

# **ATTACHMENT A.1**

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REDLINED DRAFT CODE LCMC 18.40

**Chapter 18.40**  
**DEFINITIONS**

Sections:

18.40.010 Definitions.

**18.40.010 Definitions.**

Unless the context clearly requires otherwise, the definitions in this section shall apply to terms in this title. In addition to definitions provided below, there are chapter-specific or section-specific definitions in this title.

<b>Abutting</b>	“Abutting” shall mean adjoining with a common boundary line; except that where two or more lots adjoin only at a corner or corners, they shall not be considered as abutting unless the common property line between the two parcels measures not less than eight feet in a single direction.
<b>Accent lighting or accent luminaire</b>	“Accent lighting” or “accent luminaire” means any luminaire that emphasizes a particular object or draws attention to a particular area for aesthetic purposes.
<b>Access, accessway</b>	“Access” or “accessway” shall mean the place, means, or way by which pedestrians and vehicles shall have safe, adequate, and usable ingress and egress to a property or use, as required by this title.
<b>Accessory structure, accessory use</b>	“Accessory structure or use” shall mean a structure or use incidental and subordinate to the main use of the property, and which is located on the same lot with the main use. Private garages and carports are accessory buildings when not attached to the main building.
<b>Addition (to an existing building)</b>	“Addition (to an existing building)” means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition that is connected by a fire wall or is separated by independent perimeter load-bearing walls is considered to be new construction.
<b>Adjacent</b>	“Adjacent” shall mean near, close; for example, an industrial district across the street or highway from a commercial district shall be considered as “adjacent.”
<b>Adjoin</b>	“Adjoin” shall mean the same as “abutting.”
<b>Adult day care facility</b>	“Adult day care facility” means home, place, or institution which provides care and services to a nonresident individual for a period of time not to exceed 10 continuous hours, and does not involve an overnight stay.
<b>Adult entertainment</b>	<p>“Adult entertainment” shall include the following:</p> <p>(1) Any exhibition, performance, or dance of any type conducted in a premises where such exhibition, performance, or dance involves a person who is unclothed or in such costume, attire, or clothing as to expose any portion of the female breast below the top of the areola or any portion of the pubic region, anus, buttocks, vulva, or genitals, or human male genitals in a discernibly turgid state, or wearing any device or covering exposed to view which simulates the appearance of any portion of the female breast below the top of the areola or any portion of the pubic region, anus, buttocks, vulva, or genitals, or human male genitals in a discernibly turgid state, even if completely opaquely covered; or</p> <p>(2) Any exhibition, performance, or dance of any type conducted in a premises where such exhibition, performance, or dance is distinguished or characterized by a predominant emphasis on the depiction, description, simulation of, or relation to the following specified sexual activities:</p> <ul style="list-style-type: none"> <li>(a) Human genitals in a state of sexual stimulation or arousal;</li> <li>(b) Acts of human masturbation, sexual intercourse, or sodomy; or</li> <li>(c) Fondling or other erotic touching of human genitals, pubic region, buttocks or female breast; provided, adult entertainment and specifically the depiction, description, simulation of, or relation to sexual activities described above shall not be construed to include any form of actual sexual conduct as defined in this section; or</li> </ul> <p>(3) Any exhibition, performance, or dance intended to sexually stimulate any patron and conducted in a premises where such exhibition, performance, or dance is performed for, arranged with, or engaged in with fewer than all patrons on the premises at that time, with separate consideration paid, either directly or indirectly, for such performance exhibition or dance. For purposes of example and not limitation, such exhibitions, performances, or dances are commonly referred to as table dancing, couch dancing, taxi dancing, lap dancing, private dancing, or straddle dancing.</p>

<b>Adult foster care or adult family home</b>	“Adult foster care” or “adult family home” means a home, place or institution which provides room and board and special care for two to six adults who are not related by blood or marriage to the person or persons providing the services. Washington State DSHS and Chapter 70.128 RCW.
<b>Adult-oriented business</b>	<p>“Adult-oriented business” shall mean the following businesses:</p> <p>(1) Adult Arcade. An establishment containing any individual viewing areas or booths, where, for any form of consideration, including a membership fee, one or more still or motion picture projectors, slide projectors, or similar machines, or other image producing machines are used to show films, motion pictures, video cassettes, slides, or other photographic reproduction of sexual conduct, or adult entertainment.</p> <p>(2) Adult Cabaret. A night club, bar, restaurant, theater, or auditorium, or similar commercial establishment, whether or not alcoholic beverages are served, which presents adult entertainment.</p> <p>(3) Adult Motel. A hotel, motel, or similar commercial establishment which:</p> <p>(a) Offers sleeping accommodation to the public for any form of consideration and, as a significant purpose of its business, provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction of or description of sexual conduct or adult entertainment and are not rated G, PG, PG-13, NC-13, NC-17, or R by the Motion Picture Association of America; or</p> <p>(b) Offers a sleeping room for rent for a period of time that is less than 10 hours; or</p> <p>(c) Allows a tenant or occupant of a sleeping room to subrent the room for a period of time that is less than 10 hours.</p> <p>(4) Adult Motion Picture Theater. A commercial establishment or drive-in theater where a significant portion of the films, motion pictures, video cassettes, slides, or similar photographic reproductions are characterized by the depiction or description of adult entertainment or sexual conduct and are not rated G, PG, PG-13, NC-13, NC-17, or R by the Motion Picture Association of America and are shown for any form of consideration.</p> <p>(5) Adult Bookstore. A business having as a significant portion of its volume of trade the display, barter, rental and/or sale of books, printed matter, video tapes, discs or cassettes, films, pictures or other material or paraphernalia distinguished or characterized by an emphasis on matters depicting, describing or relating to sexual conduct or adult entertainment, as defined herein. For purposes of this definition, “portion of its volume of trade” means that portion of the store’s display space devoted to such material, or that portion of its gross receipts received from the sale of such material, whichever is greater.</p> <p>(6) Other Adult Entertainment Facility. Any commercial establishment to which any patron is invited or admitted and where adult entertainment is presented as a substantial part of the premises’ activity, including but not limited to escort agencies, seminude or nude modeling studios, or similar establishments.</p>
<b>Aesthetics</b>	“Aesthetics” means a characteristic of development or the environment relating to physical beauty.
<b>Affordable housing</b>	“Affordable housing” means decent, safe, quality housing that costs no more than 30 percent of a household’s gross monthly income for rent/mortgage and utility payments.
<b>Agricultural uses</b>	“Agricultural uses” shall mean the use of the land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture and wineries, apiaries, and animal and poultry husbandry, and the necessary accessory uses for storing produce; provided, however, that the operation of any such accessory use shall be incidental to that of normal agricultural activities; and provided further, that the above uses shall not include slaughterhouses and meat packing or commercial feeding of animals.
<b>Alley</b>	“Alley” shall mean a public right-of-way not over 30 feet wide which affords, generally, a secondary means of access to abutting lots not intended for general use.
<b>Amusement park or center</b>	“Amusement park or center” means a group of amusement devices for children and/or adults and their accessory uses. Such a park or center may include miniature golf areas, bumper cars, batting cages, arcades, bumper boats, go-carts and other such activities.
<b>Apartment</b>	“Apartment” means a room or suite of rooms within an apartment house or apartment hotel, used as a dwelling unit for one family with facilities that function or are intended to function for living, sleeping, and cooking.
<b>Apartment hotel</b>	“Apartment hotel” means an apartment house that furnishes services for the use of its tenants which are ordinarily furnished by hotels, but the privileges of which are not primarily available to the general public.

<b>Applicant</b>	“Applicant” means any person or his or her authorized agent or representative who has applied for a permit and who has a valid, existing legal interest in the property proposed to be developed.
<b>Appropriate area, minimum</b>	“Minimum appropriate area” means the smallest total area of property that is allowed in a particular zone.
<b>Area of special flood hazard</b>	“Area of special flood hazard” shall mean the land in the floodplain subject to a one percent chance or greater of flooding in any given year as shown on flood insurance rate maps (FIRM) or except as otherwise determined by the Federal Emergency Management Agency (FEMA).
<b>Assessment</b>	“Assessment” means an estimation or determination of the significance, importance, or value of land, buildings, or a proposed development activity.
<b>Assisted living facility</b>	“Assisted living facility” means any home, place or institution which offers private rooms or apartments and assistance with the activities of daily living to seven or more residents. Services may include meals, personal care, medication assistance, limited supervision, organized activities, and limited nursing services.
<b>Automobile sales and service establishment, new or used</b>	“Automobile sales and service establishment, new or used” means an establishment that provides for the sale of motorized vehicles as its primary use, and allows for minor or major repairs, or paint and body work.
<b>Automobile service station</b>	“Automobile service station” means a building or structure designed or used for the retail sale or supply of fuels (stored only as prescribed by existing legal regulations), lubricants, air, water, and other operating commodities for motor vehicles or boats. The cross-section areas of service station canopy supports where they meet the ground shall be measured as coverage for the purposes of determining maximum lot coverage, and also shall be used for measurement of setback requirements. Automobile service stations may include the following: customary space and facilities to the installation of such commodities on or in such vehicles; space for facilities for the storage, minor repair, or servicing of such vehicle; and space for car washing.
<b>Automotive repair establishment</b>	“Automotive repair establishment” means a retail sales and service establishment that includes: brake repair, engine tune-ups, oil changes, lubrications, front end alignments, major mechanical repairs and adjustments such as engine overhauls, transmission overhauls and the like. It can also include painting, repainting or retouching services.
<b>Awning</b>	“Awning” means any movable roof-like structure cantilevered, or otherwise entirely supported from a building, so constructed and erected as to permit its being readily and easily moved within a few minutes’ time to close an opening, or rolled or folded back to a position flat against the building or a cantilevered projection thereof, or which is detachable.
<b>Backlight</b>	“Backlight” means for an exterior luminaire, the lumens emitted in the quarter sphere below horizontal and in the opposite direction of the intended orientation of the luminaire. For luminaires with symmetric distribution, backlight will be the same as front light.
<b>Bakery</b>	“Bakery” means an establishment where products such as breads, cakes, pies, pastries, etc., are baked or produced and sold on premises for wholesale and/or retail sale.
<b>Bar and/or cocktail lounge</b>	“Bar” and/or “cocktail lounge” means any premises wherein alcoholic beverages are sold at retail for consumption on the premises. A Class H retailer’s license is required for serving liquor by the bottle or by the drink.
<b>Base flood</b>	“Base flood” shall mean the flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the “100-year” flood.
<b>Basement</b>	“Basement” means any floor level below the first story in a building, except that a floor level in a building having only one floor level shall be classified as a basement unless such floor level qualifies as a first story as defined herein.
<b>Bed and breakfast house</b>	A “bed and breakfast house” is a hotel in what was built as a single-family dwelling and which offers up to six bedrooms for transient guests.
<b>Best available science</b>	“Best available science” means scientific information or information meeting the criteria set forth in WAC 365-195-900 through 365-195-925.
<b>Best management practice (BMP)</b>	“Best management practice (BMP)” when associated with stormwater management means physical, structural, and/or managerial practices that, when used singly or in combination, prevent or reduce pollution of water; when associated with groundwater protection means a written plan outlining accepted practices, such as liquid containment, transfer practices, and emergency procedures whose purpose is to prevent containment for underground storage tanks.
<b>Billboard</b>	“Billboard” means a surface whereon advertising matter is set in view conspicuously and which advertising does not apply to the premises or any use of the premises wherein it is displayed or posted.
<b>Binding site plan</b>	“Binding site plan” means a drawing to scale which (1) identifies and shows the locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by the city of La Center; and

	(2) contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of land; and (3) contains provisions for making any development be in conformity with the site plan.
<b>Blight</b>	“Blight” means the concentration of forces which puts a building or neighborhood on its way to becoming a slum. A “blighted” area is one that has deteriorated or has been arrested in its development by physical, economic, or social forces.
<b>Block</b>	“Block” means a group of lots, tracts, or parcels within well defined and fixed boundaries.
<b>Boarding house</b>	“Boarding house” means a dwelling where meals or lodging and meals are provided for compensation to at least one person and no more than 20 persons by prearrangement for definite periods of at least one week’s duration. A boarding house is to be distinguished from a hotel.
<b>Bollard</b>	“Bollard” means a post permanently affixed into the ground or pavement, at least two feet and no more than four feet in height after installation, whose purpose is to segregate automotive traffic from certain areas.
<b>Border lots</b>	“Border lots” are residential lots abutting the urban growth area boundary which may be larger in size than most urban lots to allow for a smoother transition to larger rural lots lying outside the boundary.
<b>Boundary line adjustment</b>	“Boundary line adjustment” means the adjustment of boundary lines that does not create any additional lot, tract, parcel, site or division, nor creates any lot, tract, parcel, site or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site.
<b>Buffer area</b>	“Buffer area” means a landscaped area intended to separate and partially obstruct the view of two adjacent land uses or properties from one another, or intended to reduce the impact of noise levels generated on one property from the surrounding properties and intended to enhance the level of safety and promote the aesthetic qualities of the area.
<b>BUG rating or BUG</b>	“BUG rating” or “BUG” means the Illuminating Engineering Society’s (IES) luminaire rating system that quantifies how well a luminaire controls backlight (B), upright (U), and glare (G).
<b>Buildable area</b>	“Buildable area” means the space remaining after the minimum open space and yard setback requirements of this title have been complied with.
<b>Buildable land</b>	“Buildable land” means lands not constrained by critical areas and public rights-of-way.
<b>Building</b>	“Building” shall mean a combination of materials to form a structure that is adapted to a permanent or continued occupancy. It is a structure having a roof supported by columns or walls for the housing or enclosure of person, animals, or chattel.
<b>Building coverage</b>	“Building coverage” means that percentage of the total lot area of a lot which is covered by the principal and accessory building.
<b>Building height</b>	<p>“Building height” shall mean the vertical distance from a point as determined in this section to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hip roof. “Building height” does not include such accessory elements as utilities, rooftop mechanical equipment and enclosures for it, chimneys, church spires, water towers and accessory radio antennas.</p> <p>(1) The base point shall be the elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade adjoining the building.</p> <p>(2) The base point shall be 10 feet above the lowest grade adjoining the building when the sidewalk or ground surface within a five-foot horizontal distance of the exterior wall of the building is more than 10 feet above lowest grade.</p> <p>(3) The height of a steeped or terraced building shall be the height of any segment of the building.</p>
<b>Building, nonconforming</b>	“Nonconforming building” means a legally existing building that fails to comply with this title (for height, number of stories, size, area, yards, location, or use) applicable to the district in which the building is located.
<b>Building permit</b>	“Building permit” means the document or certificate issued by the city of La Center that sanctions adherence to all applicable building and development regulations and gives permission to the applicant to proceed with the actions for which the permit was requested.
<b>Building setback line</b>	“Building setback line” shall mean a line parallel to the front lot line and passing through the most forward point or plane of the building closest to the front lot line.
<b>Building site</b>	“Building site” means a portion or parcel of land considered as a unit, devoted to a certain use or occupied by a building or group of buildings that are united by a common interest or use, and the customary accessories and open spaces belonging to the same.

<b>Bulk</b>	“Bulk” means the term used to describe the size of buildings or other structures, and their relationship to each other and to open areas and lot lines.
<b>Business services</b>	“Business services” means an establishment primarily engaged in rendering services to other business establishments on a fee or contract basis, not involving the sale of any goods or commodities available on the premises, and not dispensing a personal service. Business service establishments may include, but are not necessarily limited to, activities such as real estate, insurance, accounting or bookkeeping, financial institutions, management or consulting firms, or other similar uses.
<b>Camper</b>	“Camper” shall mean a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreational, and/or vacation use.
<b>Camping trailer</b>	“Camping trailer” shall mean a structure mounted on wheels and designed for travel, recreational, and/or vacation uses.
<b>Canopy</b>	“Canopy” means a roof-like structure made of any material that projects from the wall of a building and overhangs a sidewalk.
<b>Car wash</b>	“Car wash” means a building, or portion thereof, containing facilities for washing automobiles utilizing mechanical devices.
<b>Carport</b>	“Carport” shall mean a building designed to cover, but not enclose, automobile parking spaces.
<b>Cemetery</b>	“Cemetery” means a place for the burial or interment of dead persons or household pets.
<b>Certificate of occupancy (occupancy permit)</b>	“Certificate of occupancy (occupancy permit)” means the official certification that a premises conforms to the provisions of this title (and the building code) and may legally be used or occupied. Such a certificate is required for new construction or for alteration or additions to existing structures. Unless such a certificate is issued for new construction, a structure cannot be occupied.
<b>Clearing</b>	“Clearing” means the act of removing existing vegetations, structures or other items from a site prior to undertaking land improvements.
<b>Clinic</b>	“Clinic” means an establishment where patients who are not lodged overnight are admitted for examination and treatment by one person or group of persons licensed as a physician, dentist, chiropractor, therapist, or other similar health-related professional.
<b>Club</b>	“Club” means buildings or facilities owned or operated by a corporation, association, person or persons for a social, educational, fraternal, civic, religious, or recreational purpose, but not primarily for profit or to render a service that is customarily carried on as a business.
<b>Cluster</b>	Note: This definition applies to cottage housing developments in Chapter 18.185 LCMC. A “cluster” is a group of four to 12 detached individual cottages oriented around or focused towards a common area or feature.
<b>Cluster development</b>	“Cluster development” means grouping or concentrating physical structures (buildings) on lots smaller than permitted by the existing zoning to preserve open space without increasing the allowable density of the development.
<b>Commission or planning commission</b>	“Commission” or “planning commission” shall mean the planning commission of the city.
<b>Common area</b>	“Common area” means the total area not designed for rental or sale to tenants and that is available for common use by all tenants or groups of tenants and their guests, including such areas as parking lots and their appurtenances, lobbies, malls, sidewalks, landscaped areas, public rest rooms, truck and service facilities, etc.
<b>Common open space</b>	“Common open space” means an area within or related to a development, not in individually owned lots or dedicated for public use, but that is designed and intended for the common use and enjoyment of the residents of a development. For the purposes of cottage housing developments in Chapter 18.185 LCMC, “common open space” means an area within a development which may be used for active and passive activities by all the residents of the subject property. Examples include “village greens,” picnic areas, courtyards, sidewalks, or similar amenities owned and maintained by a homeowners association.
<b>Common outdoor area</b>	“Common outdoor area” means one or more of the following: a parking lot; a parking structure or covered vehicular entrance; a common entrance or public space shared by all occupants of the domiciles.
<b>Compatible use</b>	“Compatible use” means a use that is capable of existing in harmony with other uses situated in its immediate vicinity.
<b>Comprehensive plan</b>	“Comprehensive plan” means the goals, objectives and policies, documents and maps adopted by motion by the council to guide the physical development of the city; to coordinate city programs, services and controls, and to promote the general welfare.

