



MONROE CITY COUNCIL

Agenda Bill No. 19-136

SUBJECT:	Ordinance No. 013/2019, Adopting MMC Chapter 22.12, Definitions, related to Title 22, Unified Development Regulations; First/Final Reading
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DATE:	DEPT:	CONTACT:	PRESENTER:	ITEM:
06/11/2019	Community Development	Ben Swanson	Ben Swanson	Final Action #2

Discussion: 02/13/2018; 08/21/2018; 12/04/2018; 04/09/2018; 04/16/2019; 4/23/2019; and 6/11/2019

Public Hearing: **Planning Commission:** 02/25/2019; 03/11/2019; 03/25/2019

Attachments: 1. Proposed Ordinance No. 013/2019

REQUESTED ACTION:
<ul style="list-style-type: none"> a. Move to waive Council Rules of Procedure requiring two readings of ordinances. b. Move to adopt Ordinance No. 013/2019, amending Monroe Municipal Code Title 22, Unified Development Regulations; adding new MMC Chapter 22.12, Definitions, to rectify their omission from Ordinance No. 005/2019, which adopted and codified MMC Title 22; providing for severability; and establishing an effective date

POLICY CONSIDERATIONS

The Washington State Growth Management Act (GMA) mandates in RCW 36.70A.130(4)(a) that a periodic comprehensive plan review and update be conducted every eight years. The City adopted the 2015-2035 City of Monroe Comprehensive Plan on December 8, 2015. Pursuant to RCW 36.70A.040(3), a jurisdiction that is required to plan, “shall adopt...development regulations that are consistent with and implement the comprehensive plan.” The adopted comprehensive plan created new future land use designations (institutional, shoreline industrial, tourist commercial, and transportation), and eliminated previously adopted land use designations (professional office and service commercial). Additionally, policies regarding maximum residential density in the comprehensive plan were revised to generally increase density. The prior development regulations found in Monroe Municipal Code (MMC) Titles 17 through 21 were updated for consistency with the adopted comprehensive plan. Furthermore, the UDR simplified development regulations and streamlined the City’s development process, resulting in a more “user-friendly” code. The City Council adopted the Unified Development Regulations on April 23, 2019, and they went into effect on May 1, 2019. This action adopts Chapter 22.12 MMC, Definitions, which was inadvertently omitted from Ordinance 005/2019.

DESCRIPTION/BACKGROUND

To develop a consolidated land use code that is consistent with and more effectively implements the adopted 2015-2035 Comprehensive Plan, the City adopted new development regulations to take the place of the existing development code in Monroe Municipal Code (MMC) Titles 17, 18, 19, 20, and 21. After a public hearing was held by the Planning Commission on February 25, 2019 (continued to March 11, 2019 and March 25, 2019), the Commission’s recommendation to adopt the UDR was forwarded to the City Council for review. On April 23, 2019, the City Council voted to repeal and replace Titles 17 through 21 with one comprehensive title known as the Unified Development Regulations (UDR). Chapter 22.12 MMC, Definitions, was inadvertently

omitted from the Council packet on April 23, 2019. The proposed amendments would rectify this error by codifying Chapter 22.12 MMC, as was intended when the UDR was originally adopted.

FISCAL IMPACTS

N/A

TIME CONSTRAINTS

These amendments must be processed as soon as possible to include definitions in the codified version of the City's development regulations (Title 22).

ALTERNATIVES

1. Extend discussion and continue to a future meeting.
2. Provide direction to the Mayor, City Staff, and the Planning Commission to return at a specified date for a subsequent update.

**CITY OF MONROE
ORDINANCE NO. 013/2019**

AN ORDINANCE OF THE CITY OF MONROE,
WASHINGTON, AMENDING MONROE MUNICIPAL CODE
TITLE 22, UNIFIED DEVELOPMENT REGULATIONS;
ADDING NEW MMC CHAPTER 22.12, DEFINITIONS TO
RECTIFY THEIR OMISSION FROM ORDINANCE
NO. 005/2019, WHICH ADOPTED AND CODIFIED MMC
TITLE 22; PROVIDING FOR SEVERABILITY; AND
ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City regulates the use and development of land through provisions in the Unified Development Regulations, codified in Title 22 of the Monroe Municipal Code; and

WHEREAS, the Washington State Growth Management Act (GMA) mandates in RCW 36.70A.130(4)(a) that a periodic comprehensive plan review and update be conducted every eight years, which led to the adoption of the 2015-2035 City of Monroe Comprehensive Plan on December 8, 2015; and

WHEREAS, pursuant to RCW 36.70A.040(3), a jurisdiction that is required to plan, “shall adopt...development regulations that are consistent with and implement the comprehensive plan;” and

WHEREAS, to develop a consolidated land use code to ensure the city of Monroe Municipal Code’s compliance with the City’s Comprehensive Plan and the Growth Management Act, and to simplify and streamline the City’s development process, resulting in a more “user-friendly” code is consistent with and more effectively implements the adopted 2015-2035 Comprehensive Plan, the City drafted new Unified Development Regulations to replace the existing development regulations in Titles 17 through 21; and

WHEREAS, prior to commencing the UDR process, the City provided notice of the proposed code amendments to all Monroe property owners on file with the Snohomish County Assessor’s Office: and

WHEREAS, to introduce the proposed amendments and promote public participation, the City held an open house on October 23, 2017; and

WHEREAS, the Planning Commission held forty-five study sessions during regular and special meetings between October 9, 2017, and January 28, 2019, to discuss the proposed development regulations and provide direction; and

WHEREAS, an analysis of the environmental impacts of the amendments was conducted under the State Environmental Policy Act (SEPA), resulting in the issuance of a SEPA Determination of Non-Significance (DNS) on January 26, 2019, with no comments or appeals received; and

WHEREAS, on January 31, 2019, pursuant to RCW 36.70A.106, the proposed amendments were transmitted to the Washington State Department of Commerce for state agency review with the City requesting expedited review, which was granted on March 19, 2019; and

WHEREAS, the Monroe Planning Commission held a duly noticed public hearing on February 25, 2019, which was continued to March 11, 2019, and March 25, 2019, to accept public testimony on the proposed Unified Development Regulations; and

WHEREAS, at the conclusion of the public hearing on March 25, 2019, the Planning Commission voted unanimously to recommend approval of the proposed Title 22, Unified Development Regulations; and

WHEREAS, the Monroe City Council conducted a first reading of the proposed ordinance on April 9, 2019, and a final reading on April 23, 2019, to discuss the proposed Unified Development Regulations at duly noticed public meetings; and

WHEREAS, on April 23, 2019, the City Council adopted Ordinance No. 005/2019 to repeal Titles 17 through 21, which comprise the City's existing development regulations, and replace them with one comprehensive title known as the Unified Development Regulations (UDR); and

WHEREAS, following adoption of Ordinance No. 005/2019, it was discovered that proposed Chapter 22.12 MMC, Definitions, which was vetted concurrently with the rest of the Unified Development Regulations, was inadvertently omitted from the adopted ordinance; and

WHEREAS, the City Council wishes to adopt the amendments to Title 22 set forth herein to rectify the omission of Chapter 22.12 MMC, Definitions, by adding it to the Unified Development Regulations.

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

Section 1. Findings. The above recitals, together with the content of Agenda Bill No. 19-135, are hereby adopted as legislative findings in support of this ordinance. The Monroe City Council further finds as follows:

A. The Planning Commission held a public hearing on the substance of this ordinance on February 25, 2019, which was continued to March 11, 2019, and March 25, 2019, and recommended adoption to the City Council.

B. The City is authorized by State law, including but not limited to Chapter 35A.63 RCW, Chapter 36.70A RCW, Chapter 36.70B RCW and Chapter 58.17 RCW, to adopt local regulations governing the use, development and of land, as well as local procedures therefore.

C. The regulations set forth in this ordinance have been processed and considered by the City in material compliance with all applicable procedural requirements, including but not limited to requirements related to public notice and comment.

D. All relevant requirements of SEPA have been satisfied with respect to this ordinance.

E. The City Council has carefully considered, and the regulations set forth in this ordinance satisfy the review requirements and criteria set forth in Title 22 MMC. In adopting this ordinance, the City considered and was guided by the applicable GMA planning goals enumerated at RCW 36.70A.020.

F. The regulations set forth in this ordinance are consistent with and will implement the City's Comprehensive Plan, and will meet the requirements and intent of the MMC.

O. The regulations set forth in this ordinance are beneficial to the public health, safety, and welfare, and are in the public interest.

Section 2. Amendment of MMC Title 22 - Adoption of New Chapter 22.12.
Monroe Municipal Code Title 22, Unified Development Regulations, is hereby amended to include a new Chapter 22.12, Definitions, to provide in full as follows:

CHAPTER 22.12
DEFINITIONS

Sections:

22.12.005 Applicability – Construction.

22.12.010 A Definitions.

22.12.020 B Definitions.

22.12.030 C Definitions.

22.12.040 D Definitions.

22.12.050 E Definitions.

22.12.060 F Definitions.

22.12.070 G Definitions.

22.12.080 H Definitions.

22.12.090 I Definitions.

22.12.100 J Definitions.

22.12.110 K Definitions.

22.12.120 L Definitions.

- 22.12.130 M Definitions.
- 22.12.140 N Definitions.
- 22.12.150 O Definitions.
- 22.12.160 P Definitions.
- 22.12.170 Q Definitions.
- 22.12.180 R Definitions.
- 22.12.190 S Definitions.
- 22.12.200 T Definitions.
- 22.12.220 U Definitions.
- 22.12.220 V Definitions.
- 22.12.230 W Definitions.
- 22.12.240 X Definitions.
- 22.12.250 Y Definitions.
- 22.12.260 Z Definitions.

22.12.005 Applicability – Construction.

Definitions, words and terms in this chapter are included because of special or particular meanings as they are used in these regulations.

In the construction of these zoning regulations, the definitions contained in this chapter shall be observed and applied, except when the context clearly indicates otherwise.

Words used in the present tense shall include the future; words used in the singular shall include the plural, and the plural shall include the singular. The word “shall” is mandatory and not discretionary. The word “may” is permissive.

22.12.010 A Definitions.

<u>Abandoned sign</u>	<u>A sign that no longer correctly directs or exhorts any person nor advertises a bona fide business, lessor, owner, product or activity conducted or available on the premises whereon such sign is located.</u>
<u>Abandonment</u>	<u>To cease operation for a period of sixty or more consecutive days.</u>
<u>Access road</u>	<u>A driveway that may provide access to more than one parking lot or area, may provide access to more than one property or lot, and may provide internal access from one street to another.</u>
<u>Accessory structure</u>	<u>A detached, subordinate structure, the use of which is clearly incidental and related to that of the principal structure or use of the land, and which is located on the same lot or adjacent lot as that of the principal structure consistent with this Title.</u>
<u>Accessory use</u>	<u>A use incidental and subordinate to the principal use and located on the same lot or in the same building as the principal use. Specific accessory uses for each zoning district are addressed in MMC 22.16 through 22.36.</u>
<u>Actions</u>	<u>Includes: A. New and continuing activities (including projects and programs) entirely or partly financed, assisted, conducted, regulated, licensed, or approved by agencies;</u>

	<p><u>B. New or revised agency rules, regulations, plans, policies, or procedures; and</u></p> <p><u>C. Legislative proposals. Actions fall within one of two categories, project actions and nonproject actions. Actions do not include the activities listed above when an agency is not involved. Actions do not include bringing judicial or administrative civil or criminal enforcement actions.</u></p>
<u>Active fault</u>	<u>A fault that is considered likely to undergo renewed movement within a period of concern to humans. Faults are commonly considered to be active if the fault has moved one or more times in the last ten thousand years.</u>
<u>Addendum</u>	<u>An environmental document used to provide additional information or analysis that does not substantially change the analysis of significant impacts and alternatives in the existing environmental document. The term does not include supplemental EISs. An addendum may be used at any time during the SEPA process.</u>
<u>Address sign</u>	<u>Any sign of a noncommercial nature stating the address of the structure upon which said sign is located.</u>
<u>Adjacent</u>	<p><u>Immediately adjoining (in contact with the boundary of the influence area) or within a distance less than that needed to separate activities from critical areas to ensure protection of the functions and values of the critical areas. "Adjacent" shall mean any activity or development located:</u></p> <p><u>A. On a site immediately adjoining a critical area; or</u></p> <p><u>B. A distance equal to or less than the required critical area buffer width and building setback.</u></p>
<u>Administrator</u>	<u>The administrator shall be the director of community development or his/her designated representative.</u>
<u>Adoption</u>	<u>An agency's use of all or part of an existing environmental document to meet all or part of the agency's responsibilities under SEPA to prepare an EIS or other environmental document.</u>
<u>Adult family home</u>	<u>A residential home in which a person or persons provide personal care, special care, room and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services.</u>
<u>Advertising sign</u>	<u>A sign that directs attention to a business, profession, commodity, service, or entertainment conducted, sold, or offered upon the premises where such sign is located, or to which it is affixed.</u>
<u>Advertising vehicle</u>	<u>Any vehicle or trailer on a public right-of-way or public property or on private property so as to be visible from a public right-of-way which has attached thereto, or located thereon, any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business activity located on the same property or nearby property or any other premises. The vehicle must be used primarily for the purpose of advertising, as opposed to serving some other function such as delivery of goods or services or transport.</u>

<u>Affected employee</u>	<u>A full-time employee who begins his or her regular workday at a major employer work site between six a.m. and nine a.m. (inclusive) on two or more weekdays for at least twelve continuous months, who is not an independent contractor, and who is scheduled to be employed on a continuous basis for fifty-two weeks for an average of at least thirty-five hours per week.</u>
<u>Affected tribe or Treaty tribe</u>	<u>Any Indian tribe, band, nation or community in the state of Washington, that is federally recognized by the United States Secretary of the Interior and that will or may be affected by the proposal.</u>
<u>Affected urban growth area</u>	<u>Includes: A. An urban growth area, designated pursuant to RCW 36.70A.110, whose boundaries contain a state highway segment exceeding the one hundred persons per hours of delay threshold calculated by the Washington State Department of Transportation, and any contiguous urban growth areas; and B. An urban growth area, designated pursuant to RCW 36.70A.110, containing a jurisdiction with a population over seventy thousand that adopted a commute trip reduction ordinance before the year 2000, and any contiguous urban growth areas; or C. An urban growth area identified by the Washington Department of Transportation as listed in WAC 468-63-020(2)(b).</u>
<u>Affecting</u>	<u>Having, or may be having, an effect on (see WAC 197-11-752 on impacts). For purposes of deciding whether an EIS is required and what the EIS must cover, "affecting" refers to having probable, significant adverse environmental impacts (RCW 43.22C.031 and 43.22C.110 (1)(c)).</u>
<u>Affiliate</u>	<u>A person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with another person.</u>
<u>A-frame sign</u>	<u>A temporary portable two-faced board style sign that is readily movable and has no permanent attachment to a building, structure, or the ground.</u>
<u>Agency</u>	<u>Any state or local governmental body, board, commission, department, or officer authorized to make law, hear contested cases, or otherwise take the actions stated in WAC 197-11-704, except the judiciary and state legislature. An agency is any state agency (WAC 197-11-796) or local agency (WAC 197-11-762).</u>
<u>Agency with environmental expertise</u>	<u>An agency with special expertise on the environmental impacts involved in a proposal or alternative significantly affecting the environment. These agencies are listed in WAC 197-11-920; the list may be expanded in agency procedures (WAC 197-11-906). The appropriate agencies must be consulted in the environmental impact statement process, as required by WAC 197-11-502. If a specific agency has been named in these rules, and the functions of that agency have changed or been transferred to another agency, the term shall mean any successor agency. For those proposals requiring a hydraulic project approval under RCW 75.20.100, both the department of game and the department of fisheries shall be considered agencies with jurisdiction.</u>
<u>Agency with jurisdiction</u>	<u>An agency with authority to approve, veto, or finance all or part of a nonexempt proposal (or part of a proposal). The term does not include an agency authorized to adopt rules or standards of general applicability that could apply</u>

	<u>to a proposal, when no license or approval is required from the agency for the specific proposal. The term also does not include a local, state, or federal agency involved in approving a grant or loan, that serves only as a conduit between the primary administering agency and the recipient of the grant or loan. Federal agencies with jurisdiction are those from which a license or funding is sought or required. If a specific agency has been named in these rules, and the functions of that agency have changed or been transferred to another agency, the term shall mean any successor agency. For those proposals requiring a hydraulic project approval under RCW 75.20.100, both the department of game and the department of fisheries shall be considered agencies with jurisdiction.</u>
<u>Agricultural use</u>	<u>Those activities conducted on lands defined in RCW 84.34.020(2), and activities involved in the production of crops or livestock for wholesale trade. An activity ceases to be considered agriculture when the area on which it is conducted is proposed for conversion to a nonagricultural use or has lain idle for more than five years, unless the idle land is registered in a federal or state soils conservation program, or unless the activity is maintenance of irrigation ditches, laterals, canals, or drainage ditches related to an existing and ongoing agricultural activity.</u>
<u>Airport</u>	<u>First Air Field, city of Monroe, Washington.</u>
<u>Airspace obstruction</u>	<u>Any structure, tree, land mass, smoke or steam, or use of land that penetrates the primary, approach, transitional, horizontal, or conical surface of the airport as defined by Federal Aviation Regulations (FAR), Part 77.</u>
<u>Air-supported structure</u>	<u>An air-supported or inflated object with or without cable supports and braces intended to attract attention to the location, event or promotion.</u>
<u>Alley</u>	<u>A public thoroughfare which affords only a secondary means of access to abutting property, and is not intended for general traffic circulation.</u>
<u>Alteration</u>	<u>Any human-induced change in an existing condition of a critical area or its buffer. Alterations include, but are not limited to, grading, filling, dredging, channelizing, clearing (vegetation), applying pesticides, discharging waste, construction, compaction, excavation, modifying for storm water management, relocating, or other activities that change the existing landform, vegetation, hydrology, wildlife or wildlife habitat value of critical areas.</u>
<u>Alternative mode</u>	<u>Any means of commute transportation other than that in which the single-occupant motor vehicle is the dominant mode, including telecommuting and compressed workweeks if they result in reducing commute trips.</u>
<u>Alternative work schedules</u>	<u>Work schedules that allow employees to work their required hours outside of the traditional Monday to Friday, eight a.m. to five p.m. schedule. Programs such as compressed workweeks eliminate work trips for affected employees.</u>
<u>Amendment</u>	<u>A change to this title. There are two types of zoning amendments: those which change the text of this title, and those which change the use classifications and/or boundaries upon the official zoning map (a rezone). Of these, small area rezones are treated with a more intensified substantive review.</u>

<u>Anadromous fish</u>	<u>Fish that spawn in fresh water and mature in the marine environment.</u>
<u>Animal shelter</u>	<u>A public or private facility which houses four or more stray or unwanted small animals (that number not including one unweaned litter) for periods longer than twenty-four hours.</u>
<u>Animated sign</u>	<u>A sign depicting action, motion, light, or color changes through electrical or mechanical means. Although technologically similar to flashing signs, the animated sign emphasizes graphics and artistic display.</u>
<u>Antenna</u>	<u>Any exterior apparatus designed for telephonic, radio, data, Internet, or television communications through the sending and/or receiving of electromagnetic waves, and includes equipment attached to a tower or building for the purpose of providing personal wireless services, including unlicensed wireless telecommunications services, wireless telecommunications services utilizing frequencies authorized by the Federal Communications Commission for cellular, enhanced specialized mobile radio and personal communications services, telecommunications services, and its attendant base station.</u>
<u>Antenna height</u>	<u>The vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure even if said highest point is an antenna. Measurement of tower height shall include antenna, base pad, and other appurtenances and shall be measured from the finished grade of the parcel. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height.</u>
<u>Antenna support structure</u>	<u>Any pole, telescoping mast, tower, tripod, or other structure which supports a device used in the transmitting or receiving of radio frequency signals.</u>
<u>Apartment</u>	<u>A room, or suite of two or more rooms, in a multifamily dwelling, occupied or suitable for occupancy as a dwelling unit for one family.</u>
<u>Apartment house</u>	<u>Any building or portion thereof which is designed, built, rented, leased, let or hired out to be occupied, or which is occupied as the home or residence of five or more families living independently of each other and doing their own cooking in the said building.</u>
<u>Applicant</u>	<u>A person or entity who files an application for a permit with the city and who is either the owner of the land on which that proposed activity would be located, a contract purchaser, or the authorized agent of such a person.</u>
<u>Approval, final plat</u>	<u>Official action taken by the city with respect to a final plat.</u>
<u>Approval, preliminary plat</u>	<u>Official action taken by the hearing authority with respect to a proposed plat.</u>
<u>Apron</u>	<u>The portion of the driveway approach that extends from the gutter flow line to the sidewalk area and underlying between the end slopes of the driveway approach.</u>
<u>Aquifer recharge area</u>	<u>An area that, due to the presence of certain soils, geology, and surface water, acts to recharge groundwater by percolation.</u>

