

Chapter 4

ZONING CODE DEFINITIONS

Sections:

- 4.010** Zoning Code definitions, general.
- 4.020** Zoning Code definitions, specific.
- 4.030** Floodplain overlay zone definitions.

4.010 Zoning Code definitions, general.

Except where specifically defined in this section or other sections of this title, all words used in this title shall have the meaning commonly or logically associated therewith. When not inconsistent with the context, words used in the present tense include the future, words in the singular include the plural, and words in the plural include the singular. The word "person" may be taken for persons, association, firm, partnership or corporation as well as the individual. The masculine includes the feminine. The word "occupied" includes premises designed or intended to be occupied; the word "used" includes designed or intended to be used. The word "shall" is always mandatory; the word "may" denotes a use of discretion in making a decision. (Ord. 1847-92 § 2, 1992.)

4.020 Zoning Code definitions, specific.

This section defines specific terms used within this title in a context which may have a different meaning or connotation than ordinarily associated with such terms.

"Abandoned sign" means a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product or activity, or for which no legal owner can be found, and which has no historical significance.

"Above ground utility and communications facility, major" means a structure or improvement built or installed above ground for the purpose of providing utility services or communications services to more than one lot. Included in this definition for purposes of this title are electrical substations; water storage reservoirs or tanks or pumping stations; telephone exchanges; manmade regional drainage detention or retention facilities; natural gas regulating facilities greater than four feet in height; sewer lift stations; wireless communications facilities including personal wireless service facilities; television or radio transmission or reception towers, antennas; and other ancillary or similar facilities or structures housing utility or communications equipment or improvements as determined by the planning director. This term shall not apply to equipment and vehicle storage yards, offices and buildings used to support the operations of utility or communication service providers.

"Above ground utility and communications facility, minor" means fire hydrants; amateur radio antennas or towers and television reception dishes or antennas for private residential use regulated by Section 39.040 of this

title; utility poles carrying electrical transmission lines with fifty-five thousand volts or less of electrical power; pad-mounted switches and transformers; telephone or television cables; utility structures less than four feet in height above grade, minor above ground equipment associated with underground utility facilities, or other such similar facilities as determined by the planning director. This term shall not apply to equipment and vehicle storage yards, offices and buildings used to support the operations of utility or communication service providers.

"Accessory building" means a building which is subordinate and incidental to the permitted principal building, located on the same lot with such principal building, and erected or established only after or in conjunction with the establishment of the principal building. An accessory building includes, but is not limited to, garages, carports, storage buildings, and other similar buildings.

"Accessory dwelling unit," see "dwelling unit, accessory."

"Accessory use, activity or structure" means a use, activity, structure or part of a structure which is customarily subordinate and incidental to the permitted principal use or building, located on the same lot with such principal use or building, and erected or established only after or in conjunction with the establishment of the principal use or building.

"Adult cabaret" means any commercial premises, including any cabaret premises, to which the public, patrons, or members are invited or admitted, and where an entertainer provides adult-oriented entertainment, not constituting "adult entertainment, live," as defined in this section, to any member of the public, patrons, or a member. An adult cabaret is a "nightclub" in Table 5.2 of this title.

"Adult entertainment establishment, live" means any building or portion of a building which contains any exhibition or dance wherein any employee or entertainer is unclothed or in such attire, costume or clothing so as to expose to view any portion of the female breast below the areola, or male or female genitals, vulva, anus and/or buttocks, or any portion of the pubic hair and which exhibition or dance is for the benefit of a member or members of the adult public, or advertised for the use or benefit of a member of the adult public, held, conducted, operated or maintained for profit, direct or indirect.

"Adult family home" means a home in which twenty-four-hours-per-day residential care is provided for up to four adults by an owner or tenant of the home in which care is provided plus the family of the provider. Under certain circumstances, up to six adults may be accommodated, in accordance with the regulations of the Washington State Department of Social and Health Services.

"Adult mini theater" means an enclosed building with a capacity of less than fifty persons, a portion of an

enclosed building with a capacity of less than fifty persons, or outdoor theater with a capacity of less than fifty persons used for presenting motion picture films, video cassettes, cable television or any other such visual media, distinguished or characterized by emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" as defined herein for observation by patrons therein.

"Adult motion picture theater" means an enclosed building with a capacity of fifty or more persons, a portion of an enclosed building with a capacity of fifty or more persons, or outdoor theater with a capacity of fifty or more persons used for presenting motion picture films, video cassettes, cable television or any other such visual media, distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" as defined herein for observation by patrons therein.

"Adult-oriented entertainment" means:

1. Any exhibition, performance or dance of any type conducted in a premises where such exhibition, performance or dance is distinguished or characterized by a predominant emphasis on the depiction, description, simulation or relation to the following sexual activities:

a. Human genitals in a state of sexual stimulation or arousal;

b. Acts of human masturbation, sexual intercourse or sodomy; or

c. Fondling or other erotic touching of human genitals, public region, buttocks or female breast; or

2. Any exhibition, performance or dance which is intended to sexually stimulate any member of the public and which is conducted on a regular basis or as a substantial part of the premises' activity. This includes, but is not limited to, any such exhibition, performance or dance performed for, arranged with or engaged in with fewer than all members of the public on the premises at the time, with separate consideration paid, either directly or indirectly, for such performance, exhibition or dance and which is commonly referred to as table dancing, couch dancing, taxi dancing, lap dancing, private dancing or straddle dancing.

"Adult-oriented merchandise" means any goods, products, commodities, or other ware, including, but not limited to, videos, CD ROMs, DVDs, computer disks or other storage devices, magazines, books, pamphlets, posters, cards, periodicals or non-clothing novelties which depict, describe or simulate specified anatomical areas, or specified sexual activities, as defined in this chapter.

"Adult panoram establishment" means any building or portion of a building which contains device(s) which for payment of a fee, membership fee or other charge, is used to exhibit or display a picture, view or other graphic display distinguished or characterized by emphasis on matter depicting, describing or relating to "specified sexual activ-

ities" or "specified anatomical areas" as defined herein for observation by patrons therein.

"Adult retail" means an enclosed building or any portion thereof which, for money or any other form of consideration, devotes a significant or substantial portion of stock in trade to the sale, exchange, rental, loan, trade, transfer or viewing of "adult-oriented merchandise." For purposes of this definition, a retail establishment devotes a significant or substantial portion of its stock in trade to adult-oriented merchandise if the sale, exchange, rental, loan, trade, transfer or viewing of such adult-oriented merchandise is clearly material to the economic viability of the business. It is presumed that such adult-oriented merchandise accounts for any one or more of the following:

1. Thirty percent or more of the retail dollar value of gross sales over any quarterly period;

2. Thirty percent or more of the floor area of the store open to the public;

3. Thirty percent or more of the retail dollar value of all merchandise displayed in the store;

4. Thirty percent or more of the store's inventory (whether measured by retail dollar value or number of items); or

5. Thirty percent or more of the store's stock in trade.

In no event shall a retailer whose transactions only incidentally or marginally relate to adult-oriented merchandise be considered an adult retail use establishment.

"Adult use business" means any live adult entertainment establishment, adult panoram establishment, adult motion picture and adult mini theater, or any establishment which provides one or more of the activities listed herein even if only a portion of the establishment is dedicated to one or more of the activities listed herein.

"Aggregates extraction and related manufacturing" means the mining and processing of sand and gravel resources and closely related manufacturing such as concrete or asphalt batch plants, manufacturing of products using concrete or aggregate materials, storage and transport of mined or excavated materials, and other closely related uses accessory to aggregate extraction activities.

"Agricultural activities" means those activities conducted on lands defined in RCW 84.34.020(2), and those activities involved in the production of crops or livestock, for example, the operation and maintenance of farm and stock ponds or drainage ditches, operation and maintenance of ditches, irrigation drainage ditches, changes between agricultural activities and normal maintenance, repair or operation of existing serviceable structures, facilities or improved areas. Activities which bring an area into agricultural use are not part of an ongoing operation. An operation ceases to be ongoing when the area on which it is conducted is converted 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. Forest practices are not included in this definition.

“Agricultural industries” means industrial processing of agricultural products, excluding breweries or wineries.

“Aircraft assembly” means the assembly of aircraft components into finished aircraft or the repair, service or maintenance of aircraft, including engine testing, test flights, and major overhaul or rebuilding.

“Aircraft landing facilities” means airports, landing fields, helipads, or seaplane landing facilities and terminals for the accommodation of passengers and/or cargo carried by means of air transport.

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

“Alteration” means any human-induced action which impacts the existing condition of a critical area. Alterations include but are not limited to grading; filling; dredging; draining; channelizing; cutting, pruning, limbing or topping, clearing, relocating or removing vegetation; applying herbicides or pesticides or any hazardous or toxic substance; discharging pollutants; grazing domestic animals; paving, construction, application of gravel; modifying for surface water management purposes; or any other human activity that impacts the existing vegetation, hydrology, wildlife or wildlife habitat. Alteration does not include walking, passive recreation, fishing or other similar activities.