<b>Concession stand, agricultural or produce</b>	“Concession stand, agricultural or produce” means an open air structure, not to exceed 20 feet by 30 feet in its dimensions, and at which fresh eggs, fruits, vegetables, and/or other agricultural products may be sold from local farms to the public.
<b>Concrete slab</b>	“Concrete slab” means a broad, flat, somewhat thick concrete surface extending under a manufactured home or built in-place to the extent of the structure which rests upon it. Must meet all UBC standards.
<b>Conditional use</b>	“Conditional use” shall mean a use allowed in one or more zones as defined by this title but which, because of characteristics peculiar to 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 permit in order to provide a particular degree of control to make such uses consistent with and compatible to other existing or permissible uses in the same zone.
<b>Condominium</b>	“Condominium” means a development in which each dwelling unit is owned individually but all other common elements are jointly owned on a specified basis – most often in a multifamily structure.
<b>Confectionery</b>	“Confectionery” means an establishment engaged solely in the preparation and production of candy products for direct retail sale to the consumer on the premises.
<b>Construction</b>	“Construction” means the building of, or substantial improvement to, any structure or the clearing, filling, or excavation of any land. It shall also mean any alterations in the size or use of any existing structure or the appearance of any land. When appropriate to the context, “construction” refers to the act of construction or the result of construction.
<b>Contiguous</b>	Lands are “contiguous” if they actually adjoin each other and share a common boundary.
<b>Convenience store</b>	“Convenience store” means a retail establishment that is usually open for extended daily hours of business, normally located as a single entity or in a strip building configuration along major roadways, is typically a self-service facility not dependent upon comparison shopping, and by its manner of display and merchandising.
<b>Conversion</b>	“Conversion” means the change of use or purpose to which a structure or building is put.
<b>Cottage</b>	Note: This definition applies to cottage housing developments in Chapter 18.185 LCMC. “Cottage” means a detached single-family dwelling unit, of a defined maximum size, designed to be one of a cluster of similar structures subject to design criteria; one of the units that comprise a cottage housing development (CHD).
<b>Cottage housing development</b>	Note: This definition applies to cottage housing developments in Chapter 18.185 LCMC. “Cottage housing development (CHD)” means a residential development consisting of clusters of cottages designed to share a central and common open space, a limited number of accessory structures, and private community buildings.
<b>Council, city council</b>	“Council” or “city council” shall mean the city council of the city.
<b>Cul-de-sac</b>	“Cul-de-sac” means a local street having only one means of vehicular access to another street and terminating at its other in a circular-shaped turn around. This definition of cul-de-sac shall in no way be interpreted to include a dead-end street.
<b>Curb cut</b>	“Curb cut” means the level of the established curb in front of a building measured at the center of such front. Where no curb elevation has been established, the mean elevation of the finished grade immediately adjacent to a building shall be considered the “curb level.”
<b>Day care</b>	“Day care” means a person, group or agency which regularly provides care for a group of children for periods of less than 24 hours a day in accordance with Washington State laws and standards. (1) “Family day care home” means a home which regularly provides care during part of the 24-hour day for six or fewer children.  (2) “Mini day care center” means a day care facility for the care of 12 or fewer children either in a home or a separate facility not associated with a home.  (3) “Day care center” means a center providing for the care of 13 or more children in a facility other than a private residence or in a portion of a private residence which is used exclusively for the children during the hours the center is in operation, and which is usually separate from the living quarters.
<b>Dedication</b>	“Dedication” means the deliberate appropriation of land by the owner for any general and public uses, reserving to himself no other rights than such as one compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat or short plat showing the dedication thereon; and the acceptance by the public shall be evidenced by the approval of such plat for filing.
<b>Density</b>	“Density” means the number of permitted dwelling units allowed on each acre of land or fraction thereof. See also “Net density.”

<b>Design storm</b>	“Design storm” means a prescribed hyetograph and total precipitation amount (for a specific duration recurrence frequency) used to estimate runoff for a hypothetical storm of interest or concern for the purposes of analyzing existing drainage, designing new drainage facilities or assessing other impacts of a proposed project on the flow of surface water. (A hyetograph is a graph of percentages of total precipitation for a series of time steps representing the total time during which the precipitation occurs).
<b>Detention facility</b>	“Detention facility” means an above- or below-ground facility, such as a pond or tank, that temporarily stores stormwater runoff and subsequently releases it at a slower rate than it is collected by the drainage facility system. There is little or no infiltration of stored stormwater.
<b>Developer</b>	“Developer” means any person, firm, or corporation undertaking the dividing of any parcel of land by short subdivision or subdivision; also known as the “applicant.”
<b>Development</b>	“Development” means the placement, erection, or removal of any fill, solid material, or structure on land, in or under the water, discharge or disposal of any dredged material or of any liquid or solid waste; or the grading, removing, dredging, mining, or extraction of any materials, including mineral resources; the construction, reconstruction, removal, demolition or alteration of the size of any structure; or the removal or harvesting of vegetation. Development shall not be defined or interpreted to include activities related to or undertaken in conjunction with the cultivation, use, or subdivision of land for agricultural purposes or any improvement made in the interior of any structure.
<b>Development right</b>	“Development right” means a legal claim to convert a tract of land to a specific purpose by construction, installation, or alteration of a building or other structure.
<b>Development, substantial</b>	“Substantial development,” with regard to projects that have been initiated, shall constitute at least 10 percent of the total expected cost (including architectural and engineering fees) to complete the project as it was approved. Development shall also be considered to be substantial if the developer of an approved project has secured financing for the project and can demonstrate, in writing, his or her financial commitments to the project in question.
<b>Discontinue</b>	“Discontinue” means to cease doing or providing (something), typically something provided on a regular basis, for a continuous period of six months.
<b>District, zoning</b>	“Zoning district” means any portion of the city within which, on a uniform basis, certain uses of land and buildings are permitted and certain other uses of land and buildings are prohibited as set forth in this title and within which certain yards and other open spaces are required, certain lot areas are established, and a combination of such aforesaid conditions are applied.
<b>Domestic animal</b>	“Domestic animal” means an animal normally kept incidental to a single-family dwelling. Included are dogs and cats; excluded are wild or exotic animals, horses and cows, chickens, goats, or other similar animals.
<b>Drainage</b>	“Drainage” means the removal of surface water or groundwater from land by drains, grading, or other means. Drainage includes the control of runoff to minimize erosion and sedimentation during and after development and includes the means necessary for water supply preservation, prevention, or alleviation of flooding.
<b>Drainage basin</b>	“Drainage basin” means a geographic and hydrologic subunit of a watershed.
<b>Drive-in or drive-through facility</b>	“Drive-in or drive-through facility” means an establishment that, by design, physical facilities, service, or by packaging procedures, encourages or permits customers to receive services or obtain goods while remaining in their motor vehicles.
<b>Driveway</b>	“Driveway” means that space specifically designated and reserved on the site for the movement of vehicles from one site to another or from a site to a public street.
<b>Dwelling</b>	“Dwelling” shall mean a building or portion thereof, designed or used as the residence or sleeping place of one or more persons.
<b>Dwelling, attached</b>	“Attached dwelling” means a dwelling having any portion of a wall in common with adjoining dwellings.
<b>Dwelling, detached</b>	“Detached dwelling” means a dwelling that is entirely surrounded by open space on the same lot.
<b>Dwelling, duplex</b>	“Duplex dwelling” means a detached building, designed for or occupied exclusively by two families living independently of each other, and shall not include a manufactured home.
<b>Dwelling, multiple-family</b>	“Multiple-family dwelling” shall mean a building or portion thereof designed or used as a residence by two or more families, and containing two or more dwelling units.
<b>Dwelling, single-family</b>	“Single-family dwelling” shall mean a building designed or used for residence purposes by not more than one family, and containing one dwelling unit only. (1) “Attached” shall mean sharing common walls.  (2) “Detached” shall mean physically separated.



<b>Dwelling unit</b>	“Dwelling unit” shall mean one or more rooms designed for occupancy by one family, and not having more than one cooking facility. For the purpose of this title, the term “dwelling unit” does not include the term “travel trailer” or “mobile manufactured home.”
<b>Easement</b>	“Easement” means a right which one person has to use the land of another for a specific purpose.
<b>Elevation</b>	“Elevation” shall mean: (1) The vertical distance above or below a fixed reference level; or  (2) A flat scale drawing of the front, rear, or side of a building or structure.
<b>Emergency shelter</b>	“Emergency shelter” means a facility whose primary purpose is to provide housing for individuals and families in the event of an emergency or an emergency hazardous situation.
<b>Eminent domain</b>	“Eminent domain” means the authority of the city of La Center or other government agency to take, or to authorize the taking of, private property for public use with just compensation to the owner.
<b>Employees</b>	“Employees” shall mean all persons, including proprietors, working on the premises during the largest shift at peak season.
<b>Energy-efficient structure</b>	“Energy-efficient structure” shall mean a structure designed and built to comply with the annual thermal performance standards established by the Northwest Power Planning Council as the Model Conservation Standards.
<b>Engineer</b>	“Engineer” means the city public works director or his or her designee as determined by the city council.
<b>Enlargement</b>	“Enlargement” means an addition to the floor area of an existing building, an increase in the size of any other structure, or an increase in that portion of a tract of land occupied by an existing use.
<b>Environment</b>	“Environment” means the physical, social and economic conditions that exist within the area which will be affected by a proposed project.
<b>Environmentally sensitive lands, potential</b>	“Potential environmentally sensitive lands” are lands shown on the city zoning map as an overlay to demonstrate areas which may contain wetlands, steep slopes, or other similar environmentally critical features which may limit or prevent construction.
<b>Erected</b>	“Erected” includes built, constructed, reconstructed, moved upon, or any physical operations on the premises required for the building. Excavations, fill, drainage, paving, and the like shall be considered within the definition of “erected.”
<b>Erosion</b>	“Erosion” means the detachment and movement of soil or rock fragments by water, wind, and/or gravity.
<b>Establishment</b>	“Establishment” means an economic unit, generally at a single physical location, where business is conducted or services are offered.
<b>Facade</b>	“Facade” means the front of a building, particularly that part of a building facing a street or courtyard.
<b>Family</b>	“Family” shall mean two or more persons customarily living together as a single housekeeping unit and using common cooking facilities, as distinguished from a group occupying a hotel, club, boarding, or lodging house, or other group of unrelated individuals not exceeding six in number.
<b>Fence</b>	“Fence” means any artificially constructed barrier or any material or combination of materials erected to enclose or screen areas of land, and is six feet or less.
<b>Fence, sight-obscuring</b>	“Sight-obscuring fence” shall mean a fence or evergreen planting, or combination of fence and planting, arranged in such a way as to obstruct vision.
<b>Fill</b>	“Fill” means earth or any other approved substance or material.
<b>Final plat</b>	“Final plat” or “plat, final” means the final drawing of a land division and/or dedication, prepared for filing for record with the county auditor and containing all elements and requirements set forth in this title and in state law.
<b>Financial institutions</b>	“Financial institutions” means establishments such as, but not limited to, banks and trust companies, credit agencies, investment companies, brokers and dealers of securities and commodities, and other similar uses.
<b>Flag lot</b>	“Flag lot” means a lot the developable portion of which is separated from the public right-of-way to which the lot has direct access by a narrow strip of land often used as a driveway. Creation of a flag lot is subject to additional standards in Chapter 18.210 LCMC.
<b>Flea market</b>	“Flea market” means an occasional sales activity held within a building, structure, or open area where groups of individual sellers offer goods, new and used, for sale to the public, but not to include private garage sales.

<b>Flood</b>	For the definition of “flood,” see LCMC 18.300.030.
<b>Floor</b>	“Floor” means the top surface of an enclosed area in a building (including basement), i.e., the top of a slab in concrete slab construction or the top of wood flooring in wood frame construction. The term does not include the floor of a garage used primarily for the parking of vehicles and where openings are installed to allow the free passage of water.
<b>Floor area</b>	“Floor area” means the sum of the gross horizontal areas of all of the floors of all buildings on the lot, measured from the exterior faces of exterior walls or from the centerline of walls separating two buildings. Floor area shall include the area of basements when used for residential, commercial or industrial purposes, but need not include a basement or portion of a basement used for storage or housing of mechanical equipment, or the basement apartment of a custodian in a multifamily dwelling, except that portion of said custodian’s dwelling unit which is in excess of 50 percent of the total basement area.
<b>Footcandle</b>	“Footcandle” is the standard imperial unit used to measure illuminance, or the amount of light falling onto a surface, such as a roadway or athletic field. One footcandle equals one lumen per square foot. One footcandle equals approximately 10 lux.
<b>Foster home</b>	“Foster home” means a home licensed and regulated by the state and classified by the state as a foster home, providing care and guidance for not more than five unrelated juveniles, adults or both.
<b>Frontage</b>	“Frontage” shall mean that portion of a parcel of property which abuts a dedicated public street or highway, or private road or driveway approved by the city.
<b>Frontage, corner lot</b>	“Corner lot frontage” means all the property on two sides of a street between two intersecting streets, measured along the line of the street, or if the street is dead-ended, then all of the property abutting on two sides between an intersecting street and the dead-end of the street. This definition also includes ingress-egress easements when used as the only means of access.
<b>Fuel storage facility</b>	“Fuel storage facility” means an area that is used or planned to be used for the storage of petroleum. The facilities may be aboveground or underground storage tanks.
<b>Full cutoff</b>	“Full cutoff” means a shielded luminaire where zero luminous flux is emitted above the horizontal (90 degrees above nadir) and not more than 10 percent of lamp lumens are emitted at or above 80 degrees above the nadir.
<b>Garage</b>	“Garage” means a building or portion thereof other than a private or storage garage, designed or used for equipping, servicing, repairing, or storing motor vehicles internally and enclosed within the building.
<b>Garage, detached</b>	“Detached garage” shall mean an accessory building intended and primarily used for the storage of motor vehicles, which is separate from and secondary to the main structure of the occupants.
<b>Geologically hazardous areas</b>	“Geologically hazardous areas” means areas that, because of their susceptibility to erosion, sliding, earthquake or other geological events, are not suited to the siting of commercial, residential or industrial development consistent with public health or safety.
<b>Glare</b>	“Glare” means light entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility. The IES BUG rating defines glare as luminous flux emitted from the spherical wedge between 60 and 90 degrees from the nadir.
<b>Grade</b>	“Grade” (ground level) shall mean the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line or, when the property line is more than five feet from the building, between the building and a line five feet from the building.
<b>Greenhouse</b>	“Greenhouse” means an enclosed building, permanent or portable, that is used for the growth of plants.
<b>Gross area</b>	The total area within the boundaries of a property or properties. See also “Net area.”
<b>Ground floor area</b>	“Ground floor area” means the square footage area of a building within its largest outside dimensions, exclusive of open porches, breezeways, terraces, patios, swimming pools, parking areas, driveways, garages, exterior stairways, secondary stairways, and drive-through teller lanes or walk-up windows of financial institutions only. Ground floor area is the total building area used in determining the percentage of lot coverage.
<b>Groundwater</b>	“Groundwater” means the portion of water contained in interconnected pores or fractures in a saturated zone or stratum located beneath the surface of the earth or below a surface water body.
<b>Groundwater management</b>	“Groundwater management” means the management and coordination of groundwater regulations, strategies, policies, and technical information for the protection and use of groundwater resources.
<b>Group care facility</b>	“Group care facility” means a facility licensed by the state to provide, on a 24-hour basis, training, care, custody, correction or control, or any combination of those functions, to one or more persons who may be children, the aged, disabled, underprivileged, indigent, handicapped or other special class of persons, either by governmental unit or agency or by a person or organization devoted to such functions. This term shall not include schools, hospitals, prisons or other social service facilities.

<b>Group home</b>	“Group home” means any home, place or institution for children or adults who cannot live with their families. These homes are often established in typical residential neighborhoods and often contain the typical features of a household. Many different kinds of residents can live at group homes including physically disabled individuals, mentally disabled individuals, individuals in substance rehabilitation programs, children in foster care, individuals with chronic disabilities, or juvenile offenders/troubled teens.
<b>Gutter</b>	“Gutter” means a constructed waterway, usually along a street curb, installed to collect and conduct street surface water.
<b>Habitable floor</b>	“Habitable floor” shall mean any floor usable for living purposes including working, sleeping, eating, cooking, or recreating uses, or any combination of these uses. A floor used only for storage purposes is not a “habitable floor.”
<b>Hardscape</b>	“Hardscape” means permanent improvements to a site including (but not limited to) parking lots, drives, entrances, curbs, ramps, stairs, steps, medians, walkways and nonvegetated landscaping that is 10 feet or less in extent measured away from edges of structures. Hardscape materials may include concrete, asphalt, stone, brick, gravel and similar substances.
<b>Hardscape area</b>	“Hardscape area” means the area measured in square feet of all hardscape. It is used to calculate the total site lumen limit.
<b>Hazardous waste</b>	“Hazardous waste” shall mean all dangerous and extremely hazardous waste as defined in RCW 70.105.010 except for moderate-risk waste. RCW 70.105.010 is adopted by reference for the purposes of this definition.
<b>Hazardous waste storage</b>	“Hazardous waste storage” shall mean the holding of dangerous waste for a temporary period as regulated by State Dangerous Waste Regulations, Chapter 173-303 WAC. For purposes of this title, Chapter 173-303 WAC as existing and hereafter amended is adopted by reference.
<b>Hazardous waste treatment</b>	“Hazardous waste treatment” shall mean the physical, chemical, or biological processing of dangerous waste to make wastes nondangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume.
<b>Hazardous waste treatment and storage facility, off-site</b>	“Off-site hazardous waste treatment and storage facility” shall mean treatment and storage facilities that treat and store waste from generators on properties other than those on which the off-site facilities are located.
<b>Hazardous waste treatment and storage facility, on-site</b>	“On-site hazardous waste treatment and storage facility” shall mean treatment and storage facilities that treat and store waste from generators on properties on the same geographically contiguous or bordering property.
<b>Health care facility</b>	“Health care facility” means an establishment primarily engaged in furnishing medical, surgical or other services to individuals, including the offices of physicians, dentists, and other health practitioners; medical and dental laboratories; outpatient care facilities; blood banks; and oxygen and miscellaneous types of medical supplies and services.
<b>Health club</b>	“Health club” means gymnasiums (except those associated with educational institutions), private clubs (athletic, health, or recreational), reducing salons, and weight control establishments.
<b>Hearings examiner</b>	“Hearings examiner” shall mean the person(s) appointed hearings examiner by the city council of La Center pursuant to Chapter 2.35 LCMC.
<b>Historic property</b>	“Historic property” means a building, structure, object, area or site that is significant in the history, architecture, archaeology or culture of La Center, the region or the nation.
<b>Home occupation</b>	“Home occupation” shall mean an occupation, profession, or craft secondary to the use of a dwelling unit for residential purposes, is carried on by a member of the family residing within the residence, and requires no structural alterations or changes in the dwelling unit.
<b>Homeowner’s association</b>	“Homeowner’s association” shall mean a nonprofit organization operating under recorded land agreements through which the following take place: (1) Each person owning or purchasing a lot in a planned unit or other described land area is automatically a member by such ownership or purchase.  (2) Each lot is automatically subject to a charge for a proportionate share of the expenses for the organization’s activities, such as maintaining a common property.  (3) Construction and maintenance responsibilities for any undivided property are identified and assigned.
<b>Hospital</b>	“Hospital” shall mean an establishment which provides sleeping and eating facilities to persons receiving medical, obstetrical, or surgical care and nursing service on a continuous basis.
<b>Hotel</b>	“Hotel” shall mean a building in which lodging is provided and offered to the public for compensation, and which is open to transient guests.

