

EXHIBIT "A"
Ordinance 05-157

17.01.030 Definitions. In construing the Land Use Code, the following definitions shall apply:

Accessory: A building, part of a building or structure or use which is subordinate to and the use of which is incidental to that of principal building or use.

Adult bookstore, adult novelty store, or adult video store: A commercial establishment which has as a significant or substantial portion of its stock in trade or a significant or substantial portion of its revenues or devotes a significant or substantial portion of its interior business or advertising to the sale or rental for any form of consideration, of any one or more of the following:

1. Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, slides or other visual representations which are characterized by the depiction or description of "Specified Sexual Activities" or "Specified Anatomical Areas"; or
2. An establishment may have other principal business purposes that do not involve the offering for sale or rental of materials depicting or describing "Specified Sexual Activities" or "Specified Anatomical Areas", and still be categorized as an Adult Bookstore, Adult Novelty Store, or Adult Video Store, so long as one of its principal business purposes is offering for sale or rental, for some form of consideration, the specified materials which depict or describe "Specified Anatomical Areas" or "Specified Sexual Activities", or
3. Video stores that sell and/or rent only video tapes or other photographic or computer generated reproductions, and associated equipment shall come within this definition if 20% or more of its stock-in-trade or revenues comes from the rental or sale of video tapes or other photographic reproductions or associated equipment which are characterized by the depiction of "Specified Sexual Activities" or "Specified Anatomical Areas".

Adult Cabaret: A commercial establishment which presents go-go dancers, strippers, male strippers, male or female impersonators, or similar entertainers and in which patrons are exposed to "Specified Sexual Activities" or "Specified Anatomical Areas".

Adult drive-in theater: A drive-in theater used for presenting motion picture films, video cassettes, cable television, or any other such visual media, distinguished or characterized by an emphasis on matters depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas".

Adult motion picture theater: An enclosed building used for presenting for commercial purposes motion picture films, video cassettes, cable television or any other such visual media, distinguished or characterized by an emphasis on matters depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas".

Adult panorama or Adult panorama establishment: A business in a building or a portion of a building which contains devise(s) which for payment of a fee, membership fee, or other charge, is used to exhibit or display a picture, view, or other graphic display distinguished or characterized by emphasis on matters depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas".

Alley: A public or private way permanently reserved as a secondary means of access to abutting property.

Amendment: A change in the wording or substance of this title or a change in the zone boundaries or classification upon the zoning map.

Apartment house: See Dwelling, multiple.

Apartment: A room or suite of rooms suitable for occupancy by one family or occupied by one family doing its cooking therein.

Applicant: A person seeking development approval from the City.

Automobile wrecking: The dismantling of motor vehicles or trailers or the storage, sale or dumping of wrecked vehicles or parts.

Batch: Any waste that is generated less frequently than once a month.

Block front: All property abutting upon one street or between intersecting or intercepting streets or between a street and a waterway and a dead-end street and a street or City boundary.

Boarding house: A building other than a hotel, motel, or restaurant where five or more regular patrons are served for compensation.

Body shampoo parlor: Any place open to the public where an attendant is present and a patron's body is washed or shampooed. A body shampoo parlor shall not include any barber or beauty salon, medical facility or nursing home facility where a customer or patient may be washed, shaved and/or shampooed.

Boundary Line Adjustment: The process of adjusting the boundaries to property, under the circumstances, and according to the provisions set out in Chapter [19.20](#).

Building site: The ground area of a building or group of buildings together with all open spaces required by this title.

Building height: The vertical distance measured from the average grade of the building level of the highest and lowest portion of the site covered by the building to the ceiling of the highest story.

Building: A permanently located structure having a roof (all forms of vehicles excluded). When any portion thereof is completely separated from every other portion thereof by a fire wall division having no openings, which wall extends from the ground to the roof at every point, then each such portion shall be considered a separate building.

Business: The purchase, sale or exchange of any articles or substances for profit or the ownership or management of offices, recreational or amusement enterprises, or the maintenance and use of offices by professions and those rendering services.

Carport: A roofed structure open on at least two sides and used for the storage of private or privately owned pleasure vehicles.

