

**Chapter 18.13**  
**MULTIFAMILY FORM BASED CODE OVERLAY**

**Sections:**

- 18.13.010** Purpose.
- 18.13.020** Relationship to underlying zoning districts.
- 18.13.030** Applicability.
- 18.13.040** Streetscape Standards.
- 18.13.050** Development Standards.
- 18.13.060** Process and Administration.

**18.13.010 Purpose.**

The general purpose of this chapter is to enable, in a manner consistent with the Growth Management Act, the integration of Comprehensive Plan goals and policies, zoning, and other development regulations, and other City ordinances and regulations as a means to facilitate and promote the public health, safety, and welfare. A specific objective of the Multifamily Infill Form-Based Code Overlay (MFI-FBC) standards set forth in this chapter is to provide public benefits not typically available through the underlying zoning districts. These public benefits include, but are not limited to, increased alternatives for dwellings through flexible and innovative design, greater residential availability and affordability, and the preservation and enhancement of natural resources. The intent of this chapter is to establish context-sensitive regulations that complement regulations in the underlying zoning districts. Paramount considerations in establishing the MFI-FBC overlay district are honoring the village character of Langley, respecting the underlying districts, protecting vital critical areas and encouraging affordable housing near jobs.

**18.13.020 Relationship to underlying zoning districts.**

The MFI-FBC overlay district amends the underlying zoning districts. Development within the MFI-FBC overlay district shall meet the requirements both of this chapter and of the underlying zoning district. In the event of any conflict between the provisions for the underlying zoning district and the provisions of this chapter, the provisions of this chapter prevail.

**18.13.030 Applicability.**

The provisions of this chapter shall apply solely to the RS7200, RS5000, and RM zoning districts for the purpose of multi-family development. The standards of this chapter are not available for single-family development.

- A. Critical area protection. Multifamily infill must comply with all regulations of Chapter 16.20.
- B. Sewer. The MFI-FBC overlay is only permitted where sewer is available.
- C. Rules of Construction. The following general rules apply to the construction or interpretation of this chapter:
  - 1. Numerical metrics take precedence over graphic metrics; and
  - 2. The diagrams and illustrations within this chapter are considered regulatory and binding.

### **18.13.040 Streetscape Standards.**

#### **A. Sidewalks.**

1. Parcels must have a sidewalk at the front lot line, and it must be a minimum of five feet in width. If a sidewalk does not exist, the applicant must construct it for the length of the front lot line.

#### **B. Street Trees.**

1. Streets must have a landscaped planting strip with street trees between the sidewalk and the street. The planting strip must be a minimum of four feet in width. If the planting strip and street trees do not exist, the applicant must install it.

### **18.13.050 Development Standards.**

A. Intensity. The MFI-FBC overlay district is not subject to the density or FAR restrictions of the underlying zoning district. Intensity is controlled by a combination of building height, setbacks, lot coverage, and parking requirements.

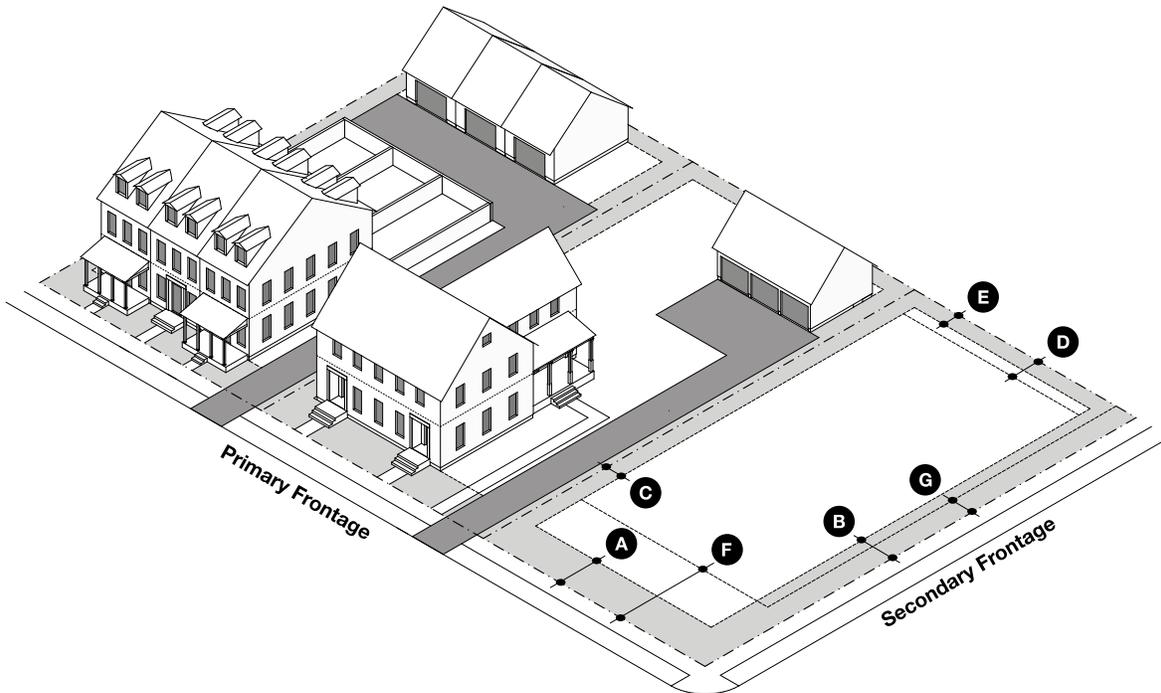
B. Building Placement. Building placement must meet the requirements of [Table 1 – Table 3](#) as follows:

1. Structures must be set back from lot boundaries as specified in [Table 1 – Table 3](#); and
2. Buildings and covered structures are limited in the total area they may occupy as a percentage of the lot area as specified by lot coverage in [Table 1 – Table 3](#).

C. Parking Placement. Parking within the MFI-FBC overlay district must be located behind or beside buildings relative to the street and as follows:

1. Parking must be set back from the lot lines as required in [Table 1 – Table 3](#).
2. On-street parking lane is permitted.

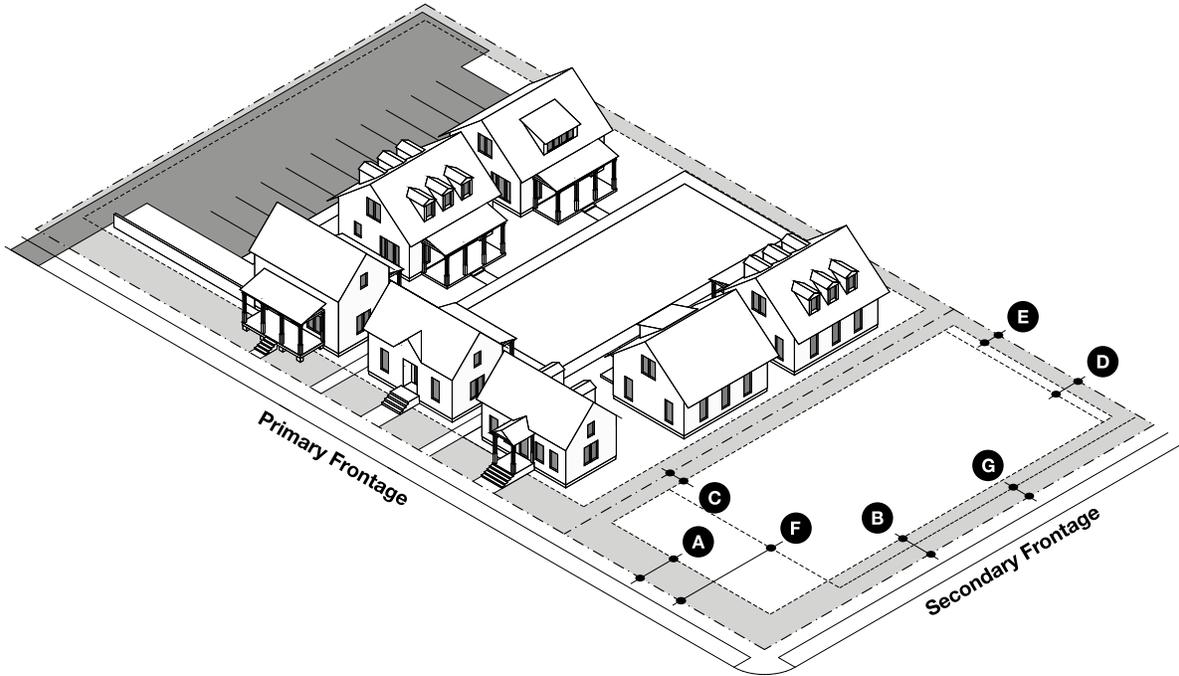
**Table 1. RS7200 Standards**



<b>Lot Occupation</b>		<b>Accessory Structure Setbacks</b>	
Lot coverage	50% max.	<b>F</b> Front setback	A + 20 ft. min.
<b>Building Setbacks</b>		<b>B</b> Side street setback	10 ft. min.
<b>A</b> Front setback	12 ft. min.	<b>C</b> Side setback	5 ft. min.
<b>B</b> Side street setback	10 ft. min.	<b>D</b> Rear setback	5 ft. min.
<b>C</b> Side setback	5 ft. min.	<b>E</b> Rear lane setback	2 ft. min.
<b>D</b> Rear setback	5 ft. min.	Height	2 stories max.
<b>E</b> Rear lane setback	2 ft. min.	<b>Parking Setbacks</b>	
Height	3 stories max. <sup>1</sup>	<b>F</b> Front setback	A + 20 ft. min.
		<b>G</b> Side street setback	6 ft. min.

<sup>1</sup> Cottage courts and duplexes are limited to 2 stories max.

