

Definitions

25.10 Definitions

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25.10.000 Definitions - General

- (1) Normal Meaning. For the purpose of the community development code, all words used in the code shall have their normal and customary meanings, unless specifically defined otherwise in this code.
- (2) Rules.
 - (a) Words used in the present tense include the future.
 - (b) The plural includes the singular, and vice versa.
 - (c) The words "shall" and "~~may~~ shall not" and "no ~~—~~may" are mandatory.
 - (d) The word "may" indicates that discretion is allowed.
 - (e) The word "used" includes "designed, intended or arranged" to be used.
 - (f) The masculine gender includes the feminine and vice versa.
 - (g) Distances shall measure horizontally unless otherwise specified.
 - (h) The "building" includes a portion of a building or lot.
- (3) Adopted Codes. Where a code or codes have been adopted by reference or incorporation and which may contain a definition or definitions conflicting with those set forth in this chapter, for the purpose of that particular reference or incorporated code, and only that code, the definition therein shall prevail.
- (4) Cross-References. Sections which make only cross-reference to another term are not intended to be synonymous with the other term but are only intended to serve as a finding aid to the other term unless specifically stated to mean the same. (Ord. 18-1045 § 2 (Exh. A))

25.10.010 "A" terms.

(Ord. 18-1045 § 2 (Exh. A); Ord. 17-1017 § 2 (Exh. B); Ord. 12-937 § 1; Ord. 07-854 § 1; Ord. 02-707 § 1)

25.10.010.005 Abut.

"Abut" means to be contiguous with or touching property lines or right-of-way. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.010 Accessory.

"Accessory" means a use, a building or structure, or part of a building or structure, which is subordinate to and the use of which is incidental to that of the main building, structure or use on the same lot, including a private garage. If an accessory building is attached to the main building by a common wall or roof, such an accessory building shall be considered a part of the main building. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.015 Accessory Dwelling Units (ADUs).

"Accessory Dwelling Units (ADUs)" means a residential living unit providing independent living facilities and permanent provisions for sleeping, cooking, sanitation, and living on the same lot as a single-family home, duplex, triplex, townhome, or other housing unit. An attached ADU is a dwelling unit located within or attached to another housing unit. A detached ADU is separate and detached from another housing unit.

25.10.010.020 Accessory living quarters.

"Accessory living quarters" means living quarters within an accessory building for the sole use of the family or of persons employed on the premises, or for the temporary use of guests of the occupants of the premises. Such quarters have no kitchen facilities and are not rented or otherwise used as a separate dwelling unit. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.020 Accessory residence.

"Accessory residence" means a single-family residence which:

- (1) Is on the same lot as another single-family residence (either detached or attached);
- (2) Has no more than one-half the square feet of floor area of the primary residence; and
- (3) Meets the setback requirements for residences. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.025 Active recreation.

"Active recreation" means recreational activities which require buildings, impervious surfaces, or special purpose playing fields. Examples of facilities for active recreation include swimming pools, recreation halls, tennis courts, playground equipment, and picnic shelters. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.030 Adaptive mobility aids.

"Adaptive mobility aids" means physical equipment that help adults and children with physical impairments to participate in activities, perform tasks, be more active, and live a more independent and functional life. Examples include motorized wheelchairs, scooters and strollers.

25.10.010.035 Adjacent.

"Adjacent" means close, near, or directly across a street, but not abutting. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.040 Administrative design review.

"Administrative design review" means a development permit process whereby an application is reviewed, approved, or denied by the planning director or the planning director's designee based solely on objective design and development standards without a public predecision hearing, unless such review is otherwise required by state or federal law, or the structure is a designated landmark or historic district established under a local preservation ordinance. A city may utilize public meetings, hearings, or voluntary review boards to consider, recommend, or approve requests for variances from locally established design review standards.

25.10.010.045 Administrator.

"Administrator" means the ~~community development~~ public services director or designee. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.050 Adult arcade.

"Adult arcade" means an establishment where, for any form of consideration, one or more still or motion picture projectors, slide projectors, or similar machines, or other image-producing machines, for viewing by five or fewer persons each, are used to show films, motion pictures, video cassettes, slides, or other photographic or computer-generated reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas." (Ord. 18-1045 § 2 (Exh. A))

25.10.010.055 Adult aAssisted living facility.

Adult Assisted Living Facility. See DMC 25.10.010.095, Adult retirement community. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.060 Adult bookstore.

"Adult bookstore" means a bookstore, novelty store, or video store, a significant portion of the stock-in-trade, revenues, interior business, or advertising of which relates to the sale or rental of books, magazines, periodicals, or other printed matter, photographs, films, motion pictures, video cassettes, slides, or other visual representations depicting or describing "specified sexual activities" or "specified anatomical areas." Video stores that sell or rent only videotapes or other photographic or computer-generated reproductions and associated equipment shall come within this definition if 20 percent or more of their stock-in-trade or revenues comes from the rental or sale of videotapes or other photographic reproductions or associated equipment

which depict or describe specified sexual activities or specified anatomical areas. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.065 Adult cabaret.

"Adult cabaret" means a nightclub, bar, restaurant, or similar commercial establishment, whether or not alcoholic beverages are served, which features:

- (1) Persons who appear nude or semi-nude;
- (2) Live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities"; or
- (3) Films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas." (Ord. 18-1045 § 2 (Exh. A))

25.10.010.070 Adult congregate care facility.

Adult Congregate Care Facility. See DMC 25.10.010.095, Adult retirement community. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.075 Adult continuing care facility.

Adult Continuing Care Facility. See DMC 25.10.010.095, Adult retirement community. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.080 Adult family home.

"Adult family home" means a residential home regular family abode in which a person or persons provide personal care, special care, room and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services, as defined by RCW 70.128.010(1). An adult family home may provide services to up to eight adults upon approval from the Washington State Department of Health Services under RCW 70.128.066, as defined by RCW 70.128.010(1). Adult family homes shall be a permitted use in all areas zoned for residential and commercial purposes including those areas zoned for single family dwellings, as required by RCW 70.128.175(2). (Ord. 18-1045 § 2 (Exh. A))

25.10.010.085 Adult motel.

"Adult motel" means a hotel, motel, or similar commercial establishment which has the primary function of:

- (1) Offering accommodation to the public for any form of consideration and provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas,"

and has a sign visible from the public right-of-way which advertises the availability of this adult type of photographic reproductions; and

- (2) Offering a sleeping room for rent for a period of time that is less than 20 hours; or
- (3) Allowing a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than 20 hours. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.090 Adult motion picture theater.

"Adult motion picture theater" means a commercial establishment where films, motion pictures, video cassettes, slides, or similar photographic reproductions characterized by the depiction or description of "specified anatomical areas" or "specified sexual activities" are regularly shown for any form of consideration. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.095 Adult retirement community.

"Adult retirement community" means a planned multifamily development designed for persons, of whom at least one is more than 62-55 years old, and that emphasizes social and recreational activities, and may also provide personal services, limited health facilities and transportation.

Adult retirement community is also referred to as independent senior housing or independent living units but does not include assisted living facility. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.100 Adult theater.

"Adult theater" means any theater which is providing entertainment through the showing of motion picture films or live performances predominantly distinguished or characterized by their emphasis on matter explicitly depicting sexual activities, or a theater, concert hall, auditorium, or similar commercial establishment which, for any form of consideration, regularly features persons who appear nude or semi-nude, or live performances which are characterized by the exposure of "specified anatomical areas" or "specified sexual activities." (Ord. 18-1045 § 2 (Exh. A))

25.10.010.105 Affected employee.

"Affected employee" means a full-time employee who begins their regular workday at a single worksite between 6:00 a.m. and 9:00 a.m. (inclusive) on two or more weekdays for at least 12 continuous months. Seasonal agriculture employees, including seasonal employees of processors of agricultural products, are excluded from the count of affected employees. Construction workers who work at a construction site with an expected duration of less than two years are excluded from the count of affected employees. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.110 Affected employer.

"Affected employer" means an employer that employs 100 or more full-time employees at a single worksite who are scheduled to begin their regular workday between 6:00 a.m. and 9:00 a.m. (inclusive) on two or more weekdays for at least 12 continuous months. Construction worksites, when the expected duration of the construction is less than two years, are excluded from this definition. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.110 Affordable housing.

~~"Affordable housing" (formerly "HUD-defined affordable housing") means a dwelling unit for use as primary residence by a household in any of the income groups described as "low," "moderate," or "middle" which may be rented or purchased (including utilities other than telephone and cable TV) without spending more than 30 percent of monthly household income. Income level eligibility threshold levels shall be set using HUD levels for the Seattle-Tacoma-Bellevue metropolitan statistical area. (Ord. 18-1045 § 2 (Exh. A))~~

25.10.010.115 Affordable Housing.

"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:

- 1) 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
- 2) 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.

25.10.010.120 Affordable dwelling unit.

Affordable Dwelling Unit. See DMC 25.10.010.110115, Affordable housing. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.125 Aged person.

"Aged person" means a person of the age 65 years or more, or a person of less than 65 years who by reason of infirmity requires domiciliary care, as defined by RCW 18.20.020(1). (Ord. 18-1045 § 2 (Exh. A))

25.10.010.130 Airport.

"Airport" means any runway, landing area or other facility, whether publicly or privately owned and operated, which is designed, used, or intended to be used either by public carriers or by private aircraft for landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangars and other necessary buildings and open spaces, but not including manufacturing, servicing or testing facilities located in the vicinity of any landing area associated with the manufacturing or testing of commercial or military aircraft or activities associated therewith. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.135 Airfield.

Airfield. See DMC 25.10.010.[125130](#), Airport. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.140 Alley.

"Alley" is a publicly dedicated right-of-way which provides a secondary means of access; the definition of street shall include an alley; provided, however, that an alley shall not be considered a street for the purpose of calculating the setback and front yard requirements. No lot fronting on a street and an alley shall be considered either a corner lot or a lot having two street frontages. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.145 Alteration.

"Alteration" means any change, addition, or modification in construction or occupancy or any change, addition, or modification to a site, building, or occupancy. For critical areas, see DMC [25.105.030](#). (Ord. 19-1069 § 2 (Exh. A); Ord. 18-1045 § 2 (Exh. A))

25.10.010.150 Alternate work schedules.

"Alternate work schedules" means programs such as compressed work weeks that eliminate work trips for affected employees. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.155 Alternative mode.

"Alternative mode" refers to any means of commuting other than that in which the single-occupant motor vehicle is the dominant mode, including telecommuting and compressed work weeks if they result in reducing commute trips. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.160 Amendment.

"Amendment" means a change in the wording, context or substance of this zoning code, or a change in the zone boundaries on the zoning map. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.165 Antenna.

"Antenna" means any exterior apparatus designed for sending and/or receiving of electromagnetic waves, and includes equipment attached to a tower or building for the purpose of providing personal wireless services. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.170 Apartment.

"Apartment" means a building or a portion of a building arranged or designed to be occupied by ~~five~~sevensix or more families living independently of each other. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.175 As-graded.

"As-graded" means the extent of surface conditions on completion of grading. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.180 Assisted living facility.

"Assisted living facility" means any home or other institution, however named, which is advertised, announced, or maintained for the express or implied purpose of providing housing, basic services, and assuming general responsibility for the safety and well-being of the residents, and may also provide domiciliary care and supportive housing services to seven or more residents. "Assisted living facility" shall not include facilities certified as group training homes pursuant to RCW 71A.22.040, nor any home, institution, or section thereof which is otherwise licensed and regulated under the provisions of state law providing specifically for the licensing and regulation of such home, institution, or section thereof. Nor shall it include adult retirement community, independent senior housing, and independent living units in continuing care retirement communities, or other similar living situations.

25.10.010.185 Attached wireless communication facility.

"Attached Wireless Communication Facility (WCF)". See DMC 25.10.230.045, Wireless communication facility (WCF), attached. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.190 Automobile service station.

"Automobile service station" means a use which provides for the servicing of passenger automobiles and trucks not exceeding one and one-half tons capacity and operations incidental thereto, but not including body repair, painting, or automobile wrecking. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.195 Automobile wrecking.

"Automobile wrecking" means any dismantling or wrecking of motor vehicles or trailers, or the storage, sale or dumping of dismantled or wrecked vehicles or their parts. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.200 Automotive repair.

"Automotive repair" means shops and car washes on sites less than one-acre in size. Typical uses include general repair shops, transmission and engine rebuild shops, vessels and outboard motor repair shops, muffler shops, glass repair shops, automobile upholstery services, and lube/oil shops. On-site rental and lease of motor vehicles is not included.

25.10.010.205 Average daily trips (ADT).

"ADT" is an abbreviation for a "Average daily trips (ADT)" and means the number of vehicle trips generated by a project, calculated by multiplying the project's density unit (i.e., dwelling units, employees, square footage, as the case may be) by the applicable vehicle trip generation rate which may be derived from national and local transportation data. (Ord. 18-1045 § 2 (Exh. A))

25.10.010.210 Average finish grade.

"Average finish grade" means a reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished grade slopes away from the exterior walls, average finish grade shall be established by the lowest points within three feet of the building foundation. Where the finish grade does not slope uniformly along the length of an exterior wall, average finish grade shall be established by averaging the corner elevation of each exterior wall, then averaging the four subtotals. (Ord. 18-1045 § 2 (Exh. A))

25.10.020 "B" terms.

