

**Chapter 14.100
DEFINITIONS**

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14.100.010 General.

In this title, words in the masculine gender include the feminine and neuter, words in the singular include the plural, and words in the plural include the singular. Words not defined in this title shall have their customary meanings. Texts shall control captions, titles, and maps. Where any requirement of this title results in a fraction, a fraction of five-tenths or more shall be rounded up and a fraction of less than five-tenths shall be disregarded.

14.100.020 Definitions.

Abutting means the state of being next to with no physical separation.

Accessory dwelling unit means a separate, complete dwelling unit, of a limited size, attached to or contained within the structure of the primary dwelling; or contained within a separate structure that is accessory to the primary dwelling unit on the premises.

Accessory means secondary and subordinate to the premise's primary use, building, or structure.

Accessory use, when applied to a residence, means a use or structure that is subordinate and incidental to a residence, including:

1. Fallout/bomb shelters.
2. Household pets, provided the number, location, type or other characteristic does not adversely affect public health and they are not for a commercial purpose as in a kennel, cattery, or stable.

3. Private gardens, pea-patch farms, fish and wildlife ponds.
4. On-site rental office.
5. Pools, private docks, piers.
6. Other accessory uses as specified in this Development Code.

Adult use means a commercial establishment that functions in whole or substantial part as an adult arcade, adult entertainment cabaret, adult motel, adult motion picture theater, adult retail store, or other adult entertainment facility.

Agriculture means the tilling of the soil, the raising of crops, horticulture, viticulture, small livestock farming, poultry, dairying, and/or animal husbandry.

Agricultural crop sales mean the retail sale of agricultural products such as from roadside stands or self-pick establishments.

Airport/heliport means a facility for the landing and taking off of public or private aircraft, including taxiways, tie-down areas, hangars, servicing and terminals.

Alley means a public vehicular thoroughfare, occupying City right-of-way parallel to and between named or numbered City streets.

Alteration means any change, modification, or addition to a building, site, or land use.

Amusement arcade means a facility in which five or more pinball machines, video games, or other player-operator amusement devices (excluding juke boxes or gambling-related machines) are operated as a commercial activity.

Animal See Title 7 SMC for definitions relating to animals. (Ord. 2193, 2010)

Annexation means the addition of territory to the City as provided by State statute.

Applicant means a person applying for permission for a land use or development regulated by this title.

Arterial means a street designated as an arterial in the Comprehensive Plan.

Auction house means an establishment where the property of others is sold by a broker or auctioneer to persons who attend scheduled sales periods or events.

Automotive service and repair means the storage and repair of trucks and automobiles, including mechanical work, body and fender works, and painting. The term does not encompass the business of wrecking automobiles or impound car lots, when conducted outside of a structure.

Automotive dismantling and/or wrecking means any dismantling or wrecking of motor vehicles or trailers, or the storage, sale, or dumping of dismantled or wrecked vehicles or their parts.

Auto supply store means a retail business supplying goods and services for the operation and maintenance of automobiles and motorists' needs, including petroleum products, tires, batteries, accessories and parts.

Base flood means the flood having a one percent chance of being equaled or exceeded in any given year.

Basement means a building story partly or wholly underground and having at least one-half of its height, measured from its floor to

its finished ceiling, below the average adjoining grade.

Bed and breakfast means a single family residence within which up to four bedrooms are available for short term lodging for paying guests.

Bed and breakfast inn means a residential facility, but not necessarily a family home, within which up to six bedrooms are available for short term lodging for paying guests.

Boarding house means a building, other than a hotel, where lodging or lodging and meals are provided for compensation to non-transient persons.

Bond means a security provided by a bonding company, in an amount and form satisfactory to these regulations, to insure that required improvements are installed, and providing a warranty against defective material or workmanship.

Book, stationery, video, and art supply means an establishment engaged in the retail sale of books and magazines, stationery, video, and/or art supplies.

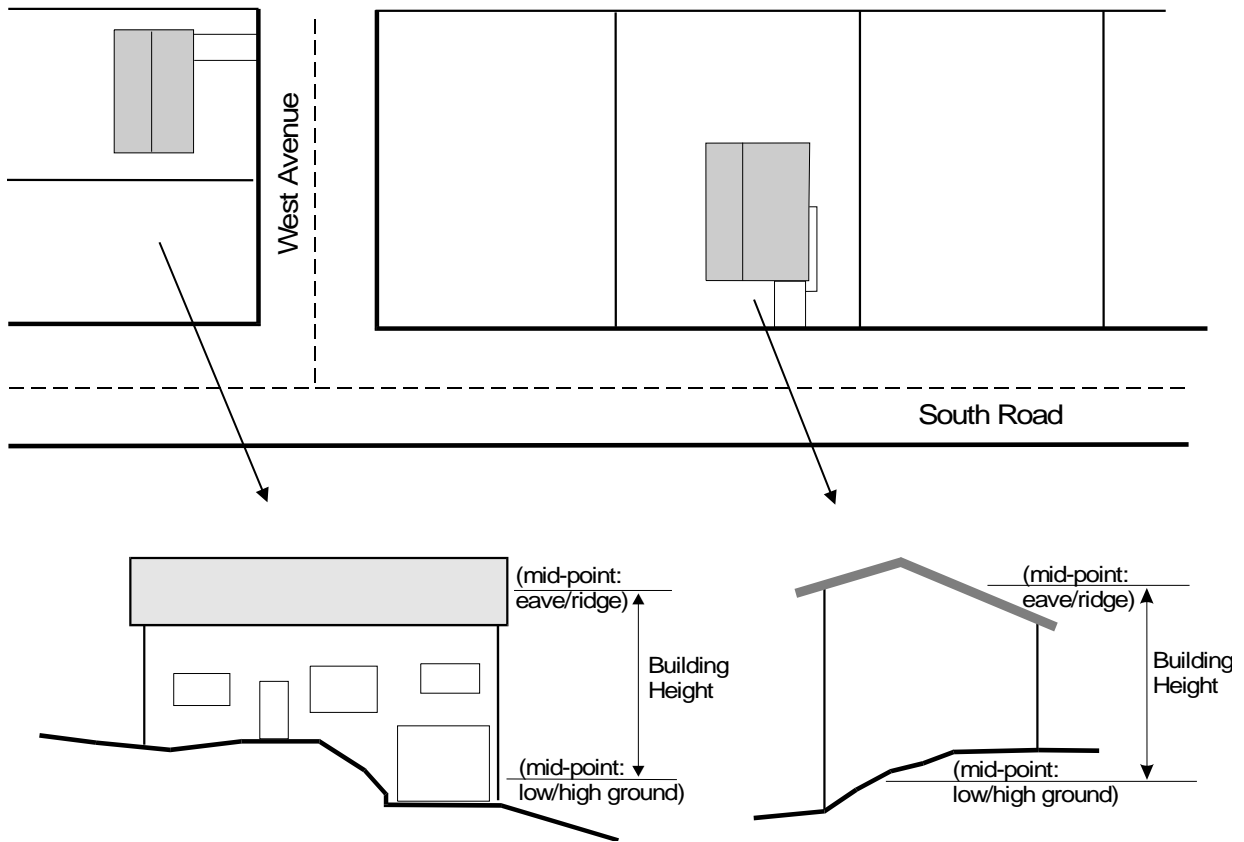
Buffer means an area adjacent to a critical area, consisting of naturally occurring or re-established vegetation and having a width adequate to protect the critical area.