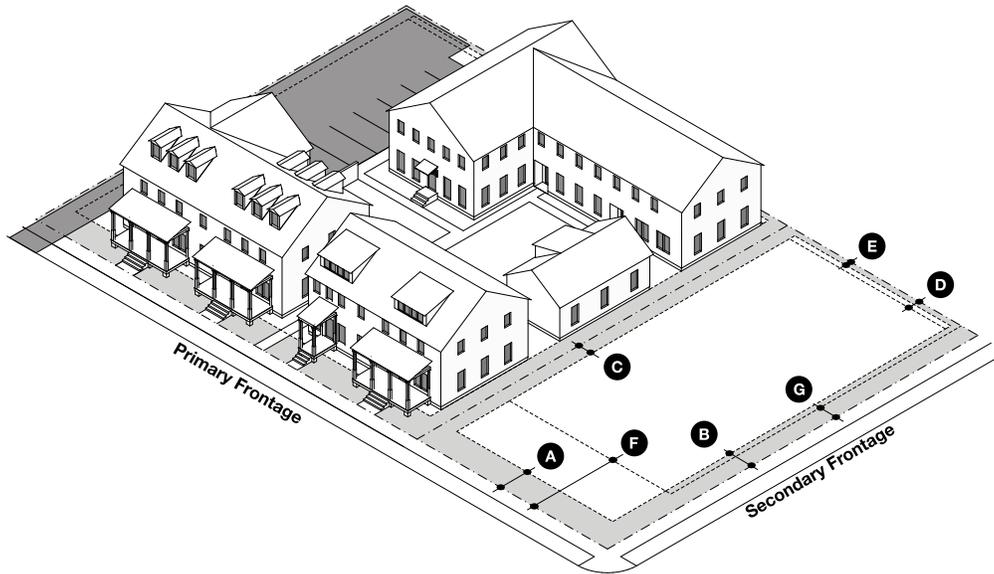
**Table 2. RS5000 Standards**



<b>Lot Occupation</b>		<b>Accessory Structures</b>	
Lot coverage	60% max.	<b>F</b> Front setback	A + 20 ft. min.
<b>Building Setbacks</b>		<b>B</b> Side street setback	8 ft. min.
<b>A</b> Front setback	10 ft. min.	<b>C</b> Side setback	5 ft. min.
<b>B</b> Side street setback	8 ft. min.	<b>D</b> Rear setback	5 ft. min.
<b>C</b> Side setback	5 ft. min.	<b>E</b> Rear lane setback	2 ft. min.
<b>D</b> Rear setback	5 ft. min.	Height	2 stories max.
<b>E</b> Rear lane setback	2 ft. min.	<b>Parking</b>	
Height	3 stories max. <sup>1</sup>	<b>F</b> Front setback	A + 20 ft. min.
		<b>G</b> Side street setback	6 ft. min.

<sup>1</sup> Cottage courts and duplexes are limited to 2 stories max.

**Table 3. RM Standards**



Lot Occupation		Accessory Structures	
Lot coverage	70% max.	F Front setback	A + 20 ft. min.
<b>Building Setbacks</b>		B Side street setback	5 ft. min.
A Front setback	10 ft. min.	C Side setback	5 ft. min.
B Side street setback	8 ft. min.	D Rear setback	8 ft. min.
C Side setback	5 ft. min.	E Rear lane setback	2 ft. min.
D Rear setback	5 ft. min.	Height	2 stories max.
E Rear lane setback	2 ft. min.	<b>Parking</b>	
Height	3 stories max. <sup>1</sup>	F Front setback	A + 20 ft. min.
		G Side street setback	6 ft. min.

D. Building Type Requirements. Specific types of buildings are permitted or prohibited from use within the MFI-FBC overlay district.

1. Number of buildings per lot is limited by a combination of setbacks, lot coverage, and parking requirements as regulated by [Table 1](#), [Table 2](#), or [Table 3](#).
2. Building types are permitted per district according to [Table 4](#).
3. More than one building type is permitted per lot.
4. Accessory structures and accessory dwelling units are not subject to the requirements of this section.

<sup>1</sup> Cottage courts and duplexes are limited to 2 stories max.

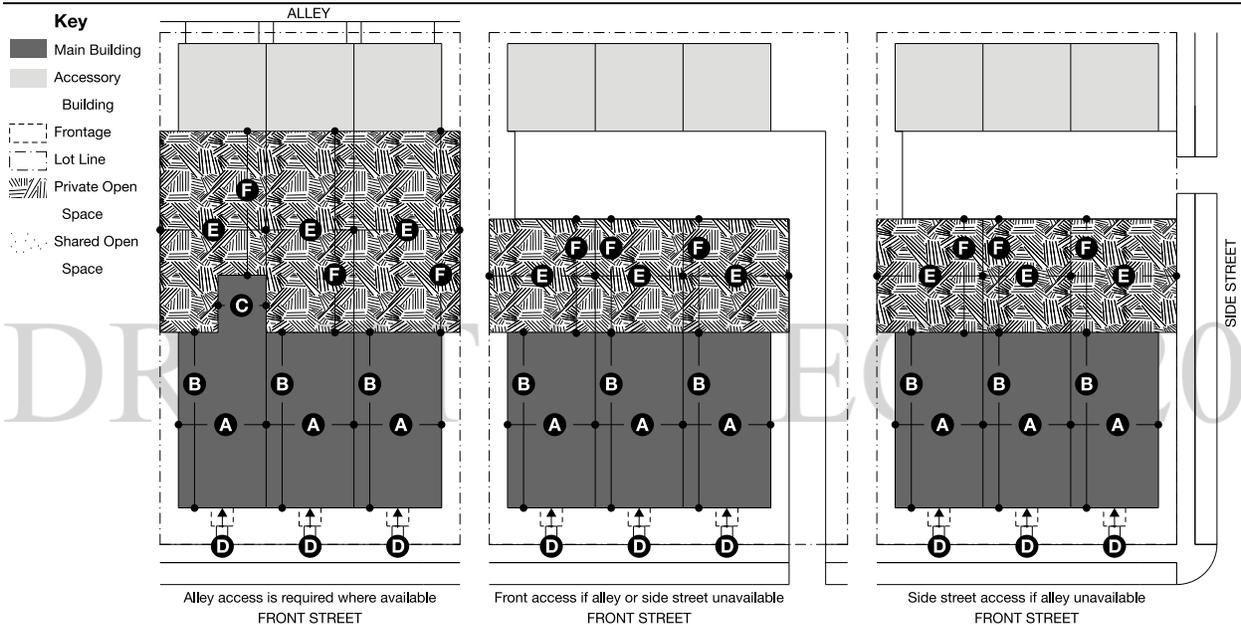
**Table 4. Building Types per District**

Building Types	Districts		
	RM	RS5000	RS7200
Townhouse	P	P	P
Duplex	P	P	P
Triplex	P	P	P
Cottage court	P	P	P
Multifamily house, 4 – 6 units	P	P	
Multifamily courtyard, 8 units max.	P		

5. Building types must meet the standards of [Table 5](#).

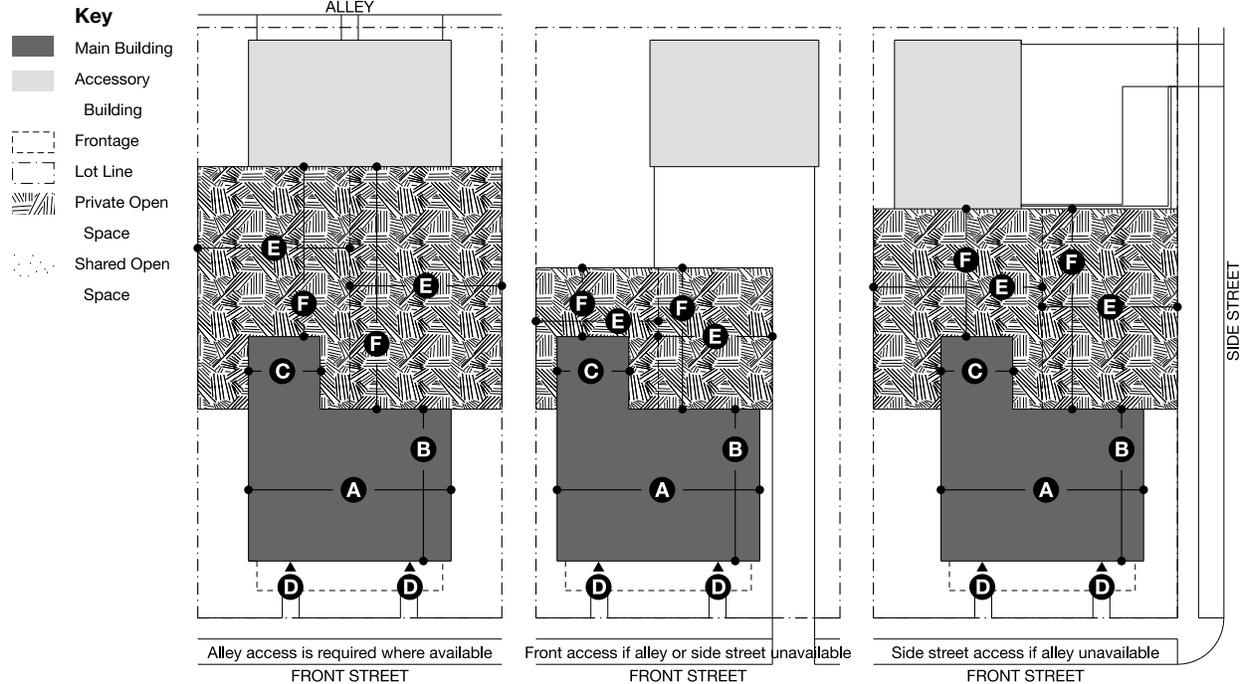
**Table 5. Building Standards**

**Townhouse**



Units			Main Entrance		
Units per townhouse	1 per floor, max.		D	Facing primary frontage	
Townhouses per building	3 min., 6 max.				
Building Size			Open Space Requirements		
Main building			No shared open space required		
A	Unit Width	30 ft. max.	Private open space		
B	Unit Depth	50 ft. max.	E	Width	12 ft. min.
Secondary wings			F	Depth	12 ft. min.
C	Width	24 ft. max.	Area	150 sq. ft. min. per unit	

