



**CITY OF WOODINVILLE
PLANNING COMMISSION MEETING
WEDNESDAY, JANUARY 26, 2022 – 7:00 PM
IN-PERSON MEETING | COUNCIL CHAMBERS**

This meeting will be live streamed on the City's website. Meetings are also broadcast on Woodinville TV and are available on both Comcast (channel 21) and Zply Fiber (channel 41). You may join the meeting via telephone as an audience member only by dialing +1 206-397-0678 Conference ID: 363 040 377# . There is opportunity for public comment via email, please see below.

AGENDA

CALL TO ORDER 7:00 pm

ROLL CALL 7:01 pm

FLAG SALUTE 7:04 pm

APPROVE AGENDA IN CONTENT AND ORDER 7:06 pm

PUBLIC COMMENTS 7:08 pm

Public Comments provide an opportunity for the public to address the Commission on any city related subject, which is not of a quasi-judicial nature or scheduled for a public hearing. Comments should be limited to three minutes per individual or if representing a group.

COUNCIL LIAISON REPORT 7:15 pm

BUSINESS and DISCUSSION ITEMS 7:25 pm

1. Draft Planning Commission Minutes 12/01/2021
[Staff Report](#)
2. Discussion: Revisions to Ordinance No. 731 and Increasing Height within the CBD Zone
[Staff Report](#)
[Presentation](#)
3. Discussion: Proposed 2022 Planning Commission Work Program
[Staff Report](#)

Presentation

4. Discussion: 2022 Annual Docket of Comprehensive Plan Amendments
[Staff Report](#)
[Presentation](#)
5. Continued Discussion: Updating Land Use Tables
[Staff Report](#)
[Presentation](#)

PUBLIC COMMENTS 8:40 pm

DIRECTOR'S REPORT 8:43 pm

6. Proposed Planning Schedule
[Schedule](#)
7. New Permit Applications Submitted in the Weeks Ending 11/26/2021, 12/03/2021, 12/10/2021, 12/17/2021, 12/24/2021, 12/31/2021, 01/07/2022 and 01/14/2022
[Report](#)
8. Development Services Monthly Report
[Report](#)

REPORTS OF COMMISSIONERS AND ISSUES TO BE FORWARDED TO CITY COUNCIL 8:53 pm

ADJOURNMENT 9:00 pm

If you wish to provide public comment virtually, you may do so by submitting a written statement to PublicComments@ci.woodinville.wa.us. Any comments received by 5:00 p.m. the day of the meeting may be read during the first public comment period. And comments received by 8:00 p.m., may be included in the second time slot for public comments.

To ensure your comments are received and read at the proper meeting, your email must include:

- The group (City Council, Planning Commission, Public Spaces Commission)
- Date of the meeting your comments are intended for
- Your name
- Whether or not you live in the City limits of Woodinville
- Agenda Item and/or subject your comments are related to

Emails without this information may not be read at the meeting. Three minutes are allowed for comment. And, in accordance with normal procedure, messages of an overly repetitive or inappropriate (vulgarity) nature may also not be read at the discretion of the meeting Chair.

City of Woodinville, Washington
PLANNING COMMISSION SPECIAL MEETING MINUTES OF DECEMBER 1, 2021
Woodinville City Hall City Council Chambers, 17301 133rd Avenue NE, Woodinville, WA

<u>CALL TO ORDER</u>	The meeting of the Woodinville Planning Commission was called to order at 7 p.m. by Chair Stadler.
<u>ROLL CALL</u>	<p><u>Planning Commissioners Present:</u> Chair Kevin Stadler, Vice-Chair Steve Yabroff, Commissioner Shengquan Liang, Commissioner Jorge Meza, Commissioner David Ormerod, Commissioner Kat Turcotte, and Commissioner Ken Pierro.</p> <p><u>Absent:</u> Councilmember Al Taylor.</p> <p><u>City Staff Present:</u> Robert Grumbach, Development Services Director, Amanda Almgren, Planning Manager, Yvonne David, Senior Administrative Assistant, Councilmember Rachel Best-Campbell, and Sophia Perez, FX Video.</p>
<u>FLAG SALUTE</u>	Chair Stadler led the flag salute.
<u>APPROVE AGENDA IN CONTENT AND ORDER</u>	There were no changes requested in the content and order of the agenda.
<u>PUBLIC COMMENTS - None</u>	
<u>COUNCIL LIAISON REPORT</u>	<p>Councilmember Best-Campbell reported the Council:</p> <ul style="list-style-type: none"> -Finalized the 2022-2023 legislative agenda -Approved the revised 2021/2022 biennial budget. Legislature will likely consider local zoning again this session. <p>She looked forward to the Commission's input on height in the East Frame and CBD and thanked the Commission for their efforts over the past year. She responded to a Commission questions regarding the City's control over their own zoning.</p>
<u>BUSINESS and DISCUSSION ITEMS</u>	
<u>Draft Planning Commission Minutes 10/27/2021</u>	<p><u>Staff Report</u></p> <p>MAIN MOTION: approve the 10/27/2021 Planning Commission minutes. (00:06:16)</p> <p>Motion by: Vice-Chair Steve Yabroff</p> <p>Second by: Commissioner Ken Pierro</p>

	<p>Action for the Main Motion: PASSED 7 - 0 (00:06:39)</p> <p>Vote: Ayes: Chair Kevin Stadler, Vice-Chair Steve Yabroff, Commissioner Shengquan Liang, Commissioner Jorge Meza, Commissioner David Ormerod, Commissioner Kat Turcotte, and Commissioner Ken Pierro.</p> <p>Nayes: None.</p> <p>Abstain: None.</p>
<p><u>Continued Discussion: Public Benefit Policy</u></p>	<p><u>Staff Report</u></p> <p>Development Services Director Robert Grumbach provided background, recommended weighting for LEED as a public benefit, research related to levels of LEED, and whether to establish weighting factors for higher LEED ratings.</p> <p>Questions and discussion followed regarding rewarding developers who go beyond the lowest LEED level, public benefit based on the increased cost and how that is determined, whether requirements for LEED certification increase over time, support for the proposed tiered approach for LEED levels, support for LEED Platinum at 100%, preference for public benefits related to transportation and affordable housing versus LEED, lowering the proposed LEED tiers, applying the 90% weighting to the LEED tiers, and concern that without an incentive, developers will not choose LEED certification.</p> <p>It was the consensus of the Commission (5-2) to revise LEED to the following and weight it by 90%:</p> <ul style="list-style-type: none"> -Platinum 100% (90%) -Gold 75% (67.5%) -Silver 50% (45%) -Certified 25% (22.5%)
<p><u>Briefing: Updates to the Code Amendment to Increase Height within the CBD Zone</u></p>	<p><u>Staff Report</u></p> <p>Mr. Grumbach relayed Council's direction when staff presented the Commission's recommendation regarding increasing height in the CBD. He reviewed proposed changes as a result of staff's analysis and discussions with Green Partners and MainStreet related to height, design district locations, off-street parking, ground floor commercial/office, step back/top floor footprint, step back revisions, public benefits, and public open space.</p> <p>Mr. Grumbach responded to Commission questions regarding reasons developers request a 20' first floor height, percentage of street-level footprint dedicated to commercial and/or office uses, location of the step back, design standards for modulation and facades, percentage of open space, concern with extending the height increase to the Ped Core</p>

	<p>Vice Chair Yabroff thanked staff for their efforts to support the commission, city and residents.</p> <p>Mr. Grumbach advised Public Works Director Rick Roberts has retired and Asha D'Souza is the new Public Works Director.</p> <p>Chair Stadler encouraged commissioners to share their thoughts/concerns about increased height in the Ped Core District with the City Council. He thanked the commission for their work over the past year.</p>
<u>ADJOURNMENT</u>	<p>With no further business, Chair Stadler adjourned the meeting at 8:51 p.m.</p>

/Yvonne David/

Sr. Administrative Assistant



CITY OF WOODINVILLE, WA
REPORT TO THE PLANNING COMMISSION
17301 133rd Avenue NE, Woodinville, WA 98072
WWW.CI.WOODINVILLE.WA.US

To: Planning Commission **Date:** January 26, 2022
By: Robert J. Grumbach, AICP, Director of Development Services
Subject: Revisions to Ordinance No. 731 Increasing Height within the CBD zone.

ISSUE: After receiving the Planning Commission Recommendation, City Council remanded this item to the Planning Commission per the Commission's request.

RECOMMENDATION: Staff recommends dividing this into two separate action items: (1) Discuss and send back to City Council the 75-foot height standard for the East Frame Design District only with any additional input from the Commissioners; and (2) Separately, review and discuss potentially increasing the maximum height standard in the Pedestrian Core Design District as a standalone item.

BACKGROUND:

1. Planning Commission originally forwarded a recommendation to the City Council to amend the zoning code to allow a 75-foot height standard subject to certain conditions within the East Frame Design District where it overlaps the CBD zone. The City Council received the Planning Commission's recommendation during a study session at its October 19 meeting. Main Street and Green Partners raised the following concerns during the study session:

- Main Street:
 - Want the height included in the Pedestrian Core Design District
 - Parking should remain flexible on a case-by-case basis
 - Commercial frontage should apply to commercially viable streets only and be limited to portions of building above 57 feet
 - Open space should be limited to 15 percent for portions of buildings above 57 feet, otherwise 10 percent for the remaining portions below 57 feet

They requested that owners could work within the existing development agreement process to provide the public benefits and obtain design flexibility to make highly designed, unique buildings that fit in with the downtown neighborhood

- Green Partners:
 - Want their project teams to collaborate with staff to adjust the proposal and come back with an updated code for consideration
 - Parking had no flexibility for destination retail (relates to surface parking)
 - Concern about having large, unleaseable spaces for retail
 - Felt the setbacks were unbuildable
 - No credit for project open space elements and huge open space minimums
 - Current code exempts sloped roofs, so actual max height is about 67 feet versus proposed 75 feet

The City Council directed City staff to work with Green Partners and Main Street to address their concerns and to bring back a revised proposal to the City Council. This was done in the form of Ordinance No. 731, which was presented to the City Council at the December 7 meeting. A summary of the revisions is presented below (Note: this is the same from the December 1 staff report briefing):

Provision	Planning Commission Recommendation	Revised
Maximum height	75-foot maximum height	Same
Development Agreement	Required	Same
Where allowed	East Frame Design District	East Frame and Pedestrian Core Design Districts
Six-floor cap	None	Maximum six-floors are allowed
Off-street Parking	Structure parking required, except 15 percent can be surface/ 2-hour limits on surface parking	Same, except 2-hour limit on surface parking is deleted
Minimum ground floor commercial/ office uses	67 percent of ground floor footprint must contain commercial/ office uses – indoor parking areas are included in the footprint	Similar, except the 67 percent applies to the net ground floor footprint after areas for indoor parking, loading, trash rooms, elevator shafts, and mechanical rooms are removed
Public benefits	Two or more public benefits must be provided	Same
Minimum top floor step-backs	Portions of building above 60 feet must be step-backed at least 10 feet from furthest projections below	Portions of building above 65 feet must be step-backed an average of 10 feet from building façade directly below – minimum 5-foot step-back with a cap of 30 feet applied to the average
Maximum top floor footprint	Footprint of building over 60 feet is limited to 50 percent of the total building footprint or 2,500 square feet, whichever is more	Footprint of building over 65 feet is limited to 50 percent of the total building footprint or 3,000 square feet, whichever is more
Minimum Public Open Space Required	<ul style="list-style-type: none"> • 4th Floor – 10 percent of lot; plus, 10 percent of building footprint • 5th Floor – 10 percent of lot; plus, 15 percent or 20 percent of building footprint depending on height of building • 6th Floor - 10 percent of lot; plus, 20 percent or 40 percent of building footprint depending on height of building 	<ul style="list-style-type: none"> • 5th Floor – 10 percent of lot; plus, 10 percent of building footprint • 6th Floor – 10 percent of lot; plus, 10 percent or 20 percent of building footprint depending on height of building <p>Note 1: Clarified table by listing single and multi-building development</p> <p>Note 2: Clarified what can qualify as public open space including flexibility to allow upper levels that have public accessibility</p>

2. The Planning Commission was briefed on the above revisions at their December 1, 2021, meeting and the Commissioners' comments were forwarded to the City Council: They were summarized as follows:
 - a. Whether expanding to the Pedestrian Core Design District made sense;
 - b. Would like any changes to come back to the Planning Commission for discussion;
 - c. Should consider requiring wider spaces by breaking up building bulk to allow more air and light around and between buildings and reduce the possibility of the building canyon look;
 - d. Should consider lowering to 55 feet in applying step-back requirements;
 - e. Wondered whether the design standards are sufficient in addressing building massing.
3. The City Council held a public hearing on December 7. After receiving testimony and discussing the matter, the City Council decided to send the ordinance back to the Planning Commission per their request for further review and input. Some of the City Council's comments on the matter included:
 - Not allowing review to slowdown to much Green Partner's and Main Street's projects and being considerate of the schedules for these projects;
 - Could this be separated into two separate discussions – one for the East Frame Design District and the other for the Pedestrian Core Design District – they should be looked at independently of each other.
 - Consider the height amendment in the context of the GMA growth target numbers as well as obtaining the necessary infrastructure improvements for the downtown area;
 - Take into consideration the concerns of creating a "canyon effect" of tall buildings along NE 175th Street.

DISCUSSION:

4. Subsequently, the developer for the Woodgate properties decided to revise their project and move forward with a different design using the existing 57-foot height limit. However, Green Partners is still interested in considering the 75-foot height standard in the Pedestrian Core Design District as the later phases of their project could benefit from a height increase. With this in mind, and the input received from the City Council at the December 7 meeting, staff is recommending dividing the discussion on CBD height into two separate action items – one for the East Frame Design District and one for the Pedestrian Core Design District.
5. The East Frame Design District proposal, which is in the form of Ordinance No. 731 and is attached to this staff report, incorporates the revisions outlined in the table above, except it deletes the Pedestrian Core Design District. Additional staff edits have been made to the proposal since the December 1 and December 7 meetings. These edits were made with the intent of clarifying the proposed code language and adding illustrations to help communicate the requirements better. Red text represents changes from the Original Planning Commission Recommendation. The change to the East Frame Design District only is highlighted in yellow.
6. The discussion about height in the Pedestrian Core Design District can be handled as a start over discussion, which we can schedule to begin at the next meeting.

RECOMMENDED ACTIONS

1. First, discuss the draft Ordinance No. 731 for the East Frame Design District attached to this staff report and then decide whether to forward to the City Council as presented or with any further amendments and/ or comments.

If the current draft is acceptable, a general consensus of the Commissioners to send to City Council is sufficient. If Commissioners wish to make further amendments to the proposed ordinance, a formal motion from which amendments may be introduced and voted on is suggested.

2. Second, provide general input on any specific information the Planning Commissions might want to consider as it prepares to discuss increasing height in the Pedestrian Core Design District.

Staff will provide a more detailed analysis into increasing height in the Pedestrian Core Design District at the February meeting.

ATTACHMENTS:

- 1) Draft Ordinance No. 731 – CBD Height Amendment in the East Frame Design District only

ORDINANCE NO. 731

**AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON,
RELATING TO MAXIMUM HEIGHT STANDARDS IN THE CENTRAL BUSINESS
DISTRICT ZONE; AND AMENDING SECTION 21.22.040 OF THE WOODINVILLE
MUNICIPAL CODE AND THE CORRESPONDING SECTIONS OF ORDINANCES
NOS. 611, 634, 656, 678, 688 AND 720**

WHEREAS, the City of Woodinville is fully planning under Washington's Growth Management Act pursuant to Chapter 36.70A RCW; and

WHEREAS, Pursuant to Woodinville Municipal Code (WMC) 21.86.030, Green Partners, LLC, on March 3, 2021, submitted a request for text amendments to the Central Business District zone regulations to increasing the zoning height that may be authorized by a development agreement; and

WHEREAS, the City Council reviewed Green Partners, LLC's request at their regular meeting on May 4, 2021, and placed the proposal on the Planning Commission's Work Plan for consideration and a recommendation; and

WHEREAS, the City of Woodinville Comprehensive Plan sets forth the purpose of the Central Business District as a designation that supports a broad mix of comparison retail, moderate to high density residential, professional, services, and recreation/cultural uses that serve the regional market; and

WHEREAS, the City of Woodinville Comprehensive Plan sets forth the following goals and policies in support of proposed height standards within the Central Business District zone:

- Goal LU-2. Provide land area and densities necessary to meet Woodinville's projected needs for housing, employment, and public facilities.

Policy LU-2.3. Adopt user-friendly and coordinated development regulations that facilitate Woodinville's preferred land-use pattern (i.e., allowed density, uses and site provisions.

- Goal LU-3. Establish a land use pattern that provides a broad range of commercial services and employment opportunities that serve the needs of residential neighborhoods, workplaces, and the greater Woodinville community.

Policy LU-9.1. Maintain and enhance Downtown as an inviting place to work, shop, live, and socialize.

...

- C. Encourage multi-story construction with underground or structured parking that facilities transit-friendly densities and vibrant pedestrian-oriented streetscapes.
- D. Encourage the integration of inviting publicly accessible open spaces that enhance the character and livability of Downtown.

...

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WHEREAS, after providing notice consistent with WMC 21.86.090, the Planning Commission held a public hearing on September 22, 2021, to receive public testimony on the proposal; and

WHEREAS, the City Council received the Planning Commission's recommendation and discussed the proposal at their October 19 regular meeting; and

WHEREAS, the City Council held a public hearing on _____, to receive public testimony on the proposal; and

WHEREAS, pursuant to RCW 36.70A.106(3)(b), a notice of intent to adopt was transmitted to the Washington State Department of Commerce on September 2, 2021, (material ID# 2021-S-3088); and

WHEREAS, a State Environmental Policy Act (SEPA) threshold Determination of Nonsignificance (DNS) for the proposed code amendments was issued on September 7, 2021, pursuant to WAC 197-11-340(1); and

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

Section 1. Amend WMC 21.22.040. Section 21.21.040 of the Woodinville Municipal Code and the corresponding portions of Ordinance Nos. 611 § 8 (Att. A), 634 § 28, 656 § 1, 678 § 2, 688 § 1 and 720 § 16 are amended to read 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:

21.22.040 Densities and dimensions – Public and Commercial/Industrial zones.

A. STANDARDS	P/I	NB	TB	GB	CBD (27)	O	I
...							
Minimum Street Setback (17)	10 ft	10 ft (5) 20 ft (11)	10 ft (2) (5) (14)	10 ft (5) 25 ft (15)	10 ft (5) ((40))	10 ft	25 ft 10 ft (9) (14) (15)
...							
Base Height (((40)))	45 ft (4)	35 ft	35 ft (14) (20)	39 ft (18)	39 ft (((6))) 35 ft (12)	45 ft (4)	45 ft (14)
Maximum Height with Incentives				51 ft (24)	51 ft (24)		
Maximum Height with Structured Parking				60 ft (25)	57 ft (25) <u>75 ft (29)</u>		
...							

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B. Development Conditions.

(1) ...

~~((6) Mixed use developments that include a minimum of 25 percent of the total area as office space may increase height limits to a maximum of 45 feet.)) Reserved.~~

~~...~~
~~((10) Height limits may be increased when portions of the structure or building which exceed the base height limit provide one additional foot of street and interior setback beyond the required setback for each foot above the base height limit, provided the maximum height may not exceed 45 feet.)) Reserved.~~

~~...~~
 (29) Height limits may be increased to a maximum of 75 feet, as an alternative to the height bonus in WMC 21.22.040(B)(25), if the following conditions are satisfied (see Figure 21.22.040(B)(29)(g)(ii)):

- (a) The increase in height is authorized by a development agreement approved pursuant to Chapter 21.85 WMC;
- (b) The number of stories as defined by the Building Code projecting above the finished grade does not exceed six;
- (c) Increases in height above 57 feet are limited to the East Frame Design District as prescribed in WMC 21.40.030(2) and as this design district overlays the Central Business District zone;
- (d) Required off-street parking is provided inside of structured parking facilities, except up to 15 percent of the required non-residential parking stalls may be located on surface parking facilities;
- (e) All buildings above 57 feet in height must have a minimum 67 percent of the indoor gross floor area of the building story at the street level dedicated to commercial and/or professional office uses (these uses do not include administrative office and facilities supporting onsite residential uses); excluding from this calculation are the indoor gross floor area of all street-level parking and loading areas, rooms dedicated to trash and recycling, elevator shafts, and mechanical equipment rooms;
- (f) Two or more of the following public benefits are provided:
 - (i) All buildings on which the height increase applies must obtain Gold or higher level of Leadership in Energy and Environmental Design (LEED) rating pursuant to the U.S. Green Building Council rating system;
 - (ii) All buildings on which the height increase applies must satisfy the requirements for exceptional design as set forth in WMC 21.40.380;
 - (iii) Ten (10) percent of the dwelling units within the entire development are designated affordable dwellings consistent with WMC 3.43.050(7)(b);
 - (iv) Payment of transportation impact fees that are at least 20 percent above those required by Chapter 3.39 WMC for the entire development, or based on 200 Average Daily Trips (ADT), whichever fee payment is greater; and/or
 - (v) Other public benefits as identified in the development agreement that are acceptable to the City;
- (g) Those portions of a building façade having a height above 65 feet and fronting on a street shall be step-back from the façade of the building story directly below as follows (See Figure 21.22.040(B)(29)(g)):
 - (i) The average depth of the step-back is 10 feet;

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- (ii) The average depth of the step-back is applied to each street building façade separately and is measured only along the façade where the building is above 65 feet;
 - (iii) No portion of the step-back depth shall be less than five feet;
 - (iv) Any portion of a subject façade above 65 feet in height, which has a step-back greater than 30 feet, shall be calculated as 30 feet for purposes of computing the average step-back; and
 - (v) Where the subject façade over 65 feet in height is interrupted by unenclosed openings in the building story/stories directly below, the portion of the façade along the unenclosed opening shall not be included in the step-back average.
- (h) The total footprint of those portions of each building that is over 65 feet in height cannot exceed 50 percent of the total footprint of the building, or 3,000 square feet, whichever is more.

Figure 21.22.040(B)(29)(g)(i) Measuring Step-Back Average

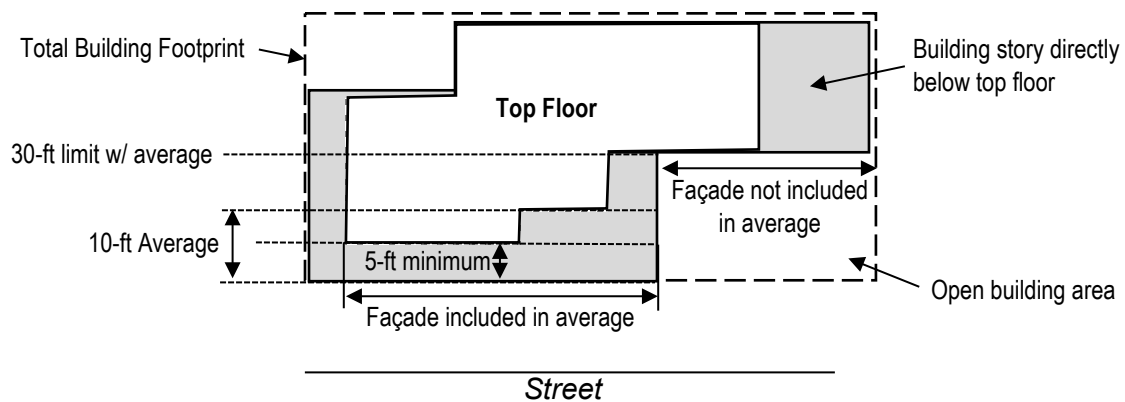
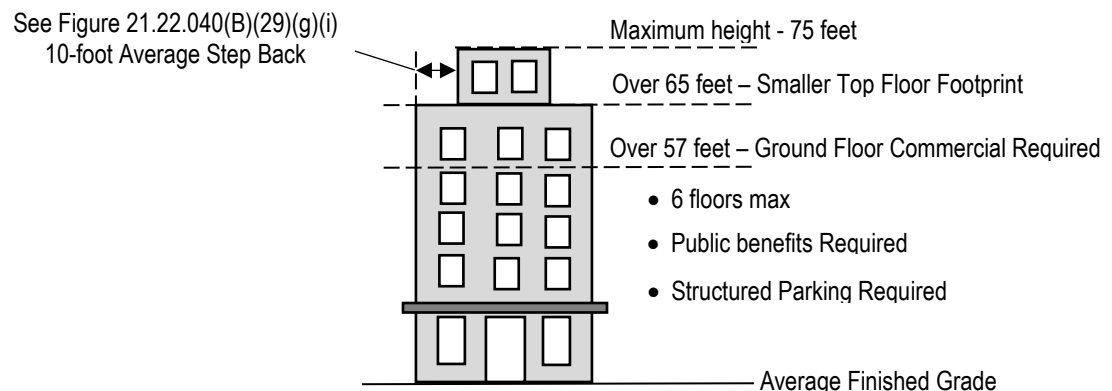


Figure 21.22.040(B)(29)(g)(ii) CBD 75-foot Height Bonus



- (i) Public open space is provided in accordance with Table 21.22.040(B)(29)(i) and in a configuration and design acceptable to the City to mitigate the increase in height.

Table 21.22.040(B)(29)(i)
Public Open Space Requirements for Height

Floor Levels	Minimum Required Public Open Space ¹	
	Single-building Development	Multi-building Development
5 th floor and lower	<ol style="list-style-type: none"> 10 percent of the net lot area; plus, 10 percent of the building footprint. 	<ol style="list-style-type: none"> 10 percent of the net lot area; plus, 10 percent of each building's footprint applied to each building in the development having a height over 39 feet.
6 th floor	<ol style="list-style-type: none"> 10 percent of the net lot area; plus, 20 percent of the building footprint. 	<ol style="list-style-type: none"> 10 percent of the net lot area; plus, 10 percent of each building's footprint applied to each building in the development having a height over 39 feet but not exceeding 57 feet; plus, 20 percent of each building's footprint applied to each building in the development having a height over 57 feet.
¹ The minimum required public open space shall be calculated using the floor level above that corresponds with the building having the greatest number of floors in the development. Net lot area shall be the area of the lot less any public dedications for streets including associated public easements for sidewalks associated with the streets. Floor levels shall not include basements as defined by the building code. Building footprint is defined in WMC 21.11.040. Public open space shall be located on the ground level or on a publicly accessible level accepted by the City and may include landscaped areas, outdoor plazas, pedestrian-oriented designed areas, Native Growth Protection Areas, and similar types of public spaces accepted by the City. Public open space shall not include parking areas or areas used for motorized access.		

The intent in authorizing this increased height is to allow flexible design associated with higher ceilings and not necessarily a higher number of occupied floors.

Section 2. Severability. Should any section, paragraph, sentence, clause, or phrase of this Ordinance be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance; provided, however, that if any section, sentence, clause, or phrase of this Ordinance, or any change in a land use designation is held to be invalid by a court of competent jurisdiction, or by the Growth Management Hearings Board, then the section, sentence, clause, phrase, or land use designation in effect prior to the effective date of

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this ordinance, shall be in full force and effect for that invalidated section, sentence, clause, phrase, or land use designation, as if this ordinance had never been adopted.

Section 3. Copy to the Department of Commerce. Pursuant to RCW 36. 70A.106(3), the City Clerk is directed to send a copy of the amendments to the State Department of Commerce for its files within ten (10) days after adoption of this Ordinance.

Section 4. Effective date. This Ordinance concerning powers vested solely in the Council, it is not subject to referendum, and shall become effective five (5) days after its passage and publication as required by law. 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 ____ DAY OF _____ 2022.**

Mike Millman, Mayor

ATTEST/AUTHENTICATED:

Katie Hanke, City Clerk

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

Jeffrey Ganson, City Attorney

PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO. 731



Revisions to Ordinance No. 731 Increasing Height in the Central Business District Zone

January 26, 2022



Timeline on Ordinance No. 731

- **Planning Commission Recommendation Received by City Council @ October 19 study session**
- **Green Partners and Main Street raised concerns about some of the requirements**
- **Planning Commission briefed on proposed changes December 1, 2021**
- **City Council directed staff to come back with recommendations, which were discussed at December 7 meeting**
- **City Council returned Ordinance No. 731 to Planning Commission per the Commission's request**



Commissioners Comments Shared w/ Council

- **Whether expanding to the Pedestrian Core Design District made sense**
- **Request changes to original PC Recommendation be returned for discussion**
- **Should consider wider spaces and breaking up bulk to reduce canyon feel**
- **Should consider lowering to 55 feet height the step back requirement**
- **Wonder whether design standards are sufficient to address building massing**

December 1, 2021, PC meeting



Suggested actions:

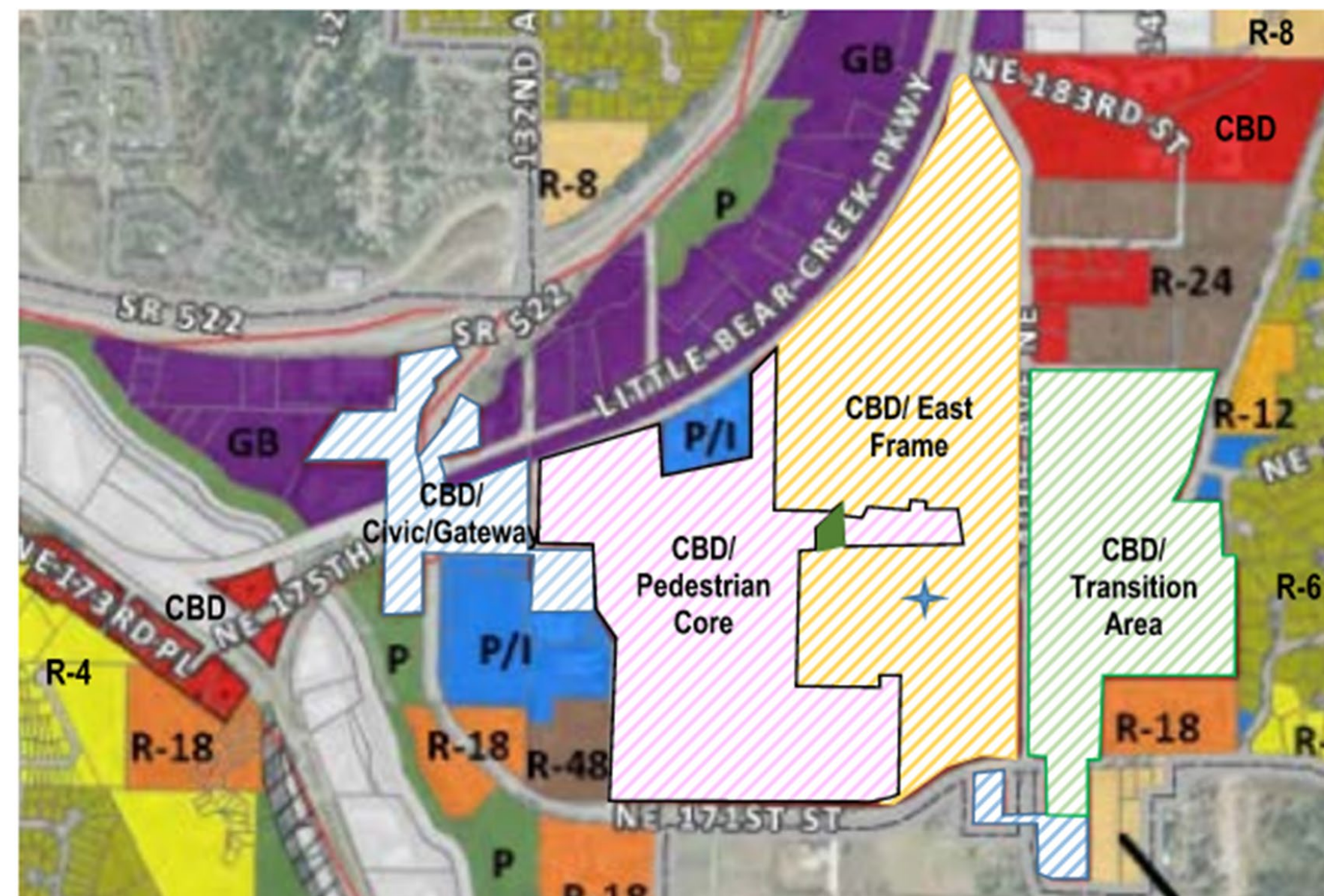
- **Divide into two separate action items:**
 - 1. East Frame Design District – Ordinance No. 731 – 75-foot height standard with step-back, open space, 6-floor limit, parking revisions**
 - **Discuss tonight and return to City Council w/ comments/ changes**
 - 2. Pedestrian Core Design District – Discuss as a standalone proposal independent of the East Frame Design District**
 - **Discuss at February meeting**



Content of Ordinance No. 731

- 75-foot height standard if approved by Development Agreement
- Height above 57 feet is only in the East Frame Design District

Note: Green Partners would like additional height consideration in the Pedestrian Core Design District, but completing height in East Frame Design District is important for their timing of Phase 1





Off-street Parking...

- Required off-street parking is provided inside of structured parking facilities, except up to 15 percent of the required non-residential parking stalls may be located within surface parking facilities

Note: Deleted two-hour restriction because this is more appropriate for the property owner to determine – City does not enforce parking on private property

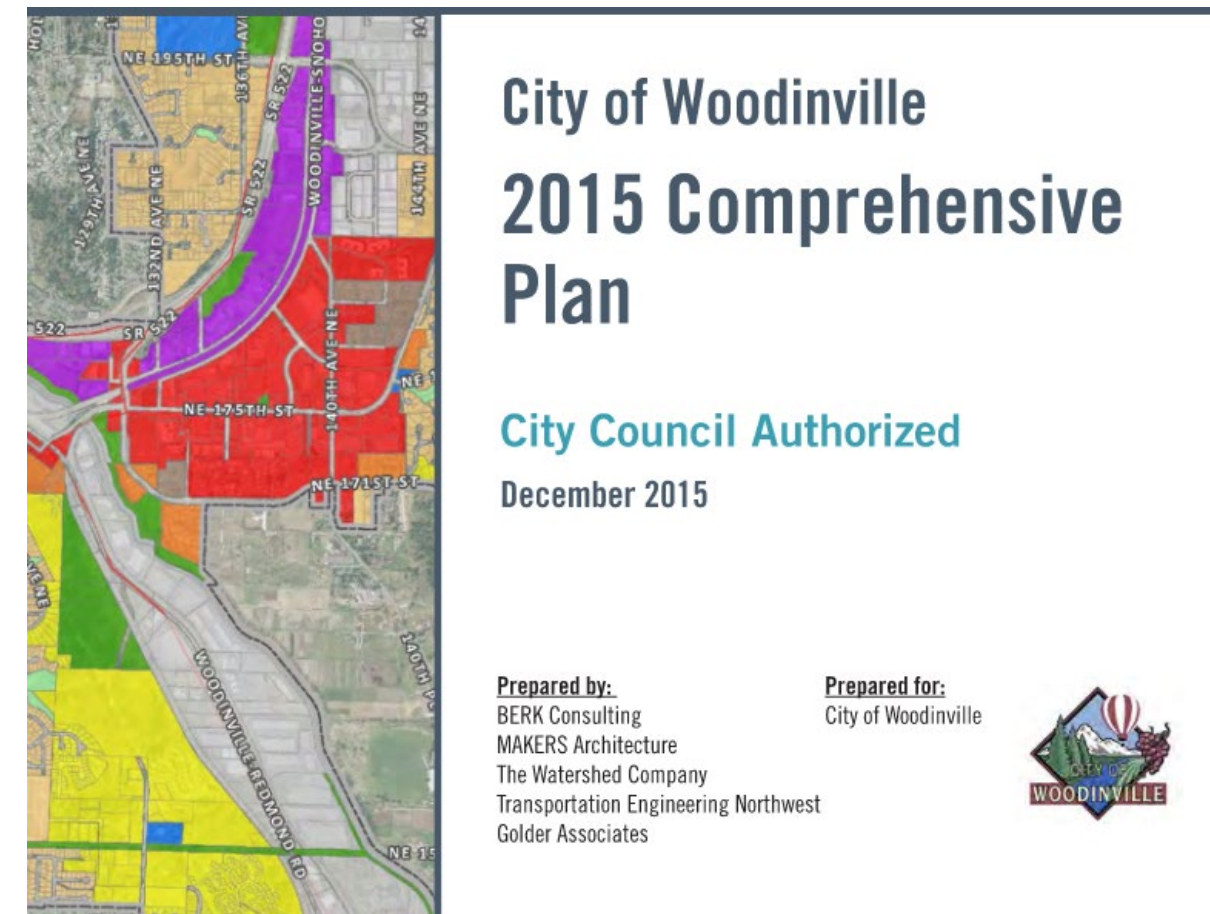




Ground Floor Commercial/ Office

- All buildings over 57 feet in height must have a minimum 67 percent of the indoor gross floor area of the street-level footprint dedicated to commercial and/or office uses – **Parking & Loading Areas, Trash Rooms, Elevator Shafts, & Mechanical Rooms are excluded from the calculations**

Note: The change reflects the problem that the water table in the downtown area is high. This tends to limit underground parking to not more than one level meaning that parking will have to be allowed above ground

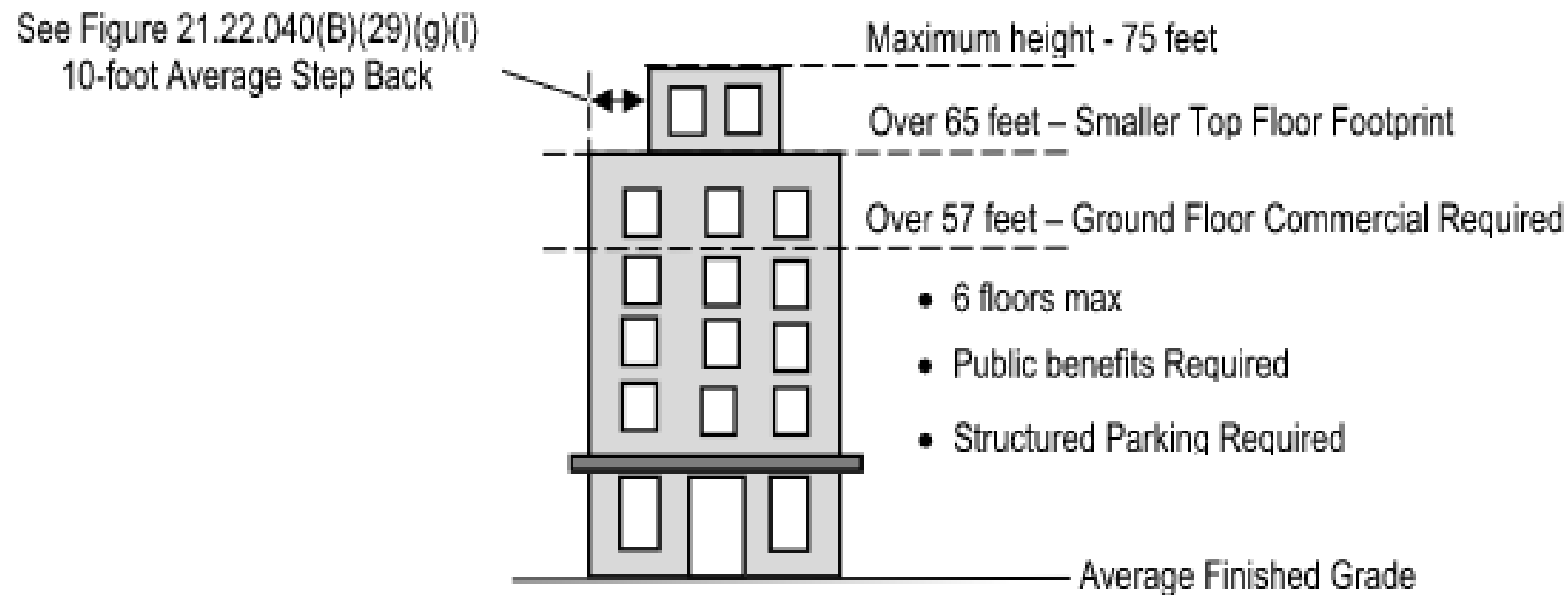




Step Back/ Top Floor Footprint...

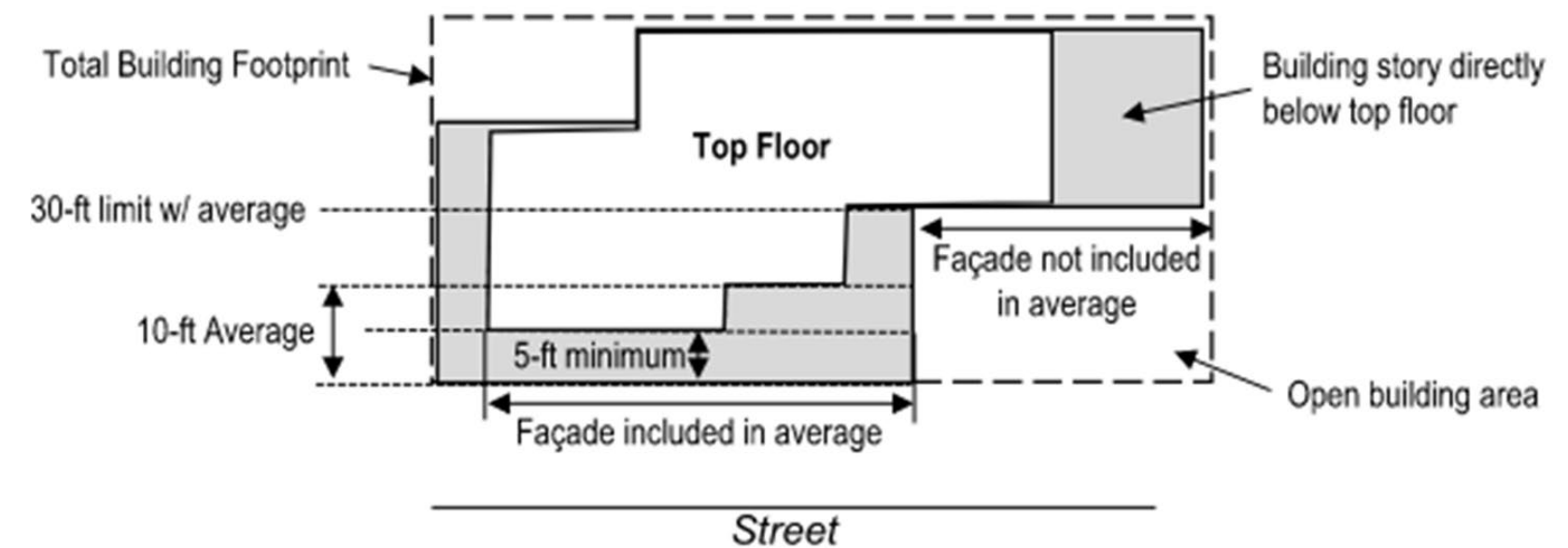
- (a) Those portions of each building façade above **65 feet** in height are step-back at least 10-foot average from the building façade directly **below facing public streets** – minimum 5 feet; and
- (b) The total footprint of those portions of each building that is over 65 feet in height cannot exceed 50 percent of the total footprint of the building, or 3,000 square feet, whichever is more.

Figure 21.22.040(B)(29)(g)(ii) CBD 75-foot Height Bonus



Note: 65 feet based on height of five floors

Figure 21.22.040(B)(29)(g)(i) Measuring Step-Back Average





Public Benefits...

Two or more of the following public benefits are provided:

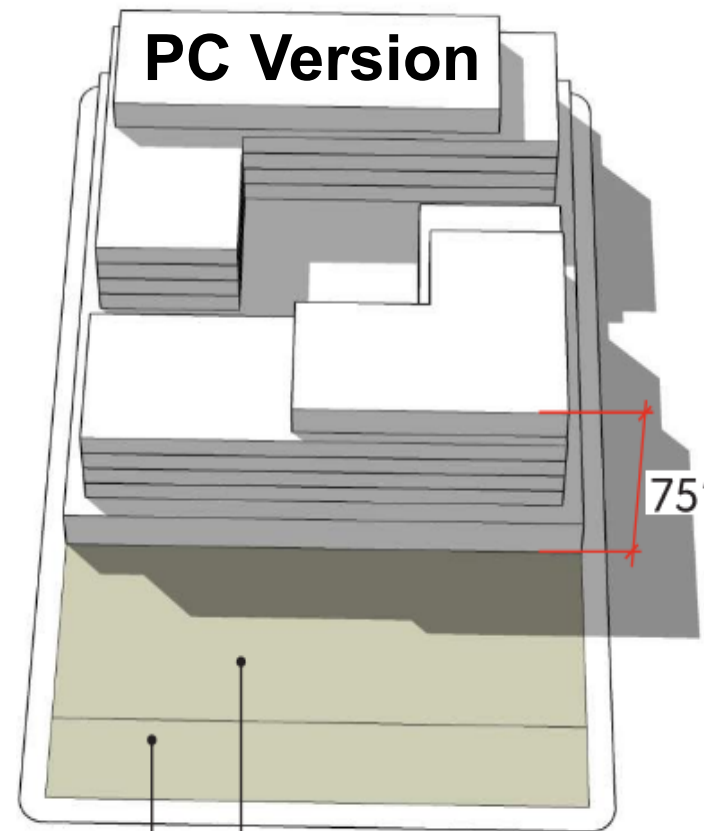
- All buildings on which the height increase applies must obtain Gold or higher level of Leadership in Energy and Environmental Design (LEED) rating pursuant to the U.S. Green Building Council rating system;
- All buildings on which the height increase applies must satisfy the requirements for exceptional design as set forth in WMC 21.40.380;
- Ten (10) percent of the dwelling units within the entire development are designated affordable dwellings consistent with WMC 3.43.050(7)(b);
- Payment of transportation impact fees that are at least 20 percent above those required by Chapter 3.39 WMC for the entire development, or based on 200 Average Daily Trips (ADT), whichever fee payment is greater; and/or
- Other public benefits as identified in the development agreement that are acceptable to the City;

No Change



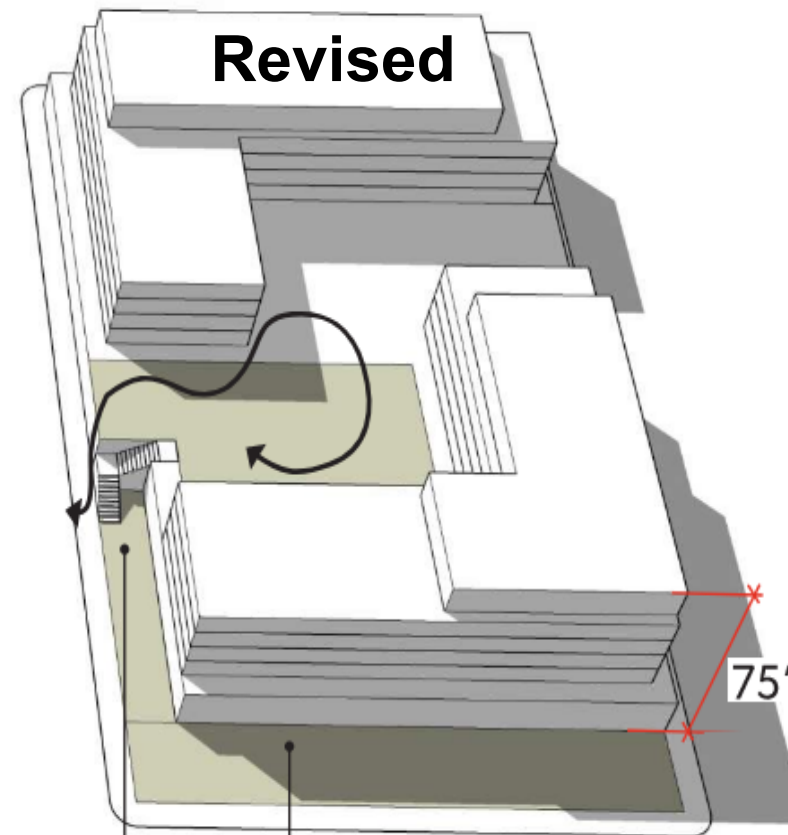
Public Open Space...

Total Open Space:
35,714 sf



40% Open Space Req. - 25,714 sf
10% Landscaping Req. - 10,000 sf

Total Open Space:
25,000 sf



10% Landscaping
Req. - 10,000 sf
20% Open Space Req. - 15,000 sf
Remaining Open Space to be
on Ground Floor and Publicly
Accessible Podium

Floor Levels	Minimum Required Public Open Space ¹	
	Single-building Development	Multi-building Development
5 th floor and lower	<ol style="list-style-type: none">10 percent of the net lot area; plus,10 percent of the building footprint.	<ol style="list-style-type: none">10 percent of the net lot area; plus,10 percent of each building's footprint applied to each building in the development having a height over 39 feet.
6 th floor	<ol style="list-style-type: none">10 percent of the net lot area; plus,20 percent of the building footprint.	<ol style="list-style-type: none">10 percent of the net lot area; plus,10 percent of each building's footprint applied to each building in the development having a height over 39 feet but not exceeding 57 feet; plus,20 percent of each building's footprint applied to each building in the development having a height over 57 feet.

¹ The minimum required public open space shall be calculated using the floor level above that corresponds with the building having the greatest number of floors in the development. Net lot area shall be the area of the lot less any public dedications for streets including associated public easements for sidewalks associated with the streets. Floor levels shall not include basements as defined by the building code. Building footprint is defined in WMC 21.11.040. Public open space shall be located on the ground level or on a publicly accessible level accepted by the City and may include landscaped areas, outdoor plazas, pedestrian-oriented designed areas, Native Growth Protection Areas, and similar types of public spaces accepted by the City. Public open space shall not include parking areas or areas used for motorized access.

»» Questions?

SUGGESTED ACTIONS:

- **If the revised draft of Ordinance No. 731 (East Frame Design District Only) is acceptable, send to City Council w/ comments (if any)**
- **Provide any initial thoughts for consideration on the Pedestrian Core Design District for the February meeting**



CITY OF WOODINVILLE, WA
PLANNING COMMISSION STAFF REPORT
17301 133rd Avenue NE, Woodinville, WA 98072
WWW.CI.WOODINVILLE.WA.US

To: Planning Commission **Date:** January 26, 2022
By: Robert J. Grumbach, AICP, Director of Development Services
Subject: Proposed 2022 Planning Commission Work Program

Chapter 2.12 of the Woodinville Municipal Code (WMC) outlines the roles and responsibilities of the Planning Commission. Broadly, the Commission serves the City Council in an advisory capacity on matters related to the Comprehensive Plan, Zoning and other duties as assigned. Annually, staff submits a Planning Commission Work Program to the City Council for approval to ensure the work of the Commission is consistent with City Council priorities. Before submitting this work program to the City Council, staff seeks Planning Commission input.

2021 ACCOMPLISHMENTS:

The year 2021 continued being a year of adjusting to the challenges of the COVID pandemic with the Planning Commission holding meetings entirely using remote technology. The Planning Commission returned to City Hall and held their first hybrid meeting with in-person and remote technology attendance at the October 21, 2021, meeting. Despite the challenges, it has been a busy and productive year with many accomplishments. The following is a list of 2021 accomplishments:

GENERAL ACTIONS:

- Welcomed a new Commissioner in April 2021.
- The Planning Commission held a total of 12 regular and special meetings during the year.
- Appointed a new member to the Planning Commission Design Review Committee.
- The Planning Commission Design Review Committee held three meetings and reviewed three projects during the year.
- Approved amendments to the Planning Commission Bylaws.
- Received a briefing on new GMA Growth Target numbers for housing and jobs assigned to the City of Woodinville.
- Received a briefing on the status of the Shoreline Master Program Updates (City Council approved in May and Ecology approved August 31, 2021).
- Ongoing work and review continued on the Unified Development Code Update Project.
- Completed work on the Public Benefit Policy.

DEVELOPMENT AGREEMENTS:

- Planning Commission held a hearing and forwarded recommendations on the Amended Development Agreement for the Wine Village. Amendment was approved by Resolution No. 592.

RECOMMENDATIONS TO THE CITY COUNCIL:

- 2021 Annual Docket of Comprehensive Plan Amendments (City Council adopted Ordinance No. 717).
- Interim zoning amendments for supportive housing, transitional housing, indoor emergency housing, and emergency shelters (City Council adopted Ordinance No. 722).
- Land Division and Currency Code Amendment Updates (City Council adopted Ordinance No. 720).
- 2021 – 2027 Northshore School District Capital Facilities Plan (City Council adopted Ordinance No. 724).
- Auto and Mechanical Parking Systems Code Amendment. (City Council adopted Ordinance No. 719).
- Increasing the Height Standards in the Central Business District Zone (Ordinance No. 731). Remanded to Planning Commission for further action.

2022 WORK PLAN: Major upcoming Planning Commission projects include:

- Update for 2022-2028 Northshore CFP (adoption per Interlocal Agreement)
- Annual 2022 Docket of Comprehensive Plan Amendments
- Continued work on the Unified Development Code Project Update
- Sign Code Revisions
- Tree Management Code Update
- Parking and Landscaping Chapters Revisions
- Consolidating and updating Design Review Standards
- Master Transportation Plan and Housing Action Plan – schedule to be determined

RECOMMENDED MOTIONS:

I MOTION THAT THE PLANNING COMMISSION SUPPORT THE PROPOSED 2022 WORK PROGRAM AS PRESENTED, AND REQUEST CITY COUNCIL APPROVE THE WORK PROGRAM

or

I MOTION THAT THE PLANNING COMMISSION SUPPORT THE PROPOSED 2022 WORK PROGRAM WITHN THE FOLLOWING AMENDMENTS:

- **FILL IN AMENDMENTS...**

AND REQUEST CITY COUNCIL APPROVE THE WORK PROGRAM

ATTACHMENTS:

Attachment 1 – Proposed Planning Commission 2022 Work Program

Proposed Planning Commission 2022 Work Plan

Ref	Work Plan Item	Jan-Mar 2022	Apr-Jun 2022	Jul-Sep 2022	Oct-Dec 2022	Jan-Mar 2023	Apr-Jun 2023	Jul-Sep 2023	Oct-Dec 2023
1	Housing Action Plan				TBD				
2	CBD Height Amendment – Ped Core	X							
3	2022-2028 Northshore CFP			X	X			X	X
4	2022 Annual Docket of Comp Plan Amendments	X	X						
5	6-Year CIP Amendments			X	X			X	X
6	2023 Annual Docket of Comp Plan Amendments				X	X	X	X	X
7	Periodic Comprehensive Plan Review				X	X	X	X	X
8	Tree Management Code Update			X	X				
9	Transportation Master Plan				TBD				
10	Development Agreements	*	*	*	*	*	*	*	*
11	Design Review (PC Committee)	*	*	*	*	*	*	*	*
Unified Development Code Project									
1	Land Uses/ Use-specific Development Standards	X	X						
2	Bulk Development Standards	X	X						
3	Zoning Map/ Overlay	X	X						
4	Definitions	X	X						
5	Design Review Standards Update			X	X				
6	Nonconformance	X	X						
7	Landscaping/ Off-street Parking		X	X					
8	Signs		X	X	X				

* Denotes items dependent on an application being submitted and are presented to the Planning Commission when ready

Note: The Work Plan is an estimated schedule used for planning purposes only. Actual timelines will vary.





2022 Planning Commission Work Plan

January 26, 2022

2021 Accomplishments:

GENERAL ACTIONS:

- Welcomed new Planning Commission member
- The Planning Commission held a total of 12 regular and special meetings
- Design Review Committee held three meetings
- Received briefing on GMA Growth Target Numbers
- Ongoing work on updating the Unified Development Code
- Approved amendments to the Planning Commission Bylaws
- Completed work on Public Benefit Policy

DEVELOPMENT AGREEMENTS:

- Planning Commission held a hearing and forwarded recommendations on the Amended Development Agreement for Wine Village (Resolution No. 592 approved)

RECOMMENDATIONS TO THE CITY COUNCIL:

- 2021 Docket of Comprehensive Plan Amendments (Ordinance No. 717 approved)
- Interim zoning relating to transitional housing and emergency shelters – E2SHB 1220 (Ordinance No. 722 approved)
- Land Division and Concurrency (Ordinance No. 720 approved)
- Auto and Mechanical Parking Systems Code Amendment (Ordinance No. 719 approved)
- 2021 – 2027 Northshore School District CFP (Ordinance No. 724 approved)
- Increasing Height Standards in the CBD zone (Ordinance No. 731 pending further Planning Commission action)

2022 Work Tasks:

Major upcoming Planning Commission projects include:

- CBD/ Pedestrian Core Design District Height Amendment
- Continue work on the Unified Development Code Update Project
- 2022 Docket of Comprehensive Plan Amendments
- Sign Code Update
- Tree Management Code Update
- Parking and Landscaping Chapters
- Master Transportation Plan Update/ Housing Action Plan

NOTE: City Council approval of Planning Commission Work Plan required

Ref	Work Plan Item	Jan-Mar 2022	Apr-Jun 2022	Jul-Sep 2022	Oct-Dec 2022	Jan-Mar 2023	Apr-Jun 2023	Jul-Sep 2023	Oct-Dec 2023
1	Housing Action Plan				TBD				
2	CBD Height Amendment – Ped Core	X							
3	2022-2028 Northshore CFP			X	X			X	X
4	2022 Annual Docket of Comp Plan Amendments	X	X						
5	6-Year CIP Amendments			X	X			X	X
6	2023 Annual Docket of Comp Plan Amendments				X	X	X	X	X
7	Periodic Comprehensive Plan Review				X	X	X	X	X
8	Tree Management Code Update			X	X				
9	Transportation Master Plan				TBD				
10	Development Agreements	*	*	*	*	*	*	*	*
11	Design Review (PC Committee)	*	*	*	*	*	*	*	*
Unified Development Code Project									
1	Land Uses/ Use-specific Development Standards	X	X						
2	Bulk Development Standards	X	X						
3	Zoning Map/ Overlay	X	X						
4	Definitions	X	X						
5	Design Review Standards Update			X	X				
6	Nonconformance	X	X						
7	Landscaping/ Off-street Parking		X	X					
8	Signs		X	X	X				

* Denotes items dependent on an application being submitted and are presented to the Planning Commission when ready

Questions/ Motion

Move that the Planning Commission support the proposed 2022 Work Program as presented, and request City Council approve the work program



To: Planning Commission **Date:** January 26, 2022
By: Robert J. Grumbach, AICP, Director of Development Services
Subject: 2022 Annual Comprehensive Plan Amendment Docket

ISSUE: 2022 Docket of Annual Comprehensive Plan Amendments.

RECOMMENDATION: Review and discuss proposed amendments.

BACKGROUND:

The City received one application for the 2022 docket to amend the City's Comprehensive Plan:

Future Land Use Map amendments changing a total of five parcels from an Open Space designation, one parcel from a Woodland Residential designation, and two parcels from Moderate Density Residential designation to a Parks designation. This amendment is City-initiated to support rezoning the Wood Trails and Greenbrier sites to Park zoning.

DISCUSSION:

1. The applicant for the land use map amendments is the City. The map amendment involves land that is designated under the 2020 Woodinville Parks, Recreation & Open Space Plan as Wood Trails Limited Use Area and Greenbrier Park & Greenbrier Open Space.

- The Wood Trails site contains five parcels having an Open Space Land Use designation and one parcel having a Woodland Residential Land Use designation. The total area of the site is 50.51 acres.

Wood Trails is predominately forested land with steep slopes.

- Then Greenbrier site contains two parcels – one is Greenbrier Park, and the other is Greenbrier Open Space both having a Moderate Density Residential Land Use designation. The total area of the two parcels is 12.8 acres.

Greenbrier Open Space has existing trails; there are a couple of wetlands on site, and the area is set aside in a Native Growth Protection Area.



2. The Comprehensive Plan defines the Park Land Use designation as:

Purpose: This designation is applied to all existing and planned publicly owned parks.

Allowed uses & density: Public parks.

The zoning code describes Park zoning as (WMC 21.20.110):

The purpose of the Park zone (P) is to provide opportunities for public parks and other recreation facilities, such as playgrounds, trails, publicly accessible open space, or as meet the definition of parks in WMC 21.11.180. Only facilities providing such public recreation shall be allowed to locate in the Park zones.

3. Additionally, the following are the approval criteria for evaluating comprehensive plan amendments including changes to the Future Land Use Map.

(1) The amendment is consistent with the Growth Management Act

Comment. The Growth Management Act delegates to local government the distribution and general location and extent of the uses of land including housing, commerce, industry, etc. It is more of a local policy question whether to support the land use map amendment since this is not anticipated to affect the City's obligations under the Growth Management Act.

(2) The amendment is consistent with County-wide planning policies

Comment. The following Countywide Planning Policies are relevant as they pertain to Parks in Woodinville:

EN-24: Provide parks, trails, and open space within walking distance of urban area residents. Prioritize historically underserved communities for open space improvements and investments.

(3) The amendment does not conflict with other goals, policies, and provisions of the Woodinville Comprehensive Plan

Comment. Redesignating the properties to Park does not conflict with other goals, policies, or provisions of the Woodinville Comprehensive Plan. The properties are already categorized as park and open spaces per the Parks, Recreation, and Open Space Plan. The following Woodinville Comprehensive Plan goals and policies are relevant to considering a Park land use designation/ uses:

GOAL PROS-1. To provide quality parks for Woodinville's residents and visitors.

Policy PROS-1.1. Develop and maintain a public park system containing a variety of larger community-scale parks that serve a wide-range of active and passive activities, neighborhood-scale passive parks, and open space that preserves the natural environment.

GOAL PROS-7. To develop and maintain a robust system of multi-use trails.

Policy PROS-7.1. Plan multi-use trails to improve access to parks, recreational facilities, residential neighborhoods, employment centers, downtown, and other local and regional systems.

Policy PROS-7.3. Develop multi-use trails on City-owned parcels that have been identified as unsuitable for other uses based on topography or critical areas.

(4) The amendment is compatible with existing or planned land uses and the surrounding development pattern

The sites are already being used as parks with plans for trail improvements and accessibility. Changing the Comprehensive Plan Land Use designation to Parks for these sites will create better consistency with the current uses; particularly as this pertains to the parcels currently designated as Woodland Residential and Moderate Residential Densities.

(5) The amendment will result in long-term benefit to the community as a whole and advances the public interest of the community

The preservation and development of parks contribute to the long-term benefit of the community by providing recreational opportunities and green space for residents and visitors alike.

RECOMMENDED MOTION

None – discussion

ATTACHMENTS:

Attachment 1: Comprehensive Plan Map Amendment

Attachment 2: Comprehensive Plan Future Land Use Map



2022 Future Land Use Map Amendments

Wood Trails Limited Use Area – Amend five parcels from Open Space and one parcel from Woodland Residential totaling 50.51 acres to Public Parks

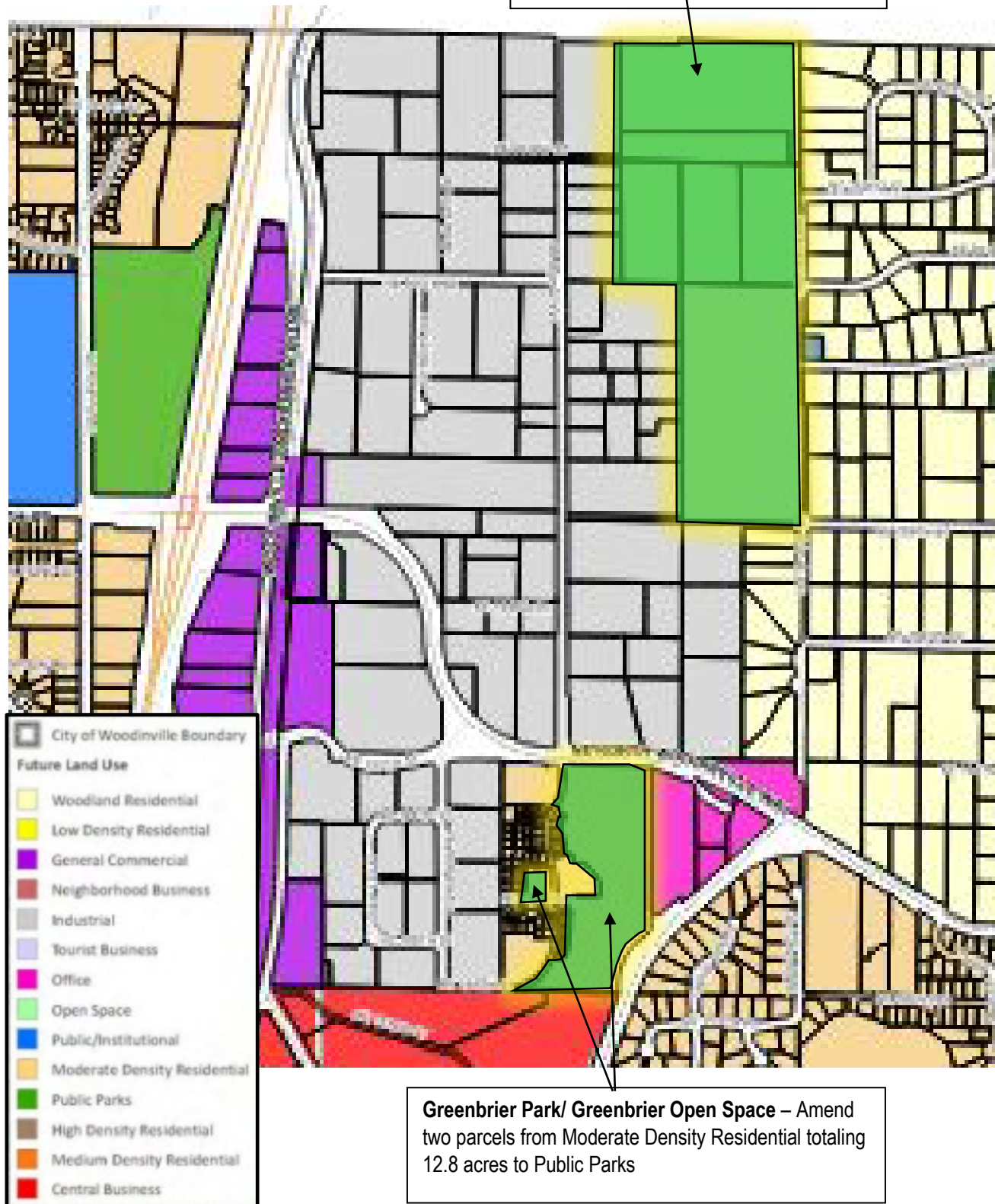
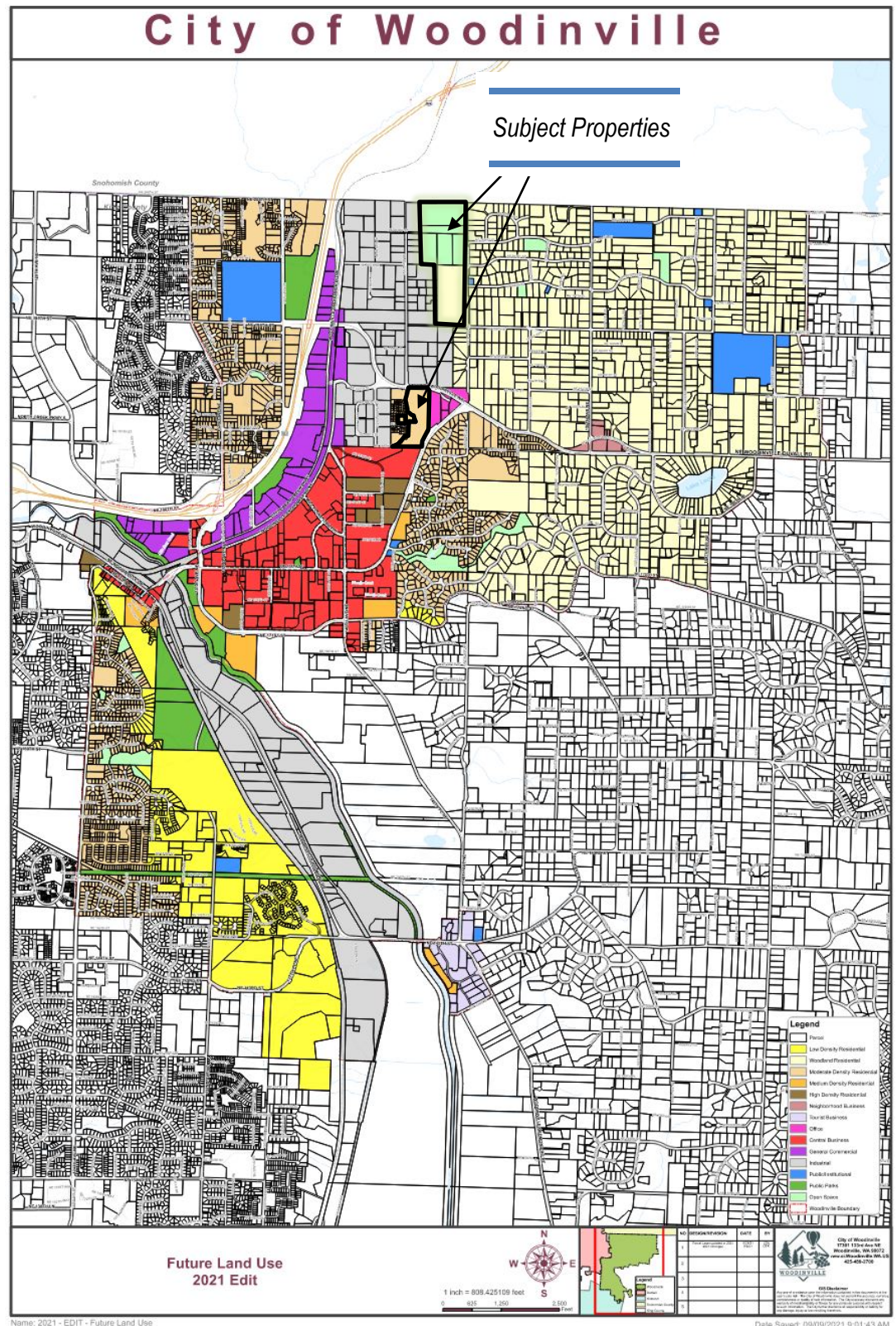




Exhibit 2-1. Comprehensive Plan Land Use Map & Designations







2022 Annual Comprehensive Plan Amendments

JANUARY 26, 2022

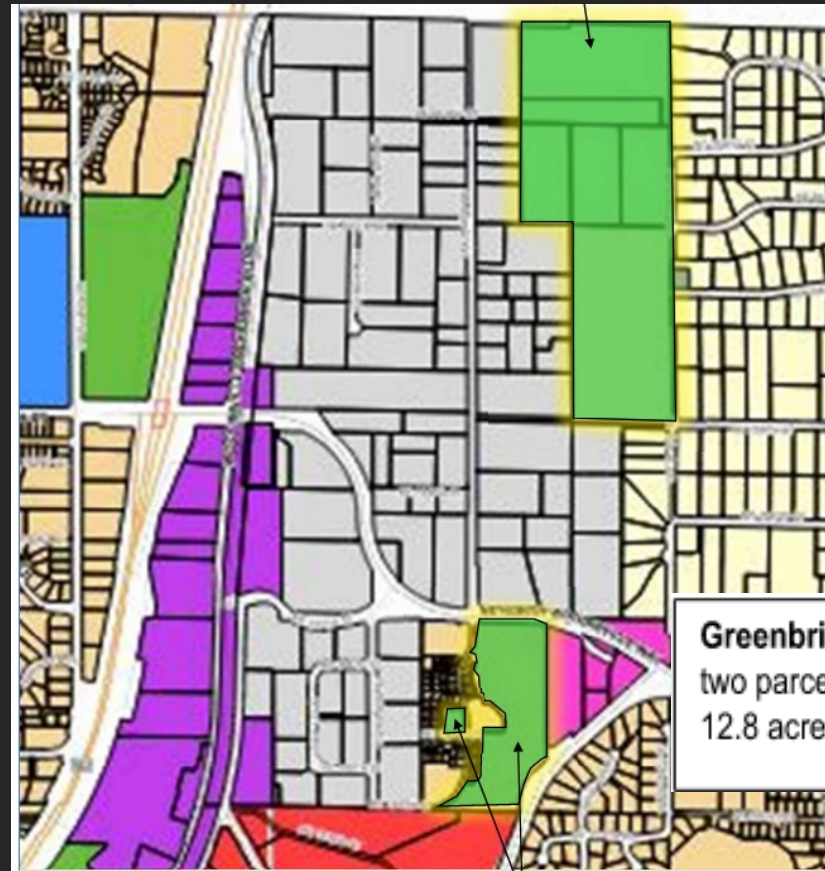
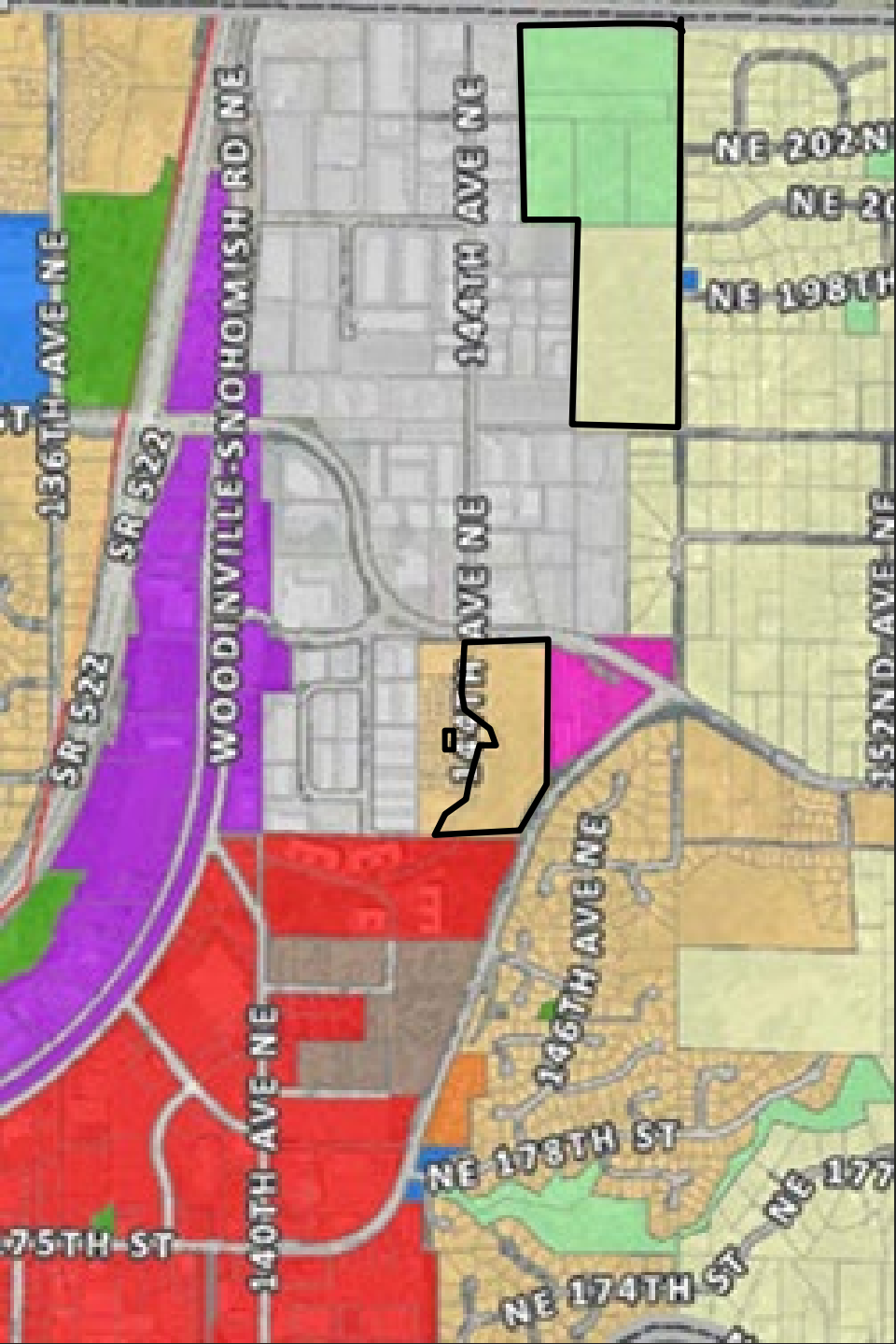
2022 Annual Docket



One application:

- Future Land Use Map amendments changing a total of five parcels from an Open Space designation, one parcel from a Woodland Residential designation, and two parcels from Moderate Density Residential designation to a Parks designation.
- This amendment is City-initiated to support rezoning the Wood Trails and Greenbrier sites to Park zoning.