Building means a roofed structure designed to shelter persons, animals, or property.

Building, hardware, and garden materials means an establishment engaged in selling lumber and/or other building materials, feed, and lawn and/or garden supplies.

Building height means the vertical distance from the average adjoining curb elevation to the highest point of the roof surface of a flat roof, to the deck line of a mansard roof, and to the mean height level between the eaves and ridge for a gable, hip or gambrel roof; provided, however, that where the buildings are set back more than ten feet from the property line adjacent to a street, the height of the building shall be measured from the average elevation of the finished grade of the building, as shown in the illustration below.

Building Height



Building Official means the person responsible for administering building codes in the City of Snohomish.

Bulk retail means a land use that is primarily engaged in the retail sale of bulk goods, including food, building, hardware and garden materials, dry goods, apparel and accessories, home furnishings, house wares, drugs, auto supplies, hobby, toys, games, photographic supplies, and equipment, and electronics.

Campground means a facility for temporary occupancy of tents, recreational vehicles, and similar abodes without hook-up facilities, primarily for recreational purposes, as an on-going or commercial activity.

Cemetery, columbarium or mausoleum means land or structures used for burial of the dead. For purposes of this code, pet cemeteries are considered a subclassification of this use.

Childcare means a program or establishment licensed by the state of Washington other than an occupied dwelling unit for group care of non-resident adults or children, including: child daycare services, adult daycare centers, nursery schools for children under minimum age for education in public schools, privately conducted kindergartens or preschools when not a part of a public or parochial school, and programs covering before and after-school care for school children. (Also see Family childcare)

Church, synagogue or temple means a place where religious services are conducted, sometimes including accessory uses such as religious education, reading rooms, assembly rooms, and residences for nuns and clergy, but excluding facilities for training of religious orders.

City Attorney means the Snohomish City Attorney.

City Council means the Snohomish City Council.

City Engineer means the Snohomish City Engineer.

City Planner means the Snohomish City Planning Manager.

Civil drawings mean construction drawings, calculations, and specifications prepared by a licensed engineer detailing the engineering aspects of a development proposal.

Clearing means the removal of timber, brush, ground cover, or other vegetation from a site and does not include grading.

Clinic means a building for licensed outpatient health services.

Club means a non-commercial association of persons for a common purpose.

Commercial/industry accessory use means a use that is subordinate and incidental to a commercial or industry use; including employee exercise facilities, employee food service facilities, and employee day care facilities; incidental storage of raw materials and finished products sold or manufactured on-site, and business owner or caretaker residence.

Commercial use means activities which provide goods, merchandise, and/or services for compensation.

Communication facility - major means a structural and/or freestanding tower facility for transmission and reception of UHF and VHF television signals, commercial FM or

AM radio signals, or cellular radio signals. Large (over 6 feet diameter) microwave and satellite transmission dish assemblies are included in this description.

Communication facility – minor means communication antennas mounted on buildings, low power FM radio signals for short range use, and cellular radio antennas mounted on existing power poles or replacement poles and not adding more than fifteen feet to the original height of such poles.

Community residential facility means living quarters meeting applicable federal and state standards that function as a single housekeeping unit for eight or more individuals excluding staff, providing such supportive services as counseling, rehabilitation, and medical supervision, excluding drug and alcohol detoxification and prisoner release participants.

Community residential facility - prisoner release means a community residential facility for prisoner release participants and programs such as half-way houses.

Community stable means a facility in which horses or other livestock are kept for boarding, training, breeding, rental, or riding lessons.

Comprehensive Plan means the City of Snohomish Comprehensive Plan.

Conditional use means a use allowed on a property within a designation only after review by the Hearing Examiner and with approval of permit conditions as necessary to make the use compatible with other permitted uses in the same vicinity and designation.

Condominium means real property, portions of which are designated for separate

ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real property is not a condominium unless the undivided interests in the common elements are vested in the unit owners. A condominium is not effected until a declaration of condominium and a survey map and plans have been recorded pursuant to Chapters 64.32 and/or 64.34 RCW.

Conference center means a meeting facility, sometimes including accessory facilities for recreation, lodging, and related activities.

Congregate care means a shelter, convent, monastery, dormitory, fraternity, sorority, or other facility for living, sleeping, and sanitation, sometimes including facilities for eating and cooking.

Contiguous lot means a lot having a common boundary with another lot.

Convenience Store means a small version of a food or grocery store having a limited stock of items both in regard to variety and quantity. Some convenience stores may also have an associated vehicle fueling facility located in the paved parking area.

Conversion means a change in use of a structure.

Cottage means a small, detached dwelling unit, not greater than 1,000 square feet in total floor area that is developed at a density not greater than the underlying zone, with more than one unit occupying a single lot. (Ord. 2127, 2007)

Cottage Housing Development means two or more cottage dwellings constructed upon a single lot. (Ord. 2127, 2007)

County auditor means the Snohomish County official as defined in Ch. 36.22 RCW.

County treasurer means the Snohomish County official as defined in Ch. 36.29 RCW.

Covenant means a legal restriction on the actions of any land owner who is party to a contractual provision that is binding on real property.

Critical areas refer to environmentally sensitive areas of land, such as steep slopes, wetlands, flood plains, unstable soils, erosion hazard areas, areas of geologic hazard, or other conditions needing protection or not suitable for intensive development.

Critical area report means an investigation, report, map, study and/or evaluation, which may be required to demonstrate that a proposed development activity is in compliance with this title. As applicable, a critical area report may be a habitat management plan or a geotechnical report.