<b>House of worship/church</b>	“House of worship/church” means a building or structure wherein persons regularly assemble for religious worship, is specifically designed and used primarily for such purpose, and is maintained and controlled by a religious body organized to sustain public worship.
<b>Illuminance</b>	“Illuminance” means the quantity of light striking a surface, which varies with distance and angle. Also known as luminous flux density.
<b>Illuminated sign</b>	“Illuminated sign” means any sign that has characters, letters, figures, designs or outlines illuminated by electric lights, or from a remote position.
<b>Immediate vicinity</b>	“Immediate vicinity,” with regard to the built or manmade environment, refers to all development that is within 500 linear feet of any proposed development, measured in a straight line from the property line that is closest to any existing development.
<b>Impervious surfaces</b>	“Impervious surfaces” means those surfaces that do not absorb water and consist of all buildings, parking areas, driveways, roads, sidewalks, and any areas of concrete or asphalt on a lot.
<b>Improvement</b>	“Improvement” means any building, structure, place, work of art, or other object constituting a physical betterment of real property, or any part of such betterment.
<b>Improvement plans</b>	“Improvement plans” means the technical drawings of the design and proposed construction of such items as streets, water and sewer systems, and drainage detention systems.
<b>Incompatible use</b>	“Incompatible use” means a use that is incapable of existing in harmony with the natural environment or with other uses situated in its immediate vicinity.
<b>Indoor amusement</b>	“Indoor amusement” means establishments engaged in providing entertainment indoors for a fee or admission charge, including such activities as theaters, bowling, pool, billiards, or arcades, that feature three or more coin- or token-operated devices, such as pinball and video games.
<b>Indoor storage</b>	“Indoor storage” means the keeping of any goods, materials, merchandise, or supplies as an accessory use to any retail, office, or service use.
<b>Industrial park</b>	“Industrial park” means a planned, coordinated development of a tract of land with two or more separate industrial buildings. Such development is planned, designed, constructed, and managed on an integrated and coordinated basis with special attention given to on-site circulation, parking, utility needs, building design and orientation, and open space.
<b>Industry, heavy</b>	“Heavy industry” means a use engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials, or a use engaged in the storage of, or manufacturing processes that potentially involve, hazardous or commonly recognized offensive conditions.
<b>Industry, light</b>	“Light industry” means a use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including process, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products, but excluding basic industrial processing.
<b>Infiltration</b>	“Infiltration” means the downward movement of water from the surface to the subsoil.
<b>Initial lumens</b>	“Initial lumens” means the total luminous flux of a luminaire assuming it is new and not subject to diminution of light output due to age or condition.
<b>Irregular lot</b>	“Irregular lot” means a lot which is shaped so that application of setback requirements is difficult. Examples include a lot with a shape which is not close to rectangular, or a lot with no readily identifiable rear lot line.
<b>Kennel</b>	“Kennel” shall mean either: (1) Any premises used to conduct a commercial business involving breeding, buying, selling or letting dogs for hire, boarding or training dogs; or  (2) Any premises at which four or more dogs which are five months old or older are kept for any purpose, including animal shelters, but excluding veterinary clinics and animal hospitals where dogs are kept only for treatment by licensed veterinarians.
<b>Land clearing</b>	“Land clearing” means the exposure of earth by the removal of vegetative cover of any kind.
<b>Land-disturbing activity</b>	“Land-disturbing activity” means any activity that results in a change in the existing soil cover (both vegetative and nonvegetative) and/or the existing soil topography. Land-disturbing activities include, but are not limited to, demolition, construction, clearing, grading, filling and excavation.
<b>Land division</b>	“Land division” means a short subdivision or subdivision.
<b>Landscape plan</b>	“Landscape plan” means a detailed sketch to scale illustrating the type, size, location and number of plants and other landscape elements to be placed in a development.

<b>Landscaping</b>	“Landscaping” shall mean not only trees, grass, bushes, shrubs, flowers, and garden areas, but also the arrangement of fountains, patios, decks, street furniture, and ornamental concrete or stonework areas and artificial turf or carpeting, but excluding artificial plants, shrubs, bushes, flowers, and materials in movable containers.
<b>Laundromat</b>	“Laundromat” means an establishment providing washing and drying machines on the premises for rental use to the general public for family laundering purposes.
<b>LED</b>	“LED” means light emitting diode.
<b>Light trespass</b>	“Light trespass” means any light that falls beyond the legal boundaries of the property it is intended to illuminate.
<b>Livestock</b>	“Livestock” means farm animals, such as horses, cattle, pigs, goats, or poultry, kept for their services or raised for food and other products.
<b>Loading space</b>	“Loading space” means an off-street space on the same lot with a building or group of buildings for the temporary parking of a commercial vehicle while loading and unloading merchandise or materials.
<b>Lodging house</b>	“Lodging house” means a building other than a hotel where lodging is provided for five or more persons for compensation pursuant to previous arrangements, but not open to the public or transients, and meals and drinks are not served.
<b>Lot</b>	“Lot” shall mean a parcel of land used or which is capable of being used under the regulations of this title, lawfully created as such in accordance with the subdivision laws or ordinances in effect at the time of its creation. “Lot” shall also mean the individual leaseholds within an approved manufactured home park.
<b>Lot area</b>	“Lot area” shall mean the computed area contained within the lot lines, said area to be exclusive of street or alley rights-of-way.
<b>Lot, building</b>	“Building lot” means land occupied or to be occupied by a building and its accessory buildings.
<b>Lot, corner</b>	“Corner lot” shall mean a lot abutting upon two or more streets at their intersection, or upon two parts of the same street; such street or parts of the same street forming an interior angle of less than 130 degrees within the lot lines.
<b>Lot coverage</b>	“Lot coverage” shall mean that percentage of the total lot area covered by structures, including decks and all other projections except eaves.
<b>Lot depth</b>	“Lot depth” shall mean the horizontal distance between the midpoint of the front lot line and opposite lot line, usually the rear lot line. In the case of a corner lot, the depth shall be the length of the street side lot line.
<b>Lot dimensions, minimum standards</b>	“Lot dimensions, minimum standards” means the smallest width or depth permitted on a lot within a zone.
<b>Lot, interior</b>	“Interior lot” shall mean a lot or parcel of land other than a corner lot.
<b>Lot line</b>	“Lot line” shall mean the property line bounding a lot.
<b>Lot line, front</b>	“Front lot line” shall mean the property line abutting a street, or approved private road or easements. For corner lots, the front lot line is the property line abutting a street with the narrowest frontage. When the lot line abutting a street is curved, the front lot line is the chord or straight line connecting the ends of the curve. For a flag lot, the front lot line is the lot line closest to and most parallel with the street, excluding the unbuildable portion of the pole.
<b>Lot line, rear</b>	“Rear lot line” shall mean a lot line which is opposite and most distant from the front lot line; and in the case of an irregular, triangular, or other shaped lot, a line 10 feet in length within the lot, parallel to and at a maximum distance from the front lot line.
<b>Lot line, side</b>	“Side lot line” shall mean any lot line which is not a front or rear lot line.
<b>Lot line, street side</b>	“Street side lot line” shall mean any side lot line that abuts a public street right-of-way or public or private access easement.
<b>Lot of record</b>	“Lot of record” shall mean a lot as shown on the records of the county assessor or county auditor at the time of the passage of this title; provided, however, this shall not include lots that may appear on the records of the county assessor which were created contrary to the provisions of laws and regulations in effect prior to the passage of this title. Any lots created after the adoption of this title shall comply with the standards contained within.
<b>Lot, through</b>	“Through lot” shall mean an interior lot having a frontage on two streets and/or highways.
<b>Lot width</b>	“Lot width” shall mean the horizontal distance measured at the building setback line between the two opposite side lot lines. Average lot width shall be the average of the front and rear lot lines.

<b>Lounge</b>	“Lounge” means a building, or portion of a building, wherein alcoholic beverages are sold by the drink and consumed on premises.
<b>Lumen</b>	“Lumen” (lm) means a unit of luminous flux used to quantify the amount of light produced by a lamp or emitted from a luminaire that is independent of the distance between the lamp and the viewer.
<b>Luminaire</b>	“Luminaire” means the complete lighting unit (fixture), consisting of a lamp, or lamps, ballasts (when applicable), electrical and electronic components, the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps, and to connect the lamps to the power supply. The lumen rating of a luminaire assumes the lamp or luminaire is new and has not depreciated in light output; see “Initial lumens.”
<b>Maintain</b>	“Maintain” shall mean to cause or allow to continue in existence. When the context indicates, the word means to preserve and care for a structure; improve or condition an area to such an extent that it remains attractive, safe, presentable, and carries out the purpose for which it was installed, constructed, or required.
<b>Manufactured home</b>	“Manufactured home” shall mean a designated manufactured home as defined by RCW 35.63.160.
<b>Mini-storage or mini-warehouse</b>	“Mini-storage” or “mini-warehouse” means a building or group of buildings consisting of individual storage units not exceeding 400 square feet per storage unit that are leased or owned for the storage of business and household goods or contractor’s supplies. These facilities shall not be used for any wholesale or retail operations.
<b>Mixed-use zoning</b>	“Mixed-use zoning” means zoning that permits a combination of typically separated uses within a single development. A planned unit development is an example of mixed-use zoning. Mixed-use in an urban context refers to usually a single building with more than one type of activity taking place within its confines. An example of such a type of development could have commercial uses on the ground floor, office above them, and residential units above the office. Other combinations of uses may also occur in this type of setting.
<b>Mobile home</b>	“Mobile home” means a single-family dwelling constructed in accordance with the requirements prescribed under RCW 43.22.340, as amended, and bearing the “mobile home” insignia of the Washington State Department of Labor and Industries. It is a dwelling transportable in one or more sections that are eight feet or more in width and 32 feet or more in length, built on a permanent chassis, designed to be used as a permanent dwelling and constructed before June 15, 1976. (Note: Manufactured homes were formerly called “mobile homes” before the federal government assumed control of the construction standards for the industry by way of the National Manufactured Home Construction and Safety Standards Act of 1974 (42 U.S. Code, Section 5401).)
<b>Modular home/prefabricated home</b>	“Modular home/prefabricated home” shall mean a residential structure consisting of many components which meets the requirements of the Uniform Building Code and is constructed in a factory, transported to the building site, and then partially constructed at the site. The construction requirements are to be the same as for a site-built home.
<b>Motel</b>	“Motel” shall mean a building or group of buildings on the same lot containing guest units with separate entrances directly to the exterior, and consisting of individual sleeping quarters, detached or in connected rows, with or without cooking facilities for rental to transients.
<b>Motor home</b>	“Motor home” shall mean a portable, temporary dwelling to be used for travel, recreational, and/or vacation use constructed as an integral part of a self-propelled vehicle.
<b>Nadir</b>	“Nadir” means the local direction corresponding to the vector between any point on the surface on the Earth and the center of the Earth, which may be visualized with the use of a plumb bob.
<b>National Register of Historic Places</b>	“National Register of Historic Places” means a list of properties that have been formally judged to have historic significance and which have been accepted by the keeper of the National Register.
<b>Neighborhood</b>	“Neighborhood” means an identifiable geographic area of relatively small size; a collection of units and other land uses that provide a relationship between dwellings, school, religious facilities, minor retail and/or other local facilities.
<b>Net area or net acre</b>	“Net area” or “net acre” means the gross area of a site expressed in acres of the development property minus public rights-of-way, private streets, public utility easements, public parks, and undeveloped critical areas and required buffers. Otherwise unbuildable areas, such as critical areas and buffers and public utility easements, that are developed, counted toward meeting minimum residential lot sizes or used to meet density transfer standards, cannot be deducted from gross area to calculate net area.
<b>Net density</b>	“Net density” means the number of dwelling units per net area.
<b>New construction</b>	“New construction” means structures for which the “start of construction” commenced on or after the effective date of the ordinance codified in this title.
<b>Night club</b>	“Night club” means an establishment that has a capacity for at least 30 persons seated at tables and the bar employs a bartender and maintains table service, dancing, and/or live entertainment for the guests.

<b>Nonconforming development</b>	“Nonconforming development” shall mean one or more elements of a development, such as setbacks, screening, height or parking area requirements that were created in conformance with the development regulations but which subsequently, due to a change in the zone or zoning regulations, do not conform to the current regulations imposed by this title or amendments thereto.
<b>Nonconforming lot</b>	“Nonconforming lot” means a lot as defined in this section that does not comply with currently applicable city regulations.
<b>Nonconforming use</b>	“Nonconforming use” shall mean a use of land which lawfully existed at the time the ordinance codified in this title, or any amendment thereto, becomes effective, but which does not conform to the current regulations imposed by this title or such amendment thereto.
<b>Nuisance</b>	“Nuisance” shall include those definitions contained in Chapters 7.48 and 9.66 RCW. Any violation of this title shall constitute a nuisance, per se.
<b>Nursery school</b>	“Nursery school” means a separately organized and administered school for groups of children during the year or years preceding kindergarten, which provides educational experiences under the direction of professionally qualified teachers.
<b>Nursing home</b>	“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. Chapter 18.51 RCW.
<b>Occupancy</b>	“Occupancy” means the physical placement of a structure on land, or the utilization of land on a temporary or permanent basis. This includes existing structures built prior to the enactment of this title that do not have authorization by virtue of a valid permit issued.
<b>Office</b>	“Office” means a building or portion of a building wherein services are performed involving predominantly administrative, professional, or clerical operations.
<b>Off-street parking</b>	“Off-street parking” means the minimum off-street, on-site parking of vehicles that shall be provided under the terms of this title.
<b>Open space</b>	“Open space” means an area that is intended to provide light and air, and is designed for environmental, scenic or recreational purposes. Open space may include, but is not limited to, lawns, decorative planting, walkways, active and passive recreation areas, golf courses, playgrounds, fountains, swimming pools, wooded areas, water courses, driveways, and other surfaces designed or intended for vehicular travel, but shall not include any required off-street parking areas.
<b>Ordinance</b>	“Ordinance” means a law set forth by governmental authority; a municipal regulation adopted by the legislative branch of the locality.
<b>Overlay zone</b>	“Overlay zone” means a zoning district that encompasses one or more underlying zones and that imposes additional requirements beyond that required by the underlying zones.
<b>Owner</b>	“Owner” shall mean the owner of record of real property as shown on the tax rolls of the county, or person purchasing a piece of property under contract. For the purposes of this title, in terms of violations and binding agreements between the county and the owner, “owner” shall also mean a leaseholder, tenant, or other person in possession or control of the premises or property at the time of agreement, violations of agreement, or the provisions of this title. For the purpose of processing an application for a land use approval or permit under this title, where such application or permit must be filed by an owner, the term “owner” also includes a governmental entity contemplating acquisition of a parcel for a use which would require such permit or approval.
<b>Parcel</b>	“Parcel” means a continuous quantity of land in the possession of or owned by, or recorded as the property of, the same person or persons.
<b>Park, public</b>	“Public park” means an area that may be improved for the purpose of providing public access in a manner consistent with the preservation of its recreational, educational, cultural, historical, or aesthetic qualities.
<b>Parking, joint</b>	<u>Joint Parking means a single parking area that meets the parking requirements of two or more uses which have different peak parking periods. Joint parking areas may have less off-street parking than the sum of the minimum requirements for each use.</u>
<b>Parking lot and/or garage</b>	“Parking lot and/or garage” means an off-street facility used for the storage or parking of four or more motor vehicles to provide an accessory service to a commercial, industrial, public or residential use.
<b>Parking, shared</b>	<u>Shared Parking means a single parking area that meets minimum parking requirement of two or more uses which have overlapping peak parking periods. Shared parking facilities provide sufficient parking to meet the minimum requirements of each use (e.g. parking requirements of use X plus the parking requirements of use Y).</u>
<b>Parking space</b>	“Parking space” shall mean a rectangle not less than 20 feet long and nine feet wide, together with access and maneuvering space, sufficient to permit a standard automobile to be parked within the rectangle without the necessity of moving other vehicles, said rectangle to be located off the street right-of-way.

<b>Parking space, compact</b>	“Parking space, compact” shall mean a rectangle not less than <del>seven</del> <u>eight</u> feet, <del>five inches</del> wide and 15 feet long, together with access and maneuvering space, sufficient to permit a compact automobile to be parked within the rectangle without the necessity of moving other vehicles; said rectangle to be located off the street right-of-way.
<b>Parking structure</b>	“Parking structure” means a stand-alone structure used for the storage or parking of motor vehicles. The footprint of a parking structure will be included in the calculation of lot coverage.
<b>Pedestrian-oriented space</b>	“Pedestrian-oriented space” means an outdoor space intended to feature a concentration of commercial and pedestrian activity. Such spaces have a pedestrian scale and feature multiple pedestrian amenities such as benches and tables, artwork, drinking fountains, decorative waste receptacles, bicycle racks, landscaping, and fountains. Pedestrian-oriented spaces may include plazas, court yards, or parkways. A pedestrian-oriented space shall be specifically designated by the review authority.
<b>Pedestrian-oriented street</b>	“Pedestrian-oriented street” means a street intended to feature a concentration of commercial and pedestrian activity. Such streets feature multiple pedestrian amenities, pedestrian-scale features, slow-moving traffic, narrow travel lanes, limited on-street parking, wide sidewalks. A pedestrian-oriented street shall be specifically designated by the review authority.
<b>Pedestrian scale</b>	“Pedestrian scale” means the use of human-proportioned architectural features and site design elements clearly oriented to pedestrian activity. Such elements are typically smaller in scale and more proportional to the human body, rather than monumental or large scale, and include surface texture and patterns, lighting, colors, materials, and architectural details.
<b>Permit</b>	“Permit” means any license, certificate, approval, or other entitlement for use granted by any public agency.
<b>Permittee</b>	“Permittee” shall be the person who is proposing to use or who is using the land pursuant to any permit required herein.
<b>Personal service</b>	“Personal service” means beauty parlors, shops or salons; barbershops; reducing or slenderizing studios; electrolysis services; manicurists; and the like.
<b>Plant nursery</b>	“Plant nursery” means an enterprise, establishment, or portion thereof that conducts the retailing or wholesaling of plants grown on the site, as well as accessory items (but not farm implements) directly related to their care and maintenance. The accessory items normally sold include items such as clay pots, potting soil, fertilizers, insecticides, hanging baskets, rakes, and shovels.
<b>Plat</b>	“Plat” means a map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets, and alleys, or other divisions and dedications.
<b>Plat, preliminary</b>	“Preliminary plat” means a neat and approximate drawing of either a proposed subdivision showing the general layout of rights-of-way and easements, streets and alleys, lots, blocks, and tracts in the subdivision or short subdivision, and other elements of a subdivision which shall furnish a basis for the approval or disapproval of the general layout of the preliminary plat.
<b>Plot</b>	“Plot” means a parcel of ground containing more than one lot upon which a building and its accessory buildings have been or may be erected.
<b>Premises</b>	“Premises” means land and all buildings and structures thereon.
<b>Preschool facility</b>	“Preschool facility” means an educational center or establishment, including a kindergarten, that provides primarily instruction, supplemented by daytime care, for four or more children between the ages of two and five years, and which operates on a regular basis.
<b>Private clubs</b>	“Private clubs” means organizations that are privately owned and operated by their members and not operated for profit, and which maintain recreational, dining, and/or athletic facilities for the exclusive use of the members and their guests and uses accessory or incidental thereto.
<b>Private community building</b>	Note: This definition applies to cottage housing developments in Chapter 18.185 LCMC. “Private community building” means a structure owned and maintained by a cottage housing development and used for social and recreational activities solely by the residents of the cottage housing development (CHD).
<b>Private open space</b>	Note: This definition applies to cottage housing developments in Chapter 18.185 LCMC. “Private open space” (yard) means usable outdoor space directly accessible to a cottage, with use restricted to the occupants of that unit and belonging to the owner(s) of the unit; intended to be a buffer between the cottage and the common open space.
<b>Private parking</b>	“Private parking” means parking facilities for the noncommercial use of the occupant and guests of the occupant, which includes garages and carports as long as dimensional requirements of off-street parking are met.
<b>Private road</b>	“Private road” or “road, private” means an easement or parcel created to provide access from a public right-of-way to or through a lot, the maintenance of which shall be the responsibility of the lot owners having access thereto.



