

ORDINANCE NO. 539

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, APPROVING A CHANGES TO EIGHT (8) PARCELS ZONED OFFICE AND R-6 – RESIDENTIAL 6 UNITS PER ACRE, TO CENTRAL BUSINESS DISTRICT; MAKING FINDINGS OF FACT; MAKING THE FOLLOWING REVISIONS:

- 1. AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP TO CHANGE A TOTAL OF EIGHT (8) PARCELS DESIGNATED OFFICE AND MODERATE DENSITY RESIDENTIAL TO CENTRAL BUSINESS DISTRICT AND TO EXTEND THE MIXED USE OVERLAY TO COVER THESE PROPERTIES;**
- 2. AMENDING THE ZONING MAP TO CHANGE A TOTAL OF EIGHT (8) PARCELS ZONED OFFICE AND RESIDENTIAL 6 UNITS PER ACRE TO CENTRAL BUSINESS DISTRICT;**
- 3. AMENDING THE ZONING MAP TO INCLUDE THE MIXED USE OVERLAY FOR THE REZONE AREA;**
- 4. AMENDING WMC 21.14.310(2) FIGURE 1, THE DESIGN DISTRICT MAP, TO INCLUDE THE CIVIC/GATEWAY AS THE DESIGN DISTRICT FOR THE REZONE AREA;**
- 5. REVISING WMC SECTION 21.12.040, TO LIMIT BUILDING HEIGHTS TO 35 FEET IN THE CENTRAL BUSINESS DISTRICT WHEN DEVELOPMENT ABUTS A LOW OR MODERATE DENSITY RESIDENTIAL ZONED PROPERTY.**
- 6. AMENDING WMC 21.08.030 TO ALLOW EXISTING SINGLE FAMILY RESIDENTIAL DWELLING UNITS AS A PERMITTED USE IN THE CBD ZONE;**

ADOPTING FINDINGS FOR COMPREHENSIVE PLAN AND 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, 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 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 21.01.170; and

WHEREAS, a public hearing was held by the City of Woodinville Planning Commission on August 15, 2012; and

WHEREAS, a public hearing was held by the City of Woodinville City Council on September 18, 2012; and

WHEREAS, a second public hearing was held by the City of Woodinville City Council on December 4, 2012; 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 findings in support of this ordinance, together with recitals expressed herein.

1. ARTADS LLC applied for a Comprehensive Plan Future Land Use Map amendment and Zoning Map Amendment on December 2, 2010 to change one (1) parcel (Parcel No. 1026059053) located at 16915 140th Ave NE from Office to Central Business District. The City Council approved the request for the 2011 docket.
2. After giving consideration to the zoning of the surrounding parcels and recognizing uneven and outdated development patterns in the surrounding area, staff revised the proposal and requested the Planning Commission consider expanding the scope of the requested amendments to include seven (7) additional parcels (six (6) zoned Office and one (1) zoned R-6), in the immediate area. Altogether, the eight (8) parcels total 4.63 acres.
3. 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.
4. The City SEPA Official reviewed the proposed comprehensive plan and zoning amendments, as expanded by staff, for environmental impacts under SEPA (RCW 43.21C), and issued a Determination of Nonsignificance (SEP11007) on October 17, 2011. The appeal period ended without any comments or appeals received.
5. Pursuant to the Growth Management Act, the 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 October 19, 2011. No comments were received from any state agency regarding the amendments that are the subject of this ordinance.
6. The Planning Commission reviewed the proposed amendment during the July 20, 2011, August 17, 2011, May 2, 2012 and August 1, 2012 public meetings.
7. The proposed amendments are consistent with the GMA Planning Goals and overall intent of the Woodinville Comprehensive Plan.
8. The proposal will allow for a wide variety of commercial uses, where the existing office use is limited.
9. Office provides space for professional services and related employment opportunities; whereas, CBD provides a broad mix of retail, residential, professional, services and recreation/cultural uses.

10. To be consistent with the current Zoning Map and vision for the downtown, the Mixed Use Overlay and Civic Gateway Design District shall be extended to the rezoned parcels with approval of the proposed amendments. The Mixed Use Overlay encourages the development of the community's center as a pedestrian oriented place that supports a wide variety of commercial, residential, governmental, professional services and entertainment activities. Furthermore, the Design Districts guide development in a manner that is not only functional, but also aesthetically pleasing, comfortable, safe and economically and socially viable.
11. A public hearing considering the amendments proposed in Ordinance 539 was held by the Planning Commission on August 15, 2012. The public hearing was noticed in the Woodinville Weekly and posted on the City's web site.
12. 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 August 15, 2012 Planning Commission meeting.
13. The City Council considered the Planning Commission's public record and recommendations concerning the amendments that are subject of this ordinance at a public hearing on September 18, 2012 and December 4, 2012.
14. The City Council held first reading of Ordinance No. 539 on December 4, 2012.
15. The City Council held second reading of Ordinance No. 539 on December 11, 2012.
16. The amendments that are the subject of this ordinance are consistent with the required decision criteria found in WMC 21.01.170 [Comprehensive Plan Amendment] Decision Criteria, 21.44.070 Zone reclassification [decision criteria] and WMC 21.44.070, Required Findings [for Zoning Code Amendments], as shown in Attachment D to this Ordinance.