“Antenna” means any exterior apparatus or apparatuses designed for telephonic, radio, data, internet, or other communications through the sending and/or receiving of electromagnetic waves or radio frequency signals, including without limitation equipment attached to a tower or building for the purpose of providing personal wireless services.

“Applicant” means a person who applies for any permit or approval to do anything governed by this chapter and who has legal standing to apply for a permit or approval on the specific property.

“Architectural barrier” means a fence, berm, wall or combination of earth, plant and structural materials designed and constructed to reduce visual or noise impacts between properties or uses.

“Artist studio” means a space primarily used as a work room for at least one artist that may be open to the public for demonstrations, classes, and retail sales. Artists’ studios are generally for the purpose of painting, pottery (ceramics), sculpture, photography, cinematography, animation, or the making of music.

“Assisted living facility” means a residential facility for elderly persons (age fifty-five or older) who require moderate to extensive assistance with daily tasks such as cooking, eating, bathing, housekeeping, dispensing of medicines, shopping, appointments and other tasks.

“Assurance device” means a financial mechanism by which the city assures compliance with the requirements of this chapter or other development or use entitlement.

“Attached housing,” see “dwelling, single-family attached.”

“Automated teller machine” means an electronic machine which is customarily located at banks, shopping centers or other commercial locations which automatically disburses cash to persons with card identification.

“Awning sign” means the use of an awning attached to a building for advertisement, identification or promotional purposes. Only that portion of the awning which bears graphics, symbols and/or written copy shall be construed as being a sign.

“Base elevation” means the average elevation of the approved topography of a parcel at the midpoint on each of the four sides of the smallest rectangle which will enclose the proposed structure, excluding all eaves and decks. The approved topography of a parcel is the natural topography of a parcel or the topographic conditions approved by the city prior to January 1, 1988, or as approved by a subdivision, short subdivision, binding site plan, shoreline substantial development permit, filling and grading permit, or SEPA environmental review issued after January 1, 1988. On any lot exhibiting evidence of an unapproved fill, a soils analysis may be required to determine the approved topography. An approved bench mark will establish the relative elevation of the four points used to establish the base elevation.

“Bed and breakfast house” means an owner-occupied dwelling which is used to provide overnight guest lodging in not more than five guest rooms and which usually provides a morning meal as part of the room rate structure.

“Below ground utilities” means equipment or infrastructure installed underground for the transmission or provision of public or private utilities or communications services.

“Benchmark” means a fixed reference point or object, more or less permanent in character, the elevation of which is known, or to which a nominal elevation can be assigned.

“Best available science” means 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.

“Billboard” means an outdoor advertising sign or poster panel which advertises products, businesses, and/or services not connected with the site on which the sign is located, and which sign is a substantial permanent structure with display services of a type which are customarily leased for commercial purposes.

“Biologist” means a person who has earned a degree in biological sciences from a college or university, with practical experience that includes at least two years exper-

tise in matters involving wetlands biology or stream ecology in the Pacific Northwest.

“Board of adjustment” means the board of adjustment for the city.

“Boarding” means the provision of a room for lodging purposes and meals in return for payment of rent.

“Boardinghouse” means a principal building other than a hotel where lodging which complies with the city Housing Code, with one or more daily meals, is provided for compensation on other than a day-to-day basis and which is not open to transient guests.

“Bog” means wetlands with extensive living sphagnum moss or sphagnum peat and a distinctive flora that results from the acidic substrate.

“Bottling plant” means a plant in which soft drinks are made and bottled for wholesale distribution.

“Brewery, distillery or winery” means a plant in which beer, wine or other alcoholic beverages are produced and bottled for wholesale distribution.

“Brewery, micro-” means a small-scale beer brewing plant located within a restaurant or tavern building in which a portion of the building is used for the production of beer for wholesale distribution and for on-site retail sale to restaurant or tavern patrons.

“Buffer” means an area which provides the margin of safety through protection of slope stability, attenuation of surface water flows and erosion controls necessary to minimize risk to the public from loss of life or well-being or property damage resulting from natural disasters, or an area which is an integral part of the natural system and which provides shading, input of organic debris and coarse sediments, room for variation in stream or wetland boundaries, habitat for wildlife and protection from harmful intrusion necessary to protect the public from losses suffered when the functions and values of important aquatic resources are degraded.

“Buffer management” means an activity proposed by a public agency, public utility, or private entity, and approved by the planning director, within a buffer required by this title, that is proposed to:

1. Reduce or eliminate a verified public safety hazard;
2. Maintain or enhance wildlife habitat diversity; or
3. Maintain or enhance the fishery or other functions of stream, wetland, or terrestrial ecosystems.

“Buildable area” means the lot area minus undevelopable areas.

“Building” means any structure built for the support, shelter or enclosure of persons, animals, vehicles, mechanical devices or property of any kind. When separated by common walls located on property lines, each portion of such structure shall be deemed a separate building.

“Building appurtenance” means chimneys, steeples, television and radio antennas, ham radio antennas, televi-

sion dish antennas, flagpoles, and vent pipes in any zone, and mechanical systems in zones other than single-family zones, and other similar features, excluding signs, which are customarily located on or above the roof of a building.

“Building footprint” means the perimeter of a building at the outer edge of the outside walls of the building, including cantilevered portions of a building.

“Building official” means the building official for the city or his/her designee.

“Bulk fuel storage” means an installation for the storage, handling and selling of flammable fuels and from which fuels are sold at wholesale or distributed to retail stations or for private use.

“Business license” means a license issued by the city for the purpose of collecting business tax revenues.

“Business or vocational school” means a public or private post-secondary school other than a community college or four-year college providing occupational or job skills training for specific occupations.

“Business park” means more than one commercial and/or light industrial uses located within a building or buildings on one or more lots built as a unified development with common access, landscaping, parking areas and other site improvements.

“Carport” means a covered shelter for an automobile, open on two or more sides.

“Casino, mini” means a business which provides gambling and gaming as a primary source of its revenue, which may include food and beverage sales for consumption on the premises as a secondary part of its business activity.

“Cease(d)” means, for purposes of Chapter 38 of this title, to come to an end; to not use; to vacate. For purposes of Chapter 19.38, no showing of intent to cease is required.

“Certificate of occupancy” means a permit to occupy a building.

“City attorney” means the city attorney for the city or his/her designee.

“City council” means the city council of the city.

“City engineer” means the public works director for the city or his/her designee.

“Clearance of a sign” means the smallest vertical distance between grade and lowest point of any sign, including framework and embellishments, extending over that grade.

“Clearing” means the act of removing or destroying vegetation or other organic plant materials by physical, mechanical, or chemical means.

“Clinic” means a building or portion of a building containing an office or offices of medical doctors, dentists, psychiatrists, chiropractors, physical therapists and other members of the medical profession which provide facilities and services for outpatient care, diagnosis, treatment, and observation of individuals suffering from illness,

injury or other conditions requiring medical, surgical or therapeutic services. This definition does not include facilities providing patient beds for overnight care, or opiate substitution treatment facilities. See also “medical-related activities.”

“Code” means the city Zoning Code, also known as Title 19 of the Everett Municipal Code.

“Code compliance officer” means the code compliance officer for the city.

“College, university” means a public or private institution for post-secondary education and uses normally incidental thereto, including but not limited to classrooms, administrative offices, cafeteria, athletic facilities, dormitories, and off-street parking areas.

“Combination sign” means a sign which is partially or wholly supported by a pole or similar structural support attached to the ground, which is also attached to, and which may be supported by, the wall or roof of a building.

“Commercial parking” means a parking lot or parking garage that is built as a facility to provide parking for rent or lease to the general public, as opposed to a parking lot or garage which is constructed as required or accessory parking for another building.

“Commuter parking” means a parking lot parking structure that is built to provide parking for persons commuting to another location, such as a park-and-ride lot, as opposed to a commercial parking facility or parking which is which is required or accessory parking for another building or use.

“Compensation” means the replacement, enhancement, or creation of an undevelopable critical area equivalent in functions, values and size to those being altered or lost to development.

“Compensation, in-kind” means the replacement of wetlands with substitute wetlands whose characteristics closely approximate those destroyed or degraded by a regulated activity.

“Compensation, off-site” means the replacement of wetlands away from the lot on which a regulated wetland has been impacted.

“Compensation, on-site” means the replacement of wetlands on or adjacent to the lot on which a wetland has been impacted by a regulated activity.

“Compensation, out-of-kind” means the replacement of wetlands with substitute wetlands whose characteristics do not closely approximate those destroyed or degraded by a regulated activity.

“Composting” means a land use where biodegradable yard waste plant materials are collected and processed through composting for future use as plant mulch, soil amendment or other similar horticultural application.

“Comprehensive design plan” means the integration of the building, landscaping and signs into one architectural design.

“Comprehensive plan” means the city of Everett comprehensive plan adopted pursuant to Chapter 36.70A RCW.

