

## Chapter 20.08

## BASIC DEFINITIONS AND INTERPRETATIONS

Sections:

20.08.010 Definitions of Basic Terms.

~~20.08020 Lots Divided By District Lines~~20.08.010 Definitions of Basic Terms.

Unless otherwise specifically provided, as when a particular chapter contains its own definition section, or unless clearly required by the context, the words and phrases defined in this section shall have the meaning indicated when used in this title.

*Abandonment* means to cease or discontinue a use or activity without intent to resume but excluding temporary or ~~short-short~~ term interruptions to a use or activity during periods of remodeling, maintaining, or otherwise improving or rearranging a facility, or during normal periods of vacation or seasonal closure.

*Abutting* means having a common border with or being separated from such common border by an alley or easement.

*Access* means a ~~means-way of approaching or entering a property. Access includes ingress, the right to enter, and egress, the right to leave by~~ vehicular, pedestrian, or other ingress and egress to a lot or parcel.

*Access Easement* means an easement dedicated primarily for ingress/egress to one or more lots, although utility lines may also be placed within the easement, and within which the parking of vehicles is prohibited.

*Access Tract* means a privately owned tract of land whose sole function is to provide access to abutting properties and over which an access easement has been dedicated.

*A Single-Family Residential Access Tract or Easement* serves or is designed to serve not more than four dwelling units and is expected to or does handle up to 40 average trips per day.

*A Non-Single-Family Residential Access Tract or Easement* is a private road internal to a single non-Single-Family Residential development intended to provide access to the public or rear-lot property owners. Such “private roads” can only be used where, in the opinion of the ~~Public Works~~ Community and Economic Development Director, there is no potential or need for connection of public streets from one side of a property to another. The permit-issuing authority must approve their use.

*Accessory Antenna Device* means antennae that are less than 12 inches in height or width, excluding the support structure. Examples include, but are not limited to, test mobile antennae or global positioning system (GPS) antennae.

*Accessory Building.* See *Building, Accessory*.

*Accessory Dwelling Unit (ADU)* means a fully independent secondary living unit that is located on the same property as the primary dwelling. An ADU can be either attached or detached from the primary structure.

**Commented [AR1]:** Added definitions for all uses from the permissible use tables. Also added other common words that needed definitions provided to help clarify information for staff and customers.

**Commented [AR2]:** Removed this section and added it to 20.36 Zoning Districts

Accessory Use means uses, facilities, and activities normally associated with a use listed as a permitted use in a zone and are permitted as part of the permitted use on the same lot as the principal structure. The accessory use, facility or activity must be clearly secondary to the permitted use. The primary use or activity shall be established before or concurrent with the accessory use or activity. ~~(See see §20.40.050, Accessory Uses)~~

Acres, Gross means the entire acreage of a site. Gross acreage is the total area of the site before street right-of-way dedication.

Acres, Net means the portion of the site that can actually be built upon. The following generally are not included in the net acreage of a site: public or private road rights-of-way, public open space, critical areas, and floodways.

ADA means Americans with Disabilities Act. For purposes of planning and land use, federal law that requires businesses and public facilities and conveyances be accessible to individuals with disabilities.

Addition (to an existing building) means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common wall other than a firewall. Any walled and roofed addition that is connected by a firewall or is separated by independent perimeter walls is considered to be new construction.

Adjacent means that which lies near or close to, not widely separated nor necessarily touching.

Adjacent Property Owner means any property owner of record, according to the records of the County Assessor, whose property adjoins or abuts property proposed for division or any portion thereof, or whose property is within three hundred (300) feet of the property proposed for division.

Adjoining means that which is joined or united and ~~actually~~ touching.

Adult Entertainment.

(a) “Adult entertainment establishments” means adult motion picture theaters, adult drive-in theaters, adult bookstores, adult cabarets, adult video stores, adult retail stores, adult massage parlors, adult sauna parlors, or adult bathhouses, which are defined as follows:

(1) “Adult bath house” means a commercial bathhouse, which excludes any person by virtue of age from all or any portion of the premises;

(2) “Adult bookstore” means a retail establishment in which:

(A) 10% or more of the “stock-in-trade” consists of books, magazines, posters, pictures, periodicals, or other printed materials distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas”; and

(B) Any person is excluded by virtue of age from all or part of the premises generally held open to the public where such material is displayed or sold.

(3) “Adult cabaret” means a commercial establishment that presents go-go dancers, strippers, male or female impersonators, or similar types of entertainment and which excludes any person by virtue of age from all or any portion of the premises.

(4) “Adult massage parlor” means a commercial establishment in which massage or other touching of the human body is provided for a fee and which excludes any person by

- virtue of age from all or any portion of the premises in which such services is provided.
- (5) “Adult motion picture theater” means an establishment, place (indoor or outdoor), building, enclosure, or portion thereof, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to “specified sexual activities” or “specified anatomical areas” for observation by patrons therein.
- (6) “Adult retail store” means retail establishment in which:
- (A) 10% of more of the “stock-in-trade” consists of books, magazines, posters, pictures, periodicals, or other printed materials distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas”; and
  - (B) Any person is excluded by virtue of age from all or part of the premises generally held open to the public where such material is displayed or sold.
- (7) “Adult sauna parlor” means a commercial sauna establishment that excludes any person by virtue of age from all or any portion of the premises.
- (8) “Adult video store” means a retail establishment in which:
- (A) 10% of more of the “stock-in-trade” consists of books, magazines, posters, pictures, periodicals, or other printed materials distinguished or characterized by an emphasis on matter depicting, describing, or relating to “specified sexual activities” or “specified anatomical areas”; and
  - (B) Any person is excluded by virtue of age from all or part of the premises generally held open to the public where such material is displayed or sold.
- (b) “Specified anatomical areas” means:
- (1) Less than completely and/or opaquely covered human genitals, pubic region, buttock, or female breast below a point immediately above the top of the areola;
  - (2) Human male genitals in a discernibly turgid state even if completely or opaquely covered.
- (c) “Specified sexual activities” means:
- (1) Acts of human masturbation, sexual intercourse, or sodomy; or
  - (2) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast; or
  - (3) Human genitals in a state of sexual stimulation or arousal.
- (d) “Stock-in-trade” means:
- (1) The retail dollar value of all products, equipment, books, magazines posters, pictures, periodicals, prerecorded video tapes, discs, or similar material readily available for purchase, rental, viewing, or use by patrons of the establishment, excluding material located in any storeroom or other portion of the premises not regularly open to patrons; or
  - (2) The number of titles of all products, equipment, books, magazines, posters, pictures, periodicals, other printed materials, prerecorded video tapes, discs, or similar material readily available for purchase, rental, viewing, or use by patrons of the establishment, excluding material located in any storeroom or other portion of the premises not regularly open to patrons.

*Adult Family Home* means a regular family abode in which a person or persons provides personal care, special care, room, and board to more than one but not more than six (6) adults who are not related by blood or marriage to the person or persons providing the services.

*Adverse Impact* means a negative consequence for the physical, social, or economic environment resulting from an action or project.

*Affordable Housing* means, unless the context clearly indicates otherwise, residential housing whose monthly costs, including utilities other than telephone, do not exceed thirty percent of the monthly income of a household whose income is:

- (a) For rental housing, sixty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development; or
- (b) For owner-occupied housing, eighty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

*Agriculture Land* means land used for commercial production (as shown by financial record) of horticultural, viticultural, floricultural, dairy, apiary, or animal products, or of vegetables, Christmas trees, berries, grain, hay, straw, turf, seed, or livestock, and that has long-term (6 years or longer) commercial significance for agricultural production.

*Agriculture* means the tilling of soil, the raising of crops, horticulture, viticulture, small livestock farming, pasturing, grazing, poultry, dairying and/or animal husbandry, including all uses customarily incidental thereto except small animal husbandry.

*Agency with Jurisdiction* means an agency with authority to approve, veto, or finance all or part of a SEPA-nonexempt proposal (or part of a proposal). The term does not include an agency authorized to adopt rules or standards of general applicability that could apply to a proposal, when no license or approval is required from the agency for the specific proposal. The term also does not include a local, state, or federal agency involved in approving a grant or loan, that serves only as a conduit between the primary administering agency and the recipient of the grant or loan. Federal agencies with jurisdiction are those from which a license or funding is sought or required.

*Aircraft Painting and Air Frame Repair* means a building used for air frame repair and/or painting of an aircraft.

*Aircraft Parking and Storage* means a designated area for the parking or storage of aircraft that provides tie-downs or provides hangars space.

*Aircraft Parts and Installation* means an establishment that provides the sale of aircraft parts and installation of parts.

*Aircraft Repair and Maintenance* means service, repair, or maintenance of aircraft, including but not limited to rehabilitation, mechanical repairs, and lubrication.

*Aircraft Sales or Rentals* means an establishment for the sale/rental of aircraft and includes supplementary maintenance and sale of parts and accessories.

*Aircraft Wash* means an area designated with access to water and provides stormwater controls for the washing of aircraft.

*Airport* means any area of land or water designed and set aside for the landing and take-off of aircraft, including all necessary facilities for the housing and maintenance of aircraft.

*Alterations* means a change or rearrangement of the structural parts of existing facilities, or an enlargement by extending the site or increasing the height or ~~depth, or depth or~~ moving from one location to another. In buildings for business, commercial, industrial or similar uses, the installation or rearrangement of partitions affecting more than one-third of a single floor area shall be considered an alteration.

*Alley* means a public or private way permanently reserved as a secondary means of access to abutting property.

*Ambulance Service* means patient transport services, nontransport prehospital life support services, and advanced life support, paramedic, and medical first-responder services.

*AMC* means the Arlington Municipal Code.

*Amphitheater* means an outdoor man-made structure or geological formation used for viewing lectures, concerts, or theatrical performances. The stage or focal point is at the lowest level, and sloped seating ascends in straight or curved rows.

*Annexation* means to incorporate a land area into an existing district or municipality, with the resulting change in the boundaries of the annexing jurisdiction.

*Antenna* means any system of poles, panels, rods, reflecting discs or similar devices used for the transmission or reception of radio frequency signals.

- (1) Omni-directional antenna (also known as a “whip” antenna) transmits and receives radio frequency signals in a three hundred sixty degree radial pattern. For the purpose of this document, an omni-directional antenna is up to fifteen (15) feet in height and up to four (4) inches in diameter.
- (2) Directional antenna (also known as a “panel” antenna) transmits and receives radio frequency signals in a specific directional pattern of less than three hundred sixty (360) degrees.
- (3) Parabolic antenna (also known as a dish antenna) is a bowl-shaped device for the reception and/or transmission radio frequency communications signals in a specific directional pattern.

*Appeal* means when a person believes a decision was made in error, an appeal may be filed so that a higher decision-making body can review the case.

*Applicant* means a person, partnership, corporation, or other legal entity who applies for any approval under this Title and who is an owner of the subject property or the authorized agent of the owner. The applicant for a project permit is deemed to be a participant in any comment period, open record hearing, or closed record appeal.

*Appropriate* means that which is compatible with a facility's natural, cultural, or recreational resources, recognizing the purpose of the established area.

*Aquaculture* means the cultivation of aquatic plants and/or animals for human use or consumption. Aquaculture may include hatcheries, marine crop production, and other similar uses that occur in either fresh or salt water.

*Aquifer* means a groundwater bearing geologic formation or formations that contains sufficient amounts of saturated material to yield water.

*Aquifer Recharge Area* means a body of permeable materials that collects precipitation or surface water and transmits it to the aquifer.

*Arterial Street.* See *Street, Arterial.*

Art Gallery or Center means a room or building for the display or sale of works of art.

Assembly of Goods, Merchandise, or Equipment means the manufacturing process of combining individual components to a product in a sequential manner to create a product.

Assessed Valuation means the value at which property is appraised for tax purposes.

Athletic Facility means enclosed areas of sports pavilions, stadiums, gymnasiums, health clubs, and other similar places where members of the general public assemble to engage in physical exercise, participate in athletic competition, or witness sporting events.

Athletic Fields means a developed recreation area that may contain a playground as well as fields for competitive sports such as baseball, football, soccer, lacrosse, or other outdoor sports. Temporary bleachers and field equipment or storage buildings may be provided.

Attorney or Legal Services means services involving legal or law related matters like issue of legal opinion, filing, pleading, and defending lawsuits by a lawyer or attorney practicing law related services.

Automobile Graveyard means an establishment or place of business which is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts.

