

Chapter 18.10

DEFINITIONS

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- 18.10.001 Scope.

This chapter contains definitions of technical and procedural terms used throughout this code. [Ord. 11-00 § 2.1]

18.10.005 Interpretations.

(1) For the purpose of this code, all words shall have their normal and customary meanings, unless specifically defined otherwise in this chapter. In general, words used in the present tense shall include the future; the singular shall include the plural; and the plural the singular. The words “shall,” “must,” “will,” “may not,” and “no... may” are always mandatory. The word “should” indicates that which is recommended but not required. The word “may” indicates a use of discretion in making a decision. The word “used” includes “designed, intended, or arranged” to be used. The masculine gender includes the feminine and vice versa. References to “distance” means distance as measured horizontally unless otherwise specified.

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(2) All definitions which reference the Revised Code of Washington (RCW), Washington Administrative Code (WAC), and ~~Uniform-International~~ Building Code (~~UBC~~ICODE) are intended to mirror the definitions in these codes at the effective date of the ordinance codified in the Unified Development Code (this code) or as amended. If the definition in this code conflicts with a definition under state law or regulation, the state definition shall control over this definition.

(3) These definitions are not intended to establish regulations. [Ord. 11-00 § 2.2] 18.10.010 A definitions.

“Abutting” means adjoining with a common boundary line or any portion thereof.

“Abandon” means to terminate the use of a structure by an affirmative act, such as changing to a new use; or to cease, terminate, or vacate a use or structure through nonaction. Except for ongoing agricultural activities, there shall be a presumption that a use has been abandoned if it is not undertaken, utilized, implemented or performed for a period of two years.

“Accessory dwelling unit” means an additional dwelling unit either in or added to an existing single-family detached dwelling, or in a separate accessory structure on the same lot as the main dwelling, for use as a complete, independent living facility with provisions within the accessory dwelling unit for cooking, eating, sanitation and sleeping. Such a dwelling shall be considered an accessory use to the main dwelling and be clearly subordinate to the main dwelling.

“Accessory use” means use of land or of a building or portion thereof incidental and subordinate to the principal use or building and located on the same lot with the principal use.

“Accessory uses (to agriculture)” mean uses accessory to agriculture that support, promote, or sustain agricultural operations and production, as provided in JCC 18.20.030.

“Accumulative short subdivision” means multiple short subdivision of contiguous land under common ownership. “Ownership,” for purposes of Chapter 18.35 JCC, means ownership as established at the date of the initial short subdivision approval. Ownership by persons related by blood or marriage where an interfamily land conveyance has occurred within two years of making application for short subdivision approval shall be construed to be common ownership.

“Acre” means a unit of measure of land area which consists of 43,560 square feet.

“Adequate” means acceptable but not excessive.

“Adequate capacity (adequate capital or public facilities)” means capital facilities and services that have the capacity available to serve development at the time of occupancy or use without decreasing levels of service (LOS) below the standards set forth in the Comprehensive Plan. “Adequate capacity” also includes a financial commitment that is in place to complete the improvements, or noncapital strategies, necessary to provide a specific level of service within six years. (See also “available capacity,” “concurrency,” “levels of service.”)

“Adjacent” means (in addition to abutting) that which is near or close; for example, an industrial district across the road or highway from a commercial district shall be considered as “adjacent.”

“Adjacent lands, shoreline” means lands adjacent to the shorelines of the state (outside of shoreline jurisdiction). See RCW 90.58.340.

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“Administrator” means the Jefferson County department of community development director or a designated representative.

“Adverse” means contrary to one’s interest or welfare; harmful or unfavorable circumstances.

“Adverse impacts” means a condition that creates, imposes, aggravates, or leads to inadequate, impractical, unsafe, or unhealthy conditions on a site proposed for development or on off-site property or facilities or on wildlife or wildlife habitat.

“Affordable housing” means those housing units available for purchase or rent to individuals or families with a gross income between the federally recognized poverty level and the median income for working families in Jefferson County; and whose costs, including utilities, would not exceed 36 percent of gross income

“Aggrieved party” means a party of record who can demonstrate the following:

- (a) The land use decision will prejudice the person;
- (b) The asserted interests are among those the county is required by county code, federal or state law or regulation to consider in making a land use decision; and
- (c) A decision on appeal in favor of the person would substantially eliminate or redress the prejudice alleged to be caused by the land use decision.

“Agriculture” means the science, art, and business of producing crops, or raising livestock; farming.

“Agricultural activities” means land preparation for agricultural purposes, such as clearing, grading, contouring, ditching, fencing, plowing, tilling, planting, cultivating, fertilizing, weed pest and disease control, spraying, pruning, trimming, harvesting, processing, packing, sales, and construction of farm and stock ponds, irrigation ditches and systems; livestock management, such as breeding, birthing, feeding and care of animals, birds, honey bees, and fish; the repair, maintenance and incidental construction of equipment, structures, or machinery used to perform agricultural or husbandry operations; and the storage of agricultural products and machinery.

“Agricultural best management practices (BMPs)” mean schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce pollution of waters or degradation of wetlands and fish and wildlife habitat areas.

“Agricultural land of local importance” means land in addition to designated prime agricultural land that is of local importance for the production of food, fiber, forage or oilseed crops. Generally, additional farmlands of local importance include those that are nearly prime farmland and that economically produce high yields of crops when treated or managed according to acceptable farming methods. Such farmlands may include areas of commercial aquaculture.

“Agricultural product or commodity” means any plant or part of a plant, or animal, or animal product, produced by a person (including farmers, ranchers, vineyardists, plant propagators, Christmas tree growers, aquaculturists, floriculturists, orchardists, foresters, or other comparable persons) primarily for sale, consumption, propagation, or other use by people or animals.

“Agricultural resource lands (agricultural lands)” means lands that are primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animals products or of berries, grain, hay, straw, turf, seed, or Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through

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84.33.140, finfish in upland hatcheries, or livestock, and that have long-term commercial significance for agricultural production (RCW 36.70A.030(2)). Agricultural resource lands are divided into two land use designations, prime (AP-20) and local (AL-20), in the Comprehensive Plan.

“Agricultural warehouse (public warehouse)” means any elevator, mill, subterminal grain warehouse, terminal warehouse, country warehouse, or other structure or enclosure that is used or usable for the storage of agricultural products, and in which commodities are received from the public for storage, handling, conditioning, or shipment for compensation. The term does not include any warehouse storing or handling fresh fruits and/or vegetables, any warehouse used exclusively for cold storage, or any warehouse that conditions yearly less than 300 tons of an agricultural commodity for compensation.

“Agriculture, existing and ongoing” means any agricultural activity conducted on an ongoing basis on lands enrolled in the open space tax program for agriculture or designated as agricultural lands of long-term commercial significance on the official map of Comprehensive Plan Land Use Designations; provided, that agricultural activities were conducted on those lands at anytime during the five-year period preceding April 28, 2003. Agricultural use ceases when the area on which it is conducted is converted to a nonagricultural use.

“Agriculture, new” means agricultural activities proposed or conducted after April 28, 2003, and that do not meet the definition of “existing ongoing agriculture.”

“Agritourism” means agriculturally related accessory uses designed to bring the public to the farm on a temporary or continuous basis, such as U-Pick farm sales, retail sales of farm products, farm mazes, pumpkin patch sales, farm animal viewing and petting, wagon rides, farm tours, horticultural nurseries and associated display gardens, cider pressing, wine or cheese tasting, etc.

“Airport” means an area of land or facility publicly owned and open to general public use for aircraft operations, except any airfield or airstrip as defined herein. An airport may include related services and facilities.

~~“Airport district” means an overlay district which governs use of land adjoining an airport and protects public safety in the area.~~

“Airstrip” means a privately owned area of land, closed to the public, and restricted to use by the owner primarily for noncommercial aircraft operations and, on an occasional basis, invited guests of the owner or for emergency purposes.

“Allowable outright uses” means land uses and activities which are allowed ~~exempt~~ subject to ~~from~~ the provisions of this Unified Development Code.

~~“Allowed outright, use (“Yes” use)” means uses allowed outright (i.e., without an accompanying land use permit) as identified in Table 3-1 in JCC 18.15.040, provided all provisions and standards of this code have been satisfied in a manner consistent with the provisions of Chapter 18.40 JCC. Such uses may still be subject to applicable performance or development standards, or other development permits (e.g., septic, stormwater management, building, etc.) required by applicable sections of this code or the Uniform Building Code, as adopted and amended by Jefferson County. Uses allowed subject to the provisions of this code, including meeting applicable performance and development standards; if a building, or other development permit (e.g.,~~

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stormwater permit) is required, the use is subject to the project review and approval process.

“Alteration, nonconforming structures” means any change or rearrangement in the supporting members of existing buildings, such as bearing walls, columns, beams, girders, or interior partitions, as well as any changes in doors, windows, means of egress or ingress or any enlargement to or diminution of a building or structure, horizontally or vertically, or the moving of a building from one location to another. This definition excludes normal repair and maintenance, such as painting or roof replacement, but includes more substantial changes.

“Alteration, nonconforming use” means the expansion, modification or intensification of a use that does not conform to the land use regulations of the UDC.

“Animal feeding operation (AFO)” means agricultural enterprises where animals are kept and raised in confined situations. AFOs congregate animals, feed, manure and urine, dead animals and production operations on a small land area. Feed is brought to the animals rather than the animals grazing or otherwise seeking feed in pastures, fields, or on rangeland. The formal definition in federal regulations is “a lot or facility (other than an aquatic animal production facility) where the following conditions are met: (1) animals (other than aquatic animals) have been, are or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period, and (2) crops, vegetation, forage, growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility.” [40 CFR 122.23(b)(1)]

“Animal feeding operation, concentrated (CAFO)” means an AFO that is defined as a “large CAFO” or as a “medium CAFO” according to federal regulations or that is designated as a CAFO by the permitting authority. Two or more AFOs under common ownership are considered to be a single AFO for the purposes of determining the number of animals at an operation, if they adjoin each other or if they use a common area or system for the disposal of wastes. [40 CFR 122.23(b)(2)]

“Large CAFO” means an AFO that meets or exceeds one of the following thresholds: 700 mature dairy cows; 1,000 beef cattle or heifers; 2,500 swine (each 55 lbs. or more); 10,000 swine (each under 55 lbs.); 1,000 veal calves; 500 horses; 10,000 sheep or lambs; 55,000 turkeys; 30,000 ducks (other than liquid manure handling systems); 5,000 ducks (liquid manure handling systems); 30,000 chickens (liquid manure handling systems); 125,000 chickens, except laying hens (other than liquid manure handling systems); 82,000 laying hens (other than liquid manure handling systems).

“Medium CAFO” means an AFO where either a man-made ditch or pipe carries manure or wastewater from the operation to surface water or animals come into contact with surface water running through the area where they are confined; and the operation meets or exceeds the following thresholds: 200 mature dairy cows; 300 beef cattle or heifers; 750 swine (each 55 lbs or more); 3,000 swine (each under 55 lbs); 300 veal calves; 150 horses; 3,000 sheep or lambs; 16,500 turkeys; 10,000 ducks (other than liquid manure handling systems); 1,500 ducks (liquid manure handling systems); 9,000 chickens (liquid manure handling systems); 37,500 chickens, except laying hens (other than liquid manure handling systems); 25,000 laying hens (other than liquid manure handling systems).

~~“Animal shelter (kennel)” means any premises, except where accessory to an agricultural use, where five or more adult domestic animals such as dogs and cats are~~

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~~boarded, bred or trained. A kennel shall not be interpreted to include a pet shop or pet grooming shop.~~

~~“Animal commercial kennel or cattery” means a kennel where five (5) or more adult dogs or cats are boarded, bred or trained for compensation. Commercial kennels exceed the number of animals allowed by a hobby kennel, regardless if compensation is received for services. Commercial kennels or catteries do not including a small animal hospital or clinic, pet shop or shelter. (See also “animal shelter” and “animal hobby kennel”)~~

~~“Animal hobby kennel” means a noncommercial kennel at or adjoining a private residence where five (5) or more adult dogs, cats or combination thereof are kept for purposes other than breeding as a primary interest, such as for hunting or organized field trials, obedience or confirmation competition. Hobby kennels exceeding ten (10) dogs, cats or combination thereof shall be subject to the provisions of a commercial kennel.~~

~~“Animal shelter” means a facility which is used to house or contain stray, homeless, abandoned or unwanted animals. Shelters are owned, operated or maintained by a public body, established humane society, animal welfare society, society for the prevention or cruelty to animals or other nonprofit organization devoted to the welfare, protection and humane treatment of animals. Shelters also include facilities for the rehabilitation of wildlife.~~

“Appeal” means a request by an applicant or citizen that a decision made pursuant to this UDC be reviewed for its correctness and legality by another person, agency or court of law having jurisdiction to hear such an appeal.