Child day care center: A facility providing regularly scheduled day care for a group of thirteen or more children, within a one month of age through twelve years of age range exclusively for periods of less than twenty-four hours. No such facility shall be housed in a family residence. These facilities constitute E-3 occupancies pursuant to the Washington State Uniform Building Code, as now enacted or as hereafter amended.

Child day care home: A facility in the family residence of the person holding the license issued by the state of Washington, Department of Social and Health Service, providing regularly scheduled care for between six and twelve children (including children under the age of twelve who are members of the family housed in the residence), within a birth through eleven years of age range exclusively, for period less than twenty-four hours. These facilities constitute R-3 occupancies pursuant to the Washington State Uniform Building Code, as now enacted or as hereafter amended.

Church: A permanently located building commonly used for religious worship, fully enclosed within walls and a roof.

City Council: The City Council of the City.

City: The City of Quincy, and as implemented by the designated officer of the City.

Club: An association of persons for some common nonprofit purpose.

Code: The Quincy Municipal Code.

Code Enforcement Officer: The person appointed by the Mayor pursuant to Chapter [2.07](#).

Container storage: A unit formerly used for transporting sea-going cargo, railroad cars and cabooses or semi-trailers when intended to be used as storage facilities, or any other unit which slides off a chassis or frame when intended to be used as storage facilities.

~~**Corner lot:** A lot located at the intersection of two streets having an angle of intersection of not more than one hundred thirty five degrees and a lot width not greater than seventy five feet.~~

Dangerous waste: Those solid wastes designated in WAC 173-303-070 through 173-303-103 as dangerous or extremely hazardous waste (WAC 173-303-040).

Designated facility zone: A land use zone in which hazardous waste treatment and storage facilities are permitted uses subject to the state siting criteria.

Designated Manufactured Home: A manufactured home constructed after June 15, 1976, in accordance with state and federal requirements for manufactured homes, which:

1. is comprised of at least two fully enclosed parallel sections each of not less than twelve feet (12') wide by thirty-six feet (36') long;
2. was originally constructed with and now has a composition or wood shake or shingle, coated metal, or similar roof not less than 3:12 pitch;
3. has exterior siding similar in appearance to siding materials commonly used on conventional site built uniform building code single-family residences.

Developer: Any person who proposes an action or seeks a permit regulated by the Development Code.

Development: Any land use permit or action regulated by the Land Use Code, including but not limited to subdivisions, binding site plans, re-zones, conditional use permits, or variances.

Development Agreement: An agreement entered into between the City and a Developer according to the provisions of Chapter [17.11](#) of the Development Code.

Development Code: Title [17](#) of the Code.

Driveway sight distance triangle: A triangle having two sides of 15 feet measured along the property lines from the property corner common to the subject and adjacent property, and a third side connecting the end points on the first two sides. If any adjacent lot is undeveloped, it shall be construed as having access from all adjacent streets until the direction of access has been established, either by development or by waiver of right of direct access as per RCW 58.17.165. Nothing within the sight distance triangle shall be erected, planted or allowed to grow in such a manner as to impede vision between the heights of two and one-half feet and twelve feet above the adjoining street grade.

Duplex: A building designed exclusively for occupancy by two families living independently of each other.

Dwelling, multiple: A building or portion of a building designed for occupancy of three or more families living independently of each other, but not including hotels or motels.

Dwelling unit: A room or suite of rooms designed for and not occupied by more than one family doing its own cooking therein and having not more than one kitchen facility.

Dwelling, single family: A detached building containing not more than one dwelling unit.

Dwelling: A building or portion of building designed for residential purposes, including single family, two family and multiple family dwellings, but not including hotels, motels, boarding and lodging houses.

Established grade: The curb line grade at the front lot line as established by the city council.

Family residence: A single dwelling unit and accessory buildings occupied for living purposes by a family which provides permanent provisions for living, sleeping, eating, cooking and sanitation.

Family: A person or two or more persons related by blood or marriage or a group of not more than five person who are not related by blood or marriage, living together as a single housekeeping group in a dwelling unit.

Final Decision: The final action by the Building Official, Planning Commission, Board of Adjustment or City Council.

Garage, private: An accessory building or portion of a building, including a carport, designed and used only for the storage of vehicles owned or operated by the occupants of the building to which it is accessory.