Section 2. Comprehensive Plan Land Use. The City's official Comprehensive Plan Future Land Use Map is amended (Parcel Nos. 1026059174, 1026059074, 1026059053, 1026059109, 1026059108, 1026059106, 1026059112, 1026059101) and abutting right-of-way from Office and Moderate Density Residential to Central Business District, and to extend the Mixed Use Overlay to include these properties and the abutting right-of-way, located south of the intersection of NE 171st Street and 140th Ave NE, to the King County border as set forth in Attachment A, attached hereto and incorporated herein by this reference as if set forth in full.

Section 3. Zoning Map. The City's official zoning map is hereby amended to rezone the properties (Parcel Nos. 1026059174, 1026059074, 1026059053, 1026059109, 1026059108, 1026059106, 1026059112, 1026059101) and abutting right-of-way from Office and R-6 – Residential 6 Units Per Acre, to Central Business District, located south of the intersection of NE 171st Street and 140th Ave NE, to the King County border; and to include the mixed use overlay for these properties; as set forth in Attachment B, attached hereto and incorporated herein by this reference as if set forth in full.

Section 4. WMC 21.14.310 (2) Figure 1, Design District Map, is hereby amended to include the Civic Gateway Design District for the properties (Parcel Nos. 1026059174, 1026059074, 1026059053, 1026059109, 1026059108, 1026059106, 1026059112, and

1026059101), and abutting right-of-way, as set forth in Attachment C, attached hereto and incorporated herein by this reference as if set forth in full.

Section 5. WMC 21.12.040, Development Standards – Density and Dimensions 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 sections shall remain unchanged and in full force and effect.

WMC 21.12.040 – Development Standards – Density and Dimensions

	Z O N E S	PUBLIC	COMMERCIAL/INDUSTRIAL					
		PUBLIC/ INSTITUTIONAL	NEIGHBOR HOOD BUSINESS	TOURIST BUSINESS	GENERAL BUSINESS	CENTRAL BUSINESS	OFFICE	INDUSTRIAL
STANDARDS		P/I	NB	TB	GB	CBD	O	I
Base Density: Dwelling Unit/Acre				12 du/ac		36 du/ac	36 du/ac	
Residential Maximum Floor/Lot Ratio Square Feet						2/1 (26)		
Minimum Building Step-back					10 ft. (22)	10 ft. (23)		
Minimum Street Setback (17)		10 ft	10 ft (5) 20 ft. (11)	10 ft (2) (5) (14)	10 ft (5) 25 ft (15)	10 ft (10) (5)	10 ft	25 ft 10 ft (9) (14) (15)
Minimum Interior Setback (13)		20 ft (7) (16)	10 ft.	20 ft (7) (14)	25 ft (7) (15)	20 ft (7)	20 ft (7)	20 ft (7) (14) (15) 50 ft (8) (14)
Base Height (10)		45 ft (4)	35 ft.	35 ft (14) (20)	39 ft (18)	39 ft (6) <u>35 ft</u> (12)	45 ft (4)	45 ft (14)
Maximum Height with Incentives					51 ft (24)	51 ft (24)		
Maximum Height with Structured Parking					60 ft (25) (19)	57 ft (25)		
Maximum Building Coverage: Percentage								
Commercial/Industrial Maximum Floor/Lot Ratio: Square Feet		4/1	1/1	1/1	2/1 (19)	2.5/1	4/1	3/1
Maximum Impervious Surface: Percentage		85%	75%	85% (14)	85%	90%	75%	90% (14)
Maximum Building Sq. Footage			10,000		21	21		

B. Development Conditions.

...
 (7) A twenty foot Type I landscaped setback only required along property lines adjoining single-family residential zones, otherwise no specific setback requirement.

...
 (12) ~~Reserved.~~ Height is limited to thirty-five (35) feet in the Civic Gateway Design District only when development abuts a low or moderate residentially zoned property.

...

Section 6. WMC 21.08.030 WMC, Residential land uses 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 21.08 shall remain unchanged and in full force and effect.

A. RESIDENTIAL LAND USE		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
	Dwelling Units, Types:											
*	Single Detached	P, C19	P, C19	P					<u>P (23)</u>			
*	Duplex	P10	P10	P10	P10							
*	Townhome	C10 12	C7, 10 12	P	P		P20		P1, 21, 22	P18		
*	Apartment		P11	P	P		P20		P1, 21, 22	P18		
*	Mobile Home Park		P	P					P21			
623311 623312	Senior Citizen Assisted (see 21.06.188 for definition)		P11	P	P				P1, 21			
	Group Residences:											
*	Community Residential Facility	C15	C15	P15	P15				P15, 21			P15
721310	Dormitory	C2	C2	P2	P2				P2, 21		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						P5	P	P		
721191	Bed and Breakfast Inns	P6	P6	P6			P5		P6		
721310	Organization Hotel/Lodging										
624221	Temporary Shelter								P4		P17
721199	Youth Hostel						P5		P14		

GENERAL CROSS REFERENCES: Land Use Table Instructions, see WMC 21.02.070 and 21.08.020
 Development Standards, see Chapters 21.12 through 21.30 WMC
 General Provisions, see Chapters 21.32 through 21.38 WMC
 Application and Review Procedures, see Chapters 21.40 through 21.44 WMC
 Tourist District Overlay Regulations, see WMC 21.38.065
 R-48/O regulations, see WMC 21.38.030
 (*) Definition of this specific Land Use, see Chapter 21.06 WMC

B. Development Conditions

...
(23) No new single family detached dwelling units are permitted except on the sites with existing single family detached dwelling units on December 24, 2012.

