ~~15.09 Construction Codes~~) 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

Chapter 15.04 WMC, Building Codes 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.

Section 5. Section 21.08.050, General Services Land Uses, of the Woodinville Municipal Code is hereby amended to read as set forth in Attachment A. New text is shown by underline. Deletions of text are shown by strikethrough. All other provisions of this section shall remain unchanged and in full force and effect.

Section 6. Section 21.08.070, Retail Land Uses, of the Woodinville Municipal Code is hereby amended to read as set forth in Attachment A. New text is shown by underline. Deletions of text are shown by strikethrough. All other provisions of this section shall remain unchanged and in full force and effect.

21.08.070 B. Development Conditions.

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(12) Subject to the City's adopted Commercial Design Standards Principles.

Section 7. Chapter 21.16 WMC, Development Standards - Landscaping, of the Woodinville Municipal Code is hereby amended to read as set forth below. New text is shown by underline. Deletions of text are shown by strikethrough. All other provisions of Chapter 21.16 shall remain unchanged and in full force and effect.

21.16.050 Landscaping – street frontages. Perimeter landscaping along street frontages shall be provided as follows:

...

~~(8) For development in the GB Zone, see Design Guidelines for General Business Zone.~~

...

21.16.060 Landscaping - interior lot lines. Perimeter landscaping along interior lot lines shall be provided as follows:

...

~~(7) For development in the GB Zone, see Design Guidelines for General Business Zone.~~

...

21.16.080 Landscaping - adjacent to freeway rights-of-way.

...

~~(3) For development in the GB Zone, see Design Guidelines for General Business Zone.~~

Section 8. Section 21.24.280, Building Official to Approve Alternate Design and Methods of Construction, of the Woodinville Municipal Code is hereby amended to read as set forth below. New text is shown by underline. Deletions of text are shown by strikethrough. All other provisions of this section shall remain unchanged and in full force and effect.

21.24.280 Building Official to approve alternate design and methods of construction. The Building Official shall have the authority to approve alternate design and methods of construction through the building permit process as detailed in section 104.11 402.2.8 of the

International Building Code as adopted by reference in Chapter 15.04 WMC 15.09.020, provided that these do not conflict with the intent or requirements of WMC 21.24.210-.260.

Section 9. Chapter 21.28 WMC, Development Standards – Adequacy of Public Facilities and Services, of the Woodinville Municipal Code is hereby amended to read as set forth below. New text is shown by underline. Deletions of text are shown by strikethrough. All other provisions of Chapter 21.28 shall remain unchanged and in full force and effect.

21.28.050 Surface water management. All new development shall be served by an adequate surface water management system as follows:

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(6) The dedication of a surface water management system from private ownership to service and ownership by the City of Woodinville shall be reviewed by the Public Works Director. The Public Works Director may accept the dedication of land for a surface water management system when said dedication is required as a condition of development approval and/or permit approval on behalf of the City.

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21.28.060 Adequate roads.

...

(5) The dedication of lands for street frontage improvements and establishment or acquisition of public rights-of-way shall be reviewed by the Public Works Director. The Public Works Director may accept the dedication of land for public rights-of way or easements when said dedication is required as a condition of development approval and/or permit approval on behalf of the City.

Section 10. Chapter 21.38 WMC, Property-Specific Development Standards and Special District Overlays, of the Woodinville Municipal Code is hereby amended to read as set forth below. New text is shown by underline. Deletions of text are shown by strikethrough. All other provisions of Chapter 21.38 shall remain unchanged and in full force and effect.

21.38.050 Special district overlay - pedestrian-oriented mixed use development.

...

- (8) Development Standards: The following development standards shall apply to uses locating in pedestrian-oriented mixed-use commercial overlay district:
- (a) Every use shall be subject to applicable provisions of the City's adopted Commercial Design Standards ~~Principles~~, and other applicable provisions of the WMC.

...

21.38.065 Special district overlay - Tourist District.

...

- (4) The following development criteria shall apply to development proposals within the Tourist District Overlay:

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- (d) All development is subject to the City of Woodinville's Design Guidelines and Standards, except that:
- i. Developments shall provide a ten (10) foot width of Pedestrian-Oriented Space as defined in WMC 21.14.960 Appendix A and Section II.H.2.a of the City's Design Guidelines and Standards or provide ten (10) feet of Type III landscaping; and

...
All development in the Tourist District shall be subject to design review, provided:

- (6)
- (a) Applications pursuant to WMC 21.14.310(1) and (2)(a) shall be reviewed by the Planning Commission Design Review Subcommittee; and
 - (b) Design review shall be performed considering the following factors:
 - i. These regulations;
 - ii. The City's Design Guidelines and Standards;
 - iii. The ability of the development to fit compatibly with existing development; and
 - iv. The Tourist District Master Plan.

