

CHAPTER 18.09

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18.09.010: Definitions Generally: The purpose of the definitions provided below is to define those words and terms that have a specialized meaning and/or may be used in an unfamiliar way for the purposes of this title. In addition, the following definitions, where deemed necessary, include examples or clarifications that will assist in the understanding of the terms and in the application and enforcement of the zoning code. The following definitions shall pertain to the regulations, processes, and standards contained within this Title only. Definitions found in other adopted titles, ordinances, resolutions, codes, and/or regulations shall be subordinate in meaning to the definitions contained herein in applying the provisions of this title.

For the purposes of this title, certain words are defined as follows: Words in the present tense include the future tense; words in the singular shall include the plural; the word “shall” is mandatory; the word “should” indicates that which is recommended but not

required; the word “may” is permissive. All words in this Title shall have their plain and ordinary meaning unless otherwise defined herein below. (Ord. 5180 Sec. 1, 2007)

18.09.015: Academy: “Academy” means a school for a special field of study such as dance, art and martial arts. (Ord. 5180 Sec. 1, 2007)

18.09.020: Accessory: “Accessory” means a use, activity, structure or part of a structure that is subordinate and incidental to the main activity or structure on the subject property. (Ord. 5180 Sec. 1, 2007)

18.09.030: Accessory Dwelling Unit (ADU), Attached: “Accessory Dwelling Unit (ADU) Attached,” means a second dwelling unit added to or created within an existing single-family dwelling to use as a completely independent or semi-independent unit with provisions for cooking, eating, sanitation and sleeping. Attached for purposes of “attached” ADUs means the accessory dwelling unit has one or more vertical and/or horizontal wall(s) in common with, or attached to the principal dwelling unit. Connected by a breezeway or similar structure does not constitute an attached structure. (Ord. 5527 Sec. 1, 2013; Ord. 5180 Sec. 1, 2007)

18.09.035: Accessory Dwelling Unit (ADU), Detached: “Accessory Dwelling Unit (ADU), Detached” means a freestanding ADU that is not attached or physically connected to the principal dwelling unit. (Ord. 5527 Sec. 2, 2013)

18.09.040: Accessory Structure: “Accessory Structure” means a subordinate structure detached from but located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure and will not create a nuisance or hazard. (Ord. 5180 Sec. 1, 2007)

18.09.050: Accessory Use: “Accessory Use” means a use that is located on the same lot and incidental to a principal use. (Ord. 5180 Sec. 1, 2007)

18.09.060: Adjacent: “Adjacent” means a lot or parcel of land that shares all or part of a common lot line with another lot or parcel of land. Properties separated by public rights-of-ways are not considered adjacent. (Ord. 5180 Sec. 1, 2007)

18.09.070: Adult Concessions: “Adult Concessions” for the purposes of regulation, Adult Concessions are divided into two subcategories: (1) Adult Entertainment, and (2) Adult Retail for the purpose of zone assignments in the General Code, Section (18.09).

“Adult Concessions” means any activity regulated under Chapter 6.35, but is not limited to:

- (1) Adult Entertainment:
 - (a) “Adult hotel or motel” is a hotel or motel wherein material is presented which is distinguished or characterized by an emphasis on matter, depicting, describing or relating to “specified sexual activities” or “specified anatomical areas” or where rooms are routinely let for less than one day or which advertises or holds itself out as specializing in sexual activity;

- (b) “Adult motion picture theater” means an enclosed or drive-in theater with a capacity of 10 or more persons used for presenting material distinguished or characterized by an emphasis on matters depicting, describing or relating to “specified sexual activities” or “specified anatomical areas” for observation by patrons therein;
- (c) “Adult mini theater” means an enclosed or drive-in theater used for presenting material distinguished or characterized by an emphasis on matters depicting, describing or relating to “specified sexual activities” or “specified anatomical areas” for observation by patrons therein;
- (d) “Adult panorama theater or arcade” means any place to which the public is permitted or invited and where coin operated or slug operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image producing devices are maintained to show images to persons in booths or viewing rooms where the images so displayed depict or describe “specified sexual activities” or “specified anatomical areas.”
- (e) “Artist - body painting studio” means an establishment or business which provides the services of applying paint or other substance whether transparent or nontransparent to or on the human body when such body is wholly or partially nude;
- (f) “Live Adult Entertainment Establishment” means any building or portion of a building wherein any employee or entertainer is unclothed or in such attire, clothing or costume as to expose to view any specified anatomical areas and which is for the benefit of members of the adult public, or advertised for the use or benefit of members of the adult public.
- (g) “Specified sexual activities” means:
 - (i) Human genitals in a state of sexual stimulation or arousal;
 - (ii) Acts of human masturbation, sexual intercourse, or sodomy;
 - (iii) Fondling or other erotic touching of human genitals, pubic region, buttocks or female breast.
- (h) “Specified anatomical areas” means:
 - (i) Less than completely or opaquely covered:
 - (I) Human genitals, pubic hair, vulva;
 - (II) Buttocks, anus;
 - (III) Female breasts below a point immediately above the top of the areola; and
 - (IV) Human male genitals in a discernibly turgid state, even if completely or opaquely covered.
 - (ii) “Entertainment” means any exhibition or dance of any type, pantomime, modeling or any other performance.
- (2) Adult Retail:
 - (a) “Adult Bookstore” means an establishment having as a majority of its stock in trade, books, films, photographs, devices, magazines or other periodicals which are distinguished or characterized by their emphasis on matters depicting, describing or relating to “specified anatomical areas” or “specified sexual activities” or an establishment with a segment or section devoted to the sale or display of such material;