<u>Architecturally consistent</u>	<u>Conforming in overall design, form or structure by incorporating two or more of the following common elements: design, color, and/or material.</u>
<u>Area of special flood hazard</u>	<u>Land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V. The term special flood hazard area is synonymous in meaning with the phrase area of special flood hazard.</u>
<u>Area or surface area of sign</u>	<u>The greatest area of a sign, visible from any one viewpoint, excluding the sign support structures, which do not form part of the sign proper or of the display. Surface area of the sign is determined by the height times the width of a typical rectangular sign, or other appropriate mathematical computation of surface area, for nonrectangular signs.</u>
<u>Art galleries</u>	<u>An enclosed area or building dedicated to the exhibition and/or sale of works of art.</u>
<u>Athletic field</u>	<u>An outdoor open area dedicated to recreational sports; these fields may be under the ownership of public or private entities.</u>
<u>Authority, hearing</u>	<u>The hearing examiner for the city of Monroe.</u>
<u>Auto repair</u>	<u>Any area of land, including the structures thereon, that is used for general motor repair and replacement of parts to vehicles and machinery, including body and fender works and painting.</u>
<u>Auto wrecking yards</u>	<u>A premises devoted to dismantling or wrecking of motor vehicles or trailers, or the storage, sale, or dumping of dismantled or wrecked vehicles or their parts.</u>
<u>Auxiliary sign</u>	<u>A sign that provides information such as direction, time and temperature displays, hours of operation, or warning; auxiliary signs are intended for the convenience of the public. An auxiliary sign may include the business name and/or logo, but may not include its product or services.</u>
<u>Average assessed value</u>	<u>The average assessed value by dwelling unit type of all residential units constructed within the district.</u>
<u>Average grade level</u>	<u>A reference plane representing the finished ground level measured by delineating the smallest rectangle which can enclose the proposed building, and then averaging the four corner elevations of the rectangle. In the event the corner point of the rectangle drawn is not located on the subject property, the measurement point shall be determined by establishing the corner point from the property line where it intersects the rectangle.</u>
<u>Avigation easement</u>	<u>An easement granted for the free and unobstructed use and passage of aircraft over, across, and through the airspace above, or in the vicinity or property.</u>
<u>Awning</u>	<u>A roof-like cover which projects from the wall of a building for the purpose of shielding the door, window or pedestrians from the elements.</u>
<u>Awning sign, fascia</u>	<u>A nonilluminated or illuminated sign which is usually painted or screen printed onto the surface of an awning and which does not extend vertically or horizontally beyond the limits of the awning edge or fascia.</u>

Awning sign, under | A sign that is hung from and below a building awning that may extend outwards under the awning and over the walkway or parking area.

22.12.020 B Definitions.

<u>Bakery</u>	<u>A building or structure whose primary use is to prepare baked goods for consumption or sale on or off the site.</u>
<u>Bank with drive-up facility</u>	<u>A business offering financial services that is designed and intended to allow drivers to remain in their vehicles before and during participation in an activity on the site.</u>
<u>Banner sign</u>	<u>A sign made of lightweight material such as cloth, paper, or flexible plastic with or without a rigid frame on which a sign is painted or printed that is attached to a building or displayed on the grounds.</u>
<u>Base flood</u>	<u>A flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the one-hundred-year flood.</u>
<u>Base flood elevation</u>	<u>The water surface elevation of the base flood. It shall be referenced to the National Geodetic Vertical Datum of 1929 (NGVD).</u>
<u>Base year</u>	<u>The twelve-month period that commences when the city of Monroe determines an employer is required to comply with the CTR law.</u>
<u>Base year survey or Baseline measurement</u>	<u>The survey, during the base year, of employees at a major employer work site to determine the drive-alone rate and vehicle miles traveled per employee at the work site. The jurisdiction uses this measurement to develop commute trip reduction goals for the major employer. The baseline measurements must be implemented in a manner that meets the requirements specified by the city.</u>
<u>Baseline data collection</u>	<u>The collection of employee trip data at a major worksite to determine the non-drive alone trips and greenhouse gas emissions per employee at the worksite. The jurisdiction uses these measurements to develop commute trip reduction targets for the major employer. The baseline measurements must be implemented in a manner that meets the requirements and time frame specified by the city.</u>
<u>Basement</u>	<u>See the International Building Code.</u>
<u>Batch plants, asphalt and concrete</u>	<u>An establishment engaged in the manufacture of asphalt or concrete mixtures used for road paving operations from raw materials purchased from others.</u>
<u>Bed and breakfast inn</u>	<u>A detached single-family dwelling where transient lodging and meals are provided for compensation, when the facility is operator-occupied. The number of guests is limited to no more than six at any time.</u>
<u>Best available science</u>	<u>Current scientific information used in the process to designate, protect, or restore critical areas, that is derived from a valid scientific process as defined by WAC 365-195-900 through 365-195-925.</u>

<u>Best management practices</u>	<u>Conservation practices or systems of practice and management measures that:</u> <u>A. Control soil loss and reduce water quality degradation caused by high concentrations of nutrients, animal waste, toxins, and sediment;</u> <u>B. Minimize adverse impacts to surface water and groundwater flow, circulation patterns, and the chemical, physical, and biological characteristics of wetlands;</u> <u>C. Protect trees and vegetation designated to be retained during and following site construction; and</u> <u>D. Provide standards for proper use of chemical herbicides within critical areas.</u>
<u>Billboard</u>	<u>A sign that directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.</u>
<u>Binding site plan</u>	<u>A scaled drawing, drawn by a professional surveyor, which:</u> <u>A. Identifies and depicts the locations of all streets, improvements, utilities, open spaces, and any other matters specified by local regulations;</u> <u>B. Contains inscriptions or attachments setting forth appropriate limitations and conditions for the use of the land; and</u> <u>C. Contains provisions making any development be in conformity with the site plan.</u>
<u>Blade sign</u>	<u>A rigid projecting or suspended sign that is perpendicular to the building facade, that is mounted below the awning, canopy, or other first floor overhangs and/or over the building or store entryway and for which the primary audience is pedestrians.</u>
<u>Boeckh index</u>	<u>The current construction trade index of construction costs for each school type.</u>
<u>Boundary line revision</u>	<u>The revision of a boundary line between existing lots, which results in no more lots, tracts, parcels, sites, or divisions than existed before the revision, and which meets the criteria set forth in Chapter 22.68 MMC.</u>
<u>Brewery</u>	<u>The majority of the square footage of the brewery building and related structures is devoted to the process of brewing, storing and/or distributing beer.</u>
<u>Brewery, micro</u>	<u>An operation where specialty beer is produced and distributed to a lesser extent than a brewery according to the brewery industry standards. The majority of the square footage of the microbrewery building and related structures is devoted to such uses as a tasting room, restaurant and/or gift shops.</u>
<u>Buffer</u>	<u>The zone contiguous with a critical area that is required for the continued maintenance, function, and structural stability of the critical area.</u>
<u>Buffer zone</u>	<u>A strip of land, identified in this title, established to protect one type of land use from another with which it is incompatible. Buffer zones are described in this title with reference to neighboring districts. Normally, the buffer zone is landscaped and kept in open space uses.</u>
<u>Building</u>	<u>A structure as defined in this chapter. When a total structure is separated by division walls without openings, each portion so separated, it shall be</u>

	<u>considered a separate building. Building includes all other structures of every kind regardless of similarity to buildings.</u>
<u>Building area</u>	<u>The total ground coverage of a building or structure which provides shelter, measured from the outside of its external walls or supporting members or from a point four feet in from the outside edge of a cantilevered roof, whichever is greatest.</u>
<u>Building envelope</u>	<u>The elements of a building that separate the interior and exterior environment and include a combination of building height, setbacks from front, side and rear yards, lot coverage, building footprint and floor area ratio or FAR; together these dimensions can define the building's envelope.</u>
<u>Building line</u>	<u>The line, face, or corner of the part of a building nearest the property line.</u>
<u>Building permit</u>	<u>An official document or certificate issued by the building official authorizing performance of construction or alteration of a building or structure. As the term relates to park impact fees, building permit includes a permit issued for the siting or location of a mobile home.</u>
<u>Building setback line (BSBL)</u>	<u>A line beyond which the foundation of a building shall not extend.</u>
<u>Building unit</u>	<u>The equivalent tenant space. Building frontage measured from the centerline of the party walls defining the tenant space shall be the basis for determining the permissible sign area for wall signs.</u>
<u>Building-mounted sign</u>	<u>A single- or multiple-faced sign of a permanent nature, made of rigid material, attached to or painted upon the wall/facade of a building or the face of a marquee in such a manner that the wall/facade becomes the supporting structure or forms the background surface of the sign and does not project more than eighteen inches from such wall/facade.</u>
<u>Built environment</u>	<u>The elements of the environment as specified by RCW 43.22C.110 (1)(f) and WAC 197-11-444(2), which are generally built or made by people as contrasted with natural processes.</u>
<u>Business</u>	<u>Any person, partnership, association, corporation, joint venture, or similar group whether operating for profit or not, and any governmental agency.</u>

22.12.030 C Definitions.

<u>Cable acts</u>	<u>The Cable Communications Policy Act of 1984, as amended by the Cable Television Consumer Protection and Competition Act of 1992, as amended by portions of the Telecommunications Act of 1996, and as hereafter amended.</u>
<u>Cable operator</u>	<u>A telecommunications carrier providing or offering to provide cable service within the city as that term is defined in the cable acts.</u>
<u>Cable television service</u>	<u>The one-way transmission to subscribers of video programming and other programming service and subscriber interaction, if any, that is required for the selection or use of the video programming or other programming service.</u>
<u>Cable television service provider</u>	<u>A service provider that provides cable television services within the city under a franchise.</u>

<u>Caliper</u>	<u>The diameter of a tree or shrub trunk measured six inches above grade.</u>
<u>Camouflaged</u>	<u>A personal wireless service facility that is disguised, hidden, or integrated with an existing structure that is not a monopole or tower, or a personal wireless service facility that is placed within an existing or proposed structure, or new structure, tower, or mount within trees so as to be significantly screened from view.</u>
<u>Canopy</u>	<u>An ornamental or protective roof-like structure that may be attached or detached from the main building and usually providing protection from the elements to objects or people underneath. Structures over gas pump islands and over entrances of theaters or hotels are both examples of canopies.</u>
<u>Canopy sign</u>	<u>A sign that is painted onto the horizontal face or fascia edge of an canopy that is mounted to the building facade.</u>
<u>Capacity</u>	<u>The number of students the district's facilities can accommodate district-wide, as determined by the district.</u>
<u>Capital facilities</u>	<u>Those park, open space and recreation facilities or improvements addressed in the park and recreation and capital facilities elements of the Monroe comprehensive plan, as the same now exists or may be hereafter amended. Capital facilities costs include the cost of park planning, land acquisition, site improvements, buildings, and equipment, but exclude the cost of maintenance and operation.</u>
<u>Capital facilities plan</u>	<u>The district's facilities plan adopted by the school board consisting of those elements meeting the requirements of the GMA.</u>
<u>Car wash</u>	<u>A permanent structure used for washing vehicles.</u>
<u>Carpool</u>	<u>A motor vehicle occupied by at least two people traveling together for their commute trip that results in the reduction of a minimum of one motor vehicle commute trip.</u>
<u>Categorical exemption</u>	<u>A type of action, specified in these rules, which does not significantly affect the environment (RCW43.22C.110 (1)(a)); categorical exemptions are found in Part Nine of these rules. Neither a threshold determination nor any environmental document, including an environmental checklist or environmental impact statement, is required for any categorically exempt action (RCW43.22C.031). These rules provide for those circumstances in which a specific action that would fit within a categorical exemption shall not be considered categorically exempt (WAC 197-11-305).</u>
<u>Cement manufacturing</u>	<u>The manufacturing or processing of cement.</u>
<u>Cemetery</u>	<u>Land used or intended to be used for the burial of dead humans and dedicated for cemetery purposes, including columbariums, crematories, mausoleums and mortuaries, and related uses, when operated in conjunction with and within boundaries of such cemetery.</u>
<u>Certificate of occupancy</u>	<u>Official certification that a premises conforms to provisions of the zoning code and building code, and may be used or occupied. Such a certificate is granted for new construction or for the change of use of an existing structure or for</u>

	<u>alterations or additions to existing structures. Unless such a certificate is issued, a structure cannot be occupied.</u>
<u>Changeable message sign</u>	<u>A sign or portion thereof on which changing copy or symbols are electronically controlled (for example, time and temperature units), or manually through placement of copy or symbols on the same sign surface.</u>
<u>Channel letter</u>	<u>A fabricated or formed three-dimensional letter that may accommodate a light source.</u>
<u>Channel migration zone (cmz)</u>	<u>The lateral extent of likely movement along a stream or river during the next one hundred years as determined by evidence of active stream channel migration movement over the past one hundred years.</u>
<u>Child care center</u>	<u>A licensed agency that provides for the care of thirteen or more children.</u>
<u>City</u>	<u>The city of Monroe, Washington.</u>
<u>City administrator</u>	<u>The city administrator of the city of Monroe, or his or her designee.</u>
<u>City council (or Council)</u>	<u>The city council of the city of Monroe.</u>
<u>City engineer</u>	<u>The Monroe city engineer or his/her designee.</u>
<u>City property</u>	<u>All real property owned by the city, whether in fee ownership or other interest.</u>
<u>Classrooms</u>	<u>Educational facilities of the district required to house students for its basic educational program. The classrooms are those facilities the district determines are necessary to best serve its student population. Specialized facilities as identified by the district, including but not limited to gymnasiums, cafeterias, libraries, administrative offices, and child care centers, shall not be counted as classrooms.</u>
<u>Cleaning establishment</u>	<u>A commercial laundry and/or dry cleaning business, including coin-operated laundry facilities.</u>
<u>Clearing</u>	<u>The destruction and removal of vegetation by any means and includes grubbing vegetation.</u>
<u>Clinic, health services</u>	<u>A building or office used by physicians, dentists, and/or other medical professionals to examine, diagnose, and treat patients, and to administer day-to-day accessory and office functions relating to the medical or dental practice, but does not include extended overnight stays as associated with hospitals and nursing homes.</u>
<u>Closed record appeal</u>	<u>An appeal to the city council or hearing examiner, following an open record hearing on a project permit application, when the appeal is based on the existing record with no or limited new evidence or information allowed to be submitted and only appeal arguments are allowed.</u>
<u>Club</u>	<u>An incorporated or unincorporated association of persons organized for a civic, social, educational, literary, or charitable purpose.</u>
<u>Club, fitness</u>	<u>A use featuring exercise, sports and other active physical fitness conditioning typically requiring a membership.</u>

<u>Coffee shop</u>	<u>An establishment that primarily serves prepared coffee.</u>
<u>Collocation</u>	<u>The use of a personal wireless service facility or cell site by more than one personal wireless service provider.</u>
<u>Common ownership</u>	<u>Groups of two or more businesses when such businesses are located on one or more parcels of land or share public parking or maintenance facilities or when they conduct advertising on a regular basis; or when they function as a single entity in practical or business matters.</u>
<u>Community-oriented open-air market</u>	<u>A site or location where two or more individual vendors, with each vendor operating independently from the other vendors and subleasing booths or stalls, sell foods and merchandise on a temporary basis. This definition is inclusive of farmers' markets, art fairs, and the like, but does not include flea markets.</u>
<u>Commute trip reduction (ctr) plan</u>	<u>The city of Monroe's plan and ordinance to regulate and administer the CTR programs of a major employer within its jurisdiction.</u>
<u>Commute trip vehicle miles traveled per employee (VMT)</u>	<u>The sum of the individual commute trip lengths in miles over a set period divided by the number of full-time employees.</u>
<u>Commute trips</u>	<u>Trips made from a worker's home to a work site during the peak period of six a.m. to nine a.m. on weekdays.</u>
<u>Commuter</u>	<u>A resident or employee in an affected urban growth area who is participating in the city's commute trip reduction program, including any growth and transportation and efficiency center programs implemented to meet Monroe's established targets.</u>
<u>Commuter matching service</u>	<u>A system that assists in matching commuters for the purpose of commuting together.</u>
<u>Compensation project</u>	<u>Actions specifically designed to replace project-induced critical area and buffer losses. Compensation project design elements may include, but are not limited to, land acquisition, planning, construction plans, monitoring, and contingency actions.</u>
<u>Compensatory mitigation</u>	<u>Types of mitigation used to replace project-induced critical area and buffer losses or impacts. Compensatory mitigation includes, but is not limited to, the following:</u> <u>A. Restoration. Actions performed to reestablish functional characteristics that are lost or degraded due to unauthorized alteration, past management activities, or catastrophic events within an area that no longer meets the definition of a critical area.</u> <u>B. Creation. Actions performed to intentionally establish a critical area at a site where it did not formerly exist.</u> <u>C. Enhancement. Actions performed to improve the condition of an existing critical area so that the functions it provides are of a higher quality.</u>

<u>Comprehensive plan</u>	<u>Policies and proposals prepared by the planning commission and adopted by the council to guide the orderly development of the city and to promote the general welfare.</u>
<u>Comprehensive plan amendment</u>	<u>An amendment or change to the text or maps of the comprehensive plan.</u>
<u>Compressed workweek</u>	<u>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 during the remaining days, resulting in fewer commute trips by the employee. This definition is primarily intended to include weekly and biweekly arrangements, the most typical being four ten-hour days or eighty hours in nine days, but may also include other arrangements.</u>
<u>Concessions</u>	<u>A commercial stand operated or maintained for the sale of food or merchandise associated with a community-oriented open-air market.</u>
<u>Concurrency</u>	<u>When adequate public facilities meeting the level of service standard are in place at the time a development permit is issued, or a development permit is issued subject to the determination that the necessary facilities will be in place when the impacts of the development occur, or that improvements or strategy are in place at the time of development or that a financial commitment is in place to complete the improvements or strategies within six years of the time of the development, as set forth in the comprehensive plan.</u>
<u>Concurrency determination</u>	<u>A nonbinding determination of what public facilities and services are available at the date of inquiry.</u>
<u>Concurrency management system</u>	<u>The procedures and processes utilized by the city to determine that development approvals, when issued, will not result in the reduction of the level of service standards set forth in the comprehensive plan.</u>
<u>Conditional use</u>	<u>A use allowed in one or more zones as defined by the zoning code, but 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.</u>
<u>Conforming land use</u>	<u>A use that is listed as a permitted use in the zoning district in which the use is situated.</u>
<u>Conforming lot</u>	<u>A lot that contains the required width, depth and square footage as specified in the zoning district in which the lot is situated.</u>
<u>Consolidated appeal</u>	<u>The procedure requiring a person to file an agency appeal challenging both procedural and substantive compliance with SEPA at the same time, as provided under RCW 43.22C.075 (3)(b) and the exceptions therein. If an agency does not have an appeal procedure for challenging either the agency's procedural or its substantive SEPA determinations, the appeal cannot be consolidated prior to any judicial review. The requirement for a consolidated appeal does not preclude agencies from bifurcating appeal proceedings and</u>