...
Section 7. Authorization to Change the Comprehensive Plan Future Land Use Map and Zoning Map. The Development Services Director is hereby authorized and directed to make the necessary changes to the City's Comprehensive Plan Future Land Use Map and Zoning Map as set forth in this ordinance.

Section 8. 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.

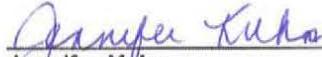
Section 9. Copy to Department of Commerce. Pursuant to RCW 36.70A.106(3), the City Clerk is directed to send a copy of the amendments to the State Department of Commerce for its files within ten (10) days after adoption of this Ordinance.

Section 10. 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 11th DAY OF DECEMBER 2012.

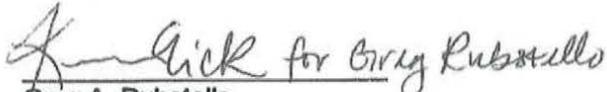

 Bernard W. Talmas, Mayor

ATTEST/AUTHENTICATED:



Jennifer Kuhn
City Clerk/CMC

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

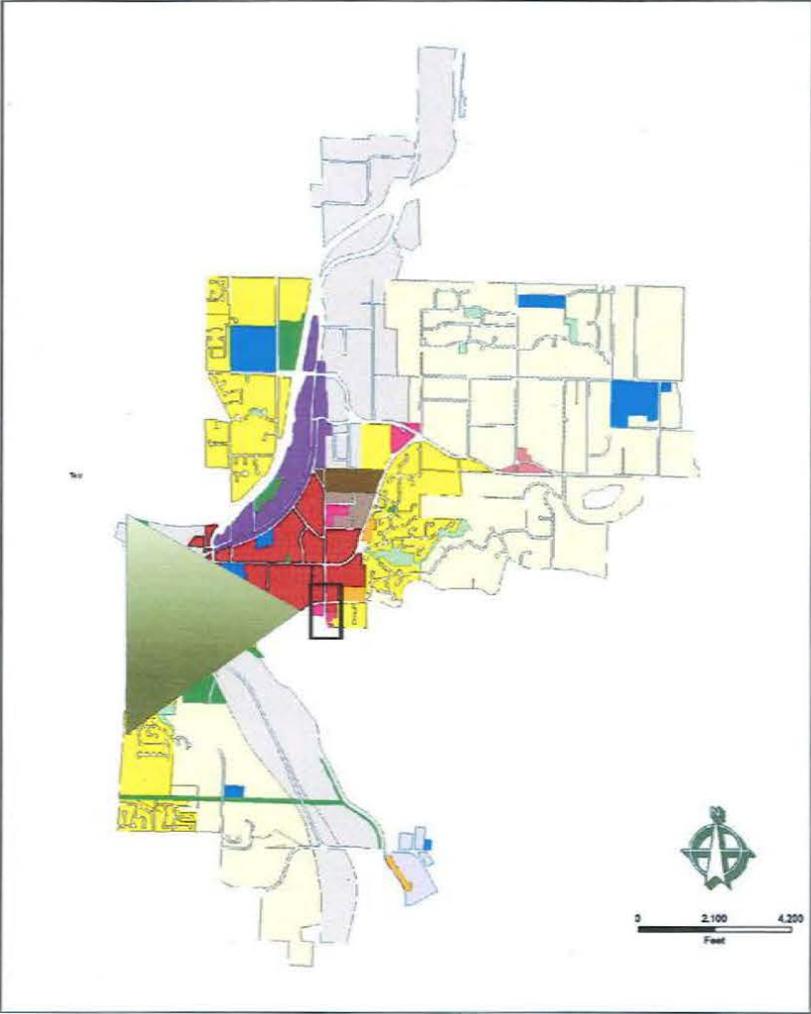
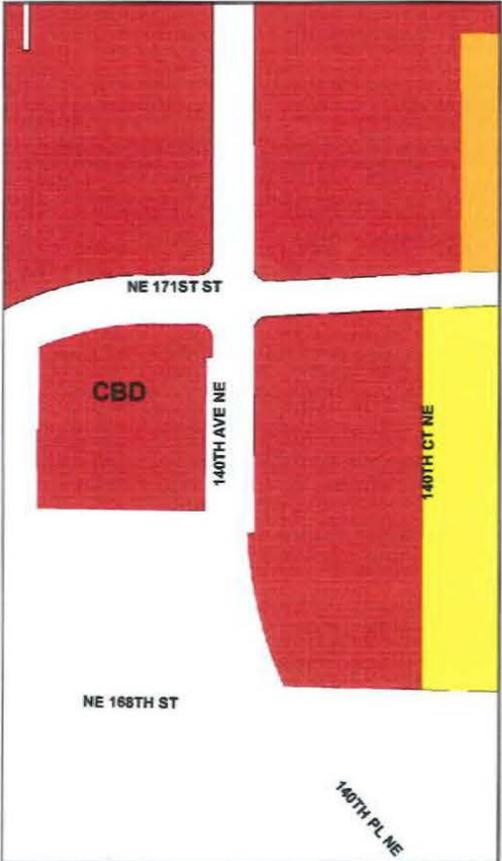