Automobile Recycling Facility means the use of land, buildings, or structures or portion thereof where good, wares, merchandise, articles or things are dismantled and/or sorted for further use and where such goods, wares, merchandise, articles or things are stored wholly or partly in the open and includes a junk yard, scrap metal yard, and motor vehicle wrecking yard or premises.

*Awning* means any movable roof-like structure cantilevered, or otherwise entirely supported from a building, so constructed and erected as to permit its being readily and easily detached, moved, or rolled or folded back to a position flat against the building or a cantilevered projection thereof.

Bank, Financial Institution means an institution engaged and licensed in the business of providing financial services to customers who maintain credit, deposit, trust, or other financial account or relationship with the institution. Banks may also provide financial services such as wealth management, currency exchange, and safe deposit boxes.

Bar Establishment means a retail establishment that serves alcoholic beverages, such as beer, wine, liquor, cocktails, and other beverages. A bar is also known as a saloon, tavern, or pub.

*Base Flood* means the flood having a one percent chance of being equaled or exceeded in any given year. Also known as the 100-year flood.

*Best Management Practice (BMP).*

- (a) When associated with stormwater management means physical, structural, and/or managerial practices that, when used singly or in combination, prevent or reduce pollution of water.
- (b) When associated with groundwater protection means a written plan outlining accepted practices, such as liquid containment, transfer practices, and emergency procedures whose purpose is to prevent contamination from contaminated land uses; for instance, monitoring and secondary containment for underground storage tanks.
- (c) When associated with Environmentally Critical Areas, BMPs are the best available conservation practices or systems of practices and management measures that:

- (1) Control soil loss and protect water quality from degradation caused by nutrients, animal waste, toxins, and sediment; and
- (2) Minimize adverse impacts to surface water and groundwater flow, circulation patterns, and to the chemical, physical, and biological characteristics of critical areas.

*Battery Charging Station* means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meets or exceeds any standards, codes, and regulations set forth in Chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

*Battery Electric Vehicle (BEV)* means any vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's batteries, and produces zero emissions or pollution when stationary or operating.

*Battery Exchange Stations* means a fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process, which meets or exceeds any standards, codes, and regulations set forth by Chapter 19.27 RCW and consistent with rules adopted under RCW 19.27.540. *(Amended by Ord. 2011-002, 2/7/11)*

*Billboard* means an off-premises sign owned by a person, corporation, or other entity that engages in the business of selling the advertising space on that sign.

*Billiards or Pool Hall* means a place where people get together for playing cue sports such as pool, snooker, or carom billiards. Such establishments commonly serve alcohol and often have arcade/video games, darts, or similar games.

*Binding Site Plan* means a drawing to a scale specified in this title which: (a) Identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified herein; (b) contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established in this title; and (c) contains provisions making any development be in conformity with the site plan. A major binding site plan is 10 lots or more and a minor binding site plan is 9 lots or less.

*Biosolid Recycling* means the practice of converting municipal sewage sludge to manufactured compost, topsoil, and fertilizer products. This process must meet state and federal requirements.

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

*Boarding House* means a residential use consisting of at least one dwelling unit together with more than two rooms, but not more than four, that are rented or are designed or intended to be rented but which rooms, individually or collectively, do not constitute separate dwelling units, primarily evidenced by not having separate kitchen facilities. A rooming house or boarding house is distinguished from a tourist home in that the former is designed to be occupied by longer-term residents (at least month-to-month tenants) as opposed to overnight or weekly guests.

*Bog* means a wetland with limited drainage and generally characterized by extensive peat deposits and acidic waters. Vegetation can include, but is not limited to, sedges, sphagnum moss, eriogonums, shrubs, and trees.

*Bond* means a written certificate guaranteeing to pay up to a specified amount of money if specified work is not performed; or any similar mechanism whereby the City has recourse to an identified fund from which to secure performance of specified work.

*Boundary Line Adjustment* means a division made for the purpose of alteration by adjusting boundary lines between platted or unplatted lots or both, which does not create any additional lot, tract, parcel, site, or division.

*Bowling Alley* means recreational facility which include bowling lanes, and may include a small lounge, restaurant and/or snack bar, or video games.

*Brewery* means a building or establishment for brewing beer or other malt liquors. This includes microbreweries, brewpubs, taproom breweries, craft beverages, and distilleries. These establishments may have tasting rooms or serve food.

*Buffer (to an environmentally critical area)* means land that surrounds and protects a critical area from adverse impacts to its functions and values or which provide a margin of safety through protection of slope stability, attenuation of surface water flows, and landslide hazards reasonably necessary to minimize risk to the public from loss of life or well-being or property damage resulting from natural disasters; or an area which is an integral part of a stream or wetland ecosystem and which provides shading, input of organic debris and coarse sediments, room for variation in stream or wetland edge, habitat for wildlife and protection from harmful intrusion necessary to protect the public from losses suffered when the functions and values of aquatic resources are degraded.

*Buffer (to reduce impacts between uses)* means an area, often landscaped, intended to separate and partially obstruct the view of two (2) adjacent land uses or properties from one another, or intended to reduce the impact of noise levels generated on one property from the surrounding properties and intended to enhance the level of safety and promote the aesthetic qualities of the area.

*Building* means a structure designed to be used as a place of occupancy, storage, or shelter.

*Building, Accessory* means a minor building that is located on the same lot as a principal building and that is used incidentally to a principal building or that houses an accessory use.

*Building, Principal* means the primary building on a lot or a building that houses a principal use.

*Building Permit* means an official document or certification that is issued by the building official, and which authorizes the construction, alteration, enlargement, conversion, reconstruction, remodeling, rehabilitation, erection, demolition, moving or repair of a building or structure.

*Bulk* means the term used to describe the size of buildings or other structures, and their relationship to each other and to open areas and lot lines.

*Bus Station* means a structure where city or intercity buses stop to pick up and drop off passengers. A bus station is intended to provide connections to multiple routes. The bus station may have platforms assigned to fixed bus routes.

*Bus Rapid Transit (BRT)* means transit system using buses that provide faster service than traditional bus routes, through improvements in infrastructure, vehicles, and scheduling. Examples include dedicated busways, priority bus lanes, limited stop service, and signal pre-emption.

*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 there from, fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. The term “cannabis” includes cannabis products and useable cannabis.

*Cannabis Collective Garden* means those gardens authorized by RCW 69.51A, which allows qualifying patients to assume responsibility for acquiring and supplying the resources required to produce and process cannabis for medical use.

*Cannabis Dispensaries* means an establishment authorized by RCW 69.50, which prepares and sells cannabis and cannabis-based products for medical or recreational use.

*Canopy* means a roof-like structure made of any material that projects from the wall of a building and overhangs a sidewalk or walkway.

*Capital Facility Plan* means the most recently adopted capital facilities plan, as now in existence or as hereinafter amended.

*Carrying Capacity* means the maximum number of units that can be accommodated by a facility without reducing the efficiency of that facility. Carrying capacity is used to measure the ability of a facility to accommodate more units. For example, the carrying capacity of a roadway is the maximum number of vehicles that can pass over a given section of a lane in one direction during a given time period. For recreation areas, the carrying capacity is the number of persons that can use the elements (play equipment, basketball courts, benches, etc.) at any given point in time.

*Carry Out and Delivery Service* means a commercial establishment where food is prepared on the premises for consumption off the premises. The food or beverages are packaged in disposable containers or wrappers in a ready to consume state off the premises by persons picking up or delivering food.

*Car Wash* means a building containing equipment for washing automobiles utilizing automatic mechanical devices. The site may include pay stations and/or vacuum stations.

*Cemetery* means a place for the burial or interment of dead persons.

*Certificate of Occupancy* means an official certification that a building or place conforms to the provisions of the zoning and building codes, and therefore may be used or occupied. A structure cannot be occupied without a certificate of occupancy.

*Certify* means whenever this title requires that some ~~agency~~agencies certify the existence of some fact or circumstance to the city, the city may require that such certification be made in any manner that provides reasonable assurance of the accuracy of the certification. By way of illustration, and without limiting the foregoing, the city may accept certification by telephone from some agency when the circumstances warrant it, or the city may require that the certification be in the form of a letter or other document.

*Charging Levels* means the standardized indicators of electrical force, or voltage, at which an electric vehicle’s battery is recharged. The terms 1, 2, and 3 are the most common EV charging levels, and include the following specifications:

- (1) Level 1 is considered slow charging.

- (2) Level 2 is considered medium charging.
- (3) Level 3 is considered fast or rapid charging.

Level 1 is present in homes and businesses and typically operates on a 15- or 20-amp breaker on a 120-volt Alternating Current (AC) circuit and standard outlet.

Level 2 is expected to become the standard for home and public charging and typically operates on a 40-amp to 100-amp breaker on a 208 or 240-volt AC circuit.

Level 3 is primarily for commercial and public applications (e.g., taxi fleets and charging along freeways) and typically operates on a 60-amp or higher dedicated breaker on a 480-volt or higher three-phase circuit with special grounding equipment. Note that the term “Level 3” is recommended to identify the increased power need in a numerical fashion (i.e., “3”), but the Level 3 charging level is also sometimes referred to as “Fast” charging and “Rapid” charging (see definition of Rapid Charging Station below).

*Child Care Home, Special Needs* means a home for orphaned, abandoned, dependent, abused, or neglected children, who as a group meet the definition for a family.

*Child Care Institution* means an institutional facility housing more than nine orphaned, abandoned, dependent, abused, or neglected children.

*Circulation Area* means that portion of the vehicle accommodation area used for access to parking or loading areas or other facilities on the lot. Essentially, driveways and other maneuvering areas (other than parking aisles) comprise the circulation area.

*City* means the City of Arlington.

*Civil Defense Operations* means the preparation for and carrying out of all emergency functions, other than functions for which military forces other than national guard are primarily responsible, for the purpose of minimizing and repairing injury and damage resulting from disasters caused by attack, sabotage or other hostile action; or by riot or other civil disturbance; or by fire, flood, earthquake, or other natural causes.

*Clearing* means the destruction and removal of vegetation by manual, mechanical, or chemical methods.

*Clinic of Physician or Dentist* means privately owned practice or part of multi-partner office or facility. Physicians focused on outpatient services designed for primary care, routine medical care, preventive care, screenings, bloodwork, prescriptions, medical attention for a variety of needs. Dentists or Orthodontists who are specialized in oral healthcare and trained to diagnose and treat conditions of gums, teeth, tongue, jaw, and mouth.

*Coliseums* means a stadium, large theater, or other special building for public meetings, sporting events, exhibitions, or public entertainment events.

*Collector Arterial Street.* See *Street, Collector Arterial*.

*Colleges, Universities, Community College* means an institution of higher learning providing facilities for teaching and research and authorized to grant academic degrees. The institution may offer undergraduate degrees, graduate degrees, certificate programs, or professional certification.

*Combination Use* means a use consisting of a combination on one lot of two or more principal uses separately listed in the Tables of Permissible Uses, Section 20.40. ~~040 (Table of Permissible Uses).~~ (Under some circumstances, a second principal use may be regarded as accessory to the first, and thus a combination use is not established. See [Section §20.40.050 \(Accessory Uses\)](#)). In addition, when two or more separately owned or separately operated

enterprises occupy the same lot, and all such enterprises fall within the same principal use classification, this shall *not* constitute a combination use.)

Commercial means a land use classification that permits facilities for the buying and selling of commodities and services.

Commercial Greenhouse means a building or structure used for the growing of flowers, plants, shrubs, trees, and similar vegetation which are not necessarily transplanted outdoors on the same lot containing the building or structure but are sold directly from such lot at wholesale or retail and may include an outdoor display area.

Common Open Space means land within or related to a development, not individually owned or dedicated for public use that is designed and intended for the common use of the residents of the development.

*Communication Facility, Wireless, Attached* means a wireless communication facility that is affixed to an existing structure and is not considered a component of the structure to which it is attached.

*Community and Economic Development Director* means the Director of the Department of Community and Economic Development.

Community Park means land with full public access intended to provide recreational opportunities beyond those supplied by neighborhood parks. Community parks are larger in scale than neighborhood parks but smaller than regional parks.