Appeal, Closed-Record. (See “closed-record hearing.”)

Appeal, Open-Record. (See “open-record hearing.”)

“Applicant” means the owner or owners of record of the property subject to a project permit application under this code, or authorized representative thereof.

“Application” means the forms, plans and accompanying documents required for any project permit approval under this code.

~~“Approach, transitional, horizontal, and conical surfaces” means imaginary surfaces relating to an airport or airfield runway as defined in Federal Aviation Regulation, Part 77, “Objects Affecting Navigable Airspace” as amended, and as shown on the Approach and Clear Zone Plan for an airport or airfield.~~

~~“Approach, transitional, horizontal, and conical zones” means the zones which apply to the ground areas immediately under a runway approach; transitional, horizontal, and conical surface as projected along a vertical axis.~~

“Approving authority” means either the administrator, as defined in this UDC, the Jefferson County hearing examiner or the Jefferson County board of commissioners, depending on the type of permit process or decision specified in the applicable portion of this UDC.

~~“Aquaculture” means the science or art of cultivating fish, shellfish, or other aquatic animals or plants. The farming or culturing of aquatic organisms.~~

“Aquifer” means a body of permeable saturated rock material or soil capable of conducting groundwater.

“Aquifer recharge areas” means lands through which precipitation and surface water infiltrate the soil and are transmitted through rocks and soil to create groundwater storage.

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“Archaeological” means having to do with the scientific study of material remains of past human life and activities.

“Archaeological site” means an area of ancestral human use such as middens, burial grounds, and earthworks.

“Area” means the size of a parcel of land, as expressed in square feet or acres to two decimal places. When a public road right-of-way lies within a tract of land otherwise in contiguous ownership, area within the right-of-way may be included in gross area for the purpose of calculating maximum allowable density. When public road right-of-way abuts a tract of land, area to the centerline may not be included in the gross area of the parcel for this purpose.

“Area, nominal” means the approximate area of a parcel of land, such as the aliquot part or the land area in the assessor’s records.

“Area of special flood hazard” means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year, as indicated on the flood insurance rate maps (FIRMs).

“Assembly facility” means a facility designed and used for the gathering of people, or in which they may come together in a body, such as a meeting hall, community club or center, church, etc. (See also “community structure” and “religious assembly facility.”)

“Assessor’s parcel number” means a geocoding number assigned by the assessor’s office for property tax assessment purposes only.

“Automobile service station and repair” means any building, land area, or other premises used for the retail dispensing or sales of vehicular fuels and the servicing or repair of automobiles.

“Automobile wrecking and salvage yards” means an outdoor area used for the wrecking, storage, and recycling/salvage of vehicles for scrap metal and/or parts. (See “junk yard.”)

“Available capital facilities (available capacity)” means capital facilities or services that are in place (“existing capacity”), or for which a financial commitment is in place to provide the facilities or services within a specified time (“planned capacity”). “Available capacity” consists of existing plus planned capacity. (See also “adequate capacity,” “concurrency,” and “levels of service.”)

“Average vehicular trips” means the average number of all vehicles entering or leaving a site during a defined period. [Ord. 06-04 § 2; Ord. 6-03 § 2; Ord. 5-03 § 2; Ord. 9-02 § 1; Ord. 11-00 § 2.3]

18.10.020 B definitions.

“Base flood” means the flood having a one percent chance of being equaled or exceeded in any given year; also known as the “100-year flood,” as shown on the FIRM maps.

“Base flood elevation” means the elevation for which there is a one percent chance in any given year that flood levels will equal or exceed it.

“Bed and breakfast inn” means a hospitality commercial use containing four to six lodging units without cooking facilities, which provides overnight accommodation and meals in a proprietor-occupied or owner-occupied existing single-family residence and additional legal structures or up to 10 lodging units in an existing historic structure.

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“Bed and breakfast residence” means a hospitality commercial use containing one to three lodging units without cooking facilities, which provides overnight accommodation and meals in an owner-occupied existing single-family residence.

“Best available science” means with regard to designating and protecting environmentally sensitive areas, best available science refers to the utilization of the most current, widely accepted scientific data, research, studies and/or reports in making land use and policy decisions. (See WAC 365-195-900.)

“Best management practices (BMP)” means systems of practices, schedules of activities, prohibitions, maintenance procedures, and management measures that prevent or minimize adverse impacts to the environment.

Best Management Practices, Agricultural. (See “agricultural best management practices.”)

“Binding site plan” means a drawing to appropriate scale that:

- (a) Identifies and shows the areas and locations of all roads, improvements, utilities, open space, and any other matters specified by local regulations;
- (b) Contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by Jefferson County; and
- (c) Contains provisions requiring that any development be in conformity with the site plan.

“Block” means a group of lots, tracts or parcels within well-defined and fixed boundaries.

“Board (BOCC)” means the ~~Jefferson County~~ board of county commissioners for Jefferson County. Also referenced as Board of Commissioners, or County Commissioners.-

“Boat building and repair, commercial” means a commercial establishment where boats are constructed, dismantled, stored, serviced, or repaired, including maintenance work thereon.

“Boundary line adjustment” means the relocation or other adjustment of the boundaries of a lot, tract or parcel, in which the relocation neither results in the creation of any additional lot, tract or parcel nor results in creation of any lot, tract or parcel which is more nonconforming or insufficient in area or dimension.

“Buffer zone, strip, or area” means an area designed to separate incompatible uses or activities.

Buildable Lot. (See “lot, buildable.”)

“Building envelope” means:

- (a) A three-dimensional space in which a building or structure may be built;
- (b) A plat restriction for the purpose of defining building coverage areas for individual lot, or for describing shoreline building setbacks;
- (c) The buildable area of a lot, tract or parcel after applicable setbacks, easements and other restrictions on the lot, tract or parcel are taken into account.

“Bulk ~~fuel storage facilities~~plant or terminal facility” means ~~an area where flammable or combustible liquids are received by tank vessel, pipelines, tank car, or tank vehicle and are stored or blended in bulk for the purpose of distributing such liquids by tank vessel, pipeline, tank car, tank vehicle, portable tank, or container (cf. Uniform Building Code). [Ord. 06-04 § 2; Ord. 11-00 § 2.3]~~ That portion of a property where flammable or combustible liquids are received by tank vessel, pipelines, tank car or tank

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vehicle and are stored or blended in bulk for the purpose of distributing such liquids by tank vessel, pipeline, tank car, tank vehicle, portable tank or container (cf. *International Fire Code*).

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“Campground and camping facilities” means a facility in which sites are offered for persons using tents or other personal, portable overnight shelters.

“Capital facilities” means physical structures or facilities owned or operated by a government entity which provides or supports a public service.

“Capital improvements” means improvements to land, structures, initial furnishings, and selected equipment.

“Caretaker residence” means a residence located on a premises with a main nonresidential use and occupied only by a caretaker, and his/her immediate family, or guard employed on the premises.

“CC&Rs” means covenants, conditions and restrictions by which the declarant or other party or parties executing the CC&Rs impose contractual obligations upon the present and future owners and assignees of real property. CC&Rs are connected with land or other real property, and run with the land, so that the grantee of such land is invested with and bound by the CC&Rs. CC&Rs include but are not limited to “declarations” for condominiums in accordance with Chapters 64.32 and 64.34 RCW. CC&Rs are not enforced by the county.

“Certificate of occupancy or use” means a document issued by the Jefferson County building official as the final approval acknowledging that all conditions and requirements have been met and that the occupancy or use of a development is allowed.

“Certified feed lot” means any place, establishment, or facility commonly known as a commercial feed lot, or the like, which complies with all of the requirements of Chapter 16.58 RCW and associated rules and which holds a valid license from the state.

“Clearing” means the destruction or removal, by hand or with mechanical means, of vegetative ground cover or trees including, but not limited to, root material or topsoil material.

“Cluster development” means a development design technique that groups or “clusters” buildings in specific areas on a site rather than spread evenly throughout the parcel as in a conventional lot-by-lot development. The remaining land is to remain undeveloped in perpetuity and used for recreation, common open space, and/or preservation of environmentally sensitive areas.

“Co-housing (intentional communities)” means single-family residential developments, subject to the underlying land use district density, which may contain lots or structures in common ownership subject to meeting all other applicable provisions of this UDC and if approved under the requirements of Article VI-M of Chapter 18.15 JCC, Planned Rural Residential Developments (PRRDs), where applicable.

“Commercial recreational facility” means a place designed and equipped for the conduct of sports and leisure-time activities that is operated as a business and open to the public for a fee.

“Commercial use” means a business use or activity at a scale greater than a home business or cottage industry involving retail or wholesale marketing of goods and services. Examples of commercial uses include offices and retail shops.

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“Commercial sign” means any object, device, display or structure that is used for attracting attention to any commercial use, product, service, or activity.

“Common area” means any area contained within the boundaries of a proposed land division or within a multifamily residential development and owned by the lot owners as tenants-in-common, joint tenancy, or through an association or nonprofit association, and provided specifically for the common use of the residents.

“Common open space” means a parcel or parcels of land or an area of water or a combination of land and water within the site designated for a subdivision and designed and intended for the use or enjoyment of the public. Common open space may contain such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of the residents of the subdivision.

“Commercial communication towers” means towers, dishes, or antennas established for the sending or receiving of signals for commercial purposes.

“Community structure” means a structure which is intended for the common use of the residents of a particular subdivision or community.

“Compatible” means uses or activities capable of existing together or in the vicinity of one another without disharmony or without generating effects or impacts which are disruptive to the normal use and enjoyment of surrounding property.

“Comprehensive Plan” means the Jefferson County Comprehensive Plan and all of its goals, objectives, policies, documents, and maps which is a generalized coordinated land use policy statement of the Jefferson County board of commissioners, adopted pursuant to Chapter 36.70A RCW.

Concentrated Animal Feeding Operation (CAFO). (See “Animal feeding operation, concentrated”)

“Concurrency” means a condition in which an adequate capacity of capital and transportation facilities and services is available to support development at the time that the impacts of development occur. (See also “adequate capacity,” “available capacity,” and “levels of service.”)

“Conditional use” means a use that, owing to some special characteristics attendant to its operation or installation (e.g. potential danger, traffic, smoke or noise impact), is permitted in a district, subject to approval and special requirements, different from those usual requirements for the district in which the conditional use may be located.

“Conditional use permit” means a permit issued by Jefferson County stating that the land uses and activities meet all criteria set forth in this code, and all conditions of approval in accordance with the procedural requirements of this code.

“Condominium” means real property, portions of which are designed for separate ownership and the remainder of which is designated for common ownership solely by owners of those portions. Real property is not a condominium unless the undivided interests in the common elements are vested in unit owners, and unless a declaration and a survey map and plans have been recorded in accordance with Chapters 64.32 and 64.34 RCW. Condominiums are not confined to residential units, such as apartments, but also include offices and other types of space in commercial buildings.

“Conservation district” means a “special purpose district,” like a fire district or school district, organized in accordance with Chapter 89.08 RCW for the purpose of providing assistance to landowners for the conservation of renewable resources.

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“Construction/contractor yards and offices” means service establishments primarily engaged in general contracting or subcontracting in the building construction trades. These include administrative offices, workshops and the indoor or outdoor storage of tools, equipment, materials, and vehicles.

Contract Purchaser. (See “applicant.”)

“Convenience store” means any retail establishment offering for sale prepackaged food products, household items, and other goods commonly associated with the same and having a gross floor area of less than 5,000 square feet.

“Cottage industry” means a commercial or manufacturing activity conducted in whole or in part in either the resident’s single-family dwelling unit or in an accessory building, but is of a scale larger than a home occupation or home business. A cottage industry is a limited, small-scale commercial or industrial activity, including fabrication, with limited retail sales, that can be conducted without substantial adverse impact on the residential character in the vicinity.

“County” means Jefferson County, Washington, its board, commissions, and departments.

“Critical habitat” means an area or type of environment that may be of crucial importance to the perpetuation of an organism or biological population which normally lives or occurs there.

“Critical aquifer recharge areas” means areas with a critical recharging effect on aquifers used for potable water.

“Cul-de-sac” means a road closed at one end by an area of sufficient size for turning vehicles around.

“Current use” means the use of land or improvements at the time of permit application.

“Custom meat facility” means a facility operated by a person licensed to prepare uninspected meat for the owner of the uninspected meat.

“Custom slaughtering establishment” means a facility operated by a person licensed to slaughter meat food animals for the owner of the animal at a fixed location. [Ord. 06-04 § 2; Ord. 6-03 § 2; Ord. 11-00 § 2.3]

18.10.040 D definitions.

“Day care, commercial” means a person or agency that provides care for 13 or more children during part of the 24-hour day (RCW 74.15.020).