<b>Prohibited use</b>	“Prohibited use” shall mean any use which is not specifically enumerated or interpreted as allowable in that district.
<b>Professional office</b>	“Professional office” means the office of a person engaged in any occupation, vocation, or calling not purely commercial, mechanical, or agricultural, in which a professed knowledge or skill in some department of science or learning is used by its practical application to the affairs of others, either advising or guiding them in serving their interest or welfare through the practice of an art founded thereon.
<b>Professional service</b>	“Professional service” means the conduct of business in any of the following related categories: advertising, architecture, landscape architecture, engineering, planning, law, medicine, music, art, interior design, dentistry, accounting, insurance, real estate, finance and securities investments, and any similar type business.
<b>Public assembly, place of</b>	“Place of public assembly” means any area, building or structure where large numbers of individuals meet or collect to participate or to observe programs of participation. Places of public assembly shall include theaters, auditoriums, gymnasiums, stadiums, houses of worship, or comparable facilities.
<b>Public building</b>	“Public building” shall mean buildings which are owned, operated, and maintained by a public agency such as City Hall, police and fire stations, educational institutions, zoos, museums, and the like.
<b>Public improvement</b>	“Public improvement” means any improvement, facility, or service, together with customary improvements and appurtenances thereto, necessary to provide for public needs such as vehicular and pedestrian circulation systems, storm sewers, flood control improvements, water supply and distribution facilities, sanitary sewage disposal and treatment, public utility, and energy services.
<b>Public use</b>	“Public use” means the use of any land, water, or building by a public agency for the general public, or by the public itself.
<b>Public utility</b>	“Public utility” means any person, firm, corporation, governmental department, or board, duly authorized to furnish under government regulations to the public, electricity, gas, communications, transportation, or water.
<b>Recreational space</b>	“Recreational space” shall mean an area that shall be improved and maintained for its intended use. Exterior as well as interior areas can constitute recreation space. Examples of usable recreation space include swimming pools, community buildings, interior gyms, picnic areas, tennis courts, community gardens, improved playgrounds, paths and passive seating areas.
<b>Recreational vehicle</b>	“Recreational vehicle” shall mean a vehicular type unit designed as temporary living quarters for travel, recreational, and/or camping use which either has its own mode of power or is mounted on or drawn by another vehicle. It will have a body width of no more than eight feet and a body length of not more than 35 feet when factory equipped for the road. This term shall include but not be limited to travel trailer, camper, motor home, and camping trailer.
<b>Rehabilitation center</b>	“Rehabilitation center” means a home, place, or institution where patients and former patients go for physical and occupational therapy, speech therapy, psychological rehabilitation, or any other treatment designed to restore their well-being after an illness, surgery, or trauma involving loss of function. It may include room and board and/or may include outpatient services.
<b>Residential treatment facility</b>	“Residential treatment facility” means a facility that provides both a residence (for varying periods of time) and a care component. Among such facilities are group care homes, emergency or homeless shelters (including victims of violence), recovery homes, and nursing homes, rest and convalescent homes, and orphanages.
<b>Residential use</b>	“Residential use” means use of land or structure thereon, or portion thereof, as a dwelling place for one or more families or households, but not including occupancy of a transient nature such as in hotels, motels, or time-sharing condominium uses.
<b>Retail food establishment</b>	“Retail food establishment” means any fixed or mobile place or facility at or in which food or beverages are offered or prepared for retail sale or for service. The definition includes restaurants, fast food restaurants, carry-out restaurants and drive-in restaurants. A cafeteria shall be deemed a restaurant for purposes of this title.
<b>Retail trade</b>	“Retail trade” means establishments primarily engaged in providing finished products to individual consumers. Retail trade establishments may include, but are not limited to, apparel, books, groceries, camera shops, convenience stores and automobile service stations.
<b>Retirement home</b>	“Retirement home” means a place of residence for several families or individuals in apartment-like quarters, which may feature services such as limited nursing facilities, minimum maintenance living accommodations and recreation programs and facilities.
<b>Review authority</b>	“Review authority” means the officer designated by the city of La Center to enforce and administer this title, or his or her duly authorized representative.
<b>Right-of-way</b>	“Right-of-way” means a street, alley, or other thoroughfare or easement, whether physically accessible or not, that has been permanently established or dedicated for the passage of persons or vehicles. Title to this land remains with the public or private agency until the need no longer exists.

<b>Rooming house</b>	“Rooming house” shall mean a building wherein furnished rooms without cooking facilities are rented for compensation to three or more nontransient persons, not included in the family unit of the owner or tenant of the premises.
<b>Screening</b>	“Screening” means a device or materials used to conceal adjacent land or development. Screening may include walls, berms, or vegetation that must be of sufficient density to block the view of adjacent land or development from either side of the screen. The screen, if vegetative, shall be planted and maintained to completely block the view of adjacent land or development after 12 months. The screen shall be maintained or constructed at such a density as to block the view to adjacent properties.
<b>Setback</b>	“Setback” shall mean the minimum allowable horizontal distance from a property line to the nearest vertical wall or other element of a building or structure as defined herein. Setback is not measured from the curb unless the curb also is the property line.
<b>Shared access facility</b>	“Shared access facility” shall mean a frontage or service road generally parallel to an arterial or connecting parcels to an arterial; alternately, a common accessway serving businesses with one or more ownerships.
<b>Shopping center</b>	“Shopping center” means a group of architecturally unified commercial establishments built on a site that is planned, developed, owned, and managed as an operating unit related in its location, size and type of shops to the trade area which the unit serves.
<b>Short plat</b>	“Short plat” means the map or representation of a short subdivision showing thereon the proposed division of a tract or parcel of land into lots, blocks, streets and alleys, or other land divisions.
<b>Short subdivision</b>	“Short subdivision” means the division or redivision of land into four or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership.
<b>Sidewalk</b>	“Sidewalk” means that portion of a transition strip improved for pedestrian traffic in accordance with standards fixed by the review authority.
<b>Sign</b>	“Sign” means anything whatsoever placed, erected, constructed, posted, or affixed in any manner on the ground or to any post, fence, building, or structure for out-of-doors advertising, but not including devices, structures or representations installed by any governmental authority.
<b>Site</b>	“Site” shall mean the lot(s), parcel(s) and tract(s) included in a proposed subdivision or short subdivision and contiguous lots, parcels or tracts in which the owner of the site has a greater than possessory interest.
<b>Site plan</b>	“Site plan” shall mean a plan prepared to scale, showing accurately and with complete dimensions all proposed and existing buildings, landscaping, open space, structures and features on abutting properties, and parking proposed for a specific parcel of land.
<b>Skyglow</b>	“Skyglow” means the brightening of the nighttime sky that results from scattering and reflection of artificial light by moisture and dust particles in the atmosphere and has the effect of reducing one’s ability to view the night sky.
<b>Small animal husbandry (commercial)</b>	“Small animal husbandry (commercial)” means the raising of mink, fox, nutria, rabbits, pigs, sheep, goats, chickens, turkeys, guinea hens and similar small animals and fowl not for the primary consumption of or used by the occupants of the premises.
<b>Soil</b>	“Soil” means the surface layer of the earth supporting plant life.
<b>Soil removal</b>	“Soil removal” means removal of any kind of soil or earth matter, including topsoil, sand, gravel, clay, rock or similar materials or combination thereof, except common household gardening.
<b>Solar access</b>	“Solar access” shall mean the availability of direct sunlight to solar energy systems.
<b>Solar access easement</b>	“Solar access easement” shall mean a right expressed as an easement, restriction, covenant, or condition contained in any deed, contract, or other written instrument executed by or on behalf of any landowner for the purpose of assuring solar access to solar energy systems.
<b>Solar energy system</b>	<p>“Solar energy system” shall mean any structural element, device, or combination of devices or elements which rely upon direct sunlight as an energy source, including, but not limited to, any substance or device which collects, stores, or distributes sunlight for use in the following:</p> <ol style="list-style-type: none"> <li>(1) The heating or cooling of a structure or building;</li> <li>(2) The heating or pumping of water;</li> <li>(3) Industrial, commercial, or agricultural processes; or</li> <li>(4) The generation of electricity.</li> </ol> <p>Use of this term includes passive, active and hybrid systems. Attached solar energy systems shall be considered as a part of the structure or building to which they are attached. Detached solar energy systems shall be considered accessory uses.</p>

<b>Storage, open</b>	“Open storage” means the safekeeping of any goods or products in an unoccupied space, open to the sky, for eventual removal not expected within 72 hours or for continuous replacement by same or similar goods or products.
<b>Stormwater</b>	“Stormwater” means that portion of precipitation that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, channels or pipes into a defined surface water channel, or a constructed infiltration facility.
<b>Story</b>	“Story” shall mean that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement or unused under-floor space is more than six feet above grade for more than 50 percent of the total perimeter or is more than 12 feet above grade at any point, such basement or unused under-floor space shall be considered as a story.
<b>Street</b>	“Street” shall mean all roads, streets, highways, freeways, easements, and public rights-of-way used for or designed for vehicular access or use including private roads but not including private driveways.
<b>Street line</b>	“Street line” means the dividing line between any street, road or other thoroughfare and the adjacent lots.
<b>Street, public</b>	“Public street” means a street affording the principal means of access to abutting property, and dedicated to or maintained by the city of La Center, Clark County, or the state of Washington affording the principal means of access to abutting property and with a right-of-way or easement.
<b>Structural alteration</b>	“Structural alteration” or “alteration, structural” means any material or dimensional changes in the structural elements of a building such as bearing walls, columns, beams, and roofs.
<b>Structure</b>	“Structure” shall mean that which is built or constructed, an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner and which requires location on the ground, or which is attached to something having a location on the ground.
<b>Subdivision</b>	“Subdivision” means the division or redivision of land into five or more lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership.
<b>Substantial improvement</b>	“Substantial improvement” means any combination of repairs, reconstruction, alteration, or improvements to a structure taking place during the life of a structure, in which the cumulative cost equals or exceeds 50 percent of the assessed value of the structure. For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.
<b>Surface water</b>	“Surface water” means waters that flow over the land surface and frequently interact with groundwater.
<b>Swale</b>	“Swale” means a shallow drainage conveyance with relatively gentle side slopes, generally with flow depths less than one foot.
<b>Tavern</b>	“Tavern” means a building where beer and/or wine is served to the public, which holds a class “A” or “B” license from the Washington State Liquor and Cannabis Board.
<b>Telecommunications facilities</b>	“Telecommunications facilities” shall mean a land use that sends and/or receives radio frequency signals, including antennas, microwave dishes or horns, structures or towers to support receiving and/or transmitting devices, accessory development and structures, and the land on which they all are situated.
<b>Temporary building or structure</b>	“Temporary building or structure” means a building or structure not having or requiring permanent attachment to the ground or to other structures which have no required permanent attachment to the ground.
<b>Temporary use</b>	“Temporary use” means a use established for a fixed period of time as established by LCMC 18.265 (Temporary Use Permit) with the intent to discontinue such use upon the expiration of such time. Such uses do not involve the construction or alteration of any permanent structure.
<b>Toe of slope</b>	“Toe of slope” means a point or line on the upper surface of a slope where it changes to horizontal or meets the original surface. The outermost inclined surface at the base of a hill; part of a foot slope.
<b>Topography</b>	“Topography” means the drawing accurately on a map lines that represent particular and consistent elevation levels on the land area depicted on said drawing; also, the actual physical surface’s relief characteristics.
<b>Townhouse or rowhouse</b>	“Townhouse” or “rowhouse” means a dwelling unit designed exclusively for occupancy by one family, no portion of which lies vertically under or over any portion of any adjacent unit, and which is attached to one or more other dwelling units by common walls which may be located on side lot lines.
<b>Tract</b>	“Tract” means a fractional part of divided lands having fixed boundaries that is intended for and limited to use for purposes other than development as a lot. A tract may be for open space, drainage, access or other purposes authorized by the city.

<b>Trailer</b>	“Trailer” means a separate vehicle, not driven or propelled by its own power, but drawn by some independent power; to include any portable or movable structure or vehicle including trailers designed for living quarters, offices, storage, or for moving or hauling freight, equipment, animals, or merchandise of any kind, including boats, boat trailers, jet skis, half tracks, snowmobiles, and the like, not included in other definitions.
<b>Travel trailer</b>	“Travel trailer” means a vehicle with or without motor power primarily designed as temporary living quarters for recreational, camping, or travel use, and in which the plumbing, heating, and electrical systems contained therein may be operated without connection to outside utilities, being of such size or weight as not to require a special highway movement permit. The term shall include truck campers.
<b>Treatment best management practice</b>	“Treatment best management practice” means a BMP that is intended to remove pollutants from stormwater. A few examples of treatment BMPs are detention ponds, oil/water separators, biofiltration swales and constructed wetlands.
<b>Unstable slopes</b>	“Unstable slopes” means those sloping areas of land which have in the past exhibited, are currently exhibiting, or will likely in the future exhibit, movement of earth.
<b>Uplight</b>	“Uplight” means the luminous flux radiated in the hemisphere at or above the horizontal plane defined perpendicular to the nadir direction at the photometric center of an exterior luminaire.
<b>Use</b>	“Use” means the purpose that land or structures now serve or for which it is occupied, maintained, arranged, designed or intended.
<b>Use, principal</b>	“Principal use” means the main use of land or buildings as distinguished from a subordinate or accessory use.
<b>Use, temporary</b>	“Temporary use” means a use established for a fixed period of time with the intent to discontinue such use upon the expiration of such time. Such uses do not involve the construction or alteration of any permanent structure.
<b>Utilities easements</b>	“Utilities easements” means rights-of-way that may be used by public utilities, including, but not limited to, electricity, water, natural gas, sewer, telephone, and television cable for the construction, operation, maintenance, alteration, and repair of their respective facilities.
<b>Utility substation facilities</b>	“Utility substation facilities” shall mean a subsidiary or branch facility utilizing aboveground structures, which is necessary to provide or facilitate distribution, transmission, or metering of water, gas, sewage, radio signals and/or electric energy and telecommunication signals. Such facilities have a local impact on surrounding properties and may consist of, but are not limited to, the following: (1) Water, gas, telecommunication and electrical distribution or metering sites; (2) Water or sewage pumping stations; (3) Water towers and reservoirs; (4) Public wells and any accessory treatment facilities; (5) Transmission towers and accessory equipment to provide radio and data communications service, radio paging, or cellular communications service; (6) Telecommunication facilities.
<b>Variance</b>	“Variance” means a modification of the terms of this title to a particular piece of property which, because of special circumstances, is deprived of privileges enjoyed by other properties of the same zone and which modification remedies the disparity in privileges.
<b>Vertical mixed use</b>	“Vertical mixed use” means a multi-story building that includes both nonresidential and residential uses. Residential uses are generally on the upper floors.
<b>Veterinary hospital or clinic</b>	“Veterinary hospital or clinic” means a building used to provide health care services to animals.
<b>Video sales and rentals</b>	“Video sales and rentals” means commercial establishments engaged in the sale and rental of video equipment, tapes and accessories for home entertainment.
<b>Vision clearance area</b>	“Vision clearance area” shall mean a triangular area on a lot at the intersection of two streets or a street and a railroad, two sides of which are lot lines measured from the corner intersection of the lot lines for a distance specified in these regulations. The third side of the triangle is a line across the corner of the lot joining the ends of the other two sides. Where the lot lines or intersections have rounded corners, the lot lines will be extended in a straight line to a point of intersection.
<b>Visual obstruction</b>	“Visual obstruction” shall mean any fence, hedge, tree, shrub, device, wall, or structure exceeding three and one-half feet in height above the elevation of the top of the curb, and so located on a street or alley

	intersection as to dangerously limit the visibility of persons in motor vehicles on said streets or alleys. This does not include trees kept trimmed of branches to a minimum height of at least six feet.
<b>Warehouse</b>	“Warehouse” means a building used primarily for the storage of goods and materials.
<b>Watershed</b>	“Watershed” means a geographic region within which water drains into a particular river, stream, or body of water as identified and numbered by the State of Washington Water Resource Inventory Areas (WRIAs) as defined in Chapter 173-500 WAC.
<b>Wetlands</b>	“Wetlands” shall mean those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. Wetlands also include streams as defined by Chapter 18.300 LCMC.
<b>Wholesale (trade)</b>	“Wholesale (trade)” means the sale of goods or commodities usually in bulk or large quantities and usually at a lower cost to a retailer for resale. Such sales activity takes place in establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users; or to other wholesalers, or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.
<b>Yard</b>	“Yard” shall mean an open space on a lot which is unobstructed from the ground upward except as specified elsewhere in this title.
<b>Yard, front</b>	“Front yard” shall mean a yard between side lot lines from the front lot line to the nearest point of the building.
<b>Yard, rear</b>	“Rear yard” shall mean a yard between side lot lines from the rear lot line to the nearest point of the building.
<b>Yard, side</b>	“Side yard” shall mean a yard between the front and rear yard from a side lot line or street side lot line to the nearest point of a building.
<b>Zero lot line home</b>	“Zero lot line home” means a residential development approach in which a building is sited on one or more lot lines with no yard area along these lot lines. Conceivably, three of the four sides of the building could be on the lot lines. The intent is to allow more flexibility in site design and to increase the amount of usable open space on the lot. Zero lot line homes may only be built within the context of a zero lot line development. It shall be required that a minimum of eight units of zero lot line housing constitute such a development.
<b>Zone</b>	“Zone” means an area within which certain uses of land and buildings are permitted and certain others are prohibited; yards and other open spaces are required; lot areas, building height limits, and other requirements are established.
<b>Zone district</b>	“Zone district” shall mean the same as “zoning district” or “zone.”
<b>Zoning</b>	“Zoning” means the legislative division of a community into segments reserved for specific uses and also the minimum required size for such use.

[Ord. 2021-04 § 5 (Exh. B), 2021; Ord. 2020-01 § 3 (Exh. B), 2020; Ord. 2019-20 § 3 (Exh. B), 2019; Ord. 2018-10 § 3 (Exh. A), 2018; Ord. 2006-17 § 1, 2006.]