Critical wildlife habitat means habitat areas, which are associated with threatened, endangered, sensitive, or priority species of plants or wildlife and which, if altered, could reduce the likelihood that the species will maintain and reproduce over the long term. Such areas are documented in lists, categories, and definitions of species promulgated by the Washington Department of Fish and Wildlife (Non-Game Data System Special Animal Species) as identified in WAC 232-12-011 or 232-12-014, and in the Priority Habitat Species lists compiled per WAC 365-190-080; or by rules and regulations adopted currently or hereafter by the U.S. Fish and Wildlife

Service. Critical wildlife habitat also includes:

- A. Regionally rare native fish and wildlife habitat (i.e. one of five or fewer examples of the habitat type within Snohomish County);
- B. Fish and wildlife habitats with irreplaceable ecological functions, and
- C. Documented habitat of regional or national significance for migrating birds.

Cul-de-sac means a road closed at one end, where the closed end is a circular or near circular shape providing a permanent turnaround.

Dedication means conveyance of land to a public agency for general public purposes by deed or some other instrument of conveyance, or by dedication on a plat, short plat, or binding site plan and record of survey.

Density means the number of dwelling units on one acre of land.

Department means the City of Snohomish Department of Planning and Development Services.

Department store or variety store means an establishment engaged in the retail sale of various merchandise, such as dry goods, apparel, accessories, home furnishings, and house wares.

Destination resort means an establishment for resource-based recreation which is intended to utilize outdoor recreational opportunities and which includes related services, such as food, overnight lodging, equipment rentals, entertainment, and other conveniences for guests of the resort.

Detached means physically separated.

Detached Condominium means a detached dwelling unit, not greater than 2,000 square feet in total floor area that is developed at a density not greater than the underlying zone, with more than one dwelling occupying a single lot. (Ord. 2127, 2007)

Detached Condominium Development means two or more detached condominiums constructed upon a single lot. (Ord. 2127, 2007)

Detention means the temporary storage of storm water runoff to control peak discharge rates and allow settling of storm water sediment.

Detention facility means an above- or below- ground drainage facility, such as a pond or tank, that temporarily stores storm water runoff and releases it at a slower rate than it is collected by the drainage facility. The facility includes the flow control structure, the inlet and outlet pipes, and all maintenance access points.

Developer means a person who owns, holds a purchase option on, or otherwise controls property which the person proposes for development.

Development activity means any construction, development, earth movement, clearing, demolition or other site disturbance, which either requires a permit, approval or authorization from the City or is proposed by a public agency.

Diversity, when applied to habitat, means diversity or complexity of vegetation as indicated by stratification of plant communities, variety of plant species, and spacing of vegetation.

Dormitory means a group sleeping quarters, which may include common dining, cooking, recreation, or bathing facilities.

Downstream analysis means an analysis of potential drainage impacts and drainage facilities downstream of the subject property and/or development activity.

Driveway means a facility for the passage of vehicles, constructed in accordance with the City of Snohomish street standards, which provides access from a public or private road to an individual development.

Drug store means an establishment engaged in the retail sale of prescription drugs, nonprescription medicines, cosmetics, and related supplies.

Duplex means a residential structure containing two dwelling units that have a contiguous wall, which structure is located on one lot. The term does not include a mobile home or a structure containing an attached or detached accessory dwelling unit.

Dwelling unit means one or more rooms with internal accessibility, designed for one family to live or sleep in, containing kitchen facilities and a bathroom. The term includes individual apartment units and manufactured homes.

Dwelling, multiple family (“Multiple family dwelling”) means a dwelling containing two or more dwelling units, but excluding townhouses and mobile homes.

Easement means a right granted by a property owner to specifically named parties or to the public for the use of certain land for specified purposes. Where appropriate to the context, "easement" may also refer to the land covered by the grant. “Easement” may

include access, pedestrian paths, bicycle paths, utility easements, drainage, native growth protection areas, or open space.

Efficiency dwelling unit means a unit equipped with a bathroom, kitchen sink, cooking appliance and refrigerator, with light and ventilation as required by adopted codes and having a square footage of not more than 800 square feet not including staircases.

Elementary and middle/junior high school means institutions of learning required by the State of Washington with grades kindergarten through 9, including associated meeting rooms, auditoriums, and athletic facilities.

Enclosed, when applied to an activity, means totally concealed from expected human viewpoints by building, wall, fence, or other structure. When applied to a building, enclosed means totally enclosed via floor, walls, roof, and closable doors or windows.

Energy resource recovery facility means a facility for recovering energy from the incineration, pyrolysis, or use of heat from solid waste.

Enhancement, when applied to wildlife habitat, wetlands, or wetland buffers, means improvement such as by increasing plant density or diversity, removing non-indigenous or noxious species, or controlling erosion.

Environmental checklist means a form filled out to determine whether an action might have an impact on the environment, pursuant to Ch. 43.21C RCW.

Environmental impact statement means a written document required under the State

Environmental Policy Act, describing the impacts that could result from an action and how such impacts might be mitigated, prepared in accordance with Chapter 197-10 WAC.

Erosion means the wearing away of the earth's surface by wind, water, or other natural agents.

Erosion hazard areas means those areas with naturally occurring slopes, containing soils which are at high risk from water erosion according to the mapped description units of the United States Department of Agriculture Soil Conservation Service Soil Classification System.

Existing and ongoing agricultural activities means activities conducted on lands as defined in RCW 84.34.020(2), involving the production of crops and livestock, including operation and maintenance of farm and stock ponds, drainage ditches, irrigation systems, changes between agricultural activities, and normal maintenance and repair of existing serviceable structures and facilities. Such activity ceases to be ongoing when the area is converted to a non-agricultural use or has lain idle for longer than five years, unless the idle land is registered in a federal or state soils conservation program. This definition excludes forest practices.

Fabrication shop means an establishment for the fabricating of goods. The term includes welding, cabinet, machine, and other similar shops.

Fabric shop means an establishment engaged in the retail sale of sewing supplies and accessories.

Family means one or more persons occupying a single dwelling unit, provided

that unless all members are related by blood or marriage, no such family shall contain over five persons. Domestic servants employed on the premises may be housed on the premises without being counted in the above. Not more than three roomers or boarders may be included in a family. The term excludes a fraternity, sorority, club, or other institutional group. For the purposes of this definition, persons with a disability or otherwise protected by the Federal Fair Housing Act (42 U.S.C. 3601 et seq.) shall not be counted as unrelated persons.

Family childcare means a childcare facility located at or in an occupied dwelling unit in which the full-time occupant provides daycare for children other than his/her own family and the children of close relatives. Such care in a family childcare home is limited to 6 or less children and 12 or less children, including children living in the home or children of close relatives cared for in the home.

Federal methodology means the methodology for identifying wetlands in the field as described in the Corps of Engineers Wetlands Delineation Manual (January 1987).

Filling means a deposit of earth material placed by mechanical means.