# Duplex

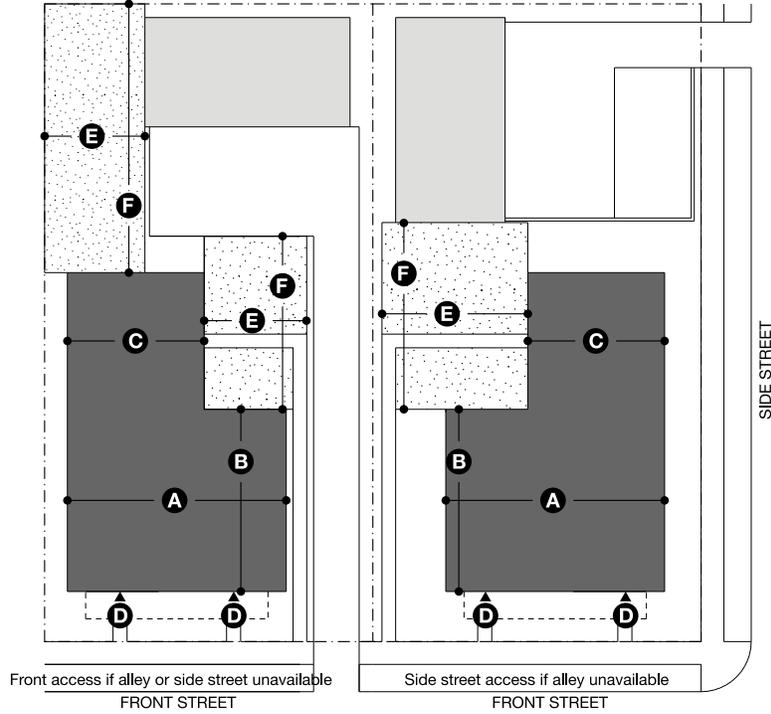


Units			Main Entrance		
Units per building	2		D	Facing primary frontage	
<b>Building Size</b>			<b>Open Space Requirements</b>		
<b>Main building</b>			No shared open space required		
A	Width	48 ft. max.	<b>Private open space</b>		
B	Depth	36 ft. max.	E	Width	12 ft. min.
<b>Secondary wings</b>			F	Depth	12 ft. min.
C	Width	20 ft. max.	Area	150 sq. ft. min. per unit	

# Triplex

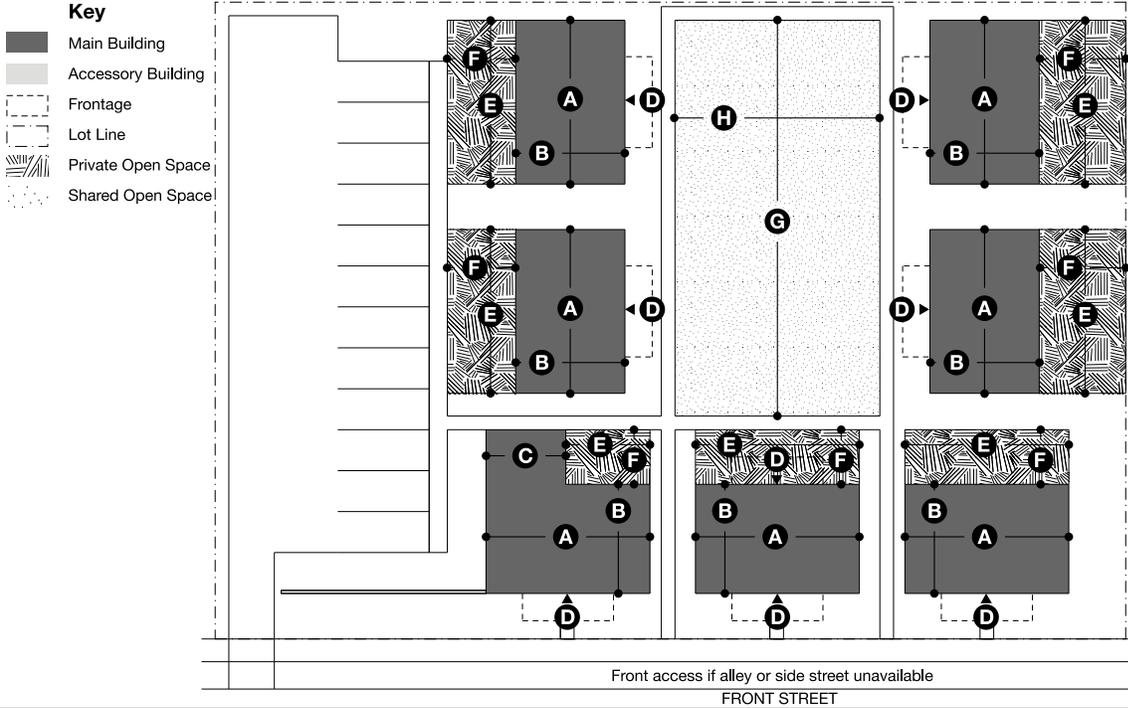
**Key**

- Main Building
- Accessory Building
- Frontage
- Lot Line
- Private Open Space
- Shared Open Space



<b>Units</b>			<b>Main Entrance</b>		
Units per building		3	D	Facing primary frontage	
<b>Building Size</b>			<b>Open Space Requirements</b>		
<b>Main building</b>			No private open space required		
A	Width	48 ft. max.	<b>Shared open space</b>		
B	Depth	48 ft. max.	E	Width	12 ft. min.
<b>Secondary wings</b>			F	Depth	16 ft. min.
C	Width	20 ft. max.	Area	50 sq. ft. min. per unit	

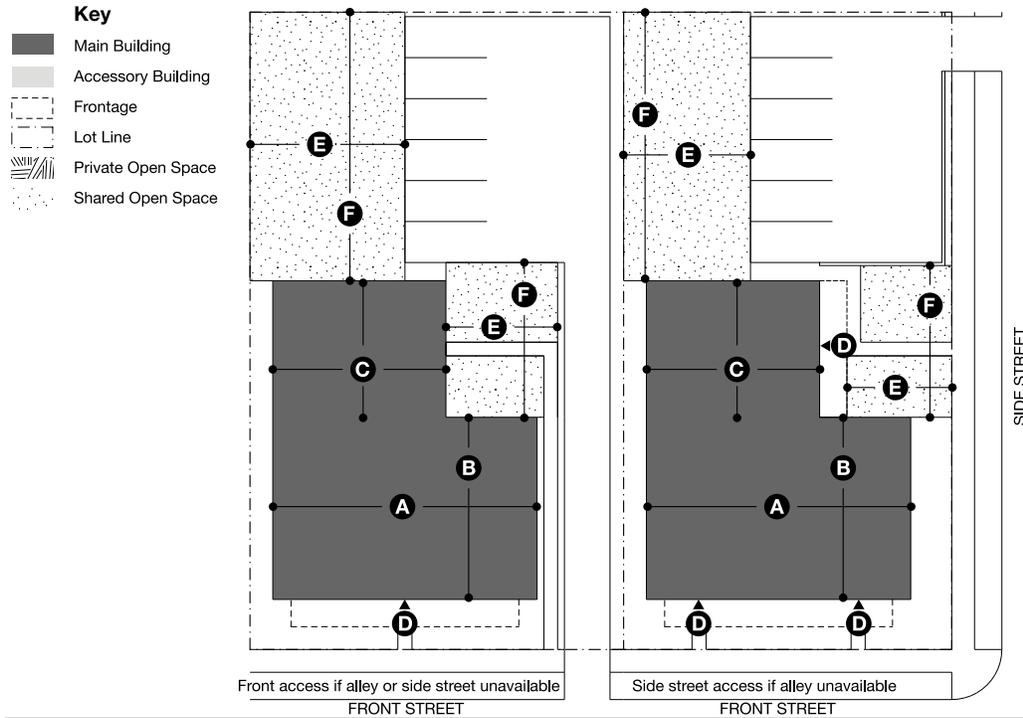
# Cottage Court



Units		Main Entrance	
Units per building	1	D	Facing primary frontage <sup>1</sup>
Buildings per site	3 min., 9 max.	Open Space Requirements	
Building Size		Private open space	
Main building		E	Width 12 ft. min.
A	Width 36 ft. max.	F	Depth 8 ft. min.
B	Depth 30 ft. max.	Shared open space	
Secondary wings		G	Width 20 ft. min.
C	Width 20 ft. max.	H	Depth 12 ft. min.
		Area	200 sq. ft. min. per unit

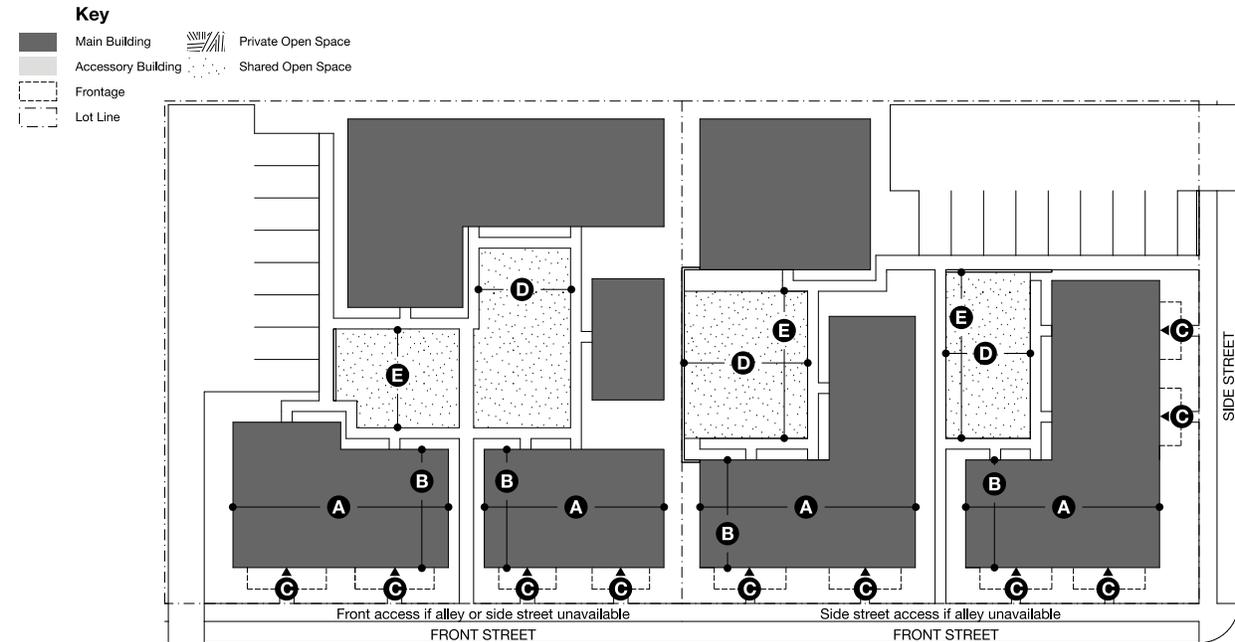
<sup>1</sup> Cottages adjacent to street must have primary entrance facing street. All other cottages must have primary entrance facing share open space.