Future Land Use Map Amendment



Wood Trails Limited Use Area – Amend five parcels from Open Space and one parcel from Woodland Residential totaling 50.51 acres to Public Parks

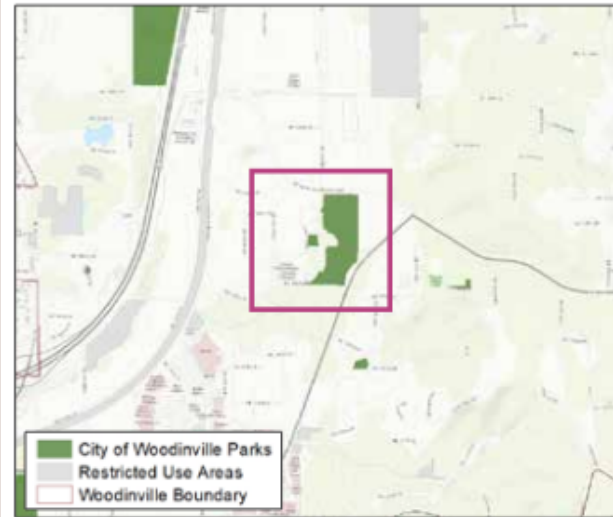
Greenbrier Park/ Greenbrier Open Space – Amend two parcels from Moderate Density Residential totaling 12.8 acres to Public Parks

Park, Recreation, & Open Space Plan



5.

Greenbrier Open Space & Trail



Classification: Open space

Address: N Woodinville Way / Woodinville-Duvall Road

Size: 12.32 acres

Dedicated to the City in 2003 by the Greenbrier developer to mitigate environmental impacts. This open space has a soft surface trail and acts as a native growth protection area.

Amenities

- Native forest
- Resource protection
- Soft surface trail
- Wetland

Issues Observed

- Trail sign is blocked by tree branches
- Overgrowth of vegetation makes access and visibility difficult

Greenbrier Park



Classification: Neighborhood park

Address: 18746 144th Avenue Northeast

Size: 0.5 acre

The park was developed as part of the Greenbrier affordable housing project, and was acquired for \$70,000. The park opened in 2003 and functions as an informal open grass area within the housing development.

Amenities

- Dog bag dispenser
- Lawn area

Issues Observed

- Lawn is not well-irrigated, and is littered with dog waste
- Dog waste bag dispenser is weathered and dirty

Park, Recreation, & Open Space Plan



5.

Wood Trails



Classification: Restricted use area

Address: NE 48th Avenue NE

Size: 50.36

This forested area was purchased in 2014 from a home development company for \$1.13 million.

Amenities

- Native forest

Issues Observed

- Overgrowth of vegetation
- Steep slopes

Considerations



The Comprehensive Plan defines the Park Land Use designation as:

Purpose: This designation is applied to all existing and planned publicly owned parks.

Allowed uses & density: Public parks.

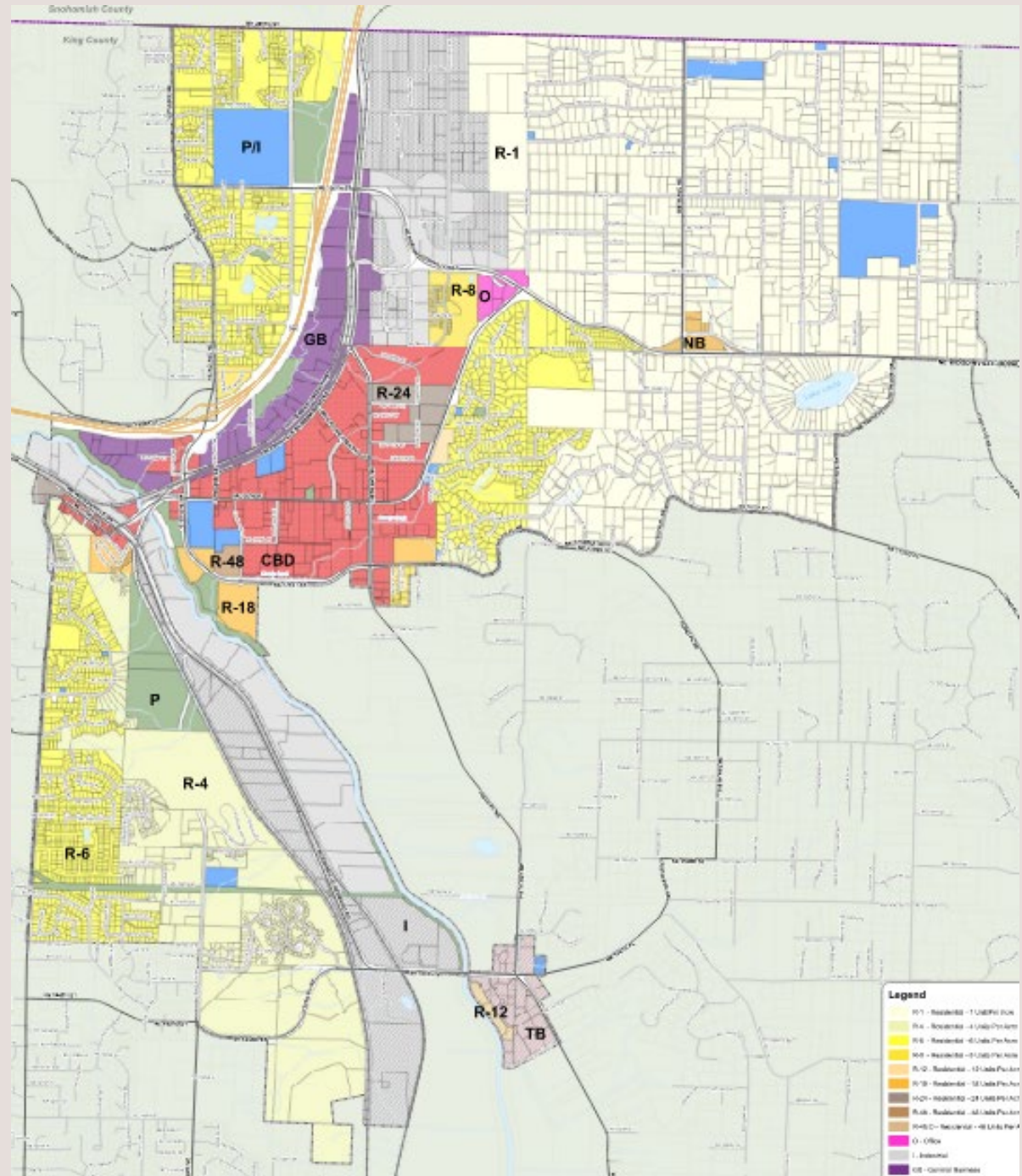
The zoning code describes Park zoning as (WMC 21.20.110):

The purpose of the Park zone (P) is to provide opportunities for public parks and other recreation facilities, such as playgrounds, trails, publicly accessible open space, or as meet the definition of parks in WMC 21.11.180. Only facilities providing such public recreation shall be allowed to locate in the Park zones.

Questions?



5.





CITY OF WOODINVILLE, WA

MEMORANDUM

17301 133rd Avenue NE, Woodinville, WA 98072

WWW.CI.WOODINVILLE.WA.US

To:	Planning Commission	Date: January 26, 2022
By:	Robert J. Grumbach, AICP, Director of Development Services	
Subject:	Continued discussion on UDC Project Update	

Please replace the November 29, 2021, draft with the January 26, 2022, attached draft. In the future, as additional edits and updates are made, we will replace pages from the January 26 draft rather than replacing the entire document. Changes from the November 29 draft are highlighted in red text in the attached documents. These include:

- New Chapters 21.31 and 21.32 containing lot development, bulk and setback standards have been added.
- New sections in Chapter 21.40 for drive-throughs, site distance requirements, and adaptive reuse of nonresidential buildings were added and derived from current code.
- Added floor size restrictions within the different design districts to Section 21.42.090 for general sales, retail and services based on the current code restrictions.
- Moved Temporary Uses to Chapter 21.23 and moved the nonconformance chapter to Chapter 21.14.
- Continued making edits, correcting errors/ inconsistencies, etc. based on continued reviews and input from others.

At the January 26 meeting, we will touch on the latest changes. Staff is working on a document to provide a summary comparison of the current code with all of the changes. We will provide this as soon as it is ready, but this may be at a future meeting.



Title 21 Unified Development Code

Chapters:

Division 1. General Administration

- 21.10 General Provisions.
- 21.11A General Definitions.
- 21.11B Use Definitions.
- 21.12 Enforcement.
- 21.13 Development Fees.
- 21.14 Nonconformance.

Division 2. Land Use

- 21.20 Establishment of Zoning.
- 21.21 Use and Occupancy Regulations.
- 21.22 Downtown and Little Bear Creek Corridor.
- 21.23 Temporary Uses.

Division 3. General Development Standards

- 21.31 Lot Development Standards.
- 21.32 Bulk and Setback Standards.
- 21.33 Commercial Design Standards
- 21.34 Industrial Design Standards.
- 21.35 Multifamily Residential Design Standards.
- 21.36 Landscaping.
- 21.37 Off-street Parking and Lot Circulation.

Division 4. Use-specific Development Standards

- 21.40 City-wide uses
- 21.41 Accessory Uses.
- 21.42 Limited Uses.
- 21.43 Conditional Uses.
- 21.44 Signs.
- 21.45 Wireless Communication Facilities.
- 21.46 Essential Public Facilities.
- 21.47 Landmark Protection and Preservation.
- 21.48 Adult Entertainment.

Division 5. Environment

- 21.50 Tree Management Code.
- 21.51 Critical Areas.
- 21.52 State Environmental Policy Act.
- 21.53 Flood Damage Prevention.

Note: Except for retitling Chapter headings, these chapters remain the same.

Division 6. Building and Construction Codes

- 21.61 Moving of Buildings.
- 21.62 Building Codes.
- 21.63 Street Frontage Improvements.
- 21.64 Condominium Conversions.
- 21.65 Premises Identification.

Note: Updated by Ordinance Nos. 705 and 720.

Division 7. Shoreline Master Program

- 21.70 Shoreline Master Program.
- 21.71 Shoreline Environment Designation.
- 21.72 Shoreline Use Regulations.
- 21.73 General Shoreline Regulations.
- 21.74 Shoreline Development Standards.
- 21.75 Use-specific Shoreline Development Standards.
- 21.76 Shoreline Modifications.
- 21.77 Shoreline Critical Areas.

Note: Updated by Ordinance No. 716.

Division 8. Project Permit and Legislative Procedures

- 21.80 Project Permit Review Procedures.
- 21.81 Project Permit Appeals.
- 21.82 Type 1 Decisions – Administrative Approvals.
- 21.83 Type 2 Decisions – Administrative Discretionary Decisions.
- 21.84 Type 3 Decisions – Quasi-Judicial Decisions.
- 21.85 Development Agreements.
- 21.86 Text Amendment Procedures.
- 21.87 Area-wide Zoning Map Amendment Procedures.
- 21.88 Comprehensive Plan Amendment Procedures.
- 21.89 Annexation Procedures.

Note: Updated by Ordinance No. 706

Division 9. Land Division

- 21.90 Adequacy of Public Facilities.
- 21.91 Land Divisions.
- 21.92 Land Division Design Improvements.
- 21.93 Recreation and Trail Corridors Development Standards.

Note: Chapters 21.90, 21.91, and 21.92 updated by Ordinance No. 720

Staff Comment: Red text represents substantive changes from the November 29, 2021, draft. Other edits and revisions have been made that were clean-up and these are not highlighted.

Chapter 21.10 General Provisions

Sections:

21.10.010	Title.
21.10.020	Statement of purpose.
21.10.030	Compliance.
21.10.040	Minimum requirements.
21.10.050	Conflicts.
21.10.060	Administrative authority.
21.10.070	Interpretations of the Official Zoning Map.
21.10.080	Administrative (code) interpretations.
21.10.090	Compliance with other laws.
21.10.100	City liability.
21.10.110	Responsibility for compliance.
21.10.120	Severability.

Staff Comment. This chapter lays out general administrative provisions of the Unified Development Code. It substantively follows the current code with new provisions clarifying the City's liability and resolving conflicts. The rules for code interpretations were revised to follow more closely the rules of statutory construction used by the courts for interpreting state laws. A new section was also added to spell out more clearly who is responsible for comply with these regulations.

21.10.010 Title.

This title shall be known as, and may be cited as, the "Woodinville Unified Development Code" and may be cited as the UDC.

21.10.020 Statement of purpose.

- (1) The UDC is a comprehensive set of regulations that governs the physical development of all land and water within the City of Woodinville for the purpose of orderly development within the community. The UDC consolidates the city's zoning, platting, environmental, construction and other development regulations into a one-book source with the goal of providing consistency between different regulations and making the ability to find information related to development easier.
- (2) The primary purpose of this title is to:
 - (a) To encourage land use decision making in accordance with the public interest and applicable laws of the State of Washington;
 - (b) To protect the general public health, safety, and welfare;
 - (c) To implement the City of Woodinville Comprehensive Plan's goals and policies through land use regulations;
 - (d) To provide for the economic, social, and aesthetic advantages of orderly development through harmonious groupings of compatible and complementary land uses and the application of appropriate development standards;
 - (e) To provide for adequate public facilities and services in conjunction with development; and
 - (f) To promote general public safety by regulating development of lands containing physical hazards and to minimize the adverse environmental impacts of development.

21.10.030 Compliance.

No building or other structure shall be constructed, improved, altered, enlarged, or moved, maintained nor shall any use or occupancy of premises within the city be commenced or changed, nor shall any condition of or upon real property be caused or maintained, except in conformity with the conditions prescribed within this title.

21.10.040 Minimum requirements.

The regulations set forth in this title shall constitute the minimum requirements necessary to promote the public health, safety, morals, and general welfare.

21.10.050 Conflicts.

- (1) The requirements of this title shall govern when the UDC imposes a greater restriction than is required by other ordinances, regulations, easements, covenants, or other agreements. In the case of internal conflicts within the UDC, the most restrictive provision shall prevail unless prescribed otherwise by law.
- (2) Where there are conflicts, disputes, or disagreements concerning the application of this title, interested parties are encouraged to submit in writing their concerns to be heard by the director.

21.10.060 Administrative authority.

- (1) The director has authority to make and issue orders, rules, requirements, permits, interpretations, decisions, or determinations as necessary in the administration and enforcement of the regulations in this title, except where specified otherwise by law.
- (2) The director has the authority to incorporate drawings as necessary for the purpose of illustrating concepts and regulatory standards contained in this title; provided, that the adopted provisions of the UDC shall control.

21.10.070 Interpretations of the Official Zoning Map.

Where uncertainty exists as to the location of any zone boundary, the rules below, listed in priority order, shall apply.

- (1) Where boundaries are indicated as the approximate centerline of the street right-of-way, the zone shall be the centerline of the street right-of-way.
- (2) Where boundaries are indicated as following approximately property lines, the actual property lines shall be considered the boundaries.
- (3) Where boundaries are indicated as following lines of ordinary high water, or government meander line, the lines shall be considered to be the actual boundaries. If these lines should change the boundaries shall be considered to move with them.
- (4) If none of the rules of interpretation described in WMC 21.10.070(1) through (3) apply, then the zone boundary shall be determined by map scaling.

21.10.080 Administrative (code) interpretations.

- (1) The director is authorized to make written interpretations of the UDC whenever necessary for clarification, or to resolve a conflict within these regulations, so as to provide consistent interpretation and application of this title. However, interpretations shall not be made for the purpose of superseding unambiguous regulations.

- (2) Code interpretations are a Type 1 decision subject to the review procedures set forth in Chapter 21.80 WMC.
- (3) Any person may submit a written request for a code interpretation of this title, or the director may issue a code interpretation at the director's own initiative.
- (4) A written request shall include the following:
 - (a) Specify the regulation for which a code interpretation is requested, including reference to sections of the code subject to the interpretation;
 - (b) A statement on why an interpretation is necessary;
 - (c) Any reasons or materials that might support making the interpretation; and
 - (d) Payment of fees adopted pursuant to the City's fee resolution.
- (5) Code interpretations shall be in writing and made based on the following criteria:
 - (a) The defined, plain, or common meaning of the words of the regulation;
 - (b) The general purpose of the regulation as expressed in the provision; and
 - (c) The logical or likely meaning of the regulation viewed in relation to the comprehensive plan, if applicable; and
- (6) The director, when interpreting the code, must:
 - (a) Give every word, phrase, sentence, and part of a regulation, significance, and effect, where possible; and
 - (b) Interpret the regulation, so as to be harmonious with the UDC as a whole.
- (7) A written interpretation shall be enforced as if it is part of this title.
- (8) A record of all written interpretations shall be maintained by the city and be available for public inspection during regular business hours.

21.10.090 Compliance with other laws.

Nothing in this title shall be construed to excuse compliance with other applicable federal, state, or local laws or regulations.

21.10.100 City liability.

Nothing in this title shall be construed to impose any duty upon the city or any of its officers or employees so as to subject them to liability for damages not otherwise imposed by law to protect individuals from personal injuries or property damage.

21.10.110 Responsibility for compliance.

- (1) Regardless of any review, approval, inspection or other action of the city or its agents, consultants, or employees, it is the responsibility of developers, applicants, owners, and occupiers of land within the city to ensure that all work, actions, or conditions comply with the requirements of this title and all other applicable laws.
- (2) An applicant for a permit or any other approvals from the city is responsible for providing accurate and complete information that complies with the requirements of this title and all applicable laws and regulations. The city is not responsible for the accuracy of information or plans provided by an applicant.

21.10.120 Severability.

If any section, subsection, clause or phrase of this title or amendment thereto, or its application to any person or circumstance, is held by a court of competent jurisdiction to be invalid, the remainder or application to other persons or circumstances shall not be affected.

Chapter 21.11A General Definitions

Sections:

21.11A.010	General provisions.
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21.11A.090	"H" definitions.
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21.11A.110	"J" definitions.
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21.11A.130	"L" definitions.
21.11A.140	"M" definitions.
21.11A.150	"N" definitions.
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21.11A.170	"P" definitions.
21.11A.180	"Q" definitions.
21.11A.190	"R" definitions.
21.11A.200	"S" definitions.
21.11A.210	"T" definitions.
21.11A.220	"U" definitions.
21.11A.230	"V" definitions.
21.11A.240	"W" definitions.
21.11A.250	"X" definitions.
21.11A.260	"Y" definitions.
21.11A.270	"Z" definitions.

Staff Comment. The definitions are divided into two chapters – one chapter contains the general definitions used in the UDC, and the second chapter contains the definitions for the use tables only. This is intended to make it easier to manage and look up information in the code by reducing what is contained in each section as well as sorting through the definitions.

21.11A.010 General provisions.

- (1) For the purpose of this title, the terms in this chapter and Chapter 21.11B WMC shall have the meaning indicated in the applicable chapter, except where the context clearly indicates a different meaning.
- (2) Where a term prescribed in this chapter conflicts with a definition of the same term adopted under a specific chapter, the definition adopted under the specific chapter shall control when applied to that specific chapter.
- (3) Terms not defined herein shall take their meaning from definitions in the comprehensive plan, building codes, and other ordinances incorporated by reference. If a specific term is not defined or referenced, it shall take its normal and customary meaning within the context of how it is used.
- (4) When not inconsistent with the context, words used in the present tense include the future, words in the singular include the plural, and words in the plural include the singular.

21.11A.020 “A” definitions.

Staff Comment. New definitions include Abandoned, Accessory, Alteration Critical Area, Ancillary, Animal Small, Animal Farm, Arborist City, Awning/Canopy. The definition of Alley was significantly revised, and definitions found in other chapters were consolidated into this chapter.

“Abandoned” means the knowing relinquishment of right or claim to the subject property or structure on that property.

“Abutting” means to touch along a border or bounding at a point or line.

“Access” means a way or means of approach to provide vehicular or pedestrian physical ingress and egress to a property.

“Accessory” means, except when specifically defined otherwise by this title, a use, activity, structure, or part of a structure, which is subordinate and/or incidental to the permitted primary use, activity, or structure on the subject property.

“Access corridor” means a vehicle circulation area, including easements, tracts and driveways in common private ownership, over which access is afforded to more than two lots, or which provides access to more than four attached dwelling units (townhomes) or 30 attached and stacked dwelling units in a multifamily development.

“Active use” means an establishment authorized by the zone that promotes high foot traffic and engages in any of the following:

1. Retail sale of goods and services to an individual consumer for their own use including but not limited to soft and durable goods and services, grocery, food and beverage, health, and personal care products, cut flowers and potted plants, and other activities involving retail sales;
2. Personal care services that provide appearance and body care to individuals such as barber and beauty shops, skin and nail care, tanning, health spas, massage and similar care services;
3. Pet care services that provide boarding, grooming, training, veterinarian and similar services for pets;
4. Outpatient healthcare services that provide medicine and dentistry to individuals, excluding hospitals and medical centers and other facilities providing overnight care;
5. Indoor fitness facilities;
6. Financial and banking services;
7. The preservation and exhibition of objects of historical, cultural, creative skills and imagination (art) and/or educational value (e.g., museums and art galleries); and
8. Professional office space that does not exceed 25 percent of the linear front of the building.

“Adjacent” means property located within 300 feet of a property line of a subject property and includes adjoining, unless stated otherwise.

“Adjoining” means touching, abutting, or in the case of property is directly across a street from the subject property. This term does not include property across from any state highway or arterials and collector streets having four (4) lanes of vehicle traffic or more.

“Agrarian structures” means buildings or other structures created to satisfy a well-stated function, usually associated with land-oriented activities, such as farming. The structures exhibit simple geometric forms and were created with available materials and without frills (e.g., primitive barns, early sawmill structures, and historic wood covered bridges).

“Alley” means a narrow public or private thoroughfare which provides only a secondary means of vehicular access to more than one adjoining properties. Alleys are not designed for general traffic circulation and permit access from streets to the backside of buildings. Share driveways are not included in this definition.

“Alteration” means any change, addition or modification in construction, occupancy, or use.

“Alteration, critical area,” except when specified otherwise by this title, means any development or human-induced action which changes and/or impacts the existing conditions of a critical area or buffer. Alterations do not include walking, fishing, other types of passive recreation, or other similar activities.

“Alternative Support Structure” means support structures that incorporate stealth measures as a way to camouflage wireless service facilities including, but not limited to bell towers; clock towers; church steeples; traffic light and traffic sign structures; trees, and other manmade structures and devices, excluding billboards and signs.

“Anadromous fish” means fish that spawn and rear in fresh water and mature in the marine environment.

“Ancillary” means a use, structure, or activity essential for the proper and/or effective function of another use.

“Animal, small” means any animal other than farm animals or predatory or wild animals, which are kept inside or outside a dwelling unit all or part of the time. Predatory or wild animals shall be considered small animals when they are taken into captivity for the purposes of breeding, domestication, training, hunting, or exhibition. Common examples of small animals include, but are not limited to dogs, cats, miniature pigs, miniature goats, ferrets, rabbits, guinea pigs, etc.

“Animal, farm” means grazing animals kept either in open fields or training, boarding, home use, sales, or breeding and projection, and include, but are not limited to, cows, horses, pigs, sheep, goats, llamas, and alpacas.

“Antenna” means a specific device, the surface of which is used to transmit and/or receive radio-frequency signals, microwave signals, or other signals transmitted to or from other antennas. For purposes of illustration, such antennas include, but are not limited to, the following:

1. Omni-directional (or “whip”) antennas, designed to transmit and/or receive signals in a 360-degree pattern;
2. Directional (or “panel”) antennas, designed to transmit and/or receive signals in a directional pattern which is less than 360 degrees, typically an arc of approximately 120 degrees;
3. Parabolic (or “dish”) antennas, generally bowl-shaped devices that are designed to transmit and/or receive signals in a specific directional pattern; and
4. Ancillary antennas that are not directly used to provide wireless communication services, such as a global positioning system (“GPS”) antenna.

“Antenna array” means two or more devices used for the transmission or reception of radio frequency signals, microwave or other signals for personal wireless services purposes and may include omni-directional antennas, directional antennas, parabolic antennas, and ancillary antennas. Two or more antennas situated or mounted upon or attached to a single platform or mounting structure which is affixed or attached to the top of an antenna support structure or midway thereon, or to an alternative antenna support structure, including the roof of a flat-roofed building, are included in the definition of antenna array.

“Antenna support structure” means a structure or device specifically designed, constructed and/or erected for the purpose of attaching, mounting or otherwise affixing antennas at a height, altitude, or elevation for the purpose of providing personal wireless services. For purposes of illustration, antenna support structures include, but are not limited to, the following:

1. A “lattice tower” is a support structure that consists of metal crossed strips, bars, or braces, forming a tower which may have three, four, or more sides;
2. A “monopole tower” is a support structure consisting of a single vertical metal, concrete or wooden pole, typically round or square, and driven into the ground or attached to a foundation; and
3. A “guyed tower” is a support structure usually over 100 feet tall, which consists of metal crossed strips or bars, and is steadied by wire guys in a radial pattern around the tower.

“Applicant” means a person who files an application for permits or development approval who is either the property owner or a primary proponent of a project, which can include a contract purchaser, or authorized agent of the property owner.

“Arborist, city” means a qualified tree professional appointed by the city manager or designee and assigned such duties in administering the City’s tree regulations as determined by the city manager or designee. See definition of “Qualified Tree professional.”

“Automated and mechanical parking systems” means a mechanical system designed for the purpose of parking and retrieving vehicles without drivers in the vehicle during parking and without the use of ramping or driveway aisles, and which may include but is not limited to, a vertical lift and the storage of cars on parking pallets.

“Art, artwork” means a device, element, or feature whose primary purpose is to express, enhance, or illustrate an aesthetic quality, feeling, physical entity, idea, local condition, historical or mythical happening, or cultural or social value. Examples of artwork include sculpture, bas-relief sculpture, mural, or unique specially crafted lighting, furniture, pavement, landscaping, or architectural treatment that is intended primarily, but not necessarily exclusively, for aesthetic purposes. Signs, upon approval by the Director, may be considered artwork provided they exhibit an exceptionally high level of craftsmanship, special material, or construction, and include decorative devices or design elements that are not necessary to convey information about the business or product. Signs that are primarily names or logos are not considered art.

“Awning/canopy” means temporary or permanent roof-like covers, often of fabric, metal, or glass, which projects from a wall or roof of a structure over a window, walkway, door, or the like and which does not require exterior columns or the like to support the ends of the projection.

21.11A.030 “B” definitions.

Staff Comment. New definitions include Base Station (wireless facilities), Buffer, Bulk, Business Day. The definitions of Best Available Science, Building, Building Coverage, Building Envelope, and Building Footprint were significantly revised, and definitions found in other chapters were consolidated into this chapter.

“Balcony” means an outdoor space built as an above ground platform projecting from the wall of a building and enclosed by a parapet or railing.

“Base station” means a structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined herein nor any equipment associated with a tower. “Base station” includes, without limitation:

1. Equipment associated with wireless communications services as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.
2. Radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including distributed antenna systems (“DAS”) and small wireless networks).
3. Any structure other than a tower that, at the time the relevant application is filed (with jurisdiction) supports or houses wireless service facilities that has been reviewed and approved under the applicable zoning or siting process, or under another state or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing that support.

“Bas-relief” means a sculptural carving, embossing, or casting that project very little from the background.

“Bay window” means a window or a series of windows forming a bay in a room and projecting outward from an exterior wall. A bay window may be directly supported by a foundation, or it may be cantilevered out from an exterior wall. When applied specifically to design standards, the bay

must contain a windowpane which extends at least 60 percent of the length and 35 percent of the height of the surface of the exterior bay wall which lies parallel to the exterior wall of the building. There need not be windows in the surfaces which extend out from the exterior wall.

“Beehive” means a structure designed to contain one colony of honeybees (*Apis mellifera*).

“Berm” means a manmade earthen or other type of mound erected to provide a visual interest, visual screening and/or decrease noise.

“Best available science” means scientifically valid information derived in accordance with WAC 365-195-900 through 365-195-925, or as amended, that is used to develop and implement critical areas policies or regulations.

“Best management practices” means conservation practices or systems of practices and management measures that:

1. Control soil loss and reduce water quality degradation caused by high concentrations of nutrients, animal waste, toxics, and sediment;
2. Minimize adverse impacts to surface water and ground water flow, circulation patterns, and to the chemical, physical, and biological characteristics of streams and wetlands;
3. Protect trees and vegetation designated to be retained during and following site construction; and
4. Provide standards for proper use of chemical herbicides within critical areas.

“Billboard” means a sign, including both the supporting structural framework and attached billboard faces, used principally for advertising a business activity, use, product, or service unrelated to the primary use or activity of the property on which the billboard is located; excluding off-premises directional or temporary real estate signs.

“Billboard face” means that portion of a billboard, exclusive of its structural support, on which changeable advertising copy is displayed, either by affixing preprinted poster panels or by painting copy on location; subclassified as follows:

1. Billboard face I – a billboard face not exceeding a height of 14 feet or a width of 48 feet; and
2. Billboard face II – a billboard face not exceeding a height of 12 feet or a width of 24 feet.

“Binding site plans” are an alternative method of land division as authorized for divisions prescribed in RCW 58.17.035.

“Biologist” means a person who has earned at least a Bachelor of Science degree in the biological sciences from an accredited college or university or who has equivalent educational training and experience.

“Bioretention” means a stormwater best management practice consisting of a shallow landscaped depression designed to temporarily store and promote infiltration of stormwater runoff. Standards for bioretention design, including soil mix, plants, storage volume and feasibility criteria, are specified in Appendix C of the King County Surface Water Design Manual.

“Blank wall” means:

1. Any wall or portion of a wall that has a surface area of 400 square feet of vertical surface without a window, door, or building modulation or other architectural feature; or
2. Any ground level wall surface, or section of a wall over four feet in height at ground level, that is longer than 15 feet as measured horizontally without having a transparent window or door lying wholly or in part within that 15-foot section.

“Block” means a group of lots, tracts, or parcels within well-defined and fixed boundaries.

“Boundary line adjustment” means the adjustment of boundary lines between platted or unplatted lots or both, which does not create any additional lot, tract, parcel, site, or division nor create any lot, tract, parcel, site, or division which contains insufficient area and dimension to meet minimum dimensional requirements for lots.

“Buffer” means an area within a property either consisting of natural vegetation and/or created by the use of trees, shrubs, fences, and/or berms, with the primary purpose of providing visual, noise or odor insulation from nearby properties or roadways.

“Buffer, critical area” means a designated area contiguous to and protective of a critical area that is required for the continued maintenance, functioning, and/or structural stability of a critical area.

“Buildable lot” means a tract or parcel of land, legally created, which may be used for the placement of buildings and/or structures separate from other parcels.

“Building” means any structure having a roof supported by columns or walls used or intended for supporting or sheltering any use or occupancy.

“Building coverage” means that portion of a lot or building site covered by the horizontal surface of roof areas covering structures.

“Building envelope” means the space defined by the vertical, horizontal, and mixed planes of an existing or proposed structure, including that portion of the structure which is at or under the ground.

“Building facade” means that portion of any exterior elevation of a building extending from the grade of the building to the top of the parapet wall or eaves, for the entire width of the building elevation.

“Building footprint” means portion of a building, measured from the outside of exterior walls, that covers the ground, including cantilevered portions of a building, but excluding the edge of roofs that overhang exterior walls that are intended to prevent rain, snow, and other debris from spilling directly down the side of the building (e.g., roof eave).

“Building Official” means the person designated by the city manager or designee who is charged with the duties of administering and enforcing building codes inside the city.

“Building site” means one or more parcel of land or lots under single ownership and control and which otherwise qualified as a building site under regulations of the city, which, at the time of filing for a building permit, is designated by its owners or project proponents as the site to be used, developed, or built upon as a unit.

“Bulk” means the combination of zoning controls (lot size, floor area ratio, building coverage, open space, height, and setbacks) that determine the maximum three-dimensional size and placement of a building on a lot.

“Bush” means a shrub or clump of shrubs.

“Business day” means Monday through Friday, excluding legal holidays prescribed in RCW 1.16.050(1)

21.11A.040 “C” definitions.

Staff Comment. New definitions include Caliper Tree, Cattery Hobby, Change of Use, Clearing, Collocation, Commercial, Compatible, Comprehensive Plan, Condominium, Condominium Conversion, Coniferous trees, Contour Line. The definitions of Cattery, Conditional Use, Critical Areas were significantly revised, and definitions found in other chapters were consolidated into this chapter.

“Calculated level of service” means a quantitative measure of traffic congestion identified by a declining letter scale (A – F) used to describe the operating conditions of a roadway based on factors such as speed, travel time, maneuverability, delay, and safety. The methodology for calculating levels of service is set forth in the most recent version of the Highway Capacity Manual published by the Transportation Research Board of the National Academies.

1. Level of Service A represents free-flow conditions with unimpeded maneuverability. Stopped delay at signalized intersections is minimal.
2. Level of Service B represents reasonably unimpeded operations with slightly restricted maneuverability. Stopped delays are not bothersome.

3. Level of Service C represents stable operations with somewhat more restrictions in making mid-block lane changes than Level of Service B. Motorists will experience appreciable tension while driving.
4. Level of Service D represents approaching unstable operations where small increases in volume produce substantial increases in delay and decreases in speed.
5. Level of Service E represents operations with significant intersection approach delays and low average speeds.
6. Level of Service F represents operations with extremely low speeds caused by intersection congestion, high delay, and adverse signal progression.

“Caliper, tree” means synonym for trunk diameter used to measure the size of nursery trees. Caliper measurement of the trunk is taken six inches above the ground up to and including four-inch caliper size. If the caliper at six inches above the ground exceeds four inches, the caliper is measured at 12 inches above the ground.

“Camouflage” means the use of shape, color, and/or texture to cause an object to appear to become a part of something else, usually a structure, such as a building, wall, or roof. Camouflage does not mean “invisible,” but rather “appearing as part or exactly like the structure used as a mount.”

“Campground” means an area of land on which accommodations for temporary occupancy such as tents or recreational vehicles which are used primarily for recreational purposes.

“Canopy, tree” means the percentage of the City or individual lots that is shaded by trees.

“Cannabis” means all parts of the plant cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. For the purposes of this definition, “cannabis” does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. The term “cannabis” includes cannabis products and usable cannabis.

“Cattery” means a place where four or more adult cats are kept, whether by owners of the cats or by persons providing facilities and care, whether or not for compensation, but not including a pet shop. An adult cat is one of either sex, altered or unaltered, that is at least six months old.

Cattery, hobby” means a noncommercial cattery at or adjoining a private residence where four or more adult cats are bred or kept for exhibition for organized shows or for the enjoyment of the species.

“Change of use” means a change in the utilization or occupancy of a property or building from one use to another.

“City” means City of Woodinville.

“City Tree Official” means the person designated by the city manager with responsibility for implementing the City’s tree regulations and Community Urban Forestry Plan.

Clearing” means cutting, grubbing, or removing vegetation or other organic plant material by physical, mechanical, chemical or any other similar means. For the purpose of this definition of clearing, “cutting” means the severing of the main trunk or stem of woody vegetation at any point.

“Closed-record appeal” means an administrative appeal on the record on a project permit application following an open-record hearing with no or limited new evidence or information allowed to be submitted an only appeal argument allowed.

“Clustered development” means a method of locating residences close to each other on small lots. The purpose of clustering residences is to preserve tracts of open space including critical areas.

“Collocation” means the mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communication purposes.

“Commercial” means the use of land, building or structure relating to the buying and selling of goods and services.

“Compatible” means a building, structure, activity or use that blend with, conform to, or is harmonious with the surrounding ecological, physical, visual, or cultural environment.

“Comprehensive plan” means the adopted Woodinville comprehensive plan, including amendments to, listing the goals and policies regarding land use, housing, capital facilities, environment, etc. within the city.

“Concealment” means fully hidden from view. For example, a personal wireless service facility is concealed when it is completely hidden or contained within a structure, such as a building, wall, or roof.

“Conditional use, special use” means a use permitted in a particular zone only upon showing that such use in a specified location will comply with all the conditions and standards for the location or operation of such use as specified and authorized by law.

“Condominium” means real property, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real property is not a condominium unless the undivided interests in the common elements are vested in the unit owners, and unless a declaration and a survey map and plans have been recorded pursuant to Chapter 64.34 RCW.

“Condominium, conversion” means the same as defined in RCW 64.34.020, including amendments thereto.

“Coniferous trees” means those trees that are called evergreen, have needles or scales for leaves, and bear seeds in protective cones. This includes conifer trees that lose their needles in the fall.

“Confinement area” means any open land area in which livestock are kept where the forage does not meet the definition of a grazing area.

“Consolidation,” when applied to wireless communication, means the relocation to a consolidated transmission structure of the main transmit antennas of two or more FCC broadcast licensees which prior to such relocation utilized transmission structures located within a 1,500-foot radius of the center of the consolidated transmission structure to support their main transmit antennas.

“Contour line” means the interconnection of points having the same height above sea level.

“Courtyard” means an unroofed, landscaped space enclosed on at least three sides by the walls of a building or is adjoining a building and enclosed by walls on the other sides, except one side is open.

“Critical aquifer recharge area (CARA)” means areas that have a critical recharging effect on aquifers used for potable water as described in WAC 365-190-100. Due to soil infiltration conditions of these CARAs, they contribute significantly to the replenishment of ground water, and often have a high potential for contamination of ground water resources.

“Critical areas” means the following areas and ecosystems including associated buffers: (a) wetlands; (b) areas with a critical recharging effect on aquifers used for potable water (referred to as critical aquifer recharge areas); (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically sensitive areas.

“Critical facility” means a facility necessary to protect the public health, safety, and welfare and which is defined under the occupancy categories of “essential facilities,” “hazardous facilities,” and “special occupancy structures” in the International Building Code. These facilities include, but are not limited to, schools, hospitals, nursing homes and police stations, fire departments and other emergency response facilities. Critical facilities also include nursing homes, public roadway bridges and sites for hazardous substance storage or production, not including the temporary

storage of consumer products containing hazardous substances intended for household use or for retail sale on the site.

“Critical root zone” means the area surrounding a tree at a distance from the trunk, which is equal to one foot for every inch of tree diameter-at-breast-height or otherwise determined by a qualified tree professional.

“Crown, tree” means the area of a tree containing leaf- or needle-bearing branches.

21.11A.050 “D” definitions.

Staff Comment. New definitions include Day, Density, Development Regulations, Divisions of Land, Domestic Fowl, Drive-through, Driveway, Dwelling. The definition of Development was revised, and definitions found in other chapters were consolidated into this chapter.

“Day,” unless specified otherwise, means calendar days.

“Deciduous trees” means perennial trees that lose all of their leaves at one time of the year.

“Dedication” means the deliberate appropriation of land by an owner for any general and public uses, reserving to themselves no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

“Deck” means a roofless outdoor space built as an above ground platform projecting from the wall of a building and connected to the ground by structural supports.

“Decorative” means the arrangement of lines, shapes, colors, textures, and sizes that serve to beautify or make more attractive the appearance of an object to the general public. It may include but is not limited to elements, designs, or motifs installed, attached, painted, or applied for the purpose of ornamentation or artistic expression.

“Density” means the number of dwellings allowed per acreage as stated for each zone. Typically applied in terms of maximum and minimum densities.

“Department” means the City of Woodinville Development Services Department unless specified otherwise.

“Developer” means the person or entity who owns or holds purchase options or other development control over property for which development activity is proposed.

“Development” means any human-caused changes to improved or unimproved land including but not limited to buildings and other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and the storage of materials or equipment. This includes both temporary and permanent changes.

“Development activity” means any construction or expansion of a building, structure or use, any change in use of a building or structure, or any change in the use of land.

“Development proposal” means any activities requiring a permit or other approval from the City of Woodinville relative to the use or development of land.

“Development regulations” means the controls placed on development or land use activities including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto. A development regulation does not include a decision to approve a project permit application, even though the decision may be expressed in a resolution or ordinance of the legislative body of the city.

“Diameter-at-breast-height” means tree measurement guideline that is the measure in inches of the trunk diameter of each protected or preserved tree four and one-half feet above the ground line.

“Director” means the person appointed by the City Manager, pursuant to WMC 2.09.030 with the powers and duties to administer this title or parts of this title.

“Division of land” means any segregation of land that creates, lots, tracts, parcels, or sites not otherwise exempt pursuant to WMC 21.91.020 that alters or affects the shape, size, and legal description of any part of the owner’s land.

“Domestic fowl” means a species of bird of the Galliformes order, kept chiefly for its eggs and flesh including but not limited to chickens, turkeys, ducks, goose, squabs, pheasants, chukars, and guinea fowl.

“Dripline” means the distance from the tree trunk that is equal to the furthest extent of the tree’s crown.

“Drive-through” means an automobile-oriented component of a permitted use that includes both service window(s) and a stacking lane designed primarily for drive-through trade, and which provides service and caters to patrons while in their motor vehicles.

“Driveway” means a paved or unpaved access strip of land providing a vehicular connector between streets/ alleys and parking areas or garages.

“Dwelling or dwelling unit” means one or more rooms or structures providing complete, independent living facilities for one family, including permanent provisions for living, sleeping, cooking and sanitation.

21.11A.060 “E” definitions.

Staff Comment. New definitions include Easement, Eave, Eligible Facilities Request, Eligible Support Structure, Equipment Housing Structure. The definition of Erosion Hazard Area was significantly revised, and definitions found in other chapters were consolidated into this chapter.

“Easement” means a right to use or limit the use of land in specific ways without acquiring fee simple title to land. Terms of easements may vary and shall be set forth by legal documents.

“Eave” means a roof overhang, free of enclosing walls, without supporting columns.

“Electric vehicle” means any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board for motive purpose. Electric vehicle includes: (1) a battery electric vehicle; (2) a plug-in hybrid electric vehicle; (3) a neighborhood electric vehicle; and (4) a medium-speed electric vehicle.

“Electric vehicle parking space” means any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle.

“Eligible facilities request” means any request for modification of an existing tower or base station for a wireless service facility that does not substantially change the physical dimensions of such tower or base station, involving:

1. Collocation of new transmission equipment;
2. Removal of transmission equipment; or
3. Replacement of transmission equipment.

“Eligible support structure” means any tower or base station as defined under the Woodinville Municipal Code for wireless service facilities; provided that it is existing at the time the relevant application is filed with the city.

“Endangered species” means any fish or wildlife species that is threatened with extinction throughout all or a significant portion of its range and is listed by the State or Federal government as an endangered species.

“Engineer, City” means the Public Works Director, or a person appointed by the City Manager pursuant to WMC 2.09.030 with the duties and responsibilities of the City Engineer.

“Engineering geologist” means a practicing engineering geologist licensed in the State of Washington.

“Enhancement, critical area” means an action which increases the functions and values of a stream, wetland or other critical area or buffer.

“Equipment, heavy” means high-capacity mechanical devices for moving earth or other materials, and mobile power units including, but not limited to:

1. Carryalls;
2. Graders;
3. Loading and unloading devices;
4. Cranes;
5. Drag lines;
6. Trench diggers;
7. Tractors;
8. Augers;
9. Bulldozers;
10. Concrete mixers and conveyers;
11. Major agricultural equipment such as combines, harvesters, and similar devices operated by mechanical power as distinguished from manpower.

“Equipment housing structure” means the structure used to shelter equipment (i.e., electronics, cooling and heating devices, emergency generators, etc.) necessary for processing wireless communication signals including, but not limited to, vaults, cabinets, and similar assemblies.

“Erosion” means the process whereby wind, rain, water, and other natural agents mobilize and transport particles.

“Erosion hazard areas” means areas containing soils identified by the U.S. Department of Agriculture’s Natural Resources Conservation Service Soil Survey Program as having a “moderate to severe,” “severe,” or “very severe” rill and inter-rill erosion hazard.

“Evergreen” means a plant species with foliage that persists and remains green year-round.

“Exceptional design,” means the architectural features of a structure and/or site layout that satisfy all of the following criteria:

1. Extensive pedestrian network connected to the City’s Non-Motorized Transportation Plan and Transportation Master Plan with lighting, landscaping, and amenities that provides clear pedestrian connections from the street, between buildings, through parking lots and to adjacent sites. See WMC 21.40.250.
2. Creative and effective vehicular circulation system that minimizes the frequency of conflicts between pedestrians, bicycles, and automobiles;
3. A unique multi-use central open space with special amenities and activities, accessible, open, and available to the general public;
4. Increased use of structured parking;
5. Enhanced off-street pedestrian/bike routes that connect to the existing/planned trail system;
6. Special accommodation of transit services;
7. Extensive environmental restoration and/or tree retention;
8. Environmental certification (LEED) of all structures pursuant to U.S. Building Council rating system;
9. Include uses that will expand the range of activities in downtown such as cultural or performing arts facility, public assembly areas, and similar uses that will encourage pedestrian activity and/or support for other business or community activities, consistent with WMC 21.40.260, Pedestrian activity and plazas;
10. Pedestrian-oriented space at a rate of two percent of the project site plus two percent of the building footprint;
11. When new development fronts on a pedestrian street as defined in WMC 21.40.110(2) and on a corner as defined in WMC 21.40.180, require pedestrian open space and the building’s primary entrance at the street corner;

12. Surface and structured parking along street frontages shall be located so that it is not visible from the street except for driveway access where these are necessary consistent with WMC 21.40.300(2)(d); and

13. Use of gabled, sloped (pitched), or green roofs as described in WMC 21.40.320.

“Exotic animal” means any of the following:

1. Venomous species of snakes capable of inflicting serious physical harm or death to human beings;
2. Nonhuman primates and prosimians;
3. Bears;
4. Nondomesticated species of felines;
5. Nondomesticated species of canines and their hybrids, including wolf and coyote hybrids; and
6. The order Crocodilia, including alligators, crocodiles, caimans and gavials.

21.11A.070 “F” definitions.

Staff Comment. New definitions include Family, Feasible, Fish and Wildlife Conservation Area, Floor, Freestanding Wall, Functions and Values. The definitions of Fence, Flood, Floodway, Floor Area Ratio, Frequently Flooded Areas were significantly revised, and definitions found in other chapters were consolidated into this chapter.

“Facade” means: See definition of “Building Facade.”

“Facilities, public” include streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, stormwater management systems, sewage disposal systems, parks, and recreation facilities and schools directly controlled by a public authority.

“Family” means one or more persons living together as a single housekeeping unit in a dwelling and may include family guests. The owner of the single-family dwelling may provide lodging to persons who are not guests and who are not part of a family provided the total number of persons, including nonfamily persons living in the dwelling does not exceed four, excluding children with familial status within the meaning of Title 42 United States Code, Section 3602(k). The limitation on the number of nonfamily persons living in the dwelling shall not apply to adult family homes, family day-care providers’ home facilities as prescribed by RCW 35A.63.215, and other living arrangements which would violate Title 42 United States Code, Section 3604.

“FCC” means the Federal Communications Commission.

“Feasible” means an action, such as a development project, mitigation, or preservation requirement that satisfies all of the following criteria:

1. Can be accomplished with technologies and methods that have been used in the past in similar circumstances, or studies or tests that have demonstrated in similar circumstances that such approaches are currently available and likely to achieve the intended results;
2. Provides a reasonable likelihood of achieving its intended purpose; and
3. Does not physically preclude achieving the project’s primary intended legal use.

“Fence” means a manmade barrier, railing, or other upright structure, excluding berms, for the purpose of enclosing an area of ground to mark a boundary, control access, or prevent escape. This term includes freestanding walls serving the same purpose as a fence.

“Final plat” means the final drawing of the subdivision and dedication prepared for filing for record with the King County Recorder’s Office and containing all elements and requirements set forth in Chapter 58.17 RCW and in this title.

“Fish and wildlife habitat conservation area” means areas that serve a critical role in sustaining needed habitats and species for the functional integrity of the ecosystem, and which, if altered, may reduce the likelihood that the species will persist over the long term. These areas may

include, but are not limited to, rare or vulnerable ecological systems, communities, and habitat or habitat elements including seasonal ranges, breeding habitat, winter range, and movement corridors; and areas with high relative population density or species richness. These areas include:

1. Areas with which State or Federally designated endangered, threatened, and sensitive species have a primary association;
2. Habitats of local importance, including, but not limited to, areas designated as priority habitat by the Department of Fish and Wildlife;
3. Naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat, including those artificial ponds intentionally created from dry areas to mitigate impacts to ponds;
4. Waters of the State, including lakes, ponds, streams, inland waters, underground waters, and all other surface waters and watercourses within the jurisdiction of the State of Washington;
5. State natural area preserves and natural resource conservation areas; and
6. Land essential for preserving connections between habitat blocks and open spaces.
7. "Fish and wildlife habitat conservation areas" does not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of, and are maintained by, a port district or an irrigation district or company.

"Flag" means a piece of cloth of distinctive color or design that is used as a signal, emblem, or symbol of a nation, state, or public or private institution.

"Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland waters and/or the unusual and rapid accumulation of runoff of surface waters from any source.

"Floodway" means those areas that have been established in Federal Emergency Management Agency flood insurance rate maps or floodway maps. (See Chapter 21.53 WMC for maps.)

"Floor" means: (1) the surface of an enclosed area in a building on which one stands; or (2) the lower or supporting surface of an outdoor area designed for occupancy.

"Floor area, gross" means the sum of the gross horizontal areas of the floors of buildings and structures. When measuring the floor area of buildings, gross floor area is measured from the outdoor faces of exterior walls above and below ground and, when applicable, from the centerline of division walls. This includes mezzanines. When measuring the floor area of structures containing outdoor space, gross floor area is measured as the ground area designed for the exclusive use of an occupant.

"Floor area ratio (FAR)" means the relationship between the total amount of usable floor area that a building has, or has been permitted to have, and the total area of the lot on which the building(s) stand. This ratio is determined by dividing the total usable floor area by the lot area.

"Floor area, usable" means the gross floor area of a building less vehicle and bicycle parking and associated circulation areas, balconies, covered and uncovered outdoor floors, mechanical rooms, indoor garbage and recycle collection rooms, building stories fully below ground, floor areas having less than five-foot high ceilings, elevator shafts, and stairwells.

"Flush mounted" means attached to the face of the support structure or building such that no portion of the antenna extends above the height of the support structure or building. Where a maximum flush mounting distance is given, that distance shall be measured from the outside edge of the support structure or building to the outside edge of the antenna.

"Franchise and corporate architecture (Franchise architecture)" means a building design that is trademarked, branded, or easily identified with a particular chain or corporation and is ubiquitous in nature. Some typical issues and negative impacts often associated with national chain or commercial franchise designs include:

1. Large logos and/or colors used over large expanses of a building;

2. Branded buildings are difficult to reuse if vacated by the primary business, promoting vacancies and blight; and
3. Buildings lack architectural elements and design consistent with the local community's architectural composition, character, vernacular, and historic context.

"Freestanding wall" means a wall structure standing alone or on its own foundation free of support or attachment or affiliation with other structures in close proximity and built to act as a fence or to provide buffering from noise or other undesirable impacts.

"Frequency, radio" means the number of times the current from a given source of non-ionizing electromagnetic radiation changes from a maximum positive level through a maximum negative level and back to a minimum positive level in one second; measured in cycles per second or Hertz ("Hz").

"Frequently flooded areas" means lands in the floodplain subject to at least a one percent or greater chance of flooding in any given year, or within areas subject to flooding due to high ground water. These areas include, but are not limited to, streams, rivers, lakes, coastal areas, wetlands, and areas where high ground water forms ponds on the ground surface.

"Functions and values" mean the beneficial roles served by critical areas including, but not limited to, water quality protection and enhancement; fish and wildlife habitat; food chain support; flood storage, conveyance, and attenuation; ground water recharge and discharge; erosion control; wave attenuation; protection from hazards; historical, archaeological, and aesthetic value protection; and recreation. These beneficial roles are not listed in order of priority.

21.11A.080 "G" definitions.

Staff Comment. New definitions include Grade Existing, Ground Water, Grubbing. The definitions of Grading, Gross Floor Area were significantly revised.

"Geologically sensitive areas" are those areas susceptible to erosion, sliding, earthquake, or other geological events. Geologically sensitive areas pose a risk to the health and safety of citizens when incompatible development is located in areas of significant hazard. Geologically sensitive areas shall include erosion hazard, landslide hazard, seismic hazard, and other geologic hazard areas.

"Geologist" means a person licensed as a geologist in the State of Washington.

"Geotechnical engineer" means a practicing geotechnical/civil engineer licensed as a professional civil engineer by the State of Washington.

"Grade, existing" means the ground elevation existing on a lot at the time an application for a building or other development permit is filed at the City.

"Grade, finished" means the ground elevation **at the conclusion of all grading efforts** after any lot development is completed.

"Grading" means the movement or redistribution of the soil, sand, rock, gravel, sediment, or other material on a site in a manner that alters the natural contour of the land.

"Grading," when used with Chapter 15.05 WMC, means any excavating, filling, removing of the duff layer, or combination thereof.

"Grazing area" means any open land area used to pasture livestock in which the forage is maintained over 80 percent of the area at all times of the year.

"Groundcover" means living plants designed to grow low to the ground (generally one foot or less) and intended to stabilize soils and protect against erosion.

"Ground water" means water in a saturated zone or stratum beneath the surface of land or a surface water body.

"Grubbing" means to clear by digging up roots and or stumps. See "clearing."

21.11A.090 “H” definitions.

Staff Comment. New definitions include Hardscape, Height, Housekeeping Unit. The definitions of Hazard Tree, Hearing Examiner were significantly revised.

“Hardscape” means any inorganic decorative landscape materials, including but not limited to stones, boulders, cobbles, pavers, decorative concrete incorporated into an overall landscape design of the grounds. This definition includes, but is not limited to patios, walkways, steps, and other paved areas on the ground.

“Hard surface” means any impervious surface or permeable pavement.

“Hazard tree” means a tree designated by a qualified tree professional as having a high to extreme risk using the International Society of Arborists Tree Risk Assessment Qualification (TRAQ) system. A hazard tree must have a likely or very likely potential to fail and a target with a moderate-high frequency of persons or property that might sustain injury or damage. Hazard trees are created through a variety of circumstances including human influences, disease, and weather. “Hearing Examiner” means the person appointed pursuant to WMC 2.27.020 with the powers and duties prescribed in Chapter 2.27 WMC.

“Height” means the vertical distance measured from the designated grade elevation to the highest point of a structure or as otherwise allowed, excluding elements specifically exempt from height calculations.

Height, Wireless Service Facilities. For personal wireless service facilities, “height” means the vertical distance measured from existing unaltered ground level to the highest point on the communication facility, including the antenna or antenna array.

“Heritage tree” means a tree or stand of trees that is particularly desirable because it has valued, unique characteristics that set it apart from other similar trees. Valued, unique characteristics include uncommon genus, species, form, size, location, historic significance, or other desirable feature(s).

“Housekeeping unit” means one or more persons living together sharing household responsibilities and activities, which may include sharing expenses, chores, eating evening meals together and participating in recreational activities and having close social, economic and psychological commitments to each other. A housekeeping unit does not include larger institutional group living situations such as dormitories, fraternities, sororities, and similar groups where the common living arrangement or basis for the establishment of the housekeeping unit is temporary.

“House-mover” means any person, firm or corporation engaged in the business of moving houses, buildings, structures, or other like object.

21.11A.100 “I” definitions.

Staff Comment. New definitions include Incidental. The definitions of Impervious Surface, Improved Right-of-Way were significantly revised.

“Impervious surface” means any hard surface area which either prevents or retards the entry of water into the soil mantle as it would otherwise enter under natural conditions preexisting to development, or any hard surface area which causes water to runoff the surface in greater quantities or at an increased rate of flow as it would otherwise under natural conditions preexisting to development. Examples include impenetrable materials such as but not limited to asphalt, concrete, brick, stone, wood, gravel roads and parking areas, and rooftops.

“Improved right-of-way” means right-of-way having road improvements that are open for general vehicular use.

“Incidental” means ancillary to something that is more important such as a primary use.

21.11A.110 “J” definitions.

“Joint-use or shared” means structures that are constructed for private use by more than one property owner.

“Joint aquatic resources permit application” (JARPA) means an application form for applying for Hydraulic Project Approvals, Water Quality Certifications, and U.S. Army Corps of Engineers Section 404 and Section 10 permits.

21.11A.120 “K” definitions.

“Kennel” means a place where adult dogs are temporarily boarded for compensation, whether or not for training. An adult dog is one of either sex, altered or unaltered, that has reached the age of six months.

21.11A.130 “L” definitions.

Staff Comment. New definitions include Live/Work Units, Lot Area, Lot Area Net, Lot Through, Lot Width, Lumen, Luminance. The definitions of Land Use Decisions, Landscape Coverage, Landscaping, Lot Width Street, Low Impact Development, Low Impact Development Best Management Practices were significantly revised.

“Land disturbing activities” means any activities that result in a change in the existing soil cover, both vegetative and nonvegetative, and/or the existing soil topography. Land disturbing activities include, but are not limited to, clearing, grading, filling, and excavation. Compaction that is associated with stabilization of structures and road construction shall also be considered a land disturbing activity. Land disturbing activity does not include tilling conducted as part of agricultural practices, landscape maintenance, or gardening. Stormwater facility maintenance is not considered land disturbing activity if conducted according to established standards and procedures.

Land Use Decision means a final determination by the decision authority with the highest level of authority to make the determination.

“Landscape” means living plant materials, topography, and other natural physical elements combined in relation to one another and to manmade structures.

“Landscape coverage” means the area of a lot or building site that is covered by landscaping that at a minimum satisfies City of Woodinville requirements. This can include required landscaping, native growth protection areas, and optional areas of landscaping. Landscape coverage does not include any pervious pavement.

“Landscaping” means the planting, removal, and maintenance of living vegetation along with the movement and displacement of earth, topsoil, rock, bark, and similar substances done in conjunction with the planting, removal, and maintenance of vegetation.

- Landscaping located along the site boundaries meeting minimum landscaping width requirements is referred to as perimeter landscaping; and
- Landscaping located elsewhere on the site is referred to as interior landscaping.

“Landslide” means episodic downslope movement of a mass including, but not limited to, soil, rock, or snow.

“Landslide hazard areas” means areas that are potentially subject to risk of mass movement due to a combination of geologic, topographic, and hydrological factors. These areas are typically susceptible to landslides because of a combination of factors including bedrock, soil, slope (gradient), slope aspect, geologic structure, hydrology, or other factors. See WMC 21.51.250(2)(b).

“Leadership in Energy and Environmental Design or LEED®” means a series of rating systems based on points developed by the U.S. Green Building Council with the aim at increasing the environmental and health performance of buildings, sites, and structures of neighborhoods. LEED® covers the design, construction, and operation of all types of buildings. Certification levels are “Certified,” “Silver,” “Gold,” and “Platinum.”

“Level of service (LOS)” means a measure of traffic congestion along a roadway or at an intersection identified by a letter scale from A to F as calculated by a methodology endorsed by the Institute of Transportation Engineers.

“Limit of disturbance, tree” means the boundary between the area of minimum protection around a tree and the allowable site disturbance as determined by a qualified tree professional and approved by the City.

“Live/work units” means any place where:

1. Workers perform their primary occupations, including where businesses and artists create original and creative works such as books, writings or compositions for sale, paintings, sculptures, traditional and fine crafts, creation or acting of films, creation, or performance of dances;
2. Those workers and artists and their immediate families live in the same unit as where they work; and
3. Residential space is clearly secondary to workspace and consists of no more than 50 percent of the total residential/workspace.

For purposes of FAR, the floor area dedicated to work shall qualify as commercial and the floor area dedicated to living space shall qualify as residential.

“Loading space” means a space for the temporary parking of a vehicle while loading or unloading cargo or passengers.

“Logo” means a design or symbol that represents a product, identity, or service.

“Lot” means (1) a fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width, area, and street frontage; and (2) land having fixed boundaries used as a “building site.” The term shall include tracts or parcels.

“Lot area” means all areas within the boundaries of a lot, excluding submerged lands such as Lake Leota.

“Lot area, net” means the lot area excluding the area of any access easement or public right-of-way dedication for streets including pedestrian facilities associated with the streets, and any areas unbuildable due to the presence of critical areas as defined in Chapter 21.51 WMC.

“Lot, corner” means a lot situated at the intersection of, and abutting upon, the intersection of two or more streets, including road rights-of-way, road tracts and road easements, or upon two parts of the same street, provided the interior angle of intersection is not more than 135 degrees. In the case of a curved corner, the tangents at the street extremities of the side lot lines shall be used for forming the angle.

“Lot, flag” means a lot which has very narrow frontage along a street where the main body of the lot connects to a street through an access corridor.

“Lot, through” means a lot bounded on two opposite sides by streets; provided, however, that if any lot qualifies as being both a corner lot and a through lot, such lot shall be deemed to be a corner lot for purposes of the zoning code.

“Lot width” means the horizontal distance between interior property lines measured as follows:

1. Scaling a circle having a diameter of the applicable lot width length;
2. The circle shall be located within the boundaries of the lot, abutting at least two opposite interior property lines, and centered on the most likely location for a building containing the primary use; and
3. The circle shall not be located within any access easements or native growth protection areas easement required in Chapter 21.51 WMC.

“Lot width, street” means the horizontal distance between interior property lines along a line:

1. Parallel to the street property line; or
2. If the street property line is a curve, horizontal distance is measured along a line that is parallel to a tangent line of the curve, where the parallel line is the shortest distance between two interior property lines that intersect the street.

In the case of a corner lot, the street property line that does not have the primary vehicle access to the lot may substitute for an interior property line.

“Low impact development (LID)” means a set of techniques that mimic natural watershed hydrology by slowing, evaporating/transpiring, and filtering water that allows water to soak into the ground closer to its source.

“Low impact development best management practices” means distributed stormwater management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation, and transpiration. LID best management practices include, but are not limited to, bioretention, permeable pavements, roof downspout controls, dispersion, soil quality and depth, and minimal excavation foundations. Further information can be found in the King County stormwater manual adopted under Chapter 13.05 WMC.

“Lumen” means a measure of light energy generated by a light source. One footcandle is one lumen per square foot. For purposes of this definition, the lumen output shall be the initial lumen output of a lamp, as rated by the manufacturer.

“Luminance” means the light that is emitted by or reflected from a surface. Measured in units of luminous intensity (candelas) per unit area (square meters in SI measurement units or square feet in English measurement units). Expressed in SI units as cd/m, and in English units as foot lamberts. Sometimes also expressed as “nits,” a colloquial reference to SI units. Can be measured by means of a luminance meter.

21.11A.140 “M” definitions.

Staff Comment. New definitions include Mechanical Equipment, Miniature Golf, Monopole. The definitions of Manufacture Home, Marijuana, Mobile Home were significantly revised, and definitions found in other chapters were consolidated into this chapter.

“Major exterior remodel” means any interior and exterior alteration to any existing building, structure or site that changes the exterior appearance and satisfies either of the following criteria:

1. Estimated valuation of the alteration exceeds 50 percent of the valuation of the existing built facilities using the methods for valuation set forth in WMC 21.62.060; or
2. The alteration includes construction of a new building addition exceeding 400 square feet of gross floor area.

“Manufactured home” means a single-family dwelling built in accordance with regulations adopted under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.). The term “manufactured home” does not include a recreational vehicle.

“Marijuana” or “marihuana” means all parts of the plant Cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include:

1. The mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination; or

2. Hemp or industrial hemp as defined in RCW 15.140.020; seeds used for licensed hemp production under Chapter 15.140 RCW.

“Mechanical equipment” means equipment, devices, and accessories, the use of which relates to water supply, drainage, heating, ventilating, air conditioning, manufacturing processes, and similar machinery supported purposes. This term does not apply to machinery whose purpose is to disperse goods and services directly to the public.

“Medium-speed electric vehicle” means a self-propelled, electrically powered four-wheeled motor vehicle, equipped with a roll cage or crush-proof body design, whose speed attainable in one mile is more than 25 miles per hour but not more than 35 miles per hour and otherwise meets or exceeds the Federal regulations set forth in 49 CFR 571.500.

“Microwave” means electromagnetic waves with a frequency of 890 megahertz (mhz) or greater.

“Miniature golf” means a novelty golf game played with a putter on a miniature course usually having tunnels, bridges, sharp corners, and a variety of obstacles.

“Minor exterior remodel” means any interior and exterior alteration to any existing building, structure, or site having an estimated valuation of less than 50 percent using the methods for valuation set forth in WMC 21.62.060. Painting only is considered a minor exterior remodel.

“Mitigation” means to reduce the severity of an action or situation.

“Mobile home” means a factory-built dwelling built prior to June 15, 1976, to standards other than the national manufactured housing construction and safety standards act of 1974 (42 U.S.C. 5401 et seq.), and acceptable under applicable state codes in effect at the time of construction or introduction of the home into this state.

“Mobile vendor” means an itinerant business or person who engages in selling goods, services, or food from a temporary structure, vehicle, or other conveyance.

“Modulation” means, when applied to design standards, is a stepping back or projecting forward of portions of a building facade within specified intervals of building width and depth, as a means of breaking up the apparent bulk of a structure’s continuous exterior walls.

“Monitoring” means evaluating the impacts of development proposals on natural or manmade systems and assessing the performance of required mitigation through the collection and analysis of data for the purpose of understanding and documenting changes in the natural or manmade systems, functions and features including, but not limited to, gathering baseline data.

“Monopole” means a single upright pole, engineered to be self-supporting that does not require lateral cross supports and is sunk into the ground and/or attached to a foundation.

“Mount” means any mounting device or bracket which is used to attach an antenna or antenna array to an antenna support structure or alternative antenna support structure.

21.11A.150 “N” definitions.

Staff Comment. New definitions include Nonconforming Structure, Nonconforming Use, Nonconforming Site. None of the existing definitions were significantly revised, and definitions found in other chapters were consolidated into this chapter.

“Native growth protection area (NGPA)” means an area where native vegetation is preserved for the purpose of preventing harm to property and the environment, including, but not limited to, controlling surface water runoff and erosion, maintaining slope stability, buffering, and protecting plants and animal habitat.

“Native vegetation, native plants” means plant species native to the Puget Sound lowlands, excluding noxious weeds. Cultivars, plant varieties that have been produced in cultivation by selective breeding, with genetics predominantly composed of native species, are acceptable to meet the “native vegetation” definition.

“Naturalized species” means nonnative species of vegetation that are adaptable to the climatic conditions of the coastal region of the Pacific Northwest.

“Neighborhood electric vehicle” means a self-propelled, electrically powered four-wheeled motor vehicle whose speed attainable in one mile is more than 20 miles per hour and not more than 25 miles per hour and conforms to Federal regulations under 49 CFR 571.500.

“Nonconforming structure” means an existing structure which was lawful at the time it was built and was continuously maintained consistent with WMC 21.73.080, but subsequently fails by reason of adoption, revision, or amendment to a development regulation to fully comply with present dimensional and design regulations such as, but not limited to, critical areas and buffers, height, setbacks, design standards, or density. This term applies whether or not the nonconformance was permitted by variance.

“Nonconforming use” means any existing use, occupancy, or activity which was lawful at the time it was established and was continuously maintained consistent with WMC 21.73.080, but subsequently fails by reason of adoption, revision, or amendment to the Zoning Code to fully comply with the use regulations of the Zoning Code. A change in the required permit review process is not a cause for nonconformance. A nonconforming use may or may not involve buildings or structures and may involve part or all of a building or property.

“Nonconforming site” means a lot which does not conform to development regulations pertaining to the development of a site, including but not limited to landscaping, design standards applicable to the site, parking and loading, public access, vegetation management, and lighting.

“Northwest woodland character” means the character of early development of the Northwest that balanced the use of local materials (such as timber, high quality aggregates, and/or recycled or manufactured materials made to resemble natural materials) to construct buildings with the natural environment, including native trees and other vegetation. Examples and illustrations of buildings and developments having Northwest woodland character are included in WMC 21.40.390.

Noxious weed” means any plant which is highly destructive, competitive or difficult to control by cultural or chemical practices, limited to those plants on the State noxious weed list contained in Chapter 16-750 WAC.

“Nuisance tree” means a tree that causes physical damage to private or public structures; has been damaged by past maintenance practices that cannot be corrected; is chronically diseased or infested; overplanted or overcrowded; part of a dense grove creating safety concerns or excessively obstructing sunlight.

21.11A.160 “O” definitions.

Staff Comment. New definitions include Occupancy, Off-site, On-site, Open-Record Appeal Hearing, Open-Record Hearing, Open Space. The definition of Open Space Natural was significantly revised.

“Occupancy” means the purpose for which a building or site is used or intended to be used. The term also includes the building or room housing such use.

“Off-site” means an activity or use that is related to a specific primary use but is not located on the same site as the primary use.

“On-site” means an activity or use that is related to a specific primary use and is located on the same site as the primary use.

“Open-record appeal hearing” means an open-record hearing held on an appeal when no pre-decision hearing has been held on the project permit application.

“Open-record hearing” means a hearing that creates the City’s record through testimony and submission of evidence and information, under procedures prescribed by the City by ordinance or resolution. An open-record hearing held prior to the City’s decision on a project permit application is known as a “pre-decision hearing.”

“Open space, natural” means land preserved in its undisturbed and natural state. Usually intended to be comprised of heavily treed steep slopes, wetlands, waterway corridors, or other critical areas but may include other areas where nature predominates, and the space is substantially free of structures, impervious surface, and other land altering activities of the built environment.

“Open space” means land areas that are not occupied by buildings, structures, parking areas, streets, or alleys and are mostly unobstructed to the sky directly above by man-made objects. Open spaces can include natural open space areas, landscaping, preservation of natural features, patios and similar surface structures, and recreational areas and facilities, excluding sports facilities.

“Open-work fence” means a fence in which the solid portions are evenly distributed and constitute no more than 50 percent of the total surface area.