Greg A. Rubstello
City Attorney

PASSED BY THE CITY COUNCIL: 12-11-2012
PUBLISHED: 12-17-2012
EFFECTIVE DATE: 12-24-2012
ORDINANCE NO. 539

City Of Woodinville

CPA11001: Office & R-6 to CBD
Parcel No. 1026059174, 1026059074, 1026059053,
1026059109, 1026059108, 1026059106, 1026059112,
& 1026059101
Comp Plan Amendment
From Office & R-6 to Central Business District



Comprehensive Plan Map Amendment

Legend

- Public/Institutional
- Public Parks
- Open Space
- Office
- Tourist Business
- Neighborhood Business
- Moderate Density Residential
- Medium Density Residential
- Low Density Residential
- Industrial
- High Density Residential/Office
- High Density Residential
- Central Business
- Auto/General Commercial



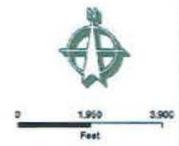
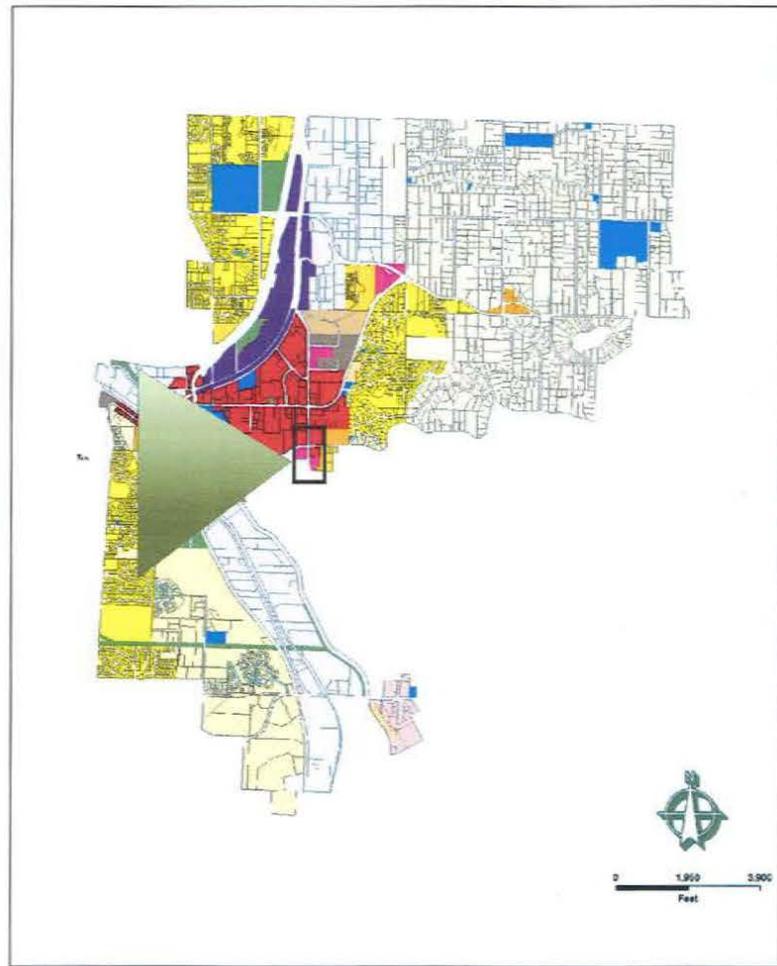
City of Woodinville
17301 - 133rd Ave NE
Woodinville, WA 98072
www.woodinville.wa.us
425-489-2700

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File Name: C:\temp\2013\CPA11001\01_05_13.mxd

City Of Woodinville

ZMA11001: Office & R-6 to CBD Zone Change
Parcel No. 1026059174, 1026059074, 1026059053,
1026059109, 1026059108, 1026059106, 1026059112,
& 1026059101
Zoning Map Amendment
From Office & R-6 to Central Business District



Zoning Map Amendment

Legend

- Mixed Use Overlay
- R-1 - Residential - 1 Unit Per Acre
- R-4 - Residential - 4 Units Per Acre
- R-6 - Residential - 6 Units Per Acre
- R-8 - Residential - 8 Units Per Acre
- R-12 - Residential - 12 Units Per Acre
- R-18 - Residential - 18 Units Per Acre
- R-24 - Residential - 24 Units Per Acre
- R-48 - Residential - 48 Units Per Acre
- R-48/O - Residential - 48 Units Per Acre/Office
- O - Office
- I - Industrial
- GB - General Business
- NB - Neighborhood Business
- CBD - Central Business District
- TB - Tourist Business
- PI - Public Institutional
- P - Public Parks/Open Space