“Congregate care facility” means a residential facility for the elderly. The minimum age limit for the elderly is fifty-five years for the residents, with younger spouses permitted. The facility must have a central lobby, common dining area, hobby and/or recreational rooms. The fee structure shall include at least one meal per day in the common dining area. Accessory support uses for the tenants, such as pharmacies, banking service, etc., may be included.

“Consumer services” means a business or occupation which is performed primarily off-site and can include services such as pest control, chimney sweep, carpet cleaners, contractors, janitorial, and landscaping. Only those support activities, such as office work, and storage of equipment, is conducted at the business location.

“Correctional facilities” means public or private facilities providing for the confinement of juvenile offenders, for the incarceration, confinement or detention of individuals arrested for or convicted of a crime, or for the punishment, correction and/or rehabilitation of individuals convicted of crimes whose freedom is restricted. The term “jails and correctional facilities” includes those group-care homes, Class II (as defined in this section, including subclassifications II-A II-B, and II-C) which are exempt from the provisions of the Federal Fair Housing Act Amendments of 1988 and the Washington Housing Policy Act (RCW 35.63.220).

“Courtyard” means any portion of the interior of a lot which is fully or partially enclosed by the walls of a building or buildings on the same development site, which is not within a required setback area and is unobstructed from the ground upward.

“Critical area” means geologically hazardous areas, wetlands, lakes, ponds, streams, frequently flooded (flood hazard) areas, and fish and wildlife habitat conservation areas, as defined in Chapter 36.70A RCW and this chapter.

“Critical area protective covenant” means a covenant granted for the protection of a critical area and its buffer through the maintenance of the natural environment. The covenant prohibits alteration of the area and must be duly recorded on appropriate documents of title and filed with the Snohomish County auditor.

“Critical area tract” means a legally created, nonbuilding lot containing a critical area which is subject to a critical area protective covenant and which shall be duly recorded on the appropriate documents of title and filed with the Snohomish County auditor.

“Culvert” means a short section of pipe placed in a stream and filled over in order to provide a stream crossing.

“Day care center, commercial” means a day care facility for more than twelve children or adults.

“Day care, family home” means day care provided in the home as an incidental use to the principal residential use of the property, for up to twelve children full time, or six adults full time, or as otherwise provided by the state of Washington.

“Day, working” means any day on which the city administrative offices are open for normal business.

“Density” means a ratio of dwelling units to lot area, usually expressed in terms of dwellings per acre or square feet of land area per dwelling unit.

“Detoxification center, drug rehabilitation” means a state-licensed facility where alcohol and drug abusers can be placed in lieu of incarceration for detoxification from the effects of alcohol and drugs.

“Development” means all structures, uses or other alterations or modifications of the natural landscape occurring above or below ground or water on a particular lot.

“Development permit” means any permit issued by the city to use or develop property that must be issued before initiating the use or development.

“Directional sign” means a single- or double-faced sign not exceeding six square feet in surface area per side, designed to guide or direct pedestrian or vehicular traffic to an area, place or convenience. Advertising on said signs shall be limited to incidental graphics such as trade names and trademarks.

“Directory sign, on-premises” means a sign located on a lot or within a business or office complex which is used to direct persons who are already on the premises to a particular business or office within the business or office complex.

“Disabled person” means a person who is defined as handicapped under the provisions of the federal Fair Housing Act Amendments of 1988.

“Dish antenna” means a parabolic-shaped antenna which is designed to receive television broadcasts or other electronic communication signals. The antenna is considered as an accessory structure unless it is attached to the principal building, in which case it is considered a building appurtenance.

“Drainage facility” means the system of collecting, conveying and storing surface and stormwater runoff. Drainage facilities shall include but not be limited to all surface and stormwater runoff conveyance and containment facilities, including streams, pipelines, channels, ditches, wetlands, infiltration facilities, retention/detention facilities, erosion/sedimentation control facilities, and other drainage structures and appurtenances, both natural and manmade.

“Drive-in window or station” means a window or station used for providing service to customers who remain seated in their vehicles to conduct a business transaction, such as are commonly found at restaurants, financial institutions, or other similar businesses.

“Driveway” means an area of property designed to provide access between a street and a building or parking area.

“Duplex” means a detached building containing two dwelling units, each with a kitchen, designed for and occupied by two families living independently of each other in separate dwelling units.

“Dwelling” means one or more habitable rooms which are designed to be occupied by one family with facilities for living, sleeping, cooking, eating, and sanitation, which meets the minimum requirements of the Everett Housing Code, and in which all habitable rooms are internally accessible from within the dwelling.

“Dwelling, cottage housing” means small, detached dwelling units clustered around a central common open space.

“Dwelling, multiple-family” means a building or portion of a building arranged or designed to be occupied by three or more families living independently of each other, including triplexes, fourplexes, apartment buildings, and stacked dwelling units.

“Dwelling, rear yard infill” means one or more dwelling units constructed on the rear portion of a lot containing one or more residential dwellings on the front portion of the lot.

“Dwelling, single-family attached” means a building containing more than one dwelling attached only by a common wall or walls, but not stacked in a manner that individual dwelling units are located above or below other dwelling units.

“Dwelling, single-family detached” means a detached building designed for and occupied by one family only, sharing no common walls with other dwelling units.

Dwelling, Two-Family. See “Duplex.”

“Dwelling unit, accessory” means an additional room or set of rooms located within an owner-occupied single-family dwelling and designed, arranged, occupied or intended to be occupied by not more than one family as living accommodations independent from the accommodations for the owner’s family and subject to the limitations of Section 39.020(D) of this title.

“Electrical sign” means a sign or sign structure in which electrical wiring, connections or fixtures are used.

“Electronic changing message sign” means an electrically activated sign whose message content, either in whole or in part, may be changed by means of electronic programming. These signs shall include those displaying time, temperature, and messages of a public or commercial nature.

“Enhancement” means an action which increases the functions and values of a stream or wetland or terrestrial ecosystem.

“Erosion” means the process whereby the landform is worn away by the action of water, wind, rain, or ice activity.

“Erosion hazard areas” means those areas of the city with slopes of twenty-five percent and greater in Qva and Qal geologic units; exposed slopes of greater than twenty-five percent in other geologic units; and drainage areas which receive stormwater discharge.

“Espresso stand” means a business contained in a structure which can serve customers who remain in their vehicles, by means of a drive-up window. Mobile espresso vehicles and espresso retail uses not able to serve customers who remain seated in their vehicles are not included in this term.

“Everett comprehensive plan,” see “comprehensive plan.”

“Exotic” means any species of plant or animal that is non-native to the subject lot or area.

“Facade” means the entire building exterior wall face, including grade to the top of the parapet or eaves, and the entire width of the building elevation. For buildings with more than one occupant, the facade for each occupant shall be that portion of the exterior wall face between the points where interior walls between tenants intersect with the exterior wall.

“Family” means any number of persons related by blood, marriage or legal adoption and including foster children and exchange students living together as a single housekeeping unit. “Family” also means the following when living together as a single, not-for-profit housekeeping unit:

1. A group of not more than four related and unrelated adults and their related minor children, but not to exceed a total of eight related and unrelated persons; or
2. Not more than eight disabled persons, whether adults or minors, living together in a consensual residential living arrangement, but not to exceed a total of eight persons.

For the purposes of this definition, an adult is a person eighteen years of age or older, and a minor child is a person under the age of eighteen years old.

“Farmer’s market” means an open-air, temporary grouping of vendors in a common location, usually selling produce, freshly prepared foods, handmade crafts, or other unique goods.

“Fence” means a manmade barrier erected to enclose, screen or separate areas of land.

“Financial institution” means a business or entity which provides financial services which may include, but are not limited to, loans, savings, checking, money management and other similar services and includes, but is not limited to banks, savings and loan associations, credit unions, finance companies, and mortgage companies.

“Fish and wildlife habitat conservation areas” means an area of habitat that is necessary and suitable for maintaining individual species, species diversity, or biological diversity. Fish and wildlife habitat conservation areas include:

1. Habitats of primary association;
2. Streams/riparian corridors;
3. Continuous vegetative corridors linking watersheds;
4. Significant biological areas listed by the city; and
5. Lakes and ponds less than twenty acres.

“Flashing sign” means a sign or a portion thereof which changes light intensity or switches on and off in a constant pattern, or contains motion or the optical illusion of motion by use of electrical energy.

“Floor area ratio” means a measure of development intensity which is the gross building area (square footage of the total floor area except parking areas) divided by the lot area.

“Fraternal organization”: See “private club or lodge.”

“Freestanding sign” means a permanent pole, ground or monument sign attached to the ground and supported by uprights or braces attached to a foundation in the ground and not attached to any building.

“Functions and values,” or “functional values” means 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, ground water recharge and discharge, erosion control, wave attenuation, protection from hazards, recreation, educational opportunities, aesthetics, and slope and soil stabilization.

“Garage” means an accessory building constructed of at least three walls, designed or used for the shelter or storage of vehicles owned or operated by the occupants of the principal building.