	<u>allowing different agency officials to hear different aspects of the appeal. (WAC 197-11-680).</u>
<u>Consolidated hearing</u>	<u>A public hearing at which all agencies required to hold public hearings shall consolidate hearing processes into one concurrent hearing.</u>
<u>Construction Cost per Student</u>	<u>The estimated cost of construction of a permanent school facility in the district for the grade span of school to be provided, as a function of the district's design standard per grade span.</u>
<u>Construction sign</u>	<u>A sign installed in conjunction with construction or remodeling of a building; and/or designating the contractor(s), architect(s), and engineer(s) participating in a construction project underway on the same premises. A construction sign may also include the name of the project.</u>
<u>Consulted agency</u>	<u>Any agency with jurisdiction or expertise that is requested by the lead agency to provide information during the SEPA process.</u>
<u>Convenience store</u>	<u>A use which combines retail food sales with fast foods or take-out food service and other retail goods.</u>
<u>Conversion</u>	<u>A forest practice involving the removal of trees to convert forestland to permanent nonforestry urban uses that results in residential, commercial, or industrial activities.</u>
<u>Cooperative parking facility</u>	<u>An off-street parking facility shared by two or more buildings or uses.</u>
<u>Copy</u>	<u>The medium by which the message or idea of a sign is communicated.</u>
<u>Corner lot</u>	<u>A lot located on the intersection of two or more streets. A lot abutting a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred and thirty-five degrees.</u>
<u>Correctional facilities (jail), local</u>	<u>A public facility for the incarceration of people under warrant, awaiting trial on felony or misdemeanor charges, convicted but not yet sentenced, or serving a sentence of one year or less.</u>
<u>Cost-benefit analysis</u>	<u>A quantified comparison of costs and benefits generally expressed in monetary or numerical terms. It is not synonymous with the weighing or balancing of environmental and other impacts or benefits of a proposal.</u>
<u>Council</u>	<u>The city council of the city of Monroe.</u>
<u>County</u>	<u>Snohomish County.</u>
<u>County/city</u>	<u>A county, city, or town. Duties and powers are assigned to a county, city, or town as a unit. The delegation of responsibilities among the various departments of a county, city, or town is left to the legislative or charter authority of the individual counties, cities, or towns.</u>
<u>COW</u>	<u>Cell on wheels. A cell on wheels or other temporary personal wireless communications facility shall be permitted for a maximum of ninety days in any</u>

	<u>three-hundred-sixty-five-day period or during an emergency declared by the city.</u>
<u>Craft manufacturing</u>	<u>Small-scale light industrial/manufacturing business whose products are of an art/craft or specialty food or beverage nature, which contain a customer service space component. A minimum of twenty-five (25) percent of the gross floor area shall contain a customer service space. A customer service space includes a showroom, tasting room, restaurant, or retail space; this may also include an opportunity for customers or the general public to observe the product fabrication or manufacturing process. All activities except loading and sidewalk cafes, where permitted, shall occur within buildings; outdoor storage/repair is prohibited.</u>
<u>Critical aquifer recharge area</u>	<u>Areas designated by WAC 365-190-080(2) that are determined to have a critical recharging effect on aquifers used for potable water as defined by WAC 365-190-030(2).</u>
<u>Critical areas</u>	<u>Any of the following areas or ecosystems: critical aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas, geologically hazardous areas, and wetlands as defined by the Growth Management Act (Chapter 36.70A RCW) and Chapter 22.80 MMC.</u>
<u>CTR exemption</u>	<u>A waiver from any or all CTR program requirements granted to an employer by a city/county based on unique conditions that apply to the employer or employment site.</u>
<u>CTR implementation</u>	<u>Active pursuit by an employer of the CTR goals of RCW 70.94.522 through 70.94.551 and this chapter as evidenced by appointment of a transportation coordinator, distribution of information to employees regarding alternatives to SOV commuting, and commencement of other measures according to its approved CTR program and schedule.</u>
<u>CTR law</u>	<u>The Commute Trip Reduction Law passed by the Washington State Legislature in 1991 (Chapter 202, Laws of 1991) and codified in RCW 70.94.522 through 70.94.551, and amended in 1997 and 2006, requiring counties of over one hundred fifty thousand residents, with one or more major employers, to implement a CTR ordinance and plan. All cities in such counties with one or more major employers are also required to adopt CTR ordinances and plans.</u>
<u>CTR program</u>	<u>An employer's strategies to reduce affected employees' SOV use, VMT per employee, and greenhouse gas emissions.</u>
<u>Cultural facilities</u>	<u>Includes, but is not limited to, libraries, museums, art galleries, and dancing, music and art centers.</u>
<u>Curb cut</u>	<u>A depression in the roadside curb for driveway purposes which provides access to park on private premises from a public street.</u>
<u>Custom bus/Bus pool</u>	<u>A commuter bus service arranged specifically to transport employees to work.</u>

22.12.040 D Definitions.

<u>Date of Issuance</u>	<u>In the case of decisions that may be appealed administratively, the date on which the decision is mailed to all parties of record and from which the appeal period is calculated. In the case of decisions that may be appealed only to the superior court, the date prescribed by the Land Use Petition Act, Chapter 36.70B RCW.</u>
<u>Day care center</u>	<u>Any type of group child care facility other than an occupied dwelling unit which receives children for day care or an occupied dwelling unit which receives thirteen or more children for day care.</u>
<u>Day care services</u>	<u>Any type of group day care program licensed by the state of Washington for the care of children during part of a twenty-four-hour day, including nurseries for children of working parents, nursery schools for children under minimum age for education in public schools, and programs covering after-school care for school children.</u>
<u>De minimis development</u>	<u>A proposed development relating to land use of such a low intensity as to have a de minimis effect, if any, upon the level of service standards set forth in the comprehensive plan; such development shall be exempt from concurrency review. Development approvals for single-family dwellings shall be deemed de minimis. Any development generating less than thirty-eight average daily trips shall be deemed de minimis for purposes of assessing transportation levels of service.</u>
<u>Decision</u>	<u>The written report of findings and conclusions issued by the hearing body and forwarded to all parties of record.</u>
<u>Decision maker</u>	<u>The agency official or officials who make the agency's decision on a proposal. The decision maker and responsible official are not necessarily synonymous, depending on the agency and its SEPA procedures (WAC 197-11-906 and 197-11-910).</u>
<u>Dedication</u>	<u>The appropriation of land by its owner for general or public use, who reserves no special rights to himself.</u>
<u>Department store</u>	<u>A large-scale retail store typically one hundred thousand square feet in size.</u>
<u>Design standards</u>	<u>A regulatory document used in implementing the community's design-related goals and objectives.</u>
<u>Detached building</u>	<u>A building surrounded on all sides by open space.</u>
<u>Determination of nonsignificance</u>	<u>The written decision by the responsible official of the lead agency that a proposal is not likely to have a significant adverse environmental impact, and therefore an EIS is not required (WAC 197-11-310 and 197-11-340). The DNS form is in WAC 197-11-970.</u>
<u>Determination of significance</u>	<u>the written decision by the responsible official of the lead agency that a proposal is likely to have a significant adverse environmental impact, and therefore an EIS is required (WAC 197-11-310 and 197-11-360). The DS form is in WAC 197-11-980 and must be used substantially in that form.</u>
<u>Developable area</u>	<u>Areas outside of any critical areas and their required setbacks or buffers.</u>

<u>Developer</u>	<u>The proponent of a development activity, such as any person or entity who owns or holds purchase options or other development control over property for which development activity is proposed within the city.</u>
<u>Development</u>	<u>Any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. Development also means subdivision of a parcel or parcels into one or more lots.</u>
<u>Development action</u>	<u>An action of the city, such as a land use amendment to the comprehensive plan or a rezoning.</u>
<u>Development approval</u>	<u>Any written authorization from the city which authorizes the commencement of a development activity, including but not limited to building permits and subdivision approval.</u>
<u>Development moratorium</u>	<u>The denial by the city of Monroe of all applications for permits or approvals for a period of six years as established in Chapter 76.09 RCW, including but not limited to building permits, right-of-way permits, subdivisions, rezones, and variances on the subject property.</u>
<u>Development permit</u>	<u>Any permit issued by the city of Monroe, or other authorized agency, for construction, land use, or the alteration of land.</u>
<u>Development regulations</u>	<u>MMC Title 22.</u>
<u>Development code</u>	<u>MMC Title 22.</u>
<u>Digital content</u>	<u>A form of electronic display that shows television programming, menus, information, advertising and other messages. Digital content (frequently utilizing technologies such as LCD, LED, plasma displays, or projected images to display content) can be found in both public and private environments, including retail stores, hotels, restaurants, and corporate buildings, amongst other locations. Digital content displays are most commonly controlled by personal computers or servers, through the use of either proprietary or public-domain software programs allowing the operator to avoid large capital outlays for the controller equipment.</u>
<u>Directional sign</u>	<u>An off-premises sign that directs attention by name and/or logo to a business, group of businesses, or a business area; and is designated and used solely for the purpose of indicating the location or direction of a place or business and which is located on private property or the public right-of-way separate from the place or business.</u>
<u>Directional traffic sign</u>	<u>A sign that is located to guide or direct pedestrian or vehicular traffic to parking entrances, exits and service areas.</u>
<u>Director</u>	<u>The director refers to the community development director or his/her designee.</u>
<u>Directory of Tenants</u>	<u>A sign that identifies the building or project name and the tenants which share a single structure or development.</u>

<u>Display</u>	<u>The visual information shown on a sign, including the text, graphics, logo, pictures, lights and background.</u>
<u>Display area</u>	<u>The greatest area of display meant to contain the text, graphics, pictures, lights and other background details to be viewed as signage. Display area shall be measured as the smallest rectangle placed around all that composes the display area. On no sign shall the display area be less than fifty percent of the surface area of the sign.</u> <u>A. Display area includes only one face of a double-faced sign where the faces of the sign are parallel. If any face is offset from parallel or separated by more than two feet, such face shall be counted as a separate surface area.</u> <u>B. Display area of a spherical, cubical or polyhedral sign equals the sum of the surface area of all faces, divided by two.</u>
<u>Dissolve/appear</u>	<u>A mode of message transition on an electronic message center accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.</u>
<u>District</u>	<u>The Monroe school district no. 103.</u>
<u>District property tax levy rate</u>	<u>The district's current capital property tax rate per thousand dollars of assessed value.</u>
<u>Dominant mode</u>	<u>The mode of travel used for the greatest distance of a commute trip.</u>
<u>Double-faced sign</u>	<u>A sign with two faces.</u>
<u>Drip line boundary</u>	<u>The circle that can be drawn on the ground below a tree directly under its outermost branch tips.</u>
<u>Drive-alone</u>	<u>A single-occupant vehicle.</u>
<u>Drive-in business establishment</u>	<u>A business establishment where customers are permitted or encouraged, either by the design of physical facilities or by service and/or parking area accessory to the building, to remain seated in their motor vehicles while conducting business.</u>
<u>Drive-thru</u>	<u>A type of service provided by a business that allows customers to purchase products without leaving their cars.</u>
<u>Driveway</u>	<u>A private road giving access from a public way to a building or abutting grounds.</u>
<u>Drug store/Pharmacy</u>	<u>An establishment engaged in the retail sale of prescription drugs, nonprescription medicines, and miscellaneous health, beauty, household and similar articles.</u>
<u>Dwelling unit</u>	<u>A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.</u>
<u>Dwelling unit type</u>	<u>Includes:</u> <u>A. Single-family dwelling units;</u> <u>B. Multifamily dwelling units; and</u>

C. Duplex Dwelling Units.

<u>Dwelling unit, accessory</u>	<u>A separate living unit attached to or contained within the structure of the primary dwelling unit or detached from the primary dwelling unit, but located on the same lot. The accessory dwelling unit shall include permanent provisions for living, sleeping, eating, cooking, and sanitation and conforms to the requirements of Chapter 22.14 MMC.</u>
<u>Dwelling unit, attached</u>	<u>Any residential building containing three or more attached dwelling units that may include triplexes, fourplexes, apartments, townhouses, condominiums, and the like.</u>
<u>Dwelling unit, detached</u>	<u>A detached building containing only one dwelling unit.</u>
<u>Dwelling unit, duplex</u>	<u>A residential building, either one lot or on separate lots, containing two kitchens and designed to be occupied by two families living independently of each other, sharing a common wall; a common wall includes floors or ceilings. This definition does not include single-family dwellings within an approved accessory dwelling unit.</u>

22.12.050 E Definitions.

<u>Early notice</u>	<u>The city's response to an applicant stating whether it considers issuance of a determination of significance likely for the applicant's proposal (mitigated determination of nonsignificance (DNS) procedures).</u>
<u>Educational facility</u>	<u>An elementary, junior high, high school, junior college, college or university or other school giving general academic instruction in the several branches of learning and study required by the educational code of the state of Washington.</u>
<u>Effective date</u>	<u>The date a final decision becomes effective.</u>
<u>Eis</u>	<u>Environmental impact statement. The term "detailed statement" in RCW 43.22C.030 (2)(c) refers to a final EIS. The term "EIS" as used in these rules refers to draft, final, or supplemental EISs (WAC 197-11-405).</u>
<u>Electrical sign</u>	<u>A sign or sign structure in which electrical wiring, connections, and/or fixtures are used as part of the sign proper.</u>
<u>Electronic display</u>	<u>Illuminant advertising media in the signage industry. Major electronic signage includes fluorescent signs, HID (high intensity displays), incandescent signs, LED signs, and neon signs. LED signs and HID are so-called digital content.</u>
<u>Electronic message centers (EMC)</u>	<u>A sign that includes messages that are static, appear or disappear from the display through dissolve/appear, fade/appear, travel or scrolling modes, or similar transitions and frame effects that have text, animated graphics or images that appear to move or change in size, or be revealed sequentially rather than all at once.</u>
<u>Electronic message display (EMD)</u>	<u>A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.</u>

<u>Electronic Signage (also called Electronic signs or Electronic displays)</u>	<u>illuminant advertising media in the signage industry. Major electronic signage includes fluorescent signs, HID (high intensity displays), incandescent signs, LED signs, and neon signs. LED signs and HID are so-called digital content.</u>
<u>Employee transportation coordinator (ETC)</u>	<u>A person who is designated as responsible for the development, implementation, and monitoring of an employer's CTR program.</u>
<u>Employer</u>	<u>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.</u>
<u>Engineering geologist</u>	<u>A practicing professional engineering geologist licensed with the state of Washington.</u>
<u>Entertainment facilities</u>	<u>Those establishments such as theaters, dance halls, bowling alleys, skating rinks, miniature golf courses, arcades, waterslides and other similar uses which provide recreation either indoors or in a confined intensively utilized outdoor area.</u>
<u>Entry monument sign</u>	<u>Assign used to identify the primary entrance or entrances to a complex of business and/or buildings located within a coordinated business, office, or industrial park setting. The entry monument consists of the sign face and supporting structure.</u>
<u>Environment</u>	<u>Those elements listed in WAC 197-11-444, as required by RCW 43.22C.110 (1)(f). Environment and environmental quality refer to the state of the environment and are synonymous as used in these rules and refer basically to physical environmental quality.</u>
<u>Environmental checklist</u>	<u>The form in WAC 197-11-960. Rules for its use are in WAC 197-11-315.</u>
<u>Environmental document</u>	<u>Any written public document prepared under this chapter. Under SEPA, the terms environmental analysis, environmental study, environmental report, and environmental assessment do not have specialized meanings and do not refer to particular environmental documents (unlike various other state or federal environmental impact procedures).</u>
<u>Environmental review</u>	<u>The consideration of environmental factors as required by SEPA. The "environmental review process" is the procedure used by agencies and others under SEPA for giving appropriate consideration to the environment in agency decision making.</u>
<u>Environments and Facilities, Local</u>	<u>Those park, recreation, and open space facilities that are described in the park and recreation element of the Monroe comprehensive plan and that meet the criteria for designation as local facilities set forth in the said plan.</u>
<u>Environments and Facilities, Regional/Citywide</u>	<u>Those park, recreation, and open space facilities that are described in the park and recreation element of the Monroe comprehensive plan and that meet the criteria for designation as regional/citywide facilities set forth in the said plan.</u>
<u>Equipment enclosure</u>	<u>A structure, shelter, cabinet, or vault used to house and protect the electronic equipment. Associated equipment may include air conditioning, backup power supplies and emergency generators.</u>

<u>Erosion</u>	<u>The process by which soil particles are mobilized and transported by natural agents such as wind, rain, frost action, or stream flow.</u>
<u>Erosion hazard area</u>	<u>Those areas of Monroe containing soils which, according to the USDA Soil Conservation Service, Snohomish County Soil Survey dated 1983, may experience severe to very severe erosion hazard.</u>
<u>Essential public facility (EPF)</u>	<u>Any public facility or facilities owned or operated by a unit of local or state government, public or private utility, transportation company, or any other entity that provides public services as its primary mission, and that is difficult to site. EPF shall include those facilities listed in RCW 36.70A.200, and any facility that appears on the list maintained by the Washington State Office of Financial Management under RCW 36.70A.200(4).</u>
<u>Estimated facility construction cost</u>	<u>The planned costs of new schools or the actual construction costs of schools of the same grade span recently constructed by the district, including on-site and off-site improvement costs. If the district does not have this cost information available, construction costs of school facilities of the same or similar grade span within another district are acceptable.</u>
<u>ETC</u>	<u>Employer transportation coordinator as required pursuant to RCW 70.94.531(3).</u>
<u>Excavation</u>	<u>The mining or carrying or other mechanical removal of natural deposits including underground shaft operations, but excluding: A. Excavations and grading for building construction where such construction is authorized by a valid building permit; B. Tilling of soil for agricultural purposes; C. Any excavation: 1. Which does not alter a drainage course; and 2. Which has less than two feet of mean average depth, or which does not create an out slope greater than five feet in height and is not steeper than one and one-half feet horizontal to one foot vertical; and 3. If located in a residential zone, cubic yards excavated from contiguous land under common ownership do not exceed five hundred cubic yards; and 4. If located in any nonresidential zone, cubic yardage excavated from contiguous land under common ownership is less than two thousand cubic yards.</u>
<u>Existing (preexisting)</u>	<u>A use, lot or building that existed at the time of the passage of the ordinance codified in this title.</u>

22.12.060 F Definitions.

<u>Fabrication shops</u>	<u>The production, processing, assembling, packaging or treatment of semi-finished or finished products from raw materials or previously prepared materials or components.</u>
<u>Façade</u>	<u>The exterior wall face of a building, extending from the ground to the top of the parapet or eaves, but not including any portion of the roof. Each side of a building (i.e., each architectural elevation) is considered one facade. For buildings with more than one occupant/tenant, the facade for each occupant shall be that portion of the exterior wall face between the points where the interior wall between tenants intersects with the exterior wall, thus delineating the individual occupant/tenant space.</u>

<u>Facade buffer</u>	<u>A space around a storefront intended to create a softening effect by reducing the amount of visual, straight-line architecture.</u>
<u>Facility design capacity</u>	<u>The number of students each school type is designed to accommodate, based on the district's standard of service as determined by the district.</u>
<u>Factory-built housing or Factory-built commercial structure</u>	<u>Any structure designed primarily for human occupancy, other than a mobile (manufactured) home, the structure or room of which is either entirely or substantially prefabricated or assembled at a place other than a building site. No factory-built housing or factory-built commercial structure shall be installed on a building site unless it bears the insignia of approval of the Washington State Department of Labor and Industries and is inspected by the city, pursuant to its authority and the development requirements set forth in this title.</u>
<u>Fade/appear</u>	<u>A mode of message transition on an electronic message center accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.</u>
<u>Family</u>	<u>Two or more persons related by blood, marriage, or adoption, or not more than six unrelated persons, living together within a single dwelling unit. For the purposes of this definition, children with familial status within the meaning of Title 42 USC, Section 3602(k), and individuals with disabilities within the meaning of Title 42 USC, Section 3602(h), will not be counted as unrelated persons. Adult family homes, as defined by RCW 70.128.175, are included within the definition of family.</u>
<u>Family day care services</u>	<u>An occupied dwelling unit in which the full-time occupant provides daily care for children other than his/her own family. Such care in a family day care home is limited to twelve or fewer children including children living in the home.</u>
<u>Farmers' market</u>	<u>See community-oriented open-air market.</u>
<u>Farming</u>	<u>The raising and harvesting of crops; feeding, breeding and management of livestock; dairying or any other agricultural or horticultural use or any combination thereof and includes the disposal by marketing or otherwise of products produced on the premises. It includes the construction and use of dwellings and other buildings customarily provided in conjunction with farming, but does not include a commercial feed lot.</u>
<u>Fast food restaurant</u>	<u>An establishment whose principal business is the sale of foods, frozen desserts, or beverages served in or on disposable containers for consumption while seated within the building or in a vehicle or incidentally within a designated outdoor area, or for take-out consumption off the premises.</u>
<u>FCC or Federal communications commission</u>	<u>The federal administrative agency, or lawful successor, authorized to regulate and oversee telecommunications carriers, services and providers on a national level.</u>
<u>Feather banner</u>	<u>A vertical portable sign that contains a harpoon-style pole or staff driven into the ground for support or supported by means of an individual stand.</u>