Garage, public: A building, other than a private garage used for the parking or repair of motor vehicles or where the vehicles are kept for hire or sale.

Generator: Any person, by site, whose act or process produces dangerous waste or whose act first causes a dangerous waste to become subject to regulation under the Dangerous Waste Regulations WAC Chapter 173-303 (WAC 173-303-040).

Guestroom: A room occupied or intended to be occupied by one or more guests, but in which no cooking facilities are provided and not including dormitories.

Hazardous substance: Any liquid, solid, gas, sludge, including any material, substance, product, commodity or waste, regardless of quantity, that exhibits any of the characteristics or criteria of hazardous waste (RCW 70.105.010).

Hazardous waste: All dangerous and extremely hazardous waste (RCW 70.105.010).

Hearing Body: The body or person who makes the initial review and determination of an application, and whose review is subject to review through an appeal by a reviewing body, as set out in Chapter [17.09](#).

Home occupation: An occupation carried on as a secondary use by the occupant of a dwelling when the occupation is conducted entirely within the dwelling; when no sign larger than two square feet in area identifying sign is used; and mechanical equipment is more or less limited to that which is customary in dwellings.

Hospital: Unless otherwise specified, a building or portion of a building used for treatment and care of human patients.

Hotel: A building or portion of a building containing six or more guestrooms used or designed to be used for transient lodgers.

House, lodging: A building or portion of a building containing six or less guestrooms used or intended to be used for lodging purposes for compensation.

Interim status permit: A temporary permit given to treatment, storage and disposal facilities which qualify under WAC 173-303-805 (WAC 173-303-040).

Intersection sight distance triangle: A triangle having two sides of 30 feet, measured along the property lines from the property corner at the street intersection, and a third side connecting the ends of the first two sides. Nothing within the sight distance triangle shall be erected planted or allowed to grow in such a manner as to impede vision between the heights of two and one-half feet and twelve feet above the adjoining street grade.

Junkyard: An area used for the orderly storage, sorting or processing of scrap metal, automobile bodies or farm machinery, rags, scrap lumber or other salvage materials when not completely enclosed by a building. A junkyard shall not be a place where the dismemberment of articles takes place.

kennel: An establishment maintaining six or more grown dogs and cats or six or more grown dogs and cats for boarding, sale or private use.

Land Use Code: Titles [17](#) through [20](#) of the Code.

Land Use Code Administrator: That officer of the City assigned by the Mayor to administer the application of the Land Use Code in its various applications. The Land Use Administrator may be a single individual, or may be comprised of several different officers of the City.

Lot: A parcel of real property occupied or to be occupied by a building and its accessory building together with such open spaces as are required by this title and abutting upon a public street. Lots are either Interior Lots or Corner Lots.

Lot area: The total horizontal area within the lot lines of the lot.

Lot, corner: A lot located at the intersection of two streets having an angle of intersection of not more than one hundred thirty-five degrees and a lot width not greater than seventy-five feet. A Corner Lot is bounded by the front lot line and side lot lines, and has no rear lot line.

Lot depth: The mean horizontal distance between the front and rear lot lines.

Lot, Interior: A lot other than a corner lot. An Interior Lot is bounded by the front lot line, rear lot line and side lot lines.

Lot, key: The first lot to the rear of a reversed corner lot and whether or not separated by an alley.

Lot line, front: In the case of an interior lot, the lot line which abuts upon a street; in the case of a corner lot, the lot lines abutting fronting the each streets. ~~which faces the apparent front of the structure placed on the lot by the owner of the lot.~~

Lot line, rear: A lot line opposite and most distant from the front lot line and in the case of a triangular or gore-shaped lot, a line ten feet in length within the lot, parallel to and at a maximum distance from the front lot line.

Lot line, side: Any lot boundary line not a front or rear lot line.

Lot width: The mean horizontal distance between the side lot lines measured at right angles to the lot depth.

Lot, reversed corner: A corner lot, the side street line of which is substantially a continuation of the front lot line of the lot upon which it abuts to the rear.

Lot, through: A lot having frontage on two parallel or approximately parallel streets.