“Ordinary high-water mark” means the mark found by examining the bed and banks of a stream or lake and ascertaining where the presence and action of waters are so common and long maintained in ordinary years as to mark upon the soil a vegetative character distinct from that of the abutting upland. In any area where the ordinary high-water mark cannot be found, the line of mean high water shall substitute. In any area where neither can be found, the top of the channel bank shall substitute. In braided channels and alluvial fans, the ordinary high-water mark or line of mean high water shall be measured so as to include the entire stream feature.

“Owner” means one who has legal title to ownership, or an authorized agent of the owner who has written authorization to act on behalf of the owner, or a purchaser under a contract for the sale of real property.

21.11A.170 “P” definitions.

Staff Comment. New definitions include Parking Surface, Patio, Plat Final, Potable Water, Property Line, Property Line Street, Property Line Interior, Public Facilities, Public Services. The definitions of Permeable Pavement and Public Works Director were significantly revised, and definitions found in other chapters were consolidated into this chapter.

“Parcel” means: See definition of “lot.”

“Parking lot aisle” means that portion of the off-street parking area used exclusively for the maneuvering and circulation of motor vehicles and in which parking is prohibited.

“Parking lot unit depth” means the linear distance within which one parking aisle is flanked by accessible rows of parking stalls as measured perpendicular to the parking aisle.

“Parking space” means an area accessible to vehicles, improved, maintained, and used for the sole purpose of parking a motor vehicle.

“Parking space angle” means the angle measured from a reference line, generally the property line or center line of an aisle, at which motor vehicles are to be parked.

“Parking, structured” means underground or above ground parking that is contained within a building that may also contain other levels of parking, and/or residential, and/or commercial uses.

“Party of record” means:

1. The applicant and any appellant;
2. The property owner, if different than the applicant;
3. The City;
4. Any person or public agency who individually submitted written comments to the City prior to the closing of the comment period provided in a legal notice;
5. Any person or public agency who individually submitted written comments for or testified at a pre-decision hearing;

6. Any person or public agency who submitted to the City a written request to specifically receive the notice of decision or to be included as a party of record prior to the closing of an open-record pre-decision hearing.

7. A party of record does not include a person who has only signed a petition.

“Parking, surface” means an open area, other than a street, used for parking of motorized vehicles.

“Patio” means a hard surfaced area of the ground beyond a building designed, established, and/or installed to provide for outdoor living, cooking and recreation, some sides of which are open, and which may or may not have a permanent overhead covering.

“Peak hour” means the hour during the morning or afternoon when the most critical level of service occurs for a particular roadway or intersection.

“Pedestrian-oriented building facades” means ground-floor facades which employ at least one of the following characteristics:

1. Transparent window areas or window displays along at least 75 percent of the ground-floor façade in the area between two feet and eight feet above the sidewalk or walkway surface; or
2. A combination of sculptural, mosaic, or bas-relief artwork, and transparent window areas or window displays covering at least 75 percent of the ground-floor story facade.

“Pedestrian-oriented space” means an area between a building and a street, access road, or a pedestrian path, which promotes visual and pedestrian access onto the site, and which provides pedestrian-oriented amenities and landscaping to enhance the public’s use of the space for passive activities such as resting, reading, picnicking, etc. A pedestrian-oriented space must include the following:

1. Visual and pedestrian access (including ADA access) into the site from a street, private access road, or nonvehicular courtyard;
2. Paved walking surfaces of either concrete, stone, or other approved unit paving;
3. On-site or building-mounted lighting providing at least four-foot candles (average) over the pedestrian-oriented space;
4. Be located in areas with significant pedestrian traffic to provide interest and security, such as adjacent to a building entry;
5. Landscaping components that add visual interest and do not act as a visual barrier and can include planting beds, potted plants, or both; and
6. At least two feet of seating area (a bench or ledge at least 16 inches deep and appropriate seating height), or one individual seat, per 60 gross square feet of pedestrian-oriented space.

A pedestrian-oriented space must also have:

7. Additional, pedestrian amenities, including two or more elements such as a water feature, site furniture beyond the minimum seating, artwork, drinking fountains, kiosks, clock tower, etc.;
8. Adjacent buildings must have pedestrian-oriented building facades;
9. Consideration of the sun angle at noon and the wind pattern in the design of the space; and
10. Transitional zones along building edges to allow for outdoor seating areas and a planted buffer.

A pedestrian-oriented space shall not have:

1. Asphalt or gravel pavement;
2. Adjacent nonbuffered parking lots or service areas;
3. Adjacent chain-link fences;
4. Adjacent blank walls without blank wall treatment; and

5. Outdoor storage or retail sales that do not contribute to the pedestrian-oriented environment.

“Pedestrian-Oriented Street” means the following streets:

1. NE 175th Street, 133rd Avenue NE, 135th Avenue NE, 138th Avenue NE, and 140th Avenue NE within the Central Business District zone.
2. State Route 202 located in the Tourist Business and Tourist Industrial zones described in WMC 21.26.010.
3. An undefined north/south corridor connecting NE 171st Street and Woodinville-Snohomish Road in the vicinity of 135th Avenue NE.

“Pedestrian-oriented use (or business)” means a commercial enterprise whose customers commonly arrive by foot; or whose signage, advertising, window display, and entryways are oriented toward pedestrian traffic. Pedestrian-oriented businesses may include restaurants, retail shops, personal service businesses, travel services, banks (except drive-through windows), and similar establishments.

“Permeable pavement” means a low impact development best management practice consisting of paving materials which is designed to allow passage of water through the pavement section. It often includes an aggregate base that provides structural support and acts as a stormwater reservoir.

“Person” means, as used in this title, any individual, partnership, association, corporation, unit of government or any other legal entity.

“Plat” means a map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys or other divisions and dedications.

“Plat certificate” means a title report or subdivision guarantee that is prepared by a title company for the property contained in a proposed short subdivision, subdivision, or binding site plan, to include, as a minimum, all owners of record, easements and encumbrances affecting said property.

“Plat, final” means the final drawing of the subdivision and dedication prepared for filing for record with the King County auditor and containing all elements and requirements set forth in this title.

“Plat, preliminary” means a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, and other elements of a subdivision consistent with the requirements of the WMC. The preliminary plat shall be the basis for the approval or disapproval of the general layout of a subdivision.

“Potable water” means water that is satisfactory for drinking, culinary, and domestic purposes, meeting current drinking water standards.

“Primary association” means use of a habitat area by a species for breeding, nesting, rearing young, roosting, feeding, or foraging on a regular basis.

“Priority habitat” means habitat type or elements with unique or significant value to one or more species as classified by the Washington Department of Fish and Wildlife. A priority habitat may consist of a unique vegetation type of dominant plant species, a described successional stage, or a specific structural element.

“Private” means solely or primarily for the use of residents or occupants of the premises; e.g., a noncommercial garage used solely by residents, or their guests is a private garage.

“Private stormwater management facility” means a surface water control structure installed by a project proponent to retain, detain, or otherwise limit runoff from an individual or group of developed sites specifically served by such structure.

“Project permit” means any land use or environmental permit or license required by the City for a project action, including but not limited to building permits, subdivisions, binding site plans, planned unit developments, conditional uses, shoreline permits, site plan review, permits or approvals required by critical area ordinances, site-specific rezones authorized by a Comprehensive Plan or subarea plan, but excluding the adoption or amendment of a

Comprehensive Plan, subarea plan, or development regulations except as otherwise specifically required by law.

“Project permit application” means an application for a project permit.

“Property line” means the legal boundary of a parcel of land.

“Property line, interior” means property lines that are not abutting a street right-of-way or easement associated with a street.

“Property line, street” means the property line abutting a street right-of-way or easement associated with a street.

“Public agency” means any agency, political subdivision, or unit of local government of this State including, but not limited to, municipal corporations, special purpose districts and local service districts, any agency of the State of Washington, the United States, or any State thereof or any Indian tribe recognized as such by the Federal government.

“Public facilities” means streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks and recreational facilities, and schools.

“Public services” means fire protection and suppression, law enforcement, public health, education, recreation, environmental protection, and other governmental services.

“Public Works Director” means the person appointed by the City Manager, pursuant to WMC 2.09.030 with the powers and duties to administer the Public Works Department and the duties and responsibilities assigned thereto.

21.11A.180 “Q” definitions.

Staff Comment. New definitions include Qualified Professional.

“Qualified professional” means a person with experience and training in the pertinent scientific discipline, and who is a qualified scientific expert with expertise and/or certification appropriate for the relevant subject. A qualified professional must have obtained a degree in biology, engineering, environmental studies, fisheries, geomorphology, or related field and, unless otherwise specified in this title, and must have at least two years of related work experience.

1. A qualified professional for streams and fish and wildlife habitat conservation areas or wetlands must have a degree in biology or related field and relevant professional experience.
2. A qualified professional for a geologic hazard must be a professional engineer or geologist, licensed in the State of Washington.

“Qualified tree professional” means an individual with relevant education and training in arboriculture or urban forestry. The individual must be an arborist certified by the International Society of Arboriculture or a registered consulting arborist from the American Society of Consulting Arborists. A qualified tree professional must be certified at tree risk assessments and prescribe appropriate measures necessary for the preservation of trees during land development. For Forest Management Plans, the qualified tree professional must have the ability to assess wooded sites and prescribe measures for forest health and safety. A qualified tree professional that makes determinations on hazard or nuisance trees is required to have certification as a tree risk assessor.

21.11A.190 “R” definitions.

Staff Comment. New definitions include Reconstruction, Residential Use, Restoration Critical Area, Residential Use, Retaining Wall, Riparian Areas, Rockery, Roof. The definition of Right of Way was significantly revised, and definitions found in other chapters were consolidated into this chapter.

“Rain garden” means a planted depression that allows rainwater runoff from impervious urban areas like roofs, driveways, walkways, and compacted lawn areas the opportunity to be absorbed.

“Rapid charging stations” means an industrial grade outlet that allows for faster charging of electrical vehicle batteries through higher power levels and that meets or exceeds any standard, codes, or regulations set forth by Chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

“Reconstruction” means to undertake construction within and/or on an existing structure which has a valid construction permit with fair-market construction costs greater than 50 percent of the replacement cost of the existing structure being enlarged, extended, repaired, remodeled, or structurally altered. All project phases necessary to result in a habitable building must be included. The calculation for fair market construction costs shall include all costs of construction associated with the structure for a period beginning on the date of permit issuance and ending 24 months after the date the permit is finalized and occupancy granted by the City.

“Recreational vehicle” means a vehicle designed primarily for recreational camping, travel or seasonal use which has its own motive power or is mounted on or towed by another vehicle, including but not limited to:

1. Travel trailer;
2. Folding camping trailer;
3. Park trailer;
4. Truck camper;
5. Park trailer;
6. Motor home; and
7. Multi-use vehicle.

“Regional utility corridor” means a right-of-way tract or easement which contains transmission lines or pipelines for utility companies, excluding distribution lines contained within street rights-of-way or lines serving individual lots or developments.

“Residential use” means development in which people sleep and prepare food, other than developments used for transient occupancy.

“Restoration, critical area” means measures taken to restore an altered or damaged critical area including:

1. Active steps taken to restore damaged wetlands, streams, protected habitat, or their buffers to the functioning condition that existed prior to an unauthorized alteration; and
2. Actions performed to reestablish structural and functional characteristics of the critical area that have been lost by alteration, past management activities, or catastrophic events.

“Retaining wall” means a wall not laterally supported on top designed to resist the lateral displacement of soil and other imposed loads.

“Retention/detention facility” means a type of drainage facility designed either to hold water for a considerable length of time and then to release it by evaporation, plant transpiration and/or infiltration into the ground or to hold run-off for a short period of time and then to release it to the surface and stormwater management system.

“Right-of-way” means a public or private area that allows for the passage of people and/or goods. Rights-of-way include passageways such as freeways, streets, bike paths, alleys, and walkways. A public right-of-way is a right-of-way that is dedicated or deeded to the public for public use and under the control of a public agency.

“Riparian areas” means the transition area between land and water environments. It is the upland area adjacent to streams, lakes, wetlands, and marine waters that can support the proper functioning of those waterbodies and provide habitat for wildlife.

“Rockery” or “rock wall” means a soil stabilizing structure composed of near vertical stacked rock that is not attached together by any bonding agent and designed to protect the soil face from erosion and sloughing. A rockery or rock wall is not designed to resist soil loads.

“Roof” means an external upper structure that covers or forms the top of a building and is supported by columns or walls.

21.11A.200 “S” definitions.

Staff Comment. New definitions include Setback Area, Sign Awning/Canopy, Site, Site Plan, Small Cell Wireless, Stairwell, Story, Substantial Destruction, Subordinate, Support Structures . The definitions of Setback, Shrub, Structure were significantly revised, and definitions found in other chapters were consolidated into this chapter.

“Salmonid” means a species of fish of the Salmonidae family, including salmon, trout, char, whitefishes, and graylings. The species of the Salmonidae family found within the City of Woodinville include, but are not limited to, the following:

1. *Oncorhynchus clarkii* – Cutthroat trout.
2. *Oncorhynchus gorbuscha* – Pink salmon.
3. *Oncorhynchus keta* – Keta or chum salmon.
4. *Oncorhynchus kisutch* – Coho salmon.
5. *Oncorhynchus nerka* – Sockeye and kokanee salmon.
6. *Oncorhynchus tshawytscha* – Chinook salmon.
7. *Oncorhynchus mykiss* – Rainbow and steelhead trout.
8. *Salvelinus confluentus* – Bull trout and Dolly Varden.

“Scale, architectural” means the perceived relative height and bulk of a building relative to that of neighboring buildings. A building’s apparent height and bulk may be reduced by modulating building facades.

“Scale, human” means the perceived size of a building relative to a human. A building is considered to have “good” human scale if there is an expression of human activity or use that indicates the building’s size. For example, traditionally sized doors, windows, and balconies are elements that respond to the size of the human body, so these elements in a building indicate a building’s overall size.

“Seismic hazard areas” means those areas subject to severe risk of damage as a result of earthquake-induced ground shaking, slope failure, settlement, surface rupture, or soil liquefaction.

“Setback” means the minimum distance from the property line, access easement boundary, critical area buffer boundary, or other buffer line to where a structure may be built.

“Setback area” means the area of a lot or building site between the property line and the limits set by City regulations within which no permanent structure may intrude unless allowed otherwise by law.

“Sewer, public” means a sewage disposal system directly controlled by public authority.

“Short plat” means the map or representation of a short subdivision.

“Short subdivision” means the division or redivision of land into nine or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership, provided tracts as defined in **WMC 21.11.220** shall not be considered a lot, tract, parcel, site, or division for purposes of this definition.

“Shrub” means a self-supporting woody perennial plant smaller than a tree characterized by having several stems, with a potential at maturity for a diameter-at-breast-height of less than two inches and a height less than 10 feet.

“Sign” means any device, structure, fixture, or placard that is visible from a public right-of-way or surrounding properties and uses graphics, symbols, logos, or written copy for the purpose of advertising or identifying any establishment, product, goods, service or event.

“Sign, abandoned” means a sign that no longer identifies or advertises on ongoing business, product, location, service, idea, or activity conducted on the premises on which the sign is advertising.

“Sign, animated” means any sign that includes action or motion or the optical illusion of action or motion or color changes of all or any part of the sign.

“Sign, awning/ canopy” means a sign with copy painted or affixed flat to the surface of an awning or canopy which does not extend vertically or horizontally beyond the limits of such awning or canopy.

“Sign base” means the structure abutting the ground designed specifically for the support of a freestanding sign and which does not form part of the sign proper or of the display.

“Sign, building” means any sign that is painted on, or attached directly to or supported by, an exterior building wall, fence, or gate; including facade signs, awning signs, canopy signs, and marquees, but excluding window signs. Signs that are located at the entrance to an outdoor eating and drinking area or outdoor garden merchandise area shall be treated as a building sign.

“Sign, changing message center” means an electrically controlled sign that contains messages for date, time, and temperature only which changes at intervals of one minute or less.

“Sign, community bulletin board” means a permanent sign used to notify the public of community events, public services, or jobs, and which contains no commercial advertising.

“Sign, directional” means a sign designed to guide or direct pedestrian or vehicular traffic to an area, place, or convenience, and may include incidental graphics such as trade names and trademarks.

“Sign face, sign area” means the surface upon, against or through which the graphic content or message of a sign is displayed or illustrated, not including structural supports, architectural features of a building or any areas that are separated from the background surface upon which the sign content or message is displayed by a distinct delineation, such as a reveal or border. See WMC 21.44.050 for measuring sign area.

“Sign frame” means an enclosing structure or case around or supporting a sign.

“Sign, freestanding” means a sign standing directly upon the ground or having one or more supports standing directly upon the ground and being detached from any building or similar structure.

“Sign, fuel price” means a sign utilized to advertise the price of gasoline and/or diesel fuel.

“Sign, human held” means a sign held, worn, or waved by humans.

“Sign, incidental” means a small non-illuminated information sign, emblem or decal informing the public of goods, products, services, or facilities, which are available on the premises, and is intended primarily for the convenience of the public while on such premises. Examples of such signs include, but are not limited to:

1. Restrooms;
2. Hours of operation;
3. Acceptable credit cards;
4. Garbage and recycling containers;
5. ATM machines;
6. Property ownership or management;
7. Staff only;
8. And similar.

“Sign, indirectly illuminated” means a sign that is illuminated entirely from an external artificial source.

“Sign, monument” means a freestanding sign that is above ground level and is anchored to the ground by a solid base, with no open space between the sign and the ground.

“Sign mounting” means a support, backing, or setting for a sign.

“Sign, nonconforming” means any existing permanent, legally erected, on-premises sign which does not comply with the current requirements of **Chapter 21.35 WMC**.

“Sign, off-premises directional” means a sign which contains no advertising of a commercial nature which is used to direct pedestrian or vehicular traffic circulation to a facility, service or business located on other premises within 660 feet of the sign.

“Sign, on-premises” means a sign which displays a message which is incidental to and directly associated with the use of the property on which it is located.

“Sign, permanent residential development identification” means a permanent, freestanding sign identifying the residential development upon which the sign is located.

“Sign, political” means a sign which solely and exclusively advertises a candidate, an elective or appointive office, a political party, or promotes a position on a public, social or ballot issue.

“Sign, portable” means a sign which is capable of being moved and is not permanently affixed to the ground, a structure or building, such as an A-frame sign.

“Sign, projecting” means any sign, other than a flat wall sign, which is attached to and projects vertically more than one foot from the wall of a building or other structure.

“Sign, reader board” means a sign face consisting of tracks to hold readily changeable letters, allowing frequent changes of copy manually.

“Sign, wayfinding” means an off-premises sign that is part of a City-sponsored and coordinated program for the purpose of facilitating vehicular tourist transit to local tourist destinations as designated and recognized by the City’s Wayfinding Sign Program.

“Sign, window” means any sign located inside or on, affixed to, or located within three feet of a window of a building, whether temporary or permanent, lighted or unlighted, which may be viewed from the exterior of the building. Merchandise located within three feet of a window is not included in the definition unless the merchandise blocks more than one third of the window.

“Significant tree” means an existing healthy tree which has a minimum diameter-at-breast-height of six inches, as measured according to the most current published edition of the International Society of Arboriculture’s “Guide for Plant Appraisal.”

“Signs or displays of limited duration” means any sign, banner, pennant, or advertising display intended to be displayed for a limited time period. Easily removed signs attached to windows are considered temporary signs. Signs of limited duration can be manually removed without the use of tools or equipment.

“Site” means a lot or group of lots associated with a certain application, building or buildings, or other development

“Site plan” means a scaled drawing that includes detailed layout of a development proposal and also shows lot lines, access roads, rights-of-way, major landscape features including trees, easements, environmentally sensitive areas, etc.

“Small cell wireless” shall have the same meaning as “small wireless facility” as set forth in 47 C.F.R. 1.6002(1). This includes wireless service facilities that meet each of the following conditions:

1. The facilities:
 - a. Are mounted on structures 50 feet or less in height including the antennas;
 - b. Are mounted on structures no more than 10 percent higher than other adjacent structures; or
 - c. Do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10 percent, whichever is greater;
2. Each antenna associated with the deployment, excluding associated antenna equipment is no more than three cubic feet in volume;
3. All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume;

4. The facilities do not require antenna structure registration under 47 C.F.R. Part 17: and
5. The facilities do not result in human exposure to radio frequency radiation in excess of the applicable safety standards.

“Snag or wildlife tree” means the remaining trunk of a tree that is intentionally reduced in height and intended to provide habitat value.

“Species of local importance” means those species of local concern due to their population status or their sensitivity to habitat manipulation.

“Specimen tree” means a viable tree that is considered in very good to excellent health and free of major defects, as determined by the City’s Tree Official.

“Stairwell” means a shaft in a building in which a staircase is built.

“Story” means the portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof.

“Stream functions” means natural processes performed by streams including functions which are important in facilitating food chain production, providing habitat for nesting, rearing and resting sites for aquatic, terrestrial and avian species, maintaining the availability and quality of water, such as purifying water, acting as recharge and discharge areas for groundwater aquifers, moderating surface and stormwater flows and maintaining the free flowing conveyance of water, sediments and other organic matter.

“Streams” means those areas where surface waters produce a defined channel or bed, not including irrigation ditches, canals, storm or surface water run-off devices or other entirely artificial watercourses, unless they are used by salmonids or are used to convey streams naturally occurring prior to construction in such watercourses. For the purpose of this definition, a defined channel or bed is an area which demonstrates clear evidence of the passage of water and includes, but is not limited to, bedrock channels, gravel beds, sand and silt beds and defined-channel swales. The channel or bed need not contain water year-round.

“Street” means a public or recorded private thoroughfare providing the main pedestrian and vehicular access through neighborhoods and communities and to abutting property.

“Street, access” when used with design standards means a private street that is independent of parking lot circulation and connects public streets or provides primary access to and within a site.

“Street banner” means a temporary sign without mechanical or electrical devices made of cloth or similar nonrigid materials suspended with rope or cable over the public street right-of-way.

“Street frontage or frontage” means any portion of a lot, parcel, or tract abutting a street.

“Streetscape” means the visual character of a street as determined by various elements such as structures, greenery, open space, views, etc.

“Street/utility pole” means telephone, utility/electric, cable television, or street light poles located within a public right-of-way.

“Structure” means anything which is erected, built, or constructed, including an edifice, or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

“Subdivision” means the division or redivision of land into 10 or more lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership, provided tracts as defined in WMC 21.11.220 shall not be considered a lot, tract, parcel, site, or division for purposes of this definition.

“Subdivision, accumulative short” means multiple short subdivisions of contiguous existing lots held under common ownership, which would result in the creation of 10 or more lots within a five-year period of the initial short subdivision approval. “Ownership” for the purpose of this definition means ownership as established at the date of the initial short subdivision approval.

“Submerged land” means any land at or below the ordinary high-water mark.

“Substantial destruction” means to remove more than 50 percent of the exterior wall framing of a structure as it existed at the time it became nonconforming, as measured by the horizontal linear

length of all existing exterior walls. Any partial removal of existing framing shall count towards the measurement of horizontal linear length the same as if the entire framing with that horizontal linear length was removed, except partial removal shall not include replacement of windows or doors when no beams or struts are removed.

“Substantial improvement” means any maintenance, repair, structural modification, addition or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the maintenance, repair, modification, or addition is started or before the damage occurred if the structure has been damaged and is being restored.

“Subordinate” means placed in or occupying a lower class, rank, or position: inferior.

“Substantial modification” means a significant change to a project permit application or existing development that does one or more of the following:

1. Increases the intensity of the development, excluding changes that are reasonably anticipated to generate minor to no new impacts;
2. Expands the footprint of any building or structure by at least 400 square feet or 10 percent, whichever is greater, provided the SEPA threshold determination is unaffected;
3. Increases traffic by 10 or more AM or PM peak hour trips;
4. Increases disturbances and/or impacts to critical areas; or
5. Noticeably changes the original purpose or intent of a project permit application.

“Support structures” means the structure to which antennas and other necessary associated hardware are mounted, including, but not limited to, towers, electric transmission towers, water tanks, monopoles, utility poles, and existing nonresidential buildings.

21.11A.210 “T” definitions.

Staff Comment. New definitions include Tower, Tower Lattice, Tower Guyed, Tower Monopole, Transmission Equipment. The definition of tree was significantly revised.

“Threatened species” means any fish or wildlife species that is likely to become an endangered species within the foreseeable future throughout a significant portion of its range without cooperative management or removal of threats and is listed by the State or Federal government as a threatened species.

“Tower” means for the purpose of Chapter 21.45 WMC, any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul and the associated site.

“Tower, lattice” means a support structure that consists of metal crossed strips, bars, or braces, forming a tower which may have three, four, or more sides;

“Tower, guyed” means a support structure usually over 100 feet tall, which consists of metal crossed strips or bars, and is steadied by wire guys in a radial pattern around the tower.

“Tower, monopole” means a support structure consisting of a single vertical metal, concrete or wooden pole, typically round or square, and driven into the ground or attached to a foundation;

“Tract” means an extended area of land reserved exclusively for a special use such as but not limited to open space, protection of critical areas, surface water retention, utilities, or access. Tracts reserved for a special use are not considered buildable lots.

“Trails” means manmade pathways designed and intended for use by pedestrians, bicyclists, equestrians, and/or recreational users.

“Transmission equipment” means equipment that facilitates transmission for any FCC-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes

equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

“Transportation demand management techniques” means strategies designed to change travel behavior to make more efficient use of existing facilities to meet travel demand. Examples of demand management techniques can include strategies that:

- (1) Shift demand outside of the peak travel time;
- (2) Shift demand to other modes of transportation;
- (3) Increase the average number of occupants per vehicle;
- (4) Decrease the length of trips; and
- (5) Avoid the need for vehicle trips.

“Tree” means a self-supporting woody perennial plant excluding bushes and shrubs.

“Tree grove” means a cluster or stand of at least five trees of any size or species, whose driplines touch.

“Tree removal” means the removal of a tree, through either direct or indirect actions, including but not limited to: (1) clearing, damaging, or poisoning resulting in an unhealthy or dead tree; (2) removal of at least half of the live crown; or (3) damage to roots or trunk that is likely to destroy the tree’s structural integrity.

21.11A.220 “U” definitions.

Staff Comment. New definitions include UDC, Use Accessory, Use Temporary. The definition of Use Primary was significantly revised.

“UDC” means Unified Development Code as set forth in this title.

“Ultimate roadway section” means a designation by the City of Woodinville that the maximum roadway or intersection capacity has been reached and further right-of-way acquisition and/or improvements are not feasible to increase peak hour vehicle capacity.

“Understory” means the layer formed by grasses, shrubs, and small trees under the canopy of larger trees and plants.

“Use” means any activity, occupation, business, or operation carried out, or intended to be carried on, in a building or other structure or on a parcel of land.

“Use, accessory” See definition of “accessory.”

“Use, primary” means the main or prime purpose for which a building, other structure and/or land is designed, arranged, or intended, or for which may be used, occupied, or maintained under the Woodinville Municipal Code.

“Use, Reasonable” means the minimum use to which a property owner is entitled under applicable State and Federal constitutional provisions in order to avoid a taking and/or violation of substantive due process. “Reasonable use” shall be liberally construed to protect the constitutional property rights of the applicant. “Reasonable use” shall not include consideration of factors personal to the owner such as a desire to make a more profitable use of the site.

“Use, temporary” means a use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period. See Chapter 21.23 WMC.

21.11A.230 “V” definitions.

Staff Comment. No new definitions. The definition of Variance was significantly revised, and definitions found in other chapters were consolidated into this chapter.

“Variance” means an adjustment in the application of dimensional standards to a particular property.

“Vegetation” means any and all plant life growing at, below or above the soil surface.

“Vernacular facade” means a unique expression of a building facade that is representative of a popular architectural expression that evolved in a specific geographic area or place during a particular period of time.

“Viable tree” means a significant tree that a qualified tree professional has determined to be in good health, not classified as a hazard or nuisance tree, with a low risk of failure due to structural defects and is a species suitable for its location.

21.11A.240 “W” definitions.

Staff Comment. New definitions include Wall Framing, Wireless Service Facility Temporary. The definition of Wetland was significantly revised.

“Wall framing,” as used when applied to nonconformance, means the assemblage of beams and struts that provide a support structure to which interior and exterior wall coverings are attached. Wall framing shall not include the horizontal ceiling joists and sloping rafters used for the roof.

“Wet meadows grazed” means palustrine emergent wetlands typically having up to six inches of standing water during the wet season and dominated under normal conditions by meadow emergent such as reed canary grass, spike rushes, bulrushes, sedges, and rushes. During the growing season, the soil is often saturated but not covered with water. These meadows frequently have been or are being used for livestock activities.

“Wetland” or “wetlands” means areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas created to mitigate conversion of wetlands.

“Windfirm” means a condition of a tree in which it can withstand moderate storm winds.

“Wireless service facilities” means any unstaffed facility for the transmission and/or reception of wireless services as defined by Section 704(a)(7)(c)(i) of the Federal Telecommunications Act of 1996, including cellular, PCS, enhanced specialized mobile radio (ESMR), specialized mobile radio (SMR), paging, 800 MHz and other similar technologies covered by the aforementioned section.

“Wireless service facility, temporary” means a nonpermanent facility installed on a short-term basis, for the purpose of evaluating the technical feasibility of a particular site for placement of a wireless service facility or for providing emergency communications during a natural disaster or other emergency. Examples of temporary wireless service facilities include, but are not limited to, placement of an antenna upon a fully extended bucket truck, crane, or other device capable of reaching the height necessary to evaluate the site for placement of a wireless service facility.

“WMC” means Woodinville Municipal Code.

21.11A.270 “Z” definitions.

Staff Comment. No new definitions. The definition of Zone was revised.

“Zone or Zoning” means an area delineated on the “official zoning map” in which, in accordance with the provisions of this title, certain uses of lands, buildings, and structures are permitted and prohibited, and for which certain requirements are established for uses, buildings and structures.

Chapter 21.11B Use Definitions

Sections.

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21.11B.040	"C" definitions.
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21.11B.060	"E" definitions.
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21.11B.100	"I" definitions.
21.11B.130	"L" definitions.
21.11B.140	"M" definitions.
21.11B.150	"N" definitions.
21.11B.160	"O" definitions.
21.11B.170	"P" definitions.
21.11B.190	"R" definitions.
21.11B.200	"S" definitions.
21.11B.210	"T" definitions.
21.11B.220	"U" definitions.
21.11B.230	"V" definitions.
21.11B.240	"W" definitions.

Staff Comment. A new system of classifying uses is being developed for incorporation into revised use tables. The intent is to transition away from relying on the North American Industrial Classification System (NAICS), which few jurisdictions use anymore, and create a simplified category of use definitions that provide greater flexibility. The definitions set forth in this chapter support the Use Tables found in Chapter 21.21 WMC. Staff has continued to refine and test these definitions against project proposals

An important provision is that these definitions are intended to be liberally interpreted. Typically, meaning in code is more narrowly read, but to achieve the intended broadest meaning with these use definitions, liberal interpretation is applied.

21.11B.010 General provisions.

1. This chapter contains the use definitions used in conjunction with the use tables set forth in Chapter 21.21 WMC.
2. In defining uses, they include the necessary structures to support the use subject to other standards in code, unless specifically prohibited or the context clearly indicates otherwise.
3. The definitions in this chapter should be liberally construed to give them their broadest meaning consistent with the following criteria:
 - a. The use is consistent with the purpose of the zone statements set forth in WMC 21.20.030;
 - b. The physical characteristics of the use and its supporting structures are compatible with other uses set forth in the use tables including but not limited to traffic generation, noise, odor, and other environmental impacts; and
 - c. The use is consistent with the Woodinville Comprehensive Plan.

4. The definitions in this chapter are used in conjunction with the definitions set forth in Chapter 21.11A WMC. Should there be a conflict between definitions, the definitions should be harmonized with each other to the extent feasible and consistent with WMC 21.11B.010(3).

21.11B.020 “A” definitions.

“Accessory parking facility” means surface or structured parking facilities required by Chapter 21.xx WMC that are incidental and designed to provide off-street parking stalls to specific uses and buildings.

“Adult Entertainment Business” means any establishment or premises engaged in adult entertainment which offers its patrons services, entertainment, or conducts trade in the performance, exhibition, display, barter, rental, or sale of a medium which meets the criteria of adult entertainment as defined in WMC 21.48.030(1) and subject to the requirements in Chapter 21.48 WMC, including but not limited to bookstores, movie theaters, escort businesses, cabarets, adult hotels/motels, and the like.

“Adult Family Home” means a residential home in which a person or persons provide personal care, special care, room, and board to more than one but not more than six adults who are not related by blood, marriage or adoption to the person or persons providing the services; provided, however, any limitation on the number of residents resulting from this definition shall not be applied if it prohibits the city from making reasonable accommodations to disabled persons in order to afford such persons equal opportunity to use and enjoy a dwelling as required by the Fair Housing Amendments Act of 1988, 42 U.S.C. 3604(f)(3)(b).

“Airport/heliport” means any runway, landing area or other facility which is designed or used by public carriers or private aircraft for the landing and taking off of aircraft. This term includes associated facilities supporting aircraft operations.

“Ambulatory and Outpatient Clinics” means establishments furnishing health care services to patients without providing overnight (less than 24 hours) inpatient services. This term includes but is not limited to, clinics and individual offices, (e.g., physician offices, dentists, chiropractors, optometrists, etc.), family planning and outpatient care centers, medical and diagnostic laboratories, medical or dental labs, medical diagnostic and treatment facilities, and blood and organ banks.

“Animal Slaughtering and Processing” means establishments primarily engaged in slaughtering animals, preparing processed meats and meat byproducts, and rendering and/or refining animal fat, bones, and meat scraps.

“Animal Lodging and Training Facility” means a facility that is not on a family farm in which larger domestic animals are sheltered and fed and may include but not limited to training, riding lessons, and breeding for commercial or personal use. This definition excludes veterinaries and small animal shelters.

“Arts & Cultural Establishments” means for-profit, nonprofit, and public establishments primarily engaged in arts and entertainment that operate facilities or provide services to meet varied cultural and entertainment interests for their patrons. These include:

- a. Establishments involved in producing, promoting, or participating in live performances, events, or exhibits for consumer viewing;
- b. Establishments where consumers go to view films for entertainment (e.g., theater);
- c. Establishments that preserve and exhibit objects and sites of historical, cultural, or educational interest (e.g., art galleries, museums, and libraries); and
- d. Establishments operating facilities or providing services that enable patrons to pursue amusement, hobby, and leisure-time interests (e.g., nongambling games, music lessons, performing arts companies).

This definition excludes all adult entertainment and nighttime entertainment establishments. Customary accessory uses may include incidental food and drink services, and small-scale

incidental retail sales of general merchandise and products that advertise or promote the establishment. Arts & Cultural Establishments are categorized as follows:

1. Level 1 Arts & Cultural Establishments are not Level 2 Arts & Cultural Establishments;
2. Level 2 Arts & Cultural Establishments are designed to conduct outdoor live performances.

“Automotive Parking Facility” means surface or structured facilities designed mainly for the off-street parking of motor vehicles on a temporary, daily, hourly or valet basis. This term does not include accessory parking facilities. Automotive Parking Facilities are classified as follow:

1. Level 1 Automotive Parking Facility has parking stalls typically available to the general public and may involve charging a fee;
2. Level 2 Automotive Parking Facility has parking stalls (including shared parking stalls) primarily designated for commuters transferring to transit, carpool and vanpool, car-sharing, bicycles, and other forms of transportation for traveling to their end destination. This includes local park and ride lots but does not include parking facility that qualify as a state or regional essentially public facility.

21.11B.030 “B” definitions.

“Bed and Breakfast Inns” means establishments providing short-term lodging for a fee for fewer than 30 consecutive nights. Lodging is provided in private homes, small buildings converted for this purpose, or a portion thereof. Bed-and-breakfast inns are characterized by a highly personalized service and inclusion of a full breakfast in the room rate. The number of rooms in a bed and breakfast inn used for paying guests shall not exceed three unless specified otherwise. This term does not include property owners listing their spare room or home for rent for short-term periods such as an Airbnb **where such personalized service is not offered.**

21.11B.040 “C” definitions.

“Crematorium Facilities” means establishment or facilities in which the bodies of the dead are cremated.

“Cemetery” means establishments primarily engaged in operating sites or facilities reserved for the interment of human or animal remains.

“Commercial Accessory Uses” means uses or structures containing a use accompanying a commercial establishment that is clearly subordinate, incidental, and supporting a primary commercial use. This group excludes accessory outdoor storage.

“Conference Center” means a facility designed to hold many people and used for meetings, conferences, seminars, and similar activities. Conference centers may include amenities for recreation, food, and related uses for conference participants, **but does not include overnight lodging.** This term does not include meeting and seminar rooms contained within temporary lodging establishments.

“Construction Services, Shops and Storage Yards” means establishments primarily engaged in construction trades whose core activity is the production of specific components for such activities, or the storage of construction-related materials, vehicles, equipment, and other items onsite for use at offsite projects. This term may include administrative offices and dispatch centers but does not include standalone offices and dispatch centers where no construction-related items are stored or parked onsite, and which otherwise qualify as a professional office.

21.11B.050 “D” definitions.

“Daycare Facility” means facilities designed for the supervised nonmedical care for periods less than 24 consecutive hours of children and adults who are not related to the governing authority by marriage, blood, or adoption. Daycare facilities can include community centers offering

daycare, child daycare centers, family daycare providers, extended day programs, full day programs, and part day programs. Facilities including childcare must be licensed by the State of Washington as required by RCW 43.216.255. This term does not include Adult Family Homes. Daycare facilities are classified as follows:

1. Level 1 Daycare Facility allows care for up to 12 adults or children;
2. Level 2 Daycare Facility allows care for over 12 adults or children.

“Dwelling Unit, Accessory” means a separate dwelling unit attached internally or by addition or detached to a single detached dwelling unit designed for independent living and satisfying the dimensional and design requirements for an accessory dwelling unit.

“Dwelling Unit, Attached” (Townhome) means attached dwelling units designed for occupancy by three or more families living independently of each other and containing three or more dwelling units. Each dwelling unit occupies space from the ground to the roof.

“Dwelling Unit, Duplex” means attached dwelling units designed for occupancy by two families living independently of each other and containing two dwelling units. Excludes accessory dwelling units.

“Dwelling Unit, Multiple” means attached dwelling units that are also stacked on other dwelling units or nonresidential uses designed for occupancy by families living independently of each other or in a cooperative arrangement. Such buildings shall provide for separate independent living units but may share common areas for cooking and recreation.

“Dwelling Unit, Single Detached” means a detached, single-dwelling unit design exclusively for occupancy by one family.

21.11B.060 “E” definitions.

“Eating and Drinking Places” means establishments primarily engaged in preparing meals, snacks, and beverages (alcoholic and nonalcoholic) for customers for immediate on-premises or off-premises consumption. Customary accessory uses may include small-scale retail sales of general merchandise and products that advertise or promote the establishment. Eating and Drinking Places are classified as follows:

1. Level 1 Eating and Drinking Places have food and drink preparation, storage and circulation and indoor/outdoor seating areas totaling up to 2,000 square feet of gross floor area.
2. Level 2 Eating and Drinking Places have food and drink preparation, storage and circulation and indoor/outdoor seating areas totaling over 2,000 square feet of gross floor area.

“Educational Facilities” means institutions, whether public or private, that offer teaching and learning activities or experiences, including preschools, elementary/middle/high schools, colleges and universities, and technical, trade, vocational and other specialty schools. This term does not include public administration facilities or daycare facilities. Educational facilities are classified as follows:

1. Level 1 Educational Facilities provide autonomous specialized instructions including tutoring services that are not coupled with a Level 2 or 3 Educational Facility;
2. Level 2 Educational Facilities provide any combination of preschool, primary, intermediate, and secondary education and may include administrative educational support services;
3. Level 3 Educational Facilities provide any combination of post-secondary education such as vocational and higher education and may include administrative educational support services.

“Electric Vehicle Infrastructure” means structures, machinery, and equipment necessary and integral to supporting electric vehicles including battery charging stations, rapid charging stations and battery exchange stations. Electric Vehicle Infrastructure are classified as follows:

1. Level 1 Electric Vehicle Infrastructures are minor facilities that are accessory to a primary use and are not Level 2 Electric Vehicle Infrastructure;
2. Level 2 Electric Vehicle Infrastructures are standalone or accessory facilities that operate similar to a fuel service station.

“Energy Resource Recovery Facility” means establishments with facilities engaged in the recovery of energy in a usable form from mass burning or refuse-derived fuel incineration, pyrolysis, or any other means of using the heat of combustion of solid waste.

“Essential Public Facility” means any facilities defined in RCW 36.70A.200 that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, regional transit authority facilities as defined in RCW 81.112.020, state and local correctional facilities, solid waste handling facilities, and inpatient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities as defined in RCW 71.09.020. Essential public facilities are categorized in the City as:

1. “Essential public facility, local” means an essential public facility that is owned, operated, or sponsored by the City of Woodinville, a special purpose district, King County (for facilities that do not provide service to the County-wide population), or another unit of local government. An essential public facility is “sponsored” by a local government when it will be owned or operated by a local government or nongovernmental entity pursuant to a contract with the local government to provide the essential public facility.
2. “Essential public facility, regional” means an essential public facility that is owned, operated, or sponsored by King County or a regional agency whose boundaries encompass the City, and which serves a substantial portion of the County-wide population or a geographic area that is greater than the County. An essential public facility is “sponsored” by the County or a regional agency when it will be owned or operated by the County or a nongovernmental entity pursuant to a contract with the County or regional agency to provide the essential public facility.
3. “Essential public facility, State” means an essential public facility that is owned, operated, or sponsored by the State of Washington, including any department or agency thereof. An essential public facility is “sponsored” by the State when it will be owned or operated by the state or a nongovernmental entity pursuant to a contract with the State to provide the essential public facility.

21.11B.070 “F” definitions.

“Family Farm” means an area of land not to exceed 10 acres in size, which includes an onsite residence, and its buildings associated with raising and harvesting of row crops, field crops or tree crops such as grains, vegetables, fruits, trees, flowers etc., as well as the commercial raising, training, and boarding of animals and the production of animal products raised primarily onsite. This definition excludes the growing, harvesting or sale of marijuana. Family Farms are classified as follows:

1. Level 1 Family Farms exclude the raising or fattening of animals for the commercial sale of animals or animal products;
2. Level 2 Family Farms are Family Farms not classified as Level 1.

“Food and Grocery Store” means establishments primarily engaged in retailing a general line of food, such as but not limited to canned and frozen foods, fresh fruits and vegetables, fresh and prepared meats, fish, and poultry, as well as other convenience and household goods. Wholesale to individual consumers for their own use is included in this definition. Customary accessory uses may include food and drink preparation for immediate consumption on-premises or off-premises. This term does not include Small Farm Direct Marketing uses. Food and Grocery Store establishments are classified as follow:

Staff comment: Allowance for food and grocery store size was increased from 10,000 square feet (does not include outdoor areas) to 15,000 square feet, which is about the size of Woodinville City Hall. Additionally, the Level 3 from an early draft is deleted as well as including the outdoor space.

1. Level 1 Food and Grocery Stores do not exceed 15,000 square feet of indoor gross floor area;
2. **Level 2 Food and Grocery Stores** have over 15,000 square feet of indoor gross floor area. “Forest and Fish and Wildlife Resource Management” means establishments engaged in the sound management of forests, water, air, soil, fish, and wildlife including but not limited to forest research and forest practices, hatcheries, fish preserves, and aquaculture. “Fuel Service Station” means establishments primarily engaged in the retail sale of petroleum-based fuels and biofuels. This term includes Fuel Service Stations that are standalone facilities or are accessory to another primary use. Customary accessory uses for standalone Fuel Service Stations may include carwashes, minor automotive repair services, convenience stores, and food marts. “Funeral Services” means establishments primarily engaged in preparing the dead for burial or interment and conducting funerals (i.e., providing facilities for holding wakes, arranging transportation for the dead, and selling caskets and related merchandise). **Funeral services do not include crematorium facilities.**

21.11B.080 “G” definitions.

“General Sales, Retail, or Service” means establishments primarily engaged in:

- a. Retail sale, rental, small repair, or leasing of merchandise and other goods and services to individual consumers for their own use;
- b. Personal services involving the administering to the individual and personal needs of persons including, but not limited to barber and beauty shops, skin and nail care, tanning, health spas, massage, dry cleaning, and laundry, tailoring and shoemaking, florist, printing using photographic processes, pet grooming and boarding but excluding veterinarian, and similar types of personal services; and
- c. Administrative and professional services provided primarily to individual consumers such as real estate, finance and insurance, and similar administrative and professional services.

Outside sales and outside display of merchandise for the general public are included. However, the outdoor sales and display of bulk goods are not included. General sales, retail or services do not include uses otherwise defined herein such as motorized vehicles or heavy equipment/ machinery sales, services, repair, or rental; wholesale/ retail warehouses; packing, or convention and trade shows, or marijuana sales or services, etc. General Sales, Retail, or Service are classified as follows:

Staff comment. The square footage was revised to reflect the limitations set forth in WMC 21.22.040(B)(21)

1. Level 1 General Sales, Retail, or Service have up to **30,000** square feet of gross floor area, including areas designed for permanent outdoor business space; or
 2. Level 2 General Sales, Retail, or Service have over **30,000** square feet of gross floor area, including areas designed for permanent outdoor business space.
- “Golf Facilities” means facilities having an outdoor area with at least nine holes for playing golf including improved tees, greens, fairways, and hazards. Golf Facilities may include a driving range, clubhouse with related pro-shop, and food and drink services. Miniature golf and golf

facilities that are entirely indoors are categorized as Indoor Recreation and Sports Facilities. Outdoor miniature golf is categorized as Outdoor Recreation and Sports Facility.

“Ground Passenger and Transit Services” means a facility for the storage, parking, dispatch, repair, and maintenance of ground passenger and transit transportation systems such as buses, rail systems, taxis, vans, and similar vehicles composing of a transit network available to the general public. This term includes supporting storage facilities and infrastructure and may include Level 2 Automotive Parking Facility.

“Group Residential Quarters” means a residential building providing sleeping quarter rooms for individuals or for groups usually without private baths, and may include shared cooking, dining, recreational, and sanitation facilities.

21.11B.090 “H” definitions.

“Heavy Equipment/Machinery Sales, Service and Rental” means establishments primarily engaged in the sale, storage, servicing, or renting of heavy equipment, including heavy trucks, and construction and earthwork machinery.

“Helipad” means an area on a roof or ground used for the takeoff and landing of helicopters for the purpose of loading or unloading passengers or cargo but not including fueling service, hangars, maintenance, or overhaul facilities.

“Home Business” means a limited-scale service or fabrication activity undertaken in a residence for financial gain, which complies with the requirements of WMC 21.31.080 and WMC 21.31.090. The Home Business must be clearly incidental and secondary to the primary residential use of the property. Home businesses are classified as follows:

1. Level 1 Home Business includes business activities occurring entirely inside a residence including attached garage;
2. Level 2 Home Business includes business activities occurring inside a residential accessory building, barn, or other accessory buildings onsite associated with a residence. A Level 2 Home Business may include some business activities inside the residence in addition to the business activities in the accessory buildings.

“Hospital” means establishments licensed by the state of Washington to provide primary health care services and medical or surgical services to both outpatients and inpatients requiring medical care for a variety of physical and mental conditions. This term includes related facilities and services integral to the institution including food services, anatomical pathology services, diagnostic X-ray services, clinical laboratory services, operating room services for a variety of procedures, and facilities for overnight patient care.

21.11B.100 “I” definitions.

“Indoor Recreation & Sports Facilities” means public or private establishments consisting of indoor facilities engaged in fitness or active recreation. These include any of the following:

- a. Establishments offering exercise, other physical fitness activities, and/or athletics to groups or individuals in such facilities as gyms, swimming pools, sports courts, and other athletic types of activities;
- b. Establishments operating active amusement activities such as bowling, go-carts, arcades, batting cages, billiards, minigolfer, skating/rollerblading, etc.;
- c. Establishments operating entertainment arcades and parlors, excluding gambling; or
- d. Establishments designed for firearms and archery shooting practice.

These facilities may include competition and may have areas set aside for spectators and offer instructions and learning activities in recreation and sports to individuals and groups. Indoor Recreation & Sports Facilities are categorized as follows:

1. Level 1 Indoor Recreation & Sports Facilities have recreation and sports facilities, including supporting accessory uses, up to 10,000 square feet of indoor gross floor area; or
2. Level 2 Indoor Recreation & Sports Facilities are not Level 1 or Level 3 Indoor Recreation & Sports Facilities; or
3. Level 3 Indoor Recreation & Sports Facilities have facilities for indoor firearms shooting ranges regardless of floor area.

“Industrial Accessory Uses” means a use or structure accompanying an industrial establishment that is clearly subordinate, incidental, and supporting of the primary industrial use. The impacts associated with an Industrial Accessory Use should not be such as to qualify the industrial use for a higher category (e.g., should not contribute such impacts that cause a light industrial use to qualify as either a medium or heavy industrial use).

“Industrial, Light” means establishments primarily engaged in the processing, manufacturing, compounding, packaging, fabrication, assembly, and/or treatment of finished or semi-finished products from previously prepared materials, the activities of which are conducted wholly within an enclosed building. This term can include but is not limited to distilleries, wine and beer production, food and kindred products, apparel and textile products, and other manufacturing and assembly processes where the effects from noise, fumes, smoke, vibration, dust, traffic and other environmental impacts cast outside of the structure will have a reasonable likelihood of a di minimis impact on environmental quality.

“Industrial, Medium” means establishments primarily engaged in the processing, manufacturing, compounding, packaging, fabrication, and/or the assembly of products from raw materials, the activities of which may be conducted indoors or outdoors. This term can include but is not limited to distilleries, and wine and beer production not qualifying as light industrial; measuring and controlling instruments; fabricated metal products; furniture and fixtures; printing and publishing; stone, clay, glass and concrete products; textile mill products, other wood products besides furniture; and any other manufacturing and assembly process where the effects from noise, fumes, smoke, vibration, dust, traffic and other environmental impacts cast outside of any structures will have more than a di minimis impact but less than a likelihood of a moderate adverse impact on environmental quality.

“Industrial, Heavy” means establishments primarily engaged in manufacturing or other enterprises with significant external effects, or which pose significant risks due to the involvement of hazardous materials in the manufacturing or other processes. Heavy industry uses include aircraft, ship and boat building, industrial launderers, mineral processing, tire retreading, the manufacture of chemicals of allied products, electronics, electric equipment and appliance, industrial and commercial machinery and equipment, leather and leather goods, motor vehicles, bicycles, paper and allied products, petroleum refining, plastics and rubber products, transportation equipment and any other manufacturing or assembly process which involves hazardous conditions or where the effects from noise, fumes, smoke, vibration, dust, traffic and other environmental impacts cast outside of the structure will have a likelihood of more than a moderate adverse impact on environmental quality.

21.11B.130 “L” definitions.

“Local Recycling Collection Facility” means establishments or sites with facilities engaged in the collection and transferring of recyclable materials that includes collection of off-site materials that are not an Essential Public Facility. **For collection of recyclable materials onsite only, see storage areas for collection of recyclable and solid waste in WMC 21.40.020.**

“Long-Term Automotive Parking Facility” means a surface or structured facilities designed primarily for the off-street parking of motor vehicles on a weekly or longer-term basis for which a fee is charged.

“Long-Term Care Facility” means a facility or a distinct part of a facility that is licensed or approved to provide health care under medical supervision pursuant to Chapter 18.20 RCW and Chapter 388-78A WAC for periods of 24 or more consecutive hours involving two or more patients who are not related to the governing authority by marriage, blood, or adoption. This term includes but is not limited to skilled nursing facilities, dementia care facilities, hospice care centers, convalescent centers, and governmental medical institutions and facilities that provide intensive medical supervision. Long-Term Care Facilities may provide maintenance care as well as restorative services. This term does not include Adult Family Homes or places that qualify as Residential Care Facilities.

21.11B.140 “M” definitions.

“Marijuana Processor” means an establishment or facility licensed by the Washington state Liquor and Cannabis Board to process marijuana into useable marijuana and marijuana-infused products, package and label useable marijuana and marijuana-infused products for sale in retail outlets and sell useable marijuana and marijuana-infused products at wholesale to marijuana retailers.

“Marijuana Producer” means an establishment or facility licensed by the Washington state Liquor and Cannabis Board for the production and sale at wholesale of any of the following:

1. Marijuana to marijuana processors and other marijuana producers;
2. Immature plants or clones and seeds for sale to cooperatives under RCW 69.51A.250; and
3. Immature plants or clones and seeds for sale to qualifying patients and designated providers as provided under RCW 69.51A.310.

“Marijuana Retailer” means a person, establishment or facility licensed by the Washington state Liquor and Cannabis Board where marijuana concentrates, useable marijuana, and marijuana-infused products may be sold at retail in retail outlets.

“Mineral, Oil, and Gas Extractions” means establishments primarily engaged in any of the following:

1. Developing a mine site and/or mining, quarrying, dredging for sand, gravel, clay and/or other minerals; or
2. Operating and/or developing oil and gas field properties; or
3. Recovering liquid hydrocarbons from oil and gas fields.

Such establishments may include activities such as exploration, drilling, completing and equipping wells. This includes the mining and extraction of oil from oil shale and oil sands, the production of natural gas, sulfur recovery from natural gas, and the recovery of hydrocarbon liquids from oil and gas field gases.

“Mobile/ Manufacture Home Park” means development where homeowners place two or more mobile homes, manufacture homes, or similar types of portable homes on a site for more than 30 days. Such parks may provide basic utilities and other amenities such as mowing, garbage removal, community rooms, pools, and playgrounds.

“Motor Vehicle Parts Sales” means establishments primarily engaged in the retail sale of automotive and truck parts, accessories, products, tires, and cleaning agents. This term does not include other uses included under Motor Vehicle/Vessel Sales, Rental, Service, and Repair.

“Motor Vehicle/Vessel Sales, Rental, Service, and Repair” means establishments primarily engaged in the sale, repair, maintenance or service of motorized vehicles and vessels including automobiles, cargo vans, trailers, all-terrain vehicles, trucks, boats, recreational vehicles, motorhomes, or motorcycles. This term includes the replacement, maintenance, and repair of motors, exhaust systems, transmissions, body, paint, interior, and glass, as well as car washes. Customary accessory uses may include the sales of parts, tires, accessories, etc. This term

excludes the sale, maintenance, and repair of heavy trucks. Motor Vehicle/Vessel Sales, Rental, Service, and Repair are classified as follows:

1. Level 1 Motor Vehicle/Vessel Sales, Rental, Service, and Repair are entirely within enclosed buildings;
2. Level 2 Motor Vehicle/Vessel Sales, Rental, Service, and Repair include, in part or in whole, the outdoor display of vehicles/ vessels.

21.11B.150 “N” definitions.

“Nighttime Entertainment Establishments” means establishments that are typically open late into the night primarily offering live entertainment or recordings for an audience, and may include comedy, or dancing and live music venues, along with accessory food and drinks. This term excludes arts and cultural uses, recreational and sports facilities, and adult entertainment.

21.11B.160 “O” definitions.

“Outdoor Recreation & Sports Facilities” means public or private establishments engaged in sporting or active recreation/amusement conducted almost wholly outdoors. These facilities may include competition and may have areas set aside for spectators and may offer instructions and learning activities to individuals and groups in recreation and sports. This term does not include public parks and trails, motor and animal racing tracks, or outdoor firearms shooting ranges. Outdoor recreation and sports facilities are categorized as follows:

1. Level 1 Outdoor Recreation & Sports Facilities are small-scale outdoor facilities not exceeding three acres in size and that are designed to not attract a substantial number of users and spectators from outside of the immediate neighborhood.
2. Level 2 Outdoor Recreation & Sports Facilities are medium to larger-scale outdoor facilities, which are greater than three acres in size or, regardless of size, are likely to attract a substantial number of users and spectators from outside of the immediate neighborhood. Typically, these facilities have, but are not required to have, 20 or more off-street parking stalls and permanent facilities for spectators. Outdoor facilities may include two or more sports fields, or four or more sports courts, or have any of the following: outdoor swimming pool, mini golfing facilities, equestrian/ rodeo facilities, running tracks, water parks, stadiums, arenas, fairgrounds, amusement parks, and similar medium and larger scale outdoor recreational facilities.

“Outdoor Storage Yard” means the storing outdoors, or under a roofed open structure, of materials, containers, vehicles, equipment, or similar items for more than 72 hours. This term does not apply to uses where outdoor storage or displays are expressly included.

21.11B.170 “P” definitions.

“Pawnshop” means establishments primarily or, as an accessory, engage in offering loans in exchange for personal property as collateral. Pawnshops may also include general sales, retail, and personal and general service types of uses.

“Professional Office” means an establishment for professional, executive, or administrative offices engaged primarily in professional services that provide only minor access to the general public such as research and development, small-scale laboratory and testing, call-centers, legal and accounting firms, architect and engineering firms, business headquarters, and other professional offices. Professional offices offering on-premises access to the general public are categorized as “General Sales, Retail, or Service.” Establishments furnishing health care services defined elsewhere in the Woodinville Municipal Code are not included as “Professional Office.”

“Private stormwater management facility” means a surface water control structure installed by a project proponent to retain, detain, or otherwise limit runoff from an individual or group of developed sites specifically served by the facility.

“Public Administration/Safety Facilities” means establishments primarily engaged in governmental functions, including federal, state, and local government agencies that provide services to the general public. This term includes but is not limited to civic centers, fire safety facilities, police facilities, animal control facilities, public safety services, courts, information and general services, and government and public health administrative services. This term may include non-profits contracted with government agencies to provide governmental services.

“Public Parks and Trails” means a site designed or developed for active and/or passive recreational use by the general public including, but not limited to swimming pools, activity centers, playfields, sports courts, fishing areas, off-leash dog areas, picnic and related outdoor activity areas, art displays, arboretums, and areas and trails designed for nonmotorized transportation. Golf Facilities are not included in this term.

21.11B.190 “R” definitions.

“Religious Facilities” means a facility for religious worship and which the main building/structure contains a sanctuary or primary place of religious worship. A religious facility may include related uses supporting the religious mission including but not limited to religious education, counseling, assembly rooms, kitchen, library, recreation hall, daycare facilities, and residential quarters.

“Residential accessory uses” means a use and/or structure that is incidental and subordinate to a residence including, but not limited to:

1. Garages, carports, and parking facilities for residents on the site;
2. Playhouses, patios, cabanas, gazebos, swimming pools, sports courts, and incidental household storage buildings (sheds);
3. Other accessory uses listed for the zone in the municipal code; and
4. Other necessary and customary uses not listed and determined by the director to be appropriate, incidental, and subordinate.

“Residential Care Facility” means an establishment that provides on a regular basis supportive living care, including but not limited to dressing and eating, social needs, and health-related care and services. This term includes senior assisted living centers, nursing homes, continued care retirement homes, and similar types of supported living but does not include Adult Family Homes. A Residential Care Facility does not provide the degree of medical or skilled nursing care and treatment onsite that a Hospital or Long-Term Care Facility provides.

21.11B.200 “S” definitions.

“School Bus Base” means facilities used for the storage, dispatch, repair and maintenance of buses, coaches and other vehicles utilized for school transit systems.

“Self-Service Storage” means establishments primarily engaged in renting or leasing space (i.e., rooms, compartments, lockers, containers, or outdoor space) to individuals for temporary storage of personal property and where such individuals can store and retrieve their property.

“Small Farm Direct Marketing” means small-scale transactions involving the sale directly to customers of fresh fruits, vegetables and flowers, and related products grown and produced primarily on site. This use is typically found in roadside stands, self-pick/self-harvest activities, and culinary and agritourism. This term can include online and mail-order sales, intermediated markets, and direct sales to local restaurants, grocery stores, food co-ops, and schools.

“Social Services” means establishments that primarily provide a variety of social assistance services directly to clients and includes but is not limited to the following:

1. Nonresidential social assistance to children and youth, the elderly, persons with disabilities, and all other individuals and families;
2. Collecting, preparing, and delivering food and other goods for the needy;
3. Food, shelter, clothing, medical relief, resettlement, and counseling to victims of domestic or international disasters or conflicts;
4. Short-term emergency shelter, temporary residential shelter, and transitional housing not included elsewhere in the Woodinville Municipal Code;
5. Vocational rehabilitation or habilitation services such as job counseling, job training, and work experience, to unemployed and underemployed persons, persons with disabilities, and persons who have a job market disadvantage; and
6. Other similar types of social assistance programs to individuals and families.

“Soil Remediation Facilities” means establishments with facilities primarily engaged in collecting, storage and remediation of contaminated soils.

“Solid Waste Transfer and Recycling Facility” means establishments with facilities primarily engaged in the short-term collection and processing of solid waste and recyclable materials.

21.11B.210 “T” definitions.

“Tasting Room” means establishments primarily engaged in allowing the tasting of samples of wine, beer or spirits and has a State of Washington issued liquor license as a tasting room. A tasting room may include the sales of products, marketing events, special events, entertainment, and/or food services. This term does not include manufacturing or production facilities.

“Temporary Lodging” means establishments primarily engaged in offering transient lodging accommodations to the general public, and which may include incidental offerings such as restaurants, conference/meeting rooms, giftshops, beauty/spas, and indoor recreational facilities. This term includes hotels, motels, inns, organizational lodging, and hostels. This term does not include Bed and Breakfast Inns or Temporary Shelters.

Temporary Shelter” means:

1. A facility that provides a temporary place for individuals or families who are currently homeless, and which does not require occupants to enter into a lease or an occupancy agreement, and may include day and warming centers that do not provide overnight accommodations; or
2. A facility that provides temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families, and may or may not require occupants to enter into a lease or an occupancy agreement.

This term does not include temporary encampments as set forth in WMC 21.36.120.

21.11B.220 “U” definitions.

“Utilities” means services, facilities and infrastructure that produce, transmit, carry, store, process or dispose of electrical power, gas, water, sewage, communications, oil, storm water and the like. This includes:

1. Primary: facilities and infrastructure that are provided by a public agency, utility, or franchise which produce, transmit, convey, store, process, or dispose of essential utility services throughout an area. These include, but are not limited to, water storage tanks and lines, reservoirs and booster stations, wastewater interceptors, sewage pump stations and lines, electrical transmission substations and high-tension and distribution power lines, natural gas pipelines, and associated equipment; and including telecommunication facilities provided by a public or private entity.

2. Accessory: On-site utilities that connect directly to uses and are considered part of the primary use.

“Utility Production and Processing Facilities” means large-scale facilities for the making or treatment of a utility, such as power plants and sewage treatment plants, or parts of those facilities, but excluding utility facilities for producing potable water, storm water facilities, and utility facilities that are designated as essential public facilities.

21.11B.230 “V” definitions.

“Vehicle Salvage, Towing Operators, and Impoundment Yards” means establishments that provide indoor or outdoor storage and sales of scrap vehicle parts, towing services, or impoundment of motor vehicles. This term includes incidental services such as temporary vehicle storage and vehicle emergency road repair services.

“Veterinary Facilities” means establishments furnishing licensed veterinary medicine, dentistry, surgery or testing services relating to the prevention, cure, or alleviation of disease and injury in animals and especially domestic animals.

21.11B.240 “W” definitions.

“Warehousing” means establishments primarily engaged in the short-term or long-term storage of liquids, materials and/or products typically for sale or distribution to persons, firms, or corporations for resale, or in providing logistics services related to the distribution and transportation of such products. Warehousing is classified as follows:

1. Level 1 Warehousing has indoor storage only and have a gross floor area of 35,000 square feet or less; or
2. Level 2 Warehousing are warehouses that are not Level 1 Warehousing.

“Wholesale Trade” means a warehouse-type facility offering products of primarily discounted or wholesale goods for sale to businesses and other establishments and does not include retail sales to individuals for their own consumption. Many goods and products are typically, but not required to be, sold in large quantities or bulk.

“Wildlife Shelter” means a facility for the temporary housing or rehabilitation or sick, wounded, or displaced wildlife. This term may include veterinary services.

“Wireless Communication and Information Facilities” means facilities which transmit and receive radio frequencies for communications, television, radio, navigation, etc., including wireless communication service facilities. These facilities may include satellite dishes, antennas, tower support structures, base stations and supporting equipment and structures. This term does not include incidental antennas designed to receive television broadcast signals and similar for home or individual business use, or small antennas of one meter or less diameter designed to receive broadcast satellite services that are incidental to a residence or business. Wireless Communication and Information Facilities are classified as follows:

1. Level 1 Wireless Communication and Information Facilities are:
 - a. Noncommercial facilities such as amateur radios and 911; and
 - b. Micro cells and small wireless facilities as defined in WMC 21.11A.xxx;
2. Level 2 Wireless Communication and Information Facilities are Wireless Communication and Information Facilities that are neither Level 1 nor Level 3 Wireless Communication and Information Facilities;
3. Level 3 Wireless Communication and Information Facilities are:
 - a. Any staffed facilities; or

- b. Any unstaffed facilities that are not a Level 1 wireless communication and information facility having curved antennas with a diameter greater than 25 feet; or a tower, including antennas, protruding more than 120 feet above the ground.

Chapter 21.12 ENFORCEMENT

Sections:

- 21.12.010 Scope of unlawful activity.
- 21.12.020 Authority and application.
- 21.12.030 Violations and enforcement.
- 21.12.040 Permit modification, suspension, or revocation.

Staff Comment. This Chapter is derived from the current Chapter 21.12 WMC. This chapter was updated in 2019 and therefore required only minor edits.

21.12.010 Scope of unlawful activity.

- (1) This title shall be enforced for the benefit of the health, safety, and welfare of the general public, and not for the benefit of any particular person or class of persons.
- (2) It shall be a violation for any person, firm, or corporation to erect, construct, alter, repair, move, remove, convert, demolish, use, occupy, or maintain any structure or use of land, or any portion, contrary to or inconsistent with the provisions of this title. The violation shall exist until the unlawful act and/or unlawful use has been remedied or abated.
- (3) It shall be a violation for any person, firm, or corporation to erect, construct, alter, repair, move, remove, convert, demolish, use, occupy, or maintain any structure or use of land within the City of Woodinville in any manner contrary to or inconsistent with the terms or conditions of any permit, approved plans, or authorization; provided, that the terms or conditions are explicitly stated on the permit, approved plans, or authorization.
- (4) It shall be a violation for any person, firm, or corporation to establish a use or activity without complying with applicable development standards set forth in other titles, ordinances, rules, or other laws, including but not limited to road construction, surface water management, the fire code, and rules of the County Health Department;
- (5) It shall be a violation for any person, firm or corporation failing to maintain site improvements, such as landscaping, parking, or drainage control facilities as required by this code or other City of Woodinville ordinances.

21.12.020 Authority and application.

The Director is authorized to enforce the provisions of this code, any implementing administrative rules, and approval conditions attached to any land use approval, through revocation or modification of permits, or through the enforcement, penalty, and abatement provisions of the Woodinville Municipal Code.

21.12.030 Violations and enforcement.

Violation of any provision of this title shall constitute a civil or criminal violation subject to the enforcement provisions set forth in Chapter 1.06 WMC.

21.12.040 Permit modification, suspension, or revocation.

- (1) Modification of Permits. The Director may modify an approved permit issued by the City for any of the following reasons:
 - (a) Approval was obtained by fraud; or
 - (b) Other reasons as allowed by law.

- (2) Suspension of Permits. The Director may temporarily suspend any permit issued by the City for failure of the holder or the holder's contractor or agent to comply with the requirements of an issued permit, an associated notice of violation or citation, or an associated stop work order or emergency order.
- (3) Revocation of Permits. The Director may permanently revoke any permit issued by the City for any of the following reasons:
 - (a) Approval was obtained by fraud;
 - (b) Failure of the holder or holder's contractors or agents to comply with the requirements of the permit or acting beyond the scope of work or activity authorized by the permit;
 - (c) Failure of the holder or holder's contractors or agents to comply with a notice of violation issued pursuant to Chapter 1.06 WMC related to the permit; or
 - (d) Interference with a public employee in the performance of official duties related to the permit; or
 - (e) Other reasons as allowed by law.
- (4) Such permit modification, suspension or revocation shall be carried out by the notice of violation provisions set forth in Chapter 1.06 WMC, and the modification, suspension or revocation shall be effective upon service of the notice of violation on the holder or holder's contractors or agents. The holder or holder's contractors or agents may appeal such suspension as provided in Chapter 1.06 WMC for a notice of violation.
- (5) Notwithstanding any other provision of this chapter, whenever the Director finds that a violation of any City ordinance, or rules and regulations adopted hereunder, has created, or is creating, an unsanitary, dangerous, or other condition which is deemed to constitute an immediate and irreparable hazard, suspension, and termination of operations under the permit may be required immediately without service of a written notice of violation.

Chapter 21.13 Development Fees

Sections:

- 21.13.010 Purpose.
- 21.13.020 Chapter not applicable to impact fees.
- 21.13.030 General provisions.
- 21.13.040 Fee resolution.
- 21.13.050 Consultant costs.
- 21.13.060 Advanced deposit for consultant services.
- 21.13.070 Disputes.

Staff Comment. This is a new chapter and outlines provisions associated with the adoption of permit fees. This chapter also sets forth how to settle fee disputes not involving impact fees.

21.13.010 Purpose.

The purpose of this chapter is to prescribe reasonable fees and fee collection to cover the cost of services associated with the processing of development applications, inspecting, and reviewing plans, and conducting environmental review.

21.13.020 Chapter not applicable to impact fees.

This chapter does not apply to impact fees adopted under Chapters 3.36, 3.38 and 3.39 WMC.

21.13.030 General provisions.

The director may establish administrative rules to implement the provisions of this chapter.

- (1) Fees are due and payable at the time of application for services, or the due date stated on the city's invoice.
- (2) A late penalty payment equal to one percent of the delinquent unpaid balance, compounded monthly, may be assessed on any delinquent unpaid balance.
- (3) Unless otherwise required by law, development permit and environmental review fees shall be assessed at the fee rate in effect at the time the fee is collected.
- (4) Development fees are not refundable, except development fees and other service fees are refundable in proportion to the amount of work performed as of the date an applicant withdraws in writing an application.

21.13.040 Fee resolution.

Development fees for permits and permit-related reviews shall be established by resolution of the city council.

21.13.050 Consultant costs.

- (1) In addition to city staff, the city utilizes the services of consultants in the processing of development applications, inspecting, and reviewing plans, and conducting environmental review.
- (2) When referred to in the fee resolution, consulting costs shall include all costs incurred by the city for services from consultants retained by the city in relation to permits.

21.13.060 Advanced deposit for consultant services.

- (1) The director may require an applicant to pay an advance deposit for consultant services.
- (2) The city may withdraw funds from the deposit to compensate for the cost of consultant services as those consultant costs are incurred by the city.
- (3) The director may require the applicant to provide additional payments to the deposit whenever the cost to complete review and inspection on a permit is anticipated to exceed the available funds in the advanced deposit.
- (4) The city is not responsible for paying interest on deposits. Any unspent funds remaining after all permits and approval on a project are final shall be refunded to the applicant.

21.13.070 Disputes.

- (1) An applicant disputing a development fee estimate or the payment of development fees shall first attempt to resolve the matter with the director. The applicant shall submit the dispute in writing and the director shall issue a decision on the dispute in writing.
- (2) If the applicant is aggrieved by the director's decision, they may appeal the decision to the hearing examiner as a Type 1 decision pursuant to the procedures set forth in Chapter 21.81 WMC.
- (3) The burden is on the applicant to demonstrate that the fee estimates are unreasonable. The hearing examiner shall affirm the director's decision unless the examiner determines that the decision was unreasonable.
- (4) If the hearing examiner determines the fee estimate or payment of certain fees was unreasonable, the hearing examiner may modify the fee estimate, or provide other relief as reasonably necessary. The hearing examiner's decision is final.
- (5) If the hearing examiner determines that the applicant is the substantial prevailing party, the city shall refund the appeal fee.
- (6) An appeal of fee under this chapter shall be limited only to the city's application of development fees to the applicant's permit and approval. An applicant may not challenge under this chapter the permit fees as adopted in the fee schedule, or any other code requirements.

Chapter 21.14 Nonconformance

Staff Comment. This replaces Chapter 21.34 WMC. This substantially revises the City's approach to addressing zoning nonconformance, which are currently governed by incomplete and confusing regulations. We revised the approach to nonconformance with the shoreline master program. This chapter follows what was done with the shoreline nonconformance regulations to provide consistency in the regulations.

Sections:

- 21.14.010 Finding.
- 21.14.020 Applicability.
- 21.14.030 Burden of proof for establishing a nonconformance.
- 21.14.040 Nonconforming Uses.
- 21.14.050 Nonconforming Structures.
- 21.14.060 Nonconforming Site.
- 21.14.070 Nonconforming design standards.
- 21.14.080 Nonconforming signs.
- 21.14.090 Unlawful Uses and Structures.

21.14.010 Finding.

The City recognizes that land, structures, and uses of land and structures that do not conform to this title are detrimental to the public interest. The City also recognizes that it would be unfair to require a nonconformance to immediately cease. The intent of this chapter is to establish regulations and procedures which protect rights associated with legally established nonconformance and for the eventual elimination of nonconformance.