<u>Fence</u>	<u>That which is built, constructed, or composed of parts joined together of material in some definite manner in which the prime purpose is to separate and divide, partition, enclose or screen a parcel or parcels of land.</u>
<u>Festoon(S)</u>	<u>A strip or string of balloons, flags or lights, which includes clusters of balloons, flags or lights, connected on at least one end to a fixed or movable object such as a vehicle.</u>
<u>Final decision</u>	<u>The final action by the director of community development, planning commission, hearing examiner, or city council.</u>
<u>Fire lane</u>	<u>An aisle, lane, or roadway on an improved site which is designated, constructed, and required for emergency access of fire and aid-unit vehicles.</u>
<u>Fish and wildlife habitat conservation areas</u>	<u>Areas necessary for maintaining species in suitable habitats within their natural geographic distribution so that isolated subpopulations are not created as designated by WAC 365-190-080(5). These areas include:</u> <u>A. Areas with which state or federally designated endangered, threatened, and sensitive species have a primary association;</u> <u>B. Habitats of local importance, including, but not limited to, areas designated as priority habitat by the Department of Fish and Wildlife;</u> <u>C. Naturally occurring ponds under twenty acres and their submerged aquatic beds that provide fish and wildlife habitat;</u> <u>D. Waters of the state, including lakes, rivers, ponds, streams, inland waters, underground waters, salt waters and all other surface water and watercourses within the jurisdiction of the state of Washington;</u> <u>E. Lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity;</u> <u>F. State natural area preserves and natural resources conservation areas; and</u> <u>G. Land essential for preserving connections between habitat blocks and open spaces.</u>
<u>Flashing sign</u>	<u>An electrical or electronic sign or portion thereof that changes light intensity in a sudden transitory burst or that switches on and off in a constant, random, or irregular pattern that contains motion or the optical illusion of motion with more than one-third of the light source that is not constant being off at any one time. Generally, the sign's message is constantly repeated, and the sign is most often used as a primary attention-getting device.</u>
<u>Flex-time</u>	<u>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.</u>
<u>Flood</u>	<u>A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland waters and/or the unusual and rapid accumulation of runoff or surface waters from any source.</u>
<u>Flood fringe</u>	<u>That portion of the floodplain outside of the floodway which is covered by floodwaters during the base flood; it is generally associated with standing water rather than rapidly flowing water.</u>
<u>Flood insurance rate map (FIRM)</u>	<u>The official map on which the Federal Insurance Administration has delineated many areas of flood hazard, floodways, and the risk premium zones.</u>

<u>Floodplain</u>	<u>The total area subject to inundation by the base flood including the flood fringe and floodway.</u>
<u>Floodway</u>	<u>The channel of a river or other watercourse and the adjacent land area that must be reserved in order to discharge the base flood without cumulatively increasing the surface water elevation more than one foot.</u>
<u>Floodway-dependent structure</u>	<u>Structures that are floodway-dependent including, but not limited to, dams, levees and pump stations, stream bank stabilization, boat launches and related recreational structures, bridge piers and abutments, and fisheries enhancement or stream restoration projects.</u>
<u>Floor area</u>	<u>The sum of the gross horizontal areas of the floors of a building or buildings, measured from the exterior walls and from the centerline of divisions, shafts and stairwells at each floor, mechanical equipment rooms or attic spaces with headroom of seven feet, six inches or more, penthouse floors, interior balconies and mezzanines, enclosed porches, and malls. Floor area shall not include accessory water tanks and cooling towers, mechanical equipment or attic spaces with headroom of less than seven feet, six inches, exterior steps or stairs, terraces, breezeways and open spaces.</u>
<u>Floor area ratio (far)</u>	<u>The ratio of the floor area of a building to the area of the lot on which the building is located. The diagram below illustrates three simple ways that a 1:1 FAR might be reached: one story covering the entire lot, two stories covering half of the lot, or four stories covering a quarter of the lot all result in the same FAR.</u>
<u>Floor finish</u>	<u>The exposed floor surface, including coverings applied over a finished floor, and includes, but is not limited to, wood, vinyl flooring, wall-to-wall carpet, and concrete.</u>
<u>Food</u>	<u>Shall include all items designed for human consumption, including, but not by way of limitation, candy, gum, popcorn, hot dogs, sandwiches, peanuts, soft drinks, and dairy products.</u>
<u>Foot candle (fc)</u>	<u>A measure of illumination on a surface that is one foot from a uniform source of light of one candle and equal to one lumen per square foot.</u>
<u>Forest practices</u>	<u>Activities conducted on or directly pertaining to forestlands, regulated in Chapter 222-16 WAC or Chapter 76.09 RCW, relating to growing, harvesting, or processing timber. This includes but is not limited to: road and trail construction; harvesting, final and intermediate; pre-commercial thinning; reforestation; fertilization; prevention and suppression of diseases and insects; salvage of trees; and brush control.</u>
<u>Formation</u>	<u>An assemblage of earth materials grouped together into a unit that is convenient for description or mapping.</u>
<u>Formation, confining</u>	<u>The relatively impermeable formation immediately overlaying a confined aquifer.</u>
<u>Franchise</u>	<u>The general authority granted by the city council to a telecommunications service provider or to a cable television service provider to use city rights-of-</u>

	<u>way to provide services to locations within the city. A franchise issued by the city is a master permit within the meaning of RCW 35.99.010(3).</u>
<u>Freestanding sign</u>	<u>A single- or multiple-face sign attached to or supported by columns, uprights, braces, poles, standards, or other type of base in or on the ground and not attached to the building. Double and single pole and monument signs are freestanding signs. The sign face may be of permanent construction or include reader board elements as defined herein.</u> <u>A. Temporary freestanding signs are signs which can be moved from structure to structure, or site to site, and which are not anchored to the ground in accord with the International Building Code. Examples of such signs are A-frame signs, small price signs, and similar portable signs.</u> <u>B. Permanent freestanding signs are anchored to the ground in accord with the International Building Code.</u>
<u>Frequently flooded areas</u>	<u>Lands in the floodplain subject to a one percent or greater chance of flooding in any given year and those lands that provide important flood storage, conveyance, and attenuation functions, as determined by the director, in accordance with WAC 365-190-080(3).</u>
<u>Front lot line</u>	<u>That boundary of a lot which abuts a street or private road.</u>
<u>Frontage</u>	<u>The linear distance of property along a street or highway.</u>
<u>Frontage, building</u>	<u>That part of a building or structure considered to be the side of the building with a principal access to a business or businesses.</u>
<u>Frontage, primary</u>	<u>The portion of any frontage containing the primary public entrance(s) to the building or building units.</u>
<u>Frontage, secondary</u>	<u>Those frontages containing secondary public entrances to the building or building units, and all building walls facing a public street or primary parking area that are not designated as the primary building frontage by the definition above.</u>
<u>Frontage, street</u>	<u>Streets, alleys, or public rights-of-way parallel to the property line used to compute the area of the sign(s) intended to be located in such a manner to have primary exposure on that street or right-of-way.</u>
<u>Full-time employee</u>	<u>A person, other than an independent contractor, scheduled to be employed on a continuous basis for fifty-two weeks for an average of at least thirty-five hours per week.</u>
<u>Functions and values</u>	<u>The beneficial roles served by critical areas, including, but not limited to, water quality protection and enhancement, fish and wildlife habitat, food chain support, flood storage, conveyance and attenuation, groundwater recharge and discharge, erosion control, and recreation.</u>

22.12.070 G Definitions.

<u>Gateway sign</u>	<u>A public or private sign or structure with sign elements identifying entry into and/or the boundaries of a development, neighborhood, or district.</u>
<u>Geologically hazardous areas</u>	<u>Areas that may not be suited to development consistent with public health, safety or environmental standards, because of their susceptibility to erosion, sliding, earthquake, or other geological events as designated by WAC 365-190-080(4). Types of geologically hazardous areas include erosion, landslide, seismic, mine, and volcanic hazards.</u>
<u>Geologist</u>	<u>A practicing professional geologist licensed with the state of Washington.</u>
<u>Geotechnical engineer</u>	<u>A practicing professional geotechnical/civil engineer licensed with the state of Washington.</u>
<u>Goal</u>	<u>A purpose toward which efforts are directed.</u>
<u>Good faith effort</u>	<u>An employer has met the minimum requirements identified in RCW 70.94.531 and this chapter, and is working collaboratively with the city/county to continue its existing 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.</u>
<u>Governing authority</u>	<u>The city council of the city of Monroe.</u>
<u>Government facilities</u>	<u>Those facilities which include but are not limited to schools (public or private), parks, utility substations, public buildings, vocational education centers or other similar uses satisfying a public need and under governmental control.</u>
<u>Governmental entity</u>	<u>The state of Washington, Snohomish County, the city, municipally owned utilities, and special purpose districts including the school, fire and library districts.</u>
<u>Grade (ground level)</u>	<u>The finished level of the street (or parking lot) closest to the sign to which reference is made. In cases where the property on which the sign is located is lower than the immediately adjacent street level, the ground level shall be considered the street level as measured from the street centerline, so as to facilitate visibility of signage.</u>
<u>Grade span</u>	<u>A category into which a district groups its grades of students (e.g., elementary, middle or junior high, and high school).</u>
<u>Grading</u>	<u>Any excavation, clearing, filling, leveling, or contouring of the ground surface by human or mechanical means.</u>
<u>Grantee (wireless facilities)</u>	<u>Both licensees and franchisees granted certain rights and obligations as more fully described herein.</u>
<u>Graphic sign</u>	<u>A window sign or a sign which is an integral part of a building's facade. The sign may be painted, carved, or permanently imbedded.</u>
<u>Grocery store</u>	<u>An establishment dealing in staple food such as produce, meats, dairy and cereals.</u>
<u>Gross leasable floor area</u>	<u>The total square footage of floor space in a building, including selling areas, offices and stock rooms of a commercial building, but excluding courts,</u>

	<u>stairways and the pedestrian mall, provided it is not used for the sale, storage or display of merchandise.</u>
<u>Ground cover</u>	<u>Small plants such as salal, ivy, ferns, mosses, grasses, or other types of vegetation which normally cover the ground and includes trees and shrubs less than six inches in diameter.</u>
<u>Ground cover management</u>	<u>The mowing or cutting of ground cover when such activities do not disturb the root structures of plants.</u>
<u>Group home</u>	<u>A nonprofit or for-profit place for the sheltered care of persons with special needs which, in addition to providing food and shelter, may also provide some combination of personal care, social or counseling services, and transportation.</u>
<u>Growth and transportation efficiency center (gtec)</u>	<u>A defined, compact, mixed-use urban center that contains jobs or housing and supports multiple modes of transportation. For the purpose of funding, a GTEC must meet minimum criteria established by the CTR Board under RCW 70.04.537, and must be certified by a regional transportation planning organization as established in RCW 47.80.020.</u>
<u>Growth management act or Act</u>	<u>The sections of the Washington state growth management act codified at Chapters 36.70A and 82.02 RCW, as may be hereinafter amended.</u>
<u>Guesthouse</u>	<u>An accessory structure to a principal residential use. A guesthouse shall have not more than two bedrooms and no kitchen. It shall be used or designed for use primarily by guests or servants for sleeping quarters only.</u>

22.12.080 H Definitions.

<u>Halfway house</u>	<u>A center for formerly institutionalized individuals (such as mental patients or drug addicts) that are designed to facilitate their readjustment to private life.</u>
<u>Hammerhead</u>	<u>A street temporarily closed at one end, the ultimate purpose of which is to provide an extension of the street to adjacent property. The end of this temporary dead-end street must be further characterized by an extension of the street width to be used for turning of motor vehicles.</u>
<u>Hardware store</u>	<u>A retail store predominantly used for the sale of tools, paints, and other building equipment and supplies. Accessory uses may include the storage of lumber, drywall, roofing, or other similar building materials.</u>
<u>Hazard areas</u>	<u>Areas designated as frequently flooded or geologically hazardous areas due to potential for erosion, landslide, seismic activity, mine collapse, or other geologically hazardous conditions.</u>
<u>Hazardous waste</u>	<u>All dangerous and extremely hazardous waste as defined in RCW 70.105.010(15) and Chapter 173-303 WAC, except for moderate risk waste as set forth in RCW 70.105.010(17).</u>
<u>Hazardous waste facility</u>	<u>Any facility that treats or stores hazardous wastes.</u>

<u>Hazardous waste storage</u>	<u>The holding of hazardous waste for a temporary period, as regulated by the State Dangerous Waste Regulations, Chapter 173-303 WAC, or its successor.</u>
<u>Hazardous waste treatment</u>	<u>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 regulated by the State Dangerous Waste Regulations, Chapter 173-303 WAC, or its successor.</u>
<u>Hearings examiner</u>	<u>Reference Chapter 2.34 MMC.</u>
<u>Heavy equipment</u>	<u>Such construction machinery as backhoes, treaded tractors, dump trucks, and front-end loaders.</u>
<u>Height of Building</u>	<u>The vertical distance from the finished average grade level to the highest point of the roof surface of a flat roof, to the deck line of a mansard roof and to the midpoint between the eaves and ridge for a gable, hip or gambrel roof.</u>
<u>Height of Sign</u>	<u>The vertical distance from the grade to the highest point of a sign or any vertical projection thereof, including its supporting columns, or the vertical distance from the relative grade in the immediate vicinity.</u>
<u>Height of Trees</u>	<u>The distance from growth stem to top of root ball.</u>
<u>Historic sign</u>	<u>A wall or projecting sign where the sign is proposed to be restored or authentically recreated as evidenced by historic photographs even though nonconforming.</u>
<u>Holographic display</u>	<u>Any display that creates a three-dimensional image through projection.</u>
<u>Home association</u>	<u>An incorporated nonprofit organization operating under recorded land agreements through which: A. Each lot is automatically subject to a charge for a proportionate share of the expenses for the organization's activities, such as maintaining a common property; and B. The charge, if unpaid, becomes a lien against the property.</u>
<u>Home day care center</u>	<u>A day care center for six or fewer children including the children of the occupant. The home day care center shall be operated by an occupant of the home.</u>
<u>Home improvement center</u>	<u>A warehouse-type retail facility with a gross floor area greater than one hundred thousand square feet specializing in the sale of home improvement products.</u>
<u>Home occupation</u>	<u>Any business or commercial activity conducted in a dwelling unit that results in a product or service, and is clearly incidental and subordinate to the residential use of such dwelling unit. A. Home Occupation, Minor. Minor home occupations are compatible with the neighborhoods in which they are located and cause no impact greater than that generally associated with a single-family residence. B. Home Occupation, Major. Major home occupations have the potential for causing some effects greater than that generally associated with a single-family residence and may require conditions to reduce those impacts.</u>

<u>Hospital</u>	<u>An institution specializing in giving clinical, temporary and emergency services of a medical or surgical nature to human patients and licensed by Washington State law.</u>
<u>Hotel</u>	<u>A facility providing six or more guest rooms or suites for transient lodging accommodations to the general public, and providing additional services such as restaurants, meeting rooms, gift shops, and/or entertainment and recreation facilities. Access to individual units is predominantly by means of common interior hallway. Not included in this definition are institutions housing persons under legal restraint or requiring medical attention.</u>
<u>Hydraulic project approval (hpa)</u>	<u>A permit issued by the state Department of Fish and Wildlife for modification to waters of the state in accordance with Chapter 75.20 RCW.</u>
<u>Hydrologist</u>	<u>A practicing professional hydrologist licensed with the state of Washington.</u>

22.12.090 I Definitions.

<u>Identification sign</u>	<u>A sign of an informational nature that directs attention to certain uses other than businesses, such as individual private residences or the name of a residential structure or project.</u>
<u>Illegal sign</u>	<u>Any sign which does not comply with the requirements of this code within the city limits, as they now or hereafter exist except for those signs which are legal nonconforming signs.</u>
<u>Illuminated sign</u>	<u>Any sign for which an artificial source of light is used in order to make readable the sign's message, including internally and externally lighted signs and reflectorized, glowing or radiating signs.</u>
<u>Illumination</u>	<u>Any sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.</u>
<u>Imaginary surface</u>	<u>The airspace (primary, approach, transitional, horizontal, and conical surfaces) designated by the floor area ratio.</u>
<u>Impact fee schedule</u>	<u>The table of impact fees to be charged per unit of development, computed by the formula adopted under Chapter 22.88 MMC, indicating the standard fee amount per dwelling unit that shall be paid as a condition of residential development within the city.</u>
<u>Impervious surface</u>	<u>A hard surface area that either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development or that causes water to run off the surface in greater quantities or at an increased rate of flow from the present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, rooftops, walkways, patios, driveways, parking lots, storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled macadam or other surfaces which similarly impede the natural infiltration of storm water.</u>
<u>Incandescent bulb</u>	<u>A lamp that produces light through the application of electrical energy to a wire filament, which glows as it is heated.</u>

<u>Inflatable object or sign</u>	<u>Any inflatable object larger than three feet in diameter, such as a blimp, large balloon, or inflatable sport equipment, that uses blown air or gas to remain inflated to attract attention to a business, special event or activity.</u>
<u>Informational sign, private</u>	<u>A sign placed for the convenience of the property owner used for the sole purpose of designating property control and warning signs such as no trespassing, no dumping, patrolled by dogs, etc.</u>
<u>Informational sign, public</u>	<u>A sign placed for the convenience of the public used for the sole purpose of designating restrooms, hours of operations, entrances and exits to buildings and parking lots, help wanted, public telephones, public notary, etc. Also included are plaques, tablets or inscriptions that are an integral part of a building.</u>
<u>Infrastructure</u>	<u>Infrastructure includes, but is not limited to the roads, sanitary sewer, municipal water, curb, gutter, sidewalk and streetscape required in the development of a subdivision, including off-site mitigation for roads, schools, and parks.</u>
<u>Intensity</u>	<u>The number of dwelling units per acre for residential development and floor area ratio and/or occupancy load for nonresidential development, such as commercial, office, and industrial uses.</u>
<u>Interest rate</u>	<u>The current interest rate as stated in the Bond Buyer Twenty-Bond General Obligation Bond Index.</u>
<u>Interior sign</u>	<u>Any sign attached to the interior surface of any building or structure, or maintained within the building or structure that are not visible from the ROW.</u>
<u>Isolated wetland</u>	<u>Those wetlands that are outside of and not contiguous to any one-hundred-year floodplain, lake, river, or stream and have no contiguous hydric soil or hydrophytic vegetation between the wetland and any surface water.</u>
<u>In-patient facilities, including substance abuse and mental health facilities</u>	<u>Facilities of a local nature intended to meet the service needs of the local community. These facilities are typically characterized by providing some type of in-patient care, assistance, or monitoring and include substance abuse and mental health facilities.</u>

22.12.100 J Definitions.

<u>Joint aquatic resources permit application (JARPA)</u>	<u>A single application form that may be used to apply for hydraulic project approvals, shoreline management projects, approval of exceedance of water quality standards, water quality certifications, Coast Guard bridge permits, Department of Natural Resources use authorization, and Army Corps of Engineer permits.</u>
<u>Junkyard</u>	<u>An open area where waste or scrap materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including but not limited to scrap iron and other metals, paper, rags, rubber tires and bottles. A junkyard includes an auto wrecking yard but does not include uses established within enclosed buildings or pawnshops and establishments for the sale, purchase or storage of used furniture and household equipment, used cars in operable</u>

condition or the processing of used, discarded or salvaged materials as part of a manufacturing operation.

Jurisdiction's base year measurement

The proportion of single-occupant vehicle commute trips by CTR commuters and commute trip vehicle miles traveled per CTR commuter on which commute trip reduction targets for the local jurisdiction shall be based. The jurisdiction's base year measurement, for those jurisdictions with an affected urban growth area as of March 1, 2007, shall be determined based on employee surveys administered in the 2006-2007 survey cycle. If complete employee survey data from the 2006-2007 survey cycle is not available, then the base year measurement shall be calculated from the most recent and available set of complete employee survey data.