“Garage, private attached” means a portion of the principal building which is attached by a common wall or substantial roof structure to the principal dwelling designed or used for the storage or shelter of vehicles owned or operated by the occupants of the principal building.

“Geologically hazardous areas” means areas susceptible to erosion, landslide, seismically induced soil failure, or other geological events.

“Geologist” means a person who is licensed in the state of Washington under the provisions of Chapter 18.220 RCW and Chapter 308-15 WAC, and who has at least one year of practical experience in the Pacific Northwest.

“Government administrative offices” means offices for federal, state, county, city or other governmental, public utility, school district, or quasi-public agencies where staff of such agencies are employed in the administration of government or public services. This term does not include correctional facilities, utility facilities, equipment storage or parking, schools, fire stations, community centers, parks, or other public or quasi-public service uses specifically listed in this title.

“Grade” means the elevation of a lot prior to development.

“Grade, finished” means the elevation of a lot after completion of development.

“Grading” means any excavating, filling, or clearing of land or any combination thereof.

“Green roof” means an engineered roofing system that allows for the propagation of rooftop vegetation while maintaining the integrity of the underlying roof structure and membrane.

“Gross floor area” means the sum of the gross horizontal areas of the floors of a building or buildings, measured from exterior faces of exterior walls, and from the center-line of common walls.

1. Gross floor area includes: basement space, elevator shafts and stairwell at each floor, mechanical equipment rooms or attic spaces with headroom of seven feet, six inches or more, penthouse floors, interior balconies and mezzanines, and enclosed porches.

2. Gross floor area shall not include: accessory water tanks and cooling towers, mechanical equipment rooms or attic spaces with headroom of less than seven feet, six inches, exterior steps or stairs, terraces, breezeways, and open spaces.

“Ground sign” means a freestanding sign that is five feet or less in height.

Group Home:

1. Group-Care Homes, Class I. State-licensed foster homes for children (not including nursing homes), homes for handicapped and the mentally ill, and homes for those with developmental disabilities. Group-care homes, class I, are subclassified as follows:

a. Group-Care Homes, Class I-A. A maximum of six residents and two resident staff;

b. Group-Care Homes, Class I-B. A maximum of twelve residents and resident staff; and

c. Group-Care Homes, Class I-C. A maximum of twenty residents and four resident staff.

2. Group-Care Homes, Class II. State-licensed group-care homes for juvenile delinquents, halfway houses providing residence in lieu of institutional sentencing, halfway houses providing residence to those needing correctional institutionalization, and residential rehabilitation centers for current abusers of alcohol and drugs. Group care homes, class II, are subclassified as follows:

a. Group-Care Homes, Class II-A. A maximum of six residents and two resident staff;

b. Group-Care Homes, Class II-B. A maximum of ten residents and two resident staff; and

c. Group-Care Homes, Class II-C. A maximum of twenty residents and four resident staff.

“Habitat management plan” means an activity proposed by a public agency or private entity, and approved by the planning director, within an area which may impact a fish and wildlife habitat conservation area to preserve, protect or enhance the fish and wildlife habitat conservation area.

“Habitats of primary association” means a critical component(s) of the habitats of federally or state-listed endangered, threatened, candidate, sensitive, and priority wildlife or plant species which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term. Habitats of primary association include, but are not limited to, winter ranges, migration ranges, breeding sites, nesting sites, regular large concentrations, communal roosts, roosting sites, staging areas, and “priority habitats” listed by the Washington State Department of Fish and Wildlife.

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

“Hazardous waste storage” means the holding of hazardous waste for a temporary period, as regulated by the state dangerous waste regulations, Chapter 173-303 WAC.

“Hazardous waste treatment” means the physical, chemical or biological processing of hazardous waste for the purpose of rendering these wastes for material resource recovery, amenable for storage, or reduced in volume, as regulated by the state dangerous waste regulations, Chapter 173-303 WAC.

“Hazardous waste treatment and storage facility, off-site” means treatment and storage facilities which treat and store hazardous wastes generated on properties other than those on which the off-site facilities are located.

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

“Hazard tree” means any tree that poses a threat to public safety, or poses an imminent risk of damage to private property. Hazard tree includes any tree that, under normal environmental conditions or in windstorms common to the Pacific Northwest, is likely to cause damage to a structure with frequent human use, including residential structures, a place of employment or public assembly, and other similar places, or damage to an approved public road or utility facility.

“Health club” or “athletic facility” means a building which is used for sports, health and recreational uses by the general public or by members not restricted to living within a specified area (as in a homeowner’s association or multiple-family development), which normally operates for a profit. Such facilities include, but are not limited to, tennis or racquetball courts, swimming pools, weight training, exercise classes, health spas and other similar uses. Where such uses are also permitted outdoors in specific zones, the following uses are included: Tennis courts, golf-driving range, miniature golf courses, running tracks, and swimming pools.

“Hearing examiner” means the land use hearing examiner for the city.

“Height, building” means the vertical distance from the base elevation of a building to the highest point of the roof, exclusive of building appurtenances. In the B-3 and R-5 zones, building height is measured as the height above the highest point of any public sidewalk immediately contiguous to the lot upon which the building is located, or height above the base elevation, whichever is greater.

“Height of building appurtenance” means the vertical distance from the base elevation of a building to the highest point of the building appurtenance.

“Hillsides” means geological features on the landscape having slopes of fifteen percent or greater.

“Historical commission” means the historical commission for the city.

“Home occupation” means an occupation which is incidental and subordinate to a residential use, which is carried on by a member of the family residing in the dwelling.

“Homeless” means a person who lacks a fixed, regular, and adequate nighttime residence, and who has a primary nighttime residence that is:

1. A supervised publicly or privately operated shelter designed to provide temporary living accommodations; or
2. An institution that provides a temporary residence for mentally ill individuals intended to be institutionalized; or
3. A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

“Homeless encampment” means a group of homeless persons temporarily residing out of doors on a site with services such as shelter, food and sanitation, provided by a sponsor and supervised by a managing agency.

“Hospital” means an institution that provides twenty-four-hour-per-day care for the diagnosis, treatment, care and curing of individuals suffering from illness, injury or any condition requiring medical, obstetric, surgical, or psychiatric care; and other related uses customarily incidental thereto.

“Hotel” means a facility offering transient lodging accommodations on a daily rate to the general public which may also provide incidental services such as restaurants, meeting rooms or recreational facilities.

“Hydric soil” means a soil that is saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions in the upper part. The presence of hydric soil shall be determined following the methods described in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands.

“Impound, storage, tow yards” means a lot used for the temporary storage of vehicles which have been towed by a towing company or for impounded vehicles, but which does not include permanent vehicle storage or dismantling of vehicles.

“Incidental sign” means a small sign, emblem or decal informing the public of goods, facilities or services available on the premises, e.g., a credit card sign or a sign indicating hours of business, which does not exceed two square feet in size.

“Indirect lighting” means lighting displayed or reflected on the surface or face of a sign which is not inside the sign and not a part of the sign proper.

“Jail,” see “correctional facility.”

“Kennel, commercial” means an establishment that houses, cares for, breeds, or raises dogs, cats or other small domestic animals for profit.

“Lake” means a natural or artificially created permanent body of water with an average depth of six feet or greater and an area larger than twenty acres, as measured at the ordinary high water mark.

“Landscaping” means the planting, removal and maintenance of vegetation along with the movement and displacement of earth, topsoil, rock, bark and similar substances done in conjunction with the planting, removal and maintenance of vegetation.

“Landslide” means episodic downslope movement of a mass of soil or rock that includes but is not limited to rock falls, slumps, mudflows, earth flows, and avalanches.

“Landslide hazard areas” means those areas of the city subject to a risk of landslide based on a combination of geologic, topographic, and hydrologic factors.

“Line of sight” with respect to the siting of secure community transition facilities means the maximum unobstructed distance at which it is possible to reasonably visually distinguish and recognize individuals. For the siting of secure community transition facilities, this distance is six hundred feet. However, a distance less than six hundred feet may be considered if the applicant demonstrates that visual barriers exist or can be created that would reduce the line of sight to a distance less than six hundred feet.

“Lot” means an area of land established by plat, subdivision or as otherwise permitted by law to be used, developed or built upon in accordance with the provisions of the Zoning Code.

“Lot area” means the total area within the lot lines of a lot, excluding any primary access easements or panhandles, and excluding any area dedicated for public right-of-way purposes.

“Lot, corner” means a lot located at the junction of and fronting on two or more intersecting streets.

“Lot coverage by building” means the amount or percent of the ground area of a lot on which buildings are located. This amount/percent includes all areas which are partially or totally enclosed and covered by a weather tight roof, including any garages, carports, and cantilevered portions of a building which are not above the ground floor of a building, and storage areas covered by a watertight roof even if not fully enclosed. Building coverage does not include eaves, decks, and uncovered porches. Minor portions of panhandle lots and primary access easements shall not be included in the lot area for purposes of calculating building coverage.