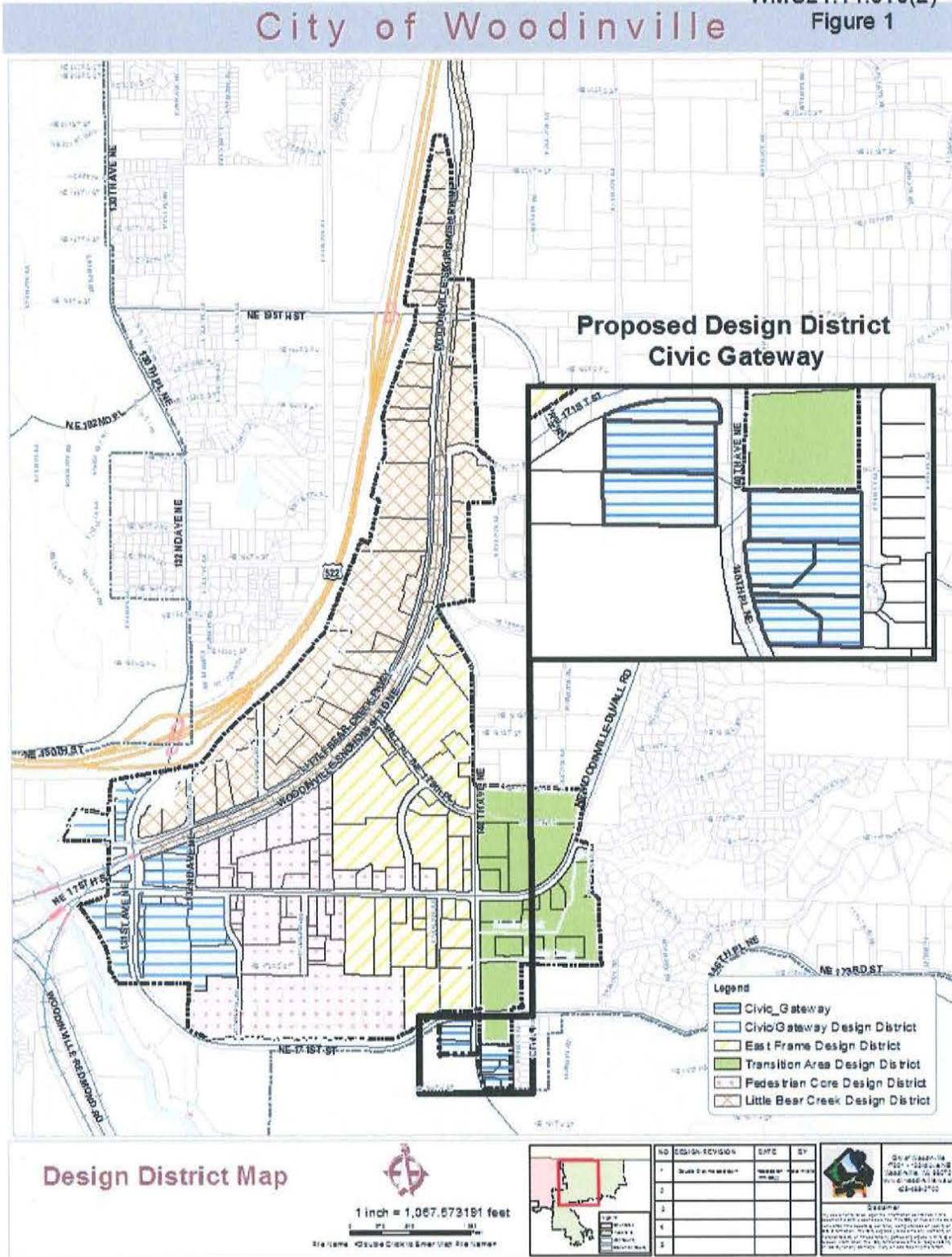
NO.	DATE	BY

City of Woodinville
17301 - 123rd Ave NE
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WMC21.14.310(2)
Figure 1



Findings

21.01.170 Decision criteria. (Comprehensive Plan Amendment)

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 changes will impact a total of eight parcels, which are currently designated as Office and Moderate Density Residential, and change their designation to Central Business; the proposed change would also extend the Mixed Use Overlay designation to cover these properties. These changes are proposed because the current designations are outdated for this area. The Office designation is left over from when the City was unincorporated King County land. It provides for severely limited development on lands with that designation. This area is one of three areas within City limits with that designation. None of those areas are exclusively used as office uses exclusively, and would all benefit from more current designation under the Comprehensive Plan. The single Moderate Density Residential parcel is also proposed to be designated as Central Business, in order to be consistent with the proposed designation on properties to the abutting north and west.

The Growth Management Act includes thirteen goals to guide the development and adoption of comprehensive plans and development regulations. The proposed amendments the following goals in the following ways:

- **Urban Growth/Reduce Sprawl/Economic Development:** The changes proposed all occur within the existing urban growth boundary, and within City limits. The proposed change to the Central Business designation encourages additional development within an existing urban area. The proposed change will also encourage re-development and new development into higher intensity uses, which are permitted in the Central Business designation while not permitted in the limited Office designation.
- **Housing:** The Central Business designation allows and encourages housing development, while the Office designation does not anticipate any housing within it. A greater supply of housing could provide for more opportunity for affordable housing. Other existing City policies and development regulations provide for incentives for affordable housing within the Central Business designation.
- **Property Rights:** All impacted property owners were given notice of the proposed change, notice of the SEPA Determination of Nonsignificance, and were provided notice of the public hearing before the Planning Commission and before the City Council. No property owner whose designation would change provided evidence that the proposed change would impact existing property rights.
- **Natural Resource Industries/Open Space and Recreation/Environment:** There is existing agricultural lands in unincorporated King County that touches a single corner of the subject properties. Existing provisions in the City's development regulations provide for buffering from agricultural lands, of up to 50 feet; that provide for provision of open space and recreational areas, and that protect the environment. These provisions remain in place as part of this proposed Comprehensive Plan amendment.
- **Citizen participation and coordination:** The City's code only requires that comprehensive plan amendments provide public participation by publishing the public hearing notice in the City's official newspaper. In addition to meeting this requirement, the City also provided mailed notice of the Planning Commission public hearing to all impacted property owners, as well as all property owners within 500 feet of the subject properties. The City Council public hearing notice was also mailed to impacted properties and all parties who testified or provided written notice before the Planning Commission or as part