(Ord. 18-1045 § 2 (Exh. A); Ord. 11-919 § 1; Ord. 07-854 § 1; Ord. 02-707 § 1)

25.10.020.005 Base year.

"Base year" means the period on which goals for vehicle miles traveled (VMT) per employee and proportion of single-occupant vehicle (SOV) trips shall be based. (Ord. 18-1045 § 2 (Exh. A))

25.10.020.010 Basement.

"Basement" means that portion of a building between floor and ceiling which is partly below and partly above grade, but so located that the vertical distance from grade to floor below is less than the vertical distance from grade to ceiling. (Ord. 18-1045 § 2 (Exh. A))

25.10.020.015 Battery charging station.

“Battery charging station” means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth by Chapter [19.28](#) RCW and are consistent with rules adopted under RCW [19.27.540](#). (Ord. 18-1045 § 2 (Exh. A))

25.10.020.020 Battery electric vehicle (BEV).

“Battery electric vehicle (“BEV)” means ~~a battery electric vehicle. A battery electric vehicle, or BEV, is~~ a type of electric vehicle (EV) that uses chemical energy stored in rechargeable battery packs. As with other electric vehicles, BEVs use electric motors and motor controllers instead of internal combustion engines (ICEs) for propulsion. Generally, all-electric vehicles are referred to as BEVs (although a plug-in hybrid vehicle is also a battery electric vehicle). (Ord. 18-1045 § 2 (Exh. A))

25.10.020.025 Battery exchange station.

“Battery exchange station” means a fully automated facility that will enable an electric vehicle with a swappable battery to 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](#). (Ord. 18-1045 § 2 (Exh. A))

25.10.020.030 Bench.

“Bench” means a relatively level step excavated into earth material on which fill is to be placed. (Ord. 18-1045 § 2 (Exh. A))

25.10.020.035 Berm.

“Berm” means a narrow ledge or shelf of land. As used in this zoning code, a berm is intended to serve as a buffer between adjoining uses. It generally consists of earth material and may be natural or artificial. (Ord. 18-1045 § 2 (Exh. A))

25.10.020.040 Bluff.

“Bluff” means the landform generally having a slope in excess of 30 percent from the 180-foot contour line down to Puget Sound. (Ord. 18-1045 § 2 (Exh. A))

25.10.020.045 Bluff tract.

“Bluff tract” means a tract of land containing a bluff. (Ord. 18-1045 § 2 (Exh. A))

25.10.020.050 Boarding house.

“Boarding house” means any home or other institution, however named, which is advertised, announced, or maintained for the express or implied purpose of providing board and domiciliary care to three or more aged persons not related by blood or marriage to the operator. It shall not include facilities certified as group training homes pursuant to RCW [71A.22.040](#), nor any home, institution or portion thereof which is otherwise licensed and regulated under the provisions of state law providing specifically for the licensing and regulation of such homes, institutions or portion thereof, as defined by RCW [18.20.020](#). Boarding houses shall not include any independent senior housing, independent living units in continuing care retirement communities, or other similar living situations including those subsidized by the Department of Housing and Urban Development. (Ord. 18-1045 § 2 (Exh. A))

25.10.020.055 Borrow.

“Borrow” means earth material acquired from an off-site location for use in grading on a site. (Ord. 18-1045 § 2 (Exh. A))

25.10.020.060 Brewery.

“Brewery” means an establishment primarily engaged in the production of beer, ale, and/or other malt or brewed beverages, including all of the equipment and materials required for such production, and may include accessory uses such as tours of the brewery, sales, and/or on-site consumption, e.g., a tasting room.

25.10.020.065 Buffer – Landscape.

“Buffer – landscape” means a strip of trees, shrubs, and ground cover of sufficient height, width, and density to screen, within three years of planting, an unsightly or nuisance-generating land use from a more sensitive land use, even in the winter months. The minimum visual screening is 100 percent for full buffers, 50 percent for moderate buffers, and 25 percent for light buffers. Berms, grade separations, walls, and fences may be incorporated to achieve up to 50 percent of the minimum screening. For critical areas, see DMC [25.105.030](#). (Ord. 19-1069 § 2 (Exh. A); Ord. 18-1045 § 2 (Exh. A))

25.10.020.070 Building.

“Building” means any structure used or intended for supporting or sheltering any use or occupancy. (Ord. 18-1045 § 2 (Exh. A))

25.10.020.075 Building, enclosed.

“Building, enclosed” means a building enclosed on all sides with wall and roof and having no openings other than closable, glazed windows and doors and vents. (Ord. 18-1045 § 2 (Exh. A))

25.10.020.080 Building site.

“Building site” means a parcel of land assigned to a use, to a main building, or to a main building and its accessory buildings, together with all yards and open spaces required by this zoning code. A “building site” may be comprised of one lot, a combination of lots, or a combination of lots and fractions of lots. (Ord. 18-1045 § 2 (Exh. A))

25.10.020.085 Bulk.

“Bulk” means the size and location of buildings and structures in relation to the lot. Bulk regulations generally include height of building, lot area, front, side and rear yards, and lot coverage. (Ord. 18-1045 § 2 (Exh. A))

25.10.020.090 Business.

“Business” means the purchase, sale, offering for sale, or other transaction involving the handling or disposition of any article, service, substance or commodity for livelihood or profit; or the management, occupancy, or maintenance of recreational or amusement enterprises, office buildings, offices, structures or premises by professions and trades or persons rendering services. (Ord. 18-1045 § 2 (Exh. A))

25.10.030 “C” terms.

(Ord. 18-1045 § 2 (Exh. A); Ord. 17-1017 § 2 (Exh. B); Ord. 11-919 § 2; Ord. 02-707 § 1)

25.10.030.005 Carpool.

“Carpool” means a motor vehicle occupied by two to six people traveling together for their commute trip that results in the reduction of a minimum of one motor vehicle commute trip. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.010 Cellar.

Cellar. See [DMC 25.10.020.010, “Basement.”](#) (Ord. 18-1045 § 2 (Exh. A))

25.10.030.015 Cellular.

“Cellular” means a wireless communication system that divides a geographical area into cells and assigns the same frequencies to multiple, nonadjacent cells. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.020 Charging levels.

“Charging levels” means the electrical current, or voltage, at which an electric vehicle’s battery is recharged. Levels 1, 2, and 3 are the most common EV charging levels, and include the following specifications:

- (1) Level 1 is considered slow charging. It requires a 15- or 20-amp circuit-breaker on a 120-volt AC circuit and standard outlet. This level of charging can fully recharge a Battery Electric Vehicle (BEV) between eight and 32 hours and a Plug-in Hybrid Electric Vehicle (PHEV) between three and 15 hours.
- (2) Level 2 is considered medium charging. It requires a 40-amp to 100-amp circuit-breaker on a 240-volt AC circuit. This level of charging can fully recharge a BEV between four and six hours and a PHEV between one and two hours.
- (3) Level 3 is considered fast charging. It requires a 60-amp or higher dedicated circuit-breaker on a 480-volt or higher three-phase circuit with special grounding equipment. Level 3 charging uses an off-board charger to provide the AC-to-DC conversion, delivering DC directly to the car battery. Charging time ranges from 25 to 40 minutes for BEVs and less than 20 minutes for PHEVs. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.025 Child day care center.

~~"Child day care center" and "child care center" mean an agency that regularly provides early childhood education and early learning services for a group of children for periods of less than 24 hours as defined by RCW 43.216.010. means an agency which regularly provides care for a group of children for periods of less than 24 hours as defined by RCW 74.15.020(2). Subsets of this definition, per WAC 338-73-020, include: (1) "mini day care program," a day care facility for the care of 12 or fewer children in a facility other than the family abode of the person or persons under whose direct care and supervisions the children are placed; and (2) "day treatment program," an agency providing care, supervision, and appropriate therapeutic and education services during part of the 24 hour day for a group of persons under 18 years of age and the persons are unable to adjust to full time regular or special school programs or full-time family living. (Ord. 18-1045 § 2 (Exh. A))~~

25.10.030.030 Church.

"Church" means an establishment which is principally devoted to religious worship, which may include accessory uses such as Sunday school rooms, religious education classrooms, assembly rooms, a library, and residences on site for clergy. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.035 City.

"City" means the city of DuPont, Washington. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.040 Civil engineer.

"Civil engineer" means a professional engineer registered in the state to practice in the field of civil works. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.045 Civil engineering.

"Civil engineering" means the application of the knowledge of the forces of nature, principles of mechanics and the properties of materials to the evaluation, design, and construction of civil works. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.050 Clearing.

"Clearing" means the cutting or removal of vegetation or other organic material by physical, mechanical, chemical, or other means. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.055 Clinic.

"Clinic" means a building or portion of a building containing offices for providing medical, dental, psychiatric or chiropractic services for out-patients only, but not including the sale of drugs or medical supplies. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.060 Closed record appeal.

"Closed record appeal" means an administrative appeal on the record to the city council, following an open record hearing on a project permit application, when the appeal is on the record with no or limited new evidence or information allowed to be submitted and only appeal argument allowed. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.063 Co-Living housing.

"Co-living housing" means a residential development with sleeping units that are independently rented and lockable and provide living and sleeping space, and residents share kitchen facilities with other sleeping units in the building as defined in RCW 36.70A.535(11)(a). Other terms used to refer to co-living housing include, but not limited to, congregate living facilities, single room occupancy, rooming house, boarding house, lodging house, and residential suites.

25.10.030.065 Collocation.

"Collocation" means the use of a single support structure, including but not limited to a building, monopole, lattice tower, or water tank, by more than one licensed personal wireless communication service provider. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.070 Commercial.

Commercial. See DMC 25.10.020.~~085090~~, Business. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.075 Commercial message.

“Commercial message” means a sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.080 Commercial recreation, indoor.

“Commercial recreation, indoor” means an establishment providing completely enclosed recreation activities. Accessory uses shall be permitted to include the preparation and serving of food and/or the sale of equipment related to the enclosed uses. Included in this definition are bowling, roller-skating, or ice-skating, pool, and related amusements.

25.10.030.085 Commercial recreation, outdoor.

“Commercial recreation, outdoor” means an area free of buildings except for restrooms, dressing rooms, equipment storage, maintenance buildings, and admission sales. Includes amphitheaters, open-air pavilions and similar structures used primarily for privately owned and managed recreational activities.

25.10.030.090 Commons.

“Commons” means a continuous uncovered area which is accessible to the public at all times. To qualify for a bonus under this zoning code, a commons must be at least 10 feet in depth extending along a street, with a minimum area of 300 square feet. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.095 Community and cultural services.

“Community and cultural services” means establishments primarily engaged in the provision of services that are strongly associated with community, social, or public importance. Typical uses include libraries, museums, art galleries, senior centers, community centers, performing arts theaters, community clubs and organizations, boys and girls clubs, granges and grange halls, wedding facilities including on-site food preparation, blood banks, organizational camps, food banks, fraternal organizations, cemeteries and associated services, and shelters for the homeless.

25.10.030.100 Community park.

“Community park” means a public recreation facility primarily designed and located to provide active and structured recreation opportunities for young people and adults in the immediate community. The service area is at least a one- to two-mile radius. In general, community park facilities are designed for organized activities and sports, although individual and family activities are also encouraged. Community parks may provide indoor facilities to meet a wider range of recreation interests. Community parks serve a larger area than neighborhood parks

and offer more facilities such as parking, restrooms, covered play areas, etc. Community parks usually exceed 20 acres in size and often have sports fields, water bodies, gardens, nature trails or similar facilities as the central focus of the park. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.105 Commute trip.

“Commute trip” means a trip that is made from a worker’s home to a worksite with a regularly scheduled arrival time of 6:00 a.m. to 9:00 a.m. (inclusive) on weekdays. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.110 Commute trip reduction (CTR).

“Commute trip reduction (“CTR)”. See DMC 25.10.030.115, Commute trip reduction plan and DMC 25.10.030.120, Commute trip reduction (CTR) program. ~~means commute trip reduction.~~ (Ord. 18-1045 § 2 (Exh. A))

25.10.030.115 Commute trip reduction (CTR) plan.

“Commute trip reduction (CTR) plan” means a city’s plan and ordinance to regulate and administer the CTR programs of affected employees within its jurisdiction. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.120 Commute trip reduction (CTR) program.

“CTR program” means an employer’s strategies to reduce affected employees’ single-occupancy vehicle (SOV) use and vehicle miles travelled (VMT) per employee. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.125 Commute trip reduction (CTR) zone.

“Commute trip reduction (CTR) zone” means an area, such as a census tract or combination of census tracts, within the city characterized by similar employment density, population density, level of transit service, parking availability, access to high occupancy vehicle facilities, and other factors that are determined to affect the level of single-occupancy vehicle (SOV) commuting. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.130 Commuter matching service.