# Multifamily House



Units			Main Entrance		
Units per building	4 min., 6 max.		D	Facing primary frontage	
Building Size			Open Space Requirements		
Main building			Private open space		
A	Width	48 ft. max.	No private open space required		
B	Depth	48 ft. max.	Shared open space		
Secondary wings			E	Width	12 ft. min.
C	Width and Depth	36 ft. max.	F	Depth	16 ft. min.
			Area	50 sq. ft. min. per unit	

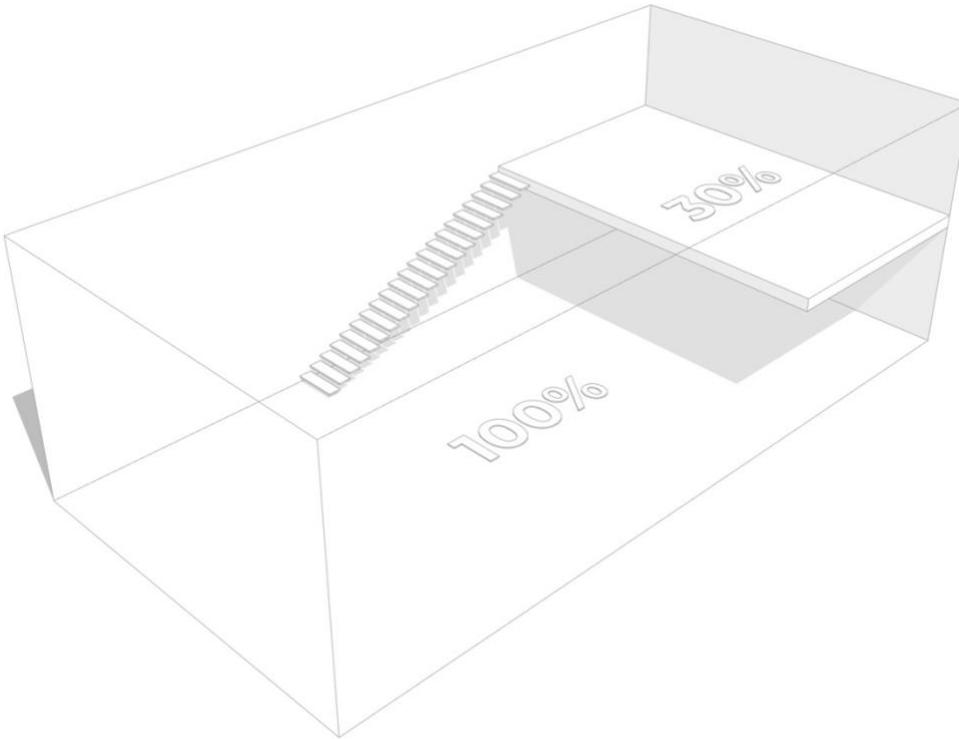
# Multifamily Courtyard



Units		Main Entrance	
Units per site	8 max.	C	Facing primary frontage
Buildings per site	3 max.	<b>Open Space Requirements</b>	
<b>Building Size</b>		<b>Private open space</b>	
<b>Main building and secondary wings</b>		No private open space required	
A	Width	<b>Shared open space – courtyard</b>	
B	Depth	D	Width
		E	Depth
		Area	50 sq. ft. min. per unit

E. Building Height. Building height is limited according to [Table 1](#) – [Table 3](#) measured as follows:

1. Building height is measured in stories above sidewalk grade adjacent to the principal building entrance.
2. Stories are measured from finished floor to finished ceiling.
3. Stories are limited to 14 feet high.
4. Stories exceeding 14 feet are counted as one story for every 14 feet.
5. Mezzanines extending beyond 30% of the ground floor area are counted as an additional story as shown in [Figure 1. Mezzanine Area Illustration](#).



**Figure 1. Mezzanine Area Illustration**

6. Below ground stories do not count toward building height provided they do not extend more than 4 feet above sidewalk grade at the primary frontage.

F. Frontage Requirements. Frontage requirements regulate building facades facing streets.

1. A frontage type must be specified according to [Table 6](#).
  - a. Multiple frontage types may be combined along a facade.
2. Frontages must meet the standards of [Table 6](#) and [Table 7](#).
3. The primary building entry must face a street.
  - a. Units must have direct access from the street when they are adjacent to the street. Interior units are not required to have an entry facing the street.
4. Facades must meet have 15% minimum clear glass on the first story of every facade facing a street as follows:
  - a. Glass percentage is calculated individually for each facade and is measured between two and ten feet in height above grade along the length of the facade.
  - b. The entire frame and structure of doors, windows, and storefront systems are considered glass for this calculation.
  - c. Tinted, mirrored and reflective glass, and glass covered by screening sheets, white, or UV protection film are prohibited.

5. Blank walls visible from the public sidewalk must not exceed 50 linear feet. Walls along interior side lot lines are exempt from this requirement.

6. All outdoor electrical, plumbing, and mechanical equipment must be located behind the front facade or concealed from street view with a screen or wall. These facilities may not encroach into any setback. Equipment located on a roof must be screened from view of the street.

7. Encroachments. Encroachments are permitted as follows and as set forth in LMC 18.22.255 for green building structures and equipment.

a. Minor facade elements may encroach into setbacks as follows:

i. Roof overhangs, cornices, window and door surrounds, and other facade decorations may encroach into setbacks up to 2 feet beyond the structure they are attached to.

ii. Minor facade elements must not encroach into rights-of-way.

b. Major facade elements may encroach into setbacks as follows:

i. Major facade elements may encroach according to frontage type as specified in [Table 6](#).

ii. Major facade elements include bay windows, bow windows, balconies, stoops, porches, and terraces.

8. Common entry frontages may include an optional planter within the front setback.

a. Planter height may not exceed 24 inches.

**Table 6. Frontage Types**

Frontage	Encroachments	Surface	RS7200	RS5000	RM
Porch	Up to 50% of front or side street setback	Planted outside porch	P	P	P
Stoop	Up to 75% of front or side street setback	Planted outside stoop	P	P	P
Terrace	Up to 75% of front or side street setback	Planted outside terrace	P	P	P
Common Entry	Up to 50% of front or side street setback	50% planted, min. outside common entry		P	P

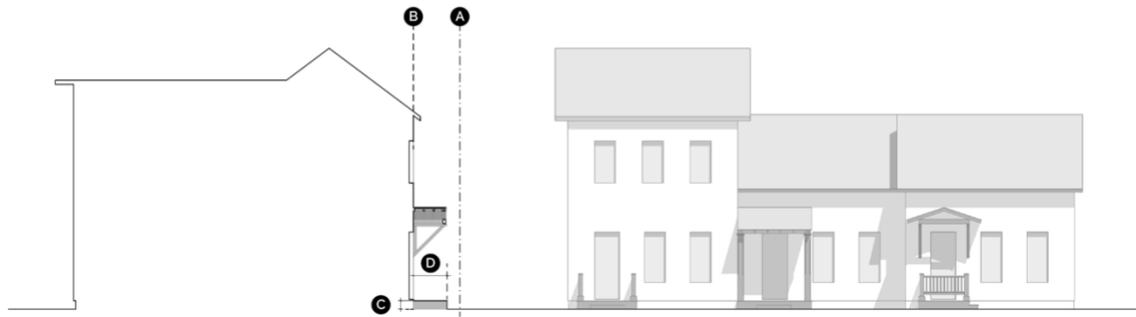
**Table 7. Frontage Standards**

**Porch**



A	Property Line	
B	Building facade	
C	Height above grade	12 in. min. <sup>1</sup>
D	Depth	6 ft. min.

**Stoop**



A	Property Line	
B	Building facade	
C	Height above grade	12 in. min. <sup>1</sup>
D	Depth	4 ft. min.

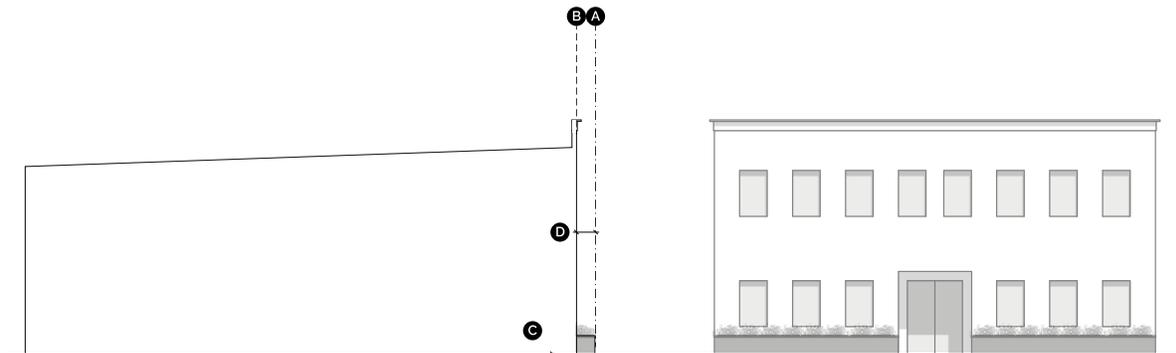
<sup>1</sup> A zero-step entry is permitted if the front setback is increased by 8 feet.

