ORDINANCE NO 606

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, ESTABLISHING A PLANNED ACTION FOR THE CENTRAL BUSINESS DISTRICT PURSUANT TO THE STATE ENVIRONMENTAL POLICY ACT.

WHEREAS, the State Environmental Policy Act (SEPA) and its implementing regulations provide for the integration of environmental review with land use planning and project review through the designation of planned actions by jurisdictions planning under the Growth Management Act (GMA), such as the City of Woodinville ("City"); and

WHEREAS, Section 43.21C.440 of the Revised Code of Washington (RCW), Sections 197-11-164 through 172 of the Washington Administrative Code (WAC), and Section 17.13.030 of the Woodinville Municipal Code (WMC) allow for and govern the adoption and application of a planned action designation under SEPA; and

WHEREAS, the State Department of Commerce (DOC) has studied planned actions in various communities throughout the state and found that predefined mitigation as allowed under a planned action ordinance has resulted in increased certainty and predictability for development, time and cost savings for development project proponents and cities, and increased revenues for cities when used with other economic development tools; and

WHEREAS, the designation of a planned action expedites the permitting process for projects of which the impacts have been previously addressed in an environmental impact statement (EIS); and

WHEREAS, a subarea of the City commonly referred to as the "Central Business District", as depicted on the map attached hereto as Exhibit A and incorporated herein by this reference, has been identified as a planned action area for future development ("Planned Action Area"); and

WHEREAS, the City has developed and adopted a Comprehensive Plan update in December2015 and a subarea plan titled the Downtown Little Bear Creek Corridor Master Plan adopted March 2008 through Ordinance No. 459 complying with the GMA (RCW 36.70A) to guide the development of the Central Business District Planned Action Area; and

WHEREAS, after extensive public participation and coordination with all affected parties, the City, as lead SEPA agency, issued the Woodinville Comprehensive Plan and Municipal Code Update Final Environmental Impact Statement ("FEIS") dated June 1, 2015, which identifies the impacts and mitigation measures associated with planned development in the Planned Action Area as identified in the Comprehensive Plan; the FEIS includes by incorporation the Woodinville Comprehensive Plan and Municipal Code Update Draft Environmental Impact Statement issued on November 17, 2014 (collectively referred to herein as the "Planned Action EIS"); and

WHEREAS, the City desires to designate a planned action under SEPA for the Central Business District ("Planned Action"); and

WHEREAS, adopting a Planned Action for the Central Business District with appropriate standards and procedures will help achieve efficient permit processing and promote environmental quality protection; and

WHEREAS, the City has adopted development regulations and ordinances that will help protect the environment and will adopt regulations to guide the allocation, form, and quality of development in the Central Business District; and

WHEREAS, the City Council finds that adopting this Ordinance is in the public interest and will advance the public health, safety, and welfare;

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

Section I. *Purpose*. The purpose of this Ordinance is to:

A. Combine environmental analysis, land use plans, development regulations, and City codes and ordinances together with the mitigation measures in the Planned Action EIS to mitigate environmental impacts and process Planned Action development applications in the Planned Action Area;

B. Designate the Central Business District shown in Exhibit A as a Planned Action Area for purposes of environmental review and permitting of designated Planned Action Projects pursuant RCW 43.21C.440;

C. Determine that the Planned Action EIS meets the requirements of a planned action EIS pursuant to SEPA;

D. Establish criteria and procedures for the designation of certain projects within the Planned Action Area as "Planned Action Projects" consistent with RCW 43.21C.440;

E. Provide clear definition as to what constitutes a Planned Action Project within the Planned Action Area, the criteria for Planned Action Project approval, and how development project applications that qualify as Planned Action Projects will be processed by the City;

F. Streamline and expedite the land use permit review process by relying on the Planned Action EIS; and

G. Apply applicable regulations within the City's development regulations and the mitigation framework contained in this Ordinance for the processing of Planned Action Project applications and to incorporate the applicable mitigation measures into the underlying project permit conditions in order to address the impacts of future development contemplated by this Ordinance.

Section II. *Findings*. The City Council finds as follows:

A. The Recitals above are adopted herein as Findings of the City Council.

B. The City is subject to the requirements of the GMA.

C. The City has adopted a Comprehensive Plan complying with the GMA which incorporates text and policies specific to the Central Business District.

D. The City is adopting zoning and development regulations concurrent with the Comprehensive Plan to implement said Plan, including this Ordinance.

E. The Woodinville Comprehensive Plan and Municipal Code Update EIS adequately identifies and addresses the probable significant environmental impacts associated with the type and amount of development planned to occur in the designated Planned Action Area.

F. The mitigation measures identified in the Woodinville Comprehensive Plan and Municipal Code Update EIS, attached to this Ordinance as Exhibit B and incorporated herein by reference, together with adopted City development regulations, are adequate to mitigate significant adverse impacts from development within the Planned Action Area.

G. The Woodinville Comprehensive Plan and Municipal Code Update EIS identifies the location, type, and amount of development that is contemplated by the Planned Action.

H. Future projects that are implemented consistent with the Planned Action will protect the environment, benefit the public, and enhance economic development.

I. The City provided several opportunities for meaningful public involvement and review in the Woodinville Comprehensive Plan and Municipal Code Update EIS process, including a community meeting consistent with RCW 43.21C.440; has considered all comments received; and, as appropriate, has modified the proposal or mitigation measures in response to comments.

J. Essential public facilities as defined in RCW 36.70A.200 are excluded from the Planned Action as designated herein and are not eligible for review or permitting as Planned Action Projects unless they are accessory to or part of a project that otherwise qualifies as a Planned Action Project.

K. The designated Planned Action Area is located entirely within a UGA.

L. Implementation of the mitigation measures identified in the Planned Action EIS will provide for adequate public services and facilities to serve the proposed Planned Action Area.

Section III. *Procedures and Criteria for Evaluating and Determining Planned Action Projects within the Planned Action Area.*

A. Planned Action Area. This "Planned Action" designation shall apply to the area shown in Exhibit A of this Ordinance.

B. Environmental Document. A Planned Action Project determination for a site-specific project application within the Planned Action Area shall be based on the environmental analysis contained in the Woodinville Comprehensive Plan and Municipal Code Update EIS. The mitigation measures contained in Exhibit B of this Ordinance are based upon the findings of the Woodinville Comprehensive Plan and Municipal Code Update EIS and shall, along with adopted City regulations, provide the framework the City will use to apply appropriate conditions on qualifying Planned Action Projects within the Planned Action Area.

C. Planned Action Project Designated. Land uses and activities described in the Woodinville Comprehensive Plan and Municipal Code Update EIS, subject to the thresholds described in Subsection III.D of this Ordinance and the mitigation measures contained in Exhibit B of this Ordinance, are designated "Planned Action Projects" pursuant to RCW 43.21C.440. A development application for a site-specific project located within the Planned Action Area shall be designated a Planned Action Project if it meets the criteria set forth in Subsection III.D of this Ordinance and all other applicable laws, codes, development regulations, and standards of the City, including this Ordinance, are met.

D. Planned Action Qualifications. The following thresholds shall be used to determine if a site-specific development proposed within the Planned Action Area was contemplated as a Planned Action Project and has had its environmental impacts evaluated in the Planned Action EIS:

(1) Qualifying Land Uses.

(a) A primary land use can qualify as a Planned Action Project land use when:

i. it is within the Planned Action Area as shown in Exhibit A of this Ordinance;

ii. it is listed in development regulations applicable to the zoning classifications applied to properties within the Planned Action Area.

A Planned Action Project may be a single Planned Action land use or a combination of Planned Action land uses together in a mixed-use development. Planned Action land uses may include accessory uses.

(b) Public Services: The following public services, infrastructure, and utilities can also qualify as Planned Actions: onsite roads, utilities, parks, trails, and similar facilities developed consistent with the Planned Action EIS mitigation measures, City and special district design standards, critical area regulations, and the Woodinville Municipal Code.

(2) Development Thresholds:

(a) Land Use: The following thresholds of new land uses are contemplated by the Planned Action:

Feature	Alternative 2 – Comprehensive Plan with Mixed Use Land Changes
New Housing Units	1,887
New Employment (Jobs)	3,618

(b) Shifting development amounts between land uses in identified in Subsection III.D(2)(a) may be permitted when the total build-out is less than the aggregate amount of development reviewed in the Woodinville Comprehensive Plan and Municipal Code Update EIS; the traffic trips for the preferred alternative are not exceeded; and, the development impacts identified in the Woodinville Comprehensive Plan and Municipal Code Update EIS are mitigated consistent with Exhibit B of this Ordinance.

(c) Further environmental review may be required pursuant to WAC 197-11-172, if any individual Planned Action Project or combination of Planned Action Projects exceeds the development thresholds specified in this Ordinance and/or alter the assumptions and analysis in the Woodinville Comprehensive Plan and Municipal Code Update EIS.