of the SEPA determination comment period. All notices are also posted to the City's website and to the City's official posting places. In addition to the public hearings, the Planning Commission held four public meetings to discuss the proposed change, in 2011 and 2012. There are two public comment opportunities at each of these meetings.

- Transportation/Public facilities and services: The City finds that no additional City public services or facilities will be needed as part of the proposed change. Other agencies were provided an opportunity to comment on the proposed change as part of the SEPA Determination comment period, and the City received no comments from other agencies. The area is served by an existing transportation system. All eight properties front onto 140th Avenue NE, a minor arterial. This road, when improved as part of development to provide the full roadway width, drainage, illumination, and pedestrian facilities, is sufficient to meet the needs of properties designated as Central Business – the same requirements currently exist for the existing Central Business area to the north.
- Historic preservation: No known historic properties exist on the subject properties. There is one historic property, the DeYoung House, approximately 200 feet to the northeast of these properties. That property owner, the Woodinville Heritage Museum, was provided notice of the proposed change and did not provide any comments.

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

The proposed amendments, to change the designation of eight parcels to Central Business, would impact properties within the existing urban growth area. No changes are proposed outside the existing urban growth boundary. This implements the King County Countywide Planning Policies FW-11 through FW-12. The change will further enhance the cities ability to meet the County's population and employment targets, by expanding the types of uses that are permitted to be located within the existing urban growth boundary, including allowing multi-family residential uses on these properties. This furthers the KCCPP LU-25a, LU-26. This change will encourage development within the downtown area of Woodinville where the infrastructure already exist to serve the development, rather than the existing residential neighborhoods where additional public facilities and services would be required to support development, implementing LU-28.

(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);

The City's vision statement states:

"In the year 2015, Woodinville is a safe, friendly, family- oriented community that supports a successful balance of neighborhoods, parks and recreation, tourism, and business. We have preserved our Northwest woodland character, our open space, and our clean environment. We have enhanced our ability to move freely throughout the community by all modes of travel. Woodinville is a pleasant place in which to live, work, play, and visit, with a compact, inviting downtown that is attractive and functional."

Additionally, the following goals and policies are furthered by the proposed change:

GOAL LU-1: To guide the City's population growth in a manner that maintains or improves Woodinville's quality of life, environmental attributes, and Northwest woodland character.

Policy LU-1.2: Encourage future development in areas:

1. *With the capacity to absorb development (i.e., areas with vacant or underdeveloped land and available utility, street, park, and school capacity, or where such facilities can be cost effectively provided), and*
2. *Where adverse environmental impacts can be minimized; and where such development will enhance the area's appearance or vitality.*

GOAL LU-2: To establish land use patterns, densities, and site designs that encourage less reliance on single-occupant vehicle travel.

Policy LU-2.3: Encourage the most intensive residential and employment land uses along major transportation routes to support transit service.

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

Policy LU-4.1: Create a vibrant compact downtown Woodinville that is an inviting place to work, shop, live, and socialize.

Policy LU-4.2: Encourage mixed-use development that balances residential and business uses within commercial areas.

The proposed changes will further the vision statement, and these comprehensive plan policies, by providing better opportunity for employment and residential opportunities in an area that is able to support the development, due to existing infrastructure and urban services (transportation, water, sewer, police, fire services).

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

The City as a whole, and the health, safety and welfare of the residents are benefitted by this change, because it provides for more opportunity for employment, through the provision additional land uses, and for more opportunity for residential uses in general and potentially for more affordable housing opportunities.

(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.

This section of the Comprehensive Plan is satisfied by meeting the following criteria:

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 City's vision statement states:

"In the year 2015, Woodinville is a safe, friendly, family- oriented community that supports a successful balance of neighborhoods, parks and recreation, tourism, and business. We have preserved our Northwest woodland character, our open space, and our clean environment. We have enhanced our ability to move freely throughout the community by all modes of travel. Woodinville is a pleasant place in which to live, work, play, and visit, with a compact, inviting downtown that is attractive and functional."

Additionally, the following goals and policies are furthered by the proposed change:

GOAL LU-1: To guide the City's population growth in a manner that maintains or improves Woodinville's quality of life, environmental attributes, and Northwest woodland character.

Policy LU-1.2: Encourage future development in areas:

- 3. With the capacity to absorb development (i.e., areas with vacant or underdeveloped land and available utility, street, park, and school capacity, or where such facilities can be cost effectively provided), and*
- 4. Where adverse environmental impacts can be minimized; and where such development will enhance the area's appearance or vitality.*

GOAL LU-2: To establish land use patterns, densities, and site designs that encourage less reliance on single-occupant vehicle travel.