## Terrace



A	Property Line	
B	Building facade	
C	Height above grade	8 in. min. <sup>1</sup>
D	Depth	10 ft. min.

## Common Entry



A	Property Line	
B	Building facade	
C	Height above grade	Zero step entry
D	Depth	Optional planter – depth of the front setback

### G. Use.

LMC 18.09.010 regulates use and building type for the residential zoning districts. [Table 4](#) supersedes LMC 18.09.010 for building type per district.

### H. Open Space Requirements

**Total Required Open Space.** Open space dimensions and area must meet the requirements of [Table 5](#). Total usable open space on a site having three or more new dwelling units shall be at least 400 square feet per dwelling unit, and provided in one or more of the following ways:

<sup>1</sup> A zero-step entry is permitted if the front setback is increased by 8 feet.

1. Private Open Space. Private open space shall be in yards, patios, terraces, or balconies immediately adjacent and accessible to individual residential units with no dimension less than five feet. Private open space shall make up no more than 50 percent of the total required open space.

a. The duplex building type is exempt from the private open space maximum area. One hundred percent of required open space may be private for the duplex.

2. Shared Open Space. Shared open space shall be accessible to all residents of the lot and shall not include driveways or parking areas.

a. Outdoor shared open space shall be provided in the form of patios, terraces, courtyards, plazas, rooftop decks, lawns and gardens, children's play areas, picnic and barbeque areas, and outdoor sports equipment and facilities. Outdoor shared open space may be located within required yard setbacks.

3. Permeable Open Space. Outdoor shared open space shall only be constructed with a permeable surface to allow groundwater to recharge wherever possible, with the amount and type to be approved by the Public Works Director or designee. It is not the intent to prohibit a use where its impermeability is inherent such as a sidewalk through the space.

I. Lighting. MFI-FBC overlay district lighting must meet the following standards:

1. All light sources shall be directed downward and focused on the subject so that no light spillage results.

2. Prevent glare by using shielded and focused light sources.

3. Conceal all light sources from adjoining properties.

4. Energy efficient light sources are required.

5. Uplighting of building faces or outlining the frame of a building is prohibited.

J. Parking Standards. With the goal of increasing housing affordability, the MFI-FBC applications are not subject to the parking requirements of LMC 18.22.130 and is regulated as follows:

1. One automobile parking space is required per dwelling unit.

2. Required parking may be fulfilled in the following locations:

a. Within the same lot, and

b. Within an adjacent shared parking lot.

3. Off-Street Automobile Parking Design.

a. Off-street parking must meet AASHTO size and configuration standards and the construction requirements of LMC 18.22.140.

b. Parking must be located according to [Table 1](#) – [Table 3](#) and in compliance with [18.13.050J.2](#).

- c. Off-street parking must be accessed by rear lanes where available.
- d. Where rear lanes are not available, off-street parking may be accessed from the following locations:
  - i. From side streets for corner lots; driveways must be located near the rear lot line.
  - ii. For mid-block lots, parking may be accessed from the primary frontage.
- e. Front and side access driveways providing access to off-street parking are limited to 10 feet in width.
- f. Parking lots must be screened along front and side street lot lines by a wood fence or a hedge no less than 4 feet in height to screen the view of the parking lot.

**18.13.060 Process and Administration.**

This section augments and is in addition to the procedures for site plan and building permit approval otherwise set forth in this chapter.

**A. MFI-FBC Permit Review Process.**

1. A pre-application conference between the applicant or representative and the planning official is required before the city will accept an MFI-FBC permit application.

a. The purpose of this conference is for the applicant to familiarize the planning official with the proposed application, and for staff to review with the applicant the city's submittal requirements and processing procedures for MFI-FBC permit approval.

b. The applicant shall present the following information:

- i. Location and description of critical areas;
- ii. Proposed building type(s); and
- iii. Proposed building height(s).

2. After the pre-application conference has been completed, the applicant may proceed with required permits pursuant to LMC Title 15.

**B. MFI-FBC Permit Conditions of Approval.**

An MFI-FBC permit shall not be approved unless it is found to meet the following criteria or that appropriate conditions are imposed so that the criteria are met:

- 1. The project complies with all applicable adopted policies, standards and regulations.
- 2. Significant adverse environmental impacts are appropriately mitigated.
- 3. The proposed project will have no adverse financial impact upon the city at each phase of development, as well as at full build-out.

C. Binding Site Plan. All binding site plans must comply with LMC 18.22.220.

D. Design Review. For all applications submitted under this chapter, the City of Langley Design Review Standards set forth in LMC 18.34 are not applicable. Design review for applications submitted under this chapter is conducted pursuant to the Type II site plan review.

E. Building Permits. MFI-FBC building permit applications must include the following:

1. Building setbacks in compliance with LMC 18.13.050B;
2. Parking placement in compliance with LMC 18.13.050C;
3. Assignment of building types in compliance with LMC 18.13.050D
4. Building height in compliance with LMC 18.13.050E;
5. Assignment of frontage types in compliance with LMC 18.13.050F;
6. Open space in compliance with LMC 18.13.050H;
7. Lighting in compliance with LMC 18.13.050I; and
8. Parking in compliance with LMC 18.13.050J.

F. Deviations. Two processes exist to apply for deviation from the requirements of this chapter: administrative waivers and variances. The variance process in LMC 18.30 shall be used for a variance application.

1. The request for an administrative waiver or variance only subjects that portion necessary to rule on the specific issue requiring the relief to review.
2. Administrative waivers. Administrative waivers may permit a practice not consistent with a specific provision of this chapter but is otherwise justified pursuant to [Table 8](#).
3. The planning official has the authority to approve or disapprove a request for an administrative waiver. In order to receive approval of an administrative waiver, the applicant must provide evidence that:
  - a. The waiver is consistent with the intent of this chapter;
  - b. The waiver is consistent with the comprehensive plan;
  - c. The waiver will not materially endanger the public health or safety or constitute a public nuisance if developed according to the information submitted;
  - d. The waiver will not substantially injure the value of adjoining property, or that the use is a public necessity; and
  - e. The location and character of the use will be in harmony with proximate land uses, and consistent with the purposes of this chapter.
4. Decisions regarding an administrative waiver must state in writing the reasons for the decision and must be delivered to the applicant by either first class mail or electronically.

5. Appeals of the decision on an administrative waiver may be made to the hearing examiner pursuant to LMC 18.36.120.

**Table 8. Administrative Waiver Criteria**

<b>Relief type</b>	<b>Required findings</b>	<b>Allowed relief</b>
<b>Setbacks</b>		
Increase the maximum setback or decrease the minimum setback due to existing site features such as trees, streams, wetlands, or topographical changes.	Existing site features would be negatively impacted if buildings follow the required setback; or The constraint of existing site features would not allow for construction of habitable spaces within buildings.	20% max.
<b>Lot Coverage</b>		
Increase the maximum lot coverage provided shared open space and private open space is maintained at 100% of the required minimums.	All additional units enabled by this increase would be affordable at 80% of AMI.	20% max.

G. Fees. MFI-FBC applications are subject to all fees required by Chapter 18.36, and otherwise as may be adopted by the City Council.

H. Revocation of MFI-FBC Permit.

The city council may amend or revoke the MFI-FBC permit and any or all conditions of MFI-FBC approval, after public hearing and notice under the following circumstances:

1. A condition of the MFI-FBC approval has been violated and the violation has not been corrected after sixty days' notice of the violation unless said violation can be corrected in the judgment of the City through the use of a duly posted performance or maintenance bond provided at the time of MFI-FBC approval.
2. A violation of an MFI-FBC condition of approval that cannot be corrected, such as the destruction of wetlands or removal of trees and vegetation that was specifically prohibited and cannot be restored to their original state within sixty days.
3. The above provisions notwithstanding, the amendment of the MFI-FBC approval shall not affect vested or previously approved building permits.

**18.01.40 Definitions.**

“Accessory building” means a building which is subordinate to the principal building, and is incidental to the use of the principal building on the same lot. Examples include sheds, shops, garages, greenhouses and barns.

“Accessory dwelling unit” means a room or set of rooms either in a single-family residence or a separate building on the same lot as a single-family or duplex residence that has been designed or configured to be used as a separate dwelling unit. The accessory dwelling unit generally includes living, sleeping, kitchen and bathroom facilities and has a lockable entrance door. A tiny home may serve as an accessory dwelling unit subject to the additional requirements in this title.

“Accessory use” means a use incidental and subordinate to the principal use on the same lot.

“Adjacent” means having a common endpoint or border where the extension of the property lines of the licensed premises contacts that common border.

“Adult family home” means a regular family abode of a person or persons who are providing personal care, room, and board to more than one but not more than four adults who are not related by blood or marriage to the person or persons providing the services; except that a maximum of six adults may be permitted if the Washington State Department of Social and Health Services determines that the home is of adequate size and that the home and the provider are capable of meeting standards and qualifications set forth in Chapter 18.22.

“Alley” means a public or private thoroughfare or way which affords means of access to abutting property but not intended for general traffic circulation.

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

“Amendment” means a change in the wording, context or substance of this title or a change in the zone boundaries upon the zoning maps adopted hereunder.

“Awning” means a fixed or movable shade structure, cantilevered or otherwise entirely supported from a building, used to protect outdoor spaces from sun, rain, and other natural conditions.

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

“Block” means the aggregate of lots, sidewalks, and lanes, bounded by streets.

“Block face” means the aggregate of all the lot lines on one side of a block.

“Boardinghouse” means a single-family dwelling unit in which not more than four roomers, lodgers or boarders are housed and/or fed for compensation on a long-term rental basis and there are no cooking facilities in rented sleeping rooms. “Boardinghouse” does not include adult family home, clean and sober facility, rest home or convalescent home or single-family dwelling used as a short-term rental.

