



**CITY OF DUPONT**  
Special Planning Commission  
1700 Civic Drive, DuPont, WA 98327  
Telephone: (253) 964-8121  
[www.dupontwa.gov](http://www.dupontwa.gov)

---

Chair, Jeff Foe  
Vice-Chair, John Colvin

**September 23, 2024**

**6:00 PM**

**AGENDA**

		Page
1.	<b>CALL TO ORDER</b>	
2.	<b>ROLL CALL</b>	
3.	<b>PUBLIC COMMENTS (SEE INSTRUCTIONS BELOW)</b>	
4.	<b>APPROVAL OF AGENDA</b>	
5.	<b>APPROVAL OF MINUTES</b>	
5.1.	Minutes of September 9, 2024 <a href="#"><u>Minutes of September 9, 2024</u></a>	2 - 3
6.	<b>UNFINISHED BUSINESS</b>	
6.1.	Old Fort Lake Subarea Plan Update <a href="#"><u>20240906 DMC 25.71 Design Standards</u></a> <a href="#"><u>20240906 DMC 28.58 OFL Zoning</u></a> <a href="#"><u>20240919 DMC 25.10 Definitions tracked changes</u></a>	4 - 167
7.	<b>PUBLIC COMMENTS (SEE INSTRUCTIONS BELOW)</b>	
8.	<b>PLANNING COMMISSIONERS' COMMENTS</b>	
9.	<b>ADJOURNMENT</b>	

*To attend the meeting remotely, call into the Zoom meeting, dial **1-253-215-8782**, and enter Webinar ID: **830 7730 5305** and Passcode: **053517** or use the following link:*

<https://us02web.zoom.us/j/83077305305?pwd=JKY1JXmKTufIJnWOcOgqbtwRjei1gi.1>  
*and Passcode: **053517***

*To provide public comment, detailed instructions are located at the following link:*

<https://www.dupontwa.gov/DocumentCenter/View/6137/Public-Comment-Instructions---Agencies---Rev-10172022-PDF>

*The public may watch the meeting live on "YouTube" at the following link:*

[https://www.youtube.com/channel/UCI-nrLK1wNfpq3\\_CeNJw40A](https://www.youtube.com/channel/UCI-nrLK1wNfpq3_CeNJw40A). A recording of the meeting can be found on the same site following the meeting.



## CITY OF DUPONT

Planning Commission  
DuPont, WA 98327  
253.964.8121  
[www.dupontwa.gov](http://www.dupontwa.gov)

---

### MEETING MINUTES Monday, September 9, 2024

**Call to Order:** Chair Foe called the meeting to order at 6:30pm.

**Roll Call:** Chair Foe, Vice-Chair Colvin, Commissioners Chase, Thakor, Burlison, Lynch, Schou and Henry.

**Staff Present:** Public Services Director, Kincaid, and Administrative Specialist, Howald

#### **Public Comments**

There were no comments

#### **Approval of the Agenda**

Commissioner Colvin made a motion to approve the agenda and Commissioner Chase seconded the motion. Motion carried 7-0.

#### **Approval of the Minutes**

Commissioner Thakor made a motion to approve the August 12, 2024, Minutes, and Commissioner Chase seconded the motion. Motion carried 7-0.

#### **Unfinished Business**

Director Kincaid began with an explanation of the additional hand-out materials, drafts to DMC 25.80 and DMC 25.71, for discussion at the next meeting.

Director Kincaid and Lisa Klein, AHBL discussed and opened dialogue regarding the chapter synopsis pages, "What We Heard" and any additional comments, of the draft Old Fort Lake Subarea Plan Review document.

Director Kincaid next discussed the hand-out and process for amending the Complete Community Overlay Proposed Code Amendment DMC 25.20.060, increasing the multi family unit count to 200 units per building.

Director Kincaid concluded by informing on a special meeting will be held on September 23<sup>rd</sup>, a to continue review of the OFL Subarea Plan, with changes and continued Zoning & Design Standards. The comment period for the Draft EIS will be late September thru October followed by a public hearing.

Review of Chapters 1 and 2 of the Comprehensive Plan Update is scheduled for discussion on October 14<sup>th</sup>.

#### **Public Comments**

There were no comments

**Planning Commissioners Comments**

Commissioner Schou informed she will be unable to attend the September 23, 2024 meeting.

Commissioner Colvin expressed appreciation to the work put into the documents.

Chair Foe expressed appreciation of the Commissioners comments and communication and will see everyone at the next meeting.

**Adjournment:**

Chair Foe adjourned the meeting at 7:57p.m.

---

Chair, Jeff Foe

Date

*Please note that the minutes from Advisory Commission Meetings are not verbatim.*



# DMC 25.71 OLD FORT LAKE

## DESIGN STANDARDS



Draft, Sept. 6, 2024

### Contents

25.71.010	Purpose.....	2
25.71.020	Applicability.....	2
25.71.030	How the design standards are applied.....	2
25.71.040	Departures.....	3
<b>DMC 25.71.200</b>	<b>Community Design Regulations .....</b>	<b>4</b>
25.71.210	Intent.....	4
25.71.220	Streets, through-block connections, parks, and trails.....	4
25.71.230	Streetscape classifications and regulations.....	5
25.71.240	Maximum block size.....	9
25.71.250	Through-block connections.....	11
25.71.260	Parks.....	14
25.71.270	Trails.....	17
25.71.280	Off-street parking regulations.....	18
<b>25.71.300</b>	<b>Site Design Standards .....</b>	<b>20</b>
25.71.310	Block Frontages.....	20
25.71.320	Site Planning Standards .....	39
<b>25.71.400</b>	<b>Building Design.....</b>	<b>62</b>
25.71.410	Intent.....	62
25.71.420	Applicability .....	62
25.71.430	Building character and variety.....	62
25.71.440	Building massing and articulation.....	63
25.71.450	Building details.....	69
25.71.460	Building materials.....	75
25.71.470	Blank wall treatment .....	78
<b>DMC 25.71.500</b>	<b>Single-Family and Middle Housing.....</b>	<b>81</b>
25.71.710	Intent.....	81
25.71.720	General Provisions.....	81
25.71.730	Definitions.....	82
25.71.740	Applicability .....	82
25.71.750	Unit Density.....	82
25.71.760	Housing Types Allowed.....	83
25.71.770	Dimensional Standards.....	83
25.71.780	Design Standards.....	86
25.71.790	Infrastructure Standards.....	90

# Chapter 25.71

## Old Fort Lake Design Standards

- 25.71.010 Purpose and applicability.
- 25.71.020 Applicability.
- 25.71.030 How the design standards are applied
- 25.71.040 Departures

### **25.71.010 Purpose.**

The Old Fort Lake Subarea Zoning (DMC 25.58) and Design Standards (DMC 25.71) are the official land use regulations guiding development within the Old Fort Lake subarea. These codes are adopted under Chapter 35A.63 RCW and mandated in RCW 36.70A.040 and is consistent with the state's Growth Management Act, the Old Fort Lake Subarea Plan, and the DuPont Comprehensive Plan to serve the public health, safety, and welfare; to provide for orderly planned use of land resources; and to further the policies of the Subarea Plan. This code helps implement the subarea plan, which may be used to help interpret this code but does not itself regulate land uses. All land uses and development activities within the subarea must comply with the applicable requirements of this code.

### **25.71.020 Applicability.**

This chapter provides the design standards applicable within the Old Fort Lake Subarea. The Standards within Section 25.71.200 are applicable throughout the subarea. The Standards within 25.71.300 –400 are applicable to nonresidential and commercial uses within the subarea. The Standards within 25.71.500 are applicable to Single-Family and Middle Housing uses within the subarea. Uses in the Old Fort Lake Subarea are also subject to the zoning, uses and bulk regulations provided in DMC 25.58. Where the design standards conflict with provisions in any other section of the Dupont Municipal Code (DMC), the design standards prevail unless otherwise noted. One exception: Where these design standards conflict with applicable Wildland-Urban Interface standards, the Wildland-Urban Interface standards apply.

### **25.71.030 How the design standards are applied.**

The provisions of DMC sections 25.71 are additional to the underlying zoning regulations in DMC 25.58.

- (1) Guidelines use words such as "should" or "is/are recommended," or "encouraged," signifying voluntary measures.
- (2) Standards use words such as "shall" and "is/are required," signifying mandatory actions. Some standards are easily quantifiable, while others provide a level of discretion to the applicant in how they are complied with. In the latter case, the

applicant shall demonstrate to the director, in writing, how the choices made for the development meets the intent of the standard.

**25.71.040 Departures.**

- (1) Purpose. A number of specific departure opportunities to the design standards contained in DMC sections 25.71.200-400 are provided. Departure opportunities are signaled by the capitalized word DEPARTURE or the  symbol. The purpose is to provide applicants with the option of proposing alternative design treatments, when they can demonstrate to the satisfaction of the director that it is equal to or better than the standard, provided such departures meet the "intent" of the particular standard, and any additional relevant departure criteria.
- (2) Requests for departures are voluntary. This provision allows the flexibility for applicants to propose alternative designs on a voluntary basis.
- (3) Applicability. Departures are available only where noted for specific standards.
- (4) Procedures. Permit applications that include departure requests are reviewed administratively and the approval decision is made by the director.
- (5) Submittal Requirements. The applicant shall submit a description of the requested departure together with the arguments as to how the departure meets the intent or is equivalent or superior to the standard, and meets the approval criteria.
- (6) Approval criteria. Project applicants shall successfully demonstrate to the director how the proposed departure meets the intent of the standard, and other applicable departure criteria that applies to the specific standard.
- (7) Documentation. The director shall document the reasons for approving all departures within the project application records for the purpose of providing consistency in decision-making by the city.

## DMC 25.71.200 Community Design Regulations

Sections:

- 25.71.210 Intent.
- 25.71.220 Streets, through-block connections, parks, and trails.
- 25.71.230 Streetscape classifications and regulations.
- 25.71.240 Maximum block size.
- 25.71.250 Through-block connections.
- 25.71.260 Parks.
- 25.71.270 Trails.
- 25.71.280 Onsite Parking

### 25.71.210 Intent.

The intent of the DMC 25.71.200-280 Community Design Regulations is to:

- (1) Provide a robust multi-modal transportation network that serves a variety of users, complements desired future land uses, and minimizes City maintenance costs.
- (2) Evolve Old Fort Lake into a centerpiece of the Old Fort Lake subarea and a premier recreational opportunity for DuPont residents that capitalizes on view opportunities of the bluff and golf course, connects cultural resource areas, is highly accessible to everyone and is connected to the DuPont community.
- (3) Implement the Old Fort Lake Subarea Goals and Policies.

### 25.71.220 Streets, through-block connections, parks, and trails.

- (1) Required streets, trails, through-block connections, and parks shall be built by developers as development occurs in accordance with DMC 25.71.200-280. Where there is a conflict between the provisions in this chapter and the adopted plans and policies, the strictest standards shall apply.
- (2) Applicability. Streets, trails, parks, and through-block connections are applicable to all development types in the subarea. They are required:
  - (a) To complete streets, parks and trails conceptually identified in Figure 25.71.220. Specific alignments for new, widened, or extended streets and trails will be determined during the development review process for applicable sites.
  - (b) When necessary to comply with block length requirements in DMC 25.71.240.
  - (c) When necessary to comply with park provisions in DMC 25.71.260.
  - (d) When necessary to comply with trail provisions in DMC 25.71.270.
- (3) Authority to require dedication. The applicant shall dedicate property for the required street and trail rights-of-way and the Bluff park described in DMC 25.71.260(C).
- (4) Map. Figure 25.71.220.A below identifies the required arterial streets plus the base trail network.

UPDATE FIGURE 25.71.220A TO MATCH CONCEPT G

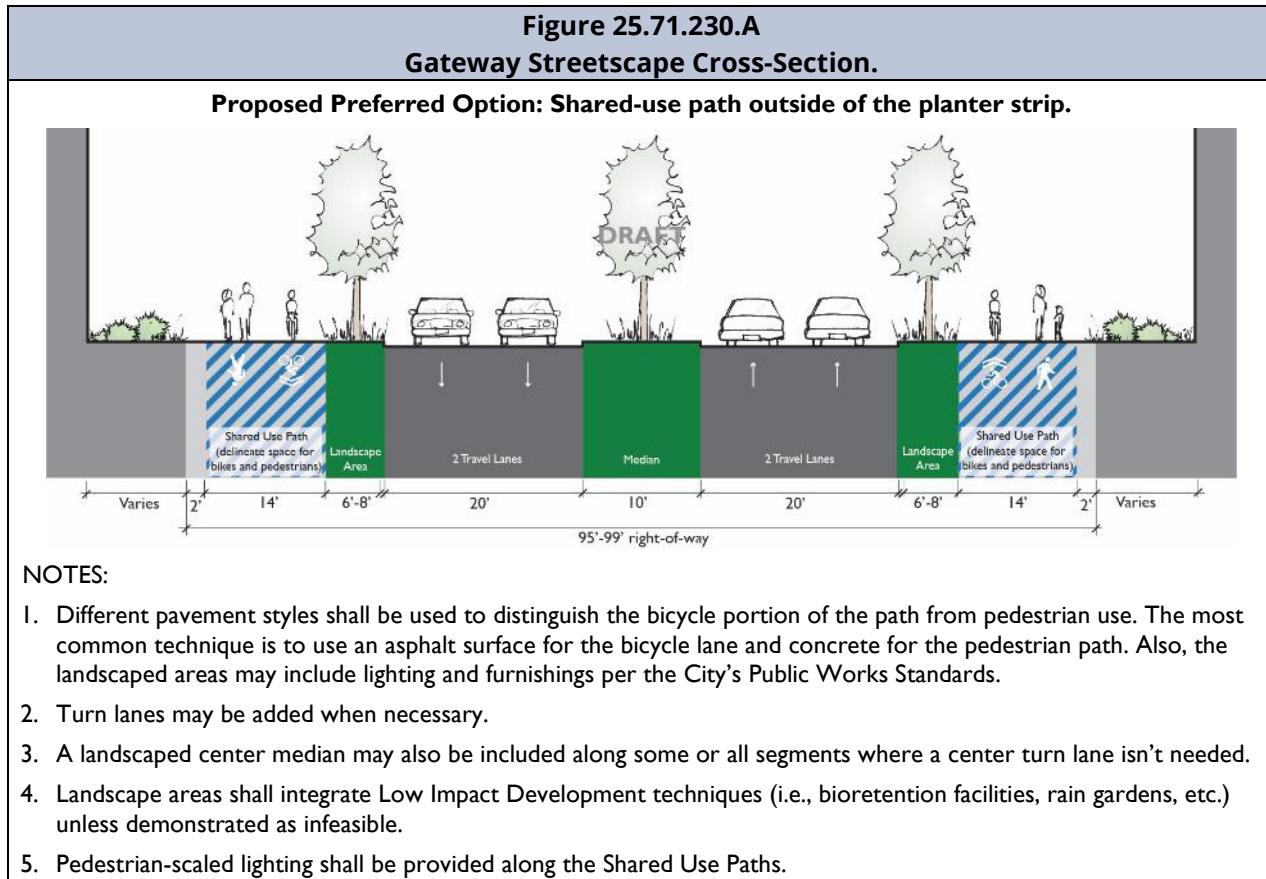
**Figure 25.71.220.A**  
**Conceptual Location of Old Fort Lake Subarea's Arterial Streets and base trail network.**



## 25.71.230 Streetscape classifications and regulations.

Subsections 1-3 below provide the regulations for each streetscape type. All streets within the Old Fort Lake Subarea shall be designed for vehicle travel speeds of not more than 35 MPH.

(1) **Gateway Streetscape.** The “Gateway” is intended to be the primary access into and out of the Old Fort Lake Subarea. Its locational context also means that it must accommodate the highest number of users than any other street in the subarea. Figure 25.71.230.A below illustrates a streetscape cross-section that integrates bicycle and pedestrian travel modes located behind the curb and landscape buffer to reduce traffic stress for active modes.

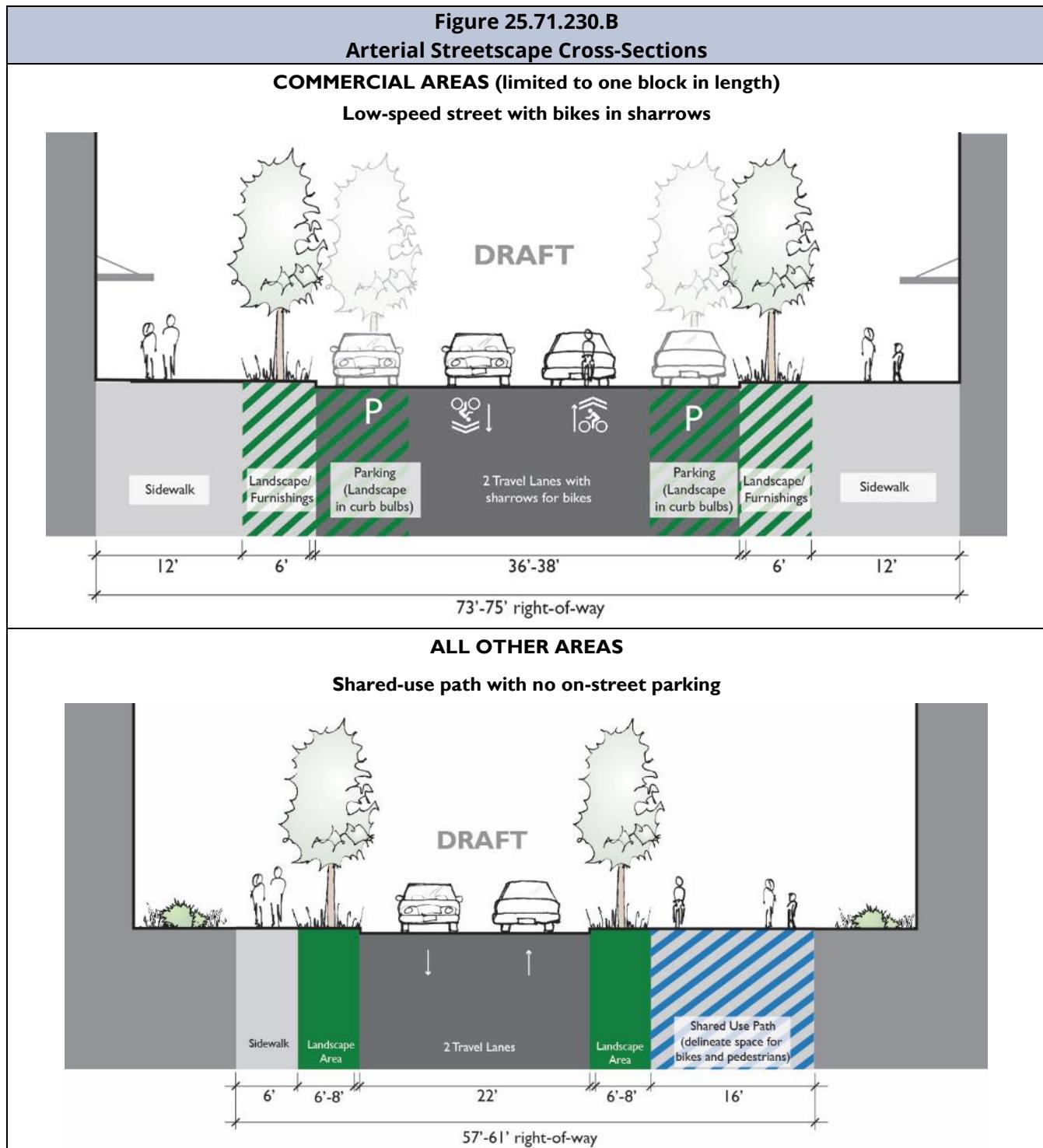


**NOTE:** Below is a photo example of similar recent shared-use path constructed in Bellevue, WA



(2) **Arterial Streetscapes.** This includes the main roadway that forms a loop around the Old Fort Lake Subarea and the golf course. Arterial streetscapes depend on the

context of adjacent uses and whether on-street parking is desired. Figure 25.71.230.B below illustrates designs integrating safe bicycle and pedestrian facilities within commercial and residential contexts.



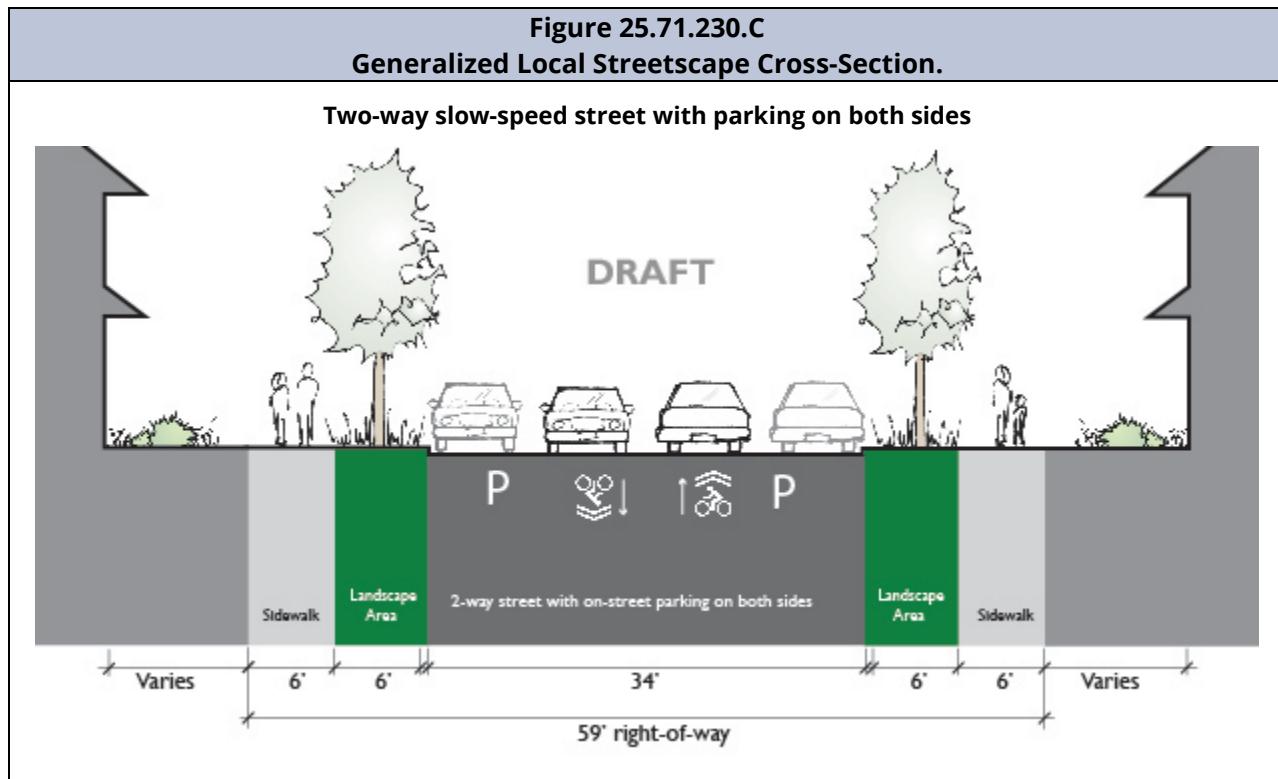
**Figure 25.71.230.B**  
**Arterial Streetscape Cross-Sections**

**STANDARDS:**

1. For the Arterial loop (around Old Fort Lake), the shared use path shall be located on the inside, so that no crossing of the arterial is needed to complete a full trail loop.
2. Parallel parking pockets (7' wide) may be integrated into the street design, provided the right-of-way is widened sufficient to accommodate such parking pockets (without reducing the width of other streetscape components).
3. Turn lanes may be added when necessary.
4. Landscape areas shall integrate Low Impact Development techniques (i.e., bioretention facilities, rain gardens, etc.) unless demonstrated as infeasible.
5. Special shared-use path provisions:
  - a. Provide clear, coordinated, and safe transitions for pathway users at intersections.
  - b. Provide pedestrian-scaled lighting.
  - c. Provide signage for wayfinding.
  - d. Provide water, garbage, bicycle parking, and dog stations at key intersections and trailheads.

(3) **Local Streetscapes.** Local streetscapes shall provide parallel on-street parking plus generous planting strips and sidewalks on both sides of the street as depicted in Figure 25.71.230.C.A. Specific requirements:

- (a) 34-foot-wide roadway including parallel parking lanes on both sides of the street.
- (b) Six-foot planting strips with street trees on both sides of the street. Lighting and furnishings are required per the City's Public Works Standards.
- (c) Six-foot sidewalks on both sides of the street.
- (d) 16-foot-wide shared use path with delineated space for bikes and pedestrians.



- (4) **Alleys** are encouraged to be integrated for residential and non-residential development to access parking and services for uses. Alleys shall provide a 20-foot right-of-way with a 16-foot roadway and two-foot shoulders on each side. Where an alley is the only vehicular access to a lot, a 22-foot right-of-way is required with an 18-foot-wide roadway and two-foot shoulders on each side.
- (5) **Roundabouts** will be required at key gateway and arterial intersections as shown on in the Old Fort Lake Subarea plan map Figure 25.71.210.A.
- (6) **Intersections**. Intersection design shall consider the intersecting street types, meet ADA requirements, and provide clear transitions and safety measures for all transport modes.
- (7) **Design departures**. Adjustments to the streetscape regulations in subsections (1) – (4) above may be approved by the city as a departure, pursuant to DMC 25.71.040, provided the design meets the goals and policies of the Old Fort Lake Subarea Plan.

## 25.71.240 Maximum block size.

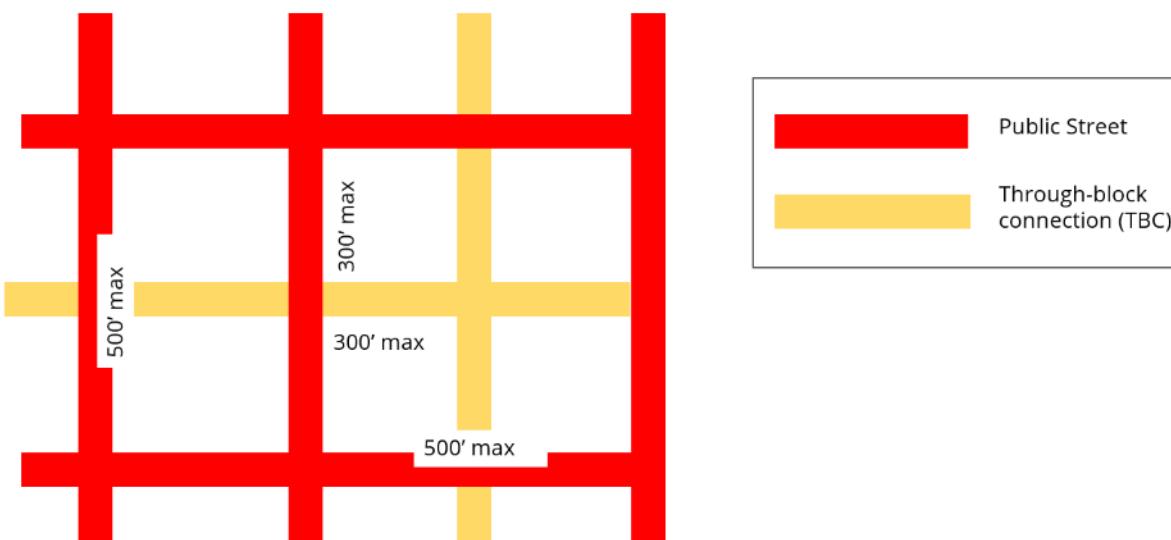
- (1) Intent.
  - (a) To facilitate good pedestrian and vehicular circulation.
- (2) Standards. Blocks shall be designed to provide publicly accessible pedestrian and/or vehicular connections at intervals no greater than indicated in Table 25.71.240.A.

- (a) Vehicular connections shall be public streets using one of the local streetscape designs set forth in DMC 25.71.230 or as a private street, alley, or Woonerf per DMC 25.71.250(3)(a) - (c)
- (b) Pedestrian connections shall be designed to comply with one of the two types of through-block connections (TBCs) set forth in DMC 25.71.250(3)(d) and (e).

**Table 25.71.240.A**  
**Maximum block face and perimeter length**

Zone	Maximum block face length		Maximum block (bound by public streets) perimeter length
	Between public streets and TBCs or between TBCs	Between public streets	
COMM and ENT	300	500	2,000
MF	400	600	2,400
SF+D	500	750	3,000
NB, CIV	600	1000	4,000

## Example street/through-block connection network in the MU zone



- (3) Departures and exceptions.
  - (a) The Director may approve a departure from the dimensional standards set forth in Table 25.71.240.A by up to 25-percent or adjust the type and design of vehicular and/or pedestrian connection provided the design meets the Old Fort Lake Subarea Plan's goals and policies. For example, to compensate for larger block sizes, the quality of on-site pedestrian connections should exceed the minimum requirements.
  - (b) The Director may approve an exception from the dimensional standards set forth in Table 25.71.240.A where topography, the golf course, a park, existing construction, or other geographic conditions prevent compliance or impose an unusual hardship on the applicant, provided the proposed design maximizes pedestrian and vehicular connectivity on the site given the constraints.

### **25.71.250 Through-block connections.**

Through-block connections include private streets, shared pedestrian and vehicular access routes, and other non-motorized routes. They are integrated into the design of developments to comply with maximum block size standards per DMC 25.71.240.

- (1) **Intent.** Enhance pedestrian circulation in the area while functioning as a design amenity and breaking up massing of buildings on long blocks. They may be integrated with vehicular access.
- (2) **Standards.** Specific regulations for such through-block connections:
  - (a) Such connections shall be provided within a public access easement.
  - (b) Specific alignments are to be developed during the development review process for applicable sites.
  - (c) Must be accessible to the public at all times and may take a variety of forms, depending on the block size and use mix, as specified in subsection (C), below.
  - (d) Buildings may project or cantilever into minimum required easement areas on building levels above the connection, provided a 13-foot, 6-inch vertical clearance is maintained and all other regulations are met.
- (3) **Through-block connection types.** Unless otherwise noted below and elsewhere in this chapter, required through-block connections may take any of the following forms set forth in the subsections below. A combination of designs set forth above may be used for each connection.
  - (a) Private street.
    - (i) Private streets shall meet the City's Public Works Standards.
  - (b) Alley.
    - (i) Alleys shall meet the design requirements in DMC 25.71.230.4 and the City's Public Works Standards.

(c) Woonerf design.

- (i) The shared-lane approach can work well for lower traffic situations and helps to reduce the total space needed to accommodate access.
- (ii) 32-foot minimum public access easement.
- (iii) 20-foot-wide two-way shared travel lane.
- (iv) Parallel or angled parking pockets may be integrated along the lane.
- (v) Landscape planters with a mixture of trees, shrubs, and ground cover must be integrated on at least one side of the shared lane.
- (vi) Figure 25.71.250.A illustrates examples of the Woonerf design.

**Figure 25.71.250.A**  
**Woonerf examples.**

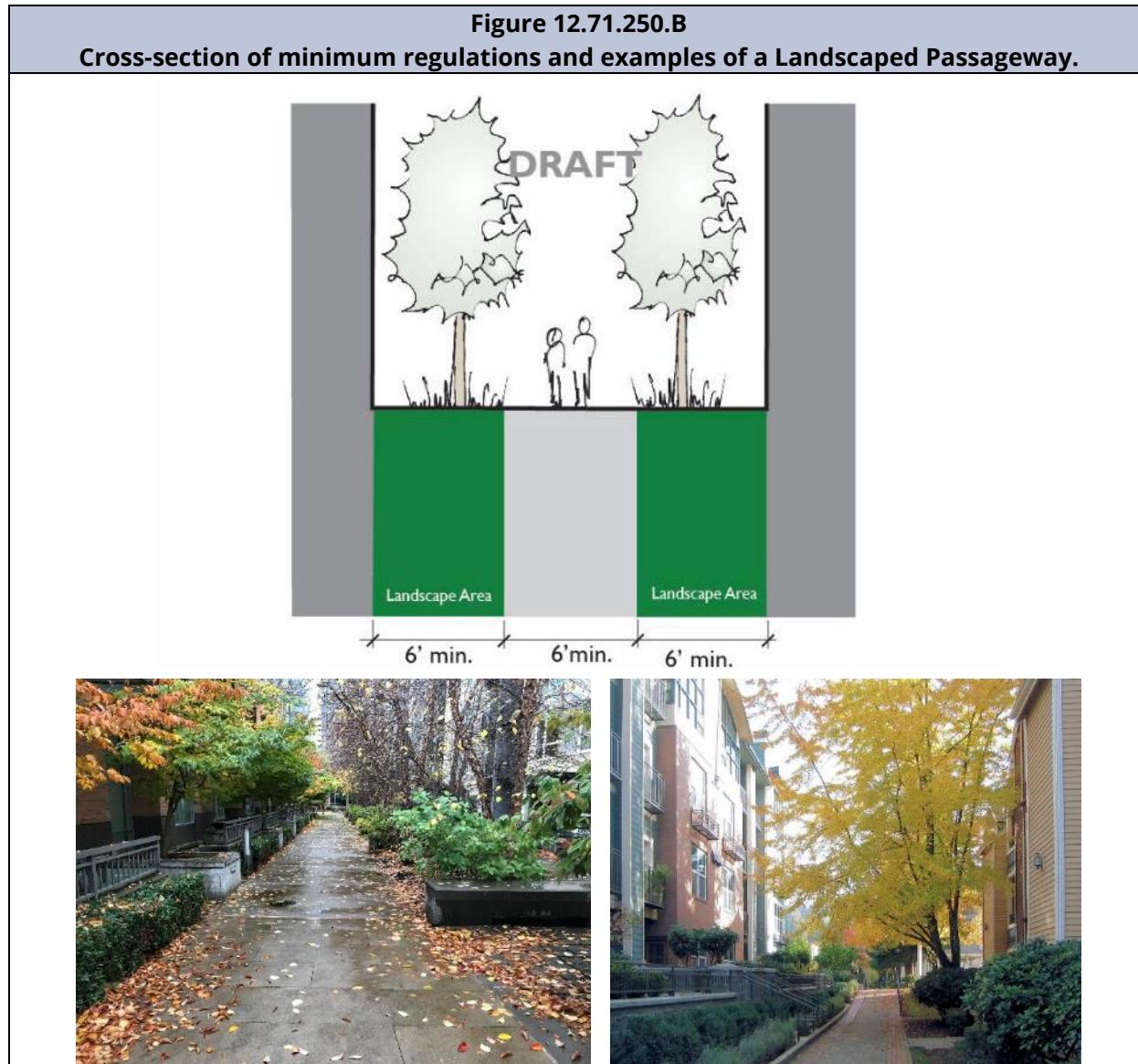


Image courtesy eya.com

(d) Landscaped passageway design.

- (i) Applicability: Optional non-vehicular design for residential areas when vehicular access to the site is provided elsewhere on the site.
- (ii) 24-foot minimum public access easement.
- (iii) Six- foot walking path minimum in detached single-family subdivisions. For other use contexts, the walking path must be at least eight-foot wide.

- (iv) Six-foot minimum landscaping strips (with a mixture of trees, shrubs, and ground cover) on each side of the walking path.



- (e) Urban passage design.
  - (i) Applicability: Optional non-vehicular design for nonresidential or multifamily uses when vehicular access to the site is provided elsewhere on the site and active ground level uses (commercial or public uses) are provided along frontages.
  - (ii) Twelve-foot minimum public access easement.

- (iii) Urban passage design connections are subject to Storefront block frontage regulations in DMC 25.71.310(4), except:
  - A. Land uses: There is no limit to the amount of lobby and common areas associated with multifamily residential uses adjacent to the urban passage.
  - B. Floor to ceiling height: Not applicable.
  - C. Retail space depth: Not applicable.
  - D. Façade transparency: 40% minimum.
  - E. Weather protection: Only required over building entrances (at least three feet deep across the full width of the entrance).

(4) **Design departures.** Adjustments to the through-block connection regulations in subsection (3) above may be approved by the city as a departure, pursuant to DMC 25.71.040, provided the design:

- (a) Creates a safe and welcoming pedestrian-route.
- (b) Provides an effective transition between the shared lane or path and adjacent uses (e.g., enhances privacy to any adjacent ground-level residential units).
- (c) Functions as a design amenity to the development.
- (d) Is compliant with WSDOT and NACTO Complete Streets Design Guidance.

## 25.71.260 Parks.

This section describes requirements for private development and the proposed Bluff Park. Citywide parks and recreation plans, goals and policies can be found in the City's Parks, Recreation and Open Space Plan.

- (1) Residential Area Parks
  - (a) **Intent.** Provide multiple opportunities for parks, recreation, and open space in accordance with the Old Fort Lake Subarea Plan Goals and Policies.
  - (b) **Applicability.** Park-land dedication and construction is required for residential projects with ten or more units.
  - (c) **Standards.** The residential project shall include:
    - (i) One-tenth of the combined gross area of the project, exclusive of all other dedications, must be developed for parks, and recreation use for the project. The Director must approve suitable locations for such parks and playgrounds.
    - (ii) A property owners' association for the proposed project shall be created, which shall own and maintain the parks and recreation spaces in perpetuity.

(iii) Parks and recreation areas integrated into residential projects must meet the following design criteria:

- A. Each park or playground area must be a minimum of 5,000 square feet in size and have no dimension less than 50 feet (unless it is a pedestrian path or trail).
- B. Each park or playground area shall have a cross slope no greater than three (3) percent.
- C. Each park or playground area must be bound by streets or dwelling units that face the park or playground area for at least 50 percent of the park or playground perimeter. The community development director may relax these standards in unique contexts and/or where measures have been successfully integrated to ensure that the park is accessible, welcoming, and integrated into as a major character defining feature of the subdivision.
- D. Each area must be designed to meet the definition of active recreation and/or passive recreation as provided in DMC 25.10.
- E. Must be inviting and feature amenities and activities that encourage residents to use and explore the space and have design elements that lend the space a "human scale," including landscaping elements, benches and other seating areas, and pedestrian-scaled lighting.
- F. Must be safe. Safe parks and recreation areas incorporate the following design principles:
  1. Natural surveillance - which occurs when parks, playgrounds, or plazas are open to view by the public and neighbors.
  2. Lighting that reflects the intended hours of operation and is appropriate for the proposed activities.
  3. Landscaping and fencing. Avoid configurations that create dangerous hiding spaces or minimize views.
  4. Entrances should be prominent, well lit, and highly visible from inside and outside of the space.
  5. Open spaces must utilize commercial grade materials that will last and require minimal maintenance costs. Walls, where necessary, must be designed and treated to deter graffiti. Use and maintain landscape materials that reduce maintenance cost and maintain visibility, where desired.

(iv) Provides for uses/activities that serve a variety of functions and will attract greater usage. When designing parks and recreation spaces, project applicants should consider a broad range of age groups, from small children, to teens, parents, and seniors. Covered areas shall be provided to encourage year-round use.

- (v) May include LID BMPs. LID BMPs, like rain gardens, may be included in up to 25-percent of the residential parks and recreation areas (cumulative).

**Figure 25.71.260.A**  
**Good park integration examples.**



- A. Circular park surrounded by a street functions as the neighborhood's focal point.
- B. Small parks are bordered by streets on one or two sides with pathways and front yards along other sides. Note that alleys provide access to the adjacent homes.
- C. Rectangular-shaped neighborhood park bound by streets on all four sides.
- D. Small "green" is bound by pathways and townhouses on three sides and a street on one side.

(2) **Bluff park.** The applicant shall develop a park along the Puget Sound bluff at the arterial intersection as depicted on Figure 25.71.220.A at the developer's expense for public use and dedication to the city concurrent with development of a hotel use.