“Home day care provider” means a state-licensed day care provider who regularly provides day care for not more than 12 children in the provider’s home in the family living quarters (RCW 74.15.020).

“Child day care center” means a person or agency providing care during part of the 24-hour day to 12 or fewer children in a facility other than the family abode of the person or persons under whose direct care the children are placed (RCW 35.63.170).

“Days, calendar” means so many days computed according to the course of the calendar. In computing comment and appeal periods under this code, if the last day so computed is a Saturday, Sunday or legal holiday, the comment or appeal period shall run to the next business day.

“DCD” means the Jefferson County department of community development.

“Dedicate” means to set aside a piece of real property, a structure, or a facility for public or private use or ownership.

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“Dedication” means a deliberate appropriation of land by its owners for any general and public uses, reserving to the owner/dedicator no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

“Degrade” means to scale down in desirability or salability, to impair in respect to some physical property or to reduce in structure or function, in terms of Jefferson County standards and environment.

“Density” means the quantity per unit area, such as the number of dwelling units per acre.

“Design capacity” means the theoretical or calculated maximum ability of a system or device to handle the duty for which it is to be used.

“Developable area” means the area of land which is not constrained from development by land use restrictions.

“Development” means the division of a parcel into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any grading, excavation, mining, landfill; or any extension of the use of land.

“Development permit” means any permit issued by Jefferson County allowing the physical alteration of real property including, but not limited to, building construction, road construction, grading, filling or excavating. Approval of a short subdivision, long subdivision, or boundary line adjustment is not considered a “development permit” for the purposes of Chapter 18.35 JCC. (See “project permit.”)

“Development regulation or regulations” means the controls placed on development or land use activities by Jefferson County, including, but not limited to, this Unified Development Code (which among other provisions includes zoning, planned rural residential development (PRRD), subdivision, binding site plan and environmentally sensitive areas regulations), the Jefferson County Shoreline Master Program, and any other official controls implementing the Jefferson County Comprehensive Plan. A development regulation does not include a decision to approve a project permit application, as defined in RCW 36.70B.020, even though the decision may be expressed in a resolution or ordinance of the Jefferson County board of commissioners.

“Development right” means the right to develop property subject to federal, state, and local restrictions and regulations.

“Director” means, unless otherwise specified, the director of the county’s department of community development (DCD) or the director’s designee.

~~“Director of the department of public works” means the director of the Jefferson County department of public works or the director’s designee.~~

“Discretionary use” means all unnamed and certain named uses in Table 3-1 in JCC 18.15.040 which, subject to the administrative review and classification criteria set out in Chapter 18.15 JCC, may be classified by the administrator as an allowed outright “Yes” use, a conditional “C” use or a prohibited “No” use in the applicable district for which the use is proposed.

“District” means a part, zone, or geographic area within Jefferson County within which certain development regulations apply.

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"Disturbed area" means any place where activities clearly in preparation for, or during, surface mining have physically disrupted, covered, compacted, moved, or otherwise altered the characteristics of soil, bedrock, vegetation, or topography that existed prior to such activity. Disturbed areas may include but are not limited to: working faces, water bodies created by mine-related excavation, pit floors, the land beneath processing plant and stock pile sites, spoil pile sites, and equipment staging areas. Disturbed areas shall also include aboveground waste rock sites and tailing facilities, and other surface manifestations of underground mines. Disturbed areas do not include surface mine access roads in Mineral Resource Land designations unless these have characteristics of topography, drainage, slope stability, or ownership that, in the opinion of the department, make reclamation necessary, lands that have been reclaimed to all standards outlined in this chapter, rules of the department, any applicable SEPA document, and the approved reclamation plan, and subsurface aspects of underground mines, such as portals, tunnels, shafts, pillars, and stopes.

"Division of land" means the creation of any new lot or lots for the purpose of sale, lease, or transfer of ownership, ~~whether such lot(s), tract(s) or parcel(s) is created by short subdivision or long subdivision~~ (See Chapter 18.35 JCC).

DOT. (See "WADOT" or "WSDOT")

"Drainage" means surface water runoff; the removal of surface water or groundwater from land by drains, grading, or other means, which include runoff controls to minimize erosion and sedimentation during and after construction or development.

"Drainageway" means any natural or artificial watercourse, trench, ditch, swale, or similar depression into which surface water flows.

"Dredging" means the removal of earth from the bottom of a stream, river, lake, bay, or other water body.

"Drinking establishment (lounge)" means a business primarily engaged in the retail sale of alcoholic beverages for consumption on the premises. A restaurant operated as part of a lounge is considered to be accessory to the lounge.

"Drive-thru window service" means businesses where patrons may carry on business on the premises while in a motor vehicle (See also "mobile food unit").

"Driveway" means a strip of land which provides vehicular access to one or two lots.

Duplex. (See "dwelling unit, two-family.")

"Dwelling unit" means one or more rooms or structures designed for occupancy by an individual or family for living and sleeping purposes, containing kitchen facilities and rooms with internal accessibility, for use solely by the dwelling's occupants.

"Dwelling unit, multiple-family" means one or more structures containing three or more dwelling units.

"Dwelling unit, two-family" (duplex) means a single structure containing two dwelling units. [Ord. 11-00 § 2.3]

18.10.050 E definitions.

"Eating establishment (restaurant)" means a business primarily engaged in the retail sale of food for consumption on the premises. A lounge operated as part of a restaurant is considered to be accessory to the restaurant.

"Ecology (WDOE)" means the state of Washington Department of Ecology.

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“Endangered species” means a species which is in danger of extinction throughout all or a significant portion of its range, as classified by the Washington Department of Fish and Wildlife, WAC 232-120-014 and the Washington Department of Natural Resources, Washington Natural Heritage Plan.

“Environmental checklist” means a form prescribed by the administrator and the state of Washington to identify the potential environmental impacts of a given proposal.

“Environmental impact statement (EIS)” means a draft, final, or supplemental written document that reviews the likely significant and nonsignificant adverse and positive impacts of a proposal, ways to avoid, minimize or lessen the adverse impacts, and alternatives to the proposal.

“Environmentally sensitive areas (ESA)” means geologically hazardous areas, frequently flooded areas, critical aquifer recharge areas, wetlands, and fish and wildlife habitat areas, all as defined through WAC 356-190 as “critical areas” and regulated in Chapter 18.15 JCC.

“Equestrian center” means uncovered and covered facilities for commercial boarding, training, teaching, breeding and rental of horses including facilities for shows and competitive events, and riding trails. This shall not include stables used solely for the private personal use of the property owner or stables used solely for boarding or breeding of horses.

“Erosion” means the detachment and movement of soil or rock by water, wind, ice, or gravity.

“Erosion hazard areas” means areas characterized by soils identified in the USDA Jefferson County Soil Survey as having severe water erosion hazards.

“Essential public facilities” means those important and necessary facilities which provide essential services that are typically difficult to site, such as airports, state educational facilities, state or regional transportation facilities, state and local correctional facilities, solid waste-handling facilities, and in-patient facilities including substance-abuse facilities, mental health facilities, and group homes (RCW 36.70A.200). They do not necessarily include all public facilities or services; they may be, but are not necessarily, publicly owned. Essential public facilities in Jefferson County include airports, large-scale transportation facilities, solid waste handling and disposal facilities, correctional facilities, in-patient treatment facilities including substance-abuse facilities, and mental health facilities, state-owned educational facilities, and wastewater treatment plants.

“Excavation” means the mechanical removal of earth.

Exemption (Exception). Reserved.

“Existing use” means the use of a lot or structure or improvements at the time of the enactment of the Unified Development Code (this code), unless otherwise specified.

Expansion, Nonconforming Use. (See “intensification, nonconforming use.”)

“Extraction” means the commercial removal of naturally occurring materials from the earth, excluding water. [Ord. 11-00 § 2.3]

18.10.060 F definitions.

“Facility and service provider” means the department, district, agency or private entity responsible for providing a specific concurrency facility.

“Family” means an individual or two or more persons related by blood or marriage or a group of not more than five persons (excluding servants) living together as

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a single housekeeping unit and doing their cooking on the premises as distinguished from a group occupying a boarding house or rooming house or motel.

“Farm equipment” includes, but is not limited to, tractors, trailers, combines, tillage implements, balers, and other equipment, including attachments and accessories that are used in the planting, cultivating, irrigation, harvesting, and marketing of agricultural, horticultural, or livestock products.

“Farm plan” means a conservation plan developed by a conservation district technician and a landowner outlining a series of actions developed to meet a landowner’s goals while protecting water quality and the natural resources within and around the farm property. Many things are considered in a farm plan including farm size, soil types, slope of the land, proximity to streams, wetlands or water bodies, type and numbers of livestock or crops, resources such as machinery or buildings and finances available. The terms conservation plan and farm plan are interchangeable in this context.

“Farm worker housing” means a place, area, or piece of land where sleeping places or housing sites are provided by an agricultural employer for his or her agricultural employees.

“Feasible alternative” means an alternative that:

- (a) Meets the requirements of federal, state, and local laws and regulations;
- (b) Attains most or all of the basic objectives of the project;
- (c) Is technically and technologically possible;
- (d) Can be accomplished at a reasonable cost;
- (e) Can be accomplished in a reasonable amount of time; and
- (f) Adverse environmental, health, and safety effects are no greater than those of the original proposal.

A determination of what is reasonable or feasible is made by the decision-making body on a case-by-case basis, taking into account the:

- (i) Probable intensity, severity, and cumulative impacts of the original proposal and alternative approaches, and opportunity for the avoidance or reduction in the number, intensity, or severity of significant impacts, or of the aggregate adverse impact;
- (ii) Risk of “upset conditions” (i.e., the risk that the control and mitigation measures will fail, be overwhelmed, or exceed allowed limits), and the potential severity of the impact should control or mitigation measures be ineffective or fail;
- (iii) Capital and operating costs;
- (iv) Period of time to accomplish, costs of additional time or delay, and time constraints for completion; and
- (v) Location and site-specific factors, such as seasonal or topographic constraints, environmentally sensitive areas and habitats, site accessibility, and local community concerns.

“Federal candidate species” means formally proposed endangered or threatened species and candidate species for which the U.S. Fish and Wildlife Service has information to indicate biological vulnerability and threat.

“Federal endangered species” means species in danger of extinction according to the U.S. Fish and Wildlife Service official listing.

“Federal sensitive species” means species that are considered a sensitive species by the U.S. Fish and Wildlife Service.

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“Federal threatened species” means species likely to become endangered within the foreseeable future according to the U.S. Fish and Wildlife Service official listing.

“Field Office Technical Guide (FOTG)” means a USDA Natural Resources Conservation Service manual that contains information for use in technical assistance to decision-makers for resource management.

Filing. (See “recording.”)

“Fill” means any sand, gravel, earth, or other materials of any composition whatsoever placed or deposited by humans.

“Final plat” means the final drawing of the subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in Chapter 18.35 JCC and all other applicable codes and ordinances.

“Flood Insurance Rate Map (FIRM)” means the official map issued by the Federal Emergency Management Agency that delineates both the special hazard areas and the risk premium zones applicable to Jefferson County.

“Flood or flooding” means the temporary inundation of normally dry land areas from the overflow of inland or tidal waters or from the unusual and rapid accumulation or runoff of surface waters.

“Forest management” means forest practices pertaining to protecting, producing, and harvesting timber for economic use.

“Forest practice” means any activity conducted on or directly pertaining to forest land and relating to growing or harvesting of timber, or the processing of timber on a harvest site for less than 30 days per calendar year, including but not limited to: road and trail construction and maintenance; harvest, final and intermediate; precommercial thinning; reforestation; fertilization; prevention and suppression of diseases and insects; salvage of trees; and brush control.

“Forest practice, conversion” means the conversion of land to an active use incompatible with timber growing and where future non-forest uses will be located on currently forested land.

“Forest practice, conversion option harvest plan (COHP)” means a voluntary plan developed by the landowner and approved by the county that indicates the limits and types of harvest areas, road locations, and open space. This jointly agreed plan is submitted to the Washington Department of Natural Resources (WDNR) as part of a Class II, III, or IV Special forest practice permit application, and is attached to and becomes part of the conditions of the permit approved by the WDNR.

“Forest resource lands” means lands primarily devoted to growing trees for long-term commercial production on land that can be economically and practically managed for such production (RCW 36.70A.030(8)).

“Frequently flooded areas” means lands subject to a one percent or greater chance of flooding in any given year. [Ord. 06-04 § 2; Ord. 11-00 § 2.3]

18.10.070 G definitions.

“Geologically hazardous areas” means areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns.