21.14.020 Applicability.

This chapter applies to:

- (1) All uses, structures and other forms of development regulated under, but not complying with the UDC; and
- (2) All structures for which a variance was approved shall be considered legal nonconforming structures for which the requirements of this section shall apply.
- (3) This chapter does not apply to uses, structures and other forms of development located within the shoreline jurisdiction, which are subject to WMC 21.73.080.

21.14.030 Burden of proof for establishing a nonconformance.

A person or party asserting the existence of a lawfully established nonconformance has the burden of proving that the condition satisfied the requirements of the development regulation in effect at its creation.

21.14.040 Nonconforming Uses.

Nonconforming uses are defined in WMC 21.11A.150. The following apply to all nonconforming uses:

- (1) Any legally established nonconforming use may continue until such time that the rights to the nonconformance are abandoned pursuant to WMC 21.14.040(3);

- (2) A nonconforming use may not be expanded, have its floor area increased, or any other element of the nonconforming use increased;
- (3) A nonconforming use shall be determined abandoned and all rights to the nonconformance lost if any of the following apply:
 - (a) The use is changed to a different use (this does not include changes only involving ownership where the use otherwise is not affected); or
 - (b) The use is discontinued for a period of 12 consecutive months or more; or
 - (c) The use is discontinued for a total of 12 months or more during any 24-consecutive-month period.
- (4) A structure conforming to development regulations but containing a nonconforming use, or used in support of a nonconforming use, which experiences damage to the extent that it can no longer be occupied by the nonconforming use, may have the rights to the nonconforming use continued if:
 - (a) A complete building permit application to replace the structure(s) is filed with the City within six months of the event causing the damage; and
 - (b) When the damage is due to fire, natural disaster, or casualty event, the Director may grant up to three one-year extensions to WMC 21.14.040(4)(a) if the property owner requests in writing and demonstrates with each extension request that extenuating circumstances not of the property owner's own making (e.g., resolution of an insurance claim) caused a delay in the submission.

21.14.050 Nonconforming Structures.

The following apply to all nonconforming structures:

- (1) Any legally established nonconforming structure may continue until such time that the rights for the nonconformance are abandoned pursuant to WMC 21.14.050(4);
- (2) Where multiple structures exist on the same lot, the requirements of this section shall apply to each structure independent of other structures;
- (3) A nonconforming structure may be enlarged, extended, repaired, remodeled, or structurally altered provided the work does not increase the nonconformance and no new structure bulk or area is added to those parts of the building that are the cause of the nonconformance, except the Director may approve an increase in a nonconformance where it is reasonably necessary, and is the minimum necessary, to improve access for elderly or disabled persons;
- (4) A nonconforming structure shall be determined to have its nonconformance abandoned and all rights to the nonconformance lost if:
 - (a) A nonconforming structure meeting the definition of building in WMC 21.11A.150 experiences substantial destruction; or
 - (b) For all other structures other than a building, it experiences reconstruction;
- (5) Where the rights to a nonconforming structure have been abandoned, continuation of the nonconformance shall cease and any subsequent repair, remodel, alteration, or rebuilding shall require the entire structure to be brought into compliance with the applicable regulations in effect;
- (6) A nonconforming structure that experiences substantial destruction or reconstruction may have the rights to the nonconformance continued provided all the following apply:
 - (a) The loss of the structure is the result of a fire or other casualty not intentionally caused by the owner or tenant of the property;
 - (b) The nonconforming structure is a detached single-family dwelling and replacement is within the original configuration of the building immediately prior to the substantial destruction;

- (c) Alterations including additions to the original configuration may be authorized provided the alteration does not add any new bulk or area to those parts of the building that are the cause of the nonconformance;
- (d) A complete building permit application to replace the building is filed with the City within three years of such fire, natural disaster, or casualty event; and
- (e) The Director may grant up to two one-year extensions to WMC 21.14.050(6)(d) if the property owner demonstrates with each extension request that extenuating circumstances not of the property owner's own making (e.g., resolution of an insurance claim) caused a delay in the submission.

21.14.060 Nonconforming Site.

Staff Comment. This section is new and provides clarity for addressing nonconformances such as landscaping and other site improvements.

- (1) A nonconforming site may only be altered if the alteration conforms to the requirements of the applicable development regulation, except parking lots may be reconfigured within existing paved surfaces.
- (2) When a nonconforming site is altered:
 - (a) If less than 50 percent of the site area, excluding the footprint of existing buildings, is altered and no substantial improvements will occur then only the site area entailing the alteration is required to be brought into compliance with development regulations; or
 - (b) If 50 percent or more of the site area, excluding the footprint of existing buildings, is altered, or substantial improvement will occur, then the entire site area shall be brought into compliance.

21.14.070 Nonconforming design standards.

Staff Comment. This section is new and clarifies that this chapter does not apply to design standards, which have different requirements about complying with those chapters.

Nonconformance with the design standards set forth in **Chapters 21.xx, 21.xx and 21.xx WMC** are not subject to this chapter.

21.23.80 Nonconforming signs.

Staff Comment. This section on nonconforming signs is consolidated here from the Sign Code, Section 21.35.140. Code language was revised to provide better clarity on applying the loss of nonconforming rights. Additionally, code language that required immediate removal of nonconforming signs under certain conditions was revised to give property owners 90 days, which is consistent with the time given for removing other nonconforming signs that have lost their rights.

- (1) This section applies to signs which are lawful at the time the sign was established, and are continuously maintained, but subsequently fails by reason of adoption, revision, or amendment to sign regulations to fully comply with present regulations.
- (2) Legal nonconforming signs pursuant to WMC 21.14.080(1) may continue to exist until such time that the rights to the nonconformance are abandoned pursuant to WMC 21.14.080(5);
- (3) Legal nonconforming signs may be removed for cleaning and routine maintenance provided they are reinstalled within 60 days of their removal.

- (4) A legal nonconforming sign may have changes made to the sign, provided the changes do not increase the nonconformance.
- (5) A legal nonconforming sign shall be determined to have its nonconformance abandoned and all rights to the nonconformance lost if:
 - (a) The sign is damaged, and repair is in excess of 50 percent of the pre-damaged value of the sign; or
 - (b) The business to which the nonconforming sign pertains, ceases operations and a new business does not reestablish the use of the nonconforming sign within 90 days from the date the prior business ceased operations; or
 - (c) Except as set forth in WMC 21.14.080(3), any time a legal nonconforming sign is removed or moved to a new location.
- (6) Where the rights to a legal nonconforming sign have been abandoned, continuation of the nonconformance shall cease and any subsequent repair, remodel, alteration, or rebuilding shall require the sign to be brought into compliance with the applicable sign regulations in effect. Nonconforming signs that have their nonconforming rights abandoned shall be removed within 90 days.
- (7) Special provisions for billboards.
 - (a) Erecting new billboards inside the city boundaries are prohibited.
 - (b) Existing billboards shall be subject to the following:
 - (i) Billboards shall not be altered in size, shape, orientation, height, advertising method or function such as three-dimensional moving or lighted display, or re-located;
 - (ii) Ordinary repairs to maintain the structural integrity and appearance of a billboard is allowed, provided WMC 21.14.080(7)(b)(i) and (iv) are followed;
 - (iii) Replacing the billboard copy only is allowed and does not require a permit;
 - (iv) Any billboard damaged or requiring repair shall be permanently removed if the repair to restore the billboard is in excess of 50 percent of the pre-damaged value of the billboard;
 - (v) Any billboard violating the provisions in WMC 21.14.080(7) shall be permanently removed and shall not be re-erected elsewhere in the city;
 - (vi) Billboards requiring removal shall be removed within 90 days. Failure to remove a billboard shall be subject to enforcement pursuant to Chapter 21.12 WMC.

21.14.090 Unlawful Uses and Structures.

- (1) Uses and structures that do not comply with applicable development regulations in effect at the time of establishment are determined illegal and subject to enforcement as prescribed by law.
- (2) Nothing in this section shall be interpreted as granting any right to continue occupancy of property containing an illegal use or structure.
- (3) The intermittent, temporary, or illegal use of land or structures shall not be sufficient to establish the existence of a nonconforming use, structure, and/or site.

21.14.100 Abatement of public nuisance.

Regardless of any provisions in this chapter, any nonconformance determined to be a public nuisance pursuant to Chapter 8.07 WMC shall be terminated.

Chapter 21.20 Establishment of Zoning

Sections:

- 21.20.010 Comprehensive plan and zoning.
- 21.20.020 Adoption of official zoning map.
- 21.20.030 Purpose of zoning districts.
- 21.20.040 Newly annexed territory.

21.20.010 Comprehensive plan and zoning.

Staff Comment. This section on comprehensive plan and zoning is new and helps inform on the relationship between the comprehensive plan and zoning. This relationship is derived from the comprehensive plan.

- (1) The comprehensive plan establishes a community vision of a safe, welcoming, family-friendly, and diverse community that supports a successful balance of neighborhoods, parks and recreation, businesses, and tourism, while preserving a northwest woodland character, open space, and clean environment along with the coordinating goals and policies that support this vision. Development regulations implement the comprehensive plan by specifying how and for what purpose each parcel of land may be used.
- (2) Table 21.20.010 prescribes the relationship between the comprehensive plan and zoning district designations set forth in WMC 21.20.020 by identifying the comprehensive plan land use designation and the corresponding implementing zoning designations.

**Table 21.20.010
Comprehensive Plan Designation & Zoning**

Comprehensive Plan Designation	Implementing Zone Designation
Woodland Residential	Urban Residential-1
Low Density Residential	Urban Residential-4
Moderate Density Residential	Urban Residential-6 Urban Residential-8
Medium Density Residential	Urban Residential-12 Urban Residential-18
High Density Residential	Urban Residential-24 Urban Residential-48
Neighborhood Business	Neighborhood Business
Tourist Business	Tourist Business
Central Business District	Central Business District
General Commercial	General Business
Office	Office
Industrial	Industrial Tourist Industrial
Public/ Institutional	All non-residential zones
Public Parks	All
Open Space	

21.20.020 Adoption of official zoning map.

- (1) The zoning map adopted by Ordinance No. [REDACTED], and amendments thereto, shall serve as the city of Woodinville official zoning map. Said map and all notations, references, data and other information shown on the official zoning map are adopted and made part of the Unified Development Code.
- (2) The city is divided into the following zoning districts with the map symbols shown in Table 21.20.020, and which are shown on the official zoning map:

Table 21.20.020 Zoning District Map Symbols

Zone District	Map Symbol
Urban Residential-1	R-1
Urban Residential-4	R-4
Urban Residential-6	R-6
Urban Residential-8	R-8
Urban Residential-12	R-12
Urban Residential-18	R-18
Urban Residential-24	R-24
Urban Residential-48	R-48
Neighborhood Business	NB
Tourist Business	TB
Central Business District	CBD
General Business	GB
Office	O
Industrial	I
Tourist Industrial	T/I
Public/ Institutional	P/I
Parks	P

21.20.30 Purpose of zoning districts.

- (1) The purpose of the R-1 zoning district is for low density of predominately detached single-family dwelling neighborhoods in the northeastern portion of the City that are inappropriate for more intensive urban development due to significant environmental critical areas, high cost and difficulty in extending public facilities, and the presence of natural features that Woodinville seeks to retain.
- (2) The purpose of the R-4 zoning district is for low density of predominately detached single-family dwelling as well as duplex and townhome neighborhoods that are inappropriate for more intensive urban development due to significant environmental critical areas, high cost and difficulty in extending public facilities, and/or the presence of natural features that Woodinville seeks to retain.
- (3) The purpose of the R-6 and R-8 zoning districts is for moderate densities of predominately detached and attached single-family dwelling neighborhoods on lands that are suitable for urban development.
- (4) The purpose of the R-12 and R-18 zoning districts is for urbanized areas with low density duplexes, multifamily and townhome dwelling units that are within walking distance of public transit. These zoning designations can serve as a transition between commercial areas and adjoining lower density residential areas.

- (5) The purpose of the R-24 and R-48 zoning districts is for urbanized areas with higher densities of a mixture of multifamily and office uses that are within walking distances of public transit, near commercial and employment areas, and near community facilities such as parks and community centers. These zoning designations can serve as a transition between high intensity uses, such as commercial or industrial development to lower intensity residential areas.
- (6) The purpose of the NB zone is to provide for small-scale, convenience retail shopping and offices at the neighborhood level and encourage the compatible integration of small-scale shopping and office centers into the neighborhood areas which it serves.
- (7) The purpose of the TB zone is to encourage tourist-related uses and to provide for wineries, restaurants, lodging and other complementary uses that encourage tourism.
- (8) The purpose of the CBD zone is to provide the broadest mix of comparison retail, higher density residential, service and recreation/cultural uses with compatible storage and fabrication uses serving regional market areas and offering significant employment and housing opportunities.
- (9) The purpose of the GB zone is to provide for a wide variety of general service commercial uses, regional-oriented retail uses, and special opportunities for mixed-use development in key areas. This includes extensive outdoor storage and auto-related, commercial and office uses, and short-term lodging such as hotels and motels.
- (10) The purpose of the O zone is to provide for pedestrian and transit-oriented developments that provide space for professional services and related employment activities together with limited complementary retail in locations where the full range of commercial activities is not desirable.
- (11) The purpose of the I zone is to provide for industrial and business park activities supporting employment opportunities including grouping of industrial enterprises and activities involving manufacturing, assembly, fabrication, storage, research facilities, warehousing and heavy trucking.
- (12) The purpose of the T/I zone is to provide for tourist-oriented retail and commercial uses that complement the agricultural and recreational activities of the Sammamish Valley and are additional to the uses permitted in the Industrial zone.
- (13) The purpose of the P/I zone applies to existing government/ public facilities, except those within the CBD zone.
- (14) The purpose of the P zone is to provide opportunities for public parks and other recreational facilities such as playgrounds, trails, and open space. It applies to all existing and planned publicly owned parks and open spaces. Open spaces are often sensitive environmental areas but may be suitable for passive and/or active recreation.

21.20.040 Newly annexed territory.

Unless pre-annexation zoning is approved, all newly annexed territory shall be designated R-1 until such time as the zoning map is amended.

Chapter 21.21 Use and Occupancy Regulations

Staff Comment. The Use Tables and the Use definitions are substantially modified. In revising and updating the uses, the intent is to substantially mirror current code. However, where inconsistencies or conflicts were found, resolving these focused mostly on broadening the allowances based on the criteria used for determining similar uses. Additionally, many of the conditions attached to some of the uses in the current code are being reviewed for practicality as well as direction from the City Council such as reviewing the limits on square footage for some of the uses.

Sections:

21.21.010	Purpose.
21.21.020	Establishment of uses.
21.21.030	Interpreting the use tables.
21.21.040	Similar uses.
21.21.050	Residential use table.
21.21.060	Arts, cultural, entertainment, recreational and short-term lodging use table.
21.21.070	General Sales/Services use table.
21.21.080	Industrial, manufacture and processing use table.
21.21.090	Automotive, heavy equipment and transportation use table.
21.21.100	Education, public administration, healthcare, and other institutional use table.
21.21.110	Agriculture and natural resource use table.
21.21.120	Other uses table.

21.21.010 Purpose.

This chapter establishes the use and occupancy of premises that are permitted in each zoning district.

21.21.020 Establishment of uses.

The use of a property is determined by the activity for which the building or lot is intended, designed, arranged occupied or maintained. A use is considered permanent when the use will or has been in continuous operation for more than 60 days. A use which will operate for 60 days or less during any 12-month consecutive period is considered temporary and is subject to the provisions in Chapter 21.23 WMC.

21.21.030 Interpreting the use tables.

- (1) The use tables in this chapter set forth whether a specific use is allowed in a zone district and if specific circumstances apply. The zone district is located on the vertical column and the specific use is located on the horizontal row of the use tables. The definitions that describe each use are found in Chapter 21.11B WMC.
- (2) Uses listed in the tables in this chapter shall be interpreted as follows:
 - (a) Uses listed with a "P" are permitted outright in the zone the "P" is listed, subject to applicable development regulations;
 - (b) Uses listed with a "L" are categorized as "Limited Uses" and are permitted in the zone the "L" is listed subject to specific conditions applicable to the use set forth in Chapter 21.42 WMC (Limited Uses), and other applicable development regulations;

- (c) Uses listed with a “CU” are categorized as “Conditional Uses” and are permitted in the zone the “CU” is listed subject to obtaining a conditional use permit, and where specified, the conditions applicable to the use set forth in Chapter 21.43 WMC (Conditional Uses), as well as other applicable development regulations;
 - (d) Uses listed with a “SU” are categorized as “Special Uses” and are permitted in the zone the “SU” is listed subject to obtaining a special use permit, and where specified, the conditions applicable to the use set forth in Chapter 21.46 WMC (Essential Public Facilities), as well as other applicable development regulations;
 - (e) Uses listed with an “A” are permitted in the zone only as accessory to a primary use and where a note specifies, the conditions applicable to the accessory use set forth in Chapter 21.41 WMC, as well as other applicable development regulations;
 - (f) Uses listed in a table, but shown as blank in the column under a specific zone are prohibited in that zone;
 - (g) Uses not listed in the table are prohibited, except as may be allowed under WMC 21.21.040;
 - (h) If a number appears, see the note at the bottom of the table for a reference to additional requirements.
- (3) When a lot is divided by two or more zones, uses on each portion of the lot shall only be those allowed in each zone as set forth in the use tables.
- (4) The review procedures for deciding project permit applications are found in Chapters 21.80 through 21.84 WMC.

21.21.040 Similar uses.

- (1) Whenever a use is proposed that is not listed in one of the tables in this chapter, it may be allowed if the director determines the proposed use is similar to a use listed in one of the tables for that particular zone.
- (2) If the director determines the proposed use is similar to a use in one of the tables in this chapter, the proposed use may be allowed subject to the same requirements as the use in the table that the proposed use is found to be similar to.
- (3) A request for a determination of similar use must be submitted to the City in writing. The determination of similar use is processed pursuant to the review procedures for a Type 1 decision in Chapter 20.80 WMC.
- (4) The director shall consider the following in deciding a request for a similar use determination:
 - (a) The physical characteristics of the use and its supporting structures including but not limited to scale, visual impacts, traffic generation, noise, parking demand, hours of operation and other impacts;
 - (b) The relationship of the proposed use to surrounding uses and whether the proposed use complements or is compatible with other uses allowed in the zone.

21.21.050 Residential use table.**Table 21.21.050 Residential Use Table**

Land Use	Residential Zones								Commercial Zones					Industrial Zones		Other Zones	
	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48	NB	TB	CBD	GB	O	T/I	I	P/I	P
Dwelling Unit, Single Detached	P	P	P	P	P	P											
Adult Family Home	P	P	P	P	P	P											
Dwelling Unit, Duplex	P	P	P	P	P	P				L							
Dwelling Unit, Attached (Townhome)		CU	CU	P	P	P	P	P		L	L						
Dwelling Unit, Multiple				P	P	P	P	P		L	L						
Dwelling Unit, Accessory ¹	A	A	A	A	A	A	A	A			A						
Manufacture/ mobile home park			L	L	L												
Group Residential Quarters					P	P	P	P		L	L						
Home Business Level 1 ²	A	A	A	A	A	A	A	A		A	A						
Home Business Level 2 ³	CU	CU	CU	CU	CU	CU											
Residential Accessory Uses	A	A	A	A	A	A	A	A		L	L						
<p>Notes:</p> <ol style="list-style-type: none"> 1. See WMC 21.41.020 for special development conditions applicable to accessory dwelling units. 2. See WMC 21.41.030 for special development conditions applicable to home business level 1 3. See WMC 21.43.020 for special development conditions applicable to a home business level 2. <p>*See Chapter 21.42 WMC for conditions applicable to “limited uses”</p>																	
<p>See WMC 21.21.030 for the complete meaning of symbols.</p> <ul style="list-style-type: none"> • “P” means the use is permitted outright in the zone; • “L” means the use is categorized as “Limited Uses” in the zone and subject to specific conditions; • “CU” means the use is categorized as “Conditional Uses” in the zone and subject to obtaining a conditional use permit; • “SU” means the use is categorized as “Special Uses” in the zone and subject to obtaining a special use permit; • “A” means the use is categorized as an “Accessory Use” in the zone and allowed only as an accessory to a primary use; • If no symbol appears in the column under a specific zone, it means the use is prohibited in that zone. 																	

21.21.060 Arts, cultural, entertainment, recreational and short-term lodging use table.**Table 21.21.060 Arts, Cultural, Entertainment, Recreational and Short-term Lodging Use Table**

Land Use	Residential Zones								Commercial Zones					Industrial Zones		Other Zones	
	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48	NB	TB	CBD ¹	GB	O	T/I	I	P/I	P
Bed and Breakfast Inns	A ²	A ²	A ²	A ²	A ²	A ²				L				L			
Arts & Cultural Establishments Level 1				CU ³					P	P	P	P		P	A	A	A
Arts & Cultural Establishments Level 2										CU	CU	CU		CU			
Conference Centers				CU ³						P	P	CU		P			
Temporary lodging										P	P	P		P			
Indoor Recreation & Sports Facilities Level 1	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	P	P	P	P		P	CU		
Indoor Recreation & Sports Facilities Level 2										CU	P	P		CU	CU		
Indoor Recreation & Sports Facilities Level 3															CU		
Outdoor Recreation & Sports Facilities Level 1	A ⁵	A ⁵	A ⁵	A ⁵	A ⁵	A ⁵	A ⁵	A ⁵		A ⁵	A ⁵			CU	CU	A ⁵	P
Outdoor Recreation & Sports Facilities Level 2														CU	CU	A	P
Golf Facilities	CU ⁶	CU ⁶										L					L
Nighttime Entertainment Establishments										P	P			P			
Public parks and trails	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Notes: 1. See WMC 21.42.040 for “active uses” limitations applicable in the CBD zone. 2. See WMC 21.41.040 for special development conditions applicable to bed and breakfast inns. 3. See WMC 21.43.080 for special development conditions applicable to arts & cultural establishments and conference centers in the R-8 zone. 4. See WMC 21.41.050 for special development conditions applicable to indoor recreation & sports facilities. 5. See WMC 21.41.060 for special development conditions applicable to outdoor recreation & sports facilities. 6. See WMC 21.42.060 for special development conditions applicable to golf facilities. *See Chapter 21.42 WMC for conditions applicable to “limited uses”																	
See WMC 21.21.030 for the complete meaning of symbols.																	

- "P" means the use is permitted outright in the zone;
- "L" means the use is categorized as "Limited Uses" in the zone and subject to specific conditions;
- "CU" means the use is categorized as "Conditional Uses" in the zone and subject to obtaining a conditional use permit;
- "SU" means the use is categorized as "Special Uses" in the zone and subject to obtaining a special use permit;
- "A" means the use is categorized as an "Accessory Use" in the zone and allowed only as an accessory to a primary use;
- If no symbol appears in the column under a specific zone, it means the use is prohibited in that zone.

Staff Comment. Changed conference in the CBD from CU to P.

21.21.070 General Sales/Services use table.**Table 21.21.070 General Sales/Services Use Table**

Land Use	Residential Zones								Commercial Zones					Industrial Zones		Other Zones	
	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48	NB	TB	CBD ¹	GB	O	T/I	I	P/I	P
Eating and Drinking Places Level 1									L	L	L	P	P	L	P	A	
Eating and Drinking Places Level 2									L	L	L	P	P	L		A	
Tasting Room										P	P	P		P	A		
Food and Grocery Store Level 1									P	P	P	P		P			
Food and Grocery Store Level 2									P	P	L	P		P			
General Sales, Retail, or Service Level 1									P	P	P	P		P			
General Sales, Retail, or Service Level 2									CU	P	L	P		P			
Professional Office									P	P	P	P	P	P	P	P	
Self-Service Storage													P		P		
Wholesale Trade									A ²	A ²	A ²	P		A ²	P		
Pawnshop									P			P					
Outdoor Storage Yard															P		
Commercial Accessory Uses									P	P	P	P	P	P	P	P	P
<p>Notes:</p> <ol style="list-style-type: none"> 1. See WMC 21.42.040 for “active uses” limitations applicable in the CBD zone. 2. See WMC 21.41.070 for special development conditions applicable to wholesale trade. <p>*See Chapter 21.42 WMC for conditions applicable to “limited uses”</p>																	
<p>See WMC 21.21.030 for the complete meaning of symbols.</p> <ul style="list-style-type: none"> • “P” means the use is permitted outright in the zone; • “L” means the use is categorized as “Limited Uses” in the zone and subject to specific conditions; • “CU” means the use is categorized as “Conditional Uses” in the zone and subject to obtaining a conditional use permit; • “SU” means the use is categorized as “Special Uses” in the zone and subject to obtaining a special use permit; • “A” means the use is categorized as an “Accessory Use” in the zone and allowed only as an accessory to a primary use; • If no symbol appears in the column under a specific zone, it means the use is prohibited in that zone. 																	

21.21.080 Industrial, manufacture and processing use table.**Table 21.21.080 Industrial, Manufacture and Processing Use Table**

Land Use	Residential Zones								Commercial Zones					Industrial Zones		Other Zones	
	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48	NB	TB	CBD ¹	GB	O	T/I	I	P/I	P
Light Industrial										L	L	L		P	P		
Medium Industrial												CU		CU	P		
Heavy Industrial														CU	CU		
Warehousing Level 1														P	P		
Warehousing Level 2														L	P		
Construction Services, Shops and Storage Yards												L		L	P		
Wireless Communication and Information Facilities Level 1	See Chapter 21.45 WMC																
Wireless Communication and Information Facilities Level 2	See Chapter 21.45 WMC																
Wireless Communication and Information Facilities Level 3															CU		
Industrial Accessory Uses										A	A	A		A	A		
Notes: 1. See WMC 21.42.040 for “active uses” limitations applicable in the CBD zone. *See Chapter 21.42 WMC for conditions applicable to “limited uses”																	
See WMC 21.21.030 for the complete meaning of symbols. <ul style="list-style-type: none"> • “P” means the use is permitted outright in the zone; • “L” means the use is categorized as “Limited Uses” in the zone and subject to specific conditions; • “CU” means the use is categorized as “Conditional Uses” in the zone and subject to obtaining a conditional use permit; • “SU” means the use is categorized as “Special Uses” in the zone and subject to obtaining a special use permit; • “A” means the use is categorized as an “Accessory Use” in the zone and allowed only as an accessory to a primary use; • If no symbol appears in the column under a specific zone, it means the use is prohibited in that zone. 																	

21.21.090 Automotive, heavy equipment and transportation use table.**Table 21.21.090 Automotive, Heavy Equipment and Transportation Use Table**

Land Use	Residential Zones								Commercial Zones					Industrial Zones		Other Zones	
	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48	NB	TB	CBD ¹	GB	O	T/I	I	P/I	P
Motor Vehicle/Vessel Sales, Rental, Service, and Repair Level 1											CU ²	CU ²		P	P	P	
Motor Vehicle/Vessel Sales, Rental, Service, and Repair Level 2															P	P	
Motor Vehicle Parts Sales											P	P		P	P		
Heavy Equipment/Machinery Sales, Service and Rental												P			P		
Fuel Service Station									P	P	CU ³	CU ³		P	P		
Vehicle Salvage, Towing Operators, and Impoundment Yards															P		
Ground Passenger and Transit Services											L	P	P	P	P		
Automotive Parking Facility Level 1										L	L	L		L	P	A	
Automotive Parking Facility Level 2										P	L	L		P	P	A	
Accessory Parking Facilities	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Long-Term Automotive Parking Facility												L			P		
Helipads											A ⁴	A ⁴				A ⁴	
Airports/landing fields ⁵															SU	SU	
Notes: 1. See WMC 21.42.040 for “active uses” limitations applicable in the CBD zone. 2. See WMC 21.43.040 for special development conditions applicable to motor vehicle/vessel sales, rental, service, and repair in the CBD and GB zone. 3. See WMC 21.43.030 for special development conditions applicable to fuel service stations in the CBD and GB zones. 4. See WMC 21.41.080 for special development conditions applicable to helipads. 5. Allowed only as an essential public facility pursuant to Chapter 21.46 WMC. *See Chapter 21.42 WMC for conditions applicable to “limited uses”																	

See WMC 21.21.030 for the complete meaning of symbols.

- “P” means the use is permitted outright in the zone;
- “L” means the use is categorized as “Limited Uses” in the zone and subject to specific conditions;
- “CU” means the use is categorized as “Conditional Uses” in the zone and subject to obtaining a conditional use permit;
- “SU” means the use is categorized as “Special Uses” in the zone and subject to obtaining a special use permit;
- “A” means the use is categorized as an “Accessory Use” in the zone and allowed only as an accessory to a primary use;
- If no symbol appears in the column under a specific zone, it means the use is prohibited in that zone.

21.21.100 Education, public administration, healthcare, and other institutional use table.**Table 21.21.100 Education, Public Administration, Healthcare and Other Institutional Use Table**

Land Use	Residential Zones								Commercial Zones					Industrial Zones		Other Zones	
	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48	NB	TB	CBD ¹	GB	O	T/I	I	P/I	P
Public Administration/Safety Facilities	CU ²	CU ²	CU ²	CU ²	CU ²	CU ²	CU ²	CU ²			P	P		P	P	P	
Social Services											P					P	
Temporary Shelter										P	P	P		P		A	
Residential Care Facilities				P	P	P	P	P		L	L					P	
Long-Term Care Facilities									CU		P	P				A ³	
Daycare Facility Level 1	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	P		P	P		A	A	P	
Daycare Facility Level 2									P		P	P		A	A	P	
Hospital											P	P				P	
Ambulatory and Outpatient Clinics									P		P	P				A ³	
Veterinary Facilities									P		P	P		P	P	P	
Funeral Services												P			P		
Crematorium Facilities															P		
Cemetery												C					
Religious Facilities	CU	CU	CU	CU	CU	CU	CU	CU		P	P	P	P	P	P	P	A
Educational Facilities Level 1	A ⁵	A ⁵	A ⁵	A ⁵	A ⁵	A ⁵	A ⁵	A ⁵			L	L		L	L		
Educational Facilities Level 2	CU	CU	CU	CU	CU	CU	CU	CU			CU ⁶	CU ⁶		CU	CU	P	
Educational Facilities Level 3											CU ⁶	CU ⁶		CU	CU	CU	
School Bus Base ⁷															SU	SU	
Notes: 1. See WMC 21.42.040 for “active uses” limitations applicable in the CBD zone. 2. See WMC 21.43.050 for special development conditions applicable to public administration/safety facilities in a residential zone. 3. See WMC 21.41.090 for special development conditions applicable to long-term care facilities, ambulatory/outpatient clinics. 4. See WMC 21.41.100 for special development conditions applicable to daycare facilities in residential zones. 5. See WMC 21.41.120 for special development conditions applicable to education facilities in residential zones. 6. See WMC 21.43.060 for special development conditions applicable to educational facilities. 7. Allowed only as an essential public facility pursuant to Chapter 21.46 WMC. *See Chapter 21.42 WMC for conditions applicable to “limited uses”																	
See WMC 21.21.030 for the complete meaning of symbols.																	

- “P” means the use is permitted outright in the zone;
- “L” means the use is categorized as “Limited Uses” in the zone and subject to specific conditions;
- “CU” means the use is categorized as “Conditional Uses” in the zone and subject to obtaining a conditional use permit;
- “SU” means the use is categorized as “Special Uses” in the zone and subject to obtaining a special use permit;
- “A” means the use is categorized as an “Accessory Use” in the zone and allowed only as an accessory to a primary use;
- If no symbol appears in the column under a specific zone, it means the use is prohibited in that zone.

Staff Comment: Deleted cemeteries from being allowed as an accessory use in residential zones. Temporary shelter was separated from social services to allow consistency with E2SHB 1220, which mandates temporary shelters be allowed in the same zones as hotels and other forms of temporary lodging. (Interim regulations found in Ordinance No. 720.)

21.21.110 Agriculture and natural resource use table.

Table 21.21.110 Agriculture and Natural Resource Use Table

Land Use	Residential Zones								Commercial Zones					Industrial Zones		Other Zones	
	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48	NB	TB	CBD	GB	O	T/I	I	P/I	P
Family Farm Level 1	P	P												P	P		
Family Farm Level 2	P													P	P		
Small Farm Direct Marketing	L	L												P	P		
Animal Lodging and Training Facility	L	L															
“Animal slaughtering and processing”															CU		
Forest and Fish and Wildlife Resource Management	CU													P	P		P
Mineral, oil and gas extractions ¹																	
Notes: 1. Mineral, oil and gas extractions are prohibited throughout the city. *See Chapter 21.42 WMC for conditions applicable to “limited uses”																	
See WMC 21.21.030 for the complete meaning of symbols. <ul style="list-style-type: none"> • “P” means the use is permitted outright in the zone; • “L” means the use is categorized as “Limited Uses” in the zone and subject to specific conditions; • “CU” means the use is categorized as “Conditional Uses” in the zone and subject to obtaining a conditional use permit; • “SU” means the use is categorized as “Special Uses” in the zone and subject to obtaining a special use permit; 																	

- “A” means the use is categorized as an “Accessory Use” in the zone and allowed only as an accessory to a primary use;
- If no symbol appears in the column under a specific zone, it means the use is prohibited in that zone.

21.21.120 Other use table.

Table 21.21.120 Other Use Table

Land Use	Residential Zones								Commercial Zones					Industrial Zones		Other Zones	
	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48	NB	TB	CBD ¹	GB	O	T/I	I	P/I	P
Electric Vehicle Infrastructure Level 1	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Electric Vehicle Infrastructure Level 2									P	P	P	P		P	P		
Essential Public Facilities not listed in the use tables ²														SU	SU	SU	
Wildlife shelter	CU													P	P		
Private stormwater management facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utilities Accessory	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utilities Primary	L	L	L	L	L	L	L	L	L	P	L	L	P	P	P	P	P
Utility Production and Processing Facilities ²														SU	SU	SU	
Solid Waste Transfer and Recycling Facility ²														SU	SU		
Local Collection Recycling Facility	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴		A ⁴			A ⁴	P	P	P
Energy resource recovery facility ²														SU	SU		
Adult Entertainment Business												P ⁴			P ⁴		
Marijuana Retailer, Producer or Processor ⁵																	
Shoreline uses	See Chapters 21.70 through 21.77 for uses inside the shoreline jurisdiction that apply in addition to zoning regulations.																
Notes:																	
1. See WMC 21.42.040 for “active uses” limitations applicable in the CBD zone.																	
2. Allowed only as an essential public facility pursuant to Chapter 21.46 WMC.																	
3. See WMC 21.41.120 for special development conditions applicable to local collection recycling facilities.																	
4. Adult entertainment businesses are allowed only as set forth in Chapter 21.48 WMC.																	
5. Marijuana retailer, producer and processors are prohibited throughout the city.																	

*See Chapter 21.42 WMC for conditions applicable to “limited uses”

See WMC 21.21.030 for the complete meaning of symbols.

- “P” means the use is permitted outright in the zone;
- “L” means the use is categorized as “Limited Uses” in the zone and subject to specific conditions;
- “CU” means the use is categorized as “Conditional Uses” in the zone and subject to obtaining a conditional use permit;
- “SU” means the use is categorized as “Special Uses” in the zone and subject to obtaining a special use permit;
- “A” means the use is categorized as an “Accessory Use” in the zone and allowed only as an accessory to a primary use;
- If no symbol appears in the column under a specific zone, it means the use is prohibited in that zone.

Chapter 21.22 Downtown and Little Bear Creek Corridor

Staff Comment. These provisions are currently located in the Commercial Design Standards in Chapter 21.40 WMC. However, these design districts act more as an overlay to control zoning than they are design standards. They are therefore moved out of the design standards and into their own chapter.

Sections:

21.22.010 Introduction.

21.22.020 Downtown and Little Bear Creek Corridor Design Districts.

21.22.010 Introduction.

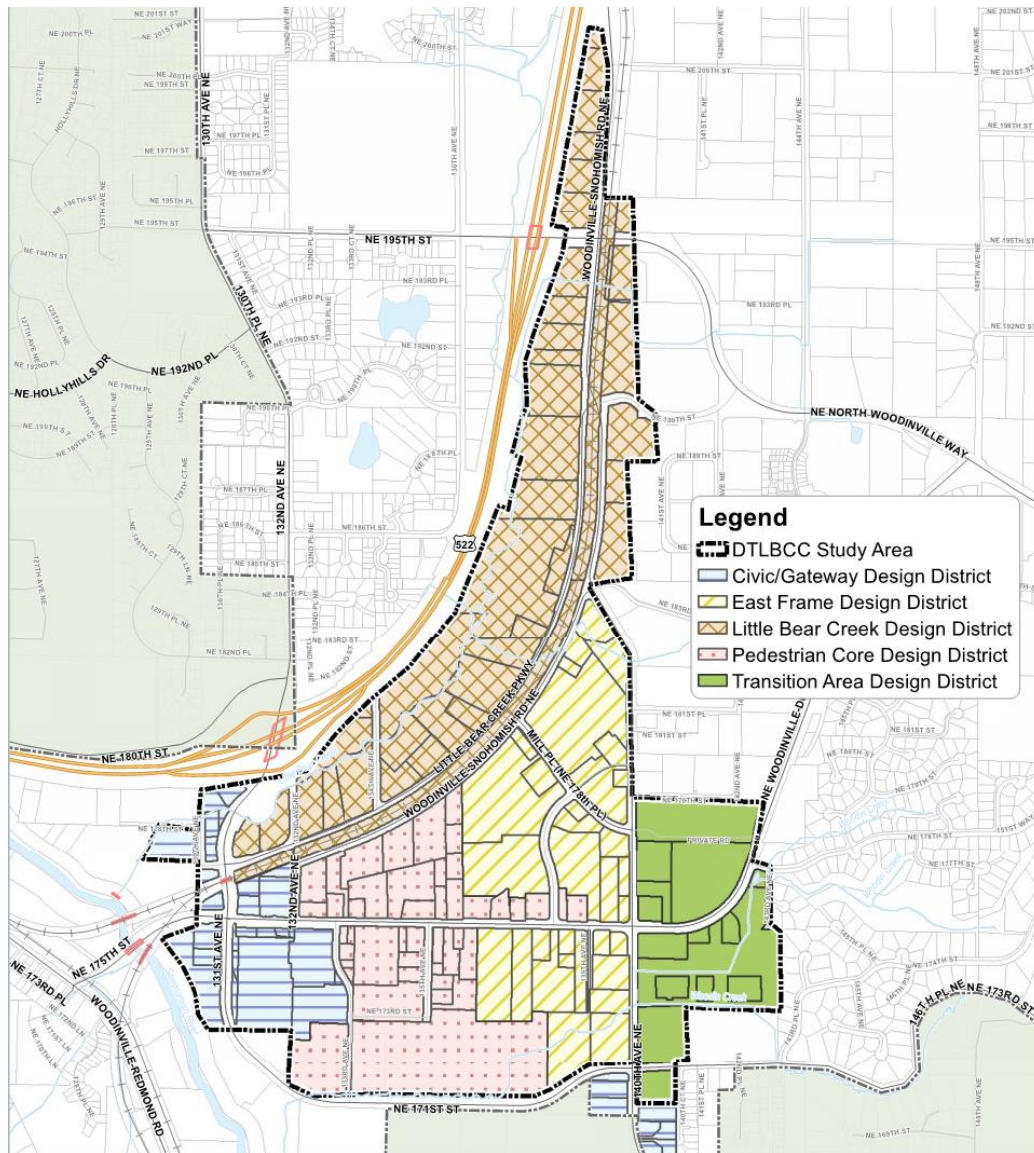
The Downtown and Little Bear Creek is a subarea plan adopted by Ordinance No. 459. The plan is developed to describe a preferred vision for major commercial areas within the City. The design districts are an overlay to the Official Zoning Map.

21.22.020 Downtown and Little Bear Creek Corridor Design Districts.

Figure 21.22.020 identifies the boundaries of the Downtown and Little Bear Creek Corridor and divides this area into design districts where additional specific design and development standards set forth elsewhere in the UDC apply. The design districts and their characteristics are described as follows:

- (1) Civic/Gateway Design District: Public and high visibility (e.g., hotel) uses. Emphasis on attractive streets, landscaping, and pedestrian connections. Development standards/guidelines emphasize design character as seen from streets and pedestrian connections.
- (2) Pedestrian Core Design District: Highly integrated mix of smaller, pedestrian-oriented commercial services (specialty shops, restaurants, personal services, community-oriented retail, etc.) and residential. Offices above the ground floor are encouraged. The goal is to develop at least 1,000 dwelling units in this area to support retail and provide activity. Development standards/guidelines emphasize pedestrian-oriented streets, efficient but nonintrusive auto access, plazas, small open spaces and amenities, and human scale, high quality architecture. Also important is to provide enough development capacity to ensure feasible high-quality development, while modulating building bulk to retain sunlight and views.
- (3) East Frame Design District: Mix of uses including accommodation of larger format retail centers. Development standards/guidelines emphasize integrated site development with good interior pedestrian circulation, ample, "garden like" landscaping, compatibility with adjacent uses (minimization of service area impacts), and an attractive eastern entry into the downtown.
- (4) Little Bear Creek Design District: General commercial and office uses. Buildings of up to 60 feet in height are allowed if development includes structured parking and "greensward" corridors on the side yard that provide pedestrian connections to the creek and water quality treatment. The emphasis is on enhancing the environment and providing access to Little Bear Creek.
- (5) Transition Area Design District: Mix of uses including accommodation of medium format retail centers. Development standards/guidelines emphasize many of the same characteristics of the East Frame but focus on transitioning to the residential areas to the east.

Figure 21.22.020 Downtown and Little Bear Creek Corridor Design Districts



Chapter 21.23 Temporary Uses

Staff Comment. This chapter is derived from Chapter 21.36 WMC. Additional revisions associated with the temporary encampments to reflect state laws recently passed will need to be incorporated.

Sections:

21.23.010	Purpose.
21.23.020	Applicability.
21.23.030	Temporary use permit – when required.
21.23.040	Mobile vendors.
21.23.050	Temporary education and public facilities.
21.23.060	Temporary construction trailers.
21.23.070	Temporary placement of housing.
21.23.080	Temporary real estate offices.
21.23.090	Temporary wireless communication facilities.
21.23.100	Temporary encampments.

21.23.010 Purpose.

This chapter is intended to permit certain uses identified in this chapter that are inherently temporary.

21.23.020 Applicability.

This chapter applies to the location of a temporary uses that are of a limited duration and/or frequency or comprise multiple related events over a specified period.

21.23.030 Temporary use permit – when required.

- (1) Except as provided in WMC 21.23.030(2), a temporary use permit is required pursuant to WMC 21.82.130 for the following uses and activities:
 - (a) Uses not otherwise listed as a permitted use in the zone that can be made compatible for a period of limited duration and/or frequency;
 - (b) Temporary expansion of a use allowed in a zone, but which exceeds the scope of what was approved for the use;
 - (c) Mobile vendors as set forth in WMC 21.23.040;
 - (d) Temporary uses as prescribed in WMC 21.23.050 through 21.23.090; and
 - (e) Temporary encampments as set forth in WMC 21.23.100.
- (2) The following are exempt from obtaining a temporary use permit when located in the Central Business District, General Business, Neighborhood Business, Tourist Business, Office, Tourist Industrial, and Industrial zones, which do not exceed operating a total of 14 days during each calendar year:
 - (a) Activities listed as requiring or exempt from a special event permit set forth in Chapter 8.12 WMC; and
 - (b) Temporary sales conducted by businesses on private properties.

21.23.040 Mobile vendors.

Mobile vendor means a person who peddles, vends, sells, displays, or offers for sale foods, goods, wares or merchandise out of a motor vehicle, cart, trailer, tent, table or other temporary structure that is capable of being set up and taken down in one day and is readily moveable.

- (1) A mobile vendor shall comply with the following conditions:
 - (a) Operations shall be limited to a maximum of 12 hours per any 24-hour period;
 - (b) The maximum time at a location shall not exceed seven consecutive days;
 - (c) The operations shall not obstruct fire lanes, access or sight distances of driveways, sidewalks, streets, or other public spaces;
 - (d) No sound generating devices, such as radios or speakers, producing sound distinguishable from 50 feet or further away is allowed;
 - (e) Vendors shall be responsible for collecting and properly disposing of trash within 50 feet of the vending area by the close of business each day;
 - (f) An application for a temporary use permit for a mobile vendor shall include the following:
 - (i) Copy of the City of Woodinville business license;
 - (ii) Current vehicle registration, if applicable;
 - (iii) Current King County Public Health mobile food service permit, if applicable; and
 - (iv) Site plan identifying the location of the vendor, queuing areas, tables, tents, waste receptacles, and other pertinent information, as determined by the director.
- (2) The temporary use permit shall be kept onsite of the vendor and be available for public inspection upon request.

21.23.050 Temporary education and public facilities.

Temporary education and public facilities are allowed provided the following conditions are satisfied:

- (1) Allowed only during periods a permit is submitted and active for construction or remodeling;
- (2) The size of structures housing the temporary use does not exceed the capacity or square footage of the subject facility being constructed or remodeled; and
- (3) Temporary facilities are removed within 30 days of project completion or cessation of work.

21.23.060 Temporary construction trailers.

Construction trailers are mobile structures used to accommodate temporary offices, dining facilities and storage of building materials during construction projects. Construction trailers are not subject to the time limits set forth for temporary use permits. They may be allowed provided the following conditions are satisfied:

- (1) Allowed on a site only during periods a construction permit is active, except the director may authorize construction trailers to be placed on a site up to 30 days in advance of a construction permit being issued;
- (2) Construction trailers are removed within 30 days of project completion or cessation of work;
- (3) The director may waive the requirements for a temporary use permit if the construction trailer is approved as part of a construction mitigation plan.

21.23.070 Temporary placement of housing.

A manufactured home, mobile home, tiny house, or dwellings that are similarly mobile may be permitted on a lot as a temporary residence in accordance with the following:

- (1) Construction of a new dwelling provided:

- (a) Allowed on a site only during periods a construction permit is active or actively under review for the site;
 - (b) The temporary use permit may be granted for a 12-consecutive month period, except the director may grant one extension of time up to 12 months if the director determines significant construction progress has been made; and
 - (c) The temporary residence is removed within 90 days of whichever of the following occurs first:
 - (i) The expiration of the temporary use permit; or
 - (ii) Issuance of a certificate of occupancy for the dwelling on the site.
- (2) Caregiver residences provided:
- (a) Allowed if the applicant demonstrates a caregiver is necessary to provide daily care of an individual certified by a physician needing such care;
 - (b) The temporary residence satisfies all development regulation requirements, except residential density;
 - (c) The temporary use permit may be granted for a 12-consecutive month period, except the director may grant additional extensions in 12-month increments subject to demonstration of continued need for caregiver assistance, not to exceed five years total; and
 - (d) The temporary residence is removed within 90 days of whichever of the following occurs first:
 - (iii) The expiration of the temporary use permit; or
 - (iv) The cessation of provision of daily care.

21.23.080 Temporary real estate offices.

One temporary trailer or structure housing a real estate office may be located on any new residential development; provided, that activities are limited to the initial sale or rental of property or units within the development. The office use shall be discontinued within one year of recording of a subdivision, short subdivision, binding site plan, or issuance of a final certificate of occupancy in the case of a multifamily dwelling unit development.

21.23.090 Temporary wireless communication facilities.

The placement of a temporary wireless communication facility may be exempt from the requirements for wireless communication facilities prescribed in Chapter 21.45 WMC provided:

- (1) The wireless communication facilities conform to required setbacks, are maintained in a good and safe condition, and comply with all applicable Federal, State and local rules and regulations applicable to a wireless communication facility;
- (2) The temporary wireless communication facility shall be placed on the property in a manner that is the least intrusive impact if residential properties are within 500 feet;
- (3) The highest point of the temporary wireless communication facility shall not exceed a vertical height of 45 feet as measured from the existing ground directly below the facility;
- (4) Signage is prohibited;
- (5) In cases of emergencies or natural disasters, temporary wireless communication facilities shall be exempt from permitting, setback, and least intrusive requirements provided the wireless communication facilities is removed within 30 days following the cessation of any emergency orders.

21.23.090 Temporary encampments.

- (1) This section applies to temporary encampments which house groups of persons experiencing homelessness, excluding indoor temporary housing or indoor sleeping accommodations to homeless persons.
- (2) Only the following entities can establish a temporary encampment described in WMC 21.23.100(1):
 - (a) Religious organizations as set forth in the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. Chapter 21c;
 - (b) Any 501(c) Internal Revenue Service recognized nonprofit organization having expertise managing facilities for homeless persons;
 - (c) Government agencies that provide services for homeless persons.
- (3) Temporary encampments are permitted on public or private property, except R-1 zoned properties having ownership not listed in WMC 21.23.100(2).
- (4) Temporary encampments must satisfy the following requirements:
 - (a) No more than 50 residents shall reside within a temporary encampment;
 - (b) The temporary encampment must be sponsored and/or managed by one or more of the entities set forth in WMC 21.23.100(2);
 - (c) The property must be sufficient in size to accommodate the temporary encampment;
 - (d) The temporary encampment must be located at least 20 feet from any property line abutting a property having an existing residential use, and 10 feet from all other property lines;
 - (e) A sight-obscuring screen shall be erected around the outer perimeter of the temporary encampment consisting of any combination of fencing, landscaping, existing structures, or other screening methods approved by the Director;
 - (f) The temporary encampment shall make adequate accommodations that ensure the general health, welfare and safety of the residents including, but not limited to, potable water, sanitation facilities, solid waste removal, fire protection, electricity, noise control and security;
 - (g) Suitable on-site parking and space for deliveries must be provided; and
 - (h) No permanent structures are constructed under the provisions for this section.
- (5) The operating of a temporary encampment shall include the following:
 - (a) A point of contact shall be appointed and on file with the City for managing and enforcing the terms of the temporary use permit;
 - (b) A code of conduct for living at the temporary encampment shall be established specifying:
 - (i) Operating policies;
 - (ii) Restrictions on drugs, alcohol, weapons, violence, open flames;
 - (iii) Prohibitions on smoking in public places, littering, loitering and/or trespassing on nearby properties; and
 - (iv) Establishment of quiet hours;
 - (c) Establishment of measures that ensure compliance with all applicable State and local regulations as well as the code of conduct for the temporary encampment;
 - (d) The sponsor and/or managing entity shall take all reasonable and legal steps to:
 - (i) Obtain verifiable identification from current and prospective encampment residents and use such identification to obtain sex offender and warrant checks from agencies; and
 - (ii) If said warrant and sex offender checks reveal either (A) an existing or outstanding warrant from any jurisdiction in the United States for the arrest of the individual who is the subject of the check; or (B) the individual who is the subject of the check is a sex offender, required to register with the County

- Sheriff or their county of residence pursuant to RCW 9A.44.130, then the sponsoring and/or managing entity will reject the individual who is the subject of the check for residency in the temporary encampment, or eject the individual who is the subject of the check from the temporary encampment if that person is already a resident of the temporary encampment; and
- (iii) Notify the City's Police Department if an individual is ejected from the encampment due to an active warrant or match on a sex offender check, or if the individual appears to pose a threat to the community; and
 - (e) The managing entity shall allow access for inspections by public agency officials for the purposes of ensuring public health, safety, and welfare and for monitoring compliance with the requirements set forth herein and the conditions of approval of the temporary use permit.
- (6) Timing.
- (a) A temporary use permit may authorize the occupation of a temporary encampment for up to a maximum of 150 days after which all temporary facilities of the encampment must be removed within seven calendar days;
 - (b) Only one temporary encampment is allowed on the same property during any 365-day period with a minimum 180 days separating the erecting of another temporary encampment on the same property.
- (7) Submission of an application for a temporary use permit for a temporary encampment shall include the following:
- (a) A written project summary specifying the following information:
 - (i) The date the temporary encampment will commence;
 - (ii) The length of time the temporary encampment will be erected;
 - (iii) The maximum number of residents proposed;
 - (iv) The manner in which the temporary encampment will comply with the requirements of this section;
 - (b) Site plan drawing identifying the location of all sleeping tents, sanitation facilities including restrooms and showers, cooking facilities, waste receptacles, water facilities, sanitary sewer or human waste disposal facilities, parking and delivery space facilities, and any other pertinent information identified by the Director as being necessary to show compliance with this section;
 - (c) Name and contact information of the sponsor, managing agency and, if applicable, other point of contact information;
 - (d) Property owner's authorization for the temporary encampment's use of the property;
 - (e) A copy of the proposed code of conduct and operating agreement;
 - (f) Information on transportation and transit services to and from the encampment; and
 - (g) In the case of nonreligious organizations, evidence of the organization's ability to operate successfully and safely a temporary encampment for homeless persons.
- (8) Decision Criteria. A temporary use permit for a temporary encampment may be approved by the director if the following criteria are satisfied:
- (a) Adequate provisions are made for public health and safety;
 - (b) The proposed use will not be materially detrimental to the public welfare or injurious to the property or nearby improvements; and
 - (c) The proposed use satisfies the requirements of this section and all other applicable local, State and Federal regulations.
- (9) Miscellaneous Provisions.
- (a) Conditions of Approval.
 - (i) Because each temporary encampment has unique characteristics such as size, duration, uses, number of occupants and composition, the Director is authorized to impose conditions on the approval of a temporary use permit;

- (ii) Conditions, if imposed, must be intended to minimize nuisance-generating features in matters of noise, waste, air quality, unsightliness, traffic, physical hazards, and other similar matters.
- (b) The Director may modify the submittal requirements to request more or less information if determined appropriate to achieve the purpose of this chapter.
- (c) If the sponsoring and/or managing entities, upon being notified by the Director in writing, fail to act to correct any violations in a reasonable time, the temporary use permit may be revoked.
- (d) The provisions for temporary uses set forth in WMC 21.82.130(4) and (5) shall not apply to temporary encampments complying with this section.

Chapter 21.31 Lot Development Standards

Sections

21.31.010	Purpose.
21.31.020	Interpreting tables in this chapter.
21.31.030	Residential zoned lot and residential density standards.
21.31.040	Nonresidential zoned lot and residential density standards.
21.31.050	Additional provisions applicable to lot and residential density standards.

21.31.010 Purpose.

This chapter establishes development standards applicable to the creation of lots and residential densities.

21.31.020 Interpreting tables in this chapter.

When interpreting the tables found in this chapter, the zone districts are located on the vertical columns and the corresponding development standards to each zone are located on the horizontal rows of the tables.

21.31.030 Residential zoned lot and residential density standards.

The pertinent development standards for residential densities, minimum lot area, minimum lot width and minimum street lot width applicable to each residentially zoned lot are set forth in Table 21.31.030.

Table 21.31.030 Residential Lot and Residential Density Standards

Standards	Low Density		Moderate Density		Medium Density		High Density	
	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48
Minimum Lot Area* (square feet)	35,000	9,000	6,000	5,000	2,500	2,500	2,500	2,500
Minimum Density	None	3 du/ac	4 du/ac	6 du/ac	9 du/ac	14 du/ac	17 du/ac	31 du/ac
Maximum Density	1 du/ac	4 du/ac	6 du/ac	8 du/ac	12 du/ac	48 du/ac	24 du/ac	48 du/ac
Minimum Street Lot Width*	100 ft ^{1,2}	60 ft	50 ft	30 ft	30 ft	30 ft	30 ft	30 ft
Minimum Lot Width*	100 ft ¹	60 ft	50 ft	30 ft	25 ft	25 ft	25 ft	25 ft
Notes: 1. Within the R-1 zone, lots having a lot area less than 15,000 square feet may have a minimum street lot width of 60 feet. 2. Within the R-1 zone, lots adjoining a cul-de-sac may have a minimum street lot width adjoining a cul-de-sac of 75 feet. *See definitions for Lot Area, Street Lot Width and Lot Width in WMC 21.11A.130.								

21.31.040 Nonresidential zoned lot and residential density standards.

The pertinent requirements for residential densities, minimum lot area, minimum lot width, and minimum street lot width applicable to each non-residentially zoned lot is determined by the zone in which the lot is located and the corresponding development standards in Table 21.31.040.

Table 21.31.040 Non-residential Lot and Residential Density Standards

Standards	Commercial Zones					Industrial Zones		Other Zones	
	NB	TB	CBD	GB	O	T/I	I	P/I	P
Minimum Lot Area* (square feet)	2,500	1,500	1,500	2,500	None				
Maximum Residential Density	Not Applicable	24 du/ac	See Note 1	Not applicable					
Minimum Street Lot Width*	None								
Minimum Lot Width*	25 ft	25 ft	25 ft	25 ft	25 ft	25 ft	25 ft	25 ft	25 ft
Notes: 1. Densities are based on residential floor area ratio standards. See WMC 21.32.xxx. *See definitions for Lot Area, Street Lot Width and Lot Width in WMC 21.11A.130.									

21.31.050 Additional provisions applicable to lot and residential density standards.

The following provisions are applied in combination with WMC 21.31.030 and WMC 21.31.040.

- (1) Calculating residential density. The following apply to calculating residential density on a site:
 - (a) Minimum and maximum residential densities on a site shall be computed by multiplying the existing lot area for the site prior to any dedication for public street rights-of-way by the corresponding density standards for the zone set forth in Table 21.31.030 and Table 21.31.040; and
 - (b) If the computed density results in a fraction, the fraction shall be rounded to the nearest whole number as follows:
 - (i) Fractions of 0.50 and above shall be rounded up; and
 - (ii) Fractions of less than 0.50 shall be rounded down;
 - (c) When a site is divided by two or more zones, density standards shall apply separately to each zoned area of the site using the corresponding density standards applicable to each zoned area, except all computations of density resulting in a fraction shall be rounded down to the nearest whole number.
 - (d) The total number of dwelling units and/or lots in a development shall not exceed the maximum density of the zone.
- (2) Minimum residential density. The minimum residential density standards set forth in Table 21.31.030 (Tourist Business zone does not have a minimum residential density standard) may be adjusted as follows:
 - (a) If wetlands, fish and wildlife habitat conservation areas, or geological sensitive areas, including associated buffers are present and placed in a native growth protection area, minimum density may be adjusted by the minimum density multiplier in Table 21.31.050 based on the percentage of the site encumbered by the native growth protection area.

- (b) The director may waive the minimum residential density standards set forth in Table 21.31.030 if the applicant demonstrates one or more of the following conditions are satisfied:
- (i) The layout of lots, access, and buildings is such that at least one lot remains dividable in the future into buildable lots that can satisfy the minimum residential density standards as applied to the entire development;
 - (ii) In the R-12 through R-48 zones, the land area of the site to accommodate community stormwater facilities exceeds 10 percent of the lot area; or
 - (iii) The site contains a historical landmark designation pursuant to Chapter 21.47 WMC.

Table 21.31.050 Minimum Density Multiplier

Percentage of Site in Native Growth Protection Area	Minimum Density Multiplier
Up to 20 percent	90 percent
More than 20 percent and less than 40 percent	80 percent
More than 40 percent and less than 60 percent	60 percent
More than 60 percent and less than 80 percent	40 percent
More than 80 percent	20 percent
How to apply the minimum density multiplier: Minimum Density X Lot Area = Minimum Lots/Dwellings Minimum Lots/Dwellings) X Minimum Density Multiplier = Adjusted Minimum Density	

- (3) Minimum street lot width. The minimum street lot width shall not apply to flag lots satisfying the requirements in WMC 21.92.030(e).
- (4) Lot size averaging. Lot size averaging may be applied to subdivisions and short subdivisions located within the R-1, R-4, R-6, and R-8 zones in lieu of the lot area requirements in Table 21.31.030 provided the following conditions are satisfied:
 - (a) A minimum of three lots must be included to qualify for lot size averaging;
 - (b) The lot area may be modified as follows:
 - (i) The average lot area of all lots of the subdivision or short subdivision, excluding tracts reserved exclusively for special uses such as open space, roads, or native growth protection areas, shall not be less than the minimum lot area of the zone;
 - (ii) No lot area shall be more than 1.15 times the minimum lot area of the zone, and no lot shall be less than 0.85 times the minimum lot area of the zone;
 - (c) The total number of lots in the subdivision or short subdivision shall not exceed the maximum density of the zone;
 - (d) Except for lot area, all other requirements for the zone including minimum lot width shall apply; and
 - (e) Lot size averaging shall not be applied in combination with other Woodinville Municipal Code provisions allowing modifications to lot area requirements.

Chapter 21.32 Bulk and Setback Standards

Sections:

- 21.32.010 Purpose.
- 21.32.020 Interpreting tables in this chapter.
- 21.32.030 Building and structure setbacks.
- 21.32.040 Building and structure height standards.
- 21.32.050 Building coverage/ floor area ratio standards.

21.32.010 Purpose.

This chapter establishes the development standards applicable to the mass of buildings and structures and the application of setbacks, including height, building coverage, landscaping coverage, floor area ratios, and setbacks from property line.

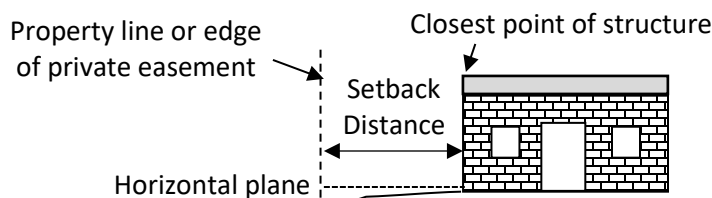
21.32.020 Interpreting tables in this chapter.

When interpreting the tables found in this chapter, the zone districts are located on the vertical columns and the corresponding development standards to each zone are located on the horizontal rows of the tables.

21.32.030 Building and structure setbacks.

- (1) This section establishes the minimum distance required for any part of a building or structure to be setback from a pertinent property line. Setbacks are measured along a horizontal plane between the closest point of a structure and the pertinent property line (see Figure 21.32.030(1) for measuring setbacks). The measurement of setbacks may be modified as follows:
- (a) Where the City has obtained a public access easement for existing or planned sidewalks abutting a public street right-of-way, a setback may be measured from the property line abutting the public street right-of-way and the setback may overlap the public easement;
 - (b) Where existing or planned street improvements are located within a separate private tract, the setback shall be measured from the property line abutting the private tract; and
 - (c) Where existing or planned street improvements are located within a private access easement, the setback shall be measured from the edge of the access easement closest to the structure.

Figure 21.32.030(1) Measuring Setbacks



- (2) Table 21.32.030(2) establishes the minimum setbacks from pertinent property lines for lots located within residential zones.

Staff comment. Many of the deviation type conditions such as a 25-foot setback for gas pumps are removed from these standards to help simplify, and/or because there does not appear to be a public purpose rationale for the condition, and/or because there are other provisions addressing anticipated impacts the condition is intending to address.

Table 21.32.030(2) Residential Zones Setbacks

Standards	Low Density		Moderate Density		Medium Density		High Density	
	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48
Minimum setbacks from street property lines	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft
Minimum setback from street property lines for attached and detached garages ¹	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft
Minimum setback from interior property lines	10 ft ²	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft
Notes: 1. The setback distance shall be measured along the centerline of the driveway from the access point/ vehicle door of such garage or carport to the street property line. 2. Within the R-1 zone, lots less than 15,000 square feet in lot area may have a minimum five-foot setback from interior property lines.								

- (3) Table 21.32.030(3) establishes the minimum setbacks from pertinent property lines for lots located within non-residential zones.

Table 21.32.030(3) Non-residential Zones Setbacks

Standards	Commercial Zones					Industrial Zones		Other Zones	
	NB	TB	CBD	GB	O	T/I	I	P/I	P
Minimum setbacks from street property lines	See Note 1					10 ft ¹	10 ft ²	10 ft	None
Minimum building step-back	None	None	10 ft ³	10 ft ³	None	None	None	None	None
Minimum setback from interior property lines ⁴	10 ft	5 ft	None	None	None	5 ft	None	20 ft	None
Notes: 1. For commercial zoned lots and Tourist Industrial zoned lots abutting Woodinville-Redmond Road (SR 202), the minimum setback from street property lines is 10 feet, except the setback may be reduced as authorized by the commercial design standards set forth in Chapter 21.xx WMC. 2. When abutting Woodinville-Redmond Road (SR 202), the minimum street setback is 25 feet. 3. The building facade fronting a street shall incorporate a building façade step-back from the building façade directly below after the first 28 feet of building height or incorporate at least four architectural modulation and/or articulation features pursuant to WMC 21.xx.330(2). 4. When a non-residential zoned lot property line abuts a low, moderate, or medium density residential zone, or abuts an agricultural zone in the county, the minimum setback from an abutting interior property line shall be 20 feet.									

Staff comment. The alternative allowances for step-back in Table 21.32.020(3) is increased from three to four and would apply to all sizes of buildings. Currently, WMC 21.40.330(2) provides an alternative to the step-back and requires three modulation and/or articulation features on buildings over three stories or 2,500 square feet of building footprint.

- (4) Zero-lot-line development. In addition to allowances under residential cluster development set forth in WMC 21.92.100, interior setbacks may be modified to allow for zero-lot-line development of a duplex or attached dwelling units provided:
- (a) An easement, covenant, or other form of documentation is recorded to ensure the maintenance of the building and common walls;
 - (b) The dwelling units do not have:
 - (i) Doors that open directly onto the private yard areas of the other common wall dwellings;
 - (ii) Windows that oriented toward such private yard areas unless the windows consist of materials such as glass block, textured glass, or other opaque materials that provide privacy;
 - (c) The exterior walls of the building containing the duplex or attached dwelling units shall be setback 20 feet in the R-1 zone, and 10 feet in all other residential zones, from the interior property lines that are not shared as joint property lines; and
 - (d) If zero-lot-line development is included in a land division action, the approximate location of buildings having zero-lot-line development shall be shown on the recorded plat, short plat, or binding site plan.
- (5) The following buildings and structures may protrude into setback areas:

Staff comment. This section is updated and expanded to reflect that we are no longer rely on the definition of structure to determine setbacks and allowed protrusions. (Current structure definition excludes rockeries and retaining walls four feet and less in height, signs, fences less than six feet in height, decks less than 18 inches above grade, and paved areas.)

- (a) Utilities, provided above ground utilities are screened pursuant to WMC 15.39.010(5);
- (b) Roof eaves that do not protrude more than:
 - (i) 18 inches into an interior setback area;
 - (ii) 24 inches into a street setback area;
- (c) Chimneys, bay windows, enclosed stair landings, and similar structures provided:
 - (i) Protrusions are limited to two per building façade;
 - (ii) The protrusions are not wider than 10 feet each at their widest point;
 - (iii) Multiple protrusions on a building façade adding up to more than 10 feet total width shall be separated by a minimum of six feet; and
 - (iv) The protrusions are not more than 24 inches into an interior setback area, or 30 inches into a street setback area;
- (d) Walkways, stairs and steps, and driveways, not including parking spaces, which do not exceed 18 inches above the finished grade may protrude up to the property line;
- (e) Uncovered decks and patios provided the structure does not exceed a height of 18 inches above the finished grade may protrude up to the property line;
- (f) Covered decks, patios, and porches that do not protrude more than:
 - (i) 18 inches into interior setback areas, or
 - (ii) Five feet into street setback areas;

- (g) Window wells provided the intrusion is limited to interior setback areas only, does not project more than six inches above the surrounding finished grade level, and does not protrude more than four feet into the setback area;
- (h) Fences and retaining walls which comply with the requirements set forth in WMC 21.40.010;
- (i) Irrigation systems at or below finished grade, including yard hydrants, sprinkler heads and similar features that do not exceed 36 inches above the finished grade;
- (j) Ramps and similar structures installed to provide access for elderly and/or disabled persons;
- (k) Foundation footings where the footing structure does not protrude more than two feet into the setback area and is located entirely below the ground surface;
- (l) Ground-based outdoor mechanical equipment provided:
 - (i) The protrusion is limited to interior setback areas only;
 - (ii) The extent of the protrusion of the mechanical equipment at its furthest point is not more than three feet into the setback area;
 - (iii) The highest point of the mechanical equipment does not exceed eight feet above the surrounding finished grade level;
 - (iv) The footprint of the protrusion into the setback area is not greater than 50 square feet; and
 - (v) The mechanical equipment has sight-obscuring screening from abutting properties;
- (m) Raised planting bed boxes, which do not exceed 30 inches above the surrounding finished grade, may protrude up to the property line.

21.32.040 Building and structure height standards.

Staff comment. Similar to other development standards, height standards are consolidated and those height standards that are very rarely used are deleted. The deletion of “extra” height standards is found in the non-residential zones.

This section establishes maximum height standards for buildings and structures.

- (1) Application of maximum height standards are as follows:
 - (a) Tables 21.32.040(2) and 21.32.040(3) establish the maximum height of buildings and structures in each corresponding zone;
 - (b) Where Table 21.32.040(3) specifies eligibility for a height bonus, an owner may elect for the height bonus for the zone prescribed in WMC 21.32.040(4) in lieu of the maximum height standard in Table 21.32.040(3); and
 - (c) Exceptions to building and structure height standards are set forth in WMC 21.32.040(6).
- (2) Residential zones maximum height. Table 21.32.040(2) establishes the maximum height for buildings and structures in residential zones.

Table 21.32.040(2) Residential Zones Height Standards

Standard	Low Density		Moderate Density		Medium Density		High Density	
	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48
Maximum building and structure height	35 ft	35 ft	35 ft	35 ft	35 ft	45 ft	45 ft	45 ft

- (3) Non-residential zones maximum height. Table 21.32.030(3) establishes the maximum height for buildings and structures in non-residential zones. See WMC 21.32.040(4) for height bonuses when eligible.

Table 21.32.040(3) Non-residential Zones Height Standards

Standards	Commercial Zones					Industrial Zones		Other Zones	
	NB	TB	CBD	GB	O	T/I	I	P/I	P
Maximum building and structure height	35 ft	45 ft	39 ft ¹	39 ft	45 ft ¹	45 ft	45 ft	45 ft	35 ft
Eligible for height bonus	No	Yes	Yes	Yes	No	Yes	No	No	No
Notes: 1. Maximum height of buildings and structures is limited to 35 feet within 20 feet from a Low or Moderate Density Residential zoned property.									

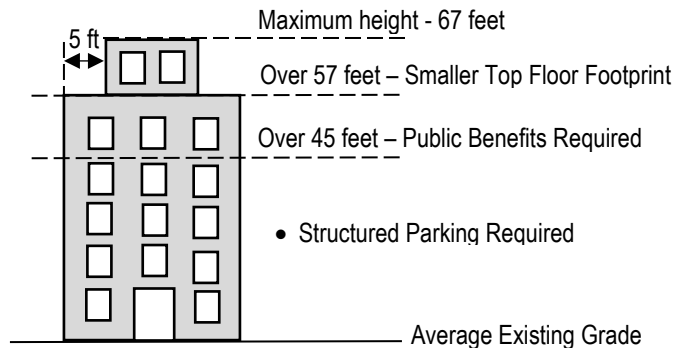
- (4) Height bonus. Where Table 21.32.040(3) identifies eligibility for height bonus, the corresponding height bonus for the zone in this section may be applied in lieu of the maximum height prescribed in Table 21.32.040(3) provided the conditions for the height bonus are satisfied.

Staff comment. The provisions for height bonuses are streamlined by eliminating the extra bonus height options in the code and keeping only those typically used by projects.

- (a) Within the Tourist Business and Tourist Industrial zones, the maximum height of buildings and structures may be up to 67 feet if the following conditions are satisfied (See Figure 21.32.040(4)(a)):
- (i) The increase in height is authorized by a development agreement approved pursuant to Chapter 21.85 WMC;
 - (ii) There are no ground floor residential dwelling units in the building;
 - (iii) 100 percent of required off-street parking is provided inside of structured parking facilities;
 - (iv) Public open space is provided pursuant to WMC 21.32.040(4)(d);
 - (v) All buildings over 45 feet in height must include providing public benefits prescribed in WMC 21.32.040(4)(e);
 - (vi) The total footprint of those portions of each building that is over 57 feet in height cannot exceed 25 percent of the total footprint of the same building, or 3,000 square feet, whichever is less;
 - (vii) Those portions of a building over 57 feet in height must incorporate a minimum five-foot step-back from all portions of the building façade of the building story directly below; and
 - (viii) All parts of the building over 57 feet in height are located in a manner that minimizes obstruction of views of a substantial number of properties within a half-mile radius of the building using a visual and viewshed analysis containing the following:
 - (A) Diagrams and maps showing the viewshed from various site plan perspectives; and
 - (B) Computer simulations and photographs with graphics depicting the views and appearance to and from various perspectives and nearby lots before and after the building's construction; and

(C) Such simulations and depictions shall be mutually agreed upon by the director and the applicant.

Figure 21.32.040(4)(a) TB and T/I Height Bonus



- (b) Within the Central Business District (CBD) and General Business (GB) zones, the maximum height of buildings and structures may be up to 57 feet in the CBD zone and 60 feet in the GB zone if the following conditions are satisfied:
- (i) 100 percent of the required off-street parking is provided inside of structured parking facilities; and
 - (ii) Public open space is provided as prescribed in WMC 21.32.040(4)(d); and
 - (iii) Public benefits are provided as prescribed in WMC 21.32.040(4)(e).
- (c) Within the Central Business District zone, as an alternative to the height bonus in WMC 21.32.040(4)(b), the maximum height of buildings and structures may be up to 75 feet if the following conditions are satisfied (See Figure 21.32.040(4)(c)(ii)):

Staff comment. These conditions are based on proposed Ordinance No. 731 with edits for consistency with the new code.

