

**CHAPTER 21.02 AUTHORITY, PURPOSE, INTERPRETATION AND
ADMINISTRATION**

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21.02.010 Title. This title shall be known as the City of Woodinville Zoning Code, hereinafter referred to as "this title."

21.02.020 Authority to adopt code. The City of Woodinville Zoning Code is adopted by City of Woodinville ordinance, pursuant to the Washington State Constitution, and Chapter 35A.63 RCW.

21.02.030 Purpose. The general purposes of this title are:

- (1) To encourage land use decision making in accordance with the public interest and applicable laws of the State of Washington;
- (2) To protect the general public health, safety, and welfare;
- (3) To implement the City of Woodinville Comprehensive Plan's Goals and Policies through land use regulations;
- (4) To provide for the economic, social, and aesthetic advantages of orderly development through harmonious groupings of compatible and complementary land uses and the application of appropriate development standards;
- (5) To provide for adequate public facilities and services in conjunction with development; and
- (6) To promote general public safety by regulating development of lands containing physical hazards and to minimize the adverse environmental impacts of development.

21.02.040 Conformity with this title required.

- (1) No use or structure shall be established, substituted, expanded, constructed, altered, moved, maintained, or otherwise changed except in conformance with this title.

- (2) Creation of or changes to lot lines shall conform with the use provisions, dimensional and other standards, and procedures of this title and WMC Title 20, Subdivision Code.
- (3) All land uses and development authorized by this title shall comply with all other regulations and/or requirements of this title as well as any other applicable local, state or federal law. Where a difference exists between this title and other City regulations, the more restrictive requirements shall apply.
- (4) Where more than one part of this title applies to the same aspect of a proposed use or development, the more restrictive requirement shall apply.

21.02.050 Minimum requirements. In interpretation and application, the requirements set forth in this title shall be considered the minimum requirements necessary to accomplish the purposes of this title.

21.02.060 Interpretation - General.

- (1) In case of inconsistency or conflict, regulations, conditions or procedural requirements that are specific to an individual land use shall supersede regulations, conditions or procedural requirements of general application.
- (2) A land use includes the necessary structures to support the use unless specifically prohibited or the context clearly indicates otherwise, subject to other standards in code and any required permits for structures.
- (3) Chapter and section headings, captions, illustrations and references to other sections or titles are for reference or explanation only and shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of any section. In case of any ambiguity, difference of meaning or implication between the text and any heading, caption or illustration, the text and the permitted use tables in Chapter 21.08 WMC shall control. All applicable requirements shall govern a use whether or not they are cross-referenced in a text section or land use table.
- (4) The word "shall" is mandatory and the word "may" is discretionary.
- (5) Unless the context clearly indicates otherwise, words in the present tense shall include past and future tense, and words in the singular shall include the plural, or vice versa. Except for words and terms defined in this title, all words and terms used in this title shall have their customary meanings.

21.02.070 Interpretation – North America Industrial Classification System.

- (1) All references to the North America Industrial Classification System (NAICS) are to the titles and descriptions found in the North America Industrial Classification System 2002 edition, prepared by United States Office of Management and Budget which are hereby adopted by reference. The NAICS is used, with modifications to suit the purposes of this title, to list and define land uses authorized to be located in the various zones.
- (2) The NAICS categorizes each land use under a general two (2)-digit major group number, or under a more specific five (5) - or six (6)-digit industry group or industry number. A use shown on a land use table with a two (2)-

digit number includes all uses listed in the SIC for that major group. A use shown with a five-digit or six-digit number includes only the uses listed in the NAICS for that industry group or industry, respectively, and the uses so listed are excluded from the respective major group.

- (3) An asterisk (*) in the NAICS number column of a land use table means that the NAICS definition for the specific land use identified has been modified by this title. The definition may include one or more NAICS-subclassification numbers, or may define the use without reference to the NAICS.
- (4) The Development Services Director shall determine whether a proposed land use not specifically listed in a land use table or specifically included within a NAICS classification is allowed in a zone. The Development Services Director's determination shall be based on whether or not permitting the proposed use in a particular zone is consistent with the purposes of this title and the zone's purpose as set forth in Chapter 21.04 WMC, by considering the following factors:
 - (a) The physical characteristics of the use and its supporting structures, including but not limited to scale, traffic and other impacts, and hours of operation;
 - (b) Whether or not the use complements or is compatible with other uses permitted in the zone; and
 - (c) The NAICS classification, if any, assigned to the business or other entity that will carry on the primary activities of the proposed use.
- (5) The decision of the Development Services Director on an NAICS classification shall be final unless the applicant or an adverse party files an appeal to the Hearing Examiner pursuant to WMC 2.30 and 17.17.

21.02.080 Interpretation - Zoning maps. Where uncertainties exist as to the location of any zone boundaries, the following rules of interpretation, listed in priority order, shall apply:

- (1) Where boundaries are indicated as paralleling the approximate centerline of the street right-of-way, the zone shall extend to each adjacent boundary of the right-of-way. Non road-related uses by adjacent property owners, if allowed in the right-of-way shall meet the same zoning requirements regulating the property owners lot;
- (2) Where boundaries are indicated as approximately following lot lines, the actual lot 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; and
- (4) If none of the rules of interpretation described in subsections (1) through (3) apply, then the zoning boundary shall be determined by map scaling.

21.02.090 Administration and review authority.

- (1) The Hearing Examiner shall have authority to hold public hearings and make decisions and recommendations on development proposals as set forth in WMC Title 17, and appeals of Development Services Director and Building Official decisions, as set forth in WMC 2.30, Title 15 and Title 17.
- (2) The Development Services Director shall have the authority to grant, condition or deny applications for development proposals as set forth in EMC Title 17, .
- (3)
- (3) Except for other agencies with authority to implement specific provisions of this title, the Development Services Director shall have the sole authority to issue official interpretations of this title.
- (4) The Development Services Director is hereby authorized after March 31, 1993, 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 code shall control.

21.02.100 Severability. Should any chapter, section, subsection, paragraph, sentence, clause or phrase of this title be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this title.