(3) Transportation Thresholds:

(a) Trip Ranges & Thresholds. The number of new PM peak hour trips anticipated in the Planned Action Area and reviewed in the Planned Action EIS for 2035 is as follows:

PM PEAK HOUR TRIPS

Alternative 2 – Comprehensive Plan Update with Mixed Use Land Use Changes

	Net Increase in PM Peak Hour Trips
Alternative 2 - CBD	1,448

NOTE: THIS ESTIMATE REPRESENTS APPROXIMATELY 41.5 PERCENT OF TOTAL NET INCREASE IN TRIPS UNDER ALTERNATIVE 2 WITH ROUGHLY 40 PERCENT OF ALL JOBS AND 50 PERCENT OF ALL HOUSING FORECASTED TO OCCUR WITHIN THESE CBD ZONES COMPARED WITH THE REMAINDER OF THE CITY.

Source: TENW 2014

(b) Concurrency. All Planned Action Projects shall meet the transportation concurrency requirements and the Level of Service (LOS) thresholds established in the following sections of the Woodinville Municipal Code or their successor:

i. 21.28.060 Adequate roads.

ii. 21.28.070 Adequate roads – Road capacity level of service (LOS) standard.

iii. 21.28.080 Adequate roads – Applicability of capacity standard.

iv. 21.28.090 Adequate roads – General conditions.

v. 21.28.110 Exceptions.

vi. 21.28.120 Adequate vehicular access.

(c) Transportation Impact Mitigation. Transportation impact fees shall be paid consistent with Chapter 3.39 WMC. Transportation mitigation shall also be provided consistent with mitigation measures in Exhibit B, Attachment B-1 of this Ordinance attached hereto and incorporated by this reference.

(d) The responsible City official shall require documentation by Planned Action Project applicants demonstrating that the total trips identified in Subsection III.D(3)(a) are not exceeded, that the project meets the concurrency standards of Subsection III.D(3)(b), and that the project has mitigated impacts consistent with Subsection III.D (3)(c).

(e) Discretion.

i. The responsible City official shall have discretion to determine incremental and total trip generation, consistent with the Institute of Traffic Engineers (ITE) Trip Generation Manual (latest edition) or an alternative manual accepted by the City's Public Works Director at his or her sole discretion, for each project permit application proposed under this Planned Action.

ii. The responsible City official shall have discretion to condition Planned Action Project applications to meet the provisions of this Planned Action Ordinance and the Woodinville Municipal Code.

iii. The responsible City official shall have the discretion to adjust the allocation of responsibility for required improvements between individual Planned Action Projects based upon their identified impacts.

(4) Elements of the Environment and Degree of Impacts. A proposed project that would result in a significant change in the type or degree of adverse impacts to any element(s) of the environment analyzed in the Woodinville Comprehensive Plan and Municipal Code Update EIS would not qualify as a Planned Action Project.

(5) Changed Conditions. Should environmental conditions change significantly from those analyzed in the Planned Action EIS, the City's SEPA Responsible Official may determine that the Planned Action Project designation is no longer applicable until supplemental environmental review is conducted.

E. Planned Action Project Review Criteria.

(1) The City's SEPA Responsible Official, or authorized representative, may designate as a Planned Action Project, pursuant to RCW 43.21C.440, a project application that meets all of the following conditions:

(a) the project is located within the Planned Action Area identified in Exhibit A of this Ordinance;

(b) the proposed uses and activities are consistent with those described in the Woodinville Comprehensive Plan and Municipal Code Update EIS and Subsection III.D of this Ordinance;

(c) the project is within the Planned Action thresholds and other criteria of Subsection III.D of this Ordinance;

(d) the project is consistent with the Woodinville Comprehensive Plan including the regulations of the Central Business District integrated into the Woodinville Municipal Code;

(e) the project's significant adverse environmental impacts have been identified in the Woodinville Comprehensive Plan and Municipal Code Update EIS;

(f) the project's significant impacts have been mitigated by application of the measures identified in Exhibit B of this Ordinance and other applicable City regulations, together with any conditions, modifications, variances, or special permits that may be required;

(g) the project complies with all applicable local, state and/or federal laws and regulations and the SEPA Responsible Official determines that these constitute adequate mitigation; and

(h) the project is not an essential public facility as defined by RCW 36.70A.200, unless the essential public facility is accessory to or part of a development that is designated as a Planned Action Project under this Ordinance.

(2) The City shall base its decision to qualify a project as a Planned Action Project on review of the Subarea SEPA Checklist form included in Exhibit B to this Ordinance and review of the Planned Action Project submittal and supporting documentation, provided on City required forms.

F. Effect of Planned Action Designation.

(1) Designation as a Planned Action Project by the City's SEPA Responsible Official means that a qualifying project application has been reviewed in accordance with this Ordinance and found to be consistent with the development parameters and thresholds established herein and with the environmental analysis contained in the Planned Action EIS.

(2) Upon determination by the City's SEPA Responsible Official that the project application meets the criteria of Subsection III.D and qualifies as a Planned Action Project, the project shall not require a SEPA threshold determination, preparation of an EIS, or be subject to further review pursuant to SEPA. Planned Action Projects will still be subject to all other applicable City, state, and federal regulatory requirements. The Planned Action Project designation shall not excuse a project from meeting the City's code and ordinance requirements apart from the SEPA process.

G. Planned Action Project Permit Process. Applications submitted for qualification as a Planned Action Project shall be reviewed pursuant to the following process:

(1) Development applications shall meet all applicable requirements of the Woodinville Municipal Code and this Ordinance in place at the time of the Planned Action Project application. Planned Action Projects shall not vest to regulations required to protect public health and safety.

(2) Applications for Planned Action Projects shall:

(a) be made on forms provided by the City;

(b) include the Subarea SEPA checklist included in Exhibit B of this Ordinance; and

(c) meet all applicable requirements of the Woodinville Municipal Code and this Ordinance.

(3) The City's SEPA Responsible Official shall determine whether the application is complete and shall review the application to determine if it is consistent with and meets all of the criteria for qualification as a Planned Action Project as set forth in this Ordinance.

(4) (a) If the City's SEPA Responsible Official determines that a proposed project qualifies as a Planned Action Project, he/she shall issue a "Determination of Consistency" and shall mail or otherwise verifiably deliver said Determination to the applicant; the owner of the property as listed on the application; and federally recognized tribal governments and agencies with jurisdiction over the Planned Action Project, pursuant to RCW 43.21C.440.

(b) Upon issuance of the Determination of Consistency, the review of the underlying project permit(s) shall proceed in accordance with the applicable permit review procedures specified in Title 21 WMC, except that no SEPA threshold determination, EIS, or additional SEPA review shall be required.

(c) The Determination of Consistency shall remain valid and in effect as long as the underlying project application approval is also in effect.

(d) Public notice and review for qualified Planned Action Projects shall be tied to the underlying project permit(s). If notice is otherwise required for the underlying permit(s), the notice shall state that the project qualifies as a Planned Action Project. If notice is not otherwise required for the underlying project permit(s), no special notice is required by this Ordinance.

(6) (a) If the City's SEPA Responsible Official determines that a proposed project does not qualify as a Planned Action Project, he/she shall issue a "Determination of Inconsistency" and shall mail or otherwise verifiably deliver said Determination to the applicant; the owner of the property as listed on the application; and federally recognized tribal governments and agencies with jurisdiction over the Planned Action Project, pursuant to Chapter 1, Laws of 2012 (Engrossed Substitute Senate Bill (ESSB) 6406).

(b) The Determination of Inconsistency shall describe the elements of the Planned Action Project application that result in failure to qualify as a Planned Action Project.

(c) Upon issuance of the Determination of Inconsistency, the City's SEPA Responsible Official shall prescribe a SEPA review procedure for the non-qualifying project that is consistent with the City's SEPA regulations and the requirements of state law.

(d) A project that fails to qualify as a Planned Action Project may incorporate or otherwise use relevant elements of the Planned Action EIS, as well as other relevant SEPA documents, to meet the non-qualifying project's SEPA requirements. The City's SEPA Responsible Official may limit the scope of SEPA review for the non-qualifying project to those issues and environmental impacts not previously addressed in the Planned Action EIS.

(7) To provide additional certainty about applicable requirements, the City or applicant may request consideration and execution of a development agreement for a Planned Action Project, consistent with RCW 36.70B.170 et seq. and WMC Chapter 21.37, Development Agreement Procedure and Criteria.

(8) A Determination of Consistency or Inconsistency is a Type II land use decision and may be appealed pursuant to the procedures established in Title 17 WMC. An appeal of a Determination of Consistency shall be consolidation with any pre-decision or appeal hearing on the underlying project application.

Section IV. *Monitoring and Review*.