- (i) The increase in height is authorized by a development agreement approved pursuant to Chapter 21.85 WMC;
- (ii) The number of stories as defined by the Building Code projecting above the finished grade does not exceed six;
- (iii) The height of buildings and structures over 57 feet are allowed only in the East Frame Design District as prescribed in WMC 21.40.030(2) and as this design district overlays the Central Business District zone;
- (iv) Required off-street parking is provided inside of structured parking facilities, except up to 15 percent of the required non-residential parking stalls may be located on surface parking facilities;
- (v) All buildings above 57 feet in height must have a minimum 67 percent of the indoor gross floor area of the building story at the street level dedicated to commercial and/or professional office uses (these uses do not include administrative office and facilities supporting onsite residential uses); excluding from this calculation are the indoor gross floor area of all street-level parking and loading areas, rooms dedicated to trash and recycling, elevator shafts, and mechanical equipment rooms;
- (vi) Public open space is provided as prescribed in WMC 21.32.040(4)(d);
- (vii) Public benefits are provided as prescribed in WMC 21.32.040(4)(e);

- (viii) Those portions of a building façade having a height above 65 feet, and fronting on a street, shall have a step-back from the building façade of the building story directly below as follows (See Figure 21.32.040(4)(c)(i)):
- (A) The average depth of the step-back is 10 feet;
 - (B) The average depth of the step-back is applied to each street building façade separately and is measured only along where the building façade is above 65 feet;
 - (C) No portion of the step-back depth shall be less than five feet;
 - (D) Any portion of a building façade above 65 feet in height, which has a step-back greater than 30 feet, shall be calculated as 30 feet for purposes of computing the average step-back; and
 - (E) Where the building façade above 65 feet in height is interrupted by unenclosed openings in the building story/stories directly below, the portion of the building façade along the unenclosed opening shall not be included in the step-back average.
- (ix) The total footprint of those portions of each building that is above 65 feet in height cannot exceed 50 percent of the total footprint of the building, or 3,000 square feet, whichever is more.

Figure 21.32.040(4)(c)(i) Measuring Step-Back Average

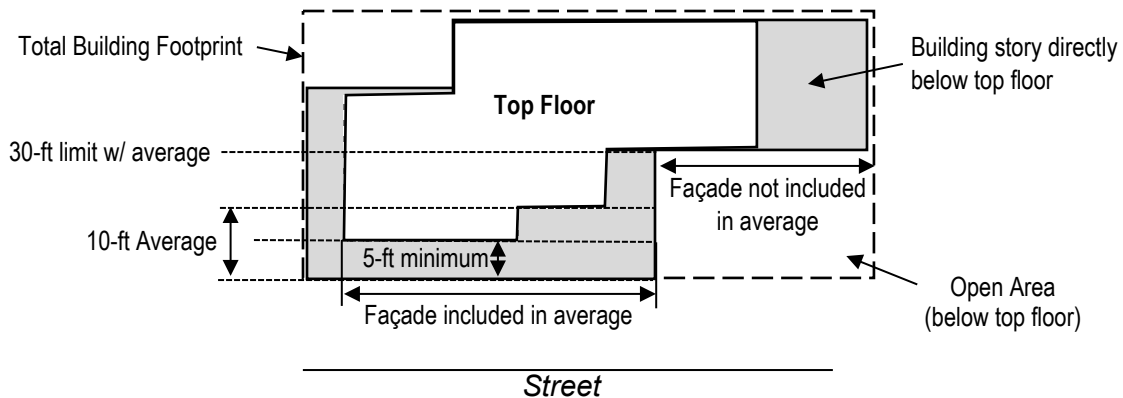
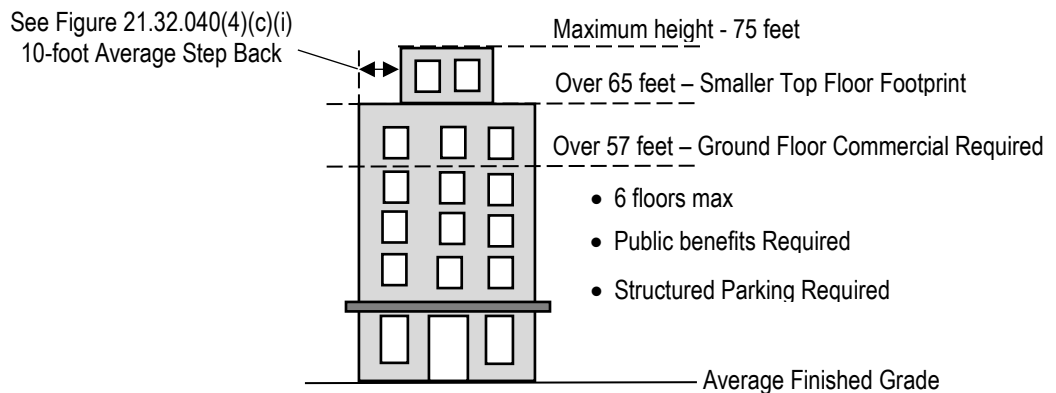


Figure 21.32.040(4)(c)(ii) CBD 75-foot Height Bonus



- (d) Public open space for height bonus. Where public open space is required for a height bonus, public open space shall be provided as prescribed in Table 21.32.040(4)(d).

Staff comment. The current code prescribes a requirement for public open space for bonus height but does not say how much. Development of CBD height amendment in Ordinance No. 731 included a public open space standard that is proposed to be carried forward and expanded to include the 57-foot bonus height standard. The standard will provide greater certainty for developers and the City. It is worth noting that under the 57-foot height standard, a usable sixth floor is not possible, so the five-floor standard is anticipated to apply.

Table 21.32.040(4)(d) Public Open Space Requirements for Height

Floor Levels	Minimum Required Public Open Space ¹	
	Single-building Development	Multi-building Development
5 th floor and lower	<ol style="list-style-type: none"> 10 percent of the net lot area; plus, 10 percent of the building footprint. 	<ol style="list-style-type: none"> 10 percent of the net lot area; plus, 10 percent of each building's footprint applied to each building in the development having a height over 39 feet.
6 th floor	<ol style="list-style-type: none"> 10 percent of the net lot area; plus, 20 percent of the building footprint. 	<ol style="list-style-type: none"> 10 percent of the net lot area; plus, 10 percent of each building's footprint applied to each building in the development having a height over 39 feet but not exceeding 57 feet; plus, 20 percent of each building's footprint applied to each building in the development having a height over 57 feet.
¹ The minimum required public open space shall be calculated using the floor level above that corresponds with the building having the greatest number of floors in the development. Net lot area shall be the area of the lot less any public dedications for streets including associated public easements for sidewalks associated with the streets. Floor levels shall not include basements as defined by the building code. Building footprint is defined in WMC 21.11A.030. Public open space shall be located on the ground level or on a publicly accessible level accepted by the City and may include landscaped areas, outdoor plazas, pedestrian-oriented designed areas, Native Growth Protection Areas, and similar types of public spaces accepted by the City. Public open space shall not include parking areas or areas used for motorized access.		
Note: This table should not be interpreted as allowing maximum height different than as expressed elsewhere in the code.		

- (e) Public benefits for height bonus. Where public benefits are required for a height bonus, the project must provide public benefits exceeding public benefits being provided without the height bonus. Public benefits shall be in a form and configuration acceptable to the City. To qualify for a height bonus, at least two or more of the following public benefits shall be provided:

Staff comment. The list for public benefits to choose from is expanded to provide more options than the current code allows and is based on the public benefit policy discussions with Planning Commission.

- (i) All buildings on which a height bonus applies must obtain a Gold or higher LEED rating;
 - (ii) A minimum ten (10) percent of the dwelling units within the development are designated affordable dwellings consistent with WMC 3.43.050(7)(b);
 - (iii) Payment of transportation impact fees that are at least 20 percent above those required by Chapter 3.39 WMC for the entire development, or based on 200 Average Daily Trips (ADT), whichever fee payment is greater;
 - (iv) Pay for and install transportation improvements, which are set forth in the Six-Year Capital Improvement Plan for which transportation impact fee credits or other forms of City reimbursement are not received, nor which said improvements are required to mitigate for project traffic impacts;
 - (v) Pay for and install other nonmotorized transportation improvements such as trails, bicycle pathways, etc. for which park impact fees and/or other forms of City reimbursement are not received, and which are not required to mitigate for project impacts;
 - (vi) Urban public space with amenities, which occupy noticeable areas that can draw people in and are permanently reserved for use by the general public such as plazas, performance areas, and similar spaces that promote social activities, which exceed those that are included under WMC 21.32.040(4)(d);
 - (vii) Exceptional design is followed for the entire project as defined in WMC 21.11A.060;
 - (viii) Off-site environmental enhancement projects that are inside the City boundaries, which are acceptable to the City and are beyond those required to satisfy other requirements of the Woodinville Municipal Code; and/or
 - (ix) Other public benefits, which are acceptable to the City, which are beyond those required for the project to satisfy other requirements of the Woodinville Municipal Code, provided at least one of the above listed public benefits is provided. The director may seek advice from the Planning Commission Design Committee established pursuant to **WMC 21.xx.xxx** in determining other acceptable public benefits.
- (5) Measuring building and structure height. The methods for measuring height in this subsection are applied in combination with the maximum height standards in WMC 21.32.040(2), (3) and (4).
- (a) Pursuant to WMC 21.11A.090, height is the vertical distance measured from the designated grade elevation to the highest point of a structure or as otherwise allowed, excluding elements specifically exempt from height calculations.
 - (b) Building height shall be measured from the averaged designated grade measured six feet away from the outer walls of the building to the highest point of the coping of a flat roof, or to the deck line of a mansard/ gambrel roof, or the average height of the highest vertical/incline triangle of a gable/hip pitch roof. See Figure 21.32.040(5)(b).

- (c) The average designated grade is determined by delineating the smallest square or rectangle consistent with WMC 21.32.040(5)(b), which can enclose the building or structure and then averaging the elevations take at the midpoint of each side of the square or rectangle, provided the measured elevations do not include berms or other raised ground areas that in the director's opinion are intended only to raise the average designated grade. See Figure 21.32.040(5)(c).
- (d) The height of structures, excluding buildings and wireless service facilities (see definition of wireless service height in WMC 21.11A.090), shall be measured from the lowest point of the designated grade abutting the structure to the highest point of the structure.
- (e) Excluding the Tourist Business and Tourist Industrial zones, the designated grade for measuring height shall be finished grade. Within the Tourist Business and Tourist Industrial zones, the designated grade shall be existing grade.

Figure 21.32.040(5)(b) Measuring Highest Point

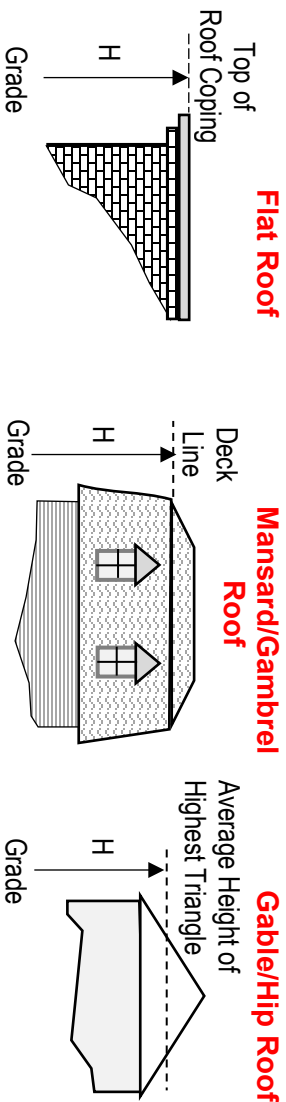
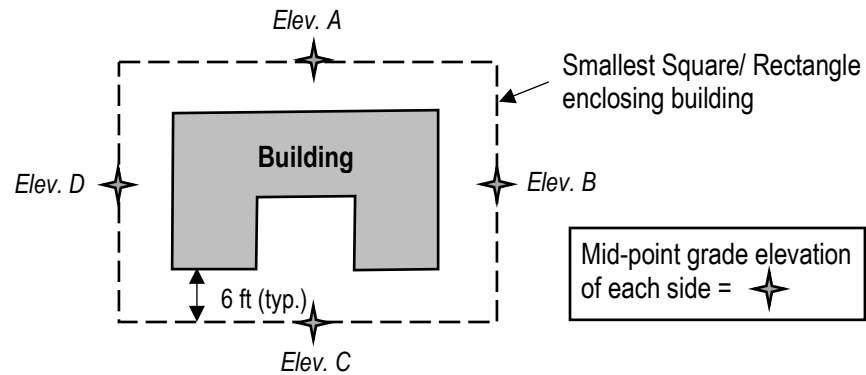


Figure 21.32.040(5)(c) Measuring Average Designated Grade

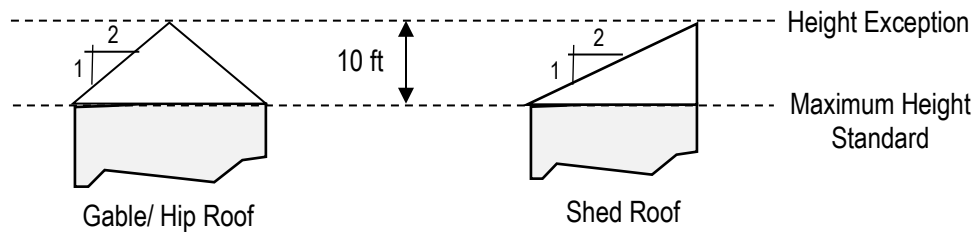


$$\text{Average Grade} = (\text{Elev. A} + \text{Elev. B} + \text{Elev. C} + \text{Elev. D}) \div 4$$

- (6) Building and structure height exceptions. The following structures may be erected above the height limits set forth in WMC 21.32.040(2), (3) and (4).
- (a) Rooftop appurtenances housing or screening HVAC equipment, mechanical or elevator equipment, roof access stair enclosures, and similar equipment or appurtenances required for building operation and maintenance;
 - (b) Chimneys, skylights (not cupolas), and rooftop vents;
 - (c) Fire or parapet walls not exceeding four feet above the maximum height standard;
 - (d) Solar panels that do not exceeding six inches above the maximum height standard on a flat roof, or above the highest point of a pitched roof;
 - (e) Spires, belfries, and domes of religious facilities not intended for human occupancy;
 - (f) Flag poles, provided the flagpole does not exceed:
 - (i) 45 feet above the existing grade;
 - (ii) The widest point of the pole is 12 inches; and
 - (iii) The flagpole is used for non-commercial purposes;
 - (g) Wireless communication facilities approved pursuant to Chapter 21.45 WMC;
 - (h) Pitched roofs, including hip, gable and shed roofs, but excluding mansard and gambrel roofs, that satisfy the following (see Figure 21.32.040(6)):
 - (i) The space created by the pitched roof is either not designed for human habitation (e.g., attic), or is open to the floor below onto rooms having a minimum seven-foot-tall vertical walls; and
 - (ii) The highest point of the roof does not exceed 10 feet above the maximum height standard;
 - (iii) The pitch of the roof does not exceed a slope of one-foot rise over a two-foot run, except a greater slope may be approved as part of a design review process departure pursuant to Chapter 21.34 WMC; and
 - (i) Special architectural features integral to the design and function of the building such as bell towers, windmills, and food silos, which are (1) approved by the director, (2) are not designed for human occupancy, and (3) do not exceed 80 feet above the designated grade. The director may attach conditions such as limiting structure widths, incorporating additional design features, etc. to ensure such architectural features fit within the scale and character of surrounding properties.

(j) Exceptions specifically granted elsewhere in the Woodinville Municipal Code.

Figure 21.32.040(6) Pitched Roof Height Exception



21.32.050 Building coverage/ floor area ratio standards.

Staff comment. Building coverage and minimum landscaping coverage requirements follow current code. However, a substantive departure is proposed regarding floor area ratio standards in the CBD zone. The maximum density standard for the CBD zone is deleted and only a residential floor area ratio standard is applied. This reflects current development trends where only residential floor area ratio is utilized.

Relating to the residential floor area ratio standards, this standard is substantially revised for the CBD zone to make a 1.25 square feet of usable floor area to one-square foot of land as the outright permitted standard without public benefits and then allowing floor area ratio bonuses with public benefits.

This section establishes building coverage, landscaping coverage, and floor area ratios standards.

(1) Residential zone standards. Table 21.32.050(1) establishes the maximum building coverage and minimum landscaping coverage for buildings and lots in residential zones.

Table 21.32.050(1) Residential Zones Coverage Standards

Standard	Low Density		Moderate Density		Medium Density		High Density	
	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48
Maximum building coverage:								
Lot area less than 15,000 sf	35%	35%	50%	55%	60%	60%	70%	70%
Lot area 15,000 to 24,999 sf	28%							
Lot area 25,000 to 34,999 sf	22%							
Lot area 35,000 sf and over	15%							
Minimum landscaping coverage:								
Lot area less than 15,000 sf	50%	50%	25%	20%	10%	10%	10%	10%
Lot area 15,000 to 24,999 sf	58%							
Lot area 25,000 to 34,999 sf	67%							
Lot area 35,000 sf and over	75%							

Notes:

See definitions for building coverage in WMC 21.11A.030 and landscape coverage in WMC 21.11A.130.

- (2) Non-residential zone standards. Table 21.32.050(2) establishes the maximum building coverage, minimum landscaping coverage, and maximum floor area ratio for buildings and lots in non-residential zones.

Table 21.32.050(2) Non-residential Zones Coverage and FAR Standards

Standards	Commercial Zones					Industrial Zones		Other Zones	
	NB	TB	CBD	GB	O	T/I	I	P/I	P
Maximum Building Coverage	25%	25% ¹	None						25%
Minimum landscaping coverage	20%	15%	10%	10%	20%	15%	10%	10%	10%
Maximum non-residential floor area ratio (floor/lot area square feet)	None	1/1	2.5/1	2/1 ²	4/1	3/1	3/1	4/1	None
Maximum residential floor area ratio (floor/lot area square feet)									
Base			1.25/1						
Bonus			See Note 3						
Notes: <ol style="list-style-type: none"> 1. The building coverage applies only to the residential development covering the lot. When adjoining lots are grouped under an approved binding site plan, the maximum building coverage for residential development may be calculated using the net lot area of the entire binding site plan. 2. Maximum floor area ratio is 4/1 if at least 75 percent of the "usable floor area" as defined in WMC 21.11A.070 in the development is designed and reserved for occupancy by professional office uses. 3. See WMC 21.32.050(3) for bonus residential floor area ratios. 									
See definitions for building coverage in WMC 21.11A.030 and landscape coverage in WMC 21.11A.130; and the definitions of Floor Area Ratio and Usable Floor Area in WMC 21.11A.070.									

Staff comment. The 25 percent maximum building coverage in the NB zone replaces a 10,000 square feet standard in the current code.

The public benefit section is substantial revised to provide greater clarity and to better integrate these benefits with other benefits for bonuses typically requested such as bonus height. The current code provides a list of items but then leaves it open-ended. The proposed approach sets a one percent cost standard for the public benefits plus additional requirements if the maximum residential floor area ratio bonus is requested.

- (3) Bonus residential floor area ratio. Within the Central Business District zone:
- (a) A development may qualify for a maximum residential floor area ratio of 2/1 (floor/lot area square feet) if:
 - (i) Two or more public benefits from Category I of Table 21.32.050(3) are provided having a total cost of at least one percent of the building permit valuation of the buildings in the development; and
 - (ii) The public benefits being provided must be beyond those required for the project to satisfy other requirements of the Woodinville Municipal Code without the residential floor area bonus; and

- (iii) The public benefits must be in a form and configuration accepted by the director; or
- (b) A development may qualify for a maximum residential floor area ratio of 2.5/1 (floor/lot area square feet) if:
- (i) The residential floor area ratio is authorized by a development agreement approved pursuant to Chapter 21.85 WMC;
 - (ii) The conditions set forth in WMC 21.32.050(3)(b)(i) through (iii) are satisfied; and
 - (iii) At least one public benefit from Category II of Table 21.32.050(3) is provided in a form and configuration accepted by the City.

Table 21.32.050(3) Public Benefits for Bonus Residential FAR

Category I	Category II
Water features such as fountains, ponds, waterfalls, play areas, etc.	10 percent affordable dwelling units of the total market-rate dwelling units at 80 percent King County median household income as specified in WMC 3.43.050(7) for a minimum of 50 years
Pedestrian, bicycle, and similar facility improvements	
Street furniture;	
Affordable dwelling units not included under Category II	
Public art such as sculptures, paintings, murals, mosaics, special lighting features, etc.	5 percent affordable dwelling units of the total market-rate dwelling units at 50 percent King County median household income as specified in WMC 3.43.050(7) for a minimum of 50 years
Public courtyards and plazas with amenities	
Enhanced road crossing treatments	
Enhanced public green open space/park	
Off-site environmental enhancements inside the City boundaries	Transportation Improvements, which are set forth in the Six-Year Capital Improvement Plan for which transportation impact fee credits or other forms of City reimbursement are not received, nor which said improvements are required to mitigate for project traffic impacts
LEED certification at Gold or above, or other green development equivalent	
Transit Facilities for loading and unloading transit passengers	Other public benefits/incentives as agreed to in the development agreement
Motorized and nonmotorized transportation improvements acceptable to the City for which impact fee credits or other forms of City reimbursement are not received, nor which said improvements are required to mitigate for project impacts	

January 12, 2022

**Chapter 21.33
Commercial Design Standards.**

January 12, 2022

Chapter 21.34
Industrial Design Standards

January 12, 2022

Chapter 21.35
Multifamily Residential Design Standards

January 12, 2022

Chapter 21.36
Landscaping

January 12, 2022

Chapter 21.37
Off-street Parking and Lot Circulation.

Chapter 21.40 City-wide Uses

Sections:

21.40.010	Fences and retaining walls.
21.40.020	Storage area for the collection of recyclables and solid waste.
21.40.030	Animal keeping.
21.40.040	Site lighting.
21.40.050	Drive-through standards.
21.40.060	Sight-distance requirements.
21.40.070	Adaptive reuse of nonresidential buildings.

21.40.010 Fences and retaining walls.

Staff Comment. This section consolidates provisions for retaining walls from Chapter 15.05 and fences from WMC 21.30.030.

- (1) General provisions.
 - (a) Fences, rockeries, and retaining walls are permitted in all zones subject to the provisions in this section.
 - (b) The construction of fences, rockeries, and retaining walls require a building permit unless exempt pursuant to Chapter 21.62 WMC (Building Codes).
 - (c) Fences, rockeries, and retaining walls shall be located entirely inside the property lines of a lot, unless both property owners agree the structure may be placed on a common property line. Property owners are responsible for confirming all fences, rockeries, and retaining walls are placed inside the property lines of their property.
 - (d) Lighting devices placed on top of a fence, rockery, or retaining wall are not subject to the height limitations prescribed in WMC 21.40.010(2)(a) through (d).
 - (e) Fence post caps may exceed the height limits set forth in WMC 21.40.010(2)(a) through (d) by up to six inches.
 - (f) Trellises and similar structures incorporated into a fence and used to support climbing plants, and gate entry overhead structures are exempt from the height limits set forth in WMC 21.40.010(2)(a) through (d), **provided they do not exceed a height of 15 feet from the finished grade directly below.**
- (2) Fences, rockeries, and retaining walls shall comply with the following maximum height requirements:

Staff Comment. A substantive change here is allowing retaining walls to have the same height as fences. Additionally, the height limitation applies only to setback areas or within five feet of the property line when there is no setback required. Retaining walls and fences outside of setbacks are subject to the same height limits as other buildings and structures on the property. The revisions also clarify how to deal with combination walls and fences with the intent of clarifying some ambiguities.

- (a) Within a residential zone, fences, rockeries, retaining walls, and combination fences, rockeries, and retaining walls located within property line setback areas shall not exceed six feet in height;
- (b) Within non-residential zones, excluding the NB zone, fences, rockeries, retaining walls, and combination fences, rockeries, and retaining walls located within property line setback areas shall not exceed eight feet in height;

- (c) Within the NB zone, fences, rockeries, retaining walls, and combination fences, rockeries, and retaining walls located within property line setback areas shall not exceed six feet in height;
 - (d) If no property line setback applies, or a property line setback is reduced to less than five feet, the maximum heights set forth in WMC 21.40.010(2)(a), (b) and (c) shall apply to fences, rockeries, retaining walls, and combination fences, rockeries, and retaining walls located five feet or less from a property line; and
 - (e) Fences, rockeries, and retaining walls located outside of the areas prescribed in WMC 21.40.010(2)(a) through (d) are subject to the height requirements applicable to other buildings and structures on the lot in which the fence, rockery or retaining wall is located.
- (3) The height of fences, retaining walls, and combination fences and retaining walls shall be measured as follows:
- (a) Fences: height is measured from the ground surface directly underneath the fence to the top of the fence including posts as illustrated in Figure 21.40.010A;
 - (b) Retaining walls with footings: height is measured from the bottom side of the footing to the top of the wall as illustrated in Figure 21.40.010B;
 - (c) Rockeries and block style retaining walls without footings: height is measured from the bottom side of the base to the top of the wall/ rockery as illustrated in Figure 21.40.010C;
 - (d) Fences, retaining walls, and rockeries shall have their height combined for purposes of measuring height if the horizontal separation between the closest points of the structures is three feet or less as illustrated in Figure 21.40.010D, except those fences, retaining walls and/or rockeries separated by a property line shall not have the fence, retaining wall, or rockery on the other lot included in measuring height;
 - (e) The placement of a guard rail on top of a retaining wall or rockery may exceed the maximum height for a retaining wall or rockery by up to four feet, provided the solid component parts of the guard rail are evenly distributed and cover no more than 50 percent of the total surface area of the side elevation of the guard rail; and
 - (f) No person may place a fence on a berm, unless the combined height of the berm plus the fence does not exceed the maximums set forth in WMC 21.40.010(2) as illustrated in WMC 21.40.010E.
- (4) Special provisions for fences.

Staff Comment. These special provisions for fences are based on the existing code.

- (a) Electric fence is permitted in all zones subject to the following:
 - (i) Within the R-4, R-6, R-8, R-12, R-18, R-24, and R-48 zones, additional fencing or barriers shall be constructed to prevent inadvertent contact from adjoining properties from which the electric fence is located;
 - (ii) The electric flow is limited to either an interrupted flow of current at intervals of about one second on and two seconds off that does not exceed 2,000 volts at 17 milliamps, or a continuous flow of current that does not exceed 1,500 volts at seven milliamps;
 - (iii) Warning signs notifying of the electric fence shall be posted at intervals not more than 50 feet with the surface area of each sign not exceeding 288 square inches (two-foot by one-foot).
- (b) Barbed or razor-wire fence is permitted only in the R-1 and Industrial zones, except fences erected in other zones designed to protect sewer, water and other critical public infrastructure may include barbed wire placed above the fence provided the barbed wire does not exceed 18 inches in height.

- (c) The director may require additional screening and design elements to be incorporated into fences, retaining walls, and rockeries to substantially reduce visual impacts from public streets. Such additional elements may include, but are not limited to:
 - (i) Decorative block walls, split-faced and colored;
 - (ii) Wrought iron on top of split-faced, colored and/or similar decorative block walls;
 - (iii) Landscaping; and
 - (iv) Additional setback distances from property lines.
- (5) Special provisions for retaining walls and rockeries. In addition to height limits, retaining walls and rockeries are subject to the following:
 - (a) Designed and constructed with due regards to drainage, access, maintenance, and aesthetics;
 - (b) Incorporate proper drainage systems which discharge to City-approved locations;
 - (c) Located so as to not:
 - (i) Support soil and structure loads from adjoining properties; or
 - (ii) Impede travel within any public pedestrian walkway or street right-of-way;
 - (d) If visible from a public street and exceeding eight feet in height, excluding stepped walls having more than three feet of separation between the closest points of each terrace, the retaining wall or rockery shall incorporate landscaping to substantially reduce the structure's visibility; and
 - (e) If a building permit for the retaining wall or rockery is required and the structure is located within five feet of a property line, an easement for purposes of maintaining the structure between the two property owners shall be recorded unless the adjoining offsite property owner does not agree to the easement in which case no easement is required.

ILLUSTRATIONS FOR MEASURING FENCE/WALL HEIGHT

FIGURE 21.40.010A: Measuring Fence Height

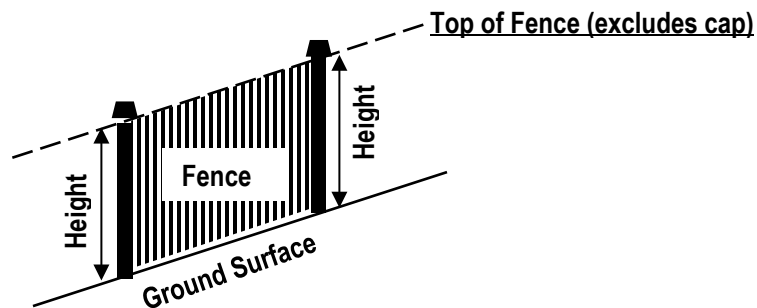


FIGURE 21.40.010B: Measuring Retaining Wall Height w/ Footings

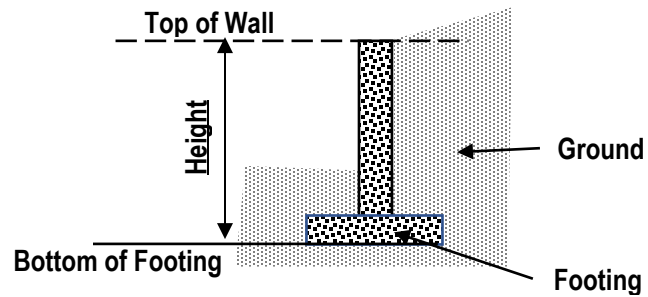


FIGURE 21.40.010C: Measuring Rockery/ Rock Wall Height

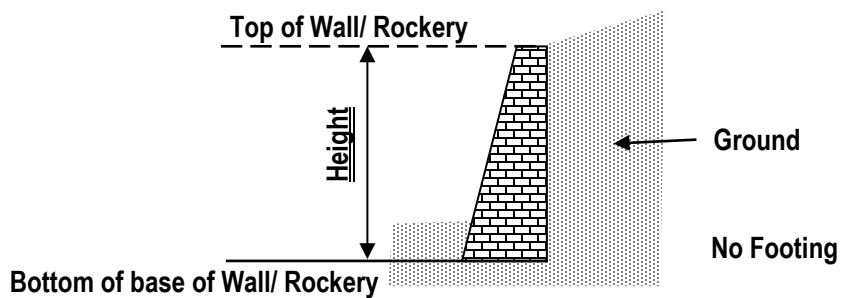


FIGURE 21.40.010D: Measuring Walls/ Fence Heights when Stepped

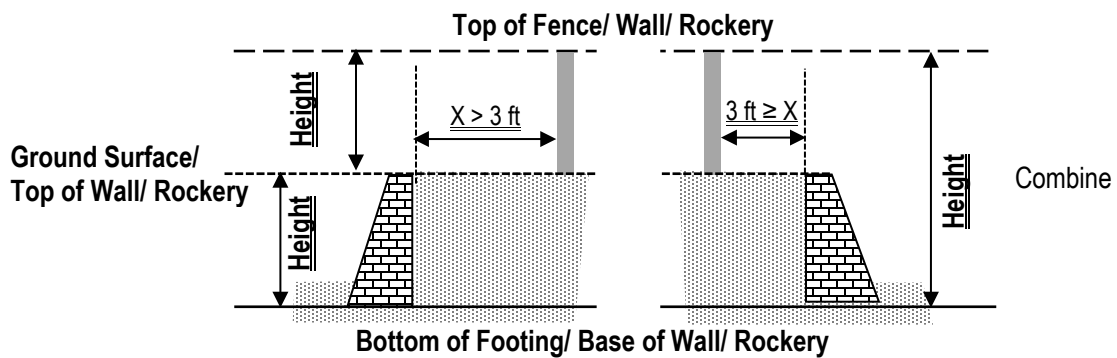
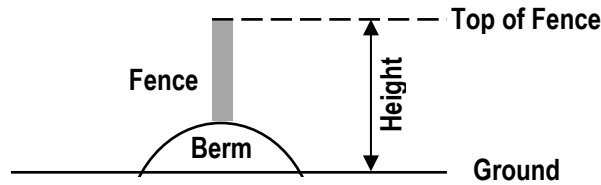


FIGURE 21.40.010E: Measuring Fence Height w/ Berm



Note: Height is measured along any point of the fence, retaining wall, or rockery.

21.40.020 Storage area for the collection of recyclables and solid waste.

Staff Comment. This section is derived from WMC 21.30.020. Provisions were revised to provide better clarity.

- (1) Applicability. This section applies to non-residential uses and residential developments that provide on-site shared facilities for the collection of recyclables and solid waste (garbage).
- (2) Minimum space requirements for recyclables and garbage collection points.
 - (a) Residential development shall provide three square feet of floor area per dwelling unit, except none is required for those residential dwelling units participating in an approved direct collection program in which individual bins are used for curbside collection;
 - (b) Office, educational, and institutional uses shall provide four square feet of floor area per 1,000 square feet of gross floor area of the building, excluding parking areas;
 - (c) Manufacturing uses shall provide six square feet of floor area per 1,000 square feet of gross floor area of the building, excluding parking areas;
 - (d) Retail, restaurants, wine tasting, and similar uses shall provide ten square feet of floor area per 1,000 square feet of gross floor area of the building, excluding parking areas; and
 - (e) Other non-residential uses not listed shall provide six square feet of floor area per 1,000 square feet of gross floor area of the building, excluding parking areas.
- (3) Development containing a mix of uses shall have minimum space requirements determined by applying the requirements in WMC 21.40.020(2) on a per individual use basis. For example, a building having 10,000 gross square feet of retail floor area and 30,000 gross square feet of office floor area would provide 220 square feet of recyclables and garbage storage space $[220 = ((10,000 \div 1,000) \times 10) + ((30,000 \div 1,000) \times 4)]$.
- (4) Recyclables and garbage collection points for residential development shall be allocated and distributed as follows:
 - (a) Collection points shall be dispersed throughout the site when the residential development comprises of more than one building;
 - (b) A minimum of one collection point for every 30 dwelling units is required;
 - (c) Collection points may be located inside of buildings or outdoors subject to the design requirements set forth in WMC 21.40.020(6);
 - (d) Collection points located outdoors, or in a separate building from the residential dwellings, shall be no more than 200 feet from a common entrance of the residential building;
 - (e) Collection points shall be located in a manner so that hauling trucks do not obstruct pedestrian or vehicle traffic, or project into any street right-of-way.
- (5) Recyclables and garbage collection points for non-residential development shall be allocated and distributed as follows:

- (a) Storage space may be consolidated under a centralized collection point;
 - (b) Collection points may be located inside of buildings or outdoors subject to the design requirements set forth in WMC 21.40.020(6);
 - (c) Collection points shall be located in a manner so that hauling trucks do not obstruct pedestrian or vehicle traffic, or project into any street right-of-way.
- (6) Recyclables and garbage collection points must at a minimum be designed to include the following:
- (a) Dimensions and layout of collection points shall be such to enclose containers for recyclables and garbage;
 - (b) Architectural design of any building or structure enclosing a collection point shall incorporate design features and looks consistent with the buildings and structures the collection point supports;
 - (c) Signage used to identify collection points shall not exceed two and a half (2 ½) square feet in surface area;
 - (d) Outdoor collection points shall be enclosed with a minimum eight-foot-high solid wall or fence;
 - (e) Gates/ doors to indoor and outdoor collection points shall be designed to have access at least 12 feet wide and a vertical clearance of at least 12 feet;
 - (f) Collection points shall have weather-proof containers for recyclables and solid waste, or provide a roof over the storage area;
 - (g) Collection points shall be screened, so containers and collected materials are not visible from street rights-of-way, as follows:
 - (i) For outdoor collection points: either by Type 1 landscaping, location behind buildings, or a combination of location and landscaping;
 - (ii) For indoor collection points: opening shall have sufficient measures to provide required screening;
- (7) Recyclables and garbage collection points shall be used only for recyclable materials and solid waste generated onsite. Recyclables and garbage generated offsite shall not be stored at these collection points.
- (8) Except where residential dwelling units are participating in an approved direct collection program in which individual bins are used for curbside collection, no container shall be collected and stored at any location onsite, except at designated collection points.

21.40.030 Animal keeping.

Staff Comment. This section on animal keeping is derived from Chapter 21.31 WMC, and the previous work done on updating zoning animal regulations. While the code language and categories of animals was updated per the previous work, the standards for density, allowance of roosters, setbacks, and other animal standards were retained from the current code.

- (1) Purpose and applicability. The purpose of this section is to support the raising and keeping of animals in the City by setting animal densities and by implementing applicable best management practices for land used to accommodate animals in ways which reduce the impact on the environment. This section applies in combination with the animal control regulations set forth in Title 6 WMC (Animals).
- (2) Odor and Vector Control.
 - (a) All animal enclosures, including, but not limited to, pens, coops, cages, and feed areas shall be maintained free from litter, garbage, and the accumulation of manure to discourage the proliferation of flies, other disease vectors and offensive odors. Manure shall also not be allowed to accumulate within setback areas.
 - (b) Each site shall be maintained in a neat and sanitary manner.

- (3) Noise. Sound from animals and domestic fowl shall comply with the public nuisance and disturbance noise provisions set forth in WMC 8.08.060.
- (4) All animals and domestic fowls shall be confined within a building, pen, aviary, or similar structure, or a securely fenced portion of the site. Any covered structure used to house or contain such animals or domestic fowls shall be placed and maintained the greater distance of 10 feet from any property line or 20 feet from any neighboring residential dwelling unit unless a different distance is expressly prescribed by this section.
- (5) Small animals. The raising, keeping, breeding, and boarding of small animals are subject to the Animal Control regulations prescribed in Title 6 WMC and the following:
 - (a) The number of small animals held as pets and kept indoors shall not be limited, except as may be provided in Title 6 WMC;
 - (b) In addition to the small animals permitted indoors pursuant to WMC 21.40.030(5)(a), small animals kept outdoors are allowed, but shall be limited to a maximum of 20, except as may be provided otherwise by Title 6 WMC;
 - (c) Notwithstanding WMC 21.40.030(5)(a) and (b), the total number of combined unaltered adult cats and dogs per residential dwelling unit shall not exceed three; and
 - (d) Miniature pigs that are no greater than 22 inches in height at the shoulder or 150 pounds in weight are allowed as a small animal;
 - (e) Goats commonly known as Pygmy, Dwarf and Miniature Goats are allowed as a small animal provided, they are subject to the small animal limitations in WMC 21.40.030(5), and all such goats are dehorned, and the male goats are neutered;
 - (f) If more than three small animals are kept, the minimum lot area shall be one-half acre;
 - (g) The minimum setbacks set forth in WMC 21.40.030(4) shall be increased to 150 feet from property lines if minks or foxes are kept on or adjoining a residentially zoned lot;
 - (h) The keeping of hamsters, nutria and chinchillas is limited to their housing, which shall not exceed one per square foot of floor area up to a maximum of 2,000 square feet of gross floor area;
 - (i) Licensed animal shelters, grooming services, pet shops and commercial and noncommercial kennels and catteries, are not subject to the limitations under WMC 21.40.030(5).
- (6) Domestic fowl. The keeping of domestic fowl is subject to the Animal Control Regulations prescribed in Title 6 WMC and the following:
 - (a) If the lot is less than 21,000 square feet in area, the maximum number of domestic fowl that may be kept on the lot is eight; and
 - (b) For each additional increment of at least 1,000 square feet of lot area above 21,000 square feet, one additional domestic fowl may be allowed on the lot; and
 - (c) Aviary or lofts housing domestic fowl shall not exceed a total of 2,000 square feet of gross floor area subject to the space per fowl does not exceed the following limits:
 - (i) Parakeet, canary, or similar sized birds: one-half square foot per fowl;
 - (ii) Small parrot or similar sized birds: one square foot per fowl;
 - (iii) Poultry and chickens: one square foot per fowl; and
 - (iv) Larger parrots, macaw, or similar sized birds: two square feet per fowl.
- (7) Beekeeping. Beekeeping is subject to the following:
 - (a) Registration of the beehive is required with the Washington State Department of Agriculture pursuant to Chapter 15.60 RCW;
 - (b) If the lot is less than five acres in size, the maximum number of beehives is 50 with a limit of one colony per beehive;
 - (c) If the lot is more than five acres in size, the maximum number of beehives that may be kept on the lot is not limited;
 - (d) Bee colonies must be maintained in movable-frame hives at all times;
 - (e) Beehives shall maintain a minimum distance of 25 feet from any property line;

- (f) In the case a beehive displays swarming or aggressive behavior, the property owner shall re-queen the colony; and
 - (g) Abandoned beehive colonies, diseased bees, or bees living in trees, buildings, or any other space except as set forth in this section, may constitute a public nuisance and be subject to such provisions in Chapter 8.07 WMC.
- (8) Farm animals. The keeping of farm animals is subject to the following:
- (a) Farm animals on lots less than 20,000 square feet in area are prohibited;
 - (b) On lots 20,000 square feet or larger in area, one farm animal is permitted per each 20,000 square feet of grazing area on the lot;
 - (c) Farm animals on lots not satisfying the requirements in WMC 21.40.030(8)(b) may be permitted provided a farm management plan is followed incorporating best management practices and approved by King Conservation District;
 - (d) Any structure used to house, confine, or feed farm animals shall maintain a distance of at least 35 feet from any property line;
 - (e) Uncovered storage of manure, shavings, or similar organic material is prohibited;
 - (f) Grazing areas located within critical areas shall follow the limitations of the applicable critical area regulations.
 - (g) Manure storage areas shall be managed as follows:
 - (i) Surface flows and roof runoff shall be diverted away from manure storage areas;
 - (ii) All manure stockpiled within 200 feet of any stream or wetland shall be covered at a minimum between October 15 and April 15 in a manner that excludes precipitation and allows free flow of air; and
 - (iii) All manure storage areas shall be located to avoid having water runoff entering any streams, wetlands, or other environmentally sensitive areas.
 - (h) In residential zones, other than legally established stables, fee boarding shall only be allowed as an accessory use to a primary residential dwelling unit on the subject property.
- (9) Nonconforming farms. All existing farm animal operations and existing buildings for housing farm animals that were legally established prior to the effective date of the ordinance codified in this title, but that do not now comply with the requirements of this section, shall be considered legally nonconforming. All existing farm animal operations inside the City limits existing prior to July 14, 1997, and continuously maintained, shall comply with an approved farm management plan.

21.40.040 Site lighting.

Staff Comment. This section is still under review as the lighting handbook is no longer produced as the Illuminating Engineering Society has revised their approach.

21.40.050 Drive-through standards.

Staff Comment. This section is derived in part from WMC 21.44.080 with added provisions to provide additional detail.

- (1) The standards of this section regulate the installation of drive-through facilities to ensure their design, operation, and associated impacts can effectively be mitigated. Where allowed, drive-through facilities shall comply with the regulations set forth in this section.
- (2) To the extent feasible, drive-through facility should be located to the side and/or rear of buildings. Drive-through facilities shall not be located between the building and the street except when a site contains more than one street frontage the drive-through facility may be located between the building and secondary street frontage.
- (3) All drive-through facility shall provide stacking lanes satisfying the follow criteria:
 - (a) The minimum lane width shall be eight feet;
 - (b) The minimum length of the stacking lane measured from the center of the service window shall be as follows:
 - (i) 80 feet for ATM/financial, business service, coffee/drink/prepacked food services only, or other drive-through uses not listed; and
 - (ii) 140 feet for restaurants; and
 - (c) If during operations a drive-through facility has negative traffic impacts on adjoining roads and/or businesses, the City may require additional traffic controls at the businesses' expense to alleviate the negative impacts.
- (4) Drive-through lanes shall be designed as a dedicated lane, physically separated from parking areas and internal parking circulation aisles in order to enhance pedestrian safety and provide screening from adjoining properties and street right-of-way.
- (5) To enhance safe pedestrian access, designated walkways from all on-site parking areas and from the public sidewalk to a building entry shall be provided as follows:
 - (a) Walkways shall be a minimum five feet in width, clearly marked and easily distinguished from driving surfaces by using a combination of landscaping strips or islands that delineate the pedestrian walkways; and
 - (b) Walkways shall include at least one of the following treatments: decorative paving, stamped/stained concrete or raised walkways with alternative materials (such as brick, cobblestone, and decorative pavers) to clearly indicate the safe walking route. Walkways through heavy traffic areas such as the drive-through must be made of durable materials able to withstand heavy traffic conditions.

21.40.060 Sight distance requirements.

Staff comment. This section replaces WMC 21.22.190 as sight distance requirements are adopted in the Public Works's Transportation Infrastructure Standards and Specifications.

- (1) No new development, redevelopment, and maintenance of existing conditions (e.g., parking vegetation growth, or other obstructions) shall result in obstruction of sight distance to motor vehicle operators as determined by the Public Works director. Specific criteria for sight distance requirements are set forth in the City of Woodinville Transportation Infrastructure Standards and Specifications pursuant to Chapter 12.09 WMC. These provisions apply to all intersections, roadways, and site access points.
- (2) The director may require modification or removal of structures, landscaping, or other objects located in street setback areas if:
 - (a) Such improvements prevent adequate sight distances including sight distances on adjoining lots; or

- (b) Clear lines of sight are obstructed by such structures, landscaping, or objects in a manner that poses a potential public safety hazard.

21.40.070 Adaptive reuse of nonresidential buildings.

Staff comment. The idea for this is found in WMC 21.22.210 and 21.22.220. New criteria, requirements for a conditional use permit, and identifying what might be allowed were added.

- (1) The intent of these provisions is to provide opportunities for reusing nonresidential buildings in residential zones that are structurally sound, but have lost their nonconforming use rights, with new uses to extend their economic life. The adaptive reuse shall not be granted if the new use adversely affects adjacent properties. Consideration shall be given to the relative intensity of the proposed use compared to the intensity of the planned land use environment.
- (2) A non-administrative conditional use permit pursuant to WMC 21.84.010 is required to authorize the adaptive reuses.
- (3) No more than 50 percent of the original gross floor area may be demolished in support of an adaptive reuse of a building.
- (4) In addition to the decision criteria set forth in WMC 21.84.010(4), the adaptive reuse shall satisfy the following conditions:
 - (a) New traffic increases above what previously occupied the site shall be accommodated within the existing levels of service on the surrounding neighborhood streets;
 - (b) Provision for off-street parking must be evaluated and to the greatest extent possible, satisfy the parking demand for change of uses;
 - (c) The new uses shall not generate noise that exceeds the maximum sound standards set forth in Chapter 8.08 WMC for residential zones acting as both the source and receiving properties;
 - (d) Street trees and landscaping above those required elsewhere in the code are provided and incorporated in a manner that buffers the adaptive reuse from adjoining and nearby residential uses and makes it more compatible with the surrounding neighborhood; and
 - (e) Additional conditions may be applied including, but not limited to, limiting hours of operations, density, restrictions for noise attenuation, and other conditions deemed necessary to ensure compatibility with surrounding residential uses.
- (5) The following uses may be authorized in an adaptive reuse building:
 - (a) Any use authorized by the underlying zone;
 - (b) Multifamily dwelling units;
 - (c) Arts and cultural establishments;
 - (d) Temporary lodging;
 - (e) Eating and drinking places;
 - (f) Tasting rooms;
 - (g) General sales, retail, or service Level 1; and
 - (h) Education facilities.

Chapter 21.41 Accessory Uses

Staff Comment. Chapters 21.41 through 21.43 support the use tables in Chapter 21.21 WMC. They replace the list of conditions noted in the current code. These chapters are still under review as Planning Commission completes review of the use tables.

Sections:

21.41.010	General provisions.
21.41.020	Accessory dwelling unit.
21.41.030	Level 1 home business.
21.41.040	Bed and breakfast inns.
21.41.050	Indoor recreation and sports facilities.
21.41.060	Outdoor recreation and sports facilities.
21.41.070	Wholesale trade establishments.
21.41.080	Helipads.
21.41.090	Long-term care facilities, ambulatory/outpatient clinics.
21.41.100	Daycare facilities level 1 in residential zones.
21.41.110	Educational facilities in residential zones.
21.41.120	Local collection recycle facilities.

21.41.010 General provisions.

- (1) This chapter establishes special development standards that apply to specific accessory uses identified in Chapter 21.21 WMC.
- (2) The special development standards prescribed by this chapter shall be applied in combination with other development regulations applicable to the property.
- (3) Where this chapter imposes a different standard than specified elsewhere in the Woodinville Municipal Code, the special development standards set forth in this chapter shall prevail.

21.41.020 Accessory dwelling unit.

This section applies additional development criteria to accessory dwelling units.

- (1) Accessory dwelling units meeting the requirements of this section are excluded from density requirements.
- (2) Only one accessory dwelling unit may be allowed per each detached single-family dwelling unit, unless the lot is occupied by a duplex, attached dwellings, or multifamily dwellings in which case only one accessory dwelling unit per lot is allowed.
- (3) An owner having legal title ownership, or a purchaser under contract for the sale of the property, must occupy either the primary dwelling or the accessory dwelling unit as their permanent residence for at least six months out of each calendar year, and at no time receive rent for the owner-occupied unit.
- (4) Special development standards.
 - (a) Accessory dwelling units shall comply with the development standards of the underlying zone where the accessory dwelling unit is located, except as modified by this section.
 - (b) The accessory dwelling unit may be fully contained within the primary dwelling, attached to the primary dwelling, attached to an accessory building, or detached.
 - (c) The accessory dwelling unit must have a gross floor area of at least 300 square feet and shall not have a gross floor area that exceeds the lesser of 1,200 square feet or 50 percent of the gross floor area of the primary dwelling.

- (d) The accessory dwelling unit must have a similar outside architectural appearance as the primary dwelling.
- (e) The main entrance to an accessory dwelling unit must be located in such a manner as to be unobtrusive from the same view of the building which encompasses the entrance to the primary dwelling.
- (f) In addition to the parking requirements for other uses on the site, one off-street parking space is required for the accessory dwelling unit.
- (g) To encourage the development of housing units for people with disabilities, the director may authorize in writing reasonable deviation from the stated requirements to install features that facilitate accessibility.

21.41.030 Level 1 home business.

- (1) This section applies to uses meeting the definition of home business level 1 as defined in WMC 21.11B.090. A home business level 1 requires the obtaining of a home business permit pursuant to WMC 21.82.060.
- (2) Dwelling units that are combined as an approved work-living unit are not subject to this section.
- (3) The following conditions must be satisfied and maintained for approval of a home business level 1:
 - (a) The home business must be an accessory use of a single-family, duplex, townhome, multifamily, or accessory dwelling unit;
 - (b) The home business must be the principal residence of the person(s) conducting the home business;
 - (c) All activities of the home business must be conducted indoors, except for the growing and storage of plants;
 - (d) The total floor/ land area devoted to home businesses on the site cannot exceed 20 percent of the total gross floor area of the dwelling unit, excluding the floor area of attached garages, porches, and attached covered patios;
 - (e) Detached buildings including garages and sheds may be used for storage for the home business without counting towards the maximum floor area set forth in WMC 21.41.030(3)(d);
 - (f) No person living off-site shall be employed and working on-site of the home business;
 - (g) One additional off-street parking stall, in addition to the parking required for the dwelling unit, shall be provided if personal services are offered on-site;
 - (h) Personal services shall be by appointment only, or provided off-site;
 - (i) Sales of goods shall be limited to mail-order, online sales, and telephone sales and be limited to off-site delivery;
- (4) The following activities are prohibited of a home business:
 - (a) Repair of any motorized vehicle or heavy equipment;
 - (b) Autobody work and/or painting;
 - (c) Parking and/or storage of heavy equipment; and
 - (d) Storage of materials used by the construction trades for use off-site;
- (5) Pursuant to WMC 21.82.060(5), the director may apply such conditions of approval as necessary including but not limited to:
 - (a) Limiting the type and size of equipment used by the home business;
 - (b) Providing increased setbacks and/or screening as needed to protect adjacent residential properties;
 - (c) Specifying hours of operation;
 - (d) Determining acceptable levels of outdoor lighting; and

- (e) Requiring sound testing to verify compliance with Chapter 8.08 WMC (Noise Regulations).
- (6) No vehicle, equipment or material shall be parked or stored within any required setback areas of the lot or on adjoining and adjacent streets.
- (7) A home business may have one car, van, truck, or similar motorized vehicle operate onsite in support of the home business if:
 - (a) The gross vehicle weight does not exceed 10,000 pounds;
 - (b) The height of the vehicle does not exceed nine feet measured from the ground; and/or
 - (c) The length of the vehicle as measured from the most outer points of the vehicle does not exceed 22 feet.
- (8) The home business shall not use any equipment that changes the fire rating/ occupancy of the dwelling, cause interference in communication signals, or cause any public nuisances.

21.41.040 Bed and breakfast inn.

Where bed and breakfast inns are allowed as an accessory use pursuant to the use tables in Chapter 21.21 WMC, the following apply:

- (1) The operators of the bed and breakfast inn must occupy the building as their principal residence;
- (2) In addition to those required for the dwelling unit, one off-street parking space is required per each guest bedroom;
- (3) The director may authorize a reduction to the off-street parking requirement for each guest bedroom if the owner can demonstrate parking will not spill over onto nearby residential properties or streets;
- (4) No commercial receptions, parties, or other public gatherings, or serving of meals to nonresident guests for compensation are allowed; and
- (5) Any remodeling of the residential structure shall maintain the residential nature of the structure and not alter the structure in such a manner that would prevent it from being used as a residence in the future.

21.41.050 Indoor recreation and sports facilities in a residential zone.

Where indoor recreation and sports facilities are allowed as an “accessory use” pursuant to the use tables in Chapter 21.21 WMC, the indoor recreation and sports facility shall be allowed only as an accessory to a residential development and be limited to use by residents and the residents’ guests of the residential development. Such facilities shall not be available for use by the general public.

21.41.060 Outdoor recreation and sports facilities.

Where outdoor recreation and sports facilities are allowed as an “accessory use” pursuant to the use tables in Chapter 21.21 WMC, the following conditions apply:

- (1) **Except in the Public/Institutional zone,** outdoor recreation and sports facilities shall be allowed only as an accessory to a residential development (including mixed-use with residential) only and be limited to use by the residents and the residents’ guests of the residential development; and such facilities shall not be available for use by the general public; and
- (2) **Within the Public/Institutional zone, outdoor recreational and sports facilities shall be allowed only as an accessory to a public park or an educational facilities level 2 or 3, and a non-administrative conditional use permit is obtained pursuant to WMC 21.84.010.**

21.41.070 Wholesale trade establishments.

Where wholesale trade establishments are allowed as an “accessory use” pursuant to the use tables in Chapter 21.21 WMC, the wholesale trade must be accessory to a permitted primary use and cannot occupy more than 49 percent of the gross floor area of the combined wholesale trade and primary use on the site.

21.41.080 Helipads.

Where helipads are allowed as an “accessory use” pursuant to the use tables in Chapter 21.21 WMC, the helipad shall be accessory to a law-enforcement, fire department, or hospital use.

21.41.090 Long-term care facilities, ambulatory/outpatient clinics.

Where long-term care facilities are allowed as an “accessory use” pursuant to the use tables in Chapter 21.21 WMC, the long-term care facility shall be accessory to a hospital use.

21.41.100 Daycare facilities in residential zones.

Where daycare facilities are allowed as an “accessory use” in a residential zone pursuant to the use tables in Chapter 21.21 WMC, the daycare facilities must satisfy the following:

- (1) If located within a dwelling unit, the daycare must not occupy more than 49 percent of the gross floor area of the dwelling unit;
- (2) Outdoor play areas shall be completely enclosed by a solid wall or fence having a minimum height of six feet;
- (3) Outdoor play equipment shall be placed a minimum 20 feet from interior property lines adjoining residentially zoned lots; and
- (4) Not more than two nonresident staff members shall be present on the site at any given time.

21.41.110 Educational facilities in residential zones.

Where educational facilities are allowed as an “accessory use” in a residential zone pursuant to the use tables in Chapter 21.21 WMC, the educational facility must be accessory to a dwelling unit and satisfy the following:

- (1) No more than 12 students are allowed on site at any one time with a maximum of 24 students total allowed during any 24-hour period;
- (2) Instructions must take place inside an enclosed structure;
- (3) The structure housing rooms for instruction must be setback at least 25 feet from all interior property lines adjoining residentially zoned lots;
- (4) Not more than three nonresident staff members shall be present on site at any given time; and
- (5) Operations are limited to between the hours of 7:00 am and 7:00 pm on weekdays, and 8:00 am and 4:00 pm on Saturday and Sunday.

21.41.120 Local collection recycle facilities.

Where Local Collection Recycle Facilities are allowed as an “accessory use” pursuant to the use tables in Chapter 21.21 WMC, the facility must be accessory to a permitted use; and

- (1) Facilities are limited to drop boxes only unless collection operations are contained wholly within an enclosed building;

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- (2) Within the Central Business District and General Business zones, collection facilities shall be located within an enclosed building; and
- (3) Local Collection Recycle Facilities are prohibited in the Pedestrian Core Design District.

Chapter 21.42 Limited Uses

Sections:

21.42.010	General provisions.
21.42.020	Bed and breakfast inn.
21.42.030	Residential uses in the Tourist Business zone.
21.42.040	Active and residential uses in the Central Business District zone.
21.42.050	Manufacture/ mobile home parks.
21.42.060	Golf facilities.
21.42.070	Eating and drinking establishments.
21.42.080	Food and grocery stores.
21.42.090	General sales, retail, or service uses.
21.42.100	Ground passenger and transit services.
21.42.110	Automotive parking facilities.
21.42.120	Long-term automotive parking facilities.
21.42.130	Light industrial uses.
21.42.140	Warehousing.
21.42.150	Construction services, shops, and storage yards.
21.42.160	Residential care facilities.
21.42.170	Educational facilities.
21.42.180	Small farm direct marketing.
21.42.190	Animal lodging and training facility.
21.42.200	Primary utilities.

21.42.010 General provisions.

- (1) This chapter establishes special development standards that apply to specific uses that are designated as limited uses in Chapter 21.21 WMC.
- (2) The special development standards prescribed by this chapter shall be applied in conjunction with other development regulations applicable to the property.
- (3) Where this chapter imposes a requirement that differs from the same development standard found elsewhere in this title, the requirement set forth in this chapter shall prevail.

21.42.020 Bed and breakfast inns.

Where bed and breakfast inns are allowed as a “limited use” pursuant to the use tables in Chapter 21.21 WMC, the following shall apply:

- (1) The number of rooms available for guests shall not exceed 24 rooms per acre;
- (2) The minimum landscaping coverage on the site containing the bed and breakfast inn shall be 45 percent;
- (3) The height of the building containing the bed and breakfast shall not exceed 35 feet and three stories above grade; and
- (4) Incorporate a building design that fits one of the following styles:
 - (a) Country inn;
 - (b) Victorian;
 - (c) Woodland lodge;
 - (d) New England bed and breakfast; or
 - (e) A style approved by the director in consultation with the Planning Commission Design Review Committee.

21.42.030 Residential uses in the Tourist Business zone.

Residential development shall be allowed in the Tourist Business zone only if the following conditions are satisfied:

- (1) A development agreement is obtained pursuant to Chapter 21.85 WMC authorizing residential development;
- (2) The residential development is integrated into the overall development in a manner that supports the vision and goals of the Tourist District Master Plan;
- (3) Dwelling units on the ground floors or below grade are prohibited, except where:
 - (a) Specifically authorized on the ground floor by a development agreement; and
 - (b) No ground floor dwelling units are within 100 feet from the property lines abutting 148th Avenue NE, NE 145th Street, or Woodinville-Redmond Road, unless such dwelling units are screened from 148th Avenue NE, NE 145th Street, or Woodinville-Redmond Road by building spaces containing commercial uses; and
 - (c) Excluding parking facilities, the total ground floor building footprint of dwelling units and other floor areas associated with residential uses shall not exceed 50 percent of the total ground floor building footprint of all nonresidential uses;
 - (d) The term “ground floor” for purposes of this section means the area of any floor of any building at the ground surface elevation at the conclusion of all grading efforts around a building and may result in a single building having more than one “ground floor” due to elevation differences; and
 - (e) The height of a building having ground floor dwelling units shall not exceed 38 feet from the average existing grade;
- (4) No direct dwelling unit entrances or exits are permitted onto 148th Avenue NE, NE 145th Street, or Woodinville-Redmond Road;
- (5) Public benefits are provided of which the composition shall be agreed to in the development agreement and the City having the option to require studies to evaluate the reasonableness of the public benefit in exchange for the residential development; and
- (6) For purposes of this condition, public benefits may include but are not limited to:
 - (a) Affordable housing units that are sold or rented at rates below market agreed to in the development agreement;
 - (b) Public art such as fountains, sculptures, paintings, murals, etc.;
 - (c) Indoor and/or outdoor public space and amenities, which are permanently reserved for use by the general public such as commons, greens, plazas, etc.;
 - (d) Payment of transportation and/or park impact fees above those required in Chapters 3.36 and 3.39 WMC; and/or
 - (e) Other types of public benefits not listed that are found to be acceptable by the City Council.

21.42.040 Active and residential uses in the Central Business District zone.

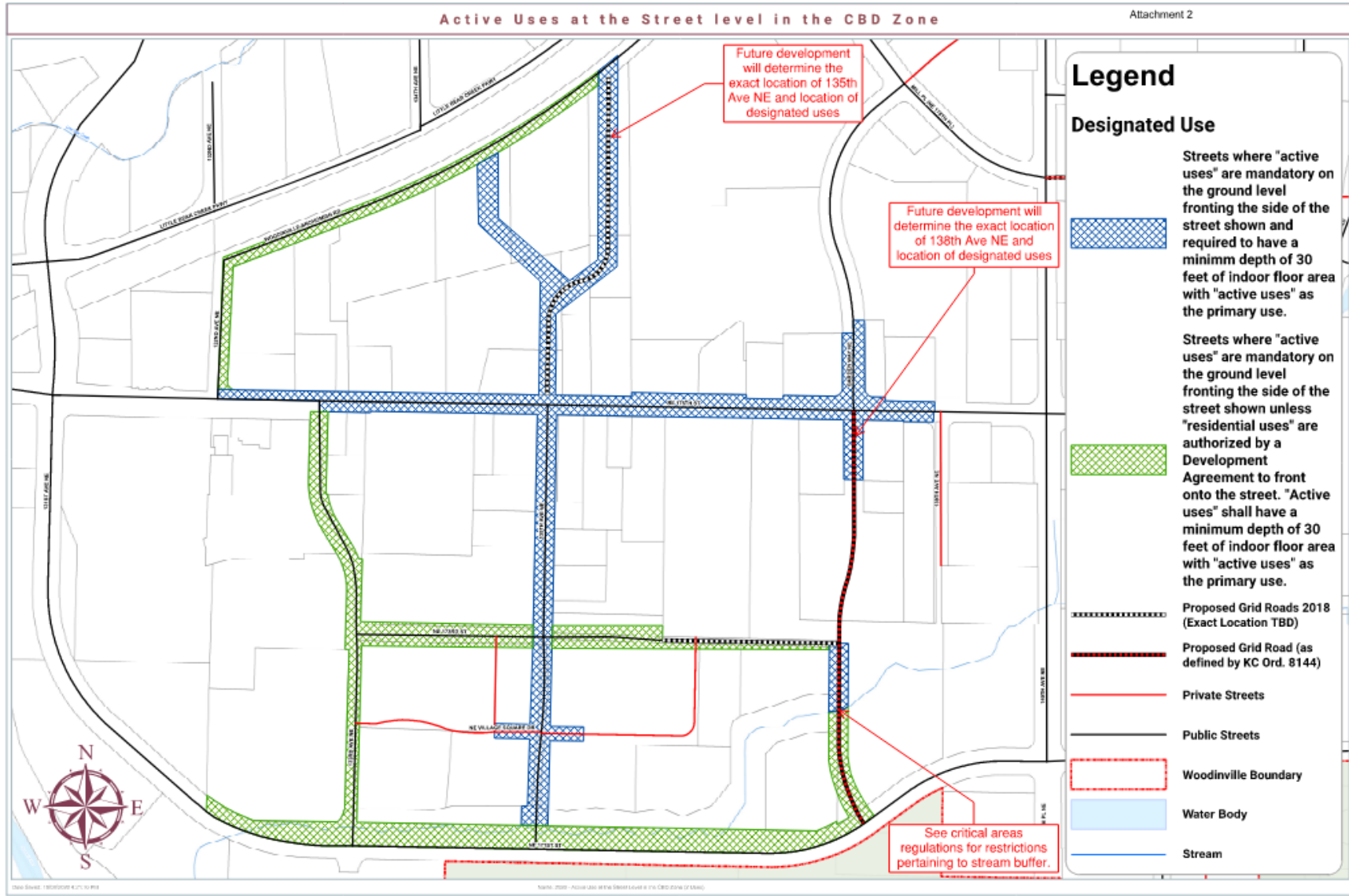
The following apply to the CBD zone:

- (1) Except as provided 21.42.040(3), dwelling units are not permitted on the ground floor or below in buildings fronting public streets (the term dwelling units should not be construed to include lobbies, foyers, rental offices, community facilities, etc.); and
- (2) “Active uses,” having at least 30 feet depth as measured from the interior of building façades fronting public street, are required on the street level to face on to public streets as set forth in Figure 21.42.040.
- (3) Dwelling units are allowed on street levels and below in buildings fronting public streets as follows:
 - (a) Where they may be authorized on ground levels pursuant to Figure 21.42.040; and

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- (b) Where commercial or office uses having at least 30 feet depth as measured from the interior of building facades fronting public streets are located between the dwelling unit and public street.

Figure 21.42.040
Map Designating Active and Residential Uses at the Street Level in the CBD zone



21.42.050 Manufacture/ mobile home parks.

The following conditions apply to the design and layout of manufacture/mobile home parks:

- (1) The area of the site is at least three acres;
- (2) Manufactured and mobile homes must be approved by the Washington State Department of Labor and Industries or the U.S. Department of Housing and Urban Development, and the appropriate certification insignia is affixed to the unit, in accordance with the provisions of Chapter 43.22 RCW;
- (3) Manufactured/ mobile home parks shall not be used to locate recreational vehicles as temporary or permanent living units;
- (4) The required number of spaces with utility hookups shall be based on the minimum and maximum residential densities applicable to the underlying zone;
- (5) Development within the park shall be exempt from maximum building coverage requirements;
- (6) One accessory carport or garage, and one garden/ storage shed, may be allowed for each individual manufactured/mobile home;
- (7) All manufacture and mobile homes shall be full skirted, or have a foundation;
- (8) Community clubhouses, recreational facilities, parking facilities, storage areas, and similar community facilities may be incorporated into the development;
- (9) Internal roads shall provide access to each space and constructed in accordance with the City's adopted street standards; except the Public Works Director may authorize internal roads having a minimum width of 22 feet provided:
 - (a) The roads are privately owned, and the city approves an agreement for the owner to maintain the private roads to a specified standard;
 - (b) Adequate pedestrian facilities such as sidewalks or trails are incorporated into the development;
 - (c) The reduced-size internal roads do not directly connect two or more vehicle access points into the park;
 - (d) Not more than 100 dwelling units are served by private roads within the park; and
- (10) All building and fire code requirements are satisfied.

21.42.060 Golf facilities.

Where golf facilities are allowed as a "limited use" pursuant to the use tables in Chapter 21.21 WMC, the following conditions apply:

- (1) The minimum site area of the golf course is 70 contiguous gross acres;
- (2) No buildings or golf facilities shall be located within 50 feet of the outer golf course property lines where adjoining properties zoned residential;
- (3) Driving ranges must be located within an enclosed building; and
- (4) Underlying zoning development standards apply, except setback requirements may be **reduced or** waived by the director for property lines located inside the outer boundaries of the golf course.

21.42.070 Eating and drinking establishments.

Where eating and drinking establishments are allowed as a "limited use" pursuant to the use tables in Chapter 21.21 WMC, the following development standards apply:

- (1) Within the Neighborhood Business, Tourist Business and Tourist Industrial zones, drive-through windows for eating and drinking establishments are prohibited, except a drive-through window may be allowed as part of a detached kiosk if:
 - (a) The gross floor area of the kiosk does not exceed 200 square feet; and
 - (b) Only non-alcoholic drinks are served; and

- (c) Only pre-prepared and pre-packaged foods may be offered.
- (2) Within the Central Business District zone, drive-through windows for eating and drinking establishments are prohibited in the Pedestrian Core Design District.

21.42.080 Food and grocery stores.

Within the Central Business District zone, food and grocery stores level 2 is prohibited within the Pedestrian Core and the Civic/Gateway Design Districts.

21.42.090 General sales, retail, or service uses.

Staff comment. Revised from earlier draft to reflect the limits in WMC 21.22.040.B(21).

Within the Central Business District zone, the following conditions apply to general sales, retail, or service uses:

- (1) Within the Pedestrian Core and the Civic/Gateway Design Districts, level 2 general sales, retail, or service uses are prohibited;
- (2) Within the East Frame Design District, general sales, retail, or service uses shall not exceed 150,000 square feet of indoor gross floor area within any single building;
- (3) Within the Transition Design District, general sales, retail, or service uses shall not exceed 75,000 square feet each of indoor gross floor area within any single building; and
- (4) Within the Old Town District (commercial properties adjoining NE Woodinville Drive/Woodinville Redmond Road and 173rd Place), general sales, retail, or service uses shall not exceed 35,000 square feet of indoor gross floor area within any single building.

21.42.100 Ground passenger and transit services.

Within the Central Business District zone, ground passenger and transit service uses are prohibited in the Pedestrian Core and Civic/Gateway Design Districts.

21.42.110 Automotive parking facilities.

Where automotive parking facilities are allowed as a “limited use” pursuant to the use tables in Chapter 21.21 WMC, the automotive parking facility must be located wholly inside of an enclosed structure. The use of surface parking as defined in WMC 21.11A.170 is prohibited. This condition does not apply to accessory parking facilities as defined in WMC 21.11B.020.

21.42.120 Long-term automotive parking facilities.

Where long-term automotive parking facilities are allowed as a “limited use” pursuant to the use tables in Chapter 21.21 WMC, the long-term automotive parking facility must be wholly located inside an enclosed structure. The use of surface parking as defined in WMC 21.11A.170 is prohibited.

21.42.130 Light industrial uses.

Where light industrial uses are allowed as a “limited use” pursuant to the use tables in Chapter 21.21 WMC, the following conditions apply:

- (1) Within the Central Business District and General Business zones, light industrial uses must be wholly located within enclosed buildings;
- (2) Within the Central Business District zone:

- (a) The total gross floor area of all rooms containing manufacturing/production activity, including associated storage, shall not exceed 10,000 square feet; and
- (b) Within the Pedestrian Core Design District, light industrial uses are allowed only as accessory and incidental in support of a primary use on the site (e.g., small-scale brewing serving an onsite restaurant).

21.42.140 Warehousing.

Where warehousing uses are allowed as a “limited use” pursuant to the use tables in Chapter 21.21 WMC, warehousing uses must be located wholly inside enclosed buildings, except areas designed for loading and unloading may be outside.

21.42.150 Construction services, shops, and storage yards.

Staff comment. This is an area of the current code that is considerably confusing.

Where construction service, shop, and storage yard uses are allowed as a “limited use” pursuant to the use tables in Chapter 21.21 WMC, the following conditions apply:

- (1) Buildings, parking, and storage facilities must be setback a minimum of 20 feet from property lines abutting residentially zoned properties;
- (2) The overnight parking of vehicles onsite having a gross vehicle weight of 14,001 pounds (Class 4) and higher is prohibited;
- (3) Storage of equipment and materials are limited to those used in the construction trades; and
- (4) The perimeter of all areas used for outdoor storage shall be screened with a minimum six-foot high sight-obscuring fence and a minimum 10-foot width of Type 1 landscaping.

21.42.160 Residential care facilities.

Where residential care facilities are allowed as a “limited use” pursuant to the use tables in Chapter 21.21 WMC, the following conditions apply:

- (1) Within the Tourist Business zone, residential care facilities are subject to the same requirements for residential uses set forth in WMC 21.42.030.
- (2) Within the Central Business District zone, residential care facilities are subject to the same requirements for residential uses set forth in WMC 21.42.040.

21.42.170 Educational facilities.

Where educational facilities are allowed as a “limited use” pursuant to the use tables in Chapter 21.21 WMC, the following conditions apply:

- (1) The gross floor area of all rooms used by the educational facility cannot exceed 25,000 square feet; and
- (2) All instructions shall be conducted indoors. Outdoor instructions are prohibited.

21.42.180 Small farm direct marketing.

Where small farm direct marketing is allowed as a “limited use” pursuant to the use tables in Chapter 21.21 WMC, the following conditions apply:

- (1) Sales shall be limited primarily to agricultural products produced on- and off-site;
- (2) The indoor gross floor area containing goods and products shall not exceed 1,000 square feet;

- (3) The property containing the small farm direct marketing shall include the residence of the owner or operator of the farm; and
- (4) Off-street parking spaces for customers shall be provided consistent with retail uses in **WMC 21.xx.**

21.42.190 Animal lodging and training facility.

Where animal lodging and training facilities are allowed as a “limited use” pursuant to the use tables in Chapter 21.21 WMC, the entire roof area over riding/training arenas shall not exceed 20,000 square feet. The roof areas over facilities designed for lodging animals such as stables shall not be included in this calculation.