Section 11. Findings for Zoning Code Amendment. The findings presented in Attachment B to this ordinance, regarding criteria for zoning code amendments, are hereby adopted.

Section 12. 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.

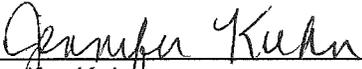
Section 13. Copy to Department of Commerce. Pursuant to RCW 36.70A.106(3), the City Clerk is directed to send a copy of the amendments to the State Department of Commerce for its files within ten (10) days after adoption of this Ordinance.

Section 14. Effective Date. This ordinance or a summary thereof shall be published in the City's official newspaper, and shall take effect five (5) days after passage and the publication of the ordinance or a summary thereof consisting of the title.

**ADOPTED BY THE CITY COUNCIL AND SIGNED IN AUTHENTICATION OF ITS PASSAGE
THIS 14th DAY OF DECEMBER 2010.**

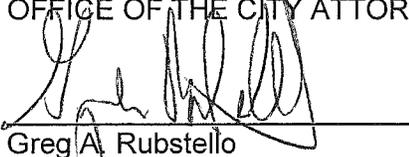

Charles E. Price, Mayor

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: 12-14-2010
PUBLISHED: 12-20-2010
EFFECTIVE DATE: 12-28-2010
ORDINANCE NO. 511

CHAPTER 21.08 PERMITTED USES

<p>WMC 21.08.050</p> <p>A.</p> <p>GENERAL SERVICES LAND USE</p> <p><u>KEY</u></p> <p>P – PERMITTED USE C – CONDITIONAL USE S – SPECIAL USE</p>		Z O N E										
		Residential				Commercial/Industrial/Public						
		L o w	M o d e r a t e	M e d i u m	H i g h	N e i g h b o r h o o d	T o u r i s t B u s i n e s s	G e n e r a l B u s i n e s s	C e n t r a l B u s i n e s s	O f f i c e	I n d u s t r i a l	P u b l i c
NAICS#	SPECIFIC LAND USE	R1-4	R5-8	R9-18	R19+	NB	TB	GB	CBD	O	I	P/I
	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
541940	Veterinary Services					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										
812910	Pet Care Services (1)	C9						P27 , 36	P27, 35		P27 , 36	
	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

Ordinance 511 – Attachment A

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
611620	Gymnastic Schools									P29 30		P29 30	
611620	Sports & recreational Instruction	<u>P19</u>	<u>P19</u>	<u>P19</u>	<u>P19</u>	P24, 34	<u>C</u>	<u>P</u>	<u>P</u>			<u>C</u>	
611699	Misc. Schools & Instruction												
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							

21.08.050 B DEVELOPMENT CONDITIONS

- (1) Except NAICS Industry No. 326212-Tire Retreading, see manufacturing permitted use table.
- (2) Excluding dog pounds.
- (3) Permitted only on sites with a High Density Residential (R-48)/Office zone designation and limited to NAICS Industry Group and Industry Nos.:
 - (a) 81211-Beauty Shops,
 - (b) 81211-Barber Shops, and
 - (c) 81232-Garment Pressing and Agents for Laundries and Dry cleaners.
- (4) Only as an accessory to a cemetery.
- (5) Structures shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.
- (6) Only as an accessory to residential use, provided:
 - (a) Outdoor play areas shall be completely enclosed by a solid wall or fence, with no openings except for gates, and have a minimum height of six feet; and
 - (b) Outdoor play equipment shall maintain a minimum distance of twenty feet from property lines adjoining residential zones;
 - (c) Only two non-resident staff is present on-site at any one time.
- (7) Permitted as an accessory use, see commercial/industrial accessory, WMC 21.08.060A.
- (8) Only as a re-use of a public school facility subject to the provisions of WMC 21.32, an accessory use to a school or church, provided:
 - (a) Outdoor play areas shall be completely enclosed by a solid wall or fence, with no