“Commuter matching service” means a system that assists in matching commuters for the purpose of commuting together. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.135 Compaction.

“Compaction” means the densification of a fill by mechanical means. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.140 Composted material.

"Composted materials" means organic solid waste that has been subjected to controlled aerobic degradation in an appropriately designed and maintained composting facility. Natural decay of organic solid waste under uncontrolled conditions does not result in composted material. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.145 Compressed work week.

"Compressed work week" means an alternative work schedule, in accordance with employer policy, that regularly allows a full-time employee to eliminate at least one workday every two weeks by working longer hours the remaining days, resulting in fewer commute trips. This definition is primarily intended to include weekly and biweekly arrangements, the most typical being four 10-hour days or 80 hours in nine days, but may also include other arrangements. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.150 Computation of time.

Computation of Time. For the purposes of computing the time for processing land use development applications, the day the application is filed shall not be counted. If the last day of the calculated time period includes Saturday, Sunday, or holiday designated by RCW [1.16.050](#) or by a city ordinance, then the time period shall end on the conclusion of the next business day. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.155 Concurrency test.

"Concurrency test" means the comparison of the traffic generated by a proposed development with the unused or uncommitted capacity of existing and planned transportation facilities, in order to assess the impact of the proposed development on the transportation level of service. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.160 Conditional use.

"Conditional use" means a use permitted in one or more zones as defined by this title, but which, because of characteristics peculiar to each such use, or because of size, technological processes or equipment, or because of the exact location with reference to surroundings, streets, and existing improvements or demands upon public facilities, requires a special degree of control to make such uses consistent and compatible with other existing or permissible uses in the same zone or zones. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.165 Condominium.

"Condominium" means the division of a building or land pursuant to the Horizontal Property Regimes Act, Chapter [64.32](#) RCW. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.170 Convention Center.

"Convention Center" means a facility which provides convention and/or entertainment services for the greater region. These facilities are typically located on 10 acre or larger sites and are comprised of meeting and banquet rooms, together with support services such as food services.

25.10.030.175 Cottage housing.

"Cottage housing" means residential units on a lot with a common open space that either: (a) Is owned in common; or (b) has units owned as condominium units with property owned in common and a minimum of 20 percent of the lot size as open space.

25.10.030.180 Country club.

"Country club" means an incorporated or unincorporated association of persons organized for social and recreational purposes, such as golf clubs, tennis clubs, etc. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.185 Courtyard apartments.

"Courtyard apartments" means up to four attached dwelling units arranged on two or three sides of a yard or court.

25.10.030.190 Coverage.

"Coverage" means the percentage of a lot or site covered by buildings or roofed areas, including covered porches and accessory buildings, measured at the building foundation. (Ord. 18-1045 § 2 (Exh. A))

25.10.030.195 Custom bus/buspool.

"Custom bus/buspool" means a commuter bus service arranged specifically to transport employees to work. (Ord. 18-1045 § 2 (Exh. A))

25.10.040 "D" terms.

(Ord. 18-1045 § 2 (Exh. A); Ord. 18-1032 § 2 (Exh. 5); Ord. 07-854 § 1; Ord. 02-707 § 1)

25.10.040.005 Day.

"Day" means calendar day. (Ord. 18-1045 § 2 (Exh. A))

25.10.040.010 Dedication.

“Dedication” means the transfer of property interests from private to public ownership for a public purpose. The transfer may be a fee-simple interest or of a less than fee interest, including an easement. (Ord. 18-1045 § 2 (Exh. A))

25.10.040.015 Density, average.

“Density, average” means the average number of dwelling units per acre of land. Fractional numbers less than 0.50 shall be rounded down to the nearest whole number. Fractional numbers 0.50 and greater shall be rounded up to the nearest whole number. (Ord. 18-1045 § 2 (Exh. A))

25.10.040.020 Density, gross.

“Density, gross” means the number of dwelling units per acre computed by using all land within the project boundaries. (Ord. 18-1045 § 2 (Exh. A))

25.10.040.025 Density, net.

“Density, net” means all land within the project boundaries minus environmentally constrained areas, public roads and other land uses not intended for construction of dwellings as stated on the plat maps or development drawings. (Ord. 18-1045 § 2 (Exh. A))

25.10.040.026 Density, unit.

See “Unit Density” in DMC 25.10.210.005.

25.10.040.030 Development.

“Development” means the construction or reconstruction of a structure or other modifications of the natural landscape above and below ground or water on a particular site. For critical areas, see DMC [25.105.030](#). (Ord. 19-1069 § 2 (Exh. A); Ord. 18-1045 § 2 (Exh. A))

25.10.040.035 Development activity.

“Development activity” means any permit or approval which requires a permit or approval under this code or DMC Title [12](#), Building and Construction. (Ord. 18-1045 § 2 (Exh. A))

25.10.040.040 Development permit.

“Development permit” means any permit or approval which requires a permit or approval as required under this code or DMC Title [12](#), Building and Construction, that must be issued before initiating a use or development activity. (Ord. 18-1045 § 2 (Exh. A))

25.10.040.045 Development project.

“Development project” means divisions of land into two or more parcels; construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill, or land disturbance; and any use or extension of the use of the land. (Ord. 18-1045 § 2 (Exh. A))

25.10.040.050 Development regulations.

“Development regulations” or “regulation” means the controls placed on development or land use activities by a county or city, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto. A development regulation does not include a decision to approve a development permit application, as defined in RCW 36.70B.020, even though the decision may be expressed in a resolution or ordinance of the legislative body of the city.

25.10.040.055 Director.

“Director” means the community development director, or designee. (Ord. 18-1045 § 2 (Exh. A))

25.10.040.060 District.

“District” means an area of the city of DuPont designated by a single land use classification with uniform use regulations. A district may be either a primary district or an overlay district. All property within the city is included within a primary land use district. An overlay district is any additional district established by the land use code that may be more or less restrictive than the primary land use district. Where a property is located within an overlay district, it is subject to the provisions of both the primary land use district and the overlay district. Where the provisions are in conflict, the overlay district governs. (Ord. 18-1045 § 2 (Exh. A))

25.10.040.065 Drainage facility.

“Drainage facility” means the system of collecting, conveying, and storing surface and storm runoff. Drainage facilities shall include but not be limited to all surface and stormwater runoff conveyance and containment facilities including streams, pipelines, channels, ditches, infiltration facilities, retention/detention facilities, and other drainage structures and appurtenances, both natural and manmade. (Ord. 18-1045 § 2 (Exh. A))

25.10.040.070 Drip line.

“Drip line” means the guide measurement imaginary line around a tree aligning with the outer edge of the tree’s canopy. (Ord. 18-1045 § 2 (Exh. A))

25.10.040.075 Drive-thru.

“Drive-thru” means a building element that allows a customer to obtain goods and services through a building opening, other than a door, while seated in an automobile. (Ord. 18-1045 § 2 (Exh. A))

25.10.040.080 Duplex.

“Duplex” means a detached building containing two dwelling units. (Ord. 18-1045 § 2 (Exh. A))

25.10.040.085 DuPont Municipal Code (DMC).

“DMC” means the DuPont Municipal Code. (Ord. 18-1045 § 2 (Exh. A))

25.10.040.090 Dwelling.

“Dwelling” means any building or portion thereof which is designed or used for residential purposes. (Ord. 18-1045 § 2 (Exh. A))

25.10.040.95 Dwelling, ~~multiple-family.~~multifamily

“Dwelling, ~~multiple-family~~” means a building or portion thereof containing ~~two~~three six or more dwelling units. (Ord. 18-1045 § 2 (Exh. A))

25.10.040.100 Dwelling, single-family.

“Dwelling, single-family” means a detached building containing one dwelling unit or duplex. (Ord. 18-1045 § 2 (Exh. A))

25.10.040.105 Dwelling unit.

“Dwelling unit” means one or more rooms or structures providing complete, independent living facilities for one family, including permanent provisions for living, sleeping, cooking and sanitation. Dwelling unit does not include recreation vehicles or mobile homes. This definition shall not include rooms normally associated with state-licensed nursing home facilities, assisted living facilities, or similar uses. (Ord. 18-1045 § 2 (Exh. A))

25.10.050 “E” terms.

(Ord. 18-1045 § 2 (Exh. A); Ord. 17-1017 § 2 (Exh. B); Ord. 11-919 § 3; Ord. 02-707 § 1)

25.10.050.005 Earth material.

“Earth material” means any rock, natural soil or fill or any combination thereof. (Ord. 18-1045 § 2 (Exh. A))

25.10.050.010 Easement.

“Easement” means the authorization by a property owner of the use by another and for a specified purpose of any designated part of his property. (Ord. 18-1045 § 2 (Exh. A))

25.10.050.015 Electric vehicle (EV).

“Electric vehicle (EV)” means any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board for motive purpose. “Electric vehicle” includes: (1) a battery electric vehicle; (2) a plug-in hybrid electric vehicle; (3) a neighborhood electric vehicle; (4) medium-speed electric vehicle; and (5) electric motorcycles. (Ord. 18-1045 § 2 (Exh. A))

25.10.050.020 Electric vehicle charging station.

“Electric vehicle charging station” means a public or private parking space located together with a battery charging station which permits the transfer of electric energy (by conductive or inductive means) to a battery or other storage device in an electric vehicle. (Ord. 18-1045 § 2 (Exh. A))

25.10.050.025 Electric vehicle infrastructure.

“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. (Ord. 18-1045 § 2 (Exh. A))

25.10.050.030 Electric vehicle parking space.

“Electric vehicle parking space” means any marked parking space that identifies the use to be exclusively for an electric vehicle. (Ord. 18-1045 § 2 (Exh. A))

25.10.050.035 Emergency amendment.

“Emergency amendment” means a proposed change or revision to the comprehensive plan that arises from a situation that necessitates the immediate preservation of the public peace, health, or safety or support of the city government and its existing institutions. (Ord. 18-1045 § 2 (Exh. A))

25.10.050.040 Employee.

“Employee” means any and all persons, including managers, entertainers, and independent contractors who work at or render any services directly related to the operation of any sexually oriented business, whether for compensation or not. (Ord. 18-1045 § 2 (Exh. A))

25.10.050.045 Employee transportation coordinator.

“Employee transportation coordinator” means a designated person who is responsible for administering the employer’s commute trip reduction program. (Ord. 18-1045 § 2 (Exh. A))

25.10.050.050 Employer.

“Employer” means a sole proprietorship, partnership, corporation, unincorporated association, cooperative, joint venture, agency, department, district or other individual or entity, whether public, nonprofit, or private, that employs workers. (Ord. 18-1045 § 2 (Exh. A))

25.10.050.055 Enclosed structure.

Enclosed Structure. See [DMC 25.10.020.075, “Building, enclosed.”](#) (Ord. 18-1045 § 2 (Exh. A))

25.10.050.060 Engineering geologist.

“Engineering geologist” means a geologist experienced and knowledgeable in engineering geology. (Ord. 18-1045 § 2 (Exh. A))

25.10.050.065 Engineering geology.

“Engineering geology” means the application of geologic knowledge and principles in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil works. (Ord. 18-1045 § 2 (Exh. A))

25.10.050.070 Entertainer.

“Entertainer” means any person who provides sexually oriented entertainment in an adult cabaret whether or not an employee of the operator and whether or not a fee is charged or accepted for such entertainment. (Ord. 18-1045 § 2 (Exh. A))

25.10.050.075 Erosion.

Repealed by Ord. 19-1069. (Ord. 18-1045 § 2 (Exh. A))

25.10.050.080 Escort.

“Escort” means a person who, for consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease. (Ord. 18-1045 § 2 (Exh. A))

25.10.050.085 Escort agency.

“Escort agency” means a person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration. (Ord. 18-1045 § 2 (Exh. A))

25.10.050.090 Establishment

“Establishment” means the opening of a new sexually oriented business, the conversion of an existing business to a sexually oriented business, the addition of a sexually oriented business to any existing sexually oriented business, or the relocation of a sexually oriented business. (Ord. 18-1045 § 2 (Exh. A))

25.10.050.095 Excavation.

“Excavation” means the removal of earth material by other than natural means. (Ord. 18-1045 § 2 (Exh. A))

25.10.050.100 Exemption, CTR.

“Exemption” means a waiver from any or all Commute Trip Reduction (CTR) program requirements granted to an employer by the city of DuPont based on unique conditions that apply to the employer or employment site. (Ord. 18-1045 § 2 (Exh. A))

25.10.050.105 Expansion.

“Expansion” means enlargement of building floor area or parking area of a permitted land use. (Ord. 18-1045 § 2 (Exh. A))

25.10.060 “F” terms.