Final plat means the final drawing of a subdivision and dedication prepared for filing for record with the County Auditor.

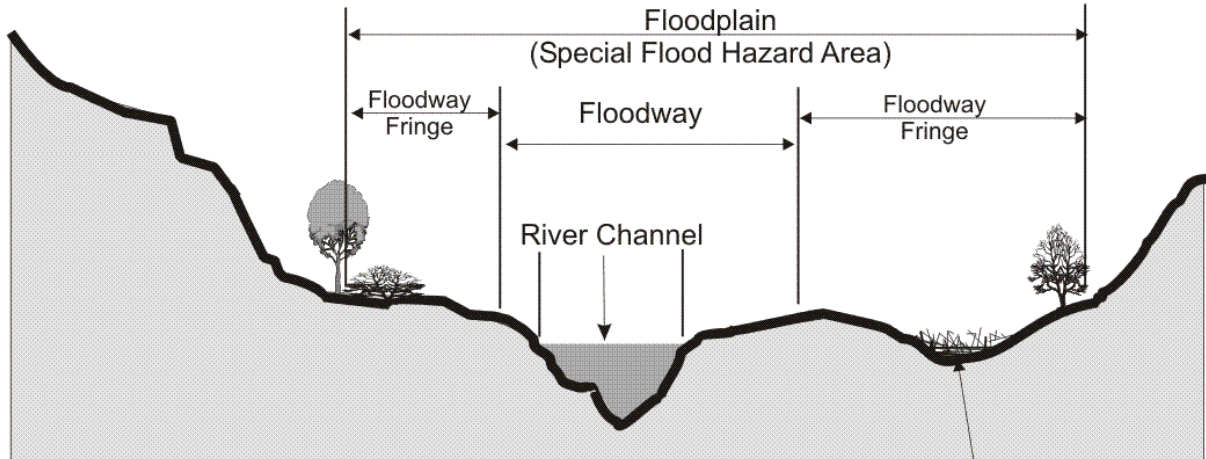
Flood means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters or the unusual and rapid accumulation of runoff of surface waters from any source.

Flood hazard area, special (“Special flood hazard area”) means the land in the flood plain that is subject to a one percent or greater chance of flooding in any given year.

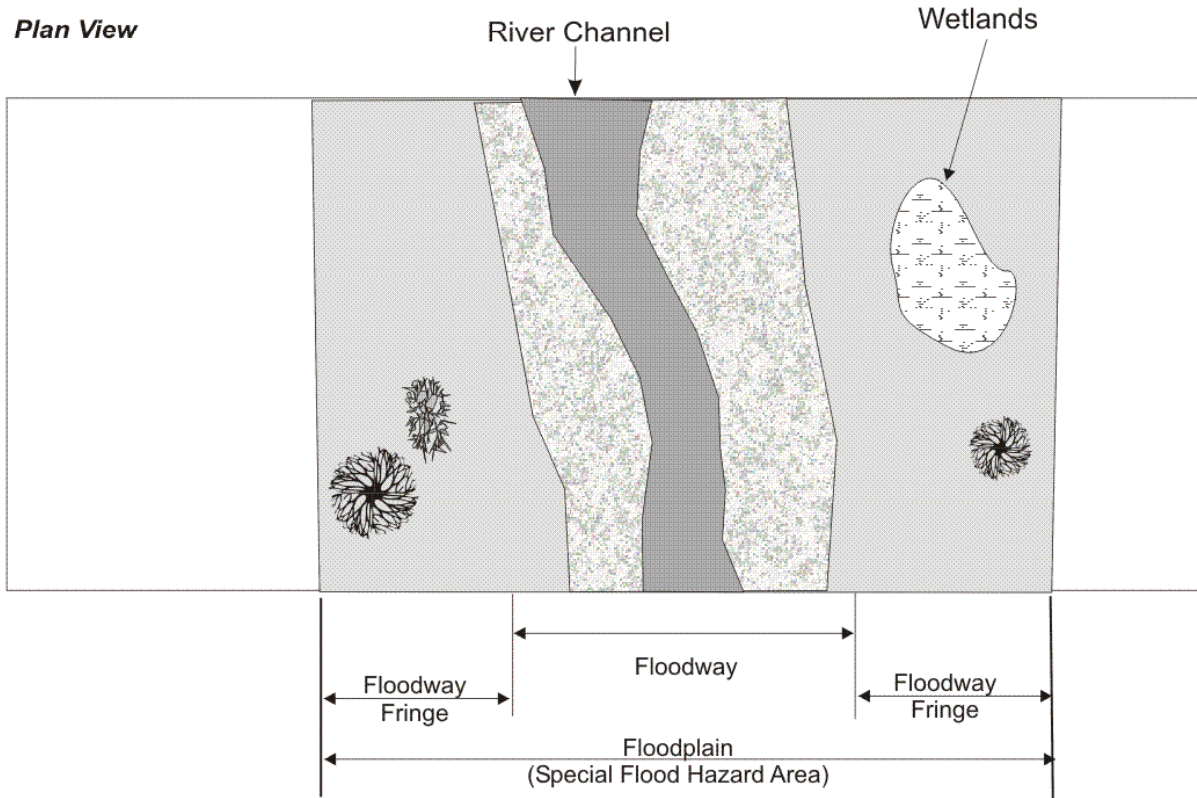
Floodplain means a land area adjoining a river, stream, watercourse, ocean, bay, or lake which is likely to be flooded. The extent of the floodplain may vary with frequency and volume of flooding. The floodplain typically consists of the floodway and the floodway fringe.

Typical Floodplain
(special Flood Hazard Area)

Cross-sectional view



Plan View



Flood proofing means any combination of structural and nonstructural additions, changes or adjustments to properties and structures, which reduces or eliminates flood damages to lands, water and sanitary facilities, structures and contents of buildings.

Floor area means the space defined by the exterior walls, floor and ceiling of a building or structure.

Floor area ratio means the gross floor area of all buildings on a lot divided by the area of that lot.

Florist shop means an establishment engaged in the retail sale of flowers and plants.

Forest product sales means the sale of goods produced, extracted, or harvested from a forest, including trees, logs, firewood, cones, Christmas trees, berries, herbs, or mushrooms.

Forest research means the performance of scientific studies relating to botany, hydrology, silviculture, biology, and other branches of science in relation to management of forest lands.

Frontage improvements means improvements to roadways abutting a development and required as a result of that development. Generally, frontage improvements shall consist of appropriate base materials, maximum of one lane of paved road section (up to 12 feet), bus pullouts and waiting areas where necessary, bicycle lanes and bicycle paths where applicable, storm drainage improvements, curbs, gutters and sidewalks.