21.42.200 Primary utilities.

Where primary utilities are allowed as a “limited use” pursuant to the use tables in Chapter 21.21 WMC, the following conditions apply:

- (1) If the use is an electrical transmission substation, a non-administrative conditional use permit pursuant to WMC 21.84.010 is required; and
- (2) Except for primary utilities qualifying as an essential public facility pursuant to Chapter 21.46 WMC, or defined elsewhere by this title, all other primary utilities are permitted uses.

Chapter 21.43 Conditional Uses

Sections:

- 21.43.010 General provisions.
- 21.43.020 Level 2 home business.
- 21.43.030 Fuel service stations.
- 21.43.040 Motor vehicle/vessel sales, rental, service, and repair.
- 21.43.050 Public administration/safety facilities.
- 21.43.060 Educational facilities level 3.
- 21.43.070 Golf facilities.
- 21.43.080 Arts & cultural establishments and conference centers in the R-8 zone.

21.43.010 General provisions.

- (1) This chapter establishes special development standards that apply to specific uses that are designated as conditional uses.
- (2) The special development standards prescribed by this chapter shall be applied in conjunction with other development regulations applicable to the property.
- (3) Where this chapter imposes a requirement that differs from the same development standard found elsewhere in this title, the requirement set forth in this chapter shall prevail.

21.43.020 Level 2 home business.

- (1) This section applies to uses meeting the definition of home business level 2 as defined in WMC 21.11B.090. A home business level 2 requires the obtaining of a home business permit pursuant to WMC 21.82.060 and an administrative conditional use permit pursuant to WMC 21.83.010.
- (2) Dwelling units that are combined as an approved work-living unit are not subject to this section.
- (3) The following conditions must be satisfied and maintained for approval of a home business level 2:
 - (a) The home business must be an accessory use of a single-family, duplex, townhome, multifamily, or accessory dwelling unit;
 - (b) The home business must be the principal residence of the person(s) conducting the home business;
 - (c) The lot area upon which the home business is located must be one acre in size or larger;
 - (d) The total floor/ land area devoted to home businesses on the site cannot exceed 50 percent of the total gross floor area of the dwelling unit, excluding the floor area of attached garages, porches, and attached covered patios;
 - (e) Detached buildings including garages and sheds may be used for storage for the home business without counting towards the maximum floor area set forth in WMC 21.43.020(3)(d);
 - (f) Up to two people living offsite may be employed and working onsite of the home business in addition to people living onsite;
 - (g) Additional onsite parking stalls are provided in addition to the parking required for the dwelling as follows:
 - (i) One parking stall for each nonresident employed and working onsite of the home business; and

- (ii) A minimum of one parking stall for customer parking plus one additional parking stall per 1,000 square feet of floor area inside the dwelling dedicated to the home business, and one additional parking stall per 2,000 square feet of work or storage area outside of the dwelling;
 - (h) Sales shall be limited to items produced onsite, except for items collected, traded, and occasionally sold by hobbyists such as coins, stamps, and antiques;
 - (i) A 10-foot-wide Type 1 landscaped strip shall be provided around parking and outside storage areas visible from adjacent properties or from a public street right-of-way.
- (4) The following activities are prohibited of a home business:
 - (a) Outdoor repair of any motorized vehicle or heavy equipment;
 - (b) Outdoor autobody work; and
 - (c) All autobody painting.
- (5) Pursuant to WMC 21.82.060(5) and WMC 21.83.010(5), the director may apply such conditions of approval as necessary including but not limited to:
 - (a) Limiting the type and size of equipment used by the home business;
 - (b) Providing increased setbacks and/or screening as needed to protect adjacent residential properties;
 - (c) Specifying hours of operation;
 - (d) Determining acceptable levels of outdoor lighting; and
 - (e) Requiring sound testing to verify compliance with Chapter 8.08 WMC (Noise Regulations).
- (6) No vehicle, equipment or material shall be parked or stored within any required setback areas of the lot or on adjoining and adjacent streets.

21.43.030 Fuel service stations.

- (1) Within the Central Business District zone, fuel service stations are prohibited in the Pedestrian Core and **the Civic/Gateway Design Districts**.

Staff comment. Fuel service design standards are from WMC 21.40.160.

- (2) Within the Central Business District and General Business zones, the following design standards shall apply to fuel service stations in addition to other design standards required by law:
 - (a) Buildings, walls, fences, pump islands, and covered areas shall be architecturally integrated using similar materials, colors, and detailing;
 - (b) Buildings should be located abutting the street; however, if pump islands are placed nearest to the street, a vertical trellis or screen having a minimum height of 30 inches with climbing vines or other approved screening materials shall be installed between the pump island and the street;
 - (c) Auto service bays, car wash openings, vacuum stations, loading areas, garbage and recycling facilities, and stacking lanes shall be located **so as to not be facing adjoining properties with residential zones, residential development, or schools**;
 - (d) Noise generating facilities including but not limited to car washes and repair bays shall provide solid sound attenuations measures such as fences, walls, and berms **with complimentary landscaping** to buffer adjoining properties from noise generators;
 - (e) Utility boxes, garbage and recycling facilities, loading docks and ramps, and ground-placed mechanical equipment shall be enclosed within buildings or screened from adjoining properties and streets with sight-obscuring measures such as walls and landscaping;

- (f) The canopy over pump islands shall be integrated with buildings on-site, and multiple canopies or canopies that express differing architectural masses are encouraged;
- (g) Lighted bands, tubes or applied bands of corporate colors are prohibited;
- (h) The use of translucent materials and internally lighted cabinets is prohibited as finishes or as applied treatments at the pump island or on the pump island canopy cover;
- (i) Where a car wash is proposed that is visible to public areas, glass windows shall be provided for those portions of the car wash facing towards public areas;
- (j) The landscaping requirements set forth in **Chapter 21.xx WMC** as applied to fuel service stations are modified to include the following:
 - (i) In-ground plantings should comprise the majority of landscaping, except raised planters are acceptable when designed to accentuate architecture features or outdoor seating areas;
 - (ii) A minimum 10-foot-wide Type III landscaping strip adjoining street frontages;
 - (iii) A minimum 10-foot-wide Type III landscaping strip adjoining interior properties lines unless adjoining a residential zoned property where a minimum 20-foot-wide Type III landscaping strip is required; and
 - (iv) A minimum 15 percent of the site, which may include the landscaping in WMC 21.43.030(2)(j)(ii) and (iii) but shall exclude wetland and wildlife habitat areas including their buffers.

21.43.040 Motor vehicle/vessel sales, rental, service, and repair.

- (1) Within the Central Business District zone, Motor Vehicle/Vessel Sales, Rental, Service, and Repair uses are prohibited within the Pedestrian Core Design District.
- (2) Within the Central Business District and the General Business zones, the repair and service of motor vehicles and vessels shall be inside enclosed buildings only.

21.43.050 Public administration/safety facilities.

Where Public Administration/Safety Facilities are allowed as a “conditional use” pursuant to the use tables in Chapter 21.21 WMC, only civic centers, fire safety facilities, and police facilities may be authorized.

21.43.060 Educational facilities.

Within the Central Business District and General Business zones, the conditions set forth in WMC 21.42.160 shall apply to level 2 and 3 educational facilities.

21.43.070 Golf facilities.

Where golf facilities are allowed as a “conditional use” pursuant to the use tables in Chapter 21.21 WMC, the conditions set forth in WMC 21.42.060 shall apply.

21.43.080 Arts & cultural establishments and conference centers in the R-8 zone.

Where arts & cultural establishments and conference centers are allowed as a “conditional use” in the R-8 zone pursuant to the use tables in Chapter 21.21 WMC, the arts and cultural establishment and/or conference center must be an accessory use to a building or site registered as a historical landmark pursuant to Chapter 21.47 WMC.

Chapter 21.44 Signs

Staff Comment. Revisions to this chapter are primarily focused on bringing better clarity in how the current regulations are implemented. City staff anticipates a more comprehensive update to the sign code after the current phase of the UDC Update Project is completed.

Sections:

21.44.010	Purpose.
21.44.020	Permit required.
21.44.030	Signs exempt from this chapter.
21.44.040	Prohibited signs.
21.44.050	Sign area measurements.
21.44.060	General sign requirements.
21.44.070	Special sign provisions.
21.44.080	Sign size and design requirements.
21.44.090	Master signage plan.
21.44.100	Signs or displays of limited duration.

21.44.010 Purpose.

The purpose of this chapter is to enhance the visual environment and safety of the City by:

- (1) Establishing standards that regulate the type, number, location, size, and lighting of signs;
- (2) Encouraging attractive, effective signage throughout the community, and providing clearly identifiable design objectives for public and private signage in the downtown.

21.44.020 Permit required.

- (1) A sign permit is required for erecting, altering, or relocating any sign, unless specified otherwise by this chapter.
- (2) Normal maintenance, cleaning, and repair of a legally established sign does not require a sign permit.

21.44.030 Signs exempt from this chapter.

The following signs are exempt from the regulations in this chapter:

- (1) Historic site markers, plaques, and gravestones;
- (2) Signs that enumerate addresses only that do not exceed 32 square feet;
- (3) Signs internal to a development and not visible from any streets or public ways;
- (4) Signs in the interior of a building more than three feet away and not facing a window, and point of purchase advertising displays, such as vending machines;
- (5) Traffic signs, signals, wayfinding signs, and other traffic control devices erected by the City or other public authority;
- (6) Public notices pertaining to public health or safety issues, or for notification of legal or legislative action erected by the City or other public authority, of a temporary nature;
- (7) Permanent plaques, cornerstones, nameplates, and other building identification markings attached to or carved into the building materials, and which are (a) integral parts of the structure; (b) are nonilluminated, and (c) do not exceed four square feet in sign area;
- (8) Incidental signs which consist of no more than two square feet in sign area, except the sign size shall not apply to incidental signs maintained by a public agency providing public information;

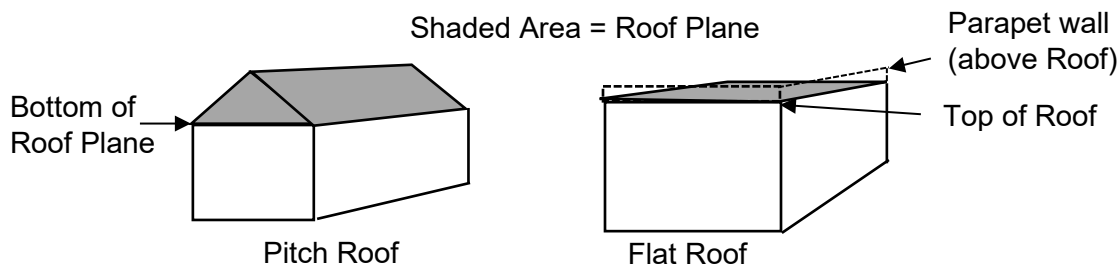
- (9) Religious symbols;
- (10) The American flag, State of Washington flag, and other political or special purpose flags that are not intended to contribute to a commercial advertising display;
- (11) Flags displaying the name of a business provided: (a) no more than one flag per business premises, or one per tenant in a multitenant building, (b) the flag does not exceed 20 square feet in total size, (c) the flag does not advertise a product, and (d) the flag is located on the same site as the business;
- (12) Wall graphics of an artistic nature and that do not conform to the definition of "sign;"
- (13) Signs intended for general public information, such as bulletin board/kiosk, that accommodate changeable copy such as private or public notices, special event information, and other short-term messages, at a scale suitable for pedestrians and not intended to be read by passing motorists, and not for commercial advertising purposes approved as part of a master signage plan; and
- (14) Public gateway entrance signs.

21.44.040 Prohibited signs.

The following signs are prohibited:

- (1) Portable and signs of limited duration, except as provided for in this chapter;
- (2) Signs mounted on utility poles, except for noncommercial signs posted by the utility or public agency owning the utility pole;
- (3) Signs in public street rights-of-way, except as provided for in this chapter;
- (4) Strobe lights or any other flashing, moving, video or animated features that are visible beyond any property line;
- (5) Posters, pennants, balloons, searchlights, and other displays of a carnival nature, except as provided for in this chapter;
- (6) Off-premises signs including billboards, except as provided for in this chapter;
- (7) Building signs located within a roof plane or projecting above a roof (See Figure 21.44.040(7));
- (8) Any sign that is determined by the director to be a hazard to public safety due to its design, materials, physical condition, or placement;
- (9) Human held signs;
- (10) Signs advertising a business that is no longer operating and open;

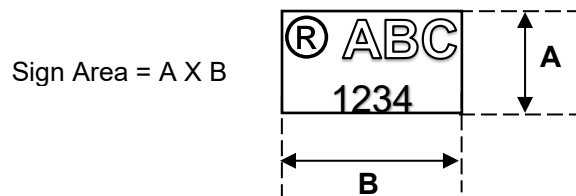
Figure 21.44.040(7) Determining Roof Plane



21.44.050 Sign area measurements.

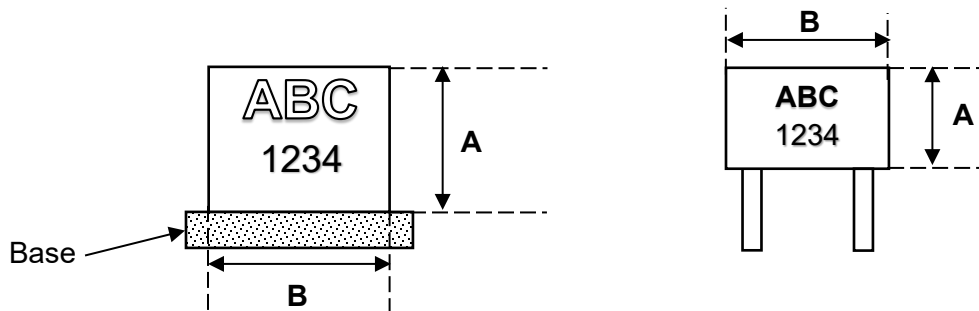
- (1) The area of sign faces shall be measured as follows:
 - (a) Building signs: Sign area shall be calculated by measuring the smallest single rectangle which will enclose the combined letters and symbols as illustrated in Figure 21.44.050(1)(a).

Figure 21.44.050(1)(a) Area of a Building Sign



- (b) Freestanding signs: Sign area shall be calculated to include the entire surface area of the sign panel, cabinet or face substrate including borders upon which the sign message is displayed or illustrated, excluding foundations and support structures as illustrated in Figure 21.44.050(1)(b).

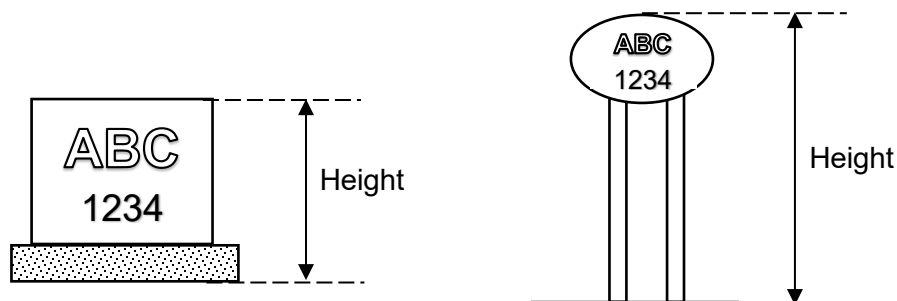
Figure 21.44.050(1)(b) Area of a Freestanding Sign



Sign Area = A X B

- (2) Sign area does not include supports, foundations or structures that are not part of the sign.
- (3) Only one side of a double-faced sign is counted in the sign area.
- (4) Multiple copy signs or shopping center signs consisting of several individual signs on the same support structures are calculated as the total of all individual sign components.
- (5) A round or cylindrical sign is calculated as the maximum area that can be seen at one time from one position, or fifty (50) percent of the total area, whichever is greater.
- (6) The height of a sign is measured from the grade below to the highest point of the sign. See Figure 21.44.050(6).

Figure 21.44.050(6) Sign Height

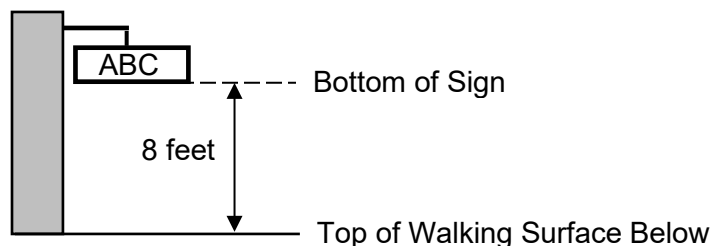


- (7) Sign clearance is measured from the top of the surface directly below the sign to the bottom of the sign.

21.44.060 General sign requirements.

- (1) All signs shall meet the sight distance requirements prescribed in WMC 21.22.190.
- (2) One off-premises freestanding sign for each business is permitted on private property provided (a) two or more businesses must be advertised on the sign, and (b) the businesses advertised on the sign must be located on a lot having no street frontage.
- (3) If more than one freestanding sign is permitted on a site, the freestanding signs must be separated by a minimum of 140 feet at their closest points.
- (4) Illumination and glare.
 - (a) To avoid unreasonably distracting pedestrians or motorists, illumination from or upon any sign shall be shielded or directed so as to avoid undue brightness, glare, or reflection of light on private or public property. Illumination shall be adjusted to ensure there is no undue brightness. "Undue brightness" is illumination in excess of 0.3 footcandles above ambient light conditions.
 - (b) Internally illuminated signs shall be designed to emphasize the lighting of the sign text, message, and/or symbols while minimizing the lighting of the background of the sign face. The colors of the sign, letters and background shall remain fixed and not changing.
 - (c) Where indirect illumination is used to light a sign, the light source shall be placed no farther away from the sign than the height of the sign.
 - (d) Indirectly illuminated signs shall be arranged so that no direct rays of light are projected from such artificial source into residences or any street right-of-way.
- (5) All signs, except for signs of limited duration, must be constructed of durable, maintainable materials. Signs that are made of materials that deteriorate quickly or that feature impermanent construction are not permitted. For example, plywood or plastic sheets without a sign face overlay or without a frame to protect exposed edges are not permitted.
- (6) When required by WMC 21.44.080, signs are constructed of the following materials (when not required, these materials are encouraged):
 - (a) Sign frames are wood, anodized metal or concrete;
 - (b) Sign faces are anodized metal, wood, or bronze.
 - (c) Sign mountings are wood, stone, concrete, masonry, or structural metal;
 - (d) Plastic is discouraged, except when used for backlit lettering.
- (7) Signs that project over pedestrian walkways or sidewalks shall maintain a minimum sign clearance of eight feet as illustrated in Figure 21.44.060(7). If the sign projects over a City right-of-way, permission for the projection from the City is required.

Figure 21.44.060(7)
Sign Clearance



- (8) When required by WMC 21.44.080, sign face background colors (color behind the lettering and symbols) are prescribed as follows using the Pantone color system as a reference (when not required, these background colors are encouraged):

Color	Pantone Numbers:
Red	181, 188, 194, 202, 208, 216, 222, 229, 235, 242, 262, 478, 483, 506, 518 or darker or duller (more black or green added to the color)
Yellow/Brown	133, 140, 147, 154, 161, 168, 174, 464, 469, 478, 491, 499 or darker or duller (more black or violet added to the color)
Blue	269, 276, 281, 289, 296, 302, 309, 533, 540, 548 or darker or duller (more black or orange added to the color)
Green	316, 322, 329, 336, 343, 554, 562, 567, 574 or darker or duller (more black or red added to the color)
Gray	404, 409, 416, 425, 431, 437, 444, 450 or darker or duller (more black added to the color)

- (9) Required frame colors around are for use on the frames of freestanding signs and are prescribed as follows using the Pantone color system as a reference.

Color	Pantone Numbers:
White/ cream	All
Red	181, 188, 194, 202, 208, 216, 222, 229, 235, 242, 262, 478, 483, 506, 518 or darker or duller (more black or green added to the color).
Yellow/Brown	133, 140, 147, 154, 161, 168, 174, 464, 469, 478, 491, 499 or darker or duller (more black or violet added to the color)
Blue	269, 276, 281, 289, 296, 302, 309, 533, 540, 548 or darker or duller (more black or orange added to the color)
Green	316, 322, 329, 336, 343, 554, 562, 567, 574 or darker or duller (more black or red added to the color)
Gray	404, 409, 416, 425, 431, 437, 444, 450 or darker or duller (more black added to the color)

21.44.070 Special sign provisions.

- (1) Signs advertising fuel prices.
- (a) The fuel and the price of fuel shall not be included in the sign area calculations provided the sign area of the fuel and price does not exceed 20 square feet and is limited to one per street frontage;
 - (b) Signs advertising fuel and the price of fuel only shall not count towards the maximum number of signs allowed;

- (c) The fuel and the price of fuel may be displayed electronically provided it satisfies the requirements of a changing message electronic reader board sign and does not include any blinking or flashing lights.
- (2) Reader board signs.
 - (a) Non-electronic reader board permanent signs are permitted in commercial and mixed-use zones.
 - (b) Changing message electronic reader board permanent signs are permitted in the Public/Institutional zone, excluding Public/Institutional zoned districts adjoining the Central Business District zone, as follows:
 - (i) May substitute for a freestanding or building sign provided (a) the number does not exceed one, and (b) the total size of the face of the reader board sign including the cabinet does not exceed 32 square feet;
 - (ii) The electronic message may not change more frequently than every four seconds;
 - (iii) The sign may only advertise school or community events or activities; and
 - (iv) The sign lights are limited to a single color and must be a warm-toned off-white or similar color.
- (3) Electronic changing messages. Changing message electronic signage may be incorporated into a freestanding or building sign provided it displays the date, time, and/or temperature only and is limited to permanent signs in the Central Business District, General Business, Office, Public/Institutional, and Industrial zones.
- (4) Window signs. Window signs are allowed without a permit subject to the sign area not exceeding 20 percent of the transparent area of the window.
- (5) Shingle signs. Each tenant may display a single shingle sign that projects perpendicular to the wall of the building it is attached to, provided the sign (a) is no larger than three square feet in surface area, (b) satisfies clearance requirements, and (c) does not extend more than three feet from the wall, excluding mounts, or beyond an existing weather protection cover. A shingle sign satisfying these requirements does not count towards the number of allowable signs.
- (6) Directional signs. On-site direction signs shall not be subject to the size or number of sign limitation set forth in this chapter, provided the sign does not exceed six square feet in total surface area of the sign and are limited to one for each entrance or exit to surface parking areas, parking structures, drive-through lanes, or as determined by the Development Services Director for safe circulation.
- (7) Community bulletin board signs. Community bulletin board signs are allowed as follows:
 - (a) In Residential zones, community bulletin board signs are only permitted at public schools, police stations, fire stations or other public facilities but cannot exceed 32 square feet in sign area;
 - (b) In the Public/Institutional, Office, Tourist Business and Neighborhood Business zones, community bulletin board signs are permitted but cannot exceed 40 square feet in sign area;
 - (c) In the Industrial zone, community bulletin board signs are permitted but cannot exceed 60 square feet in sign area; and
 - (d) In the Central Business District and General Business zones, community bulletin board signs are permitted but cannot exceed 100 square feet in sign area.

21.44.080 Sign size and design requirements.

Permanent building and freestanding signs are permitted in each zone provided they satisfy the size and design requirements set forth in this section. Signs may be subject to additional design

standard requirements set forth in the commercial and industrial design standards in **Chapters XX and XXX**.

(1) Building signs. Building signs are permitted as prescribed in Table 21.44.080(1).

Table 21.44.080(1) Building Signs Size and Design Requirements

Standard	Residential Zones		Mixed-Use/ Commercial Zones	Industrial Zones	Other Zones
	R-1, R-4, R-6, R-8	R-12, R-18, R-24, R-48	NB, TB, CBD, GB, O	I, T/I	P/I, P
Maximum Number	1		• 1 per tenant per building façade not to exceed two signs per tenant • Plus 1 per building		1
Maximum Height	No point of a sign may protrude above the highest point of the roof or break the plane of the roof (See WMC 21.44.040(7))				
Maximum Sign Area	8% of Building Façade Area not to exceed 10 sq. ft	8% of Building Façade Area not to exceed 20 sq. ft	8% of Building Façade Area		
Background Colors	Required (See WMC 21.44.060(8))		Not Required		Required (See WMC 21.44.060(8))
Illumination	Prohibited		Allowed (See WMC 21.44.060(4))		
Sign Materials	Plastic prohibited		Sign face encouraged to be constructed of anodized or treated metal, wood, masonry, tile, or neon. Plastic is discouraged.		
Mounting Projection	Maximum protrusion from facade is 1 foot				
Sign Frames	Frame must be concealed or integrated with the building using similar materials and colors				

(2) Freestanding signs. Freestanding signs are permitted as prescribed in Table 21.44.080(2).

Table 21.44.080(2) Freestanding Signs Size and Design Requirements

Staff Comment. This table is based on current code. However, the requirement for minimum letter size is deleted due to this not being practical to implement.

Standard	Residential Zones		Mixed-Use/ Commercial Zones	Industrial Zones	Other Zones
	R-1, R-4, R-6, R-8	R-12, R-18, R-24, R-48	NB, TB, CBD, GB, O	I, T/I	P/I, P
Maximum Number	1 per site entrance		<ul style="list-style-type: none">1 per street frontagePlus 1 for each 250 feet of street frontage		1 per site entrance
Maximum Height	6 feet		10 feet		6 feet
Maximum Sign Area per Sign face	20 square feet		<ul style="list-style-type: none">Smaller of 1% of gross floor area tenant/building space; or1 sq. ft. per 4 lineal feet of street frontage;With a minimum 25 sq. ft. and a maximum 75 sq. ft. allowed		20 square feet
Maximum Number of Sign Faces	2				
Background Colors	Required (See WMC 21.44.060(8))		Not Required		Required (See WMC 21.44.060(8))
Illumination	Prohibited		Allowed (See WMC 21.44.060(4))		Prohibited
Sign Frame and Base	Base must be solid, and use City materials and frame colors (See WMC 21.44.060(6) & (9))		Base must be solid, or use double post; and use City frame colors (See WMC 21.44.060(9))		Base must be solid, and use City materials and frame colors (See WMC 21.44.060(6) & (9))
Landscaping	One square foot per each square foot of sign area (all fractions rounded up). Landscaping must include living trees, shrubs, and/or floral displays				
Property Line Setback	Minimum of 5 feet				

- (3) Allowance for larger signs. The following allowances set forth in Table 21.44.080(3) may be authorized for signs in the mixed-use, commercial, and industrial zones provided the requirements set forth in Table 21.44.080(3) are satisfied.

Table 21.44.080(3) Larger Sign Allowances

Type of Sign	Maximum Allowances	Requirements
Building	<ul style="list-style-type: none"> Sign Area: Increased to 12% of Building Façade Area 	<ul style="list-style-type: none"> Must use background colors, materials, and required frame colors set forth in WMC 21.44.060(6), (8), & (9); and Must have no backlighting of the sign, except logos and lettering.
Freestanding	<ul style="list-style-type: none"> Sign Area: Smaller of 1% of gross floor area tenant/building space; or One sq. ft. per 4 lineal feet of street frontage With the maximum increased to 100 sq. ft. allowed 	<ul style="list-style-type: none"> Must use background colors, materials, and required frame colors set forth in WMC 21.44.060(6), (8), & (9); Must have no backlighting of the sign, except logos and lettering; and Must incorporate two of the following elements into the sign: <ol style="list-style-type: none"> The sign is designed to reflect architectural features of the building or site; Two square feet per each square foot of sign area (all fractions rounded up) and include strong vertical elements, such as tall shrubs and/or trees; A fountain or other similar water feature that is incorporated into the design of the sign and landscaping.
	<ul style="list-style-type: none"> Maximum height increased to 15 feet 	

21.44.090 Master signage plan.

- (1) A master signage plan shall be prepared for all new commercial, office or industrial projects or any multitenant buildings or group of buildings having four or more tenant or occupant spaces on a lot or combination of lots subject to a common development permit or plan. Existing developments desiring to achieve conformance with this code shall be permitted to apply for a master sign plan retroactively. A “common development permit or plan” means any grading, building, sign, or other permit issued by the city which is for the complex, building(s) as a whole or four or more tenants.
- (2) Master signage plans shall be evaluated and may be approved based upon the following criteria:
 - (a) Placement. All signs shall be placed where they are sufficiently visible and readable for their function. Factors to be considered shall include the purpose of the sign, its location relative to traffic movement and access points, site features, structures, and sign orientation relative to viewing distances and viewing angles.
 - (b) Size. Signs shall be no larger than necessary for visibility and readability. Factors to be considered in determining appropriate size shall include topography, volume and speed of traffic, visibility range, proximity to adjacent uses, amount of sign copy, placement of display (location and height), lettering style, and sign proportions and dimensions. The Planning Commission may approve height and sign area deviations that achieve these purposes.
 - (c) Number of Signs. The total number of building and freestanding signs shall not exceed the standards set forth in WMC 21.44.080, except additional monument signs may be approved if any one of the following criteria are satisfied:

- (i) There are at least two separate street frontages, excluding curved frontages of greater than 120 degrees;
 - (ii) There are at least three separate access points with a minimum distance of 300 feet separating an access point from other access points on the property;
 - (iii) The sign is necessary, and the applicant demonstrates that the business, property, or complex could not be identified without the additional signage.
 - (d) Additional monument signs authorized pursuant to WMC 21.44.090(2)(c) must be separated by at least 140 feet from all other monument signs on the site and the size requirements for freestanding signs, or as approved by the Planning Commission, may not be exceeded.
 - (e) Materials. Sign materials shall be compatible with architectural and/or natural features of the project. This may be accomplished through similarity of materials for sign structures and faces, the use of complementary colors, similarity of architectural style, or the use of a consistent lettering style or copy.
 - (f) Illumination. Sign illumination shall be consistent with WMC 21.44.060(4).
 - (g) Design. All building signs including those for individual tenants are required to be similar in location, configuration, materials, and construction; must be architecturally integrated into the building; and employ a coordinated color scheme. The background colors and required frame colors set forth in WMC 21.44.060(8) and (9) shall apply to all building signs.
- (3) Application. An application for a master signage plan shall include the following information:
- (a) A completed application form;
 - (b) A legal description of the property, property address or a location description from the nearest public right-of-way intersection if an address is not available, and the associated tax parcel number;
 - (c) Owner authorization form identifying the individual representing the property owner's interest in the project permit;
 - (d) A narrative description of the common theme for signage within the development, how it relates to architectural and/or landscaping elements of the development, and how the master signage plan relates to each of the criteria set forth in WMC 21.44.090(2);
 - (e) A site plan that includes the following:
 - (i) A layout of the development including buildings, roads, walkways, etc.;
 - (ii) Proposed locations and types of signage;
 - (iii) Standards for size, qualities, materials, and illumination;
 - (iv) Information showing compliance with WMC 21.44.080;
 - (f) Other information as required by the director to determine compliance with this chapter.
- (4) Master signage plans are reviewed pursuant to WMC 21.82.070. In conducting review of a master signage plan, the decision authority shall seek architectural compatibility between the subject building(s) and proposed future signage on the basis of location, dimensions, area, illumination and possible limitation on materials and colors.
- (5) All such signage in a master signage plan should not propose to exceed the overall allowed square footage of signage but may include, for example, an increase in the amount of wall signage with a decrease in the amount of freestanding signs.
- (6) After approval of a master signage plan, no sign shall be erected except in conformance with the approved plan, and such plan may be enforced in the same way as any provision of this chapter. The approved master signage plan may be amended by filing a new application that conforms with the requirements of the ordinance then in effect.

21.44.100 Signs or displays of limited duration.

The following signs or displays are allowed on a temporary or limited duration. The signs set forth in this section are in addition to any other signs allowed by this chapter. Unless specified otherwise a sign permit is required and temporary signs are required to be on the premises of the use it supports.

(1) Special Event Signs.

- (a) One special event sign per premises is allowed to announce grand openings or other special events or promotions, for not more than 30 days for any one event. A property owner may apply for one annual sign permit for all special events on the site within a 12-month period, or sign permits may be granted for each special event. Special event signs are allowed on or inside a building, on or adjacent to the premises; none are to be allowed on public right-of-way, trees, or where prohibited pursuant to WMC 21.44.040.
- (b) Temporary signs or banners for organized multi-tenant onsite promotions may be allowed for up to five days, with up to two sign permits authorizing such signage per year.
- (c) Noncommercial advertisement seasonal lights and decorations associated with season or holiday do not require a sign permit.
- (d) A special event sign shall not exceed 32 square feet in sign area measured pursuant to WMC 21.44.050(1)(b) and may be no higher than the building eave or cornice if a building sign, or 10 feet above the ground surface if a freestanding sign.

(2) Construction Signs.

- (a) Construction signs that identify architects, engineers, planners, contractors or other individuals or firms involved with the construction or funding of a project and signs announcing the character of the project or the purpose for which the project is intended may be displayed.
- (b) One nonilluminated, double-faced sign is permitted for each public street upon which the project fronts.
- (c) Construction signs shall not exceed 32 square feet in sign area measured pursuant to WMC 21.44.050(1)(b) and may be no higher than 10 feet above the ground surface or located closer than 30 feet from the property lines of adjoining properties.
- (d) Construction signs must be removed by the date of issuance of the first occupancy permit for the site, or cessation of the construction, whichever occurs first.

(3) Political Signs.

- (a) Unless specified otherwise, temporary political signs do not require a sign permit.
- (b) Temporary signs, posters or bills located at the headquarters of a political party, candidate or public service office, or a public issue decided by ballot are permitted. All such signs, posters or bills shall comply with the size and design requirements set forth in WMC 21.44.080.
- (c) Temporary political signs may be located offsite as follows:
 - (i) Where such signs are located within a public right-of-way, sign area as measured pursuant to WMC 21.44.050(1)(b), shall not exceed four square feet and the sign shall not exceed four feet in height;
 - (ii) Where such signs are located on private property, sign area as measured pursuant to WMC 21.44.050(1)(b), shall not exceed 32 square feet in size and the sign shall not exceed six feet in height when a freestanding sign or exceed the height allowed for building signs when a building sign;
 - (iii) Temporary political signs within public rights-of-way may have the height increased, and temporary political signs attached to a building that are made

- of wood or metal may be allowed, provided such signs obtain a sign permit to verify safety and structural review.
- (d) Temporary political signs shall not be divided into smaller signs as a means for circumventing the requirements set forth in WMC 21.44.100(3)(c)(i) and (ii).
 - (e) Political signs, posters or bills may be displayed from the closing date for filing for an election until seven days after the general election. It shall be the responsibility of the candidate to have their campaign/political signs removed or the City may remove such signs at the candidate's expense.
 - (f) No person, firm or corporation shall post, paint, nail, fasten or affix a political sign, poster, bill, or other advertising device of any kind on any streetlight, crosswalk, curb, curbstone, lamppost, street sign, utility pole, hydrant, tree, shrub, or public building or structure. Temporary political signs must be installed in such a manner as not to constitute a traffic hazard or impair or impede pedestrian thoroughfares. No political sign placed within the public right-of-way shall be installed within the median of the roadway or create a safety hazard for pedestrians or motorists as determined by the director.
 - (g) Temporary political signs shall not include any message pertaining to commercial speech.
- (4) Real Estate Signs. All temporary real estate signs can be single- or double-faced signs:
- (a) Single-Family Residential Real Estate Signs. Signs advertising an individual residential unit for sale or rent shall be limited to one sign per street frontage on site. The sign may not exceed eight square feet in sign area and, when freestanding, shall not exceed six feet in height. The sign shall be removed within 30 days after closing of the sale, lease, or rental of the property. A sign permit is not required.
 - (b) Commercial or Industrial Real Estate Signs. On-site commercial or industrial property for sale or rent signs shall be limited to one sign per street frontage on site and shall not exceed 32 square feet in sign area. The sign shall not exceed 12 feet in height when freestanding. The sign shall be removed within 30 days after closing of the sale, lease, or rental of the property. A sign permit is required and shall be issued for a one-year period. The sign permit is renewable for one-year increments up to a maximum of two renewals.
 - (c) Multifamily or Neighborhood Residential Real Estate Signs. On-site residential neighborhood or multifamily complex for sale or rent sign shall be limited to one sign per development. The sign shall not exceed 32 square feet in sign area and shall not exceed 12 feet in height when freestanding. A sign permit is required and shall be issued for a one-year period. The sign permit is renewable for one-year increments up to a maximum of two renewals.
 - (d) Other real estate signs are permitted pursuant WMC 21.44.100(7).
- (5) Community Event Signs.
- (a) Community event signs shall be limited to announcing or promoting a nonprofit sponsored community fair, festival or a special event.
 - (b) Community event signs may be displayed no more than 30 days before the event.
 - (c) Community event signs shall be removed by the event sponsor within 72 hours following the end of the community fair, festival or a special event.
 - (d) On-premises and off-premises signs for recurring community events may be allowed annually by a sign permit.
- (6) Street Banners Announcing Community Fairs, Festivals, and Special Events.
- (a) Street banners shall be limited to announcing or promoting a nonprofit sponsored community fair, festival, or a special event.
 - (b) Street banners shall be permitted only within the Central Business District and Tourist Business zone at locations approved by the City.

- (c) Street banners may be displayed for no more than 30 days and shall be removed within five days following the end of the community fair, festival, or a special event. It shall be the responsibility of the event sponsor to remove the street banner, or the City will remove such banner and retain the application deposit.
 - (d) The event sponsor shall provide a certificate of insurance evidencing commercial general liability insurance as described in the street banner application form provided.
 - (e) The event sponsor shall submit site placement and street banner mounting plans and specifications with the application.
 - (f) The minimum street clearance of the banner is 18 feet between the bottom of the banner and the top surface of the street.
- (7) Portable Signs in Residential Zones. Portable signs that display information regarding directions to real estate, garage sale, or other events are permitted in all residential zones subject to the following requirements. Portable signs in the Tourist District Overlay shall also be subject to **WMC 21.26.010** and Chapter 8.12 WMC for special event requirements.
- (a) A sign permit is not required for portable signs.
 - (b) A maximum of six portable signs per destination may be permitted.
 - (c) Portable signs may be located on property owned or controlled by the sign owner or in the public right-of-way, subject to the following requirements:
 - (i) Portable signs may not be located in a street, on a sidewalk, or where they would obstruct vehicular, bicycle or pedestrian traffic.
 - (ii) Portable signs may not be placed on public property other than public rights-of-way.
 - (iii) Portable signs may only be placed in residential zones.
 - (iv) Portable signs shall not block the sight distance triangle pursuant to WMC 21.22.190.
 - (v) Portable signs placed in public rights-of-way shall:
 - (A) Not create a traffic safety or maintenance problem; the City may remove and dispose of any signs that do create a safety or maintenance problem.
 - (B) Be freestanding.
 - (C) Not be attached to any structure or vegetation.
 - (D) Not be attached to utility poles, traffic signs, or street signs.
 - (d) Size. All portable signs are limited to a maximum six square feet of sign area as measured pursuant to WMC 21.44.050(1)(b). Signs may have no more than two sign faces with each face allowed six square feet of sign area.
 - (e) Height. All portable signs are limited to a maximum height of three feet.
 - (f) Duration of Display. Portable signs may be displayed only during the hours of the event plus an additional half an hour before and after the event to place and remove the signs. It is the responsibility of the sign owner to remove the sign outside the hours of the event. The City may remove any portable sign that is displayed outside the hours of the event.
 - (g) Limitations.
 - (i) Portable signs shall be nonilluminated.
 - (ii) Portable signs in residential zones are intended only to provide directions to events within residential zones.
 - (iii) No landscaping may be damaged or modified to accommodate portable signs. The City may require replacement of any damaged landscaping.
 - (h) Appearance and Maintenance. Signs shall be constructed of durable materials by a person skilled in the art of graphic design and shall be well maintained.
 - (i) Portable signs that do not comply with the provisions of this section may be confiscated by the City subject to WMC 1.06.330.

- (8) Portable Signs in the Central Business District, Neighborhood Business, Tourist Business, General Business or Office Zones. Portable signs in the Central Business District, Neighborhood Business, Tourist Business, General Business or Office zones are permitted subject to the following requirements. Portable signs in the Tourist District Overlay shall also be subject to **WMC 21.26.010** and Chapter 8.12 WMC for special event requirements.
- (a) Permit Required. Portable signs shall be subject to an annually renewable permit.
 - (b) Number of Signs Permitted. One portable sign per premises is permitted.
 - (c) Location. Portable signs may be placed in the zone in which the business is located, in conformance with the following requirements:
 - (i) Signs may be placed within public right-of-way, but not within a street or on a sidewalk.
 - (ii) Signs shall be located either on-premises or adjacent to the property line for that property where the business is located.
 - (iii) Signs placed within public right-of-way shall not block pedestrian, bicycle, or vehicle traffic.
 - (iv) Signs may not be placed on public property other than public rights-of-way.
 - (v) Signs shall not block the sight distance triangle pursuant to **WMC 21.22.190**.
 - (d) Size. All portable signs are limited to a maximum six square feet of sign area as measured pursuant to WMC 21.44.050(1)(b). Signs may have no more than two sign faces with each face allowed six square feet of sign area.
 - (e) Height. All portable signs are limited to a maximum height of three feet.
 - (f) Duration of Display. Portable signs may be displayed only during the hours of operation of the establishment. It is the responsibility of the sign owner to remove the sign when the establishment is not open to the public. The City may remove any portable sign that is displayed outside the operation hours of the establishment.
 - (g) Limitations.
 - (i) Portable signs shall be nonilluminated.
 - (ii) No landscaping may be damaged or modified to accommodate portable signs. The City may require replacement of any damaged landscaping.
 - (h) Appearance and Maintenance. Signs shall be constructed of durable materials by a person skilled in the art of graphic design and shall be well maintained.
 - (i) Portable signs that do not comply with the provisions of this section may be confiscated by the City subject to WMC 1.06.330 and may have their sign permit revoked.
 - (j) The Director may approve departures from the number, location and/or height of portable signs if written findings and conclusions are made and the following approval criteria are satisfied:
 - (i) The strict enforcement of the standard creates an unnecessary hardship for the property not of the property owner's own making;
 - (ii) The departure is necessary because of special circumstances relating to the size, shape, topography, location, or surroundings of the subject property;
 - (iii) Application of the standard would deprive the property of rights and privileges enjoyed by other properties in the vicinity and under the same zone; and
 - (iv) The departure does not create health and safety hazards.
- (9) Portable Signs in Industrial Zones. Portable signs in Industrial zones that display information regarding commercial businesses or services are permitted in Industrial zones subject to the following requirements. Portable signs in the Tourist District Overlay shall also be subject to **WMC 21.26.010** and Chapter **8.12** WMC for special event requirements.
- (a) Permit Required. Portable signs shall be subject to an annually renewable permit.
 - (b) Number of Signs Permitted. Two signs per premises are permitted.
 - (c) Location. Portable signs may be placed in the Industrial zones in conformance with the following requirements:

- (i) Portable signs may be placed within public right-of-way, but not within a street or on a sidewalk.
- (ii) Portable signs placed within public right-of-way shall not block pedestrian, bicycle, or vehicle traffic.
- (iii) Portable signs may not be placed on public property other than public rights-of-way.
- (iv) Portable signs shall not block the sight distance triangle pursuant to WMC 21.22.190.
- (k) Size. All portable signs are limited to a maximum six square feet of sign area as measured pursuant to WMC 21.44.050(1)(b). Signs may have no more than two sign faces with each face allowed six square feet of sign area.
- (d) Height. All portable signs are limited to a maximum height of three feet.
- (e) Duration of Display. Portable signs may be displayed only during the hours of operation of the establishment. It is the responsibility of the sign owner to remove the sign when the establishment is not open to the public. The City may remove any portable sign that is displayed outside the operation hours of the establishment.
- (f) Limitations.
 - (i) Portable signs shall be nonilluminated.
 - (ii) No landscaping may be damaged or modified to accommodate portable signs. The City may require replacement of any damaged landscaping.
- (g) Appearance and Maintenance. Signs shall be constructed of durable materials by a person skilled in the art of graphic design and shall be well maintained.
- (h) Portable signs that do not comply with the provisions of this section may be confiscated by the City subject to WMC 1.06.330 and may have their sign permit revoked.
- (10) Unless otherwise regulated by this chapter, temporary signs not removed by the applicable post-event deadline will be subject to removal by the City and any and all costs associated with such removal may be assessed against the person(s) responsible for having the temporary signs put on display, the owner of the temporary sign and/or the sponsor(s) of the event or sale for which the temporary signs were put on display.

Chapter 21.45 Wireless Services

Staff Comment. This is derived from Chapter 21.37 WMC with federal regulatory updates incorporated.

Sections:

21.45.010	Purpose.
21.45.020	Nondiscrimination.
21.45.030	Applicability and exemptions.
21.45.040	Permitted locations.
21.45.050	Prohibited locations.
21.45.060	Development standards.
21.45.070	Concealment.
21.45.080	Radio frequency standards.
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21.45.200	Special standards for small cell wireless.

21.45.010 Purpose.

The purpose of this chapter is to establish design, permitting, and placement standards for wireless service facilities that:

- (1) Provide adequate wireless communication coverage to the residents of the city, the traveling public, and others within the city's jurisdiction;
- (2) Protect property values and promote tourism through protection of scenic vistas of mountains, tree-covered hillsides, and the valley floor;
- (3) Provide adequate sites for locating wireless facilities;
- (4) Encourage optimal colocation and sharing of new and existing facilities;
- (5) Establish development standards for wireless facilities that are least intrusive and consider the scale (height and mass), proximity to each other, and the informal landscaping that contribute to the distinctive setting of the community;
- (6) Maximize the use of any support structure and existing suitable structures and buildings in order to reduce the need to construct or install new support structures; and
- (7) Facilitate the use of public property and structures for wireless communication facilities to reduce impacts of such facilities upon residential and other properties; and
- (8) Protect the public health, safety and welfare.

21.45.020 Nondiscrimination.

The Federal Telecommunication Act (FTA) provides that the city shall not unreasonably discriminate among providers of functionally equivalent services.

21.45.030 Applicability and exemptions.

This chapter applies to all new and expansion and/ or alteration of wireless service facilities located within the boundaries of the City, except for the following:

- (1) Those communication facilities used for the primary purpose of public safety by a public agency, such as police, fire and 911 communication systems;
- (2) Wireless radio utilized for emergency communications in the event of a disaster and those authorized by a temporary use permit pursuant to WMC 21.23.090;
- (3) Antennas designed to receive television broadcast signals;
- (4) Antennas for receiving and sending of amateur radio devices or HAM radios provided:
 - (a) The height of the antenna, including any tower, does not exceed the maximum zoning height applicable to the property;
 - (b) The radio is owned and operated by a federally licensed amateur radio station operator, or is used exclusively for "receive only" antenna;
 - (c) Towers must be placed a distance from property lines of neighbors equal to, or greater than, the height of the tower, excluding the antenna;
 - (d) No lights of any kind shall be attached to, and no direct or indirect means of artificial illumination shall be employed on the antenna or tower;
 - (e) The tower shall not be used for commercial purposes, except as might be allowed by the zoning; and
 - (f) Towers must meet all applicable state and federal statutes, rules and regulations, including obtaining a building permit if required.
- (5) Antennas one meter or less in diameter or diagonal measurement, which is designed to receive direct broadcast satellite services, including direct-to-home satellite services;
- (6) Antennas one meter or less in diameter or diagonal measurement, which is designed to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instructional television fixed services, and local multipoint distribution services; and
- (7) Routine maintenance, repair, and replacement of wireless service facilities that do not qualify as a substantial change as defined in WMC 21.45.140.

21.45.040 Permitted locations.

Table 21.45.040 sets forth whether a specific type of wireless service facility is allowed in a zone and the zoning permit required.

Table 21.45.040 Wireless Service Facilities Permitted Locations

Type of Support Structure	Residential Zones		Commercial Zones		Industrial Zone	Other Zones
	R-1 – R-8	R-12 – R-48	NB, TB, GB, O	CBD	T/I, I	P/I, P
Utility pole in public right-of-way	WSF	WSF	WSF		WSF	WSF
Utility pole outside of public right-of-way	CU	CU	WSF		WSF	WSF
Electric transmission towers	WSF	WSF	WSF		WSF	WSF
Sports field light poles	CU	CU	WSF	WSF	WSF	WSF
Water tank mounted	WSF	WSF	WSF	WSF	WSF	WSF
Building mounted	WSF ⁴	WSF ⁴	WSF ⁵	WSF	WSF	WSF
Monopole support structure	CU	CU	CU	CU	CU	CU

Alternative support structure	WSF	WSF	WSF	WSF	WSF	WSF
Support structures not listed in table			CU	CU	CU	
Notes: 1. "WSF" means a Wireless Service Facilities permit is required to be obtained pursuant to the procedures set forth in WMC 21.80.050(2) and consistency with this chapter for the wireless service facility to be allowed. 2. "CU" means a Non-administrative Conditional Use Permit pursuant to WMC 21.84.010 is required to be obtained for the wireless service facility to be allowed. 3. If the box is blank, it means the type of support structure for a wireless service facility is prohibited in the zone. 4. Limited to nonresidential buildings. 5. Within the NB zone, mounting wireless services facilities to a single-story building is prohibited.						

21.45.050 Prohibited locations.

- (1) Lattice and guyed wire towers shall not be permitted in any zoning district.
- (2) Commercial advertising including billboards and business identification signs may not be used as alternative antenna support structures.
- (3) Construction and/or installation of towers is prohibited within the Tourist Business zone and the Tourist Industrial zone.

21.45.060 Development standards.

- (1) General.
 - (a) All portions of the wireless service facility shall be the minimum necessary to support the operation of the facility as certified by a licensed engineer.
 - (b) Where multiple facilities are proposed to be located in close proximity on the same site, the director may require support equipment to be housed in one equipment housing structure.
 - (c) Where a wireless service facilities are mounted to utility pole support structures located within public rights-of-way, the minimum distance separating facilities shall be 500 feet unless the applicant can demonstrate by engineering analysis that a lesser distance is warranted to avoid a significant gap in services for the service provider.
 - (d) The maximum height of a tower type of support structure is 120 feet measured from the existing grade to the top of the structure including antennas.
 - (e) The underlying zoning setbacks shall apply to wireless communication facilities.
 - (f) Utility pole support structures may be raised by up to 30 feet when vertical separation between multiple facilities mounted on the same pole is necessary provided the increase in height is the minimum necessary.
 - (g) No more than one wireless service facility is allowed on any single sports field light pole.
- (2) Antennas.
 - (a) Antenna arrays shall either be flush mounted within 12 inches of the support structure, or within 12 inches of the face of the building where it is attached;
 - (b) For building mounted wireless service facilities, antennas and any concealment structures surrounding the antennas may be mounted on the roof of a building if the building satisfies the design standards applicable to the zone. The height of the antenna and any concealment structure may exceed the applicable maximum zoning height by not more than 18 feet.
 - (c) Antennas mounted on top of utility pole support structures shall not extend outside of the circumference of the pole as measured at the base, except:

- (i) Antennas placed inside of a shroud may extend outside the circumference of the pole provided the diameter of the shroud does not exceed 1.25 multiplied by the diameter of the pole as measured at the base; or
 - (ii) Omni-directional antennas not exceeding four inches in width with a volume of 905 cubic inches or less each may be mounted on a single cross arm attached to the pole provided each antenna is separated from the nearest antenna by a horizontal airspace distance of at least three times the width of the larger antenna.
- (d) Antennas mounted on the side of utility pole support structures shall:
 - (i) Not have the furthest point of any antenna (including mounting brackets) extend more than one foot outside of the circumference of the pole measured at the point of attachment, except:
 - (ii) Omni-directional antennas may be mounted on a cross arm subject to the limitations set forth in WMC 21.45.060(2)(c)(ii).
- (3) Landscaping and screening. Tower type support structures and equipment enclosures shall be screened at the ground level from public ways and nearby properties with a minimum 10-foot-wide Type I landscaping pursuant to WMC 21.43.040.
- (4) Equipment enclosures mounted on utility pole support structures. Up to two small equipment housing structures containing ancillary facilities may be mounted to the outside of a support structure provided:
 - (a) It is not technically or economically feasible to locate ancillary facilities within the interior of the support structure;
 - (b) Each equipment housing structure shall not exceed 5.0 cubic feet in volume, nor protrude more 18 inches as measured perpendicular from the tangent point or surface where the equipment housing structure attaches to the support structure; and
 - (c) A minimum clearance of 10 feet is maintained between the bottom of the equipment housing structure and the ground or sidewalk below.
- (5) To the maximum extent feasible, additional equipment shall maintain the appearance intended by the original facility, including, but not limited to, color, screening, landscaping, mounting configuration, or architectural treatment.

21.45.070 Concealment.

- (1) For building mounted installations the following concealment techniques must be applied:
 - (a) Screening materials matching color, size, proportion, style, and quality with the exterior design and architectural character of the structure and the surrounding visual environment;
 - (b) Equipment enclosures, except conduits or cabling for power and/or data, must be concealed by locating the equipment inside an existing nonresidential building, or in an equipment enclosure structure, or underground;
 - (c) Other techniques that prevent the facility from visually dominating the surrounding area.
- (2) For tower-type support structure mounted installations, such as monopoles and similar tower-type structures, the following concealment techniques must be applied:
 - (a) All components associated with the wireless communication facility mounted on the exterior side of the structure shall be painted to match the predominant color of the support structure;
 - (b) The support structure shall be painted in a nonreflective color that matches the predominate visual background and/or adjacent architecture so as to visually blend in with the surrounding development;

- (c) Equipment enclosures, except for conduits or cabling for power and/or data, must be concealed by locating the equipment inside an existing nonresidential building, or in an equipment housing structure, or underground;
 - (d) Other techniques that prevent the facility from visually dominating the surrounding area.
- (3) For utility pole support structure installations, the following concealment techniques must be applied:
 - (a) Except for antennas mounted on top of a pole, all components associated with the wireless communication facility mounted on the exterior of the pole shall be painted to match the predominant color of the pole or utility attachments to the pole;
 - (b) Antennas mounted on top of the pole may be painted to match the pole, or may be painted to blend into the background;
 - (c) Equipment enclosures, except conduits or cabling for power and/or voice, video, or data lines, must be concealed by locating the equipment inside an existing nonresidential building, or in an equipment housing structure, or underground; and
 - (d) Other techniques that prevent the facility from visually dominating the surrounding area.
- (4) Prefabricated concrete and metal structures for equipment enclosures are not permitted unless treated with a façade giving the appearance of masonry or wood siding.

21.45.080 Radio frequency standards.

- (1) The wireless service facility shall comply with federal standards for radio frequency emissions. As a condition of approving a wireless service facility, the city may require monitoring reports showing compliance.
- (2) The applicant shall be responsible to ensure that the wireless service facility does not interfere with the reception of area television or radio broadcasts. If evidence is found that the wireless service facility is interfering with such reception, upon receiving written notice from the city, the applicant shall have 60 days to correct the problem, or the city may revoke or modify authorization to have the wireless service facility.

21.45.090 Security barrier.

If a security barrier is installed that includes a fence, wall or similar freestanding structure, the following shall apply:

- (1) The height of the structure shall not exceed six feet measured from the point of existing or finished grade, whichever is lower at the exterior side of the structure to the highest point of the structure.
- (2) A sight-obscuring vegetated landscaped barrier shall be installed and maintained to screen the structure and facilities from adjoining properties and city rights-of-way.
 - (a) Placement of landscape vegetation shall include areas outside of the barrier and shall obscure the site within 12 months.
 - (b) Landscaping and the design of the barrier shall be compatible with other nearby landscaping, fencing and freestanding walls.
- (3) If a chain-linked fence is used, it shall be painted or coated with a nonreflective color.

21.45.100 Colocation.

- (1) The owner of antenna support structures shall, to the extent commercially and technically reasonable, cooperate in good faith with other wireless service providers in making the support structure available for colocation of additional wireless services facilities.

- (2) Colocation of wireless service antennas and equipment to an existing wireless service facility, and which involves substantial changes pursuant to WMC 21.45.140, shall require obtaining a new zoning permit as prescribed for the type of support structure in WMC 21.45.040.

21.45.110 Lighting standards.

Except as specifically required by Federal Aviation Administration (FAA) or FCC regulations, antenna support structures shall not be illuminated. However, equipment enclosures may be illuminated for security reasons when compatible with the surrounding neighborhood.

21.45.120 Zoning permit required.

- (1) WMC 21.45.040 sets forth the zoning permit requirements for new wireless service facilities and existing wireless service facilities involving substantial change as set forth in WMC 21.45.140.
- (2) Zoning permits are not required for modifications to existing wireless service facilities exempt pursuant to WMC 21.45.030.

21.45.130 Additional application submittal requirements.

In addition to other submittal requirements prescribed by code, all applications for wireless service facilities shall include the following information in the number of copies prescribed by the director.

- (1) A copy of the Federal Communication Commission license and any other applicable licenses applicable to the intended use of the wireless service facilities.
- (2) A complete description of the proposed facility, including preliminary or conceptual drawings showing dimensions and other relevant information in which to evaluate the facility's compliance with this chapter. All plans shall include the maximum build-out of the proposed facility as anticipated by the applicant at the time of the application.
- (3) A site and landscaping plan showing:
 - (a) The location of all existing and proposed wireless service facilities on the site;
 - (b) Existing structures, trees and other significant site features;
 - (c) Information on the proposed landscape planting; and
 - (d) Information on the proposed concealment that will be employed.
- (4) Documentation demonstrating compliance with non-ionizing electromagnetic radiation (NIER) emissions standards adopted by the Federal Communications Commission.
- (5) Documentation showing that the proposed facility will not cause interference with other wireless communication facilities and telecommunication devices.
- (6) Signed statements that the owner/operator agrees to remove the wireless service facility within 90 days after that site's use is discontinued.
- (7) A lease agreement with the landholder, or franchise agreement if in a right-of-way, that:
 - (a) Allows the landholder to enter into leases with other providers; and
 - (b) Specifies that if the applicant fails to remove the facility upon 90 days of its discontinued use, the responsibility for removal falls upon the landholder.

21.45.140 Substantial change to existing wireless service facilities – defined.

A substantial change to an existing wireless services facility is a modification to the physical dimensions of an eligible support structure if the modification meets any one of the following criteria:

- (1) For tower type support structures, it increases the height of the tower by more than 10 percent or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10 percent or more than 10 feet, whichever is greater;
- (2) For tower type support structures, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than 20 feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;
- (3) For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no preexisting ground cabinets associated with the structure;
- (4) It entails any excavation or deployment outside the current site defined as the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site;
- (5) It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment; provided, however, that this limitation does not apply to any modification that is noncompliant only in a manner that would not exceed the thresholds identified above.

21.45.150 Maintenance of facilities.

The owner and/or operator of all wireless service facilities shall maintain their facilities in a good and safe condition and in a manner, which complies with all applicable Federal, State, and local requirements. If the owner and/or operator fails to maintain the facilities, the City may undertake the maintenance at the expense of the owner and/or operator or may revoke any permits pursuant to Chapter 21.12 WMC.

21.45.160 Abandonment of facilities.

Any wireless services facilities that is unused for more than 90 consecutive days is hereby declared abandoned. Abandoned facilities shall be removed no later than 90 days from the date of abandonment. Failure to remove an abandoned facility is declared a public nuisance and is subject to abatement actions and penalties set forth in Chapters 1.06 and 8.07 WMC. In the event that more than one wireless service provider is using the antenna support structure, the antenna support structure shall not be considered abandoned until all such users cease using the structure as provided in this section.

21.45.170 Wireless service facilities sign provisions.

- (1) No signs except as allowed by this section shall be erected or installed with any wireless service facilities. This section applies independently from sign regulations applicable to other uses on a site having a wireless services facility.
- (2) Up to four warning and/or security signs not to exceed 12-inches by 18-inches in size for each sign are permitted for wireless services facilities. Such signs may include emergency contact information and relevant information identifying the wireless service facility. If the facility has more than one service provider, one additional sign for each service provider satisfying the requirements of this section may be permitted.

21.45.200 Special standards for small cell wireless.

- (1) Except as modified by this section, all other requirements set forth in this chapter shall apply to small cell wireless.
- (2) Small cell wireless is allowed in all zoning districts;
- (3) Small cell wireless and distributed antenna systems involving small cells are subject to an administrative Type 1 decision review, unless their installation requires the construction of new support structures or installation of new or replacement utility pole support structures in which case the requirements set forth in WMC 21.45.040 apply.
- (4) Multiple site small cell wireless:
 - (a) A single permit may be used for multiple distributed antennas that are part of a larger overall distributed antenna system using small cell wireless;
 - (b) A single permit may be used for multiple small cells spaced to provide wireless coverage in a contiguous area.

Chapter 21.46

Essential Public Facilities

Staff Comment. This is derived from Chapter 21.32 WMC. State law defines what constitutes an essential public facility. Essential public facilities are not subject to local zoning regulations, but a jurisdiction can impose reasonable conditions to mitigate impacts from the essential public facility.

Sections

21.46.010	Authority.
21.46.020	Purpose.
21.46.030	Inventory of essential public facilities.
21.46.040	Siting and expansion of local essential public facilities.
21.46.050	Siting and expansion of state and regional essential public facilities.
21.46.060	Permit conditions.
21.46.070	Preapplication meeting.
21.46.080	Public involvement.
21.46.090	Consultant and legal review – advanced deposit.
21.46.100	Secure community transition facilities.

21.46.010 Authority.

This chapter is established to regulate the siting of essential public facilities pursuant to RCW 36.70A.200.

21.46.020 Purpose.

- (1) This chapter implements requirements under the Growth Management Act and the Woodinville Comprehensive Plan to establish a process for the siting and expansion of essential public facilities as necessary to support orderly growth and delivery of public services.
- (2) The purpose of this chapter is to promulgate regulations that ensure the timely, efficient and appropriate siting of essential public facilities while simultaneously acknowledging and mitigating the significant community impacts often created by such facilities.
- (3) Nothing in this chapter should be construed as an attempt to preclude the siting of essential public facilities in contravention of applicable State law.

21.46.030 Inventory of essential public facilities.

Essential public facilities include those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, regional transit authority facilities as defined in RCW 81.112.020, state and local correctional facilities, solid waste handling facilities, and inpatient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities as defined in RCW 71.09.020. The City currently hosts or borders the following essential public facilities:

- (1) The Brightwater regional wastewater treatment facility;
- (2) The Cascade recycling facility;
- (3) The Sound Transit/Metro park and ride facility;
- (4) The Olympic pipeline system;
- (5) Burlington Northern Santa Fe Railroad corridor;
- (6) State Route 522; and

- (7) State Route 202.

21.46.040 Siting and expansion of local essential public facilities.

- (1) Approval of a special use permit pursuant to Chapter 21.80 WMC and 21.84.070 is required before any local essential public facility may be located or expanded, regardless of the zoning district in which such facility is or is proposed to be located.
- (2) In addition to the approval criteria set forth in WMC 21.84.070(4), a local essential public facility shall be approved if the following conditions are satisfied:
 - (a) The project sponsor has demonstrated a need for the project, as supported by a detailed written analysis of the projected service population, an inventory of existing and planned comparable facilities, and the projected demand for the type of facility proposed;
 - (b) The project sponsor has reasonably investigated alternative sites, as evidenced by a detailed explanation of site selection methodology, and as verified by the city and reviewed by any relevant associated jurisdictions and agencies;
 - (c) Necessary infrastructure is or will be made available to ensure safe transportation access and transportation concurrency to the extent required by applicable state and city regulations;
 - (d) Necessary infrastructure is or will be made available to ensure that public safety responders have capacity to handle increased calls or expenses that will occur as the result of the facility;
 - (e) The facility will not unreasonably increase noise level in residential areas, especially at night;
 - (f) Visual screening will be provided that will mitigate the facility's visual impacts from streets and adjoining properties;
 - (g) The facility is not located in any residential zoning district, except to the extent provided herein;
 - (h) The facility meets all provisions of this title for development within the underlying zoning district, except to the limited extent provided in this subsection. If a local essential public facility does not meet all such provisions, the applicant must demonstrate that compliance with such provisions would preclude the siting of all similar facilities anywhere within the city.
 - (i) The project sponsor's public participation plan has allowed for public participation in the siting decision and with respect to appropriate mitigation measures;
 - (j) The project will not result in an unnecessarily disproportionate burden of essential public facilities on a particular geographic area of the city; and
 - (k) Any and all probable significant adverse environmental impacts are adequately mitigated.
- (3) The decision criteria set forth in this section shall not be applied in such a manner as to preclude the siting or expansion of local essential public facilities in the city. In the event that a local essential public facility cannot, by the imposition of reasonable conditions, satisfy the decision criteria set forth in this section with respect to the applicant's preferred site, the decision authority shall either:
 - (a) Deny the special use permit with respect to the requested site, and require the local essential public facility to be located on one of the investigated alternative sites, if the proposal can be reasonably conditioned to meet the decision criteria at the alternative site; or
 - (b) Approve the siting or expansion of the local essential public facility at the requested site with such reasonable conditions of approval as may be imposed to mitigate the

impacts of the proposal to the maximum extent practicable, if there is no reasonable alternative site on which the decision criteria can be met.

21.46.050 Siting and expansion of state and regional essential public facilities.

- (1) Approval of a special use permit pursuant to Chapter 21.80 WMC and 21.84.070 is required before any state or regional essential public facility may be located or expanded, regardless of the zoning district in which such facility is or is proposed to be located.
- (2) **In addition to the approval criteria set forth in WMC 21.84.070(4),** a state or regional essential public facility shall be approved if the following conditions are satisfied:
 - (a) Necessary infrastructure is or will be made available to ensure safe transportation access and transportation concurrency;
 - (b) Necessary infrastructure is or will be made available to ensure that public safety responders have sufficient capacity to handle increased calls or expenses that will occur as the result of the facility;
 - (c) All capital costs associated with on-site and off-site improvements necessitated by the facility are borne by the project sponsor to the extent legally permissible;
 - (d) The facility will not unreasonably increase noise levels in residential areas, especially at night;
 - (e) Visual screening will be provided that will mitigate the visual impacts from streets and adjoining properties;
 - (f) Any and all probable significant adverse environmental impacts, including but not limited to impacts to wetlands, shorelines and wildlife habitat, are adequately mitigated;
 - (g) Any other applicable criteria set forth in this title are satisfied; and
 - (h) The public health, safety and welfare are adequately protected.
- (3) The decision criteria set forth in this section shall not be applied in such a manner as to preclude the siting or expansion of a state or regional essential public facility in the City. In the event that a state or regional essential public facility cannot satisfy the criteria set forth in this section, the decision authority shall approve the siting or expansion of the state or regional essential public facility with such reasonable conditions as may mitigate such impacts to the maximum extent practicable. The decision authority cannot impose conditions in such a manner as to preclude the siting or expansion of any state or regional essential public facility in the city.

21.46.060 Permit conditions.

The decision authority may apply reasonable conditions as necessary to ensure that a proposed essential public facility does not unreasonably impact public health, safety, welfare or the environment. Such conditions may include, but are not limited to the following:

- (1) Limiting the manner in which the use is conducted such as restricting the time during which an activity may occur, and restraints to minimize the effects of noise, vibration, air pollution, glare, and odor;
- (2) Limiting the height, size or location of buildings or structures;
- (3) Increasing setbacks, open space, or landscape screening;
- (4) Limiting the location and intensity of outdoor lighting, and/ or requiring shielding thereof; and
- (5) Imposing special conditions to reasonably ensure the use's conformance with the surrounding neighborhood and the intent and purpose of the underlying zoning district;
- (6) Other reasonable measures necessary to mitigate impacts caused by the proposed use.

21.46.070 Preapplication meeting.

Prior to submitting a special use permit application, a sponsor of an essential public facilities is encouraged to schedule a preapplication meeting pursuant to WMC 21.80.060 to provide the City information about potential sites and to discuss possible siting incentives and mitigation measures.

21.46.080 Public involvement.

The special use permit application process shall include a public participation plan designed to encourage early public involvement in the siting decision and to assist in determining possible mitigation measures. Informational public meetings within the city shall be scheduled pursuant to this process, the number of which shall be determined by the director based upon consideration of the size, complexity, and estimated impacts of the proposed facility. The director shall determine the format and location(s) for the meetings and shall require that public notice and meeting summaries acceptable to the city shall be either prepared or funded by the essential public facilities sponsor.

21.46.090 Consultant and legal review – advanced deposit.

The director may require the sponsor of a proposed essential public facility to provide an advance deposit with the city to pay the reasonable cost of legal and/or independent consultant review of the proposed essential public facilities. Said advanced deposit and payment of costs shall be separate from and in addition to any other required fee. The advanced deposit shall be set at a level reasonably consistent with the anticipated cost of review based on the size, complexity and estimated impacts of the proposal, as determined by the director. The Director may require the sponsor to periodically supplement the advanced deposit to the extent necessary to ensure payment of the review. Any unexpended funds shall be returned to the applicant following the final decision on the underlying special use permit application.

21.46.100 Secure community transition facilities.

- (1) The siting of secure community transition facilities as defined by RCW 71.09.020 shall be governed by the applicable provisions of Chapter 71.09 RCW and this section.
- (2) The decision authority may impose reasonable conditions upon the granting of a special use permit for a secure community transition facility, pursuant to applicable provisions of the Woodinville Municipal Code, provided, that with respect to the subject matters specifically addressed in RCW 71.09.285 through 71.09.340, the decision authority shall not impose any condition more restrictive than the requirements specifically addressed by those sections. This subsection shall not be construed as limiting any authority the decision authority may have to impose conditions of a type that are not specifically addressed by RCW 71.09.285 through 71.09.340. The State Department of Social and Health Services (DSHS) may voluntarily impose conditions upon its proposal that would be more restrictive than the requirements of RCW 71.09.285 through 71.09.340.
- (3) The City hereby acknowledges and adopts the siting policy guidelines developed by DSHS pursuant to RCW 71.09.285 and 71.09.290 and such guidelines must be satisfied in deciding an application for a secure community transition facility.
- (4) With respect to the siting of secure community transition facilities, nothing in this section shall be construed to be a regulation more restrictive than the minimum requirements (RCW 71.09.285 through 71.09.340). The decision authority may ignore any regulation herein that is determined to be more restrictive than the minimum requirements.

Chapter 21.47 Landmark Protection and Preservation

Staff Comment. This is derived from Chapter 21.33 WMC.

Sections:

- 21.47.010 Purpose.
- 21.47.020 Interlocal agreement between the City and King County.
- 21.47.030 Woodinville historical landmark designations.
- 21.47.040 Landmarks and Heritage Commission.
- 21.47.050 King County Code sections adopted.
- 21.47.060 Review of building and related permits.
- 21.47.070 Reuse of facilities – Standards for conversion of historic buildings.

21.47.010 Purpose.

The purpose of this chapter is to:

- (1) Designate, preserve, protect, enhance, and perpetuate those sites, buildings, districts, structures, and objects which reflect significant elements of the City's, County's, State's and nation's cultural, aesthetic, social, economic, political, architectural, ethnic, archaeological, engineering, historic and other heritage;
- (2) Foster civic pride in the beauty and accomplishments of the past;
- (3) Stabilize and improve the economic values and vitality of landmarks;
- (4) Protect and enhance the Woodinville tourist industry by promoting heritage-related tourism;
- (5) Promote the continued use, exhibition and interpretation of significant sites, districts, buildings, structures, and objects for the education, inspiration and welfare of the people of Woodinville;
- (6) Promote and continue incentives for ownership and utilization of landmarks;
- (7) Assist, encourage and provide incentives to public and private owners for preservation, restoration, rehabilitation and use of landmark buildings, sites, districts, structures and objects; and
- (8) Work cooperatively with other jurisdictions to identify, evaluate, and protect historic resources in furtherance of the purposes of this chapter.

21.47.020 Interlocal agreement between the City and King County.

To help implement this chapter, the City and King County shall enter into an interlocal agreement providing a cooperative effort for historical landmark designation and protection services inside the City.

21.47.030 Woodinville historical landmark designations.

The following sites have been designated as Woodinville historical landmarks:

- (1) Hollywood School House at 14810 NE 145th Street;
- (2) Hollywood Farms at 14111 NE 145th Street;
- (3) DeYoung House at 14121 NE 171st Street;
- (4) Woodinville School House at 17301 133rd Avenue NE; and
- (5) Additional sites may be added to this list consistent with this chapter.

21.47.040 Landmarks and Heritage Commission.

- (1) The King County Landmarks and Heritage Commission established pursuant to Chapter 20.62 of the King County Code is hereby designated and empowered to act as the Landmarks Commission for the City of Woodinville pursuant to the provisions of this chapter and the interlocal agreement.
- (2) The special member of the King County Landmarks and Heritage Commission provided for in Section 20.62.030 of the King County Code shall be appointed by the Mayor of Woodinville subject to confirmation by the Woodinville City Council.
 - (a) The special member shall have a demonstrated interest and competence in historic preservation.
 - (b) Appointment shall be for a three-year term and with a special member serving until a successor is duly appointed and confirmed.
 - (c) In the event of a vacancy, an appointment shall be made to fill the vacancy in the same manner and with the same qualifications as if at the beginning of the term, and the person appointed to fill the vacancy shall hold the position for the remainder of the unexpired term.
 - (d) The special member may be reappointed but may not serve more than two consecutive three-year terms. A special member shall be deemed to have served one full term if the special member resigns at any time after appointment or if the special member serves more than two years of an unexpired term.
 - (e) The special member shall serve without compensation except for out-of-pocket expenses incurred in connection with commission meetings or programs. The City shall reimburse such expenses incurred by the special member.