(Ord. 18-1045 § 2 (Exh. A); Ord. 18-1034 § 2 (Exhs. 6, 7); Ord. 17-1017 § 2 (Exh. B); Ord. 12-937 § 1; Ord. 02-707 § 1)

25.10.060.005 Family.

“Family” means one or more related persons living together, or one or more disabled persons protected by the Fair Housing Amendments Act ([42](#) U.S.C. Section [3601](#) et seq.) living together. Except for disabled persons as described above, in no case shall a family include more than six persons who are not related by genetics, adoption or marriage. (Ord. 18-1045 § 2 (Exh. A))

25.10.060.010 Family day care.

“Family day care” means a child day care provider who regularly provides child day care, early childhood education and early learning services for not more than 12 children at any given time

in the provider's home in the family living quarters, as defined by in RCW [74.15.020](#)(1)(e). (Ord. 18-1045 § 2 (Exh. A))

25.10.060.015 Fast food restaurant.

"Fast food restaurant" means an establishment whose principal business is the sale of food and/or beverages in a ready-to-consume state for consumption within the restaurant building, within a motor vehicle parked on the premises, or off the premises as carry-out orders, and whose principal method of operation includes the following characteristics: food and/or beverages usually served in edible containers or on paper, plastic or other disposable containers. (Ord. 18-1045 § 2 (Exh. A))

25.10.060.020 Fence.

"Fence" means a linear structure or linear plant growth which encloses, divides, or screens. (Ord. 18-1045 § 2 (Exh. A))

25.10.060.021 Fence, Ranch Rail

"Ranch Rail Fence" means a linear structure that encloses or divides areas, is made of durable wood or vinyl and has two or three horizontal rails and is typically used to mark boundaries of recreation areas.

25.10.060.022 Fence, Split Rail

"Split Rail Fence" means a linear structure that encloses or divides areas is made of wood and has two or three horizontal rails and is typically used to demark boundaries of critical areas.

25.10.060.025 Fill.

"Fill" means the depositing on land, whether submerged or not, of sand, gravel, earth, or other materials of any composition whatsoever. (Ord. 18-1045 § 2 (Exh. A))

25.10.060.030 Financial commitment.

"Financial commitment" means revenue sources forecast to be available and designated for transportation facilities or strategies in the comprehensive plan or in the transportation element of the comprehensive plan, other unanticipated revenue from federal or state grants, or other sources for which the city has received a notice of commitment, and/or revenue that is assured by an applicant in a form approved by the city. (Ord. 18-1045 § 2 (Exh. A))

25.10.060.035 Finding of transportation concurrency.

"Finding of concurrency" means the finding that is a part of the building permit or residential preliminary plat approval issued by the city indicating that the transportation system has

adequate unused or uncommitted capacity, or will have adequate capacity, to accommodate traffic generated by the proposed development, without causing the level of service standards to decline below the adopted standards, at the time of development. (Ord. 18-1045 § 2 (Exh. A))

25.10.060.040 Finish grade.

“Finish grade” means the final grade of the site which conforms to the approved plan. (Ord. 18-1045 § 2 (Exh. A))

25.10.060.045 Fiveplex.

“Fiveplex” means a ~~townhome~~ residential building containing with five attached dwelling units.

25.10.060.050 Flex-time.

“Flex-time” is an employer policy allowing individual employees some flexibility in choosing the time, but not the number, of their working hours to facilitate the use of alternative modes. (Ord. 18-1045 § 2 (Exh. A))

25.10.060.055 Floor area ratio (FAR).

“Floor area ratio (FAR)” means the floor area of the building or buildings on any lot divided by the area of the lot or parcel exclusive of critical areas and associated buffers. (Ord. 18-1045 § 2 (Exh. A))

25.10.060.060 Foster-family home.

“Foster-family home” means an agency which regularly provides care on a 24-hour basis to one or more children, expectant mothers, or persons with developmental disabilities in the family abode of the person or persons under whose direct care and supervision the child, expectant mother, or person with a developmental disability is placed, as defined by RCW [74.15.020\(1\)](#). (Ord. 18-1045 § 2 (Exh. A))

25.10.060.065 Fourplex.

“Fourplex” means a ~~detached building~~ ~~townhome~~ residential building containing with four attached dwelling units, whether stacked or side by side. (Ord. 18-1045 § 2 (Exh. A))

25.10.060.070 Fraternal club.

“Fraternal club” means an incorporated or unincorporated association of persons organized for a social purpose. (Ord. 18-1045 § 2 (Exh. A))

25.10.060.075 Freestanding sign.

"Freestanding sign" means a sign mounted in or on the ground, independent from buildings. (Ord. 18-1045 § 2 (Exh. A))

25.10.060.080 Freestanding WCF.

Freestanding WCF. See DMC 25.10.230.050, Wireless communication facility (WCF), freestanding. (Ord. 18-1045 § 2 (Exh. A))

25.10.060.085 Front yard.

Front Yard. See DMC 25.10.250.015, Yard, front. (Ord. 18-1045 § 2 (Exh. A))

25.10.060.090 Frontage, street.

Frontage, Street. See DMC 25.10.190.1~~7~~50, Street frontage. (Ord. 18-1045 § 2 (Exh. A))

25.10.060.095 Full-time employee.

"Full-time employee" means a person other than an independent contractor, scheduled to be employed on a continuous basis for 52 weeks for an average of at least 35 hours per week. (Ord. 18-1045 § 2 (Exh. A))

25.10.070 "G" terms.

(Ord. 18-1045 § 2 (Exh. A); Ord. 02-707 § 1)

25.10.070.005 Garage, private.

"Garage, private" means a sheltered or enclosed space designed and used for the storage of motor vehicles or boats of the residents of the premises. (Ord. 18-1045 § 2 (Exh. A))

25.10.070.010 Garage, public.

"Garage, public" means a building or portion thereof designed and used for storage, repair or servicing of motor vehicles or boats as a business. (Ord. 18-1045 § 2 (Exh. A))

25.10.070.015 Geotechnical engineer.

"Geotechnical engineer" means a practicing geotechnical/civil engineer who has a valid Washington State engineering license and a valid certificate of registration in civil engineering, at least four years of professional employment as a geotechnical engineer with experience in landslide evaluation, and appropriate training and experience as specified in Chapter [18.43](#) RCW. (Ord. 19-1069 § 2 (Exh. A); Ord. 18-1045 § 2 (Exh. A))

25.10.070.020 Good faith effort, CTR.

"Good faith effort" means that an employer has met the minimum requirements identified in RCW [70.94.531](#) and this chapter, and is working collaboratively with the city of DuPont to continue its existing Commute Trip Reduction (CTR) program or is developing and implementing program modifications likely to result in improvements to its CTR program over an agreed-upon length of time. (Ord. 18-1045 § 2 (Exh. A))

25.10.070.025 Grade.

"Grade" means the vertical location of the ground surface. (Ord. 18-1045 § 2 (Exh. A))

25.10.070.030 Grading.

"Grading" means any excavation, filling, removal of topsoil, or any combination thereof. (Ord. 18-1045 § 2 (Exh. A))

25.10.070.035 Grading administrator.

"Grading administrator" means whomever the mayor designates to administer this chapter. (Ord. 18-1045 § 2 (Exh. A))

25.10.070.040 Gross acre.

"Gross acre" means land designated for residential purposes in the comprehensive plan, inclusive of related streets and neighborhood parks. On-street parking aisles within the subject area are excluded from the calculation. (Ord. 18-1045 § 2 (Exh. A))

25.10.070.045 Gross floor area ratio.

"Gross floor area ratio" means the gross floor area of all structures, excluding parking and mechanical areas, divided by the total site area. (Ord. 18-1045 § 2 (Exh. A))

25.10.070.050 Group-care facility.

"Group-care facility" means an agency, other than a foster-family home, which is maintained and operated for the care of a group of children on a 24-hour basis as defined by RCW [74.15.020](#)(1). (Ord. 18-1045 § 2 (Exh. A))

25.10.080 "H" terms.

(Ord. 18-1045 § 2 (Exh. A); Ord. 07-854 § 1; Ord. 02-707 § 1)

25.10.080.005 Hazardous substance.

“Hazardous substance” means any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the characteristics or criteria of hazardous waste as described by Chapter [70.105](#) RCW or WAC [173-303-090](#) or [173-303-100](#). (Ord. 18-1045 § 2 (Exh. A))

25.10.080.010 Hazardous waste.

“Hazardous waste” means any dangerous and extremely hazardous waste, as those terms are defined by RCW [70.105.010](#)(5) and (6), respectively, including substances composed of radioactive and hazardous components. A moderate risk waste as described by RCW [70.105.010](#)(17) is not a hazardous waste. (Ord. 18-1045 § 2 (Exh. A))

25.10.080.015 Hazardous waste generator.

“Hazardous waste generator” means any person or site whose act first causes a dangerous waste to become subject to regulation under the dangerous waste regulations, Chapter [173-303](#) WAC. (Ord. 18-1045 § 2 (Exh. A))

25.10.080.020 Hazardous waste storage.

“Hazardous waste storage” means the holding of dangerous waste for a temporary period. Accumulation of dangerous waste by the generator on the site of generation is not storage as long as the generator complies with the applicable requirements of WAC [173-303-200](#) and [173-303-201](#). (Ord. 18-1045 § 2 (Exh. A))

25.10.080.025 Hazardous waste treatment.

“Hazardous waste treatment” means the physical, chemical, or biological processing of dangerous waste to make such wastes nondangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume. (Ord. 18-1045 § 2 (Exh. A))

25.10.080.030 Heavy industrial.

“Heavy industrial” means an industrial land use such as chemical processing or machinery manufacturing which has environmental impacts which may require regulation (e.g., heavy truck traffic, noise, vibration, light, glare, and odors). (Ord. 18-1045 § 2 (Exh. A))

25.10.080.035 Height.

“Height” (of a structure) means the vertical distance between the average finished grade within three feet of the building foundation and the highest point of the structure’s roof, walls, or

other principal elements, excluding such accessory building elements as skylights, flagpoles, chimneys, church steeples, and roof structures housing building equipment. (Ord. 18-1045 § 2 (Exh. A))

25.10.080.040 Heliport.

Heliport. See DMC 25.10.010.[125130](#), Airport. (Ord. 18-1045 § 2 (Exh. A))

25.10.080.045 High-intensity sales and service.

“High-intensity sales and service” means businesses that typically generate high levels of traffic per square foot of floor area, such as those offering the following goods and services:

- (1) Food;
- (2) Clothing;
- (3) Hardware;
- (4) Household goods;
- (5) Pharmaceuticals;
- (6) Arts and crafts;
- (7) Auto parts;
- (8) Sporting goods;
- (9) Office equipment;
- (10) Books;
- (11) Plants;
- (12) Jewelry;
- (13) Liquor;
- (14) Musical instruments;
- (15) Barber and beauty shops;
- (16) Laundromats. (Ord. 18-1045 § 2 (Exh. A))

25.10.080.050 High-occupancy vehicle (HOV).

“High-occupancy vehicle (HOV)” means a carpool, vanpool, or transit vehicle. (Ord. 18-1045 § 2 (Exh. A))

25.10.080.055 Historic.

“Historic” means associated with local historical events, such as the works of the first European settlers. (Ord. 18-1045 § 2 (Exh. A))

25.10.080.060 Home occupation.

“Home occupation” means an occupation conducted by the persons residing in the dwelling unit that includes any personal, business, or professional service, offices and repair shops for

household items, and does not involve automotive, truck or motorcycle repair and any land use
that meets the criteria stated in Chapter [25.140](#) DMC. (Ord. 18-1045 § 2 (Exh. A))

25.10.080.065 Homeowners' association.

"Homeowners' association" means a group of persons organized as an association, corporation or other entity which represents homeowners residing in a subdivision or other development entity. A homeowners' association need not have any official status as a separate legal entity under the laws of the state of Washington. (Ord. 18-1045 § 2 (Exh. A))

25.10.080.070 Hospital.

"Hospital" means an institution, whether a building or group of buildings, designed and used for the medical and surgical diagnosis and treatment (temporary and emergency services included) and housing of persons under the care of doctors and nurses providing general medical care, as distinguished from treatment of mental and nervous disorders and alcoholics, and specifically excluding rest homes, nursing homes, and convalescent homes. (Ord. 18-1045 § 2 (Exh. A))

25.10.080.075 Hotel.

"Hotel" means a building or portion thereof designed or used for the lodging with or without meals of six or more persons for compensation. A central kitchen and dining facility and accessory shops and services catering to the general public may be provided. Institutions housing persons under legal restraint or requiring medical attention or care shall not be considered hotels. (Ord. 18-1045 § 2 (Exh. A))

25.10.090 "I" terms.