Front lot line means the lot line separating the lot from the street. In the case of a

corner lot there are two lot lines that adjoin streets. When the lot adjoins two streets which intersect on the boundaries of such lot, the front lot line shall relate to that street from which the primary pedestrian entrance is taken.

Front setback means the setback between the front lot line and the front setback line.

Front yard means a yard extending across the full width of the lot between any building and the front lot line measured horizontally from the nearest point of the front lot line to the nearest part of the building, as required in a particular land use designation.

Functions and values mean those functions and values of a critical area or buffer, which are highly beneficial to the maintenance of the aquatic system and surrounding environment. As used in this title, "functions and values" for wetlands, streams and buffers are limited to the following elements:

1. Streams. Fish and wildlife habitat, water quality maintenance, water supply and water conveyance.
2. Wetlands. Fish and wildlife habitat, water quality maintenance, pollution assimilation, shore stabilization, sediment retention, runoff and floodwater storage and conveyance, runoff control, stream base-flow maintenance, and groundwater discharge/recharge.
3. Buffers. Fish and wildlife habitat, runoff absorption, pollution assimilation, stream bank stabilization, sediment entrapment, water quality maintenance, noise and visual screening, upland flood protection, recreation, and provision of nutrients and woody debris for streams.

Furniture and home furnishings store means an establishment engaged in the retail sale of household furniture and furnishings for the home.

Garage, private (“Private garage”) means a building or a portion of a residential building designed or used primarily for shelter or storage of vehicles or boats, but not airplanes. Where any vehicles or boats are equipped for operation, repaired, or kept for remuneration, hire or sale, the term "private garage" does not apply.

Gasoline service station means a facility for the retail sale of gasoline and other automobile fuels available at pump islands, together with light general maintenance of automobiles.

General business service means an establishment providing services to businesses or individuals, with no outdoor storage or fabrication.

General personal service means an establishment engaged in providing services to individuals, such as cleaning and laundry, beauty and barber shops, shoe and other clothing repair shops, photographer, bookkeeping, tax preparation, and other personal services.

Geologically hazardous area means an area susceptible to significant or severe risk of landslides, erosion, or seismic activity.

Golf facility means a public or private facility for playing golf, including golf courses, driving ranges, miniature golf, and related pro shops, caddy shacks, restaurants, offices, meeting rooms, and storage facilities.

Governmental facility means a facility owned or leased and operated, by an agency of the federal, state, or local government.

Grade means an established elevation provided by the City Engineer, or, when such information is not available, the elevation of the sidewalk at the property line, or, when there is no sidewalk, the average elevation of the street adjacent to the property line.

Grading means the excavation, filling, leveling, or contouring of the ground surface by human or mechanical means.

Gross floor area means the sum of all spaces defined by exterior walls, floors, and ceilings, including basements, mezzanines and all floor levels.

Habitable floor means any floor usable for living, working, sleeping, eating, cooking, or recreation, excluding floors used only for storage.

Hazardous tree means a tree which poses an imminent danger of falling.

Hearing Examiner means the City of Snohomish Hearing Examiner.

Heavy equipment repair means the repair and maintenance of self-powered, self-propelled, or towed mechanical devices used for commercial purposes, including tandem axle trucks, graders, backhoes, tractor trailers, cranes, and lifts, but excluding repair of automobiles, recreational vehicles, boats, and recreational trailers.

Helipad means a landing area designed for the landing of helicopters, including associated parking, lighting, and related safety/security improvements.

Hobby, toy, and game shop means an establishment engaged in the retail sale of toys, games, hobby, or craft kits.

Home occupation means a limited-scale service activity undertaken for financial gain with minimal or no on-site sales, which occurs in a dwelling unit or accessory building and is subordinate to the primary use of the premises as a residence.

In-kind mitigation means replacement of wetlands with wetlands whose characteristics closely approximate those destroyed or degraded.

Individual transportation and taxi means an establishment engaged in furnishing individual or small group transportation by motor vehicle.

Industry use means all activities involved in the processing or fabricating of a product.

Interior lot means a lot bounded by one street with the remainder of the lot boundary adjoining other lots.

Jail means a facility operated by a governmental agency for the incarceration of persons for the purpose of punishment, correction, and rehabilitation following conviction of an offense.

Jewelry store means an establishment engaged in the retail sale of a variety of jewelry products.

Landscaping means the artificial application of natural and manmade materials to improve the appearance of real property.

Landslide means down slope movement of a mass of soil, rock, snow or ice including, but not limited to, rock falls, slumps, mud flows, debris flows, torrents, earth flows and snow avalanches.

Landslide hazard area means areas that, due to slope and soil permeability, are susceptible to land sliding.

Land use designation means a classification of land according to the general use allowed therein, under which certain regulations are imposed and which appears in one or more locations on the City of Snohomish Comprehensive Plan's Land Use Map.

Land Use Map means that official City of Snohomish map which is a part of the Comprehensive Plan, and which defines the boundaries of the land use designations included in the Land Use Development Code.

Landing field means a runway or landing area which is designed, used or intended to be used by private aircraft, including necessary taxiways, storage, and tie-down areas.

Level of service means a qualitative measure, describing operational conditions within a traffic stream and the perception thereof by road users. Level-of-service standards may be evaluated in terms such as speed and travel time, freedom to maneuver, traffic interruptions, comfort, convenience, geographic accessibility, and safety. The highway capacity manual defines six levels of service for each type of facility for which analysis procedures are available. They are given letter designations, from A to F, with level-of-service A representing the best operating condition and level-of-service F the worst, as calculated by a methodology endorsed by the Institute of Transportation Engineers (ITE).

Light manufacturing means processing and fabricating activities, which provide minimal hazards or nuisance related to

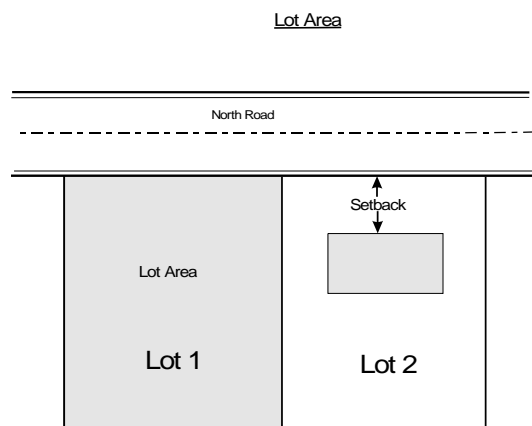
noise, vibration, glare, odor, smoke, dust, air pollution, toxins, fire, explosion, or traffic.