*Compatible* means for the purposes of this Title, a project may be found to be compatible with the area in which it is located in terms of design and use when it meets the following criteria:

- (1) *Compatibility of Design*—Where a project is subject to the City’s Development Design Guidelines or design regulations within this Title it is presumed to be compatible with the neighborhood in terms of design when it is found to be in conformance with those guidelines or regulations, even if it does not resemble existing development, as it is the intent of the City Council that neighborhoods should eventually develop or redevelop according to those design specifications. Where a project is not subject to those design guidelines or regulations, it may be found to be compatible with the neighborhood in terms of design when it generally conforms to the architectural aspects (i.e., those aspects addressed in the Development Design Guidelines) of the existing development.
- (2) *Compatibility of Use*—A project may be found to be compatible with the existing uses of a neighborhood if it causes no significant impacts on surrounding uses or, if it could cause significant impacts, that those impacts have been mitigated through project design or by conditioning the permit to restrict or limit certain aspects of the use so as to minimize those impacts.

Complete Streets means streets that are designed and operated to enable safe use and support mobility for all users. Those include people of all ages and abilities, regardless of whether they are travelling as drivers, pedestrians, bicyclists, or public transportation riders. The concept of complete streets encompasses many approaches to planning, designing, and operating roadways and rights-of-way with all users in mind to make the transportation network safer and more efficient.

Comprehensive Plan means the City’s adopted Growth Management Act Comprehensive Plan, including the land use plan, as now in existence or as hereinafter amended.

Conditional Use Permit means a permit issued by the Hearing Examiner that authorizes the recipient to make use of property in accordance with the requirements of this title as well as any additional requirements imposed by the Council.

Condominium means a form of ownership of property where the purchaser acquires title to a part of a building, space, and/or a portion of land, and an undivided interest in the common areas and facilities. This is distinguished from a cooperative, where the purchaser usually acquires stock that represents his interest in the property. Where the building so acquired consists of bedrooms with individual baths or combined bedrooms and living rooms with individual baths and/or has separate entrances for each unit, each unit shall be considered a separate dwelling unit for the purposes of this Code.

Consistency means for the purpose of reviewing a project per ESHB 1724, the term ‘consistency’ shall include all terms used in Chapter IV of that bill and chapter 36.70A RCW to refer to performance in accordance with Chapter IV of that bill and chapter 36.70A RCW, including but not limited to compliance, conformity, and consistency.

Construction / Contractor Yard and Office means service establishments primarily engaged in general contracting or subcontracting in the building construction trades. These include administrative offices, workshops, and the indoor or outdoor storage of tools, equipment, materials, and vehicles. All outdoor storage related to this use shall follow the outdoor storage requirements of §20.44 (Supplemental Uses).

Consultant means a professional hired by the city to provide expert advice, knowledge, or services in a particular area of expertise.

Contiguous means lands are contiguous if they actually adjoin each other and share a common boundary.

Convenience Store means a one-story, retail store containing less than 3,000 square feet of gross floor area that is designed and stocked to sell primarily food, beverages, and other household supplies to customers who purchase only a relatively few items (in contrast to a “supermarket”). It is designed to attract and depends upon a large volume of stop-and-go traffic. Illustrative examples of convenience stores are those operated by the “Arco AM/PM” and “7/11” chains.

Cottage Housing means a development of single family detached dwelling units constructed in groups located on a commonly owned piece of property with each unit no larger than 1,200 square feet. The units are built around common open space, with minimal private yards. Units do not have individual garages; parking is located in separate areas or in structures on the periphery of the site in order to minimize space taken up by driveways.

Council means the city council of the City of Arlington.

County Auditor means as defined in Chapter 36.22 RCW or the office or person assigned such duties under a county charter.

County Road. See *Street, County Road*.

County Treasurer means as defined in Chapter 36.29 RCW or the office or person assigned such duties under a county charter.

Covenants, Conditions, and Restrictions (CC&Rs) means a private legal restriction that places a burden on a parcel of land in favor of another parcel. The restriction is recorded in the

deed. Covenants are most commonly used in the establishment of a subdivision to restrict the use of all individual lots in the development to certain types of use, define maintenance of common areas, and specific development regulations.

Crematorium means a building with a furnace for cremating deceased bodies.

*Critical Area Protection Easement (CAPE).* See *Native Growth Protection Easement (NGPE)*.

*Critical Areas* means aquifer recharging areas, fish and wildlife habitats, frequently flooded areas, geologically hazardous areas, wetlands, and streams, as defined in ~~this~~ Chapter 20.93.

*Critical Habitat* means habitat necessary for the survival of endangered, threatened, sensitive, candidate, or monitor species as listed by the federal government or the State of Washington.

*Cul-de-sac.* See *Street, Cul-de-sac*.

*Day Care Center, Commercial* means any ~~child care~~childcare arrangement that provides day care on a regular basis for more than twelve children of whom at least one is unrelated to the provider.

*Day Care, In-Home* means any ~~child care~~childcare arrangement that provides day care on a regular basis for less than twelve children of whom at least one is unrelated to the provider.

*Decision* means written notification to an applicant that his or her permit application has been approved or denied.

*Dedication* means the deliberate appropriation of land by an owner for any general and public uses, reserving to himself 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. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a quitclaim, deed, or a final plat or short plat showing the dedication thereon; and, the acceptance by the public shall be evidenced by Council action or the approval of such plat for filing by the appropriate governmental unit.

Density means the amount of development per acre permitted on a parcel under the applicable zoning. Common measures of density include population per acre or square mile and dwelling units per acre.

Design Review means the comprehensive evaluation of a development and its impact on neighboring properties and the community as a whole, from the standpoint of site and landscape design, architecture, materials, colors, lighting, and signs, in accordance with the development design standards.

Design Review Board means the members of the Planning Commission that act as the decision-making body for the design of new development projects and exterior changes to existing buildings with a value over \$100,000.

*Design Storm* means a prescribed hyetograph and total precipitation amount (for a specific duration recurrence frequency) used to estimate runoff for a hypothetical storm of interest or concern for the purposes of analyzing existing drainage, designing new drainage facilities or assessing other impacts of a proposed project on the flow of surface water. (A hyetograph is a graph of percentages of total precipitation for a series of time steps representing the total time during which the precipitation occurs.)

*Developable* (e.g., land, acres) means land on which development can occur per the regulations of this and other Titles of the Arlington Municipal Code. Specifically, lands that are considered environmentally critical areas per ~~Chapter 20.88~~ Chapter 20.93 (Environmentally Critical Areas Ordinance) are *not* considered developable.

*Developer* means a person who is responsible for any undertaking that requires a permit.

*Development*. Any construction, development, earth movement, clearing, or other site disturbance, which requires a permit, approval or authorization from the City.

*Development Agreement* means a legislatively approved contract between the jurisdiction and a person having legal or equitable interest in real property within the jurisdiction that establishes certain rules, regulations, and policies applicable to development of a property for a specified period of time.

*Development Design Standards* means the minimum architectural design requirements for structures to create and maintain a desirable built environment that is predictable and functional.

*Diameter at breast height (dbh)* means the diameter of a tree at four and one-half feet above the ground.

*Dimensional Nonconformity* means a nonconforming situation that occurs when the height, size, floor space, lot coverage, or other dimensional requirements of a structure or the relationship between an existing building or buildings and other buildings or lot lines does not conform to the regulations applicable to the district in which the property is located.

*Distribution Center* means a warehouse or other specialized building, often with refrigeration or air condition, which is stocked with products (goods) to be redistributed to retailers, to wholesalers, or directly to consumers. The distribution center is used to receive, store temporarily, and redistribute goods, based on received customer orders.

*Dormitory* means a residence hall providing sleeping rooms for students enrolled in a secondary boarding or post-secondary educational institution to which it is an accessory use.

*Drive-In Movie Theater* means an outdoor movie theater designed to permit customers to remain in their motor vehicles while viewing an outdoor screen facing the parking area. Sale of food or beverages may occur.

*Driveway* means that portion of the vehicle accommodation area that consists of a travel lane bounded on either side by an area that is not part of the vehicle accommodation area.

*Dry Cleaner* means an establishment providing commercial cleaning of clothing and textiles using a chemical solvent rather than water.

*Due Process* means a requirement that legal proceedings be conducted fairly. Such protections may include, depending on the proceeding, the right to be heard, the right to rebut evidence, that sufficient evidence is presented to reach an informed opinion, that all decision-makers have reviewed the information presented in public hearings, and that conflicts of interest have been avoided.

*Duplex*. See *Residence, Duplex*.

*Dwelling* means a building or portion thereof designed exclusively for human habitation, including single-family, two-family and multiple-family dwellings, accessory dwelling units, modular homes, manufactured homes and mobile homes, but not including congregate residences, nursing homes, dormitories, hotels, or motels, or public facilities such as fire stations.

*Dwelling ~~unit~~ Unit* means a room, or rooms within a dwelling, configured as described herein and occupied or intended to be occupied by one family only as living accommodations independent from any other family on a monthly or longer basis. A dwelling unit shall be a separate area that includes:

- 1) a complete food preparation area containing a sink, a stove or range, a refrigerator, and a countertop;
- 2) a bathroom containing a toilet, and a shower or bathtub; and
- 3) one or more sleeping rooms. For the purposes of this definition, a separate area is an area having direct access to the exterior of the building or access to the exterior via hallways, stairways, and elevators that are primarily ingress/egress routes to the exterior rather than leading to common kitchens and living areas.

*Easement* means land that has specific air, surface, or subsurface rights conveyed for use by someone other than the owner of the subject property or to benefit some property other than the subject property.

*Effective Date of this Chapter* means whenever this Title refers to the effective date of this Chapter, the reference shall be deemed to include the effective date of the chapter as originally adopted, or the effective date of an amendment to it if the amendment creates a nonconforming situation.

*Effective Date of This Title* means whenever this Title refers to the effective date of this Title, the reference shall be deemed to include the effective date of any amendments to this Title if the amendment, rather than this Title as originally adopted, creates a nonconforming situation.

*Electric Scooters and Motorcycles* means any 2 or 3-wheel vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's batteries and produces zero emissions or pollution when stationary or operating.

*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 [BEV]; (2) a plug-in hybrid electric vehicle [PHEV]; (3) a neighborhood electric vehicle; and (4) medium-speed electric vehicle.

*Electric Vehicle Charging Station* means a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle. An electric vehicle charging station equipped with Level 1 or Level 2 charging equipment is permitted outright as an accessory use to any principal use.

*Electric vehicle charging station – public* means an electric vehicle charging station that is (1) publicly owned and publicly available (e.g., Park & Ride parking, public library parking lot) or (2) privately owned and publicly available (e.g., shopping center parking, non-reserved parking in multi-family parking lots).

*Electric vehicle charging station – restricted* means an electric vehicle charging station that is (1) privately owned and restricted access (e.g., single-family home, executive parking, designated employee parking) or (2) publicly owned and restricted (e.g., fleet parking with no access to the general public).

*Electric Vehicle Infrastructure* means structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations.

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

*Electric vehicle waiting space* means an off-street parking space where an electric vehicle, plug-in hybrid electric vehicle, electric scooters, and motorcycles wait to use a public electric vehicle charging station.

*Elementary School* means any school, public or private, intended for the education of children from kindergarten through fifth grade.

*Emergency housing* means 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. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

*Emergency shelter* means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

*Enclosed Building* means a structure having a roof and supported by columns and walls on all sides of the structure.

*Environment* means the physical conditions which exist within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise, objects of historical or aesthetic significance.

*Environmental Impact Statement (EIS)* means the process under the State Environmental Policy Act (SEPA) used for identifying and analyzing probable adverse environmental impacts, reasonable alternatives, and mitigation. An EIS provides opportunities for the public, local, state, federal, and tribal governments to participate in developing and analyzing information.

*Environmentally Critical Areas (ECAs)* includes critical areas or natural resource lands.

*Erosion* means the loosing and transportation of rock and soil debris by wind, rain, or running water or the gradual wearing away of the upper layers of earth.

*Exercise Facility* means a training facility, including health clubs, that may include exercise equipment for the purpose of physical exercise by human beings, and may provide instruction in weight training, body building, yoga, dance, and cardiovascular training, as well as general health and fitness instruction.

*Extremely low-income household* means a single person, family, or unrelated persons living together whose adjusted income is at or below thirty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

*Expenditure.* A sum of money paid out in return for some benefit or to fulfill some obligation. The term also includes binding contractual commitments to make future expenditures, as well as any other substantial changes in position.

*Façade* means the front of a building, particularly that part of a building facing a street or courtyard.

*Family.*

- (a) Individuals consisting of two or more persons related by genetics, adoption, or marriage, or a group of five or fewer persons who are not related by genetics, adoption, or marriage

and none of whom are wards of the court unless such wards are related by genetics, adoption, or marriage to all of the members of such group living in a dwelling unit.