(Ord. 18-1045 § 2 (Exh. A); Ord. 02-707 § 1)

25.10.090.005 Impervious surfaces.

"Impervious surfaces" means areas or surfaces that cannot be easily penetrated by rain or surface water runoff. These areas include structures and roof projections, impervious decks, roads, driveways, and surfaces which substantially reduce and alter the natural filtration characteristics of the soil. (Ord. 19-1069 § 2 (Exh. A); Ord. 18-1045 § 2 (Exh. A))

25.10.090.010 Implementation, CTR.

"Implementation" means active pursuit by an employer of the Commute Trip Reduction (CTR) goals of RCW [70.94.521](#) through [70.94.551](#) and Chapter [25.75](#) DMC as evident by appointment of a transportation coordinator, distribution of information to employees regarding alternatives

to single occupant vehicle (SOV) commuting, and commencement of other measures according to its approved CTR program and schedules. (Ord. 18-1045 § 2 (Exh. A))

25.10.090.015 Incidental sign.

"Incidental sign" means a sign which:

- (1) Is incidental to the use of the premises on which it is located, such as "no parking," "entrance," "loading only," "telephone," "Building A," address signs, and similar directives; and
- (2) Conveys no commercial message legible from off the premises. (Ord. 18-1045 § 2 (Exh. A))

25.10.090.020 Independent senior housing.

Independent Senior Housing. See DMC 25.10.010.075095, Adult retirement community. (Ord. 18-1045 § 2 (Exh. A))

25.10.090.025 Infrastructure.

"Infrastructure" includes only water, sewer, road, storm sewer, and street lighting systems. (Ord. 18-1045 § 2 (Exh. A))

25.10.090.030 Interior lot line.

"Interior lot line" means the boundary line of a lot which separates one lot from another. (Ord. 18-1045 § 2 (Exh. A))

25.10.100 "J" terms.

Reserved. (Ord. 18-1045 § 2 (Exh. A); Ord. 02-707 § 1)

25.10.110 "K" terms.

(Ord. 18-1045 § 2 (Exh. A); Ord. 02-707 § 1)

25.10.110.005 Key.

"Key" means a designed compacted fill placed in a trench excavated in earth material beneath the toe of a proposed fill slope. (Ord. 18-1045 § 2 (Exh. A))

25.10.120 "L" terms.

Reserved. (Ord. 18-1045 § 2 (Exh. A); Ord. 17-1017 § 2 (Exh. B); Ord. 07-854 § 1; Ord. 02-707 § 1)

25.10.120.005 Landmark tree.

“Landmark tree” means an existing healthy, well-formed tree which poses no safety hazard due to potential collapse and that is of the following species, trunk type, and minimum diameter measured at breast height:

Species		
Trunk type	Oregon white oak, Pacific yew, or madrona	Douglas fir, western red cedar, western hemlock, or big leaf maple
Single trunk	24 inches	30 inches
Multi-trunk (sum of diameters)	30 inches	45 inches

(Ord. 18-1045 § 2 (Exh. A))

25.10.120.010 Landscape area.

“Landscape area” means land with permeable soils covered with plantings, grasses, or vegetation native to the area. (Ord. 18-1045 § 2 (Exh. A))

25.10.120.015 Landscape administrator.

“Landscape administrator” means the community development director, or designee. (Ord. 18-1045 § 2 (Exh. A))

25.10.120.020 Lead-in sign.

“Lead-in sign” means a private directional sign that leads prospective buyers to an area being developed from raw land. (Ord. 18-1045 § 2 (Exh. A))

25.10.120.025 Level of service standard.

“Level of service standard” means a measurement of the quality of service provided by a facility, including traffic conditions along a given roadway or at a particular intersection, and of transit service. Roadway and intersection level of service standards are commonly denoted by a letter ranking from “A,” the highest level of service, to “F,” the lowest level of service. (Ord. 18-1045 § 2 (Exh. A))

25.10.120.030 Linear park.

“Linear park” means a developed, landscaped area that follows corridors such as abandoned railroad rights-of-way, streets, canals, power lines, or other linear, elongated features. This type of park usually includes trails, viewpoints, seating, and landscaping. (Ord. 18-1045 § 2 (Exh. A))

25.10.120.035 Light manufacturing.

“Light manufacturing” means an indoor facility used for the assembly, fabrication, and conversion of semi-processed material into finished products, where the intensity, scale, and characteristics of the operation are unlikely to negatively impact surrounding land uses. Light manufacturing also includes intermediate services such as machining, welding, grinding, and machine/industrial repair. Examples of light manufacturing uses include, but are not limited to, clothing and fabric manufacturing; food and beverage products, including ice production; electronic, optical, and instrumentation assembly; jewelry production; and manufacturing musical instruments. Outdoor storage or processing of equipment or materials is prohibited. (Ord. 18-1045 § 2 (Exh. A))

25.10.120.040 Lodge.

Lodge. See [DMC 25.10.060.070, “Fraternal club.”](#) (Ord. 18-1045 § 2 (Exh. A))

25.10.120.045 Long-term commercial significance.

“Long-term commercial significance” means the mineral composition of the land for long-term economically viable commercial production, in consideration with the mineral resource land’s proximity to population areas, product markets, and the possibility of more intense uses of the land. (Ord. 18-1045 § 2 (Exh. A))

25.10.120.050 Lot.

“Lot” means a platted or unplatted parcel of land unoccupied, occupied or to be occupied by a principal use or building and accessory buildings, together with such yards and open spaces as are required by the zoning code, which has direct legal access to a street or has access to a street over an easement approved by the city. (Ord. 18-1045 § 2 (Exh. A))

25.10.120.055 Lot area.

“Lot area” means the area within the boundary lines of a lot. (Ord. 18-1045 § 2 (Exh. A))

25.10.120.060 Lot coverage.

“Lot coverage” means that portion of a lot occupied by the principal building and its accessory buildings, including all structures greater than three feet in height. (Ord. 18-1045 § 2 (Exh. A))

25.10.120.065 Lot line.

“Lot line” means the boundary lines of a lot. (See also [DMC 25.10.160.115, “Property line.”](#)) (Ord. 18-1045 § 2 (Exh. A))

25.10.120.070 Lot width.

"Lot width" means width of the lot at the building setback line. (Ord. 18-1045 § 2 (Exh. A))

25.10.120.075 Low impact manufacturing.

"Low impact manufacturing" uses include, but are not limited to: (1) electrical component assembly, including assembly of computer products, systems, and related components; (2) printing; and (3) manufacture of handcrafted products. (Ord. 18-1045 § 2 (Exh. A))

25.10.120.080 Low speed vehicle (LSV).

"Low speed vehicle (LSV)" means ~~low speed vehicle~~, an electric vehicle that is capable of traveling at a maximum speed of 25 miles per hour. They generally are equipped with safety features such as headlights, turn signals and seat belts. They may also be referred to as neighborhood electric vehicles or NEVs. (Ord. 18-1045 § 2 (Exh. A))

25.10.130 "M" terms.

(Ord. 18-1045 § 2 (Exh. A); Ord. 16-1011 § 2 (Exh. 1) (Att. B); Ord. 07-854 § 1; Ord. 02-707 § 1)

25.10.130.005 Manager.

"Manager" means any person who manages, directs, or administers a sexually oriented business. (Ord. 18-1045 § 2 (Exh. A))

25.10.130.010 Marquee.

"Marquee" means a permanent roof-like structure projecting from a building, intended to shelter pedestrians. (Ord. 18-1045 § 2 (Exh. A))

25.10.130.015 Microcell.

"Microcell" means a wireless communication facility consisting of an antenna that is either four feet in height and with an area of not more than 580 square inches or a tubular antenna no more than four inches in diameter and no more than six feet in length. (Ord. 18-1045 § 2 (Exh. A))

25.10.130.020 Middle housing.

"Middle housing" means buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, fiveplexes, townhouses, stacked flats, and cottage housing.

25.10.130.025 Mineral extraction.

"Mineral extraction" means all mine-related activities, including:

- (1) The mining or extraction of rock, stone, gravel, sand, earth, and other minerals;
- (2) On-site mineral processing including sorting, washing, crushing and loading, concrete batching, concrete recycling, and other aggregate recycling;
- (3) Equipment maintenance;
- (4) Transporting minerals to and from the mine, on-site road maintenance, road maintenance for roads used extensively for surface mining activities, traffic safety, and traffic control. (Ord. 18-1045 § 2 (Exh. A))

25.10.130.030 Mineral resource lands.

"Mineral resource lands" means lands containing mineral deposits, both active and inactive, that have a known or potential long-term significance for the extraction of minerals and which are in close economic proximity to locations where the deposits are likely to be used. (Ord. 18-1045 § 2 (Exh. A))

25.10.130.035 Minerals.

"Minerals" means clay, coal, gravel, industrial minerals, valuable metallic substances, peat, sand, stone, topsoil, and any other similar solid materials or substances to be excavated from natural deposits on or in the earth for commercial, industrial, or construction use. (Ord. 18-1045 § 2 (Exh. A))

25.10.130.040 Mini park.

"Mini park" means a small tract of land usually about the same size as a building lot. These parks may be improved with children's play equipment. They are intended to serve the needs of a portion of a village in which it is located. They are not intended for city ownership due to higher maintenance costs associated with these parks when compared to public parks of equal size and the fact that they may not be equally accessible to all segments of the community. These facilities are owned by the homeowners' association. (Ord. 18-1045 § 2 (Exh. A))

25.10.130.045 Mixed use occupancy (or structure).

"Mixed use occupancy (or structure)" means a building designed or intended to be used for more than one type of principal use, i.e., retail and office uses. (Ord. 18-1045 § 2 (Exh. A))

25.10.130.050 Mobile home.

"Mobile home" means a factory-assembled structure with necessary service connections, made to be readily movable on city streets and designed to be used as a dwelling unit. (Ord. 18-1045 § 2 (Exh. A))

25.10.130.055 Mobile home park.

“Mobile home park” means a parcel of land designed and improved to accommodate two or more mobile homes on a permanent basis. (Ord. 18-1045 § 2 (Exh. A))

25.10.130.060 Mode.

“Mode” means the means of transportation used by employees, such as single-occupant motor vehicle, rideshare vehicle (carpool, vanpool), transit, ferry, bicycle, walking, compressed work schedule and telecommuting. (Ord. 18-1045 § 2 (Exh. A))

25.10.130.065 Motel.

“Motel” means a group of attached or detached buildings containing individual sleeping units, a majority of such units open individually and directly to the outside, including tourist courts, motor courts, and motor lodges. (Ord. 18-1045 § 2 (Exh. A))

25.10.130.070 Multifamily project.

“Multifamily project” means multifamily residences built as a single project, in one or more buildings. (Ord. 18-1045 § 2 (Exh. A))

25.10.130.075 Multifamily residence.

“Multifamily residence” means a residence located in a building which contains seven six or more than one two residences, such as a duplex unit, condominium, apartment, or a residence designed to be attached to other residences, such as a townhouse or apartments, or co-living housing. (Ord. 18-1045 § 2 (Exh. A))

25.10.130.080 Multiple use project.

“Multiple use project” means a development containing two or more principal uses located in one or more structures. (Ord. 18-1045 § 2 (Exh. A))

25.10.140 “N” terms.

(Ord. 18-1045 § 2 (Exh. A); Ord. 11-919 § 4; Ord. 02-707 § 1)

25.10.140.005 Neighborhood electric vehicle (NEV).

“Neighborhood electric vehicle (NEV)” means a neighborhood electric vehicle. This is an electric vehicle that is capable of traveling at a maximum speed of 25 miles per hour. They generally are equipped with safety features such as headlights, turn signals and seat belts. They may also be referred to as low-speed vehicles or LSVs. (Ord. 18-1045 § 2 (Exh. A))

25.10.140.010 Neighborhood park.

“Neighborhood park” means public recreation facilities consisting of a combination playground and park designed primarily for nonsupervised, nonorganized recreation activities. In addition to their recreation value, they also provide a source of open space and aesthetic quality in the neighborhood. Neighborhood parks are generally small in size (three to 10 acres) and serve an area of approximately one-half-mile radius. Neighborhood parks are located within walking and bicycling distance of most users and are frequently located adjacent to or upon school property. Neighborhood parks sometimes provide space for organized community events. The facilities generally located in a neighborhood park include: children’s playground, picnic facilities, trails, open space and nature areas, tennis courts, outdoor basketball court, and multi-use open field for soccer, youth baseball, etc. (Ord. 18-1045 § 2 (Exh. A))

25.10.140.015 Nonconforming.

A “nonconforming” building or use is one which was lawfully established but no longer conforms to the regulations for the zone where it is located. (Ord. 18-1045 § 2 (Exh. A))

25.10.140.020 Non-electric vehicle.

“Non-electric vehicle” means any motor vehicle that does not meet the definition of “electric vehicle.” (Ord. 18-1045 § 2 (Exh. A))

25.10.140.025 Nude or nudity.

“Nude” or “nudity” means the appearance of human bare buttock, anus, male genitals, female genitals, or the areola or nipple of the female breast. (Ord. 18-1045 § 2 (Exh. A))

25.10.140.030 Nude or semi-nude model studio.

“Nude or semi-nude model studio” means any place where a person, who appears nude or semi-nude or displays “specified anatomical areas,” is provided for money or any form of consideration to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons. (Ord. 18-1045 § 2 (Exh. A))

25.10.140.035 Nursery or garden center.

“Nursery” or “garden center” means an enterprise which conducts the retail and wholesale sale of plants generally grown on site, as well as accessory items (excluding farm equipment) directly related to plant care and maintenance. (Ord. 18-1045 § 2 (Exh. A))

25.10.140.040 Nursing home.

"Nursing home" means any home, place or institution which operates or maintains facilities providing convalescent or chronic care, or both, for a period in excess of 24 consecutive hours for three or more patients, not related by blood or marriage to the operator, who by reason of illness or infirmity are unable properly to care for themselves, as defined by RCW [18.51.010](#)(43). (Ord. 18-1045 § 2 (Exh. A))

25.10.150 "O" terms.