“Lot depth” means the mean distance between the front lot line and rear lot line.

“Lot frontage” means the length of the front lot line measured at the street right-of-way.

“Lot, interior” means any lot which is not a corner lot.

“Lot line” means a line of record that divides one lot from another lot or from a public or private street or alley.

“Lot line, front” means the lot line dividing a lot from the street. On a corner lot, only the shorter lot frontage shall be considered as the front lot line (see Section 39.075 for corner sites with more than one lot). On a panhandle lot, the front lot line and setbacks shall be determined during the subdivision approval process, or, if not determined during subdivision review, shall be determined by the planning director.

“Lot line, rear” means the lot line opposite and most distant from the front lot line. In the case of triangular or

other irregularly shaped lots, an imaginary line ten feet in length located entirely within the lot, parallel to and at a maximum distance from the front lot line.

“Lot line, side” means any lot line which is not a front or rear lot line.

“Lot, panhandle” means a lot with access provided to the bulk of the lot by means of a narrow strip of land which does not meet the full frontage or width requirements of this title.

“Lot width” means the horizontal distance between side lot lines measured at right angles to the lot depth at a point midway between the front and rear lot lines.

“Lumber and building materials sales” means a business that sells building materials and/or lumber in large quantities, and includes a significant portion of its product storage outdoors or in warehouse portions of the building.

“Maintenance, service (heavy)” means a business which services, maintains or repairs automobiles and small trucks including vehicle body work and painting, but which does not sell motor fuel to the public.

“Maintenance, service (light)” means a business which services, maintains or repairs automobiles and small trucks, excluding vehicle body work and painting, and also excluding sale of motor fuel to the public.

“Managing agency” means an organization that has the capacity to organize and manage a homeless encampment. A “managing agency” may be the same entity as the sponsor.

“Manufactured home” means a manufactured home constructed after June 15, 1976, in accordance with state and federal requirements for manufactured homes, which:

1. Is comprised of at least two fully enclosed parallel sections, each of which is not less than twelve feet wide by thirty-six feet long;
2. Was originally constructed with and now has composition or wood shake or shingle, coated metal, or similar roof of not less than 3:12 pitch; and
3. Has exterior siding similar in appearance to siding materials commonly used on conventional site-built Uniform Building Code single-family residences.

“Manufacturing” means the process of transforming materials or substances into new products using chemical or mechanical processes.

“Manufacturing, heavy” means manufacturing uses not otherwise defined in this title that employ processes that generate potentially noxious or objectionable impacts such as noise, smoke, dust, vibration, odor, or concussion, the use or outdoor storage of heavy equipment, or outdoor storage of large quantities of bulk materials.

“Manufacturing, light” means processing or fabrication of materials involving methods or manufacturing processes which do not generate noxious or objectionable impacts such as noise, smoke, dust, vibration, odor, or concussion; does not require the use of heavy equipment;

and does not involve outdoor storage of large quantities of bulk materials or heavy equipment.

“Marquee” means a permanent roof-like structure or canopy of rigid material supported by and extending from the facade of a building.

“Marsh” means an area permanently inundated by water less than six feet deep and occupied predominantly by an emergent wetland vegetation community.

“Medical-related activities” means uses that are closely related to clinic and hospital uses, including but not limited to, pharmacies, retail sales of durable medical goods, medical or dental laboratories and emergency ambulance services.

“Mitigation” means avoiding, minimizing, or compensating for adverse impacts and includes the use of any or all of the following actions:

1. Avoiding the impact altogether by not taking a certain action or parts of an action;
2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;
3. Rectifying the impact by repairing, rehabilitating or restoring the affected critical area;
4. Reducing or eliminating the impact over time by preservation or maintenance operations during the life of the development proposal;
5. Compensating for the impact by replacing or enhancing substitute critical areas;
6. Monitoring the required mitigation area and taking remedial action when necessary.

“Mobilehome park” means a lot where two or more mobilehomes are used for dwelling purposes.

“Monitoring” means the collection and analysis of data by various methods for the purposes of understanding and documenting changes in natural systems and features, and including gathering baseline data, evaluating the impacts of development proposals on the biological, hydrologic and geologic elements of such systems, and assessing the performance of required mitigation measures.

“Monument sign” means a freestanding sign higher than five feet above grade which is attached to the ground by means of a wide base.

“Motel” means a building providing transient lodging with parking conveniently located to each unit, which may also include incidental uses such as meeting rooms, restaurants, etc.

“Multiple-family dwelling”: See “dwelling, multiple-family.”

“Municipal Code” means the various laws of the city contained within the Everett Municipal Code.

“Native vegetation” means vegetation on a site or plant species which are indigenous to the area in question; or if the site has been cleared, species of a size and type that were on the site on the effective date of this title or reason-

ably could have been expected to have been found on the site at the time it was cleared.

“Natural topography” means the elevation of a parcel of land prior to any human modification of the topography.

“Nightclub” means a commercial establishment which sells beverages for consumption on the premises and which includes entertainment and/or dancing.

“Nonconforming building” means a legally established structure or building, the size, dimensions, or setbacks of which met the applicable Zoning Code requirements in effect at the time the building was constructed, but which fails by reason of adoption, revision or amendment of the Zoning Code to conform to the present requirements of the zone in which it is located.

“Nonconforming landscaping” means on-site landscaping, the dimensions, area or location of which met the applicable Zoning Code requirements in effect at the time the use or building was established, but which fails by reason of adoption, revision or amendment of the Zoning Code to conform to the present requirements of the zone in which it is located.

“Nonconforming lot” means a legally established lot, the area, dimensions or location of which met the applicable Zoning Code requirements in effect at the time the lot was created, but which fails by reason of such adoption, revision or amendment of the Zoning Code, to conform to the present requirements of the zone in which it is located.

“Nonconforming parking” means legally established off-street parking for a particular use, the quantity, design, location or construction of which met the applicable Zoning Code requirements in effect at the time the use was established, but which fails by reason of adoption, revision or amendment of the Zoning Code to conform to the present requirements of the zone in which it is located.

“Nonconforming use” means a legally established use which met the applicable Zoning Code requirements at the time it was established but which fails by reason of adoption, revision or amendment of the Zoning Code to conform to the present requirements of the zone in which it is located.

“Normal rainfall” means that rainfall that is at or above the mean of the accumulated rainfall record, based upon the water year, for the city as recorded at the Seattle Tacoma International Airport, or other local rainfall recording station recognized by the city.

“Nursery” means an establishment where trees, shrubs and other plant materials are grown, propagated and/or stored for the purpose of sale.

“Nursing or convalescent home” means a facility or institution for the care of the aged or infirm, or a place of rest for those suffering bodily disorders. This term does not include hospitals or facilities for the primary treatment of sickness or injuries, or for surgical care, or congregate care facilities.

“Off-premises sign” means an outdoor advertising, informational, directional or identification sign other than a billboard, which relates to products, businesses, services or premises not located on or otherwise directly associated with the site on which the sign is erected.

“Off-street parking area” means an area designed and/or used for parking vehicles which is not located in a street or alley right-of-way.

“Office” means a building or portion thereof which is used for general business purposes not involving manufacturing, sale of inventory or provision of services involving manual skills or mechanical processes. Not included in the category of office are those businesses and occupations defined by this title as clinics, medical-related activities, personal services, financial institutions, service businesses, government administrative offices or uses such as private clubs or fraternal organizations.

“Open-air market” means an outdoor market held on a regular basis, and at which groups of individual vendors sell new or used goods, produce, freshly prepared foods, handmade crafts, or other unique goods. Live entertainment may be provided. Open-air market shall not include outdoor display or sales associated with retail establishments that are principally located in indoor facilities, or motor vehicle dealerships.

“Open space” means land area not covered by buildings, roads, driveway and parking areas, or outdoor storage areas, including, but not limited to, landscape areas, gardens, woodlands, walkways, courtyards or lawns, and outdoor recreation areas. Except as otherwise provided by this title, open space includes setback areas that meet the requirements defined in this chapter.

“Open space, common” means private open space provided within a development which is provided for, and which is permanently accessible to, all residents/tenants of the development.

“Open space, private” means a small parcel of land or outside area (deck, lanai, patio) immediately adjacent to an individual dwelling unit maintained by and for its residents and reserved exclusively for their use.

“Open space, public” means an area dedicated in fee to the city and operated and maintained by it. Public open space in a planned residential development is designed primarily for the use of residents of the particular development, but cannot be reserved for this exclusive use due to the public ownership.

“Open water component” means water in dispersed patches covering forty to sixty percent of the wetland which have not less than six inches and not more than six feet of standing water for at least ten months of the year.

“Opiate substitution treatment facility” means an organization that administers or dispenses an approved drug as specified in 212 CFR Part 291 for treatment of detoxification of opiate substitution. The agency is:

1. Approved by the Federal Food and Drug Administration;
2. Registered with the Federal Drug Enforcement Administration;
3. Registered with the State Board of Pharmacy;
4. Licensed by the county in which it operates; and
5. Certified as an opiate substitution treatment agency by the State Department of Social and Health Services.