Policy LU-2.3: Encourage the most intensive residential and employment land uses along major transportation routes to support transit service.

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

Policy LU-4.1: Create a vibrant compact downtown Woodinville that is an inviting place to work, shop, live, and socialize.

Policy LU-4.2: Encourage mixed-use development that balances residential and business uses within commercial areas.

The proposed changes will further the vision statement, and these comprehensive plan policies, by providing better opportunity for employment and residential opportunities in an area that is able to support the development, due to existing infrastructure and urban services (transportation, water, sewer, police, fire services).

- 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.*

These changes are proposed because the current designations are outdated for this area. The Office designation is left over from when the City was unincorporated King County land. It provides for severely limited development on lands with that designation. This area is one of three areas within City limits with that designation. None of those areas are exclusively used as office uses exclusively, and would all benefit from more current designation under the Comprehensive Plan. The single Moderate Density Residential parcel is also proposed to be designated as Central Business, in order to be consistent with the proposed designation on properties to the abutting north and west. A full list of the uses allowed in each designation are part of the record before the Planning Commission and City Council. A comparison of these uses was provided to both bodies before a decision was made.

- 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?*

The subject properties are located on the west and east side of 140th Avenue. Those properties on the west side abut existing Central Business designation to the north, rural King County designations to the west and south, and a single corner of one property touches existing agricultural King County designation to the southwest. The properties on the east side of the street abut Central Business designation to the north, Moderate Density Residential to the east, and rural King County designation to the south.

The change to Central Business of the subject properties will be more consistent with those properties to the north, which are separated from the other Central Business designated properties by NE 171st Street. There are existing provisions within the code to address impacts of development to agricultural lands. The accompanying development regulation amendments that are part of this ordinance would provide additional protection to abutting residential lands by providing for smaller heights for buildings for properties abutting residential areas, and by providing for increased landscaped setbacks from such lands. These measures are the same as would be required for the existing Office designation and zoning – they are simply being applied to the Central Business designation and zoning in this area.

4. Comments received from affected property owners and residents.

Several properties owners of the subject properties provided comment to the Planning Commission and Council regarding the change. All property owners of the subject properties who provided comment were supportive of the change, including the change to the designation, the zoning, and the accompanying zoning code changes to limit development on these properties in the same way the current Office designation limits development.

(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.

N/A – no goals or policies are proposed to change

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

N/A – no text changes are proposed

(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.

N/A – no element or subarea is proposed to be eliminated

21.44.070 Zone reclassification.

A zone reclassification shall be granted only if the applicant demonstrates that the proposal is consistent with the Comprehensive Plan and applicable functional plans at the time the application for such zone reclassification is submitted, and complies with the following criteria:

(1) There is a demonstrated need for additional zoning as the type proposed.

The zoning reclassification for the eight subject properties is required, in order to be consistent the Comprehensive Plan Future Land Map. The Comprehensive Plan Future Land Use Map is modified by this same Ordinance to change eight properties from Office and Moderate Density Residential to Central Business. The only zoning district that is consistent the Central Business designation is the Central Business District zoning district. Including these properties within the Mixed Use Overlay on the Future Land Use Map necessitates including them on the zoning map as well.

Additional Central Business District zoning allows for increased residential and employment opportunities on lands that would otherwise be left in a less intensive use. By making this change, the City is increasing its opportunities for meeting existing employment and population growth targets. The existing Office designation is no longer needed, because it provides for a limited

number of uses – almost all of which are allowed within the Central Business District zoning district.

(2) The zone reclassification is consistent and compatible with uses and zoning of the surrounding properties.

The subject properties are located on the west and east side of 140th Avenue. Those properties on the west side abut existing Central Business District zoning to the north, rural King County zoning to the west and south, and a single corner of one property touches existing agricultural King County zoning to the southwest. The properties on the east side of the street abut Central Business District zoning to the north, Residential, 8 units per acre zoning to the east, and rural King County zoning to the south.

The change to Central Business of the subject properties will be more consistent with those properties to the north, which are separated from the other Central Business designated properties by NE 171st Street. There are existing provisions within the code to address impacts of development to agricultural lands. The accompanying development regulation amendments that are part of this ordinance would provide additional protection to abutting residential lands by providing for smaller heights for buildings for properties abutting residential areas, and by providing for increased landscaped setbacks from such lands. These measures are the same as would be required for the existing Office designation and zoning – they are simply being applied to the Central Business designation and zoning in this area.

(3) The property is practically and physically suited for the uses allowed in the proposed zone reclassification.

The eight properties include approximately 4.5 acres that are currently developed in different ways:

Address	Property Owner	Current Use	Size (in acres)
Unaddressed: Parcel #1026059174	Harold Olsson	Vacant	0.31
17005 140 th Avenue NE	Sound Education Properties	Chrysalis School	0.85
16915 140 th Avenue NE	Artads LLC	Single-Family Residence	0.87
16916 140 th Avenue NE	Skony Woodinville LLC	Medical Office Building	0.87
16738 140 th Avenue NE	Cottage Lake Investors LLC	Office	0.41
16816 140 th Avenue NE	Cottage Lake Investors LLC	Single-Family Residence	0.56
16812 140 th Avenue NE	Reid & Judy Nelson	Medical Office	0.34
16814 140 th Avenue NE	Dennis Trovato	Single-Family Residence	0.42

Many of these properties would need to be consolidated with other property in order to be developed beyond what currently exists. The Skony property was currently developed into a medical office building; conceivably, any property of a similar size could be developed, either under the Office or the Central Business District zoning. Excluding the Skony property, all of these properties are viewed as re-developable, either on their own or as a consolidated development.