(b) The term “family” shall include:

- (1) State licensed adult family homes required to be recognized as residential use pursuant to RCW 70.128.175;
- (2) State licensed foster family homes and group care facilities as defined in RCW 74.15.180, subject to Subsection (c) below;
- (3) Group homes for the disabled required to be accommodated as residential uses pursuant to the Fair Housing Act amendments as the same exists or is hereafter amended.

(c) The term “family” shall exclude individuals residing in halfway houses, crisis residential centers as defined in RCW 74.15.020(3)(g), group homes licensed for juvenile offenders, or other facilities, whether or not licensed by the state, where individuals are incarcerated or otherwise required to reside pursuant to a court order under the supervision of paid staff and personnel.

*Feasible* means the context of low impact development (LID) shall be determined by evaluation against:

- (1) Design criteria, limitations, and infeasibility criteria identified for each LID facility in the Washington Department of Ecology Stormwater Management Manual for Western Washington (SWMMWW); and
- (2) Competing needs criteria listed in Chapter 5 of Volume V of the SWMMWW.

*Fees* means charges levied by an agency for services that the agency provides to an individual applicant or user of a service. Development fees require project proponents to pay certain amounts in order to have their applications processed. The fees reimburse the agency for the expenses of processing the application. Fees also may be assessed to mitigate the impact of a proposed development on the community.

*Fen* means wetlands that have the following characteristics: Peat soils sixteen inches or more in depth (except over bedrock); and vegetation such as certain sedges, hardstem bulrush and cattails; fens may have an overstory of spruce and may be associated with open water.

*Final Plat* means the final drawing of the subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in RCW 58.17 and in this Title.

*Fire Station* means a structure or other area for storing firefighting apparatus such as fire engines and related vehicles, personal protective equipment, fire hoses, and other specialized equipment. Fire stations contain working and living space for firefighters and support staff.

*Flood Insurance Rate Map (FIRM)* means the official map on which the Federal Insurance Administration has delineated areas of special flood hazard and the risk premium zones applicable to that community.

*Floodplain* means any land area susceptible to be inundated by water from the base flood. As used in this title, the term generally refers to that area designated as subject to flooding from the base flood (100-year flood) on the most recently adopted “Flood Insurance Rate Map” prepared by the Federal Emergency Management Agency, a copy of which is on file in the planning department.

*Floodway* means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. As used in this title, the term refers to that area designated as a floodway on the most recently adopted “Flood Insurance Rate Map” prepared by the U.S. Federal Emergency Management Agency, a copy of which is on file in the planning department.

*Floor Area, Gross* means the total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

*Floor Area, Ground* means the square footage area of a building within its largest outside dimensions, exclusive of open porches, breezeways, terraces, patios, swimming pools, parking areas, driveways, garages, exterior stairways, secondary stairways, and drive-through teller lanes or walk-up windows of financial institutions only. Ground floor area is the total building area used in determining the percentage of lot coverage.

*Floor Area, Net* means the area considered habitable space, not including accessory unoccupied areas such as corridors, stairs, closets, thickness of walls, columns, toilet rooms, mechanical areas, or other similar features.

*Floor Area Ratio (F.A.R.)* means the horizontal area of all of the floors of any building or buildings on a lot, divided by the area of such lot, or in the case of planned unit developments, by the net lot area. Where off-street parking is provided in the principal building or in a building on a lot across a street or alley from the principal building, the area of the lot upon which such building providing off-street parking is provided may be included in determining the permitted floor area of the principal building. Space provided within a building for off-street parking shall not be counted in determining the floor area of such building.

*Floor Area, Usable* means any floor area within the outside wall of a building exclusive of areas in cellars, basements, unfinished attics, garages, open porches, and accessory buildings.

*Franchise Utility* means a contract between the city and a public or private utility provider, such as natural gas, electrical power, telephone, cable television or any other communication services authorized to occupy the city’s easements or rights-of-way to deliver its services.

*Fraternal Club or Lodge* means a building or part of a building used for the purposes of a club, society, or association organized and operated on a non-profit basis exclusively for social welfare, civic improvement, pleasure or recreation or for any other similar purpose.

*Freestanding Sign.* See *Sign, Freestanding.*

*Frontage Improvements* means sidewalks, curbs, gutters, conform pavement, streetlights, utilities, storm drainage, planting strips, and driveways, constructed as approved and in accordance with the City of Arlington Public Work’s Construction Standards and Specifications.

*Frontage Street.* See *Street, Frontage.*

*Fuel Sales, Aviation* means an establishment operated on the Arlington Municipal Airport at a fixed location at which aviation and/or jet fuel is offered for sale to pilots.

*Fuel Sales, Vehicles* means an establishment operated at a fixed location at which gasoline or any other motor vehicle engine fuel is offered for sale to the public.

*Funeral Home* means an establishment with facilities for the preparation of the deceased for burial or cremation, for viewing of the body, and for funerals.

*Gambling Establishments* means any establishment that operates or conducts any games played with cards, roulette wheels, dice, craps, slot machines, mechanical, electro-mechanical or

electronic amusement devices or machines for money, property, checks, credit, or any representative of value including, without limiting the generality of the foregoing, baccarat, faro, Monte, poker, keno, black jack, bingo, fan-tan, twenty-one, seven-and-a-half, big injun, Klondike, chuck-a-luck, wheel of fortune, chenin de fer, pai gow, beat the banker, and panguingui and similar games of chance for the return of money, cash, or prizes, or anything that could be redeemed for money, cash, or prizes. This definition does not apply to games of chance operated by charitable organizations licensed under state law nor to state licensed video lottery terminals, or to those activities permitted under AMC 3.32, Gambling Tax.

General Mercantile means retail stores which sell a number of products used by the general public but may exclude certain items like food and grocery. These stores keep a wide variety of products for day-to-day life and household goods.

*G.I.S.* means Geographic Information System.

*GMA* means the Growth Management Act, Chapter 17, Laws of the State of Washington of 1990, 1<sup>st</sup> Ex. Sess., as now in existence or as hereafter amended.

Golf and Country Club means a location with golf course activities for which members pay a membership fee or daily fee, for the use of the facilities and services. May include restaurant, meeting rooms, restrooms, or similar amenities.

Golf Course means an area of land with highly maintained natural turf laid out for the game of golf with a series of nine or more holes, each including a tee, a fairway, a putting green, and often one or more natural or artificial hazards.

Golf Course, Driving Range means a public or private area for the purposes of practicing golf driving techniques and is equipped with distance markers, lighting, safety nets, parking areas, golf equipment rental facilities, and washrooms, but does not include a golf course.

Golf Course, Miniature means a game or amusement modeled on golf and played with a putter and golf ball, in which each very short, grassless “hole” constitutes an obstacle course using concrete, turf, wooden alleys, tunnels, bridge, ramps, tubes, windmills, etc., through which the ball must be hit.

Golf Course, Par 3 means a shortened golf course consisting of “holes” that give players three shots to make par. All other aspects are the same as a regular golf course.

Goods means anything from merchandise, supplies, raw materials to already completed products; any tangible items that can be used or stored.

Government Office Building means those buildings which are owned and operated by a government agency for the purpose of conducting government business.

*G.P.S.* means Global Positioning System.

*Grade* means the established grade of the street or sidewalk as prescribed by the Department of Public Works. Where no such grade has been established, the grade shall be the average computed by a licensed land surveyor at the sidewalk at the property line. Where no sidewalk exists, the grade shall be established in the same manner on the street adjacent to the property line.

*Gradient Terrace* means an earth embankment or a ridge-and-channel constructed with suitable spacing and an acceptable grade to reduce erosion damage by intercepting surface runoff and conducting it to a stable outlet at a stable non-erosive velocity.

*Gross Floor Area.* See *Floor Area, Gross.*

*Gross Leasable Area (GLA).* See *Leasable Area, Gross*.

*Ground Floor Area.* See *Floor Area, Ground*.

*Groundwater* means the portion of water contained in interconnected pores or fractures in a saturated zone or stratum located beneath the surface of the earth or below a surface water body.

*Habitable Floor* means any floor usable for living purposes, which includes working, sleeping, eating, cooking, or recreation, or any combination thereof. A floor used only for storage is not a habitable floor.

*Halfway House* means a home for a group of people meeting the definition for a family who have demonstrated a tendency toward alcoholism, drug abuse, mental illness, or antisocial or criminal conduct, and all of whom are living together as a ~~single-family~~single-family unit.

*Handicapped or Infirm Home* means a residence within a single dwelling unit for a group of people meeting the definition for a family who are physically or mentally handicapped or infirm, all of who are living together as a single family unit. Persons residing in such homes, including the aged and disabled, principally need residential care rather than medical treatment.

*Hazardous Tree* means any tree that poses an imminent danger to persons or property. Existence of the hazardous condition must be provided in writing by a state certified arborist.

*Health Care Facility* means an institution providing health care services. This can include hospital or other licensed inpatient center; an ambulatory surgical or treatment center; a skilled nursing center; a diagnostic, laboratory, or imaging center; and a rehabilitation or other therapeutic health setting.

*Hearing Examiner* means a person appointed by the City on a case-by-case basis to conduct public hearings, make decisions, and to prepare a record and findings of fact and conclusions on those permit applications outlined in this Title.

*Hearing Officer* means the person, or chair of the board, before which a hearing is being held. This can be the Community and Economic Development Director, the Chair of the Planning Commission, the Hearing Examiner, or City Council.

*High-Volume Traffic Generation.* See *Traffic Generation, High Volume*.

*Home Occupation* means a commercial activity that: (i) is conducted by a person on the same lot (in a residential district) where such person resides, and (ii) is not so insubstantial or incidental or is not so commonly associated with the residential use as to be regarded as an accessory use (see section 20.40.050 (Accessory Uses), but that can be conducted without any significantly adverse impact on the surrounding neighborhood.

- (1) Without limiting the generality of the foregoing, a use may not be regarded as having an insignificantly adverse impact on the surrounding neighborhood if: (i) goods, stock in trade, or other commodities are displayed, (ii) any on-premise retail sales occur, (iii) more than one person to a resident on the premises is employed in connection with the purported home occupation, (iv) it creates objectionable noise, fumes, odor, dust or electrical interference, (v) the use would typically generate significantly more traffic than is typically associated with a residential neighborhood, or (vi) more than twenty-five percent of the total gross floor area of residential buildings plus other buildings housing the purported home occupation, or more than five hundred square feet of gross floor area (whichever is less), is used for home occupation purposes.
- (2) The following is a non-exhaustive list of examples of enterprises that may be home occupations if they meet the foregoing definitional criteria: (i) the office or studio of a

physician, dentist, artist, musician, lawyer, architect, engineer, teacher, or similar professional, (ii) workshops, greenhouses, or kilns, (iii) dressmaking or hairdressing studios.

- (3) The following is a non-exhaustive list of examples of enterprises that may not be home occupations: (i) veterinarians, (ii) clinics, (iii) auto repair, (iv) auto sales, or (v) real estate offices, or (vi) any use that would cause similar impacts.

*Homeowners' Association* means a private, nonprofit corporation of homeowners of a fixed area constituted for the purpose of owning, operating, and maintaining various common properties.

*Horticultural Sales* means the use of land, buildings, or structures for the sales of fruits, vegetables, herbs, flowers, or ornamental plants that are grown and produced on the same farm or otherwise on the same parcel.

*Hospital* means an institution that is built, staffed, and equipped for the diagnosis of disease; for the treatment, both medical and surgical, of the sick and the injured; and for their housing during the process.

*Hotel* means any structure or space, or a portion thereof, which is occupied or intended or designed for occupancy by transients for dwelling, lodging, or sleeping purposes, and includes any hotel, inn, motel or any place in which rooms, lodging or accommodations are furnished to transients for a consideration.

*Immediate Vicinity* means with regard to the built or man-made environment, this refers to all development that is within five hundred (500) linear feet of any proposed development, measured in a straight line from the property line that is closest to any existing development.

*Impact Fee* means a payment of money imposed by the City upon development activity as a condition of issuance of a permit to pay for public facilities needed to serve new growth and development, and to mitigate the impacts of the development activity on the capital facilities of the ~~City~~, but City but does not include any permit or application fee.

*Impact Fee Fund* means the growth management fund of the City created pursuant to AMC §3.64.010 (Growth Management Fund Created).

*Impervious Surface*. As defined in AMC 13.28, Stormwater Management.

*Improvement* means any change in a property or structure's physical attributes, or any part of such change.