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~~“Grade, average level” means the average of the natural or existing topography of the lot, parcel or tract of real property which will be directly under the center of all exterior walls of a proposed building or structure.~~

~~“Grade, existing” means the elevation of the ground or site prior to any work being done or any changes being made to the ground or site. With respect to a building or structure, grade is the lowest point of elevation of the finished surface of the ground, paving, or sidewalk, within the area between the building and the property line or, when the property line is more than five feet from the building, between the building and a line five feet from the building.~~

“Grade, finished” means the final elevation of the ground level after development.

“Grade Plane” means a reference plane representing the average of the finished ground level adjoining the building at all exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 ft. from the building between the structure and a point 6ft from the building.

“Grading” means stripping, cutting, filling, or stock-piling land including the land in its cut or filled condition to create new grade.

Grandfathered Uses and Structures. (See “nonconforming,” “nonconforming lot,” “nonconforming structure,” “nonconforming use,” “alteration, nonconforming structures,” and “alteration, nonconforming use.”)

“Grocery store” means a commercial establishment selling primarily packaged food products typically in combination with household products and sundries.

“Gross area” means the total area included within the boundaries of any parcel including land area up to any abutting public road right-of-way.

Groundwater. See “Water, ground.”

“Group home” means a residential occupancy that exceeds the definition of “family” in a single-family residence.

“Group housing” means a residential dwelling that exceeds the definition of a single-family residence and which is not a multifamily dwelling.

“Growth Management Act (GMA)” means the state of Washington Growth Management Act, Chapter 36.70A RCW, as amended. [Ord. 6-03 § 2; Ord. 11-00 § 2.3] 18.10.080 H definitions.

“Habitat” means the place or type of site where a plant or animal naturally or normally lives and grows.

“Hangars” means covered areas and enclosed structures for housing and repairing aircraft.

“Hazardous substance” means any liquid, solid, gas, sludge, including any material, substance, product, commodity, or waste, regardless of quantity, which exhibits any of the characteristics or criteria of hazardous waste as described in rules adopted under Chapter 70.105 RCW.

“Hazardous waste” means those solid wastes designated by 40 CFR Part 261, and regulated as hazardous waste by the United States EPA. Any discarded, useless, unwanted, or abandoned radioactive or nonradioactive substances, including, but not limited to, certain pesticides, or any residues or containers of such substances which are disposed of in such quantity or concentration as to pose a substantial hazard to human

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health, wildlife, or the environment because such wastes or constituents or combinations of such wastes:

- (a) Have short-lived toxic properties that may cause death, injury, or illness or have mutagenic, teratogenic, or carcinogenic properties; or
- (b) Are corrosive, explosive, flammable, or may generate pressure through decomposition or other means; or
- (c) Will persist in a hazardous form for several years or more at a disposal site and which in its persistent form; or
- (d) Presents a significant environmental hazard and may be concentrated by living organisms through a food chain or may affect the genetic make-up of man or wildlife; and
- (e) Is highly toxic to man or wildlife.

“Heavy equipment sales or rental services” means the use of any internal or external space, ~~whether inside or outside a building,~~ for the sale, rental and display of construction or other heavy equipment, machinery or vehicles or parts thereof.

~~“Height of building” means the vertical distance above a reference datum measured to the highest point of the coping of a flat roof, to the deck line of a mansard roof, or to the average height of the highest gable of a pitched or hip roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:-~~

~~(a) — The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above lowest grade; or~~

~~(b) — An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in subsection (a) of this definition is more than 10 feet above lowest grade.~~

~~— The height of a stepped or terraced building is the maximum height of any segment of the building (cf. Uniform Building Code).~~

~~“Height, building” means the vertical distance from grade plane to the average height of the highest roof surface (cf. International Building Code).~~

~~“Height, story” means the vertical distance from the top to top of two successive tiers of beams or finished floor surfaces; and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters (cf. International Building Code).~~

“Historic site, structure or landmark” means a site, structure or building of outstanding archaeological, historical or cultural significance. This is shown by its designation as such by the National or Washington State Register of Historic Places, designation as an historic landmark, or any such structure or feature for which the State Historic Preservation Officer has made a determination of significance pursuant to Section 106 of the National Historic Preservation Act.

Home Business. Home-based businesses are secondary and incidental to the primary residential use of the structure, provide supplemental income for a family, consist of limited-scale service or fabrication, and limited retail sales.

“Homeowners association” means an incorporated nonprofit organization operating under recorded land agreements, including, but not limited to, CC&Rs, through which:

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- (a) Each lot owner is automatically a member;
- (b) Each lot is automatically subject to a proportionate share of the expenses for the organization's activities, such as maintaining commonly owner property; and
- (c) A charge, if unpaid, becomes a lien against the real property.

“Hobby kennel” means a noncommercial kennel at or adjoining a private residence where adult dogs are kept for purposes other than breeding as a primary interest, such as for hunting or organized field trials, obedience or confirmation competition. A hobby kennel may encompass up to ten (10) adult domestic dogs, cats or combination thereof, and shall not produce more than three (3) litters or cats or dogs or a combination thereof per year.

“Hotel (or lodge)” means a commercial building in which lodging is provided and offered to the public for compensation, and which is open to transient guests, and is not a motel or bed and breakfast inn as otherwise defined in this code.

“Household” means one or more related or unrelated persons occupying a dwelling unit. [Ord. 11-00 § 2.3]

18.10.090 I definitions.

“Illegal use” means any use of land or a structure which is inconsistent with current codes or was inconsistent with previous codes in effect when the use or structure was established. An illegal use is different than a “nonconforming use.” (See also “nonconforming.”)

~~“Impervious surface” means a surface area that creates a barrier to the entry of water into the soil in comparison with natural conditions prior to development, or that causes water to run off the surface in greater quantities or at an increased rate of flow in comparison with the flow prior to development. Common impervious surfaces may or may not include roofs, driveways, patios, packed earth, and oiled surfaces; however, open, uncovered retention/detention facilities are not considered as impervious surfaces~~
Means A hard surface area that either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces for purposes of determining whether the thresholds for application of minimum requirements are exceeded. Open, uncovered retention/detention facilities shall be considered impervious surfaces for purposes of runoff modeling.-

“Improvements” means the facilities and infrastructure of a land development, including, but not limited to, the roads, sidewalks, street lights, stormwater facilities, sewage disposal facilities, domestic water facilities, and other utilities and facilities required by Chapter 18.35 JCC to be constructed in conjunction with any particular land division, as approved by the necessary county departments.

“Incidental” means subordinate to, minor in significance, and bearing a reasonable relationship with the primary use.

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“Incompatible” means uses and activities that are not compatible. (See “compatible.”)

“Indoor entertainment or recreational facilities” means places designed and equipped for the conduct of sports and leisure-time activities, including but not limited to, physical fitness clubs, bowling alleys, theaters, playhouses, and billiard rooms.

“Industrial use, heavy or resource-based” means a use engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials or natural resources; a use engaged in storage of, or manufacturing processes using flammable, hazardous or explosive materials; or manufacturing processes that potentially involve hazardous or commonly recognized adverse conditions.

“Infrastructure” means existing installed facilities and services including capital facilities such as water supply, sewage disposal, and storm drainage systems, and transportation facilities such as public roads.

“Inoperable (or unlicensed) vehicle” means any motor vehicle (excluding farm machinery or implements), trailer, or semitrailer which is inoperable and which, by virtue of its condition, cannot be economically restored to operable condition; provided, that such vehicle, trailer, or semitrailer shall be presumed to be an inoperable or unlicensed vehicle if no license plates are displayed or if the license plates displayed have been invalid for more than three years.

“Institutional facilities or development” means structures and related activity areas used by organizations providing educational, social, or noncommercial recreational services to the community, including performance halls, government service offices, facilities for assembly, colleges, primary and secondary schools, museums, and libraries.

“Instream resources” means features, properties, or other beneficial assets which exist within a stream corridor, such as fish and wildlife habitat, recreation, and scenic beauty.

“Intensification of nonconforming use” means any increase or expansion in the quality or quantity of products, goods, services, structures or adverse impacts upon parcels within the vicinity of the nonconforming use produced, generated, served, created or performed at the site of the legal nonconforming use by the owner or occupant of that legal nonconforming use.

“International building code” means the building code officially adopted by Jefferson County.

“Intensive” means highly concentrated, very large, or considerable, in terms of Jefferson County standards and environment.

“Inter vivos” means a transfer or conveyance of property during the life of the owner, as distinguished from testamentary transfers where the property passes at death. [Ord. 6-03 § 2; Ord. 21-02 § 1; Ord. 18-02 § 2 (Exh. C); Ord. 11-00 § 2.3]

18.10.100 J definitions.

“Junk motor vehicle” means a vehicle certified under RCW 46.55.230 as meeting at least three of the following requirements: (a) three years or older and unlicensed; (b) Extensively damaged, such damage including, but not limited to the following: a broken window or windshield, missing seats, wheels, tires, motor, or transmission; (c) apparently inoperable; and/or (d) has approximate fair market value equal only to the approximate value of the scrap in it.

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“Junk yard” means a primary or accessory use of structures or land for storage, recycling, dismantling or selling of cast-off, unused, scrap, or salvage material of any sort. [Ord. 11-00 § 2.3]

18.10.110 K definitions.

“Kitchen” means a room used for cooking or preparing food. [Ord. 11-00 § 2.3]

18.10.120 L definitions.

“Land disturbing activity” means any activity that results in movement of earth, or a change in the existing soil cover (both vegetative and non-vegetative) and/or the existing soil topography. Land disturbing activities include, but are not limited to clearing, grading, filling, and excavation. Compaction that is associated with stabilization of structures and road construction shall also be considered a land disturbing activity. Vegetation maintenance practices are not considered land-disturbing activity.

Land Division. (See “division of land.”)

“Land use decision” means a final determination by the county’s hearing body or officer with the highest level of authority to make the determination, including those with authority to hear appeals, on:

- (a) An application for a project permit or other governmental approval required by law before real property may be improved, developed, modified, sold, transferred, or used, but excluding applications for permits or approvals to use, vacate, or transfer streets, parks, and similar types of public property; excluding applications for legislative approvals such as area-wide rezones and annexations; and excluding applications for business licenses;
- (b) An interpretative or declaratory decision regarding the application to a specific property of zoning or other ordinances or rules regulating the improvement, development, modification, maintenance, or use of real property; and
- (c) The enforcement by the county of regulations governing the improvement, development, modification, maintenance, or use of real property. ~~However, when the county is required by law to enforce the regulations in a court of limited jurisdiction, a petition may not be brought under this chapter.~~

“Landslide hazard areas” means areas potentially subject to risk of mass movement due to a combination of geologic, topographic, and hydrologic factors.

“Landward” means to or toward the land.

“Level of service (LOS)” means the number of units of capacity per unit of demand (e.g., trips, population, school-age residents) or other appropriate measure of need sufficient to meet the standards for adequate service set forth in the Comprehensive Plan. (See also “adequate capacity,” “available capacity,” and “concurrency.”)

“Light industrial” means a use involving: (1) basic processing and manufacturing of materials or products predominantly from previously prepared materials; or (2) finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic processing of raw materials except food products.

“Livestock” means horses, mules, donkeys, cattle, bison, sheep, goats, swine, rabbits, llamas, alpacas, ratites, poultry, waterfowl, game birds, and other species so designated by statute. Livestock does not mean free-ranging wildlife as defined in Title 77 RCW.

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“Livestock management” includes breeding, birthing, feeding, care, processing and sales of animals and animal products, birds, honey bees, fish and shellfish.

“Logging” means activities related to and conducted for purposes of harvesting or processing timber.

“Long-term commercial significance” means lands with the growing capacity, productivity, soil composition, and economic viability for long-term agricultural, mineral or silvicultural production.

“Lot” means a designated tract, parcel or area of land established by plat, subdivision, or as otherwise permitted by law, to be separately owned, and utilized.

“Lot, buildable” means a lot of sufficient size and location to:

- (a) Comply with all the standards and requirements of this code, with the exception of the density provisions contained herein; and
- (b) Support an on-site wastewater disposal (i.e., septic) system or connect to a public sewerage system and support an individual water system (i.e., well) or connect to a community water system that is consistent with the policies, standards and requirements of the Jefferson County health department and the Washington State Department of Health as they now exist or may hereafter be amended, and any other applicable policies, standards or regulations of the Washington State Department of Ecology.

As an aid to developers, the county notes that a lot of two acres in size or greater will typically be adequate to meet the health standards referenced above. Given suitable soil conditions and alternative treatment methods, it may be possible for an area smaller than two acres in size to meet health standards. However, for purposes of septic system approval, an area smaller than 12,500 square feet shall not be recognized as a buildable lot unless a waiver is authorized pursuant to Chapter 8.15 JCC. With the exception of the 12,500 square foot minimum permissible land area referenced above, the dimensional numbers cited above should be viewed only as a general guide and shall not be construed as binding upon the county in any specific fact scenario.