(a) **Standards.** The Bluff park standards include:

- (i) The size of the park shall be based on the total allowed residential density of the subarea, which shall be no less than a minimum of 1 acre/1,000 dwelling units.

- (ii) The park shall include Puget Sound viewing areas, historical and cultural interpretive signage, and active recreation uses that meet the goals and policies and design standards for the Old Fort Lake Subarea.
- (iii) The park shall include trailhead facilities including vehicle and bicycle parking, water stations, and refuse receptacles.

## 25.71.270 Trails.

Figure 25.71.210 illustrates the configuration of existing and conceptual locations of planned trails to implement the Old Fort Lake Subarea Plan's goals and policies. Specific locations will be developed during the development review process and approved by the City.

- (1) **Trail types and Locations.** New development shall integrate a connected trail system equal to or greater than the concept illustrated in Figure 25.71.220.A as described below.
  - (a) A golf course perimeter trail shall be constructed with new development along at least 50 percent of the perimeter adjacent to the golf course. Trail design and use standards:
    - (i) The trail shall be a six-foot wide soft surface path.
    - (ii) Allowed uses/users include pedestrians, strollers, and any users with adaptive mobility aids. Prohibited uses/users include equestrian, skateboards, in-line skaters, bicycles (bikes), and all types of motorized equipment (except for adaptive mobility aids).
    - (iii) A four-foot-wide landscape strip is required between the path and the golf course. The landscape strip shall meet the requirements for a moderate landscape buffer per DMC 25.10.020.060.
    - (iv) A split-rail fence is required between the golf course and path.
    - (v) Pedestrian-scaled lighting is required along the trail.
  - (b) A new/improved bluff trail as depicted in Figure 25.71.220.A shall be constructed concurrent with the first phase of development. Trail design and use standards:
    - (i) Provide a 12-foot-wide paved path.
    - (ii) Allowed uses/users include pedestrians, strollers, and any users with adaptive mobility aids. Prohibited uses/users include equestrian, skateboards, in-line skaters, bicycles (bikes), and all types of motorized equipment (except for adaptive mobility aids).
    - (iii) Provide pull-outs at key locations with benches and landscaping.
    - (iv) Provide benches at intervals of 250 feet.
    - (v) Provide signage for safety and wayfinding.
    - (vi) Provide historic/cultural interpretive signage.
      - A. Provide water, garbage and dog stations at key intersections and trailheads.
      - B. Provide pedestrian-scale lighting.

- (c) Nature trails. Nature trails are depicted in Figure 25.71.220.A. Nature trails are located on property owned by the city and shall be developed/constructed by the City in accordance with available funding and the priorities established in the city Parks Recreation and Open Space Plan. Trail design and use standards:
  - (i) Shall be designed in accordance with the requirements of DMC 25.105 Critical Areas, including minimizing the area of disturbance and use of pervious surface materials.
  - (ii) Split rail fencing shall be provided where needed and feasible as determined by the City.
  - (iii) Benches provided at intervals as deemed appropriate based on the topography and trail location.
- (2) **Public access easement.** Minimum required trails shall be provided within City right-of-way, City property, or public access easement.
- (3) **Alignment.** Specific alignments for the trail will be developed during the development review process for applicable sites.
- (4) **Accessibility.** Trails must be accessible to the public at all times.

### 25.71.280 Off-street parking regulations.

The provisions herein supplement the off-street parking provisions in Chapter 25.95 DMC to be specific to Old Fort Lake Subarea. Where there is a conflict, the provisions herein apply.

- (1) **Quantity.** Off-street parking regulations are set forth in Table 25.71.280.A below. If a parking calculation results in a fraction, the parking requirement shall be rounded up to the next whole number.

<b>Table 25.71.280.A</b> <b>Off-street parking regulations for Old Fort Lake Subarea</b> <b>(minimum number of parking spaces required)</b>	
<b>Use Categories</b>	<b>Minimum number of parking spaces required</b>
<b>NON-RESIDENTIAL</b> (spaces per square feet of gross floor area, unless otherwise noted)	
Automotive repair	1/500 SF
Child Day Care Center	3/worker at maximum shift
Personal services use	1/1,000 SF
Restaurants, Taverns, Breweries	10/1,000 SF open to the public

<b>Table 25.71.280.A</b> <b>Off-street parking regulations for Old Fort Lake Subarea</b> <b>(minimum number of parking spaces required)</b>	
<b>Use Categories</b>	<b>Minimum number of parking spaces required</b>
Schools	1 / employee for elementary and middle/junior high schools; add 1 / 10 students for high schools
Government services, general	2/1,000 SF
Clinics	2/1,000 SF
Retail uses	3/1,000 SF
Banks and Credit Unions	2/1,000 SF
Office	2/1,000 SF
Hotels	1/unit or suite
Light manufacturing	0.9/1,000 SF
Research and Development	.9/1,000 SF
Uses not otherwise categorized	As determined by community development director
<b>RESIDENTIAL* (spaces per dwelling unit)</b>	
<b>MULTIFAMILY USES</b>	
Studio + 1-bedroom	1/unit
2-bedroom	1.5/unit
3-bedroom or more	1.75/unit
ADULT RETIREMENT COMMUNITY	0.5/unit
<b>OTHER RESIDENTIAL</b>	
Detached single family	2/lot
Middle housing types on lots smaller than 6,000 SF before any zero-lot line subdivision or lot split	1/unit
Middle housing types on lots greater than 6,000 SF before any zero-lot line subdivision or lot splits	2/unit
Accessory dwelling unit	0.5/unit
Assisted Living Facilities	0.5/unit
Nursing Homes	0.8 / bed

\*Note, some developments within a ¼ mile of frequent transit may be eligible for a parking minimum exception per HB 1923, modified by HB 2343, allowing a minimum of .75 stalls per unit.

## 25.71.300 Site Design Standards

25.71.310 Block Frontages

- (1) Intent
- (2) Block frontage designation mapping
- (3) Façade transparency standards
- (4) Storefront block frontage standards
- (5) Landscape block frontage standards
- (6) Secondary block frontage standards
- (7) Basic block frontage standards
- (8) High visibility street corners
- (9) Ground floor multifamily frontage standards.
- (10) Where properties front onto multiple streets

### 25.71.310 Block Frontages.

Block Frontages refer to the disposition of buildings and site features visible from the street. Key elements: building setbacks and orientation, ground level uses, and parking location.

- (1) **Intent.**
  - (a) Promote pedestrian-oriented development.
  - (b) To create attractive, welcoming, and safe streetscapes.
  - (c) To provide standards that recognize the need for a system of pedestrian-oriented block frontages.
  - (d) To create pedestrian-oriented neighborhood focal points.

**Table 25.71.310.A**  
**Summary of block frontage standards.**

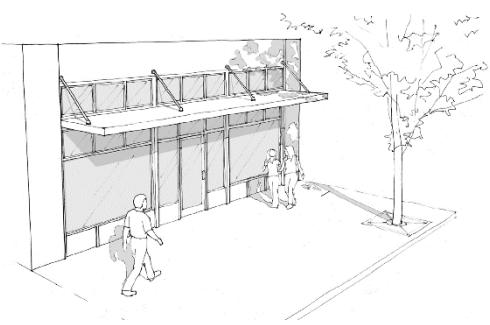
Block Frontage Type	Details
Storefront	 <ul style="list-style-type: none"> <li>• No ground-level parking adjacent to the street.</li> <li>• Special transparency, weather protection, and entry requirements.</li> <li>• Minimum commercial space height and depth.</li> <li>• No ground floor residential uses except for live/work units on select Storefront designated blocks where the storefront space meets height and depth standards.</li> </ul>

Table 25.71.310.A Summary of block frontage standards.		
	Block Frontage Type	Details
Landscaped		<ul style="list-style-type: none"> <li>• Ground-level parking placed to the side or rear of buildings.</li> <li>• Landscaping to soften façades and buffer parking areas.</li> <li>• Minimum façade transparency requirements per use and setback.</li> </ul>
Secondary	<p style="text-align: center;">↑ Storefront or Landscape Frontages allowed ↓</p>	<ul style="list-style-type: none"> <li>• Ground-level parking placed to the side or rear of buildings.</li> <li>• Landscaping to soften façades of non-storefronts and buffer parking areas.</li> <li>• Minimum façade transparency requirements per use and setback.</li> </ul>
Basic	<p style="text-align: center;">↑ Storefront or Landscape Frontages allowed</p>	<ul style="list-style-type: none"> <li>• No restrictions on parking lot location (except for landscaping standards).</li> <li>• Landscaping to soften façades of non-storefronts.</li> <li>• Minimum façade transparency requirements per use and setback.</li> </ul>

(2) **Block frontage designation mapping**, general rules.

All development applications shall include a block frontage designation map as part of the land use approval process. The following provisions apply:

- (a) **Nonresidential zones.** Nonresidential zones may utilize Storefront, Secondary, and Basic block frontage designations, but the following provisions apply.
  - (i) Storefront block frontage designation is required for a minimum of 20 percent of the streets within or bordering the zone.
  - (ii) Basic block frontage designation is allowed for up to 20 percent of the streets within or bordering the zone.

**DEPARTURES** are allowed to relax the above requirements by no more than 50 percent, provided the reviewing authority determines that the block frontage designation plan helps to create a vibrant pedestrian-friendly mixed-use node that can meet the goals and policies of the Old Fort Lake Subarea Plan. The percentage of Storefront block frontage designations in nonresidential zones may be reduced no less than 10 percent.

- (b) **Neighborhood Business zone.** Streets within and bordering the Neighborhood Business zone are subject to Basic block frontage provisions, except the minimum required landscaping buffers between the sidewalk and parking lots is increased to 15 feet.

(c) **Multifamily development.** Multifamily development is subject to the Landscape block frontage designation. Exception: Multifamily adjacent to Secondary block frontage designations may utilize Storefront block frontage designs for leasing and common areas provided they comply with the Storefront block frontage standards. Leasing and common areas may occupy ground level Storefront block frontage designated area.

(d) **Civic uses, public buildings, and hotels** are exempt from the block frontage standards, provided the building and site design meet the following objectives:

- Enliven the pedestrian environment along the adjacent sidewalks.
- Incorporate a prominent and inviting entry visible from the street. If the site has multiple street frontages, the entry shall be visible from at least one street.
- The site and building design stand out from the surrounding context as a distinct landmark and provides visual interest from all observable scales.

(e) **Undesignated streets in nonresidential zones.** If a street within the Commercial zone is not designated as Storefront, Mixed, or Landscaped block frontage then it is automatically classified as a "Basic" block frontage.

(3) **Facade transparency standards.**

(a) **Intent.** All block frontage designations contain distinct minimum façade transparency standards. The intent of these standards is to help maintain visibility for public safety, create welcoming pedestrian-oriented streets, and facilitate a viable and attractive business environment. Table 25.71.310.B below includes details in how transparency standards are measured.

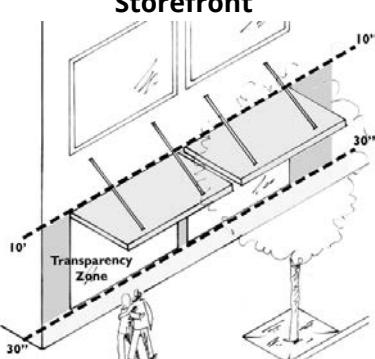
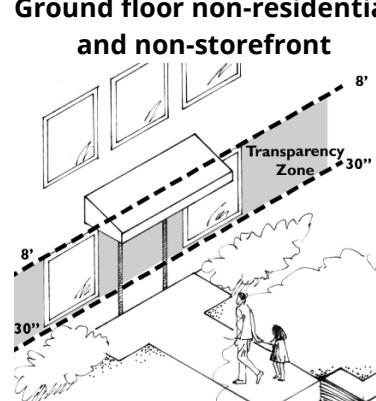
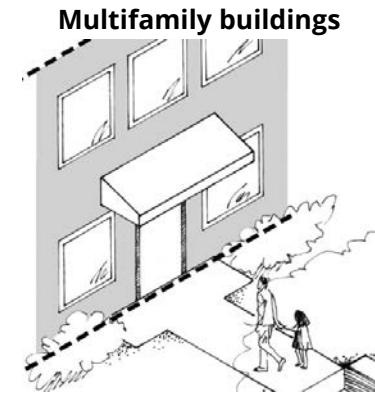
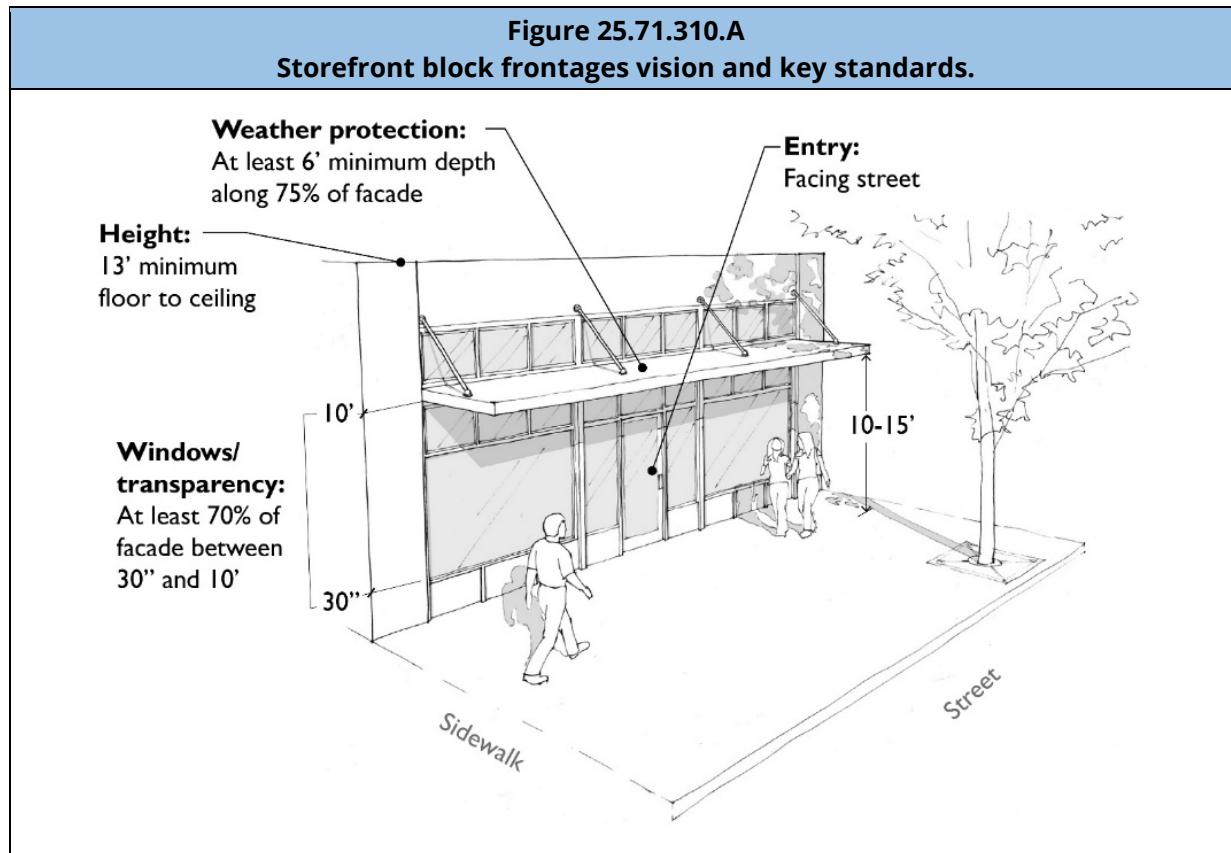
Table 25.71.320.B Explanation of transparency standards.		
Transparency Zones by Building and Frontage Type		
<p><b>Storefront</b></p>  <p>The transparency zone is on the ground floor between 30 inches and 10 feet above sidewalk grade</p>	<p><b>Ground floor non-residential and non-storefront</b></p>  <p>The transparency zone is between 30 inches and 8 feet above grade</p>	<p><b>Multifamily buildings</b></p>  <p>All vertical surfaces of the façade are used in the calculations</p>

Table 25.71.320.B Explanation of transparency standards.		
Other Transparency Provisions		
<p>Windows shall be transparent. Ground level window area for storefronts and other non-residential uses that is mirrored, reflectively, darkly tinted, covered, frosted, or perforated in any manner that obscures visibility into the building shall not count as transparent window area. See also DMC 25.71.310(3). Exception: Window signs may be counted as transparent window area provided the areas generally around the sign are transparent.</p>	 <p>Unacceptable: Frosted glass obscuring view into storefront.</p>	 <p>Unacceptable: Window sign covering transparency zone.</p>
<p>Display windows may be used for up to 50 percent of non-residential transparency requirements provided they are at least 30 inches deep and allow changeable displays. Tack-on display cases as in the right example do not qualify as transparent window area.</p>	 <p>Acceptable: Integrated display windows.</p>	 <p>Unacceptable: Tack-on display cases.</p>

#### (4) Storefront block frontage standards.

(a) **Intent.** Storefront block frontages are intended to be located in core commercial areas featuring most vibrant and active shopping and dining areas. Blocks designated as Storefront block frontages include continuous storefronts placed along the sidewalk edge with small scale shops and business entries.



(b) **Standards.** All development on sites with a Storefront block frontage designation shall comply with the standards in Table 25.71.310.E below.

**Table 25.71.310.C**  
**Storefront block frontage standards.**

The ☺ symbol refers to DEPARTURE opportunities in DMC 25.71.310(4)(c) below.

Element	Standards	Additional Provisions and Examples
<b>Ground Level</b>		
Land use	Non-residential uses are required on the ground level.	Lobbies and accessory-uses associated with upper-floor hotel/motel, business service, and multifamily uses are allowed provided they are limited to 25% of all Storefront block frontages (measured separately for each block).
Floor to ceiling height	15' minimum	Applies to the area within the minimum retail space depth.
Retail space depth	40' minimum ☺	Applies to the entire width of the retail space.

<b>Table 25.71.310.C</b> <b>Storefront block frontage standards.</b>		
The ☰ symbol refers to DEPARTURE opportunities in DMC 25.71.310(4)(c) below.		
<b>Element</b>	<b>Standards</b>	<b>Additional Provisions and Examples</b>
<b>Building placement</b>	Buildings shall be placed at the back edge of the required sidewalk. Additional setbacks may be allowed for a wider sidewalk or where a public space is provided between the sidewalk and the building.	
<b>Building entrances</b>	Primary building entrances shall face the street. For corner buildings, primary entrances for ground-level uses may face either street or the street corner.	 Examples of building placement and building entrances.
<b>Façade transparency</b>	At least 60% of the transparency zone. ☰	See DMC 25.71.310(3) for additional clarification on transparency standards.
<b>Weather protection</b>	Weather protection over the sidewalk is required along at least 60% of the building's façade, and it shall be a minimum of 6' deep (drip lines shall be at least that far from the face of the building). ☰ Additional standards: <ul style="list-style-type: none"> <li>• Weather protection shall have 10' to 15' of vertical clearance.</li> <li>• Weather protection shall not interfere with existing street trees, utility poles, street signs, or extend beyond the edge of the sidewalk.</li> </ul>	<ul style="list-style-type: none"> <li>• Vinyl or plastic awnings or canopies are prohibited.</li> <li>• Any canopy or awning over a public sidewalk should be a permanent architectural element.</li> <li>• The building's architectural details should not be concealed by awnings or canopies.</li> <li>• Awning shapes should relate to the shape of the façade's architectural elements.</li> <li>• Transparent canopies and under-canopy signs and lighting are encouraged.</li> </ul>
<b>Parking location</b>	New ground-level (surface or structured) parking adjacent to the street is prohibited, including parking lot and garage entries and driveways. Parking may be placed below,	

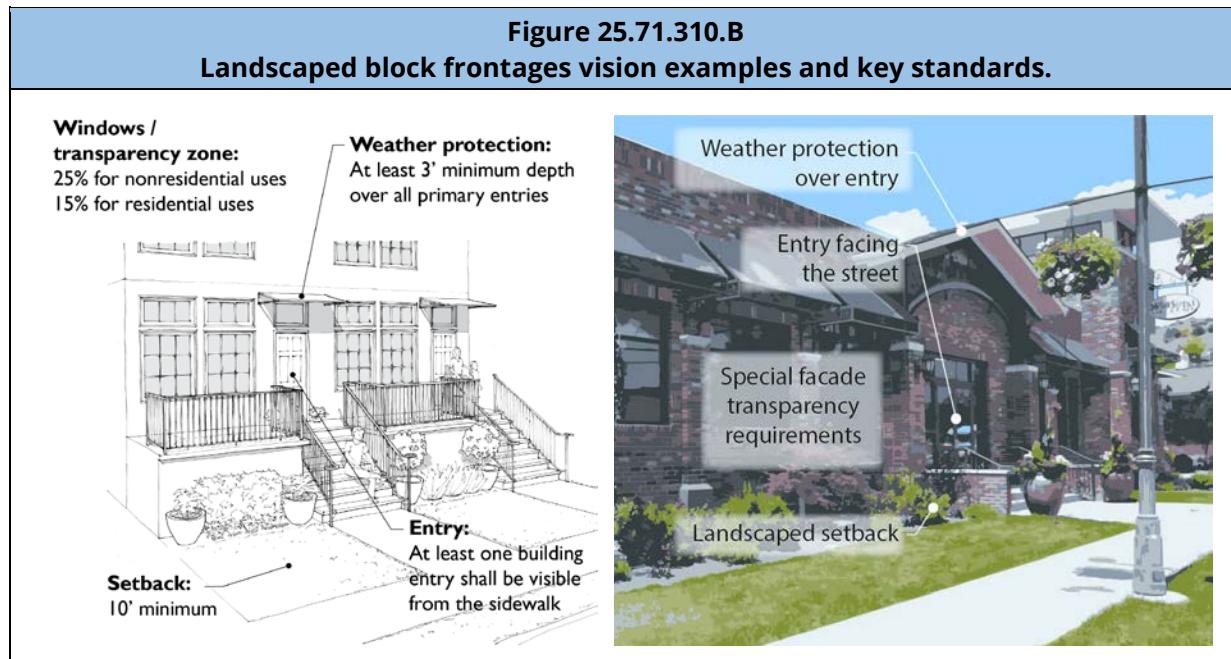
<b>Table 25.71.310.C</b> <b>Storefront block frontage standards.</b>		
The  symbol refers to DEPARTURE opportunities in DMC 25.71.310(4)(c) below.		
<b>Element</b>	<b>Standards</b>	<b>Additional Provisions and Examples</b>
	above, and/or behind storefronts.	
<b>Streetscape Design</b>	Sidewalks and planting strips shall comply with Arterial Street design cross-section for Commercial areas as set forth in Figure 25.71.230(2).	

(c) **DEPARTURE criteria.** Departures from the storefront block frontage standards in Table 25.71.310(C) that feature the  symbol will be considered per DMC 25.71.040, provided the alternative proposal meets the intent of the standards and the following criteria:

- (i) Retail space depth. Reduced depths on up to 25 percent of the applicable block frontage will be considered where the applicant can successfully demonstrate the proposed alternative design and configuration of the space is viable for a variety of permitted retail uses.
- (ii) Façade transparency. Façade transparency may be reduced to a minimum of 40 percent if the façade design between ground-level windows provides visual interest to the pedestrian and mitigates the impacts of blank walls.
- (iii) Weather protection. Weather protection elements may be reduced in length to no less than 50 percent along building's façade and to no less than four feet in depth, provided the proposed design is proportional to architectural features of the building and building design trade-offs (elements that clearly go beyond minimum building design regulations in this chapter) meet the intent of the standards.

(5) **Landscaped block frontage standards.**

(a) **Intent.** Landscaped block frontages emphasize landscaped street setbacks, clear pedestrian connections between the building and the sidewalk, and minimize surface parking lots along the frontages.



(b) **Applicability.** The standards herein apply to multifamily and non-residential development in residential zones. Landscaped block frontages are also an optional design for development with ground floor non-residential uses along Secondary block frontages. Exception: multifamily developments adjacent to Secondary block frontage designations may utilize Storefront block frontage designs for leasing and common areas provided they comply with the Storefront block frontage standards. Leasing and common areas for multifamily residential developments may occupy ground level Storefront block frontage designated area, provided such areas comply with the Storefront block frontage standards.

(c) **Standards.** All development on sites with a Landscaped block frontage designation shall comply with the standards in Table 25.71.310.D below.

**Table 25.71.310.D**  
**Landscaped block frontage standards.**

The ☺ symbol refers to DEPARTURE opportunities in DMC 25.71.310(5)(d) below.

<b>Element</b>	<b>Standards</b>	<b>Additional Provisions and Examples</b>
<b>Ground Level</b> Land use	Any use permitted by DMC 25.58.	

**Table 25.71.310.D**  
**Landscaped block frontage standards.**

The ☺ symbol refers to DEPARTURE opportunities in DMC 25.71.310(5)(d) below.

Element	Standards	Additional Provisions and Examples
<b>Building placement</b>	<ul style="list-style-type: none"> <li>• 10' minimum setback.</li> <li>• 20' maximum setback.</li> <li>• Covered entries and porches are allowed to project up to 6' into this required setback.</li> <li>• Additional setbacks may be required where future right-of-way need and/or acquisitions have been identified in city plans.</li> </ul>	
<b>Building entrances</b>	<p>At least one public or shared building entry shall be visible from the sidewalk and feature direct physical access from the sidewalk. ☺</p>	<p>Primary private entrances facing the street for ground level residential units are encouraged.</p> <p>See related standards in DMC 25.71.450.</p>
<b>Façade transparency</b>	<p>Shall have at least 25% transparency for buildings with ground level nonresidential uses. ☺</p> <p>Shall have at least 15% transparency for buildings with ground level residential uses.</p>	<p>See DMC 25.71.310(3) for additional clarification on transparency standards.</p>
<b>Weather protection</b>	<p>Weather protection at least 3' deep shall be provided over individual business and residential entries.</p> <p>Weather protection for shared entrances shall be at least 5' deep.</p>	
<b>Parking location</b>	<p>Parking shall be located to the side, under, or rear of buildings. For multi-building developments, no more than 50% of the lot frontage can be occupied by off-street parking and driveways. ☺</p>	
<b>Landscaping</b> Also see DMC 25.71.320(h).	<p>All areas between the sidewalk and the building must be landscaped, except for pathways, porches, decks, and plazas. Such landscaping shall include a mixture of evergreen and deciduous trees, shrubs, and ground cover. Landscaped areas</p>	

<b>Table 25.71.310.D</b> <b>Landscaped block frontage standards.</b>		
The ☺ symbol refers to DEPARTURE opportunities in DMC 25.71.310(5)(d) below.		
<b>Element</b>	<b>Standards</b>	<b>Additional Provisions and Examples</b>
	may include rain gardens and other forms of stormwater management. Parking lots developed adjacent to the street (as allowed through the Departure process) or golf course shall integrate a 10' wide landscape buffer meeting the requirements of a full screening buffer as defined in DMC 25.10.020.060. ☺	
<b>Sidewalk width</b>	A six-foot sidewalk accompanied by a minimum five-foot landscape strip is required within the right-of-way adjacent to the front property line as well as adjoining arterial corridors.	

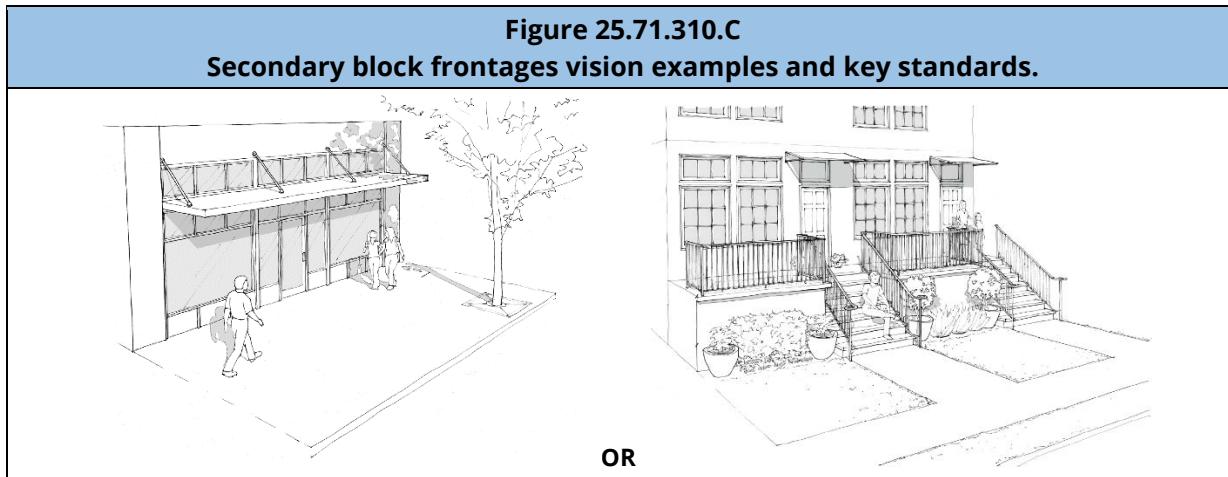
(d) **Departure Criteria.** Departures from the above standards that feature the ☺ symbol will be considered per DMC 25.71.040, provided the alternative proposal meets the purpose of the standards, plus the following criteria:

- (i) Façade transparency. Façade transparency may be reduced to a minimum of 12.5 percent if the façade between ground level windows provides visual interest to the pedestrian and mitigates the impacts of blank walls.
- (ii) Parking location. For multi-building developments, 10% of the lot frontage may be occupied by off-street parking and driveways, provided design treatments (beyond minimum standards) are included that successfully mitigate the visual impact of parking areas on the streetscape.
- (iii) Parking lot landscaping buffers. Landscaping buffers may be reduced to five feet in width provided they incorporate:
  - A. The required planting types in a concrete, masonry, or similar planter that is two to three feet tall.
  - B. The required planting types in front of a low concrete, masonry, or similar wall between 24-42 inches tall or a see-through trellis at least six feet tall.

**(6) Secondary block frontage standards.**

(a) **Intent.** The block frontage designation serves areas that accommodate a mixture of ground floor uses and allows a diversity of development frontages for

the purpose of contributing to the visual character of the street and enhancing the pedestrian environment.



(b) **Standards.** All development on sites containing a Secondary block frontage have the option to comply with either the Storefront or Landscaped block frontage provisions as set forth in DMC 25.71.310(4) and (5), with the modifications in Table 25.71.310.E below.

**Table 25.71.310.E**  
**Secondary block frontage standards.**

The ☺ symbol refers to DEPARTURE opportunities in DMC 25.71.310(6)(c) below.

Element	Standards	Additional Provisions and Examples
<b>Building placement</b>	Buildings placed up to the sidewalk edge shall meet storefront block frontage standards in DMC 25.71.310(4). Buildings not placed up to the sidewalk shall meet the landscaped block frontage standards in DMC 25.71.310(5). Additional setbacks may be required where future right-of-way need and/or acquisitions have been identified in city plans.	See DMC 25.71.310(9) for special design provisions associated with ground level residential uses in the Multifamily zoning district adjacent to a sidewalk.
<b>Façade transparency</b>	Any storefront buildings on these block frontages shall meet the storefront block frontage transparency standards above. ☺ Non-residential buildings with landscaped setbacks shall provide	See DMC 25.71.310(3) for additional clarification on transparency standards.

<b>Table 25.71.310.E</b> <b>Secondary block frontage standards.</b>		
The ☺ symbol refers to DEPARTURE opportunities in DMC 25.71.310(6)(c) below.		
<b>Element</b>	<b>Standards</b>	<b>Additional Provisions and Examples</b>
	minimum transparency levels based on the setback: <ul style="list-style-type: none"> <li>• 40% minimum for buildings designed with nonresidential uses on the ground floor within 10' of sidewalk. ☺</li> <li>• 25% minimum for other buildings designed with nonresidential uses on the ground floor. ☺</li> </ul>	
<b>Parking location</b>	Parking shall be located to the side or rear of buildings. For multi-building developments, no more than 50% of the lot frontage can be occupied by off-street parking and driveways. ☺ Parking lots developed adjacent to the street or golf course shall comply with landscaping provisions of DMC Chapter 25.90.	

(c) **Departure Criteria.** Departures from the above standards that feature the ☺ symbol will be considered per DMC 25.71.040, provided the alternative proposal meets the purpose of the standards and the following criteria:

- (i) Façade transparency. Façade transparency may be reduced to the following minimums if the façade design provides visual interest to the pedestrian and mitigates the impacts of blank walls:
  - A. 30 percent minimum for buildings designed with nonresidential uses on the ground floor within 10 feet of a sidewalk.
  - B. 15 percent minimum for other buildings designed with nonresidential uses on the ground floor.
- (ii) Parking location. For multi-building developments, an additional 10 percent of the lot frontage may be occupied by off-street parking and driveways, provided design treatments (beyond minimum standards) are included that successfully mitigate the visual impact of parking areas on the streetscape.

(7) **Basic block frontage (streets with no designated block frontage).**

(a) **Intent.** Basic block frontages offer greater flexibility in siting off-street parking areas, while providing visual interest at all observable scales and meet the design objectives of the city.

(b) **Standards.** All development on sites with a Basic block frontage designation shall comply with the standards in Table 25.71.450(B) below. DEPARTURES will be considered pursuant to DMC 25.71.340.

**Table 25.71.310.F**  
**Basic block frontage standards.**

The ☺ symbol refers to DEPARTURE opportunities in DMC 25.71.310(7)(c) below.

Element	Standards
<b>Building placement</b>	Buildings placed up to the sidewalk edge shall meet storefront block frontage standards in DMC 25.71.310(4). Buildings not placed up to the sidewalk shall feature a 10' minimum street setback except where greater setbacks are required by the zone.
<b>Building entrances</b>	Building entrances facing the street are encouraged. At a minimum, at least one building entry visible and directly accessible from the street is required. ☺ Where buildings are setback from the street, pedestrian connections from the sidewalk are required.
<b>Façade transparency</b>	<ul style="list-style-type: none"> <li>For storefronts, at least 60% ☺</li> <li>Other buildings designed with non-residential uses on the ground floor within 10' of sidewalk, at least 30%. ☺</li> <li>For multifamily, at least 15%. ☺</li> </ul>
<b>Weather protection</b>	At least 3' deep over primary business and residential entries.
<b>Parking location</b>	There are no parking lot location restrictions, except for the following landscaped buffer requirements: Parking lots developed adjacent to the street shall integrate a 10' wide landscape buffer with trees (75% deciduous @ 25' on-center), low shrubs (1/20sf of landscaped area), and ground cover. ☺
<b>Landscaping</b>	Building setback areas shall be landscaped per DMC Chapter 25.90. Parking lots developed adjacent to the street and/or golf course shall comply with landscaping provisions of DMC Chapter 25.90.
<b>Sidewalk width</b>	A 5' sidewalk accompanied by a minimum 5' landscape strip is required within the right-of-way adjacent to the front property line as well as adjoining arterial corridors.

(c) **Departure Criteria.** Departures from the above standards that feature the ☺ symbol will be considered per DMC 25.71.040, provided the alternative proposal meets the purpose of the standards and the following criteria:

(i) Building entrances. Alternative designs may be considered provided the pedestrian route from the sidewalk to the entry is clear.

- (ii) Façade transparency. Façade transparency may be reduced to the following minimums if the façade design provides visual interest to the pedestrian and mitigates the impacts of blank walls:
  - A. For storefronts, at least 30 percent.
  - B. Other buildings designed with non-residential uses on the ground floor within 10 feet of a sidewalk, at least 15 percent.
  - C. For residential buildings, at least 7.5 percent.
- (iii) Parking lot landscaping buffers. Landscaping buffers may be reduced to five feet in width provided they incorporate:
  - A. The required planting types in a concrete, masonry, or similar planter that is two to three feet tall.
  - B. The required planting types in front of a low concrete, masonry, or similar wall between 24-42 inches tall or a see-through trellis at least six feet tall.

(8) **High visibility street corner standards.**

- (a) **Intent.** Accentuate street corners with high visibility to the public.
- (b) **Mapping:** All street corners on Arterial streets adjacent to Commercial, Entertainment, Civic and Multifamily zones and key intersections when located in the Neighborhood Business zone, shall be identified in development plans submitted for approval.
- (c) **Standards.** Sites located on high visibility street corners shall meet the following requirements:
  - (i) Buildings shall be located within 20 feet of the street corner.
    - A. At least one of the following special features shall be included:
    - B. Corner plaza.
    - C. Cropped building corner with a special entry feature.
    - D. Decorative use of building materials at the corner.
    - E. Distinctive façade articulation.
    - F. Sculptural architectural element.
    - G. Other decorative elements that meet the purpose of the standards.

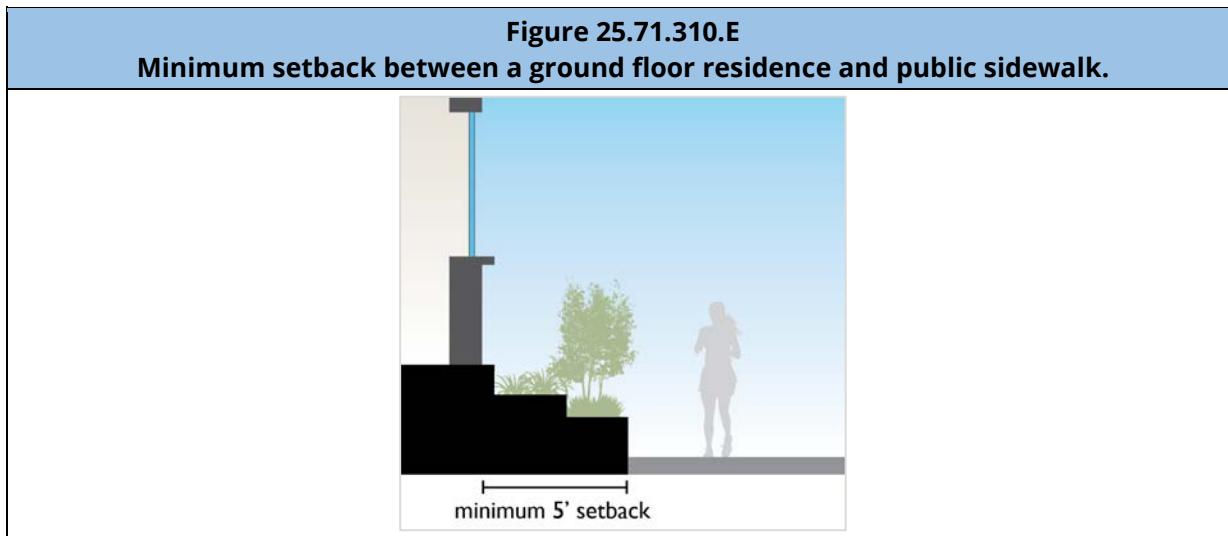
**Figure 25.71.310.D**  
High visibility street corner examples.



Building A feature cropped building corners with a change in materials and decorative elements. Building B uses a decorative canopy. Building C incorporates a plaza at the corner.

**(9) Ground floor multifamily frontage standards.**

- (a) **Intent.** The intent of these standards is to:
  - (i) Enhance the privacy and security of residents living on the ground floor.
  - (ii) Provide an effective visual and physical transition between the public realm and the private realm.
  - (iii) Enhance the relationship between the building and the street through high-quality landscape and architectural design.
- (b) **Applicability.** All developments with ground-floor residential uses adjacent to public streets shall comply with the frontage standards in this section.
- (c) **Standards.** Design treatments shall be integrated to enhance the character of the public and semi-public realm while respecting the privacy of adjacent residential units. Applicable design criteria applicable are:
  - (i) Direct access. All units abutting public sidewalks are encouraged to have individual ground-floor entries directly accessible to the sidewalk.
  - (ii) Unit setback and elevation. Provide privacy for people living in the adjacent dwelling units and ensure the applicable street environment is comfortable through all of the following measures:
    - A. Provide a 5-foot minimum setback from public sidewalks unless a greater setback is required per applicable block frontage standards.