Loading space means an area required to be maintained on certain business, commercial and industry lots, in addition to regular yard requirements, used for the loading and unloading of trucks and other vehicles.

Log storage means a facility for open or enclosed storage of logs, including incidental offices and repair facilities for on-site equipment.

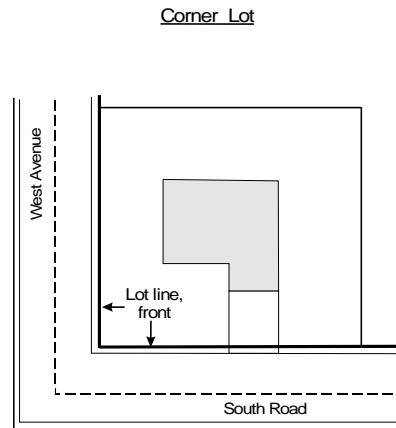
Lot means a piece of land having fixed boundaries, either as part of a subdivision or through metes and bounds description, including tracts and parcels. The term does not include divisions or descriptions created solely for access purposes, utility purposes, open space or mitigation purposes, or tax record purposes by the Snohomish County Assessor's Office.

Lot area means the total horizontal area within the lot lines of a lot, as shown in the following diagram:



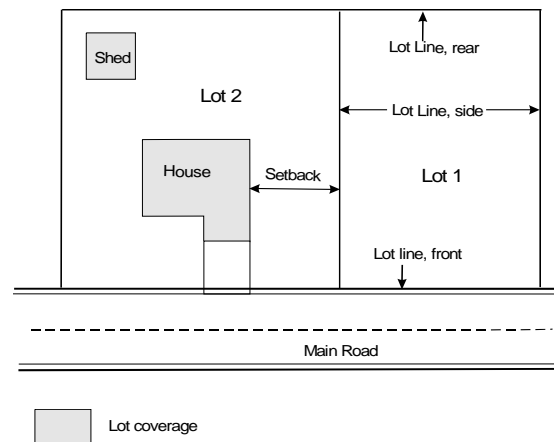
Lot, corner (“Corner lot”) means a lot situated at the intersection of two or more streets or roads or private roads, or bounded on two or more adjacent sides by street or road or private road lot lines. The angle of

intersection of such lot lines shall not exceed 135 degrees. The following diagram depicts a typical corner lot:



Lot coverage means the area of a lot that can be covered with a building, structure, or required parking. An example of lot coverage is shown in the diagram below which illustrates both lot lines and lot coverage.

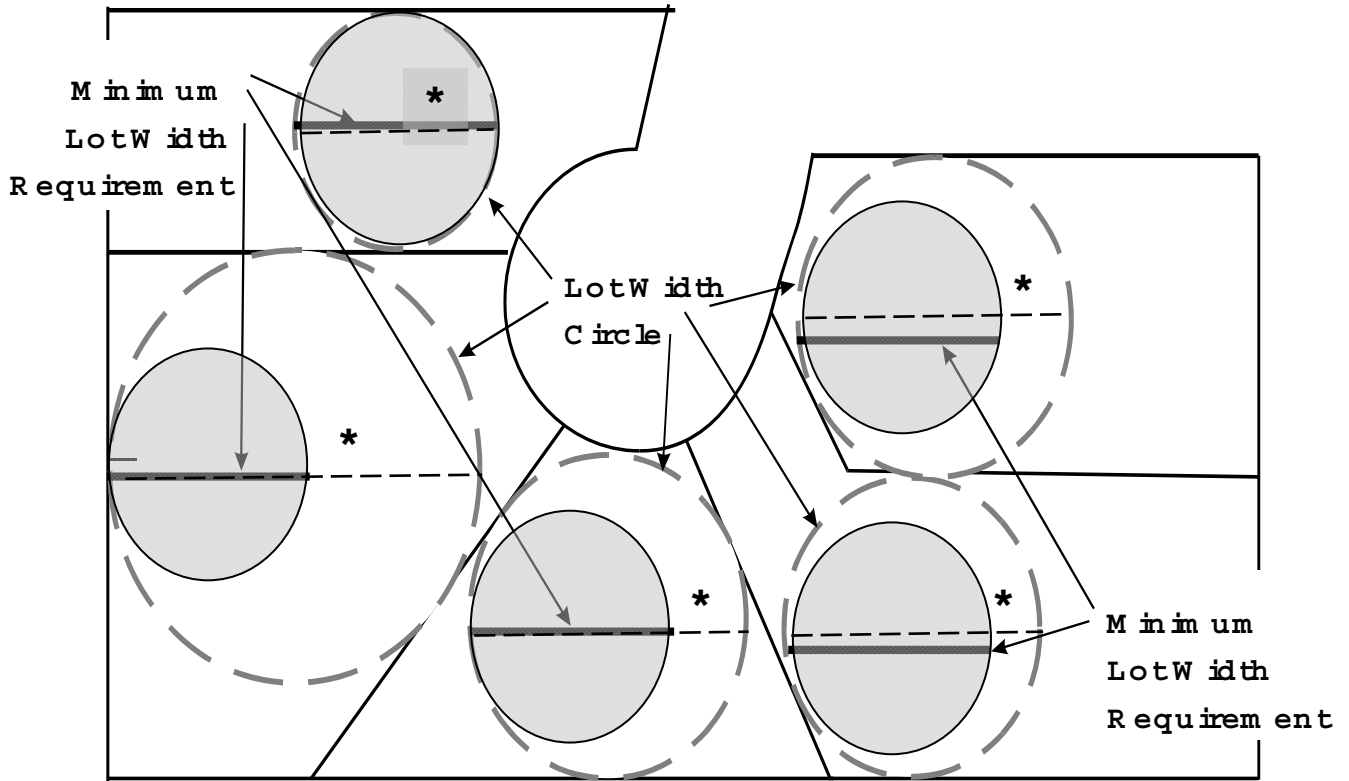
Lot line means a boundary of a lot, as shown in the following diagram:



Lot line adjustment means a division made for the purpose of adjusting boundary lines, which does not create any additional lot, cause any lot to contain insufficient area, dimensions, or building setbacks, relocate an entire lot from one parent parcel into another parent parcel, or reduce the overall area in a

plat or short plat devoted to open space, and which is not inconsistent with any restrictions or conditions of approval for a recorded plat or short plat, does not involve lots which do not have a common boundary, and does not circumvent the subdivision or short subdivision procedures set forth in this title.

Lot width means the distance between the side lines of a lot. Lot width shall be measured by scaling a circle of the applicable diameter within the boundaries of the lot, provided that an access easement shall not be included within the circle. Examples of how lot width is measured are shown in the following diagram.