This definition is intended to apply only to lots of record as defined herein. With the exception of the density provisions contained in Chapter 18.30 JCC, nothing in this definition shall be construed to excuse compliance with any other provisions of this code or any provision of local, state or federal law, including, but not limited to: the environmentally sensitive area overlay districts set forth in Article VI-D et seq. of Chapter 18.15 JCC; the use, setback, height and impervious surface limitations of Chapters 18.15, 18.20 and 18.30 JCC; and any requirements imposed under the authority of the State Environmental Policy Act (SEPA), Chapter 43.21C RCW; or any other applicable regulations governing the provision of infrastructure.

“Lot, corner” means a lot situated at the intersection of two roads, by which the interior angle does not exceed 135 degrees.

“Lot, frontage” means the boundary of a lot that is along an existing or dedicated public road, or where no public road exists, along a private road, easement or access way. On an interior lot, it is the lot line abutting a road; or, on a pipestem (i.e., flag) lot it is the interior lot line most parallel to the nearest road from which access is obtained.

“Lot, pipestem” means a lot not meeting minimum frontage requirements and where access to the public road is by a narrow private right-of-way or driveway. The term is synonymous with “flag lot.”

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“Lot, substandard” means a lot or parcel of land that has less than the required minimum area or width as established by the land use district in which it is located and; provided, that such lot or parcel was of record as a legally created lot on the effective date of the Jefferson County Unified Development Code. A substandard lot is a legal lot of record. “Substandard” should not be equated with unbuildable. (See “lot, buildable.”)

“Lot, through” means a lot that has both ends fronting on a road or street; both ends shall be deemed front.

“Lot coverage” means the surface area of a lot or lots within a single development which is occupied by buildings, excluding roof overhangs and covered porches not used for sales, storage, or service.

“Lot of record” means an undeveloped lot, tract or parcel of land shown on an officially recorded short plat or long plat or a parcel of land officially recorded or registered as a unit of property and described by platted lot number or by metes and bounds and lawfully established for conveyancing purposes on the date of recording of the instrument first referencing the lot. The term “lot of record” does not imply that the lot was created in conformity with the legal regulatory requirements for subdivision of property in accordance with Chapters ~~58.16~~ or 58.17 RCW or Chapter 18.35 JCC.

“Lumber mill, portable” means portable equipment to mill, split, or otherwise process forest products.

“Lumber mill, stationary” means a permanently located facility or equipment used to process forest products. [Ord. 06-04 § 2; Ord. 11-00 § 2.3]

18.10.130 M definitions.

“Maintenance agreement” means a written agreement between parties to physically maintain a facility for common use in a manner which conforms to standards of adequacy specified in such an agreement.

“Major industrial development” means a master planned location for a specific manufacturing, industrial, or commercial business that (a) requires a parcel of land so large that no suitable parcels are available within an urban growth area; or (b) is a natural resource-based industry requiring a location near agricultural land, forest land, or mineral resource land upon which it is dependent. A major industrial development shall not be for the purpose of retail commercial development or multi-tenant office parks. (cf. RCW 36.70A.365(1))

“Manufacturing” means the mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products, and the blending of materials, such as lubricating oils, plastics, resins, or liquors.

~~“Manufactured Home housing” (also “mobile home”) means a factory built, single family structure that is manufactured under the authority of 42 U.S.C. Section 5401, the National Manufactured Home Construction and Safety Standards Act, is transportable in one or more sections, is built on a permanent chassis, and is used as a place of human habitation; but which is not constructed with a permanent hitch or other device allowing transport of the unit other than for the purpose of delivery to a permanent site, and which does not have wheels or axles permanently attached to its body or frame. means a single-family dwelling built according to the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act, which is a national, preemptive building code. A manufactured home also: (a) includes plumbing,~~

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heating, air conditioning, and electrical systems; and (b) is built on a permanent chassis; and (c) Can be transported in one or more sections with each section at least eight feet wide and forty feet long when transported; or when installed on the site is three hundred twenty square feet or greater. (See “Mobile Home”)

“Manufactured housing”(See also “manufactured home” and “mobile home”)

“Market value” means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus.

“Master planned resort” means a self-contained and fully integrated planned unit development in a setting of significant natural amenities, with primary focus on destination resort facilities consisting of short-term visitor accommodations associated with a range of on-site indoor or outdoor recreational facilities. A master planned resort may include other residential uses within its boundaries, but only if the residential uses are integrated into and support the on-site recreational nature of the resort. (cf. RCW 36.70A.360)

“Material change” means a measurable change that has significance for existing or proposed development or for the existing environment.

“Meander line” means a line along a body of water intended to be used solely as a reference for surveying.

“Mine hazard” means an area of potential danger to persons or property due to past or present mineral extraction operations.

“Mineral extraction” means the removal of naturally occurring materials from the earth for economic use. Extraction materials include nonmetallic minerals such as sand, gravel, clay, coal, and various types of stone. This shall not include the following:

- (a) Excavation and grading at building construction sites where such construction is authorized by a valid building permit; or
- (b) Excavation and grading in public rights-of-way for the purpose of on-site road construction, or in private rights-of-way for the same purpose if authorized by the county; or
- (c) Excavation and grading for the purpose of developing ponds or manure lagoons for agricultural purposes; or
- (d) Excavation and grading in connection with and at the site of any creek, river, or flood-control or storm drainage channel for the purpose of enlarging hydraulic capacity or changing the location or constructing a new channel or storm drain where such work has been approved by the county; or
- (e) Excavation and grading where the excavated material will be used on the same property or on property contiguous to and under the same ownership as the excavation.

“Mineral processing” means activities accessory to mineral extraction that include material washing, sorting, crushing or more intensive modification or alteration through mechanical or chemical means to a mineral resource after it has been removed from the earth. This does not include asphalt or concrete batch plants.

“Mineral resource lands” means land primarily devoted to the extraction of minerals or lands that have a known or potential long-term commercial significance for the extraction of minerals.

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“Mini storage” means a structure or structures containing separate, individual, and private storage spaces leased or rented individually for varying periods of time.

“Mitigation” means measures prescribed and implemented to avoid, minimize, lessen, or compensate for adverse impacts.

“Mobile food unit” means a readily movable food and/or beverage establishment (See “food and beverage stands”).

“Mobile Home” means a factory-built dwelling built prior to June 15, 1976, to the standards other than the HUD Code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state. Mobile homes have not been built since the introduction of the HUD Manufactured Home Construction and Safety Standards Act (See also “Manufactured Home” and “Manufactured Housing”).

. (See “manufactured housing.”)

“Mobile home park” means a development with two or more improved pads or spaces with required improvements and utilities designed to accommodate mobile homes, according to RCW 59.20.030 (4).

“Motel” means a commercial building or group of buildings in which lodging is provided to transient guests, offered to the public for compensation, and in which access to and from each room or unit is through an exterior door.

“Motor home” means a motor vehicle originally designed, reconstructed, or permanently altered to provide facilities for human habitation, which include lodging, cooking, and sewage disposal, and enclosed within a solid body shell with the vehicle, but excluding a camper or similar unit constructed separately and affixed to a motor vehicle (RCW 46.04.305).

Multifamily Dwelling. (See “dwelling unit, multiple-family.”) [Ord. 2-02 § 1; Ord. 7-01 § 2 (Exh. B); Ord. 11-00 § 2.3]

18.10.140 N definitions.

“National Pollutant Discharge Elimination System (NPDES)” means a joint federal and state permitting system for the control, monitoring, and reduction of point-sources of pollution, established under the Federal Water Pollution Control Act (Clean Water Act) (Public Law 92-500).

“National Register of Historic Places” means the official federal list, established by the National Historic Preservation Act, of sites, districts, buildings, structures and objects significant in the nation’s history and prehistory, or whose artistic or architectural value is unique.

“Native vegetation” means plant species that are indigenous to Jefferson County.

“Natural or existing topography” means the topography of the lot, parcel, or tract of real property immediately prior to any site preparation or grading, including excavation or filling.

Natural Resources Conservation Service. The “Natural Resources Conservation Service” is a US Department of Agriculture division that provides technical assistance to decision-makers to protect maintain and improve soil, water, air, plant, and animal resources and related human considerations.

~~“Noise” means any sound not occurring in the natural environment which causes or tends to cause an adverse psychological or physiological effect on humans. This includes sounds arising from the amplification of noises generated by expected or~~

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~~permitted uses of a lot or structure, the intensity, duration and character of sounds from any and all sources.~~

~~“Noise disturbance” means noise in excess of the limitations as defined by WAC 173-60 Maximum Environmental Noise Levels.~~

~~“Noise exposure forecast level” means the level of predicted noise exposure of areas within the vicinity of an airport due to aircraft operations at some future date based on noise levels and duration at the time of prediction.~~

“Nonconsumptive use” means a use which does not permanently deplete, degrade, or destroy the resource involved.

“Nonconforming” means a use, structure, site, or lot which conformed to the applicable codes in effect on the date of its creation but which no longer complies because of changes in code requirements. Nonconformity is different than and not to be confused with illegality (see “illegal use”). Legal nonconforming lots, structures, and uses are commonly referred to as “grandfathered.”

“Nonconforming lot” means a lot of record in existence prior to the effective date of the ordinance codified in this Unified Development Code and any amendments thereto, which does not meet the minimum lot size and other requirements as set forth in this code.

“Nonconforming structure” means a structure which does not conform to the dimensional regulations, including but not limited to, setback, height, lot coverage, density, and building configuration regulations of the land use district in which it is located due to changes in code requirements. (See also “alteration, nonconforming structures.”)

“Nonconforming use” means a use of a structure or of land which does not conform to the regulations of the land use district in which the use exists due to changes in code requirements. (See also “alteration, nonconforming use.”)

“Nonpoint source” means the release of waste or other flows which occurs over a broad or undefined area. Releases which can be described as confined to a small area, such as discharges from a pipe or conduit, are referred to as “point-source discharges.” (See also “point-source discharge.”)

“Nursery” means lands or greenhouses used to raise flowers, shrubs, and plants for commercial purposes.

“Nursing/convalescent/assisted living facility” means a facility or residence that provides health or long-term care services to residents, including nursing or other supportive or restorative health services on a 24-hour basis (RCW 43.190.020). [Ord. 06-04 § 2; Ord. 11-00 § 2.3]

18.10.150 O definitions.

“Off-street parking” means an area of land located outside of any public right-of-way or private roadway and used for vehicular parking.

“Office” means a commercial use which provides business, professional, or personal services to customers.

“Official maps” means the maps identified in the Jefferson County Comprehensive Plan as the “official maps.” These maps show the applicable land use designation(s), overlays, and maximum allowable density for all property in the county.

“On-site waste disposal” means any one of several means for disposal of sanitary waste on the property from which it is generated (e.g., septic tank and drainfield).

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“Open-record hearing” means a hearing, conducted by a single hearing body or officer that creates the record through testimony and submission of evidence and information, under procedures prescribed by ordinance or resolution. An open-record hearing may be held prior to the decision on a project permit to be known as an “open-record predecision hearing.” An open-record hearing may be held on an appeal, to be known as an “open-record appeal hearing,” if no open-record predecision hearing has been held on the project permit.

“Open space” means lands committed to farming and forestry uses and any parcel, lot, or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public or private use or enjoyment.

“Open space tax program” means a county program associated with property taxation. Land being used for agriculture may be enrolled in the tax program through the county assessor. The tax program is independent of land use designation (i.e., zoning) and these development regulations, except in the context of identifying “existing and ongoing agriculture,” as defined and regulated in this code.

“Operator” means any person who is in actual physical or electronic control of a powered watercraft, motor vehicle, aircraft, off highway vehicle, or any other engine driven vehicle.

“Outdoor commercial amusement facility” means permanent developments containing single or multiple outdoor amusements such as batting cages, go-cart tracks, bumper cars, amusement rides, or games of chance. This shall not include casinos or theme parks.

Outdoor Shooting Range. (See “shooting range.”)

Outdoor Storage Yards. (See “storage yard, outdoor.”)

“Overlay district” means a district that provides policies and regulations in addition to those of other sections in this code for certain land areas and for uses which warrant specific recognition and management. Except as otherwise provided, the provisions of an overlay district shall prevail over any conflicting provisions of this code for the duration of the overlay district, subject to RCW Title 36. ~~The environmentally sensitive areas overlay district (Article VI-D of Chapter 18.15 JCC) and its implementing provisions for geologically hazardous areas, critical aquifer recharge areas, frequently flooded areas, wetlands, and fish and wildlife habitat areas, shall take precedence over any conflicting provision with another overlay district or subarea plan adopted pursuant to this code.~~

“Owner” means an individual, firm, business entity, trust, association, syndicate, partnership, or corporation having sufficient property interest to seek development of land.