21.47.050 King County Code sections adopted.

The following sections of Chapter 20.62 of the King County Code are adopted which are incorporated by reference herein and made a part of this chapter:

- (1) KCC 20.62.020 – Definitions, except Subsection 20.62.020.H is changed to read “‘Director’ is the City Manager per Chapter 2.09 WMC, or a person appointed by the City Manager to administer this chapter.
- (2) KCC 20.62.040 – Designation Criteria, except all references to “King County” are changed to read “Woodinville.”
- (3) KCC 20.62.050 – Nomination Procedure.
- (4) KCC 20.62.070 – Designation Procedure, except all references to “King County” are changed to read “Woodinville.”
- (5) KCC 20.62.080 – Certificate of Appropriateness Procedure, except the last sentence of paragraph A thereof.
- (6) KCC 20.62.100 – Evaluation of Economic Impact.
- (7) KCC 20.62.110 – Appeal Procedure.
- (8) KCC 20.62.130 – Penalty for Violation of Section 20.62.080.
- (9) KCC 20.62.140 – Special Valuation for Historic Properties.
- (10) KCC 20.62.150 – Historic Resources – Review Process, except all sections but the final sentence of Subsection 20.62.150.B(4) and the entirety of Subsection 20.62.150.C thereof.

21.47.060 Review of building and related permits.

The official responsible for the issuance of building and related permits shall promptly refer applications for permits which “affect” historic buildings, structures, objects, sites, districts, or archaeological sites to the King County Historic Preservation Officer (HPO) for review and

comment. For the purposes of this section, “affect” shall be defined as an application for change to the actual structure, on a property with a landmark structure or designated as a landmark property, or on an adjacent property sharing a common boundary line. The responsible official shall seek and take into consideration the comments of the HPO regarding mitigation of any adverse effects affecting historic buildings, structures, objects, sites, or districts.

21.47.070 Reuse of facilities – Standards for conversion of historic buildings.

To ensure that significant features of the property containing historical landmarks are protected, the following standards shall apply to conversion of historic buildings:

- (1) Gross floor area of building additions or new buildings required for the conversion shall not exceed 20 percent of the gross floor area of the historic building, unless a larger floor area is specifically authorized by the zone;
- (2) Conversion to multifamily units shall comply with the underlying zoning residential density or residential floor area ratio as applicable; and

Any construction required for the conversion shall require certification of appropriateness from the King County Landmarks Commission.

Chapter 21.48 Adult Entertainment

Staff Comment. This is derived from Chapter 21.25 WMC. The name is changed from Sexually Oriented Business to Adult Entertainment. Additional revisions may still be warranted.

Sections:

21.48.010	Purpose and intent.
21.48.020	Findings of fact in support of this chapter.
21.48.030	Definitions applicable to this chapter.
21.48.040	Prohibition.
21.48.050	Permit required.
21.48.060	Application submittal requirements.
21.48.070	Issuance of permit.
21.48.080	Licenses required for adult entertainment businesses – Fees.
21.48.090	Licenses for managers, entertainers, escorts, or nude or semi-nude models – Fee.
21.48.100	Temporary licenses for managers and entertainers.
21.48.110	Due date for license fees.
21.48.120	Manager on premises.
21.48.130	License nontransferable.
21.48.140	License – Posting and display.
21.48.150	Specifications – Adult cabarets and adult theaters.
21.48.160	Standards of conduct and operation applicable to adult cabarets.
21.48.170	Regulations.
21.48.180	Regulations applicable to video stores not qualifying as adult entertainment businesses.
21.48.190	Exemptions.
21.48.200	License – Name of business and place of business.
21.48.210	Inspections.
21.48.220	Hours of operation.
21.48.230	Alcohol prohibited.
21.25.240	Recordkeeping requirements.
21.48.250	Denial of license or permit – Procedures – Appeal.
21.48.260	Suspension or revocation of license/permit.
21.48.270	Limitations of liability.
21.48.280	Violations and Penalties.
21.48.290	Public nuisance.

21.48.010 Purpose and intent.

- (1) It is the purpose of this chapter to regulate adult entertainment establishments and related activities, including their patrons to promote the health, safety, moral and general welfare of the City, and to establish reasonable and uniform regulations to prevent the deleterious location of adult entertainment establishments inside the City.
- (2) It is not the intent of this chapter to impose limitations or restrictions on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent of this chapter to restrict or deny access by adults to sexually oriented materials protected by the State and Federal Constitutions, or to deny access by the distributors and exhibitors of sexually oriented material to their intended market.
- (3) It is not the intent of the City that it should be the purpose or effect of this chapter to condone or legitimize the distribution of obscene materials.

21.48.020 Findings of fact in support of this chapter.

Based upon a wide range of evidence presented to the Woodinville City Council and to other jurisdictions, including but not limited to the testimony of law enforcement officers and members of the public, and on other evidence, information, publications, articles, studies, documents, case law and material submitted to and reviewed and considered by the City Council and staff, the councils of other cities within the region and in other jurisdictions, nonprofit organizations and other legislative bodies, the City Council makes the following findings:

- (1) Certain conduct occurring on premises offering adult entertainment creates secondary impacts that are detrimental to the public health, safety and general welfare of the citizens of the City, and therefore such conduct must be regulated as provided herein.
- (2) Regulation of the adult entertainment business industry through permitting and/or licensing is necessary because, in the absence of such regulation, significant criminal activity has historically and regularly occurred.
- (3) It is necessary to license entertainers in the sexually oriented industry to prevent the exploitation of minors; to ensure that each such entertainer is an adult; and to ensure that such entertainers have not assumed a false name, which would make regulation of the entertainer difficult or impossible.
- (4) The evidence supporting the need to protect minors and families from the criminal and other unlawful activities associated with the operation of adult entertainment businesses is compelling. The provisions of this chapter are necessary to ensure that sexually oriented uses are conducted a reasonable distance away from places where minors regularly gather, often in large numbers.
- (5) It is necessary to have a licensed manager on the premises of adult entertainment businesses at such times as such establishments are offering adult entertainment business so there will, at all necessary times, be an individual responsible for the overall operation of the establishment, including the actions of patrons, entertainers and other employees.
- (6) The license fees required herein are nominal fees imposed as necessary cost recoupment measures designed to help defray the substantial expenses incurred by the City in regulating the adult entertainment businesses, and in increased police costs in enforcement.
- (7) Businesses providing adult entertainment businesses are increasingly associated with ongoing prostitution, disruptive conduct and other criminal activity. Such businesses are currently not subject to effective regulation and constitute an immediate threat to the public peace, health and safety. The hours of operation of such businesses have a significant impact on the occurrence of illegal drug transactions, and other criminal activities.
- (8) Due to the information presented regarding the connection of prostitution with adult entertainment businesses, there is concern over sexually transmitted diseases which is a legitimate health concern of the City and thus requires regulation of adult entertainment businesses in order to protect the health, safety and well-being of the public.
- (9) Many cities, including Seattle and Tacoma, have experienced negative secondary impacts from adult entertainment business land uses. The skid row effect is one of these secondary impacts and is evident in certain parts of Seattle. Such an effect would be significantly magnified in Woodinville due to the difference in size and characteristics of the City.
- (10) The City may rely on the experiences and studies of other cities, counties and organizations in assessing the need for regulation of adult entertainment business use, operations and licensing.
- (11) The City takes notice of studies and experiences of other cities and counties in combating the specific adverse impacts of adult entertainment businesses.
- (12) Regulation of adult entertainment businesses should be developed to prevent deterioration and/or degradation of the vitality of the community before the problem exists, rather than in response to an existing problem.

- (13) Increased levels of criminal activities occur in the vicinity of adult entertainment businesses. Additionally, hidden ownership interests for the purpose of skimming profits, avoiding payment of taxes, and racketeering have historically occurred in adult entertainment businesses, in the absence of regulations.
- (14) The City Council therefore finds that the protection and the preservation of the public health, safety and welfare requires establishment of this chapter.
- (15) There are sufficient important and substantial government interests to provide a constitutional basis for reasonable regulation of time, place, and manner under which adult entertainment businesses can operate.
- (16) It is not the intent of this chapter to unconstitutionally suppress any speech activities protected by the First Amendment of the United States Constitution or Article I, Section 5 of the Washington State Constitution but to enact content neutral chapters which address the secondary effects of adult entertainment businesses, as well as the health problems associated with such businesses.
- (17) In a family community, adult entertainment businesses are not uniformly compatible with community standards, as defined during the numerous public hearings.
- (18) The law enforcement resources available for responding to problems associated with or created by adult entertainment businesses are limited and are best conserved by regulating and licensing adult entertainment businesses and those associated with them.
- (19) To assure that all conditions, regulations, etc., are met, the City has established a reasonable time period for review of license applications.

21.48.030 Definitions applicable to this chapter.

For the purposes of this chapter, certain terms and words are defined as follows:

- (1) "Adult entertainment business" means those businesses defined as follows:
 - (a) "Adult arcade" means an establishment containing any individual viewing areas or booths, where, for any form of consideration, one or more still or motion picture projectors, slide projectors, or similar machines, or other image producing machines are used to show films, motion pictures, video cassettes, slides, or other photographic reproduction of specified sexual activities or specified anatomical areas.
 - (b) "Adult bookstore," "adult novelty store," or "adult video store" means a commercial establishment which has 30 percent or more of its inventory or floor space used for the sale or rental, for any form of consideration, any one or more of the following:
 - (i) Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides, or other visual representations or sexually oriented paraphernalia or novelty items, which are characterized by the depiction, description or reproduction of specified sexual activities or specified anatomical areas; or
 - (ii) An establishment may have other primary business purposes that do not involve the offering for sale or rental of materials depicting, describing, or reproducing specified sexual activities or specified anatomical areas, and still be categorized as adult bookstore, adult novelty store, or adult video store. Such other business purposes will not serve to exempt such establishments from being categorized as an adult bookstore, adult novelty store, or adult video store so long as 30 percent or more of its inventory or floor space is offering for sale or rental, for some form of consideration, the specified materials which depict or describe specified anatomical areas or specified sexual activities.
 - (iii) Video stores that sell and/or rent video tapes or other photographic reproductions and associated equipment shall come within this definition if 30

- percent or more of the inventory or floor space includes the rental or sale of video tapes or other photographic reproductions or associated equipment which are characterized by the depiction, description or reproduction of specified sexual activities or specified anatomical areas.
- (c) "Adult cabaret" means a nightclub, bar, restaurant, or similar commercial establishment, whether or not alcoholic beverages are served, which features:
 - (i) Persons who appear semi-nude or nude; or
 - (ii) Live performances which are characterized by the exposure of specified anatomical areas or by specified sexual activities.
 - (d) "Adult motel" means a hotel, motel, or similar commercial establishment which:
 - (i) Offers sleeping accommodation to the public for any form of consideration and provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas; or has a sign visible from the public right-of-way which advertises the availability of this adult type of photographic reproductions; or
 - (ii) Offers a sleeping room for rent for a rental fee period of time that is less than 20 hours; or
 - (iii) Allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than 20 hours.
 - (e) "Adult motion picture theater" means a commercial establishment where films, motion pictures, video cassettes, slides, or similar photographic reproductions characterized by the depiction or description of specified anatomical areas or specified sexual activities are shown for any form of consideration.
 - (f) "Adult theater" means a theater, concert hall, auditorium, or similar commercial establishment which, for any form of consideration, features persons who appear live in a semi-nude or nude state, or live performances which are characterized by the exposure of specified anatomical areas or specified sexual activities.
 - (g) "Escort agency" means a person or business association that furnishes, offers to furnish, or advertises to furnish escorts as its business purpose for a fee, tip, or other consideration. This shall not include any escort service offered by a charity or nonprofit organization for medical assistance or assistance to the elderly or infirm.
 - (h) "Nude or semi-nude model studio" means any place where a person, who appears nude or semi-nude, or displays specified anatomical areas, is provided for money or any other form of consideration, to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons.
- (2) "Barker" means any person who is located at the entrance of or outside of an adult entertainment business and attempts to solicit business for the same by using voice or gestures.
 - (3) "Clerk" means such city employees or agents as the City Manager shall designate to administer this chapter or any designee thereof.
 - (4) "Employee" means any and all persons, including managers, entertainers, and independent contractors who work in or at or render any services directly related to the operation of any adult entertainment business of live entertainment, adult theater, or adult use establishments, whether or not such person is paid compensation by the operator of said business.
 - (5) "Entertainer" means any person who provides adult entertainment live entertainment in an adult cabaret or adult theater, whether or not they are an employee of the business and whether or not a fee is charged or accepted for such entertainment, and whether or not nude, semi-nude or clothed.

- (6) "Manager" means any person who manages, directs, administers, or is in charge of, the affairs and/or the conduct of an adult entertainment business.
- (7) "Escort" means a person who provides services for an escort service as defined herein, who, for consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.
- (8) "Establishment" means any of the following:
 - (a) The opening or commencement of any adult entertainment business as a new business; or
 - (b) The conversion of an existing business, whether or not an adult entertainment business, to any adult entertainment businesses defined herein; or
 - (c) The addition of any of the adult entertainment businesses defined herein to any other existing adult entertainment business; or
 - (d) The relocation of any such adult entertainment business; or
 - (e) An existing adult entertainment business.
- (9) "Nude or state of nudity" means the appearance or less than complete and opaque covering of the human anus, male genitals, female genitals, or the areola or nipple of the female breast.
- (10) "Operator" means the owner, significant stockholder or significant owner of interest, permit holder, custodian, manager, operator, or person in charge of any permitted or licensed premises.
- (11) "Permitted and/or licensed premises" means any premises that requires a license and/or permit and that is classified as an adult entertainment business.
- (12) "Permittee and/or licensee" means a person in whose name a permit and/or license to operate an adult entertainment business has been issued, as well as the individual listed as an applicant on the application for a permit and/or license.
- (13) "Person" means any individual, firm, joint venture, co-partnership, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver or any other group or combination acting as a unit.
- (14) "Semi-nude" means a state of dress in which clothing completely and opaquely covers no more than the genitals, pubic region, and areola and nipple of the female breast, as well as portions of the body covered by supporting straps or devices.
- (15) "Specified anatomical areas" means any of the following:
 - (a) Less than completely and opaquely covered human genitals, pubic region, anus, or areola of the female breasts or any artificial depiction of the same; or
 - (b) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.
- (16) "Specified criminal activities" means any conviction for acts which are sexual crimes against children, sexual abuse, rape, or distribution of obscenity or erotic material to minors, prostitution, pandering, or racketeering.
- (17) "Specified sexual activity" means any of the following:
 - (a) The fondling or other intentional touching of human genitals, pubic region, buttocks, anus, or female breasts; or
 - (b) Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy; or
 - (c) Masturbation, actual or simulated; or
 - (d) Human genitals or artificial depictions of the same in a state of sexual stimulation, arousal or tumescence; or
 - (e) Excretory functions as part of or in connection with any of the activities set forth in WMC 21.48.030(18)(a) through (d).

- (18) "Adult entertainment live entertainment" means a live performance which is characterized by the performer's exposure of specified anatomical areas or performance of specified sexual activities.
- (19) "Obscenity" means the definition of lewd material provided by RCW 7.48.050, including any matter:
 - (a) Which the average person applying contemporary community standards would find, when considered as a whole, appeals to the prurient interests in sex; or
 - (b) Which explicitly depicts or describes patently offensive representations or descriptions of:
 - (i) Ultimate sexual acts, normal or perverted, actual or simulated; or
 - (ii) Masturbation, fellatio, cunnilingus, bestiality, excretory functions or lewd exhibitions of the genital or genital areas; or
 - (iii) Violent or destructive sexual acts, including, but not limited to, human and/or animal mutilation, dismemberment, rape and/or torture; or
 - (iv) Has a dominant theme which appeals to the prurient interests of minors and sex; which is patently offensive because it affronts contemporary community standards relating the description of representation of sexual matters or sadomasochistic abuse; and
 - (c) Which when considered as a whole lacks serious, literary, artistic, political or scientific value.
- (20) "Transfer of ownership or control" of an adult entertainment business means any of the following:
 - (a) The sale, lease, or sublease of the business; or
 - (b) The transfer of securities which constitute a controlling interest in the business, whether by sale, exchange, or similar means; or
 - (c) The establishment of a trust, gift, or other similar legal device which transfers the ownership or control of the business, except for transfer by bequest or other operation of law upon the death of a person possessing the ownership or control.

21.48.040 Prohibition.

- (1) No person shall use any property or premises for an adult entertainment business, except in compliance with this chapter and the zones set forth in the use tables in Chapter 21.21 WMC.
- (2) No adult entertainment business shall be located within:
 - (a) 600 feet of the perimeter of the building or point of access in which any other adult entertainment business is located;
 - (b) 300 feet from any Office or Residential zone, except the single-family residential zoned areas to the west and east of the North Industrial Neighborhood (north of the Central Business District zone);
 - (c) 300 feet of any school, licensed daycare, public park, community center, public library, sports club with children's activities, or religious facilities which conduct religious or educational classes for minors; and
 - (d) In the South Industrial Neighborhood (west and south of the Central Business District zone).

21.48.050 Permit required.

- (1) No adult entertainment business shall be permitted to operate without a valid business permit consistent with this chapter.

- (2) The Clerk as defined in WMC 21.48.030(3) is responsible for administration and enforcement of permits and related licenses for adult entertainment businesses.
- (3) A permit under this chapter for an adult entertainment business shall be processed as a Type 1 decision pursuant to WMC 21.80.030 and the procedures for Type 1 decisions set forth in WMC 21.80.050(1). Application for a permit shall be on a form provided by the City. Each person desiring to operate an adult entertainment business shall file with the City an application supplied by the City.

21.48.060 Application submittal requirements.

- (1) The Clerk shall establish, and may revise as necessary, forms and written checklists that specify the submission requirements for an adult entertainment business.
- (2) A complete application shall contain the following information and shall be accompanied by the following documents:
 - (a) If the applicant is:
 - (i) An individual/sole proprietor: The individual/owner shall state their legal name and any aliases, stage names, or previous names, date of birth, social security number and submit satisfactory proof that they are 18 years of age or older.
 - (ii) A partnership: The partnership shall state its complete name, and the legal names of all partners, including their dates of birth, social security numbers, and submit satisfactory proof that each is 18 years of age and whether the partnership is general or limited, and a copy of the partnership agreement, if any.
 - (iii) A corporation: The corporation shall state its complete name, the date of its incorporation, evidence that the corporation is in good standing under the laws of the State of Washington, the legal names, dates of birth, social security numbers, proof that each is 18 years of age or older and the capacity of all officers, directors and principal stockholders, the name of the registered corporate agent, and the address of the registered office for service of process.
 - (iv) As a part of the application process, each officer, director, or principal stockholder, as defined above, shall provide an affidavit attesting to their identity and relationship to the corporation. Principal stockholder shall mean those persons who own 10 percent or greater interest in the adult entertainment business.
 - (b) Whether the applicant or any other individuals listed pursuant to WMC 21.48.060(4)(a)(i), (ii) and (iii) within a four-year period immediately preceding the date of the application has been convicted of a specified criminal activity and, if so, the specified criminal act involved, the date of conviction and the place of conviction.
 - (c) Whether the applicant or any of the other individuals listed pursuant to this section has, within the last four years, had a previous permit or license under this chapter or other similar ordinances from another city or county denied, suspended, or revoked, including the name and location of the adult entertainment business for which the permit or license was denied, suspended, or revoked, the entity denying the same, as well as the date of the denial, suspension, or revocation.
 - (d) Whether the applicant or any other entity listed pursuant to this section holds any other permits and/or licenses under this chapter, et seq., or other similar adult entertainment business license from another city or county and, if so, the names and locations of such other permitted businesses.
 - (e) The single classification of permit for which the applicant is filing.
 - (f) The location of the proposed adult entertainment business, including a legal description of the property, street address, and telephone number(s), if any.

- (g) The applicant's mailing address and residential address.
 - (h) Two two-inch by two-inch black and white photographs of the applicant, including any corporate applicants, taken within six months of the date of the application, showing only the full face of the same. The photographs shall be provided at the applicant's expense. The license, when issued, shall have affixed to it one such photograph of the applicant.
 - (i) The applicant or each corporate applicant's driver's license number and/or their State or Federally issued tax identification number.
 - (j) Each application shall be accompanied by a complete set of fingerprints of each person required to be a party to the application, including all corporate applicants as defined above, utilizing fingerprint forms as prescribed by the Chief of Police or their designee.
 - (k) In the case of all adult entertainment businesses, a sketch or diagram showing the configuration of the premises, including a statement of total floor space occupied by the business. The sketch or diagram must be professionally prepared and accepted by the City, and it must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six inches.
 - (l) The applicant shall be required to pay a preliminary nonrefundable processing fee established by resolution at the time of filing an application under this section. This is a processing fee. License fees shall also be required in the event the application is approved.
 - (m) Subsequent to the issuance of an adult entertainment business permit, If any person or entity acquires a significant interest in the licensed adult entertainment facility, notice of such acquisition shall be provided in writing to the Clerk within 21 calendar days following such acquisition and the person acquiring the interest shall submit a complete application to the City pursuant to this section within 45 calendar days of acquiring such interest. For the purpose of this section, "significant interest" means principal responsibility for management or operation of an adult entertainment business.
 - (n) Other information as required by the Clerk or required elsewhere in the Woodinville Municipal Code.
- (3) Applicants for a permit and/or license under this chapter shall have a continuing duty to promptly supplement application information required in the event that said information changes in any way from what is stated on the application.
 - (4) The applicant must be qualified according to the provisions of this section, must have a current City business license, and the premises must be inspected and found to comply with health, fire, and building codes of the City.

21.48.070 Issuance of permit.

- (1) The Clerk shall grant or deny an application for a permit under this chapter within 30 days from the date the application is determined complete, unless a reasonable cause for an extension is established.
- (2) The Clerk shall grant an application for an adult entertainment business unless one or more of the following criteria is present:
 - (a) Applicant is under 18 years of age, or will be employing a person under 18 years of age;
 - (b) Applicant is overdue on payment to the City of taxes, fees, fines, or has other unresolved penalties imposed on them relating to the adult entertainment business;
 - (c) Applicant failed to provide information required by this chapter, or the application contains false, misleading or incomplete information;

- (d) Applicant fails to comply with all provisions or requirements of this chapter;
 - (e) The premises to be used for the adult entertainment business is not in compliance with applicable laws and ordinances; or
 - (f) Applicant has been convicted, forfeited bail or other adverse finding for a specified criminal activity within the four years prior to the application submission date.
- (3) If a permit is granted, the permit shall be posted in a conspicuous place at or near the entrance to the adult entertainment business and can be easily read at any time.
 - (4) Permits for adult entertainment are valid until December 31 of each year and must be renewed by January 1 or the permit shall expire.

21.48.080 Licenses required for adult entertainment businesses – Fees.

- (1) No adult entertainment business shall be operated or maintained in the City unless the owner or operator has obtained an adult entertainment business permit as set forth above, and the applicable licenses from the City. For adult cabarets, the required license shall be the adult cabaret license set forth in WMC 21.48.080(2).
- (2) The annual license fee for an adult cabaret business and all other adult entertainment businesses shall be established by resolution. The amount shall be used for the cost of administration and enforcement of this chapter.
- (3) The above-referenced licenses expire annually on December 31 of each year and must be renewed by January 1 or the license shall expire.
- (4) The applicant must be 18 years of age or older.

21.48.090 Licenses for managers, entertainers, escorts, or nude or semi-nude models – Fee.

- (1) No person shall work or perform as a manager, entertainer, escort, or nude or semi-nude model at an adult entertainment facility without a valid manager's or entertainer's license issued by the Clerk.
- (2) All applications shall be submitted to the Clerk on a form supplied by the City and shall contain or be accompanied by all of the following information and documents:
 - (a) The date of the application.
 - (b) The legal name, any previous names, any aliases, any driver's license number, and the date of birth of the applicant.
 - (c) Documentation that the applicant has attained the age of 18 years. Any of the following shall be accepted as documentation of age:
 - (i) A valid driver's license issued by any State bearing the applicant's photograph and date of birth;
 - (ii) A valid identification card issued by any State bearing the applicant's photograph and date of birth;
 - (iii) An official passport issued by the United States of America;
 - (iv) An immigration card issued by the United States of America; or
 - (v) Any other form of identification that the Clerk determines to be acceptable.
 - (d) The height, weight, hair and eye color of the applicant.
 - (e) The present mailing and residential address of the applicant.
 - (f) The name and address of the adult entertainment facility at which the applicant will work or perform.
 - (g) A description of the primary activities or services to be rendered by the applicant at the adult entertainment facility.

- (h) Two two-inch by two-inch color photographs of the applicant, taken within six months of the date of the application, showing the full face of the applicant. The photographs shall be provided at the expense of the applicant.
 - (i) A complete set of fingerprints of the applicant, taken by a designated City official, on a form adopted and approved by the City Police Department.
 - (j) A statement whether the applicant has been convicted of a specified criminal offense, and if so, the date, place, and jurisdiction of each specified criminal offense.
 - (k) A statement whether the applicant holds any license issued under this chapter or under a similar ordinance from another city or county, and if so, the operating names and locations of the other licensed businesses.
 - (l) A statement whether the applicant has had a previous license issued under this chapter denied, suspended, or revoked, and if so, the name and location of the adult entertainment facility for which the license was denied, suspended, or revoked, as well as the date of the denial, suspension, or revocation.
 - (m) Authorization for the City, its agents, and employees to seek information to confirm any statements or other information set forth in the application.
- (3) The applicant shall verify under penalty of perjury that the information contained in the application is true to the best of their knowledge.
 - (4) An application shall be deemed complete upon receipt of all the information and documents requested by this section. Where necessary to determine compliance with this chapter, the Clerk may request information or clarification in addition to that provided in a complete application.
 - (5) Each manager's and entertainer's license application shall be accompanied by a nonrefundable application fee, the amount of which shall be established by resolution.
 - (6) In addition to the requirements of this chapter, an applicant for a manager's or entertainer's license must also obtain any other permits or licenses required by State or local laws or regulations.

21.48.100 Temporary licenses for managers and entertainers.

An applicant for a manager's or entertainer's license shall be issued a temporary license upon the City's receipt of a complete license application and fee. Said temporary license shall expire automatically on the fifteenth day following filing of a complete application and fee, unless the Clerk has failed to approve or deny the license application, in which case the temporary license shall be valid until the Clerk approves or denies the application, or until the final determination of any appeal from a denial of the application. In no event may the Clerk extend the application review time for more than an additional 20 days.

21.48.110 Due date for license fees.

All licenses required in this chapter must be issued and the applicable fees paid to the Clerk at least 14 calendar days before commencing work at an adult entertainment business, and on an annual basis as described above. The adult entertainment permit required by WMC 21.48.050 must only be renewed based on changed circumstances as set forth in WMC 21.48.060(2)(i). The fee structure for all fees and fines in this chapter shall be reviewed annually after a renewal has been applied for, to assure that the fees accurately reflect the cost of enforcement and administration of this chapter.

21.48.120 Manager on premises.

- (1) A licensed manager shall be on duty at all adult entertainment business premises at all times during which the business is open to customers, whether the business provides live or other performances. The manager shall be stationed at a location within the facility where they have an unobstructed view of all public portions of the facility.
- (2) The licensed manager on duty shall not be an entertainer.
- (3) It shall be the responsibility of the manager to verify that any entertainer who works or appears within the premises possesses a current and valid entertainer's license posted in the manner required by this chapter.

21.48.130 License nontransferable.

No license or permit issued pursuant to this chapter shall be transferable.

21.48.140 License – Posting and display.

- (1) Every entertainer, manager, escort or model shall post their license in their work area so that it is readily available for public inspection.
- (2) Every person, corporation, partnership, or association licensed under this chapter shall display its license in a prominent place within the establishment. In the case of adult cabarets, the name of the manager on duty shall be prominently posted during business hours.

21.48.150 Specifications – Adult cabarets and adult theaters.

- (1) Separation of adult entertainment performance area. The portion of adult cabaret, adult theater or any other premises in which adult entertainment business live entertainment is performed shall be a stage or platform at least 18 inches in elevation above the level of the patron seating areas, and shall be separated by a distance of at least 10 feet from all areas of the premises to which patrons have access. A continuous railing at least three feet in height and located at least six feet from all points of the adult oriented live entertainment performance area shall separate the performance area and the patron areas.
- (2) Lighting. A minimum lighting level of 30 lux semi-cylindrical measured at 30 inches from the floor on 10-foot centers shall be provided and equally distributed in and about the public portions of the cabaret or theater, including the patron seating areas, so that all objects are plainly visible at all times.
- (3) Submittal of Plans. Building plans and lighting calculations showing conformance with the requirements of this section shall be included with any application for an adult cabaret or adult theater business license.

21.48.160 Standards of conduct and operation applicable to adult cabarets.

- (1) Standards for Patrons, Employees and Entertainers. The following standards of conduct must be adhered to by patrons, entertainers and/or employees of adult cabarets at all times live performances are provided:
 - (a) No employee or entertainer may appear nude on any part of the premises open to view of members of the public, except in the entertainment performance area described in WMC 21.48.150(1). No entertainer may perform anywhere on the premises except in the entertainment performance area described above.

- (b) No patron or customer shall go into or upon the adult entertainment live performance area described in WMC 21.48.150(1).
- (c) No member of the public or employee or entertainer shall allow, encourage, or knowingly permit any person upon the premises to touch, caress, or fondle the breasts, buttocks, anus, pubic area, or genitals of themselves or another.
- (d) No member of the public or employee or entertainer shall allow, encourage, or permit physical contact between an employee or entertainer and any member of the public.
- (e) No employee or entertainer shall perform acts of or acts which simulate:
 - (i) Sexual intercourse, masturbation, bestiality, sodomy, oral copulation, flagellation, or any sexual acts the performance of which are prohibited by law; or
 - (ii) The touching, caressing, or fondling of the breasts, buttocks, pubic area, or genitals.
- (f) No employee or entertainer shall use artificial devices or inanimate objects to depict any of the prohibited activities described in this subsection.
- (g) No activity or entertainment occurring at or in an adult cabaret, nor any photograph, drawing, sketch or other pictorial or graphic representation of any specified sexual activities or specified anatomical areas, shall be visible at any time from outside the adult cabaret.
- (h) No entertainer or other employee employed or otherwise working at an adult cabaret or adult theater shall solicit, demand, accept, or receive either directly or indirectly any gratuity or other payment from a patron, customer, or member of the public except an initial entrance fee or similar fee set out by the premises.
- (i) It is unlawful for any entertainer, manager, or waitperson to perform more than one such function at an adult cabaret on the same business day.
- (j) No customer or patron of an adult cabaret shall give either directly or indirectly, or otherwise provide an entertainer with a gratuity or other payment, except an initial entrance fee or similar fee set out by the premises.
- (k) When not performing, entertainers are prohibited from being present in areas of the establishment that are open to the patrons of the establishment. Entertainers are required to use separate restroom facilities.
- (l) At least two signs of sufficient size to be readable at 20 feet shall be conspicuously displayed in the public area of the establishment stating the following:

THIS ADULT CABARET OR ADULT THEATER IS REGULATED BY THE CITY OF WOODINVILLE. ENTERTAINERS ARE:

 - Not permitted to engage in any type of sexual conduct;
 - Not permitted to appear nude except on stage;
 - Not permitted to appear semi-nude or clothed and dance or model, except on stage;
 - Not permitted to dance or model except on stage;
 - Not permitted to solicit, demand, accept, or receive directly or indirectly any gratuity or other payment from a patron.
- (m) There must be at least one employee not an entertainer on duty and situated in any public area at all times that any patron, member or customer is present inside the premises.
- (n) Doors to areas on the premises which are available for use by persons other than the owner, manager, operator or their agents or employees may not be locked during business hours.
- (o) No person may operate or maintain any warning system or device, of any nature or kind, for the purpose of warning or aiding and abetting the warning of patrons,

- members, customers or any other persons that police officers or health, fire or building inspectors are approaching or have entered the premises.
- (2) Standards for Owner or Operator of Adult Cabarets or Adult Theaters. At any adult cabaret or adult theater where live performances are provided:
- (a) Admission must be restricted to persons of the age of 18 years or more pursuant to RCW 9.68A.150; and the identification of all patrons must be checked by the employees of the premises.
 - (b) A minimum lighting level of 30 lux semi-cylindrical measured at 30 inches from the floor on 10-foot centers shall be provided and equally distributed in and about the public portions of the cabaret or theater, including the patron seating areas, so that all objects are plainly visible at all times.

21.48.170 Regulations.

All adult bookstores, adult novelty stores, adult arcades, or adult video stores having facilities for customers' viewing of depictions of human nudity and/or sexual conduct of any nature, including depictions of specified sexual activities, shall comply with the following regulations:

- (1) Construction/Maintenance.
- (a) The viewing areas within the adult entertainment adult arcade premises shall each be visible from a manager's station and shall not be obscured by any curtain, door, wall or other enclosure. As used in this section "viewing area" means the area where a patron or customer would be positioned while watching a film, video or other viewing device.
 - (b) All areas shall be maintained in a clean and sanitary condition at all times. A minimum lighting level of 30 lux semi-cylindrical measured at 30 inches from the floor on 10-foot centers shall be provided and equally distributed in and about the public portions of the cabaret or theater, including the patron seating areas, so that all objects are plainly visible at all times.
 - (c) Restrooms may not contain video reproduction equipment.
 - (d) No steps or risers are allowed in any adult arcade booth or station.
 - (e) No adult arcade station or booth shall have more than one stool type seat. In order to prevent obscuring the occupant of an adult arcade station or booth from view, no stool for seating within an adult arcade station or booth shall have any seat back or sides.
 - (f) All ventilation devices between the adult arcade booths must be covered by a permanently affixed ventilation cover. Ventilation holes may only be located one foot from the top of the booth walls or one foot from the bottom of the booth walls. There may not be any other holes or openings ("glory holes," etc.) in the booths.
 - (g) No person may operate any kind of warning device or system for the purpose of warning or aiding or abetting the warning of any patron, employee or other persons that the police, health, fire or building inspector or other public officials are approaching or entering the premises.
 - (h) The licensee shall not permit any doors to public areas on the premises to be locked during business hours.
 - (i) No person under 18 years of age shall be permitted in such premises. The employees shall check identification of all who enter.
- (2) Unlawful Conduct. The following conduct or activity is unlawful:
- (a) Masturbation or sexual activity of any kind in viewing booths;
 - (b) Two or more customers in a viewing booth at the same time;
 - (c) For the owner or manager to knowingly allow any of the disallowed conduct;
 - (d) Noncompliance with any other regulations set forth in this chapter.

- (3) Signs. At least two signs shall be conspicuously and permanently posted on the premises advising customers using viewing booths that:
 - (a) Masturbation in such booths is prohibited and unlawful;
 - (b) That it is unlawful for more than one customer to occupy a viewing booth at any time;
 - (c) Violations are subject to criminal prosecution.

21.48.180 Regulations applicable to video stores not qualifying as adult entertainment businesses.

Video stores that sell or otherwise distribute films, motion pictures, video cassettes, slides, or other visual representations, which are characterized by the depiction or description of specified sexual activities or specified anatomical areas, and less than 30 percent of their revenues, inventory or floor space includes such items, shall be subject to State regulations, and the following:

- (1) All such items as are described above shall be physically segregated and closed off from other portions of the store such that these items are not visible and/or accessible from other portions of the store.
- (2) No advertising for such items shall be posted or otherwise visible, except where such items are authorized by law for display.
- (3) Signs shall be posted at the entrance to the area where such items are displayed stating that persons under the age of 18 are not allowed access to the area where "erotic" items as defined by State statute and/or court order are displayed.
- (4) The manager or attendant shall take reasonable steps to monitor the area where such "erotic" items are displayed to ensure that persons under 18 years of age do not access the age-restricted area.
- (5) Rental or sale of obscene material (as defined herein) shall be considered a moral nuisance, and subject to abatement pursuant to this chapter and RCW 7.48.058.
- (6) Employees of such video stores shall check identification for the age of all persons renting or purchasing such "erotic" items.
- (7) The store shall not employ anyone under 18 if the store sells or otherwise distributes films, motion pictures, video cassettes, slides, or other visual representations which are characterized by the depiction or description of specified sexual activities or specified anatomical areas.

21.48.190 Exemptions.

This chapter shall not be construed to prohibit:

- (1) A person appearing in a state of nudity or semi-nudity, modeling in a class operated by: a proprietary school, licensed by the State of Washington; a college, junior college, or university supported entirely or partly by taxation; a private college university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or the modeling of clothing or lingerie in a full-service restaurant where no consideration is charged, whether directly or indirectly, specified anatomical areas are opaquely covered and not exposed by the model and the models are not within six feet of any patron of the restaurant;
- (2) Plays, operas, musicals, or other dramatic works that are not obscene;
- (3) Classes, seminars, and lectures held for serious scientific or educational purposes that are not obscene; or
- (4) Exhibitions, performances, expression or dances that are not obscene.

21.48.200 License – Name of business and place of business.

No person granted a permit and/or license pursuant to this chapter shall operate an adult entertainment business under a name not specified in their license, nor shall they conduct business under any designation or at a location not specified in their permit and/or license.

- (1) All books and records required to be kept pursuant to this chapter shall be open to inspection by the Chief of Police or designee of the City during the hours when the licensed premise is open for business. The purpose of such inspection shall be to determine if the books and records meet the requirements of this chapter.
- (2) The licensed premises shall be (as an implied condition of receiving an adult entertainment business permit and/or license) open to inspection by the City's Chief of Police, fire or health officials, or their designees during the hours when the adult entertainment business premises is open for business. The purpose of such inspection shall be to determine if the licensed premises is operated in accordance with the requirements of this chapter. It is hereby expressly declared that unannounced inspections are necessary to ensure compliance with this chapter.

21.48.220 Hours of operation.

It is unlawful for any adult entertainment business premises, except adult motels, to be conducted, operated, or otherwise open to the public between the hours of 1:00 a.m. and 4:00 p.m.

21.48.230 Alcohol prohibited.

Alcoholic beverages are prohibited from being served or present at any business subject to regulation under this chapter.

21.48.240 Recordkeeping requirements.

- (1) Within 30 days following each calendar quarter, each adult entertainment business licensee shall file with the Clerk a verified report showing the licensee's gross receipts and amounts paid to entertainers, models, or escorts, if applicable, for the preceding calendar year.
- (2) Each adult entertainment business licensee shall maintain and retain for a period of two years from the date of termination of employment, the names, addresses, and ages of all persons employed or otherwise retained as entertainers, models, and escorts by the licensee.

21.48.250 Denial of license or permit – Procedures – Appeal.

- (1) If the Clerk denies the granting of a license or permit under this chapter, or revokes the same pursuant to WMC 21.48.260, the applicant shall be notified in writing of the decision. The notice shall describe the reasons for the denial or revocation and the applicant's right to appeal pursuant to WMC 21.48.250(2).
- (2) Appeal of the Clerk's decision may be made by the applicant the same as an administrative appeal for a Type 1 decision set forth in Chapter 21.81 WMC.

21.48.260 Suspension or revocation of license/permit.

- (1) Whenever the Clerk finds or determines that any violation or change in circumstances of this chapter has occurred, a notice of violation pursuant to Chapter 1.06 WMC and suspension or revocation to the licensee or permit holder shall be issued.
- (2) The suspension or revocation of a license shall be immediately effective unless a stay is requested in the filing of an appeal. If a request for a stay is made, the licensee may continue to engage in the activity for which the license was issued pending the decision of the hearing examiner, unless the license was suspended or revoked based on a threat of immediate serious injury to public health or safety.
- (3) The Clerk may suspend any permit or license required by this chapter for:
 - (a) A period of 90 days upon the licensee's first violation of this chapter.
 - (b) A period of 180 days upon the licensee's second violation of this chapter.
 - (c) A period of two years upon the licensee's third, or any subsequent, violation of this chapter.
- (4) Notwithstanding the other provisions of this chapter, the Clerk may revoke or deny the renewal of any license required by this chapter for two years if the licensee has made any false or misleading statements or misrepresentations to the City.
- (5) Application for a new license may be made following the expiration of the applicable revocation period.

21.48.270 Limitations of liability.

None of the provisions of this chapter are intended to create a cause of action or provide the basis for a claim against the City, its officials, or employees for the performance or the failure to perform a duty or obligation running to a specific individual or specific individuals. Any duty or obligation created herein is intended to be a general duty or obligation running in favor of the general public.

21.48.280 Violations and Penalties.

- (1) It is unlawful for anyone who operates, knowingly allows, or causes to be operated an adult entertainment business contrary to or inconsistent with the provisions of this chapter.
- (2) It is unlawful for any entertainer, employee, or operator to knowingly work in or about or knowingly perform any service directly related to the operation of an unlicensed adult cabaret business.
- (3) Any person violating any provision(s) of this chapter shall be guilty of a misdemeanor. Any person convicted of such a violation shall be punished by a fine of not more than \$1,000 or a jail term of not more than 90 days, or both. Each such person is guilty of a separate misdemeanor for each and every day which any violation of this chapter is committed, continued, or permitted by any such person and said person shall be punished accordingly. Any persons violating any of the provisions of this chapter shall also be subject to license suspension or revocation and nuisance abatement as set forth herein.

21.48.290 Public nuisance.

Any adult entertainment businesses in violation of this chapter shall be deemed a public nuisance, which, in addition to all other remedies, may be abated by injunctive relief or pursuant to Chapter 8.07 WMC.



UNIFIED DEVELOPMENT CODE UPDATE PROJECT

January 26, 2022

Definitions

City-wide Uses

Wireless

Enforcement

Bulk
Standards

Use Tables

Signs

Administrative

Nonconformance

Lot Standards



Unified Development Code

Recap of Work

- January 15, 2020 – Introduction of Project/ Study
- Use Tables discussed during seven meetings in 2020
- Public outreach on Use Tables in January/ February 2021:
 - Social Media
 - Post card sent to community
 - Notified interested parties
 - Website
- Picked back up discussion in October and December 2021 with focus on size limitations on certain uses
- January 26 draft replaces November 29 draft containing further revisions/ edits, and updates



Unified Development Code

January 26 Draft – Definition Updates

- Add new definitions for “Decorative,” “Leadership in Energy and Environmental Design,” “Logo,” “Abandon Sign,” “Sign Base,” and “Sign Face/ Sign Area”
- Edits/ Revisions to “Finished Grade,” & “Incidental Signs”
- Add new use definition for “Airport/ Heliport”
- Edits/ Revisions to “Bed & Breakfast,” “Conference Center,” “Funeral Services,” “General Sales, Retail, or Service,” and “Local Recycling Collection Facility,”



Unified Development Code

Use Tables Updates

Table 21.21.050 Residential Use Table

Land Use	Residential Zones								Commercial Zones					Industrial Zones		Other Zones	
	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48	NB	TB	CBD	GB	O	T/I	I	P/I	P
Dwelling Unit, Single Detached	P	P	P	P	P	P											
Adult Family Home	P	P	P	P	P	P											
Dwelling Unit, Duplex	P	P	P	P	P	P				L							
Dwelling Unit, Attached (Townhome)		CU	CU	P	P	P	P	P		L	L						
Dwelling Unit, Multiple				P	P	P	P	P		L	L						
Dwelling Unit, Accessory ¹	A	A	A	A	A	A	A	A			A						
Manufacture/ mobile home park			L	L	L												
Group Residential Quarters					P	P	P	P		L	L						
Home Business Level 1 ²	A	A	A	A	A	A	A	A		A	A						
Home Business Level 2 ³	CU	CU	CU	CU	CU	CU											
Residential Accessory Uses	A	A	A	A	A	A	A	A		L	L						

Notes:

1. See WMC 21.41.020 for special development conditions applicable to accessory dwelling units.
2. See WMC 21.41.030 for special development conditions applicable to home business level 1
3. See WMC 21.43.020 for special development conditions applicable to a home business level 2.

*See Chapter 21.42 WMC for conditions applicable to "limited uses"

See WMC 21.21.030 for the complete meaning of symbols.

- "P" means the use is permitted outright in the zone;
- "L" means the use is categorized as "Limited Uses" in the zone and subject to specific conditions;
- "CU" means the use is categorized as "Conditional Uses" in the zone and subject to obtaining a conditional use permit;
- "SU" means the use is categorized as "Special Uses" in the zone and subject to obtaining a special use permit;
- "A" means the use is categorized as an "Accessory Use" in the zone and allowed only as an accessory to a primary use;
- If no symbol appears in the column under a specific zone, it means the use is prohibited in that zone.



Unified Development Code

Use Tables Updates

Table 21.21.090 Automotive, Heavy Equipment and Transportation Use Table

Land Use	Residential Zones								Commercial Zones					Industrial Zones		Other Zones	
	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48	NB	TB	CBD ¹	GB	O	T/I	I	P/I	P
Motor Vehicle/Vessel Sales, Rental, Service, and Repair Level 1											CU ²	CU ²		P	P	P	
Motor Vehicle/Vessel Sales, Rental, Service, and Repair Level 2															P	P	
Motor Vehicle Parts Sales											P	P		P	P		
Heavy Equipment/Machinery Sales, Service and Rental												P			P		
Fuel Service Station									P	P	CU ³	CU ³		P	P		
Vehicle Salvage, Towing Operators, and Impoundment Yards															P		
Ground Passenger and Transit Services											L	P	P	P	P		
Automotive Parking Facility Level 1										L	L	L		L	P	A	
Automotive Parking Facility Level 2										P	L	L		P	P	A	
Accessory Parking Facilities	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Long-Term Automotive Parking Facility												L			P		
Helipads											A ⁴	A ⁴				A ⁴	
Airports/landing fields ⁵															SU	SU	

Notes:

1. See WMC 21.42.040 for "active uses" limitations applicable in the CBD zone.
2. See WMC 21.43.040 for special development conditions applicable to motor vehicle/vessel sales, rental, service, and repair in the CBD and GB zone.
3. See WMC 21.43.030 for special development conditions applicable to fuel service stations in the CBD and GB zones.
4. See WMC 21.41.080 for special development conditions applicable to helipads.
5. Allowed only as an essential public facility pursuant to Chapter 21.46 WMC.

*See Chapter 21.42 WMC for conditions applicable to "limited uses"



Unified Development Code

Use Tables Updates

Table 21.21.100 Education, Public Administration, Healthcare and Other Institutional Use Table

Land Use	Residential Zones								Commercial Zones					Industrial Zones		Other Zones	
	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48	NB	TB	CBD ¹	GB	O	T/I	I	P/I	P
Public Administration/Safety Facilities	CU ²	CU ²	CU ²	CU ²	CU ²	CU ²	CU ²	CU ²			P	P		P	P	P	
Social Services											P					P	
Temporary Shelter										P	P	P		P		A	
Residential Care Facilities				P	P	P	P	P		L	L					P	
Long-Term Care Facilities									CU		P	P				A ³	
Daycare Facility Level 1	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	P		P	P		A	A	P	
Daycare Facility Level 2									P		P	P		A	A	P	
Hospital											P	P				P	
Ambulatory and Outpatient Clinics									P		P	P				A ³	
Veterinary Facilities									P		P	P		P	P	P	
Funeral Services												P			P		
Crematorium Facilities															P		
Cemetery												C					
Religious Facilities	CU	CU	CU	CU	CU	CU	CU	CU		P	P	P	P	P	P	P	A
Educational Facilities Level 1	A ⁵	A ⁵	A ⁵	A ⁵	A ⁵	A ⁵	A ⁵	A ⁵			L	L		L	L		
Educational Facilities Level 2	CU	CU	CU	CU	CU	CU	CU	CU			CU ⁶	CU ⁶		CU	CU	P	
Educational Facilities Level 3											CU ⁶	CU ⁶		CU	CU	CU	
School Bus Base ⁷															SU	SU	
Notes:																	
1. See WMC 21.42.040 for "active uses" limitations applicable in the CBD zone.																	



Unified Development Code

Use Tables Updates

Table 21.21.120 Other Use Table

Land Use	Residential Zones								Commercial Zones					Industrial Zones		Other Zones	
	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48	NB	TB	CBD ¹	GB	O	T/I	I	P/I	P
Electric Vehicle Infrastructure Level 1	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Electric Vehicle Infrastructure Level 2									P	P	P	P		P	P		
Essential Public Facilities not listed in the use tables ²														SU	SU	SU	
Wildlife shelter	CU													P	P		
Private stormwater management facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utilities Accessory	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utilities Primary	L	L	L	L	L	L	L	L	L	P	L	L	P	P	P	P	P
Utility Production and Processing Facilities ²														SU	SU	SU	
Solid Waste Transfer and Recycling Facility ²														SU	SU		
Local Collection Recycling Facility	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴		A ⁴			A ⁴	P	P	P
Energy resource recovery facility ²														SU	SU		
Adult Entertainment Business												P ⁴			P ⁴		
Marijuana Retailer, Producer or Processor ⁵																	
Shoreline uses	See Chapters 21.70 through 21.77 for uses inside the shoreline jurisdiction that apply in addition to zoning regulations.																
Notes:																	

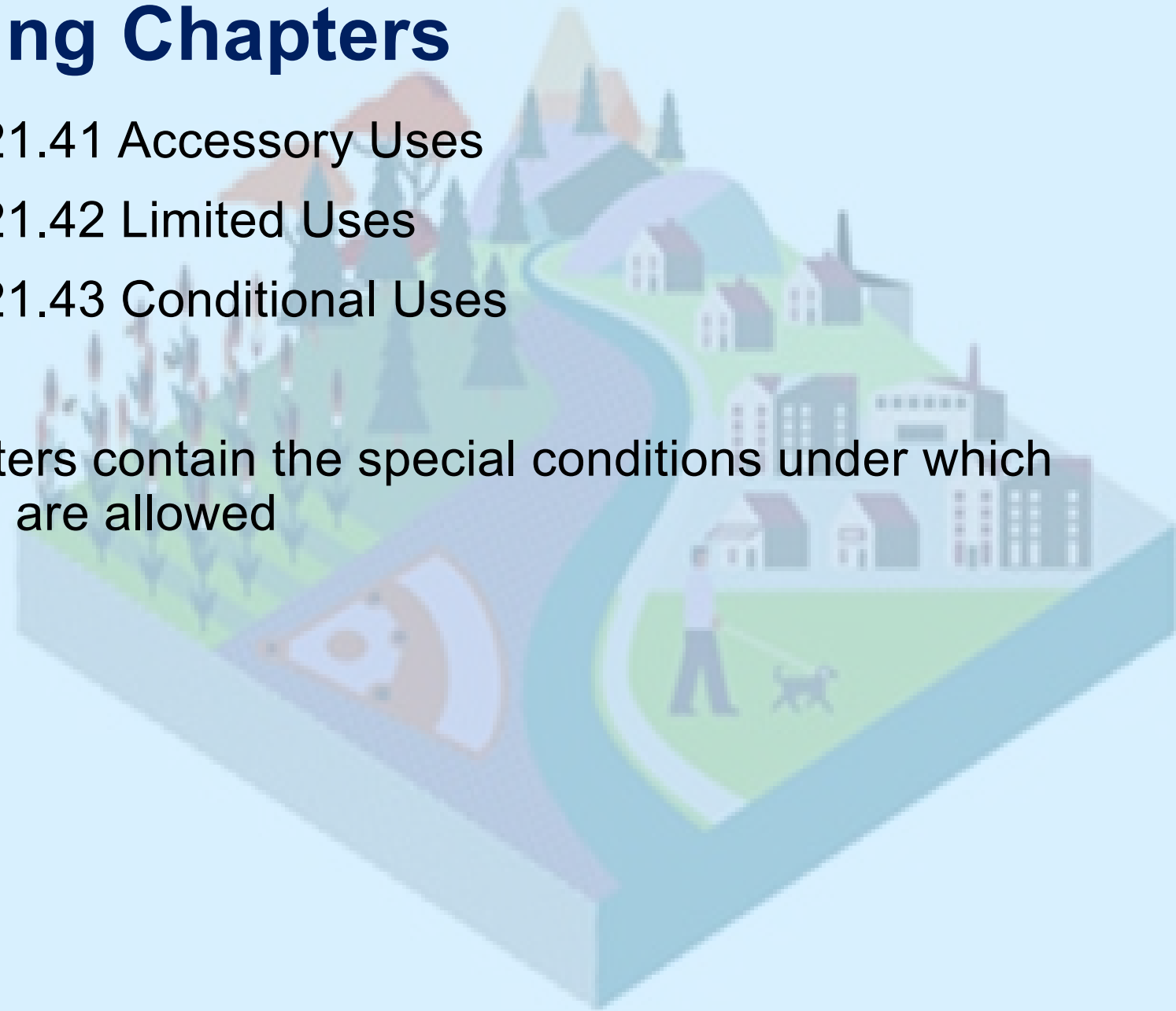


Unified Development Code

Supporting Chapters

- Chapter 21.41 Accessory Uses
- Chapter 21.42 Limited Uses
- Chapter 21.43 Conditional Uses

These chapters contain the special conditions under which certain uses are allowed





Unified Development Code

Table 21.22 Densities & Dimensions

A. STANDARDS	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48
Base Density: Dwelling Unit/Acre	1 du/ac	4 du/ac	6 du/ac	8 du/ac	12 du/ac	18 du/ac	24 du/ac	48 du/ac
Minimum Density: % of Base Density (2)		75%	75%	85%	80%	75%	70%	65%
Minimum Lot Area (1)	35,000 sf	9,000 sf	6,000 sf	5,000 sf				
Minimum Lot Width (3)	100 ft/75 ft (7) (12)	60 ft	50 ft	30 ft	30 ft	30 ft	30 ft	30 ft
Minimum Lot Width at Street (9)	100 ft/75 ft (12)	60 ft	50 ft	30 ft				
Minimum Street Setback (3)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)(17)	10 ft (8)	10 ft (8)	10 ft (8)
Minimum Interior Setback (3)	10 ft (7)	5 ft (10)	5 ft (10)	5 ft (10)	5 ft (10)(17)	5 ft (10)	5 ft (10)	5 ft (10)
Base Height	35 ft	35 ft	35 ft	35 ft	35 ft (17)	45 ft	45 ft	45 ft
Maximum Building Coverage: Percentage (5) (16)	15% (11) (14)	35%	50%	55%	60%	60%	70%	70%
Minimum Landscape Coverage: Percentage (5) (16)	75% (15)	50%	25%	20%	10% (17)	10%	10%	10%



Unified Development Code

Residential Lot Development Standards

21.31.030 Residential zoned lot and residential density standards.

The pertinent development standards for residential densities, minimum lot area, minimum lot width and minimum street lot width applicable to each residentially zoned lot are set forth in Table 21.31.030.

Table 21.31.030 Residential Lot and Residential Density Standards

Standards	Low Density		Moderate Density		Medium Density		High Density	
	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48
Minimum Lot Area* (square feet)	35,000	9,000	6,000	5,000	2,500	2,500	2,500	2,500
Minimum Density	None	3 du/ac	4 du/ac	6 du/ac	9 du/ac	14 du/ac	17 du/ac	31 du/ac
Maximum Density	1 du/ac	4 du/ac	6 du/ac	8 du/ac	12 du/ac	48 du/ac	24 du/ac	48 du/ac
Minimum Street Lot Width*	100 ft ^{1,2}	60 ft	50 ft	30 ft	30 ft	30 ft	30 ft	30 ft
Minimum Lot Width*	100 ft ¹	60 ft	50 ft	30 ft	25 ft	25 ft	25 ft	25 ft

Notes:

1. Within the R-1 zone, lots having a lot area less than 15,000 square feet may have a minimum street lot width of 60 feet.
2. Within the R-1 zone, lots adjoining a cul-de-sac may have a minimum street lot width adjoining a cul-de-sac of 75 feet.

*See definitions for Lot Area, Street Lot Width and Lot Width in WMC 21.11A.130.



Unified Development Code

Residential Setback Standards

Table 21.32.030(2) Residential Zones Setbacks

Standards	Low Density		Moderate Density		Medium Density		High Density	
	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48
Minimum setbacks from street property lines	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft
Minimum setback from street property lines for attached and detached garages ¹	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft
Minimum setback from interior property lines	10 ft ²	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft
Notes: 1. The setback distance shall be measured along the centerline of the driveway from the access point/ vehicle door of such garage or carport to the street property line. 2. Within the R-1 zone, lots less than 15,000 square feet in lot area may have a minimum five-foot setback from interior property lines.								



Unified Development Code

Residential Height Standards

Table 21.32.040(2) Residential Zones Height Standards

Standard	Low Density		Moderate Density		Medium Density		High Density	
	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48
Maximum building and structure height	35 ft	35 ft	35 ft	35 ft	35 ft	45 ft	45 ft	45 ft



Unified Development Code

Residential Coverage Standards

Table 21.32.050(1) Residential Zones Coverage Standards

Standard	Low Density		Moderate Density		Medium Density		High Density	
	R-1	R-4	R-6	R-8	R-12	R-18	R-24	R-48
Maximum building coverage:		35%	50%	55%	60%	60%	70%	70%
Lot area less than 15,000 sf	35%							
Lot area 15,000 to 24,999 sf	28%							
Lot area 25,000 to 34,999 sf	22%							
Lot area 35,000 sf and over	15%							
Minimum landscaping coverage:		50%	25%	20%	10%	10%	10%	10%
Lot area less than 15,000 sf	50%							
Lot area 15,000 to 24,999 sf	58%							
Lot area 25,000 to 34,999 sf	67%							
Lot area 35,000 sf and over	75%							
Notes: See definitions for building coverage in WMC 21.11A.030 and landscape coverage in WMC 21.11A.130.								



Unified Development Code

Non-residential Coverage Standards

Table 21.32.050(2) Non-residential Zones Coverage and FAR Standards

Standards	Commercial Zones					Industrial Zones		Other Zones	
	NB	TB	CBD	GB	O	T/I	I	P/I	P
Maximum Building Coverage	25%	25% ¹	None						25%
Minimum landscaping coverage	20%	15%	10%	10%	20%	15%	10%	10%	10%
Maximum non-residential floor area ratio (floor/lot area square feet)	None	1/1	2.5/1	2/1 ²	4/1	3/1	3/1	4/1	None
Maximum residential floor area ratio (floor/lot area square feet)									
Base			1.25/1						
Bonus			See Note 3						

Notes:

1. The building coverage applies only to the residential development covering the lot. When adjoining lots are grouped under an approved binding site plan, the maximum building coverage for residential development may be calculated using the net lot area of the entire binding site plan.
2. Maximum floor area ratio is 4/1 if at least 75 percent of the "usable floor area" as defined in WMC 21.11A.070 in the development is designed and reserved for occupancy by professional office uses.
3. See WMC 21.32.050(3) for bonus residential floor area ratios.

See definitions for building coverage in WMC 21.11A.030 and landscape coverage in WMC 21.11A.130; and the definitions of Floor Area Ratio and Usable Floor Area in WMC 21.11A.070.



Unified Development Code

Floor Area Ratio

- (3) **Bonus residential floor area ratio. Within the Central Business District zone:**
- (a) A development may qualify for a maximum residential floor area ratio of 2/1 (floor/lot area square feet) if:
 - (i) Two or more public benefits from Category I of Table 21.32.050(3) are provided having a total cost of at least one percent of the building permit valuation of the buildings in the development; and
 - (ii) The public benefits being provided must be beyond those required for the project to satisfy other requirements of the Woodinville Municipal Code without the residential floor area bonus; and
 - (iii) The public benefits must be in a form and configuration accepted by the director; or
 - (b) A development may qualify for a maximum residential floor area ratio of 2.5/1 (floor/lot area square feet) if:
 - (i) The residential floor area ratio is authorized by a development agreement approved pursuant to Chapter 21.85 WMC;
 - (ii) The conditions set forth in WMC 21.32.050(3)(b)(i) through (iii) are satisfied; and
 - (iii) At least one public benefit from Category II of Table 21.32.050(3) is provided in a form and configuration accepted by the City.



Unified Development Code

Floor Area Ratio

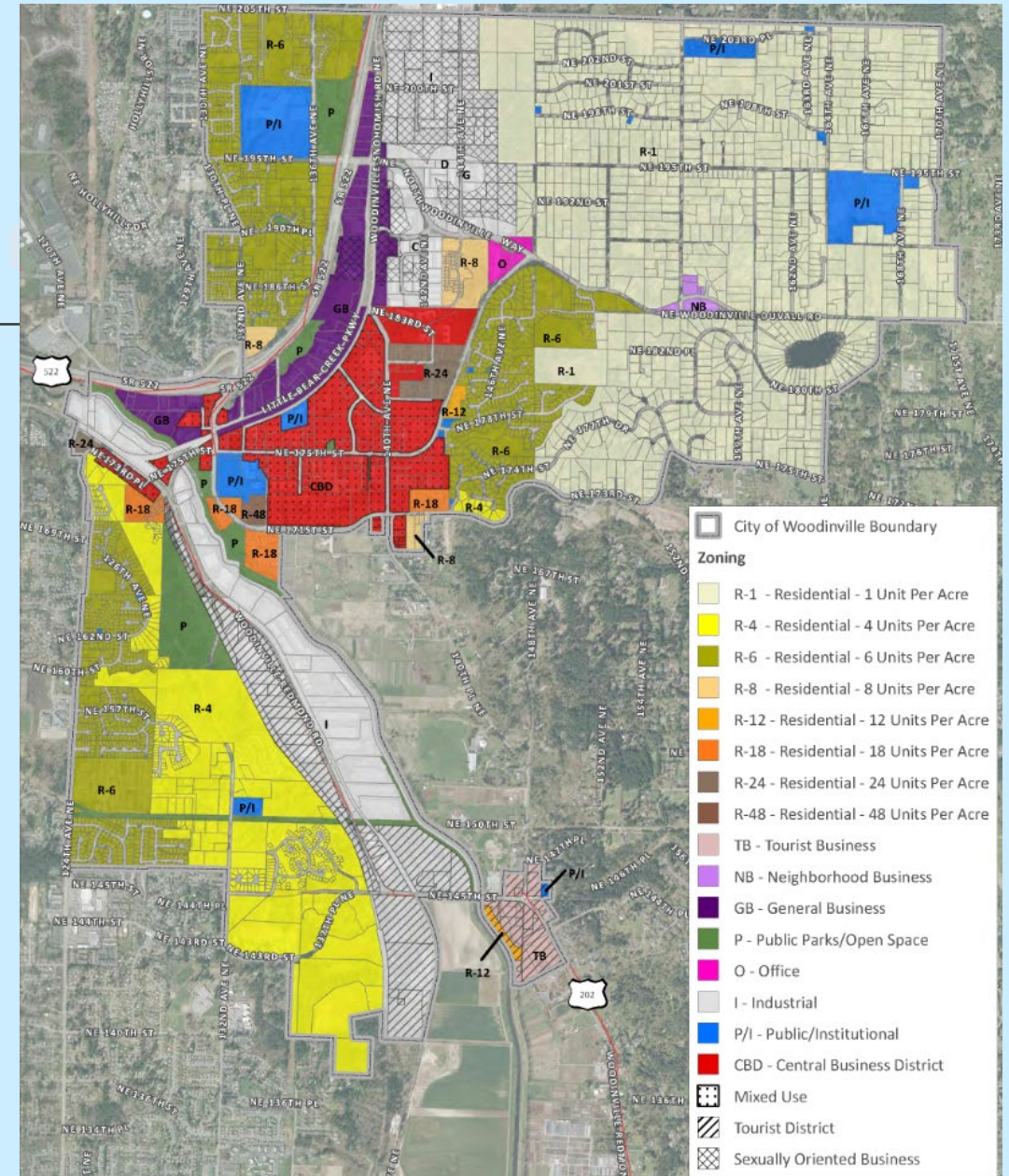
Table 21.32.050(3) Public Benefits for Bonus Residential FAR

Category I	Category II
Water features such as fountains, ponds, waterfalls, play areas, etc.	10 percent affordable dwelling units of the total market-rate dwelling units at 80 percent King County median household income as specified in WMC 3.43.050(7) for a minimum of 50 years
Pedestrian, bicycle, and similar facility improvements	
Street furniture;	
Affordable dwelling units not included under Category II	5 percent affordable dwelling units of the total market-rate dwelling units at 50 percent King County median household income as specified in WMC 3.43.050(7) for a minimum of 50 years
Public art such as sculptures, paintings, murals, mosaics, special lighting features, etc.	
Public courtyards and plazas with amenities	
Enhanced road crossing treatments	
Enhanced public green open space/park	Transportation Improvements, which are set forth in the Six-Year Capital Improvement Plan for which transportation impact fee credits or other forms of City reimbursement are not received, nor which said improvements are required to mitigate for project traffic impacts
Off-site environmental enhancements inside the City boundaries	
LEED certification at Gold or above, or other green development equivalent	Other public benefits/incentives as agreed to in the development agreement
Transit Facilities for loading and unloading transit passengers	
Motorized and nonmotorized transportation improvements acceptable to the City for which impact fee credits or other forms of City reimbursement are not received, nor which said improvements are required to mitigate for project impacts	

Questions?



Zoning Map



2022 PLANNING COMMISSION PROPOSED AGENDA *Subject to Change*												
Work Plan Item	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
Housing Action Plan										TBD	TBD	TBD
CBD Height Amendment - Ped Core	SS	SS	SS	PH								
2022-2028 Northshore CFP							SS	SS	PH	SS	SS	SS
2022 Annual Comp Plan Amendment Docket	SS	SS	PH	SS								
6-CIP Amendments							SS	SS	PH	SS	SS	SS
2023 Annual Comp Plan Amendment Docket												SS
Periodic Comprehensive Plan Review										SS	SS	SS
Tree Management Code Update							SS	SS	SS	SS	SS	SS
Transportation Master Plan										TBD	TBD	TBD
*Development Agreements	*	*	*	*	*	*	*	*	*	*	*	*
*Design Review (PC Committee)	*	*	*	*	*	*	*	*	*	*	*	*
Unified Development Code Project												
Land Uses/Use-Specific Development Standards	SS	SS	SS	PH	SS							
Bulk Development Standards	SS	SS	SS	PH	SS							
Zoning Map/Overlay	SS	SS	SS	SS	PH							
Definitions	SS	SS	SS	SS								
Design Review Standards Updates							SS	SS	SS	SS	SS	SS
Nonconformance	SS	SS	SS	PH	SS							
Landscaping/Off-Street Parking				SS	PH	SS						
Signs				SS	SS	SS	SS	SS	SS	SS	PH	SS

*Denotes items dependent on an application being submitted and are presented to the Planning Commission when ready.