# **ATTACHMENT A.2**

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REDLINED DRAFT CODE LCMC 18.140

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## Chapter 18.140

### MEDIUM DENSITY RESIDENTIAL DISTRICT (MDR-16)

Sections:

- 18.140.010 Purpose.
- 18.140.015 Location.
- 18.140.020 Permitted and conditional uses.
- 18.140.030 Density and dimensional requirements.
- 18.140.040 General standards for developments within the MDR-16 district.
- 18.140.050 Requirements of single-family attached housing.
- 18.140.060 Requirements of multifamily attached housing – Apartments.
- 18.140.070 Requirements of single-family detached housing.
- 18.140.080 Requirements of single-family detached manufactured home subdivisions.

#### **18.140.010 Purpose.**

The medium density residential (MDR-16) district is intended to provide for residential development opportunities with a minimum density of eight units per net acre, and a maximum density of 16 units per net acre consistent with the La Center comprehensive plan. The district is further intended to facilitate use of public transit, reduce the burdens of automobile-related problems, and encourage efficient use of commercial services and public open space. For purposes of this chapter, the terms “manufactured home park” and “manufactured home subdivision” are interchangeable. [Ord. 2015-05 § 2 (Exh. A), 2015; Ord. 2006-17 § 1, 2006.]

#### **18.140.015 Location.**

The city council, with the recommendation of the planning commission, generally, shall assign MDR-16 zoning districts in close proximity to collector or arterial roadways, current or proposed transit routes, near employment centers, and with good access to local public schools. [Ord. 2015-05 § 2 (Exh. A), 2015; Ord. 2006-17 § 1, 2006.]

#### **18.140.020 Permitted and conditional uses.**

(1) Permitted Uses. The city permits the following primary uses on buildable lands (outside of sensitive lands), subject to compliance with the requirements of Chapter 18.215 LCMC and compliance with concurrency and level of service standards of the La Center capital facilities plan:

- (a) Existing lawful residential uses;
- (b) One new single-family residence per lot of record, lawfully created prior to December 31, 2001;
- (c) Multiple-family dwellings, including but not limited to attached single-family dwellings, such as townhouses, duplexes, triplexes, and detached multifamily dwellings such as apartments;
- (d) Single-family detached dwelling units consistent with the general standards and single-family detached standards in this chapter;
- (e) Manufactured home subdivisions or parks created prior to December 31, 2015;
- (f) Accessory buildings and uses normal and incidental to the buildings and uses permitted in this chapter;
- (g) Public parks and recreational facilities; and
- (h) Cottage housing compliant with the requirements of Chapter 18.185 LCMC, Cottage Housing.

(2) Conditional uses allowed in an MDR-16 district are described in Table 18.130.030, single-family permitted, conditional and prohibited uses. The city shall apply the applicable lot area, dimension and density standards in this chapter and Chapter 18.215 LCMC, Site Plan Review, to applications for conditional use. Minimum density standards shall be met. [Ord. 2018-10 § 4 (Exh. B), 2018; Ord. 2015-05 § 2 (Exh. A), 2015; Ord. 2006-17 § 1, 2006.]

**18.140.030 Density and dimensional requirements.**

(1) All developments within the MDR-16 zoning district shall comply with the density and dimensional requirements of Table 18.140.030.

**Table 18.140.030**

**MDR-16 Density and Dimensional Requirements**

Standard	Multifamily	Single-Family		
		Attached	Detached	Manufactured Home Park/Subdivision
Net Density <sup>1</sup>	8 – 14	8 – 14	8 – 12	4 – 12
Minimum Project Area <sup>5</sup>	2.5 ac.	2.5 ac.	5 ac.	10 ac.
Minimum Lot Width	20 feet	20 feet	30 feet	20 feet <sup>4</sup>
Minimum Lot Depth	60 feet	60 feet	60 feet	60 feet <sup>4</sup>
Minimum Area	1,400 SF	1,400 SF	3,000 SF	3,000 SF <sup>4</sup>
Maximum Area	N/A	N/A	15,000 SF	5,000 SF <sup>4</sup>
Maximum Lot Coverage	85%	60%	60%	85% <sup>4</sup>
Maximum Height <sup>6</sup>	45 feet	35 feet	35 feet	20 feet
<b>Setbacks<sup>2</sup></b>				
Minimum Front Setback <sup>3</sup>	10 feet	10 feet	10 feet	5 feet <sup>4</sup>
Minimum Garage Setback from Public Street	5 feet	18 feet	18 feet	5 feet <sup>4</sup>
Minimum Garage Setback from Alley	3 feet	3 feet	3 feet	5 feet
Minimum Side Setback	0 feet attached or 10 feet abutting single-family	0 feet attached/4 feet nonattached	4 feet	5 feet <sup>4</sup>
Minimum Street Side Setback	0 feet	10 feet	10 feet	5 feet <sup>4</sup>
Minimum Rear Setback	20 feet	10 feet	10 feet	3 feet <sup>4</sup>

<sup>1</sup>In a phased project, each phase of the project shall meet the density requirements.

<sup>2</sup>Setbacks and building envelopes shall be identified for each lot on the face of the plat or binding site plan.

<sup>3</sup>Minimum front yard setback shall be 25 feet from arterial and collector streets.

<sup>4</sup>In a manufactured home subdivision the lot area and setback standards represent an average within the subdivision.

<sup>5</sup>The minimum project area requirements do not apply when legal lots in the RP zone develop multifamily housing.

<sup>6</sup>The maximum height of a dwelling is depicted in this table; the maximum height of a garage or accessory building is 20 feet.

(2) Beveling. New lots used for medium density residential purposes created adjacent to low density residential (LDR) districts shall employ a “beveling” technique at the perimeter of the project. New perimeter MDR-16 lots abutting LDR districts, not including public rights-of-way or dedicated public open space, shall be no less than 90 percent of the lot area of the minimum lot size of the abutting LDR district. Setbacks from the property lines of abutting LDR land shall be no less than 80 percent of the setback requirement of the abutting LDR district. For



example, if the abutting property is zoned LDR-7.5, a 7,500-square-foot minimum lot size, the MDR-16 lots abutting the LDR district may not be less than 6,750 square feet. The beveling standard does not apply to manufactured home subdivisions.

(3) Density Transfer. A project subject to the beveling requirement described in subsection (2) of this section may transfer density to interior lots, on an acre-per-acre basis, to achieve a density of no greater than 16 units per net acre. For example, if the cumulative area of all beveled perimeter lots is two acres, a maximum of two acres of interior lots may reach a density of 16 units per net acre. The balance of the nonbeveled areas may not exceed the maximum density allowed for project type described in Table 18.140.030.

(4) Product Types. The city desires to foster an opportunity for the creation of a variety of MDR-16 housing products so as to promote housing affordability, architectural variety and unique neighborhood character. An MDR-16 project, proposed after December 31, 2015, which consists of five gross acres or more, including abutting lands under common ownership, may not include more than 75 percent of one housing type, i.e., multifamily, single-family attached or single-family detached. [Ord. 2021-04 § 8 (Exh. E), 2021; Ord. 2015-12 § 2 (Exh. A), 2015; Ord. 2015-05 § 2 (Exh. A), 2015; Ord. 2006-17 § 1, 2006.]

**18.140.040 General standards for developments within the MDR-16 district.**

The standards of this section apply to all development in the MDR-16 zone, excluding single-family, detached, manufactured home subdivisions regulated by LCMC 18.140.080.

(1) Design Requirements.

(a) MDR-16 projects shall create a unifying design theme for each cluster of units or less (a housing complex). The design theme can be created by the use of stone, wooden lap siding, or other natural material.

(b) MDR-16 projects shall avoid repetitive building massing and facade designs. Variety of scale and articulation is encouraged and can be accomplished by the use of design elements such as porches, balconies, bay windows, covered entries, and garages set back from the primary facade.

(c) MDR-16 projects shall avoid monotonous rooflines and shall employ devices such as various elevations, gables, dormers, and chimneys, etc.

(d) Where single-family attached units are paired, the review authority may require the paired units to share a common driveway.

(2) Active Open Space – Family Parks. If a medium density residential (MDR-16) development meets the applicable criteria of LCMC 18.147.020, the new development shall provide parks and open space pursuant to the applicable requirements of Chapter 18.147 LCMC (Parks and Open Spaces).

(3) Landscaping and Open Storage.

(a) Landscaping. On-site plantings, with individual character, are encouraged to provide multiple layers of plantings, including canopy trees, understory trees, shrubs and groundcover. Seasonal interest is encouraged to be enhanced through the use of blooming sequence, fragrance, fall color, and specimen plant materials. Introduction of other landscape architectural hardscape elements such as: use of natural stone, sculpture, water features, enhanced paving, accent lighting, site furnishings, recreational facilities, and the like are strongly encouraged. Preservation of environmentally constrained areas as natural areas and the restoration of buffer areas with native plant materials and recreational opportunities are priorities.

(b) All landscape plantings shall be irrigated with an automatic, underground irrigation system designed with water conservation in mind. Use of techniques, such as separate water zones based on soil type, sun exposure, and plant water requirements is encouraged. All required plant materials shall meet or exceed specifications established by the American Association of Nurserymen for nursery stock.

(c) At least 15 percent of the net acreage of the project site must be landscaped.

(d) All setback areas shall be landscaped and maintained with live vegetation.

(e) Street trees, if required by the director of public works, shall be planted on all street frontages and within all median planting strips. In addition, street trees shall be placed a minimum of two feet from the curb as measured from the center of the tree to the planter side of the curb, unless otherwise specified by the city's public works director. Street trees shall be a minimum of two-inch caliper, fully branched, and staked at the time of planting. Minimum spacing shall be 30 feet on center of planter length. Trees selected for use as street trees shall be long-lived species possessing qualities suitable for an urban streetscape including branching characteristics, rooting characteristics, disease resistance, drought resistance and nonfruiting. Planter strips abutting a public street shall be planted with live vegetation and irrigated, unless if otherwise specified by the city's public works director.

(f) Only under the following conditions may freestanding walls, fences and hedges be permitted along public or private streets or sidewalks:

(i) The maximum height of any wall, fence, or hedge shall be six feet so long as the fence height does not interfere with safe line of sight as determined by the city engineer.

(ii) Barbed wire, razor wire, electric and other dangerous fences are prohibited.

(g) Open Storage. Open storage is prohibited. Trash and recycling containers located outside of a building shall be screened by a six-foot solid (100 percent opaque) fence or a combination of fence and vegetation.

(4) Parking. Required parking shall be provided either on the same lot as the dwelling, or in shared parking areas located primarily to the rear of or beneath the units.

(a) Parking is encouraged to locate behind the dwelling unit with access from an alley. When an alley is provided, pedestrian access from the alley to the dwelling shall be provided for each lot.

~~(b) Each MDR-16 dwelling unit shall provide 1.75 off street parking spaces per individual dwelling unit.~~

(5) Garages.

(a) Where the primary garage entrance faces a right-of-way, the garage must be set back a minimum of 18 feet from the right-of-way.

(b) No more than 40 percent of the total wall area of a housing complex facing a public right-of-way shall be dedicated to garage door space.

(c) Twenty-five percent of the garage wall area facing a public right-of-way shall contain windows or doors placed to create the impression of habitable residential space.

(d) In each cluster of single-family attached units, no more than 50 percent of the garages within the cluster may extend beyond the front plane of the primary facade of the dwelling unit.

(e) Garages that take vehicle access from an alley shall be set back a minimum of three feet from the alley right-of-way.

(f) Detached garages are allowed, provided they are accessed from an alley or driveway and do not exceed 18 feet in height.

(6) Vehicular Access. Access to MDR-16 development projects shall be from collector or arterial streets; however, individual dwelling units within an MDR-16 development project shall not have direct access to an arterial or a collector street.

(a) Within an MDR-16 development project, parking lots or driveways to individual dwelling units shall connect directly to a local access street that has direct access to an arterial or collector street.

(b) MDR-16 development projects shall not have direct primary access to existing local access streets within an MDR-16 zoning district unless the review authority finds, by substantial evidence, that environmental,

topographic or other issues relating directly to public safety or welfare require general access to a local, public residential street.

~~(67)~~ Pedestrian Access.

(a) An on-site pedestrian circulation system that links public and private streets and the primary entrance(s) of all the structure(s) on the site shall be provided. Sidewalks or pedestrian ways must connect the required pedestrian system to existing pedestrian systems on adjoining developments if adequate safety and security can be maintained. Convenient delineated pedestrian access to transit stops shall be provided.

(b) Public sidewalks shall be required and constructed according to the city's road standards.

(c) Where the pedestrian system crosses driveways, parking areas and loading areas, it must be clearly identifiable, through the use of elevation changes, speed bumps, a different paving material, or other similar method approved by the reviewing authority. Striping may be permitted only in conjunction with at least one of the preceding methods. Pedestrian access shall be provided to transit corridors without having to pass through a parking lot whenever possible.

(d) Lighting for parking lots and pedestrian ways shall be provided to ensure personal safety and shall be shielded downward to prevent upward and off-site glare.

(e) Lighting shall be integrated into the architectural character both in terms of illumination and fixtures. Lighting shall not produce glare or negatively impact off-site uses or traffic on adjacent streets. On-site lighting shall utilize cutoff fixtures designed to orient light downward and contribute toward a dark sky.

~~(78)~~ Impact Fees. School and park impact fees for attached housing shall be assessed at the multifamily rate while impact fees for detached housing shall be assessed at single-family rates. [Ord. 2021-04 § 9 (Exh. F), 2021; Ord. 2017-07 § 3, 2017; Ord. 2015-05 § 2 (Exh. A), 2015; Ord. 2006-17 § 1, 2006.]

**18.140.050 Requirements of single-family attached housing.**

In addition to the requirements of LCMC 18.140.040, a single-family attached proposal shall meet the requirements of this section. Where a conflict exists between general and specific standards the director shall apply the more specific standard.

(1) Land divisions shall be reviewed according to Chapter 18.205 or 18.210 LCMC and Chapter 58.17 RCW.

Building permits for attached developments may only be approved where fully consistent with the approved land division.

(2) Notations on the plat and/or covenants running with the land, approved by the city attorney, shall guarantee that required side setbacks shall be kept perpetually free of obstructions.

(3) Single-family attached housing shall not be permitted in housing clusters of greater than six units.

(4) Only one dwelling unit may occupy an individual lot. Each attached dwelling may occupy no more than one lot.

(5) No portion of a unit may occupy space above or below any other unit, except underground shared parking.

(6) Landscaping. Single-family attached development projects may satisfy the minimum landscaping requirement by:

(a) Providing 200 square feet of enclosed private outdoor living area per bedroom for each individual dwelling unit, to be located in the rear or side yard of each individual lot; or

(b) Providing 200 square feet of common indoor or outdoor recreation area per bedroom for each individual dwelling unit. [Ord. 2015-05 § 2 (Exh. A), 2015; Ord. 2006-17 § 1, 2006.]

**18.140.060 Requirements of multifamily attached housing – Apartments.**

In addition to the requirements of LCMC 18.140.040, a multifamily attached proposal shall meet the requirements of this section. Where a conflict exists between general and specific standards the director shall apply the more specific standard.

(1) Multifamily attached housing shall not be permitted in clusters of greater than 10 dwelling units.

(2) Outdoor Recreation Area Standards. Multifamily developments containing 12 or more residential dwelling units shall provide outdoor recreation areas as follows:

(a) Private Residential Outdoor Areas.

(i) Each ground-level residential dwelling unit shall have an outdoor private area (patio, terrace, porch, yard) containing at least 48 square feet and a width of at least four feet. A balcony used for an entrance or exit shall be considered an open space only if it is for the exclusive use of the dwelling unit in question and it contains at least 48 square feet and a width of at least four feet.

(ii) Private outdoor areas for multifamily residential dwelling units shall be screened from view from other residential units, abutting land uses, and public or private streets to the extent practicable using the orientation and location of structures, windows, and private outdoor spaces, landscaping and screening, natural features such as topography and open space, and built features such as windowless walls.

(b) Shared Recreation Areas for Multifamily Residential Uses.

(i) The requirements of this subsection shall apply to multifamily attached projects with fewer than 35 dwelling units. Developments containing 35 or more units shall satisfy the family park requirements in LCMC 18.140.040(2).

(ii) Usable recreation space shall be provided in residential development for the shared or common use of all residents in the following amounts:

(A) Studio size up to and including two-bedroom units, 200 square feet per unit; and

(B) Three or more bedroom units, 300 square feet per unit.

(iii) The required recreation space may be all outdoor space or part outdoor space and part indoor space and all public or common space or part common space and part private; provided, all public and common outdoor recreation spaces shall be readily observable from residential units and/or public or private streets to allow for public safety surveillance.

(iv) The boundaries of public areas, such as streets or public gathering places, semipublic areas, such as transition areas between streets and dwelling units, and private outdoor areas shall be clearly defined so that a person can readily determine where the public space ends and the private space begins, such as by using one or more of the following:

(A) A deck, patio, low wall, fence or other suitable structures;

(B) Landscaping, such as a hedge or draping vine on a trellis or arbor;

(C) A change in the texture of the path material;

(D) Substantial natural features, such as a drainage way or tree grove. [Ord. 2015-05 § 2 (Exh. A), 2015; Ord. 2006-17 § 1, 2006.]

**18.140.070 Requirements of single-family detached housing.**

In addition to the requirements of LCMC 18.140.040, a single-family detached proposal, other than a single-family, detached, manufactured home subdivision regulated under LCMC 18.140.080, shall meet the requirements of this section. Where a conflict exists between general and specific standards the director shall apply the more specific standard.

(1) Garages facing a public street shall be set back a minimum of 18 feet from the front property line. The front plane of the garage door cannot extend beyond the front plane of the primary facade. Garages facing an alley shall be set back a minimum of three feet from the rear property line. Garage doors shall have a minimum of 50 percent of their area decorated with glazing, relief panels, or similar ornamentation.

(2) Porches, balconies or similar entry appendages may project into the front yard setback up to five feet. Porches shall be designed as functional spaces with a minimum depth of five feet.

(a) Rooflines shall be a minimum of 6:12 for pitched roofs. Lower pitched roofs or parapet rooflines shall provide additional architectural detailing including but not limited to: cornice, cap, relief panels, bay windows, shade projections, rain protection, eaves, dormers, ledges or overhangs as approved by the planning director.

(b) Rain protection shall be located at the primary entrance which is effectively designed to provide a minimum of 25 square feet of rain protection. This protection may utilize a single or combination of techniques such as: awning, eave, alcove, airlock, recessed entry or porte-cochere.

(c) Finished surfaces on building elevations shall emphasize use of architectural-grade natural building products such as wood, masonry, metal, glass, stucco, fiber cement, cultured stone or other stone materials. Use of plywood, vinyl, plastic composites, fiberglass or similar are prohibited unless otherwise permitted by the director.

(d) A diverse use of color is encouraged to display individuality within the community. Finished surfaces suitable for painting shall incorporate a color palette of at least two colors, consisting of a base color and an accent (trim color). Repetitive or predictable alternate color schemes are discouraged. [Ord. 2015-05 § 2 (Exh. A), 2015; Ord. 2006-17 § 1, 2006.]

**18.140.080 Requirements of single-family detached manufactured home subdivisions.**

A single-family detached manufactured home subdivision shall meet the requirements of this section.

(1) Setbacks.