A. The City should monitor the progress of development in the designated Planned Action area as deemed appropriate to ensure that it is consistent with the assumptions of this Ordinance and the Woodinville Comprehensive Plan and Municipal Code Update EIS regarding the type and amount of development and associated impacts and with the mitigation measures and improvements planned for the Planned Action Area.

B. This Planned Action Ordinance shall be reviewed by the SEPA Responsible Official no later than five (5) years from its effective date in conjunction with the City's regular Comprehensive Plan review cycle, as applicable. The timing of subsequent reviews after the first review shall be determined with the completion of the first review. The review shall determine the continuing relevance of the Planned Action assumptions and findings with respect to environmental conditions in the Planned Action Area, the impacts of development, and required mitigation measures (Exhibit B) and Public Agency Actions and Commitments (Exhibit C). Based upon this review, the City may propose amendments to this Ordinance or may supplement or revise the Woodinville Comprehensive Plan and Municipal Code Update EIS.

Section V. *Conflict*. In the event of a conflict between this Ordinance or any mitigation measures imposed thereto, and any ordinance or regulation of the City, the provisions of this Ordinance shall control.

Section VI. *Severability*. If any section, sentence, clause or phrase of this ordinance shall be held to be 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 VII. *Effective Date and Summary Publication.* This ordinance shall become effective five days after passage and publication. The City Clerk is directed to publish a summary of this ordinance at the earliest possible publication date by publication of the ordinance title.

ADOPTED BY THE CITY COUNCIL AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 15th DAY OF DECEMBER 2015.

Bernard W. Talmas, Mayor

ATTEST/AUTHENTICATED:

Jennifer L. Kuhn, CMC
City Clerk

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

Greg A. Rubstello
City Attorney

PASSED BY THE CITY COUNCIL: 12-15-2015
PUBLISHED: 12-21-2015
EFFECTIVE DATE: 12-28-2015
ORDINANCE NO. 606

EXHIBIT A WOODINVILLE CENTRAL BUSINESS DISTRICT PLANNED ACTION AREA

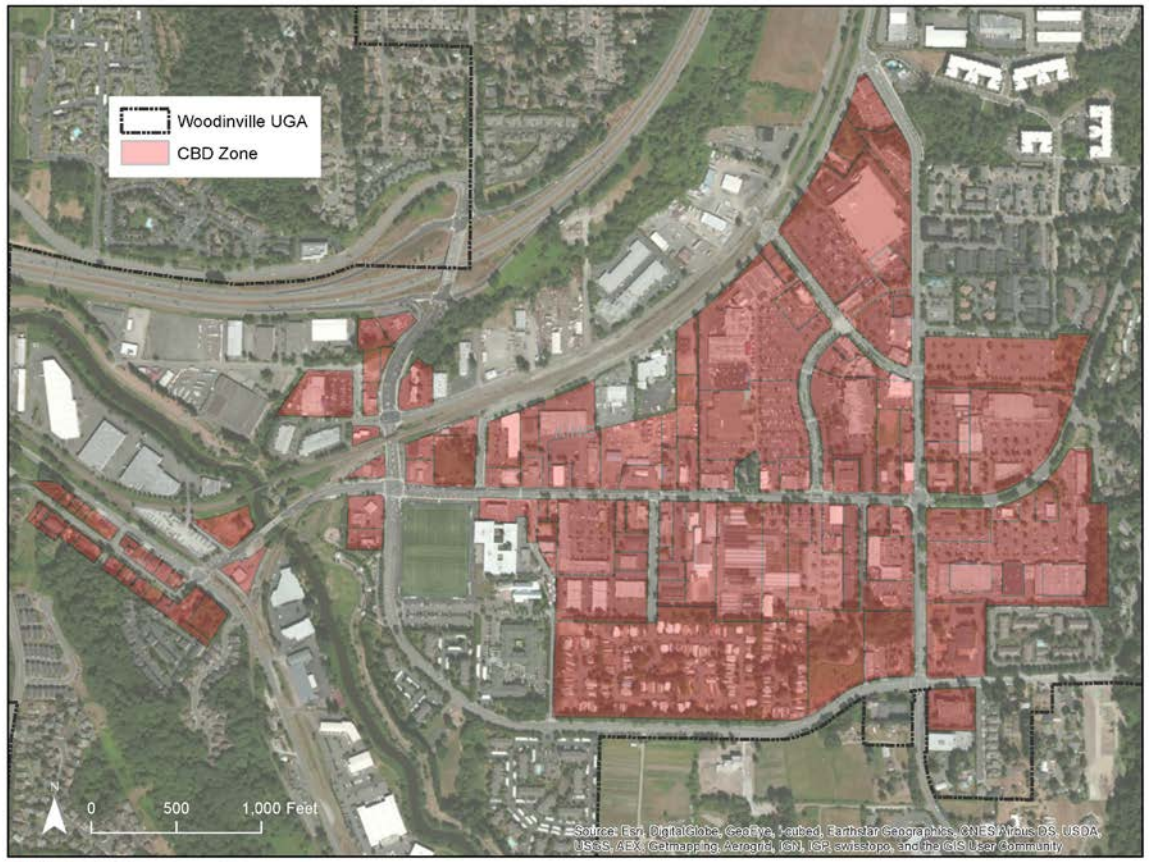

Exhibit B
Woodinville Central Business District SEPA Checklist and Mitigation Document

INTRODUCTION

The State Environmental Policy Act (SEPA) requires environmental review for project and non-project proposals that are likely to have adverse impacts upon the environment. In order to meet SEPA requirements, the City of Woodinville issued Woodinville Comprehensive Plan and Municipal Code Update EIS, as defined in this Woodinville Central Business District Planned Action Ordinance ("Ordinance") in which this Exhibit is attached. The Woodinville Comprehensive Plan and Municipal Code Update EIS has identified significant beneficial and adverse impacts that are anticipated to occur with the future development of the Planned Action Area, together with a number of possible measures to mitigate those significant adverse impacts.

The City of Woodinville has established a Planned Action designation for the Central Business District based on the Woodinville Comprehensive Plan and Municipal Code Update EIS (see **Exhibit A**). SEPA Rules indicate review of a Planned Action Project is intended to be simpler and more focused than for other projects (WAC 197-11-172). This **Exhibit B** provides a modified checklist form for Planned Action Project applicants to complete, as provided pursuant to RCW 43.21C.440.

MITIGATION DOCUMENT

A Mitigation Document is provided in **Attachment B-1** to this Exhibit B, and is also summarized in the environmental checklist. **Attachment B-1** establishes specific mitigation measures, based upon significant adverse impacts identified in the Planned Action EIS. These mitigation measures shall apply to future development proposals which are found consistent with the Planned Action thresholds in Subsection III.D of this Ordinance, and which are located within the Planned Action Area (see **Exhibit A**).

APPLICABLE PLANS AND REGULATIONS

The Planned Action EIS identifies specific regulations that act as mitigation measures. These are summarized by EIS topic in **Attachment B-2** to this Exhibit B and are advisory to applicants. All applicable federal, state, and local regulations shall apply to Planned Action Projects. Planned Action Project applicants shall comply with all adopted regulations where applicable, including those listed in the Planned Action EIS and those not included in the Planned Action EIS.

INSTRUCTIONS TO APPLICANTS

This environmental checklist below asks you to describe some basic information about your proposal. The City will use this checklist to determine whether the project is consistent with the analysis in the Woodinville Comprehensive Plan and Municipal Code Update EIS and qualifies as a Planned Action Project, or would otherwise require additional environmental review under SEPA. Answer the questions briefly, with the most precise information known, or give the best description you can. You must answer each question accurately and carefully, to the best of your knowledge. The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The City may ask you to explain your answers or provide additional information.

A. PROPOSAL DESCRIPTION

Date:			
Applicant:	Name/Company:	Phone #:	Cell #:
	Mailing Address:	Email Address:	
Property Owner:	Name/Company:	Phone #:	Cell #:
	Mailing Address:	Email Address:	
Property Address	Street:	City, State, Zip Code:	
Parcel Information	Assessor Parcel Number:	Property Size in Acres:	
Give a brief, complete description of your proposal.			