“Brewery” means a business licensed by the state of Washington that makes and sells beer at wholesale or retail, and includes an on-site location for consumer tasting and purchase.

“Building” means a structure having a roof for the shelter of persons or property.

“Building area” or “building site” means the portion of a lot within which a structure may be built, bounded by setbacks.

“Building height,” for the purposes of this code, means the vertical distance measured from the grade to the highest point of the roof (see exemptions in definition of “grade” below).

“Building height,” for the purposes of Chapter 26 of this code, means the vertical extent of a building measured in stories.

Building, Principal or Main. “Principal or main building” means the building which accommodates the principal use of a site or lot.

“Campground” means an area of land on which accommodation for temporary occupancies such as tents or recreational vehicles is permitted and which is used primarily for recreational purposes.

“Carport” means a covered space for the housing, primarily, of motor vehicles and enclosed on not more than two sides by walls, screens, cabinets or other types of enclosures.

“Circus” means a public entertainment event consisting typically of a variety of performances by acrobats, clowns, and trained animals, which may also include amusement rides and carnival attractions.

“City forester” means a paid or volunteer position appointed by the mayor and confirmed by the city council to perform the duties required to implement and administer the provisions of this chapter. The city forester shall have demonstrated education and/or professional experience necessary to fulfill the duties as assigned. A certified arborist is preferred, but not required, to fill the city forester position.

“Civic space” means an outdoor area permanently dedicated for public use. Civic space types are defined by the combination of certain physical conditions including their intended use, size, landscaping, and relationship to streets and buildings.

Civic space, Types Of.

1. Civic space, conservancy. “Conservancy” means a natural preserve available for unstructured recreation. A conservancy may serve an equally important role of preservation of critical areas, provision for wildlife corridors, stormwater management and other sustainability goals.
2. Civic space, green. “Green” means a civic space for unstructured recreation, social engagement, and community events. Greens are spatially defined by landscaping rather than buildings.
3. Civic space, square. “Square” means a civic space for unstructured recreation, social engagement, and community events. Squares are spatially defined streets and buildings and usually located at the center of a neighborhood.
4. Civic space, playground. “Playground” means a civic space designed and equipped for the recreation of children. Playgrounds may be located within a larger civic space or located independently.
5. Civic space, community garden. “Community garden” means a civic space used for the cultivation of fruits, vegetables, plants, flowers, and herbs by multiple users. Community gardens may be located within a larger civic space or located independently. Community gardens may be temporarily located on vacant parcels.

“Closed record hearing” means a hearing on the existing record. No new evidence may be presented at the hearing.

“Commercial” means a business use or activity at a scale greater than home occupation involving workplace, office, retail, wholesale, service, makerspace, and lodging.

“Community building” means a building that is owned in common by all residents of that community or neighborhood and may include a meeting room, laundry facilities, a dining area, kitchen and other shared facilities.

“Conditional use” means a use allowed in one or more zones which, because of characteristics peculiar to such use, the 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 permit in order to provide a particular degree of control to make such uses consistent and compatible with other existing or permissible uses in the same zone and mitigate adverse impacts of the use.

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

“Conference center” means a facility accommodating groups of persons for short periods for the purposes of seminars, workshops and related activities. No overnight accommodations are provided.

“Cottage housing” means a development comprised of at least four cottages (single-family dwelling units) arranged on at least two sides of a common open space with a maximum of 12 cottages per development.

“Coverage” means the total area of ground covered by all buildings or structures on a site measured from the outside of external walls or supporting members.

“Day care center” means a single purpose group child day care program, including nurseries for children of working parents, guardians and custodians; nursery schools for children under minimum age for education in public schools; privately conducted kindergartens when not a part of a public or parochial school; and programs covering after school care for school children, provided any such day care center is licensed by the state or county and conducted in accordance with state and local requirements.

“DBH” means the diameter of the tree at breast height.

“Demolition by neglect” shall mean deterioration of the building to the extent that it creates or permits a hazardous or unsafe condition. Deterioration of exterior walls or other vertical supports, horizontal members, roofs, chimneys, exterior wall elements such as siding, wooden walls, brick, plaster or mortar to the extent that it adversely affects the character of the historic district or could reasonably lead to irreversible damage to the structure.

“Density” means the maximum number of permitted dwelling units allowed on each acre of land or fraction thereof.

“Detached building” means a building surrounded on all sides by open space.

Development, Multifamily. “Multifamily development” means a development of three or more dwellings on the same property and designated for occupancy by three or more families living independently of each other in separate dwelling units. This includes tiny home (multifamily) as regulated in Section 18.22.290.

“Dwelling” means a building designed exclusively for residential purposes, including single-family, two-family (duplex) and multiple-family dwellings.

“Dwelling unit” means one or more rooms designed for or occupied by one family for living or sleeping purposes and containing kitchen facilities for use solely by one family. An efficiency apartment constitutes a dwelling unit within the meaning of this title.

#### Dwellings, Types Of.

1. Dwelling, Single-Family. “Single-family dwelling” means a detached building designed for occupancy by one family, providing complete housekeeping facilities for one family and

containing one dwelling unit. A manufactured home is considered a single-family dwelling when sited per manufactured home siting standards.

2. Dwelling, Townhouse. "Townhouse" means a building designed for occupancy by one family on an individually owned lot where the building abuts one or more lot lines and shares a common wall with an adjoining dwelling unit(s). Private open space is required. Also known as "rowhouse." A townhouse may include an accessory dwelling unit.
3. Dwelling, Two-Family (Duplex). "Two-family (duplex) dwelling" means a small- to medium-sized detached building designed for occupancy by two families living independently of each other and containing two dwelling units. Units may be side-by-side or stacked. This building type has the appearance of a medium to large single-family dwelling. Each unit has private open space.
4. Dwelling, Multifamily. "Multifamily dwelling" means a building or group of buildings on one lot, containing separate dwelling units for three or more families, having separate or joint entrances, and including apartments, group homes, row houses, townhomes, tiny homes, and condominiums. Multifamily dwelling units may or may not be attached. This does not include tiny homes on a lot with an existing single-family or two-family (duplex) dwelling.
5. Dwelling, Triplex. "Triplex" means a detached building designed for occupancy by three families living independently of each other and containing three dwelling units.
6. Dwelling, Cottage Court. "Cottage Court means a collection of small, detached dwellings on one lot, containing separate dwelling units for three or more families, having separate entrances and arranged around a shared open space.
7. Dwelling, Multifamily House. "Multifamily house" means a house-scaled building on one lot, containing separate dwelling units for more than three families. It may have a common shared entry, or private entries to each dwelling. Private open space is not required.
8. Dwelling, Multifamily Courtyard. "Multifamily courtyard" means three or more buildings on one lot, arranged around one or more courtyards and containing separate dwelling units for more than three families. Each unit may have a private entry from the street or a courtyard, or units may share a common entry. Private open space is not required.

"Easement" or "access" means a private right-of-way not less than 20 feet wide which provides vehicular access to a street.

"Electric scooters and motorcycles" means any two-wheel vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's batteries and produces zero emissions or pollution when stationary or operating.

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

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

"Electric vehicle charging station, public" means an electric vehicle charging station that is (1) publicly owned and publicly available (e.g., park and ride parking, public library parking lot, on-street parking) or (2) privately owned and publicly available (e.g., shopping center parking, nonreserved parking in multifamily parking lots).

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

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

“Encroach” means to break the plane of a regulatory limit with a structural element, so it extends into a setback or into the right-of-way.

“Encroachment” means any structural element that encroaches.

“Essential public facilities” means airports, sewage treatment plants, jails, and power plants.

“Events or commercial functions” include banquets, parties, weddings, meetings, charitable fundraising, commercial or advertised activities or gatherings for direct or indirect compensation.

“Facade” means any exterior wall of a structure including projections from and attachments to the wall (examples: decks, balconies, porches and chimneys).

“Family” means an individual or two or more persons customarily living together as a single housekeeping unit and using common cooking facilities.

“Fence” means a masonry wall, or a barrier composed of posts connected by boards, rails, panels or wire, for the purpose of enclosing space or separate parcels of land, but not including retaining walls.

“Floor area” means the total number of square feet of habitable floor area measured at the floor line of each floor. The floor area of a single-family or two-family dwelling shall include:

1. The principal building, including attached accessory structures, used as or convertible to habitable space. Detached accessory structures are not included in the floor area.
2. One-half of the total area of a daylight basement.
  1. “Habitable floor area,” for the purposes of floor area calculations, shall mean the gross building square footage, less the floor area dedicated to walls, stairways, and bathrooms.
  3. “Attached accessory structure” means those structures that are directly connected to the principal building and share a warm wall with the principal building.

“Foster home” means a home licensed and regulated by the state and classified by the state as a foster home, providing care and guidance for not more than three unrelated juveniles.

“Frontage” means the building facade, including any attachment such as a porch or awning.

“Garage” means an accessory building or space within the principal building used for storage of vehicles.

“Garage, parking or commercial” means a building used for storage, repair or servicing of motor vehicles as a commercial use.

“Grade” means the average of the existing or finished ground level, whichever is lower, at the center of all walls of a building or beneath the proposed structure, whichever is applicable. The following items are exempt when making height determinations:

1. Radio and television aerials and flagpoles.
2. Other Features. Open rails, planters, skylights and chimneys may exceed the height limits by four feet or may extend four feet above the ridge of a pitched roof.

2. Wireless communication antenna arrays up to a height of 15 feet from the highest point of the roof.

“Green building system” means (1) equipment that converts, stores, or transfers (or combination thereof) energy from a renewable energy source, including equipment used to support solar collectors, small wind energy systems, heat pump systems, waste heat recovery systems, and biomass systems, or (2) equipment that stores and treats (if necessary) rainwater, grey water or both, on site.