22.12.110 K Definitions.

Kenel

A place, other than the residence of the owner of the animal(s), where three or more dogs or cats, four months old or older, or any combination of dogs and cats, are kept, whether care is for compensation or not.

22.12.120 L Definitions.

Lake

An area permanently inundated by water in excess of two meters deep and greater than twenty acres in size measured at the ordinary high water mark.

Land clearing

The act of removing or destroying trees, ground cover, and other vegetation by manual, mechanical, or chemical methods.

Land cost per acre

The estimated average land acquisition cost per acre (in current dollars) based on recent site acquisition costs, comparisons of comparable site acquisition costs in other districts, or the average assessed value per acre of properties comparable to school sites located within the district.

Landmark sign

A sign or plaque that is attached to the surface of the building or on a site that identifies or describes the historical, cultural, social, or other significance of a building or site.

Landscape architect

A Washington State registered professional landscape architect, having current certification with the state Department of Licensing.

Landscape barrier/buffer

A space, either landscaped or in a protected state, intended to reduce the impact of development, traffic, undesirable sights, sounds, and odors.

Landscape maintenance

The continual maintenance of planting areas and landscape plants in a healthy, living condition, the replacement of dead, diseased, or damaged plant material, and the repair of irrigation systems.

Landscaping or landscaping areas

Natural vegetation such as trees, shrubs, ground cover and other landscape materials arranged in a manner to produce an aesthetic effect appropriate for the use to which the land is put. Ponds, streams, natural areas, or areas for the detention of storm water runoff are not considered part of the landscaped

	<u>area of a site unless they are integrated with required landscaping as a water feature.</u>
<u>Landslide</u>	<u>Episodic down-slope movement of a mass of soil or rock that includes, but is not limited to, rock falls, slumps, mudflows, and earthflows.</u>
<u>Landslide hazard areas</u>	<u>Areas that are potentially subject to risk of mass movement due to a combination of geologic landslides resulting from a combination of geologic, topographic, and hydrologic factors.</u>
<u>Legal building, legal structure, and legal land use</u>	<u>Any building, structure or use of the land that complies with all applicable zoning code requirements.</u>
<u>Legal nonconforming sign</u>	<u>Any sign lawfully constructed prior to the effective date of the ordinance codified in this chapter which fails to conform to the provisions of this chapter.</u>
<u>Legibility</u>	<u>The physical attributes of a sign that allow for differentiation of its letters, words, numbers, or graphics, which directly relate to an observer's visual acuity.</u>
<u>Level of service, existing/proposed (ELOS/PLOS)</u>	<u>The ratio of park, recreation, and open space lands and facility units (acres, fields, square feet, etc.) to the number of persons in the city's population (expressed as unit per one thousand persons).</u>
<u>Library</u>	<u>A facility housing a collection of literary documents and/or research material available for borrowing.</u>
<u>License (wireless facilities)</u>	<u>The general authority granted by the city to a service provider to use city rights-of-way to provide telecommunications services to locations outside of the city. A license issued by the city is a master permit within the meaning of RCW 35.99.010(3).</u>
<u>Licensed practitioners</u>	<u>Those persons possessing a license earned as a result of passing an examination administered by a state or national board of examiners, commission or professional association.</u>
<u>Light-emitting diode (led)</u>	<u>A semiconductor light source. Early LEDs emitted low-intensity red light, but modern versions are available across the visible, ultraviolet, and infrared wavelengths, with very high brightness. An LED sign is illuminated solely by tiny light bulbs fit into an electrical circuit that is lit by the movement of electrons in a semiconductor material. The more dense or closer the bulbs are placed, the higher the resolution of the image, which can vary from a dot matrix image to very high resolution equal to a television screen.</u>
<u>Limited duration sign</u>	<u>A nonpermanent sign intended for use for a limited period of time. Examples include signs that provide information concerning the development and sale of residential and commercial properties.</u>
<u>Liquid crystal display (LCD)</u>	<u>A flat panel display, electronic visual display, or video display that uses the light modulating properties of liquid crystals. Liquid crystals do not emit light directly. It is an electronically modulated optical device made up of any number of segments filled with liquid crystals and arrayed in front of a light source (backlight) or reflector to produce images in color or monochrome.</u>

<u>Loading space</u>	<u>A space on the same site with the principal use served which provides for the temporary parking of a vehicle while loading or unloading merchandise, materials or passengers.</u>
<u>Logo, logogram, or logotype</u>	<u>An emblem, letter, character, pictograph, trademark, or symbol used to represent any firm, organization, entity, or product.</u>
<u>Lot</u>	<u>A parcel of land described by: A. Reference to a recorded plat; B. Metes and bounds; C. Section, range, and township; usually a part of a subdivision.</u>
<u>Lot coverage</u>	<u>That percentage of the gross area of a lot that is occupied by buildings, structures, and impervious surfaces. Maximum lot coverage regulates the intensity of development on a site.</u>
<u>Lot depth</u>	<u>The mean dimension of the lot from the front street line to the rear line.</u>
<u>Lot frontage</u>	<u>That portion nearest the street or easement except on a corner lot, in which case the front yard shall be considered the narrowest part of the lot that abuts a street.</u>
<u>Lot width</u>	<u>The horizontal distance between lot sidelines.</u>
<u>Lot, fully developed</u>	<u>Parcels with improvements assessed by the Snohomish County assessor's office at a value greater than ten thousand dollars (containing an existing structure); for single-family lots the existing structure is valued at greater than seventy percent of the land value and for multifamily and commercial lots the existing structure is valued at greater than seventy-five percent of the land value.</u>
<u>Lot, panhandle or flag lot</u>	<u>A lot where the front and rear lot lines conform to zoning code requirements for lot dimensions except for the panhandle. The panhandle is a narrow strip of land to be utilized for access purposes from an improved public right-of-way. The panhandle or access portion of the lot is not be used to determine building setbacks, but is counted toward minimum lot area requirements or maximum allowed residential density, as applicable.</u>
<u>Low-income housing</u>	<u>A housing unit developed and maintained specifically for rental or ownership occupancy by households with incomes no greater than fifty percent of current median income as determined by reference to the most recently published income data for the Seattle-Bellevue PMSA published by the U.S. Department of Housing and Urban Development.</u>
<u>Lumber yard</u>	<u>An establishment devoted to the sale of lumber, drywall, roofing and similar building materials.</u>

22.12.130 M Definitions.

<u>Maintenance</u>	<u>The work of keeping something in a suitable condition such as repair would accomplish.</u>
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<u>Major employer (formerly affected employer)</u>	<u>A private or public employer, including state agencies, that employs one hundred or more full-time employees at a single work site who begin their regular workday between six a.m. and nine a.m. on weekdays for at least twelve months.</u>
<u>Major work site</u>	<u>A building or group of buildings that are on physically contiguous parcels of land or on parcels of land separated solely by private or public roadways or rights-of-way, and at which there are one hundred or more full-time employees, who begin their regular workday between six a.m. and nine a.m. on weekdays, for at least twelve continuous months.</u>
<u>Manufactured home</u>	<u>A single-family dwelling required to be built in accordance with regulations adopted under the National Manufactured Housing Construction and Safety Standards Act of 1974.</u>
<u>Marquee</u>	<u>A permanent roof-like structure projecting horizontally from and attached to a building, affording protection from the elements to persons and property thereunder.</u>
<u>Marquee sign</u>	<u>A sign that forms part of or is integrated into a marquee and which does not extend vertically or horizontally beyond the limits of such marquee.</u>
<u>Medical and dental laboratory</u>	<u>Premises devoted to product development in any branch of medicine or dentistry, including the application of scientific principles in testing, analysis, or preparation of drugs, chemicals or other products or substances but specifically excluding the commercial manufacturing or storage and distribution operations in excess of twenty thousand square feet of floor area.</u>
<u>Mental hospital (including treatment of alcoholics)</u>	<u>An institution licensed by Washington State agencies under provisions of law to offer facilities, care and treatment for cases of mental and nervous disorders and alcoholism.</u>
<u>Merchandise</u>	<u>Clothing, toys, electronics, pictures, games, or other nonfood products for sale or rent.</u>
<u>Message</u>	<u>A set of sequential displays that conveys related information about a product, service or company in an electronic sign.</u>
<u>Mineral extraction</u>	<u>The removal of naturally occurring metallic and nonmetallic minerals and other geologic materials from, on and/or beneath the earth's surface.</u>
<u>Mini self-storage</u>	<u>A storage facility providing garages, rooms, closets and lockers for rent on an individual basis, usually by month.</u>
<u>Minimum height of ground floor</u>	<u>The vertical distance from top to top of the successive finished floor surfaces; and, if the ground floor is the only floor above street grade, 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.</u>
<u>Mining</u>	<u>See Mineral extraction.</u>
<u>Minor adjustment, as determined by the zoning code administrator</u>	<u>A change in the final development plan which may affect the precise dimensions or siting of buildings but does not affect the basic character or</u>

	<u>arrangement of buildings or the density of the development or open space provided.</u>
<u>Minor utility project</u>	<u>The placement of a utility pole, street sign, anchor, vault, or other small component of a utility facility, where the disturbance of an area is less than seventy-five square feet.</u>
<u>Mitigation</u>	<u>Avoiding, minimizing, or compensating for adverse impacts on critical areas. Mitigation shall use any of the actions that are listed below in descending order of preference:</u> <u>A. Avoiding the impact altogether by not taking a certain action or parts of an action; or</u> <u>B. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts; or</u> <u>C. Rectifying the impact by repairing, rehabilitating, or restoring the affected critical areas; or</u> <u>D. Reducing or eliminating the impact over time by preservation or maintenance operations during the life of the development proposal; or</u> <u>E. Compensating for the impact by replacing, enhancing, or providing substitute critical areas; and</u> <u>F. Monitoring the impacts and compensation project, and taking appropriate corrective measures. Mitigation for individual actions may include a combination of the above.</u>
<u>Mixed occupancy</u>	<u>A building or site that contains a combination of two or more different land uses, which may include residential, office, commercial/retail, restaurant, institutional, and/or industrial uses as permitted within the underlying zoning district.</u>
<u>Mixed use</u>	<u>A group of structures housing more than one type of retail business, office, commercial or manufacturing venture and generally under one ownership and control.</u>
<u>Mixed use building</u>	<u>A building that contains a combination of residential and one or more different land uses, which may include office, commercial/retail, restaurant and/or public uses.</u>
<u>MMC</u>	<u>The Monroe municipal code.</u>
<u>Mobile home</u>	<u>A factory-built dwelling built before June 15, 1976, to standards other than the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 USC 5401 et seq.), and acceptable under applicable state codes in effect at the time of construction or introduction of the home into this state.</u>
<u>Mobile home park</u>	<u>A tract of land under single ownership or control, including ownership by a condominium association, upon which three or more mobile homes occupied as dwellings may be located.</u>
<u>Mobile sign</u>	<u>Any sign mounted on a vehicle, trailer, or boat; or fixed or attached to a device for the purpose of transporting from site to site. This definition includes all vehicles placed or parked for the purpose of drawing attention to a service, product, object, person, organization, institution, business, event, location or</u>

	<u>message, but not signs or lettering installed on vehicles, trailers or boats operating during the normal course of business.</u>
<u>Mobile vendor</u>	<u>Any person, firm or corporation who engages temporarily in the business of selling food and nonalcoholic beverages and/or other goods or services and delivering goods, wares or merchandise within the city, and who, in furtherance of such purpose, hires, leases, uses or occupies any building, structure or vacant lot, motor vehicle or trailer.</u>
<u>Mode</u>	<u>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.</u>
<u>Model home</u>	<u>A single-family residence open to the public for sales promotion to demonstrate the types and finishes of homes available in the subdivision. A model home is constructed in an approved preliminary plat which has not yet received final plat approval.</u>
<u>Modification (wireless facilities)</u>	<u>The changing of any portion of a personal wireless service facility from its description in a previously approved permit. Examples include, but are not limited to, changes in design.</u>
<u>Monitoring</u>	<u>The collection of data by various methods for the purpose of understanding natural systems and features, evaluating the impact of development proposals on such systems, and assessing the performance of mitigation measures imposed as conditions of development.</u>
<u>Monument sign</u>	<u>A ground-mounted sign which is attached to the ground by means of a wide base with a solid appearance.</u>
<u>Mortuary</u>	<u>A place of business licensed in accordance with RCW 18.39.145 that provides for any aspect of the care, shelter, transportation, embalming, preparation, and arrangements for the disposition of human remains and includes all areas of such entity and all equipment, instruments, and supplies used in the care, shelter, transportation, preparation and embalming of human remains.</u>
<u>Motel</u>	<u>A facility providing four or more guest rooms for transient lodging accommodation to the general public but does not provide additional services such as restaurants, meeting rooms, entertainment, and recreational facilities. Facility may include meeting rooms and recreation areas such as swimming pools or exercise rooms.</u>
<u>Motor vehicle sales facility</u>	<u>Any area of land, including the structures thereon, that is used for the display, sale, rental, or leasing of operable motorized vehicles, including but not limited to automobiles, RVs and boats, motorsports, and related nonmotorized vehicles such as trailers and which may or may not include on-site service and repair facilities.</u>

<u>Mount</u>	<u>The structure or surface upon which personal wireless service facilities are mounted. There are three types of mounts: A. Building-Mounted. A personal wireless service facility mount fixed to the roof or side of a building. B. Ground-Mounted. A personal wireless service facility mount fixed to the ground, such as a tower. C. Structure-Mounted. A personal wireless service facility fixed to a structure other than a building, such as light standards, utility poles, and bridges.</u>
<u>Multi-building complex</u>	<u>A group of structures housing more than one type of retail business, office, commercial or manufacturing venture and generally under one ownership and control.</u>
<u>Multiple occupancy building</u>	<u>A single structure housing more than one type of retail business, office, commercial, or manufacturing venture.</u>
<u>Mural</u>	<u>Artwork either painted directly on a building wall, or prepared separately and attached to the building wall, that may or may not have a commercial message, name, or other advertisement incorporated.</u>

22.12.140 N Definitions.

<u>Native growth protection easement (NGPE)</u>	<u>An easement granted to the city of Monroe for the protection of native vegetation within a critical area or its associated buffer. The NGPE shall be recorded on the appropriate documents of title and filed with the Snohomish County recordings division.</u>
<u>Native tree</u>	<u>Any perennial woody plant with one main stem or multiple stems that support secondary branches, that has a distinct and elevated crown, that will commonly reach a height of fifteen feet or greater, and that has a caliper of six inches or greater measured four and one-half feet above the ground level.</u>
<u>Native vegetation</u>	<u>Plant species that are indigenous to the area in question.</u>
<u>Natural or existing topography</u>	<u>The topography of the lot, parcel or tract of real property immediately prior to any site preparation or grading, including excavation or filling.</u>
<u>New development</u>	<u>Any and all development for which a permit is issued after the effective date of the first ordinance establishing Title 22.</u>
<u>Noncommercial public service sign</u>	<u>Noncommercial signs devoted to religious, charitable, cultural, governmental or educational messages.</u>
<u>Nonconforming building or structure</u>	<u>Any building or structure which was legally constructed prior to the effective date of the ordinance codified in this title or subsequent amendments under which it would not be permitted as a new structure because it does not conform with the lot area, yard, height or lot coverage restrictions in these regulations, or is designed or intended for a use that does not conform to the use regulations for the district in which it is located, whether at the effective date of the ordinance codified in this title or as the result of subsequent amendments to these regulations.</u>
<u>Nonconforming use</u>	<u>Any use of land, building or structure legally established prior to the effective date of the ordinance codified in this title which does not comply with all of</u>

	<u>these zoning regulations or of any amendment hereto governing use of the zoning district in which such use is situated.</u>
<u>Nonprecision instrument runway</u>	<u>A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area-type navigation equipment, for which a straight-in nonprecision approach procedure has been approved, or planned, and for which no precision approach facilities are planned.</u>
<u>Nonproject action</u>	<u>An action that involves decisions on policies, plans, or programs, including, but not limited to:</u> <u>A. The adoption or amendment of legislation, ordinances, rules, or regulations that contain standards controlling use or modification of the environment;</u> <u>B. The adoption or amendment of comprehensive land use plans or zoning ordinances;</u> <u>C. The adoption of any policy, plan, or program that will govern the development of a series of connected actions (WAC 197-11-060), but not including any policy, plan, or program for which approval must be obtained from any federal agency prior to implementation;</u> <u>D. Creation of a district or annexations to any city, town or district;</u> <u>E. Capital budgets; and</u> <u>F. Road, street, and highway plans.</u>
<u>Notice</u>	<u>Written communication delivered via the United States Postal Service with receipt deemed accepted three days following the day on which the notice was deposited with the postal service unless the third day falls on a weekend or legal holiday, in which case the notice is deemed accepted the day after the weekend or legal holiday.</u>
<u>Noxious matter</u>	<u>Material capable of causing injury to living organisms by chemical reactions, or capable of causing detrimental effects upon the physical or economic well-being of individuals.</u>
<u>Nursing Home and/or Convalescent Home</u>	<u>An establishment which provides full-time convalescent or chronic care or both for three or more individuals who are not related by blood or marriage to the operator and who, by reason of chronic illness or infirmity, are unable to care for themselves. No care for the acutely ill, or surgical or obstetrical services, shall be provided in such a home. A hospital or sanitarium shall not be considered to be included in this definition.</u>

22.12.150 O Definitions.

<u>Official plans</u>	<u>The comprehensive plan, the zoning code, and the subdivision code of the city.</u>
<u>Off-premises</u>	<u>Being off a lot with or without buildings.</u>
<u>Off-premises sign</u>	<u>A sign that advertises a service, product, object, person, organization, institution, business, event, location or message that is not available on the property upon which the sign is located. This includes mobile signs and billboards if their placement constitutes an off-premises sign.</u>

<u>Off-premises sign, directional</u>	<u>A sign designated and used solely for the purpose of indicating the location or direction of a place or business and which is located on private property or the public right-of-way separate from the place or business.</u>
<u>Off-premises sign, public informational</u>	<u>A sign providing information about events conducted at a public or other community facility in a location different than the property on which the sign is posted.</u>
<u>Off-street parking</u>	<u>The parking area within the boundaries of a lot.</u>
<u>On-premises</u>	<u>Being on a lot with or without buildings.</u>
<u>On-premises sign</u>	<u>A sign which displays a message that is directly related to the use of the property on which it is located.</u>
<u>Open house sign</u>	<u>A sign welcoming viewers to a piece of residential real estate that is being offered for sale.</u>
<u>Open record hearing</u>	<u>A hearing, conducted by a single hearing body, that creates the record through testimony and submission of evidence and information, under procedures prescribed by the hearing body. An open record hearing may be held prior to a decision being issued on a project permit, to be known as an open record pre-decision hearing. An open record hearing may be held on an appeal, to be known as an open record appeal hearing, if no open record pre-decision hearing has been held on the project permit.</u>
<u>Open space</u>	<u>Land area which includes but is not limited to woodlands, fields, sidewalks, walkways, landscape areas, gardens, courtyards, or lawns, but not occupied by buildings, traffic circulation roads or parking areas.</u>
<u>Ordinary high water mark</u>	<u>The mark that will be found by examining the bed and banks of a stream and ascertaining where the presence and action of waters are so common and usual, and so long maintained in all ordinary years, that the soil has a character distinct from that of the abutting upland, in respect to vegetation. In any area where the ordinary high water mark cannot be found, the line of mean high water shall substitute. In braided channels and alluvial fans, the ordinary high water mark or substitute shall be measured so as to include the entire stream feature.</u>
<u>Outdoor storage</u>	<u>The keeping of any goods, materials, merchandise, vehicles, construction equipment, cargo containers, and the like for more than twenty-four consecutive hours in an area that is not in an enclosed building and is open to the sky. This definition does not include areas for the retail sale of new and used automobiles.</u>
<u>Overhead facilities</u>	<u>Utility facilities and telecommunications facilities located above the surface of the ground, including the underground supports and foundations for such facilities.</u>
<u>Overlay zoning district</u>	<u>A set of zoning requirements that is described in the ordinance and/or in this title, is mapped, and is imposed in addition to those of the underlying district. Developments within the overlay zone must conform to the requirements of</u>

both zones or the more restrictive of the two. It usually is employed to deal with special site characteristics.