Property Zoning	District Name:		Building Type:
Permits Requested (list all that apply)	☐ Land Use: _____ ☐ Building: _____		☐ Engineering: _____ ☐ Other: _____
	All Applications Deemed Complete? Yes __ No __ Explain:		
	Are there pending governmental approvals of other proposals directly affecting the property covered by your proposal? Yes __ No __ Explain:		
Existing Land Use	Describe Existing Uses on the Site:		
Proposed Land Use – Check and Circle All That Apply	☐ Multi-family dwelling units ☐ Commercial ☐ Retail		☐ Open Space, Parks, Plazas, Trails, Gathering Spaces ☐ Other: _____ ☐ Other: _____
Dwellings	# Existing Dwelling Units: #____ Dwelling Type _____ #____ Dwelling Type _____	# Proposed Dwelling Units: #____ Type _____ #____ Type _____	Proposed Density (du/ac):
	Dwelling Threshold Total in Ordinance: New Housing Units 1,887		Dwelling Bank Remainder as of _____20__ _____dwellings
Non-residential Uses: Building Square Feet	Existing Square Feet:		Proposed Square Feet:
	New Employment (Jobs) 3,618 Type of Employment: ☐ Retail Square Feet _____SF _____Jobs ☐ Commercial Office _____SF _____Jobs ☐ Other (describe): _____ SF _____Jobs		Jobs Remainder as of _____20__ _____jobs
Building Height	Existing Stories: Existing Height in feet:		Proposed Stories: Proposed Height in feet:
Parking Spaces	Existing:		Proposed:
PM Peak Hour Weekday Vehicle Trips	Existing Estimated Trips Total:	Future Estimated Trips Total:	Net New Trips:
	Maximum net new primary PM peak hour trips in Ordinance: 1,448		Trip Bank Remainder as of _____20__ _____dwellings
	Source of Trip Rate: ITE Manual ___ Other ____		Transportation Impacts Determined Consistent with Ordinance Subsection III.D(3): Yes ____ No ____

Proposed timing or schedule (including phasing).	
Describe plans for future additions, expansion, or further activity related to this proposal.	
List any available or pending environmental information directly related to this proposal.	

B. ENVIRONMENTAL CHECKLIST AND MITIGATION MEASURES

Earth Checklist and Mitigation Measures	
1. Description of Conditions A. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____ B. What is the steepest slope on the site (approximate percent slope)? _____ C. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? _____ _____	**STAFF COMMENTS:**
2. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling ~~or~~, excavation, and grading proposed. Indicate source of fill.	
3. Has any part of the site been classified as a "geologically hazardous" area? (Check all that apply) ☐ Landslide Hazards ☐ Erosion Hazards ☐ Seismic Hazards ☐ Liquefaction Hazards ☐ Other: _____ Describe:	

4. Are there surface indications or history of problem soils in the immediate vicinity? If so, describe.	
5. Proposed Measures to control impacts to earth, soils, and geologic hazardous areas: THE APPLICATION INCLUDES MITIGATION MEASURES AS REQUIRED IN ATTACHMENT B-1 MITIGATION REQUIRED FOR DEVELOPMENT APPLICATIONS, AND ATTACHMENT B-2 APPLICABLE REGULATIONS AND COMMITMENTS, INCLUDING ALL RELEVANT CITY PLANS AND CODES IN EFFECT AT THE TIME OF APPLICATION (CHECK ALL THAT APPLY): ☐ Site Specific Study ☐ Ground improvement and foundation support requirements ☐ Temporary Erosion and Sedimentation Control (TESC) measures and Best Management Practices to control erosion as required under the NPDES construction permit ☐ Other: _____	

Surface Water and Groundwater Resources Checklist	
6. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type of surface water body, including their name(s), stream classification, and whether there is a 100-year floodplain. If appropriate, state what stream or river the surface water body flows into.	**STAFF COMMENTS:**
7. Will the proposal require or result in (check all that apply and describe below): ☐ any work over, in, or adjacent to (within 200 feet) the described waters? ☐ fill and dredge material that would be placed in or removed from surface water or wetlands? ☐ surface water withdrawals or diversions? ☐ discharges of waste materials to surface waters? ☐ groundwater withdrawal or discharge? ☐ waste materials entering ground or surface waters? ☐ alterations of effects upon drainage patterns in the vicinity of the site? Describe:	
8. Describe the source of runoff (including storm water) and method of collection, treatment, and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.	

9. Is the area designated a critical aquifer recharge area? If so, please describe:	
10. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?	
11. What measures are proposed to reduce or control water resources/stormwater impacts? THE APPLICATION INCLUDES MITIGATION MEASURES AS REQUIRED IN ATTACHMENT B-1 MITIGATION REQUIRED FOR DEVELOPMENT APPLICATIONS, AND ATTACHMENT B-2 APPLICABLE REGULATIONS AND COMMITMENTS, INCLUDING ALL RELEVANT CITY PLANS AND CODES IN EFFECT AT THE TIME OF APPLICATION (CHECK ALL THAT APPLY): ☐ Low Impact Development (LID) techniques ☐ Stormwater Manual ☐ WMC 21.28.050 Surface water management ☐ Construction refueling containment measures ☐ Best Management Practices (BMP) Plan ☐ Tree retention and clearing and grading controls consistent with WMC ☐ Native species landscaping Other: _____	

Plants and Animals Checklist and Mitigation Measures

Plants and Habitat Checklist	STAFF COMMENTS:
12. Check or circle types of vegetation found on the site: ☐ Deciduous tree: Alder, maple, aspen, other _____ ☐ Evergreen tree: Fir, cedar, pine, other ☐ Shrubs ☐ Grass ☐ Pasture ☐ Crop or grain ☐ Orchards, vineyards or other permanent crops ☐ Wet soil plants: Cattail, buttercup, bullrush, skunk cabbage, other ☐ Water plants: Water lily, eelgrass, milfoil, other _____ ☐ Other types of vegetation: _____	

13. Are there wetlands on the property? Please describe their acreage and classification.	
14. Is there riparian habitat on the property?	
15. List all noxious weeds and invasive species known to be on or near the site.	
16. What kind and amount of vegetation will be removed or altered?	
17. List threatened and endangered species known to be on or near the site.	
18. Is the proposal consistent with critical area regulations? Please describe.	
19. Proposed landscaping, use of native plants, buffers, or other measures to preserve or enhance vegetation on the site: THE APPLICATION INCLUDES MITIGATION MEASURES AS REQUIRED IN ATTACHMENT B-1 MITIGATION REQUIRED FOR DEVELOPMENT APPLICATIONS, AND ATTACHMENT B-2 APPLICABLE REGULATIONS AND COMMITMENTS, INCLUDING ALL RELEVANT CITY PLANS AND CODES IN EFFECT AT THE TIME OF APPLICATION (CHECK ALL THAT APPLY): ☐ Water quality ☐ LID stormwater practices ☐ Critical area protection/avoidance ☐ Buffers consistent with regulations and placed in native growth protection area/easement ☐ Tree retention and clearing and grading controls consistent with WMC ☐ Native landscaping ☐ A long-term stewardship program for natural open spaces and critical areas ☐ Other: _____ Describe:	**STAFF COMMENTS:**
Fish and Wildlife	
20. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include: ☐ Birds: Hawk, heron, eagle, songbirds, other: _____ ☐ Mammals: Deer, bear, elk, beaver, other: _____	

☐ Fish: Bass, salmon, trout, herring, shellfish, other: _____	
21. List any threatened and endangered species known to be on or near the site.	
22. List any invasive animal species known to be on or near the site.	
23. Is the proposal consistent with standard critical area buffers? Please describe.	
24. Proposed measures to preserve or enhance fish and wildlife, if any: THE APPLICATION INCLUDES MITIGATION MEASURES AS REQUIRED IN ATTACHMENT B-1 MITIGATION REQUIRED FOR DEVELOPMENT APPLICATIONS, AND ATTACHMENT B-2 APPLICABLE REGULATIONS AND COMMITMENTS, INCLUDING ALL RELEVANT CITY PLANS AND CODES IN EFFECT AT THE TIME OF APPLICATION (CHECK ALL THAT APPLY): ☐ Native landscaping retained and added ☐ Wildlife crossing ☐ Critical area protection/avoidance ☐ Other: _____ Describe:	

Land Use and Aesthetics Checklist	
25. What is the current use of the site and adjacent properties? (Add more explanation as needed beyond description in Part A.)	**STAFF COMMENTS:**
26. Describe any structures on the site. Will any structures be demolished? If so, what type, dwelling units, square feet?	
27. What is the current comprehensive plan designation of the site?	
28. What is the current zoning classification of the site?	