(a) Garages facing a public street shall be set back a minimum of five feet from the front property line.

(b) Porches, balconies or similar entry appendages may project into the front yard setback up to three feet from the property line.

(2) Design Standards.

(a) Rooflines of new or replacement dwellings shall be a minimum of 4:12 for pitched roofs. Lower pitched roofs or parapet rooflines shall provide additional architectural detailing including but not limited to: cornice, cap, relief panels, bay windows, shade projections, rain protection, eaves, dormers, ledges or overhangs as approved by the planning director.

(b) Rain protection shall be located at the primary entrance which is effectively designed to provide a minimum of 25 square feet of rain protection. This protection may utilize a single or combination of techniques such as: awning, eave, alcove, airlock, or recessed entry.

(c) Finished surfaces on new or replacement dwelling elevations shall emphasize use of architectural-grade natural building products such as wood, masonry, metal, glass, stucco, fiber cement, cultured stone or other stone materials. Use of plywood, vinyl, plastic composites, fiberglass or similar products shall reflect the surface character of natural building products.

(d) New or replacement structures shall employ a diverse use of color to display individuality within the community. Finished surfaces suitable for painting shall incorporate a color palette of at least two colors, consisting of a base color and an accent (trim color). Repetitive or predictable alternate color schemes are discouraged.

(3) All manufactured home subdivision shall provide for a homeowner's association (HOA) which shall:

(a) Provide for the ownership and perpetual maintenance of all common areas including, but not limited to:

(i) Stormwater facilities;

(ii) Public streets, private roads, alleyways, trails and other public or private accessways;

(iii) Common open space, parks and recreation areas, trails and/or indoor common areas; and

(iv) Signs, monuments, and other forms of common identification.

(b) Promulgate, maintain and enforce CC&Rs particular to that subdivision.

(c) Provide the city clerk's office with notice of HOA activities on an ongoing basis.

(4) All manufactured home subdivisions shall provide pedestrian and/or trails linkages across the subdivision, consistent with the city's adopted parks and recreation plan, or its successor; and shall provide pedestrian and trail links consistent with city standards from the subdivision to off-site, public parks or trails.

(5) The city shall review proposals for manufactured home subdivision through a Type III public review process. [Ord. 2015-05 § 2 (Exh. A), 2015.]72

# **ATTACHMENT A.3**

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REDLINED DRAFT CODE LCMC 18.158.080

**18.158.080 Street and parking specifications.**

(1) Principle. The streets within the junction plan zone are intended to balance the needs of all types of traffic – auto, bicycle, and pedestrian – to maximize mobility and convenience for all the citizens and users of the respective district. While all streets will appropriately balance pedestrian and automobile needs, their character will vary by specific location. Some streets will carry a large volume of both automobile and pedestrian traffic and provide a more intense urban experience while others will provide more intimately scaled street space.

(2) Street-Type Specifications. The street-type specifications provide general configurations for street spaces within the JP zone. The city will configure and adjust street specifications for specific development activity as necessary to ensure consistency with the vision of this chapter and to provide for vehicular safety or pedestrian/bicycle/vehicle separation.

The city will create street sections for adoption in the engineering standards for public works to guide future development. The following preliminary street sections may be used to guide creation of future street sections and should be based on the street plan (Figure 18.158.020-3) and sound engineering principles:

(a) La Center Road (modified arterial):

- (i) Approximate 70-foot right-of-way;
- (ii) Travel lanes – two 11 feet wide;
- (iii) Center turn lane with median – one 12 feet wide;
- (iv) Planter strips – six feet wide on both sides of the street;
- (v) Sidewalk, north side – six feet wide and no bike lane on north;
- (vi) Interim westbound bike lane to ramp cyclists up to sidewalk on north side;
- (vii) Multi-modal path on south side – 12 feet wide;
- (viii) Twelve-foot multi-modal bike path on south side.

(b) Paradise Park Road (B street, modified collector):

- (i) No changes to the street segments constructed in 2017;
- (ii) Other segments of Paradise Park Road – travel lane may be 11 or 12 feet wide;
- (iii) No sidewalks or parking abutting the I-5 right-of-way;
- (iv) The interior (east) side of the road should provide:
  - (A) Bike lanes, to be determined;
  - (B) Parking – eight feet wide;
  - (C) Curb/gutter;
  - (D) Up to 15-foot planter strip/sidewalk.

(c) New north/south (A-minus street, modified collector):

- (i) Very important north/south roadway needed to relieve pressure on intersection of Paradise Park Road and La Center Road;
- (ii) Add roadway to the CFP prior to development;



- (iii) Alignment should be close to outer boundary of critical areas;
  - (iv) Travel lanes – 11 or 12 feet depending on location and development proposed;
  - (v) Parking lanes – eight-foot-wide parking lanes on each side;
  - (vi) Combined planter strip/sidewalk up to 15 feet.
- (d) Local street (A-plus street, local street, civic green):
- (i) Travel lanes – 10-foot minimum;
  - (ii) Parking – seven to eight feet wide on both sides;
  - (iii) No bike lane;
  - (iv) Up to 15-foot wide planter street/sidewalk.
- (e) Accessway (alleyway):
- (i) Travel lane – 10 feet wide;
  - (ii) Setback from building – six feet.
- (f) Traffic circles – to be determined.
- (3) Streetscape Standards.
- (a) The streetscape standards ensure the coherence of the street space. They also serve to assist building owners and operators in understanding the relationship between the street space and their own lots. This code requires that sites will be developed with buildings placed at the required building line along the outer edge of the lots they occupy. These standards also establish an environment that encourages and facilitates pedestrian activity. Native trees and plants contribute to privacy, reduction of noise and air pollution, maintenance of the natural habitat, and conservation of water.
- (b) General Principles.
- (i) Streetscape.
    - (A) Building facades visible from public spaces are subject to more regulation than the rest of the property.
    - (B) Street trees are part of an overall streetscape plan designed to provide both form (canopy) and comfort (shade) to the street space. Street trees give special character and coherence to each street space.
    - (C) Public seating areas shall be provided in areas safe from traffic and convenient to the shopping environment.
    - (D) Development shall not impair the required vision clearance triangle at any intersection or driveway.
- (c) Fronts and Rears.
- (i) Building facades are the public “face” of every building.
  - (ii) The private, interior portions of the lots (toward the accessway or rear lot line) allow commercial operators to use these spaces as efficient working environments unseen by the public and allow residents to have private and semi-private (for apartment and condominium buildings) gardens and courtyards.

(d) Standards.

(i) General Provisions.

(A) Mechanical and electrical equipment including, but not limited to, air compressors, pumps, exterior water heaters, water softeners, private garbage cans (not including public sidewalk waste bins), and storage tanks may not be stored or located within any street space.

(B) Street lighting and bicycle racks shall be placed along the street tree alignment line.

(e) Street Trees. At the time of development, the applicant is responsible for installing/planting street trees in the space fronting their property between the required building line and the travel lane:

(i) Each street space shall have street trees planted along the street tree alignment line (generally three feet, six inches from the back of the curb) at an average spacing not greater than 30 feet on center (measured per block face). Where necessary, spacing allowances may be made to accommodate curb cuts, fire hydrants and other infrastructure elements.

(ii) Street tree planter areas (tree pits and tree lawns) shall be designed and constructed consistent with La Center public works standards.

(iii) Street trees shall be “limbed up” as they gain appropriate maturity to avoid interference with pedestrian or truck travel (minimum eight feet clear over the sidewalk and 14 feet over the travel lanes of the street).

(f) Sidewalks.

(i) At the time of development, the developer is required to install sidewalks.

(ii) Sidewalks not otherwise designated in the regulating plan or street type specifications are a minimum of six feet wide and shall be constructed to meet all city specifications.

(iii) Sidewalk bulbs increase the public space area and decrease street crossings for pedestrians. Sidewalk bulbs are required at intersections of public streets when the city engineer determines they are necessary to enhance pedestrian safety.

(g) Parking Lot Amenities.

(i) Surface parking lots must have at least one canopy shade tree for every six parking spaces and landscape islands spaced as required by LCMC 18.245.060.

~~(ii) Subdivide surface parking lots into parking areas of 20 contiguous spaces or less through the use of landscaping and other visual elements.~~

(iii) Bike parking is required at a ratio of one bike rack space for every 24 parking spaces provided. Bike parking areas must be located near the public entry of the building and shall be covered and illuminated for convenience and safety.

(h) Civic Greens and Squares.

(i) The term “square” is generally used to describe spaces that have more paved surface area. The term “civic green” is generally used to describe a formally configured, small public lawn or park that is primarily unpaved.

(ii) Civic greens and squares shall have at least 60 percent of their perimeter fronting rights-of-way and both spaces should be surrounded by street trees. Their dimensions shall be no narrower than a 1:5 ratio and no square or civic green width or breadth dimension shall be less than 20 feet wide or deep.

(iii) Squares are generally intended to be active pedestrian centers. They should be designed appropriate to their high (pedestrian) traffic level with a higher percentage of paved surface area. Civic greens are spaces intended for less intensive foot traffic. Pervious paving materials are encouraged in both squares and civic greens, and the percentage of impervious paving material is limited. The trees of squares and civic greens provide a landscape and civic architecture that complement the surrounding building architecture. A clear view through the public space (from two to seven feet in height) is required and is important for safety and urban design purposes.

(iv) The illustrative master plan envisions a town center civic green along Paradise Park Road approximately one-half acre in size. Additional civic greens may be added to the illustrative master plan over time.

(v) Dedication of land necessary to locate and improve the town center civic green is a requirement of development; provided:

(A) The civic green is an element of the city's parks, recreation and open space master plan;

(B) The civic green is added to the city's six-year capital improvement plan prior to final land use approval;

(C) The value of the land at time of dedication or subsequent improvements made to the civic green consistent with the parks, recreation and open space master plan are eligible for park impact fee credits.

(i) Pedestrian Pathway. The easement width for these pathways shall not be less than 20 feet with a paved walkway not less than 10 feet wide, except where otherwise specified on the regulating plan, and shall provide an unobstructed view straight through their entire length.

(j) View Protection. The La Center junction is fortunate to have unobstructed territorial views. These views remind us of the majesty of the area and inspire personal reflection. They are a treasure for all and they will be in high demand for future development. Consequently, the intent of this section is to create view corridors along public rights-of-way so that future residents and visitors may find future use and enjoyment of La Center's natural beauty. To accomplish this goal the city adopts the following guidelines and regulations:

(i) "Significant view corridor" means the line of sight, identified as to height, width, and distance, of an observer looking toward significant sights identified in subsection (3)(j)(ii) of this section from a public right-of-way, public property, or trail.

(ii) Significant Sight. For purposes of this subsection, significant sights are:

(A) Mt. St. Helens;

(B) Mt. Adams; and

(C) The La Center Bottoms and the central city.

(iii) Scope. This section applies to present and future public rights-of-way, open space or trails with a general alignment towards a significant sight.

(iv) Orientation. Building orientation should face the street frontage to flank and preserve view corridors.

(v) Development Standards. Along designated public view corridors:

(A) All utilities shall be underground.

(B) Building facades, excluding single-story porches or stoops, shall be set back a minimum of 25 feet from a designated view corridor.

(C) Street trees should be selected to be less than 30 feet at maturity.

(D) Within front yards or setbacks landscape materials should not obscure the public view along the view corridor.

(vi) At the time of preliminary site plan or preliminary plat application the developer shall provide a view corridor analysis that demonstrates consistency with the requirements and development standards in this subsection. A view corridor analysis is a three-dimensional study of the view corridor including:

(A) The width of the corridor which is the width of the right-of-way or trail plus 25 feet on either side;

(B) The height from grade of the lowest point of the right-of-way up to 60 feet; and

(C) The length of the right-of-way.

(vii) The review authority shall have the authority to approve minor modifications in site requirements, such as side and rear yard setbacks, lot coverage and maximum impervious surface standards if the director finds that granting of a minor variation:

(A) Is consistent with the goals and purposes of this chapter;

(B) Will not create an undue hardship on similarly situated properties; and

(C) Will further the goal of protecting view corridors along public rights-of-way, public open space, and trails.

#### (4) Parking Requirements.

(a) Applicability. In addition to the requirements of Chapter 18.280 LCMC the following parking requirements apply:

(i) Legal lots less than 5,000 square feet in area, excluding residential lots in the TRx district and upper story residences in other districts, have no on-site minimum parking requirements.

(ii) ~~Shared parking lot use~~ Joint parking is encouraged consistent with LCMC 18.280.0230, ~~Joint use of facilities~~. The review authority administrator may reduce the total parking requirement to a number representative of the greatest demand likely to occur at any one time.

(b) Additional Standards.

(i) On-street parking abutting a lot's frontage may be used to satisfy the number of required parking spaces.

(ii) Development within the TRx district which includes residential use shall apply the parking regulations in LCMC 18.280.0760, Multifamily parking lots and circulation and LCMC 18.140.040(6), vehicular access for MDR-16 development projects.

~~(iii) Developments containing 12 or more dwelling units shall provide guest parking areas at a ratio of one space per every five units.~~

~~(iv)~~ (iii) On-street and off-street parking spaces shall not be located within any required vision clearance triangle.

~~(v) Fleet Parking. Required vehicle parking spaces may not be used for storage of fleet vehicles.~~ For the purposes of this title, space exclusively devoted to the storage of fleet vehicles will be considered as outdoor storage. [Ord. 2017-09 § 3 (Exh. A), 2017.]

# **ATTACHMENT A.4**

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REDLINED DRAFT CODE LCMC 18.165.080

**18.165.080 Off-street parking and loading standards.****(1) Design Intent.**

- (a) To provide centrally located parking at the rear of buildings that encourages people to leave their cars and walk throughout the commercial center;
- (b) To maintain the built street edge through effective screening of all parking lots while taking security under consideration;
- (c) Use landscaping to break up large parking lots;
- (d) Assure that the supply of off-street parking spaces reasonably satisfies demand at all but the peak demand times of year; and
- (e) Avoid over-reliance on on-street parking.

**(2) Parking and Loading Standards.**

- (a) Mixed-use developments shall comply with the parking and loading requirements pursuant to Chapter 18.280 LCMC, unless specifically amended in this section.
- (b) Design the location and number of points of access to off-street parking, the interior circulation patterns, and the separations between pedestrians and moving and parked vehicles to maximize pedestrian, bicycle and transit options, and to minimize adverse impacts on the peaceful and functional use of neighboring properties.
- (c) In the event several uses share off-street parking, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately pursuant to Chapter 18.280 LCMC.
- ~~(d) The maximum number of off-street parking spaces to be provided is limited to 125 percent of the minimum required in Chapter 18.280 LCMC.~~
- (e) The minimum number of parking spaces for commercial and mixed-use buildings may be reduced to 90 percent of that required if the review authority finds that the applicant's well-documented professional parking analysis justifies the reduction in parking spaces.
- ~~(f)~~ Locate parking lots either at the rear and/or sides of buildings.
- ~~(g)~~ Screen parking lots fronting onto any street or abutting a residential area. Acceptable screening shall be made of long-lasting construction materials and/or appropriate landscaping including:
  - (i) A trellis or grillwork of steel or cast iron with vines;
  - (ii) A 30-inch masonry or concrete wall or planter 30 inches high, combined with a five-foot-wide landscape buffer; and
  - (iii) A 10-foot-wide landscaped buffer of trees, averaging no more than 25 feet on center, and evergreen shrubs sufficient to form a solid screen at least three feet high within three years of planting. Shrubs may not be larger than 42 inches at maturity.
- ~~(h)~~ Edge parking lot perimeters with a six-inch, cast-in-place concrete curb, unless a buffer is specially designed to direct water runoff to a biofiltration swale.
- ~~(i)~~ Provide landscape planters not less than eight feet wide so that no one row is longer in length than 12 stalls.
- (j) The end of all parking aisles shall have a six-foot-wide planter including a six-inch, cast-in-place concrete curb unless the planter is specially designed to direct water runoff to a biofiltration swale.

(~~k~~i) Shrubs and ground cover must be provided in the required landscape areas. Shrubs shall be planted at a density of five per 100 square feet of landscaped area. Up to 50 percent of the shrubs may be deciduous. Ground cover must be selected and planted so as to provide 90 percent coverage within three years of planting.

(~~k~~) Provide an average of one tree for each four parking spaces.

(~~m~~l) All parking lots must contain five-foot-wide clearly marked (with paint or special paving material) pedestrian connections from parking areas to building area. A sidewalk or entrance area of at least 200 square feet raised six inches above the parking lot must be provided at the building entrance to provide for pedestrian safety and separation. To meet ADA standards, a ramp may be constructed as part of this entrance area.

(~~n~~m) Provide pedestrian crosswalk at parking lot entrances and exits. [Ord. 2018-10 § 6 (Exh. D), 2018.]

# **ATTACHMENT A.5**

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REDLINED DRAFT CODE LCMC 18.245.060



**18.245.060 Landscaping.**

(1) The following standards apply to landscaping and screening on private property required pursuant to Table 18.245.060. Landscaping and screening within public rights-of-way shall comply with the applicable provisions in Chapter 12.10 LCMC.

**Table 18.245.060 – Landscaping**

Zoning of the site	Zoning of the abutting site							
	LDR		MDR-16		C-1, C-3, MX		JP, UP	
	Separated by a street	Not separated by a street	Separated by a street	Not separated by a street	Separated by a street	Not separated by a street	Separated by a street	Not separated by a street
<b>LDR</b>	None	None	L2 5 feet	L3 5 feet	L3 10 feet	L4 10 feet	L4 10 feet	L5 20 feet
<b>MDR-16</b>	L1 5 feet	L1 5 feet	L1 5 feet	L1 5 feet	L2 5 feet	L3 5 feet	L3 10 feet	L4 10 feet
<b>C-1, C-3, MX</b>	L1 5 feet	L2 5 feet	L1 5 feet	L2 5 feet	None	None	None	None
<b>JP, UP</b>	L2 5 feet	L3 5 feet	L2 5 feet	L3 5 feet	L2 5 feet	L3 5 feet	L1 5 feet	L1 5 feet

(2) Regardless of the zoning of the abutting property, if an industrial or commercial use is proposed abutting or across a street from an existing single-family or multifamily dwelling, the industrial or commercial use shall landscape and buffer the property line abutting that dwelling as though the abutting property was zoned UR.

(a) L1 – General Landscaping.

(i) The L1 standard is for open areas. It is intended to be used where distance is the principal means of separating uses or development, and landscaping enhances the area between them. The L1 standard consists principally of groundcover plants; trees and high and low shrubs also are required.

(ii) There are two ways to provide trees and shrubs to comply with an L1 standard. Shrubs and trees may be grouped. Groundcover plants, grass lawn or approved flowers must fully cover the landscaped area not in shrubs and trees.

(A) Where the area to be landscaped is less than 10 feet deep, one tree shall be provided per 30 linear feet of landscaped area.

(B) Where the area is 10 feet deep or greater, one tree shall be provided per 800 square feet and either two high shrubs or three low shrubs shall be provided per 400 square feet of landscaped area.

(b) L2 – Low Screen.

(i) The L2 standard uses a combination of distance and low-level screening to separate uses or development. The standard is applied where a low level of screening sufficiently reduces the impact of a use or development, or where visibility between areas is more important than a greater visual screen.