- (b) “Adult Packages” means an establishment having as a majority of its stock in trade is, clothing, garb, costumes, novelties, videos, gift packages etc., or an establishment with a segment or section devoted to the sale or display of such material. (Ord. 5180 Sec. 1, 2007)

18.09.080: Airports or Airfields: “Airports or Airfields” means any area of land designed and set aside for the landing and takeoff of aircraft, including all necessary facilities for the housing and maintenance of aircraft. (Ord. 5180 Sec. 1, 2007)

18.09.090: Alcohol Beverage Sales (Packaged): “Alcohol Beverage Sales (Packaged)” means stores selling primarily alcohol beverages. (Ord. 5180 Sec. 1, 2007)

18.09.100: Alley: “Alley” means a public or private way permanently reserved as a secondary, but not primary, means of access to abutting property. (Ord. 5180 Sec. 1, 2007)

18.09.110: Alteration: “Alteration” means any change, addition, or modification in construction or occupancy. (Ord. 5180 Sec. 1, 2007)

18.09.120: Amateur Radio: “Amateur Radio” means the non-commercial operation and use of broadcast and/or radio transmission facilities for public or private uses. No provision of this Title shall fail to conform to the limited preemption entitled Amateur Radio Preemption, 101 FCC 2nd 952 (1985)- issued by the Federal Communication Commission. (Ord. 5180 Sec. 1, 2007)

18.09.130: Antenna: “Antenna” means any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic waves external to or attached to the exterior of any building. (Ord. 5180 Sec. 1, 2007)

18.09.140: Aquifer: “Aquifer” means a water bearing layer of permeable materials such as rock, sand, or gravel. (Ord. 5180 Sec. 1, 2007)

18.09.145: Art Gallery: An establishment or other private or public place intended primarily for art exhibitions where people may view and/or purchase paintings, sculptures, or other works of art. (Ord. 5461 Sec. 3, 2012)

18.09.150: Automobile Oriented Use: “Automobile Oriented Use” means any use which is primarily intended exclusively to serve customers while remaining within their automobile, including, but not limited to, car washes, lube centers, coffee stands, and drive-through restaurants. (Ord. 5180 Sec. 1, 2007)

18.09.160: Automobile Wrecking Yard: “Automobile Wrecking Yard” means a secure lot used for the purpose of dismantling used motor vehicles or trailers, or the storage, sale, or dumping of dismantled or wrecked vehicles or their parts. The presence on any lot or parcel of land of three or more motor vehicles, which, for a period exceeding 30 days, have not been capable of operating under their own power and from which parts have been or are to be removed for reuse or sale, shall constitute prima facie evidence of an automobile wrecking yard. (Ord. 5180 Sec. 1, 2007)

18.09.170: Available Public Facilities: “Available Public Facilities” means that facilities or services are in place or that a financial commitment has been made to provide the facilities or services within a specified time. In the case of transportation, the specified time is six years from the time of development. (Ord. 5180 Sec. 1, 2007)

18.09.180: Banks and Financial Institutions: “Banks and Financial Institutions” means those businesses engaged in the provision of financial services including the provisions of financial services for individuals and corporations, such as banks, credit unions, saving and loans, mortgage and brokerage agencies, and saving and investment consultants. Provision of drive-through services may be allowed consistent with traffic safety concerns. (Ord. 5180 Sec. 1, 2007)

18.09.190: Barbers and Beauty Shops: “Barbers and Beauty Shops” means those businesses operated by a state licensed barber or beautician, which provide personal hygiene services to individuals including hair care, manicures, and pedicures. Other personal care services allowed by state license may be offered. Incidental sale of hair and beauty products is allowed. (Ord. 5180 Sec. 1, 2007)