*Incompatible Use* means a use that is incapable of existing in harmony with the natural environment or with other uses situated in its immediate vicinity (see *Harmony*).

*Indoor Automobile and Motorcycle Racing Tracks* means a permanent facility or building built for the racing of automobiles and/or motorcycles on a round or oval track constructed of material designed for racing, such as dirt or asphalt.

*Indoor Recreation* means an indoor facility for any number of uses such as game courts, exercise equipment, exercise and/or dance floor area, pools, locker rooms, spa, whirlpool or hot tub, and which may include an accessory retail shop for the sale of related equipment.

*Industry* means economic activity concerned with the processing of raw materials and manufacture of good in factories.

*Infill Development* means the process of developing vacant or under-utilized parcels within existing urban areas that are already largely developed.

*Institutions for Confined Mentally Ill Persons* means placement of an individual in an institution for therapeutic or correctional purposes or when he or she is incapable of living independently, often as a result of a physical or mental condition.

*Insurance or Stockbroker* means and independent person or company that represents the interests of the buyer in searching for insurance coverage at the lowest cost and providing the highest benefits to the buyer or who buys and sells securities on a stock exchange on behalf of the client.

*Intermediate Care Home* means a facility maintained for the purpose of providing accommodations for a group of people meeting the definition for a family needing medical care and supervision at a lower level than that provided in a nursing care institution but at a higher level than that provided in institutions for the handicapped or infirm.

*Intermediate Care Institution* means an institutional facility maintained for the purpose of providing accommodations for more than nine persons needing medical care and supervision at a lower level than that provided in a nursing care institution but at a higher level than that provided in institutions for the handicapped or infirm.

*Internally Illuminated Signs* means signs where the source of the illumination is inside the sign and light emanates through the message of the sign, rather than being reflected off the surface of the sign from an external source. Without limiting the generality of the foregoing, signs that consist of or contain tubes that (i) are filled with neon or some other gas that glows when an electric current passes through it and (ii) are intended to form or constitute all or part of the message of the sign, rather than merely providing illumination to other parts of the sign that contain the message, shall also be considered internally illuminated signs.

*Junk* means any scrap, waste, reclaimable material, or debris, whether or not stored, for sale or in the process of being dismantled, destroyed, processed, salvaged, stored, baled, disposed, or other use or disposition.

*Junkyard* means any area, lot, land, parcel, building, or structure, or part thereof, used for the storage, collection, processing, purchase, sale, salvage, or disposal of junk.

*Kennel* means a commercial operation that: (i) provides food and shelter and care of animals for purposes not primarily related to medical care (a kennel may or may not be run by or associated with a veterinarian), or (ii) engages in the breeding of animals for sale.

*Land Clearing* means the cutting, logging, or removal of enough vegetation so that the overall nature of a site's vegetation is altered, except for what would otherwise be considered gardening, landscaping, or yard maintenance on a developed lot or portion of a lot where not all of the lot is developed. For example, selectively logging a few mature trees from many trees would not be considered clearing, while logging all mature trees (even if immature ones are left) so that habitat value or shading is altered, shall be considered clearing. Another example of clearing would be to grub or remove all groundcover (blackberries, etc.) over the area limits specified in [§20.44.100 \(Permits for Grading and Filling\)](#), [§20.44.110 \(Permits for Land Clearing\)](#), and [§20.44.120 \(Restrictions and Requirements\)](#), while partial grubbing of this area may not be.

*Lattice Tower*. See *Wireless Communications Facility, Lattice Tower*.

*Laundromat* means an establishment with coin-operated washing machines and dryers for public use.

*Leasable Area, Gross (GLA)* means the total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines, and upper floors, if any, expressed in square feet and measured from the center line of joint partitions and from outside wall faces. GLA is that area on which the tenants pay rent; it is the area producing income to the landlord. GLA includes all areas less common areas. (See *Common Area*.)

*Library* means a collection of books, newspapers, videos, music or other written or printed materials that are kept for people to read, use, or borrow, as well as the facility in which they are housed and the institution that is responsible for their maintenance.

*LID Facilities or Low Impact Development Facilities* means distributed stormwater management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to: bioretention, rain gardens, permeable materials, roof downspout controls, dispersion, soil quality and depth, minimal excavation foundations, vegetated roofs, and water re-use.

*Loading and Unloading Area* means that portion of the vehicle accommodation area used to satisfy the requirements of [§20.72.100 \(Loading and Unloading Areas\)](#).

*Local Access Street.* See *Street, Local Access*.

*Local Collector Street.* See *Street, Local Collector*.

*Lot* means a fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall include tracts or parcels.

- (1) If a public body or any authority with the power of eminent domain condemns, purchases, or otherwise obtains fee simple title to or a lesser interest in a strip of land cutting across a parcel of land otherwise characterized as a lot by this definition, and the interest thus obtained or the road so created is such as effectively to prevent the use of this parcel as one lot, then the land on either side of this strip shall constitute a separate lot.
- (2) Subject to [§20.32.020 Nonconforming Lots](#), the permit-issuing authority and the owner of two or more contiguous lots may agree to regard the lots as one lot if necessary or convenient to comply with any of the requirements of this code.

*Lot Area* means the total area circumscribed by the boundaries of a lot, except that: (i) when the legal instrument creating a lot shows the boundary of the lot extending into a public street right-of-way, then the lot boundary for purposes of computing the lot area shall be the street right-of-way line, or if the right-of-way line cannot be determined, a line running parallel to and 30 feet from the center of the traveled portion of the street.

*Lot Coverage* means that percentage of a lot which would be covered by a structure or structures, excluding allowed projecting eaves. Paved areas, such as driveways, patios, and walkways at or below grade level shall not be calculated. Decks exempted by the building code are also not calculated. Lot coverage shall not exceed maximum allowance per Chapter 20.48, Table 20-48.1 Density and Dimensional Standards. If lot coverage exceeds maximum allowance, development may need additional drainage improvements as required by City Engineer.

*Low Impact Development (LID)* means a stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, and

transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

*Low-Volume Traffic Generation.* See *Traffic Generation, Low Volume.*

*Low-income household* means a single person, family, or unrelated persons living together whose adjusted income is at or below eighty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

*Macro Facility.* See *Wireless Communications Facility, Macro Facility.*

*Major Trail.* See *Trail, Major.*

*Major Plat.* See *Plat, Preliminary*

*Major Subdivision.* See *Subdivision, Major*

*Manufactured Home* means a single-family dwelling unit built according to the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act, which is a national, preemptive building code. A manufactured home also:

(1) Includes plumbing, heating, air conditioning, and electrical systems;

(2) Is built on a permanent chassis; and

(3) Can be transported in one or more sections with each section at least eight feet wide and forty feet long when transported; or when installed on the site is three hundred twenty square feet or greater (see RCW 46.04.302).

*Manufacturing* means the processing of raw materials or parts into finished goods through the use of tools, human labor, machinery, and chemical processing.

*Marijuana* 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. The term does not include;

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

*Marijuana-Infused Products* means products that contain marijuana or marijuana extracts and are intended for human use. The term "marijuana-infused products" does not include useable marijuana.

*Marijuana, Useable* means dried marijuana flowers. The term "useable marijuana" does not include marijuana-infused products.

*Marijuana production* means a facility licensed by the state liquor control board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.

*Marijuana processing* means a facility licensed by the state liquor control 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 wholesales to marijuana retailers.

*Marijuana retail* means a facility licensed by the state liquor control board to sell useable marijuana and marijuana-infused products in a retail outlet.

*Master Planned Neighborhood* means an overlay on the residential ultra low capacity zone that provides a conceptual plan that shows the approximate locations, types, sizes of public facilities, amenity areas (e.g., parks, schools, open space, common landscape areas, etc.), and includes all elements listed in chapter 20.44.032. A master planned neighborhood requires approval from city council.

*Medical Clinic* means a building or portion of a building used solely for the purpose of consultation, diagnosis and treatment of patients by two or more legally qualified physicians, dentist, optometrists, chiropractors, together with their qualified assistant, and without limiting the generality of the foregoing, the building may include administrative offices, waiting rooms, examination rooms, treatment rooms, laboratories and/or pharmacies used in connection and forming part of the practices, but shall not include accommodation for inpatient care, operating rooms for major surgery or any use otherwise defined or classified herein.

*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 C.F.R. Sec. 571.500.

*Micro Facility*. See *Wireless Communications Facility, Micro Facility*.

*Military Reserve* means specific trained pre-organized forces operating on an on-call basis from the main military force. Each member acts in combat as a regular soldier.

*Mini Facility*. See *Wireless Communications Facility, Mini Facility*.

*Mining* means the development or extraction of a mineral from its natural occurrences on affected land.

*Minor Plat*. See *Plat, Preliminary Short*

*Minor Subdivision*. See *Subdivision, Minor*

*Minor Trail*, See *Trail, Minor*.

*Mitigation* means an action or combination of actions that avoids, minimizes, or compensates for adverse impacts to critical areas or sensitive resources. Mitigation is considered in the following order of preference:

- (1) Avoiding the impact altogether by not taking a certain action or parts of an action;
- (2) Minimizing impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts;
- (3) Rectifying the impacts by repairing, rehabilitating, or restoring the affected environment;
- (4) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;
- (5) Compensating for the impact by replacing, enhancing, or providing substitute resources or environments;
- (6) Monitoring the impact and the compensation project and taking appropriate corrective measures.

~~*Mobile or Manufactured Home* means a dwelling unit that: (i) is not constructed in accordance with the standards set forth in the Uniform Building Code applicable to site built~~

**Commented [AR3]:** New Manufactured Home definition listed above.

~~homes, and (ii) is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site on its own chassis, and (iii) exceeds 40 feet in length and eight feet in width.~~

~~*Mobile Home, Class A* means a mobile home constructed after July 1, 1976, that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction and that satisfies each of the following additional criteria:~~

- ~~(1) The home has a length not exceeding four times its width;~~
- ~~(2) The pitch of the home's roof has a minimum vertical rise of one foot for each five feet of horizontal run, and the roof is finished with a type of shingle that is commonly used in standard residential construction;~~
- ~~(3) The exterior siding consists of wood, hardboard, or aluminum (vinyl covered or painted, but in no case exceeding the reflectivity of gloss white paint) comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction;~~
- ~~(4) A continuous, permanent masonry foundation, un-pierced except for required ventilation and access, is installed under the home; and~~
- ~~(5) The tongue, axles, transporting lights, and removable towing apparatus are removed after placement on the lot and before occupancy.~~

~~— *Mobile Home, Class B* means a mobile home constructed after July 1, 1976, that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction but that does not satisfy the criteria necessary to qualify the house as a Class A mobile home.~~

~~*Mobile Home, Class C* means any mobile home that does not meet the definitional criteria of a Class A or Class B mobile home.~~

~~*Mobile Home* means a factory-built dwelling built prior to June 15, 1976, to standards other than the HUD Code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state. Mobile homes have not been built since the introduction of the HUD Manufactured Home Construction and Safety Standards Act.~~

~~*Mobile Home Park* means a residential use in which more than one mobile or manufactured home is located on a single lot.~~

~~*Mobile Sales and Delivery* means sales and delivery of goods or services from a mobile structure, either motorized or not. Mobile sales and deliver are not intended for uses set up in one location on a semi-permanent basis, but rather for uses that frequently move from one place to another.~~

~~*Moderate-income household* means a single person, family, or unrelated persons living together whose adjusted income is at or below 120 percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.~~

~~*Modular Home* means a dwelling unit constructed in accordance with the standards set forth in the Uniform-International Building Code applicable to site-built homes and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. Among other possibilities, a modular home may consist of two sections transported to the site in a manner similar to a mobile home (except that~~

the modular home meets requirements of the ~~Uniform International~~ Building Code applicable to site-built homes), or a series of panels or room sections transported on a truck and erected or joined together on the site. Modular home does not include a mobile home or manufactured home.

~~Mobile Sales and Delivery means sales and delivery of goods or services from a mobile structure, either motorized or not. Mobile sales and delivery are not intended for uses set up in one location on a semi-permanent basis, but rather for uses that frequently move from one place to another.~~

*Monopole I.* See *Wireless Communications Facility, Monopole I.*

*Monopole II.* See *Wireless Communications Facility, Monopole II.*

Motel means an enclosed building that is a convenient, temporary sleeping place people traveling by car, typically one or two floors with outdoor room entrances.

Motor Vehicle Painting and Body Work means a facility for collision services including body, frame, or fender straightening or repair and painting of vehicles in an appropriate paint booth.