29. If applicable, what is the current shoreline master program designation of the site?
30. What is the planned use of the site? List type of use, number of dwelling units and building square feet.
31. What is the tallest height of any proposed structure(s)?
32. What are potential sources of light and glare?
33. Does the proposal have the potential to affect solar access or cause undue shading?
34. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any. THE APPLICATION INCLUDES MITIGATION MEASURES AS REQUIRED IN ATTACHMENT B-1 MITIGATION REQUIRED FOR DEVELOPMENT APPLICATIONS, AND ATTACHMENT B-2 APPLICABLE REGULATIONS AND COMMITMENTS, INCLUDING ALL RELEVANT CITY PLANS AND CODES IN EFFECT AT THE TIME OF APPLICATION (CHECK ALL THAT APPLY): ☐ Consistency with Comprehensive Plan and applicable subarea plans as described below ☐ Consistency with Shoreline Master Program as described below ☐ Consistency with applicable zoning standards and design guidelines ☐ Other: _____ Describe these measures and how they are incorporated into the development:

Transportation Checklist	
35. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.	**STAFF COMMENTS:** Verify that: ☐ The Planned Action Project applicant has submitted documentation of the trips, required improvements, impact fees and other mitigation in comparison to the Planned Action EIS and the Planned Action Ordinance. ☐ The City has verified incremental and total trip generation.
36. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?	
37. How many parking spaces would the completed project have? How many would the project eliminate?	
38. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).	
39. How many PM peak hour vehicular trips per day would be generated by the completed project? Attach appropriate documentation.	
40. Proposed measures to reduce or control transportation impacts, if any: THE APPLICATION INCLUDES MITIGATION MEASURES AS REQUIRED IN ATTACHMENT B-1 MITIGATION REQUIRED FOR DEVELOPMENT APPLICATIONS, AND ATTACHMENT B-2 APPLICABLE REGULATIONS AND COMMITMENTS, INCLUDING ALL RELEVANT CITY PLANS AND CODES IN EFFECT AT THE TIME OF APPLICATION (CHECK ALL THAT APPLY): ☐ Trips in Ordinance Subsection III.D(3)(a) are not exceeded, the project meets the Concurrency and Intersection Standards of Subsection III.D(3)(b), and that the project has mitigated impacts consistent with Subsection III.D (3)(c). ☐ Installation of required improvements necessitated by development or that are part of Planned Action. ☐ Fair share contribution to improvements at City concurrency intersections and roads. ☐ Other measures to reduce or control transportation impacts: _____ Describe:	

Public Services and Utilities Checklist	
41. Police Protection: Would the project increase demand for police services? Can City levels of service be met?	**STAFF COMMENTS:**
42. Fire and Emergency Services: Would the project increase demand for fire and/or emergency services? Can levels of services be met?	
43. Schools: Would the project result in an increase in demand for school services? Can levels of services be met? Is an impact fee required?	
44. Parks and Recreation: Would the project require an increase in demand for parks and recreation? Can levels of services be met? Are parks and trails provided consistent with the City's Parks, Recreation, and Open Space Plan? Is an impact fee required?	
45. Water Supply: Would the project result in an increased need for water supply or fire flow pressure? Can levels of service be met?	
46. Wastewater: Would the project result in an increased need for wastewater services? Can levels of service be met?	
47. Other Public Services and Utilities: Would the project require an increase in demand for other services and utilities? Can levels of services be met?	
48. Proposed measures to reduce or control direct impacts on public services. THE APPLICATION INCLUDES MITIGATION MEASURES AS REQUIRED IN ATTACHMENT B-1 MITIGATION REQUIRED FOR DEVELOPMENT APPLICATIONS, AND ATTACHMENT B-2 APPLICABLE REGULATIONS AND COMMITMENTS, INCLUDING ALL RELEVANT CITY PLANS AND CODES IN EFFECT AT THE TIME OF APPLICATION (CHECK ALL THAT APPLY): ☐ Police Services: Adequate levels of service available to serve development (verified by levels of service studied in the Planned Action EIS and City Police Department operations and capital plans). ☐ Fire Services: Mitigation agreement between the developer and Woodinville Fire & Rescue. ☐ Parks and Recreation: Park space and trails are provided to be consistent with both the LOS standards of the Parks and Recreation Element of the Comprehensive Plan and with the requirements of WMC 21.14.200 On-site recreation et seq. and this Planned Action Ordinance. ☐ Water and Wastewater: Adequate service at the time of development per WMC 21.28.030 Adequate sewage disposal and WMC 21.28.040 Adequate water supply.	

☐ Other Measures to reduce or control public services and utilities impacts:_____ Describe:	

ADDITIONAL ENVIRONMENTAL TOPICS

Air Quality Checklist and Mitigation Measures	
49. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? Please describe and give quantities if known.	**STAFF COMMENTS:**
50. What measures are proposed to reduce or control air emissions? THE APPLICATION INCLUDES MITIGATION MEASURES AS REQUIRED IN ATTACHMENT B-1 MITIGATION REQUIRED FOR DEVELOPMENT APPLICATIONS, AND ATTACHMENT B-2 APPLICABLE REGULATIONS AND COMMITMENTS, INCLUDING ALL RELEVANT CITY PLANS AND CODES IN EFFECT AT THE TIME OF APPLICATION (CHECK ALL THAT APPLY): ☐ Air Quality Control Plans ☐ Puget Sound Clean Air Agency Approval ☐ Non-motorized or transit improvements or access to such improvements within a quarter mile ☐ Mixed use development or other transit-oriented development that reduces standard number of trips ☐ Compliance with energy codes ☐ Use of energy conservation measures not otherwise required ☐ Other: _____	

Environmental Health Checklist and Mitigation Measures	
51. Describe any known or possible contamination at the site from present or past uses..	**STAFF COMMENTS:**
52. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.	
53. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.	
54. Describe special emergency services that might be required.	
55. Proposed measures to reduce or control environmental health hazards, if any:	

THE APPLICATION INCLUDES MITIGATION MEASURES AS REQUIRED IN ATTACHMENT B-1 MITIGATION REQUIRED FOR DEVELOPMENT APPLICATIONS, AND ATTACHMENT B-2 APPLICABLE REGULATIONS AND COMMITMENTS, INCLUDING ALL RELEVANT CITY PLANS AND CODES IN EFFECT AT THE TIME OF APPLICATION (CHECK ALL THAT APPLY): ☐ WMC Chapter 15.15 Fire Code ☐ WMC Chapter 13.04 Illicit Discharge and/or Dumping Detection and Elimination ☐ Model Toxics Control Act Chapter 70.105D RCW ☐ Uniform Environmental Covenants Act Chapter 64.70 RCW ☐ MTCA Cleanup Regulation Chapter 173-340 WAC ☐ Other: _____	
Historic and Cultural Preservation	
56. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.	**STAFF COMMENTS:**
57. Are there any landmarks, features, or other evidence of Indian or historic use or occupation. This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.	
58. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.	
59. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. THE APPLICATION INCLUDES MITIGATION MEASURES AS REQUIRED IN ATTACHMENT B-1 MITIGATION REQUIRED FOR DEVELOPMENT APPLICATIONS, AND ATTACHMENT B-2 APPLICABLE REGULATIONS AND COMMITMENTS, INCLUDING ALL RELEVANT CITY PLANS AND CODES IN EFFECT AT THE TIME OF APPLICATION (CHECK ALL THAT APPLY): ☐ Condition to stop construction if remains of historic or archeological significance are found. ☐ Consultation with the Washington State Department of Archaeology and Historic Preservation. ☐ Where project is proposed on or immediately surrounding a site containing an archaeological resource a study is conducted by a qualified professional archaeologist Describe:	

C. APPLICANT SIGNATURE

I DECLARE UNDER PENALTY OF THE PERJURY LAWS THAT THE INFORMATION I HAVE PROVIDED ON THIS FORM/APPLICATION IS TRUE CORRECT AND COMPLETE. I UNDERSTAND THAT THE LEAD AGENCY IS RELYING ON THEM TO MAKE ITS DECISION.

Signature:	
Date:	

D. REVIEW CRITERIA

Review Criteria

The City's SEPA Responsible Official may designate Planned Action Projects consistent with Subsection III.E of this Ordinance, if all of the following criteria are met.

Criteria	Describe how your application and proposed development meets the criteria.
(a) The proposal is located within the Planned Action area identified in Exhibit A.	
(b) The proposed uses and densities are consistent with those described in the Planned Action EIS and Subsection III.D of this Ordinance.	
(c) The proposal is within the Planned Action thresholds and other criteria of Subsection III.D of this Ordinance.	
(d) The proposal is consistent with the Woodinville Comprehensive Plan.	
(e) The proposal's significant adverse environmental impacts were identified in the Planned Action EIS.	

Criteria	Describe how your application and proposed development meets the criteria.
(f) The proposal's significant adverse impacts have been mitigated by the application of the measures identified in this Exhibit B, Subsection III.D of this Ordinance, and other applicable city regulations, together with any modifications or variances or special permits that may be required.	
(g) The proposal complies with all applicable local, state, and/or federal laws and regulations and the SEPA Responsible Official determines that these constitute adequate mitigation.	
(h) The proposal is not an essential public facility as defined by RCW 36.70A.200(1) unless an essential public facility is accessory to or part of a development that is designated a Planned Action Project under Subsection III.E of this Ordinance.	

Determination Criteria

Applications for Planned Actions Projects shall be reviewed pursuant to the process in Subsection III.G of this Ordinance.

Requirement	Staff Comments
Applications for Planned Action Projects shall be made on forms provided by the City and shall include the Subarea SEPA checklist included in this Exhibit B.	
The application has been deemed complete in accordance with WMC Title 17 Land Development.	
The application is for a project within the Planned Action Area defined in Exhibit A of this Ordinance.	
The proposed use(s) are listed in Subsection III.D of this Ordinance and qualify as a Planned Action.	