(Ord. 18-1045 § 2 (Exh. A); Ord. 07-854 § 1; Ord. 02-707 § 1)

25.10.150.005 Odor threshold.

"Odor threshold" means the amount of odorous material in one cubic foot of air that can be detected by 50 percent of a group of human observers. (Ord. 18-1045 § 2 (Exh. A))

25.10.150.010 Off-site hazardous waste treatment and storage.

"Off-site hazardous waste treatment and storage" means hazardous waste treatment and storage facilities that treat and store waste from generators on properties other than those on which the off-site facility is located. (Ord. 18-1045 § 2 (Exh. A))

25.10.150.015 Office building.

"Office building" means a building primarily designed for office uses. (Ord. 18-1045 § 2 (Exh. A))

25.10.150.020 Office use.

"Office use" generally refers to a service business, rather than the production, distribution and/or retail sales of goods or commodities. The services provided are generally professional, educational, administrative, financial, or governmental in nature. (Ord. 18-1045 § 2 (Exh. A))

25.10.150.025 On-site hazardous waste treatment and storage.

"On-site hazardous waste treatment and storage" means hazardous waste treatment and storage facilities that treat and store wastes generated on the same lot. (Ord. 18-1045 § 2 (Exh. A))

25.10.150.030 Open-air vending.

"Open-air vending" means any commercial activity which is conducted without the shelter of a building on the premises. (Ord. 18-1045 § 2 (Exh. A))

25.10.150.035 Open record hearing.

“Open record hearing” means a hearing, conducted by a single hearing body or officer authorized by the city to conduct such hearings, that creates the city’s record through testimony and submission of evidence and information, under procedures prescribed by the city by ordinance or resolution. An open record hearing may be held prior to the city’s decision on a project permit, to be known as an “open record predecision hearing.” An open record hearing may be held on an appeal, to be known as an “open record appeal hearing,” if no open record predecision hearing has been held on the project permit. (Ord. 18-1045 § 2 (Exh. A))

25.10.150.040 Open space.

“Open space” means generally a portion of the area of a site, other than required yards, which is required by this zoning code to be maintained free of impervious surfaces, although it may include features for public use such as community buildings, swimming pools, trails, tennis courts, and parking (when specifically provided for public users of the open space). (Ord. 18-1045 § 2 (Exh. A))

25.10.150.045 Open space, common.

“Open space, common” means that area permanently owned in common or held for use by more than one individual property owner or resident for recreational use, landscape buffering, preservation of sensitive areas or other publicly beneficial uses. “Common open space” is largely free of impervious surfaces although it may include features for communal use such as community buildings, swimming pools, trails, and tennis courts. “Common open space” does not include the uncovered portions within any road right-of-way. (Ord. 18-1045 § 2 (Exh. A))

25.10.150.050 Open space, dedicated.

“Open space, dedicated” means that area permanently dedicated to the city and held for public use or interest as part of the city’s comprehensive open space system. Dedicated open space is largely free of impervious surfaces, although it may include features for public use such as community buildings, swimming pools, trails, tennis courts, and parking (when specifically provided for public users of the dedicated open space). (Ord. 18-1045 § 2 (Exh. A))

25.10.150.055 Open space, parcel.

“Open space, parcel” means the sum of the common and private open spaces within a given development parcel. (Ord. 18-1045 § 2 (Exh. A))

25.10.150.060 Open space, private.

“Open space, private” means that open space within a privately owned lot which is not covered by buildings, paving, or other impervious surfaces. (Ord. 18-1045 § 2 (Exh. A))

25.10.150.065 Operator.

“Operator” means the owner, permit holder, custodian, manager, operator, or person in charge of any sexually oriented business. (Ord. 18-1045 § 2 (Exh. A))

25.10.150.070 Outdoor storage.

“Outdoor storage” means the storage of fuel, raw materials, products, and equipment outside of an enclosed building. Mechanical equipment necessary for the operation of the building shall be excluded from the definition. (Ord. 18-1045 § 2 (Exh. A))

25.10.150.075 Overlay district.

“Overlay district” means a classification contained in this title that combines with the underlying district classification and adds specific restrictions to properties located within the district. The combination of district, for the purpose of this definition and title, shall be considered as separately zoned area and shall not be construed as applying different standards to properties within the same district. An example of an overlay district would be the mineral resource overlay designation. (Ord. 18-1045 § 2 (Exh. A))

25.10.160 “P” terms.

(Ord. 18-1045 § 2 (Exh. A); Ord. 11-919 § 5; Ord. 07-854 § 1; Ord. 02-707 § 1)

25.10.160.005 Parking administrator.

“Parking administrator” means the community development director or designee. (Ord. 18-1045 § 2 (Exh. A))

25.10.160.010 Passive recreation.

“Passive recreation” means recreational activities other than organized, competitive sports, which require little or no covering of the soil with buildings or impervious surfaces. Examples of facilities for passive recreation include paved and unpaved trails, lawns, gardens, pedestrian piers, tables, benches, signs, and waste receptacles. (Ord. 18-1045 § 2 (Exh. A))

25.10.160.015 Peak period.

“Peak period” means the hours from 6:00 a.m. to 9:00 a.m. (inclusive), Monday through Friday, except legal holidays. (Ord. 18-1045 § 2 (Exh. A))

25.10.160.020 Peak period trip.

"Peak period trip" means any employee trip that delivers the employee to begin their regular workday between 6:00 a.m. and 9:00 a.m. (inclusive), Monday through Friday, except legal holidays. (Ord. 18-1045 § 2 (Exh. A))

25.10.160.025 Permitted uses.

"Permitted uses" are those so stated in each zone, plus accessory uses, that is, uses or structures incidental to a permitted use or building on the same premises. Examples include a garage on a residential lot, an administrative office associated with an industrial plant, and an on-site employee cafeteria. (Ord. 18-1045 § 2 (Exh. A))

25.10.160.030 Permittee.

"Permittee" means a person in whose name a sexually oriented business permit has been applied for or issued. (Ord. 18-1045 § 2 (Exh. A))

25.10.160.035 Person.

"Person" means any individual, firm, joint venture, co-partnership, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver or any other group or combination acting as a unit. (Ord. 18-1045 § 2 (Exh. A))

25.10.160.040 Personal communication services (PCS).

"Personal communication services (PCS)" means commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services. (Ord. 18-1045 § 2 (Exh. A))

25.10.160.045 Personal services.

"Personal services" means provision of recurrently needed services of a personal nature. This classification includes services such as barber and beauty shops, tanning, seamstresses, tailors, shoe repair, dry cleaning agencies (excluding plants), photocopying, and self-service laundries; provision of instructional services or facilities such as photography, fine arts, crafts, dance or music studios, driving schools, diet centers, reducing salons, and fitness studios.

25.10.160.050 Places of assembly.

"Places of assembly" means facilities for gatherings, such as churches, funeral homes, halls, and stadiums. (Ord. 18-1045 § 2 (Exh. A))

25.10.160.055 Plat.

"Plat" means the map or representation of a subdivision. (Ord. 18-1045 § 2 (Exh. A))

25.10.160.060 Plaza.

"Plaza" means a continuous and unoccupied space, other than a street or alley, which is readily accessible to the public at all times. (Ord. 18-1045 § 2 (Exh. A))

25.10.160.065 Plug-in hybrid electric vehicle (PHEV).

A "Plug-in hybrid electric vehicle (PHEV)" ~~means a plug-in hybrid electric vehicle~~, also known as a plug-in hybrid. ~~It is~~ means ~~means~~ a hybrid vehicle with rechargeable batteries that can be restored to full charge by connecting a plug to an external electric power source. A PHEV shares the characteristics of both a conventional hybrid electric vehicle, having an electric motor and an internal combustion engine; and of an all-electric vehicle, also having a plug to connect to the electrical grid. Most PHEVs on the road today are passenger cars, but there are also PHEV versions of commercial vehicles and vans, utility trucks, buses, trains, motorcycles, scooters, and military vehicles. (Ord. 18-1045 § 2 (Exh. A))

25.10.160.070 Pocket park.

Pocket Park. See DMC 25.10.130.~~135040~~, Mini park. (Ord. 18-1045 § 2 (Exh. A))

25.10.160.075 Political sign.

"Political sign" means a sign advertising a candidate(s) or issue appearing on the ballot at the next scheduled election. (Ord. 18-1045 § 2 (Exh. A))

25.10.160.080 Prehistoric.

"Prehistoric" means relating to or existing in times predating written history. In Washington state, ~~T~~his term generally refers to those North American cultures in existence prior to AD 1540. (Ord. 18-1045 § 2 (Exh. A))

25.10.160.085 Premises.

"Premises" means the premises of a sexually oriented business. (Ord. 18-1045 § 2 (Exh. A))

25.10.160.090 Primary use.

"Primary use" means the principal use of a property. (See also DMC 25.10.210.025, "Use.") (Ord. 18-1045 § 2 (Exh. A))

25.10.160.095 Priority habitat.

Repealed by Ord. 19-1069. (Ord. 18-1045 § 2 (Exh. A))

25.10.160.100 Priority species.

Repealed by Ord. 19-1069. (Ord. 18-1045 § 2 (Exh. A))

25.10.160.105 Private yard.

“Private yard” means that area within a privately owned lot which is required by this zoning code to remain uncovered by structures. (Ord. 18-1045 § 2 (Exh. A))

25.10.160.110 Professional inspection.

“Professional inspection” means the inspection required by this code to be performed by the civil engineer, soils engineer or engineering geologist. Such inspections include those performed by persons supervised by such engineers or geologists and shall be sufficient to form an opinion relating to the conduct of the work. (Ord. 18-1045 § 2 (Exh. A))

25.10.160.115 Property line.

“Property line” means those lines enclosing a lot and those lines defining a recorded vehicular access easement. The following are categories of property lines:

- (1) “Front property line” is any property line that is adjacent to a street or vehicular access easement or tract more than 21 feet in width, except when said vehicular access easement or tract:
 - (a) Is located entirely on an adjacent lot or lots and does not serve the subject property; or
 - (b) Encompasses a hammerhead turnaround required by the fire department, whether or not it is located on or serves the subject property.
- (2) “Rear property line” is any property line that is farther from and essentially parallel to a front property line except on a lot which contains two or more front property lines; or any property line that is adjacent to a street, alley or vehicular access easement or tract 21 feet or less in width, except when said vehicular access easement or tract serves only one lot, or is located entirely on an adjacent lot or lots and does not serve the subject property; or any property line that is adjacent to a vehicular access easement or tract which encompasses a hammerhead turnaround required by the fire department.
- (3) “Side property line” is any property line other than a front property line or a rear property line. (Ord. 18-1045 § 2 (Exh. A))

25.10.160.120 Project permit.

"Project permit" or "project permit application" means any land use or environmental permit or license required from the city for a project action, including but not limited to building permits, subdivisions, binding site plans, planned unit developments, conditional uses, shoreline substantial development permits, site plan review, land use application, permits or approvals required by critical area ordinances, site-specific rezones authorized by a comprehensive plan or subarea plan, but excluding the adoption or amendment of a comprehensive plan, subarea plan, or development regulations except as otherwise specifically included in this subsection. (Ord. 18-1045 § 2 (Exh. A))

25.10.160.125 Provider.

"Provider" means any corporation, company, association, joint stock company, firm, partnership, limited liability company, other entity, and/or individual licensed to provide personal wireless service or personal wireless communication facilities. (Ord. 18-1045 § 2 (Exh. A))

25.10.160.130 Public open space.

Public Open Space. See DMC 25.10.150.050, Open space, dedicated. (Ord. 18-1045 § 2 (Exh. A))

25.10.160.135 Public uses.

"Public uses" shall mean civic buildings, including City Hall, police department, fire department, community center, library, transit center, museum, and public schools (except where specifically prohibited). (Ord. 18-1045 § 2 (Exh. A))

25.10.160.140 Public utility.

"Public utility" means a private business organization such as a public service corporation performing some public service and subject to special governmental regulations, or a governmental agency performing similar public services, the services by either of which are paid for directly by the recipients thereof, including water supply, electrical power, gas and transportation, telephone, and other transmission services. (Ord. 18-1045 § 2 (Exh. A))

25.10.170 "Q" terms.

(Ord. 18-1045 § 2 (Exh. A); Ord. 02-707 § 1)

25.10.170.005 Quasi-public use.

“Quasi-public use” means a use which serves nonprofit social —or religious ends, such as churches, clubhouses, private schools, and community/social service organizations such as Rotary Club, Chamber of Commerce, Girl Scouts, etc. (Ord. 18-1045 § 2 (Exh. A))

25.10.180 “R” terms.