Motor Vehicle Repair and Maintenance means service, repair, or maintenance of any type of vehicle, including but not limited to vehicle and equipment rehabilitation, mechanical repairs, and lubrication.

Motor Vehicle Sales or Rental means an establishment for the sale/rental of automobiles, passenger vehicles, light trucks, motorcycle, camping trailers, boats, or other recreational vehicles and includes supplementary maintenance and sale of parts and accessories.

Movie Theater means a building that contains an seating for viewing films or movies for entertainment.

Museum means a building in which objects of historical, scientific, artistic, or cultural interest are stored and exhibited.

National Guard Center means a building that supports the training, administration, and logistics of National Guard units by providing assembly space, classrooms, weapons, protective personal equipment storage, and training space.

*Native Growth Protection Easement (NGPE)* means an easement granted to the City for the protection of native vegetation within a critical area or its associated buffer.

*Net Floor Area.* See *Floor Area, Net.*

*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 Title 49 C.F.R. Part 571.500.

Neighborhood Park (mini-park) means a park located in a subdivision, multi-family complex, or mixed-use development complex and is privately owned by a home owners association and used by those living within the specific development.

Night Club means an establishment that provides entertainment and has as its primary source of revenue (a) the sale of alcohol for consumption on the premises, (b) cover charges, or (c) both.

*Nonconforming Lot* means a lot existing at the effective date of this title (and not created for the purposes of evading the restrictions of this title) that does not meet the minimum area requirement of the district in which the lot is located.

*Nonconforming Project* means any structure, development, or undertaking that is incomplete at the effective date of this title and would be inconsistent with any regulation applicable to the district in which it is located if completed as proposed or planned.

*Nonconforming Sign.* See *Sign, Nonconforming*.

*Nonconforming Situation* means a situation that occurs when, on the effective date of this title, any existing lot or structure or use of an existing lot or structure does not conform to one or more of the regulations applicable to the district in which the lot or structure is located. Among other possibilities, a non-conforming situation may arise because a lot does not meet minimum acreage requirements, because structures exceed maximum height limitations, because the relationship between existing buildings and the land (in such matters as density and setback requirements) is not in conformity with this title, or because land or buildings are used for purposes made unlawful by this title. Nonconforming signs shall not be regarded as nonconforming situations for purposes of [Chapter 20.32](#) (Nonconforming Situations) but shall be governed by the provisions of [§20.68.150 \(Nonconforming Signs\)](#) and [§20.68.160 \(Amortization of Nonconforming Signs\)](#).

*Nonconforming Use* means a nonconforming situation that occurs when property is used for a purpose or in a manner made unlawful by the use regulations applicable to the district in which the property is located. (For example, a commercial office building in a residential district may be a nonconforming use.) The term also refers to the activity that constitutes the use made of the property. (For example, all the activity associated with operating a retail-clothing store in a residentially zoned area constitutes a nonconforming use.)

*Non-Commercial Towers and Antennas means structures designed and used for residential purposes, such as television, radio, or other similar uses.*

*Non-electric Vehicle* means any vehicle not defined as an electric vehicle as defined above under 'Electric Vehicle'.

*Nuisance* means the use of property or course of conduct that interferes with the legal rights of others which causes damage, annoyance, inconvenience, or tends to injure the health, safety, or morals of the City's residents.

*Nursing Care Home* means a facility maintained for the purpose of providing skilled nursing care and medical supervision at a lower level than that available in a hospital to not more than nine persons.

*Nursery School means a school for children between the ages of about two to five years old.*

*Nursing Care Institution* means an institutional facility maintained for the purpose of providing skilled nursing care and medical supervision at a lower level than that available in a hospital to more than nine persons.

*Occupied* means containing any person or persons for any period exceeding two (2) hours in any twenty-four hour (24) period.

*Occupied Space* means an area enclosed or covered providing a ceiling height of ~~7~~ 7'6" or more, intended for normal use by people on an occasional or more frequent basis. Occupied space may include basements, cellars, penthouses, and interior balconies or mezzanines if the space is intended for use or habitation.

*Office means a space for the transaction of general business, typically not involving manual labor. Office uses do not include retail sales, manufacturing, or industrial activities.*

*Off-Premises Sign.* See *Sign, Off-Premises*.

*On-Premises Sign.* See *Sign, On-Premises.*

*Open Drainage Facility* means an above ground facility, such as a pond or bioretention cell, that temporarily stores stormwater runoff.

*Ordinance* means a law or regulation adopted by the council of the public agency.

*Ordinary High Water Mark* means that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by the City or the Department of Ecology: PROVIDED, that in any area where the ordinary high water mark cannot be found, the ordinary high water mark shall be the line of mean high water.

*Outdoor Entertainment Venue* means an outdoor theater, amphitheater, plaza, street, or other improved area that is used as a public venue or forum to which members of the general public are invited to listen, view, or otherwise participate in an outdoor event that is organized, licensed or permitted by the owner of the venue.

*Outdoor Recreation* means the commercial or non-commercial use of land, with or without accessory buildings and structures, for a recreational activity undertaken where the outdoor setting and landscape is a significant element in the activity, and the density of recreational users is not a significant element, and includes park or open space, playing field, arboretum, and outdoor exhibits.

*Owner* means all persons, partnerships, corporations, and other legal entities that have an ownership interest (including purchasers and sellers under a real estate contract if the contract is recorded) in the subject property.

*Park* means an open area or place in a city or town for nature. There are often trees, benches, statues, picnic areas, and/or ponds in a park. It is mostly used for recreational activities such as walking, exercising, cycling, playing, etc. A play park can even have swings, slides, and some adventurous activities.

*Parking Area Aisles* means a portion of the vehicle accommodation area consisting of lanes providing access to parking spaces.

*Parking Space* means a portion of the vehicle accommodation area set aside for the parking of one vehicle.

*Pedestrian-Way* means a tract or easement whose function is to provide public, pedestrian access traversing property outside of a street right-of-way. In some instances, such tracts or easements may be combined with utility tracts or easements.

*Penal and Correctional Facility* means any penitentiary, state farm, reformatory, prison, jail, house of correction, police detention area, or other institution or place for the incarceration or custody of a persons under sentence for offenses awaiting trial or a violation of mandatory supervised release, or awaiting a bail setting hearing, or preliminary hearing.

*Permanent supportive housing* is one or more subsidized, leased dwelling units with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling

behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in the Residential Landlord Tenant Act, chapter 59.18 RCW.

*Permit-Issuing Authority* means wherever this code refers to the "permit-issuing authority" it refers to that person, board, office, or institution having jurisdiction over the permit in question, as specified in Chapters [20.12](#) (Administrative Mechanisms), [20.16](#) (Permits & Final Plat Approval), [20.20](#) (Appeals, Variances, Interpretations), and [20.24](#) (Hearing and Pre-Hearing Procedures For Appeals and Applications).

*Person* means an individual, trustee, executor, other fiduciary, corporation, firm, partnership, association, organization, or other entity acting as a unit.

*Personal Services* means any business enterprise whose primary purpose is to provide services rendered in the fields of architecture, health, law, engineering, accounting, and other similar fields.

*Pet Grooming* means an establishment for domestic animals receive grooming services, including bathing, cutting of hair, trimming of nails, and other associated acts of grooming and may include the ancillary sale of products related to this service, but does not include veterinary services, breeding, boarding, outdoor kennel, or overnight accommodation.

*Pet Store* means a retail establishment offering small animals, and fish, birds, or other animals for sale as pets. Grooming services and the sale of associated pet food and supplies may also be included.

*Planning Jurisdiction* means the area within the city limits as well as any area beyond the city limits within which the city is authorized to plan for and regulate development, as set forth in [§20.04.030 \(Jurisdiction\)](#).

*Planning Official* means the Director of the Department of Community and Economic Development or his/her designee.

*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, Final* means the final drawing of the ~~major~~ subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in this title.

*Plat, Preliminary, ~~or Plat, Preliminary Short~~* means a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, dedications, restrictive covenants, and other elements of a subdivision consistent with the requirements of this title. The preliminary plat shall be the basis for the approval or disapproval of the general layout of a subdivision.

*Plat, Preliminary Short* means the map or representation of a short subdivision per RCW [58.17.020 \(6\) and \(8\)](#).

*Plug-in Hybrid Electric Vehicle (PHEV)* means an electric vehicle that (1) contains an internal combustion engine, and also allows power to be delivered to the drive wheels by an electric motor; (2) is able to recharge its battery by connecting to the grid or other off-board

electrical source; and (3) has the ability to travel short distances (typically 10 miles or more) powered all, or substantially all, by electricity. *(Amended by Ord. 2011-002, 2/7/11).*

*Police Station* means a building in which houses the police headquarters for a particular district, from which police officers are dispatched and to which persons under arrest are brought.

*Porch, Front* means for the purposes of §20.48.040(f) (Building Setback Requirement) a front porch is a covered platform at an entrance to a dwelling, having a separate roof, that is not heated or cooled, and that is attached to the outside of a building.

*Post Office* means an office or station of a government postal system at which mail is received and sorted, from which it is dispatched and distributed, and at which stamps are sold or other services rendered.

*Private Alley* means a private access or street, at least 16 feet of pavement, that provides access to residential parcels or units, and that provides principal access to garages or code-required parking areas. Alleys provide parking and service access, but are not intended for general traffic circulation. *(Amended by Ord. 1454, 9/26/08)*

*Processing* means to perform a series of mechanical or chemical operations on (something) to change or preserve it or subjecting something to a series of actions in order to achieve a particular result.

*Professional Services* means a service requiring specialized knowledge and skill usually of a mental or intellectual nature and usually requiring a license, certification, or registration. These include lawyers, advertising professionals, architects, accountants, financial advisers, engineers, and consultants, and similar professions that offer customized, knowledge-based services to clients.

*Public Alley* means a public way permanently reserved as a secondary means of access to abutting property. *(Amended by Ord. 1454, 9/26/08)*

*Public Park* means a development designed or reserved for active or passive recreational use, including all natural and man-made open space and landscaping, facilities, playing fields, and buildings that are consistent with the general purposes of recreation operated by a public agency.

*Public Parking Garage* means a public structure for motor vehicles to park. Typically consists of several floors and is sometimes underground.

*Public Parking Lot* means an off-street, ground level open area, usually improved for the temporary parking of motor vehicles available to the general public with or without payment of a fee.

*Public Place of Adult Entertainment* means any exhibition or dance constituting “adult entertainment,” as defined in this section, which is for the use or benefit of a member or members of the adult public, or advertised for the use or benefit of a member or members of the adult public, held conducted, operated or maintained for a profit, direct or indirect.

*Public Utility Lift Station* means a publicly owned and operated facility used to move wastewater from lower to higher elevation, particularly where the elevation of the source is not sufficient for gravity flow and/or when the use of gravity conveyance will result in excessive excavation depths and high sewer construction costs.

*Public Utility Pump Station* means a publicly owned and operated facility with machinery for pumping large amounts of water from lower elevations to higher elevations or for moving water from one area to another.

*Public Water Supply System* means any water supply system furnishing potable water to two or more dwelling units or businesses or any combination thereof.

*Quarrying.* See *Mining*.

*Rapid Charging Station* means an industrial grade electrical outlet that allow for faster recharging of electric vehicle batteries through higher power levels, which meets or exceeds any standards, codes, and regulations set forth by Chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

*Receive-Only Earth Station* means an antenna and attendant processing equipment for reception of electronic signals from satellites.

*Reclamation Landfill* means the gain of land from the sea, or wetlands, or other water bodies, and restoration of productivity or use to lands that have been degraded by human activities or impaired by natural phenomena.

*Recreational or Park Building* means a structure constructed on designated public land for patrons of the park to use in conjunction with recreational activities and may include restrooms, storage sheds, concession stands, baseball announcer booths, or similar structures that support the uses associated within the specific park.

*Religious Assembly, Accessory* means a place used for worship and related religious, philanthropic, or social activities in a building that is not the primary use of the site. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents, and monasteries. This use class does not include public or private education services or commercial schools, even as accessory uses.

*Religious Assembly, Principal* means development used for worship and related religious, philanthropic, or social activities and includes accessory rectories, manses, meeting rooms, food preparation, and service facilities, classrooms, and other buildings. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents, and monasteries. This use class does not include public or private education services or commercial schools, even as accessory uses.

*Renovating* means to restore to a former better state by cleaning, repairing, or rebuilding.