“Owner-occupied” means the residential occupancy of a building or property by the owner. [Ord. 06-04 § 2; Ord. 11-00 § 2.3]

18.10.160 P definitions.

“Panhandle” means an irregular extension or protrusion of a lot created for the purpose of providing such lot with frontage on a public or private road, street or access way.

Parcel. (See “lot.”)

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“Parent parcel” means each existing lot that is located within the perimeter of a proposed boundary line adjustment application.

“Park” means a tract of land designated and used by the public for recreation.

“Parking lot” means an off-street, ground level open area, usually improved, for the temporary storage of motor vehicles.

“Parties of record” means the land use permit applicant; persons who have testified at the open-record hearing; and any persons who have submitted written comments concerning the application that forms part of the public record (excluding persons who only signed petitions or mechanically produced form letters.)

“Performance standard” means a set of criteria or limits relating to certain characteristics that a particular use or process may not exceed.

“Permit center” means the Jefferson County department of community development.

“Permit review” means the process of reviewing applications for project permits for consistency with the requirements of this code.

“Permit exemption statement” means a written statement of administrative finding and conclusions that a land use or development is consistent with applicable regulations and is not subject to permit requirements of this code.

“Permittee” means the entity to whom a permit is granted.

“Person” means any individual, owner, contractor, tenant, partnership, corporation, business entity, association, organization, cooperative, public or municipal corporation, agency of a state or local governmental unit however designated, public or private institution, or an employee or agent of any of the forgoing entities.

“Personal and professional services” means for the purposes of this code, establishments primarily engaged in providing assistance, as opposed to products, to individuals, business, industry, government, and other enterprises, not listed specifically in this code as a distinct use for regulatory purposes, such as laundry and dry cleaning services; barber shops and beauty salons; locksmiths, banks, legal, engineering, architectural, design, financial and accounting services, and the like.

“Pervious surface” means a surface that absorbs water.

“Planned rural residential development (PRRD)” means development characterized by a unified site design, clustered residential units, and areas of common open space pursuant to Article VI-M of Chapter 18.15 JCC.

“Planning department” means the Jefferson County department of community development.

“Plat” means a map or representation of a subdivision or short subdivision of land showing the division of a parcel of land into lots, roads, dedications, common areas, restrictions and easements, as regulated by Chapter 58.17 RCW and this code.

Plat Alteration. (See “subdivision, alteration of.”)

Plat, Long. (See “subdivision, long.”)

Plat, Short. (See “subdivision, short.”)

Plat Vacation. (See “subdivision, vacation of.”)

“Playing field” means a land area designed and used for outdoor games, such as baseball, football, soccer, track events and tennis. It includes public outdoor swimming pools.

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“Point-source discharge” means the release of waste or other flows which can be described as confined to a small area, such as discharges from a pipe or conduit. Releases occurring over a broad or undefined area are referred to as “nonpoint sources.” (See also “nonpoint source.”)

“Predecision hearing, open-record” means a hearing, conducted by the hearing examiner, that creates the county’s record through testimony and submittal of evidence and information, under procedures prescribed by the county by ordinance or resolution. An “open-record predecision hearing” may be held prior to the county’s decision on a project permit. (RCW 36.70B.020)

“Preliminary approval” means the final action of the county granting approval to a short or long subdivision, subject to applicable conditions that must be fully satisfied prior to final plat approval.

~~“Preliminary drainage plan” means information provided by an applicant which includes a site plan and narrative and which describes existing natural and manmade drainage patterns on and adjacent to the site of a proposed development and proposes measures for collecting, treating, conveying, detaining, and discharging stormwater generated by a development. A preliminary drainage plan is used to determine the erosion control and stormwater management required to be implemented in conjunction with a development. A preliminary drainage plan is conceptual in nature and does not include a stormwater site plan or final engineered construction drawings.~~

“Preliminary plat” means a neat and approximate drawing of a proposed subdivision showing the general layout of streets, lots, blocks (if applicable) and other elements of a subdivision consistent with the provisions of this code.

“Primary use” means the principal use of a property.

“Prime farmland soil” means land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber and oilseed crops and is available for these uses. (See Part 603.05, National Soils Handbook, Department of Agriculture, Soil Conservation Service.) (WAC 365-190-030(1)(a)).

“Priority species” means all state and federal endangered, threatened, and sensitive species, and all federal candidate species; and all species of local concern as defined in this chapter.

“Private road” or “private street” means an approved road or street that is not dedicated to the county and is used for access to secondary lots that have no direct access to a public way.

~~“Project permit” or “project permit application” means any land use or environmental permit or license required from the county for a project action, including, but not limited to, subdivisions, planned rural residential developments (PRRDs), conditional uses, shoreline substantial development permits, permits or approvals required for development within environmentally sensitive areas (ESAs), site-specific rezones authorized by the Jefferson County Comprehensive Plan, or formally adopted subarea plan, but excluding the adoption or amendment of the Jefferson County Comprehensive Plan, a subarea plan, or development regulations, except as otherwise specifically included in Chapter 18.40 JCC.~~

“Prohibited uses” means any use or activity which is not specifically enumerated or interpreted as allowable in the applicable land use district.

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“Proof of ownership” means a photocopy of a recorded deed to property and/or a current title insurance policy insuring the status of an applicant as the owner in fee title to real property.

“Proprietor-occupied” means the residential occupancy by the owner of a building or property.

“Provision” means any written language contained in this code, including without limitation, any definition, policy, goal, regulation, requirement, standard, authorization, or prohibition.

“Public access areas” means ways or means of approach to provide the general public with a physical entrance to a property.

“Public facilities (and services)” means facilities which serve the general public including streets, roads, ferries, sidewalks, street and road lighting systems, traffic signals, community water systems, community sewage treatment systems, storm sewer systems, parks and recreational facilities, libraries, fire and police stations, emergency medical services, municipal and county buildings, powerhouses, cemeteries and public schools (see RCW 36.70A.030).

“Public livestock market” means any place, establishment or facility commonly known as a “public livestock market,” “livestock auction market,” “livestock sales ring,” yards selling on commission, or the like, conducted or operated for compensation or profit as a public livestock market, consisting of pens and other enclosures, and their appurtenances in which livestock is received, held, sold, or kept for sale or shipment. The term does not include the operation of a person licensed under Chapter 16.65 RCW to operate a special open consignment horse sale.

“Public purpose facilities” means lands and facilities needed to provide the full range of services to the public provided by government, substantially funded by government, contracted for by government, or provided by private entities to meet public service obligations.

“Public meeting” means an informal meeting, hearing, workshop, or other public gathering of people to obtain comments from the public or other agencies on a proposed project permit prior to a decision. A public meeting may include, but is not limited to, a community association meeting or a scoping meeting on a draft environmental impact statement (DEIS). A public meeting does not include an open-record hearing. The proceeding at a public meeting may be recorded and a report or recommendation may be included in the county’s project permit application file.

“Public road, or public street” means an approved road or street, whether improved or unimproved, held in public ownership or control (i.e., either through deed or easement conveyance) and intended to be open as a matter of right to public vehicular travel.

“Public schools” means a building (and grounds) or part thereof designed, constructed, or used for publicly operated education and/or instruction.

“Public services” means services available to and used by the general public. They may be, but are not necessarily, provided by a public agency for fire protection and suppression, law enforcement, public health, education, recreation, environmental protection, and other governmental services. (RCW 36.70A.030(13))

“Public transportation systems” means public facilities for air, water, or land transportation.

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“Public way” means any publicly owned land set aside for utilities, surface transportation purposes, including motorized vehicular and nonmotorized (e.g., bicycle and pedestrian) transportation, whether improved or unimproved. [Ord. 6-04 § 2; Ord. 6-03 § 2; Ord. 11-00 § 2.3]

18.10.170 Q definitions.

“Qualified wetlands consultant” means a person who has the qualifications to conduct wetland studies and make recommendations for wetland mitigation. These qualifications include specialization in wetland biology, botany, and hydrology, with appropriate education and experience. [Ord. 11-00 § 2.3]

18.10.180 R definitions.

“Rare, endangered, threatened and sensitive species” means plant and animal species identified and listed by the Washington State Department of Natural Resources, Washington Natural Heritage Program, Washington State Department of Fish and Wildlife, or the U.S. Fish and Wildlife Service, as being severely limited or threatened with extinction within their native ranges.

“RCW” means the Revised Code of Washington.

“Reclamation” means rehabilitation for the appropriate future use of disturbed areas resulting from surface mining including areas under associated mineral processing equipment, areas under stockpiled materials, and aboveground waste rock and tailing facilities, and all other surface disturbances associated with underground mines. Although both the need for and the practicability of reclamation will control the type and degree of reclamation in any specific surface mine, the basic objective shall be to reestablish on a perpetual basis the vegetative cover, soil stability, and water conditions appropriate to the approved subsequent use of the surface mine and to prevent or mitigate future environmental degradation.

“Reclamation setbacks” include those lands along the margins of surface mines wherein minerals and overburden shall be preserved in sufficient volumes to accomplish reclamation according to the approved plan and the minimum reclamation standards. Maintenance of reclamation setbacks may not preclude other mine-related activities within the reclamation setback.

“Recording” means the filing of a document(s) for recordation with the county auditor.

“Recreational development” means parks and facilities for camping, indoor and outdoor sports, and similar developments.

“Recreational park trailer” means a trailer-type unit that is primarily designed to provide temporary living quarters for recreational, camping or seasonal use, that meets the following criteria: (a) built on a single chassis, mounted on wheels; (b) Having a gross trailer not exceeding 400 square feet in the set-up mode; (c) certified by the manufacture as complying with ANSI A119.5.

“Recreational vehicle (RV)” means a vehicle designed primarily for recreational camping or travel use that has its own motive power or is mounted on or towed by another vehicle, including travel trailers, fifth-wheel trailers, folding camping trailers, truck campers, and motor homes, but not mobile homes (RCW 43.22.335).

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“Recreational vehicle park” means a commercially developed tract of land in which two or more recreational vehicle sites are established as the principal use of the land.

“Recycling” means the process of segregating solid waste for sale, processing, and beneficial use. Materials which can be removed through recycling include but are not limited to newsprint, cardboard, aluminum, glass, plastics, and ferrous metal. Recycling does not include combustion of solid waste or preparation of a fuel from solid waste.

“Recycling center” means an area, with or without buildings, upon which used materials are separated and processed for shipment.

“Recycling collection facilities” means neighborhood facilities for the drop-off and temporary storage of recyclables but without waste processing.

“Religious assembly facility” means a facility designed and used primarily for ceremonies, rituals, and education pertaining to a particular system of spiritual beliefs (e.g., a church).

“Residential care facility” means a facility that provides room, board and care with 24-hour supervision for persons who, by reason of circumstance or condition, require care. This may include care for the aged or functionally disabled persons but shall not include correctional facilities, inpatient substance abuse or inpatient mental health facilities that are otherwise identified as essential public facilities by the Comprehensive Plan and regulated under JCC 18.15.110.

“Residential development” means development of land with dwelling units for nontransient occupancy. For the purposes of this code, accessory dwelling units, garages, and other similar structures accessory to a dwelling unit shall also be considered residential development unless regulated otherwise by this code or subarea plans. (See also “dwelling unit” and “accessory dwelling unit.”)

“Resource lands” means agricultural, forest, and mineral lands that have long-term commercial significance.

“Resource-based industrial” means a forest resource-based industrial land use designation that recognizes existing, active sawmills and related activities.

“Resource management system” means a conservation system that meets or exceeds the quality criteria in the NRCS FOTG for resource sustainability for all identified resource concerns for soil, water, air, plants and animals.

“Restoration” means to return to an original or like condition.

“Restriction” means a limitation placed upon the use of parcel(s) of land.

“Retail sales and services” means establishments engaged in retail sales of goods, including, but not limited to, the retail sale of merchandise not specifically listed under another use classification in Table 3-1 in JCC 18.15.040. This classification includes, but is not limited to, department stores, clothing stores, shoe stores, jewelry stores, hardware stores, furniture stores, antique stores, pharmacies, appliance stores, agricultural feed and supply stores, stationary stores, office supply stores and other similar uses; and establishments engaged in the sale of services directly to the consumer including, but not limited to, small equipment repair, plumbing and electrical repair services, and other similar uses.

Right-of-Way. (See “public way.”)

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“Right-to-farm provisions” means provisions intended to enhance and encourage agricultural operations by recognizing agricultural activities as essential rural activities that do not constitute a nuisance.