- openings except for gates and have a minimum height of six feet;
 - (b) Outdoor play equipment shall maintain a minimum distance of twenty feet from property lines adjoining residential zones;
 - (c) Direct access to a developed arterial street shall be required in any residential zone; and
 - (d) Hours of operation may be restricted to assure compatibility with surrounding development.
- (9) Only as an accessory use to a residential use, provided:
- (a) No more than 20% of the area of the residential use is dedicated to pet care services.
 - (b) The portion of the building in which animals are kept shall be soundproof.
 - (c) No exotic animal is permitted at any time.
- (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 students 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 of adjoining residential zones.
 - (d) Hours of operation may be restricted to assure compatibility with surrounding development.
- (20) 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) Services and other business and commercial activities shall only be provided in an enclosed, residential and commercial mixed-use building.
- (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) 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.
 - (c) No exotic animal is permitted at any time.
- (28) Operation limited to the hours between 8:30 a.m. and 3:30 p.m., Monday through Friday. A maximum of twelve (12) children at any one time may be present, with no more than twenty-four (24) children permitted in a twenty-four (24) hour period.
- (29) Gymnastics schools are allowed, subject to the following conditions:
 - (a) A gymnastic school shall be a member in good standing of the United States Gymnastics Federation.
 - (b) A gymnastic school shall demonstrate conformance to guidelines of the United States Gymnastics Federation for equipment used for gymnastics instruction.
 - (c) A safe student “pick-up/drop-off” area that does not interfere with local traffic shall be provided.
 - (d) Retail sales at a gymnastic school shall be limited to gymnastic-related items, and the retail sales area shall not exceed 500 square feet.
- (30) If use abuts an agriculturally zoned property, the following conditions apply:
 - (a) Buildings and parking areas must be set back 50 feet from the property line abutting a agriculturally zoned parcel;
 - (b) 50 feet of Type II landscaping is required in the setback; and
 - (c) Non-emergency access through or to the agriculturally zoned parcel is prohibited.
- (31) Elementary/Junior High Schools are allowed in Office Zones that are adjacent to the Urban Growth Area Boundary.
- (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 Chapter 15.04 WMC, Building Codes ~~15.09 Construction Codes~~) 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.
- (35) Only grooming and training services are permitted.
- (36) No burning of refuse or dead animals is allowed.

WMC 21.46.030 Required Findings for Zoning Code Amendments

ZCA10002 – Sports and Recreation Instruction/Miscellaneous Schools and Instruction Permitted Use Table Update is consistent with the applicable criteria contained in WMC 21.46.030 pursuant to the following comments and findings:

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

Comment and Finding: This amendment is consistent with the comprehensive plan by providing further employment opportunities and supporting existing and new local businesses within the City of Woodinville. The most relevant Comprehensive Plan goals and policies to this zoning code amendment are:

GOAL LU-4: To establish land use patterns that encourage a variety of commercial services and employment opportunities.

POLICY LU-4.4: Provide an adequate supply of land zoned for employment to support 20-year employment allocations as required by King County County-wide Planning Policies.

GOAL ED-1: To take a positive, partnership role in retaining and enhancing the existing diverse and vital economic base in the City by assisting existing firms and welcoming new firms that will enhance the quality of the economic base.

GOAL ED-3: To address the potential increasing shortage of commercial and industrial land within the City's current boundaries.

POLICY ED-3.3: Preserve the amount of land in the Comprehensive Plan designated for commercial and industrial development.

GOAL ED-4: To recognize and support the commercial districts within the City.

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

Comment and Finding: The amendment is consistent with the purposes of the Zoning Code. The amendment addresses an existing deficiency in the Code, by addressing unlisted permitted uses under which existing Woodinville businesses fall. The proposed development conditions also provide for protection of existing residences and businesses by applying development conditions on these types of services within the City.

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

Comment and Finding: The proposed amendments are expected to have positive impacts on public health, safety, and welfare. The amendments would expand opportunity for businesses while protecting the interests of visitors and residents. The benefits of this amendment for existing local businesses include allowing them to expand as their business grows, and to remain within the City in the event of accidental damage.

ZCA10005 – Administrative dedication process is consistent with the applicable criteria contained in WMC 21.46.030 pursuant to the following comments and findings:

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

Comment and Finding: The proposed Zoning Code Amendment to change the process for approving the dedication of land for public rights-of-way and storm water facilities from a City Council approval process to an administrative approval process serves to implement the Comprehensive Plan by simplifying processes, and directing City resources towards other substantive issues.

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

Comment and Finding: The proposed amendment to change the process for approving the dedication of land for public rights-of-way and storm water facilities from a City Council approval process to an administrative approval process is consistent with the purposes of the Zoning Code.

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

Comment and Finding: The proposed amendment is expected to have a positive impact on public health, safety and welfare by reducing the cost, staff time and expenditure of City resources to meet a requirement for development that has already been decided administratively.

ZCA10009 – Housekeeping Amendments are consistent with the applicable criteria contained in WMC 21.46.030 pursuant to the following comments and findings:

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

Comment and Finding: The proposed Amendments correct titles, update and add mandatory language, update and add appropriate cross references, and amend the development and zoning codes to further implement the Comprehensive Plan.

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

Comment and Finding: The amendments are consistent with the general purposes of the Zoning Code. The amendments will clarify code language and add cross references 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).