(ii) The L2 standard requires enough low shrubs to form a continuous screen three feet high and 95 percent opaque year-round. In addition, one tree is required per 30 lineal feet of landscaped area or as appropriate to provide a tree canopy over the landscaped area. Groundcover plants must fully cover the remainder of the landscaped area. A three-foot-high masonry wall or fence at an F2 standard or a berm may be substituted for shrubs, but the trees and groundcover plants are still required. When applied along street lot lines, the screen or wall is to be placed along the interior side of the landscaped area.

(c) L3 – High Screen.

(i) The L3 standard provides physical and visual separation between uses or development principally using screening. It is used where such separation is warranted by a proposed development, notwithstanding loss of direct views.

(ii) The L3 standard requires enough high shrubs to form a screen six feet high and 95 percent opaque year-round. In addition, one tree is required per 30 lineal feet of landscaped area or as appropriate to provide a tree canopy over the landscaped area. Groundcover plants must fully cover the remainder of the landscaped area. A six-foot-high wall or fence that complies with an F1 or F2 standard with or without a berm may be substituted for shrubs, but the trees and groundcover plants are still required. When applied along street lot lines, the screen or wall is to be placed along the interior side of the landscaped area.

(d) L4 – High Wall.

(i) The L4 standard is used where extensive screening of visual and noise impacts is needed to protect abutting sensitive uses and/or there is little space for separation between uses.

(ii) The L4 standard requires a six-foot-high wall that complies with the F2 standard. When adjacent to another property, the wall shall abut the property line. When adjacent to a street or road right-of-way, the wall shall be on the interior side of the landscaped area. One tree is required per 30 lineal feet of wall or as appropriate to provide a tree canopy over the landscaped area. In addition, four high shrubs are required per 30 lineal feet of wall. Groundcover plants must fully cover the remainder of the landscaped area.

(e) L5 – High Berm.

(i) The L5 standard can be used instead of the L4 standard where extensive screening is warranted and more space is available for separation between uses.

(ii) The L5 standard requires a berm four to six feet high. If the berm is less than six feet high, low shrubs that comply with the L2 standard must be planted on top of the berm so that the overall screen height is six feet. In addition, one tree is required per 30 lineal feet of berm or as appropriate to provide a tree canopy over the landscaped area. Groundcover plants must fully cover the remainder of the landscaped area.

(f) F1 – Partially Sight-Obscuring Fence.

(i) The F1 fence standard provides partial visual separation. The standard is applied where a proposed use or development has little impact, or where visibility between areas is more important than a total visual screen.

(ii) Required Materials. A fence or wall that complies with the F1 standard shall be six feet high and at least 50 percent sight-obscuring. Fences may be made of wood, metal, bricks, masonry or other permanent materials.

(g) F2 – Fully Sight-Obscuring Fence.

(i) The F2 fence standard provides visual separation where complete screening is needed to protect abutting uses, and landscaping alone cannot provide that separation.

(ii) A fence or wall that complies with the F2 standard shall be six feet high and 100 percent sight-obscuring. Fences may be made of wood, metal, bricks, masonry or other permanent materials.

(3) Existing vegetation may fulfill landscaping and screening requirements of this chapter if that existing landscaping provides at least an equivalent level of screening as the standard required for the development in question.

- (4) As a condition of approval of a conditional use or planned unit development, the city may require an applicant to provide landscaping and screening that differs from the standards in this section where necessary to comply with the other applicable approval standards for the use or development.
- (5) Landscaped areas required for stormwater management purposes may be used to satisfy the landscaping area requirements of this chapter, even though those areas may be inundated by surface water.
- (6) Required landscaping and screening shall be located on the perimeter of a lot or parcel. Required landscaping and screening shall not be located on a public right-of-way or private street easement, unless authorized under Chapter 12.10 LCMC.
- (7) Outdoor activity areas shall be screened from property used or zoned for residential purposes or a public road right-of-way to at least an F2 or L3 standard if within 100 feet of the property or right-of-way and to at least an F1 standard if equal to or more than 100 feet from the property or right-of-way. Outdoor activity areas include storage of solid waste and recyclables from the site and, where permitted, storage of goods, materials or equipment.
- (8) Rooftop and ground-level exterior equipment shall be screened from adjoining property used or zoned for residential purposes or from an adjoining public road right-of-way to at least an F2 or L3 standard if visible at grade from the property or right-of-way.
- (9) Parking and loading areas shall be landscaped as follows:
- (a) A minimum five-foot-wide ~~strip~~ landscaped screen to at least an L2 standard or a minimum 10-foot-wide ~~strip~~ landscaped screen to at least an L1 standard shall be provided where vehicle parking or loading adjoins a public road right-of-way, or a property which is not part of the subject development.
  - (b) Where a vehicle parking or loading area adjoins another property or development with zoning or land uses other than the proposed land use, the area shall be landscaped and screened as provided in Table 18.245.060 adjoining the other property.
  - (c) Parking areas that contain at least ~~twelve seven~~ spaces shall contain an average of one landscape islands per twelve parking spaces. Landscape islands shall be equally distributed throughout the parking area and on each side of the drive aisles. at a ratio of one island for every seven parking spaces. A landscape island shall contain at least ~~10025~~ square feet, shall be at least ~~five four~~ feet wide, and shall prevent vehicles from damaging trees, such as by using a wheel stop or curb.
  - (d) At least one tree shall be planted in each landscape island. Trees in landscape islands shall reach a mature height of 30 feet or more, cast moderate to dense shade in the summer, live at least 60 years, require little maintenance (such as by being insect-, disease- and drought-resistant and not producing fruit), and be suited for use in the proposed location (such as by being tolerant of pollution and direct and reflected heat). Within the Downtown Overlay District and Junction Plan Zoning District trees, shall be provided at the ratios specified in LCMC 18.155.050 and LCMC 18.158, respectively.
- (10) The applicant shall install landscaping and screening required by this chapter consistent with the approved site plan or an approved modification thereto before the city issues an occupancy permit or final inspection for the development in question; provided, the city clerk/treasurer may defer installation of plant materials for up to six months after the city issues an occupancy permit or final inspection for the development in question if doing so increases the likely survival of plants.
- (11) All required groundcover plants and shrubs must be of sufficient size and number to meet the required standards within three years of planting. Mulch (as a groundcover) must be confined to areas underneath plants and is not a substitute for living groundcover plants, lawn or approved flowers.
- (12) Shrubs shall be supplied in a minimum of two-gallon containers or equivalent burlap balls, with a minimum spread of 18 inches to meet the L2 buffer requirement, and minimum of three-gallon containers or equivalent burlap balls with a minimum spread of 30 inches to meet the L3 buffer requirements. Reduction in the minimum size may

be permitted if certified by a registered landscape architect that the reduction shall not diminish the intended effect or the likelihood the plants will survive.

(13) Groundcover plants shall be placed not more than 30 inches on center and 30 inches between rows. Rows of plants shall be staggered for a more effective covering. Groundcover shall be supplied in a minimum four-inch size container or a two-and-one-quarter-inch container or equivalent if planted 18 inches on center. Reduction in the minimum size may be permitted if certified by a registered landscape architect that the reduction shall not diminish the intended effect or the likelihood the plants will survive. A lawn or flowerbed of flowers approved by the review authority may be substituted for groundcover plants.

(14) Trees may be deciduous or evergreen unless otherwise provided. The required tree height shall be measured from the ground level at final planting to the top of the tree.

(a) Required trees for parking and loading areas shall be a minimum caliper of two inches and a minimum height of 10 feet at the time of planting.

(b) Required deciduous trees (other than street trees) shall be fully branched, have a minimum caliper of one and one-half inches and a minimum height of eight feet at the time of planting.

(c) Required evergreen trees (other than street trees) shall be fully branched and a minimum of six feet high at the time of planting.

(d) The review authority may reduce the minimum size of trees (other than street trees) if the applicant submits a written statement by a landscape architect registered in Washington or expert in the growing of the tree(s) in question certifying that the reduction in size at planting will not decrease the likelihood that the trees will survive.

(15) Landscape materials should be selected and sited to produce a hardy and drought-resistant landscape area. Selection should include consideration of soil type and depth, the amount of maintenance required, spacing, exposure to sun and wind, the slope and contours of the site, compatibility with existing native vegetation preserved on the site, water conservation where needed, and the impact of landscaping on visibility of the site for purposes of public safety and surveillance. Landscaping materials shall be selected in accordance with a list of plant materials adopted by reference as the Clark County plant list.

(16) The applicant shall show and comply with the following:

(a) Plant materials will be installed to current nursery industry standards.

(b) Plant materials shall be properly supported to ensure survival. Support devices such as guy wires or stakes shall not interfere with vehicular or pedestrian movement.

(c) Existing trees and plant materials to be retained shall be protected during construction, such as by use of chain link or other sturdy fence placed at the dripline of trees to be retained. Grading, topsoil storage, construction material storage, vehicles and equipment shall not be allowed within the dripline of trees to be retained.

(17) Maintenance of landscaped areas is the ongoing responsibility of the property owner. Required landscaping must be continuously maintained in a healthy manner. Plants that die must be replaced with in-kind materials unless otherwise authorized by the review authority. Vegetation shall be controlled by pruning, trimming or otherwise so that it will not interfere with the maintenance or repair of any public utility, restrict pedestrian or vehicular access, or obstruct sight distance at intersections as provided in Chapter 12.05 LCMC.

(18) Irrigation. The intent of this standard is to ensure that plants will survive the critical establishment period when they are most vulnerable due to lack of watering. All required landscaped areas must comply with one of the following:

(a) A permanent built-in irrigation system with an automatic controller will serve the landscape area in question, and the system will be installed and operational before the county grants an occupancy permit or final inspection for the development in question; or

(b) A temporary irrigation system will serve the landscape area in question; provided, to receive approval of this system, the applicant must submit a statement from a landscape architect registered in Washington or expert in the growing of the vegetation in question certifying that the proposed temporary irrigation system will provide sufficient water to ensure that the plant materials to be planted will survive installation and, once established, will survive without watering other than natural rainfall; or

(c) A permanent or temporary irrigation system will not serve the landscape area in question; provided:

(i) The review authority finds the landscape area otherwise fulfills the requirements of this chapter; and

(ii) The applicant submits the following:

(A) A statement from a landscape architect registered in Washington or expert in the growing of the vegetation in question certifying that the materials to be planted will survive without watering other than natural rainfall; and

(B) A plan for monitoring the survival of required vegetation on the approved site plan for at least one year and for detection and replacement of required vegetation that does not survive with like-kind material or other material approved by the city clerk/treasurer; and

(C) A statement from the applicant agreeing to install an irrigation system if the city clerk/treasurer finds one is needed to ensure survival of required vegetation, based on the results of the monitoring plan. [Ord. 2006-17 § 1, 2006.]

# **ATTACHMENT A.6**

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REDLINED DRAFT CODE LCMC 18.280

## Chapter 18.280

### OFF-STREET PARKING AND LOADING REQUIREMENTS

Sections:

- 18.280.010 Purpose.
- 18.280.020 Applicability.
- 18.280.030 General requirements.
- 18.280.040 Off street parking requirements. Required amount of off-street parking.
- ~~18.280.020 Joint use of facilities.~~
- 18.280.0530 Parking design standards.
- 18.280.060 Multifamily parking lots and circulation.
- 18.280.070 Parking requirements of manufactured home parks.
- 18.280.0840 Loading.
- ~~18.280.050 Off site parking prohibited.~~
- ~~18.280.060 Vehicles in residential zones.~~
- ~~18.280.070 Multifamily parking lots and circulation.~~
- ~~18.280.080 Parking requirements of manufactured home parks.~~
- ~~18.280.090 Special credit area.~~

#### **18.280.010 Purpose.**

It is the purpose of this chapter to require the provision of adequate parking areas within close proximity to each use so that convenient access is provided to businesses and residences. A further purpose of this chapter is to provide flexibility to businesses and property owners to vary from the minimum standards to fit the parking needs of individual uses, reduce the cost of providing parking that is infrequently used, and promote greater intensity of land use.

#### **18.280.020 Applicability.**

(1) Off-street parking shall be provided consistent with this chapter in the following situations:

- (a) For all new development;
- (b) Expansions of the square footage of an existing structure by 20 percent, provided that parking requirements shall be determined based on the use expansion area only;
- (c) When construction valuation exceeds 80 percent of the existing site and building valuation;
- (d) Concurrent with construction of any parking lot, whether required or not; or
- (e) When there is a change in use, which increases the required number of parking spaces by more than 10 percent.

#### **18.280.030 General requirements.**

(1) Development of parking lots is subject to site plan review approval under LCMC 18.215 or is reviewed as part of the site plan review application for a primary use.

(2) Deviations from the standards of this chapter require variance review under LCMC 18.260. When the number of parking spaces is proposed to be reduced more than 15 percent or exceeds the maximum standard, a parking analysis from a traffic engineer that justifies the deviation is also required.

- (a) The maximum number of parking spaces permitted shall be 150 percent of the minimum number of spaces in the Downtown Commercial, Downtown Overlay, and Mixed Use zoning districts and 200 percent in all other commercial and public districts.

(3) In the event several uses share off-street parking, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately unless the uses are approved for joint parking as specified in 18.280.030(4).

(4) Joint parking and/or loading facilities serving two or more uses, structures, or parcels of land may be approved to satisfy the requirements of both facilities, provided the owners or operators of the uses, structures, or parcels show that their operations and parking needs do not overlap in point of time. Joint parking facilities may have less off-street parking than the sum of the individual minimum requirements for each use. If the uses, structures, or parcels are under separate ownership, the right to joint use of the parking space must be evidenced by a deed, lease, contract, or other appropriate written document to establish the joint use. Joint parking facilities must meet the location requirements of LCMC 18.280.050.

(5) Parking lots shall be landscaped in accordance with LCMC 18.245.

(6) Use of parking facilities. Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only, and shall not be used for the storage of more than one vehicle or light truck used in the conducting the business or use or for storage of materials. Parking lots and outdoor storage of vehicles or recreational vehicles shall not be a primary use for any property located within the LDR-7.5 or MDR-16 zoning district.

(7) Restrictions. Any vehicle that is the subject of this section that is parked off street shall be parked on code-approved areas or within garages. Failure to comply with this section shall constitute a nuisance.

(a) Passenger vehicles and light trucks may park in any approved parking area, including the street, or garage so long as they do not pose an impediment to pedestrians or other vehicular traffic. Vehicles that pose an impediment to pedestrian or vehicular traffic shall be deemed a nuisance.

(b) Motor homes, recreational vehicles, boats and utility trailers shall not be parked on the street for more than two weeks during any calendar year in any zoning district.

(c) Motor homes, recreational vehicles, boats and utility trailers shall not be parked in residential driveways for more than two weeks per year. If parked on residential lots for more than two weeks per year, they are not to be parked between the front lot line and the primary facade of the dwelling. Car-top boats and canoes are exempt from this requirement.

**18.280.0410 Required amount of off-street parking. Off-street parking requirements.**

(1) Off-street parking shall be provided in compliance with Table 18.280.0310 or as reduced subject to 18.280.030(4). The calculation of the minimum parking space requirements shall be rounded up to the nearest whole number.

**Table 18.280.0310 – Off-Street Parking Requirements**

Use	Minimum Number of Parking Spaces
Residential:	-
One to three dwelling units <del>Single-family Detached Dwelling Units (Including Manufactured Homes) and Duplexes</del>	2 spaces per dwelling unit plus X spaces per dwelling unit for guest parking
Four or more dwelling units <del>Single-family Attached Dwelling Units</del>	1.75 2 spaces per dwelling unit plus 14 spaces per 10 dwelling units for guest parking. Guest parking to be distributed throughout with no more than 4 spaces in any one location
Multifamily (Apartment) Dwelling Units	1.75 spaces per dwelling unit plus X spaces per dwelling unit for guest parking or 1.25 spaces per dwelling unit when located within ¼-mile of existing or planned public transit service
Vertical Mixed-Use Building	2 spaces per dwelling unit plus the nonresidential use requirements of this table
Retail Stores and Service or Repair Shops	1 space per 400 square feet of floor area <sup>†</sup>



Use	Minimum Number of Parking Spaces
Bank or Office Buildings <sup>2</sup> -	1 space per 400 square feet of floor area <sup>1</sup>
Hotel, Motel or Bed and Breakfast Houses-	1 space per guest room <sup>1</sup>
Card Rooms-	1 space per 200 square feet of floor area, plus one space for each card room chair <sup>1,3</sup>
Eating and/or Drinking Establishments-	1 space per 200 square feet of floor area <sup>1</sup>
Drive-Through Retail without Indoor Seating	1 space per employee plus 2 spaces for pickup
Indoor Recreation Facility	1 space per 200 square feet of floor area <sup>1</sup>
Electric Vehicle Charging Station	Provided spaces shall not be included in calculation of the minimum requirements for other uses in this table
Church-	1 space for each 6 seats or 12 feet of bench in the principal place of worship <sup>4</sup>
Schools:	-
Elementary and Middle School-	1 space for each 12 students <sup>1,5</sup>
High School-	1 space for each 4 students <sup>1,5</sup>
Library-	1 space per 400 square feet of reading room
Day Care	1 space per employee plus 2 spaces for loading and unloading areas
Nursing or Assisted Living Facilities	1 space per 3 beds plus 1.5 space per 2 employee at maximum shift
Rehabilitation Facility—Outpatient	1 space per 200 square feet of floor area <sup>1</sup>
Rehabilitation Facility—Inpatient	1 space per 2 beds plus 1.5 space per 2 employee at maximum shift
Group Home or Adult Foster Care	1 space per 3 beds plus 1 space per 2 employee at maximum shift
Adult Day Care Facility	1 space per employee plus 2 spaces for loading and unloading areas
Industrial or Manufacturing-	1 space per 500 square feet of floor area <sup>1</sup>
Commercial Storage or Warehousing-	1 space per 1,000 square feet of floor area
Government Buildings-	1 space per 300 square feet of floor area and 1 space per full-time employee <sup>5</sup>

<sup>1</sup> Plus one space per maximum number of employees.

<sup>2</sup> Includes medical and dental offices.

<sup>3</sup> As defined by the Washington State Gambling Commission.

<sup>4</sup> Including balconies and choir lofts.

<sup>5</sup> Based on maximum capacity, including temporary structures.

[Ord. 2018-10 § 7 (Exh. E), 2018; Ord. 2006-17 § 1, 2006.]

<u>Land Use</u>	<u>Minimum Number of Parking Spaces Required<sup>1</sup></u>
<u>Residential</u>	

<sup>1</sup> Average Parking rate determined by peak period demand per 1,000 square feet gross floor area (GFA) or by gross leasable area (GLA).