B. Where the façade is within ten feet of a street, the ground level of dwelling units shall be raised from three to five feet above the level of the corresponding sidewalk. On sloped sites, the minimum and maximum heights shall be calculated using the average ground elevation at perimeter walls as determined by the final grade noted on the building plan.

**Figure 25.71.310.F**  
**Dimensional standards for elevating residential units near public streets.**

Facade setback	Elevate the ground level of adjacent residential units
Front façade: < 10' from sidewalk (along a public street); or < 5' from an internal walkway or open space	2-5' above the grade of the public street

(iii) Enhance the privacy of residents and provide an effective transition between the public and private realm by integrating all of the following:

A. Provide a physical "threshold" feature, such as a hedge, retaining wall, rockery, stair, gate, railing, or a combination of such elements on private property that defines and bridges the boundary between public right of way and the private entry, porch, yard, or patio. Thresholds may screen, but not completely block, views to and from the public and semi-public realm areas. ☐

B. Provide an outdoor space at least four feet-deep and six feet wide (24 square feet minimum area) in the front setback, such as a porch, patio, deck, or stoop. Where feasible, this space shall be at the same level as the interior of the unit. ☐

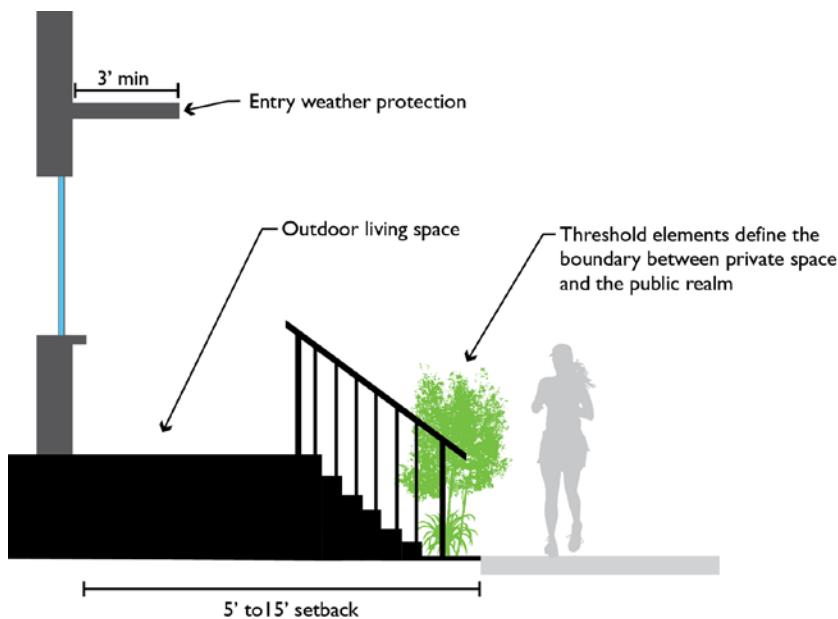
Overhead building projections may cantilever over the outdoor space

by up to 50 percent of the minimum ground level setback to public and private realm areas.

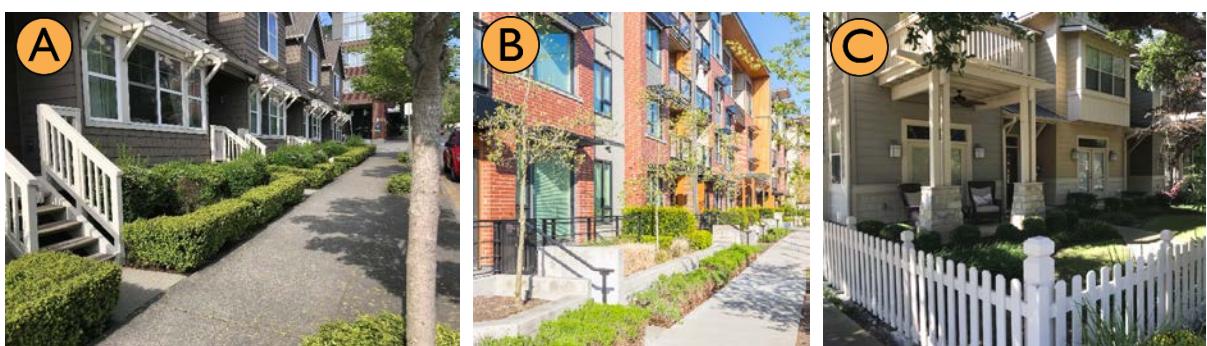
- C. Provide a covered area, porch or protected entry space, or other architectural weather protection at least three feet deep that provides cover for a person entering the unit and a transitional space between outside and inside the dwelling.
- D. Landscaping planters shall be integrated into transitional areas between the dwelling unit and the adjacent public and semi-public realm areas (see the figures below for examples). ☐

(d) **DEPARTURES** may be proposed per subsection (iii) above featuring the symbol ☐ provided the design enhances the privacy of adjacent units and provides an effective and attractive transition between public and private realm.

**Figure 25.71.310.G**  
**Good examples of ground-level multifamily frontages.**



Above: Key features of ground level frontages with shallow setbacks.



Building A uses inset stoops and ground level planters. Building B uses stoops with terraced planters. Building C is an at-grade example with a fenced yard between the sidewalk and dwelling.

**(10) Where properties front onto multiple streets.**

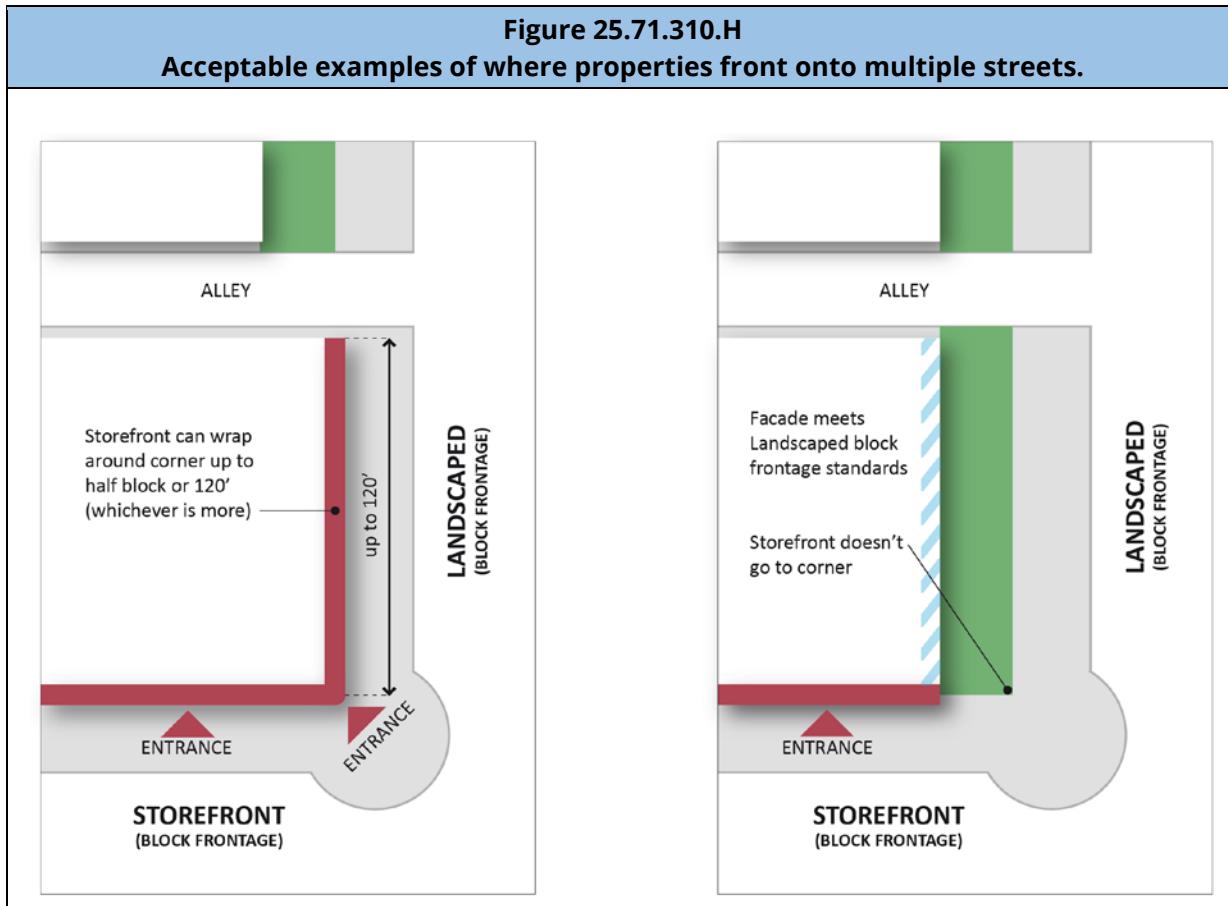
Where a property fronts onto more than one street and each street has a different frontage designation, each building frontage shall comply with the standards for the block frontage upon which it fronts, with the following clarifications:

- (a) **Conflicts.** Where a conflict exists between frontage standards, the director will apply the standards of a block frontage pursuant to the following order of preference:
  - (i) Storefront.
  - (ii) Secondary.
  - (iii) Landscaped.
  - (iv) Basic.

Subsections (b)-(3) below clarify how the order of preference works for particular frontage elements.

- (b) **Building Location.** For corner sites with Landscaped block frontage on one street and Storefront or Secondary on another, a Storefront frontage may wrap around the corner (on the Landscaped block frontage side) for up to a half block width or no more than 120 feet (whichever is more).
- (c) **Entrances.** For corner sites, entrances on both streets are encouraged, but only one entrance is required. For corner sites with frontage on a Storefront block frontage on one side, an entrance shall be placed on the Storefront block frontage side. For corner sites with a mix of designations that do not include a Storefront block frontage, the entry shall be placed on the side listed first in the order of preference identified above. An entrance at the building corner and facing an intersection shall be permitted under any of the above scenarios. **DEPARTURES** may be considered, provided the location and design of the entry and block frontage treatments are compatible with the character of the area and enhance the character of the street.
- (d) **Transparency.** For corner sites, at least one block frontage shall meet the applicable transparency standards (based on the order of preference above). For the second block frontage, the director may approve a reduction in the minimum amount of transparency by 50 percent. For street corners with the same designations on both frontages, buildings shall employ the full transparency on the dominant frontage (based on the frontage width or established neighborhood pattern).
- (e) **Parking.** Surface parking (including ground floor parking in a structure) adjacent to a street corner is not allowed, except:
  - (i) On corner lots with Basic frontages on both streets.

(ii) On corners with other combination of block frontages, except those with a Storefront designation, via a DEPARTURE and subject to the applicable departure criteria.



## 25.71.320 Site Planning Standards

- (1) Intent
- (2) Applicability
- (3) Side and rear-yard setbacks
- (4) Multifamily amenity space
- (5) Commercial open space
- (6) Vehicle circulation
- (7) Internal pedestrian access and design
- (8) Service areas and mechanical equipment
- (9) Site Lighting
- (10) Landscaping

**(1) Intent.**

- (a) To promote thoughtful pedestrian-oriented layout of buildings, parking areas, and circulation, service, and on-site amenity elements.
- (b) To promote compatibility between developments and uses.
- (c) To enhance the circulation, access, and service areas of developments.

**(2) Applicability.**

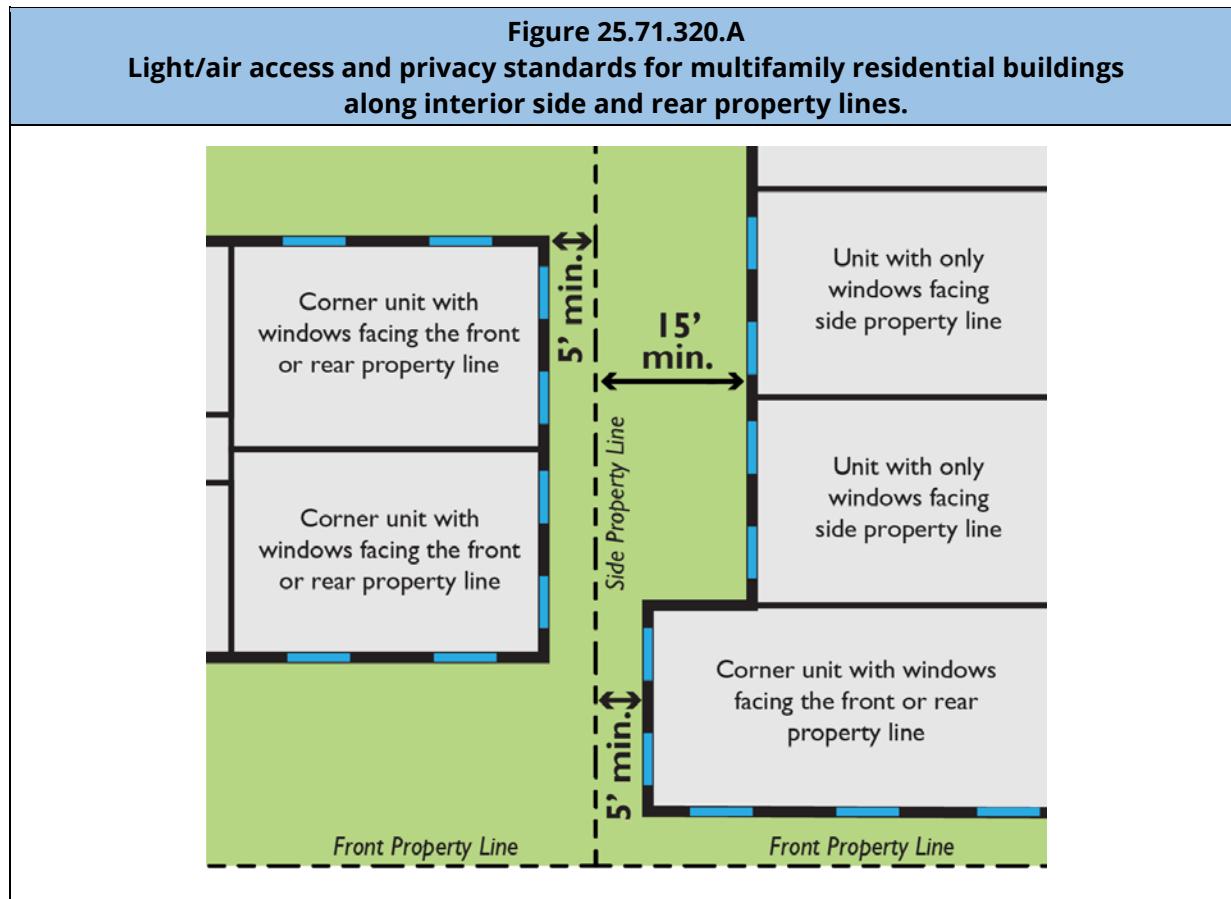
These site planning standards apply to all new non-residential and multifamily development permitted in the Old Fort Lake Subarea.

**(3) Side and rear-yard setbacks.**

- (a) Table 25.71.320.A below sets forth minimum side and rear-yard setbacks in applicable zones between zero and 15 feet. The provisions below clarify specific setback requirements:

**Table 25.71.320.A**  
**Minimum side- and rear-yard setbacks.**

Context	Min. Setback
Two options for 0' setbacks when allowed by applicable zoning district: (1) Buildings adjacent to an alley when permitted in applicable zoning district; or (2) Window-less firewalls along other side or rear property lines for storefront buildings located on and complying with Storefront or Secondary block frontages. Such firewalls are limited in height to 25 feet.	0'
When required per subsection (B) below for light and air access and privacy along the side and rear property lines.	15'
All other contexts (other than the two situations noted above)	5'



(a) **Light and air access and privacy along the side and rear property lines.** Buildings or portions thereof containing multifamily dwelling units whose only windows face the interior side or rear property line shall be set back from the applicable property line at least 15 feet.

(b) **DEPARTURES** will be considered where it is determined that the proposed design will not create a compatibility problem based on the unique site context.

**(4) Multifamily amenity space.**

Multifamily amenity space refers to spaces that are integrated into multifamily developments primarily enjoyed by on-site residents for recreational and social uses. Amenity spaces include common recreation areas, shared roof decks, private ground level open spaces, private balconies, shared indoor recreation areas, and children's play areas.

(a) **Intent.**

- (i) To create usable amenity space that is suitable for leisure or recreational activities for residents.
- (ii) To create amenity space that contributes to the residential setting.

(b) **Applicability.** Multifamily amenity space meeting the standards of this section is required for all new Multifamily development, Senior housing and other age-restricted facilities.

(c) **Amount required.** Applicable developments are required to provide amenity space equal to a minimum of:

- (i) 150 square feet per dwelling unit for studio and one-bedroom dwellings.
- (ii) 200 square feet per dwelling unit for dwellings with two or more bedrooms.

The required open space may include the following types in Table 25.71.320.B:

<b>Table 25.71.320.B Multifamily amenity space types.</b>	
<b>Element Residential amenity space types</b>	<b>Standards</b>
<b>Common outdoor recreation areas</b> See subsection (E)(1)	May be used for 100% of requirement
<b>Shared roof decks</b> See subsection (E)(2)	May be used for up to 25% of requirement
<b>Private ground level open space</b> See subsection (E)(3)	May be used for 100% of requirement for applicable units
<b>Private balconies</b> See subsection (E)(4)	May be used for up to 25% of requirement
<b>Shared indoor recreation areas</b> See subsection (E)(5)	May be used for up to 25% of requirement
<b>Children's play areas</b> See subsections (D) and (E)(6)	Required for developments with more than 75 units. Not required for senior housing and other age-restricted facilities.

(d) **Large multi-phase developments under single ownership.** Each phase of development shall meet the minimum residential amenity space requirements herein. Developments have the option to integrate a surplus of usable on-site open space in early phases and apply the surplus space towards meeting the requirements for subsequent phases, provided all applicable regulations are met.

(e) **Multifamily amenity space design standards.** The following standards apply to new developments choosing to incorporate the specific amenity space types listed below.

- (i) **Common outdoor recreation areas.** Such spaces are internal to a development and are not required to be accessible to the general public. Examples include, but are not limited to, landscaped courtyards, decks, entrance plazas, gardens with walkways, children's play areas, swimming pools, and water features. Accessible areas with native vegetation and areas used for storm water retention, infiltration, or other multipurpose recreational and/or green spaces that meet the design criteria herein may

qualify as common outdoor recreation area. Common outdoor recreation areas shall meet the following design standards:

- A. The areas shall be accessible to all residents of the development.
- B. The minimum area is 500 square feet. The space shall feature dimensions necessary to provide functional leisure or recreational activity (unless otherwise noted herein). Stairways and service elements located within or on the edge of the space are not included in the recreation area calculations.
- C. Shared porches may qualify as recreation area, provided they are at least eight feet in depth and 96 square feet in area.
- D. Required setback and vehicular circulation areas do not count as common outdoor recreation areas, except for building entry plazas located in front setbacks.
- E. The area shall be visible from units within the development.
- F. The area shall feature paths, walkable lawns, landscaping, seating, lighting, play structures, sports courts, or other pedestrian amenities to make the area more functional and enjoyable for a range of users.
- G. The area shall be separated from ground level windows, streets, vehicular circulation areas, service areas, and parking lots with landscaping, fencing, and/or other acceptable treatments that enhance safety and privacy for both the recreation areas and dwelling units.
- H. Natural, artificial, and stormwater ponds may be included in the shared open space. A maximum of 50 percent of the pond surface area, as measured when the pond is at its maximum designed depth, may be counted towards the minimum requirements of subsection (c) of this section. Ponds shall be integrated with trails and other features listed above to qualify as shared open space.
- I. Any children's play areas integrated as a part of a common outdoor recreation area shall meet the standards of subsection (v) below.

(f) **DEPARTURES** will be considered for the multifamily amenity space standards above provided they meet the intent of the standards and fill a recreational need for the residents of the development. The use and design of the space shall be integrated with the surrounding site and building features in a manner that is complementary to the development and any adjacent streetscape.

**Figure 25.71.320.B**  
**Common outdoor recreation area examples.**



Image A includes a combination of open lawn area for informal recreation plus walkways and decorative landscape areas to enhance the setting for residents. Image B includes a pond/wetland type area with a boardwalk. Image C includes a covered gathering space with outdoor grills adjacent to a landscaped commons with a central walkway. Image D includes a common green area with large trees.

- (i) Shared roof decks. Such spaces are a type of private internal common area located on the top of buildings or intermediate levels (e.g., upper floor building facade step-back areas) and are available to all residents. Such spaces may be used to meet up to 25 percent of amenity space requirement. Examples of amenities include, but are not limited to, cooking and dining areas, seating areas, gardening areas, water features, and pet play areas. Shared rooftop decks shall meet the following design standards:
  - A. Shall be available to all residents.
  - B. Space shall feature hard-surfacing and provide amenities that encourage use, such as seating, outdoor grills, and weather protection elements.

- C. Space shall integrate landscaping elements that enhance the character of the space and encourage its use.
- D. Space shall incorporate features that provide for the safety of residents, such as enclosures, railings, and appropriate lighting levels.

(ii) Private ground level open space. This space is adjacent and directly accessible to the subject unit. Examples include yards, stoops, and porches. Private ground level open space shall meet the following design standards:

- A. Shall be enclosed by a fence and/or hedge at least 18 inches in height to qualify, but no higher than 42 inches when adjacent to a street, common outdoor recreation area, or public space. Taller privacy screens between units are acceptable.
- B. Private porches that face a street or a common outdoor recreation area may qualify as amenity space, provided they are at least 50 square feet in area, with no dimension less than six feet.
- C. Ground level private open space in excess of minimum requirements in subsection (B) above shall not be used in the calculations for determining the minimum useable open space requirements for other units in the development [per DMC 25.71.320(4)(c)].

(iii) Private balconies. This space is adjacent and directly accessible to the subject unit. Such spaces may be used to meet up to 25 percent of multifamily amenity space requirement. Private balconies shall meet the following design standards:

- A. Private balconies should be at least partially recessed into the building façade, when provided, and integrated into the building design to provide protection from the weather.
- B. Balconies shall be at least 36 square feet in area with no dimension less than six feet to qualify as amenity space.
- C. Individual balconies larger than the minimum size requirements in the preceding subsection (B) shall not be used in the calculations for determining the minimum useable open space requirements for other units in the development [per DMC 25.71.320(4)(c)].

(iv) Shared indoor recreation areas. Examples include, but are not limited to, multi-purpose entertainment space, fitness center, movie theater, kitchen, library, workshop, conference room, or similar amenities that promote shared use and a sense of community. Such spaces may be used to meet up to 25 percent of residential amenity space requirement. Shared indoor recreation areas shall meet the following design standards:

- A. The space shall be accessible to all residents of the development.

- B. The minimum area is 250 square feet. The space shall feature dimensions necessary to provide functional leisure or recreational activity (unless otherwise noted herein).
- C. The space shall be located in a visible area, such as near an entrance, lobby, elevator bank, or high traffic corridors.
- D. The space shall be designed specifically to serve interior recreational functions and not merely be leftover unrentable space used to meet the open space requirement. Such space shall include amenities and design elements that will encourage use by residents.

(v) Children's play areas. Any children's play areas integrated as a part of a shared multifamily amenity space shall meet all the following design standards (in addition to the design standards listed above):

- A. The minimum area is 400 square feet.
- B. Measures necessary to protect children's safety from vehicular traffic shall be included, such as low fencing or landscaping to provide a physical barrier around the perimeter.
- C. Shade and rest areas for supervision shall be provided by using deciduous landscaping, architectural elements (including but not limited to pergolas or shelters), or other means.
- D. Natural, creative play elements should be provided, such as ground slides from one level to another, tricycle tracks, swings hung from arbors or trees, paths that meander and are of varying materials and widths, water that can be manipulated, outdoor rooms made from landscape or rocks, and berms and hills.
- E. Shall be designed for a variety of ages, activities and motor skills.
- F. Play areas shall be located in areas that are highly visible to residents.

**Figure 25.71.320.C**  
**Children's play area example.**



**(5) Commercial open space.**

- (a) **Intent.** To integrate plazas and other pedestrian oriented spaces in commercial areas that enhance the employees' and public's opportunity for active and passive activities, such as dining, resting, people watching, and recreational activities.
- (b) **Usable commercial open space.** New developments on designated Storefront block-frontages and other developments with non-residential uses in commercial areas with more than 10,000 square feet of gross floor area must provide 400 square feet of pedestrian-oriented space for each 100 lineal feet of block frontage. Pedestrian-oriented space located adjacent to street corners may be counted for the frontages of both streets. Portions of sidewalks that are wider than the minimum required in DMC 25.71.310(4) may be used to meet up to 50 percent of this requirement.
- (c) **Design criteria.** Required usable commercial open space shall meet the following standards:
  - (i) Visual and pedestrian access into the site from a street, private access road, or nonvehicular courtyard.
  - (ii) Paved walking surfaces of either concrete or approved unit paving. Form-in-place pervious concrete paving is allowed.
  - (iii) The spaces must be located in or adjacent to areas with significant pedestrian traffic to provide interest and security, such as adjacent to or visible from a building entry.

- (iv) At least two feet of seating area (a bench or ledge at least 16 inches deep and appropriate seating height) or one individual seat per 60 square feet of plaza area or open space.
- (v) Landscaping components that add visual interest and do not act as a visual barrier. This could include planting beds, raised planters, and/or potted plants.
- (vi) Prohibited features:
  - A. Asphalt pavement.
  - B. Adjacent service areas (e.g., trash areas, loading docks) that are not separated with landscaping.
  - C. Adjacent chain-link fences.
  - D. Adjacent "blank walls" (see DMC 25.71.470).
  - E. Outdoor storage.

**Figure 25.71.320.D**  
**Good commercial open space examples.**



**(6) Internal pedestrian access and design.**

- (a) **Intent.**
  - (i) To improve the pedestrian and bicycling environment by making it easier, safer and more comfortable to walk or ride in the subarea.
  - (ii) To enhance access to on- and off-site open space areas and pedestrian/bicycle paths.
- (b) **Access to sidewalk.** All buildings shall feature pedestrian connections to a sidewalk per applicable block frontage standards in DMC 25.71.310. See subsection (iv) below for walkway design standards.

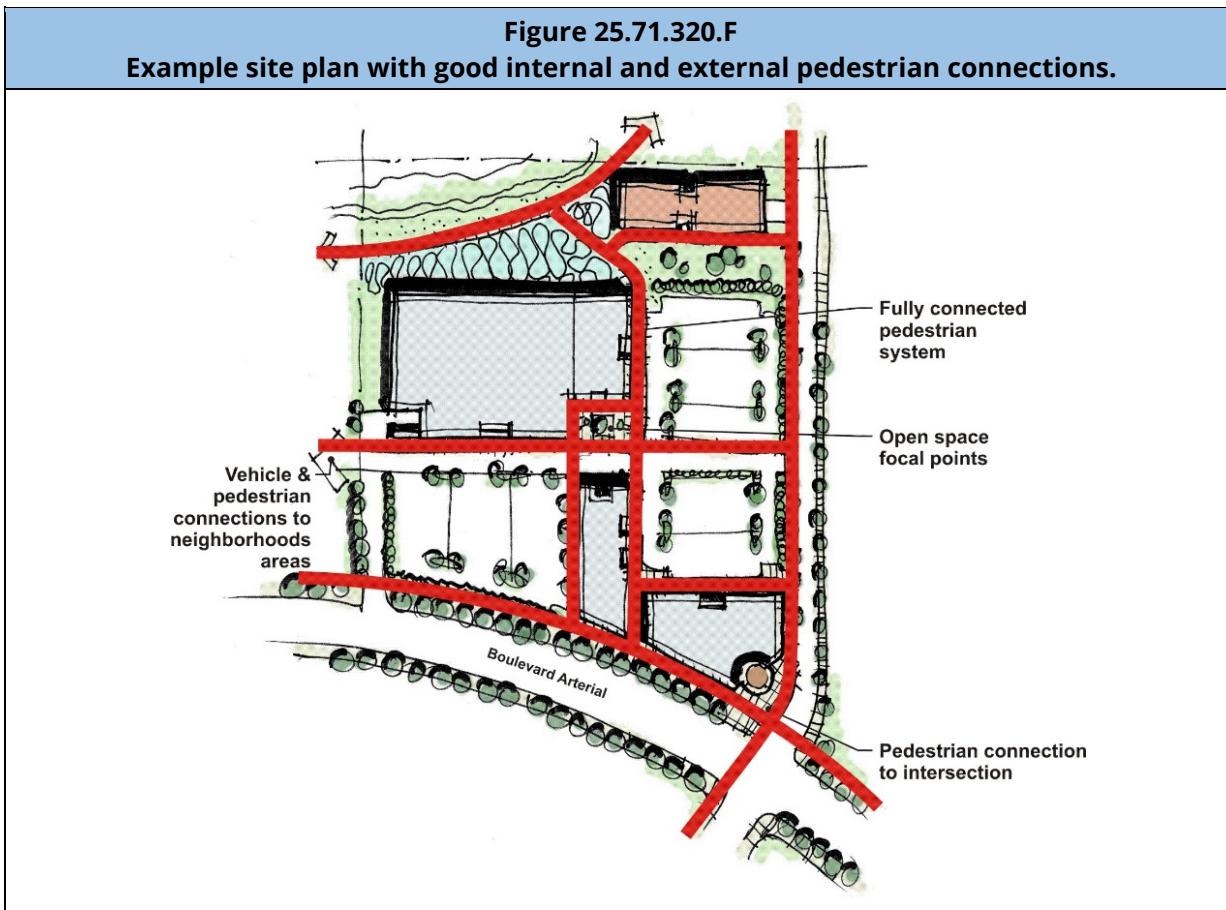
**Figure 25.71.320.E**  
**Good examples of direct pedestrian access to buildings from the street.**



**(c) Internal circulation.**

- (i) For sites with multiple buildings:
  - A. Internal walkways connecting businesses and residential entries on the same development site shall be provided. Route distances shall be minimized to the extent practical.
  - B. **DEPARTURES** will be considered where an indirect route would enhance the design or use of a common usable open space. See subsection (D) below for walkway design standards.
  - C. Connection intervals shall be no greater than 250 feet.
- (ii) Sites with multifamily units. Direct pedestrian access shall be provided between all ground level unit entries and a public street or to a clearly marked walkway network or open space that has direct access to a public street. Multifamily developments shall provide a pedestrian circulation network that connects all main entrances on the site to other areas of the site, such as:
  - A. Parking areas.
  - B. Recreational areas.
  - C. Common outdoor areas.
  - D. Any pedestrian amenities.

For multifamily units fronting the street, the sidewalk may be used to meet this standard.



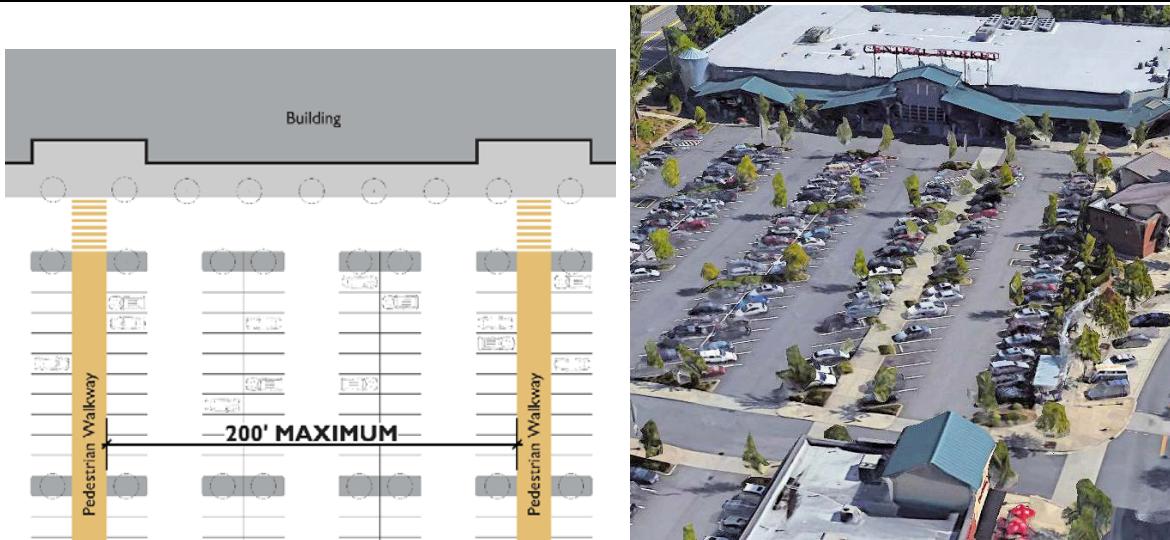
The entries of the example on the left connect directly to a public sidewalk while the entries in the right example connect to a common path that extends to the sidewalk.

(iii) **Crosswalks.** Crosswalks are required when a walkway crosses an on-site paved area accessible to vehicles.

- A. Appearance. All crosswalks shall contain contrasting material (such as concrete) and/or patterns (such as stamped asphalt), excluding painted surfaces.
- B. Raised crosswalks (speed tables). On sites larger than one acre, all crosswalks near major building entrances, parking garage entries, vehicular entries to the site, and other high-traffic areas shall be vertically raised to sidewalk level. The purpose of raised crosswalks is to provide a continuous walking or rolling surface, increase the visibility of pedestrians, and slow the speed of vehicular traffic. This requirement does not apply to crosswalks crossing public roadways.

(iv) **Pedestrian walkways through parking lots.** Developments with 50 or more parking spaces shall include specially marked or paved walkways through parking areas. At least one walkway shall be provided for every four rows of parking, or at a maximum spacing of 200 feet. The walkways shall provide a safe connection to the building entrance and meet the walkway design standards in subsection (iv) of this section.

**Figure 25.71.320.F**  
**Parking lot pedestrian walkway standards and example.**



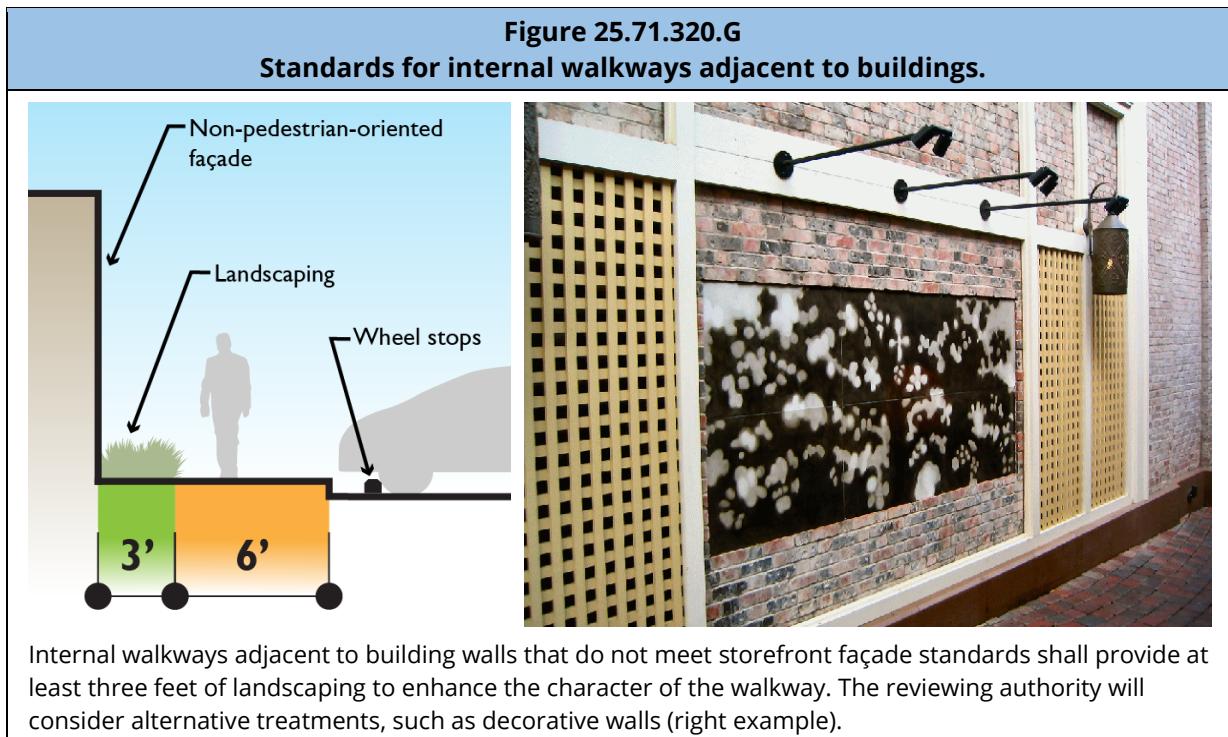
Note the location of the parking lot walkway in the upper right example (connecting shops in one building to the main entry of a grocery store).

(v) **Walkway design.**

- A. All internal walkways shall have a minimum six feet-wide unobstructed walking surface, except where wider walkways are prescribed elsewhere in this chapter or where the applicable uses and context dictate wider walkways.
- B. Where an internal walkway is adjacent to perpendicular or angled parking, wheel stops are required to prevent encroachment of parked

vehicles over the walkway. In lieu of wheel stops, an extra two feet of walkway width shall be provided.

- C. Internal walkways shall be separated from structures by at least three feet for landscaping except where the adjacent building façade meets the storefront block frontage standards per DMC 25.71.310.
- D. **DEPARTURES** will be considered where other landscaping and/or façade design treatments to provide attractive walkways are proposed. Examples include, but are not limited to, sculptural, mosaic, bas-relief artwork, or other decorative treatments that meet the purpose. Figure 25.71.320.G below provides one example.



- E. Where walkways are between a parking lot and a multi-tenant commercial building which is 100 feet or more long, walkways shall feature a 12-foot-wide sidewalk with the following features:
  1. Eight feet minimum unobstructed width.
  2. Trees placed at an average of 50 feet on-center and placed in grates or in planting strips as set forth in subsection (c) below. **DEPARTURE:** Breaks in the tree coverage will be considered near building entries to enhance visibility.
  3. Planting strips may be used between any vehicle access or parking area and the walkway; provided, that the trees required above are included, the walkway meets the applicable width

standards herein, and the combined walkway and planting strip is at least 12 feet wide.

**(7) Vehicular circulation and parking.**

The standards herein supplement the provisions of the Dupont Public Works Standards. Where there is a conflict, the provisions herein apply, except that the City Engineer may override this requirement and apply the Public Works standard for a driveway if the Public Works Director finds that a failure to apply the Public Works standards will result in a threat to public safety.

**(a) Intent.**

- (i) To create a safe, convenient, and efficient network for vehicle circulation and parking.
- (ii) To enhance the visual character of interior access roads.
- (iii) To minimize conflicts with pedestrian circulation and activity.

**(b) Driveways.** Driveways shall meet the standards of the Dupont Public Works Standards Manual, including, but not limited to, standards for intersection spacing, distance from crosswalks, and width.

**(c) Parking entry location.** Parking lot and parking garage entries shall provide vehicular access in the following order of preference:

- (i) Alleys.
- (ii) Basic block frontage streets.
- (iii) Landscaped block frontage streets.
- (iv) Secondary block frontage streets.

See related standards for parking location in DMC 25.71.310, Block Frontage Standards and Off-street parking quantities in DMC 25.71.280.