E. SEPA RESPONSIBLE OFFICIAL DETERMINATION

A. Determination of Consistency - Qualifies as a Planned Action Project: The application is consistent with the criteria set forth in this Woodinville CBD Planned Action Ordinance and has been determined to qualify as a Planned Action Project.

The project and underlying permit(s) review shall proceed in accordance with the applicable permit review procedures specified within WMC Title 17 Land Development, except that no SEPA threshold determination, EIS, or additional SEPA review shall be required.

Notice of the Planned Action Determination of Consistency shall be made according to the notice requirements of the underlying project permit(s) pursuant to WMC Title 17 Land Development. If notice is not otherwise required for the underlying project permit(s), no special notice is required.

SEPA Responsible Official Signature:	
Date:	

B. Determination of Inconsistency - Does not Qualify as Planned Action Project: The application is not consistent with the criteria set forth in this Woodinville CBD Planned Action Ordinance and has been determined to not qualify as a Planned Action Project for the following reasons:

_____

_____

_____

Projects that fail to qualify as Planned Action Projects may incorporate or otherwise use relevant elements of the Planned Action EIS, as well as other relevant SEPA documents, to meet their SEPA requirements. The SEPA Responsible Official may limit the scope of SEPA review for the non-qualifying project to those issues and environmental impacts not previously addressed in the Planned Action EIS.

SEPA Process Prescribed: _____

SEPA Responsible Official Signature:	
Date:	

ATTACHMENT B-1

Mitigation Required for Development Applications

INTRODUCTION

The Planned Action EIS has identified significant beneficial and adverse impacts that are anticipated to occur with the future development of the Planned Action Area, together with a number of possible measures to mitigate those significant adverse impacts. Please see Final EIS Chapter 1 Summary for a description of impacts, mitigation measures, and significant unavoidable adverse impacts.

A Mitigation Document is provided in this **Attachment B-1** to establish specific mitigation measures based upon significant adverse impacts identified in the Planned Action EIS. The mitigation measures in this **Attachment B-1** shall apply to Planned Action Project applications that are consistent with the Preferred Alternative range reviewed in the Planned Action EIS and which are located within the Planned Action Area (see **Exhibit A**).

Where a mitigation measure includes the words "shall" or "will," inclusion of that measure in Planned Action Project application plans is mandatory in order to qualify as a Planned Action Project. Where "should" or "would" appear, the mitigation measure may be considered by the project applicant as a source of additional mitigation, as feasible or necessary, to ensure that a project qualifies as a Planned Action Project. Unless stated specifically otherwise, the mitigation measures that require preparation of plans, conduct of studies, construction of improvements, conduct of maintenance activities, etc., are the responsibility of the applicant or designee to fund and/or perform.

Any and all references to decisions to be made or actions to be taken by the City's SEPA Responsible Official may also be performed by the City's SEPA Responsible Official's authorized designee.

MITIGATION MEASURES

Water Resources

1. Use of the Washington State Department of Ecology 2012 Stormwater Management Manual for Western Washington, as Amended in December 2014 or its equivalent is required.

Plants and Animals

2. Where critical areas are present per Woodinville Municipal Code Chapter 21.24, landscaping associated with new development, as well as new or redeveloped park spaces, shall incorporate native planting and other special habitat features, such as snags and logs, to improve habitat functions and values, based on the recommendations of a critical area review per WMC 21.24.110. The City may provide sources of technical assistance from county, state, or federal agencies with expertise.

Aesthetics

3. For all non-residential, multifamily, and mixed-use buildings over 35 feet in height and/or containing 25,000 square feet of gross floor area in the CBD, the developer shall prepare an axonometric or other three dimensional drawing or model illustrating the massing of the proposed project and the surrounding area (within 500 feet of the site), to examine how the proposed development fits within the existing and planned context of surrounding development and complies with the City's design standards per the Woodinville Municipal Code. The illustration or model shall depict the exterior massing of the shell of the building and not detailed engineering models of the structure or interior.

Transportation

4. Draft EIS Alternative 2 transportation improvements shall be implemented in accordance with the Comprehensive Plan Draft EIS mitigation measures, Transportation Master Plan, and the Woodinville Municipal Code. See Section B-2 and C.

Public Services and Utilities

5. The City shall require new development to design street layouts and recreation areas that promote visibility for residents and police. Street and sidewalk lighting and safety measures for vehicles, cyclists, and pedestrians shall be implemented per the Woodinville Municipal Code and to meet crime prevention through environmental design (CPTED) principles.

Other: Cultural Resources

6. Should construction activities unearth any remains of historic or archeological significance, construction activities shall stop and the appropriate tribal, state and local agencies shall be notified.

7. For future projects that involve significant excavation in the study area the City must enter into consultation with DAHP to determine the likelihood of and recommendations to address potential archaeological resources. It may be necessary to complete archaeological testing prior to significant excavation in the study area, such as digging for footings or utilities. In the portions of the study area near existing waterways, which may be high probability areas for cultural resources, it may be necessary to complete archaeological testing for projects that involve changes to vegetation and landforms. Such changes could include, but are not limited to, any ground disturbance required to plant new vegetation, the removal of existing vegetation, and landform grading. Archaeological project monitoring may be recommended for subsurface excavation and construction in these high probability areas.

8. In the event that a future development project in the study area is proposed on or immediately surrounding a site containing an archaeological resource, the potential impacts on the archaeological resource must be considered and, if needed, a study conducted by a qualified professional archaeologist to determine whether the proposed development project would materially impact the archaeological resource and what mitigation measures may be appropriate to avoid or minimize impacts.

9. The City shall require the development prepare an archaeological unanticipated discovery plan where development is proposed in the portions of the study area near existing waterways, which may be high probability areas for cultural resources.

ATTACHMENT B-2

Advisory Notes to Applicants: Applicable Regulations and Commitments

The Planned Action EIS identifies specific regulations that act as mitigation measures. These are summarized in **Table B-2.1** by EIS topic. All applicable federal, state, and local regulations shall apply to Planned Action Projects. Planned Action Project applicants shall comply with all adopted regulations where applicable including those listed in the Planned Action EIS and those not included in the Planned Action EIS. Applicants shall consult with Development Services and Public Works on required inspections and monitoring.

Table B-2.1. Applicable Regulations and Commitments

Topic	Regulation/Commitment
Earth	Critical Areas Regulations: o City of Woodinville. Within city boundaries, applicable regulations include Woodinville Municipal Code Chapter 21.24, Development Standards – Critical Areas. A standard 50-foot-wide vegetated buffer applies to all Erosion or Landslide Hazard Areas. Alterations to Erosion or Landslide Hazard Areas require a geotechnical report to evaluate effects on nearby development and critical areas. The timing of alterations is limited to the dry season (May 1st to October 1st). Seismic Hazard Areas may not adversely affect nearby development of critical areas. o King County. For the joint City-King County study area and the PAA, applicable regulations include King County Zoning Code 21A.24, Critical Areas. King County applies a minimum 50-foot-wide buffer from Landslide Hazard Areas and Steep Slope Hazard Areas without a critical areas report. King County has specific standards for the timing and limits to the area of clearing at one time in Erosion Hazard Areas. Appropriate engineering designs must be used in Seismic Hazard Areas. o Snohomish County. In the northern UGA in Snohomish County, applicable regulations include Snohomish County Code Chapter 30.62, Critical Area Regulations. Development in Erosion Hazard Areas requires implementation of Best Management Practices (BMPs). Buffers for Landslide Hazard Areas depend on the slope and height of the Landslide Hazard Area and the location of the proposed development relative to the hazard area (top or bottom of slope). Development in Seismic Hazard Areas requires a geotechnical report documenting the suitability of the site for the proposed development. • Surface Water Runoff Standards. The City's code adopts by reference King County Code 9.04-Surface Water Runoff. The County code establishes criteria and standards for drainage reviews, referencing the 2009 King County Surface Water Design Manual. In the UGA, Snohomish County's Stormwater Regulations apply (SCC 30.633A- Drainage, SCC 30.633B- Grading, and SCC 30.633C- Low Impact Development [LID]). The Drainage Chapter references the 2010 Snohomish County Drainage Manual. The Low Impact Development (LID) Chapter requires the use of LID in the UGA on Little Bear Creek.

