

**ORDINANCE NO. 553**

**AN ORDINANCE OF THE CITY COUNCIL OF WOODINVILLE, WASHINGTON, ADOPTING FINDINGS; AMENDING CHAPTER 21.08 OF THE WOODINVILLE MUNICIPAL CODE TO PERMIT PLAYS/THEATRICAL PRODUCTION AS A PERMITTED USE IN THE INDUSTRIAL, GENERAL BUSINESS, TOURIST BUSINESS AND PUBLIC/INSTITUTIONAL ZONES; PROVIDING FOR SEVERABILITY; REQUIRING A COPY TO BE FILED WITH THE DEPARTMENT OF COMMERCE; PROVIDING FOR AN EFFECTIVE DATE; AND ALLOWING FOR SUMMARY PUBLICATION BY TITLE.**

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**WHEREAS**, plays/theatrical production is only allowed as a permitted use within the Central Business District zone; and

**WHEREAS**, the City Council added zoning code amendment to the 2012 Docket List, to review whether plays/theatrical production should be allowed to locate in other zones; and

**WHEREAS**, the City Council referred this matter to the Woodinville Planning Commission for study and recommendation; and

**WHEREAS**, the Woodinville Planning Commission reviewed this matter at a study session on October 3, 2012 and a public hearing on November 7, 2012; and

**WHEREAS**, the Woodinville Planning Commission recommends amendment of the Woodinville Municipal Code to allow plays/theatrical production as a permitted use in other zones; and

**WHEREAS**, the Woodinville City Council has reviewed the Planning Commission's recommendation and received additional public comment regarding the recommended changes at a public hearing on December 4, 2012; and

**WHEREAS**, the Woodinville City Council has determined that the proposed amendments contained in Ordinance No. 553 are consistent with the City's Comprehensive Plan Goals and Policies and the purposes of the Zoning Code; 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 above recitals are adopted by this reference as findings in support of Section 2 of this Ordinance.

**Section 2.** **Section 21.08.040, Recreational/Cultural Land Uses,** is hereby amended as follows (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 Recreational/cultural land uses

A. RECREATIONAL/ CULTURAL LAND USES		Z O N E	RESIDENTIAL				COMMERCIAL/INDUSTRIAL/PUBLIC							
			L O W  D E N S I T Y	M O D E R A T E  D E N S I T Y	M E D I U M  D E N S I T Y	H I G H  D E N S I T Y	N E I G H B O R H O O D	B U S I N E S S E S	T O U R I S M	B U S I N E S S E S	G E N E R A L	B U S I N E S S E S	C O M M E R C I A L	O F F I C E
NAICS#	SPECIFIC LAND USE	R1-4	R5-8	R9-18	R19+	NB	TB	GB	CBD	O	I	P/I		
	PARK /RECREATION:													
*	Parks	P1	P1	P1	P1	P1	P1	P	P		P	P		
*	Trails	P	P	P	P	P	P	P	P		P	P		
*	Destination resorts								C2					
*	Marina			C4	C4		P5	P	P		P			
	AMUSEMENT/ ENTERTAINMENT:													
512131	Theater							P6	P6					
512132	Theater, drive-in							C6	C6					
711110 711130	Plays/Theatrical production						P6	P6	P6		P6, 16	P6, 16		
71395	Bowling center							P						
71394*	Sports club	C4	C4	C4	C4		C	P	P		C			
71391*	Golf facility	C7	C7	C7	C7			P						
71391	Golf driving range							P7						
*	Shooting range							P10						
71312*	Amusement arcades						P	P	P					
71311	Amusement park							P	C					
*	Outdoor performance center						S	S	S					
*	Indoor batting cage facility										C13			
*	Indoor go-cart facility							P14						
	CULTURAL:													

51412	Library	P11, C	P11, C	P11, C	P11, C		P		P			P3
71211	Museums and art galleries	P11, C	P11, C	P11, C	P11, C		P		P		P	P3
71213	Arboretum	P	P	P	P		P		P			P3
81311	Churches, temples, and synagogues	P12, C	P12, C	P12, C	P12, C		P	P	P			P15
*	Civic center											P
*	Community center											P
*	Conference center	P11, C	P11, C	P11, C	P11, C				P			

...  
 B. Development Conditions.

...  
 (6) Adult use facilities shall be prohibited within 660 feet of any residential zones, any other adult use facility, or school-licensed daycare centers, public parks, community centers, public libraries or churches that conduct religious or educational classes for minors.

...  
 (16) Only as an accessory use to another permitted use.  
 ...

**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.

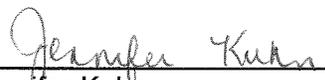
**Section 4. Copy to Commerce Department.** Pursuant to RCW 36.70A.106(3), the City Clerk is directed to send a copy of the amendments to the State Department of Commerce for its files within ten (10) days after adoption of this ordinance.

**Section 5. Effective Date/Summary Publication.** 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 days after publication.

**ADOPTED BY THE CITY COUNCIL AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 8<sup>th</sup> DAY OF JANUARY, 2013.**

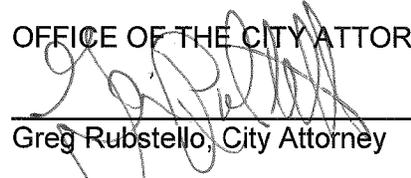
  
 Bernard W. Talmas, Mayor

ATTEST/AUTHENTICATED:

  
 Jennifer Kuhn  
 City Clerk/CMC

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

A handwritten signature in dark ink, appearing to read "Greg Rubstello", is written over a horizontal line. The signature is cursive and somewhat stylized.

Greg Rubstello, City Attorney

PASSED BY THE CITY COUNCIL: 01-08-2013

PUBLISHED: 01-14-2013

EFFECTIVE DATE: 1-22-2013

ORDINANCE NO. 553



STATE OF WASHINGTON

DEPARTMENT OF COMMERCE

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

January 14, 2013

David Kuhl  
Development Services Director  
City of Woodinville  
17301 - 133rd Avenue Northeast  
Woodinville, Washington 98072-8563

Dear Mr. Kuhl:

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 Ordinance No. 553, amending Chapter 21.08, to permit plays/theatrical productions as a permitted use in the industrial, general business, tourist business and public/institutional zones. These materials were received on January 10, 2013 and processed with the Material ID # 18838.**

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](mailto:reviewteam@commerce.wa.gov), or call Dave Andersen (509) 434-4491 or Paul Johnson (360) 725-3048.

Sincerely,

Review Team  
Growth Management Services