21.46.030 Required findings.

Amendments to the text of this title may be made if all the following findings are made:

(1) The amendment is consistent with the purposes of the Comprehensive Plan;

The City's vision statement states:

"In the year 2015, Woodinville is a safe, friendly, family- oriented community that supports a successful balance of neighborhoods, parks and recreation, tourism, and business. We have preserved our Northwest woodland character, our open space, and our clean environment. We have enhanced our ability to move freely throughout the community by all modes of travel. Woodinville is a pleasant place in which to live, work, play, and visit, with a compact, inviting downtown that is attractive and functional."

Additionally, the following goals and policies are furthered by the proposed change:

GOAL LU-1: To guide the City's population growth in a manner that maintains or improves Woodinville's quality of life, environmental attributes, and Northwest woodland character.

Policy LU-1.2: Encourage future development in areas:

- 5. With the capacity to absorb development (i.e., areas with vacant or underdeveloped land and available utility, street, park, and school capacity, or where such facilities can be cost effectively provided), and*
- 6. Where adverse environmental impacts can be minimized; and where such development will enhance the area's appearance or vitality.*

GOAL LU-2: To establish land use patterns, densities, and site designs that encourage less reliance on single-occupant vehicle travel.

Policy LU-2.3: Encourage the most intensive residential and employment land uses along major transportation routes to support transit service.

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

Policy LU-4.1: Create a vibrant compact downtown Woodinville that is an inviting place to work, shop, live, and socialize.

Policy LU-4.2: Encourage mixed-use development that balances residential and business uses within commercial areas.

The proposed changes will further the vision statement, and these comprehensive plan policies, by providing better opportunity for employment and residential opportunities in an area that is able to support the development, due to existing infrastructure and urban services (transportation, water, sewer, police, fire services). Additionally, the proposed changes include measures to protect the existing residential areas that abut this area but including provisions regarding height limitations and landscaped setbacks – provisions that currently existing for Office zoned property that abuts residential areas.

(2) The amendment is consistent with the purpose of this title;

The purpose of the zoning code states:

21.02.030 Purpose.

The general purposes of this title are:

- (1) To encourage land use decision making in accordance with the public interest and applicable laws of the State of Washington;*
- (2) To protect the general public health, safety, and welfare;*
- (3) To implement the City of Woodinville Comprehensive Plan's goals and policies through land use regulations;*
- (4) To provide for the economic, social, and aesthetic advantages of orderly development through harmonious groupings of compatible and*

complementary land uses and the application of appropriate development standards;

(5) To provide for adequate public facilities and services in conjunction with development; and

(6) To promote general public safety by regulating development of lands containing physical hazards and to minimize the adverse environmental impacts of development.

As demonstrated throughout the findings of this Ordinances, the purposes of the Zoning Code are met, and none are violated by adoption of the zoning code amendment that would accompany a Comprehensive Plan Future Land Use Map amendment, and a Zoning Map Amendment, to change eight parcels to Central Business designation and zoning district. The code changes proposed:

- Include a housekeeping change to include the newly zoned CBD properties in the Design District map in WMC 21.14.310. The Civic Gateway Design District is appropriate because it treats this area as the same as the other gateway into Downtown Woodinville. This area serves as (one of) the southeastern entrance to Downtown Woodinville, and allows uses and has bulk standards that are consistent with that designation.
- Restricts building height for to 39 feet CBD properties that both have the Civic Gateway Design District and abut low or moderate (R-1 to R-8) properties. This limitation would not impact any other areas of the CBD, because the other area with the Civic Gateway Design District does not abut any single-family residential areas. This height limit currently exists for both the Office zone abutting R-1 to R-8 properties, and the R-6 zone.
- Requires that a 20 foot landscaped setback be established with Type I landscaping when the CBD abuts single-family residential zones. The change inserts a provision for Type I landscaping that currently exists in Chapter 21.15 WMC – the insertion here makes it clearer for potential development applicants.
- Allow existing single-family detached dwelling units to remain as permitted uses. This would allow those properties that are developed as single-family residences to remain as a conforming use, but would not allow any new single-family detached units.

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

The City as a whole, and the health, safety and welfare of the residents are benefitted by this change, because it provides for more opportunity for employment, through the provision additional land uses, and for more opportunity for residential uses in general and potentially for more affordable housing opportunities. It also provides protection for existing residential uses through the limitation on heights for new buildings, for increased landscaped setbacks, and for maintaining existing single-family residences as a permitted use.



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 21, 2012

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 amendments to the future land use map, zoning map, and zoning text. These materials were received on December 20, 2012 and processed with the Material ID # 18786.

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 contact Growth Management Services at reviewteam@commerce.wa.gov, or call Dave Andersen (509) 434-4491 or Paul Johnson (360) 725-3048.

Sincerely,

Review Team
Growth Management Services