Topic	Regulation/Commitment
	• National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Stormwater Permit. The City's current Phase II Permit became effective on August 1, 2013. The permit requires the City to reduce the discharge of pollutants to the maximum extent practicable (MEP), meet all known, available, and reasonable methods of prevention, control and treatment (AKART) requirements, and to protect water quality. The City implements the following programs, in compliance with its current Phase II Permit. o Implement and enforce a program to reduce pollutants in stormwater runoff that enters the storm sewer system from new development, redevelopment, and construction site activities. o Adopt and implement a regulatory process with legal authority for plan review, inspection, and enforcement necessary to implement the program in accordance with Permit conditions, including the minimum technical requirements in the 2012 Stormwater Management Manual for Western Washington. The 2012 Ecology Stormwater Manuals define standards for stormwater design, including requirements for stormwater flow control and treatment quality. Use of the 2012 Manual or equal will be required by 2016 for Western Washington Municipal Stormwater permits. o Require LID approaches to site development. o Review and revise other codes, rules, and standards considering the range of issues outlined in Integrating LID into Local Codes: a Guidebook for Local Governments (Puget Sound Partnership, 2012) and summarize the results. o Adopt regulations that include provisions to verify adequate long-term operations and maintenance of stormwater treatment and flow control BMPs and facilities in accordance with Permit conditions, including an annual inspection frequency and/or approved alternative inspection frequency and maintenance standards for private drainage systems as protective as those in Volume V of the 2012 Stormwater Management Manual for Western Washington. o Inspect all permanent stormwater treatment and flow control BMPs and facilities in new residential developments every six months until 90% of the lots are constructed. o Make available the Notice of Intent (NOI) for Construction Activity and copies of the NOI for Industrial Activity to representatives of proposed new development and redevelopment. o Train staff on the new codes, standards, processes and procedures. o Track all inspections, maintenance and enforcement actions for inclusion in the Annual Report. o Participate in watershed-scale stormwater planning for Bear Creek watershed in cooperation with King County and for Little Bear Creek watershed in cooperation with Snohomish County. o Summarize annual activities for the Annual Report; identify any update to Program documents.

Topic	Regulation/Commitment
	o The City's 2014 Annual Report indicates the City will create a plan for developing and adopting a grading and erosion control ordinance in 2015 as a precursor to adopting the requirements, limitations and criteria in the 2012 Stormwater Management Manual for Western Washington in 2016.

Water Resources	• Critical Areas Regulations. Within city boundaries, applicable regulations include Woodinville Municipal Code Chapter 21.24, Development Standards – Critical Areas. For the joint City-King County study area and the PAA, applicable regulations include King County Zoning Code 21A.24, Critical Areas. For the northern UGA in Snohomish County, applicable regulations include Snohomish County Code Chapter 30.62, Critical Area Regulations. In each jurisdiction, regulations establish prohibited and conditional uses within Category I and II critical aquifer recharge areas. Regulations for frequently flooded areas establish safety standards within the floodplain and limit any development within the floodway that would result in a rise of flood levels. Required buffers and protection standards for streams, lakes, and wetlands are described in Section 3.3, below. The City's Critical Areas Regulations for fish and wildlife habitat conservation areas (FWHCAs) include standard buffers and optional reduced buffers with enhancements of existing conditions. • SMP. Within city boundaries, the Sammamish River and Little Bear Creek and their associated shorelands are regulated as shorelines of the state under the City's 2008 SMP. Within the joint City-King County study area and the PAA, the Sammamish River is regulated under the King County SMP. Regulations require no net loss of shoreline ecological functions. Within the Snohomish County UGA, Little Bear Creek is regulated under the Snohomish County SMP. The City's SMP incorporates the City's Critical Areas Regulations (WMC 21.24) by reference. These regulations include stream buffers according to the City's stream typing system. This includes a 150-foot standard buffer (or 115-foot reduced buffer with enhancement) along the Sammamish River. These are further discussed in Section 3.3, below. • Sole Source Aquifer Protection Program. In the northern portion of the UGA, the USEPA has designated a sole source aquifer. As a result, any federally funded project will be reviewed by the EPA to ensure that the project will not pose a threat to ground water quality. • Consultation with the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service may be required for federally permitted or funded actions that could affect endangered species (e.g. salmon or bull trout). • Comprehensive Stormwater Master Plan. In 2012, the City of Woodinville adopted a Stormwater Master Plan, which identifies stormwater runoff amounts, drainage basins, flow paths, and system capacities throughout the City's drainage system. The Plan prioritizes capital improvement projects to correct existing deficiencies within the City's stormwater infrastructure. • Surface Water Runoff Standards. The City's code adopts by reference King County Code 9.04-Surface Water Runoff. The County code establishes criteria and standards for drainage reviews, referencing the 2009 King County Surface Water Design Manual. In the UGA, Snohomish County's Stormwater Regulations apply (SCC 30.633A- Drainage, SCC 30.633B- Grading, and SCC 30.633C- Low Impact Development [LID]). The Drainage Chapter references the 2010 Snohomish County Drainage Manual. The Low Impact Development (LID) Chapter requires the use of LID in the UGA on Little Bear Creek. • Water Quality Standards. The City's code adopts by reference King County Code 9.12-Water Quality. The County code establishes prohibited discharges for surface water, stormwater, or groundwater. The County code also references the Stormwater Pollution Prevention Manual. • National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Stormwater Permit. The City's current Phase II Permit became effective on August 1, 2013. The permit requires the city to reduce the discharge of pollutants to the maximum extent practicable (MEP), meet all

Topic	Regulation/Commitment
	known, available, and reasonable methods of prevention, control and treatment (AKART) requirements, and to protect water quality. The City implements a number of programs, in compliance with its Phase II Permit (see Section 3.1).

Plants and Animals	• Current critical area regulations apply to FWHCAs and wetlands. Within city boundaries, applicable regulations include Woodinville Municipal Code Chapter 21.24, Development Standards – Critical Areas. For the joint City-King County study area and the PAA, applicable regulations include King County Zoning Code 21A.24, Critical Areas. For the northern UGA in Snohomish County, applicable regulations include Snohomish County Code Chapter 30.62A, Critical Area Regulations. • Within city boundaries, the Sammamish River and Little Bear Creek and associated shorelands are regulated as shorelines of the state under the City's SMP. Within the Snohomish County UGA, Little Bear Creek is regulated under the Snohomish County SMP. Within the joint City-King County study area and the PAA, the Sammamish River is regulated under the King County SMP. Regulations require no net loss of shoreline ecological functions, and implement both compensatory mitigation and restoration projects to offset impacts from shoreline use and development. • The U.S. Army Corps of Engineers (Corps) regulates wetlands under Section 404 of the Clean Water Act. • The Washington State Department of Ecology may require an individual 401 Water Quality Certification and Coastal Zone Management Consistency determination for Corps permits. • Consultation with the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service may be required for federally permitted or funded actions that could affect endangered species (e.g. salmon or bull trout). • Comprehensive Stormwater Master Plan. In 2012, the City of Woodinville adopted a Stormwater Master Plan, which identifies stormwater runoff amounts, drainage basins, flow paths, and system capacities throughout the City's drainage system. The Plan prioritizes capital improvement projects to correct existing deficiencies within the City's stormwater infrastructure. • Surface Water Runoff Standards. The City's code adopts by reference King County Code 9.04-Surface Water Runoff. The County code establishes criteria and standards for drainage reviews, referencing the 2009 King County Surface Water Design Manual. The City will be required to apply LID measures by 2016 as part of its NPDES Phase II Permit. • In the UGA, Snohomish County's Stormwater Regulations apply (SCC 30.633A- Drainage, SCC 30.633B- Grading, and SCC 30.633C- Low Impact Development [LID]). The Drainage Chapter references the 2010 Snohomish County Drainage Manual. The Low Impact Development (LID) Chapter requires the use of LID in the UGA on Little Bear Creek. • Water Quality Standards. The City's code adopts by reference King County Code 9.12-Water Quality. The County code establishes prohibited discharges for surface water, stormwater, or groundwater. The County code also references the Stormwater Pollution Prevention Manual. See also the description of the City's Phase II, NPDES Permit in Section 3.1. • National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Stormwater Permit. The City's current Phase II Permit became effective on August 1, 2013. The permit requires the city to reduce the discharge of pollutants to the maximum extent practicable (MEP), meet all known, available, and reasonable methods of prevention, control and treatment (AKART) requirements, and to protect water quality. The City implements a number of programs, in compliance with its Phase II Permit (see Section 3.1).

