

**ORDINANCE NO. 565**

**AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, AMENDING WOODINVILLE MUNICIPAL CODE CHAPTER 21.08.050 TO ALLOW PRIVATE SCHOOLS - JUNIOR HIGH/SECONDARY IN THE INDUSTRIAL ZONE.**

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**WHEREAS**, the Woodinville City Council approved the 2013 Docket on February 5, 2013, which included a citizen request to allow private schools – Junior High/Secondary in the Industrial zone; 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 March 20, 2013; and at a public hearing on May 1, 2013; and

**WHEREAS**, the Woodinville Planning Commission recommends amendment of the Woodinville Municipal Code to allow Junior High/Secondary schools grades seven (7) through twelve (12), in the industrial zone; 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 May 14, 2013; and

**WHEREAS**, the Woodinville City Council has determined that the proposed amendments contained in Ordinance No. 565 are consistent with the City's Comprehensive Plan Goals and Policies and 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. Chapter 21.08.050(A), General Services Land Use – Educational Services, of the Woodinville Municipal Code** 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:

**21.08.050 General services land uses.**

A. GENERAL SERVICES LAND USES		Z	RESIDENTIAL				COMMERCIAL/INDUSTRIAL/PUBLIC						
			Low Density	Moderate Density	Medium Density	High Density	Neighborhood	Tourist Business	General Business	Central Business	Office	Industrial	Public Institutional
KEY P – Permitted Use C – Conditional Use S – Special Use													
NAICS#	SPECIFIC LAND USE	R1 – 4	R5 – 8	R9 – 18	R19+	NB	TB	GB	CBD	O	I	P/I	
	EDUCATION SERVICES:												
61111	Elementary or middle/junior high school	P16, 30 C30	P16, 30 C15, 30	P16, 30 C30	P16, 30 C30				C30	C30, 31	C38	P30	
61111	Secondary or high school	P16, 30 C30	P16, 30 C15, 30	P16, 30 C30	P16, 30 C30				P30		C38	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	
*	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		C29, 30		
611620	Sports and recreational instruction	P19	P19	P19	P19	P24 P34	C	P	P		C		
611699	Miscellaneous schools and instruction												

(38) Limited to junior high/secondary schools grades seven (7) through (12) 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) shall not be located in any spaces adjacent to the school; or the facility shall be located in a single occupancy.
- c. A safe pedestrian “pick up/drop off area that does not interfere with local traffic shall be provided.
- d. Schools shall be located 330 feet from any adult entertainment facility.
- e. A parking plan is required to assure enough available parking is on site
- f. The school will be a closed campus where students will remain on site during operation hours.
- g. Class size shall be limited to the occupancy load permitted by the certificate of occupancy.

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

PASSED by the City Council of the City of Woodinville this 14<sup>th</sup> day of May, 2013 on first reading. The requirement for a second reading having been suspended pursuant to City Council motion.

**ADOPTED BY THE CITY COUNCIL AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 14<sup>th</sup> DAY OF MAY, 2013.**



Bernard W. Talmas, Mayor

ATTEST/AUTHENTICATED:



Jennifer Kuhn  
City Clerk/CMC

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY



Greg Rubstello, City Attorney

PASSED BY THE CITY COUNCIL: 5-14-2013  
PUBLISHED: 5-20-2013  
EFFECTIVE DATE: 5-28-2013  
ORDINANCE NO. 565



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)

June 4, 2013

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 Ordinance No. 565, amending the Woodinville Municipal Code, Chapter 21.08.050 to allow private schools - junior high/secondary in the Industrial Zone. These materials were received on May 23, 2013 and processed with the Material ID # 19182.**

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