“Ordinary high water mark” means the mark that will be found by examining the channel bed and banks of a stream, lake or pond and ascertaining where the presence and action of waters are so common and usual, and so long maintained in all years of normal rainfall as to mark upon the soil 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.

“Outdoor recreation, commercial” means an outdoor recreational use operated as a private commercial enterprise not otherwise defined in this title including but not limited to golf course, golf driving range, archery range, campground or other similar use. This term does not include recreational vehicle parks or trailer parks.

“Overlay zone” means a zone which is used in conjunction with, and which cannot be established without, another zone. The overlay zone adds additional regulations, allows development to occur which would not otherwise be possible and/or which modifies standards in the underlying zone.

“Owner” means the holder of fee title, a mortgagee, or contract purchaser.

“Parking space” means a portion of an off-street parking area, meeting the city’s design and construction standards, having access to a public street or alley.

“Passenger terminal” means a facility for passengers of a public or private transportation carrier to purchase tickets and board such means of transport, baggage handling, and related uses providing services to passengers of a small scale and nature, including but not limited to retail uses, restaurants, lockers, personal services, barber or beauty salon, and other similar activities.

“Personal service use” means a business or occupation which provides services involving personal grooming or the care of a person’s apparel, including, but not limited to, laundry (not including self-service laundromat) services, manicurists, tailors, shoe repair shops, tanning salons.

“Planned residential development (PRD)” means a residential development which is comprehensively planned as an entity and which is permitted greater flexibility in building siting, lot size, setbacks, mixture of housing types, usable open space and preservation of significant

natural features than otherwise allowed or required in the underlying zone, and which is established through a public hearing process through the use of a PRD overlay zone.

“Planning commission” means the planning commission for the city.

“Planning department” means the planning department for the city.

“Planning director” means the planning director for the city or his/her authorized representative.

“Plant associations of infrequent occurrence” means one or more plant species on a landform type which, because of the rarity of the habitat or the species involved or both, or for other botanical or environmental reasons, do not occur frequently in Everett or Snohomish County.

“Plat, formal” means 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.

“Plat, short” means 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.

“Pole sign” means any freestanding sign more than five feet in height that does not meet the definition of monument, ground or portable sign. These signs are composed of the sign cabinet or base and the sign pole or pylon by which it connects to the ground.

“Political sign” means any sign intended to express political beliefs, or to promote an individual or an issue on an election ballot.

“Pond” means an area permanently inundated by water in excess of six feet deep and less than twenty acres and larger than two thousand five hundred square feet in area as measured at the ordinary high water mark.

“Portable sign” means any sign which is capable of being moved easily and is not permanently affixed to the ground or a structure or building, including readerboards (see Section 36.140).

“Practicable” means possible or capable of being done.

“Principal building” means the primary or predominant building on a lot.

“Principal use” means the primary or predominant use of any lot or building.

“Private club or lodge” means an association of persons organized for some common purpose, including fraternal organizations but not including groups organized primarily to render a service which is customarily carried on as a business.

“Projecting sign” means any sign, other than a flat wall sign, which is attached to and projects more than twelve inches from a building wall or other structure not specifically designed to support the sign.

“Public agency” means any agency, political subdivision, or unit of local government of this state including but not limited to municipal corporations, special purpose districts, and local service districts; any agency of the state,

the United States, or any Indian tribe recognized as such by the federal government.

“Public service use, building” means a use or building supporting the services provided by a public agency. This term includes fire stations, police precinct or substations, community centers, and other public service uses, but does not include government administrative offices; schools; equipment storage yards, buildings or parking; correctional facilities; parks; public or publicly subsidized housing; social service agencies; or utility facilities.

“Public works director” means the public works department director for the city or his/her authorized representative.

“Readerboard” means a sign or a part of a sign on which the letters are readily replaceable such that the copy can be changed from time to time at will.

“Real estate sign” means a sign erected by the owner or his/her agent advertising the real estate upon which the sign is located for rent, lease or sale, or directing interested parties to the property.

“Real estate directional sign” means an off-premises sign which directs persons to a property for sale, lease or rent.

“Reasonable alternative” means 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 regulated critical areas. It may include an area not owned by the applicant which could reasonably have been

or be obtained, utilized, expanded, or managed in order to fulfill the basic purpose of the proposed activity.

“Reasonable use” or “reasonable economic use” means a legal concept that has been articulated by federal and state courts in regulatory takings cases.

“Repair or maintenance” means an activity that restores the character, scope, size, and design of a serviceable area, structure, or land use to its previously authorized undamaged condition. Activities that change the character, size, or scope of a project beyond the original design and alter a regulated critical area are not included in this definition.

“Research, testing laboratory” means a facility in which scientific or developmental research is performed, but which does not include mass production or mass manufacturing of goods and commodities.

“Restaurant” means an establishment open to the public selling food and drink which may be consumed on or off of the premises.

“Restoration” means the return of a stream or wetland, or terrestrial ecosystem to a state in which its functions and values significantly approach its unaltered state.

“Retail use” means an establishment engaged in the sale of goods or merchandise to the general public.

“Retail use, indoors” means a business which is not otherwise defined in this title providing products for retail sale to the general public or to group members, located primarily within a building, but which may include outdoor display on walkways within shopping centers, or on public sidewalks as permitted by the city engineer.

“Retail use, outdoors” means a business not otherwise defined in this title which sells products to the general public from display areas located outside of enclosure by buildings.

“Retention/detention facility” means a type of drainage facility designed either to hold water for a considerable length of time and then release it by evaporation, plant transpiration, and/or infiltration into the ground; or to hold runoff for a short period of time and then release it to the surface and storm water management system.

“Review authority” means the individual or the board, council or commission with authority to review, make recommendations concerning, or approve development permits.

“Review process” means the procedure listed in Title 15, Local Project Review Procedures, by which a specific use shall be evaluated before a determination is made concerning the issuance of an approval, a license or permit.

“Right-of-way” means the actual property which is publicly dedicated or reserved for street and alley access and for other public purposes such as public utilities, bicycle paths, and pedestrian walkways.

“Riparian corridor” means a perennial, intermittent, ephemeral stream or swale including its channel bottom; lower and upper banks, and area beyond the top of the

upper bank which influences the stream through shading and organic matter input, and is influenced by the presence of water, particularly in regard to plant composition. The riparian corridor is the transitional area between aquatic and upland ecosystems and does not necessarily include the entire floodplain of a stream.

“Roof sign” means any sign erected over or on the roof of a building, or attached to the wall of a building and extending above the roofline.

“Rooming” means the provision of a room for lodging purposes, without meals, in return for payment of rent.

“Roominghouse” means a principal building other than a hotel where lodging which complies with the city Housing Code is provided, without meals, for compensation on other than a day-to-day basis, and which is not open to transient guests.

“Salmonid” means a member of the fish family Salmonidae. In the city these include chinook, coho, chum, sockeye and pink salmon; cutthroat, brook, brown, rainbow and steelhead trout; and Dolly Varden, kokanee and char.

“Secure community transition facility” means a facility, as defined in RCW 71.09.020, for the housing of sexually violent predators.

“Seismic hazard areas” means those areas of the city subject to severe risk of earthquake damage as a result of seismically induced ground shaking, settlement, or soil liquefaction. These conditions occur in areas underlain by cohesionless soils of low density sometimes in association with a shallow groundwater table.

“Self-serve storage facility” means a building or buildings containing separate storage spaces of a limited size leased or rented on an individual basis, which does not include warehouses or loading docks.

“Senior citizen housing” means a housing development in which all dwelling units are to be occupied by a person or persons age fifty-five or older; provided, however, that younger spouses shall be permitted.

“Sensitive land uses” means those land uses which are particularly sensitive to the secondary effects of adult use businesses. Sensitive land uses include the following:

1. Single-family and multiple-family residential zones;
2. Churches, or other religious facilities or institutions;
3. Public and private schools, training facilities and technical schools which have twenty-five percent or more of their students under the age of eighteen;
4. Public parks and playgrounds;
5. Community development block grant designated neighborhoods.

“SEPA” means the current edition of the State Environmental Policy Act and the city ordinance implementing the State Act.

“Service (gasoline) station” means a retail establishment selling motor fuels to the public and may also

include retail sale of motor oil, auto accessories and travel aids, automobile servicing, repairs and maintenance, excluding vehicle body work and painting.

“Setback” means the required minimum distance between any lot line and any structure, building or use.

Setback, Front. “Front setback” means the required minimum distance between the front lot line and any structure, building or use.

Setback, Rear. “Rear setback” means the required minimum distance between the rear lot line and any structure, building or use.

Setback, Side (Interior). “Side (interior) setback” means the required minimum distance between the side lot line which does not abut a street and any structure, building or use.

Setback, Side (Street). “Side (street) setback” means the required minimum distance between the side lot line abutting the street on a corner lot and any structure, building or use.