“Right-to-forestry provisions” means provisions intended to enhance and encourage sustainable forestry operations by recognizing forestry activities as essential rural activities that do not constitute a nuisance.

“Road” means an improved and maintained public or private right-of-way which provides vehicular access to abutting properties, and which may also include provision for public utilities, pedestrian access, cut and fill slopes, and drainage.

“Road, access” means a road that functions solely to provide access to two or more properties.

“Road, arterial” means roads designated as arterial roads in the Transportation Element of the Comprehensive Plan.

“Road, collector” means:

(a) Roads designated as collector roads in the Transportation Element of the Comprehensive Plan.

(b) A street or road whose principal function is to carry traffic between access and arterial roads and streets.

“Road, primary” means any existing or proposed road designated as an arterial or collector road in the Transportation Element of the Comprehensive Plan or so designated by the Jefferson County engineer.

“Road end” means:

(a) A road closed at one end that may be designed for future road extensions.

(b) The point at which a public road meets the tidelands or a body of water.

“Roadway” means that portion of an approved road or street intended for the accommodation of vehicular traffic, generally between curb lines on an improved surface.

“Runoff” ~~means water that is not absorbed into the soil but rather flows along the ground surface following the topography.~~ means water originating from rainfall and other precipitation that is found in drainage facilities, rivers, streams, springs, seeps, ponds lakes and wetlands as well as shallow ground water. In addition, that portion of rainfall or other precipitation that becomes surface flow and interflow.

“Runway” means the defined area at an airport, airfield, or airstrip indicated for landing and takeoff of aircraft along its length.

“Rural character” means a quality of the landscape dominated by pastoral, agricultural, forested, and natural areas interspersed with single-family homes, limited economic development, and farm structures. Rural character refers to the patterns of land use and development established by the Comprehensive Plan:

(a) In which open space, the natural landscape, and vegetation predominate over the built environment;

(b) That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;

(c) That provide visual landscapes that are traditionally found in rural areas and communities;

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- (d) That are compatible with the use of the land by wildlife and for fish and wildlife habitat;
- (e) That reduce the inappropriate conversion of undeveloped land into sprawling, low density development;
- (f) That generally do not require the extension of urban governmental services; and
- (g) That are consistent with the protection of natural surface water flows and groundwater and surface water recharge and discharge areas. [cf. RCW 36.70A.030(14)]

“Rural commercial designation” means the land use designation of the Comprehensive Plan designed to provide opportunities for some commercial uses to be located in rural areas.

“Rural commercial uses” means the use of land or the use or construction of structures or facilities involving the retail sale of goods or services which is either unsuitable for a rural village center or rural crossroad or is better suited to rural lands and that does not require urban governmental services.

“Rural crossroads” means those areas established by virtue of historic transportation patterns and characterized by existing concentrations of small-scale commercial uses fronting on, or in close proximity to, major transportation routes and intersections. The following three types of commercial rural crossroads exist in Jefferson County: neighborhood/visitor crossroads, convenience crossroads, and general crossroads:

Convenience Crossroads (CC). Those crossroads that provide a limited selection of basic retail goods and services, and serve a lower intensity population base and the traveling public. Convenience crossroads are characterized by a single convenience/general store. There are three convenience crossroads in Jefferson County: Nordland, Beaver Valley and Wawa Point.

Neighborhood/Visitor Crossroads (NC). Those crossroads which provide multiple uses and services serving both the local community and the traveling public. There are five neighborhood/visitor crossroads identified in Jefferson County: Mats Mats, Discovery Bay, Four Corners, Chimacum and Gardiner.

General Crossroads (GC). Similar to neighborhood crossroads, general crossroads serve a higher local population base and offer a wider variety of goods and services. There are three general crossroads identified in Jefferson County: Ness’ Corner, Irondale Corner and SR 19/20 Intersection.

“Rural governmental services” means those public services provided to rural areas at a scale consistent with the rural character of the area.

“Rural lands” means the class of land use designations which are intended to preserve the rural character of the county. Rural land designations include the following: rural residential, rural commercial, and rural industrial.

“Rural recreational lodging or cabins” means a rural commercial establishment consisting of tourist lodging facilities such as cabins and/or motel, hotel, inn or lodge units that provide for overnight sleeping accommodations and may also provide limited small-scale conference or retreat facilities consistent with the standards set forth in JCC 18.20.350.

“Rural residential designation” means the land use designation in the Comprehensive Plan designed to recognize existing residential development patterns of

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the rural landscape and provide for a variety of residential living opportunities at densities which maintain the primarily rural residential character of an area.

“Rural village center” means small, unincorporated commercial and residential community centers that provide a rural level of services and which serve as a focal point for the local population. In Jefferson County these centers include: ~~Port Hadlock,~~ Quilcene and Brinnon. [Ord. 06-04 § 2; Ord. 11-00 § 2.3]

18.10.190 S definitions.

“Sale” means the conveyance for consideration of legal or beneficial ownership.

“Salt water intrusion” means the underground flow of salt water into wells and aquifers.

“Screening” means a method of visually shielding or obscuring a structure or use from view by fencing, walls, trees, or densely planted vegetation.

“Seaward” means to or toward the sea.

Seawater Intrusion. (See “salt water intrusion.”)

“Seawater intrusion protection zone (SIPZ)” means aquifers and land overlying aquifers with some degree of vulnerability to seawater intrusion.

“Sedimentation” means the process by which material is transported and deposited by water or wind.

“Seismic hazard areas” means areas subject to severe risk of damage as a result of earthquake-induced ground shaking, slope failure, settlement, or soil liquefaction.

“Sensitive species” means species that could become threatened as classified by the State of Washington Department of Fish and Wildlife, Nongame Program, and the Department of Natural Resources, Washington Natural Heritage Plan.

~~“Septage” means the mixture of solid, semi-solid, and liquid wastes, seum, and sludge that is pumped from within septic tanks, pump chambers, holding tanks, and other septic system components.~~

“Service area” means a geographic area defined by a county or intergovernmental agreement in which a defined set of public facilities provides service to development within the area (e.g., an area identified by a public water system that includes the ability to provide a water tap).

“Setback” means the distance a structure is placed behind a specified line or topographic feature.

“Sewerage treatment facilities” means the management, storage, collection, transportation, treatment, utilization, and processing of sewage from a municipal or community sewage treatment plant, not including community drain fields.

“Shooting range” means a facility specifically designed and used for safe shooting practice with firearms and/or for archery practice, with individual or group firing positions for specific weaponry.

“Shoreline Management Act” means the Shoreline Management Act of 1971 (Chapter 90.58 RCW), as amended.

“Shoreline Master Program (SMP)” means the Jefferson County Shoreline Master Program.

“Short plat” means a neat and accurate drawing of a short subdivision, prepared for filing for record with the county auditor, and containing all elements and requirements set forth in Chapter 18.35 JCC.

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“Sign” means any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images. Excluded from this definition are signs required by law, such as handicapped parking signs, and the flags of national and state governments.

“Sign, commercial” means a sign that directs attention to a business or profession, to a commodity or service sold, offered, or manufactured, or to an entertainment offered on the premises where the sign is located.

“Sign, freestanding” means a sign not attached to a structure.

“Single-family residence” means a dwelling unit designed for and occupied by no more than one family.

“Small-scale” means of a size or intensity which has minimal impacts on the surrounding area and which makes minimal demands on the existing infrastructure.

“Small-scale recreation or tourist uses” means those isolated uses which are leisure or recreational in nature; are reliant upon a rural setting or location; do not include any new residential development beyond that allowed in the underlying land use district; and otherwise meet the performance standards in JCC 18.20.350. See RCW 36.70A.070(5)(d)(ii).

“Small equipment repair, sales and rental services” means commercial establishments engaged primarily in the repair, and/or rental and sale of small equipment, including, but not limited to, tools, watches, appliances, televisions and other electronic devices, computers, lawnmowers, bicycles and similar items.

“Soil log” means the excavation and written record of soil septic suitability as per health department written guidelines and requirements.

“Solid waste disposal” means the act or process of disposing of rubbish and garbage.

“Solid waste” means all putrescible and non-putrescible solid and semi-solid wastes, except wastes identified in WAC 173-304-015, including, but not limited to, junk vehicles, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities, but excluding agricultural wastes and crop residues returned to the soil at agronomic rates. This includes all liquid, solid and semi-solid materials which are not the primary products of public, private, industrial, commercial, mining and agricultural operations. Solid waste includes but is not limited to sludge from waste water treatment plants and septage from septic tanks, wood waste, dangerous waste, and problem wastes. Unrecovered residues from recycling operations shall be considered solid waste.

“Sound” means an oscillation in pressure, particle displacement, particle velocity, or other physical parameter in a medium with internal forces that causes compression and rarefaction of that medium, including any characteristics of sound, such as, duration, intensity, and frequency.

“Source of contamination” means a facility or disposal or storage site for material that impairs the quality of groundwater to a degree that creates a potential hazard to the environment, public health, or interferes with a beneficial use; or in reference to well drilling, a specific area or source as defined in WAC 173-160-171.

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“Special flood hazard” means land in the floodplain subject to a one percent or greater chance of flooding in any given year.

“Special report” means a technical report or study containing certain site analyses or project evaluations or a plan describing mitigation or monitoring recommendations.

“Sprawl, low density” means scattered, poorly planned low density development that occurs particularly in urban fringe and rural areas and frequently invades land important for environmental and natural resource protection. Sprawl typically manifests itself in one or more of the following patterns:

- (a) Leap frog development: when new development of urban or suburban character is sited away from an existing developed urban or suburban area, bypassing vacant parcels located in or closer to the developed area that are suitable for development;
- (b) Strip development: when large amounts of commercial, retail, or other nonresidential development are located in a linear pattern along one or both sides of a major arterial or collector and, typically, accessing directly onto the arterial or collector; and
- (c) Large expanses of low density, single-family dwelling development, outside of urban areas, rural village centers, or master planned resorts, that are located in relatively close proximity to one another.

“State endangered species” means a species native to the state of Washington that is seriously threatened with extinction throughout all or a significant portion of its range within the state. Endangered species are legally designated in WAC 232-12-014.

“State sensitive species” means a species, native to the state of Washington, that is vulnerable or declining and is likely to become endangered or threatened in a significant portion of its range within the state without cooperative management or the removal of threats. Sensitive species are legally designated in WAC 232-12-011.

“State threatened species” means a species, native to the state of Washington, that is likely to become endangered in the foreseeable future throughout a significant portion of its range within the state without cooperative management or the removal of threats. Threatened species are legally designated in WAC 232-12-011.

“Stockyard” means any place, establishment, or facility commonly known as a stockyard consisting of pens or other enclosures and their appurtenances in which livestock services such as feeding, watering, weighing, sorting, receiving and shipping are offered to the public; provided, that “stockyard” shall not include any facilities where livestock is offered for sale at public auction, feed lots, or quarantined registered feed lots.

“Storage yard, outdoor” means an outdoor area used for the storage of equipment, vehicles or materials for periods exceeding 72 hours.

“Street” means a public or private thoroughfare or easement that affords primary means of access. For the purposes of Chapter 18.35 JCC, the definition of street includes all public and private utilities such as communication lines, cable television lines, electrical lines and equipment, gas distribution lines, stormwater, sidewalks, and other similar facilities commonly found in street rights-of-way.

“Street or road frontage” means the length along a street which a structure, business, or lot abuts or fronts.

“Structure” means a permanent or temporary edifice or building or any piece of work artificially built up or composed of parts joined together in some definite manner,

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whether installed on, above, or below the surface of the ground or water, except for vessels (WAC 173-27-030).

“Subarea plan” means a detailed plan consistent with but more specific than this code or the Comprehensive Plan. It may be a detailed land use plan for a specific geographic area, or a functional long-range plan for a land use or resource issue of county-wide concern.

“Subdivision” means the division or redivision of land into lots, tracts, parcels sites or divisions for the purpose of sale, lease or transfer of ownership.

“Subdivision, long” means the division or redivision of land into five or more lots, tracts, parcels or sites or divisions for the purpose of sale, lease, or transfer of ownership.

“Subdivision, phased” means a subdivision that is developed in increments over a period of time.

“Subdivision, short” means the division or redivision of land into four or fewer lots, tracts, parcels or sites or divisions for the purpose of sale, lease, or transfer of ownership.

“Subdivision, alteration of” means the alteration of lots or changes in dedications or restrictions or easements shown on the face of a plat of a subdivision or short subdivision; except as provided by RCW 58.17.040(6) for boundary line adjustments.

“Subdivision development standards” means the county’s engineering, design and construction standards and specifications contained in Chapter 18.30 JCC, including any incorporated standards, governing the construction of public and private improvements serving new divisions of land. The county’s subdivision development standards include the adopted public works standards for design and construction of transportation facilities and standards for clearing and grading, erosion control, stormwater facilities, and water and sewage disposal improvements.