“Green roof” means a roofing system that utilizes vegetation over a roof membrane to minimize stormwater runoff and reduce heat absorption.

“Green wall” means a permanent or temporary structure affixed to a building wall used for growing and cultivating edible and ornamental plants.

“Guest” means an overnight occupant renting the short-term rental for a specified period of one night and no longer than 30 days, and visitors of the overnight occupants.

“Hazard tree” means any tree, or part thereof, that the city forester or a certified arborist determines is subject to a high probability of failure, due to structural defect or disease, and which poses a potential threat to people or property in the event of failure. The determination of “hazard” does not require the judgment that a tree is in danger of imminent failure.

“Hazardous waste” means all dangerous and extremely hazardous waste as defined in RCW 70.105.010(15), or its successor, except for moderate risk waste as set forth in RCW 70.105.010(17), or its successor.

“Hazardous waste storage” means the holding of hazardous waste for a temporary period, as regulated by the State Dangerous Waste Regulations, Chapter 173-303 WAC, or its successor.

“Hazardous waste treatment” means the physical, chemical or biological processing of hazardous waste for the purpose of rendering these wastes nondangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume, as required by the State Dangerous Waste Regulations, Chapter 173-303 WAC, or its successor.

“Hazardous waste treatment storage facility, on site” means treatment and storage facilities which treat and store hazardous wastes generated on the same property.

“Hearing body” means any agency of the city that has been designated by this code to conduct hearings. “Hedge” means a fence or boundary formed by a dense row of shrubs or low trees.

“Home day care” means a dwelling which provides regular custodial care for one to six children or adults, including all children under six years of age residing within the dwelling where day care services are conducted, for periods of less than 24 hours.

“Home occupation” means an economic enterprise operated within a dwelling unit, or buildings accessory to a dwelling unit, incidental and secondary to the residential use of the dwelling unit, the occupation is carried on by a member of the family residing within the dwelling place, and does not change the character of the dwelling.

“Hospital” means a building designed and used for medical and surgical diagnosis, treatment and housing of persons under the care of doctors and nurses.

“Hotel” means any building containing six or more guest rooms where lodging, with or without meals, is provided for compensation, where no provisions are made for cooking in any individual room or suite.

“Impervious surface” means surfaces that do not absorb water. Examples of such surfaces include buildings and parking areas, roads, sidewalks or driveways of concrete or asphalt.

“In-home family day care” means a residential dwelling providing in-home care for 12 or fewer children and licensed by the state of Washington.

“Institution” means structure(s) and related grounds used by organizations providing educational, medical, social, cultural and recreational services to the community, such as hospitals, vocational or fine arts schools, colleges and universities, elementary and secondary schools, community centers, religious facilities, museums and performing arts centers.

“Lane” means an access easement, designated to be a secondary means of vehicular access to the rear or side of lots. Lanes provide access to garages, service areas, and parking, and they contain utility easements. Lanes may be paved lightly to driveway standards. The streetscape consists of gravel or landscaped edges, swales, and it is drained by percolation. Also known as “alley.”

“Licensed premises” means any establishment licensed to sell alcoholic beverages for consumption on the premises at any time.

“Liquor bar” means a table or counter where alcohol is stored or prepared and served to customers who sit or stand at the bar. Liquor bars can only be in lounges or in premises where minors are not allowed at any time.

“Live-work” means a mixed-use building consisting of a commercial and a residential use. The commercial use may be anywhere in the building and is frequently on the ground floor at the street.

“Long-term rental” means the rental of a room or dwelling unit for residential use for a period of more than 30 days.

“Lot” means an area or parcel of land as shown on an officially recorded plat or subdivision, or an area or parcel of land to which a deed or contract is officially recorded as a unit of property, or which is described by metes and bounds or as a fraction of a section.

“Lot coverage” means any surface artificially covered or hardened so as to prevent or impede the percolation of water into the soil including, but not limited to, roof tops, paved areas, swimming pools, and decks.

“Lot coverage” for the purposes of Chapter 26 of this code, means the percentage of a lot that is covered by buildings and other roofed structures.

“Lot line” means any line enclosing the lot area.

Lot Line, Rear. “Rear lot line” means the lot line which is opposite and most distant from the street lot line; provided, however, that where, under this definition, a particular parcel or lot would have more than one rear lot line, the city building official shall determine which lot line shall be considered as the rear lot line for purposes of this title.

Lot Line, Side. “Side lot line” means any lot line that is not a street or rear lot line. Lot Line, Street. “Street lot line” means any lot line that abuts a street.

Lot, Through. “Through lot” means a lot fronting on two streets that is not a corner lot.

“Lot width” means the distance between the side lot lines measured at right angles to the line establishing the lot depth at a point midway between the front lot line and the rear lot line. Any area used as an access easement shall be excluded from the computation of the lot width.

“Lounge” means the portion of a restaurant or other principal use that is used primarily for the preparation, sale, and service of beer, wine, or spirits. Minors are not allowed in a lounge.

“Makerspace” means the shared or individual use of hand-tools, mechanical tools and electronic tools for the manufacture of finished products or parts including design, processing, fabrication, assembly, treatment, and packaging of products; as well as the incidental storage, sales and distribution of such products. Typical artisan manufacturing uses include, but are not limited to electronic goods, food and bakery products; beverages; printmaking; household appliances; leather products; jewelry and clothing/apparel; metal work; furniture; glass or ceramic production; paper manufacturing.

“Main civic space” means the primary outdoor gathering space for a PUD.

“Manufactured home” means a structure, transportable in one or more sections from its manufacturer, retailer or wholesaler to its destination, designed primarily for residential occupancy by human beings, and built to Uniform Building Code standards.

Manufactured Home Siting Standards. A manufactured home is permitted to be placed within any residential zone that permits single-family homes, provided the following conditions are met:

1. The home must be placed on a permanent foundation;
2. If applicable, skirting must be provided;
3. All requirements of this title and other applicable regulations must be met.

“Medical-dental clinic” means an establishment for treatment of outpatients, and providing no overnight care for patients.

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

“Mixed use” means a development involving a combination of uses including residential and commercial. Typically, a mixed use project may have commercial uses at street level with residential uses in the second floor.

“Mobile home” means a vehicle bearing the “mobile home” insignia of the Washington State Department of Labor and Industries.

“Modulation” means a stepping back or projecting forward of sections of the facade of a structure within specified intervals of structure width and depth, as a means of breaking up the apparent bulk of the continuous exterior walls.

“Motel” means a building containing units which are used as individual sleeping units having their own private toilet facilities and sometimes their own kitchen facilities, designed primarily for the accommodation of transient automobile travelers. Accommodations for trailers are not included.

“Native plant” means plants and trees that occur naturally in a particular region, ecosystem, or habitat without direct or indirect human intervention.

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

“Night club” shall mean any alcoholic beverage sales commercial activity which engages in the sale of alcoholic beverages in conjunction with providing live entertainment (including the playing of recorded music) or dancing between the hours of 6:00 p.m. to 2:00 a.m. regardless of whether such establishment is simultaneously offering restaurant meal service.

“Nonconforming lot” means a lawfully established lot which does not conform to the provisions of this title.

“Nonconforming structure” means a lawfully erected structure which does not conform to the provisions of this title.

“Nonconforming use” means a lawfully established use which does not conform to the provisions of this title.

“Nonelectric vehicle” means any motor vehicle that does not meet the definition of “electric vehicle.”

“Nursing or convalescent facility” means a facility licensed by the state which provides full-time special care and supervision, including nursing, dietary and other personal services for chronically ill, aged or infirm persons. Such care shall not include surgical, obstetrical or acute illness services which are customarily provided in hospitals.

“Office” means a building or separately defined space within a building used for business. The use of an office does not include on-premises sales or manufacture of goods.

“Open space” means any part of a lot unobstructed by structures from the ground upward.

“Owner” means any person who, alone or with others, has title or interest in any building property, dwelling unit, or portion thereof, with or without accompanying actual possession thereof, and including any person who as agent, or executor, administrator, trustee, or guardian of an estate has charge, care, or control of any building dwelling unit, or portion thereof. For purposes of Chapter 5.40 and Sections 18.22.070 and 18.22.080, a person whose sole interest in any building, dwelling unit, or portion thereof is solely that of a lessee under a lease agreement shall be considered an owner.

“Parking facility” means a land area or building used for the storage of vehicles excluding parking areas for single-family residences.

“Parking space” means an area accessible to vehicles and used exclusively or principally for vehicle storage.

“Party of record” means any person who has submitted oral or written comments on a permit subject to the regulations of this chapter.

“Person” means any person, firm, business, corporation, partnership or other association or organization, marital community, municipal corporation, governmental agency or partnership and its agents or assigns.

“Personal service” means businesses engaged in providing care of the corporeal person or his apparel, not including health care.

“Plug-in hybrid electric vehicle (PHEV)” means an electric vehicle that (1) contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor; (2) charges its battery primarily by connecting to the grid or other off-board electrical source; (3) may additionally be able to sustain battery charge using an on-board internal-combustion-driven generator; and (4) has the ability to travel powered by electricity.

“Primary or principal use” means the predominant use of the land or building to which all other uses are secondary.

“Primary residence” means a person’s usual place of return for housing where one makes their home and conducts their daily affairs, including, without limitations, paying bills and receiving mail. A primary residence is generally the dwelling unit with the residential address used on documentation related to identification, taxation and insurance purposes, including, without limitation, income tax returns, medical service plans, voter registration, pay check stubs, lease or rental agreement, mortgage agreements, bank statements, driver’s licenses, valid state identifications, and/or vehicle registrations.

“Private parking” means parking facilities for the noncommercial use of the occupant and guests of the occupant.

“Public facility” means land or structures owned by or operated for the public use and necessity. “Public hearing” means an open record hearing at which evidence is presented and testimony is taken.

“Public space” means a space that is open and accessible to all and may be used for a variety of purposes including active or passive recreation, socialization, entertainment, cultural events, commerce or travel. If space is for passive recreation, it must have amenities for people such as places to sit, public art and trash receptacles.