(Ord. 18-1045 § 2 (Exh. A); Ord. 18-1032 § 2 (Exh. 5); Ord. 11-919 § 6; Ord. 07-854 § 1; Ord. 02-707 § 1)

25.10.180.005 Rapid charging station.

“Rapid charging station” means an industrial grade electrical outlet that allows 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](#). (Ord. 18-1045 § 2 (Exh. A))

25.10.180.010 Ravine.

Repealed by Ord. 19-1069. (Ord. 18-1045 § 2 (Exh. A))

25.10.180.015 Ravine sidewall.

Repealed by Ord. 19-1069. (Ord. 18-1045 § 2 (Exh. A))

25.10.180.020 Rear yard setback.

Rear Yard Setback. See DMC 25.10.250.020, Yard, rear. (Ord. 18-1045 § 2 (Exh. A))

25.10.180.025 Reclamation.

“Reclamation” means rehabilitation for the appropriate future use of disturbed areas resulting from surface mining, including areas under associated mineral processing equipment and areas under stockpiled materials. Although the need for reclamation will control the type and degree of reclamation in any specific surface mine, the basic objective is to reestablish on a perpetual basis the vegetative cover, soil stability, and water conditions appropriate to the approved subsequent use of the surface mine and to prevent or mitigate future environmental degradation. (Ord. 18-1045 § 2 (Exh. A))

25.10.180.030 Recreation, indoor.

“Recreation, indoor” means an establishment providing completely enclosed recreation activities. Accessory uses shall be permitted to include the preparation and serving of food

and/or the sale of equipment related to the enclosed uses. Included in this definition are bowling, roller-skating or ice-skating, pool, and related amusements. (Ord. 18-1045 § 2 (Exh. A))

25.10.180.035 Recreation, outdoor.

"Recreation, outdoor" means an area free of buildings except for restrooms, dressing rooms, equipment storage, maintenance buildings, open-air pavilions and similar structures used primarily for recreational activities. (Ord. 18-1045 § 2 (Exh. A))

25.10.180.040 Recyclable material.

"Recyclable material" means those solid wastes that are separated for recycling or reuse, such as papers, metals, and glass that are identified as recyclable material by the Pierce County solid waste plan. (Ord. 18-1045 § 2 (Exh. A))

25.10.180.045 Recycling.

"Recycling" means transforming or remanufacturing waste materials into usable or marketable material for use other than land~~fill~~ disposal or incineration. (Ord. 18-1045 § 2 (Exh. A))

25.10.180.050 Research and Development.

"Research and Development" means establishments primarily engaged in the research, development, and controlled production of high-technology electronic, industrial, or scientific products or commodities for sale. This classification includes biotechnology firms and manufacturers of nontoxic computer components.

25.10.180.053 Residence.

"Residence" means a permanently installed building or portion thereof providing complete housekeeping facilities for only one household, including manufactured homes constructed after June 15, 1976, in accordance with U.S. Department of Housing and Urban Development requirements. (Ord. 18-1045 § 2 (Exh. A))

25.10.180.055 Residential care facility.

"Residential care facility" means a facility that cares for at least five but not more than 15 functionally disabled persons that is not licensed pursuant to Chapter 70.128 RCW, Adult Family Home. (Ord. 18-1045 § 2 (Exh. A))

25.10.180.055 Residential use.

"Residential use" means a type of or intended use of a building or structure designed to provide a place of abode for human beings, but not including hotels or motels. (Ord. 18-1045 § 2 (Exh. A))

25.10.180.060 Retail establishment.

“Retail establishment” means a commercial enterprise which provides goods and/or services directly to the consumer, whose goods are available for immediate purchase and removal from the premises by the purchaser and/or whose services are traditionally not permitted within an office use. The sale and consumption of food are included if: (1) the seating and associated circulation area does not exceed more than 10 percent of the gross floor area of the use, and (2) it can be demonstrated to the city that the floor plan is designed to preclude the seating area from being expanded. (Ord. 18-1045 § 2 (Exh. A))

25.10.180.065 Restaurant.

“Restaurant” means a building where food is sold to the public for on-premises consumption or to go. It may include alcoholic beverage service only if under a Class C, D, or H state liquor license. (Ord. 18-1045 § 2 (Exh. A))

25.10.180.070 Retain.

“Retain,” when applied to trees, means to neither cut down, top, nor otherwise damage. Maintenance and pruning not in conflict with the preceding are not prohibited. (Ord. 18-1045 § 2 (Exh. A))

25.10.180.075 Revised Code of Washington (RCW).

“Revised Code of Washington (RCW)” means the Laws of the State of Washington Revised Code of Washington. (Ord. 18-1045 § 2 (Exh. A))

25.10.180.080 Right-of-way.

“Right-of-way” means land dedicated primarily to the movement of vehicles and pedestrians and providing for primary access to adjacent parcels. Secondarily, the land provides space for utility lines and appurtenances and other publicly owned devices. (Ord. 18-1045 § 2 (Exh. A))

25.10.180.085 Rough grade.

“Rough grade” means the stage at which the grade approximately conforms to the approved plan. (Ord. 18-1045 § 2 (Exh. A))

25.10.190 “S” terms.

(Ord. 18-1045 § 2 (Exh. A); Ord. 16-1011 § 2 (Exh. 1) (Att. B); Ord. 07-854 § 1; Ord. 02-707 § 1)

25.10.190.005 Semi-nude.

"Semi-nude" means a state of dress in which clothing covers no more than the genitals, pubic region, and areola of the female breast, as well as portions of the body covered by supporting straps or devices. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.010 Sensitive areas.

"Sensitive areas" means, for the purposes of this title, those areas defined and established as critical areas under the provisions of the Washington State Growth Management Act and identified in this code. [For critical areas, see Chapter 25.105 DMC.](#) (Ord. 19-1069 § 2 (Exh. A); Ord. 18-1045 § 2 (Exh. A))

25.10.190.015 Setback.

"Setback" means the shortest distance between a lot line and any structure for which a building permit is required; provided, that eaves, noncombustible chimneys and fireplaces, and similar protrusions may extend up to an additional 24 inches from the vertical wall of the building. For critical areas, see Chapter [25.105 DMC.](#) (Ord. 19-1069 § 2 (Exh. A); Ord. 18-1045 § 2 (Exh. A))

25.10.190.020 Sexually oriented business.

"Sexually oriented business" means an adult arcade, adult bookstore, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, nude or semi-nude model studio. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.025 Sexually oriented entertainment.

"Sexually oriented entertainment" means a live performance at an adult cabaret which is characterized by the performer's exposure of "specified anatomical areas." (Ord. 18-1045 § 2 (Exh. A))

25.10.190.030 Side yard.

Side Yard. See DMC 25.10.250.025, Yard, side. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.035 Sign.

"Sign" means any device, structure, fixture, or placard that uses colors, words, letters, numbers, symbols, logos, or trademarks for the purpose of providing information or directions, or identifying or advertising any place, establishment, product, good, or service and includes all supports, braces, guywires, and anchors associated with such signs. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.040 Sign administrator.

"Sign administrator" means community development director, or designee. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.045 Sign, community-wide event.

"Sign, community-wide event" means a temporary nonilluminated sign advertising a general public and/or community-wide event within the city that is sponsored by an organization within the city. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.050 Single Family zones.

"Single Family zones" means those zones where single-family detached housing is the predominant land use. Both detached single family and duplexes are allowed in Single Family zones.

25.10.190.055 Single-occupant vehicle (SOV).

"Single-occupant vehicle (SOV)" means motor vehicle occupied by one employee for commute purposes, including a motorcycle. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.060 Single worksite.

"Single worksite" means a building or group of buildings on physically contiguous parcels of land or on parcels separated solely by roads or rights-of-way occupied by one or more affected employers. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.065 Site area.

"Site area" means that area of land associated with a certain development application. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.070 Site plan amendment, major.

"Site plan amendment, major" means an amendment to an approved site plan that substantially changes the site design, increases density by more than five percent or increases building area by greater than 10 percent, reduces open space or landscape area by more than 10 percent, requires a modification to a condition of approval or other requirements and conditions of the approved site plan, or includes new requests to deviate from the standards of the applicable district. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.075 Site plan amendment, minor.

"Site plan amendment, minor" means an amendment to an approved site plan for modifications to the dimensions or footprint location of a building(s) but does not substantially modify the arrangement or increase the number of buildings approved in the plan. Increases to density shall be less than five percent and building size/area shall be less than 10 percent. The amount and quality of landscaping may be increased but may not be reduced by more than 10 percent, provided it complies with the minimum landscaping requirements of the zone in which the property is located. Proposed amendments shall not deviate from standards of the applicable district. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.080 Sixplex.

"Sixplex" means a townhome residential building containing with six attached dwelling units.

25.10.190.085 Soils engineer.

Repealed by Ord. 19-1069. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.090 Soils engineering (geotechnical engineering).

Repealed by Ord. 19-1069. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.095 Solid waste.

"Solid waste" means all solid and semi-solid wastes including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, sewage sludge, demolition, and construction wastes, abandoned vehicles or parts thereof, and recyclable materials. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.100 SOV rate.

"SOV rate" means the number of commute trips over a set period made by affected employees in single-occupant vehicles (SOVs) divided by the number of affected employees working during that period. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.105 SOV trips.

"SOV trips" means commute trips made by affected employees in single-occupant vehicles (SOVs). (Ord. 18-1045 § 2 (Exh. A))

25.10.190.110 Specified anatomical areas.

"Specified anatomical areas" means less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the

top of areola, or human male genitals in a discernibly turgid state, even if completely and opaquely covered. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.115 Specified criminal acts.

"Specified criminal acts" means any conviction or acts which are sexual crimes against children, sexual abuse, rape, or crimes connected with another sexually oriented business, including, but not limited to, distribution of obscenity or material harmful to minors, prostitution, or pandering. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.120 Specified sexual activities.

"Specified sexual activities" means:

- (1) The fondling or other intentional touching of human genitals, pubic region, buttocks, anus, or female breasts; or
- (2) Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy; or
- (3) Masturbation, actual or simulated; or
- (4) Human genitals in a state of sexual stimulation, arousal, or tumescence; or
- (5) Excretory functions as part of or in connection with any of the above. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.125 Specimen tree.

"Specimen tree" means an existing healthy tree which poses no safety hazard due to potential collapse and is of the following species and minimum diameter measured at breast height; provided, that the measure of multi-trunk trees shall be the sum of the diameters:

- (1) Douglas fir, western red cedar, western hemlock, or big leaf maple: 15 inches;
- (2) Oregon white oak, Pacific yew, or madrona: 12 inches;
- (3) Historic fruit trees: no size limit. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.130 Square feet.

"Square feet" means square feet of the combined horizontal area of all floors of a building measured from the exterior faces of the exterior walls, excluding spaces lacking standing head room. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.135 Stacked flat.

"Stacked flat" means dwelling units in a residential building of no more than three stories on a residential zoned lot in which each floor may be separately rented or owned.

25.10.190.140 State siting criteria.

"State siting criteria" means criteria for the siting of hazardous waste treatment and storage facilities contained in WAC [173-303-285](#). (Ord. 18-1045 § 2 (Exh. A))

25.10.190.145 Storage, indoor.

"Storage, indoor" means a structure containing separate, individual, and private storage spaces of varying sizes leased or rented on individual leases for varying periods of time for the storage of goods such as furniture, files, or other unused or seldom used items. The definition excludes hazardous material storage, outdoor storage, warehousing and distribution, and vehicle or recreational vehicle storage. The access to the storage units is from building interiors. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.150 Storage, mini-.

"Storage, mini-" means a structure containing separate, individual, and private storage spaces of varying sizes leased or rented on individual leases for varying periods of time for dead storage only. Storage of boats, trailers, and recreational vehicles is permitted. Auctions except auctions authorized by legal action, commercial wholesale or retail businesses, garage sales, repair of motorized equipment and/or vehicles, operation of power tools, and storage of flammable or hazardous materials and explosives are prohibited. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.155 Story.

"Story" means the portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above. It is measured as the vertical distance from top to top of two successive tiers of beams for finished floor surfaces and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.160 Stream.

"Stream" means an area where surface waters flow sufficiently to produce a defined channel or bed. A defined channel or bed need not contain water year-round. This definition is not meant to include storm or surface runoff devices or other entirely artificial watercourses unless they were constructed within or in association with a naturally occurring stream or drainage course. For critical areas, see Chapter [25.105](#) DMC. (Ord. 19-1069 § 2 (Exh. A); Ord. 18-1045 § 2 (Exh. A))

25.10.190.165 Street.

"Street" means a public right-of-way. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.170 Street frontage.

“Street frontage” means the boundary of a lot separating such lot from an abutting street. For multi-tenant buildings, street frontage shall be the width of the front of the suite. The front of the suite is defined as the wall plane to which the suite address is assigned and contains the main customer entrance. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.175 Street tree.

“Street tree” means a tree planted or retained in a public right-of-way or parking strip. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.180 Structure.