“Shipping, trucking terminal” means a business that provides transport of goods, has parking on site for large trucks, and may include outdoor container storage, rail-to-truck transfer facilities, warehouse storage and vehicle maintenance facilities.

“Shopping center” means a grouping of retail business and service uses on a single development site with common parking facilities.

“Shoreline management master program” means the city of Everett-adopted shoreline management master program.

“Should” means encouraged but not required.

“Sign” means any device, structure, fixture, placard, painted surface, awning, banner or balloon using graphics, lights, symbols and/or written copy designed, used or displayed for the purpose of advertising, identifying, attracting attention to, or promoting the interest of any person, institution, business, event, product, goods or services; provided, that the same is visible from a street, way, sidewalk, or parking area open to the public.

“Sign area” means the entire area of a sign on which copy is to be placed. Sign structure, architectural embellishments, framework and decorative features which contain no written or advertising copy shall not be included. Sign area shall be calculated by measuring the perimeter enclosing the extreme limits of the module or background containing the advertising or identifying message; provided, that individual letters using a wall as the background, without added decoration or change in wall color, shall have a sign area calculated by measuring the smallest rectangle enclosing each letter and totaling the square footage thereof. For double-faced signs, total sign area shall be calculated by measuring only one face.

“Sign height” means the vertical distance from grade to the highest point of a freestanding sign or any vertical projection thereof, including its supporting columns. Grade

shall be determined by taking the average elevation at finished grade for the midpoints of the four sides of the smallest rectangle that will enclose all area which is within a five-foot horizontal radius of the sign and its supporting structure.

“Significant biological areas” means the following areas of the city:

1. Plant associations of infrequent occurrence;
2. Commercial and recreational shellfish areas;
3. Kelp and eelgrass beds;
4. Herring, sand lance, and smelt spawning areas;
5. State natural area preserves and natural resource conservation areas; and
6. Those areas listed in the 1981 SEPA Resource Inventory as significant biological areas, which are:
 - a. Maulsby Swamp,
 - b. Kasch Park (Bomarc) Bog,
 - c. Simpson Lee site Category I wetlands,
 - d. Narbeck Swamp,
 - e. Jetty Island.

“Significant surface water connection” means a surface water flow that is continuous for thirty days or more during years of normal rainfall.

“Social service facility” means a facility housing a public or nonprofit agency that provides counseling, therapy or other social or human services to persons needing such services due to physical, mental, emotional or other disabilities. This definition does not include schools, hospitals, clinics, daycare, or residential uses.

“Solid waste transfer station” means a solid waste handling facility where nonhazardous solid waste is delivered by public agencies, businesses or individuals and transferred and/or sorted into other containers to be transported to another location for ultimate disposal. A solid waste transfer station may include provisions for extraction of recyclable or reusable materials, as well as collection facilities for recyclable materials.

“Specified anatomical areas” means:

1. Less than completely and opaquely covered human genitals, pubic region, buttock and female breast below a point immediately above the top of the areola; and
2. Human male genitals in a discernible turgid state, even if completely and opaquely covered.

“Special property use” means a use of property which is permitted only if approved by the city following public notification and/or public hearing, as provided in Chapter 41 of this title.

“Specified sexual activities” means:

1. Human genitals in a state of sexual stimulation or arousal;
2. Acts of human masturbation, sexual intercourse or sodomy;
3. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

“Sponsor” means a local faith-based or other local community-based organization that has an agreement with the managing agency to provide basic services and support for the residents of a homeless encampment, such as shelter, food and sanitation, and liaison with the surrounding community and joins with the managing agency in an application for a temporary use permit. A “sponsor” may be the same entity as the managing agency.

“Steep slopes” means any ground that rises ten or more for every twenty-five feet of horizontal distance, thus having a grade of forty percent or steeper. A slope is delineated by establishing its toe and top:

1. “Toe” of a steep slope is the lower most limit of the area where the ground surface rises ten feet or more vertically within a horizontal distance of twenty-five feet.

2. “Top” of a steep slope is a distinct, sharp break in slope which separates slopes inclined at less than forty percent from slopes equal to or greater than forty percent. Where no distinct break in slope exists, the top of the steep slope shall be the uppermost limit of the area where the ground surface drops ten feet or more vertically within a horizontal distance of twenty-five feet.

“Stream” means a year-round or intermittent water course or route, formed by nature or modified by human activities and generally consisting of a defined channel with a bed, banks or sides for a substantial portion of its length, along which surface waters naturally and normally flow from higher to lower lands. Streams include natural swales. Wetlands and entirely artificial watercourses such as irrigation and drainage ditches, grass-lined swales, canals and stormwater runoff devices shall not be considered to be streams, except where they exist in a natural watercourse that has been altered by humans. Streams which have been channelized or culverted shall continue to be considered streams for the purpose of this title.

“Stream channel bottom” means the submerged portion of the stream cross-section which is totally an aquatic environment. The channel bottom may be seasonally dry.

“Street” means a public or private thoroughfare which provides the principal means of access to abutting properties.

“Structure” means a combination of materials constructed or erected on or under the ground, or attached to something having a permanent location on or under the ground.

“Swale” means a shallow drainage conveyance with relatively gentle side slopes, generally with flow depths less than one foot.

“Swamp” means an area permanently saturated or inundated by water, and occupied predominantly by either a scrub-shrub or forested wetland vegetation community.

“Tavern” means an establishment selling beer and/or wine for consumption on the premises.

“Temporary or special event sign” means a nonpermanent sign intended for use for a short period of time, including banners, pennants or advertising displays constructed of canvas, fabric, wood, plastic, cardboard or wallboard, with or without frame. Signs in this category include signs painted on window surfaces which are readily removed by washing, and signs referred to in Section 36.150.

“Temporary shelter home” means a facility providing temporary housing for victims of domestic violence, the

homeless, or other persons in need of temporary housing. Temporary shelter homes may also provide support services to assist residents become self sufficient or make the transition to their own housing. This term does not include Class I or Class II group homes.

“Tower” means 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 towers, microwave towers, common-carrier towers, cellular telephone towers, personal communications services tower, alternative tower structures, and other similar structures, and its attendant base station.

“Traffic engineer” means the traffic engineer for the city.

“Transfer of development rights” means the amount of development allowed to be transferred from a lot containing a critical area to another lot, as permitted in Chapter 37 of this title.

“Transit station” means a dedicated transit facility where several transit routes converge, designed to accommodate several buses at once to permit transfer between transit routes. A transit center may provide transit passenger shelters and waiting areas, but does not include off-street parking for transit passenger vehicles.

“Transportation facilities of statewide significance” means the interstate highway system; interregional state principal arterials including ferry connections that serve statewide travel; regional transit systems as defined in RCW 81.104.015; high capacity transportation systems serving regions as defined in RCW 81.104.015; intercity passenger rail services; intercity high-speed ground transportation; rail fixed guideway system, as defined in RCW 81.104.015, excluding yards and service and maintenance facilities; the freight and passenger railroad system as regulated by the Federal Railroad Administration, excluding yards and service and maintenance facilities; and in shoreline zones, and in adjacent zones where all or any portion of a development is within a shoreline designated area or zone, marine port and barge facilities and services that are related to marine activities affecting international and interstate trade, excluding centralized, high density concentrations of port, deep water port, and marine shipping facilities and services.

“Unavoidable and necessary impacts” means impacts to regulated critical areas after the applicant proposing to alter a regulated critical area has demonstrated that no reasonable alternative exists for the proposed project.

“Undevelopable area” means:

1. Regulated wetlands;
2. Geologically hazardous areas which are determined by supporting studies to be unsuitable for development;
3. Streams;

4. Habitats of primary association;
5. Plant associations of infrequent occurrence.

“Unstable soils” means soils which by their physical nature are not suitable to support buildings, roads, utilities or other manmade development related improvements, or which have the potential for slope failure, erosion, or subsidence. Unstable soils include, but are not limited to, those areas defined as landslide hazard areas, erosion hazard areas, and seismic hazard areas, or other soils which have been determined by the public works director or the building official to be unsuitable for building foundations or structural support.

“Upper bank” means that portion of the topographic cross-section of a stream which extends from the break in the general slope of the surrounding land to the ordinary high water mark.

“Use” means the activity or function carried out on an area of land, or in a building located thereon.

“Use table” means the charts used to display uses, and applicable review process in each use zone.

“Use zone” means those zones contained within this title as designated by Section 1.030.

“Vacate” means to move out; to make vacant or empty; to leave.

“Video board” means an electronically activated sign that creates the effect of motion or animation, except as allowed by this chapter for changing electronic message signs which are in compliance with the 2-1-2 provision, and the prohibition of RGB technology.

“Wall sign” means a sign attached, painted onto or erected parallel to and extended not more than one foot from the facade or face of any building to which it is attached and supported throughout its entire length, with the exposed face of the sign parallel to the plane of said wall or facade.

“Warehouse” means a building used to store merchandise, materials or commodities.