“Subdivision, vacation of” means the removal of lots, boundaries, roads, dedications, restrictions, or easements of a recorded subdivision or short subdivision.

~~“Substantial improvement” means any maintenance, repair, structural modification, addition or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either before the maintenance, repair, modification, or addition is started or before the damage occurred, if the structure had been damaged and is being restored.~~

“Surface mine” means any area or areas in close proximity to each other, as determined by the department, where extraction of minerals results in more than three acres of disturbed area, surface mined slopes greater than thirty feet high and steeper than 1.0 foot horizontal to 1.0 foot vertical, more than one acre of disturbed area within an eight acre area, when the disturbed area results from mineral prospecting or exploration activities. Surface mines include areas where mineral extraction from the surface or subsurface occurs by the auger method or by reworking mine refuse or tailings, when the disturbed area exceeds the size or height thresholds listed in of this definition. Surface mining occurs when operations have created or are intended to create a surface mine as defined by this subsection. Surface mining shall exclude excavations or grading used primarily for on-site construction, on-site road maintenance, or on-site landfill construction, for the purpose of public safety or restoring the land following a natural disaster, for the purpose of removing stockpiles, for forest or farm road construction or

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maintenance on site or on contiguous lands, primarily for public works projects if the mines are owned or primarily operated by counties with 1993 populations of less than twenty thousand persons, and if each mine has less than seven acres of disturbed area, and for sand authorized by RCW 79A.05.630.

Surrounding (Area or Property). A lot of record shall be considered to be a “surrounding” property with respect to the subject parcel or parcels if any portion of that lot of record is within 300 feet of any boundary of the subject parcel(s) when the subject parcel(s) is/are designated on the land use map as rural, residential, resource area, or parks preserve and recreation and shall be considered surrounding if any portion of the lot of record is within 100 feet of any boundary of the subject parcel(s) when the subject parcel(s) is/are designated as urban growth area or rural commercial. For industrial the criteria for “surrounding” property shall be 600 feet.

“Sustainable” means actions or activities which preserve and enhance resources for future generations. [Ord. 06-04 § 2; Ord. 6-03 § 2; Ord. 9-02 § 1; Ord. 11-00 § 2.3] 18.10.200 T definitions.

“Threatened species” means a species that is likely to become an endangered species within the foreseeable future, as classified by the Washington Department of Fish and Wildlife, Wildlife Policy No. 602, and the Department of Natural Resources, Washington Natural Heritage Program.

“Threshold determination” means the decision by the responsible official under the State Environmental Policy Act (SEPA) regarding the likelihood that a project or other “action” (WAC 197-11-704) will have a probable significant adverse impact on an element of the environment.

“Timber land” means land supporting or capable of supporting a stand of merchantable timber and which is not being developed or used for an activity which is incompatible with timber production.

Tract. (See “lot.”)

“Trailer” means a structure standing on wheels, towed or hauled by another vehicle, and used for short-term human occupancy, carrying of materials, goods, or objects, or as a temporary office.

“Transfer of development rights (TDR)” means the transfer of the right to develop or build, expressed in dwelling units per acre, from land in one land use designation to land in another designation or from one property owner to another, where such a transfer is permitted.

“Transient accommodations” means a commercial use involving the rental of any structure or portion thereof for the purpose of providing lodging for periods less than 30 days.

“Transient residence or transient ADU” means a single-family residential unit or ADU used for short-term transient occupancy (for periods less than 30 days).

~~“Transitional surface” means the surface which extends outward and upward at 90-degree angles to a runway centerline and the runway centerline extended, at a slope of seven feet horizontally for each foot vertically, beginning from the sides of the primary surface and approach zones to where they intersect the horizontal surface.~~

“Transportation facilities” means roads, trails, airports, airfields, public docks, ferries and related terminals, and parking areas.

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“Tree line” means the line created by existing trees, at the trunk line, growing in a generally continuous line, as opposed to a line drawn between a few isolated trees. [Ord. 11-00 § 2.3]

18.10.210 U definitions.

~~“Uniform Building Code (UBC)” means the building code officially adopted by Jefferson County.~~

“Unimproved, dormant platted land” means land within the limits of a plat recorded prior to 1937 that, as of the date of the initial adoption of the ordinance codified in this Unified Development Code, does not contain a building that is or has been used as a dwelling unit or as a viable business facility.

“Uplands” means lands outside of the jurisdiction of the Shoreline Master Program.

Urban Services. Pursuant to RCW 36.70A.030 (19), urban services are those public services and public facilities at an intensity historically and typically provided in cities, specifically including storm and sanitary sewer systems, municipal water systems, street cleaning services, fire and police protection services, public transit services, street improvements such as sidewalks, curbs and gutters and other public utilities associated with urban areas and normally not associated with rural.

“Urban growth” means growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of such land for the production of food and other agricultural products, or forests, or the extraction of mineral resources.

“Urban growth area” means an area designated by the county within which urban growth is to be encouraged and outside of which growth is not intended to be urban in nature. (cf. Chapter 36.70A RCW)

“Use” means the purpose that land or building or structures now serve or for which they are or may be occupied, maintained, arranged, designed, or intended.

“Utilities” means facilities serving the public through a network of wires or pipes, and ancillary structures thereto, including systems for the delivery of natural gas, electricity, and telecommunications services.

“Utility distribution lines” means pipes, wires, and associated structural supports.

“Utility facilities” means facilities directly used for the distribution or transmission of services to an area, excluding utility service offices.

“Utility substations” means the intermediate substations used for the transmission of utilities. (See “utility facilities.”)

“Utility transmission lines” means pipes, wires and associated structural supports. [Ord. 11-00 § 2.3]

18.10.220 V definitions.

“Vacation, roads and streets” means a statutory procedure by which the county may relinquish its interest in streets, alleys, or easements.

“Variance” means the means by which an adjustment is made in the application of the specific bulk, dimensional, or performance standards set forth in this code to a particular piece of property, which property, because of special circumstances applicable to it is deprived of privileges commonly enjoyed by other properties in the same land use designation or vicinity and which adjustment remedies disparity in privileges. Variances

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shall not be used to vary from the allowable, conditional and prohibited uses set forth in Table 3-1 in JCC 18.15.040.

“Variance, major” means all variances other than those meeting the definition of a minor variance.

“Variance, minor” means variances that would permit expansion of an existing building that would extend no more than 10 percent beyond the dimensional, area and bulk requirements specified by this code. Minor variances also include variances to allow expansion of an existing building that is nonconforming as to setback or lot coverage requirements when the proposed expansion would not:

- (a) Increase the nonconformity of the building; and
- (b) Result in any portion of the building or expansion being located closer to the nearest abutting property line than does the existing building at its nearest point to the property line.

“Vicinity” means, in rural and resource lands, the area generally within one mile of the exterior boundary of a given parcel. [Ord. 11-00 § 2.3]

18.10.230 W definitions.

“WAC” means the Washington Administrative Code.

“WADOT” (See WSDOT or DOT)

“Warehouse (or wholesale distribution center)” means a building, establishment or place of business used primarily for the storage of goods and materials for commercial or industrial purposes. Retail sales from such establishments shall be incidental to the primary use and limited to that allowed by JCC 18.20.220, Industrial uses – Standards for site development.

Warehouse, Agricultural. (See “agricultural warehouse (public warehouse)”)

“Water conservation” means a reduction in the amount of water used to carry out a beneficial water use without a reduction in the value of service the water provides.

“Water, ground” means all waters that exist beneath the land surface or beneath the bed of any stream, lake or reservoir, or any other body of water within the boundaries of the state, as defined in RCW 90.44.035.

“Water, potable” means water suitable for human consumption.

“Water purveyor” means any agency or subdivision of the state or any municipal corporation, firm, company, mutual or cooperative association, institution, partnership, or person or any other entity that owns or operates a public water system. Includes the authorized agents of any such entities.

“Water storage tanks” means tanks or reservoirs used for the storage of water.

“Water supply plans” means a design sketch showing proposed source and lots to be served or detailed engineering plans and specifications.

“Water system, alternative” means any source of water for an individual single-family use other than a legally constructed well that produces more than 400 gallons per day, or an approved public water system that can provide adequate water for the intended use of a structure.

“Water system, approved” means any water source approved by the county health department and Washington Department of Health, including but not limited to, wells, ponds, roof collection systems, treated systems, and public water supplies.

“Water system, individual (residential)” means any water supply system which is not subject to the State Board of Health drinking water regulations, Chapter 246-290

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WAC. An individual water supply system generally provides water to one single-family residence and no more than one accessory dwelling unit, or in the case of family farms, four or fewer connections on the same farm.

“Water system, public” means any water system subject to the State Board of Health drinking water regulations, Chapter 246-290 WAC, excluding a system serving only one single-family residence or a system with four or fewer connections all of which serve residences on the same farm, providing piped water for human consumption, including (a) any collection, treatment, storage or distribution facilities which are under control of the purveyor and used primarily in connection with a system, and (b) any collection of pretreatment storage facilities which are not under the control of the purveyor but are primarily used in connection with the system.

“WDFW” means Washington Department of Fish and Wildlife.

“WDOE” means the Washington Department of Ecology. (See “Ecology.”)

“Well testing” means acquiring data directly from a constructed well in order to determine characteristics of the well, the water found in the well, or the geologic formations through which the well has passed. The well test may include pump testing, water quality testing, or geophysical testing.

“Wetland” means an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, excepting those wetlands created for mitigation purposes.

“Wetland alteration” means any human-induced action which impacts the existing condition of a wetland or its buffer. Alterations include but are not limited to: grading; filling; dredging; draining; channelizing; installing drainage tiles; cutting, pruning, limbing or topping, clearing, relocating, planting or removing vegetation; applying herbicides or pesticides or any hazardous or toxic substance; discharging pollutants excepting stormwater; 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.

“Wetland buffer” means the area immediately adjoining and contiguous with a wetland.

“Wetland creation” means the action performed to intentionally establish a wetland or a portion of a wetland where one did not formerly exist.

“Wetland delineation” means the technical process of determining the edge of the wetland in the field and ascertaining its classification and value.

“Wetland edge” means the boundary of a wetland as identified using the required wetland delineation procedure.

“Wetland, emergent” means a regulated wetland, or portion thereof, with at least 30 percent of the surface area covered by erect, rooted, herbaceous vegetation as the uppermost vegetative strata.

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“Wetland enhancement” means alteration of an existing wetland or habitat to improve or increase its characteristics and processes without degrading other existing functions. Enhancements are to be distinguished from wetland or habitat creation or restoration projects.

“Wetland, forested” means a regulated wetland, or portion thereof, with at least 20 percent of the surface area covered by woody vegetation greater than 20 feet in height.

“Wetland functions and values” means the beneficial roles performed by wetlands include but are not limited to: water quality protection and enhancement; fish and wildlife habitat; food chain support; flood storage, conveyance and attenuation; groundwater recharge and discharge; erosion control; wave attenuation; historical and archaeological and aesthetic value; and recreation.

“Wetland, isolated” means those regulated wetlands which:

- (a) Are outside of and not contiguous to any 100-year floodplain of a lake, river, or stream;
- (b) Have no contiguous hydric soil or hydrophytic vegetation between the wetland and any surface water; and
- (c) Have no surface water connection to a lake, river, or stream during any part of the year.

“Wetland, maintenance and repair” means activities that change the size or scope of a use or structure beyond its original nature; or which drain, dredge, fill, flood, or otherwise alter additional regulated environmentally sensitive areas.

“Wetland, regulated” means a wetland that meets the standards of this code. However, a wetland that does not meet these standards may still be regulated under the federal Clean Water Act.

“Wetland restoration” means the actions performed to re-establish a wetland in an area which was historically wetland but which does not now provide or contain the necessary functional characteristics.

“Wetland, scrub-shrub” means a regulated wetland with at least 30 percent of its surface area covered by woody vegetation less than 20 feet in height as the uppermost strata.

“Wildlife (wildlife species)” includes both plant and animal species for the purposes of this code. [Ord. 06-04 § 2; Ord. 6-03 § 2; Ord. 11-00 § 2.3]

“WSDOT” means Washington State Department of Transportation (See “WADOT” or “DOT”).

18.10.240 X definitions.

“Xeriscaping” means a water-conserving method of landscaping that utilizes native or other plants that are drought-tolerant. [Ord. 11-00 § 2.3]

18.10.250 Y definitions.

Reserved. [Ord. 11-00 § 2.3]

18.10.260 Z definitions.

Reserved. [Ord. 11-00 § 2.3]

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Planning Commission Recommendation
11/02/05

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