<u>Single-family detached</u>	<u>2 spaces per dwelling unit</u>
<u>Multifamily and Attached Single-family Housing</u>	<u>2 spaces per unit plus 1 space for every 5 units for guest parking.</u>
<u>Senior Adult Housing- Attached</u>	<u>0.61 per dwelling unit</u>
<u>Congregate Care Facility</u>	<u>0.30 per dwelling unit</u>
<u>Assisted Living/In-patient rehabilitation facility</u>	<u>0.40 per dwelling unit</u>
<u>Continuous Care Retirement Community</u>	<u>1.09 per dwelling unit</u>
<b><u>Industrial</u></b>	
<u>General Light Industrial</u>	<u>0.65</u>
<u>Industrial Park</u>	<u>1.20</u>
<u>Warehouse</u>	<u>0.39</u>
<b><u>Lodging</u></b>	
<u>Hotel</u>	<u>1.18 per rooms</u>
<u>Motel</u>	<u>0.72 per room</u>
<b><u>Recreation</u></b>	
<u>Public Park</u>	<u>5 spaces per acre</u>
<u>Movie Theater</u>	<u>0.19 per seat</u>
<u>Golf Course</u>	<u>8.5 per Hole</u>
<u>Athletic Club</u>	<u>3.05</u>
<b><u>Institutional</u></b>	
<u>Elementary and Middle School/Junior High School</u>	<u>0.13 per student plus 1 space for each employee</u>
<u>High School</u>	<u>0.30 per student plus 1 space for each employee</u>
<u>Private School (K-12)</u>	<u>0.35 per student, plus 1 space for each employee</u>
<u>School District Office</u>	<u>2.36</u>
<u>Church/Synagogue/Mosque</u>	<u>9.44</u>
<u>Day Care Center</u>	<u>2.45</u>
<u>Library</u>	<u>2.35</u>
<b><u>Medical</u></b>	
<u>Nursing Home</u>	<u>0.72</u>
<u>Clinic</u>	<u>3.89</u>

<u>Animal Hospital/Veterinary Clinic</u>	<u>3.33</u>
<b><u>Office</u></b>	
<u>General Office</u>	<u>2.56</u>
<u>Medical-Dental Office Building</u>	<u>3.23</u>
<u>Government Office Building</u>	<u>2.99</u>
<u>United States Post Office (employees)</u>	<u>2.01 per employee</u>
<b><u>Retail</u></b>	
<u>Small Retail (less than or equal to 10,000 square feet)<sup>2</sup></u>	<u>1.95</u>
<u>Large Retail (greater than 10,000 square feet)<sup>3</sup></u>	<u>2.30</u>
<u>Building Materials and Lumber Store</u>	<u>0.57</u>
<u>Hardware/ Paint Store</u>	<u>0.54</u>
<u>Shopping Center</u>	<u>2.91 per 1,000 square feet of gross leasable area</u>
<u>Supermarket</u>	<u>2.93</u>
<u>Convenience Market with or without fuel service</u>	<u>1 per 350 square feet of gross floor area</u>
<u>Discount Price Club</u>	<u>1.00</u>
<u>Wholesale Market</u>	<u>2.41</u>
<u>Pharmacy</u>	<u>2.23</u>
<u>Furniture Store</u>	<u>0.48</u>
<b><u>Services</u></b>	
<u>Bank</u>	<u>3.72</u>
<u>Copy, Print, and Express Ship Store</u>	<u>3.01</u>
<u>Sit Down Restaurant/Drinking Establishments</u>	<u>10.52</u>
<u>Carry-out restaurant without seating (i.e. bakery, coffee shop, donut shop, pizza pickup)</u>	<u>10.00</u>
<u>Fast-Food Restaurant with/without Drive-Through Window</u>	<u>9.91</u>
<u>Quick Lubrication Vehicle Shop</u>	<u>1 space per employee plus 2 spaces for each service bay</u>

<sup>2</sup> Small Retail includes the following uses from the ITE Parking Generation Manual (5<sup>th</sup> Edition): Variety Store (December), Free-Standing Discount Store (December), Automobile Parts Sale, Discount Club, Apparel Store, and food retail.

<sup>3</sup> Large Retail includes the following uses from the ITE Parking Generation Manual (5<sup>th</sup> Edition): Free-standing Discount Superstore, Sporting Goods Superstore, Home Improvement Superstore, Electronics Superstore, Discount Home Furnishing Superstore

<u>Automobile Service Center/ Mechanic</u>	<u>1 per 300 square feet of floor area plus 1 per service bay</u>
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(2) Where parking space requirements result in fractional calculation, they shall be rounded up to the nearest whole number.

(3) For uses not listed in Table 18.280.030, the review authority shall determine the required number of parking spaces by selecting the use with the most similar parking demand requirements.

(4) Parking reductions and credits.

(a) General requirements.

(i) To promote greater flexibility in meeting the parking requirements of land uses, the City may reduce the parking requirements of individual uses under the provisions of this section.

(ii) Parking reductions and credits in this section apply cumulatively and may count for up to 15 percent of a proposed use's off-street parking requirements.

(iii) The provisions of this section apply to nonresidential uses only. Residential uses are not eligible to reduce the required amount of off-street parking.

(b) Downtown special credit area. On-street parking or off-street public parking lots within 300 feet of a proposed use within La Center's Downtown Overlay District may fulfill up to 10 percent of the minimum off-street parking requirements specified in Table 18.280.030.

(c) Bicycle parking incentive. Bicycle parking meeting the requirements of this section may count for up to five percent of off-street parking requirements.

(i) For each three bicycle parking spaces provided or for each bicycle locker provided, a proposed use may reduce its vehicular parking requirement by one stall.

(ii) Bicycle parking provided for credit must be made of durable materials and shall be securely anchored to the ground or building structure or must be a lockable enclosure.

**18.280.020 — Joint use of facilities.**

Joint parking and/or loading facilities serving two or more uses, structures, or parcels of land may be approved to satisfy the requirements of both facilities, provided the owners or operators of the uses, structures, or parcels show that their operations and parking needs do not overlap in point of time. If the uses, structures, or parcels are under separate ownership, the right to joint use of the parking space must be evidenced by a deed, lease, contract, or other appropriate written document to establish the joint use. [Ord. 2018 10 § 7 (Exh. E), 2018; Ord. 2006 17 § 1, 2006.]

**18.280.0530 Parking design standards.**

(1) Size of parking spaces.

(a) Each standard off-street parking space shall have an area of not less than 180 square feet, exclusive of drives and aisles, and a width of not less than nine feet.

(b) Compact parking spaces are permitted and may count for up to 20 percent of the required number of spaces. Compact stalls shall have a minimum area of not less than 120 square feet and a width of not less than eight feet wide and shall be clearly identified with a sign and/or painted marking. Where feasible, all compact parking spaces shall be located in one or more contiguous areas and/or adjacent to ingress/egress points within parking facilities. Location of compact car parking spaces shall not create traffic congestion or impede traffic flows.

(ciii) Parking dimensions for residential uses. Off-street parking spaces for residential uses in driveways serving single-family, duplex, or attached single-family uses must be at least 20 feet long.

(2) Driveway aisles within off-street parking lots shall comply with the following widths:

**Table 18.280.0530  
Parking Lot Aisle Width**

Parking Space Angle	1-Way Aisle (feet)	2-Way Aisle (feet)
0 Degrees (parallel)	20	22
30 Degrees	20	22
45 Degrees	20	22
60 Degrees	20	22
75 Degrees	20	24
90 Degrees	24	24

(32) Uses subject to this chapter shall provide designated disabled parking spaces as required by applicable state and federal requirements.

(43) Location.

(a) Off-street parking facilities for commercial and industrial uses shall be located on site to the extent feasible or. Off site parking shall be no further than 150300 feet from the site, measured from the nearest point of the parking facility to the nearest point of the site nearest building that the facility is required to serve. Off-street parking required for single-family residential uses and uses in the C-3 district shall not be provided off site. Off site parking shall be primarily employee parking.

(b) Driveway access to arterials and collectors shall comply with the engineering standards.

(54) Materials, Design, and Lighting.

(a) Off-street parking facilities shall be surfaced with a durable and dustless surface, shall be graded and drained so as to dispose of surface water to the satisfaction of the supervisor of public works in accordance with Chapter 18.320 LCMC and the City's engineering standards, and shall be maintained in good condition, free of weeds, dust, trash, and debris.

(b) Except for a single family or duplex dwellings, groups of more than two parking spaces per lot shall be:

(i) Provided with adequate aisles or turnaround areas so that all vehicles may enter the street in a forward manner; and

(ii) Served by a driveway designed and constructed to facilitate the flow of traffic on and off the site, with due regard to pedestrian and vehicle safety, and shall be clearly and permanently marked and defined. In no case shall two way and one way driveways be less than 20 feet and 12 feet, respectively, and be so arranged so as not to use any part of adjoining public sidewalks, street, or alley rights of way, except for ingress and egress.

(be) Lighting used to illuminate off-street parking facilities shall be arranged so as to reflect light away from any adjoining residential area(s) and shall comply with the requirements of LCMC 18.282 "Outdoor Lighting."

(5) Boats and Recreational Vehicles. On street parking of boats, trailers, campers, and recreational vehicles is prohibited in any residential district and the GC district. [Ord. 2018 10 § 7 (Exh. E), 2018; Ord. 2006 17 § 1, 2006.]

~~(6.5) Parking spaces along the outer boundaries of a parking area shall be contained by a curb or wheel stop. Curbs or wheel stops may extend as far as two feet into the required stall dimensions or be otherwise placed to prevent a motor vehicle from extending into required landscaping or over an adjacent property line or a street.~~

~~(7) Driveways to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, to provide maximum safety of traffic access and egress, and to provide maximum safety of pedestrians and vehicular traffic on the site. The number of driveways shall be limited to the minimum that will allow the property to accommodate and service the traffic to be anticipated. Driveways shall provide minimum sight distances required by the engineering standards.~~

**18.280.040—Loading.**

~~Every use for which a building is erected or structurally altered which will require the receipt or distribution of materials or merchandise by truck or similar vehicle shall provide off street loading space on the basis of minimum requirements as follows:~~

~~(1) Commercial, industrial, and public utility uses shall provide truck loading or unloading berths in accordance with Table 18.280.040(1):~~

**Table 18.280.040(1)**

Square Feet of Floor Area	Number of Berths Required
Less than 5,000	0
5,000—30,000	1
30,000—100,000	2
100,000 and over	3

~~(2) Restaurants, office buildings, hotels, motels, hospitals and institutions, schools and colleges, public buildings, recreation or entertainment facilities, and any similar uses shall provide off street truck loading or unloading berths in accordance with Table 18.280.040(2):~~

**Table 18.280.040(2)**

Square Feet of Floor Area	Number of Berths Required
Less than 30,000	0
30,000—100,000	1
100,000 and over	2

~~(3) A loading berth shall contain space 12 feet wide, 35 feet long, and have a height clearance of 14 feet. Where the vehicles generally used for loading and unloading exceed these dimensions, the required length of these berths shall be increased.~~

~~(4) Existing loading space shall not be eliminated, if elimination would result in less space than is required to adequately handle the needs of the particular use.~~

~~(5) Off street parking areas used to fulfill the requirement of this title shall not be used for loading and unloading operations except during periods of the day when not required to take care of parking needs.~~

~~(6) Loading docks shall be located on the side or rear of the building. [Ord. 2018 10 § 7 (Exh. E), 2018; Ord. 2006 17 § 1, 2006.]~~

**18.280.050 Off site parking prohibited.**

~~Off street parking required by this chapter for all uses in the cardroom commercial district (C 3) shall be provided on the same lot, parcel or property as the underlying use the parking is intended to serve. Off street parking required for uses in the C 3 district shall not be provided off site. [Ord. 2018 10 § 7 (Exh. E), 2018; Ord. 2006 17 § 1, 2006.]~~

**18.280.060 Vehicles in residential zones.**

~~(1) Purpose. Parking lots and outdoor storage of vehicles or recreational vehicles shall not be a primary use for any property located within a single family residential zone.~~

~~(2) Where Applicable. These regulations apply to all residential uses in LDR 7.5 zoning districts unless otherwise expressly indicated.~~

~~(a) Passenger vehicles, light trucks and trucks under two tons gross weight may park in any approved parking area, including the street, or garage so long as they do not pose an impediment to pedestrian or other vehicular traffic. Vehicles which pose an impediment to pedestrian or vehicular traffic shall be deemed a nuisance.~~

~~(b) Motor homes, recreational vehicles and utility trailers shall not be parked on the street for a period of two weeks or more during any calendar year.~~

~~(c) Motor homes, recreational vehicles and utility trailers may be parked in driveways, so long as they are not parked between the front lot line and the primary facade of the dwelling. (4) Off Street Parking. Each single family residence, constructed after the date of adoption of the ordinance codified in this title, shall provide for at least two off street parking spaces. Off street parking must provide a minimum of 18 feet of lineal parking between the street and the dwelling setback. [Ord. 2018 10 § 7 (Exh. E), 2018; Ord. 2006 17 § 1, 2006.]~~

**18.280.0670 Multifamily parking lots and circulation.**

~~Except for townhouse structures containing garages, parking lots and garages for MDR 16 development shall be located in the rear portions of the property, with building construction occurring toward the front, closest to employment centers, shopping centers and transit corridors to minimize walking distance. Parking lots and garages located between buildings and streets are not permitted, except for townhouse and single-family structures that contain garages, in which case a majority of the streetscape shall contain buildings, landscaping, or yard areas. Parking areas shall be placed behind or to the side and not forward of the front façade of residential buildings without garages. A maximum of 30 percent of the front lot line shall be parking areas placed forward of the front building facade. When garages are provided, no more than 40 percent of the front of each townhouse or single-family dwelling unit shall be devoted to garage door space.~~

~~(1) At least two parking spaces shall be provided on site for each multiple family dwelling unit. When the development is located within a quarter mile of existing or planned transit (public transportation) service, 1.25 spaces per unit shall be required.~~

~~(2) A minimum of 10 feet of landscaped buffer area shall separate parking lots from adjoining properties and streets. Driveways to townhouse garages, which provide off street parking, shall not be considered parking lots.~~

~~(3) MDR 16 development projects shall provide access to collector or arterial streets; however, individual dwelling units within an MDR 16 development project shall not have direct access to an arterial or a collector street.~~

~~(a) Within an MDR 16 development project, parking lots or driveways to individual dwelling units shall connect directly to a local residential street that has direct access to an arterial or collector street.~~

~~(b) MDR 16 development projects shall not have direct primary access to existing local residential streets within an MDR 16 zoning district unless the review authority finds, by substantial evidence, that environmental, topographic or other issues relating directly to public safety or welfare require general access to a local, public residential street.~~

~~(4) Pedestrian access shall be provided to transit corridors without having to pass through a parking lot whenever possible.~~

~~(5) Parking lots associated with conditional or nonconforming uses in these districts are subject to site plan review and approval.~~

~~(6) In no event shall on site parking facilities exceed 50 contiguous spaces per parking cluster. Where more than 50 spaces are required, there shall be a landscaped buffer, not less than 20 feet wide, between parking clusters. Where the applicant desires more than one parking cluster on a lot or contiguous lots, the review authority, through the site review process, shall require that each cluster be designed to accommodate bicycle parking facilities, and that pedestrian walk lanes are provided and clearly marked.~~

~~(7) Through a Type II adjustment request, an applicant may request adjustments to this section if the topography or other environmental constraints associated with the property prevent reasonable compliance with this standard. Where the applicant desires more than one parking cluster on a lot or contiguous lots, the review authority, through the site review process, shall require that each cluster be designed to accommodate bicycle parking facilities, and that pedestrian walk lanes are provided and clearly marked.~~

~~(8) All new townhouse developments shall include four additional off street parking spaces for every 10 units. Guest parking. These spaces are to be evenly dispersed throughout the development with no more than four spaces being located in any one specific area. The final location of these parking spaces shall be required to receive final approval from the review authority. [Ord. 2018-10 § 7 (Exh. E), 2018; Ord. 2006-17 § 1, 2006.]~~

#### **18.280.0780 Parking requirements of manufactured home parks.**

~~(1) Off street parking shall be provided for at least two automobiles per dwelling unit, located on the lot or property which they are intended to serve. Off-street parking shall for manufactured homes shall be provided within a garage or carport.~~

~~(2) Visitor Parking. At least one automobile parking space shall be provided for every two manufactured home lots or sites for use by visitors and delivery vehicles. These Visitor parking spaces shall be signed or designated as such. These spaces shall be within 100 feet of the lots to be served. Visitor parking may be provided on streets designed to accommodate parking and two standard lanes of traffic.~~

~~(3) All on-site parking shall be designed and constructed in compliance with the parking facility standards of this chapter.~~

~~(4) Trucks with a maximum gross vehicle weight more than one and one-half tons, recreational vehicles, boats on boat trailers, and similar equipment shall be parked in one of the two allocated off street parking spaces if stored on an individual lot or space; provided no more than one passenger vehicle may be parked on a given lot or space. Car top boats and canoes are exempt from this requirement. [Ord. 2018 10 § 7 (Exh. E), 2018; Ord. 2006 17 § 1, 2006.]~~

#### **18.280.090 Special credit area.**

~~(1) Purpose. In light of a temporary surplus of on street parking, the city may accept a percentage of adjacent on street parking in lieu of off street parking.~~

~~(2) Credit. Credit shall be limited to 10 percent of all available public on street parking within 250 feet of the primary structure. Each on street parking stall thus credited may be used in lieu of otherwise required off street parking on a one for one basis.~~

~~(3) Limited Eligibility. Eligible properties lay within an area bounded by East 4th Street, East 5th Street, East Aspen Avenue and East Cedar Avenue. Eligibility shall be determined at pre application.~~

~~(4) All granted credits shall be documented in the final decision and order associated with the underlying development. [Ord. 2018 10 § 7 (Exh. E), 2018; Ord. 2011 07 § 1, 2011.]~~

#### **18.280.090 Loading.**

Every use for which a building is erected or structurally altered that will require the receipt or distribution of materials or merchandise by truck or similar vehicle shall provide off-street loading space on the basis of minimum requirements as follows:



(1) Commercial, industrial and public utility uses shall provide truck loading or unloading berths in accordance with Table 18.280.060(1):

**Table 18.280.090(1)**

<b><u>Square Feet of Floor Area</u></b>	<b><u>Number of Berths Required</u></b>
<u>Less than 5,000</u>	<u>0</u>
<u>5,000 – 30,000</u>	<u>1</u>
<u>30,000 – 100,000</u>	<u>2</u>
<u>100,000 and over</u>	<u>3</u>

(2) Restaurants, office buildings, hotels, motels, hospitals and institutions, schools and colleges, public buildings, recreation or entertainment facilities, and any similar uses shall provide off-street truck loading or unloading berths in accordance with Table 18.280.060(2):

**Table 18.280.090(2)**

<b><u>Square Feet of Floor Area</u></b>	<b><u>Number of Berths Required</u></b>
<u>Less than 30,000</u>	<u>0</u>
<u>30,000 – 100,000</u>	<u>1</u>
<u>100,000 and over</u>	<u>2</u>

(3) A loading berth shall contain space 12 feet wide and 35 feet long and have a height clearance of 14 feet. Where the vehicles generally used for loading and unloading exceed these dimensions, the required length of these berths shall be increased.

(4) Existing loading space shall not be eliminated, if elimination would result in less space than is required to adequately handle the needs of the particular use.

(5) Off-street parking areas used to fulfill the requirement of this title shall not be used for loading and unloading operations except during periods of the day when not required to take care of parking needs.

(6) Loading docks shall be located on the side or rear of the building. [Ord. 2018-10 § 7 (Exh. E), 2018; Ord. 2006-17 § 1, 2006.]