Topic	Regulation/Commitment
Land Use **Plans & Policies** **Aesthetics**	• Woodinville's subarea plans provide policies and guidance for development in mixed-use areas, shorelines, and portions of the UGA. • Woodinville's Zoning Code that provides permitted uses, density and dimensional standards, and design guidelines for new development. • Woodinville's subarea plans provide policies and guidance for development in mixed-use areas, shorelines, and portions of the UGA. • Woodinville's Zoning Code that provides permitted uses, density and dimensional standards, and design guidelines for new development. • WMC Chapter 21.08, Permitted Uses. • WMC Chapter 21.12, Density and Dimensions. • WMC Chapter 21.14, Design Requirements. • WMC Chapter 21.15, Tree Protection. • WMC Chapter 21.16, Landscaping. • WMC Chapter 21.20, Signs.
Transportation	• The City has an adopted TMP and street design standards. • The City addresses concurrency for transportation in WMC Chapter 21.28. • The City of Woodinville has five affected worksites as of 2009 that currently participate in the City's Commute Trip Reduction program. Several agencies support transportation demand management activities, including the State Department of Transportation and King County Metro Transit.
Public Services and Utilities	
Parks and Recreation	• WMC 3.36 Park Impact Fee - The City has adopted park impact fees for residential development in order to assist in implementing the Comprehensive Plan, to ensure public facilities and services are adequately provided, and to establish standards for new development to pay a proportionate share of the cost. • Per WMC 20.06.170 all subdivisions shall provide on-site recreation and trail corridors. • Per WMC 21.14.851 Residential open space, multifamily development is required to provide usable open space.
Schools	• WMC 22.20 School Impact Fees – The City has adopted school impact fees as a way of implementing the Comprehensive Plan policies. The impact fee program is implemented through an interlocal agreement between the City and the Northshore School District, which allows the district to receive impact fees. • WMC 21.28. 160 School Concurrency Standard – Capacity for students is to be in place at the time of the development or within six years.

Topic	Regulation/Commitment
Municipal Facilities	• WMC 21.28 Adequacy of Public Facilities and Services • WMC 21.25 Essential Public Facilities
Police and Fire Protection	• Title 15 WMC buildings and construction, including Fire and Building Codes • WMC 21.28.130 Adequate fire protection

Water, Sewer, Stormwater	**GENERAL**
	• WMC 21.28 Adequacy of Public Facilities and Services
	• WMC 21.25 Essential Public Facilities
	SANITARY SEWER
	• WMC 20.06.120 Water and sewer standards
	STORM WATER
	• See Section 3.2. In addition, the following apply:
	  o Stormwater Management Plan, 2010, provides a capital plan for addressing long-term stormwater quality and quantity management
	  o WMC 13.03 Storm and Surface Water Utility
	WATER SERVICE
	• WMC 20.06.120 Water and sewer standards

Power, Telecommunication, and Solid Waste Utilities	• WMC 15.39 Utility Requirements • WMC 3.33 Utilities Tax • WMC 12.30 Public Utility and Telecommunications Right of Way Use

EXHIBIT C

Public Agency Actions and Commitments

INTRODUCTION

Under some elements of the Planned Action EIS, specific City or other agency actions are identified. Generally, incorporation of these actions is intended to provide for consistency within the City's Comprehensive Plan and implementing regulations; to document pending City actions; to establish a protocol for long-term measures to provide for coordination with other agencies; or to identify optional actions that the City may take to reduce impacts. These actions are listed below in Table C.1.

Actions identified as "Proposed Synchronous Amendments" refer to legislative actions proposed for adoption together with the Comprehensive Plan and Municipal Code Update or within less than a year as part of a staged implementation strategy. Actions identified as short term are currently underway and expected to be adopted in the next five years. Longer term and other agency actions will occur in the future, depending on need. The projected timeframe and responsible departments are identified and will be used in monitoring the implementation of this Ordinance.

This Exhibit C will be used in the monitoring process established in Section IV of this Ordinance.

Table C.1
Public Agency Mitigation Measures

Mitigation Measures	Proposed Synchronous Amendments	Short Term: Within 5 years	Long Term	Other Agency	Estimated Year of Implementation and Responsible Department
Earth: Enact Comprehensive plan policies and zoning standards that focus new development and redevelopment away from areas of geologic hazard such as landslide hazards, to reduce the additional population exposed to risk of damage due to geologic hazards.	X Critical areas regulations Land Use and Environmental Elements				Development Services
Water Resources: Enact transportation programs and facilities that encourage alternative forms of transportation and minimize the need for single-occupant vehicles.	X Transportation Element Update Multimodal LOS				Public Works Department
Plants and Animals:					
Incorporate incentives to improve buffer conditions in areas with existing degraded functions. Incentives allow for a reduction in buffer width or continuation of existing non-conforming buffer widths, provided that buffer restoration is incorporated into redevelopment.		X Address in SMP Update			Development Services

Mitigation Measures	Proposed Synchronous Amendments	Short Term: Within 5 years	Long Term	Other Agency	Estimated Year of Implementation and Responsible Department
Invest in education and outreach materials to encourage good stewardship practices by individual residents. This includes: providing property owners with educational resources to encourage native plant use and backyard habitat projects; installing interpretive signage along trails and/or within parks; and incorporating community garden spaces into parks.		X			Development Services
Plans and Policies:					
The Sustainable Development Study (2007) could be a source of location options for clustered development at urban densities in eastern Woodinville.			X		Development Services
Aesthetics:					
Update the Commercial Design Guidelines to address site design issues associated with the envisioned mixed-use development in the GB District (Little Bear Creek area).	X				Development Services
Transportation: Add improvements not already included in Impact Fee Base					
• Realign 132nd Avenue NE and signalize the intersection at NE 175th St • Remove the Overhead Railroad Trestle Bridge to widen and provide proper channelization on 131st Avenue NE north of NE 175th Street. • Provide additional channelization improvements at the signalized intersection of Woodinville-Snohomish Rd / 140th Ave NE • As part of redevelopment within the CBD, complete the local grid street networks including missing or new segments of 133rd Avenue NE, Provide additional channelization improvements at the signalized intersection of SR 202 (131st Ave NE) / SR 522 WB Ramps. • At the 132nd Ave NE / NE 177th St and 132nd Ave NE / Woodinville Snohomish Rd intersections, remove traffic signal control system and install 6-way roundabout across the railroad alignment.	X				Public Works Department

Mitigation Measures	Proposed Synchronous Amendments	Short Term: Within 5 years	Long Term	Other Agency	Estimated Year of Implementation and Responsible Department
• In conjunction with SR 522 ramp widening above, widen the 131st Avenue E bridge over SR 522 for an addition southbound through lane between the SR 522 WB Off Ramp to NE 175th Street.					
Public Services: Parks and Recreation					
Pursue parks and recreation improvements to expand capacity of the City's system by investing in existing sites and facilities and adding sites and facilities based on community needs expressed in the PRO plan.			X		Public Works Department
Amend city impact fee to address the demand for facilities from commercial and industrial employee growth.		X			City Council
Public Services: Schools					
Monitor generation rates and adjust facility and maintenance planning accordingly. The District has existing growth-related plans in the Capital Facilities Plan that surround the need to accommodating new growth and make improvements to facilities. These projects include a new high school, junior high capacity addition, and grade reconfigurations.			X	X	Northshore School District
Starting in 2017, reconfigure grades to shift 6th graders to junior high school and shift 9th graders to high school in order to balance capacity at each school.		X		X	Northshore School District
Public Services: Municipal Facilities					
Adopt levels of service consistent with the size of present facilities that were built with future populations in mind, particularly for the public works shops building. Or develop alternative level of service measures related to the City services the Public Works Department provides, such as miles of road to maintain, acres of parks to maintain, and extent of stormwater system.	X				Administrative Services
Public Services: Police and Fire					
Adopt levels of service standards for police and fire protection as part of the Comprehensive Plan Update. The proposed Capital and Public Facilities Element proposes a standard for police based on call volume per officer and level of service standards established by the Woodinville Fire & Rescue District.	X				Administrative Services
Design street layouts and recreation areas that promote visibility for residents and police. Implement street and sidewalk lighting and safety measures for vehicles, cyclists, and pedestrians.			X		Administrative Services Public Works Department

Mitigation Measures	Proposed Synchronous Amendments	Short Term: Within 5 years	Long Term	Other Agency	Estimated Year of Implementation and Responsible Department
Public Services and Facilities: Water, Sewer, Stormwater: Promote water conservation efforts.		X		X	Public Works Department Woodinville Water District
Power, Telecommunication, and Solid Waste Utilities: Implement the recommendations of the 2013 Comprehensive Solid Waste Management Plan in the City's recycling program.			X		Public Works Department

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 18, 2015

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. 591, to ensure the comprehensive plan complies with the requirements of the Growth Management Act by adopting findings and conclustions and adopting an updated comprehensive plan. These materials were received on December 17, 2015 and processed with the Material ID # 21920.

City of Woodinville - Adopted ordinance No. 606, establishing a planned action for the Central Business District pursuant to the State Environmental Policy Act. These materials were received on December 17, 2015 and processed with the Material ID # 21921.

City of Woodinville - Adopted Ordinance No. 620, adopting interim zoning amendments to Chapter 21.08 WMC, permitted uses and to the City's Zoning Map pursuant to RCW 35A.63.220 and RCW 36.70A.390 on a temporary basis while the City formally studies and evaluates permanent amendments. These materials were received on December 17, 2015 and processed with the Material ID # 21922.

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 February 15, 2016. Please remember to submit the final adopted amendment to Commerce within ten (10) 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.

Sincerely,

Review Team
Growth Management Services