**(d) Garage and service area entries and pedestrian safety.**

- (i) Parking garage entries and service area entries shall be well-integrated into the design of the building and shall not dominate the streetscape. They should be designed and sited to complement, not subordinate, the pedestrian entry.
- (ii) Where vehicles enter and exit a parking garage or service area across a sidewalk or internal walkway, direct visibility between pedestrians and motorists shall be provided. Treatments shall include setback entries, cropped wall corners, wall openings, or other treatments to enhance safety and visibility. Treatments should also include pavement markings or changes in pavement materials. Mirrors and electronic visual/audio warnings alone are not acceptable methods of visibility.
- (iii) Parking garage entries are encouraged to have flat driveways behind the sidewalk for the length of at least one vehicle in order to enhance visibility between pedestrians and motorists exiting the garage. Steeply sloping

driveways immediately adjacent to a sidewalk or internal walkway require greater application of visibility treatments described in (B) above.

- (iv) Garage entry doors and gates, if provided, shall be at least 50 percent transparent between the bottom and top of the door or gate in order to enhance the safety of garage users.

**(8) Service areas and mechanical equipment.**

**(a) Intent.**

- (i) To minimize adverse visual, odor, fumes, and noise impacts of mechanical equipment, utility cabinets and other service areas.
- (ii) To provide adequate, durable, well-maintained, and accessible service and equipment areas.
- (iii) To protect residential uses and adjacent properties from impacts due to location and utilization of service areas.

**(b) Location of ground-level service areas and mechanical equipment.** Ground-level building service areas and mechanical equipment include loading docks, trash collection and compactors, dumpster areas, storage tanks, electrical panels, HVAC equipment, and other utility equipment. Any elements located outside the building envelope at ground level, the following standards apply:

- (i) Service areas shall be located for convenient service access while avoiding negative visual, auditory, olfactory, or physical impacts on the streetscape environment and adjacent residentially zoned properties.
- (ii) Service areas shall not be visible from the sidewalk and adjacent properties. Where the director finds that the only option for locating a service area is an area visible from a public right-of-way, resident/customer parking area, internal walkway, or pedestrian area, or from an adjacent property, the service area shall be screened with the structural and landscaping screening measures provided in subsection (iii) below.
- (iii) Service areas for multiple users or tenants shall be co-located or consolidated to the extent practical.
- (iv) Service areas shall be sited for alley access if available. Service elements accessible from an alley are exempt from the screening requirements of this section.
- (v) Trash collection areas shall include roofs or overhead weather protection and shall meet required stormwater standards. Drainage shall be designed to meet applicable NPDES standards.
- (vi) Exterior loading areas for commercial uses shall not be located within 20 feet of a residentially zoned property.

**DEPARTURE:** Exterior commercial loading areas are exempt from this standard if the reviewing authority finds such a restriction does not allow feasible development and alternative design measures can successfully

mitigate potential negative impacts. For example, areas and drives may be required to be separated from the residential lot by a masonry wall at least eight feet high.

- (vii) Other provisions of this section notwithstanding, service areas used by residents shall be located to avoid entrapment areas and other conditions where personal security is potentially a problem. Pedestrian-scaled lighting or other measures may be needed to enhance security.
- (viii) Noise-producing mechanical equipment, such as fans, heat pumps, etc., shall be located and/or shielded to minimize sounds and reduce impacts to adjacent dwelling units.
- (ix) Dumpster storage areas shall be provided for all development, located on site and not in the public right-of-way, and sized to accommodate the minimum dumpster sizes (see DMC 25.100.050).

(c) **Screening of ground-level service areas and mechanical equipment.** Where screening of ground level service areas is required, the following applies:

- (i) Structural enclosures shall be constructed of masonry, heavy-gauge metal, heavy timber, or other decay-resistant material that is also used with the architecture of the main building. Alternative materials other than those used for the main building are permitted if the finishes are similar in color and texture, or if the proposed enclosure materials are more durable than those for the main structure. The walls shall be sufficient to provide full screening from the affected roadway, pedestrian areas, or adjacent use, but shall be no greater than seven feet tall. The enclosure may use overlapping walls as a screening method. See Figure 25.71.320.H below.
- (ii) Gates shall be made of heavy-gauge, sight-obscuring material. Chain link or chain link with slats is not an acceptable material for enclosures or gates.
- (iii) Where the interior of a service enclosures is visible from surrounding streets, walkways, or residential units, an opaque or semi-opaque horizontal cover or screen shall be used to mitigate unsightly views. The horizontal screen/cover should be integrated into the enclosure design (in terms of materials and/or design).
- (iv) Trash collection points shall be located and configured so that the enclosure gate swing does not obstruct pedestrian or vehicle vehicular traffic or does not require that a hauling truck project into any public right-of-way. Screening elements shall allow for efficient service delivery and removal operations.
- (v) The service area shall be paved.
- (vi) The sides and rear of service enclosures shall be screened with landscaping at least five feet wide in locations visible from the street, parking lots, and walkways to soften views of the screening element and add visual interest. Plants shall be arranged with a minimum of 50 percent coverage at time of

installation and be able to grow to fully screen or shield the equipment within three years.

- (vii) **DEPARTURES** will be considered, provided the enclosure and landscaping treatment meet the purpose of the standards and add visual interest to site users.

**Figure 25.71.320.H**  
Acceptable trash screening enclosures.



All examples use durable and attractive enclosures with trees and shrubs to soften views of the enclosures from the side. Image C and D use a trellis and weather protection structure on top – a desirable feature particularly where the tops of the enclosures are visible from surrounding buildings, streets, and walkways (due to topography or building heights).

- (d) **Utility meters, electrical conduit, and other service utility apparatus.** These elements shall be located and/or designed to minimize their visibility to the public. Project designers are strongly encouraged to coordinate with applicable service providers early in the design process to determine the best approach in meeting these standards. If such elements are mounted in a location visible from the street, internal walkway, common outdoor recreation area, or shared auto courtyards, they shall be screened with vegetation and/or integrated into the building's architecture.

**Figure 25.71.320.I**  
**Utility meter location and screening - good and bad examples.**



Place utility meters in less visible locations. Images A and C are successfully tucked away in a less visible location and/or screened by vegetation. Images B and D are poorly executed and would not be permitted in such visible locations. Such meters shall be coordinated and better integrated with the architecture of the building.

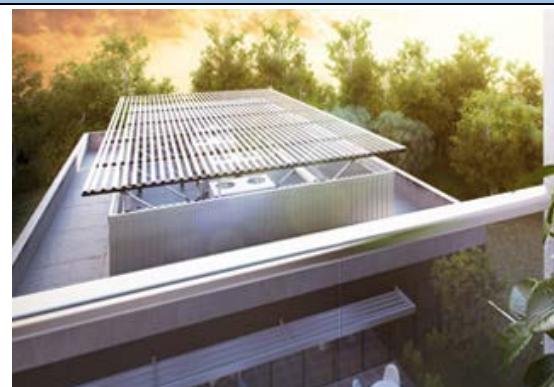
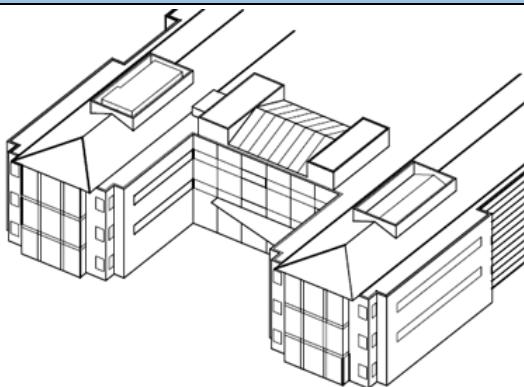
**(e) Roof-mounted mechanical equipment.**

- (i) All rooftop mechanical equipment, including air conditioners, heaters, vents, and similar equipment shall be fully screened from public view at the street level and from rooftop residential amenity spaces. Screening shall be located so as not to interfere with operation of the equipment.  
 Exception: Roof-mounted wind turbines, solar energy and photovoltaic systems, and rainwater reuse systems do not require screening.
- (ii) For rooftop equipment, all screening devices shall be well integrated into the architectural design through such elements as parapet walls, false roofs, roof wells, clerestories, or equipment rooms. Screening walls or unit-mounted screening is allowed but less desirable. Wood shall not be used

for screens or enclosures. Louvered designs are acceptable if consistent with building design style.

- (iii) The screening materials shall be of material requiring minimal maintenance and shall be as high as the equipment being screened.
- (iv) Noise producing mechanical equipment, such as fans, heat pumps, etc., shall be located and/or shielded to minimize sounds and reduce impacts to adjacent dwelling units.

**Figure 25.71.320.J**  
**Examples of how to screen roof-mounted mechanical equipment.**



The left illustration shows how rooftop mechanical equipment can be located and screened effectively. The right image shows effective location and screening, including side walls and a trellis to screen views from taller surrounding buildings.

## (9) Site lighting.

### (a) Intent.

- (i) To ensure that lighting contributes to the character of the streetscape and does not disturb adjacent developments and residences.
- (ii) Protect against light pollution, thereby reclaiming the ability to view the night sky and helping to preserve the quality of life and scenic value of this desirable visual resource throughout the region and nearby natural open spaces.
- (iii) Help protect and enhance human health and wellness and wildlife habitation and migration by minimizing light pollution and its impact on all forms of life.
- (iv) Promote lighting practices and systems to conserve energy, decrease dependence on fossil fuels, and limit greenhouse gas emissions.
- (v) Ensure that sufficient lighting can be provided where needed to promote safety and security on public and private property, and to allow for reasonable lighting for outdoor activities.
- (vi) Provide attractive lighting that supports and enhances the urban environment, emphasizes architectural elements, and encourage

pedestrian activity and wayfinding beyond daylight hours, especially during the long nights of Pacific Northwest winters.

(b) **Applicability.** All outdoor lighting shall comply with the provisions herein, unless otherwise exempted. This includes, but is not limited to, new lighting, replacement lighting, additions and alterations, or any other lighting whether attached to buildings, poles, structures, the earth, or any other location.

(i) The following types of lighting are exempt from the provisions of this section:

- A. Lighting solely for signs.
- B. Underwater lighting.
- C. Temporary and seasonal cord-and-plug portable lighting.
- D. Construction or emergency lighting.
- E. Outdoor rope and string lights for outdoor seating and gathering areas.

(c) **General standards.**

- (i) All luminaires shall be fully shielded and shall not emit light into the upper hemisphere around the luminaire or onto adjacent properties and structures, either through exterior full cut-off shields or through optics within the fixture. Support and mounting systems for luminaires shall not allow post-installation adjustments that could defeat compliance of this requirement.
- (ii) City-approved standardized fixtures shall be used for sidewalk lighting located within the right-of-way or publicly accessible easements on private property.
- (iii) On-site lighting elements should be complementary, including internal walkway lighting, accent and parking lot lighting, and lighting of adjacent developments and the public right-of-way.
- (iv) Except as provided in this section, outdoor lighting is encouraged to follow the intensity, technology, and other recommendations of the International Dark Sky Association and the Illuminating Engineering Society of North America.

(d) **Height.**

- (i) Freestanding lighting fixtures in parking lots shall not exceed 20 feet in height. Lighting fixtures on the top level of parking garages shall not exceed 12 feet in height.
- (ii) Pedestrian scale lighting shall not exceed 16 feet in height.
- (iii) Building-mounted exterior lighting shall not be placed at any point greater than 20 feet above the adjacent grade, except the height limit is 14 feet when within 100 feet of a residential zone. This standard does not apply to

- fully recessed lights, such as when mounted on the underside of a gas station fueling canopy or a building roof overhang.
- (iv) Building-mounted exterior lighting for roof decks is permitted provided the luminaires are located at least 10 feet horizontally from the edge of the roof.
- (v) Recreational facility lighting heights are dependent on the facility design. Such lights must be designed to limit the light spill to adjacent properties to no more than 1.0 foot candle.

**Figure 25.71.320.K**  
**Examples of site lighting.**



- (e) **Parking lot lighting.** Lighting in parking lots shall be appropriate to create adequate visibility at night and evenly distributed to increase security. Lighting shall be located so that trees within the parking lot do not obscure the operation of the light fixture.
- (f) **Lighting color (chromaticity).** The correlated color temperature of all outdoor lighting shall be 3,500 Kelvin maximum or lower (refer to American National Standard Institutes publication C78.377 for guidance on LED lighting). Exceptions may be made for architectural floodlighting, accent lighting, or outlining.
- (g) **Exterior lighting controls.**
  - (i) Automated control systems, such as energy management systems, photoelectric switches, motion sensors, and astronomic timer switches, shall be used to meet the hours of operation requirements and the technical and energy efficiency requirements of the applicable Washington State Energy Code.
  - (ii) Exceptions:
    - A. Egress lighting as required by the Building Code.
    - B. Lighting required for accessibility.
    - C. Lighting required by statute, law, or ordinance to operate all night.
    - D. A manual override at each exit door is allowed regardless of automatic control device.

E. Seasonal holiday lighting and event lighting.

(h) **Decorative lighting** is permitted and should be limited to meet the purpose of this section. Consider dimming or curfews for such lighting after midnight. Such lighting includes:

- (i) Landscape lighting.
- (ii) Architectural floodlighting, accent lighting, and outlining.
- (iii) Lighting to illuminate flags, public art, water features, and similar edifices.
- (iv) Outdoor rope and string lights for outdoor seating and gathering areas.

(i) **Prohibited lighting.**

- (i) Dynamic lighting.
- (ii) Luminaires exceeding 500,000 peak candelas and/or 500,000 lumens.
- (iii) Laser lighting.
- (iv) Any lighting of undeveloped environmentally sensitive areas.
- (v) Any lighting that may be confused with warning signals, emergency signals, or traffic signals.
- (vi) Mercury, low pressure sodium, or other light sources in public areas that can impede or distort the perception of actual colors.
- (vii) Blinking, flashing, intermittent, and/or moving lights unless specifically allowed elsewhere in the Dupont Municipal Code or Public Works Manual.
- (viii) Lighting permanently attached to trees.

(10) **Landscaping.**

(a) **Intent**

- (i) To emphasize landscaping as one of the character-defining features of the Old Fort Lake Subarea.
- (ii) To accommodate flexibility for the total amount of landscaped area for mixed-use and multifamily areas.

(b) **Wildland-Urban Interface standards.** Old Fort Lake Subarea is within defined Wildland-Urban Interface areas and are thus subject to special landscaping standards for such areas. Where these landscaping standards conflict with applicable Wildland-Urban Interface standards, the Wildland-Urban Interface standards apply.

(c) **Standards.** Developments are subject to the landscaping provisions of DMC Chapter 25.90, with the following exceptions:

- (i) Minimum landscaped area for multifamily areas where more than 50 percent of the off-street parking is contained within or under buildings shall be 25 percent.
- (ii) The following landscaped types and credits may be used within the interior landscaping of multifamily developments set forth in subsections (1) above to meet the standards:

- A. Ground level planting beds qualify as landscaped surfaces at a 100 percent rate.
- B. Green roof. Green roofs qualify as a landscaped surface at a 50 percent rate (i.e., two square feet of green roof qualifies as one square foot of landscaped area) provided they comply with Wildland-Urban Interface standards. Green roof areas with soil depths greater than 12 inches and planned to support large shrubs and trees qualify as a landscaped surface at a 100 percent rate.

(d) **Other landscaping standards** are set forth in the following sections:

- (i) Block frontage standards of DMC 25.71.310.
- (ii) Most of the site planning standards of DMC 25.71.320.
- (iii) Blank wall treatment standards of DMC 25.71.470.

## 25.71.400 Building Design

- 25.71.410 Intent
- 25.71.420 Applicability
- 25.71.430 Building character and variety
- 25.71.440 Building massing and articulation
- 25.71.450 Building details
- 25.71.460 Building materials
- 25.71.470 Blank walls

### 25.71.410 Intent.

This section provides standards to promote buildings with an architectural character that reflects the envisioned Old Fort Lake aesthetic and is based on human-scaled design details, durable high-quality materials, and responds uniquely to the site's context.

### 25.71.420 Applicability

These building design standards are applicable to all nonresidential and multifamily developments in the Old Fort Lake Subarea.

### 25.71.430 Building character and variety.

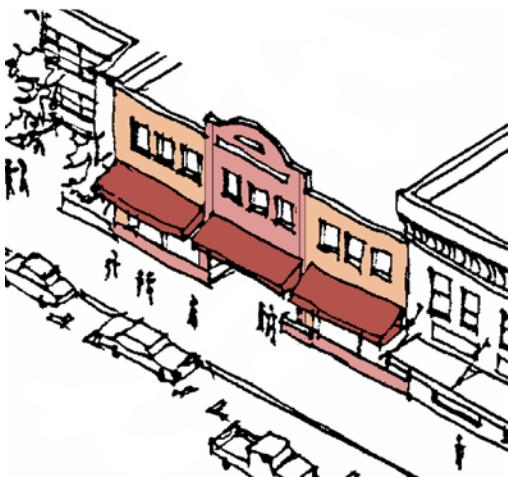
- (1) **Intent.**
  - (a) To avoid generic, corporate architectural design that degrades the character and identity of Dupont.
  - (b) To avoid monotonous repetition of the same building forms, materials, and colors in larger developments.
- (2) **Corporate architecture prohibited.** Architecture that is defined predominately by corporate identity features and is difficult to adapt to other uses is prohibited. For example, some franchise convenience uses have very specific architectural features (such as a distinctive roofline design that functions as a sign) that reinforce their identity. As tenants change in these types of buildings, these corporate identity features can negatively impact the character of the area and identity of new tenants. These features can also be very expensive to reconfigure and adapt to new uses.
- (3) **Building design variety.** Buildings in multi-building developments shall visibly vary in at least one significant aspect so that they are clearly not identical as viewed from public streets. Aspects can include forms, massing and the composition and articulation of exterior building materials, fenestration patterns, building entries, weather protection features, and rooflines.

## 25.71.440 Building massing and articulation.

- (1) **Intent.** This section contains standards that affect the massing of buildings through façade design articulation, façade width, and roofline design. The purpose of this section is:
  - (a) To employ architectural elements (like windows, balconies, entries, etc.) that create a complementary pattern or rhythm, dividing large buildings into smaller identifiable pieces.
  - (b) To integrate substantial articulated/modulated features on large buildings to break up the massing and add visual interest.
- (2) **Exemptions.** Buildings with less than 50 horizontal feet of façade are exempt from the standards in this section.
- (3) **Façade articulation.** Façade articulation to create a human-scaled pattern is required for street-facing building façades and other building elevations facing parks or the golf course, containing primary building entrances, and adjacent to lower intensity zones.
  - (a) For non-residential buildings at least three articulation features shall be employed at intervals no greater than 40 feet in the Commercial and Entertainment zone, and 60 feet in the Neighborhood Business zone.
  - (b) Multifamily buildings in all applicable zones shall employ at least three articulation features at intervals that relate to the location/size of individual units within the building (or no more than every 50 feet).
- (4) **Articulation features** to meet the standards of (3) above include:
  - (a) Use of window patterns and/or entries that reinforce an articulation pattern.
  - (b) Use of awnings or similar weather protection features (not applicable to residential buildings).
  - (c) Use of vertical piers/columns.
  - (d) Change in roofline with a difference in height, slope or pitch, direction, or shape (such as towers or dormers).
  - (e) Change in building material or siding style.
  - (f) Use of vertical building modulation of at least 12 inches in depth if tied to a change in roofline per subsection (d) of this section or a change in building material, siding style, or color. On residential buildings balconies may be used to qualify for this option if they are recessed or projected from the façade by at least 18 inches. Juliet balconies or other balconies that appear to be tacked on to the façade will not qualify for this option unless they employ high quality materials and effectively meet the purpose of the standards.
  - (g) Other design techniques that effectively break up the massing of structures and add visual interest.

**DEPARTURE:** Other articulation features may be approved, provided they meet the purpose of the standards and the design criteria set forth in subsection (5) of this section.

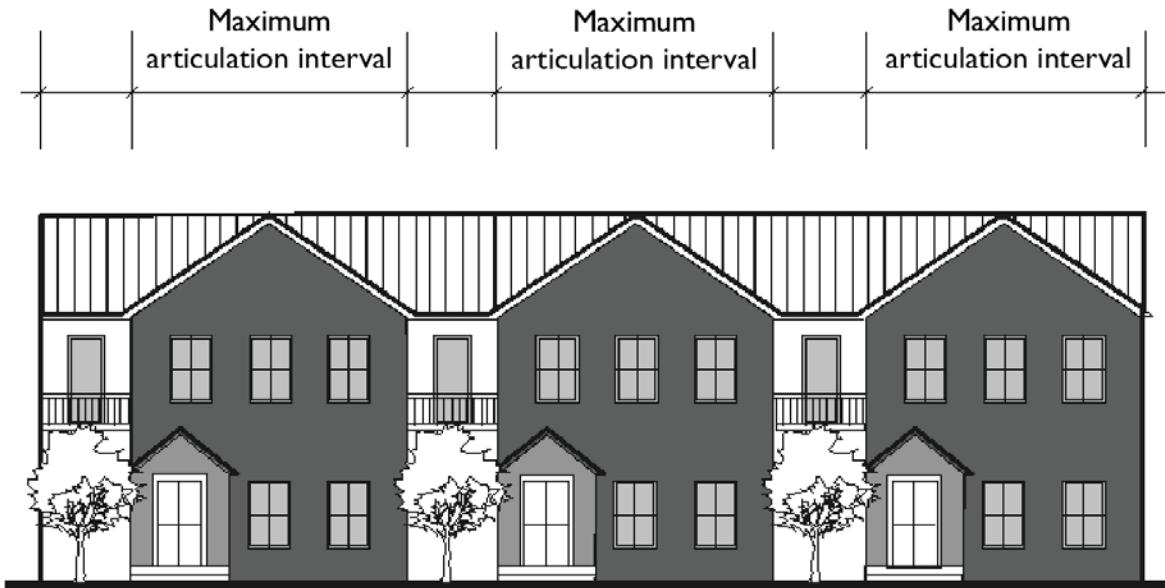
**Figure 25.71.440.A**  
**Non-residential articulation examples.**



The left image uses window patterns, weather protection elements, and roofline modulation. The photo example to the right also includes window patterns and weather protection along with a change in masonry texture and color to articulate the façade. The lower example illustrates how a multitenant retail building can successfully be articulated (windows, weather protection, vertical building modulation, and roofline changes).



**Figure 25.71.440.B**  
Multifamily articulation examples.

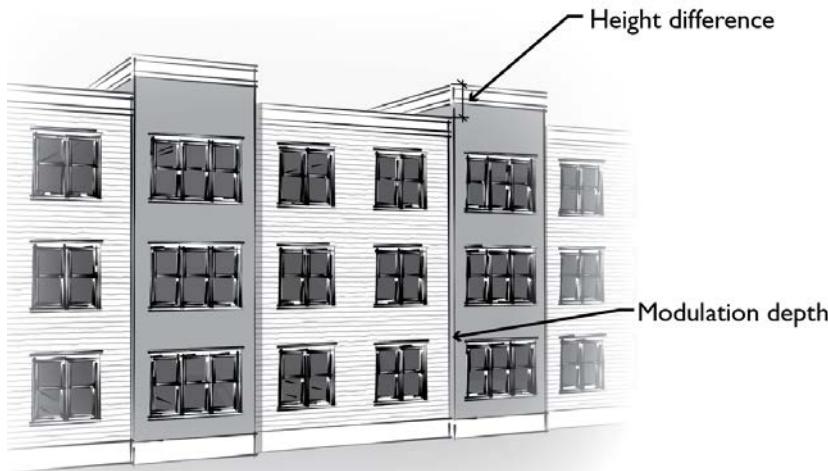


Below Image A uses a combination of vertical building modulation, window patterns, material changes, and roofline modulation. Image B is unacceptable.



**Figure 25.71.440.C**  
Acceptable examples of roofline modulation.

**Figure 25.71.440.B**  
**Multifamily articulation examples.**



Roofline modulation qualifies as an articulation feature when combined with vertical building modulation techniques.



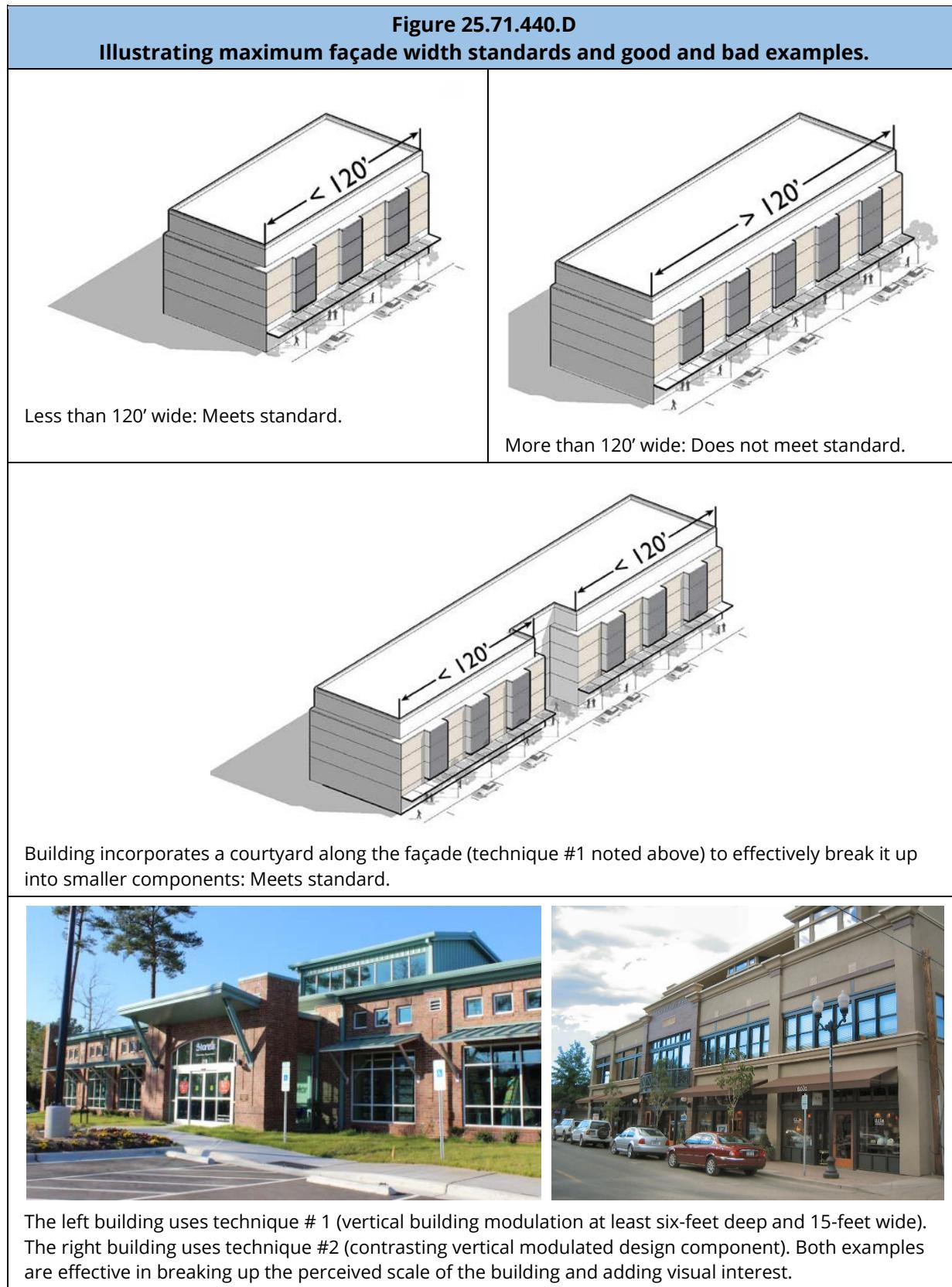
The left building illustrates a pitched roof example, and the right building illustrates a flat roof example.

(5) **Departure criteria associated with articulation standards.** The following criteria will be considered in determining whether the proposed articulation treatment meets the intent:

- The type and width of the proposed articulation treatment and how effective it is in meeting the purpose given the building's context.
- The applicable block frontage designation. Basic block frontages warrant more flexibility than block frontages designated as Secondary or landscaped.
- The size and width of the building. Smaller buildings warrant greater flexibility than larger buildings.
- The quality of façade materials in concert with doors, windows, and other façade features and their ability to add visual interest to the street from a pedestrian scale and more distant observable scales.

(6) **Maximum façade width.** Street-facing building facades and other building elevations facing lower intensity zone edge must include at least one of the following features to break up the massing of the building and add visual interest. This standard applies to applicable building elevations wider than 120-feet (wider than 200-feet in the Neighborhood Business zone).

- (a) Provide vertical building modulation at least six-feet deep and 15-feet wide. For multi-story buildings, the modulation must extend through at least one-half of the building floors.
- (b) Use of a contrasting vertical modulated design component featuring all of the following:
  - (i) Utilizes a change in building materials that effectively contrast from the rest of the façade.
  - (ii) Component is modulated vertically from the rest of the façade by an average of six inches.
- (c) Façade employs building walls with contrasting articulation that make it appear like multiple distinct buildings. To qualify for this option, these contrasting façades must employ all of the following:
  - (i) Different building materials and/or configuration of building materials.
  - (ii) Contrasting window design (sizes or configurations).
- (d) **DEPARTURES** to subsections (6)(a-c) will be considered provided the design meets the intent of the standards. Supplemental consideration for approving alternative designs:
  - (i) Width of the façade. The larger the façade, the more substantial articulation/ modulation features need to be.
  - (ii) Block frontage designation. Storefront designated block frontages warrant the most scrutiny while undesignated streets warrant more flexibility.
  - (iii) The type of articulation treatment and how effective it is in meeting the purpose given the building's context.



## 25.71.450 Building details.

- (1) **Intent.** Building details affect the human experience of architecture at the ground level and the quality of windows. The intent of this section is to:
  - (a) Encourage the incorporation of design details and small-scale elements into building façades that are attractive at a pedestrian scale.
  - (b) Integrate windows that add depth, richness, and visual interest to the façade.
  - (c) Create clear and welcoming building entries.
- (2) **Applicability.** This section applies to nonresidential street-facing building façades and other nonresidential or multifamily building facades facing parks and/or the golf course and containing primary building entrances.
- (3) **Façade details – nonresidential buildings.** The ground floor of commercial buildings shall be enhanced with appropriate details.
  - (a) This standard applies to building façades and building elevations facing parks or the golf course and containing primary building entrances.
  - (b) All new buildings shall employ at least one detail element from each of the three categories in subsection (4) for each façade articulation interval. For example, a building with 120 feet of street frontage with a façade articulated at 40 feet intervals will need to meet the standards for each of the three façade segments below.
- (4) **Façade detail categories.**
  - (a) Window and/or entry treatment:
    - (i) Display windows divided into a grid of multiple panes.
    - (ii) Transom windows.
    - (iii) Roll-up windows/doors.
    - (iv) Other distinctive window treatment that meets the purpose of the standards.
    - (v) Recessed entry.
    - (vi) Decorative door.
    - (vii) Other decorative or specially designed entry treatment that meets the purpose of the standards.
  - (b) Building element, façade attachment, or façade detail:
    - (i) Custom-designed weather protection element such as a steel canopy, cloth awning, or retractable awning.
    - (ii) Decorative building-mounted light fixtures.
    - (iii) Bay windows, trellises, towers, and similar elements.
    - (iv) Decorative, custom hanging sign(s) (option only available for building remodels).
    - (v) Other details or elements that meet the intent of these standards.

**Figure 25.71.450.A**  
Examples of decorative or specially designed windows and entries.

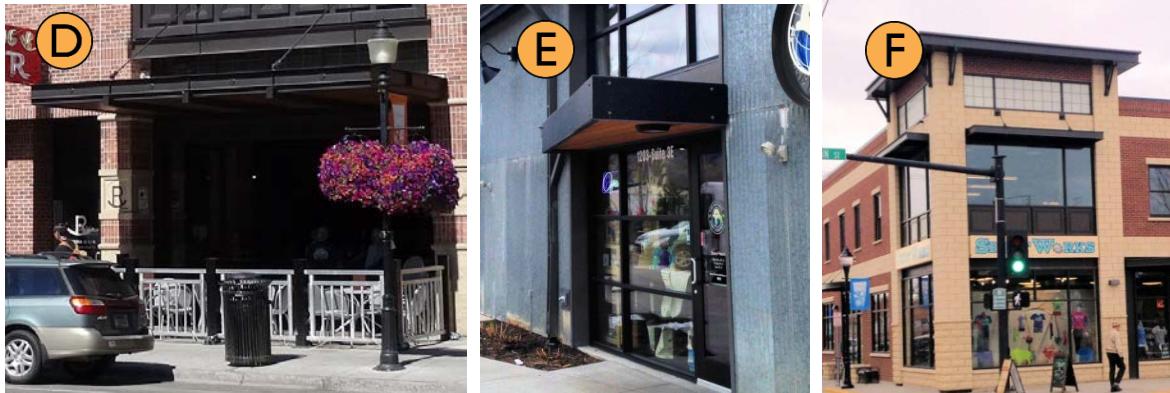


Examples of decorative or specially designed windows and entries. A = openable storefront window. B = transom windows. C = openable window with decorative details. D = decorative window shades. E = decorative door. F = recessed entry.

**Figure 25.71.450.B**  
Examples of decorative or specially designed windows and entries.



**Figure 25.71.450.B**  
Examples of decorative or specially designed windows and entries.



(c) Decorative material and artistic elements:

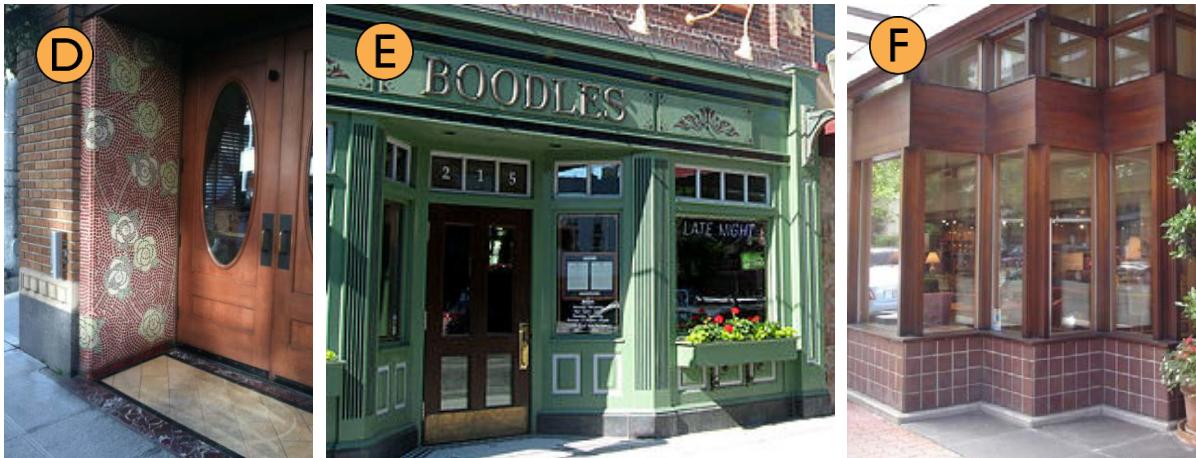
- (i) Decorative building materials/use of building materials. Examples include, but are not limited to, decorative use of brick, tile, or stonework.
- (ii) Artwork on building, such as a mural or bas-relief sculpture.
- (iii) Decorative kick-plate, pilaster, base panel, or other similar feature.
- (iv) Hand-crafted material, such as special wrought iron or carved wood.
- (v) Other details that meet the purpose of the standards.

**DEPARTURES** will be considered, provided the façade (at the overall scale and at the individual articulation scale) meets the intent of the standards above.

**Figure 25.71.450.C**  
Examples of decorative surface materials.



**Figure 25.71.450.C**  
Examples of decorative surface materials.



Examples of decorative surface materials. A = decorative brick/design. B = decorative tile work and column pattern. C = decorative medallion. D = decorative mosaic tile work. E = decorative bulkhead. F = decorative materials and design.

**(5) Window design standards.**

- (a) All windows (except storefront display windows) shall employ designs that add to the façade. At least one of the following features shall be included:
  - (i) Recess windows at least 1.5 inches from the façade.
  - (ii) Incorporate window trim (at least three inches wide) around windows.
  - (iii) Incorporate other design treatments that add depth, richness, and visual interest to the façade.
- (b) **DEPARTURES** from the window standards above will be considered, provided the design meets the intent of the standards.
- (c) Standards for specialty glass and treatments:
  - (i) Ground floor windows on all buildings may not use glass that is highly reflective, mirrored, darkly tinted, frosted, perforated, or otherwise treated to obscure visibility into the building.
  - (ii) On upper floors, highly reflective and mirrored glass shall not be used on more than ten percent of a building façade or other building elevations facing parks, the golf course, and containing primary building entrances.

**Figure 25.71.450.D**  
Acceptable and unacceptable window design examples.



The windows in Building A are recessed by at least 1.5" from the façade. Building B features trim at least 3" wide. Building C windows may not meet the full 1.5" recess, but the detailing adds a sense of depth and richness to the façade. Building D is not recessed, does not feature trim, and does not include any detailing.

(6) **Cornice/roofline design for flat roofs.** Nonresidential buildings employing a flat roof shall employ a distinctive roofline that effectively provides an identifiable "top" to the building, including one of the following (see Figure 25.71.450.E below):

- A traditional cornice line or a contemporary interpretation of a traditional cornice line. Such rooflines shall be proportional to the size and scale of the building.
- Understated cornice lines are permitted depending on the materials and design of the base and middle elements in reinforcing the base/middle/top configuration.

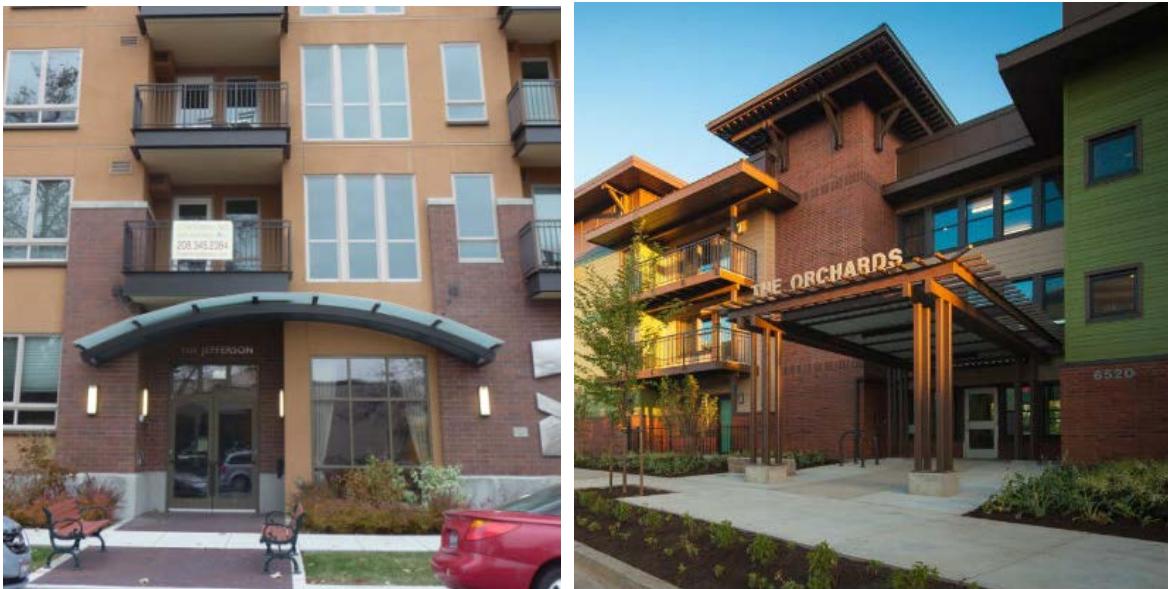
- (c) Rooftop solar units are permitted, provided the placement and design of units visible from the surrounding streetscape are carefully integrated into the overall design concept of the building.
- (d) **DEPARTURE:** Alternative roofline designs may be acceptable, provided the building design, collectively, meets the intent of the standards. For example, additional articulation treatments and/or detailing may help the building meet the departure criteria.