Owner

The owner of record of real property, although when real property is being purchased under a real estate contract, the purchaser shall be considered to be the owner of the real property if the contract is recorded.

22.12.160 P Definitions.

Parapet

That portion of a building wall and/or facade which extends above the roof of the building.

Parcel

A tract or plat of land of any size, which may or may not be subdivided or improved.

Park – capital facilities program (CFP)

A six-year plan that is approved by the city council in order to finance the development of capital facilities necessary to support the projected population of Monroe over the six-year period. The city’s CFP is found in the capital facilities element of the Monroe comprehensive plan, as the same now exists or may be hereafter amended.

Park – development activity

Any construction or expansion of a building, structure, or use, any changes in the use of a building or structure, or any changes in the use of land that created additional demand and need for public park, open space or recreation facilities.

Park – encumbered

To reserve, set aside, or otherwise earmark the impact fees in order to pay for commitments, contractual obligations, or other liabilities incurred for park, open space or recreation capital facilities. Impact fees shall be considered encumbered on a first-in, first-out basis.

Park – existing development

That development which physically exists or for which the developer holds a valid building permit as of the effective date of the first ordinance establishing Chapter 3.52 MMC.

Park – impact fee

A payment of money imposed upon new growth or development as a condition of development approval in order to pay for park, open space or recreation facilities needed to serve such new growth or development. Impact fee does not include any permit or application fee.

Park – project improvements

Site improvements and facilities that are planned and designed to provide service for a particular development project and that are necessary for the use and convenience of the occupants or users of the project and are not system improvements. No park, open space or recreation improvement or facility included in the capital facilities plan shall be considered a project improvement.

Park – proportionate share

That portion of the cost of park, open space and recreation improvements that are reasonably related to the service demands and needs of new development.

Park – system improvements

Park, open space, and recreation facilities that are included in the capital facilities plan and are designed to provide service-to-service areas within the community at large, in contrast to project improvements.

<u>Parking space</u>	<u>An off-street parking space which is maintained and used for the sole purpose of accommodating a temporarily parked motor vehicle and which has access to a street or alley.</u>
<u>Parks and recreation facilities</u>	<u>Any park and/or recreational facility owned or dedicated to the public or a government agency.</u>
<u>Parks and recreation facility</u>	<u>A facility or area for recreation purposes including but not limited to swimming pools, parks, tennis courts, playgrounds, picnic areas, athletic fields, trails and/or other similar uses.</u>
<u>Party of record</u>	<u>Any person who has testified at a hearing or has submitted a written statement related to a development action and who provides the city with a complete address.</u>
<u>Party to an appeal</u>	<u>The appellant(s), applicant, and city of Monroe.</u>
<u>Pawn shop</u>	<u>An establishment that engages, in whole or in part, in the business of loaning money on the security of pledges of personal property, or deposits or conditional sales of personal property, or the purchase or sale of personal property.</u>
<u>Peak period</u>	<u>The hours from six a.m. to nine a.m., Monday through Friday, except legal holidays.</u>
<u>Peak period trip</u>	<u>Any employee trip that delivers the employee to begin his or her regular workday between six a.m. and nine a.m. (inclusive), Monday through Friday, except legal holidays.</u>
<u>Pedestrian-oriented sign</u>	<u>A sign the primary purpose of which is to provide information for pedestrians and bicyclists.</u>
<u>Perimeter</u>	<u>A square or rectangle required to enclose the sign area.</u>
<u>Permanent facilities</u>	<u>Facilities of the district with a fixed foundation, which are not relocatable facilities.</u>
<u>Permitted use</u>	<u>Any use authorized or permitted alone or in conjunction with any other use in a specified district and subject to the limitation of the regulations of such use district.</u>
<u>Person</u>	<u>Any person, individual, public or private corporation, firm, association, joint venture, partnership, owner, lessee, tenant, or any other entity whatsoever or any combination of such, jointly or severally.</u>
<u>Person hours of delay</u>	<u>The daily person hours of delay per mile in the peak period of six a.m. to nine a.m., as calculated using the best available methodology by the Washington State Department of Transportation.</u>
<u>Personal wireless service, personal wireless service facilities, and facilities</u>	<u>Shall be defined in the same manner as in 47 USC 332(c)(7)(C), as it may be amended now or in the future, and includes facilities for the transmission and reception of radio or microwave signals used for communication, cellular phone, personal communications services, enhanced specialized mobile radio, and any other wireless services licensed by the FCC and unlicensed wireless services.</u>

<u>Planned action</u>	<u>A significant development proposal as defined in RCW 43.22C.031 as amended.</u>
<u>Plant nursery</u>	<u>A structure designed and used to create an artificial climate for the growing of plants for retail sale.</u>
<u>Plat, final and final short plat</u>	<u>The final drawing of the subdivision or short subdivision and dedication prepared for filing for record with the county auditor and contains all elements and requirements set forth in Chapter 22.68 MMC.</u>
<u>Plat, preliminary and preliminary short plat</u>	<u>A neat and approximate drawing of a proposed subdivision or short subdivision showing the general layout of streets and alleys, lots, blocks, and other elements of a subdivision or short subdivision consistent with the requirements of this chapter. The preliminary plat or preliminary short plat shall be the basis for the approval or disapproval of the layout of a final subdivision or final short subdivision.</u>
<u>Plat, proposed</u>	<u>The preliminary plan for subdivision submitted by the subdivider to obtain approval.</u>
<u>Plat, short</u>	<u>The map or representation of a short subdivision.</u>
<u>Portable sign</u>	<u>An unlighted advertising sign including paper, cardboard, wood or metal, that is capable of being moved easily and that is not permanently affixed to the ground, structure, or building. This includes sidewalk or A-frame signs and signs mounted on a mobile base, except those worn by a person.</u>
<u>Porte cochere</u>	<u>A covering structure projecting horizontally from and attached to a building, affording protection from the elements, typically used for loading and unloading of vehicles.</u>
<u>Poster sign</u>	<u>A decorative placard or advertisement intended to advertise a movie, theater production, video or DVD, or other product or special event that is being conducted or offered for sale.</u>
<u>Potable water</u>	<u>Water that is safe and palatable for human use.</u>
<u>Practical alternative</u>	<u>An alternative that is available and capable of being carried out after taking into consideration cost, existing technology, and logistics in light of overall project purposes, and having less impacts to critical areas.</u>
<u>Preapplication meeting</u>	<u>A meeting between the applicant and city development staff to discuss process, code requirements and development alternatives.</u>
<u>Preexisting lot of record</u>	<u>A lot of record legally existing prior to December 31, 1968. Such a lot shall be deemed to have complied with the minimum required lot area and width of the underlying zoning district. A structure may be permitted on the lot of record providing it meets all front, side and rear yard requirements.</u>
<u>Premises</u>	<u>The real estate as a unit, upon which is displayed the sign or signs mentioned in this chapter.</u>
<u>Preschool</u>	<u>A facility for the organized instruction of children who have not reached the age for enrollment in kindergarten.</u>

<u>Previously incurred system improvements</u>	<u>System improvements that were accomplished in order to serve new growth and development.</u>
<u>Primary facade</u>	<u>Those portions of a facade which are adjacent to or front on a public street, park or plaza.</u>
<u>Primary Sign(s)</u>	<u>All permitted freestanding and building-mounted signs.</u>
<u>Primary surface</u>	<u>A surface that is longitudinally centered on a runway, extends two hundred feet beyond each end of a runway, and is two hundred fifty feet wide.</u>
<u>Principal use or principal building</u>	<u>The primary or predominant use or building or lot to which the property or usage is or may be devoted, and to which all other uses or buildings on the premises are accessory.</u>
<u>Print shop</u>	<u>A service/retail establishment offering print services for individual consumers or small businesses.</u>
<u>Printing plant</u>	<u>A printing operation involving printing presses and/or other industrial machinery.</u>
<u>Prior system improvement deficiencies</u>	<u>Deficiencies in public facilities serving existing development and that do not meet the proposed level of service.</u>
<u>Priority habitat</u>	<u>Habitat types or elements with unique or significant value to one or more species as classified by the state Department of Fish and Wildlife.</u>
<u>Private</u>	<u>Solely or primarily for the use of the resident(s) or occupant(s) of the premises; e.g., a noncommercial garage used solely by the residents or their guests is a private garage.</u>
<u>Private detached garage</u>	<u>An accessory building or structure other than a portion of the main building, enclosed on not less than three sides and designed or used only for the shelter or storage of vehicles, primarily only those vehicles belonging to the occupants of the main building.</u>
<u>Private recreational facility</u>	<u>Any recreational facility not owned or dedicated to the public or a government agency.</u>
<u>Private road</u>	<u>Any right-of-way or road surface not open to general public use which is retained permanently as a privately owned and maintained road and is created to provide access from a street to a lot or lots.</u>
<u>Processing of Natural Deposits</u>	<u>The mining and quarrying of sand, gravel, rock, black soil, and other natural deposits.</u>
<u>Product-sponsored sign</u>	<u>A sign which identifies, displays or attracts attention to a product sold or available, but may or may not identify the on-site organization, institution, person, object, business service or event.</u>
<u>Professional offices</u>	<u>A use that provides professional, administrative, or business-related services such as engineers, attorneys, architects, accountants, and other persons providing services utilizing training in and knowledge of mental disciplines as distinguished from training in occupations requiring skills or manual dexterity or the handling of commodities.</u>

<u>Project action</u>	<u>An action that involves a decision on a specific project, such as a construction or management activity located in a defined geographic area. Projects include and are limited to agency decisions to:</u> <u>A. License, fund, or undertake any activity that will directly modify the environment, whether the activity will be conducted by the agency, an applicant, or under contract.</u> <u>B. Purchase, sell, lease, transfer, or exchange natural resources, including publicly owned land, whether or not the environment is directly modified.</u>
<u>Project area</u>	<u>All areas within fifty feet of the area proposed to be disturbed, altered, or used by the proposed activity or the construction of any proposed structures.</u>
<u>Project permit or project permit application</u>	<u>Any land use or environmental permit or license required by the city of Monroe for a project action, including but not limited to building permits, subdivisions, binding site plans, planned unit developments, conditional uses, shoreline substantial development permits, permits or approvals required for 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.</u>
<u>Projecting sign</u>	<u>A rigid sign, other than a flush wall mounted or marquee sign, which is attached to and projects perpendicular from a building facade at a height above awnings, canopies, or other first floor overhangs, and for which the primary audiences are pedestrians and vehicles.</u>
<u>Projection</u>	<u>The distance by which a sign extends over public property or beyond the property line.</u>
<u>Property line</u>	<u>The line denoting the limits of legal ownership of the property.</u>
<u>Proportion of single-occupant vehicle trips or SOV rate</u>	<u>The number of commute trips made by single-occupant automobiles divided by the number of full-time employees.</u>
<u>Public facilities and services</u>	<u>Includes the following public facilities and services for which level of service standards have been established in the comprehensive plan:</u> <u>A. Potable water;</u> <u>B. Wastewater;</u> <u>C. Storm water drainage;</u> <u>D. Police and fire protection;</u> <u>E. Parks and recreation;</u> <u>F. Arterial roadways;</u> <u>G. Public schools.</u>
<u>Public hearing</u>	<u>An open record hearing at which evidence is presented and testimony is taken.</u>
<u>Public roads</u>	<u>All lanes, roads, streets, and alleys which are open as a matter of right to public vehicular traffic.</u>
<u>Public stable</u>	<u>Any commercial or semi-public establishment where horses are kept for riding, driving or stabling. It may include structures and/or open roaming areas.</u>

Public use

A structure or use intended or used for a public purpose by a city, a school district, the county, the state, or by any other public agency or by a public utility.

22.12.170 Q Definitions.

Qualified professional

A person with experience and training in the pertinent scientific discipline, and who is a qualified expert with expertise appropriate for the relevant critical area subject in accordance with WAC 365-195-905(4). A qualified professional must have obtained a B.S. or B.A. or equivalent degree in biology, engineering, environmental sciences, fisheries, geomorphology or a related field, and two years of related work experience.

A. A qualified professional for habitats or wetlands must have a degree in biology or a related environmental science and professional experience related to the subject.

B. A qualified professional for a geological hazard must be a professional engineer or geologist, licensed in the state of Washington.

C. A qualified professional for critical aquifer recharge areas must be a hydrologist, geologist, engineer, or other scientist with experience in preparing hydrological assessments.

Qualified professional forester

An individual with academic and field experience in forestry or urban forestry, with a minimum of two years' experience in tree evaluation. This may include a Society of American Foresters (SAF) certified forester, a Registered American Society of Consulting Arborists (ASCA) consulting arborist, a Washington State licensed landscape architect, or an International Society of Arborists (ISA) certified arborist.

Quarrying

Mineral extraction with the use of drilling and blasting to remove rock, ore, stone, and other similar materials.

22.12.180 R Definitions.

Raceway

An electrical enclosure which may also serve as a mounting structure for the sign.

Reader board

A sign or part of a sign specifically designed to allow for the display of temporary messages without alteration of the sign field, and on or within which the letters are readily replaceable such that copy can be changed from time to time at will, either by hand or through electronic programming.

Real estate directional sign

A temporary and/or portable sign that is intended to assist people finding the location of difficult to locate property that is for sale, rent, or lease.

Real estate sign

A temporary sign erected by the owner or their agent that advertises the real estate upon which the sign is located for rent, lease or sale, or directing people to the property.

Rear lot line

That boundary of a lot which is most distant from and is most nearly parallel to the front lot line. When a lot borders a body of water or stream beyond the ordinary high water mark, the rear lot line shall be considered to be the ordinary high water mark.

<u>Reasonable use</u>	<u>The minimum to which a property owner is entitled under applicable state and federal constitutional provisions, including takings and substantive due process.</u>
<u>Reclassification</u>	<u>A change in zoning boundaries upon the zoning map, which is an official part of these zoning regulations.</u>
<u>Recreational vehicle (rv)</u>	<u>A vehicle with or without motor power designed for temporary occupancy as a residence. This definition includes motor homes, travel trailers, campers, and the like. Recreational vehicles are prohibited from use as permanent dwelling units in all zoning districts established by this title.</u>
<u>Recreational vehicle (RV) parks</u>	<u>Land under single ownership or control, designed and improved to accommodate the temporary parking of two or more recreational vehicles with associated common facilities such as showers and waste disposal areas. The term shall include campgrounds when designed to accommodate recreational vehicles, but does not include land zoned and used for the storage, display or sale of recreational vehicles.</u>
<u>Recycling center</u>	<u>A collection and processing point for nontoxic, recoverable substances that can be reprocessed for the manufacture of new products.</u>
<u>Religious institution</u>	<u>A facility operated for worship, prayer, meditation or similar activity by an organization granted tax exempt status by the federal Internal Revenue Service.</u>
<u>Relocatable facilities cost</u>	<u>The total cost based on actual facilities costs incurred by the district for purchasing and installing portable classrooms.</u>
<u>Relocatable facilities student capacity</u>	<u>The rated capacity of a typical portable classroom used for a specified grade span.</u>
<u>Relocatable facility</u>	<u>Any factory-built structure, transportable in one or more sections, that is designed to be used as an education space and is needed to prevent the overbuilding of school facilities, to meet the needs of service areas within the district or to cover the gap between the time that families move into new residential developments and the date that construction is completed on permanent school facilities.</u>
<u>Removal</u>	<u>The actual removal or causing the effective removal through damaging, poisoning, root destruction or other direct or indirect actions resulting in the death of vegetation.</u>
<u>Repair</u>	<u>To paint, clean or replace damaged parts of a sign, or to improve its structural strength, but not in a manner that would change the size, shape or location.</u>
<u>Research facility</u>	<u>An activity whose primary focus involves investigation and experimentation in the natural, physical, or social sciences. It typically involves a small amount of product development or assembly space and products testing, and supporting office space. Related administrative and corporate functions are incidental and subordinate to the primary research and development activities.</u>

<u>Residence</u>	<u>A building or structure, or portion thereof, which is designed for and used to provide a place of abode for human beings. Residence includes the term residential as to the type or intended use of a building.</u>
<u>Restaurant</u>	<u>A business establishment where meals or refreshments may be purchased and consumed.</u>
<u>Retail store</u>	<u>A permanent establishment engaged in selling goods or merchandise to the public for personal or household consumption, irrespective of the nature of the business, unless specifically excluded or differentiated as a different use. This definition may include department stores and retail shops, whether as an independent establishment or as part of a larger development, but excludes vehicle sales, outdoor retail sales, eating and drinking establishments, and taverns, among others.</u>
<u>Retirement housing and/or assisted living facility</u>	<u>Any form of congregate housing designed to provide for the particular needs of the elderly, seniors, or the physically disabled, who may have functional limitations due to age or physical impairment, but are otherwise in good health. Residents of such housing can maintain an independent or semi-independent lifestyle and do not require more intensive care as provided in a nursing or convalescent home. For the purposes of this definition, elderly or senior typically means persons fifty-five years of age or older. Design features may include but are not limited to wide doors and hallways and low counters to accommodate wheelchairs, support bars, specialized bathrooms and common dining, recreation or lounge areas. This definition shall not be construed to include facilities to house persons under the jurisdiction of the superior court or the Board of Prison Terms and Paroles.</u>
<u>Revolving sign</u>	<u>Any sign that rotates or turns in a circular motion by electrical or mechanical means.</u>
<u>Rezone</u>	<u>An amendment or change of zoning district on the official zoning map. See also amendment.</u>
<u>Right-of-way use permit</u>	<u>The authorization by which the city grants permission to a service provider to enter and use the right-of-way at a specific location for the purpose of installing, maintaining, repairing, or removing identified facilities.</u>
<u>Rights-of-way</u>	<u>Land acquired or dedicated for public roads and streets but does not include: A. Land dedicated for roads, streets, and highways not opened and not improved for motor vehicle use by the public; B. Structures, including poles and conduits, located within the right-of-way; or C. Federally granted railroad rights-of-way acquired under 43 USC 912, and related provisions of federal law, that are not open for motor vehicle use.</u>
<u>Riparian habitat</u>	<u>Areas adjacent to aquatic systems with flowing water that contain elements of both aquatic and terrestrial ecosystems that mutually influence each other.</u>
<u>Roof</u>	<u>A structure covering any portion of a building or structure, including the projection beyond the walls or supports.</u>
<u>Roof sign</u>	<u>An advertising sign erected upon or above a roof, parapet, canopy, or porte cochere of a building or structure including a sign affixed to any structure</u>

	<u>erected upon a roof, including a structure housing building equipment. Mansard roof signs shall be considered wall signs.</u>
<u>Routine vegetation management</u>	<u>Tree trimming or pruning and ground cover management undertaken by a person in connection with the normal maintenance and repair of property.</u>
<u>Runway</u>	<u>Runway 07-25 at First Air Field.</u>

22.12.190 S Definitions.

<u>Sales area</u>	<u>Any stall, booth, stand, space, section, unit or specified floor area within a licensed community-oriented open-air market location where goods or services are offered or displayed by a vendor for the purpose of sale, trade, barter, exchange or advertisement.</u>
<u>Salmonid</u>	<u>A member of the fish family Salmonidae. In Snohomish County: chinook, coho, chum, sockeye, and pink salmon; cutthroat, brook, brown, rainbow, and steelhead trout; kokanee; and native char (bull trout and Dolly Varden).</u>
<u>Satellite television antenna</u>	<u>An apparatus capable of receiving communications from a transmitter or a transmitter relay located in planetary orbit.</u>
<u>School</u>	<u>An institution of learning, whether public or private, which offers instruction in those courses of study required by the Washington Education Code or which is maintained pursuant to standards set by the State Board of Education. This definition includes a kindergarten, elementary school, junior high school, senior high school or any special institution of education. This definition also includes vocational or professional institutions of higher education, community or junior colleges, or universities under ten acres in size.</u>
<u>School – capital facilities</u>	<u>School facilities identified in the district’s capital facilities plan and are system improvements as defined by the GMA as opposed to localized project improvements.</u>
<u>School – design standards</u>	<u>The space required, by grade span and taking into account the requirements of students with special needs, which is needed in order to fulfill the educational goals of the district as identified in the district’s capital facilities plan.</u>
<u>School – development activity</u>	<u>Any residential construction or expansion of a building, structure or use of land, or any other change in use of a building, structure, or land that creates additional demand and need for school facilities, but excluding building permits for attached or detached accessory apartments, and remodeling or renovation permits which do not result in additional dwelling units. Also excluded from this definition is housing for older persons as defined by 46 USC 3607, when guaranteed by a restrictive covenant, and new single-family detached units constructed on legal lots created prior to May 1, 1991.</u>
<u>School – encumbered</u>	<u>Impact fees identified by the district as being committed as part of the funding for a school facility for which the publicly funded share has been assured, development approvals have been sought, or construction contracts have been let.</u>