New Permits Submitted in the Week Ending: 11/26/2021

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Planning	11/24/2021	TRE21072 Remove 2 trees, 4 removed in 2019/2020	Tree Removal	Amiri Tree Removal	17040 141ST PL	R-8	Ahmad Amiri
Planning	11/24/2021	TRE21071 Remove 3 trees from residence	Tree Removal	Lei Tree Removal	18665 151ST AVE	R-6	Xin Lei
Building	11/24/2021	PLM21077 Remove/replace electric water heater	Multi-Family Plumbing	KIRKEGAARD	14120 NE 181ST PL J301	R-24	JASON HANLEYBR
Building	11/24/2021	MEC21278 REPLACING GAS FURNACE AND GAS WATER HEATER. ADDING AC	Residential Mechanical	14512 134th Ave NE	14512 134TH AVE	R-4	Karen Matheney
Building	11/24/2021	PLM21076 Convert wash/dryer room in bathroom. Vent in room already, connect to existing plumbing. Add plumbing fixtures of toilet, tub and sink. Not altering footprint of room	Residential Plumbing	ANDRISAN BATHROOM	12702 NE 156TH ST	R-6	ADRIAN ANDRISA
Building	11/24/2021	BLD20131.R01 Remove a post and add a larger beam	Field Change	Carrasquero Home	16902 141ST PL	R-8	CARRASQUERO N
Building	11/24/2021	MEC21277 Install 10'-0 class 1 short cycle grease hood system	Commercial Mechanical	Brian Carter Cellars	17140 135TH AVE	CBD	Don Angeline

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Building	11/23/2021	BLD21168 TI FOR PROFESSIONAL SERVICES (OUTPATIENT SPA) ON GROUND LEVEL (1ST LEVEL) OF 5-STORY / 2 BASEMENT PARKING GARAGE STRUCTURE (BUILDING B). SCOPE OF WORK INCLUDES NEW INTERIOR PARTITIONS, CEILINGS & LIGHTING, DOORS, AND CASEWORK. CHANGE IN USE OF 3,304 SF FROM RETAIL(M)/ASSEMBLY (A-2) TO BUSINESS (B), AND 499 SF OF RESIDENTIAL (R-2) TO BUSINESS (B); NO CHANGE IN EXTERIOR BUILDING ENVELOPE.	Commercial TI	Oasis Medspa & Salon	17409 133RD AVE	CBD	Tom Pike
Building	11/23/2021	MEC21276 gas furnace replacement	Residential Mechanical	Morgenroth Residence	14908 NE 201ST ST	R-1	GREENWOOD HE
Building	11/23/2021	PLM21075 Replace Hot Water Heater	Residential Plumbing	Shah Replacement Hot Water Heater	14315 NE 186TH PL	R-8	Roger L Schiess
Building	11/23/2021	MEC21275 INSTALLATION OF ONE TYPE I HOOD AND FOUR TYPE II HOODS AND SYSTEM	Commercial Mechanical	WALLA WALLA STEAK CO.	13209 NE 175TH ST	P/I	kalli tedder
Building	11/22/2021	PLM21074 DALVI 059778 - WATER HEATER INSTALL	Residential Plumbing	DALVI 059778	20340 134TH AVE	R-6	jenah barlow

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Building	11/22/2021	MEC21274 Replace an old dust collector with a different unit. The old unit is interior to the building. The new unit will be placed on a exterior concrete pad. Additionally, the old collection ducting will be replaced with new ducting. The necessary electrical and compressed air piping will be extended to the new collector and fencing will be placed around the collector.	Commercial Mechanical	Dust collector installation	16130 WOODINVILLE RE I		Douglas Miller
Building	11/22/2021	MEC21273 Heat pump addition	Residential Mechanical	Morrison	14805 NE 177TH ST	R-6	Diarra Diop
Engineering	11/22/2021	ROW21139 Access MH37/661 to splice and pull 1000' 6 port fiber tail to MH10 via existing conduit	Right of Way Permit	5504204-543	15029 WOODINVILLE RE I		

New Permits Submitted in the Week Ending: 12/3/2021

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Administration	12/01/2021	PRE21032 Applicant would like to obtain preliminary short plan approval for subdivision of a property into 9 single family residential lots	Pre-Application Meeting	Woodinville Duvall	16616 NE 185TH ST	R-1	Nohely Moreno
Administration	12/02/2021	DEV21059 Interior tenant improvement including build-out per plan with new partitions, ceiling, lighting, and finishes. Replacement of exterior windows / doors at existing openings. New exterior trellis over outdoor seating. MEP under separate permit.	Development	Tsillan Cellars Tasting Room	13550 NE VILLAGE SQU	CBD	Ryan Hitt
Engineering	11/29/2021	ROW21140 Pull fiber through existing conduit system	Right of Way Permit	1703MOEX.009_ROW_W OOD_0809	18200 WOODINVILLE SN	CBD	Aaron Ledvina
Engineering	11/29/2021	ROW21141 For pulling fiber in existing conduit system	Right of Way Permit	1703MOEX.009_ROW_W OOD_0808	18200 WOODINVILLE SN	CBD	Aaron Ledvina
Building	11/28/2021	PLM21078 We are adding a new sink hookup in our tasting area. We already have the plumbing installed in the wall because we have a 3-compartment sink that has existed and the plumbing was set up. This project is to hook up a new hot/cold and drain outlet for the handwashing sink per King County Health Department rules.	Commercial Plumbing	Add Sink	18800 142ND AVE	I	Kevin White
Engineering	11/29/2021	ROW21142 Pull fiber through an existing conduit system	Right of Way Permit	1703MOEX.10_ROW_W OOD_2504	18200 WOODINVILLE SN	CBD	Aaron Ledvina

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Engineering	11/29/2021	USE21006 USE16002 issued on 12.28/2016 and expires on 12/28/2021. Zayo is requesting another Right of Way Use Authorization Permit for 5 years.	Right of Way Use Authorization	Zayo Right of Way Use Authorization Renewal	99999 136th AVE		Roger Simpson III
Planning	11/29/2021	TRE21073 Remove 4 trees	Tree Removal	Greeley Tree Removal	16900 126TH AVE	R-6	Scott Greeley
Planning	11/29/2021	HOP21080 Telehealth for mental health counseling	Home Based Business	Momentum Therapy Services, PLLC	13416 LITTLE BEAR CRE	R-6	Lindsay Christianso
Planning	11/29/2021	HOP21081 Mobile auto and marine cleaning service. All physical business activities are held at clients home residence, only indoor desk/office related work is held at business owners home residence.	Home Based Business	Aaron's Detailing	14221 NE 181ST PL P10	R-24	Aaron Haggard
Planning	11/29/2021	HOP21082 Graphic design services- corporate marketing materials for clients with large sales teams, mostly in the B2B space. Projects include presentation design, whitepapers, onesheets, brochures, ect delivered as digital files	Home Based Business	Jessica Goecke	15351 NE 202ND ST	R-1	Jessica Goecke
Planning	11/29/2021	HOP21083 Bookkeeping services. Unit 50113	Home Based Business	LJP Enterprises LLC	17409 133RD AVE 50113	CBD	Linda Porreca
Planning	11/29/2021	TRE21074 We had 2 branches fall and make hole on our roof. Would like to remove both or at-least one of them or trim them so we do not have another roof hole.	Tree Removal	Tree Removal	12405 NE 150TH ST	R-6	GURUMURTHY SA
Planning	11/30/2021	EVE21013 A farmer's market every Saturday featuring local farms/produce, food, crafters and music with something for everybody. Located at Festival Street at WCC.	Special Event Permit	Woodinville Farmer's Market	17405 133RD AVE	CBD	Eva Peterson

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Planning	11/30/2021	MSP20001.A01 Amendment for newly proposed signs and locations never considered in the original master signage plan for the site	Amendment	HOLLYWOOD STATION	14300 NE 145TH ST	I	MIKE SPEAR
Engineering	12/01/2021	ROW21143 **TEMPORARY SOLUTION** START AT THE EXISTING VAULT AT THE SOUTH OF 14485 WOODINVILLE REDMOND RD NE. WRECK OUT SPAN FOR 225' NORTH TO SECOND VAULT TO INTERCEPT EXISTING CONDUIT. SECOND VAULT LOCATED ON THE NORTH CORNER OF PARCEL 9518200030 AND NE 145TH STREET.	Right of Way Permit	COMCAST - JB0000854951	14485 WOODINVILLE RE	TB	
Fire	12/02/2021	FIR21071 Fire Alarm Installation of TI space for Valdemar at Woodinville Schoolhouse District	Fire Alarm System	Valdemar TI	17409 133RD AVE	CBD	Josh Booth
Planning	12/02/2021	DRA21016 Interior tenant improvement including build-out per plan with new partitions, ceiling, lighting, and finishes. Replacement of exterior windows / doors at existing openings. New exterior trellis over outdoor seating. MEP under separate permit.	Design Review	Tsillan Cellars Tasting Room	13550 NE VILLAGE SQU	CBD	Ryan Hitt
Planning	12/02/2021	EVE21014 Company Holiday Party on Grand Lawn of Schoolhouse District	Special Event Permit	Snow Much Fun	17409 133RD AVE	CBD	Cynthia Mace

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Engineering	12/03/2021	ROW21144 CREW ATTENDED ON 11/9/21 FOR EMERGENCY STORM WORK. POLE (227060-167827) WAS TOPPED. COMMUNICATIONS STILL NEED TO BE REMOVED BEFORE POLE REMOVAL CAN TAKE PLACE. PERMIT NEEDED FOR THE EMERGENCY WORK THAT WAS ALREADY COMPLETED AND TO REMOVE THE POLE AFTER COMMS ARE REMOVED. PLEASE SEE ATTACHED SITE PLAN & TCP.	Right of Way Permit	14654 148TH AVE NE WOODINVILLE - 101144796	14654 148TH AVE	TB	Nicole Stadler
Building	11/29/2021	PLM21079 ice cream store	Commercial Plumbing	swanky scoop	13550 NE VILLAGE SQU	CBD	GREG SMALLING
Building	11/29/2021	MEC21279 Replace furnace in garage; add outdoor unit AC to East side of home	Residential Mechanical	Gerbeaux	13232 NE 193RD PL	R-6	Tori Heilman
Building	11/29/2021	BLD21169 Project is a restaurant TI in an existing core & shell space. Three rooftop units are existing & stubbed into the 2nd floor space. Four ducted split systems are installed on the main floor. No equipment is installed in the basement. The kitchen hoods, exhaust fans & make-up air are provided by others under a separate mechanical permit.	Commercial TI	Walla Walla Steak Co Woodinville TI	13205 NE 175TH ST	CBD	Kara Hewlett
Building	11/29/2021	BLD21170 Construction of an MSE retaining wall with heights up to 6.5 feet.	Commercial Wall	Farmstead - Lot 7	147th PL	TB	
Building	11/29/2021	MEC21280 Install a gas fireplace insert, venting through existing chimney, in existing fireplace	Residential Mechanical	Install Gas Fireplace Insert	12807 NE 146TH PL	R-6	Peiyang Shanggua

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Building	11/30/2021	MEC21281 Restaurant TI in a current shell & core space. (3) rooftop units on 2nd floor & (4) ducted split systems are existing on main floor. No equipment in basement. Kitchen hoods, exhaust fans & make up air provided by others under separate permit.	Commercial Mechanical	Walla Walla Steak Co Woodinville TI	13205 NE 175TH ST	CBD	Kara Hewlett
Building	11/30/2021	BLD21171 No physical work is being proposed, only change of occupancy. From type B to Type M.	Commercial Miscellaneous	Tara Jennings Fine Art Gallery & Studio	17320 135TH AVE	CBD	Tara Jennings
Building	12/01/2021	BLD21092.R01 Remove 6 panel antennas, remove 1 6x12 hybrid, relocate 2' MW, Add 9 antennas, add 1 12-port OVP, Add 1 12x24 hybrid. - Final Configuration: (9) antennas, (6) RRUs, (1) 12 Port OVP, (1) 12x24 hybrid, (1) 2' MW	Field Change	Verizon Wireless SEA Northwood	14400 NE 193RD PL	I	Aileen Zavales
Building	12/02/2021	MEC21282 INSTALLING AC	Residential Mechanical	14514 134th Ave NE	14514 134TH AVE	R-4	Karen Matheney

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Building	12/02/2021	BLD21172 NON STRUCTURAL REMODEL OF EXISTING TEDDY'S BURGER TO AGAVE CUCINA. ADDITION OF BAR, RE-POSITIONING OF KITCHEN EQUIPMENT. UPGRADING BOTH RESTROOMS TO CURRENT ADA COMPLIANCE NEW GARAGE DOORS AT STOREFRONT (SHOP DRAWINGS BY OTHERS). NEW FINISHES. NO CHANGE OF USE. DEFERRED SUBMITTALS: EXTERIOR SIGNAGE PLUMBING ELECTRICAL MECHANICAL FIRE PARKLET EXTERIOR SEATING	Commercial TI	Agave	17705 140TH AVE	CBD	Sue Genty
Building	12/02/2021	BLD21173 New Construction of single-family home	Residential New	Tre Villa - Lot 1	16638 NE 195TH ST	R-1	
Building	12/03/2021	MEC21283 TOTH 059823 - FURNACE SWAP AND AC ADD	Residential Mechanical	TOTH 059823	16119 NE 203RD PL	R-1	jenah barlow
Building	12/03/2021	BLD21174 Removing cedar shake shingles, putting down 1/2 CDX plywood, underlayment and CertainTeed Presidential TL shingles	Residential Roof	Raina	16121 125TH PL	R-6	Scott Fisher
Building	12/03/2021	PLM21080 repipe master bathroom, just replacement- no alteration	Residential Plumbing	Repipe Residential	15503 132ND PL	R-4	LILIIA OZERSKA

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Building	12/03/2021	BLD21175 A TENANT IMPROVEMENT OF AN EXISTING SPACE TO PROVIDE A SMALL DELI-STYLE EATERY. THERE WILL BE NO FOOD COOKED IN THIS SPACE AND NO GREASE OR HOOD NEEDED FOR USE. THE SPACE WILL PROVIDE TWO(2) REST ROOMS BASED ON OCCUPANCY, A SERVICE COUNTER, A PREP STATION AND A DISH WASHING STATION.	Commercial TI	Island Blend	13550 NE VILLAGE SQU	CBD	Mike Garrett
Building	12/03/2021	MEC21284 Remove/replace gas water heater	Residential Mechanical	BREWER	13216 NE 190TH PL	R-6	JASON HANLEYBR

New Permits Submitted in the Week Ending: 12/10/2021

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Building	12/06/2021	MEC21285 add ac to existing hvac system	Residential Mechanical	Eghbal	15029 127TH AVE	R-6	Lucinda Honeycutt
Building	12/06/2021	SIG21065 Install Channel letters on raceway	Commercial Sign	TEALOGY	13317 NE 175TH ST	CBD	James Park
Building	12/06/2021	MEC21286 FURNACE SWAP	Residential Mechanical	POPELAR 060256	18317 132ND PL	R-6	jenah barlow
Engineering	12/06/2021	ROW21145 OCCUPYING THE EAST BOUND LANE OF NE 162ND ST. CREW TO CUT & CAP EXISTING 5" PE SERVICE AT MAIN TO RETIRE & CREW WILL INSTALL NEW GAS SERVICE. WORK AREA LOCATED AT APPROX. 23' N OF CL OF NE 162ND ST. & 390' E OF CL OF 124TH AVE NE. (1): 3'X5' HARD SURFACE CUT ANTICIPATED. PLEASE SEE ATTACHED SITE PLAN & TCP.	Right of Way Permit	12438 NE 162ND ST. 109140319	12438 NE 162ND ST	R-6	Nicole Stadler
Building	12/07/2021	MEC21287 HP CHANGE OUT	Residential Mechanical	SCHOEN 060329	15222 NE 182ND PL	R-1	jenah barlow
Engineering	12/07/2021	ROW21146 In Woodinville- Redmond Road, relocate existing FH slightly away from the roadway. All work will be in existing shoulder in anticipation of future frontage work under different permit. Application on behalf of Woodinville Water District by Mary Dahl, PE, DEA Inc. 425-586-9756 mary.dahl@deainc.com	Right of Way Permit	Legacy Woodinville - Marriott Water D1908	17220 127TH AVE	CBD	

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Engineering	12/07/2021	ROW21147 In Woodinville-Redmond Road, connect new 8" PVC side sewer to the existing MH on the shoulder of the road. Excavation on all sides of the MH may be required to minimize differential loading. Submitted on behalf of the Woodinville Water District by Mary Dahl, PE, DEA Inc, mary.dahl@deainc.com 425-586-9756	Right of Way Permit	Legacy Woodinville - Marriott Sewer D1909	17220 127TH AVE	CBD	
Engineering	12/07/2021	ROW21148 TIE IN AT AT POLE 227817, 167646 AND DELASH CATV BETWEEN POLE 227817, 167646 AND POLE 227804, 167629. RELASH BETWEEN THE TWO POLES FOR 176' WITH NEW SPAN OF CATV. AT POLE 227804, 167629, ATTACH NEW 25' 1-4" RISER. FROM POLE 227804, 167629, BORE NEW PATH WEST FOR 58', LAYING 1-4" CONDUIT ALONG SOFT SURFACE PATH FOR 58'. PLACE NEW 13X24 VAULT . FROM NEW 13X24 VAULT, BORE SOUTH FOR 49' ONTO PRIVATE PROPERTY AT 14111 NE WOODINVILLE DUVALL RD. CONSTRUCTION AND RESTORATION TO MEET OR EXCEED CITY OF WOODINVILLE STANDARDS.	Right of Way Permit	COMCAST - JB0000860713	14111 NE WOODINVILLE	CBD	
Building	12/08/2021	MEC21288 installing a gas furnace and heat pump	Residential Mechanical	Diem Residence	12451 NE 160TH ST	R-6	GREENWOOD HE
Building	12/08/2021	MEC21289 LIKE AND KIND GAS FURNACE INSTALL	Residential Mechanical	MILTENBERGER MECH	14859 NE 195TH ST	R-1	Kailana Moniz

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Engineering	12/08/2021	ROW21149 Tree trimming, brush clearing and hazard tree removal as needed to maintain safe clearance to PSE electrical facilities for the purposes of regularly scheduled maintenance in in response to urgent situations as they arise.	Right of Way Permit	2022 PSE Vegetation Management	14836 NE 145TH ST	P/I	Courteny Persson
Engineering	12/08/2021	ROW21150 AT EXISTING PED-A NEAR 16220 NE 187TH ST, DRILL/ BORE VIA 3x5 BORE PIT AND 2-2' CONDUITS. BORE CATV APPROX 250' EAST TO EXISTING PED-B NEAR 16330 NE 187TH ST.	Right of Way Permit	COMCAST - JB0000689521	16330 NE 187TH ST	R-1	
Building	12/09/2021	MEC21290 FURNACE CHANGE OUT WITH AC ADD	Residential Mechanical	FENNEL 060410	19122 148TH AVE	R-1	jenah barlow
Building	12/09/2021	MEC21291 REPLACING GAS WATER HEATER LIKE TO LIKE	Residential Mechanical	12430 NE 154th PI	12430 NE 154TH PL	R-6	Karen Matheney
Building	12/09/2021	MEC21292 Proposed gas line. Two appliance outlets proposed; one indoor and one outdoor.	Residential Mechanical	JUENGER gas	15410 NE 198TH ST	R-1	Andrew & Maureen

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Engineering	12/09/2021	ROW21151 TRENCH 1' AND PLACE 2" CONDUIT FROM EXISTING VAULT TO POLE 1 (227847, 167252), NEAR 17705 130TH AVE NE, OVERLASH CATV FROM POLE 1 HEADING NORTH 245', THEN WEST 230' TO POLE 4 (227877, 167216) ON THE SOUTH SIDE OF NE 178TH ST. OVERLASHING AND BOREING WILL CONTINUE WEST ON PRIVATE PROPERTY TO 12826 NE 178TH ST. [PRIVATE PROPERTY WORK: WE WILL TIE IN AT EXISTING VAULT LOCATED NEAR 12826 NE 178TH ST. THEN TRENCH AND PLACE 2" CONDUIT 45' SOUTH, PLACE VAULT, CONTINUE TRENCH 100' EAST TO POLE 4, LAYING 4" CONDUIT. BORE AND PLACE 2" CONDUIT FROM EXISTING VAULT ON PRIVATE PROPERTY NORTH 85' TO BUILDING]	Right of Way Permit	COMCAST - JB0000855060	12826 NE 178TH ST	I	
Engineering	12/09/2021	ROW21152 ALTERNATING OCCUPYING THE EAST AND WEST BOUND LANES OF NE 180TH ST. FROM 2" STW MAIN CREW TO INSTALL 1-1/8" PE NEW GAS SERVICE. WORK AREA LOCATED AT APPROX. 125' E OF CL OF 162ND AVE NE FROM 8' N TO 14' S OF CL OF NE 180TH ST. (2): 3'X5' HARD SURFACE CUTS ANTICIPATED. PLEASE SEE ATTACHED SITE PLAN & TCP.	Right of Way Permit	16214 NE 180TH ST. 106382930	16214 NE 180TH ST	R-1	Nicole Stadler
Engineering	12/09/2021	ROW21153 60T boom truck setting up on 133rd Ave NE, setting HVAC Equipment	Right of Way Permit	Civic Campus	17401 133RD AVE		Joshua K. Johnson

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Engineering	12/09/2021	SDL21023 Build new SFR	Site Development	Shah SFR	18804 170TH PL	R-1	Mark Kemis
Administration	12/10/2021	DEV21060 DEMO OF EXISTING HOT TUB AND SHOWER ROOMS, DEMO OF EXISTING CASEWORK AND GLASS BLOCK WALLS, CONSTRUCTION OF TWO NEW THERAPY ROOMS, NEW WALL TO DEMISE RECEPTION SPACE.	Development	MeBe FAMILY TENANT IMPROVEMENT	12437 NE 173RD ST	CBD	Andrea R Cleveland
Building	12/10/2021	PLM21081 Add water line	Residential Plumbing	JUENGER water line	15410 NE 198TH ST	R-1	Andrew & Maureen
Building	12/10/2021	MEC21293 like for like furnace replacement like for like hot water tank replacement and add ac to hvac system	Residential Mechanical	Gau	19716 131ST PL	R-6	Lucinda Honeycutt
Fire	12/10/2021	FIR21072 One office room getting ceiling changed and wall layout. That affects four sprinklers relocate two fire sprinklers and plug two.	Fire Sprinkler System	MeBe TI	12437 NE 173RD ST	CBD	Peter Foltz

New Permits Submitted in the Week Ending: 12/17/2021

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Building	12/11/2021	BLD21176 684 sf Raised deck rebuild with Stairs Shadowing original footprint. 104" above grade	Residential Deck	Otto Deck Rebuild	18112 157TH AVE	R-1	Michael Miller
Administration	12/13/2021	TSP21016 We would like to apply for a permit to put out an A-frame sign on the sidewalk like the other business in the area.	Temporary Sign	A-frame Sign on the sidewalk	13317 NE 175TH ST	CBD	Jessie Southwick
Building	12/13/2021	BLD21177 Overlay one existing layer of smooth surface hot tar roof and one layer of smooth surface torch down membrane with new single ply TPO membrane. New TPO system shall consist of one layer of GAF Everguard 60 mil TPO membrane over one layer of SOLO FR slip sheet	Commercial Roof	The Park at Woodinville-Building A	14241 NE 200TH ST	I	Edca Inc
Engineering	12/13/2021	ROW21154 1 POLE, NEAR 14654 148TH AVE NE, DAMAGED IN THE WIND STORM WAS REPLACED. DID AN EMERGENCY TRANSFER - WORK IS ALREADY COMPLETE SINCE IT WAS AN ER JOB, NO RESTORATION IS NEEDED.	Right of Way Permit	COMCAST - JB0000849706	14654 148TH AVE	TB	
Building	12/14/2021	MEC21262.R01 Switching from ductless unit to a ducted unit.	Field Change	Carson	13626 NE 146TH LN	R-4	Lucinda Honeycutt
Building	12/14/2021	SIG21066 Monument sign application	Commercial Sign	Evergreen Industrial	19510 144TH AVE	I	Tim Heyes
Building	12/14/2021	BLD21178 Remodel and Addition to an existing single-family residence	Residential Addition	Bailin Remodel and Addition	18063 167TH AVE	R-1	Dan Malone

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Building	12/14/2021	MEC21294 REPLACE 40 GALLON GAS HOT WATER TANK WITH A TANKLESS WATER HEATER	Residential Mechanical	LIN WATER HEATER	12800 NE 149TH ST	R-6	Debra J Tvedt
Fire	12/14/2021	FIR21073 TENANT IMPROVEMENT - ADD/RELOCATE FIRE SPRINKLERS FOR T.I. WALLS & CEILINGS. PATRIFP099CF.	Fire Sprinkler System	Swanky Scoop TI	13550 NE VILLAGE SQU	CBD	Jared Andrew Heit
Planning	12/14/2021	HOP21084 Tax preparation and book keep int	Home Based Business	Chapman Tax and Accounting	14512 NE 173RD ST	R-6	Christopher Chapm
Planning	12/14/2021	HOP21085 Children clothing boutique (mostly online)	Home Based Business	Jamie Menard LLC	13224 NE 192ND ST	R-6	Jamie Menard
Planning	12/14/2021	HOP21086 LLC for a rental property in Lincoln city, Oregon	Home Based Business	TJK Properties, LLC	12417 NE 163RD PL	R-6	Kimberly Pazaski
Engineering	12/15/2021	ROW21155 Fix water leak next to the meter. Pictures will be emailed to public works.	Right of Way Permit	Hollywood Station	14505 148TH AVE	TB	Tony Shaheen

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Administration	12/16/2021	DEV21061 NON STRUCTURAL REMODEL OF EXISTING TEDDY'S BURGER TO AGAVE CUCINA. ADDITION OF BAR, RE-POSITIONING OF KITCHEN EQUIPMENT. UPGRADING BOTH RESTROOMS TO CURRENT ADA COMPLIANCE NEW GARAGE DOORS AT STOREFRONT (SHOP DRAWINGS BY OTHERS). NEW FINISHES. NO CHANGE OF USE. DEFERRED SUBMITTALS: EXTERIOR SIGNAGE PLUMBING ELECTRICAL MECHANICAL FIRE PARKLET EXTERIOR SEATING	Development	Agave	17705 140TH AVE	CBD	Sue Genty
Administration	12/16/2021	DEV21062 NON STRUCTURAL REMODEL OF EXISTING TEDDY'S BURGER TO AGAVE CUCINA. ADDITION OF BAR, RE-POSITIONING OF KITCHEN EQUIPMENT. UPGRADING BOTH RESTROOMS TO CURRENT ADA COMPLIANCE NEW GARAGE DOORS AT STOREFRONT (SHOP DRAWINGS BY OTHERS). NEW FINISHES. NO CHANGE OF USE. DEFERRED SUBMITTALS: EXTERIOR SIGNAGE PLUMBING ELECTRICAL MECHANICAL FIRE PARKLET EXTERIOR SEATING	Development	Agave	17705 140TH AVE	CBD	Sue Genty
Building	12/16/2021	MEC21295 Like for like furnace replacement and add ac to hvac system	Residential Mechanical	Hakola	19609 130TH PL	R-6	Lucinda Honeycutt

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Building	12/16/2021	MEC21296 like for like furnace replacement and add ac to hvac system	Residential Mechanical	Frisk	20340 156TH AVE	R-1	Lucinda Honeycutt
Engineering	12/16/2021	ROW21156 Position a crane along 133rd and festival.	Right of Way Permit	Civic Campus	13209 NE 175TH ST	P/I	
Planning	12/16/2021	HOP21087 Cascade Analytics provides data analytics, business intelligence and economic consulting	Home Based Business	Cascade Analytics	14014 NE 181ST PL D10	R-24	Anthony Perez Eis
Planning	12/16/2021	HOP21088 Clothing, scarves and bridal wear.	Home Based Business	Bride to be Bridal	14643 138TH WAY	R-4	Szu Ho Chen
Planning	12/16/2021	LUA21007 0622100005, 9517100275, 9517100276 Parcels	Site Plan Review	Woodinville Flex- Little Bear Creek	18501 139th AVE	GB	
Planning	12/16/2021	DRA21017 NON STRUCTURAL REMODEL OF EXISTING TEDDY'S BURGER TO AGAVE CUCINA. ADDITION OF BAR, RE-POSITIONING OF KITCHEN EQUIPMENT. UPGRADING BOTH RESTROOMS TO CURRENT ADA COMPLIANCE NEW GARAGE DOORS AT STOREFRONT (SHOP DRAWINGS BY OTHERS). NEW FINISHES. NO CHANGE OF USE. DEFERRED SUBMITTALS: EXTERIOR SIGNAGE PLUMBING ELECTRICAL MECHANICAL FIRE PARKLET EXTERIOR SEATING	Design Review	Agave	17705 140TH AVE	CBD	Sue Genty
Building	12/17/2021	MEC21297 GAS FURNACE AND HEAT PUMP INSTALL	Residential Mechanical	MARIN MECH PERMIT	14518 NE 184TH PL	R-6	

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Building	12/17/2021	MEC21298 KATARI 060989 - 3 HEAD DUCTLESS INSTALL	Residential Mechanical	KATARI 060989	15212 NE 177TH DR	R-1	jenah barlow
Fire	12/17/2021	FIR21074 fire alarm system, adding (6) devices.	Fire Alarm System	62922-Swanky Scoops	13550 NE VILLAGE SQU	CBD	Desiree Forquignon

New Permits Submitted in the Week Ending: 12/24/2021

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Building	12/20/2021	MEC21299 installing a gas furnace	Residential Mechanical	Nyenhuis Residence	18211 145TH CT	R-6	GREENWOOD HE
Building	12/20/2021	MEC21300 LIKE AND KIND FURNACE SWAP	Residential Mechanical	REEVE MECH PERMIT	12613 NE 166TH CT	R-6	Kailana Moniz
Building	12/20/2021	BLD21179 Install cover for outdoor eating area	Commercial TI	Rusty Pelican Outdoor Eating Area	13590 NE VILLAGE SQU	CBD	Andrey Masnyy
Building	12/21/2021	MEC21301 new medium pressure gas line (2 lbs.), supply and installation of the gas piping only on the Woodin Creek Village project Building 2C as shown in the Bldg. 2C plumbing plan	Residential Mechanical	Woodin Creek Bldg. 2C South - Gas Line	17120 133RD AVE	CBD	
Building	12/21/2021	BLD21180 Remove existing roof and replace with new material	Commercial Roof	#5235 Kids Country	17590 WOODINVILLE SN	CBD	Tiana Cooper
Building	12/21/2021	BLD21181 Interior remodel: Replace ceilings and finishes. No exterior scope. No changes to occupancy, occupant load, egress, or structure. Trade permits separate.	Commercial TI	Airfield Estates Winery - Woodinville Tasting Room TI	14450 WOODINVILLE RE	TB	Michael Flowers
Building	12/21/2021	MEC21302 replace gas furnace	Residential Mechanical	Fusco Residence	17835 147TH PL	R-6	GREENWOOD HE
Building	12/21/2021	MEC21303 Tenant Improvement HVAC Work; relocation of existing units with duct distribution, additional heat pump for kitchen air conditioning and exhaust fan for scullery area, and any/all work per plans.	Commercial Mechanical	Valdemar TI	17401 133RD AVE	P/I	Halie Schultz
Building	12/21/2021	PLM21082 Remove/replace gas water heater	Residential Plumbing	PATEL	15374 129TH AVE	R-4	JASON HANLEYBR

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Building	12/21/2021	MEC21304 Remove/replace gas water heater	Residential Mechanical	SHARAD	15510 133RD PL 13A		JASON HANLEYBR
Building	12/21/2021	PLM21083 Remove/replace electric water heater	Multi-Family Plumbing	IRONMONGER	14210 NE 181ST PL M10	R-24	JASON HANLEYBR
Building	12/21/2021	MEC21305 Remove/replace gas water heater	Residential Mechanical	KULKARNI	15325 128TH AVE	R-4	JASON HANLEYBR
Fire	12/21/2021	FIR21075 Fire Alarm TI for the Woodinville Pizza Company. Existing Fire Alarm is core and shell from base project.	Fire Alarm System	Woodinville Pizza Company	17401 133RD AVE	P/I	Josh Booth
Building	12/22/2021	MEC21306 Add ac to existing hvac system	Residential Mechanical	Garza	12442 NE 152ND ST	R-6	Lucinda Honeycutt
Engineering	12/22/2021	ROW21157 Place fiber in existing conduit along 140th Ave NE. Place fiber in existing conduit along Woodinville-Snohomish Rd NE. Replace PED with new PRO120 PED on Woodinville-Snohomish Rd NE.	Right of Way Permit	BOTHWAXB_5510518_18 200 WOODINVILLE SHOHOMISH RD NE, WOODINVILLE, WA	18200 WOODINVILLE SN	CBD	Nolan Goodwin
Planning	12/22/2021	EVE21015 Wine walk in the warehouse district as a fund raiser for Northshore schools foundation	Special Event Permit	Pour for Northshore	Woodinville Warehouse W		Carmin Dalziel
Planning	12/22/2021	DRA21018 Design review type 2 for new senior living facility on parcels 1026059106/1026059108	Design Review	Aegis Living Woodinville	16816 140TH AVE	CBD	Byron Ziegler
Building	12/23/2021	SIG21067 Aluminum sign attached to building	Commercial Sign	Smoke Shop Leaf Life	13317 NE 175TH ST	CBD	Greg Kim

New Permits Submitted in the Week Ending: 12/31/2021

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Building	12/27/2021	BLD21182 Change of use. From Distillery to business/office	Commercial TI	Shepel Design and Build	16110 WOODINVILLE RE I		Philip Shepel
Planning	12/27/2021	TRE21075 Remove 9 Douglas Firs	Tree Removal	Sewell Tree Removal	15404 NE 177TH DR	R-1	Paul Sewell
Building	12/28/2021	PLM21084 A TI wine tasting room with commercial kitchen	Commercial Plumbing	Valdemar Tasting Room	17401 133RD AVE	P/I	Joseph Fiore
Building	12/28/2021	COB21031 Remodel and addition to SFR. Plumbing and Mech only, see BLD21178 for building permit.	Residential TI - Combo	Bailin Remodel and Addition	18063 167TH AVE	R-1	Dan Malone
Building	12/28/2021	MEC21307 GAS FURNACE / AC INSTALL AND ADDITIONAL SINGLE ZONE DUCTLESS INSTALL	Residential Mechanical	MILTEN BERGER MECH PERMIT	14859 NE 195TH ST	R-1	Kailana Moniz
Building	12/28/2021	SIG21068 Illuminated push thru box to be installed to the fascade to existing power on the back of the wall.	Commercial Sign	Moltenworks Glass Studio	12602 NE 178TH ST	I	Sharon Khoo
Planning	12/28/2021	CAD21006 Critical area designation for septic application and SFR.	Critical Area Determination	195th SFR	16654 NE 195TH ST	R-1	Andrey Golubovich
Planning	12/28/2021	TRE21076 Removing 80 trees/planting 73 trees	Tree Removal	14106 Tree removal	14106 181st PL	R-24	SCOTT SELBY
Building	12/29/2021	MEC21308 Like for kind furnace replacement	Residential Mechanical	Ries	14615 129TH AVE	R-6	Diarra Diop

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Building	12/29/2021	MEC21309 Install (1) new hood and duct to serve new mash cooker. Utilize existing exhaust fan. Install new exhaust ductwork for (4) new fermenters. Tie into existing steam system and tie into existing chilled glycol supply/return systems and run new piping to serve owner provided (1) mash cooker, (1) beer heater, and (4) fermenters. Provide (1) new condensate pump.	Commercial Mechanical	Woodinville Whiskey TI	14509 WOODINVILLE RE I		Josh Lee
Building	12/29/2021	PLM21085 Demo (2) existing trench drains and install (2) new trench drains in close proximity to the demolished trench drains. Provide (1) new hot and cold water hose bib.	Commercial Plumbing	Woodinville Whiskey TI	14509 WOODINVILLE RE I		Josh Lee
Engineering	12/29/2021	ROW21158 POD to be delivered to District Flats apartment either on on 12/31/21 or 1/3/22	Right of Way Permit	Castillo POD	District Flats ROW		Juan Castillo
Building	12/30/2021	MEC21310 FURNACE CHANGE OUT WITH AC ADD	Residential Mechanical	COLEY 061087	13215 NE 154TH DR 1A		jenah barlow
Building	12/30/2021	MEC21311 Replace existing furnace and heat pump	Residential Mechanical	Smith, Doug	19090 162ND AVE	R1	Tori Heilman
Engineering	12/30/2021	ROW21159 OCCUPYING THE EAST BOUND LANE OF NE 182ND PL. CREW TO INSTALL NEW 1 1/8" PE GAS SERVICE. WORK AREA LOCATED AT APPROX 4' N OF CL OF NE 182ND PL & 4' W OF CL OF 154TH CT NE. (1): 3'X5' HARD SURFACE CUT ANTICIPATED. REMAINING WORK IS ON PRIVATE PROPERTY.	Right of Way Permit	15442 182ND PL 106382144	15442 NE 182ND PL	R-1	Nicole Stadler

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Engineering	12/30/2021	ROW21160 CREW TO INSTALL NEW 1 1/8" PE GAS SERVICE. WORK AREA LOCATED AT APPROX. 4' N OF CL OF NE 182ND PL & 226' W OF CL OF 154TH CT NE. (1): 3'X5' HARD SURFACE CUT ANTICIPATED. ALL OTHER WORK IS LOCATED ON PRIVATE PROPERTY. PLEASE SEE ATTACHED SITE PLAN & TCP.	Right of Way Permit	15418 182ND PL 106382143	15418 NE 182ND PL	R-1	Nicole Stadler
Engineering	12/30/2021	ROW21161 CREW TO INSTALL NEW 1 1/8" PE GAS SERVICE. WORK AREA LOCATED AT APPROX. 4' N OF CL OF NE 182ND PL. & 119' W OF CL OF 154TH CT NE. (1): 3'X5' HARD SURFACE CUT ANTICIPATED. ALL OTHER WORK LOCATED ON PRIVATE PROPERTY. PLEASE SEE ATTACHED SITE PLAN & TCP.	Right of Way Permit	15430 NE 182ND PL. 106381707	15430 NE 182nd PL 2	R-1	Nicole Stadler
Administration	12/27/2021	PRE21033 Proposal to construct new building to house manufacturing, storage and office operations.	Pre-Application Meeting	Woodinville Building	12811 NE 178TH ST	I	Lee Michaelis

New Permits Submitted in the Week Ending: 1/7/2022

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Building	01/03/2022	BLD22001 TENANT IMPROVMENT FOR NEW WINE TASTING ROOM WITHIN EXISTING COMMERICAL SPACE. POSSIBLE CHANGE OF USE.	Commercial TI	LATTA WINES	14200 NE 145TH ST		
Planning	01/03/2022	HOP22001 Reseller of goods through Amazon & Ebay/ Online only	Home Based Business	PNW Vista HOP	14170 NE 183rd ST 2-120	CBD	Philip Shafran
Planning	01/03/2022	TRE22001 Remove a dead tree on the property	Tree Removal	Dead Tree Removal	16512 NE 180TH PL	R-1	Rod Epps
Building	01/04/2022	MEC22001 Gas piping for a TI wine tasting room with commercial kitchen.	Commercial Mechanical	Valdemar Tasting Room	17401 133RD AVE	P/I	Joseph Fiore
Building	01/04/2022	BLD22002 Remove (3) antennas, and (6) RRHs and install (3) antennas, (6) RRHs and a 2nd fiber jumper and modify mount. At ground, remove power plant, Absolyte batteries and equipment from converter shelf and install new power plant with (10) rectifiers, (2) convertors & (2) battery strings and relocate (3) RRHs to tower.	Commercial TI	Crown 846378 Woodinville AT&T SB09	17718 WOODINVILLE SN	P/I	Valerie Peterson
Building	01/04/2022	MEC22002 Remove/Replace Gas Water Heater	Residential Mechanical	Ozel	15004 NE 177TH DR	R-1	JASON HANLEYBR
Fire	01/04/2022	FIR22001 Install new notification devices throughout dental tenant space.	Fire Alarm System	Pacific Dental	14241 NE WOODINVILLE	CBD	Camryn Olivarez
Planning	01/05/2022	HOP22002 Residential Remodeling	Home Based Business	Early Burd Remodel LLC	14006 NE 181ST PL B20	R-24	Marcus Burdyslaw

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Building	01/06/2022	COB22001 Mechanical and Plumbing work associated with a new 2045 SF one story restaurant with a drive thru	Commercial New - Combo	WOODINVILLE TOWNE CENTER STARBUCKS	17600 140TH AVE	CBD	Kevin Marx
Building	01/06/2022	BLD22003 Single Family Residence: New Construction Residence Attached 3 Car Garage Porch 2 Covered Patios In-ground swimming Pool	Residential New	Culhane Residence	20016 156th AVE 1		
Fire	01/06/2022	FIR22002 INSTALLATION OF A NEW NFPA 13D FIRE SPRINKLER SYSTEM.	Fire Sprinkler System	DeGROFF RESIDENCE	20002 156TH AVE		Jonathan Milian
Planning	01/06/2022	HOP22003 pareDWN offers professional handyman, cleaning, organizational, staging, design and real estate services. Licensed, insured and bonded in the state of WA. Woman owned/operated. No services are rendered on-site.	Home Based Business	pareDWN	12315 NE Woodinville DR	R-24	Kelsey Maxa
Building	01/07/2022	MEC22003 New gas line installed for range and fireplace.	Residential Mechanical	Gas line for range and fireplace.	17833 149TH AVE	R6	
Administration	01/06/2022	ZVL22001 zoning verification letter request for 16100-1614- Woodinville Redmond Rd NE	Zoning Verification Letter	River Front Business Park	16100 -16140 WOODINV	I	Kevin McGarry
Administration	01/04/2022	DEV22001 Tenant Improvement HVAC Work; relocation of existing units with duct distribution, additional heat pump for kitchen air conditioning and exhaust fan for scullery area, and any/all work per plans.	Development	Valdemar TI	17401 133RD AVE	P/I	Halie Schultz

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Fire	01/07/2022	FIR22003 Replace existing fire alarm panel and all initiating devices to new addressable type.	Fire Alarm System	Redapt Panel Upgrade	14051 NE 200TH ST	I	
Fire	01/07/2022	FIR22004 Add and relocate 44 sprinkler heads for new tenant walls and ceilings in existing retail space.	Fire Sprinkler System	Pacific Dental TI	14241 NE WOODINVILLE	CBD	Theron Davis

New Permits Submitted in the Week Ending: 1/14/2022

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Administration	01/10/2022	PRE22001 The project is to demolish the existing building pad on site and construct two standalone commercial buildings.	Pre-Application Meeting	Woodinville Commercial	19201 WOODINVILLE SN	GB	Melena Stewart
Building	01/10/2022	BLD21047.R01 Revise roof framing. Switch bonus room and bedroom 4.	Field Change	Howe New Residence	15430 NE 182nd PL 2	R-1	Patricia Albert
Engineering	01/10/2022	ROW22001 OCCUPYING THE NORTH BOUND LANE OF 124TH AVE NE. CREW TO REPLACE B/O C/O, TERMINATION & ARESTOR AT P01 (227350-167024). NO HARD/SOFT SURFACE CUTS. PLEASE SEE ATTACHED SITE PLAN & TCP.	Right of Way Permit	15708 124TH AVE NE 101144898	15708 124TH AVE	R-6	Nicole Stadler
Fire	01/10/2022	FIR22005 Changing out the monitoring radio to cellular device	Fire Alarm System	301FNL0718 Pietromonaco Monitoring Retrofit	20300 WOODINVILLE SN	I	Ryan Corey
Administration	01/11/2022	DEV22002 Type II Site Plan Review for new shell building with associated improvements on parcels 0622100005, 9517100275, 9517100276	Development	Woodinville Flex- Little Bear Creek	18501 139th AVE	GB	Drew Zabrowski
Building	01/11/2022	BLD22004 New roof atop existing deck	Residential Addition	Dubois Deck Roof	14500 NE 184TH PL	R-1	Douglas Almond
Building	01/11/2022	PLM22001 Removal and like for like replacement of a 50 gallon atmospheric gas water heater	Residential Plumbing	Water heater replacement	15419 135TH PL 33B		ZACHARY RUSK

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Building	01/12/2022	BLD22005 Modifications to the existing building to expand distillery operations. Included enlarged tanks per mechanical and associated mezzanine, and new fire-rated door in existing 1-Hr rated wall. No work proposed to exterior of building.	Commercial TI	Woodinville Whiskey Distillery Expansion	14508 WOODINVILLE RE I		
Building	01/12/2022	MEC22004 INSTALLATION OF CLASS I HOOD SYSTEM	Commercial Mechanical	VON'S WOODINVILLE	15029 WOODINVILLE RE I		kalli tedder
Building	01/12/2022	PLM22002 change water pipes inside house	Residential Plumbing	REPIPING	18470 134TH PL	R-6	HARPREET KAUR
Building	01/12/2022	PLM22003 ADD PLUMBING FOR TWO HAND SINKS ,ONE ICE MACHINE AND SEWAGE EJECTOR IN NEW BAR AREA	Commercial Plumbing	NORTHWEST SPIRITS	15029 WOODINVILLE RE I		robert papini
Building	01/12/2022	BLD22006 We would like to open up part of the storefront and put in windows. one windows would be 128x71 1/2-1/4 clear tempered over 1/4 clear tempered glass unit	Commercial TI	Pablo Y Pablo Storefront Windows	14481 WOODINVILLE RE TB		Larry Kurofsky
Building	01/12/2022	BLD21105.R01 This revision is for changing the proposed retaining wall from a dry stacked block retaining wall to an engineered concrete wall. The location and height are the same, just the method of construction is changing	Field Change	JUENGER Garage and Pool House	15410 NE 198TH ST	R-1	
Engineering	01/12/2022	ROW22002 POD to be delivered to District Flats	Right of Way Permit	Guerin POD	17409 133RD AVE	CBD	

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Engineering	01/12/2022	ROW22003 We will tie in and pull CATV at existing vault near 13001 NE 177th Pl, to Pole 1. Then overlash 1890' of CATV from Pole 1, near 13001 NE 177th Pl, heading North then West to Pole 11, near 12610 NE 178th St. At existing vault, near 13404 NE 177th Pl, we will bore 170' west then North to pole, placing conduit. New riser attached to Pole, near 13248 NE 177th Pl. Attach power supply to pole. Proof and pull CATV through conduit path.	Right of Way Permit	COMCAST - JB000085575	12728 NE 178TH ST	I	
Building	01/13/2022	BLD22007 Change of use from O'Reilly auto parts to a theatre	Commercial TI	Woodinville Repertory Theatre	13308 NE 175TH ST	CBD	Charley Blaine
Building	01/13/2022	BLD22008 Interior modifications to Locust Cider Tasting Room. The area of tasting is unchanged.	Commercial TI	Locust Cider TI	19151 144TH AVE	I	MARTIN REIMERS
Building	01/13/2022	MEC22005 INSTALLING DUCTLESS HEAT PUMP	Residential Mechanical	19111 136th Ave NE	19111 136TH AVE	R-6	Karen Matheney
Engineering	01/13/2022	ROW22004 The proposed work in the ROW is to access existing Comcast enclosure; proof existing Comcast conduit and pull approximately 843' of new 96ct fiber along 133rd Ave NE and NE 175th St to address 13205 NE 175th St, Woodinville WA 98072. No disturbance of surface.	Right of Way Permit	870643 - Walla Walla Steak Co	13205 NE 175TH ST	CBD	

Type	Date	Permit and Desc	Sub Type	Project	Location	Zone	Applicant
Building	01/14/2022	PLM22004 Removing old fixtures, vanity and bathtub and replacing with new ones, plumbing items changed: - Move vanity faucet plumbing into wall (wall mounted faucet) - raise shower head up higher and install new tub filler (same location) - Adjust bathtub drain to fit new tub	Residential Plumbing	19125 156th Ave NE Guest Bathroom Refresh	19125 156TH AVE	R-1	
Building	01/14/2022	SIG22001 Front lit channel letter set with aluminum backer cabinet	Commercial Sign	Crumbi Cookies	13930 NE 178TH PL	CBD	Sharon Khoo



CITY OF WOODINVILLE, WA
REPORT TO THE CITY COUNCIL
17301 133rd Avenue NE, Woodinville, WA 98072
WWW.CI.WOODINVILLE.WA.US

To: Honorable City Council
By: Development Services Department
Subject: December 2021 Monthly Development Services Report

Date: January 18, 2022

ISSUE: This report provides a summary of the permitting activity and department highlights for the month of December 2021 and a comparison with totals for 2020.

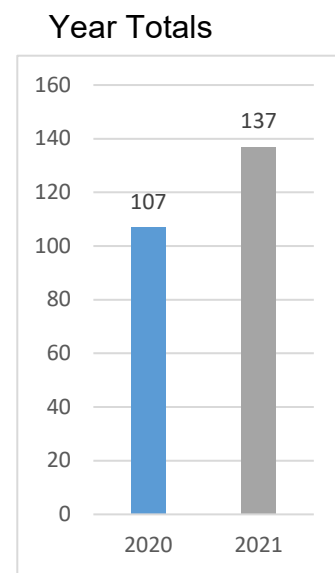
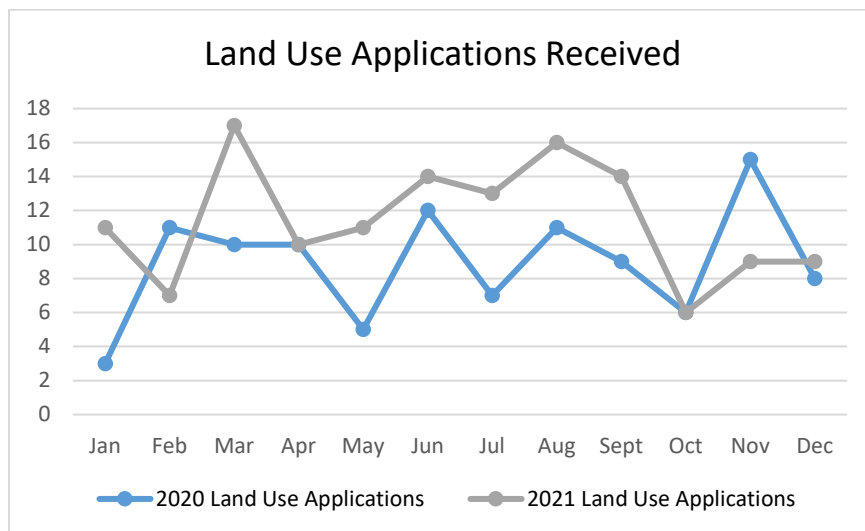
PERMITTING ACTIVITY:

Applications received December 1 through December 31:

LAND USE APPLICATIONS RECEIVED:

Permit Type	December	Year Totals
Conditional Use/ Special Use/ Temp Use Permits	0	1
Land Use Approval/ Design Review	3	22
Shoreline Permits	0	0
Subdivision/ Short Subdivision/ Boundary Line Adjustments	0	4
Variance	0	0
Critical Areas	1	9
SEPA	0	12
Home Business	5	88
Wireless	0	1
Total	9	137

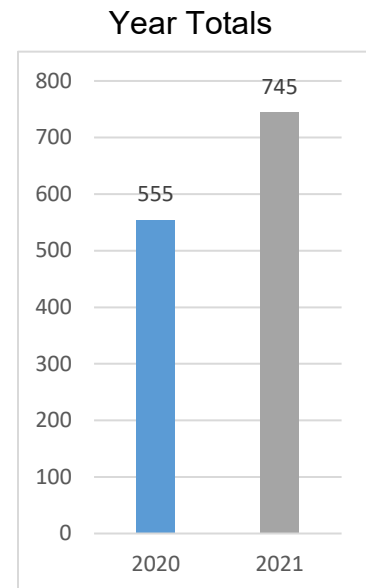
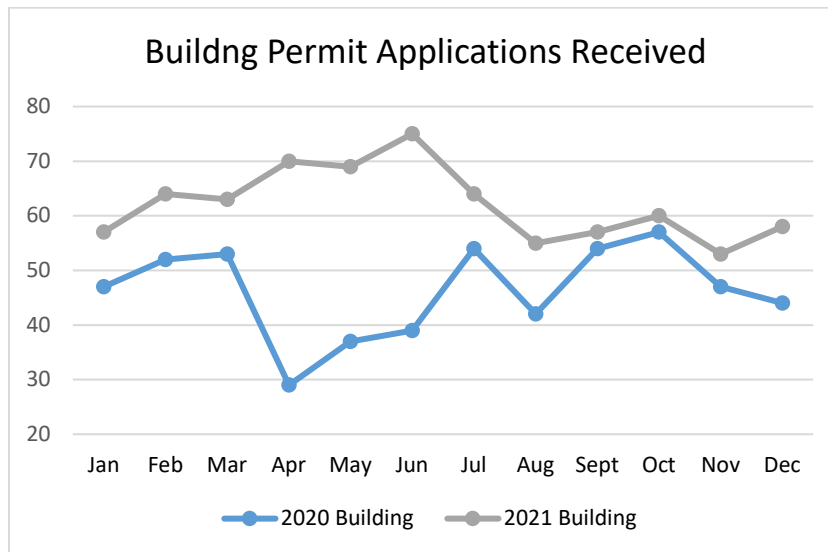
MONTHLY COMPARISON TRENDS:



BUILDING PERMIT APPLICATIONS RECEIVED:

Permit Type	December	Year Totals
Building/ Combination	13	188
Mechanical/ Plumbing/ Fire/ Demo	40	476
Signs	5	81
Total	58	745

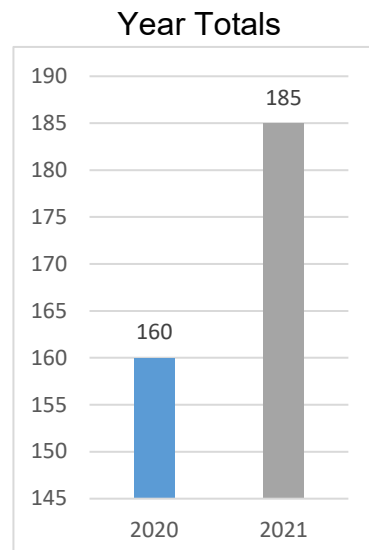
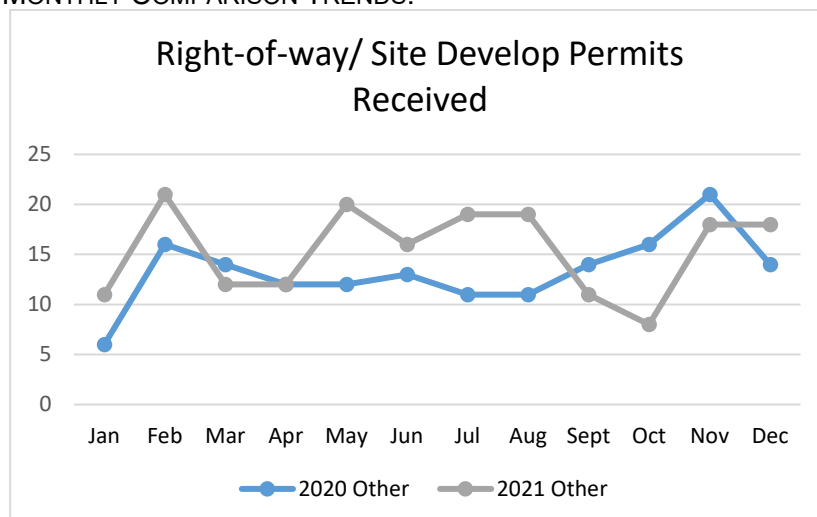
MONTHLY COMPARISON TRENDS:



OTHER CONSTRUCTION PERMITS RECEIVED:

Permit Type	December	Year Totals
Site Development/ Grading	0	20
Right-of-way permits	18	165
Total	18	185

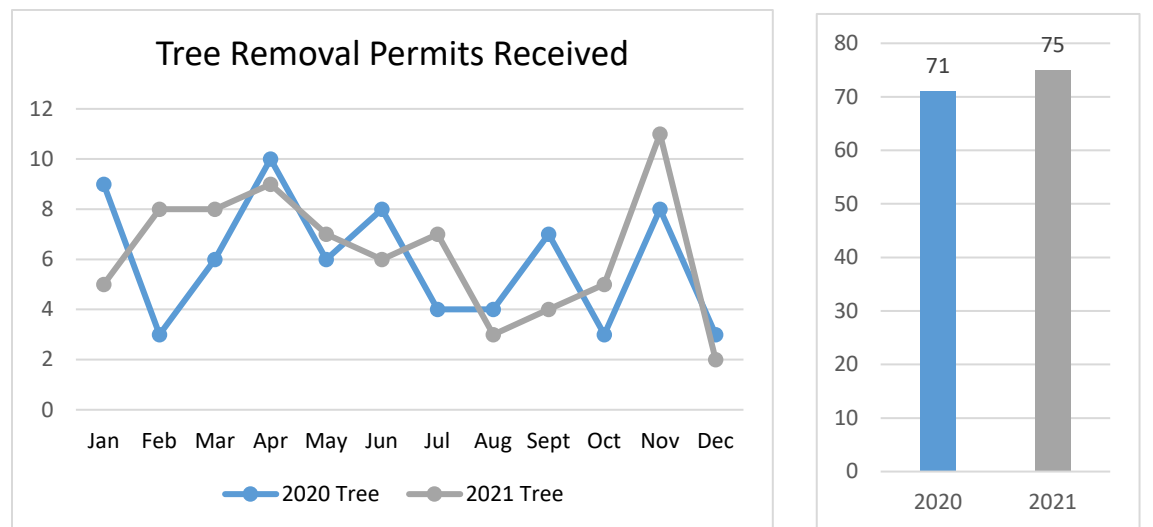
MONTHLY COMPARISON TRENDS:



TREE PERMIT APPLICATIONS RECEIVED:

Permit Type	December	Year Totals
Tree Removal	2	75
Total	2	75

MONTHLY COMPARISON TRENDS:



Decisions/ Permits Issued (December 1 through December 31)

LAND USE DECISIONS ISSUED:

Permit Type	December	Year Totals
Conditional Use/ Special Use Permits	0	2
Land Use Approval/ Design Review	0	16
Shoreline Permits	0	0
Preliminary Subdivision/ Short Subdivision/ Boundary Line Adjustments	0	7
Final Subdivision/ Short Subdivision	0	0
Variance	0	0
Critical Areas	0	6
SEPA determination	3	16
Wireless	0	1
Total	3	48

BUILDING PERMITS ISSUED:

Permit Type	December	Year Totals
Building/ Combination	10	182
Mechanical/ Plumbing/ Fire/ Demo	45	456
Signs	2	69
Total	57	707

OTHER CONSTRUCTION PERMITS ISSUED:

Permit Type	December	Year Totals
Site Development/ Grading	0	20
Right-of-way permits	15	159
Total	15	179

TREE REMOVAL PERMITS ISSUED:

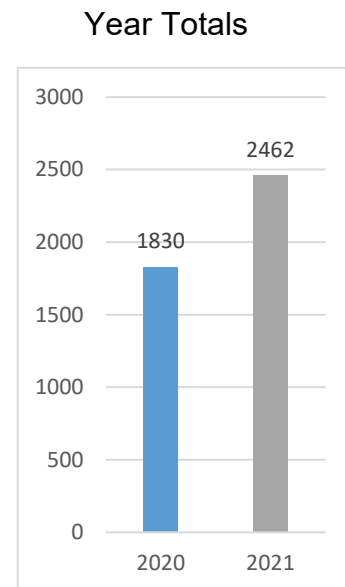
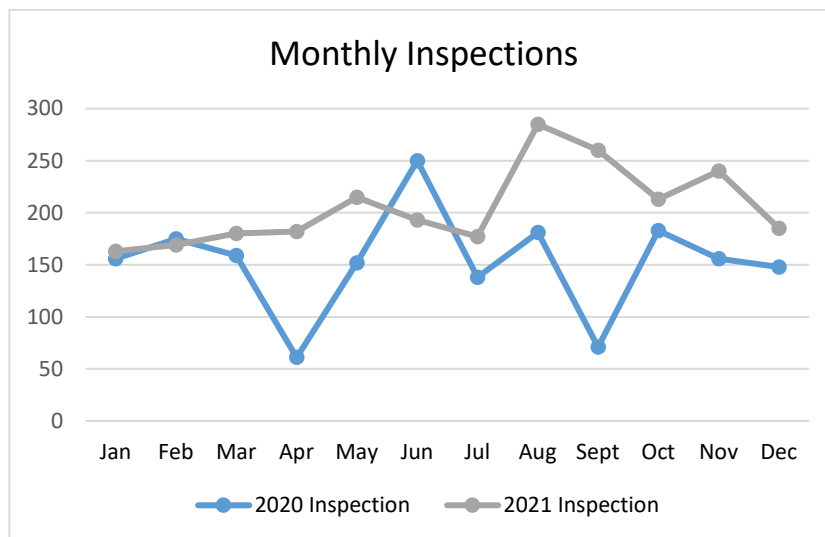
Permit Type	December	Year Totals
Tree Removal	3	61
Total	3	61

OTHER INDICATORS: (December 1 through December 31)

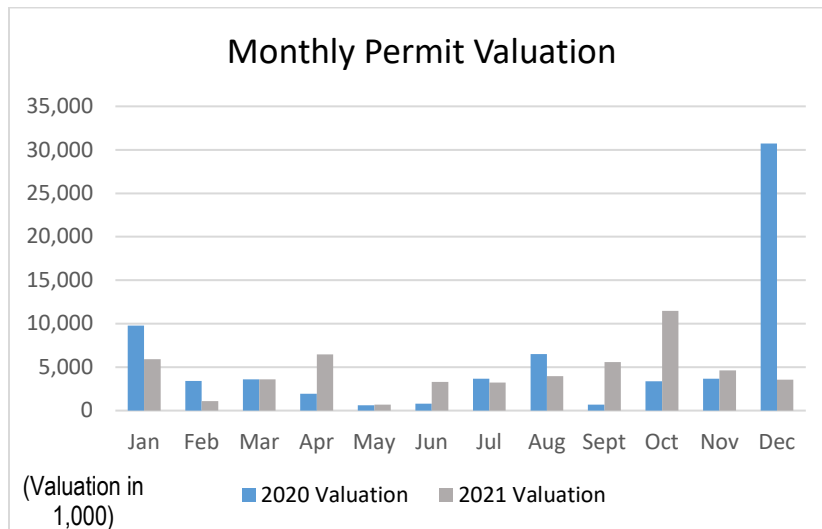
Indicators	December	Year Totals
Building Inspections	155	1,694
Building Permit Valuation	\$3,539,912	\$53,413,081
Temporary Sign Enforcement	0	325

MONTHLY COMPARISON TRENDS:

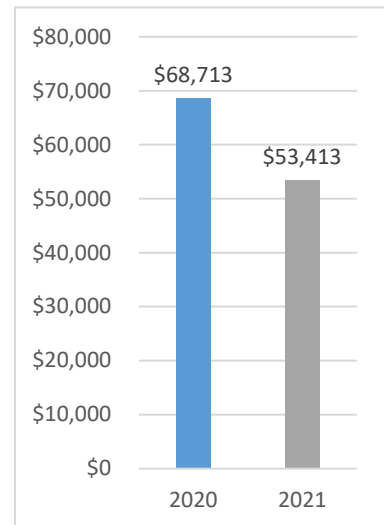
TOTAL INSPECTIONS:



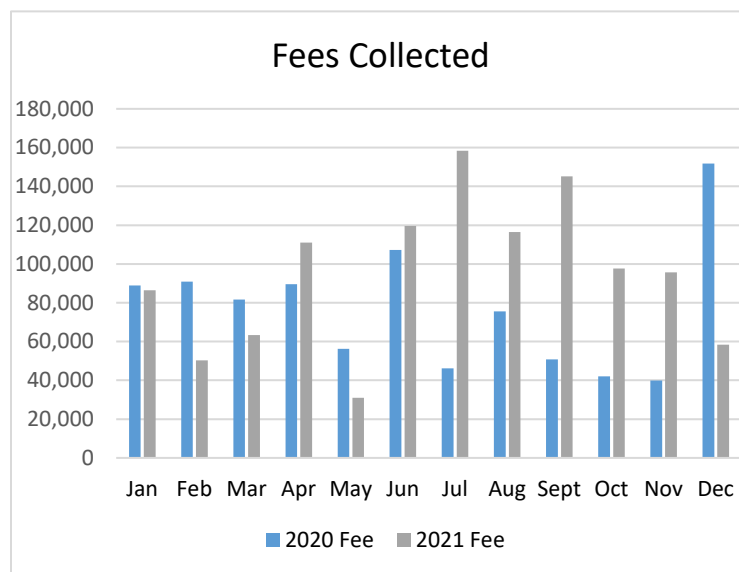
BUILDING PERMIT VALUATION:



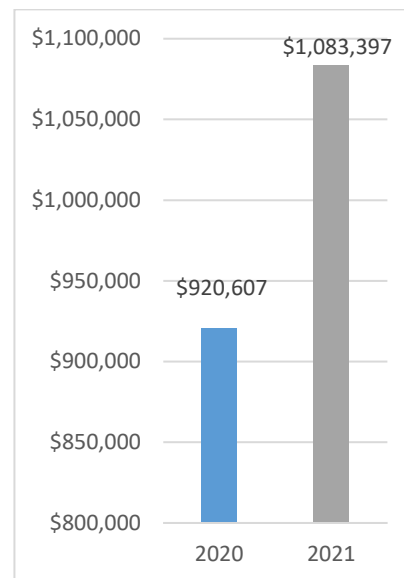
Year Totals



FEE COLLECTION:



Year Totals



OTHER ITEMS OF INTEREST:

- A. Fire District. Development Services staff had a meeting with members of the Eastside Fire & Rescue Fire Marshal department. The purpose of this meeting was to meet other members of the fire marshal office and to discuss fire permitting and inspection related services.
- B. Project Status. The following is a short summary of the status of some of the larger projects currently moving through the permitting process.
 1. **Old Redhook Brewery (Hollywood Station)**: Work on the Genco Building (on the old Teatro site) is progressing. The project continues to be under construction. Staff continues working with the property owner regarding parking on the site. Significantly, with the

property owner wanting to replace Teatro with wine tasting, and Delille expanding into the former Wheelhouse restaurant as well as expanding their production facilities into the former ZipFizz building (ZipFizz moved to a new location in Woodinville), and the departure of Adventura, the requirements for parking have grown on a site with limited parking facilities. To address this, the property owner must come up with a way to more effectively managed onsite parking by way of a parking management plan. However, if the property owner cannot come up with an adequate parking management plan, the use of the Genco Building will be limited to less parking intensive uses, which would exclude the wine tasting uses. An application for a tenant improvement in this new building has been received and the applicant will be made aware of the requirement for a conditional use permit and parking.

2. **Meraki Apartments (located at the corner of NE 172nd Place):** The project continues to make incremental progress in its review process.
3. **Countrywood Subdivision (18727 160th Ave NE):** This is an eight-lot plat in the northern R-1 zone, located off 160th Avenue NE. Preliminary approval of the subdivision was granted. The site development and frontage improvement permits have been issued and construction has begun.
4. **Woodin Creek Village (17300 135th Ave):** The City sent at the beginning of October a response to the latest from Weidner regarding the Amended Development Agreement request. The primary issue remains transportation impact fee credits. Processing of the Amended Development Agreement remains on hold until this issue is settled. At this point, the City is not expecting any activity on this until January/February 2022. Meanwhile, work continues on Phase 3 as well as occupancy of the commercial spaces. Staff and the applicant continue to monitor the available commercial parking supply to ensure as businesses open, they are adequately parked.

The following is an up-to-date status on construction of the development:

Phase 1: Complete. This phase included 237 residential units.

Phase 2: This phase of the project includes 313 residential units and about 55,000 square feet of commercial and office space.

Building A – Certificate of Occupancy (C/O) issued

Zeeks Pizza – C/O issued

Dashing Nails – C/O issued

Fresh Cuts Hair Salon – C/O issued

Lifted Taco – C/O issued

SideKick Coffee – C/O issued

Building B – C/O issued

Rocky Pond Winery – C/O issued

F45 CrossFit – C/O issued

Building C – C/O issued

Brix Wine Café – C/O issued

Woodin Creek Kitchen & Taproom – C/O issued

Swanky Scoop – Permit issued to construct tenant improvements

Island Blend- Commercial TI currently in review

Tsillan Cellars - Commercial TI currently in review

Building D – C/O issued

Alexandria Nicole Cellars – C/O issued
Bayernmoor Tasting Room – C/O issued
Brian Carter Cellars - Permit issued to construct tenant improvements

Building E – Permit issued – under construction
Rusty Pelican Café – C/O issued
TruthTeller Tasting Room–C/O issued
Ambassador Wines of Washington Tasting Room – C/O issued
Rooted Souls – C/O issued
Baer Cellars – C/O issued
Woodinville Wine Country – C/O issued
Ancestry (Suite 1035) – C/O issued
Adams Bench (Suite 1040) – C/O issued

Phase 3: This phase of the project includes 228 residential units. Building permits have been issued for Buildings A, B and C and construction is moving forward. Building B is nearing completion and a temporary Certificate of Occupancy was issued for the north portion of Building B which includes 31 residential units. The south side of the building is complete and has CO. Together this is 63 new residential units. The other two buildings in this phase are expected to be complete in spring 2022.

Phase 4 and 5: Land use, design review and building permit applications have been received for Phases 4 and 5. Phase 4 consists of 62 units and 2,400 square feet of commercial space and Phase 5 consists of 81 units. No commercial is proposed for Phase 5. Staff is continuing to review these permits, however building permits cannot be issued until an Amended Development Agreement is approved to vest the development in recent Zoning Code changes. Construction permits have been submitted and are under review for 138th Avenue NE.

5. **Civic Campus (17330 131st Ave NE):** Commercial tenant improvement permits have been issued for several of the spaces. Similar to other projects, parking remains an issue. The project was approved for a parking reduction based on assumptions that have subsequently changed in a manner that increased peak parking demand. Staff continues to work with the applicant to develop a parking management plan to ensure efficient use of available parking.

The following is an up-to-date status on construction of the development:

Building A – Temporary CO
McQueen Champaign Bar –Tenant Improvement permit under review

Building B – Temporary CO
Valdemar Estates Tasting Room – Issued Tenant Improvement permit
Oasis Medspa & Salon - Tenant Improvement permit under review

Building C – Temporary CO
Café Dupar – Issued tenant improvement permit
Woodinville Pizza Company – Issued Tenant Improvement permit
Suite 1002 – Issued Tenant Improvement permit
Suite 1004 – Issued Tenant Improvement permit
Suite 1006 – Issued Tenant Improvement permit
Suite 1008 – Issued Tenant Improvement permit
Suite 1010 – Issued Tenant Improvement permit
Suite 1012 – Issued Tenant Improvement permit
Suite 1014 – Issued Tenant Improvement permit

Old SchoolHouse

Walla Walla Steak House – Issued Tenant Improvement permit

6. **Woodinville Townhomes (14312 132nd Ave NE).** This project consists of 87 townhome units and seven detached single-family dwelling units. Land use, design review and environmental permits have been approved. The applicant has submitted revisions that are under review to change the previously proposed four-to-five-unit townhome buildings into two-unit (duplex) buildings. A site development permit for frontage improvements and stormwater vaults is under review. A separate site development permit was issued for onsite clearing and grading and depending on the weather, they will begin earth work soon. City staff mailed notice to nearby property owners and tenants to alert them to the upcoming work.
7. **Hudson Subdivision (16024 124th Ave NE).** This is a small 6-lot subdivision located in the R-6 zone off 124th Avenue NE. Permits were issued for site improvements and construction work continues. A violation notice was issued after the contractor constructed retaining walls that violated the Woodinville Municipal Code. Staff and the applicant have worked to resolve the issues and a correction plan was developed to allow the final plat and building permits to move forward. The final plat has been approved.
8. **Villa Element (12625 NE Woodinville DR):** This is a project to construct a mixed-use building containing nine multi-family residential units, approximately 2,128 square feet of office space, 14 stalls of structured parking, and associated site improvements. Construction permits have been issued and the site is currently under construction.
9. **Starbucks (17600 140TH AVE NE):** This project involves the demolition of an existing restaurant and construction of a new, approximately 2,000 square-foot drive-through coffee/café restaurant. Construction will include street frontage improvements, landscaping, and re-organization of the existing parking lot. The Land Use Project Approval (Site Plan Review) and Design Review are approved. The Site Development Permit has been issued and the building permit is approved.
10. **Woodinville Wine Village now known as Harvest (14450 Woodinville-Redmond Rd NE):** The site development permit for the roadwork construction has been issued and work along SR 202 is occurring. An amendment to the development agreement relating to height and authorize an alternative internal road standard for townhome developments was approved by City Council on December 7, 2021.

The following proposed projects have been submitting for the project and are under Site Plan Review. At this time no building permits have been submitted. No applications have been received for Lot 1, Lot 4, and Lots 12-16, although pre-application meetings have taken place for mixed use buildings on Lots 12-16. Lot 7 is unbuildable due to the size and shape.

Lot 2 – Site Plan Review for a 165-room hotel, which includes a large outdoor plaza, event spaces, a spa and a roof-top bar and viewing area is nearing completion.

Lot 3 – Site Plan, Design Review and a shoring permit for the parking garage have been submitted for the core commercial development on the site, which includes six commercial buildings set on top of the 600-stall parking garage, with 126,300 square feet of commercial space and a larger pedestrian plaza.

Lot 5 – Site Plan Review for 15,000 square foot public park near the Sammamish River and proposed connection to the Sammamish River Trail. Other than landscaping and minor park improvements, no other development is proposed on this lot.

Lot 6 – Site Plan Review for a four-story mixed-use building with 64-dwelling units, 10,000 square feet of commercial space and structured parking is under review.

Lot 8 - Site Plan Review for a 32-unit townhome project is under review.

Lot 9-11 Site Plan Review for a 45-unit townhome development known as Vineyard Creek Townhomes is under review.

11. **Woodinville Estates (15724 124th Ave):** This is a new 13-lot subdivision which combines two existing lots located in the R-6 zone off 124th Avenue NE. The preliminary plat and SEPA applications are under review.
12. **Gardens District (13625 NE 175th ST):** A new five-phase mixed-use development with Phase One having approximately 220 residential units and over 150,000 square feet of retail, including the relocated Molbak's Garden and Home Store and below grade parking. A development agreement has been submitted for this project, along with applications for SEPA, site plan review and design review. Additionally, this project has applied for a code change to increase the maximum height of buildings in the Central Business District.
13. **Shasta Ridge (20028 130th Avenue NE):** This project proposes to subdivide a 3-acre residential property into 14 single-family lots. The public noticing and comment period have ended, and the Preliminary Plat and SEPA review continue in preparing for a pre-decision hearing.
14. **Woodinville Flex (18501 139th Ave NE):** This project involves the construction of a two-story 168,000 square foot shell building with surface parking on approximately 14 acres of vacant land in the GB zone. Future uses and tenants are unknown at this time. The applicant has submitted applications for site plan review and critical area determination. We are anticipating in the near future applications for a shoreline substantial development permit and a critical area alteration. The site previously was known as Plywood Supply.
15. **Aegis Living (16816 & 16818 140th Ave NE):** Aegis Living has submitted a Design Review application for a new multi-story building with 65 assisted living units and 28 memory care units, with structured below grade parking. Existing buildings to be demolished. No access to 140th Court NE is proposed. Applicant has only submitted for design review but is expected to submit site plan review materials in January 2022.

PLANNING COMMISSION RECAP: The Planning Commission held a special meeting on December 1, 2021.

- *Public Benefits Policy – Discussion*

The Planning Commission was presented updates on this policy document based on comments from the August 25 and October 27, 2021, meetings. The discussion focused on comments from the last meeting and how different levels of LEED certification compared to requirements of the Washington State Energy Code, and what public benefit weight should be assigned to the different levels. Planning Commission took action to assign different weight

factors for different LEED level certifications as a public benefit and completed work on this policy document.

- *Code Amendments to Increase the Height Standards in the Central Business District Zone – Briefing*

City staff briefed the Commissioners on the proposed changes to the Planning Commission's recommendation on the CBD zoning height amendment. This briefing was provided after the City Council directed staff to work with developers to address expressed concerns with the original Planning Commission recommendation. The Commissioners voiced concerns about including the Pedestrian Core Design District in the height amendment and about further breaking up some of the potential bulk due to increased height. They also requested that proposed changes be brought back to the Planning Commission for further discussion.

- *Updating Land Use Tables – Discussion*

The Planning Commission continued discussions about the land use tables and on the size restrictions for some of the specific uses (e.g., 10,000 square foot restriction for Grocery Stores in the Pedestrian Core Design District). Generally, the Commissioners felt most of the size restrictions and adjustments made as part of the code update were appropriate but may recommend further changes to the specific sizes. Note: The discussion on size limitations was per City Council direction during the adoption of Ordinance No. 700.

Item No.	Reporting Item	YTD	From 12/01/2021 to 12/31/2021
1.0	<u>Land Use Permits</u>		
1.10	<u>Land Use Permit Application</u>	9	
1.12	Critical Area Permits	1	
1.13	Home Businesses	5	
1.14	Land Use Approvals and Design Reviews	3	
1.20	<u>Land Use Permit Approvals</u>	3	
1.25	SEPA Determinations	3	
2.0	<u>Construction Permits</u>		
2.10	<u>Construction Permit Applications</u>	80	
2.11	Building, Combination	13	
2.12	Fire, Mechanical, Plumbing, Demolition, Tanks	40	
2.13	Right-of-Way	18	
2.14	Permanent Signs	4	
2.15	Temporary Signs	1	
2.17	Tree Removal	2	
2.20	<u>Construction Permits Issued</u>	76	
2.21	Building, Combination	10	
2.22	Fire, Mechanical, Plumbing, Demolition, Tanks	45	
2.23	Right-of-Way	15	
2.24	Permanent Signs	1	
2.25	Temporary Signs	1	
2.27	Tree Removal	3	
2.30	<u>Construction Permits Finaled</u>	27	
2.31	Building, Combination	9	
2.32	Fire, Mechanical, Plumbing, Demolition, Tanks	17	
2.34	Permanent Signs	1	
3.0	<u>Inspections</u>		
3.10	<u>Building Inspections</u> (NOT SIGN PERMITS)	150	
3.11	Fire Operational	19	
3.12	Right-of-Way	10	
3.13	Sign (SIGN PERMITS)	5	
3.14	Site Development/Grading	1	
3.15	Tree Removal	0	
	TOTALS	185	
4.0	<u>Fees</u>		
4.10	Total Fees Collected	\$58,353.95	
4.10.	<i>Permit Fees SubTotal</i>	<i>\$58,353.95</i>	
4.13	Building Permit Valuation - All Projects	\$3,539,912.00	
5.0	<u>Other Permitting Indicators</u>		
5.10	Pre-Application Meetings	1	
5.15	Tenant Improvements Issued	5	
5.16	New Single-Family Residential Units	1	
6.0	<u>Code Enforcement</u>		
6.10	Cases Opened		
6.11	Cases Closed		
6.12	Code Violations Resolved		
7.0	<u>Long Range Planning</u>		
7.10	Major Plan Updates	0	
7.11	Comp Plan Amendments	1	
7.12	Development Reg Amendments	0	

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