**Figure 25.71.450.E**  
**Examples of buildings employing confident and distinctive rooflines.**



- (7) **Articulated building entries.** The primary building entrance for an office building, hotel, multifamily building (when provided), public or community-based facility or other multi-story commercial building shall be designed as a clearly defined and demarcated standout architectural feature of the building. Such entrances shall be easily distinguishable from regular storefront entrances on the building and shall be scaled proportional to the building. See Figure 25.71.450.F below for good examples.

**Figure 25.71.450.F**  
**Building entry examples.**



## 25.71.460 Building materials.

- (1) **Intent.**
  - (a) To encourage the use of durable, high quality building materials that minimize maintenance cost and provide visual interest from all observable vantage points.
  - (b) To promote the use of a distinctive mix of materials that helps to articulate façades and lends a sense of depth and richness to the buildings.
  - (c) To place the highest priority on the first floor in the quality and detailing of materials at the pedestrian scale.
- (2) **Wildland-Urban Interface standards.** Old Fort Lake Subarea is within defined Wildland-Urban Interface (WUI) areas and are thus subject to special development standards for such areas. Where these building materials standards conflict with applicable Wildland-Urban Interface standards, the Wildland-Urban Interface standards apply.
- (3) **Quality building materials.**
  - (a) Applicants shall use high quality durable materials. This is most important for the base of buildings, particularly for commercial and neighborhood business buildings where the façade is sited close to sidewalks.
  - (b) Prohibited exterior building materials:
    - (i) Fiberglass.
    - (ii) Vinyl and plastic siding.
    - (iii) Plywood.
    - (iv) T-111 siding.

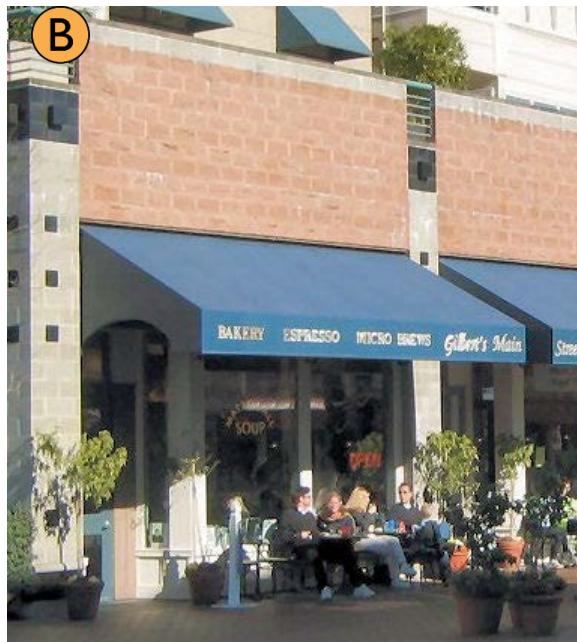
- (v) Exterior insulation and finish system (EIFS).
- (c) The use of sustainably harvested, salvaged, recycled, or reused products is encouraged wherever possible.

(4) **Special conditions and limitations for concrete block (also known as concrete masonry unit or CMU).**

- (a) Concrete block may be used as a cladding material for single story non-residential buildings or on the ground floor of any multi-story building provided it is incorporated with other permitted materials and/or incorporates a combination of textures and/or colors to add visual interest. For example, combining split or rock-façade units with smooth blocks can create distinctive patterns. The figure below illustrates acceptable concrete block use/designs.
- (b) **DEPARTURES** will be considered, provided the material's integration and overall façade composition meets the intent of the standards.

**Figure 25.71.460.A**  
**Acceptable concrete block use and design.**

**A**

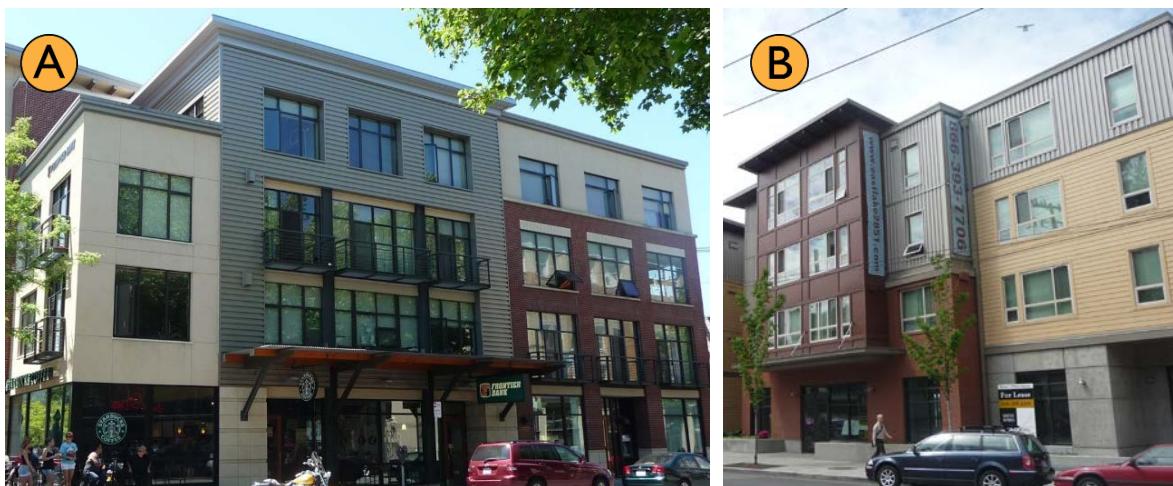


Building A uses alternating rows of concrete block and brick as an effective and contrasting accent material for its podium structure. Building B uses CMU as the primary cladding material for the ground level. Note the use of split-façade CMUs above each of the awnings and coupled with the use of smooth-façade CMUs on the vertical columns (which employ black accent tiles for added interest).

(5) **Special conditions and limitations for metal siding.** Metal siding may be used as a secondary cladding material (no more than 35 percent of the cladding for the front façade and no more than 50 percent for other buildings elevations) if it is incorporated with other permitted materials and complies with the following standards:

- Metal siding shall not extend lower than two feet above grade. Masonry, concrete, or other durable material shall be incorporated between the metal siding and the ground plane.
- Metal siding shall be factory finished with a matte, nonreflective surface.
- Metal siding shall feature visible corner molding and trim
- Use of at least two colors of is encouraged but not required.
- DEPARTURES** will be considered, provided the material's integration and overall façade composition meets the intent of the standards.

**Figure 25.71.460.B**  
Acceptable metal siding examples.



The buildings in Image A and B integrate a range of metal siding with masonry and other materials.

(6) **Special conditions and limitations for cementitious wall board paneling/siding.** Such material may be used, provided it meets the following provisions:

- No more than 30 percent of the façade's cladding and 40 percent of other building elevations cladding may be one texture and color of cement board.
- Cement board paneling/siding may not be used on the ground floor of nonresidential buildings where adjacent to a sidewalk or other internal walkway.
- Where cement board paneling/siding is used, the design shall integrate a mix of colors and/or textures that are articulated consistent with windows, balconies, and modulated building surfaces and are balanced with façade details that add visual interest from the ground level and adjacent buildings.

(d) **DEPARTURES** will be considered, provided the material's integration and overall façade composition meets the intent of the standards.

**Figure 25.71.460.C**  
Acceptable and unacceptable cementitious wall board examples.



The building on the left uses cement board in different textures and colors to help articulate the façade. The white color replicates the board and batten style in the left image and green color in the right image effectively replicates horizontal wood siding. The wall board panels covering a large area in a single color as in right image would not meet the purpose of the standards.

## 25.71.470 Blank wall treatment.

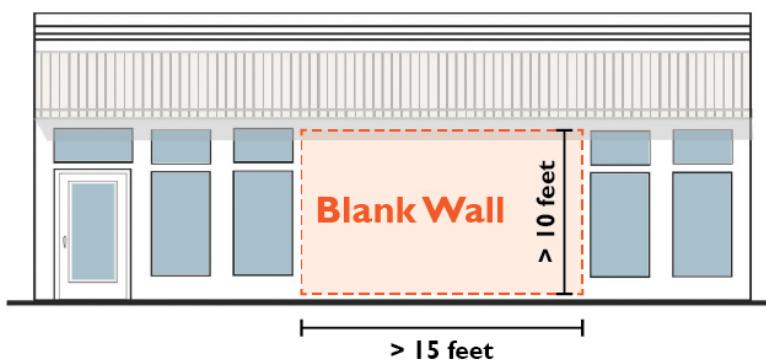
(1) **Intent.**

- To avoid untreated blank walls.
- To retain and enhance the character of Old Fort Lake's streetscapes.

(2) **Blank wall definition.** A ground floor wall (including building façades and retaining walls) is considered a blank wall if it does not include a transparent window or door, it is over ten feet in height, and it has a horizontal length greater than:

- 15 feet (when the wall is located less than five feet from the front lot line).
- 20 feet (when the wall is located five to ten feet from the front lot line).
- 25 feet (when the wall is located more than ten feet from the front lot line).

**Figure 25.71.470.A**  
Blank wall definition within five feet of a front lot line.



(3) **Blank wall treatment options.** Untreated blank walls visible from a street, public space, ground-level residential amenity space, or internal walkway are prohibited. Methods to treat blank walls include the following (a variety may be required):

- Display windows at least 16 inches of depth to allow for changeable displays. Tack on display cases do not qualify as a blank wall treatment.
- Landscape planting bed at least five feet wide or a raised planter bed at least two feet high and three feet wide in front of the wall with planting materials that are sufficient to screen at least 60 percent of the wall's surface within three years.
- Installing a vertical trellis or "green wall" in front of the wall with climbing vines or plant materials. The method shall be sufficient to screen at least 60 percent of the wall surface within three years. This option requires an irrigation and maintenance plan sufficient to maintain healthy plants for the life of the building.
- Installing a non-commercial mural or other permanent art feature, such as metal work or mosaics, subject to final approval by the director.
- Building detailing that adds visual interest at a pedestrian scale such as belt courses of masonry, decorative tile work, or accent lighting. Such detailing shall use a variety of surfaces; monotonous designs will not meet the purpose of the standards.

**Figure 25.71.470.B**  
**Blank wall treatment examples.**



**Figure 25.71.470.B**  
**Blank wall treatment examples.**



Image A uses an artistic mural; Image B uses a landscape planting bed; Image C uses a trellis with a vine plant; Image D uses an elevated planting bed and a trellis.

## DMC 25.71.500 Single-Family and Middle Housing

- 25.71.710 Intent
- 25.71.720 General provisions
- 25.71.730 Definitions
- 25.71.740 Applicability
- 25.71.750 Unit density
- 25.71.760 Housing types allowed
- 25.71.770 Dimensional standards
- 25.71.780 Design standards
- 25.71.790 Infrastructure standards

### 25.71.710 Intent.

The intent of DMC 25.71.700 these regulations is to:

- (1) To implement Engrossed Second Substitute House Bill 1110, codified in RCQ36.70A.030, 36.70A.280, 36.70A.635, 36.70A.636, 36.70A.637, 36.70A.638, 43.21C.495, and 43.21C.450, 64.32, 64.34, and 64.38, and 64.90, by providing land use, development, design, and other standards for middle housing developed on all lots zoned predominantly for residential use.
- (2) To implement the Community Character, Housing and Land Use goals and policies of the Old Fort Lake Subarea Plan.
- (3) To provide in one location all development standards for single-family and middle housing.

### 25.71.720 General Provisions.

- (1) Nothing in this ordinance prohibits the city from permitting detached single-family residences.
- (2) Nothing in this ordinance prohibits the city from requiring any development, including middle housing development, to provide affordable housing, either on-site or through an in-lieu payment, nor limit the city's ability to expand or modify the requirements of an existing affordable housing program enacted under RCW 36.70A.540.
- (3) Nothing in this ordinance requires the issuance of a building permit if other federal, state, and local requirements for a building permit are not met.
- (4) Nothing in this ordinance affects or modifies the responsibilities of the city to plan for or provide "urban governmental services" as defined in RCW 36.70A.030.
- (5) The city shall not approve a building permit for single-family or middle housing without compliance with the adequate water supply requirements of RCW 19.27.097.
- (6) The city shall not require through development regulations any standards for middle housing that are more restrictive than those required for detached single-family residences, but may apply any objective development regulations that are required for

detached single-family residences, including, but not limited to, set-back, lot coverage, stormwater, clearing, and tree canopy and retention requirements to ensure compliance with existing ordinances intended to protect critical areas and public health and safety.

- (7) The same development permit and environmental review processes shall apply to middle housing that apply to detached single-family residences, unless otherwise required by state law including, but not limited to, shoreline regulations under chapter 90.58 RCW, building codes under chapter 19.27 RCW, energy codes under chapter 19.27A RCW, or electrical codes under chapter 19.28 RCW.
- (8) Conflicts. In the event of a conflict between this ordinance and other development regulations applicable to single-family and middle housing, the standards of this ordinance control.

### **25.71.730 Definitions.**

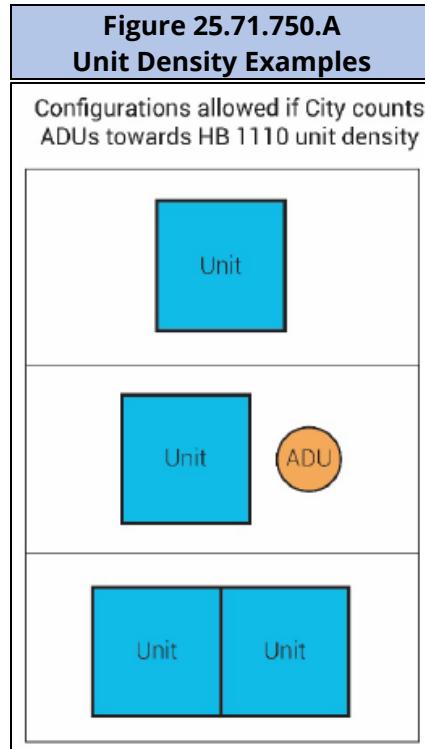
Definitions applicable to this Chapter are found in DMC 25.010.

### **25.71.740 Applicability.**

- (1) The provisions of this ordinance shall apply in the Old Fort Lake Subarea to all housing within the Single-Family (SF) and Middle Housing (MH) zoning districts.
- (2) The provisions of this ordinance do not apply to:
  - (a) Lots designated with critical areas designated under RCW 36.70A.170 or their buffers as required by RCW 36.70A.170.
  - (b) Non-residential or multifamily uses.

### **25.71.750 Unit Density.**

- (1) Unit density means the number of principal dwelling units on a lot, regardless of size. The permitted maximum unit density on all lots zoned predominantly for single-family or middle housing is two units per lot, ~~unless zoning permitting higher densities or intensities applies. The allowed unit density for middle housing is six units per lot.~~ See DMC 24.58.030 for higher densities associated with the multifamily zoning district. Accessory dwelling units (ADUs) count toward the unit density.
- (2) The standard of subsection (1) does not apply to lots after subdivision below 1,000 square feet.
- (3) Housing in the Old Fort Lake Subarea shall comply with the citywide regulations pertaining to Accessory Dwelling Units.



### 25.71.760 Housing Types Allowed.

Subject to the requirements of RCW 36.70A.635(5), the following housing types are permitted by-right, per the Permitted Uses provided in DMC 25.58.

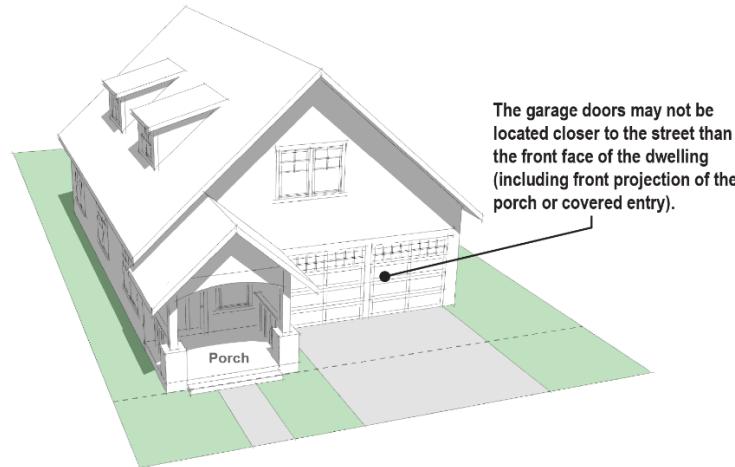
- (1) Single-Family District: Detached Single-Family and Duplexes.
- (2) Middle Housing District: Duplexes, Triplexes, Fourplexes, Fiveplexes, Sixplexes, Townhouses, Stacked flats, and cottage housing. A maximum of six attached units are considered middle housing.
- (3) Accessory Dwelling Units.

### 25.71.770 Dimensional Standards.

- (1) Applicability.
  - (a) The city shall not require through development regulations any standards for middle housing that are more restrictive than those required for detached single-family residences, but may apply any objective development regulations that are required for detached single-family residences. This includes, but is not limited to, the following types of dimensional standards: building height, setbacks, lot coverage, floor area ratio, lot area and lot dimension, impervious surface, open space, and landscaped area standards.

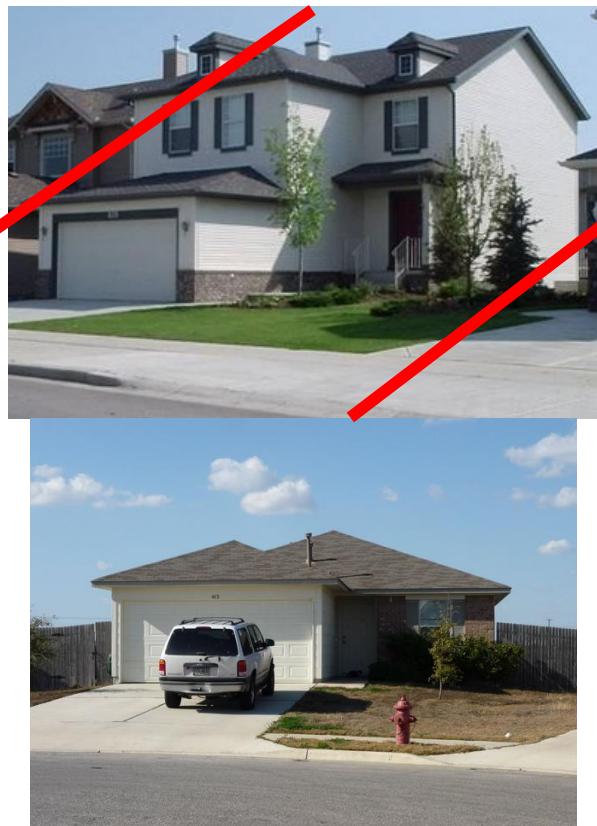
- (b) If a conflict exists between these standards for single-family and duplex housing and those provided elsewhere in the City's zoning code or Old Fort Lake Design Standards, the provisions of this chapter shall apply.
- (2) Density. Lot area requirements and unit density shall comply with DMC 25.71.770 (Unit Density) and the DMC 25.71.770(5) (Setbacks) and DMC 25.71.770(6) (Lot coverage) requirements of this chapter.
- (3) Units per structure. The minimum or maximum number of units per structure are guided by the definitions of housing types listed in Section 21.71.760 of this chapter and defined in DMC 25.10.
- (4) Maximum building height for all single-family and middle housing types: 35 feet
- (5) Minimum setbacks:
  - (a) The minimum required setbacks for single-family and middle housing are as follows.
    - (i) Street or front: 15 feet, or 10 feet for lots with three or more unit density.
    - (ii) Street or front, garage door (where accessed from a street): 20 feet
    - (iii) Side street: Five feet. The street side yard is that other than the street from which the lot fronts upon.
    - (iv) Side interior: Five feet, or zero feet for attached units internal to the development.
    - (v) Rear, without an alley: 20 feet.
    - (vi) Rear with access from an alley: Fifteen feet from the centerline of the alley.
  - (b) Allowed Setback projections:
    - (i) Covered porches and entries may project up to five feet into required front and rear setbacks.
    - (ii) Balconies, chimneys, bay windows, and similar appurtenances may project up to two feet into required front and rear setbacks as long as it does not constitute more than 20 percent of the wall façade to which it is attached.
    - (iii) Eaves may extend two feet beyond the line of the appurtenance or two feet into the required side yard, whichever is greater. If they eaves extend closer than 10 feet between structures, they shall be constructed of fire-rated materials.
    - (iv) Required parking spaces may occupy required setbacks.
    - (v) Storage sheds in rear yards that are less than 100 square feet in area and eight feet in height and decks, provided the deck is maximum six inches above finish grade.

**Figure 25.71.770.A.**  
**Street setback standards for individual/private garages on small single-family lots.**



The examples above comply with the standard, as the garage doors are not placed in front of the dwelling (including covered porch or living areas above the garage).

**Figure 25.71.770.A.**  
**Street setback standards for individual/private garages on small single-family lots.**



These examples do not comply with the standard. On the left, there is a “dwelling” space above the garage but the garage extends out in front of it. On the right, the garage extends beyond the front door and living areas.

- (6) Maximum Lot coverage.
  - (a) The maximum lot coverage for single-family and middle housing is 40 percent.
  - (b) Lot coverage is measured as follows: the total area of a lot covered by buildings or structures divided by the total amount of site area minus any required or planned dedication of public rights-of-way and/or designation of private rights-of-way. Lot coverage does not include building overhangs such as roof eaves, bay windows, or balconies and it does not include paved surfaces.

(7) Parks and Recreation Space

Single family and middle housing projects with 10 or more units are required to dedicate and construct park land. See DMC 25.71.260 for the park size and design criteria.

## **25.71.780 Design Standards.**

- (1) Applicability.
  - (a) These standards apply to all single-family and middle housing types except cottage housing. Design standards for cottage housing are in DMC 25.71.780(5).

- (b) For the purposes of this section, a "street" refers to any public or private street and does not include alleys.
- (2) Purpose. The purpose of these standards is to:
  - (a) Promote compatibility between single-family and middle housing uses.
  - (b) De-emphasize garages and driveways as major visual elements along the street.
  - (c) Provide clear, safe, and accessible pedestrian routes between buildings and streets.
  - (d) Implement the definitions of cottage housing provided by state law.
  - (e) To enhance the character of the street and neighborhood.
  - (f) To provide usable open space for residents.
- (3) Design Review. The process used for reviewing compliance with these design standards shall be Type I administrative design review described in DMC 25.175.010 - 020.
- (4) Standards.
  - (a) Entries Each building shall incorporate a primary building entry or one or more private unit entries, such as a covered porch or recessed entry. Each entry shall feature minimum weather protection of three feet by three feet.
  - (b) Driveway access and garage standards. Where the garage door(s) face the street, they may occupy no more than 50-percent of the ground-level façade facing the street. Garage doors may exceed this limit up to a maximum of 65-percent of the ground level façade facing the street provided at least two of the following design details are utilized:
    - (i) A decorative trellis over at least the entire width of the garage door(s).
    - (ii) A window or windows are placed above the garage on a second story or attic wall.
    - (iii) A balcony that extends out over the driveway.
    - (iv) Utilizing all single vehicle car doors as an alternative to wider garage doors suitable for two car garages.
    - (v) Windows in the garage door.
    - (vi) Decorative details on the garage door. Standard squares on a garage door will not qualify as a decorative detail.
    - (vii) Driveway cut width. Driveway cuts are limited to the widths identified in Table 25.71.780.B, below.
    - (viii) Windows and doors. A minimum of 15 percent of the area of the street-facing façade elevation shall include windows or doors. Facades separated from the street by a dwelling or located more than 100 feet from a street are exempt from this standard.

**Figure 25.71.780.A - Garage design detail examples.**

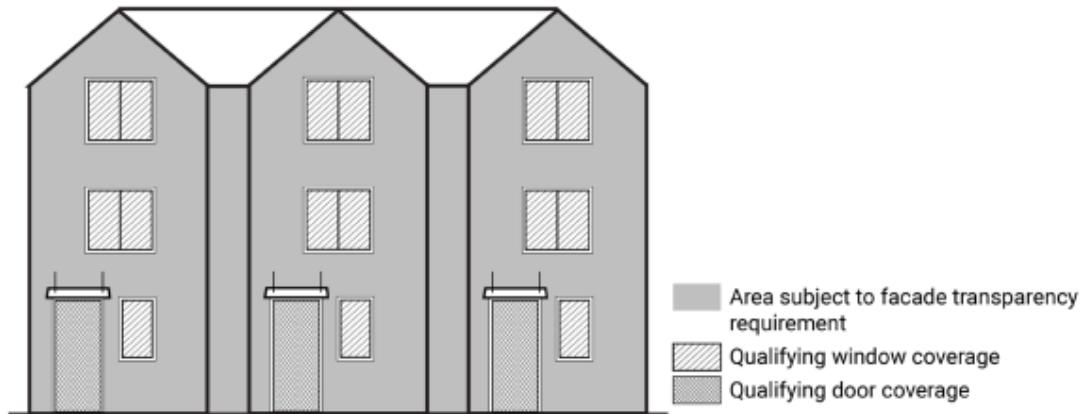
A decorative trellis over the garage door.



A balcony over the garage, single doors (instead of a wider double door), and windows above the garage on a second story.

**Table 25.71.780.B - Driveway cut width**

Lot width	Minimum driveway width	Maximum driveway width
≥ 40 feet	10 feet	20 feet
< 40 feet	10 feet	12 feet

**Figure 25.71.780.B  
Windows and Doors Transparency**

(ix) Minimum Useable Open Space in Yards. For all single-family and duplex lots:

A. All new single-family and duplex units must provide a contiguous open space to the side or rear of the dwelling with a minimum

dimension of 15 feet on all sides. For duplexes, each unit must have access to its own space meeting the dimensions.

B. Covered but unenclosed decks and porches may be used as a part of the usable open space, provided they are part of a space that meets the standards herein.

## (5) Cottage Housing Design Standards.

- (a) Applicability. These standards apply to cottage housing proposals.
- (b) Design Review. The process used for reviewing compliance with cottage housing design standards shall be administrative design review.
- (c) Standards.
  - (i) Cottage size. Cottages shall each have no more than 1,600 square feet of net floor area, excluding attached garages.
  - (ii) Entries. All cottages shall feature a roofed porch at least three feet by three feet.
  - (iii) Open space. Open space shall be provided equal to a minimum 20 percent of the lot size. This may include common open space, private open space, setbacks, critical areas, and other open space.
  - (iv) Common open space
    - A. At least one outdoor common open space is required.
    - B. Common open space shall be provided equal to a minimum of 300 square feet per cottage. Each common open space shall have a minimum dimension of 15 feet on any side.
    - C. Orientation. Common open space shall be bordered by cottages on at least two sides. At least half of cottage units in the development shall abut a common open space and have the primary entrance facing the common open space.
    - D. Parking and vehicular areas shall not qualify as common open space.
    - E. Critical areas and their buffers, including steep slopes, shall not qualify as common open space.
  - (v) Community building.
    - A. A cottage housing development may contain no more than one community building. The community building is not to be counted toward the open space requirements.
    - B. A community building shall have no minimum off-street parking requirement.

## (6) Parking Standards.

See DMC 25.71.270 for single-family and middle housing parking standards.

**25.71.790 Infrastructure Standards.**

- (1) Transportation. Regulations for driveways, frontage improvements, alley improvements, and other transportation public works and engineering standards shall not be more restrictive for middle housing than for detached single-family residences, except as addressed by this ordinance.
- (2) Infrastructure including driveways and fire apparatus roads, shall be designed in accordance with the city's Public Works Standards, building and fire codes or other fire, life, and safety standards.



## Chapter 25.58

# Old Fort Lake Districts



Draft, September 6, 2024

## 25.58 Old Fort Lake Zoning

Sections:

- 25.58.010 Purpose and applicability.
- 25.58.020 How the provisions of this chapter are applied.
- 25.58.030 Zoning Districts
- 25.58.040 District Map
- 25.58.050 Land Use Table
- 25.58.060 Dimensional Regulations

### 25.58.010 Purpose and applicability.

The Old Fort Lake Subarea Zoning (DMC 25.58) and Design Standards (DMC 25.71) are the official land use regulations guiding development within the Old Fort Lake subarea. These regulations are adopted under Chapter 35A.63 RCW and mandated in RCW 36.70A.040 and is consistent with the state's Growth Management Act, the Old Fort Lake Subarea Plan, and the DuPont Comprehensive Plan to serve the public health, safety, and welfare; to provide for orderly planned use of land resources; and to further the policies of the Subarea Plan. This code helps implement the subarea plan, which may be used to help interpret this code but does not itself regulate land uses. All land uses and development activities within the subarea must comply with the applicable requirements of this code, including requirements of the applicable land use district, with one exception. Approximately 46 acres of land within the subarea is owned by the Nisqually Tribe and has not been allocated a future land use or zoning designation. When development of the Tribe's property is planned, the Old Fort Lake Subarea Plan will need to be amended and a zoning designation determined through a public process.

### 25.58.020 How the provisions of this chapter are applied.

This chapter provides permitted and conditional uses and bulk regulations per zoning district in the Old Fort Lake Subarea. Uses in the Old Fort Lake Subarea are also subject to the Design Standards in DMC 25.71.

### 25.58.030 Zoning Districts

These zoning regulations implement the vision, goals, and policies of the Old Fort Lake Subarea Plan. The Old Fort Lake Subarea is intended to provide a range of residential, commercial, entertainment and recreational opportunities that are sustainable, embodies DuPont's high

quality of life, existing character, and its rich history. The subarea includes the following zoning designations. See the Zoning Use Table in DMC 25.71.050(A) for the full list of allowed uses per district.

- (1) Single-Family (SF): This zoning designation intends to provide for detached single family and duplex uses at a base density of two units per lot. Attached units can be on their own fee-simple lot, or all on one lot.
- (2) Middle Housing (MH): This zoning designation intends to provide for attached housing types from two to six units that meet the definition of Middle Housing in DMC 25.10 Definitions. Attached units can be on their own fee-simple lot, or all on one lot.
- (3) Multifamily (MF): This zoning designation intends to provide for higher density housing in buildings greater than 6 units. The buildings may be no taller than 50 feet, not including underground parking structures. No more than 200 units are permitted per building.
- (4) Neighborhood Business (NB): This zoning designation is intended to provide for smaller scale commercial type uses that serve the subarea and city residents, such as retail and restaurants, personal service uses, light manufacturing buildings no greater than 50,000 SF, professional and medical offices and banks and credit unions.
- (5) Commercial (COMM): This zoning designation is intended to provide for higher intensity commercial uses such as retail spaces, restaurants, commercial recreation that may draw from a larger region.
- (6) Entertainment (ENT): This zoning designation is intended to provide for entertainment and recreation type uses such as hotels, commercial recreation, retail, restaurants, and community and cultural centers. These uses may draw visitors from the region and be supportive of the adjacent golf course use.
- (7) Civic (CIV): This zoning designation is intended to provide for public and quasi-public uses such as schools, public parks, convention centers, community and cultural centers, churches, and public utilities.
- (8) Parks, Recreation and Open Space (PROS): This zoning designation is intended to provide for recreational uses and open space that implement the goals and policies of the subarea plan.

### **25.58.040 District map.**

[Insert approved Zoning Map, which will mirror the Land Use Map]

### **25.58.050 Use Table in Old Fort Lake Subarea zones.**

- (1) **Use Regulations** - Use regulations within the Old Fort Lake Subarea are identified in Table 25.58.050(A)
  - (a) Permitted Use: A "P" indicates that the specific use is a permitted use.
  - (b) Accessory Use: An "A" indicates that the specific use is permitted as an accessory use to other uses within the district. Where an "A," a slash (/), and a letter are

displayed in the table (e.g., A/P), the use may be permitted as an accessory use or established as a standalone use subject to the corresponding review procedure (indicated by the "P" or "C").

- (c) Conditional Use: A "C" = indicates that the specific use is a conditional use.
- (d) Prohibited Use: A blank space indicates use is prohibited in the subdistrict.

<b>DMC Table 25.58.050(A)</b> <b>Old Fort Lake Subarea</b> <b>Use Table<sup>1</sup></b>								
<b>Use Type</b>	<b>Zoning Districts</b>							
	<b>SF</b>	<b>MH</b>	<b>MF</b>	<b>NB</b>	<b>ENT</b>	<b>COM</b>	<b>CIV</b>	<b>PROS</b>
<b>Residential Use Types</b>								
Detached Single-Family	P							
Duplex	P	P						
Accessory Dwelling Unit(s)	P							
Middle Housing		P						
Multifamily (Apartments) (no more than 200 units per building)			P					
Assisted Living facility			C					
Adult retirement community	C	C	P					
Adult Family Homes	P	P	P					
Home occupations	A	A	A					
Family day care	P	P	P					
<b>Civic/Public Use Types</b>								
Schools	C	C	C				P	
Churches	C	C	C				P	
Public Parks, Open Space and Recreation <sup>2</sup>							P	P
Public Uses other than Parks and schools							P	C
Convention Center					A		P	
Community and Cultural Services (less than 30,000 SF)				P	P		P	C
Electric Vehicle Charging Stations	P	P	P	P	P	P	P	P

<sup>1</sup> Further Land Use Restrictions. Some uses may be restricted based on a State of Washington Department of Ecology Consent Decree and/or private restrictive covenant. These uses may only be allowed when not prohibited/restricted by a consent decree and/or restrictive covenant. The applicant shall demonstrate compliance as part of the land use and/or building permit review.

<sup>2</sup> Parks, recreation, and open space associated/required for residential development per the DMC, are permitted in the associated zoning districts for those types of uses.

<b>DMC Table 25.58.050(A)</b> <b>Old Fort Lake Subarea</b> <b>Use Table<sup>1</sup></b>								
<b>Use Type</b>	<b>Zoning Districts</b>							
	<b>SF</b>	<b>MH</b>	<b>MF</b>	<b>NB</b>	<b>ENT</b>	<b>COM</b>	<b>CIV</b>	<b>PROS</b>
Public Utilities	P	P	P	P	P	P	P	P
Quasi-Public Uses				P				P
Wireless Communication Facilities	C	C	C	C	C	C	C	
Small Cell Facility	C	C	C	C	C	C	C	
Wireless Communication Facilities, attached	A	A	A	A	A	A	A	A
Accessory Wireless Communications Antennas	A	A	A	A	A	A	A	A
<b>Office/Neighborhood Business Use Types</b>								
Light Manufacturing (up to 50,000 SF)				P		C		
Research and Development				P		C		
Nursing Homes with up to 180 beds			C	P				
Office				P		C		
Clinics				P		C		
Personal Services				P		P		
Automotive Repair				P		C		
Banks and Credit Unions				P		P		
<b>Commercial Use Types</b>								
Commercial Indoor and Outdoor Recreation			C	P	P	P		C
Automobile service station				C				
Retail Establishment (individual tenant spaces up to 20,000 SF)				P	P	P	P	
Retail Establishment (individual tenant spaces over 20,000 SF)				C	C	P		
Restaurants				P	P	P	P	
Restaurants with drive thru window (see prohibited uses)				C	C	C		
Food/Beverage Truck				P	P	P	P	P
Taverns				P	P	P		
Brewery				P	P	P		
Hotel (up to 150 rooms)					P			
Hotel (over 150 rooms)					C	C		
Child Day Care Centers				A/P	A/P	A/P	A/P	

(e) Prohibited uses in the Old Fort Lake Subarea:

- (i) Drive-through facilities without seating for at least 15 percent of the restaurant's total floor area
- (ii) Fish processing and other animal rendering operations.
- (iii) Vehicle sales.
- (iv) Wrecking yards, bulk fuel distributors, heavy equipment repair, mini-storage and like uses are prohibited.
- (v) Adult motel, adult motion picture theater, or adult cabaret.
- (vi) Warehouse/distribution.

## 25.58.060 Dimensional regulations

(1) The dimensional standards are established pursuant to Table 25.58.060.A.

DMC Table 25.58.060.A Dimensional regulations per zoning district				
Zoning District	Maximum Building Height*	Front Yard Setback	Side Yard Setback	Rear Yard Setback
<b>Single-Family (SF)</b>	35 feet	See DMC 25.71.770(5)		
<b>Middle Housing (MH)</b>	35 feet	See DMC 25.71.770(5)		
<b>Multifamily (MF)</b>	50 feet	Depending on block frontage type, see DMC 25.71.310	See DMC Table 25.71.320.A	See DMC Table 25.71.320.A
<b>Neighborhood Business (NB)</b>	45 feet	Depending on block frontage type, see DMC 25.71.310	See DMC Table 25.71.320.A	See DMC Table 25.71.320.A
<b>Commercial (COMM)</b>	45 feet	Depending on block frontage type, see DMC 25.71.310	See DMC Table 25.71.320.A	See DMC Table 25.71.320.A
<b>Entertainment (ENT)</b>	45 feet; Hotels 50 feet	Depending on block frontage type, see DMC 25.71.310	See DMC Table 25.71.320.A	See DMC Table 25.71.320.A
<b>Civic (CIV)</b>	45 feet	Depending on block frontage type, see DMC 25.71.310	See DMC Table 25.71.320.A	See DMC Table 25.71.320.A
<b>Parks, Recreation and Open Space</b>	35 feet	Depending on block frontage type, see DMC 25.71.310	See DMC Table 25.71.320.A	See DMC Table 25.71.320.A

\*Height of a building does not include underground structured parking. Height is measured as defined in DMC 25.10.080.035. In the Old Fort Lake Subarea, the height of a building is inclusive of rooftop mechanical equipment.

# DMC Chapter 25.10

## Definitions



Draft, September 18, 2024

### 25.10 Definitions

Sections:

- 25.10.010 "A" terms.
- 25.10.010.005 Abut.
- 25.10.010.010 Accessory.
- 25.10.010.015 Accessory Dwelling Units (ADUs).
- 25.10.010.020 Accessory living quarters.
- 25.10.010.020 Accessory residence.
- 25.10.010.025 Active recreation.
- 25.10.010.030 Adjacent.
- 25.10.010.035 Administrative design review.
- 25.10.010.040 Administrator.
- 25.10.010.045 ADT.
- 25.10.010.050 Adult arcade.
- 25.10.010.055 Adult assisted living facility.
- 25.10.010.060 Adult bookstore.
- 25.10.010.065 Adult cabaret.
- 25.10.010.070 Adult congregate care facility.
- 25.10.010.075 Adult continuing care facility.
- 25.10.010.080 Adult family home.
- 25.10.010.085 Adult motel.
- 25.10.010.090 Adult motion picture theater.
- 25.10.010.095 Adult retirement community.
- 25.10.010.080 Adult assisted living facility.
- 25.10.010.085 Adult congregate care facility.
- 25.10.010.090 Adult continuing care facility.
- 25.10.010.100 Adult theater.
- 25.10.010.105 Affected employee.
- 25.10.010.110 Affected employer.
- 25.10.010.115 Affordable housing.
- 25.10.010.120 Affordable dwelling unit.
- 25.10.010.125 Aged person.
- 25.10.010.130 Airport.
- 25.10.010.135 Airfield.
- 25.10.010.140 Alley.