“Structure” means anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground, but not including fences and walls less than six feet in height. (Ord. 18-1045 § 2 (Exh. A))

25.10.190.185 Subdivision.

“Subdivision” means the division of land into two or more lots, parcels, or sites for the purpose of sale or lease. (Note: For purposes of this development code, the term “subdivision” includes the short subdivision of land.) See Chapter [58.17](#) RCW. (Ord. 18-1045 § 2 (Exh. A))

25.10.200 “T” terms.

(Ord. 18-1045 § 2 (Exh. A); Ord. 17-1017 § 2 (Exh. B); Ord. 12-937 § 1; Ord. 02-707 § 1)

25.10.200.005 Tavern.

“Tavern” means a commercial use which sells prepared food or beverages and where the seating and associated circulation areas exceed 10 percent of the gross floor area of the use. (Ord. 18-1045 § 2 (Exh. A))

25.10.200.010 Telecommuting.

“Telecommuting” means the use of telephones, computers, or other similar technology to permit an employee to work from home, eliminating a commute trip, or to work from a work place closer to home, reducing the distance traveled in a commute trip by at least half. (Ord. 18-1045 § 2 (Exh. A))

25.10.200.015 Temporary wireless communications facility.

Temporary Wireless Communication Facility. See DMC 25.10.230.060, Wireless communication facility (WCF), temporary. (Ord. 18-1045 § 2 (Exh. A))

25.10.200.020 Threshold date.

"Threshold date" means the first May 1st that falls after the date when an employer becomes an affected employer of the Commute Trip Reduction requirements, whether by passage of the ordinance codified in this chapter, moving into the city of DuPont, or by growing in employment. (Ord. 18-1045 § 2 (Exh. A))

25.10.200.025 Townhouse.

~~"Townhouse" means a building designed exclusively for occupancy by one family and containing one dwelling unit, occupying space from the ground to the roof and not lying vertically under or over adjacent units, and attached to one or more other dwelling units by common walls which may be located on lot lines. (Ord. 18-1045 § 2 (Exh. A))~~

25.10.200.025

25.10.200.025 Townhouses.

~~"Townhouses" means buildings that contain three or more attached single-family dwelling units that extend from foundation to roof and that have a yard or public way on not less than two sides.~~

25.10.200.030 Traffic study.

"Traffic study" means a specialized study of the impacts that a certain type and size of development in a specific location will have on the surrounding transportation system. The scope of work for the study will be determined by the city. (Ord. 18-1045 § 2 (Exh. A))

25.10.200.035 Transient guest facilities.

"Transient guest facilities" means temporary commercial accommodations such as hotels, motels, and bed and breakfasts. (Ord. 18-1045 § 2 (Exh. A))

25.10.200.040 Transit.

"Transit" means a multiple-occupant vehicle operated on a shared-ride basis, including bus, ferry, rail, shared-ride taxi, and shuttle bus. (Ord. 18-1045 § 2 (Exh. A))

25.10.200.045 Transportation demand management.

"Transportation demand management" means a broad range of strategies that are primarily intended to reduce and reshape demand on the transportation system. (Ord. 18-1045 § 2 (Exh. A))

25.10.200.050 Transportation facilities.

“Transportation facilities” means arterials and transit routes owned, operated, or administered by the state of Washington and its political subdivisions, such as the city of DuPont.

- (1) “Existing transportation facilities” means those transportation facilities in place at the time a concurrency test is applied; and
- (2) “Planned transportation facilities” means those transportation facilities scheduled to be completed no later than the sixth year of the capital facilities plan and/or transportation element in effect at the time the city approves the development. (Ord. 18-1045 § 2 (Exh. A))

25.10.200.055 Transportation facility capacity.

“Transportation facility capacity” means the maximum number of vehicles that can be accommodated during a specified travel period at a specified level of service. Capacity will be calculated according to the methodology used in the most current highway capacity manual. An alternative methodology may be used only if it is preapproved by the director of public works or their designee. (Ord. 18-1045 § 2 (Exh. A))

25.10.200.060 Transportation strategies.

“Transportation strategies” means transportation demand management plans, schemes, techniques, programs, and methodologies for minimizing transportation facility demand, such as improved transit service, off-peak travel, and ride-sharing programs. (Ord. 18-1045 § 2 (Exh. A))

25.10.200.065 Triplex.

“Triplex” means a detached townhome residential building containing with three attached dwelling units, stacked or side by side. (Ord. 18-1045 § 2 (Exh. A))

25.10.210 “U” terms.

(Ord. 18-1045 § 2 (Exh. A); Ord. 07-854 § 1; Ord. 02-707 § 1)

25.10.210.005 Unit density.

“Unit density” means the number of principal dwelling units on a lot, regardless of size.

25.10.210.010 Unit lot subdivision.

“Unit lot subdivision” means the creation of two or more unit lots within a development which are created from a parent lot and approved through the unit lot subdivision process.

25.10.210.015 Unlicensed wireless services.

"Unlicensed wireless services" are defined as the offering of telecommunication services using duly authorized devices which do not require individual licenses; direct-to-home satellite services are excluded from this definition. (Ord. 18-1045 § 2 (Exh. A))

25.10.210.020 Unlisted words and phrases.

Unlisted Words and Phrases. The definition of any word or phrase not listed in this chapter which is in question when administering this regulation shall be defined from one of the following sources which are incorporated herein by reference. Said sources shall be utilized by finding the desired definition from source number one, but if it is not available there, then source number two may be used and so on. The sources are as follows:

- (1) City development regulations;
- (2) Any city resolution, ordinance, code or regulation;
- (3) Any statute or regulation of the state of Washington (i.e., the most applicable);
- (4) Legal definitions from case law or a law dictionary;
- (5) Webster's Third New International Dictionary of the English Language, Unabridged.

(Ord. 18-1045 § 2 (Exh. A))

25.10.210.025 Use.

"Use" means the nature of the occupancy, the type of activity, or the character and form of improvements to which land is devoted or may be devoted. (Ord. 18-1045 § 2 (Exh. A))

25.10.210.030 Use, temporary.

"Use, temporary" means a use needed for a limited duration of time with the intent to discontinue the use upon the expiration of the time period, not to exceed one year. Temporary uses do not involve the construction or alteration of any permanent building or structure, although the authorization of the temporary use does not necessarily preclude such construction. (Ord. 18-1045 § 2 (Exh. A))

25.10.220 "V" terms.

(Ord. 18-1045 § 2 (Exh. A); Ord. 07-854 § 1; Ord. 02-707 § 1)

25.10.220.005 Vanpool.

"Vanpool" means a vehicle occupied by from seven to 15 people traveling together for their commute trip that results in the reduction of a minimum of one motor vehicle trip. A vanpool trip counts as zero vehicle trips. (Ord. 18-1045 § 2 (Exh. A))

25.10.220.010 Variance.

“Variance” means relaxation of the requirements of this title with respect to building, lot, or other restriction (but not with respect to use) because of special circumstances applicable to the building, lot or property which deprive it of privileges commonly enjoyed by other properties in the same vicinity and district. (Ord. 18-1045 § 2 (Exh. A))

25.10.220.015 Vehicles miles traveled (VMT) per employee.

“Vehicle miles traveled (VMT) per employee” means the sum of the individual vehicle commute trip lengths in miles made by affected employers over a set period divided by the number of affected employees during that period. (Ord. 18-1045 § 2 (Exh. A))

25.10.220.020 Vehicular access easement or tract.

“Vehicular access easement or tract” means a privately owned right-of-way, but not including a driveway easement. (Ord. 18-1045 § 2 (Exh. A))

25.10.220.025 Village.

“Village” means any one of several areas of the city of DuPont characterized by similar or compatible land uses. A village may contain one or more land use districts. A village is identified by a place name and has boundaries composed of major streets, natural or manmade barriers, or abrupt changes in land use. (Ord. 18-1045 § 2 (Exh. A))

25.10.230 “W” terms.

(Ord. 18-1045 § 2 (Exh. A); Ord. 12-937 § 1; Ord. 07-854 § 1; Ord. 02-707 § 1)

25.10.230.005 Warehouse/distribution.

“Warehouse/distribution” means a building or land use in which goods, merchandise or equipment is stored for eventual distribution. (Ord. 18-1045 § 2 (Exh. A))

25.10.230.010 Washington Administrative Code (WAC).

“WAC” means the Washington Administrative Code. (Ord. 18-1045 § 2 (Exh. A))

25.10.230.015 Wastes.

Wastes. See DMC 25.10.190.[085095](#), Solid waste. (Ord. 18-1045 § 2 (Exh. A))

25.10.230.020 Waste reduction.

“Waste reduction” means reducing the amount or toxicity of waste generated or reusing materials. (Ord. 18-1045 § 2 (Exh. A))

25.10.230.025 Week.

“Week” means a seven-day period, starting Monday and ending Sunday. (Ord. 18-1045 § 2 (Exh. A))

25.10.230.030 Weekday.

“Weekday” means Monday, Tuesday, Wednesday, Thursday, or Friday. (Ord. 18-1045 § 2 (Exh. A))

25.10.230.035 Wetland.

Repealed by Ord. 19-1069. (Ord. 18-1045 § 2 (Exh. A))

25.10.230.036 Wildland urban interface.

“Wildland urban interface” means the geographical area where structures and other human development meets or intermingles with wildland vegetative fuels.

25.10.230.040 Wireless communication facility (WCF).

“Wireless communication facility (WCF)” means facilities for the transmission and reception of radio or microwave signals used for communication, cellular phone, personal communications services, specialized mobile radio, paging, and any other services licensed by the FCC and unlicensed wireless services including but not limited to associated equipment shelters, support towers, and antenna arrays, other than the exempt facilities listed under DMC [25.125.040](#)(2). (Ord. 18-1045 § 2 (Exh. A))

25.10.230.045 Wireless communication facility (WCF), attached.

“Wireless communication facility (WCF), attached” means a WCF in which the antenna is attached, as an incidental use, to a pre-existing structure such as a building, water tank, or utility pole, without an additional support structure, and is either an omni-directional whip antenna no more than seven inches in diameter and no more than 16 feet in length, or a panel antenna or panel antenna array no more than 16 square feet in total area or no larger than 32 square feet when attached to and not extending above the vertical wall of a structure. (Ord. 18-1045 § 2 (Exh. A))

25.10.230.050 Wireless communication facility (WCF), freestanding.

“Wireless communication facility (WCF), freestanding” means a WCF in which the antenna is supported by a structure designed for that purpose, including ancillary equipment. (Ord. 18-1045 § 2 (Exh. A))

25.10.230.055 Wireless communication facility (WCF), public.

“Wireless communication facility (WCF), public” means a freestanding or attached wireless communication facility (WCF) that is planned, built, operated, and maintained by a public entity to provide local or regional essential communication services to enhance or maintain public health and safety. (Ord. 18-1045 § 2 (Exh. A))

25.10.230.060 Wireless communication facility (WCF), temporary.

“Wireless communication facility (WCF), temporary” means a mobile telecommunications facility which is transported by a motor vehicle for temporary use. Temporary wireless communication facilities do not have a permanent foundation. (Ord. 18-1045 § 2 (Exh. A))

25.10.230.065 Written.

“Written” means original signed and dated documents. Facsimile (fax) transmissions are a temporary notice of action that must be followed by the original signed and dated document via mail or delivery. (Ord. 18-1045 § 2 (Exh. A))

25.10.240 “X” terms.

Reserved. (Ord. 18-1045 § 2 (Exh. A); Ord. 02-707 § 1)

25.10.250 “Y” terms.

Reserved. (Ord. 18-1045 § 2 (Exh. A); Ord. 07-854 § 1; Ord. 02-707 § 1)

25.10.250.005 Yard.

“Yard” means an open space that lies between the principal building or buildings and the nearest property line. The minimum required yard is unoccupied and unobstructed from the ground upward except as may be specifically provided in this code. (Ord. 18-1045 § 2 (Exh. A))

25.10.250.010 Yard, required.

“Yard, required” means an open space between a property line and a structure within which no structure shall be located except as allowed by this code. (Ord. 18-1045 § 2 (Exh. A))

25.10.250.015 Yard, front.

“Yard, front” means a space extending the full width of the lot between any building and the front property line and measured perpendicular from the front property line to the closest point of any building. (Ord. 18-1045 § 2 (Exh. A))

25.10.250.020 Yard, rear.

“Yard, rear” means a space extending the full width of the lot between the principal building and the rear property line and measured perpendicular from the rear property line to the closest point of the principal building. (Ord. 18-1045 § 2 (Exh. A))

25.10.250.025 Yard, side.

“Yard, side” means a space extending from the front yard to the rear yard between the principal building and the side property line and measured perpendicular from the side property line to the closest point of the principal building. (Ord. 18-1045 § 2 (Exh. A))

25.10.260 “Z” terms.

Reserved. (Ord. 18-1045 § 2 (Exh. A); Ord. 02-707 § 1)

25.10.260.005 Zero lot line.

“Zero lot line” means the location of a building on a lot in such a manner that one of the building’s sides rests directly abutting a lot line. (Ord. 18-1045 § 2 (Exh. A))