Mobile/manufactured home: A residential unit on one or more chassis for towing to the point of use and designed to be used with a foundation as a dwelling unit on a year-around basis, and which bears an insignia issued by a state or federal regulatory agency indicating that the manufactured home complies with all applicable construction standards of the U.S. Department of Housing and Urban Development (HUD) definition of a manufactured home. The unit shall be certified for transportation on public streets by the State Department of Labor and Industries. The terms mobile home and manufactured home are considered to be interchangeable in the context of this title. A commercial coach, recreational vehicle, or motor home are not a mobile/manufactured home.

Mobile home park: A lot, parcel or tract of land, improved or unimproved, under the ownership or management of one or more persons which is utilized as the location for six or more mobile/manufactured homes for dwelling or sleeping purposes.

Mobile home subdivision: A lot, parcel or tract of land, similar to a mobile home park, but with spaces or lots reserved for sale as residential sites for manufactured homes.

Modular Home: A factory-assembled structure designed primarily for use as a dwelling, built of conventional materials to Uniform Building Code Standards and mounted on a permanent foundation. A modular home does not include a mobile home or a designated manufactured home.

Motel: A group of attached or detached buildings on the same lot containing individual sleeping quarters, with or without cooking facilities, for rental to transients.

Nonconforming Structure: A structure which complied with the City's codes and regulations at the time it was constructed, but which violates the bulk, dimensional or construction type requirements of the City's current codes and regulations. A nonconforming mobile/manufactured home is one that was manufactured and approved to the standards of the Washington State Department of Labor and Industries, or the Department of Housing and Urban Development and appropriately labeled as meeting such requirements, and is currently sited in a residential, business, or commercial zone, and is not within or part of an approved manufactured home park or subdivision.

Nonconforming Use: Any use of land or of a structure which complied with all codes and regulations at the time the use was established, but which violates the City's codes and regulations, including those relating to zoning districts, density, access and off-street parking.

Non-vision obscuring fences: Partially open fences and hedges which do not obscure adequate driver visibility through the fence or hedge.

Nursing home: A building occupied or intended to be occupied by convalescents, invalids and aged persons and wherein nursing, dietary, and other personal services are rendered.

Off-site: Hazardous waste treatment and storage facilities that treat and store waste from generators on properties other than those on which the off-site facilities are located.

On-site: The same, geographically contiguous or bordering property. On-site hazardous waste treatment and storage facilities treat and store wastes generated on the same property.

Open fences: Those fences consisting of open chain link, widely spaced board rails or other materials which provide adequate driver visibility through the fence.

Pole Building: A building where the structural supports are embedded in the ground, and not placed upon a foundation which forms the perimeter of the building, and is a Group U Division 1 occupancy pursuant to the 1997 Uniform Building Code, as hereafter amended.

Processing or handling: "Processing" or "handling" of hazardous substances means the use, storage, manufacture, production or other land use activity involving hazardous substances. Hazardous substances processing and handling activities are normally found in commercial, manufacturing and industrial zones. It does not include individually packaged household consumer products or quantities of hazardous substances of less than five gallons in volume per container.

Public Hearing: An open record hearing at which evidence is presented and testimony is taken.

Recreational vehicle: A vehicular type unit primarily designed for recreational camping, travel or seasonal use which has its own motor power, or is mounted on or towed by another vehicle, including, but not limited to, the following: Travel Trailer, Folding Camper Trailer, Tent Trailer, Park Trailer, Truck Camper, Motor home, and Multi-use vehicles.

Residential Uses: Uses for dwellings, single family dwellings, multiple family dwellings and duplexes, family residences and apartments.

Reviewing Body: The body who is authorized to review the decision of a hearing body, as specifically identified in Chapter [17.09](#).

SEPA: The State Environmental Policy Act.

Sexually oriented business: An Adult Bookstore, Adult Novelty Store, Adult Cabaret, Adult Motion Picture Theater, Adult Drive-in Theater, Adult Panorama, Body Shampoo Parlor, or Adult Video Store.

Sign, advertising: A structure or portion thereof that is intended for advertising purposes or on which letters, figures, or pictorial matter are or are intended to be displayed for advertising purposes other than name, occupation or nature of business conducted on the premises or the products primarily manufactured or sold thereon. This definition shall not be held to include a real estate sign advertising for sale or rent the property upon which it stands.