25.10.010.145 Alteration.  
25.10.010.150 Alternate work schedules.  
25.10.010.155 Alternative mode.  
25.10.010.160 Amendment.  
25.10.010.165 Antenna.  
25.10.010.170 Apartment.  
25.10.010.175 As-graded.  
25.10.010.180 Assisted living facility.  
25.10.010.185 Attached wireless communication facility.  
25.10.010.190 Automobile service station.  
25.10.010.195 Automobile wrecking.  
25.10.010.200 Automotive repair.  
25.10.010.205 Average finish grade.  
25.10.020 "B" terms.  
25.10.020.005 Base year.  
25.10.020.010 Basement.  
25.10.020.015 Battery charging station.  
25.10.020.020 Battery exchange station.  
25.10.020.025 Bench.  
25.10.020.030 Berm.  
25.10.020.035 BEV.  
25.10.020.040 Bluff.  
25.10.020.045 Bluff tract.  
25.10.020.050 Boarding house.  
25.10.020.055 Borrow.  
25.10.020.060 Brewery.  
25.10.020.065 Buffer – Landscape.  
25.10.020.070 Building.  
25.10.020.075 Building, enclosed.  
25.10.020.080 Building site.  
25.10.020.085 Bulk.  
25.10.020.090 Business.  
25.10.030 "C" terms.  
25.10.030.005 Carpool.  
25.10.030.010 Cellar.  
25.10.030.015 Cellular.  
25.10.030.020 Charging levels.  
25.10.030.025 Child day care center.  
25.10.030.030 Church.  
25.10.030.035 City.  
25.10.030.040 Civil engineer.

25.10.030.045 Civil engineering.  
25.10.030.050 Clearing.  
25.10.030.055 Clinic.  
25.10.030.060 Closed record appeal.  
25.10.030.065 Collocation.  
25.10.030.070 Commercial.  
25.10.030.075 Commercial message.  
25.10.030.080 Commercial recreation, indoor.  
25.10.030.085 Commercial recreation, outdoor.  
25.10.030.090 Commons.  
25.10.030.095 Community and cultural services.  
25.10.030.100 Community park.  
25.10.030.105 Commute trip.  
25.10.030.110 Commute trip reduction (CTR) plan.  
25.10.030.115 Commute trip reduction (CTR) zone.  
25.10.030.120 Commuter matching service.  
25.10.030.125 Compaction.  
25.10.030.130 Composted material.  
25.10.030.135 Compressed work week.  
25.10.030.140 Computation of time.  
25.10.030.145 Concurrency test.  
25.10.030.150 Conditional use.  
25.10.030.155 Condominium.  
25.10.030.160 Convention Center.  
25.10.030.165 Cottage Housing.  
25.10.030.170 Country club.  
25.10.030.175 Courtyard apartments.  
25.10.030.180 Coverage.  
25.10.030.185 CTR.  
25.10.030.190 CTR program.  
25.10.030.200 Custom bus/buspool.  
25.10.040 "D" terms.  
25.10.040.005 Day.  
25.10.040.010 Dedication.  
25.10.040.015 Density, average.  
25.10.040.020 Density, gross.  
25.10.040.025 Density, net.  
25.10.040.030 Density, unit.  
25.10.040.035 Development.  
25.10.040.040 Development activity.  
25.10.040.045 Development permit.

25.10.040.050 Development project.  
25.10.040.055 Development regulations or regulation.  
25.10.040.060 Director.  
25.10.040.065 District.  
25.10.040.070 DMC.  
25.10.040.075 Drainage facility.  
25.10.040.080 Drip line.  
25.10.040.085 Drive-thru.  
25.10.040.090 Duplex.  
25.10.040.095 Dwelling.  
25.10.040.100 Dwelling, multiple-family.  
25.10.040.105 Dwelling, single-family.  
25.10.040.110 Dwelling unit.  
25.10.050 "E" terms.  
25.10.050.005 Earth material.  
25.10.050.010 Easement.  
25.10.050.015 Electric vehicle.  
25.10.050.020 Electric vehicle charging station.  
25.10.050.025 Electric vehicle infrastructure.  
25.10.050.030 Electric vehicle parking space.  
25.10.050.035 Emergency amendment.  
25.10.050.040 Employee.  
25.10.050.045 Employee transportation coordinator.  
25.10.050.050 Employer.  
25.10.050.055 Enclosed structure.  
25.10.050.060 Engineering geologist.  
25.10.050.065 Engineering geology.  
25.10.050.070 Entertainer.  
25.10.050.075 Repealed.  
25.10.050.080 Escort.  
25.10.050.085 Escort agency.  
25.10.050.090 Establishment.  
25.10.050.095 Excavation.  
25.10.050.100 Exemption.  
25.10.050.105 Expansion.  
25.10.060 "F" terms.  
25.10.060.005 Family.  
25.10.060.010 Family day care.  
25.10.060.015 Fast food restaurant.  
25.10.060.020 Fence.  
25.10.060.025 Fill.

25.10.060.030 Financial commitment.  
25.10.060.035 Finding of concurrency.  
25.10.060.040 Finish grade.  
25.10.060.045 Fiveplex.  
25.10.060.050 Flex-time.  
25.10.060.055 Floor area ratio (FAR).  
25.10.060.060 Foster-family home.  
25.10.060.065 Fourplex.  
25.10.060.070 Fraternal club.  
25.10.060.075 Freestanding sign.  
25.10.060.080 Freestanding WCF.  
25.10.060.085 Front yard.  
25.10.060.090 Frontage, street.  
25.10.060.100 Full-time employee.  
25.10.070 "G" terms.  
25.10.070.005 Garage, private.  
25.10.070.010 Garage, public.  
25.10.070.015 Geotechnical engineer.  
25.10.070.020 Good faith effort.  
25.10.070.025 Grade.  
25.10.070.030 Grading.  
25.10.070.035 Grading administrator.  
25.10.070.040 Gross acre.  
25.10.070.045 Gross floor area ratio.  
25.10.070.050 Group-care facility.  
25.10.080 "H" terms.  
25.10.080.005 Hazardous substance.  
25.10.080.010 Hazardous waste.  
25.10.080.015 Hazardous waste generator.  
25.10.080.020 Hazardous waste storage.  
25.10.080.025 Hazardous waste treatment.  
25.10.080.030 Heavy industrial.  
25.10.080.035 Height.  
25.10.080.040 Heliport.  
25.10.080.045 High-intensity sales and service.  
25.10.080.050 High-occupancy vehicle.  
25.10.080.055 Historic.  
25.10.080.060 Home occupation.  
25.10.080.065 Homeowners' association.  
25.10.080.070 Hospital.  
25.10.080.075 Hotel.

25.10.090 "I" terms.  
25.10.090.005 Impervious surfaces.  
25.10.090.010 Implementation.  
25.10.090.015 Incidental sign.  
25.10.090.020 Independent senior housing.  
25.10.090.025 Infrastructure.  
25.10.090.030 Interior lot line.  
25.10.100 "J" terms.  
25.10.110 "K" terms.  
25.10.110.005 Key.  
25.10.120 "L" terms.  
25.10.120.005 Landmark tree.  
25.10.120.010 Landscape area.  
25.10.120.015 Landscape administrator.  
25.10.120.020 Lead-in sign.  
25.10.120.025 Level of service standard.  
25.10.120.030 Linear park.  
25.10.120.035 Light manufacturing.  
25.10.120.040 Lodge.  
25.10.120.045 Long-term commercial significance.  
25.10.120.050 Lot.  
25.10.120.055 Lot area.  
25.10.120.060 Lot coverage.  
25.10.120.065 Lot line.  
25.10.120.070 Lot width.  
25.10.120.075 Low impact manufacturing.  
25.10.120.080 LSV.  
25.10.130 "M" terms.  
25.10.130.005 Manager.  
25.10.130.010 Marquee.  
25.10.130.015 Microcell.  
25.10.130.020 Middle housing.  
25.10.130.025 Mineral extraction.  
25.10.130.030 Mineral resource lands.  
25.10.130.035 Minerals.  
25.10.130.040 Mini park.  
25.10.130.045 Mixed use occupancy (or structure).  
25.10.130.050 Mobile home.  
25.10.130.055 Mobile home park.  
25.10.130.060 Mode.  
25.10.130.065 Motel.

25.10.130.070 Multifamily project.  
25.10.130.075 Multifamily residence.  
25.10.130.080 Multiple use project.  
25.10.140 "N" terms.  
25.10.140.005 Neighborhood park.  
25.10.140.010 NEV.  
25.10.140.015 Nonconforming.  
25.10.140.020 Non-electric vehicle.  
25.10.140.025 Nude or nudity.  
25.10.140.030 Nude or semi-nude model studio.  
25.10.140.035 Nursery or garden center.  
25.10.140.040 Nursing home.  
25.10.150 "O" terms.  
25.10.150.005 Odor threshold.  
25.10.150.010 Off-site hazardous waste treatment and storage.  
25.10.150.015 Office building.  
25.10.150.020 Office use.  
25.10.150.025 On-site hazardous waste treatment and storage.  
25.10.150.030 Open-air vending.  
25.10.150.035 Open record hearing.  
25.10.150.040 Open space.  
25.10.150.045 Open space, common.  
25.10.150.050 Open space, dedicated.  
25.10.150.055 Open space, parcel.  
25.10.150.060 Open space, private.  
25.10.150.065 Operator.  
25.10.150.070 Outdoor storage.  
25.10.150.075 Overlay district.  
25.10.160 "P" terms.  
25.10.160.005 Parking administrator.  
25.10.160.010 Passive recreation.  
25.10.160.015 Peak period.  
25.10.160.020 Peak period trip.  
25.10.160.025 Permitted uses.  
25.10.160.030 Permittee.  
25.10.160.035 Person.  
25.10.160.040 Personal communication services (PCS).  
25.10.160.045 Personal services.  
25.10.160.050 PHEV.  
25.10.160.055 Places of assembly.  
25.10.160.060 Plat.

25.10.160.065 Plaza.  
25.10.160.070 Pocket park.  
25.10.160.075 Political sign.  
25.10.160.080 Prehistoric.  
25.10.160.085 Premises.  
25.10.160.090 Primary use.  
25.10.160.095 Repealed.  
25.10.160.100 Repealed.  
25.10.160.105 Private yard.  
25.10.160.110 Professional inspection.  
25.10.160.115 Property line.  
25.10.160.120 Project permit.  
25.10.160.125 Provider.  
25.10.160.130 Public open space.  
25.10.160.135 Public uses.  
25.10.160.140 Public utility.  
25.10.170 "Q" terms.  
25.10.170.005 Quasi-public use.  
25.10.180 "R" terms.  
25.10.180.005 Rapid charging station.  
25.10.180.010 Repealed.  
25.10.180.015 Repealed.  
25.10.180.020 RCW.  
25.10.180.025 Rear yard setback.  
25.10.180.030 Reclamation.  
25.10.180.035 ~~Recreation, indoor.~~  
25.10.180.040 ~~Recreation, outdoor.~~  
25.10.180.035 Recyclable material.  
25.10.180.040 Recycling.  
25.10.180.045 Research and development.  
25.10.180.053 ~~Residence.~~  
25.10.180.055 ~~Residential care facility.~~  
25.10.180.050 Residential use.  
25.10.180.055 Retail establishment.  
25.10.180.060 Restaurant.  
25.10.180.065 Retain.  
25.10.180.070 Right-of-way.  
25.10.180.075 Rough grade.  
25.10.190 "S" terms.  
25.10.190.005 Semi-nude.  
25.10.190.010 Sensitive areas.

25.10.190.015 Setback.  
25.10.190.020 Sexually oriented business.  
25.10.190.025 Sexually oriented entertainment.  
25.10.190.030 Side yard.  
25.10.190.035 Sign.  
25.10.190.040 Sign administrator.  
25.10.190.045 Sign, community-wide event.  
25.10.190.050 Single Family zones.  
25.10.190.055 Single-occupant vehicle.  
25.10.190.060 Single worksite.  
25.10.190.065 Site area.  
25.10.190.070 Site plan amendment, major.  
25.10.190.075 Site plan amendment, minor.  
25.10.190.080 Sixplex.  
25.10.190.085 Repealed.  
25.10.190.090 Repealed.  
25.10.190.095 Solid waste.  
25.10.190.100 SOV rate.  
25.10.190.105 SOV trips.  
25.10.190.110 Specified anatomical areas.  
25.10.190.115 Specified criminal acts.  
25.10.190.120 Specified sexual activities.  
25.10.190.125 Specimen tree.  
25.10.190.130 Square feet.  
25.10.190.140 Stacked flat.  
25.10.190.145 State siting criteria.  
25.10.190.150 Storage, indoor.  
25.10.190.155 Storage, mini-.  
25.10.190.160 Story.  
25.10.190.165 Stream.  
25.10.190.170 Street.  
25.10.190.175 Street frontage.  
25.10.190.180 Street tree.  
25.10.190.185 Structure.  
25.10.190.190 Subdivision.  
25.10.200 "T" terms.  
25.10.200.005 Tavern.  
25.10.200.010 Telecommuting.  
25.10.200.015 Temporary wireless communications facility.  
25.10.200.020 Threshold date.  
25.10.200.025 Townhouse.

25.10.200.025 Townhouses.  
25.10.200.030 Traffic study.  
25.10.200.035 Transient guest facilities.  
25.10.200.040 Transit.  
25.10.200.045 Transportation demand management.  
25.10.200.050 Transportation facilities.  
25.10.200.055 Transportation facility capacity.  
25.10.200.060 Transportation strategies.  
25.10.200.065 Triplex.  
25.10.210 "U" terms.  
25.10.210.005 Unit Density.  
25.10.210.010 Unit lot subdivision.  
25.10.210.015 Unlicensed wireless services.  
25.10.210.020 Unlisted words and phrases.  
25.10.210.025 Use.  
25.10.210.030 Use, temporary.  
25.10.220 "V" terms.  
25.10.220.005 Vanpool.  
25.10.220.010 Variance.  
25.10.220.015 Vehicles miles traveled (VMT) per employee.  
25.10.220.020 Vehicular access easement or tract.  
25.10.220.025 Village.  
25.10.230 "W" terms.  
25.10.230.005 WAC.  
25.10.230.010 Warehouse/distribution.  
25.10.230.015 Wastes.  
25.10.230.020 Waste reduction.  
25.10.230.025 Week.  
25.10.230.030 Weekday.  
25.10.230.035 Repealed.  
25.10.230.040 Wireless communication facility (WCF).  
25.10.230.045 Wireless communication facility (WCF), attached.  
25.10.230.050 Wireless communication facility (WCF), freestanding.  
25.10.230.055 Wireless communication facility (WCF), public.  
25.10.230.060 Wireless communication facility (WCF), temporary.  
25.10.230.065 Written.  
25.10.240 "X" terms.  
25.10.250 "Y" terms.  
25.10.250.005 Yard.  
25.10.250.010 Yard, required.  
25.10.250.015 Yard, front.

25.10.250.020	Yard, rear.
25.10.250.025	Yard, side.
25.10.260	"Z" terms.
25.10.260.005	Zero lot line.

## **25.10.000      Definitions - General**

- (1) Normal Meaning. For the purpose of the community development code, all words used in the code shall have their normal and customary meanings, unless specifically defined otherwise in this code.
- (2) Rules.
  - (a) Words used in the present tense include the future.
  - (b) The plural includes the singular, and vice versa.
  - (c) The words "shall" and "may not" and "no - may" are mandatory.
  - (d) The word "may" indicates that discretion is allowed.
  - (e) The word "used" includes "designed, intended or arranged" to be used.
  - (f) The masculine gender includes the feminine and vice versa.
  - (g) Distances shall measure horizontally unless otherwise specified.
  - (h) The "building" includes a portion of a building or lot.
- (3) Adopted Codes. Where a code or codes have been adopted by reference or incorporation and which may contain a definition or definitions conflicting with those set forth in this chapter, for the purpose of that particular reference or incorporated code, and only that code, the definition therein shall prevail.
- (4) Cross-References. Sections which make only cross-reference to another term are not intended to be synonymous with the other term, but are only intended to serve as a finding aid to the other term unless specifically stated to mean the same. (Ord. 18-1045 § 2 (Exh. A))

## **25.10.010      "A" terms.**

(Ord. 18-1045 § 2 (Exh. A); Ord. 17-1017 § 2 (Exh. B); Ord. 12-937 § 1; Ord. 07-854 § 1; Ord. 02-707 § 1)

### **25.10.010.005    Abut.**

"Abut" means to be contiguous with or touching property lines or right-of-way. (Ord. 18-1045 § 2 (Exh. A))

### **25.10.010.010    Accessory.**

"Accessory" means a use, a building or structure, or part of a building or structure, which is subordinate to and the use of which is incidental to that of the main building, structure or use on the same lot, including a private garage. If an accessory building is attached to the main

building by a common wall or roof, such an accessory building shall be considered a part of the main building. (Ord. 18-1045 § 2 (Exh. A))

### **25.10.010.015 Accessory Dwelling Units (ADUs).**

"Accessory Dwelling Units (ADUs) means a residential living unit providing independent living facilities and permanent provisions for sleeping, cooking, sanitation, and living on the same lot as a single-family home, duplex, triplex, townhome, or other housing unit. An attached ADU is a dwelling unit located within or attached to another housing unit. A detached ADU is separate and detached from another housing unit.

### **25.10.010.020 Accessory living quarters.**

"Accessory living quarters" means living quarters within an accessory building for the sole use of the family or of persons employed on the premises, or for the temporary use of guests of the occupants of the premises. Such quarters have no kitchen facilities and are not rented or otherwise used as a separate dwelling unit. (Ord. 18-1045 § 2 (Exh. A))

### **25.10.010.020 Accessory residence.**

"Accessory residence" means a single-family residence which:

- (1) Is on the same lot as another single-family residence (either detached or attached);
- (2) Has no more than one-half the square feet of floor area of the primary residence; and
- (3) Meets the setback requirements for residences. (Ord. 18-1045 § 2 (Exh. A))

### **25.10.010.025 Active recreation.**

"Active recreation" means recreational activities which require buildings, impervious surfaces, or special purpose playing fields. Examples of facilities for active recreation include swimming pools, recreation halls, tennis courts, playground equipment, and picnic shelters. (Ord. 18-1045 § 2 (Exh. A))

### **25.10.010.030 Adjacent.**

"Adjacent" means close, near, or directly across a street, but not abutting. (Ord. 18-1045 § 2 (Exh. A))

### **25.10.010.035 Administrative design review.**

"Administrative design review" means a development permit process whereby an application is reviewed, approved, or denied by the planning director or the planning director's designee based solely on objective design and development standards without a public predecision hearing, unless such review is otherwise required by state or federal law, or the structure is a designated landmark or historic district established under a local preservation ordinance. A city

may utilize public meetings, hearings, or voluntary review boards to consider, recommend, or approve requests for variances from locally established design review standards.

**25.10.010.040    Administrator.**

"Administrator" means the community development director or designee. (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.045    ADT.**

"ADT" is an abbreviation for average daily trips and means the number of vehicle trips generated by a project, calculated by multiplying the project's density unit (i.e., dwelling units, employees, square footage, as the case may be) by the applicable vehicle trip generation rate which may be derived from national and local transportation data. (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.050    Adult arcade.**

"Adult arcade" means an establishment where, for any form of consideration, one or more still or motion picture projectors, slide projectors, or similar machines, or other image-producing machines, for viewing by five or fewer persons each, are used to show films, motion pictures, video cassettes, slides, or other photographic or computer-generated reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas." (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.055    Adult assisted living facility.**

Adult Assisted Living Facility. See DMC 25.10.010.075, Adult retirement community. (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.085    Adult congregate care facility.**

Adult Congregate Care Facility. See DMC 25.10.010.075, Adult retirement community. (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.090    Adult continuing care facility.**

Adult Continuing Care Facility. See DMC 25.10.010.075, Adult retirement community. (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.060    Adult bookstore.**

"Adult bookstore" means a bookstore, novelty store, or video store, a significant portion of the stock-in-trade, revenues, interior business, or advertising of which relates to the sale or rental of books, magazines, periodicals, or other printed matter, photographs, films, motion pictures, video cassettes, slides, or other visual representations depicting or describing "specified sexual

activities" or "specified anatomical areas." Video stores that sell or rent only videotapes or other photographic or computer-generated reproductions and associated equipment shall come within this definition if 20 percent or more of their stock-in-trade or revenues comes from the rental or sale of videotapes or other photographic reproductions or associated equipment which depict or describe specified sexual activities or specified anatomical areas. (Ord. 18-1045 § 2 (Exh. A))

### **25.10.010.065    Adult cabaret.**

"Adult cabaret" means a nightclub, bar, restaurant, or similar commercial establishment, whether or not alcoholic beverages are served, which features:

- (1) Persons who appear nude or semi-nude;
- (2) Live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities"; or
- (3) Films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas." (Ord. 18-1045 § 2 (Exh. A))

### **25.10.010.070    Adult congregate care facility.**

Adult Congregate Care Facility. See DMC 25.10.010.075, Adult retirement community. (Ord. 18-1045 § 2 (Exh. A))

### **25.10.010.075    Adult continuing care facility.**

Adult Continuing Care Facility. See DMC 25.10.010.075, Adult retirement community. (Ord. 18-1045 § 2 (Exh. A))

### **25.10.010.080    Adult family home.**

"Adult family home" means a residential home regular family abode in which a person or persons provide personal care, special care, room and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services, as defined by RCW 70.128.010(1). An adult family home may provide services to up to eight adults upon approval from the Washington State Department of Health Services under RCW 70.128.066, as defined by RCW 70.128.010(1). Adult family homes shall be a permitted use in all areas zoned for residential and commercial purposes including those areas zoned for single family dwellings, as required by RCW 70.128.175(2). (Ord. 18-1045 § 2 (Exh. A))

### **25.10.010.085    Adult motel.**

"Adult motel" means a hotel, motel, or similar commercial establishment which has the primary function of:

- (1) Offering accommodation to the public for any form of consideration and provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas," and has a sign visible from the public right-of-way which advertises the availability of this adult type of photographic reproductions; and
- (2) Offering a sleeping room for rent for a period of time that is less than 20 hours; or
- (3) Allowing a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than 20 hours. (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.090 Adult motion picture theater.**

"Adult motion picture theater" means a commercial establishment where films, motion pictures, video cassettes, slides, or similar photographic reproductions characterized by the depiction or description of "specified anatomical areas" or "specified sexual activities" are regularly shown for any form of consideration. (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.095 Adult retirement community.**

"Adult retirement community" means a planned multifamily development designed for persons, of whom at least one is more than 62-55 years old, and that emphasizes social and recreational activities, and may also provide personal services, limited health facilities and transportation. Adult retirement community is also referred to as independent senior housing or independent living units but does not include assisted living facility. (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.080 Adult assisted living facility.**

Adult Assisted Living Facility. See DMC 25.10.010.075, Adult retirement community. (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.085 Adult congregate care facility.**

Adult Congregate Care Facility. See DMC 25.10.010.075, Adult retirement community. (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.090 Adult continuing care facility.**

Adult Continuing Care Facility. See DMC 25.10.010.075, Adult retirement community. (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.100 Adult theater.**

"Adult theater" means any theater which is providing entertainment through the showing of motion picture films or live performances predominantly distinguished or characterized by their emphasis on matter explicitly depicting sexual activities, or a theater, concert hall,

auditorium, or similar commercial establishment which, for any form of consideration, regularly features persons who appear nude or semi-nude, or live performances which are characterized by the exposure of "specified anatomical areas" or "specified sexual activities." (Ord. 18-1045 § 2 (Exh. A))

#### **25.10.010.105    Affected employee.**

"Affected employee" means a full-time employee who begins their regular workday at a single worksite between 6:00 a.m. and 9:00 a.m. (inclusive) on two or more weekdays for at least 12 continuous months. Seasonal agriculture employees, including seasonal employees of processors of agricultural products, are excluded from the count of affected employees. Construction workers who work at a construction site with an expected duration of less than two years are excluded from the count of affected employees. (Ord. 18-1045 § 2 (Exh. A))

#### **25.10.010.110    Affected employer.**

"Affected employer" means an employer that employs 100 or more full-time employees at a single worksite who are scheduled to begin their regular workday between 6:00 a.m. and 9:00 a.m. (inclusive) on two or more weekdays for at least 12 continuous months. Construction worksites, when the expected duration of the construction is less than two years, are excluded from this definition. (Ord. 18-1045 § 2 (Exh. A))

~~25.10.010.110 — Affordable housing.~~  
~~"Affordable housing" (formerly "HUD-defined affordable housing") means a dwelling unit for use as primary residence by a household in any of the income groups described as "low," "moderate," or "middle" which may be rented or purchased (including utilities other than telephone and cable TV) without spending more than 30 percent of monthly household income. Income level eligibility threshold levels shall be set using HUD levels for the Seattle-Tacoma-Bellevue metropolitan statistical area. (Ord. 18-1045 § 2 (Exh. A))~~

#### **25.10.010.115    Affordable Housing.**

"Affordable Housing" means, unless the context clearly indicates otherwise, residential housing whose monthly costs, including utilities other than telephone, do not exceed thirty percent of the monthly income of a household whose income is:

- (a) For rental housing, sixty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development; or
- (b) For owner-occupied housing, eighty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

**25.10.010.120 Affordable dwelling unit.**

Affordable Dwelling Unit. See DMC 25.10.010.110, Affordable housing. (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.125 Aged person.**

“Aged person” means a person of the age 65 years or more, or a person of less than 65 years who by reason of infirmity requires domiciliary care, as defined by RCW [18.20.020](#)(1). (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.130 Airport.**

“Airport” means any runway, landing area or other facility, whether publicly or privately owned and operated, which is designed, used, or intended to be used either by public carriers or by private aircraft for landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangars and other necessary buildings and open spaces, but not including manufacturing, servicing or testing facilities located in the vicinity of any landing area associated with the manufacturing or testing of commercial or military aircraft or activities associated therewith. (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.135 Airfield.**

Airfield. See DMC 25.10.010.125, Airport. (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.140 Alley.**

“Alley” is a publicly dedicated right-of-way which provides a secondary means of access; the definition of street shall include an alley; provided, however, that an alley shall not be considered a street for the purpose of calculating the setback and front yard requirements. No lot fronting on a street and an alley shall be considered either a corner lot or a lot having two street frontages. (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.145 Alteration.**

“Alteration” means any change, addition, or modification in construction or occupancy or any change, addition, or modification to a site, building, or occupancy. For critical areas, see DMC [25.105.030](#). (Ord. 19-1069 § 2 (Exh. A); Ord. 18-1045 § 2 (Exh. A))

**25.10.010.150 Alternate work schedules.**

“Alternate work schedules” means programs such as compressed work weeks that eliminate work trips for affected employees. (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.155 Alternative mode.**

"Alternative mode" refers to any means of commuting other than that in which the single-occupant motor vehicle is the dominant mode, including telecommuting and compressed work weeks if they result in reducing commute trips. (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.160 Amendment.**

"Amendment" means a change in the wording, context or substance of this zoning code, or a change in the zone boundaries on the zoning map. (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.165 Antenna.**

"Antenna" means any exterior apparatus designed for sending and/or receiving of electromagnetic waves, and includes equipment attached to a tower or building for the purpose of providing personal wireless services. (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.170 Apartment.**

"Apartment" means a building or a portion of a building arranged or designed to be occupied by five seven or more families living independently of each other. (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.175 As-graded.**

"As-graded" means the extent of surface conditions on completion of grading. (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.180 Assisted living facility.**

"Assisted living facility" means any home or other institution, however named, which is advertised, announced, or maintained for the express or implied purpose of providing housing, basic services, and assuming general responsibility for the safety and well-being of the residents, and may also provide domiciliary care and supportive housing services to seven or more residents. "Assisted living facility" shall not include facilities certified as group training homes pursuant to RCW 71A.22.040, nor any home, institution, or section thereof which is otherwise licensed and regulated under the provisions of state law providing specifically for the licensing and regulation of such home, institution, or section thereof. Nor shall it include adult retirement community, independent senior housing, and independent living units in continuing care retirement communities, or other similar living situations.

**25.10.010.185 Attached wireless communication facility.**

Attached Wireless Communication Facility (WCF). See DMC 25.10.230.045, Wireless communication facility (WCF), attached. (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.190 Automobile service station.**

"Automobile service station" means a use which provides for the servicing of passenger automobiles and trucks not exceeding one and one-half tons capacity and operations incidental thereto, but not including body repair, painting, or automobile wrecking. (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.195 Automobile wrecking.**

"Automobile wrecking" means any dismantling or wrecking of motor vehicles or trailers, or the storage, sale or dumping of dismantled or wrecked vehicles or their parts. (Ord. 18-1045 § 2 (Exh. A))

**25.10.010.200 Automotive repair.**

"Automotive repair" means shops and car washes on sites less than one-acre in size. Typical uses include general repair shops, transmission and engine rebuild shops, vessels and outboard motor repair shops, muffler shops, glass repair shops, automobile upholstery services, and lube/oil shops. On-site rental and lease of motor vehicles is not included.

**25.10.010.205 Average finish grade.**

"Average finish grade" means a reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished grade slopes away from the exterior walls, average finish grade shall be established by the lowest points within three feet of the building foundation. Where the finish grade does not slope uniformly along the length of an exterior wall, average finish grade shall be established by averaging the corner elevation of each exterior wall, then averaging the four subtotals. (Ord. 18-1045 § 2 (Exh. A))

**25.10.020 "B" terms.**

(Ord. 18-1045 § 2 (Exh. A); Ord. 11-919 § 1; Ord. 07-854 § 1; Ord. 02-707 § 1)

**25.10.020.005 Base year.**

"Base year" means the period on which goals for vehicle miles traveled (VMT) per employee and proportion of single-occupant vehicle (SOV) trips shall be based. (Ord. 18-1045 § 2 (Exh. A))

**25.10.020.010 Basement.**

"Basement" means that portion of a building between floor and ceiling which is partly below and partly above grade, but so located that the vertical distance from grade to floor below is less than the vertical distance from grade to ceiling. (Ord. 18-1045 § 2 (Exh. A))

**25.10.020.015    Battery charging station.**

“Battery charging station” means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth by Chapter [19.28](#) RCW and are consistent with rules adopted under RCW [19.27.540](#). (Ord. 18-1045 § 2 (Exh. A))

**25.10.020.020    Battery exchange station.**

“Battery exchange station” means a fully automated facility that will enable an electric vehicle with a swappable battery to exchange the depleted battery with a fully charged battery through a fully automated process, which meets or exceeds any standards, codes, and regulations set forth by Chapter [19.27](#) RCW and consistent with rules adopted under RCW [19.27.540](#). (Ord. 18-1045 § 2 (Exh. A))

**25.10.020.025    Bench.**

“Bench” means a relatively level step excavated into earth material on which fill is to be placed. (Ord. 18-1045 § 2 (Exh. A))

**25.10.020.030    Berm.**

“Berm” means a narrow ledge or shelf of land. As used in this zoning code, a berm is intended to serve as a buffer between adjoining uses. It generally consists of earth material and may be natural or artificial. (Ord. 18-1045 § 2 (Exh. A))

**25.10.020.035    BEV.**

“BEV” means a battery electric vehicle. A battery electric vehicle, or BEV, is a type of electric vehicle (EV) that uses chemical energy stored in rechargeable battery packs. As with other electric vehicles, BEVs use electric motors and motor controllers instead of internal combustion engines (ICEs) for propulsion. Generally, all-electric vehicles are referred to as BEVs (although a plug-in hybrid vehicle is also a battery electric vehicle). (Ord. 18-1045 § 2 (Exh. A))

**25.10.020.040    Bluff.**

“Bluff” means the landform generally having a slope in excess of 30 percent from the 180-foot contour line down to Puget Sound. (Ord. 18-1045 § 2 (Exh. A))

**25.10.020.045    Bluff tract.**

“Bluff tract” means a tract of land containing a bluff. (Ord. 18-1045 § 2 (Exh. A))

**25.10.020.050 Boarding house.**

“Boarding house” means any home or other institution, however named, which is advertised, announced, or maintained for the express or implied purpose of providing board and domiciliary care to three or more aged persons not related by blood or marriage to the operator. It shall not include facilities certified as group training homes pursuant to RCW [71A.22.040](#), nor any home, institution or portion thereof which is otherwise licensed and regulated under the provisions of state law providing specifically for the licensing and regulation of such homes, institutions or portion thereof, as defined by RCW [18.20.020](#). Boarding houses shall not include any independent senior housing, independent living units in continuing care retirement communities, or other similar living situations including those subsidized by the Department of Housing and Urban Development. (Ord. 18-1045 § 2 (Exh. A))

**25.10.020.055 Borrow.**

“Borrow” means earth material acquired from an off-site location for use in grading on a site. (Ord. 18-1045 § 2 (Exh. A))

**25.10.020.060 Brewery.**

“Brewery” means an establishment primarily engaged in the production of beer, ale, and/or other malt or brewed beverages, including all of the equipment and materials required for such production, and may include accessory uses such as tours of the brewery, sales, and/or on-site consumption, e.g., a tasting room.

**25.10.020.065 Buffer – Landscape.**

“Buffer – landscape” means a strip of trees, shrubs, and ground cover of sufficient height, width, and density to screen, within three years of planting, an unsightly or nuisance-generating land use from a more sensitive land use, even in the winter months. The minimum visual screening is 100 percent for full buffers, 50 percent for moderate buffers, and 25 percent for light buffers. Berms, grade separations, walls, and fences may be incorporated to achieve up to 50 percent of the minimum screening. For critical areas, see DMC [25.105.030](#). (Ord. 19-1069 § 2 (Exh. A); Ord. 18-1045 § 2 (Exh. A))

**25.10.020.070 Building.**

“Building” means any structure used or intended for supporting or sheltering any use or occupancy. (Ord. 18-1045 § 2 (Exh. A))

**25.10.020.075 Building, enclosed.**

“Building, enclosed” means a building enclosed on all sides with wall and roof and having no openings other than closable, glazed windows and doors and vents. (Ord. 18-1045 § 2 (Exh. A))

**25.10.020.080 Building site.**

“Building site” means a parcel of land assigned to a use, to a main building, or to a main building and its accessory buildings, together with all yards and open spaces required by this zoning code. A “building site” may be comprised of one lot, a combination of lots, or a combination of lots and fractions of lots. (Ord. 18-1045 § 2 (Exh. A))

**25.10.020.085 Bulk.**

“Bulk” means the size and location of buildings and structures in relation to the lot. Bulk regulations generally include height of building, lot area, front, side and rear yards, and lot coverage. (Ord. 18-1045 § 2 (Exh. A))

**25.10.020.090 Business.**

“Business” means the purchase, sale, offering for sale, or other transaction involving the handling or disposition of any article, service, substance or commodity for livelihood or profit; or the management, occupancy, or maintenance of recreational or amusement enterprises, office buildings, offices, structures or premises by professions and trades or persons rendering services. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030 “C” terms.**

(Ord. 18-1045 § 2 (Exh. A); Ord. 17-1017 § 2 (Exh. B); Ord. 11-919 § 2; Ord. 02-707 § 1)

**25.10.030.005 Carpool.**

“Carpool” means a motor vehicle occupied by two to six people traveling together for their commute trip that results in the reduction of a minimum of one motor vehicle commute trip. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.010 Cellar.**

Cellar. See “Basement.” (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.015 Cellular.**

“Cellular” means a wireless communication system that divides a geographical area into cells and assigns the same frequencies to multiple, nonadjacent cells. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.020 Charging levels.**

“Charging levels” means the electrical current, or voltage, at which an electric vehicle’s battery is recharged. Levels 1, 2, and 3 are the most common EV charging levels, and include the following specifications:

- (1) Level 1 is considered slow charging. It requires a 15- or 20-amp circuit-breaker on a 120-volt AC circuit and standard outlet. This level of charging can fully recharge a BEV between eight and 32 hours and a PHEV between three and 15 hours.
- (2) Level 2 is considered medium charging. It requires a 40-amp to 100-amp circuit-breaker on a 240-volt AC circuit. This level of charging can fully recharge a BEV between four and six hours and a PHEV between one and two hours.
- (3) Level 3 is considered fast charging. It requires a 60-amp or higher dedicated circuit-breaker on a 480-volt or higher three-phase circuit with special grounding equipment. Level 3 charging uses an off-board charger to provide the AC-to-DC conversion, delivering DC directly to the car battery. Charging time ranges from 25 to 40 minutes for BEVs and less than 20 minutes for PHEVs. (Ord. 18-1045 § 2 (Exh. A))

#### **25.10.030.025 Child day care center.**

"Child day care center" and "child care center" mean an agency that regularly provides early childhood education and early learning services for a group of children for periods of less than 24 hours as defined by RCW 43.216.010.~~means an agency which regularly provides care for a group of children for periods of less than 24 hours as defined by RCW 74.15.020(2). Subsets of this definition, per WAC 338-73-020, include: (1) "mini day care program," a day care facility for the care of 12 or fewer children in a facility other than the family abode of the person or persons under whose direct care and supervision the children are placed; and (2) "day treatment program," an agency providing care, supervision, and appropriate therapeutic and education services during part of the 24-hour day for a group of persons under 18 years of age and the persons are unable to adjust to full-time regular or special school programs or full-time family living.~~(Ord. 18-1045 § 2 (Exh. A))

#### **25.10.030.030 Church.**

"Church" means an establishment which is principally devoted to religious worship, which may include accessory uses such as Sunday school rooms, religious education classrooms, assembly rooms, a library, and residences on site for clergy. (Ord. 18-1045 § 2 (Exh. A))

#### **25.10.030.035 City.**

"City" means the city of DuPont, Washington. (Ord. 18-1045 § 2 (Exh. A))

#### **25.10.030.040 Civil engineer.**

"Civil engineer" means a professional engineer registered in the state to practice in the field of civil works. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.045 Civil engineering.**

“Civil engineering” means the application of the knowledge of the forces of nature, principles of mechanics and the properties of materials to the evaluation, design, and construction of civil works. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.050 Clearing.**

“Clearing” means the cutting or removal of vegetation or other organic material by physical, mechanical, chemical, or other means. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.055 Clinic.**

“Clinic” means a building or portion of a building containing offices for providing medical, dental, psychiatric or chiropractic services for out-patients only, but not including the sale of drugs or medical supplies. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.060 Closed record appeal.**

“Closed record appeal” means an administrative appeal on the record to the city council, following an open record hearing on a project permit application, when the appeal is on the record with no or limited new evidence or information allowed to be submitted and only appeal argument allowed. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.065 Collocation.**

“Collocation” means the use of a single support structure, including but not limited to a building, monopole, lattice tower, or water tank, by more than one licensed personal wireless communication service provider. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.070 Commercial.**

Commercial. See DMC 25.10.020.085, Business. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.075 Commercial message.**

“Commercial message” means a sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.080 Commercial recreation, indoor.**

“Commercial recreation, indoor” means an establishment providing completely enclosed recreation activities. Accessory uses shall be permitted to include the preparation and serving of food and/or the sale of equipment related to the enclosed uses. Included in this definition are bowling, roller-skating, or ice-skating, pool, and related amusements.

**25.10.030.085 Commercial recreation, outdoor.**

“Commercial recreation, outdoor” means an area free of buildings except for restrooms, dressing rooms, equipment storage, maintenance buildings. Includes amphitheaters, open-air pavilions and similar structures used primarily for privately owned and managed recreational activities.

**25.10.030.090 Commons.**

“Commons” means a continuous uncovered area which is accessible to the public at all times. To qualify for a bonus under this zoning code, a commons must be at least 10 feet in depth extending along a street, with a minimum area of 300 square feet. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.095 Community and cultural services.**

“Community and cultural services” means establishments primarily engaged in the provision of services that are strongly associated with community, social, or public importance. Typical uses include libraries, museums, art galleries, senior centers, community centers, performing arts theaters, community clubs and organizations, boys and girls clubs, granges and grange halls, wedding facilities including on-site food preparation, blood banks, organizational camps, food banks, fraternal organizations, cemeteries and associated services, and shelters for the homeless.