*Repair or Maintenance Activities* means an action to restore the character, size, or scope of a project only to the previously authorized condition.

*Repairing* means to restore by replacing a part or putting together what is torn or broken.

*Rescue Squad* means an organization which engages in the search for lost persons, rescue of persons, rescue of persons who are trapped or who are in of rescue services, search for and recovery of drowned persons, or any other rescue related activity.

*Research and Development Company* means activities that companies undertake to innovate and introduce new products and services. It is often the first stage in the development process. The goal is typically to take new products and services to market.

*Residence, Duplex* means a two-family residential use in which the dwelling units share a common wall (including without limitation the wall of an attached garage or porch) and in which each dwelling unit has living space on the ground floor and a separate, ground floor entrance.

*Residence, Multi-Family* means a residential use consisting of a building containing three or more dwelling units. For purposes of this definition, a building includes all dwelling units that

are enclosed within that building or attached to it by a common floor or wall (even the wall of an attached garage or porch).

*Residence, Multi-Family Apartments* means a multi-family residential use other than a multi-family conversion or multi-family townhouse.

*Residence, Multi-Family Conversion* means a multi-family residence containing not more than four dwelling units and results from the conversion of a single building containing at least 2,000 square feet of gross floor area that was in existence on the effective date of this provision and that was originally designed, constructed and occupied as a single-family residence.

*Residence, Multi-Family Fourplex* means a residential building structure containing four separate units.

*Residence, Multi-Family Garden Apartments* means a community comprised of several smaller low-rise buildings, three stories or less, located on a large property with ample common interest outdoor space, and the outdoor green spaces are filled with gardens, grass, shrubs and trees. Private outdoor green space may also be allowed in conjunction with the common interest space.

*Residence, Multi-Family Rowhouses* means a single-family home set at the same point on the property line as its neighboring units in one row of similar houses that are joined together by sharing a common wall, roofline, and, generally, a consistent exterior design.

*Residence, Multi-Family Townhouses* means a multi-family resident use in which each dwelling unit shares a common wall (including without limitation the wall of an attached garage or porch) with at least one other dwelling unit and in which each dwelling unit has living space on the ground floor and a separate, ground floor entrance.

*Residence, Multi-Family Triplex* means a residential building structure containing three separate units.

*Residence, Primary with Accessory Dwelling Unit* means a residential use having the external appearance of a single-family residence but in which there is located a second dwelling unit that is under the same ownership as, and subordinate to the single-family dwelling unit, and that is intended for use as a complete and independent living facility, and that comprises not more than 25 percent of the gross floor area of the building nor more than a total of 800 square feet.

*Residence, Single-Family Attached, One Dwelling Unit Per Lot* means a residential use consisting of a single building containing two dwelling units which share a common wall (including without limitation the wall of an attached garage or porch), but located on two separate lots containing no other dwelling units in such a manner that a lot line bisects the building along the common wall and that each dwelling unit is completely on a separate lot.

*Residence, Single-Family Detached, More Than One Dwelling Per Lot* means a residential use consisting of two or more single-family detached dwelling units on a single lot.

*Residence, Single-Family Detached, One Dwelling Unit Per Lot* means a residential use consisting of a single detached building containing one dwelling unit and located on a lot containing no other dwelling units.

*Residence, Two-Family* means a residential use consisting of a building containing two dwelling units. If two dwelling units share a common wall, even the wall of an attached garage or porch, the dwelling units shall be considered to be located in one building.

*Residence, Two-Family Apartment* means a two-family residential use other than a duplex, two-family conversion, or primary residence with accessory dwelling unit.

*Residence, Two-Family Conversion* means a two-family residence resulting from the conversion of a single building containing at least 2,000 square feet of gross floor area that was in existence on the effective date of this provision and that was originally designed, constructed and occupied as a single-family residence.

*Restaurant* means space in a building maintained, advertised and held out to the public as a place where individually priced meals are prepared and served primarily for on-premises consumption and where the primary source of revenue from the operation is from the sale of food. The building shall have a dining room or rooms, a kitchen and the number and kinds of employees necessary for the preparing, cooking, and serving of meals.

*Restoration* means action performed to re-establish historic or pre-existing critical area functions and values in areas impacted by human activity. Restoration may include improving some functions and values beyond the historic conditions with commensurate declines in others.

*Retail Trade* means establishment primarily engaged in selling merchandise for personal or household consumption and rendering services incidental to the sale of goods.

*Right-of-Way* means land dedicated primarily to the movement of vehicles and/or pedestrians and providing for primary access to adjacent parcels. Secondarily, the land provides space for utility lines and appurtenances and similar components.

*Rooming House.* (See *Boarding House.*)

*Sales and Rental of Goods:* Sales means commercial activity whereby the seller is obliged to deliver goods, transfer ownership in the goods to the buyer and receive payment; and where the buyer is obliged to pay the seller and receive delivery of and ownership in the goods in accordance with an agreement. Rental means any goods to be supplied to the “buyer” on a lease basis for a set price on a daily, weekly, monthly, or yearly basis.

*Salon, Barber Shop, Beauty Shop, Tanning* means a shop or business offering a specific product or service relate to fashion, hairdressing, or beauty.

*Sanitary Landfill* means the method of controlled disposal of solid waste (refuse) on land.

*School District* means either the Arlington School District or the Lakewood School District, or both.

*Scrap Materials Salvage Yard* means an open area where waste or scrap material, including parts of used motor vehicles, and appliances are bought, sold, exchanged, stored, parked, disassembled, or handled.

*Secondary School* means a school intermediate between elementary school and college and usually offering general, technical, vocational, or college-preparatory courses. Typically grades six through twelve, however once a student reach grade nine, they are considered be a high school student.

*Services* means those that provide an activity or the performance of a task with a commercial purpose.

*Servient Lot* means any lot which has the burden of providing an access easement for use by other lots.

*Shoreline Master Program* means the city's land supplemental use plan and regulations for shorelines adopted pursuant to RCW 90.58.

~~Short Subdivision. See Subdivision, Short.~~

~~Short Plat. See Plat, Preliminary.~~

*Sign* means any device that (i) is sufficiently visible to persons not located on the lot where such device is located to accomplish either of the objectives set forth in subdivision (ii) of this definition; and (ii) is designed to attract the attention of such persons or to communicate information to them.

*Signs, Blade* means small signs oriented perpendicular to facade, typically located above or adjacent to the entrance and visible to pedestrian circulation on adjacent sidewalks. Blade signs project directly from the building's facade.

*Signs, Canopy* means small signs oriented perpendicular or parallel to the facade, typically located above or adjacent to the entrance and visible to pedestrian circulation on adjacent sidewalks. Canopy signs are suspended from a fixed overhead shelter attached to the building's facade.

*Sign, Changeable Text* means permanent sign fixtures on or within which text may be periodically changed (e.g., for short-term sales or specials). While the fixture must be permitted, the text may change without a permit as long as it fits within the dimensional parameters of the fixture.

*Sign, Freestanding* means a sign that is attached to, erected on, or supported by some structure (such as a pole, mast, frame, or other structure) that is not itself an integral part of or attached to a building or other structure having a principal function other than the support of a sign. A sign that stands without supporting elements, such as a "sandwich board sign," is also a freestanding sign.

*Signs, Marquee* means signs painted on or attached to a marquee. ~~(Amended by Ord. 1454, 9/26/08)~~

*Sign, Nonconforming* means a sign that, on the effective date of this title, does not conform to one or more of the regulations set forth in this title, particularly [Chapter 20.68](#), Signs.

*Sign, Off-Premises* means a sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other enterprise or activity that exists or is conducted, sold, offered, maintained, or provided at a location other than the premises on which the sign is located. A sign that draws attention to a cause or advocates or proclaims a political, religious, or other noncommercial message shall also be an off-premises sign unless such sign is excluded from regulation under [§20.68.120 \(Miscellaneous Restrictions and Prohibitions\)](#).

*Sign, On-Premises* means a sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other enterprise or activity that exists or is conducted, sold, offered, maintained, or provided on the premises where the sign is located.

*Sign Permit* means a permit issued by the Building Official or Community ~~and Economic~~ Development Director that authorizes the recipient to erect, move, enlarge, or substantially alter a sign.

*Sign, Temporary* means a sign that (i) is used in connection with a circumstance, situation, or event that is designed, intended or expected to take place or to be completed within a reasonably short or definite period after the erection of such sign, or (ii) is intended to remain on the location where it is erected or placed for a period of not more than 15 days. If a sign display area is

Commented [AR4]: Moved to Minor Subdivision and Minor Plat

permanent but the message displayed is subject to periodic changes, that sign shall not be regarded as temporary.

*Significant Tree(s)*. See *Tree(s), Significant*.

*Skateboard Park* means a recreation area designed with ramps, rails, etc. for skateboarding.

*Skating Rink* means an indoor building that contains a surface for ice skate or roller skate.

*Social Club* means a group of people or the place where they meet, generally formed around a common interest, occupation, or activity.

*Soil Processing Operations* means the use of any land, building, or structure for the purpose of storing, mixing, composting, packaging soil, soil conditioning agents, wood chips and related materials, compost, or manure.

*Solid Waste Recycling Center* means an establishment, place of business, facility, or building which is maintained, operated, or used for the storing, keeping, buying, selling of waste materials for the purpose of converting such items into a usable product.

*Solid Waste Transfer Station* means a facility where solid waste is unloaded from collection vehicles or containers for reloading into larger, long-distance vehicles for transport to landfills or other permitted solid waste facilities for final disposal.

*Special Events* means circuses, fairs, carnivals, festivals, or other types of special events that (i) run for longer than one day but not longer than two weeks, (ii) are intended to or likely to attract substantial crowds, and (iii) are unlike the customary or usual activities generally associated with the property where the special event is to be located.

*Special Needs Child Care Home*. See *Child Care Home, Special Needs*.

*Special Use Permit* means a permit issued by the Community and Economic Development Director or the Hearing Examiner that authorizes the recipient to make use of property in accordance with the requirements of this title as well as any additional requirements imposed by the decision-making authority.

*Sport Court* means an outdoor asphalt or concrete court (not including parking lots) designed for athletic purposes, (i.e. basketball court, tennis court, etc.) surrounded by fencing or on a standalone pad.

*Squash Court* means an indoor specially marked court for the game of squash.

*Stadium* means a large usually roofless building with tiers of seats for spectators at sports events.

*Standard Record of Survey* means a record of survey form approved by the City of Arlington and in accordance with RCW. 58.09.

*State Highway*. See *Street, State Highway*.

*Storage, Goods* means the function that involves holding goods between the time of their production and their final sale.

*Storage, Materials* means indoor or outdoor area where bulk materials (liquid, solid, granular, etc.) are stored in piles, barrels, tanks, bins, crates, or other means.

*Storage, Vehicles* means parking tow-aways, impound yards, and storage lots for automobiles, trucks, buses, and recreational vehicles.

*Storage, Shipping, or Moving Container* means a reusable container that was originally constructed or was originally manufactured to be used for transport, moving and storage. These

units are typically constructed or assembled of, but not limited to canvas, corrugated and weathered steel, or aluminum, and come in varying lengths and heights. They are transported by container ships, trucks, or trains. This definition is not intended to include garbage and/or recycling containers.

*Street* means a public street or a street with respect to which an offer of dedication has been made.

*Street, Arterial* means a major street in the city's street system that serves as an avenue for the circulation of traffic into, out of, or around the city and carries high volumes of traffic.

*Street, Arterial (4-lane)*—~~A~~ means a 4-lane (two driving lanes in both directions) configuration of an arterial.

*Street, Arterial (5-lane)* means a 5-lane (two driving lanes in both directions, plus a center turn lane/median) configuration of an arterial.

*Street, Collector Arterial* means a street whose principal function is to carry traffic between minor, local, and sub\_collector streets and arterial streets but that may also provide direct access to abutting properties. It serves or is designed to serve, directly or indirectly, more than 100 dwelling units and is designed to be used or is used to carry more than 1,000 average trips per day.

*Street, County Road* means a street under the jurisdiction of Snohomish County.

*Street, Cul-de-sac* means a street that terminates in a vehicular turnaround.

*Street, Frontage* means a street that is parallel to and adjacent to an arterial street and that is designed to provide access to abutting properties so that these properties are somewhat sheltered from the effects of the through traffic on the arterial street and so that the flow of traffic on the arterial street is not impeded by direct driveway access from a large number of abutting properties. Such a street may be classified as a Local Access, Local Collector, or Collector Arterial.