- Note: this line represents actual required lot width

Lowest floor means the lowest floor of the lowest enclosed area of a building including the basement and excluding unfinished enclosures used solely for parking of vehicles, building access, or storage other than in the basement.

Manufactured home means a structure as defined in RCW 35.63.160(2), constructed after June 15, 1976, in compliance with Housing and Urban Development standards. For floodplain management purposes, “manufactured home” also includes park trailers, travel trailers, and similar vehicles placed on the site for greater than one hundred eighty consecutive days.

Marina means an establishment providing docking, moorage space, and related activities limited to the provisioning or minor repair of pleasure boats and yachts, and personal services including but not limited to showers, toilets, self-service laundries and boat fueling.

Maximum dwelling units (density) means the maximum number of units per acre permitted in the project’s land use designation.

Minimum lot size means the specified minimum lot area required for a property to be used for uses allowed under the land use designation in which it is located.

Minor variance means a minor variance as defined in SMC 14.70.020.

Mitigation means a measure taken to reduce or eliminate impacts of development, including:

- A. Avoiding the impact altogether by not taking the proposed action.
- B. Minimizing impact by limiting the magnitude of the action.

C. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.

D. Reducing or eliminating the impact over time by preservation and maintenance.

E. Compensating for the impact by providing substitute resources or environments.

F. Monitoring the impact and taking appropriate corrective measures.

Mobile home park means a development with two or more improved pads or spaces designed to accommodate mobile homes.

Multi-family pertains to a building designed or used to house two or more families independently.

Multi-family unit means a dwelling unit in a multi-family structure.

Native, when applied to vegetation, means pre-existing on a site and indigenous to the area.

Non-conforming means a structure or use lawfully existing until passage of an ordinance codified in this title and not conforming to said ordinance.

Nursing home means a structure and/or premises licensed as required by state law for nursing, dietary care and other personal services rendered to convalescents, invalids and aged persons, but excluding contagious, communicable, or mental illness cases and surgery or primary treatments such as are customarily provided for in hospitals.

Off-premises sign means a sign which advertises a product, service, or company, not located on the property on which the sign is situated.

Off-street parking means parking that is not in a public right-of-way and is reserved for a specific land use.

Open space means the area of a lot not covered by structures, streets, driveways, parking and loading spaces, and storage yards.

Ordinary high water mark means that mark on the bank of a lake, stream, or tidal water body, where the presence and action of water is as common and usual in all ordinary years as to make the soil distinct from that of the abutting upland with respect to the type of vegetation produced.

Out-of-kind mitigation means replacement of wetlands with wetlands whose characteristics do not closely approximate those being damaged or degraded.

Park means a piece of ground maintained for purposes of recreation, including pleasure, exercise, amusement or ornamentation.

Parking requirement means the number of parking spaces required by this development code for a certain use.

Parking space means the area required to store a vehicle plus the necessary maneuvering area.

Party of record means the applicant or a person who testifies at a hearing or in writing about a matter before the Hearing Examiner.

Permitted use means a use that is unconditionally allowed in a land use designation.

Person means a person, party, firm, corporation, agency, or other entity.

Pet shop means an establishment engaged in the retail sale of pets, pet supplies, or grooming of pets.

Photographic and electronic shop means an establishment engaged in the retail sale of cameras and photographic supplies and/or a variety of household electronic equipment.

Planning Commission means the City of Snohomish Planning Commission.

Plat means the drawing of a subdivision of land and other elements as required pursuant to Ch. 58,17 RCW.

Processing means those activities which alter or refine an existing product.

Professional office means a place of business which is used by licensed professionals or persons in generally recognized professions, requiring training or knowledge of a technical, scientific, or other academic discipline as opposed to manual skills, and which does not involve either outside storage or fabrication, or on-site sale or transfer of commodities.

Preliminary plat means a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, and other elements of a subdivision, which furnishes a basis for the approval or disapproval of the general layout of the subdivision.

Premises mean a lot with or without structures.

Print shop means an establishment employing 25 or fewer persons, which provides custom printing services to the public. The term may include publishing of books, magazines, periodicals or newspapers.

Public agency office means an office for the administration of any governmental activity or program.

Public agency training facility means an establishment for training in law enforcement, fire safety, national guard, and transit operations, including classrooms, dining, overnight accommodations, shooting ranges, auto test tracks, and fire suppression simulations.

Public agency yard means a facility for open or enclosed storage, repair, and maintenance of vehicles, equipment, or related materials, excluding document storage.

Public hearing means a formal meeting on a particular matter for which notice has been given, the public is allowed to comment, and comments become part of the record.

Public street means a roadway which is controlled by the City, other than an alley.

Public use means an activity operated by the federal, state, county, or City government or a special purpose district.

Qualified consultant means a scientist or other professional with the expertise and credentials necessary to provide competent advice on the matter in question.

Qualified landscape designer means a person who possesses a degree from an accredited institute of higher learning in one of the following fields or who has completed apprenticeship requirements in one of the following fields: landscape architecture, horticulture, floriculture, arboriculture, botany, wetland science, urban forestry, or a similar field. A qualified landscape designer may also be a person determined by the City Planner to be qualified based upon that

person's education, professional referrals, related experience, work history, and examples of comparable landscape design projects.

Rear lot line means a lot line which is opposite and most distant from the front lot line. In the case of a triangular or irregularly shaped lot, it means a line twenty (20) feet in length within the lot parallel to and at the maximum distance from the front lot line. When a lot extends into and beyond the mean low water line of a body of water, the rear lot line shall be the mean low water line.

Rear yard means a yard extending across the full width of the lot between the most rear main building and the rear lot line. The depth of the required rear yard shall be measured horizontally from the nearest point of the rear lot line toward the nearest part of the main building, as required by this Development Code for the land use designation in which the lot is located.

Recorded development plan means a plan approved by the City and recorded by the developer, whereby the development of a site is regulated in a manner which allows some flexibility in order to promote more rational planning and development, while still being consistent with the requirements of this title.

Recreational vehicle parks means land on which two or more recreational vehicles, including hook-up facilities, are located for occupancy by the general public as temporary living or recreation quarters.

Residence or residential refers to a building or part thereof containing dwelling units or rooming units, including houses, multi-family dwellings, boarding houses, and rooming houses. The term excludes

hotels, motels, and correctional, medical, and convalescent facilities.

Resource accessory use means a use, structure, or part of a structure, that is customarily subordinate and incidental to an agricultural resource use, including housing of agricultural workers on site, on-site storage of agricultural products or equipment, or other uses as specified in this Development Code.

Retail use means those activities which feature the sale of commodities for compensation.