“Wastewater treatment plant” means a utility facility for the collection and treatment of sanitary sewage and storm water through mechanical, chemical and biological processes for the purpose of improving the quality of wastewater.

“Water-dependent” means requiring the use of surface water that would be essential to fulfill the purpose of the proposed project.

“Water-dependent use” means a use which is dependent upon a location on or adjacent to the shoreline to be successful, and without such location cannot exist, including but not limited to deepwater shipping terminals, marinas and accessory uses, boat launches, fishing piers, commercial fishing terminals, marine construction businesses, barge loading terminals, and similar industrial, commercial or recreational uses.

“Water-related uses” means uses that are not water-dependent but are enhanced by a location on or adjacent to

the shoreline, including but not limited to recreational trails, restaurants, marine-related retail or service businesses, resort hotels, boat sales and service, fish markets, public parks, and similar industrial, commercial or recreational uses.

“Wetlands,” for the purpose of inventory mapping, means lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. Wetlands must have one or more of the following three attributes:

1. At least periodically, the soil supports predominantly hydrophytes;
2. The substrate is predominantly undrained hydric soil;
3. The substrate is non soil and saturated with water at some time during the growing season of each year.

Wetlands include all areas waterward from the wetland edge. Where the vegetation has been removed, or substantially altered, a wetland shall be determined by the presence or evidence of hydric or organic soils.

“Wetland boundary” means, for the purposes of the calculation of the area of the wetland, the total extent of the wetland, both on-site and off-site.

“Wetland class” means a description of vegetation habitat based on the predominant life forms that occupy a particular layer of vegetation and possess an aerial coverage of thirty percent or greater of the entire wetland. The basis for these descriptive classes is derived from the Wetlands Taxonomic Classification System of the United States Fish and Wildlife Service (Cowardin et al., 1979).

“Wetland, contiguous” means wetland systems connected by hydric soils or a significant surface water connection. For purposes of this title, wetlands will not be considered contiguous if the only hydrologic connection is a category I, II or III stream, or if the wetlands had historically been connected but are now separated by a legal fill or culvert which is one hundred feet or more in length.

“Wetland edge” means the line delineating the outer edge of a wetland established by using the Washington State Wetlands Identification and Delineation Manual (Ecology Publication No. 96-94, 1997).

“Wetlands, emergent” means a regulated wetland that does not qualify as a forested wetland or a scrub-shrub wetland with at least thirty percent of the surface area covered by erect, rooted, herbaceous vegetation as the uppermost vegetative strata.

“Wetlands, forested” means a regulated wetland with at least thirty percent of the surface area covered by woody vegetation greater than twenty feet in height.

“Wetlands, isolated” means those wetlands which:

1. Are outside of and not contiguous to any one hundred year floodplain or riparian corridor of a lake, river, or stream; and

2. Have no contiguous hydric soil or surface water connection between the wetland and another surface water body.

“Wetlands, regulated” means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation adapted for life in saturated soil conditions. Regulated wetlands generally include swamps, marshes, ponds, bogs and similar areas. Regulated wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, 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 created as mitigation and wetlands modified for approved land use activities shall be considered as regulated wetlands. For identifying and delineating regulated wetlands, the city shall use the Washington State Wetland Identification and Delineation Manual.

“Wetlands, riparian” means those wetlands that generally occur within a riparian corridor that is contiguous to or have a surface hydrologic connection with a stream. Wetlands formed by hillside seeps that are not hydrologically affected by water in a nearby stream are not riparian wetlands. However, wetlands on a hillside may be riparian wetlands if adjacent to a stream that flows down the hillside.

“Wetlands, scrub-shrub” means a regulated wetland that does not qualify as a forested wetland with at least thirty percent of its surface area covered by woody vegetation less than twenty feet in height as the uppermost strata.

“Window sign” means a sign located inside and affixed to windows 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 a building.

“Zone” means a specifically delineated area within the city, which is indicated on the zoning map, within which regulations and requirements uniformly govern the use, location and size of buildings and land.

“Zoning map” means the map adopted by the city showing the geographic location of zones within the municipal boundaries. (Ord. 3072-08 §§ 1, 2, 2008; Ord. 3002-07 § 1, 2007; Ord. 2994-07 § 1, 2007; Ord. 2990-07 § 1, 2007; Ord. 2973-07 § 1, 2007; Ord. 2909-06 §§ 27—62, 2006; Ord. 2836-05 § 3, 2005; Ord. 2711-03 § 2, 2003; Ord. 2708-03 §§ 2, 3, 2003; Ord. 2706-03 § 8, 2003; Ord. 2657-02 §§ 1—7, 2002; Ord. 2639-02 § 1, 2002; Ord. 2616-02 §§ 1, 2, 2002; Ord. 2556-01 § 1, 2001; Ord. 2538-01 §§ 1, 72, 2001; Ord. 2397-99 §§ 12—34, 1999; Ord. 2290-98 § 1, 1998; Ord. 2111-95 § 2(A), 1995; Ord.

2106-95 § 1(A), 1995; Ord. 2076-95 § 1, 1995; Ord. 1978-93 §§ 1, 2, 1993; Ord. 1864-92 § 1, 1992; Ord. 1847-92 § 3 (part), 1992.)

4.030 Floodplain overlay zone definitions.

Following are the floodplain overlay zone definitions pertaining to Chapter 30 of this title, as amended, and unless expressly provided otherwise, to all other provisions of this title that are governed by Chapter 30.

“Appeal” means a request for a review of the planning director’s interpretation of any provision of Chapter 30.

“Area of special flood hazard” means the land in the floodplain within the city subject to a one percent or greater chance of flooding in any given year. Designation on flood insurance rate maps always includes the letters A or V.

“Base flood” means the flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the “one-hundred-year flood.” Designation on flood insurance rate maps always includes the letters A or V.

“Basement” means any area of the building having its floor sub-grade (below ground level) on all sides.

“Breakaway wall” means a wall that is not a part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

“Coastal high hazard area” means the area subject to high velocity waters, including but not limited to, storm surge or tsunamis. The area is designated on the FIRM as zone VI-V30, VE or V.

“Development” means 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 located within the area of special flood hazard.

“Flood” or “flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters; and/or
2. The unusual and rapid accumulation of runoff of surface waters from any source.

“Flood fringe” means the portion of the regulatory floodplain beyond the limits of the floodway. Floodwaters in this area are usually shallow and slow moving. Development is permitted in the flood fringe if protected from the water of the one-hundred-year flood.

“Flood insurance rate map (FIRM)” means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

“Flood insurance study” means the official report provided by the Federal Insurance Administration that

includes flood profiles, the flood boundary-floodway map, and the water surface elevation of the base flood.

“Floodplain” means the land adjacent to a body of water which has been or may be hereafter covered by floodwater. The extent of the floodplain may vary with the frequency of flooding being considered. The United States Corps of Engineers, in meeting the minimum requirements of the Federal Flood Insurance Program, determines the one-hundred-year flood as the frequency of flooding. (Floodplain includes the floodway and flood fringe.)

“Floodplain development permit” means the permit required for development activity not requiring a shoreline permit, yet located in a flood hazard area. This would be reviewed prior to the normal building permit review process.

“Floodproofing” means a combination of structural provisions, changes or adjustments to properties and structures subject to flooding, primarily for the reduction or elimination of flood damages to properties, water and sanitary facilities, structures and contents of buildings in a flood hazard area.

“Floodway” means the channel of a river or other watercourse, and adjacent land areas that must be reserved in order to discharge the base flood. Floodway includes, as stated in the Shoreline Management Act, RCW 90.58.030, those portions of the area of a river valley lying streamward from the outer limits of a watercourse upon which flood waters are carried during periods of flooding that occur with reasonable regularity, although not necessarily annually, said floodway being identified, under normal conditions, by changes in surface soil conditions or changes in types or quality of vegetative ground cover condition. The floodway does not include lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or maintained under license from the federal government, the state, or a political subdivision of the state.

“Lowest floor” means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building’s lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of Chapter 30.

“Manufactured home” means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes, the term “manufactured home” also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than one hundred eighty consecutive days. For insurance purposes, the term “manufactured home” does not include park trailers, travel trailers, and other similar vehicles.

“Manufactured home park or subdivision” means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

“New construction” means structures for which the start of construction commenced on or after the effective date of this title.

“Obstruction” means any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure or matter in, along, across, or projecting into any channel, watercourse or regulatory flood hazard area which may impede, retard or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water, or which is placed where the flow of water might carry the same downstream to the detriment of life or property.

“One-hundred-year flood” means a flood of such magnitude which occurs on the average once in any one-hundred-year period, or which has a one-in-one-hundred chance of occurring in any year.

“Reach” means a longitudinal segment of a stream or river. A reach will generally include the segment of the flood hazard area where flood heights are influenced by a manmade or natural obstruction. In an urban area, the segment of a stream or river between two consecutive bridge crossings would typically constitute a reach.

“Recreational vehicle (RVs)” means a vehicle:

1. Built on a single chassis;