<u>School – land development permit</u>	<u>Any land use or environmental permit or license including but not limited to a preliminary or final plat for a single-family residential project, building permit, or preliminary or final planned residential development plan.</u>
<u>School – multifamily unit</u>	<u>Any residential dwelling unit that is not a single-family unit as defined by Chapter 22.88 MMC.</u>
<u>School impact fee</u>	<u>A payment of money imposed upon development, as a condition of development approval, to pay for school facilities needed to serve new growth and development. The school impact fee does not include a reasonable permit fee, an application fee, the administrative fee for collecting and handling impact fees, or the cost of reviewing independent fee calculations.</u>
<u>Screening</u>	<u>A continuous fence and/or evergreen landscaped planting that effectively obscures the property it encloses.</u>
<u>Scrolling</u>	<u>The vertical movement of a static message or display on an electronic sign.</u>
<u>Searchlight</u>	<u>Any device emitting a strong beam of light not normally associated with the daily operation or outdoor lighting of the business or location, used to attract attention to the site.</u>
<u>Secondary facade</u>	<u>Those portions of a facade that are adjacent to or front on alleys, private roads, trails or sidewalks.</u>
<u>Secondary use</u>	<u>A use subordinate to the principal use of the property, such as commercial, residential, utilities, etc.</u>
<u>Section 404 permit</u>	<u>A permit issued by the Army Corps of Engineers for the placement of dredge or fill material waterward of the ordinary high water mark or clearing in waters of the United States, including wetlands, in accordance with 33 USC 1344.</u>
<u>Security barrier</u>	<u>A wall, fence, or berm that has the purpose of sealing a personal wireless service facility from unauthorized entry or trespass.</u>
<u>Seismic hazard area</u>	<u>Areas that are subject to severe risk of damage as a result of earthquake-induced ground shaking, slope failure, settlement, or soil liquefaction.</u>
<u>Service area</u>	<u>A geographic area defined by the city or, in the case of facilities providing service to areas outside the city, by interlocal agreement, as being that area in which a defined set of park, open space and recreation facilities provide service to development within the area.</u>
<u>Service manufacturing</u>	<u>A customer service space, ancillary use to a large scale light industrial/manufacturing business. The customer service space may include a showroom, tasting room, restaurant, or retail space; this may also include an opportunity for customers or the general public to observe the product fabrication or manufacturing process. A maximum of twenty-five (25) percent of the gross floor area may contain the customer service space.</u>
<u>Setback</u>	<u>The minimum required distance between a structure and a lot line, access easement boundary, critical areas buffer, or other boundary line that is required to remain free of structures. A setback is measured perpendicularly from the property line, access easement, or other boundary to the outer wall of the</u>

	<u>structure. In the case where a structure does not have an outer wall, such as a carport, the measurement shall be to the posts of such structure.</u>
<u>Setback - sign</u>	<u>The distance measured on a horizontal plane between a public right-of-way line or a property line and the closest portion of a sign thereto or from tenant demising walls.</u>
<u>Shake and shingle mill</u>	<u>An establishment operating an automated shake and shingle mill which manufactures shakes, shingles and/or ridge caps using automated processes.</u>
<u>Short subdivision</u>	<u>The division or redivision of land into nine or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership.</u>
<u>Side lot line</u>	<u>Any boundary of a lot which is not a front nor a rear lot line.</u>
<u>Sidewalk area</u>	<u>The space on the right-of-way set aside as the walking area for pedestrian traffic as shown and established on the records of the city as a sidewalk and where the city records do not specify such walking area, the sidewalk area shall be that space within the public right-of-way which is actually used as the walking area for pedestrian as distinguished from vehicular traffic.</u>
<u>Sight visibility triangle</u>	<u>A method of providing adequate visual clearance for vehicular and pedestrian traffic approaching a street intersection which is established by measuring a certain distance back from the point where street corner lines meet and connecting the two points established by such measurement.</u>
<u>Sign</u>	<u>A name, identification, description, display or illustration that is affixed to or represented directly or indirectly upon a building, structure, or piece of land and that directs attention to an object, product, place, activity, person, institution, organization or business. However, a sign shall not include any display of official court or public office notice, nor shall it include the flag, emblem or insignia of a nation, political unit, school, or religious group. A sign shall not include a sign located completely within an enclosed building unless the public is intended to view the sign, or the context of this chapter shall so indicate. Painted wall designs or patterns which do not represent a product, service or registered trademark, and which do not identify the tenant user, are not considered signs. If a design or pattern is combined with a sign, only that part of the design or pattern which cannot be distinguished from the sign will be considered as part of the sign.</u>
<u>Sign area</u>	<u>The exposed face area, including any background or backing constructed, painted or installed as an integral part of such sign. Where separate or cut-out figures or letters are used without backing which is an integral part of such sign, the area shall be measured as the area of the smallest polygon, and not to exceed six straight sides, which will completely enclose all figures, letters, designs, and tubing which are a part of the sign. The area of double-faced signs shall be the area of the larger single face.</u>
<u>Sign display surface</u>	<u>The area made available by the sign structure for the purpose of displaying the advertising message.</u>
<u>Sign height</u>	<u>The distance from the grade, or the top of the curb of the nearest street to the top of the sign or any projection thereon, whichever is higher.</u>

<u>Sign maintenance</u>	<u>The work of keeping something in a suitable condition such as repair would accomplish.</u>
<u>Sign, address</u>	<u>Any sign of a noncommercial nature stating the address of the structure upon which said sign is located.</u>
<u>Sign, banner</u>	<u>A sign of nonpermanent nature constructed of nonrigid materials.</u>
<u>Sign, building-mounted/wall</u>	<u>A single- or multiple-faced sign of a permanent nature, made of rigid material, attached to or painted upon the wall/facade of a building or the face of a marquee in such a manner that the wall/facade becomes the supporting structure or forms the background surface of the sign and does not project more than eighteen inches from such wall/facade.</u>
<u>Sign, cabinet</u>	<u>An internally illuminated sign in which a removable sign face (typically with translucent graphics) is enclosed on all edges by a metal cabinet. A cabinet sign may be multi-sided.</u>
<u>Sign, changeable message</u>	<u>Any sign capable of changing the message by means of manual methods.</u>
<u>Sign, construction</u>	<u>An informational sign, which identifies the architects, engineers, contractors and other individuals or firms involved with the construction of a building, which is erected during the construction period.</u>
<u>Sign, directory</u>	<u>A sign listing the tenants or occupants of a building or group of buildings and that may indicate their respective professions or business activities.</u>
<u>Sign, electronic</u>	<u>A sign containing a display that can be changed by electrical, electronic or computerized process, not including video signs.</u>
<u>Sign, flashing</u>	<u>A sign or a portion thereof which changes light intensity or switches on and off in a constant, random or irregular pattern or contains motion or the optical illusion of motion by use of electrical energy.</u>
<u>Sign, freestanding</u>	<u>A sign permanently mounted into the ground, supported by poles, pylons, braces or a solid base and not attached to any building. Freestanding signs include those signs otherwise known as pedestal signs, pole signs, pylon signs, and monument signs.</u>
<u>Sign, illegal</u>	<u>Any sign which does not comply with the requirements of this code within the city limits, as they now or hereafter exist.</u>
<u>Sign, informational</u>	<u>Small signs, not exceeding six square feet in surface area, of a noncommercial nature, and not announcing the name of the business or use, intended primarily for the convenience of the public. Included are signs designating restrooms, address numbers, hours of operation, entrances to buildings, directions, help wanted, public telephone, parking directions and the like.</u>
<u>Sign, legal nonconforming</u>	<u>Any sign erected prior to the effective date of the ordinance codified in this chapter, pursuant to a city sign permit, not meeting the parameters of this chapter.</u>
<u>Sign, monument</u>	<u>A ground-mounted, freestanding sign where the base is attached to the ground as a wide base of solid construction and no part of the sign is wider than the base.</u>

<u>Sign, off-premises</u>	<u>A sign which displays a message relating to a use of property or sale of goods or services at a location other than that on which the sign is located.</u>
<u>Sign, on-premises</u>	<u>A sign which displays a message that is directly related to the use of the property on which it is located. Including those freestanding signs approved under a master sign site plan per Chapter 22.50 MMC.</u>
<u>Sign, political</u>	<u>A sign advertising a candidate or candidates for public elective office, or a political party, or signs urging a particular vote on a public issue decided by ballot.</u>
<u>Sign, portable</u>	<u>A sign which has no permanent attachment to a building or the ground, including A-frame signs, sandwich board signs, pole attachments, and signs mounted on a mobile base, but not including real estate open house and political signs or portable reader board signs as prohibited under Chapter 22.50 MMC.</u>
<u>Sign, primary</u>	<u>All permitted monument/freestanding and building-mounted signs.</u>
<u>Sign, projecting</u>	<u>A sign other than a wall sign, which projects from and is supported by a wall of a building or structure.</u>
<u>Sign, real estate</u>	<u>A sign that pertains to the sale or lease of the premises, or a portion of the premises on which the sign is located.</u>
<u>Sign, roof</u>	<u>Any sign erected above a roof, parapet, canopy, or porte cochere of a building or structure, including a sign affixed to any structure erected upon a roof, including a structure housing building equipment.</u>
<u>Sign, snipe</u>	<u>An off-premises sign which is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes, fences, utility poles or to other objects, not applicable to the present use of the premises or structure upon which the sign is located.</u>
<u>Sign, subdivision</u>	<u>A sign used to identify a land development of a residential nature.</u>
<u>Sign, suspended</u>	<u>A sign hanging down from a marquee, awning, canopy or porte cochere that would exist without the sign.</u>
<u>Sign, temporary</u>	<u>A nonpermanent sign intended for use for a limited period of time. Types of temporary signs are: construction, banner, inflatable, real estate and political signs.</u>
<u>Sign, trailer</u>	<u>A sign which is attached to a trailer or has been constructed as a trailer for the purpose of being towed by a motor vehicle, whether operable or not.</u>
<u>Sign, video</u>	<u>Video devices such as televisions, computer monitors, flat panel displays, plasma screens, and similar video electronics used as signage.</u>
<u>Sign, window</u>	<u>All signs located inside and affixed to or within three feet of a window of a building, whether temporary or permanent, lighted or unlighted, which may be viewed from the exterior of the building. The term does not include merchandise located within three feet of a window.</u>
<u>Single occupancy building</u>	<u>A commercial or industrial building or structure with one major enterprise. A building is classified as “single occupancy” only if:</u>

	<p><u>A. It has only one occupant;</u> <u>B. It has no wall in common with another building; and</u> <u>C. It has no part of its roof in common with another building.</u></p>
<u>Single-occupant vehicle (SOV)</u>	<u>A motor vehicle occupied by one employee for commute purposes, including a motorcycle. If there are other passengers occupying the motor vehicle, but the ages of these passengers are sixteen or under, the motor vehicle is still considered a single-occupant vehicle for measurement purposes.</u>
<u>Single-occupant vehicle (SOV) trips</u>	<u>Commute trips made by affected employees in SOVs.</u>
<u>Site area</u>	<u>The total horizontal dimensional area within the property lines excluding external rights-of-way.</u>
<u>Site plan</u>	<u>A plan, to scale, showing uses and structures proposed for a parcel of land as required by the regulations involved. It includes lot lines, streets, building sites, reserved open space, buildings, major landscape features, both natural and manmade, and, depending on requirements, the locations of proposed utility lines.</u>
<u>Snipe sign</u>	<u>An off-premises sign which is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes, fences, utility poles or to other objects, not applicable to the present use of the premises or structure upon which the sign is located.</u>
<u>Special event</u>	<u>Any event for which a special event permit has been issued pursuant to Chapter 5.28 MMC.</u>
<u>Special event sign</u>	<u>A temporary sign advertising activities concerning an event of a political, civic, seasonal, cultural, philanthropic, educational or religious event or organization that will occur intermittently.</u>
<u>Species, endangered</u>	<u>A fish or wildlife species that is threatened with extinction throughout all or a significant portion of its range and is listed by the state or federal government as an endangered species.</u>
<u>Species, threatened</u>	<u>Any fish or wildlife species that is likely to become an endangered species within the foreseeable future throughout a significant portion of its range without cooperative management or removal of threats, and is listed by the state or federal government as a threatened species.</u>
<u>Stand</u>	<u>A homogenous grouping of tree species or a group of trees that contains a large proportion of the same species.</u>
<u>Standard of Service</u>	<u>The standard adopted by the district which identifies the program year, the class size by grade span and taking into account the requirements of students with special needs, the number of classrooms, the types of facilities the district believes will best serve its student population, and other factors as identified by the district. The district's standard of service shall not be adjusted for any portion of the classrooms housed in relocatable facilities which are used as transitional facilities or any other specialized facilities housed in relocatable facilities.</u>
<u>State</u>	<u>The state of Washington.</u>

<u>State match percentage</u>	<u>The proportion of funds that are provided to the district for specific capital projects from the state's Common School Construction Fund. These funds are disbursed based on a formula which calculates district-assessed valuation per pupil relative to the whole state-assessed valuation per pupil to establish the maximum percentage of the total project eligible to be paid by the state.</u>
<u>Steep slopes</u>	<u>Those slopes forty percent or steeper within a vertical elevation change of at least ten feet. A slope is defined by establishing its toe and top and is measured by averaging the inclination over at least ten feet of vertical relief. For the purpose of this definition:</u> <u>A. The toe of slope is a distinct topographical break in slope that separates slopes inclined at less than forty percent from slopes forty percent or steeper. When no distinct break exists, the toe of slope of a steep slope is the lowermost limit of the area where the ground surface drops ten feet or more vertically within a horizontal distance of twenty-five feet; and</u> <u>B. The top of slope is a distinct, topographical break in slope that separates slopes inclined at less than forty percent from slopes forty percent or steeper. When no distinct break exists, the top of slope is the uppermost limit of the area where the ground surface drops ten feet or more vertically within a horizontal distance of twenty-five feet.</u>
<u>Story</u>	<u>The space in a building from top to top of the successive finished floor surfaces or between a finished floor and the roof.</u>
<u>Stream</u>	<u>Water contained within a channel, either perennial or intermittent, and classified according to WAC 222-16-030 or 222-16-031 and as listed under water typing system. Streams also include natural watercourses modified by man. Streams do not include irrigation ditches, waste ways, drains, outfalls, operational spillways, channels, storm water runoff facilities, or other wholly artificial watercourses, except those that directly result from the modification to a natural watercourse.</u>
<u>Street</u>	<u>A right-of-way which affords a primary means of public access to abutting property.</u>
<u>Structure</u>	<u>Any permanent or temporary edifice or building, or any piece or work artificially built or composed of parts joined together in some definite manner.</u>
<u>Structure - sign</u>	<u>Any structure supporting or that is capable of supporting any sign defined in this chapter. A sign structure may be a single pole or may or may not be an integral part of the building or structure.</u>
<u>Structure alteration</u>	<u>Any change, other than incidental repairs, which would prolong the life of the supporting members of a building, such as bearing walls, columns, beams or girders.</u>
<u>Student factor (student generation rate)</u>	<u>The number of students of each grade span (elementary, middle/junior high, high school) that a district determines are typically generated by different dwelling unit types within the district. The district will use a survey or statistically valid methodology to derive the specific student generation rate.</u>
<u>Subdivider</u>	<u>One who undertakes the subdivision or short subdivision of land. The term includes agents of the subdivider, such as engineers, surveyors, etc.</u>

<u>Subdivision</u>	<u>The division or redivision of land into ten or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership.</u>
<u>Subdivision code</u>	<u>Chapter 22.68 MMC.</u>
<u>Subdivision directional sign</u>	<u>A sign advertising the direction to a subdivision by naming the subdivision and furnishing a directional arrow.</u>
<u>Subdivision or tract sign</u>	<u>A sign advertising the sale or lease of lots or buildings within new or platted subdivisions or land tracts.</u>
<u>Subdivision sign</u>	<u>A sign used to identify a land development of a residential nature.</u>
<u>Surplus space</u>	<u>That portion of the usable space on a utility pole which has the necessary clearance from other pole users, as required by the orders and regulations of the Washington Utilities and Transportation Commission, to allow its use by a telecommunications carrier for a pole attachment.</u>
<u>Surveyor, professional land</u>	<u>A person who, by reason of his or her special knowledge of the mathematical and physical sciences and principles and practices of land surveying, which is acquired by professional education and practical experience, is qualified to practice land surveying and as attested to by his or her legal registration in the state of Washington as a professional land surveyor.</u>
<u>Suspended sign</u>	<u>A sign hanging down from a marquee, awning, canopy or porte cochere that would exist without the sign.</u>

22.12.200 T Definitions.

<u>Target</u>	<u>A quantifiable or measurable value that is expressed as a desired level of performance, against which actual achievement can be compared in order to assess progress.</u>
<u>Tavern</u>	<u>A commercial establishment licensed to sell alcoholic beverages for consumption on premises. Such establishments also usually offer food for on-site consumption, which may be prepackaged or prepared on premises.</u>
<u>Telecommunications carrier</u>	<u>Includes every person that directly or indirectly owns, controls, operates or manages a plant, equipment or property within the city used or to be used for the purpose of providing telecommunications services to locations outside the city.</u>
<u>Telecommunications service</u>	<u>Transmission of information, except cable television service, by wire, radio, optical cable, electromagnetic, or other similar means, for hire, sale, or resale to the general public. For the purposes of this definition, information means knowledge or intelligence represented by any form of writing, signs, signals, pictures, sounds, or any other symbols. Telecommunications service excludes the over-the-air transmission of broadcast television or broadcast radio signals, facilities necessary for governmental purposes, the city shall act within a reasonable of time, taking into account the nature and scope of the application. Any decision to deny an application shall be in writing, supported by substantial evidence contained in a written record. The city shall approve, approve with condition, or deny the application in accordance with the time</u>

	<u>frames set forth in Chapter 22.84 MMC, administration of development regulations, and in accordance with other applicable ordinances.</u>
<u>Telecommunications service provider</u>	<u>Includes every person that directly or indirectly owns, controls, operates or manages a plant, equipment or property within the city used or to be used for the purpose of offering telecommunications services, except cable television service, to residents, businesses or other locations within the city.</u>
<u>Telecommuting</u>	<u>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.</u>
<u>Temporary dwelling</u>	<u>A dwelling unit which has not been permanently attached to the ground by placement on a permanent foundation, has no permanent utility connections, and for which a permit has been obtained pursuant to this title.</u>
<u>Temporary dwelling, security guard</u>	<u>A recreational vehicle, park model or trailer located upon an active development site, that is exclusively used for and occupied as a temporary residence for an on-site security guard.</u>
<u>Temporary homeless encampment</u>	<u>A shelter providing temporary housing accommodations that includes a sponsor and managing agency, the primary purpose of which is to provide temporary shelter for people experiencing homelessness in general or for specific populations of the homeless. For the purpose of this title, temporary homeless shelters are the same as temporary encampments as defined in RCW 35.21.915.</u>
<u>Temporary sign</u>	<u>A nonpermanent sign intended for use for a limited period of time.</u>
<u>Through lot</u>	<u>A lot other than a corner lot with frontage on two parallel or approximately parallel streets or private roads that do not intersect at the lot line. Both lot lines abutting streets or private roads shall be deemed front lot lines.</u>
<u>Topping</u>	<u>The severing of main trunks or stems of vegetation at any place above twenty-five percent of the vegetation height.</u>
<u>Tow truck operations</u>	<u>Vehicle operations involving the towing of wrecked or disabled vehicles.</u>
<u>Tower</u>	<u>Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term encompasses personal wireless service facilities including radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers or personal communications services towers, alternative tower structures, and the like.</u>
<u>Townhouse or townhome</u>	<u>A building containing a group of three or more attached dwelling units in which each unit extends from foundation to roof and with open space on at least two sides.</u>
<u>Trailer sign</u>	<u>A sign which is attached to a trailer or has been constructed as a trailer for the purpose of being towed by a motor vehicle whether operable or not.</u>

<u>Transit</u>	<u>A multiple-occupant vehicle operated on a for-hire, shared-ride basis, including bus, ferry, rail, shared-ride taxi, shuttle bus, or vanpool. A transit trip counts as zero vehicle trips.</u>
<u>Transition</u>	<u>A visual effect used on an electronic message center to allow one message to disappear while it is simultaneously being replaced by another.</u>
<u>Transportation – development activity</u>	<u>Any construction or expansion of a building, structure or use, any change in use of a building or structure, or any change in the use of land, that generates at least one p.m. peak hour trip of additional demand on and/or need for transportation facilities.</u>
<u>Transportation – project improvements</u>	<u>Site improvements and facilities that are planned and designed to provide service for a particular development project, that are necessary for the use and convenience of the occupants or users of the project, and that are not system improvements. No improvement or facility included in the city’s adopted capital facilities plan shall be considered a project improvement.</u>
<u>Transportation – proportionate share</u>	<u>That portion of the cost of transportation facility improvements that is reasonably related to the service demands, impacts, and needs of new development.</u>
<u>Transportation – public facilities</u>	<u>Transportation facilities that are owned or operated by the city.</u>
<u>Transportation demand management (TDM)</u>	<u>A broad range of strategies that are primarily intended to reduce and reshape demand on the transportation system.</u>
<u>Transportation facilities</u>	<u>Public streets and roads, including all publicly owned streets, roads, alleys, and rights-of-way within the city, and all traffic control devices, curbs, gutters, sidewalks, facilities, and improvements directly associated therewith.</u>
<u>Transportation impact fee</u>	<u>A payment of money imposed by the city upon a building permit or other approval in order to fund system improvements needed to serve new growth and development, that is reasonably related to the new development, that creates additional demand and need for transportation facilities, that is a proportionate share of the cost of the transportation facilities, and that is used for facilities that reasonably benefit the new development.</u>
<u>Transportation management organization (TMO)</u>	<u>A group of employers or an association representing a group of employers in a defined geographic area. A TMO may represent employers within specific city limits or may have a sphere of influence that extends beyond city limits.</u>
<u>Transportation system improvements</u>	<u>Transportation facilities that are included in the city’s capital facilities plan and that are designed to provide service to the community at large, in contrast to project improvements.</u>
<u>Traveling</u>	<u>The horizontal, side-to-side movement of a static or dynamic message or display on an electronic sign.</u>
<u>Tree</u>	<u>Any perennial woody plant with one main stem or multiple stems that support secondary branches, that has a distinct and elevated crown, that will commonly reach a height of fifteen feet or greater, and where the main stem</u>

or one stem of a multi-stemmed tree has a DBH (diameter at breast height) measurement of six inches or greater four and one-half feet above the ground.