Specified anatomical areas:

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

Specified sexual activities:

1. The fondling or other intentional touching of human genitals, pubic region, buttocks, anus or female breasts;
2. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy; or
3. Masturbation, actual or simulated; or
4. Human genitals in a state of sexual stimulation, arousal or tumescence; or
5. Excretory functions as part of or in connection with any of the activities set forth in this definition.

Stable, private: A detached accessory building for the keeping of horses owned by the occupants of the premises and not kept for hire or sale.

Stable, public: A stable other than a private stable.

Storage--Dangerous waste: "Storage" means the holding of dangerous waste for a temporary period. Accumulation of dangerous waste by the generator on the site of generation is not storage as long as the generator complies with the applicable requirements of WAC 173-303-200 and 173-303-201.

Story: That portion of a building between the surface of any habitable floor and the surface of the floor next above it, or if there is not floor above, then the space between the floor and ceiling next above it.

Street: A public thoroughfare affording a principle means of access to abutting property.

Street, line: The boundary line between street and abutting property.

Street, side: A street which bounds a corner lot and which extends in the same general direction of the line determining the depth of the lot.

Structural alterations: Any change in the supporting members of a building such as bearing walls, columns, beams, floor or roof joists, or changes in roof or exterior lines.

Structure: Anything constructed or erected which requires location on the ground but not including fences or free-standing walls less than six feet high.

Subdivision Code: Title [19](#) of the Code.

Surface impoundment: A facility or part of a facility which is a natural topographic depression, manmade excavation, or diked area formed primarily of earthen materials (although it may be lined with manmade materials), and which is designed to hold an accumulation of liquid dangerous wastes or dangerous wastes containing free liquids. This term includes holding, storage, settling and aeration pits, ponds or lagoons (WAC 173-303-404).

Treatment: The physical, chemical or biological processing of dangerous waste to make such wastes non-dangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage or reduced in volume.

Use: The purpose for which land or a building is designed, arranged or intended, or for which it is occupied or maintained, let or leased.

Use or building, principal: The primary use of the lot upon which the use or building is located.

Use or structure, accessory: A use or structure customarily incidental to a permitted principal use or building and located on the same lot with the principal use or building.

Vehicle Wrecker: A person, firm, partnership, association or corporation defined in RCW 46.80 engaged in the business of buying, selling, or dealing in vehicles for the purpose of wrecking, dismantling, disassembling, or substantially changing the form of a vehicle.

Vehicle Wrecking Yard: An area used by a Vehicle Wrecker, for the furtherance of those activities licensed pursuant to RCW 46.80.

Vision-obscuring fences and hedges: Solid or partially open fences and hedges which obscure the vision.

Waste pile: Any non-containerized accumulation of solid, non-flowing waste that is used for treatment or storage (WAC 173-303-040).

WSDOT: Washington State Department of Transportation.

WSDOT Standard Specifications: Washington State Department of Transportation Standard Specifications for Road, Bridge and Municipal Construction.

Yard: An open space, other than a court, on a lot, unoccupied and unobstructed from the ground upward. In measuring a yard, the line of a principal building means a line parallel to the nearest lot line drawn through the point of a building or the point of a building group nearest to such lot line, except as otherwise provided in Chapter [20.40](#) and the measurement shall be taken from the line of the building to the nearest lot line. Attached and covered porches, carports, and the like shall be considered part of the principal building.

Yard, front: A yard extending across the full width of the lot, the depth of which yard is the minimum horizontal distance between the front lot line and a line parallel thereto on the lot drawn through the nearest point of the principal building, provided that when a future street right-of-way has been established by the adoption of an official plan, the front yard shall be measured from the right-of-way line.

Yard, rear: A yard extending across the full width of the lot between the rear lot line and the nearest line of the principal building. A corner lot does not have a rear yard.

Yard, side: A yard between the side lot line and the nearest line of the principal building, extending from the front yard or front lot line where no front yard is required, to the rear yard or rear lot line where no rear yard is required. On a corner lot, which has no rear yard, the side yard is the yard which is not part of the front yard.

Zone: A portion of the city designated on the Quincy zoning map as one of the categories listed and described in Chapter [20.12](#) for the purpose of promoting sound and orderly development of land compatible with surroundings and in accordance with the comprehensive plan.

Zoning Code: Title [20](#) of the Code.