**25.10.030.100 Community park.**

“Community park” means a public recreation facility primarily designed and located to provide active and structured recreation opportunities for young people and adults in the immediate community. The service area is at least a one- to two-mile radius. In general, community park facilities are designed for organized activities and sports, although individual and family activities are also encouraged. Community parks may provide indoor facilities to meet a wider range of recreation interests. Community parks serve a larger area than neighborhood parks and offer more facilities such as parking, restrooms, covered play areas, etc. Community parks usually exceed 20 acres in size and often have sports fields, water bodies, gardens, nature trails or similar facilities as the central focus of the park. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.105 Commute trip.**

“Commute trip” means a trip that is made from a worker’s home to a worksite with a regularly scheduled arrival time of 6:00 a.m. to 9:00 a.m. (inclusive) on weekdays. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.110 Commute trip reduction (CTR) plan.**

"Commute trip reduction (CTR) plan" means a city's plan and ordinance to regulate and administer the CTR programs of affected employees within its jurisdiction. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.115 Commute trip reduction (CTR) zone.**

"Commute trip reduction (CTR) zone" means an area, such as a census tract or combination of census tracts, within the city characterized by similar employment density, population density, level of transit service, parking availability, access to high occupancy vehicle facilities, and other factors that are determined to affect the level of SOV commuting. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.120 Commuter matching service.**

"Commuter matching service" means a system that assists in matching commuters for the purpose of commuting together. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.125 Compaction.**

"Compaction" means the densification of a fill by mechanical means. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.130 Composted material.**

"Composted materials" means organic solid waste that has been subjected to controlled aerobic degradation in an appropriately designed and maintained composting facility. Natural decay of organic solid waste under uncontrolled conditions does not result in composted material. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.135 Compressed work week.**

"Compressed work week" means an alternative work schedule, in accordance with employer policy, that regularly allows a full-time employee to eliminate at least one workday every two weeks by working longer hours the remaining days, resulting in fewer commute trips. This definition is primarily intended to include weekly and biweekly arrangements, the most typical being four 10-hour days or 80 hours in nine days, but may also include other arrangements. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.140 Computation of time.**

Computation of Time. For the purposes of computing the time for processing land use development applications, the day the application is filed shall not be counted. If the last day of the calculated time period includes Saturday, Sunday, or holiday designated by RCW [1.16.050](#) or by a city ordinance, then the time period shall end on the conclusion of the next business day. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.145    Concurrency test.**

"Concurrency test" means the comparison of the traffic generated by a proposed development with the unused or uncommitted capacity of existing and planned transportation facilities, in order to assess the impact of the proposed development on the transportation level of service. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.150    Conditional use.**

"Conditional use" means a use permitted in one or more zones as defined by this title, but which, because of characteristics peculiar to each such use, or because of size, technological processes or equipment, or because of the exact location with reference to surroundings, streets, and existing improvements or demands upon public facilities, requires a special degree of control to make such uses consistent and compatible with other existing or permissible uses in the same zone or zones. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.155    Condominium.**

"Condominium" means the division of a building or land pursuant to the Horizontal Property Regimes Act, Chapter [64.32](#) RCW. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.160    Convention Center.**

"Convention Center" means a facility which provides convention and/or entertainment services for the greater region. These facilities are typically located on 10 acre or larger sites and are comprised of meeting and banquet rooms, together with support services such as food services.

**25.10.030.165    Cottage housing.**

"Cottage housing" means residential units on a lot with a common open space that either: (a) Is owned in common; or (b) has units owned as condominium units with property owned in common and a minimum of 20 percent of the lot size as open space.

**25.10.030.170    Country club.**

"Country club" means an incorporated or unincorporated association of persons organized for social and recreational purposes, such as golf clubs, tennis clubs, etc. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.175 Courtyard apartments.**

"Courtyard apartments" means up to four attached dwelling units arranged on two or three sides of a yard or court.

**25.10.030.180 Coverage.**

"Coverage" means the percentage of a lot or site covered by buildings or roofed areas, including covered porches and accessory buildings, measured at the building foundation. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.185 CTR.**

"CTR" means commute trip reduction. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.190 CTR program.**

"CTR program" means an employer's strategies to reduce affected employees' SOV use and VMT per employee. (Ord. 18-1045 § 2 (Exh. A))

**25.10.030.195 Custom bus/buspool.**

"Custom bus/buspool" means a commuter bus service arranged specifically to transport employees to work. (Ord. 18-1045 § 2 (Exh. A))

**25.10.040 "D" terms.**

(Ord. 18-1045 § 2 (Exh. A); Ord. 18-1032 § 2 (Exh. 5); Ord. 07-854 § 1; Ord. 02-707 § 1)

**25.10.040.005 Day.**

"Day" means calendar day. (Ord. 18-1045 § 2 (Exh. A))

**25.10.040.010 Dedication.**

"Dedication" means the transfer of property interests from private to public ownership for a public purpose. The transfer may be a fee-simple interest or of a less than fee interest, including an easement. (Ord. 18-1045 § 2 (Exh. A))

**25.10.040.015 Density, average.**

"Density, average" means the average number of dwelling units per acre of land. Fractional numbers less than 0.50 shall be rounded down to the nearest whole number. Fractional numbers 0.50 and greater shall be rounded up to the nearest whole number. (Ord. 18-1045 § 2 (Exh. A))

**25.10.040.020 Density, gross.**

“Density, gross” means the number of dwelling units per acre computed by using all land within the project boundaries. (Ord. 18-1045 § 2 (Exh. A))

**25.10.040.025 Density, net.**

“Density, net” means all land within the project boundaries minus environmentally constrained areas, public roads and other land uses not intended for construction of dwellings as stated on the plat maps or development drawings. (Ord. 18-1045 § 2 (Exh. A))

**25.10.040.035 Development.**

“Development” means the construction or reconstruction of a structure or other modifications of the natural landscape above and below ground or water on a particular site. For critical areas, see DMC [25.105.030](#). (Ord. 19-1069 § 2 (Exh. A); Ord. 18-1045 § 2 (Exh. A))

**25.10.040.040 Development activity.**

“Development activity” means any permit or approval which requires a permit or approval under this code or DMC Title [12](#), Building and Construction. (Ord. 18-1045 § 2 (Exh. A))

**25.10.040.045 Development permit.**

“Development permit” means any permit or approval which requires a permit or approval under this code or DMC Title [12](#), Building and Construction, that must be issued before initiating a use or development activity. (Ord. 18-1045 § 2 (Exh. A))

**25.10.040.050 Development project.**

“Development project” means divisions of land into two or more parcels; construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill, or land disturbance; and any use or extension of the use of the land. (Ord. 18-1045 § 2 (Exh. A))

**25.10.040.055 Development regulations.**

“Development regulations” or “regulation” means the controls placed on development or land use activities by a county or city, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto. A development regulation does not include a decision to approve a development permit application, as defined in RCW 36.70B.020, even though the decision may be expressed in a resolution or ordinance of the legislative body of the city.

**25.10.040.060 Director.**

“Director” means the community development director, or designee. (Ord. 18-1045 § 2 (Exh. A))

**25.10.040.065 District.**

“District” means an area of the city of DuPont designated by a single land use classification with uniform use regulations. A district may be either a primary district or an overlay district. All property within the city is included within a primary land use district. An overlay district is any additional district established by the land use code that may be more or less restrictive than the primary land use district. Where a property is located within an overlay district, it is subject to the provisions of both the primary land use district and the overlay district. Where the provisions are in conflict, the overlay district governs. (Ord. 18-1045 § 2 (Exh. A))

**25.10.040.070 DMC.**

“DMC” means the DuPont Municipal Code. (Ord. 18-1045 § 2 (Exh. A))

**25.10.040.075 Drainage facility.**

“Drainage facility” means the system of collecting, conveying, and storing surface and storm runoff. Drainage facilities shall include but not be limited to all surface and stormwater runoff conveyance and containment facilities including streams, pipelines, channels, ditches, infiltration facilities, retention/detention facilities, and other drainage structures and appurtenances, both natural and manmade. (Ord. 18-1045 § 2 (Exh. A))

**25.10.040.080 Drip line.**

“Drip line” means the imaginary line around a tree aligning with the outer edge of the tree’s canopy. (Ord. 18-1045 § 2 (Exh. A))

**25.10.040.085 Drive-thru.**

“Drive-thru” means a building element that allows a customer to obtain goods and services through a building opening, other than a door, while seated in an automobile. (Ord. 18-1045 § 2 (Exh. A))

**25.10.040.090 Duplex.**

“Duplex” means a detached building containing two dwelling units. (Ord. 18-1045 § 2 (Exh. A))

**25.10.040.095 Dwelling.**

“Dwelling” means any building or portion thereof which is designed or used for residential purposes. (Ord. 18-1045 § 2 (Exh. A))

**25.10.040.100 Dwelling, multiple-family.**

“Dwelling, multiple-family” means a building or portion thereof containing ~~two~~three or more dwelling units. (Ord. 18-1045 § 2 (Exh. A))

**25.10.040.105 Dwelling, single-family.**

“Dwelling, single-family” means a detached building containing one dwelling unit or duplex. (Ord. 18-1045 § 2 (Exh. A))

**25.10.040.110 Dwelling unit.**

“Dwelling unit” means one or more rooms or structures providing complete, independent living facilities for one family, including permanent provisions for living, sleeping, cooking and sanitation. Dwelling unit does not include recreation vehicles or mobile homes. This definition shall not include rooms normally associated with state-licensed nursing home facilities, assisted living facilities, or similar uses. (Ord. 18-1045 § 2 (Exh. A))

**25.10.050 “E” terms.**

(Ord. 18-1045 § 2 (Exh. A); Ord. 17-1017 § 2 (Exh. B); Ord. 11-919 § 3; Ord. 02-707 § 1)

**25.10.050.005 Earth material.**

“Earth material” means any rock, natural soil or fill or any combination thereof. (Ord. 18-1045 § 2 (Exh. A))

**25.10.050.010 Easement.**

“Easement” means the authorization by a property owner of the use by another and for a specified purpose of any designated part of his property. (Ord. 18-1045 § 2 (Exh. A))

**25.10.050.015 Electric vehicle.**

“Electric vehicle” means any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board for motive purpose.

“Electric vehicle” includes: (1) a battery electric vehicle; (2) a plug-in hybrid electric vehicle; (3) a neighborhood electric vehicle; (4) medium-speed electric vehicle; and (5) electric motorcycles. (Ord. 18-1045 § 2 (Exh. A))

**25.10.050.020 Electric vehicle charging station.**

“Electric vehicle charging station” means a public or private parking space located together with a battery charging station which permits the transfer of electric energy (by conductive or inductive means) to a battery or other storage device in an electric vehicle. (Ord. 18-1045 § 2 (Exh. A))

**25.10.050.025 Electric vehicle infrastructure.**

“Electric vehicle infrastructure” means structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations. (Ord. 18-1045 § 2 (Exh. A))

**25.10.050.030 Electric vehicle parking space.**

“Electric vehicle parking space” means any marked parking space that identifies the use to be exclusively for an electric vehicle. (Ord. 18-1045 § 2 (Exh. A))

**25.10.050.035 Emergency amendment.**

“Emergency amendment” means a proposed change or revision to the comprehensive plan that arises from a situation that necessitates the immediate preservation of the public peace, health, or safety or support of the city government and its existing institutions. (Ord. 18-1045 § 2 (Exh. A))

**25.10.050.040 Employee.**

“Employee” means any and all persons, including managers, entertainers, and independent contractors who work at or render any services directly related to the operation of any sexually oriented business, whether for compensation or not. (Ord. 18-1045 § 2 (Exh. A))

**25.10.050.045 Employee transportation coordinator.**

“Employee transportation coordinator” means a designated person who is responsible for administering the employer’s commute trip reduction program. (Ord. 18-1045 § 2 (Exh. A))

**25.10.050.050 Employer.**

“Employer” means a sole proprietorship, partnership, corporation, unincorporated association, cooperative, joint venture, agency, department, district or other individual or entity, whether public, nonprofit, or private, that employs workers. (Ord. 18-1045 § 2 (Exh. A))

**25.10.050.055 Enclosed structure.**

Enclosed Structure. See “Building, enclosed.” (Ord. 18-1045 § 2 (Exh. A))

**25.10.050.060 Engineering geologist.**

“Engineering geologist” means a geologist experienced and knowledgeable in engineering geology. (Ord. 18-1045 § 2 (Exh. A))

**25.10.050.065    Engineering geology.**

“Engineering geology” means the application of geologic knowledge and principles in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil works. (Ord. 18-1045 § 2 (Exh. A))

**25.10.050.070    Entertainer.**

“Entertainer” means any person who provides sexually oriented entertainment in an adult cabaret whether or not an employee of the operator and whether or not a fee is charged or accepted for such entertainment. (Ord. 18-1045 § 2 (Exh. A))

**25.10.050.075    Erosion.**

*Repealed by Ord. 19-1069. (Ord. 18-1045 § 2 (Exh. A))*

**25.10.050.080    Escort.**

“Escort” means a person who, for consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease. (Ord. 18-1045 § 2 (Exh. A))

**25.10.050.085    Escort agency.**

“Escort agency” means a person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration. (Ord. 18-1045 § 2 (Exh. A))

**25.10.050.090    Establishment.**

“Establishment” means the opening of a new sexually oriented business, the conversion of an existing business to a sexually oriented business, the addition of a sexually oriented business to any existing sexually oriented business, or the relocation of a sexually oriented business. (Ord. 18-1045 § 2 (Exh. A))

**25.10.050.095    Excavation.**

“Excavation” means the removal of earth material by other than natural means. (Ord. 18-1045 § 2 (Exh. A))

**25.10.050.100    Exemption.**

“Exemption” means a waiver from any or all CTR program requirements granted to an employer by the city of DuPont based on unique conditions that apply to the employer or employment site. (Ord. 18-1045 § 2 (Exh. A))

**25.10.050.105 Expansion.**

"Expansion" means enlargement of building floor area or parking area of a permitted land use. (Ord. 18-1045 § 2 (Exh. A))

**25.10.060 "F" terms.**

(Ord. 18-1045 § 2 (Exh. A); Ord. 18-1034 § 2 (Exhs. 6, 7); Ord. 17-1017 § 2 (Exh. B); Ord. 12-937 § 1; Ord. 02-707 § 1)

**25.10.060.005 Family.**

"Family" means one or more related persons living together, or one or more disabled persons protected by the Fair Housing Amendments Act ([42](#) U.S.C. Section [3601](#) et seq.) living together. Except for disabled persons as described above, in no case shall a family include more than six persons who are not related by genetics, adoption or marriage. (Ord. 18-1045 § 2 (Exh. A))

**25.10.060.010 Family day care.**

"Family day care" means a child day care provider who regularly provides child day care, early childhood education and early learning services for not more than 12 children at any given time in the provider's home in the family living quarters, as defined by in RCW [74.15.020](#)(1)(e). (Ord. 18-1045 § 2 (Exh. A))

**25.10.060.015 Fast food restaurant.**

"Fast food restaurant" means an establishment whose principal business is the sale of food and/or beverages in a ready-to-consume state for consumption within the restaurant building, within a motor vehicle parked on the premises, or off the premises as carry-out orders, and whose principal method of operation includes the following characteristics: food and/or beverages usually served in edible containers or on paper, plastic or other disposable containers. (Ord. 18-1045 § 2 (Exh. A))

**25.10.060.020 Fence.**

"Fence" means a linear structure or linear plant growth which encloses, divides, or screens. (Ord. 18-1045 § 2 (Exh. A))

**25.10.060.025 Fill.**

"Fill" means the depositing on land, whether submerged or not, of sand, gravel, earth, or other materials of any composition whatsoever. (Ord. 18-1045 § 2 (Exh. A))

**25.10.060.030 Financial commitment.**

“Financial commitment” means revenue sources forecast to be available and designated for transportation facilities or strategies in the comprehensive plan or in the transportation element of the comprehensive plan, other unanticipated revenue from federal or state grants, or other sources for which the city has received a notice of commitment, and/or revenue that is assured by an applicant in a form approved by the city. (Ord. 18-1045 § 2 (Exh. A))

**25.10.060.035 Finding of concurrency.**

“Finding of concurrency” means the finding that is a part of the building permit or residential preliminary plat approval issued by the city indicating that the transportation system has adequate unused or uncommitted capacity, or will have adequate capacity, to accommodate traffic generated by the proposed development, without causing the level of service standards to decline below the adopted standards, at the time of development. (Ord. 18-1045 § 2 (Exh. A))

**25.10.060.040 Finish grade.**

“Finish grade” means the final grade of the site which conforms to the approved plan. (Ord. 18-1045 § 2 (Exh. A))

**25.10.060.045 Fiveplex.**

“Fiveplex” means a townhome building containing five dwelling units.

**25.10.060.050 Flex-time.**

“Flex-time” is an employer policy allowing individual employees some flexibility in choosing the time, but not the number, of their working hours to facilitate the use of alternative modes. (Ord. 18-1045 § 2 (Exh. A))

**25.10.060.055 Floor area ratio (FAR).**

“Floor area ratio (FAR)” means the floor area of the building or buildings on any lot divided by the area of the lot or parcel exclusive of critical areas and associated buffers. (Ord. 18-1045 § 2 (Exh. A))

**25.10.060.060 Foster-family home.**

“Foster-family home” means an agency which regularly provides care on a 24-hour basis to one or more children, expectant mothers, or persons with developmental disabilities in the family abode of the person or persons under whose direct care and supervision the child, expectant mother, or person with a developmental disability is placed, as defined by RCW [74.15.020\(1\)](#). (Ord. 18-1045 § 2 (Exh. A))

**25.10.060.065 Fourplex.**

“Fourplex” means a ~~detached buildingtownhome building~~ containing four dwelling units. (Ord. 18-1045 § 2 (Exh. A))

**25.10.060.070 Fraternal club.**

“Fraternal club” means an incorporated or unincorporated association of persons organized for a social purpose. (Ord. 18-1045 § 2 (Exh. A))

**25.10.060.075 Freestanding sign.**

“Freestanding sign” means a sign mounted in or on the ground, independent from buildings. (Ord. 18-1045 § 2 (Exh. A))

**25.10.060.080 Freestanding WCF.**

Freestanding WCF. See DMC 25.10.230.050, Wireless communication facility (WCF), freestanding. (Ord. 18-1045 § 2 (Exh. A))

**25.10.060.085 Front yard.**

Front Yard. See DMC 25.10.250.015, Yard, front. (Ord. 18-1045 § 2 (Exh. A))

**25.10.060.090 Frontage, street.**

Frontage, Street. See DMC 25.10.190.150, Street frontage. (Ord. 18-1045 § 2 (Exh. A))

**25.10.060.095 Full-time employee.**

“Full-time employee” means a person other than an independent contractor, scheduled to be employed on a continuous basis for 52 weeks for an average of at least 35 hours per week. (Ord. 18-1045 § 2 (Exh. A))

**25.10.070 “G” terms.**

(Ord. 18-1045 § 2 (Exh. A); Ord. 02-707 § 1)

**25.10.070.005 Garage, private.**

“Garage, private” means a sheltered or enclosed space designed and used for the storage of motor vehicles or boats of the residents of the premises. (Ord. 18-1045 § 2 (Exh. A))

**25.10.070.010 Garage, public.**

“Garage, public” means a building or portion thereof designed and used for storage, repair or servicing of motor vehicles or boats as a business. (Ord. 18-1045 § 2 (Exh. A))

**25.10.070.015 Geotechnical engineer.**

“Geotechnical engineer” means a practicing geotechnical/civil engineer who has a valid Washington State engineering license and a valid certificate of registration in civil engineering, at least four years of professional employment as a geotechnical engineer with experience in landslide evaluation, and appropriate training and experience as specified in Chapter [18.43](#) RCW. (Ord. 19-1069 § 2 (Exh. A); Ord. 18-1045 § 2 (Exh. A))

**25.10.070.020 Good faith effort.**

“Good faith effort” means that an employer has met the minimum requirements identified in RCW [70.94.531](#) and this chapter, and is working collaboratively with the city of DuPont to continue its existing CTR program or is developing and implementing program modifications likely to result in improvements to its CTR program over an agreed-upon length of time. (Ord. 18-1045 § 2 (Exh. A))

**25.10.070.025 Grade.**

“Grade” means the vertical location of the ground surface. (Ord. 18-1045 § 2 (Exh. A))

**25.10.070.030 Grading.**

“Grading” means any excavation, filling, removal of topsoil, or any combination thereof. (Ord. 18-1045 § 2 (Exh. A))

**25.10.070.035 Grading administrator.**

“Grading administrator” means whomever the mayor designates to administer this chapter. (Ord. 18-1045 § 2 (Exh. A))

**25.10.070.040 Gross acre.**

“Gross acre” means land designated for residential purposes in the comprehensive plan, inclusive of related streets and neighborhood parks. On-street parking aisles within the subject area are excluded from the calculation. (Ord. 18-1045 § 2 (Exh. A))

**25.10.070.045 Gross floor area ratio.**

“Gross floor area ratio” means the gross floor area of all structures, excluding parking and mechanical areas, divided by the total site area. (Ord. 18-1045 § 2 (Exh. A))

**25.10.070.050 Group-care facility.**

“Group-care facility” means an agency, other than a foster-family home, which is maintained and operated for the care of a group of children on a 24-hour basis as defined by RCW [74.15.020](#)(1). (Ord. 18-1045 § 2 (Exh. A))

**25.10.080      "H" terms.**

(Ord. 18-1045 § 2 (Exh. A); Ord. 07-854 § 1; Ord. 02-707 § 1)

**25.10.080.005    Hazardous substance.**

"Hazardous substance" means any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the characteristics or criteria of hazardous waste as described by Chapter [70.105](#) RCW or WAC [173-303-090](#) or [173-303-100](#). (Ord. 18-1045 § 2 (Exh. A))

**25.10.080.010    Hazardous waste.**

"Hazardous waste" means any dangerous and extremely hazardous waste, as those terms are defined by RCW [70.105.010](#)(5) and (6), respectively, including substances composed of radioactive and hazardous components. A moderate risk waste as described by RCW [70.105.010](#)(17) is not a hazardous waste. (Ord. 18-1045 § 2 (Exh. A))

**25.10.080.015    Hazardous waste generator.**

"Hazardous waste generator" means any person or site whose act first causes a dangerous waste to become subject to regulation under the dangerous waste regulations, Chapter [173-303](#) WAC. (Ord. 18-1045 § 2 (Exh. A))

**25.10.080.020    Hazardous waste storage.**

"Hazardous 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](#). (Ord. 18-1045 § 2 (Exh. A))

**25.10.080.025    Hazardous waste treatment.**

"Hazardous waste treatment" means the physical, chemical, or biological processing of dangerous waste to make such wastes nondangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume. (Ord. 18-1045 § 2 (Exh. A))

**25.10.080.030    Heavy industrial.**

"Heavy industrial" means an industrial land use such as chemical processing or machinery manufacturing which has environmental impacts which may require regulation (e.g., heavy truck traffic, noise, vibration, light, glare, and odors). (Ord. 18-1045 § 2 (Exh. A))

**25.10.080.035 Height.**

"Height" (of a structure) means the vertical distance between the average finished grade within three feet of the building foundation and the highest point of the structure's roof, walls, or other principal elements, excluding such accessory building elements as skylights, flagpoles, chimneys, church steeples, and roof structures housing building equipment. (Ord. 18-1045 § 2 (Exh. A))

**25.10.080.040 Heliport.**

Heliport. See DMC 25.10.010.125, Airport. (Ord. 18-1045 § 2 (Exh. A))

**25.10.080.045 High-intensity sales and service.**

"High-intensity sales and service" means businesses that typically generate high levels of traffic per square foot of floor area, such as those offering the following goods and services:

- (1) Food;
- (2) Clothing;
- (3) Hardware;
- (4) Household goods;
- (5) Pharmaceuticals;
- (6) Arts and crafts;
- (7) Auto parts;
- (8) Sporting goods;
- (9) Office equipment;
- (10) Books;
- (11) Plants;
- (12) Jewelry;
- (13) Liquor;
- (14) Musical instruments;
- (15) Barber and beauty shops;
- (16) Laundromats. (Ord. 18-1045 § 2 (Exh. A))

**25.10.080.050 High-occupancy vehicle.**

"High-occupancy vehicle" means a carpool, vanpool, or transit vehicle. (Ord. 18-1045 § 2 (Exh. A))

**25.10.080.055 Historic.**

"Historic" means associated with local historical events, such as the works of the first European settlers. (Ord. 18-1045 § 2 (Exh. A))

**25.10.080.060 Home occupation.**

"Home occupation" means an occupation conducted by the persons residing in the dwelling unit that includes any personal, business, or professional service, offices and repair shops for household items, and does not involve automotive, truck or motorcycle repair and any land use that meets the criteria stated in Chapter [25.140](#) DMC. (Ord. 18-1045 § 2 (Exh. A))

**25.10.080.065 Homeowners' association.**

"Homeowners' association" means a group of persons organized as an association, corporation or other entity which represents homeowners residing in a subdivision or other development entity. A homeowners' association need not have any official status as a separate legal entity under the laws of the state of Washington. (Ord. 18-1045 § 2 (Exh. A))

**25.10.080.070 Hospital.**

"Hospital" means an institution, whether a building or group of buildings, designed and used for the medical and surgical diagnosis and treatment (temporary and emergency services included) and housing of persons under the care of doctors and nurses providing general medical care, as distinguished from treatment of mental and nervous disorders and alcoholics, and specifically excluding rest homes, nursing homes, and convalescent homes. (Ord. 18-1045 § 2 (Exh. A))

**25.10.080.075 Hotel.**

"Hotel" means a building or portion thereof designed or used for the lodging with or without meals of six or more persons for compensation. A central kitchen and dining facility and accessory shops and services catering to the general public may be provided. Institutions housing persons under legal restraint or requiring medical attention or care shall not be considered hotels. (Ord. 18-1045 § 2 (Exh. A))

**25.10.090 "I" terms.**

(Ord. 18-1045 § 2 (Exh. A); Ord. 02-707 § 1)

**25.10.090.005 Impervious surfaces.**

"Impervious surfaces" means areas or surfaces that cannot be easily penetrated by rain or surface water runoff. These areas include structures and roof projections, impervious decks, roads, driveways, and surfaces which substantially reduce and alter the natural filtration characteristics of the soil. (Ord. 19-1069 § 2 (Exh. A); Ord. 18-1045 § 2 (Exh. A))

**25.10.090.010 Implementation.**

"Implementation" means active pursuit by an employer of the CTR goals of RCW [70.94.521](#) through [70.94.551](#) and Chapter [25.75](#) DMC as evident by appointment of a transportation coordinator, distribution of information to employees regarding alternatives to SOV commuting, and commencement of other measures according to its approved CTR program and schedules. (Ord. 18-1045 § 2 (Exh. A))

**25.10.090.015 Incidental sign.**

"Incidental sign" means a sign which:

- (1) Is incidental to the use of the premises on which it is located, such as "no parking," "entrance," "loading only," "telephone," "Building A," address signs, and similar directives; and
- (2) Conveys no commercial message legible from off the premises. (Ord. 18-1045 § 2 (Exh. A))

**25.10.090.020 Independent senior housing.**

Independent Senior Housing. See DMC 25.10.010.075, Adult retirement community. (Ord. 18-1045 § 2 (Exh. A))

**25.10.090.025 Infrastructure.**

"Infrastructure" includes only water, sewer, road, storm sewer and street lighting systems. (Ord. 18-1045 § 2 (Exh. A))

**25.10.090.030 Interior lot line.**

"Interior lot line" means the boundary line of a lot which separates one lot from another. (Ord. 18-1045 § 2 (Exh. A))

**25.10.100 "J" terms.**

Reserved. (Ord. 18-1045 § 2 (Exh. A); Ord. 02-707 § 1)

**25.10.110 "K" terms.**

(Ord. 18-1045 § 2 (Exh. A); Ord. 02-707 § 1)

**25.10.110.005 Key.**

"Key" means a designed compacted fill placed in a trench excavated in earth material beneath the toe of a proposed fill slope. (Ord. 18-1045 § 2 (Exh. A))

**25.10.120        "L" terms.**

(Ord. 18-1045 § 2 (Exh. A); Ord. 17-1017 § 2 (Exh. B); Ord. 07-854 § 1; Ord. 02-707 § 1)

**25.10.120.005    Landmark tree.**

"Landmark tree" means an existing healthy, well-formed tree which poses no safety hazard due to potential collapse and that is of the following species, trunk type, and minimum diameter measured at breast height:

Species		
Trunk type	Oregon white oak, Pacific yew, or madrona	Douglas fir, western red cedar, western hemlock, or big leaf maple
Single trunk	24 inches	30 inches
Multi-trunk (sum of diameters)	30 inches	45 inches

(Ord. 18-1045 § 2 (Exh. A))

**25.10.120.010    Landscape area.**

"Landscape area" means land with permeable soils covered with plantings, grasses, or vegetation native to the area. (Ord. 18-1045 § 2 (Exh. A))

**25.10.120.015    Landscape administrator.**

"Landscape administrator" means the community development director, or designee. (Ord. 18-1045 § 2 (Exh. A))

**25.10.120.020    Lead-in sign.**

"Lead-in sign" means a private directional sign that leads prospective buyers to an area being developed from raw land. (Ord. 18-1045 § 2 (Exh. A))

**25.10.120.025    Level of service standard.**

"Level of service standard" means a measurement of the quality of service provided by a facility, including traffic conditions along a given roadway or at a particular intersection, and of transit service. Roadway and intersection level of service standards are commonly denoted by a letter ranking from "A," the highest level of service, to "F," the lowest level of service. (Ord. 18-1045 § 2 (Exh. A))

**25.10.120.030 Linear park.**

“Linear park” means a developed, landscaped area that follows corridors such as abandoned railroad rights-of-way, streets, canals, power lines, or other linear, elongated features. This type of park usually includes trails, viewpoints, seating, and landscaping. (Ord. 18-1045 § 2 (Exh. A))

**25.10.120.035 Light manufacturing.**

“Light manufacturing” means an indoor facility used for the assembly, fabrication, and conversion of semi-processed material into finished products, where the intensity, scale, and characteristics of the operation are unlikely to negatively impact surrounding land uses. Light manufacturing also includes intermediate services such as machining, welding, grinding, and machine/industrial repair. Examples of light manufacturing uses include, but are not limited to, clothing and fabric manufacturing; food and beverage products, including ice production; electronic, optical, and instrumentation assembly; jewelry production; and manufacturing musical instruments. Outdoor storage or processing of equipment or materials is prohibited. (Ord. 18-1045 § 2 (Exh. A))

**25.10.120.040 Lodge.**

Lodge. See “Fraternal club.” (Ord. 18-1045 § 2 (Exh. A))

**25.10.120.045 Long-term commercial significance.**

“Long-term commercial significance” means the mineral composition of the land for long-term economically viable commercial production, in consideration with the mineral resource land’s proximity to population areas, product markets, and the possibility of more intense uses of the land. (Ord. 18-1045 § 2 (Exh. A))

**25.10.120.050 Lot.**

“Lot” means a platted or unplatted parcel of land unoccupied, occupied or to be occupied by a principal use or building and accessory buildings, together with such yards and open spaces as are required by the zoning code, which has direct legal access to a street or has access to a street over an easement approved by the city. (Ord. 18-1045 § 2 (Exh. A))

**25.10.120.055 Lot area.**

“Lot area” means the area within the boundary lines of a lot. (Ord. 18-1045 § 2 (Exh. A))

**25.10.120.060 Lot coverage.**

“Lot coverage” means that portion of a lot occupied by the principal building and its accessory buildings, including all structures greater than three feet in height. (Ord. 18-1045 § 2 (Exh. A))

**25.10.120.065   Lot line.**

"Lot line" means the boundary lines of a lot. (See also "Property line.") (Ord. 18-1045 § 2 (Exh. A))

**25.10.120.070   Lot width.**

"Lot width" means width of the lot at the building setback line. (Ord. 18-1045 § 2 (Exh. A))

**25.10.120.075   Low impact manufacturing.**

"Low impact manufacturing" uses include, but are not limited to: (1) electrical component assembly, including assembly of computer products, systems, and related components; (2) printing; and (3) manufacture of handcrafted products. (Ord. 18-1045 § 2 (Exh. A))

**25.10.120.080   LSV.**

"LSV" means low speed vehicle, an electric vehicle that is capable of traveling at a maximum speed of 25 miles per hour. They generally are equipped with safety features such as headlights, turn signals and seat belts. They may also be referred to as neighborhood electric vehicles or NEVs. (Ord. 18-1045 § 2 (Exh. A))

**25.10.130        "M" terms.**

(Ord. 18-1045 § 2 (Exh. A); Ord. 16-1011 § 2 (Exh. 1) (Att. B); Ord. 07-854 § 1; Ord. 02-707 § 1)

**25.10.130.005   Manager.**

"Manager" means any person who manages, directs, or administers a sexually oriented business. (Ord. 18-1045 § 2 (Exh. A))

**25.10.130.010   Marquee.**

"Marquee" means a permanent roof-like structure projecting from a building, intended to shelter pedestrians. (Ord. 18-1045 § 2 (Exh. A))

**25.10.130.015   Microcell.**

"Microcell" means a wireless communication facility consisting of an antenna that is either four feet in height and with an area of not more than 580 square inches or a tubular antenna no more than four inches in diameter and no more than six feet in length. (Ord. 18-1045 § 2 (Exh. A))

**25.10.130.020   Middle housing.**

"Middle housing" means buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes including

duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, and cottage housing.

### **25.10.130.025 Mineral extraction.**

"Mineral extraction" means all mine-related activities, including:

- (1) The mining or extraction of rock, stone, gravel, sand, earth, and other minerals;
- (2) On-site mineral processing including sorting, washing, crushing and loading, concrete batching, concrete recycling, and other aggregate recycling;
- (3) Equipment maintenance;
- (4) Transporting minerals to and from the mine, on-site road maintenance, road maintenance for roads used extensively for surface mining activities, traffic safety, and traffic control. (Ord. 18-1045 § 2 (Exh. A))

### **25.10.130.030 Mineral resource lands.**

"Mineral resource lands" means lands containing mineral deposits, both active and inactive, that have a known or potential long-term significance for the extraction of minerals and which are in close economic proximity to locations where the deposits are likely to be used. (Ord. 18-1045 § 2 (Exh. A))

### **25.10.130.035 Minerals.**

"Minerals" means clay, coal, gravel, industrial minerals, valuable metallic substances, peat, sand, stone, topsoil, and any other similar solid materials or substances to be excavated from natural deposits on or in the earth for commercial, industrial, or construction use. (Ord. 18-1045 § 2 (Exh. A))

### **25.10.130.040 Mini park.**

"Mini park" means a small tract of land usually about the same size as a building lot. These parks may be improved with children's play equipment. They are intended to serve the needs of a portion of a village in which it is located. They are not intended for city ownership due to higher maintenance costs associated with these parks when compared to public parks of equal size and the fact that they may not be equally accessible to all segments of the community. These facilities are owned by the homeowners' association. (Ord. 18-1045 § 2 (Exh. A))

### **25.10.130.045 Mixed use occupancy (or structure).**

"Mixed use occupancy (or structure)" means a building designed or intended to be used for more than one type of principal use, i.e., retail and office uses. (Ord. 18-1045 § 2 (Exh. A))

**25.10.130.050 Mobile home.**

"Mobile home" means a factory-assembled structure with necessary service connections, made to be readily movable on city streets and designed to be used as a dwelling unit. (Ord. 18-1045 § 2 (Exh. A))

**25.10.130.055 Mobile home park.**

"Mobile home park" means a parcel of land designed and improved to accommodate two or more mobile homes on a permanent basis. (Ord. 18-1045 § 2 (Exh. A))

**25.10.130.060 Mode.**

"Mode" means the means of transportation used by employees, such as single-occupant motor vehicle, rideshare vehicle (carpool, vanpool), transit, ferry, bicycle, walking, compressed work schedule and telecommuting. (Ord. 18-1045 § 2 (Exh. A))

**25.10.130.065 Motel.**

"Motel" means a group of attached or detached buildings containing individual sleeping units, a majority of such units open individually and directly to the outside, including tourist courts, motor courts, and motor lodges. (Ord. 18-1045 § 2 (Exh. A))

**25.10.130.070 Multifamily project.**

"Multifamily project" means multifamily residences built as a single project, in one or more buildings. (Ord. 18-1045 § 2 (Exh. A))

**25.10.130.075 Multifamily residence.**

"Multifamily residence" means a residence located in a building which contains more than one  
two residences, such as a ~~duplex unit~~, condominium, apartment, or a residence designed to be attached to other residences, such as a townhouse or apartments. (Ord. 18-1045 § 2 (Exh. A))

**25.10.130.080 Multiple use project.**

"Multiple use project" means a development containing two or more principal uses located in one or more structures. (Ord. 18-1045 § 2 (Exh. A))

**25.10.140 "N" terms.**

(Ord. 18-1045 § 2 (Exh. A); Ord. 11-919 § 4; Ord. 02-707 § 1)

**25.10.140.005 Neighborhood park.**

"Neighborhood park" means public recreation facilities consisting of a combination playground and park designed primarily for nonsupervised, nonorganized recreation activities. In addition to their recreation value, they also provide a source of open space and aesthetic quality in the neighborhood. Neighborhood parks are generally small in size (three to 10 acres) and serve an area of approximately one-half-mile radius. Neighborhood parks are located within walking and bicycling distance of most users and are frequently located adjacent to or upon school property. Neighborhood parks sometimes provide space for organized community events. The facilities generally located in a neighborhood park include: children's playground, picnic facilities, trails, open space and nature areas, tennis courts, outdoor basketball court, and multi-use open field for soccer, youth baseball, etc. (Ord. 18-1045 § 2 (Exh. A))

**25.10.140.010 NEV.**

"NEV" means a neighborhood electric vehicle. This is an electric vehicle that is capable of traveling at a maximum speed of 25 miles per hour. They generally are equipped with safety features such as headlights, turn signals and seat belts. They may also be referred to as low-speed vehicles or LSVs. (Ord. 18-1045 § 2 (Exh. A))

**25.10.140.015 Nonconforming.**

A "nonconforming" building or use is one which was lawfully established but no longer conforms to the regulations for the zone where it is located. (Ord. 18-1045 § 2 (Exh. A))

**25.10.140.020 Non-electric vehicle.**

"Non-electric vehicle" means any motor vehicle that does not meet the definition of "electric vehicle." (Ord. 18-1045 § 2 (Exh. A))

**25.10.140.025 Nude or nudity.**

"Nude" or "nudity" means the appearance of human bare buttock, anus, male genitals, female genitals, or the areola or nipple of the female breast. (Ord. 18-1045 § 2 (Exh. A))

**25.10.140.030 Nude or semi-nude model studio.**

"Nude or semi-nude model studio" means any place where a person, who appears nude or semi-nude or displays "specified anatomical areas," is provided for money or any form of consideration to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons. (Ord. 18-1045 § 2 (Exh. A))

**25.10.140.035 Nursery or garden center.**

"Nursery" or "garden center" means an enterprise which conducts the retail and wholesale sale of plants generally grown on site, as well as accessory items (excluding farm equipment) directly related to plant care and maintenance. (Ord. 18-1045 § 2 (Exh. A))

**25.10.140.040 Nursing home.**

"Nursing home" means any home, place or institution which operates or maintains facilities providing convalescent or chronic care, or both, for a period in excess of 24 consecutive hours for three or more patients, not related by blood or marriage to the operator, who by reason of illness or infirmity are unable properly to care for themselves, as defined by RCW [18.51.010](#)(43). (Ord. 18-1045 § 2 (Exh. A))