*Street, Local Access* means a street whose sole function is to provide access to abutting properties. It serves or is designed to serve not more than 25 dwelling units and is expected to or does handle between 40 and 250 average trips per day.

*Street, Local Collector* means a street whose principal function is to provide access to abutting properties but is also designed to be used or is used to connect minor and local streets with collector or arterial streets. Including residences indirectly served through connecting streets, it serves or is designed to serve at least 26 but not more than 100 dwelling units and is expected to or does handle between 250 and 1,000 trips per day.

*Street, New or Improved* means any new or reconstructed fully constructed street with curb, gutter, sidewalk, planting strip, and final lift of asphalt.

*Street, State Highway* means a street under the jurisdiction of Washington State Department of Transportation.

*Structure.* Anything constructed or erected.

*Studio: Art, Music, Dance* means a small-scale facility for the production of or education in a fine art, dance, or performance program. Examples of these facilities include individual and group instruction and training in the arts; production rehearsal; photography, and the processing of photographs produced only by users of the studio facilities; martial arts training studios;

gymnastics instruction, and fitness centers. Also includes production studios for individual musicians, painters, sculptors, photographers, and other artists.

*Subdivision* means the division or re-division of land into lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership; but the following shall not be included within this definition nor be subject to the regulations of this title applicable strictly to subdivisions: (i) the public acquisition by purchase or dedication of strips of land for widening or opening streets.

*Subdivision, Major* means the division or re-division of land into ten or more lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership.

*Subdivision, Short-Minor* means the division or re-division of land into nine or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership.

*Subdivision, Unit Lot* means an alternative to conventional subdivision process by which the location of a building on a lot can be placed in such a manner that one or more of the building's sides rests directly on a lot line, allowing for the creation of fee simple lots for townhome, and cottage housing developments, in zones where such uses are permit. Each building shall not be less than one unit or exceed ten units and shall maintain a ten-foot separation from other buildings. A major unit lot subdivision is 10 lots or more and a minor unit lot subdivision is 9 lots or less.

*Surface Water* means water on the earth's surface exposed to the atmosphere.

*Swimming Pool* means any outdoor or indoor structure intended for swimming, including in-ground and above-ground structures, and includes hot tubs, spas, portable spas, and non-portable wading pools.

*Technology Company* means a company that has as its principal function the providing of services, including computer, information transfer, communication, distribution, processing, administrative, laboratory, experimental, developmental, technical or testing services; manufacture of goods or materials; the processing of goods or materials by physical or chemical change; computer related activities; robotics, biological or pharmaceutical, industrial activities; or technology-oriented or emerging industrial activity. Technology-enabled businesses can be situated in industries such as, but not limited to agriculture technology, biotechnology, consumer technology, green technology, health care technology, logistics technology, manufacturing technology, and services technology.

*Temporary Building* means a building or structure that complies with the following uses and can be place on a lot for a limited time.

*Temporary Emergency, Construction, or Repair Residence* means a residence (which may be a mobile home) that is: (i) located on the same lot as a residence made uninhabitable by fire, flood, or other natural disaster and occupied by the persons displaced by such disaster, or (ii) located on the same lot as a residence that is under construction or undergoing substantial repairs or reconstruction and occupied by the persons intending to live in such permanent residence when the work is completed, or (iii) located on a nonresidential construction site and occupied by persons having construction or security responsibilities over such construction site.

*Temporary Mobile or Modular Structures for Public Services* means a temporary prefabricated structure to be used for a limited time for public use.

*Temporary Residence* means a permanent residence in which a person abides, lodges, or resides, including, but not limited to, vacation, business, or personal travel destinations in or out

of this state, for a period of 5 or more days in the aggregate during any calendar year and which is not the person's permanent address or, for a person whose permanent residence is not in this state, a place where the person is employed, practices a vocation, or is enrolled as a student for any period of time in this state.

Temporary Seasonal Farmer's Market means a market in which local farmers sell their agricultural products directly to consumers; allowed within specific time frames and seasons.

Temporary Sign. See Sign, Temporary.

Temporary Use means a use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

*Tourist Home* means a single-family structure in which rooms are rented by the day or week.

*Tower* means any structure whose principal function is to support an antenna.

Towing Operation means a business of towing for compensation motor vehicles. Such business shall also include the storage of towed vehicles, pending their return to the owner thereof by the person or his/her or his agent who towed such vehicle.

*Tract. A Lot* means the term tract is used interchangeably with the term lot, particularly in the context of subdivisions, where one "tract" is subdivided into several "lots."

Trade or Vocational School means a postsecondary educational institution designed to train students for a specific job in a skilled trade career. Most importantly, a trade school offers hands-on training to prepare students for actual work in their chosen field. Trade school programs are entirely concentrated on relevant job training.

~~Traffic Generation, High Volume means all uses in the 2,000 classification (as listed in 20.40.010, Table of Permissible Uses) other than low volume traffic generation uses.~~ means the volume of vehicular traffic generated over a prescribed area within a prescribed time frame, which can be directly attributed to a particular development or geographic area.

~~Traffic Generation, Low Volume means uses such as furniture stores, carpet stores, major appliance stores, etc. that sell items that are large and bulky, that need a relatively large amount of storage or display area for each unit offered for sale, and that therefore generate less customer traffic per square foot of floor space than stores selling smaller items.~~

*Trail, Major* means a paved multi-use access traversing property outside of a street right-of-way (e.g., Centennial Trail).

*Trail, Minor* means a non-paved pedestrian access traversing property outside of a street right-of-way.

Train Station means a railway facility or area where trains regularly stop to load or unload passengers, freight, or both.

Training Facility means the use of any lot or building in which training or educational services are offered, but does not include an elementary school, secondary school, or post-secondary school. A training facility may include but is not limited to the instruction of a trade, skill, service, administration, dance, calisthenics, business, aviation, art, language, hairdressing, music, cultural or sport.

*Transitional housing* means one or more dwelling units owned, operated, or managed by a nonprofit organization or governmental entity in which supportive services are provided to individuals and families that were formerly homeless, with the intent to stabilize them and move them to permanent housing within a period of not more than twenty-four months, or longer if the

program is limited to tenants within a specified age range or the program is intended for tenants in need of time to complete and transition from educational or training or service programs.

*Transportation Plan* means the transportation plan element of the City's comprehensive plan, including the City's current 6-Year Transportation Improvement Plan.

*Travel Agency* means an agency that makes the necessary arrangements for travelers, especially the booking of airline tickets and hotel rooms.

*Travel Trailer* means a structure that (i) is intended to be transported over the streets and highways (either as a motor vehicle or attached to or hauled by a motor vehicle) and (ii) is designed for temporary use as sleeping quarters but that does not satisfy one or more of the definitional criteria of a mobile home.

*Tree(s), Significant* means any deciduous tree eight (8) inches or greater in diameter (25 inches in circumference or greater), and any evergreen tree twelve (12) inches or greater in diameter (37 inches in circumference or greater), measured one foot above the root crown.

*Trees(s), Significant Stands of* means any stand of healthy trees, not particularly of a large size, that has a high likelihood of withstanding wind-throw even after adjacent trees are removed, and serves or could serve as biological habitat, a recreational or aesthetic amenity, or screening as required by this Title.

*Union Hall* means a building in which a union meets or conducts its business; specifically, the headquarters of a trade union used as a center for meetings, for the recruitment of union works, etc. and may refer to a hiring hall or trade union office.

*Unit Lot Subdivision.* See *Subdivision, Unit Lot*

*Urban Growth Area* means that portion of the city's planning jurisdiction that lies outside the corporate limits of the city and within the Urban Growth Boundary.

*Use* means the activity or function that actually takes place or is intended to take place on a lot.

*Use, Principal* means a use listed in the Tables of Permissible Uses.

*Utility Easement* means an easement dedicated to utility providers for the purpose of allowing utility facilities and access to them.

*Utility Facilities* means any above-ground structures or facilities (other than buildings, unless such buildings are used as storage incidental to the operation of such structures or facilities) owned by a governmental entity, a nonprofit organization, a corporation, or any entity defined as a public utility for any purpose by RCW 80.04.015 and used in connection with the production, generation, transmission, delivery, collection, or storage of water, sewage, electricity, gas, oil, or electronic signals. Excepted from this definition are utility lines and supporting structures listed in Subsection [20.60.450\(e\) Underground Utilities](#).

*Utility Facilities, Community or Regional* means all utility facilities other than neighborhood facilities.

*Utility Facilities, Neighborhood* means utility facilities that are designed to serve the immediately surrounding neighborhood and that must, for reasons associated with the purpose of the utility in question, be located in or near the neighborhood where such facilities are proposed to be located.

*Variance* means a grant of permission by the appropriate authority that authorizes the recipient to do that which, according to the strict letter of this title, he could not otherwise legally do.

*Vegetated LID facilities* include bioretention, rain gardens, dispersion, vegetated roofs, and natural treatment areas.

*Vehicular Access Easement or Tract. See Street, Private Access Tract.*

*Vehicle Accommodation Area* means that portion of a lot that is used by vehicles for access, circulation, parking, and loading and unloading. It comprises the total of circulation areas, loading and unloading areas, and parking areas.

*Very low-income household* means a single person, family, or unrelated persons living together whose adjusted income is at or below fifty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

*Veterinarian* means a medical professional who practices veterinary medicine by treating diseases, disorders, managing reproductive health and injuries of animals.

*Warehouse Storage* means a development of one or more enclosed structures providing individual accessible or generally accessible areas for temporary storage of bulk merchandise or inventory of commercial goods to be utilized in a separate location. This use shall not be used for residential occupancy, commercial or business operations, or operation of machinery within the leased space (except for equipment used in the operation of the facility, i.e. fork lifts, cranes, or similar equipment). The term “warehouse” does not refer to “self-storage facilities”.

*Water Slides* means a continuous wetted chute, down which people slide into a pool typically located at an amusement park or water park.

~~*Wholesale Sales* means on premises sales of goods primarily to customers engaged in the business of reselling the goods; means the sale of goods, commodities, and merchandise to retail distributors; to other wholesale distributors; to industrial, commercial, institutional or professional business users; or acting as agents or brokers and buying or selling goods, commodities, and merchandise for incorporation and assembly into other products.~~

*Wireless Communications Facility, Micro Facility* means a wireless communication facility which consists of antennas equal to or less than four (4) feet in height (except omni directional antennas which may be up to six (6) feet in height) and with an area of not more than five hundred eighty (580) square inches in the aggregate (e.g. one foot diameter parabola or 2' x 1.5' panel) as viewed from any one point.

*Wireless Communications Facility, Mini Facility* means a wireless communication facility which consists of antennas equal to or less than 10 feet in height or a parabolic antenna up to 1 meter (39.37 inches) in diameter and with an area not more than 50 square feet in the aggregate as viewed from any one point.

*Wireless Communications Facility, Macro Facility* means a wireless communication facility which consists of antennas equal to or less than 15 feet in height or a parabolic antenna up to 1 meter (39.37 inches) in diameter and with an area not more than 100 square feet in the aggregate as viewed from any one point.

*Wireless Communications Facility, Monopole I* means a wireless communication facility that consists of a support structure, the height of which shall not exceed sixty (60) feet.

*Wireless Communications Facility, Monopole II* means a wireless communication facility that consists of a wireless communications support structure, up to a maximum of one hundred fifty (150) feet in height erected to support wireless communication antennas and connecting appurtenances.

*Wireless Communications Facility, Lattice Tower* means a wireless communication support structure that consists of metal crossed strips or bars to support antennas and related equipment.

*Wooded Area* means an area of contiguous wooded vegetation where trees are at a density of at least one six-inch or greater caliper tree per 325 square feet of land and where the branches and leaves form a contiguous canopy.

*Zoning Permit* means a permit issued by the City that authorizes the recipient to make use of property in accordance with the requirements of this title.

*Zoning Verification* means an administrative approval granted by the city that authorizes the recipient to make use of property in accordance with the requirements of this title.

20.08.020 Lots Divided by District Lines.

- ~~(a) Whenever a single lot one acre or less in size is located within two or more different zoning districts, the district regulations applicable to the district within which the larger portion of the lot lies shall apply to the entire lot.~~
- ~~(b)(a) Whenever a single lot greater than one acre in size is located within two or more different zoning districts, each portion of that lot shall be subject to all the regulations applicable to the district in which it is located.~~

**Commented [AR5]:** Moved this section to 20.36 Zoning Districts. It makes more sense under that chapter than in the definitions.