<u>Tree cutting</u>	<u>The actual removal of the above-ground plant material of a tree through manual or mechanical methods.</u>
<u>Tree topping</u>	<u>The severing of the main stem of the tree in order to reduce the overall height of the tree; provided, that no more than forty percent of the live crown is removed during any topping. If more than forty percent of the top is removed, it is considered removal.</u>
<u>Tree trimming</u>	<u>The pruning or removal of limbs; provided, that the main stem is not severed and no more than forty percent of the live crown is removed. If more than forty percent of the limbs or crown is removed, it is considered removal.</u>

22.12.220 U Definitions.

<u>Unavoidable</u>	<u>Impacts that remain after all appropriate and practicable avoidance and minimization have been achieved.</u>
<u>Understory</u>	<u>The vegetation layer of a forest that includes shrubs, herbs, grasses, and grass-like plants, but excludes trees.</u>
<u>Unlicensed wireless services</u>	<u>Commercial mobile services that operate on public frequencies and do not need an FCC license.</u>
<u>Unlisted use</u>	<u>Uses which are not specifically named as permitted in any use classification contained within this title.</u>
<u>Usable marijuana</u>	<u>Dried marijuana flowers. The term “usable marijuana” does not include marijuana infused products.</u>
<u>Usable satellite signal</u>	<u>A satellite signal which, when viewed on a conventional television set, is at least equal in picture quality to that received from local commercial television stations or by way of cable television.</u>
<u>Use</u>	<u>An activity or purpose for which land or premises or a building thereon is designed, arranged, or intended, or for which it is occupied or maintained, let or leased.</u>
<u>Used for</u>	<u>The phrases arranged for, designed for, intended for, maintained for and occupied for.</u>
<u>Utility</u>	<u>Any service, facility and/or agency that produces, transmits, carries, stores, processes, or disposes of electrical power, gas, potable water, storm water, communications (including, but not limited to, telephone and cable), sewage, oil and the like.</u>
<u>Utility facility</u>	<u>The plant, equipment and property including, but not limited to, the poles, pipes, mains, conduits, ducts, cables, wires, plant and equipment located under, on or above the surface of the ground within rights-of-way and used or to be used for the purpose of providing utility or telecommunications services.</u>
<u>Utility services</u>	<u>The generation, transmission, and/or distribution of utilities.</u>

22.12.220 V Definitions.

<u>Vanpool</u>	<u>A vehicle occupied by seven to fifteen 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.</u>
<u>Variance</u>	<u>An adjustment in the application of the specific regulations to a particular parcel of property which property, because of special circumstances applicable to it, is deprived of privileges commonly enjoyed by other properties in the same vicinity and zone. A variance runs with the land and compliance with the conditions of any such variance is the responsibility of the current owner of the property, whether that be the applicant or a successor.</u>
<u>Vegetation</u>	<u>Any and all organic plant life growing below, at, and above the soil surface.</u>
<u>Vegetation alteration</u>	<u>Any clearing, grading, cutting, topping, limbing, or pruning of vegetation.</u>
<u>Veterinary clinic or animal hospital</u>	<u>The offices of one or more licensed veterinarians designed for the medical or surgical treatment of animals or pets, including the boarding of hospitalized animals in addition to accessory care such as clipping, bathing and similar services, but excluding overnight kenneling.</u>
<u>Video display signs</u>	<u>A flat panel display, which uses light-emitting diodes as a video display. An LED panel is a small display, or a component of a larger display. They are typically used outdoors in store signs and billboards, and in recent years have also become commonly used in destination signs on public transport vehicles or even as part of transparent glass area. There are two types of LED panels: conventional (using discrete LEDs) and surface-mounted device (SMD) panels. Most outdoor screens and some indoor screens are built around discrete LEDs, also known as individually mounted LEDs. A cluster of red, green, and blue diodes is driven together to form a full-color pixel, usually square in shape. These pixels are spaced evenly apart and are measured from center to center for absolute pixel resolution.</u>
<u>Video sign</u>	<u>Video devices such as televisions, computer monitors, flat panel displays, plasma screens, and similar video electronics used as signage.</u>
<u>Visual relief</u>	<u>A transparent buffer that softens and breaks up sites within compatible use areas and parking lots.</u>
<u>Visual runway</u>	<u>A runway intended solely for the operation of aircraft using visual approach procedures, with no straight-in instrument approach procedure and no instrument designation indicated on an FAA-approved approach airport layout plan.</u>
<u>Voluntary employer work site</u>	<u>The physical location occupied by an employer who is voluntarily implementing a CTR program.</u>

22.12.230 W Definitions.

<u>Wall sign</u>	<u>Any sign, mural or graphic design which is attached parallel to and flat against, or is painted on, the wall or exterior of a building or structure having a commercial message or identification.</u>
<u>Wall-mounted sign</u>	<u>A sign attached or erected to and extending from the facade or wall of any building to which it is attached. A wall sign is supported through its entire length with the exposed face of the sign parallel to the plane of said wall or facade. A sign painted on the wall of a building or a sign painted or attached to a marquee or parapet shall be considered a wall-mounted sign.</u>
<u>Warehouse</u>	<u>A building primarily for long-term storage of goods and materials.</u>
<u>Washington utilities and transportation commission (WUTC)</u>	<u>The state administrative agency, or lawful successor, authorized to regulate and oversee telecommunications carriers, services and providers in the state of Washington to the extent prescribed by law.</u>
<u>Water resources inventory area (WRIA)</u>	<u>One of sixty-two watersheds in the state of Washington, each composed of the drainage areas of a stream or streams, as established in Chapter 173-500 WAC as it existed on January 1, 1997. The city of Monroe is within WRIA 7 (Snohomish Basin).</u>
<u>Water typing system</u>	<p><u>How waters are classified according to WAC 222-16-031:</u></p> <p><u>A. Type 1 Water. All waters, within their ordinary high water mark, inventoried as shorelines of the state under Chapter 90.58 RCW and the rules adopted by Chapter 90.58 RCW, but not including those waters' associated wetlands.</u></p> <p><u>B. Type 2 Water. Segments of natural waters that are not classified as Type 1 waters and have a high fish, wildlife, or human use. These are segments of natural waters and periodically inundated areas of their associated wetlands that:</u></p> <ol style="list-style-type: none"> <u>1. Are diverted for domestic use by more than one hundred residential or camping units or by a public accommodation facility licensed to serve more than ten persons, when such diversion is determined by the state Department of Natural Resources to be a valid appropriation of water and only considered Type 2 water upstream from the point of such diversion for one thousand five hundred feet or until the drainage area is reduced by fifty percent, or whichever is less;</u> <u>2. Are diverted for use by federal, state, tribal or private fish hatcheries. Such waters shall be considered Type 2 water upstream from the point of diversion for one thousand five hundred feet, including tributaries if highly significant for protection of downstream water quality;</u> <u>3. Are within a federal, state, local, or private campground having more than thirty camping units; provided, that the water shall not be considered to enter a campground until it reaches the boundary of the park lands available for public use and comes within one hundred feet of a camping unit;</u> <u>4. Are used for fish spawning, rearing or migration. Waters having the following characteristics are presumed to have highly significant fish populations:</u> <ol style="list-style-type: none"> <u>a. Stream segments having a defined channel twenty feet or greater within the bankfull width and having a gradient of less than four percent;</u>

b. Lakes, ponds, or impoundments having a surface area of one acre or greater at seasonal low water; or

5. Are used by fish for off-channel habitat. These areas are critical to the maintenance of optimum survival of fish. This habitat shall be identified based on the following criteria:

a. The site must be connected to a fish-bearing stream and accessible during some period of the year; and

b. The off-channel water must be accessible to fish through a drainage with less than a five percent gradient.

C. Type 3 Water. Segments of natural waters that are not classified as Type 1 or 2 waters and have a moderate to slight fish, wildlife, and human use. These are segments of natural waters and periodically inundated areas of their associated wetlands that:

1. Are diverted for domestic use by more than ten residential or camping units or by a public accommodation facility licensed to serve more than ten persons, where such diversion is determined by the state Department of Natural Resources to be a valid appropriation of water and the only practical water source for such use. Such waters shall be considered to be Type 3 water upstream from the point of such diversion for one thousand five hundred feet or until the drainage area is reduced by fifty percent, whichever is less;

2. Are used by fish for spawning, rearing, or migration. The requirements for determining fish use are described in the State Forest Practices Board Manual, Section 13. If fish use has not been determined:

a. Stream segments having a defined channel of two feet or greater within the bankfull width in Western Washington and having a gradient of sixteen percent or less;

b. Stream segments having a defined channel of two feet or greater within the bankfull width, and having a gradient greater than sixteen percent and less than or equal to twenty percent and having an area greater than fifty acres in contributing basin size based on hydrographic boundaries;

c. Ponds or impoundments having a surface area greater than one-half acre at seasonal low water and having an outlet to a fish stream;

d. Ponds or impoundments having a surface area greater than one-half acre at seasonal low water.

D. Type 4 Water. All segments of natural waters within the bankfull width of defined channels that are perennial non-fish-habitat streams. Perennial streams are waters that do not go dry any time of a year of normal rainfall. However, for the purpose of water typing, Type 4 waters include the intermittent dry portions of the perennial channel below the uppermost point of perennial flow. If the uppermost point of perennial flow cannot be identified with simple, nontechnical observations (see State Forest Practices Board Manual, Section 23), the Type 4 waters begin at a point along the channel where the contributing basin area is at least thirteen acres.

E. Type 5 Water. All segments of natural waters within the bankfull width of defined channels that are not Type 1, 2, 3, or 4 waters. These are seasonal, non-fish-habitat streams in which surface flow is not present for at least some

	<u>portion of the year and are not located downstream from any stream reach that is a Type 4 water. Type 5 waters must be physically connected by an above-ground channel system to Type 1, 2, 3, or 4 waters.</u>
<u>Wayfinding sign</u>	<u>A system of public signs identifying directions to major public and private facilities or destinations of interest to the general public and typically including graphic elements mounted on separate freestanding poles or incorporated with other sign, light, or traffic standards.</u>
<u>Week</u>	<u>A seven-day calendar period starting on Monday and continuing through Sunday.</u>
<u>Weekday</u>	<u>Any day of the week except Saturday or Sunday.</u>
<u>Wetland</u>	<u>Those areas that are inundated or saturated by ground or surface water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, swamps, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas to mitigate conversion of wetlands.</u>
<u>Wetland classifications</u>	<u>There are three general types of wetlands as classified by the U.S. Fish and Wildlife Service (Cowardin et al., 1979):</u> <u>A. Emergent. A wetland with at least thirty percent of the surface area covered by erect, rooted, herbaceous vegetation extending above the water surface as the uppermost vegetation strata;</u> <u>B. Forested. A wetland with at least twenty percent of the surface area covered by woody vegetation greater than twenty feet in height; and</u> <u>C. Scrub-Shrub. A wetland with at least thirty percent of its surface area covered by woody vegetation less than twenty feet as the uppermost strata.</u>
<u>Wetland edge</u>	<u>Delineation of the wetland edge shall be based on the Washington State Wetland Identification and Delineation Manual, Department of Ecology, 1997, and Publication 98-94 or as revised.</u>
<u>Wetlands rating system</u>	<u>Wetlands shall be rated according to the Washington State Wetland Rating System for Western Washington, Department of Ecology, 1997, Publication 3-74 or as revised.</u> <u>A. Category I. Category I wetlands are those that meet the following criteria:</u> <u>1. Documented habitat for federal- or state-listed endangered or threatened fish, animal or plant species; or</u> <u>2. High quality native wetland communities, including documented Category I or II quality natural heritage wetland sites and sites which qualify as Category I or II quality natural heritage wetlands; or</u> <u>3. High quality, regionally rare wetland communities with irreplaceable ecological functions, including sphagnum bogs and fens, estuarine wetlands, or mature forested swamps; or</u>

4. Wetlands of exceptional local significance.
- B. Category II. Category II wetlands are those not defined as Category I wetlands and that meet the following criteria:
1. Documented habitats for state-listed sensitive plant, fish, or animal species; or
 2. Wetlands that contain plant, fish, or animal species listed as a priority species by the state Department of Fish and Wildlife; or
 3. Wetland types with significant functions that may not be adequately replicated through creation or restoration; or
 4. Wetlands possessing significant habitat value based on a score of twenty-two or more points in the habitat rating system; or
 5. Documented wetlands of local significance.
- C. Category III. Category III wetlands are those that do not satisfy Category I, II, or IV criteria, and with a habitat rating of twenty-one points or less.
- D. Category IV. Category IV wetlands are those that meet the following criteria:
1. Hydrologically isolated wetlands that are less than or equal to one acre in size, have only one wetland class, and are dominated (greater than eighty percent areal cover) by a single nonnative plant species (monotypic vegetation); or
 2. Hydrologically isolated wetlands that are less than two acres in size, and have only one wetland class and greater than ninety percent areal cover of nonnative plant species.

<u>Wholesale establishment</u>	<u>A warehouse-type facility where shoppers are typically required to obtain membership status and must show proof of membership prior to entry and purchase of all items. Products consist of discounted or wholesale goods such as a wide variety of food, clothing, tires and appliances. Many items are sold in large quantities or bulk. This use occupies no less than seventy-five thousand square feet of gross floor area and has somewhat higher parking ratios than typical of standard warehouse uses.</u>
<u>Window sign</u>	<u>Any sign which is painted or mounted onto an exterior of a window pane including the name of the business, hours of operation, address, and credit card logos; or which is hung directly inside the window including advertisements for services or products in the form of decals, emblems, paint, exposed neon, banners, posters, etc., within three feet of the window pane which may be viewed from the exterior of the building. Window sign does not include posters, handbills, or other temporary signs; or merchandise located within three feet of the window.</u>
<u>Wireless communications facilities</u>	<u>All of the plants, equipment, fixtures, appurtenances, antennas, and other facilities necessary to furnish and deliver telecommunications services and cable television services, including but not limited to poles with crossarms, poles without crossarms, wires, lines, conduits, cables, communications and signal lines and equipment, braces, guys, anchors, vaults, and all attachments, appurtenances, and appliances necessary or incidental to the distribution and use of telecommunications services and cable television services.</u>
<u>Wireless facility – design</u>	<u>The appearance of personal wireless service facilities, including such features as their materials, colors, and shape.</u>

<u>Wireless provider</u>	<u>Every corporation, company, association, joint stock company, firm, partnership, limited liability company, other entity and individual that provides personal wireless service over personal wireless service facilities.</u>
<u>Working day</u>	<u>Any day on which the city of Monroe is open for business.</u>
<u>Writing, written, or in writing</u>	<u>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.</u>

22.12.240 X Definitions.

Reserved.

22.12.250 Y Definitions.

<u>Yard, front, rear, and side</u>	<p><u>An unoccupied open space which lies between the property and the building setback line, the inside boundary of which shall be considered parallel to the nearest property line.</u></p> <p><u>A. Front yard means a yard extending between side lot lines across the front of a lot adjacent to a street; provided, that in the case of through lots a front yard shall be provided on both frontages; in case of both normal corner and reversed frontage lots, a full depth front yard shall be provided in accordance with the prevailing lot pattern and the second front yard shall be as established by the code unless the units of duplex or multifamily structure face both streets, in which case two full front yards shall be required. In case of corner lots with more than two frontages, the city shall determine the front yard requirements in accordance with this title.</u></p> <p><u>B. Rear yard means a yard extending across the rear of the lot between inner side yard lines and opposite the required front yard; provided, that corner lots with normal frontage shall have a rear yard extending from the inner side line of the side yard adjacent to the interior lot to the inner line of the second front yard; and provided further, that no rear yard is provided for a reverse frontage corner lot and moreover in lots of this description the yards remaining after the front yards have been established shall be considered side yards.</u></p> <p><u>C. Side yard means a yard extending from the rear line of the required front to the rear lot line; provided, that on corner lots with normal frontage there will be only one side yard adjacent to the interior lot; and further, that in through lots the side yard shall extend from the rear lines of the front yards required.</u></p>
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22.12.260 Z Definitions.

<u>Zoning code</u>	<u>Monroe Municipal Code (MMC) Title 22, Unified Development Regulations.</u>
<u>Zoning district</u>	<u>An area accurately defined as to boundaries and locations on the official zoning map and within which certain land use regulations are prescribed by the text of MMC Title 22.</u>
<u>Zoning district</u>	<u>An area defined as to boundaries and location, and classified by the zoning regulations as available for certain types of uses, and within which other types of uses are permitted.</u>

Zoning lot

A single tract of land located within a single block, which at the time of filing for a building permit is designated by its owner or developer as a tract to be used, developed or built upon as a unit under single ownership or control. A zoning lot may or may not coincide with a lot of record.

Section 14. Transmittal to Department of Commerce. Pursuant to RCW 36.70A.106, this ordinance shall be transmitted to the Washington State Department of Commerce.

Section 15. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by State or federal law or regulation, such decision or pre-emption shall not affect the validity or enforceability of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 17. Effective Date. This ordinance shall be in full force and effect five (5) days from and after its passage and approval and publication as required by law.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this _____ day of _____, 2019.

First Reading: Waived
Adoption: June 11, 2019
Published: June 14, 2019
Effective: June 19, 2019

CITY OF MONROE, WASHINGTON:

(SEAL)

Geoffrey Thomas, Mayor

ATTEST:

APPROVED AS TO FORM:

Elizabeth M. Adkisson, MMC, City Clerk

J. Zachary Lell, City Attorney