**25.10.150 "O" terms.**

(Ord. 18-1045 § 2 (Exh. A); Ord. 07-854 § 1; Ord. 02-707 § 1)

**25.10.150.005 Odor threshold.**

"Odor threshold" means the amount of odorous material in one cubic foot of air that can be detected by 50 percent of a group of human observers. (Ord. 18-1045 § 2 (Exh. A))

**25.10.150.010 Off-site hazardous waste treatment and storage.**

"Off-site hazardous waste treatment and storage" means hazardous waste treatment and storage facilities that treat and store waste from generators on properties other than those on which the off-site facility is located. (Ord. 18-1045 § 2 (Exh. A))

**25.10.150.015 Office building.**

"Office building" means a building primarily designed for office uses. (Ord. 18-1045 § 2 (Exh. A))

**25.10.150.020 Office use.**

"Office use" generally refers to a service business, rather than the production, distribution and/or retail sales of goods or commodities. The services provided are generally professional, educational, administrative, financial, or governmental in nature. (Ord. 18-1045 § 2 (Exh. A))

**25.10.150.025 On-site hazardous waste treatment and storage.**

"On-site hazardous waste treatment and storage" means hazardous waste treatment and storage facilities that treat and store wastes generated on the same lot. (Ord. 18-1045 § 2 (Exh. A))

**25.10.150.030 Open-air vending.**

“Open-air vending” means any commercial activity which is conducted without the shelter of a building on the premises. (Ord. 18-1045 § 2 (Exh. A))

**25.10.150.035 Open record hearing.**

“Open record hearing” means a hearing, conducted by a single hearing body or officer authorized by the city to conduct such hearings, that creates the city’s record through testimony and submission of evidence and information, under procedures prescribed by the city by ordinance or resolution. An open record hearing may be held prior to the city’s 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. (Ord. 18-1045 § 2 (Exh. A))

**25.10.150.040 Open space.**

“Open space” means generally a portion of the area of a site, other than required yards, which is required by this zoning code to be maintained free of impervious surfaces, although it may include features for public use such as community buildings, swimming pools, trails, tennis courts, and parking (when specifically provided for public users of the open space). (Ord. 18-1045 § 2 (Exh. A))

**25.10.150.045 Open space, common.**

“Open space, common” means that area permanently owned in common or held for use by more than one individual property owner or resident for recreational use, landscape buffering, preservation of sensitive areas or other publicly beneficial uses. “Common open space” is largely free of impervious surfaces although it may include features for communal use such as community buildings, swimming pools, trails, and tennis courts. “Common open space” does not include the uncovered portions within any road right-of-way. (Ord. 18-1045 § 2 (Exh. A))

**25.10.150.050 Open space, dedicated.**

“Open space, dedicated” means that area permanently dedicated to the city and held for public use or interest as part of the city’s comprehensive open space system. Dedicated open space is largely free of impervious surfaces, although it may include features for public use such as community buildings, swimming pools, trails, tennis courts, and parking (when specifically provided for public users of the dedicated open space). (Ord. 18-1045 § 2 (Exh. A))

**25.10.150.055 Open space, parcel.**

“Open space, parcel” means the sum of the common and private open spaces within a given development parcel. (Ord. 18-1045 § 2 (Exh. A))

**25.10.150.060 Open space, private.**

“Open space, private” means that open space within a privately owned lot which is not covered by buildings, paving, or other impervious surfaces. (Ord. 18-1045 § 2 (Exh. A))

**25.10.150.065 Operator.**

“Operator” means the owner, permit holder, custodian, manager, operator, or person in charge of any sexually oriented business. (Ord. 18-1045 § 2 (Exh. A))

**25.10.150.070 Outdoor storage.**

“Outdoor storage” means the storage of fuel, raw materials, products, and equipment outside of an enclosed building. Mechanical equipment necessary for the operation of the building shall be excluded from the definition. (Ord. 18-1045 § 2 (Exh. A))

**25.10.150.075 Overlay district.**

“Overlay district” means a classification contained in this title that combines with the underlying district classification and adds specific restrictions to properties located within the district. The combination of district, for the purpose of this definition and title, shall be considered as separately zoned area and shall not be construed as applying different standards to properties within the same district. An example of an overlay district would be the mineral resource overlay designation. (Ord. 18-1045 § 2 (Exh. A))

**25.10.160 “P” terms.**

(Ord. 18-1045 § 2 (Exh. A); Ord. 11-919 § 5; Ord. 07-854 § 1; Ord. 02-707 § 1)

**25.10.160.005 Parking administrator.**

“Parking administrator” means the community development director or designee. (Ord. 18-1045 § 2 (Exh. A))

**25.10.160.010 Passive recreation.**

“Passive recreation” means recreational activities other than organized, competitive sports, which require little or no covering of the soil with buildings or impervious surfaces. Examples of facilities for passive recreation include paved and unpaved trails, lawns, pedestrian piers, tables, benches, signs, and waste receptacles. (Ord. 18-1045 § 2 (Exh. A))

**25.10.160.015 Peak period.**

“Peak period” means the hours from 6:00 a.m. to 9:00 a.m. (inclusive), Monday through Friday, except legal holidays. (Ord. 18-1045 § 2 (Exh. A))

**25.10.160.020 Peak period trip.**

"Peak period trip" means any employee trip that delivers the employee to begin their regular workday between 6:00 a.m. and 9:00 a.m. (inclusive), Monday through Friday, except legal holidays. (Ord. 18-1045 § 2 (Exh. A))

**25.10.160.025 Permitted uses.**

"Permitted uses" are those so stated in each zone, plus accessory uses, that is, uses or structures incidental to a permitted use or building on the same premises. Examples include a garage on a residential lot, an administrative office associated with an industrial plant, and an on-site employee cafeteria. (Ord. 18-1045 § 2 (Exh. A))

**25.10.160.030 Permittee.**

"Permittee" means a person in whose name a sexually oriented business permit has been applied for or issued. (Ord. 18-1045 § 2 (Exh. A))

**25.10.160.035 Person.**

"Person" means any individual, firm, joint venture, co-partnership, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver or any other group or combination acting as a unit. (Ord. 18-1045 § 2 (Exh. A))

**25.10.160.040 Personal communication services (PCS).**

"Personal communication services (PCS)" means commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services. (Ord. 18-1045 § 2 (Exh. A))

**25.10.160.045 Personal services.**

"Personal services" means provision of recurrently needed services of a personal nature. This classification includes services such as barber and beauty shops, tanning, seamstresses, tailors, shoe repair, dry cleaning agencies (excluding plants), photocopying, and self-service laundries; provision of instructional services or facilities such as photography, fine arts, crafts, dance or music studios, driving schools, diet centers, reducing salons, and fitness studios.

**25.10.160.050 PHEV.**

"PHEV" means a plug-in hybrid electric vehicle, also known as a plug-in hybrid. It is a hybrid vehicle with rechargeable batteries that can be restored to full charge by connecting a plug to an external electric power source. A PHEV shares the characteristics of both a conventional hybrid electric vehicle, having an electric motor and an internal combustion engine; and of an all-electric vehicle, also having a plug to connect to the electrical grid. Most PHEVs on the road

today are passenger cars, but there are also PHEV versions of commercial vehicles and vans, utility trucks, buses, trains, motorcycles, scooters, and military vehicles. (Ord. 18-1045 § 2 (Exh. A))

**25.10.160.055 Places of assembly.**

"Places of assembly" means facilities for gatherings, such as churches, funeral homes, halls, and stadiums. (Ord. 18-1045 § 2 (Exh. A))

**25.10.160.060 Plat.**

"Plat" means the map or representation of a subdivision. (Ord. 18-1045 § 2 (Exh. A))

**25.10.160.065 Plaza.**

"Plaza" means a continuous and unoccupied space, other than a street or alley, which is readily accessible to the public at all times. (Ord. 18-1045 § 2 (Exh. A))

**25.10.160.070 Pocket park.**

Pocket Park. See DMC 25.10.130.135, Mini park. (Ord. 18-1045 § 2 (Exh. A))

**25.10.160.075 Political sign.**

"Political sign" means a sign advertising a candidate(s) or issue appearing on the ballot at the next scheduled election. (Ord. 18-1045 § 2 (Exh. A))

**25.10.160.080 Prehistoric.**

"Prehistoric" means relating to or existing in times predating written history. This term generally refers to those North American cultures in existence prior to AD 1540. (Ord. 18-1045 § 2 (Exh. A))

**25.10.160.085 Premises.**

"Premises" means the premises of a sexually oriented business. (Ord. 18-1045 § 2 (Exh. A))

**25.10.160.090 Primary use.**

"Primary use" means the principal use of a property. (See also "Use.") (Ord. 18-1045 § 2 (Exh. A))

**25.10.160.095 Priority habitat.**

*Repealed by Ord. 19-1069. (Ord. 18-1045 § 2 (Exh. A))*

**25.10.160.100 Priority species.**

*Repealed by Ord. 19-1069. (Ord. 18-1045 § 2 (Exh. A))*

**25.10.160.105 Private yard.**

“Private yard” means that area within a privately owned lot which is required by this zoning code to remain uncovered by structures. (Ord. 18-1045 § 2 (Exh. A))

**25.10.160.110 Professional inspection.**

“Professional inspection” means the inspection required by this code to be performed by the civil engineer, soils engineer or engineering geologist. Such inspections include those performed by persons supervised by such engineers or geologists and shall be sufficient to form an opinion relating to the conduct of the work. (Ord. 18-1045 § 2 (Exh. A))

**25.10.160.115 Property line.**

“Property line” means those lines enclosing a lot and those lines defining a recorded vehicular access easement. The following are categories of property lines:

- (1) “Front property line” is any property line that is adjacent to a street or vehicular access easement or tract more than 21 feet in width, except when said vehicular access easement or tract:
  - (a) Is located entirely on an adjacent lot or lots and does not serve the subject property; or
  - (b) Encompasses a hammerhead turnaround required by the fire department, whether or not it is located on or serves the subject property.
- (2) “Rear property line” is any property line that is farther from and essentially parallel to a front property line except on a lot which contains two or more front property lines; or any property line that is adjacent to a street, alley or vehicular access easement or tract 21 feet or less in width, except when said vehicular access easement or tract serves only one lot, or is located entirely on an adjacent lot or lots and does not serve the subject property; or any property line that is adjacent to a vehicular access easement or tract which encompasses a hammerhead turnaround required by the fire department.
- (3) “Side property line” is any property line other than a front property line or a rear property line. (Ord. 18-1045 § 2 (Exh. A))

**25.10.160.120 Project permit.**

“Project permit” or “project permit application” means any land use or environmental permit or license required from the city for a project action, including but not limited to building permits, subdivisions, binding site plans, planned unit developments, conditional uses, shoreline

substantial development permits, site plan review, land use application, permits or approvals required by critical area ordinances, site-specific rezones authorized by a comprehensive plan or subarea plan, but excluding the adoption or amendment of a comprehensive plan, subarea plan, or development regulations except as otherwise specifically included in this subsection. (Ord. 18-1045 § 2 (Exh. A))

### **25.10.160.125 Provider.**

“Provider” means any corporation, company, association, joint stock company, firm, partnership, limited liability company, other entity, and/or individual licensed to provide personal wireless service or personal wireless communication facilities. (Ord. 18-1045 § 2 (Exh. A))

### **25.10.160.130 Public open space.**

Public Open Space. See DMC 25.10.150.050, Open space, dedicated. (Ord. 18-1045 § 2 (Exh. A))

### **25.10.160.135 Public uses.**

“Public uses” shall mean civic buildings, including City Hall, police department, fire department, community center, library, transit center, museum, and public schools (except where specifically prohibited). (Ord. 18-1045 § 2 (Exh. A))

### **25.10.160.140 Public utility.**

“Public utility” means a private business organization such as a public service corporation performing some public service and subject to special governmental regulations, or a governmental agency performing similar public services, the services by either of which are paid for directly by the recipients thereof, including water supply, electrical power, gas and transportation, telephone, and other transmission services. (Ord. 18-1045 § 2 (Exh. A))

### **25.10.170 “Q” terms.**

(Ord. 18-1045 § 2 (Exh. A); Ord. 02-707 § 1)

### **25.10.170.005 Quasi-public use.**

“Quasi-public use” means a use which serves nonprofit social—~~or religious~~—ends, such as ~~churches, clubhouses, private schools,~~ and community/social service organizations such as Rotary Club, Chamber of Commerce, Girl Scouts, etc. (Ord. 18-1045 § 2 (Exh. A))

### **25.10.180 “R” terms.**

(Ord. 18-1045 § 2 (Exh. A); Ord. 18-1032 § 2 (Exh. 5); Ord. 11-919 § 6; Ord. 07-854 § 1; Ord. 02-707 § 1)

**25.10.180.005 Rapid charging station.**

“Rapid charging station” means an industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels, which meets or exceeds any standards, codes, and regulations set forth by Chapter [19.28](#) RCW and consistent with rules adopted under RCW [19.27.540](#). (Ord. 18-1045 § 2 (Exh. A))

**25.10.180.010 Ravine.**

*Repealed by Ord. 19-1069. (Ord. 18-1045 § 2 (Exh. A))*

**25.10.180.015 Ravine sidewalk.**

*Repealed by Ord. 19-1069. (Ord. 18-1045 § 2 (Exh. A))*

**25.10.180.020 RCW.**

“RCW” means the Revised Code of Washington. (Ord. 18-1045 § 2 (Exh. A))

**25.10.180.025 Rear yard setback.**

Rear Yard Setback. See DMC 25.10.250.020, Yard, rear. (Ord. 18-1045 § 2 (Exh. A))

**25.10.180.030 Reclamation.**

“Reclamation” means rehabilitation for the appropriate future use of disturbed areas resulting from surface mining, including areas under associated mineral processing equipment and areas under stockpiled materials. Although the need for reclamation will control the type and degree of reclamation in any specific surface mine, the basic objective is 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. (Ord. 18-1045 § 2 (Exh. A))

**25.10.180.035 Recreation, indoor.**

“Recreation, indoor” means an establishment providing completely enclosed recreation activities. Accessory uses shall be permitted to include the preparation and serving of food and/or the sale of equipment related to the enclosed uses. Included in this definition are bowling, roller-skating or ice-skating, pool, and related amusements. (Ord. 18-1045 § 2 (Exh. A))

**25.10.180.040 Recreation, outdoor.**

“Recreation, outdoor” means an area free of buildings except for restrooms, dressing rooms, equipment storage, maintenance buildings, open-air pavilions and similar structures used primarily for recreational activities. (Ord. 18-1045 § 2 (Exh. A))

**25.10.180.045 Recyclable material.**

"Recyclable material" means those solid wastes that are separated for recycling or reuse, such as papers, metals, and glass that are identified as recyclable material by the Pierce County solid waste plan. (Ord. 18-1045 § 2 (Exh. A))

**25.10.180.050 Recycling.**

"Recycling" means transforming or remanufacturing waste materials into usable or marketable material for use other than land fill disposal or incineration. (Ord. 18-1045 § 2 (Exh. A))

**25.10.180.055 Research and Development.**

"Research and Development" means establishments primarily engaged in the research, development, and controlled production of high-technology electronic, industrial, or scientific products or commodities for sale. This classification includes biotechnology firms and manufacturers of nontoxic computer components.

**25.10.180.053 Residence.**

"Residence" means a permanently installed building or portion thereof providing complete housekeeping facilities for only one household, including manufactured homes constructed after June 15, 1976, in accordance with U.S. Department of Housing and Urban Development requirements. (Ord. 18-1045 § 2 (Exh. A))

**25.10.180.055 Residential care facility.**

"Residential care facility" means a facility that cares for at least five but not more than 15 functionally disabled persons that is not licensed pursuant to Chapter 70.128 RCW, Adult Family Home. (Ord. 18-1045 § 2 (Exh. A))

**25.10.180.060 Residential use.**

"Residential use" means a type of or intended use of a building or structure designed to provide a place of abode for human beings, but not including hotels or motels. (Ord. 18-1045 § 2 (Exh. A))

**25.10.180.065 Retail establishment.**

"Retail establishment" means a commercial enterprise which provides goods and/or services directly to the consumer, whose goods are available for immediate purchase and removal from the premises by the purchaser and/or whose services are traditionally not permitted within an office use. The sale and consumption of food are included if: (1) the seating and associated circulation area does not exceed more than 10 percent of the gross floor area of the use, and

(2) it can be demonstrated to the city that the floor plan is designed to preclude the seating area from being expanded. (Ord. 18-1045 § 2 (Exh. A))

**25.10.180.070 Restaurant.**

"Restaurant" means a building where food is sold to the public for on-premises consumption or to go. It may include alcoholic beverage service only if under a Class C, D, or H state liquor license. (Ord. 18-1045 § 2 (Exh. A))

**25.10.180.075 Retain.**

"Retain," when applied to trees, means to neither cut down, top, nor otherwise damage. Maintenance and pruning not in conflict with the preceding are not prohibited. (Ord. 18-1045 § 2 (Exh. A))

**25.10.180.080 Right-of-way.**

"Right-of-way" means land dedicated primarily to the movement of vehicles and pedestrians and providing for primary access to adjacent parcels. Secondarily, the land provides space for utility lines and appurtenances and other publicly owned devices. (Ord. 18-1045 § 2 (Exh. A))

**25.10.180.085 Rough grade.**

"Rough grade" means the stage at which the grade approximately conforms to the approved plan. (Ord. 18-1045 § 2 (Exh. A))

**25.10.190 "S" terms.**

(Ord. 18-1045 § 2 (Exh. A); Ord. 16-1011 § 2 (Exh. 1) (Att. B); Ord. 07-854 § 1; Ord. 02-707 § 1)

**25.10.190.005 Semi-nude.**

"Semi-nude" means a state of dress in which clothing covers no more than the genitals, pubic region, and areola of the female breast, as well as portions of the body covered by supporting straps or devices. (Ord. 18-1045 § 2 (Exh. A))

**25.10.190.010 Sensitive areas.**

"Sensitive areas" means, for the purposes of this title, those areas defined and established as critical areas under the provisions of the Washington State Growth Management Act and identified in this code. (Ord. 19-1069 § 2 (Exh. A); Ord. 18-1045 § 2 (Exh. A))

**25.10.190.015 Setback.**

"Setback" means the shortest distance between a lot line and any structure for which a building permit is required; provided, that eaves, noncombustible chimneys and fireplaces, and similar

protrusions may extend up to an additional 24 inches from the vertical wall of the building. For critical areas, see Chapter [25.105](#) DMC. (Ord. 19-1069 § 2 (Exh. A); Ord. 18-1045 § 2 (Exh. A))

**25.10.190.020 Sexually oriented business.**

“Sexually oriented business” means an adult arcade, adult bookstore, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, nude or semi-nude model studio. (Ord. 18-1045 § 2 (Exh. A))

**25.10.190.025 Sexually oriented entertainment.**

“Sexually oriented entertainment” means a live performance at an adult cabaret which is characterized by the performer’s exposure of “specified anatomical areas.” (Ord. 18-1045 § 2 (Exh. A))

**25.10.190.030 Side yard.**

Side Yard. See DMC 25.10.250.025, Yard, side. (Ord. 18-1045 § 2 (Exh. A))

**25.10.190.035 Sign.**

“Sign” means any device, structure, fixture, or placard that uses colors, words, letters, numbers, symbols, logos, or trademarks for the purpose of providing information or directions, or identifying or advertising any place, establishment, product, good, or service and includes all supports, braces, guywires, and anchors associated with such signs. (Ord. 18-1045 § 2 (Exh. A))

**25.10.190.040 Sign administrator.**

“Sign administrator” means community development director, or designee. (Ord. 18-1045 § 2 (Exh. A))

**25.10.190.045 Sign, community-wide event.**

“Sign, community-wide event” means a temporary nonilluminated sign advertising a general public and/or community-wide event within the city that is sponsored by an organization within the city. (Ord. 18-1045 § 2 (Exh. A))

**25.10.190.050 Single Family zones.**

“Single Family zones” means those zones where single-family detached housing is the predominant land use. Both detached single family and duplex are allowed in Single Family zones.

**25.10.190.055 Single-occupant vehicle.**

“Single-occupant vehicle” means motor vehicle occupied by one employee for commute purposes, including a motorcycle. (Ord. 18-1045 § 2 (Exh. A))

**25.10.190.060 Single worksite.**

“Single worksite” means a building or group of buildings on physically contiguous parcels of land or on parcels separated solely by roads or rights-of-way occupied by one or more affected employers. (Ord. 18-1045 § 2 (Exh. A))

**25.10.190.065 Site area.**

“Site area” means that area of land associated with a certain development application. (Ord. 18-1045 § 2 (Exh. A))

**25.10.190.070 Site plan amendment, major.**

“Site plan amendment, major” means an amendment to an approved site plan that substantially changes the site design, increases density by more than five percent or increases building area by greater than 10 percent, reduces open space or landscape area by more than 10 percent, requires a modification to a condition of approval or other requirements and conditions of the approved and site plan, or includes new requests to deviate from the standards of the applicable district. (Ord. 18-1045 § 2 (Exh. A))

**25.10.190.075 Site plan amendment, minor.**

“Site plan amendment, minor” means an amendment to an approved site plan for modifications to the dimensions or footprint location of a building(s) but does not substantially modify the arrangement or increase the number of buildings approved in the plan. Increases to density shall be less than five percent and building size/area shall be less than 10 percent. The amount and quality of landscaping may be increased but may not be reduced by more than 10 percent, provided it complies with the minimum landscaping requirements of the zone in which the property is located. Proposed amendments shall not deviate from standards of the applicable district. (Ord. 18-1045 § 2 (Exh. A))

**25.10.190.080 Sixplex.**

“Sixplex” means a townhome building containing six dwelling units.

**25.10.190.085 Soils engineer.**

*Repealed by Ord. 19-1069. (Ord. 18-1045 § 2 (Exh. A))*

**25.10.190.090 Soils engineering (geotechnical engineering).**

*Repealed by Ord. 19-1069. (Ord. 18-1045 § 2 (Exh. A))*

**25.10.190.095 Solid waste.**

“Solid waste” means all solid and semi-solid wastes including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, sewage sludge, demolition, and construction wastes, abandoned vehicles or parts thereof, and recyclable materials. (Ord. 18-1045 § 2 (Exh. A))

**25.10.190.100 SOV rate.**

“SOV rate” means the number of commute trips over a set period made by affected employees in SOVs divided by the number of affected employees working during that period. (Ord. 18-1045 § 2 (Exh. A))

**25.10.190.105 SOV trips.**

“SOV trips” means commute trips made by affected employees in SOVs. (Ord. 18-1045 § 2 (Exh. A))

**25.10.190.110 Specified anatomical areas.**

“Specified anatomical areas” means less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the top of areola, or human male genitals in a discernibly turgid state, even if completely and opaquely covered. (Ord. 18-1045 § 2 (Exh. A))

**25.10.190.115 Specified criminal acts.**

“Specified criminal acts” means any conviction or acts which are sexual crimes against children, sexual abuse, rape, or crimes connected with another sexually oriented business, including, but not limited to, distribution of obscenity or material harmful to minors, prostitution, or pandering. (Ord. 18-1045 § 2 (Exh. A))

**25.10.190.120 Specified sexual activities.**

“Specified sexual activities” means:

- (1) The fondling or other intentional touching of human genitals, pubic region, buttocks, anus, or female breasts; or
- (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 above. (Ord. 18-1045 § 2 (Exh. A))

### **25.10.190.125 Specimen tree.**

"Specimen tree" means an existing healthy tree which poses no safety hazard due to potential collapse and is of the following species and minimum diameter measured at breast height; provided, that the measure of multi-trunk trees shall be the sum of the diameters:

- (1) Douglas fir, western red cedar, western hemlock, or big leaf maple: 15 inches;
- (2) Oregon white oak, Pacific yew, or madrona: 12 inches;
- (3) Historic fruit trees: no size limit. (Ord. 18-1045 § 2 (Exh. A))

### **25.10.190.130 Square feet.**

"Square feet" means square feet of the combined horizontal area of all floors of a building measured from the exterior faces of the exterior walls, excluding spaces lacking standing head room. (Ord. 18-1045 § 2 (Exh. A))

### **25.10.190.135 Stacked flat.**

"Stacked flat" means dwelling units in a residential building of no more than three stories on a residential zoned lot in which each floor may be separately rented or owned.

### **25.10.190.140 State siting criteria.**

"State siting criteria" means criteria for the siting of hazardous waste treatment and storage facilities contained in WAC [173-303-285](#). (Ord. 18-1045 § 2 (Exh. A))

### **25.10.190.145 Storage, indoor.**

"Storage, indoor" means a structure containing separate, individual, and private storage spaces of varying sizes leased or rented on individual leases for varying periods of time for the storage of goods such as furniture, files, or other unused or seldom used items. The definition excludes hazardous material storage, outdoor storage, warehousing and distribution, and vehicle or recreational vehicle storage. The access to the storage units is from building interiors. (Ord. 18-1045 § 2 (Exh. A))

### **25.10.190.150 Storage, mini-.**

"Storage, mini-" means a structure containing separate, individual, and private storage spaces of varying sizes leased or rented on individual leases for varying periods of time for dead storage only. Storage of boats, trailers, and recreational vehicles is permitted. Auctions except auctions authorized by legal action, commercial wholesale or retail businesses, garage sales,

repair of motorized equipment and/or vehicles, operation of power tools, and storage of flammable or hazardous materials and explosives are prohibited. (Ord. 18-1045 § 2 (Exh. A))

**25.10.190.155 Story.**

"Story" means the portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above. It is measured as the vertical distance from top to top of two successive tiers of beams for 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. (Ord. 18-1045 § 2 (Exh. A))

**25.10.190.160 Stream.**

"Stream" means an area where surface waters flow sufficiently to produce a defined channel or bed. A defined channel or bed need not contain water year-round. This definition is not meant to include storm or surface runoff devices or other entirely artificial watercourses unless they were constructed within or in association with a naturally occurring stream or drainage course. For critical areas, see Chapter [25.105](#) DMC. (Ord. 19-1069 § 2 (Exh. A); Ord. 18-1045 § 2 (Exh. A))

**25.10.190.165 Street.**

"Street" means a public right-of-way. (Ord. 18-1045 § 2 (Exh. A))

**25.10.190.170 Street frontage.**

"Street frontage" means the boundary of a lot separating such lot from an abutting street. For multi-tenant buildings, street frontage shall be the width of the front of the suite. The front of the suite is defined as the wall plane to which the suite address is assigned and contains the main customer entrance. (Ord. 18-1045 § 2 (Exh. A))

**25.10.190.175 Street tree.**

"Street tree" means a tree planted or retained in a public right-of-way or parking strip. (Ord. 18-1045 § 2 (Exh. A))

**25.10.190.180 Structure.**

"Structure" means anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground, but not including fences and walls less than six feet in height. (Ord. 18-1045 § 2 (Exh. A))

**25.10.190.185 Subdivision.**

"Subdivision" means the division of land into two or more lots, parcels, or sites for the purpose of sale or lease. (Note: For purposes of this development code, the term "subdivision" includes the short subdivision of land.) See Chapter [58.17](#) RCW. (Ord. 18-1045 § 2 (Exh. A))

**25.10.200 "T" terms.**

(Ord. 18-1045 § 2 (Exh. A); Ord. 17-1017 § 2 (Exh. B); Ord. 12-937 § 1; Ord. 02-707 § 1)

**25.10.200.005 Tavern.**

"Tavern" means a commercial use which sells prepared food or beverages and where the seating and associated circulation areas exceed 10 percent of the gross floor area of the use. (Ord. 18-1045 § 2 (Exh. A))

**25.10.200.010 Telecommuting.**

"Telecommuting" means the use of telephones, computers, or other similar technology to permit an employee to work from home, eliminating a commute trip, or to work from a work place closer to home, reducing the distance traveled in a commute trip by at least half. (Ord. 18-1045 § 2 (Exh. A))

**25.10.200.015 Temporary wireless communications facility.**

Temporary Wireless Communication Facility. See DMC 25.10.230.060, Wireless communication facility (WCF), temporary. (Ord. 18-1045 § 2 (Exh. A))

**25.10.200.020 Threshold date.**

"Threshold date" means the first May 1st that falls after the date when an employer becomes an affected employer, whether by passage of the ordinance codified in this chapter, moving into the city of DuPont, or by growing in employment. (Ord. 18-1045 § 2 (Exh. A))

**25.10.200.025 Townhouse.**

~~"Townhouse" means a building designed exclusively for occupancy by one family and containing one dwelling unit, occupying space from the ground to the roof and not lying vertically under or over adjacent units, and attached to one or more other dwelling units by common walls which may be located on lot lines.~~ (Ord. 18-1045 § 2 (Exh. A))

**25.10.200.025 Townhouses.**

"Townhouses" means buildings that contain three or more attached single-family dwelling units that extend from foundation to roof and that have a yard or public way on not less than two sides.

**25.10.200.030 Traffic study.**

“Traffic study” means a specialized study of the impacts that a certain type and size of development in a specific location will have on the surrounding transportation system. The scope of work for the study will be determined by the city. (Ord. 18-1045 § 2 (Exh. A))

**25.10.200.035 Transient guest facilities.**

“Transient guest facilities” means temporary commercial accommodations such as hotels, motels, and bed and breakfasts. (Ord. 18-1045 § 2 (Exh. A))

**25.10.200.040 Transit.**

“Transit” means a multiple-occupant vehicle operated on a shared-ride basis, including bus, ferry, rail, shared-ride taxi, and shuttle bus. (Ord. 18-1045 § 2 (Exh. A))

**25.10.200.045 Transportation demand management.**

“Transportation demand management” means a broad range of strategies that are primarily intended to reduce and reshape demand on the transportation system. (Ord. 18-1045 § 2 (Exh. A))

**25.10.200.050 Transportation facilities.**

“Transportation facilities” means arterials and transit routes owned, operated, or administered by the state of Washington and its political subdivisions, such as the city of DuPont.

- (1) “Existing transportation facilities” means those transportation facilities in place at the time a concurrency test is applied; and
- (2) “Planned transportation facilities” means those transportation facilities scheduled to be completed no later than the sixth year of the capital facilities plan and/or transportation element in effect at the time the city approves the development. (Ord. 18-1045 § 2 (Exh. A))

**25.10.200.055 Transportation facility capacity.**

“Transportation facility capacity” means the maximum number of vehicles that can be accommodated during a specified travel period at a specified level of service. Capacity will be calculated according to the methodology used in the most current highway capacity manual. An alternative methodology may be used only if it is preapproved by the director of public works or their designee. (Ord. 18-1045 § 2 (Exh. A))

**25.10.200.060 Transportation strategies.**

“Transportation strategies” means transportation demand management plans, schemes, techniques, programs, and methodologies for minimizing transportation facility demand, such

as improved transit service, off-peak travel, and ride-sharing programs. (Ord. 18-1045 § 2 (Exh. A))

### **25.10.200.065 Triplex.**

"Triplex" means a ~~detached townhome~~ building containing three dwelling units. (Ord. 18-1045 § 2 (Exh. A))

### **25.10.210 "U" terms.**

(Ord. 18-1045 § 2 (Exh. A); Ord. 07-854 § 1; Ord. 02-707 § 1)

### **25.10.210.005 Unit density.**

"Unit density" means the number of principal dwelling units on a lot, regardless of size.

### **25.10.210.010 Unit lot subdivision.**

"Unit lot subdivision" means the creation of two or more unit lots within a development which are created from a parent lot and approved through the unit lot subdivision process.

### **25.10.210.015 Unlicensed wireless services.**

"Unlicensed wireless services" are defined as the offering of telecommunication services using duly authorized devices which do not require individual licenses; direct-to-home satellite services are excluded from this definition. (Ord. 18-1045 § 2 (Exh. A))

### **25.10.210.020 Unlisted words and phrases.**

Unlisted Words and Phrases. The definition of any word or phrase not listed in this chapter which is in question when administering this regulation shall be defined from one of the following sources which are incorporated herein by reference. Said sources shall be utilized by finding the desired definition from source number one, but if it is not available there, then source number two may be used and so on. The sources are as follows:

- (1) City development regulations;
- (2) Any city resolution, ordinance, code or regulation;
- (3) Any statute or regulation of the state of Washington (i.e., the most applicable);
- (4) Legal definitions from case law or a law dictionary;
- (5) Webster's Third New International Dictionary of the English Language, Unabridged.

(Ord. 18-1045 § 2 (Exh. A))

### **25.10.210.025 Use.**

"Use" means the nature of the occupancy, the type of activity, or the character and form of improvements to which land is devoted or may be devoted. (Ord. 18-1045 § 2 (Exh. A))

**25.10.210.030 Use, temporary.**

"Use, temporary" means a use needed for a limited duration of time with the intent to discontinue the use upon the expiration of the time period, not to exceed one year. Temporary uses do not involve the construction or alteration of any permanent building or structure, although the authorization of the temporary use does not necessarily preclude such construction. (Ord. 18-1045 § 2 (Exh. A))

**25.10.220 "V" terms.**

(Ord. 18-1045 § 2 (Exh. A); Ord. 07-854 § 1; Ord. 02-707 § 1)

**25.10.220.005 Vanpool.**

"Vanpool" means a vehicle occupied by from seven to 15 people traveling together for their commute trip that results in the reduction of a minimum of one motor vehicle trip. A vanpool trip counts as zero vehicle trips. (Ord. 18-1045 § 2 (Exh. A))

**25.10.220.010 Variance.**

"Variance" means relaxation of the requirements of this title with respect to building, lot, or other restriction (but not with respect to use) because of special circumstances applicable to the building, lot or property which deprive it of privileges commonly enjoyed by other properties in the same vicinity and district. (Ord. 18-1045 § 2 (Exh. A))

**25.10.220.015 Vehicles miles traveled (VMT) per employee.**

"Vehicle miles traveled (VMT) per employee" means the sum of the individual vehicle commute trip lengths in miles made by affected employers over a set period divided by the number of affected employees during that period. (Ord. 18-1045 § 2 (Exh. A))

**25.10.220.020 Vehicular access easement or tract.**

"Vehicular access easement or tract" means a privately owned right-of-way, but not including a driveway easement. (Ord. 18-1045 § 2 (Exh. A))

**25.10.220.025 Village.**

"Village" means any one of several areas of the city of DuPont characterized by similar or compatible land uses. A village may contain one or more land use districts. A village is identified by a place name and has boundaries composed of major streets, natural or manmade barriers, or abrupt changes in land use. (Ord. 18-1045 § 2 (Exh. A))

**25.10.230 "W" terms.**

(Ord. 18-1045 § 2 (Exh. A); Ord. 12-937 § 1; Ord. 07-854 § 1; Ord. 02-707 § 1)

**25.10.230.005 WAC.**

"WAC" means the Washington Administrative Code. (Ord. 18-1045 § 2 (Exh. A))

**25.10.230.010 Warehouse/distribution.**

"Warehouse/distribution" means a building or land use in which goods, merchandise or equipment is stored for eventual distribution. (Ord. 18-1045 § 2 (Exh. A))

**25.10.230.015 Wastes.**

Wastes. See DMC 25.10.190.085, Solid waste. (Ord. 18-1045 § 2 (Exh. A))

**25.10.230.020 Waste reduction.**

"Waste reduction" means reducing the amount or toxicity of waste generated or reusing materials. (Ord. 18-1045 § 2 (Exh. A))

**25.10.230.025 Week.**

"Week" means a seven-day period, starting Monday and ending Sunday. (Ord. 18-1045 § 2 (Exh. A))

**25.10.230.030 Weekday.**

"Weekday" means Monday, Tuesday, Wednesday, Thursday, or Friday. (Ord. 18-1045 § 2 (Exh. A))

**25.10.230.035 Wetland.**

*Repealed by Ord. 19-1069. (Ord. 18-1045 § 2 (Exh. A))*

**25.10.230.040 Wireless communication facility (WCF).**

"Wireless communication facility (WCF)" means facilities for the transmission and reception of radio or microwave signals used for communication, cellular phone, personal communications services, specialized mobile radio, paging, and any other services licensed by the FCC and unlicensed wireless services including but not limited to associated equipment shelters, support towers, and antenna arrays, other than the exempt facilities listed under DMC [25.125.040](#)(2). (Ord. 18-1045 § 2 (Exh. A))

**25.10.230.045 Wireless communication facility (WCF), attached.**

"Wireless communication facility (WCF), attached" means a WCF in which the antenna is attached, as an incidental use, to a pre-existing structure such as a building, water tank, or utility pole, without an additional support structure, and is either an omni-directional whip

antenna no more than seven inches in diameter and no more than 16 feet in length, or a panel antenna or panel antenna array no more than 16 square feet in total area or no larger than 32 square feet when attached to and not extending above the vertical wall of a structure. (Ord. 18-1045 § 2 (Exh. A))

**25.10.230.050 Wireless communication facility (WCF), freestanding.**

“Wireless communication facility (WCF), freestanding” means a WCF in which the antenna is supported by a structure designed for that purpose, including ancillary equipment. (Ord. 18-1045 § 2 (Exh. A))

**25.10.230.055 Wireless communication facility (WCF), public.**

“Wireless communication facility (WCF), public” means a freestanding or attached wireless communication facility (WCF) that is planned, built, operated, and maintained by a public entity to provide local or regional essential communication services to enhance or maintain public health and safety. (Ord. 18-1045 § 2 (Exh. A))

**25.10.230.060 Wireless communication facility (WCF), temporary.**

“Wireless communication facility (WCF), temporary” means a mobile telecommunications facility which is transported by a motor vehicle for temporary use. Temporary wireless communication facilities do not have a permanent foundation. (Ord. 18-1045 § 2 (Exh. A))

**25.10.230.065 Written.**

“Written” means original signed and dated documents. Facsimile (fax) transmissions are a temporary notice of action that must be followed by the original signed and dated document via mail or delivery. (Ord. 18-1045 § 2 (Exh. A))

**25.10.240 “X” terms.**

Reserved. (Ord. 18-1045 § 2 (Exh. A); Ord. 02-707 § 1)

**25.10.250 “Y” terms.**

(Ord. 18-1045 § 2 (Exh. A); Ord. 07-854 § 1; Ord. 02-707 § 1)

**25.10.250.005 Yard.**

“Yard” means an open space that lies between the principal building or buildings and the nearest property line. The minimum required yard is unoccupied and unobstructed from the ground upward except as may be specifically provided in this code. (Ord. 18-1045 § 2 (Exh. A))

**25.10.250.010    Yard, required.**

“Yard, required” means an open space between a property line and a structure within which no structure shall be located except as allowed by this code. (Ord. 18-1045 § 2 (Exh. A))

**25.10.250.015    Yard, front.**

“Yard, front” means a space extending the full width of the lot between any building and the front property line and measured perpendicular from the front property line to the closest point of any building. (Ord. 18-1045 § 2 (Exh. A))

**25.10.250.020    Yard, rear.**

“Yard, rear” means a space extending the full width of the lot between the principal building and the rear property line and measured perpendicular from the rear property line to the closest point of the principal building. (Ord. 18-1045 § 2 (Exh. A))

**25.10.250.025    Yard, side.**

“Yard, side” means a space extending from the front yard to the rear yard between the principal building and the side property line and measured perpendicular from the side property line to the closest point of the principal building. (Ord. 18-1045 § 2 (Exh. A))

**25.10.260        “Z” terms.**

(Ord. 18-1045 § 2 (Exh. A); Ord. 02-707 § 1)

**25.10.260.005    Zero lot line.**

“Zero lot line” means the location of a building on a lot in such a manner that one of the building’s sides rests directly abutting a lot line. (Ord. 18-1045 § 2 (Exh. A))