Comment and Finding: The proposed amendments are expected to have positive impacts on public health, safety, and welfare by making the implementation of the land use regulations more efficient and effective.

ZCA10017 – Community Center Definition Update is consistent with the applicable criteria contained in WMC 21.46.030 pursuant to the following comments and findings:

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

Comment and Finding: This amendment is consistent with the comprehensive plan by clarifying the purpose of the Public Institutional zone description and further allowing for public facilities for the Woodinville Community. This minor change will allow for community services to continue to be provided in a manner consistent with previous operation of those same services.

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

Comment and Finding: The amendment is consistent with the purposes of the Zoning Code. The amendment addresses an existing deficiency in the Code by allowing an additional option for the operation of a community center.

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

Comment and Finding: The proposed amendments are expected to have positive impacts on public health, safety, and welfare. The amendments would expand opportunity for community services within the City.

PLANNING COMMISSION PUBLIC HEARING EXHIBIT LIST

SEPTEMBER 15, 2010

EXHIBIT NO.	EXHIBIT NAME
1	Staff Report dated September 15, 2010: Docket Public Hearing Overview & Recommended Motions
1b	Power point presentation
2	2010 Docket Amendments Summary List
3	Department of Commerce letter dated August 17, 2010
4	September 1, 2010 Open House Public Notice
5	September 15, 2010 Public Hearing Notice
5a	Public Hearing Sign in Sheets
7	Staff Report dated September 15, 2010 ZCA10002 Sports and Recreation Instruction/Miscellaneous Schools and Instruction Amendments Update
7a	Proposed Permitted Uses Amendments
7b	SEPA Determination of Nonsignificance dated August 23, 2010
7c	NAICS 611620 Sports & Recreation Instruction, and 611699 All other Miscellaneous Schools and Instruction
7d	Analysis of Proposed Amendments and Decision Criteria
7e	Power point presentation
9	Staff report dated September 15, 2010 ZCA 10005 Approval Process for Public Right of Way & Surface Water Facilities Dedications
9a	Proposed Dedication Process Amendments
9b	Analysis of Proposed Amendments and Decision Criteria
9c	Power point presentation
10	Staff Report dated September 15, 2010 ZCA10008, Underground Utilities Amendments
10a	Proposed Underground Utilities Amendments
10b	SEPA Determination of Nonsignificance dated August 23, 2010
10c	WMC 12.30.310 Underground Electric Power and Telecommunication Facilities
10d	Power point presentation
11	Staff Report dated September 15, 2010 ZCA 10009 Housekeeping Amendments
11a	Proposed Housekeeping Amendments
11b	Analysis of Proposed Amendments and Decision Criteria
11c	SEPA Determination of Nonsignificance dated August 16, 2010
11d	Power point presentation

OCTOBER 20, 2010

EXHIBIT NO.	EXHIBIT NAME
1	Staff Report dated October 20, 2010 re: CPA10006, ZCA10017
2	Proposed Comprehensive Plan and Zoning Code Amendments
3	Alternative Zoning Code Amendments (Community Facility Option)
4	Public Hearing Notice dated September 27, 2010
5	SEPA Determination of Nonsignificance issued October 4, 2010
6	Analysis of Consistency with WMC 21.46.030
7	Department of Commerce letter dated October 7, 2010

8	Existing Code Language for the Public Institutional Zone
9	List of Properties with Public Institutional Zoning
10	Map of Public Institutional Zoning
11	Power Point presentation
12	Public Sign-in sheet



STATE OF WASHINGTON

DEPARTMENT OF COMMERCE

1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

December 22, 2010

Jennifer Kuhn
City Clerk
City of Woodinville
17301 - 133rd Avenue Northeast
Woodinville, Washington 98072

Dear Ms. Kuhn:

Thank you for sending the Washington State Department of Commerce (Commerce) the following materials as required under RCW 36.70A.106. Please keep this letter as documentation that you have met this procedural requirement.

City of Woodinville - Adopted Ordinances 510, 511, 517, and 519, regarding several Municipal Code amendments and Comprehensive Plan amendments as outlined in those ordinance titles. These materials were received on December 22, 2010 and processed with the Material ID # 16497.

We have forwarded a copy of this notice to other state agencies.

If this submitted material is an adopted amendment, then please keep this letter as documentation that you have met the procedural requirement under RCW 36.70A.106.

If you have submitted this material as a draft amendment, then final adoption may occur no earlier than sixty days following the date of receipt by Commerce. Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please call me at 360.725.3056.

Sincerely,

Linda Weyl
for

Ike Nwankwo
Technical Financial Assistance Manager
Growth Management Services