“Rapid charging station” means an industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels and that 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.

“Recorded” means filed for the purpose of record with the auditor of the county.

“Recreational vehicle (RV)” means any motor home, vacation trailer, camping trailer, camper, conversion van, or makeshift vehicle capable of movement on a roadway, which will afford a degree of shelter for humans.

“Restaurant” means an establishment with special space and accommodations where, in consideration of payment, food, without lodgings, is habitually furnished to the public.

“Retreat center” means a facility similar to a conference center but providing overnight accommodations only for participants in the center’s activities.

“Rezone” means a change in classification from one zoning district to another.

“Screen, screening” means a continuous fence, hedge or combination of both which obscures vision through 80 percent or more of the screen area, not including drives or walkways.

“Secondary use” means a use subordinate to the principal or primary use which may exist only when a principal or primary use is existing on the same lot. The floor area of a secondary use must be less than that devoted to the principal or primary use.

“Semi-public space” means outdoor space that is privately owned but is open and accessible to all. However, it may be restricted to those utilizing a good or service. Examples include outdoor restaurant seating, entertainment venues and seating areas. Space restricted to hotel/motel patrons does not qualify as semi-public space. If space is for passive recreation, it must have amenities for people such as places to sit, public art and trash receptacles.

“Senior retirement facility” means a residential facility designed for and occupied by at least one person per unit who is 65 years or older, providing centralized services for the residents, including but not limited to meals, housekeeping, and transportation. Individual cooking facilities are not provided and personal vehicles are discouraged.

“Sensitive areas” are identified and defined in Chapter 16.20.

“Service area” means the area of a licensed premises where customers may order and consume alcoholic beverages.

“Service station” means a place used for the repair, servicing and/or supplying of gasoline and oil for motor vehicles.

“Setback” means the minimum distance required by this title for buildings and/or other structures to be set back from the street, side or rear lot lines, rights-of-way or access easements.

“Setback” for the purposes of Chapter 26 of this code, means both the minimum and maximum distances required for structures and parking to be set back from lot lines.

“Setback area” means the lot area between the lot lines and the setback lines.

“Setback line” means a line which is parallel to a lot line or access easement located at the distance required by the setback.

“Short-term rental” or “STR” means a lodging use, other than a hotel or motel, in which a dwelling unit or portion thereof or accessory dwelling unit is provided to guests by a short-term rental operator for a fee for fewer than 30 consecutive nights. A dwelling unit or portion thereof that is used by the same individual or individuals for 30 or more consecutive nights is not a short-term rental.

“Short-term rental – hosted” means a short-term rental where the owner with the majority interest in the residential property, or an owner holding an equal shared interest if no other owner owns a greater interest or a lessee acting as a resident STR manager, occupies the dwelling unit or accessory dwelling unit as his or her principal residence and offers the dwelling or a habitable portion thereof for the short-term rental by others, and is generally present during the occupancy.

“Short-term rental – non-hosted” means a dwelling unit, accessory dwelling unit or portion thereof, that is offered as a short-term rental where the owner or shared ownership interest does not occupy the dwelling or accessory dwelling unit offered for short-term rental.

“Short-term rental manager” or “STR manager” means a person or company responsible for the day-to-day operation of the short-term rental. STR managers may be professional property managers, realtors, property owners or other designated persons. STR manager information must be kept up to date and must be identified on the city business license and short-term rental license.

“Sign” means a structure or graphic display designed to inform or attract the attention of persons not on the premises on which the sign is located.

“Sign area” means the area of the smallest rectangle that can be drawn around all parts of the sign from the viewpoint exposing the largest surface area, excluding simple support structures. Sign supporting structures which are part of the sign display shall be included in the area of the rectangle.

“Sign face” means any side of a sign which contains advertising or graphic display which is visible to the public.

Sign, Freestanding. “Freestanding sign” means any sign not attached to a building.

Sign, Off-Site. “Off-site sign” means a permanent sign not located on the same lot as the business or use it is intended to serve.

Sign, Permanent. “Permanent sign” means a sign nailed, glued, screwed or similarly fastened to foundation systems capable of holding it in position.

Sign, Temporary. “Temporary sign” means a sign or advertising display intended to be displayed for a fixed event and not permanently affixed to a structure or the ground.

“Significant tree” means any living woody perennial plant characterized by a main stem or trunk having many branches and having a diameter of 12 inches or more measured at breast height. For bifurcated or multi-trunked trees, the diameters of the individual stems are added together to determine if a tree meets the 12-inch minimum diameter to qualify as a significant tree.

“Single-family dwelling” means a building containing only one dwelling unit.

“Site plan” or “binding site plan” means a scale drawing which identifies and shows areas and locations of all streets, roads, improvements, utilities, open spaces and other information specified in this title. The

binding site plan shall contain inscriptions or attachments setting forth the limitations and conditions established by the city and the provisions for ensuring development in conformance with the site plan.

“Small wind energy system” means the use of land, buildings, or structures for a wind energy conversion system consisting of a wind turbine, associated structures and mechanical devices with a nameplate rated capacity of not more than five kilowatts.

“Solar collector” means a piece of equipment designed to absorb solar radiation as a source of energy for generating electricity (solar photovoltaic) or heating (solar thermal system).

“Street” means the public or private right-of-way or easement which provides vehicle access to abutting property.

“Street lot line” means the boundary between the street right-of-way and abutting property.

“Street setback” or “front yard setback” means the minimum distance required for buildings to be set back from the street lot line. Street setbacks apply to both public and private streets. For corner lots, the street setback applies to both streets. For through lots, the street setback applies to either frontage. The planning official shall have the authority to reduce street or front yard setbacks for corner lots or through lots by up to 50 percent, upon a finding that such reduction is consistent with the intent of this code.

“Structure” means a combination of materials constructed and erected permanently on the ground or attached to something having a permanent location on the ground, not including utility poles and related pad-mounted or ground-mounted distribution equipment, residential fences less than six feet high, retaining walls, rockeries and other similar improvements of a minor character less than four feet high.

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

“Tavern” means an establishment with special space and accommodation for sale by the glass and for consumption on the premises of beer, as herein defined.

“Temporary building or structure” means a building or structure not having or requiring permanent attachment to the ground or to other structures which have no required permanent attachment to the ground.

“Tiny home” means a small dwelling unit on a foundation with a minimum size of 150 square feet and no more than 400 square feet of habitable floor area and shall comply with all applicable building design regulations stated in this code, as well as those regulations adopted by reference herein. A tiny home may be an accessory dwelling unit and shall comply with all regulations for accessory dwelling units. Tiny homes that meet all applicable regulations may be utilized as the following:

1. Tiny homes as a single-family dwelling unit. See Chapters 18.06, 18.07 and 18.08.
2. A tiny home may be used as an accessory dwelling unit on the same lot as a single-family or duplex residence and shall comply with all regulations for accessory dwelling units. See Section 18.22.155.
3. Tiny home (multifamily). See Section 18.22.290.

Townhouse. See the definition of “dwelling, single-family (attached).”

“Use” means the purpose which land or structures now serve or for which it is occupied, maintained, arranged, designed or intended.

“Variance” means a modification of the terms of this title granted to a particular property.

“Vehicle” means a transportable device designed to carry passengers or goods or perform work in motion.

“Wellness retreat” means a facility intended to provide a broad range of wellness activities or services within a single compound. Accessory uses for a wellness retreat may include lecture halls, medical clinics, lodging, restaurant, or event space. If located in the RS15000 zone, a wellness retreat shall be located on a lot of not less than five acres of land, and shall include a buffer of not less than 100 feet from any lot with an existing dwelling.

“Winery” means a business licensed by the state of Washington that makes and sells wine at wholesale or retail, and includes an on-site location for consumer tasting and purchase.

“Wireless communications antenna array” means one or more rods, panels, discs or similar devices used for the transmission or reception of radio frequency signals through electromagnetic energy, which may include:

1. Antennas equal to or less than 15 feet in height; and
2. Parabolic antennas equal to or less than 39.37 inches (one meter) in diameter with an area not more than 50 square feet in aggregate.

“Wireless communications facility” means any unstaffed facility for the transmission and/or reception of radio frequency signals through electromagnetic energy, usually consisting of an equipment shelter or cabinet, a support structure used to achieve the necessary elevation, and the transmission and reception devices or antennas.

“Wireless communications service” means the providing or offering for rent, sale or lease, or other value received, the transmittal of information between or among points by satellite or similar facilities, with or without benefit of any closed transmission medium.

“Workforce housing” means housing that is affordable for households with incomes between 80 percent and 120 percent (or less) of the area median income (AMI), regardless of tenure.

“Yard” means the lot area between lot lines and the building area.

Yard, Front. “Front yard” means the area between the street lot line and the building line extending the full width of the lot or the street setback area.

Yard, Rear. “Rear yard” means the area between the rear lot line and the building area extending the full width of the lot or the rear setback area.

Yard, Side. “Side yard” means the side setback area between the side lot lines and the building area, extending the full length of the building area.

“Zone” or “zone district” means a defined area of the city within which the use of land is regulated and certain uses permitted and other uses excluded as set forth in this title. (Ord. 1058 § 7 (Exh. G), 2019; Ord. 1051 § 2 (Exh. B), 2019; Ord. 1045 § 1, 2018; Ord. 1023 § 2, 2015; Ord. 1022 (Exh. A), 2015; Ord. 1016 § 2, 2015; Ord. 1005 § 3, 2014; Ord. 1004 § 4 (Exh. E), 2014; Ord. 989 § 2, 2013; Ord. 967 § 1, 2012; Ord. 963 § 1, 2011; Ord. 914, 2008; Ord. 820, 2002; Ord. 799, 2001; Ord. 798, 2001; Ord. 788, 2000; Ord. 771, 1999; Ord. 754, 1997; Ord. 733, 1997; Ord. 730, 1996; Ord. 714, 1996; Ord. 703, 1995; Ord. 696, 1995; Ord. 687, 1994; Ord. 527, 1989)