Retaining wall means a wall of any material to resist the lateral displacement of soil, the slope of which is greater than 1.5 horizontal to 1 vertical. Retaining walls are not subject to the setback requirements in Chapter 14.210 SMC. (Ord. 2133, 2007)

Retirement apartments mean dwelling units exclusively designed for and occupied by senior citizen residents 62 years of age or older in accordance with the requirements of state and/or federal programs for senior citizen housing. There is no minimum age requirement for the spouse of a resident who is 62 years of age or older.

Retirement housing means dwellings exclusively designed for and occupied by senior citizen residents 62 years of age or older, in a building with central kitchen facilities providing meals for the residents. There is no minimum age requirement for the spouse of a resident who is 62 years of age or older.

Right-of-way means land purchased by or dedicated to the public for the movement of vehicular or pedestrian traffic.

School means any institution, such as an elementary, middle, junior high, senior high, be it public, private, or parochial, which offers instruction as required by the State Board of Education.

School bus base means an establishment for the storage, dispatch, repair, and maintenance of school transit vehicles.

School district support facility means facilities other than schools and bus bases, which are necessary for operating a school district, including central kitchens and maintenance or storage facilities.

School impact fee means a payment of money imposed upon residential development as a condition of approval to pay for school facilities needed to serve the development. The school impact fee does not include a permit fee, application fee, administrative fee for collecting and handling impact fees, or the cost of reviewing independent fee calculations.

Screening means any fence, horticulture, or other sight-obscuring barrier, which separates two activities.

Self-service storage facility means a facility for leasing or renting individual storage units.

SEPA means the State Environmental Policy Act, Ch. 43.21C RCW.

Setback means the distance between a property line and the corresponding setback line, measured horizontally and at a ninety-degree angle to the property line if straight or to a tangent thereto if curved.

Shall means the prescribed action is mandatory.

Shoreline, when applied to areas regulated by the Washington State Shoreline Management Act, means all water areas within the Snohomish City limits, but excluding streams upstream of a point where their mean annual flow is twenty cubic feet per second or less, together with the land extending landward for two hundred feet in all directions measured on a horizontal plane from the ordinary high water mark and all wetlands and flood plains associated with said water areas.

Short subdivision means the division of land into four or less lots or tracts for the purpose of sale or lease.

Short plat means the drawing of a subdivision of land into four or fewer lots.

Side lot line means any lot line other than a front or rear lot line.

Side yard setback means the setback between a side lot line and the corresponding side yard setback line.

Side yard means a yard extending from the front yard to the rear yard along the side of the main building, the width of which yard is the minimum distance from the side lot line to the main building as specified in this title.

Sight obstruction means any building, structure or horticultural material, which restricts the vision of automobile and/or pedestrian traffic while using the right-of-way for travel.

Sign area means that area enclosed by straight lines drawn around the periphery, of the sign, excluding any supporting structure which does not form a part of the sign. The area of a double-faced sign (display surface on opposite sides of a single board) shall be computed on the basis of one sign face.

Significant stand of trees means trees covering an area of at least 2,500 square feet, where the drip line of the trees covers half of the area which according to an arborist is necessary for the trees to remain healthy and viable.

Significant tree means a deciduous and evergreen tree eight (8) inches or greater in diameter measured at a point four (4) feet above the ground, other than alders and cottonwoods (*Alnus rubra* and *Populus trichocarpa*).

Single-family detached means a single-family dwelling not attached to any other dwelling.

Single-family dwelling means a building containing one dwelling unit on one lot. The term includes single-family detached and single-family attached (row houses, townhouses, and similar types of housing). The term excludes non-HUD-certified mobile homes, travel trailers, recreational vehicles, tents, and other forms of portable or temporary housing.

Site plan means a map or drawing showing the location of buildings, structures, landscaping, parking areas, driveways, streets, and other pertinent features drawn to scale.

Slope means an inclined earth surface, the inclination of which is expressed as the ratio of horizontal distance to vertical distance.

Specialized instruction school means an establishment providing specialized instruction in such matters as art, dance, music, cooking, driving, pet obedience training and other technical and general educational areas, but not having the full range of facilities, such as sports fields and auditoriums, commonly included in a typical high school or college campus.

Sports club means an establishment operating facilities for physical fitness, sports, or recreation.

Sporting goods store means an establishment engaged in the retail sale of sporting goods and equipment.

Street vacation means the process whereby the City agrees to relinquish its ownership of a street right-of-way to a land owner.

Storage means the placement of commodities either enclosed or not enclosed for an indefinite period of time.

Story means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above. In situations where the finished floor level directly above a basement or cellar is more than six (6) feet above grade, the basement or cellar shall be considered a story.

Street means a way for public circulation of vehicles and pedestrians.

Structure means an object composed of one or more pieces, in a fixed position relative to the ground, not completely buried and below grade. Retaining walls are excluded from the definition of structure for the application of setback requirements in Chapter 14.210 SMC. (Ord. 2133, 2007)

Subdivision means the division, for the purpose of sale or lease, of land into five or more lots each capable of being sold separately, including re-subdivisions.

Subregional utility means an above-ground facility, with incidental storage buildings, which is a subset of a regional utility

Substantial development means a substantial development as defined in RCW 90.58.30(3)(e).

Substantial improvement, when applied to a flood prone area, means a repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either before the improvement or repair, or, if the structure has been damaged, before the damage occurred, excluding 1) improvements to structures to comply with state or local health, sanitary, or safety codes and 2) alterations of structures listed on the National Register of Historic Places or State Inventory of Historic Places.

Threshold determination means the decision required under SEPA as to whether a proposal will (determination of significance) or will not (determination of non-significance) require an environmental impact statement.

Title, when applied to real estate, means a document evidencing ownership.

Townhouse means a dwelling unit, which is designed exclusively for occupancy by one family, no portion of which lies vertically under or over any portion of an adjacent unit, and which is attached to one or more townhouse units in a townhouse structure. A townhouse structure consists of at least two units joined by common walls which may be located on side lot lines. A townhouse has at least two private entrances at ground level. The term "townhouse" does not include a duplex.

Tract means a separate piece of property created as part of a subdivision and intended for a particular specialized purpose other than an individual subdivided lot.

Transit park and ride lot means a vehicle parking area for access to a public transit system.

Transfer station means a staffed facility where individuals and route collection vehicles deposit solid waste for transport to a permanent disposal site, including solid waste recycling facilities.

Travel trailer means an enclosed space mounted on wheels for towing, designed as a human domicile, which is not a manufactured home.

Use means the existing or intended purpose of land or structures. (Ord. 2082, 2005)