18.09.200: Bars and Taverns: “Bars and Taverns” means any premises wherein alcoholic beverages are sold at retail for consumption on the premises and minors are excluded therefrom by law. It should not mean premises wherein such beverages are sold in conjunction with the sale of food for consumption on the premises and the sale of said beverages comprises less than 25 percent of the gross receipts. (Ord. 5180 Sec. 1, 2007)

18.09.210: Basement: “Basement” means that portion of a building that is partly or completely below grade as defined by the International Building Code (IBC) current version. (Ord. 5180 Sec. 1, 2007)

18.09.212: Battery Charging Station: “Battery Charging Station” means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth by Chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540. (Ord. 5571 Sec. 1, 2014)

18.09.215: Battery Exchange Station: “Battery Exchange Station” means a fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process, which meets or exceeds any standards, codes, and regulations set forth by Chapter 19.28 RCW and consistent with the rules adopted under RCW 19.27.540. (Ord. 5571 Sec. 2, 2014)

18.09.220: Bed and Breakfast: “Bed and Breakfast” is a single-family structure with five or less available rooms for rent, common dining facilities, and duration of stay for guests of less than 30 nights. (Ord. 5180 Sec. 1, 2007)

18.09.230: Best Management Practices: “Best Management Practices,” means a physical, structural, or managerial practice which has gained general acceptance for its ability to prevent or reduce environmental impacts. (Ord. 5180 Sec. 1, 2007)

18.09.240: Block and Block Front:

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

(2) “Block Front” means that portion of a block along a single street frontage but usually not more than 600 feet long. (Ord. 5180 Sec. 1, 2007)

18.09.260: Boarding House: “Boarding House” means an establishment with lodging for five or more persons where meals are regularly prepared and served for compensation and where food is placed on the table family style, without service or ordering of individual portions from a menu. (Ord. 5180 Sec. 1, 2007)

18.09.270: Boat Building and Repair (Commercial): “Boat Building and Repair (Commercial)” means any business established for the purposes of building and repairing boats. Building and repair of a single boat for use of the property owner, renter, or lessee shall not be considered commercial boat building and repair. (Ord. 5180 Sec. 1, 2007)

18.09.280: Boat Marinas: “Boat marinas” means those facilities established for the purpose of providing rental slips and storage for commercial and pleasure marine craft. Incidental uses allowed at a marina facility may include fuel sales, marine sewage disposal, facility management offices, and meeting spaces. (Ord. 5180 Sec. 1, 2007)

18.09.285: Brewpub: “Brewpub” means a restaurant-brewery that sells 25% or more of its beer on site. The beer is brewed primarily for sale in the on-site restaurant or bar. (Ord. 5541 Sec. 1, 2014)

18.09.287: Brewery, Micro: “Brewery, Micro” means a brewery that produces less than 15,000 barrels of beer per year with 75% or more of its beer sold off-site. Micro breweries can sell directly to the public or to either a wholesaler or retailer. (Ord. 5541 Sec. 2, 2014)

18.09.290: Buffer or Buffer Zone: “Buffer or Buffer Zone” means a neutral area between two areas of concern of sufficient width and quality to ensure that activities on one property do not negatively impact the other. (Ord. 5180 Sec. 1, 2007)

18.09.300: Building: “Building” means any structure used or intended for the supporting or sheltering any use or occupancy (International Building Code (IBC) current edition). When a use is required to be within a building, or where special authority granted pursuant to this Title requires that a use shall be entirely within an enclosed building, then the term “building” means one so designed and constructed that all exterior walls of the structure shall be solid from the ground to the roof line, and shall contain no openings except for windows and doors which are designed so that they may be closed, and required exhaust and ventilation ducting. (Ord. 5180 Sec. 1, 2007)

18.09.310: Building Official: “Building Official” means a duly appointed officer of the City of Kennewick who administers and enforces the Kennewick Municipal Code Title 15 (KMC), International Building Code (IBC), current version, and other relevant codes. (Ord. 5180 Sec. 1, 2007)

18.09.320: Building Line, Front: “Building Line, Front” means the line, parallel to the property line, which passes through the point of the principal building nearest the front lot line. (Ord. 5180 Sec. 1, 2007)

18.09.330: Bus Stations and Terminals: “Bus Stations and Terminals” means those public and private stations and terminals which serve the regional transportation needs of the community, including accessory uses such as cafes, gift stores and lockers, intended for the use of travelers. Transit stops are not considered bus stations and terminals. (Ord. 5180 Sec. 1, 2007)

18.09.340: Campground: “Campground” means an area or tract of land on which accommodations for temporary occupancy are located or may be placed, including cabins, tents, and major recreational equipment, and which is primarily used for recreational purposes and retains an open air or natural character. (Ord. 5180 Sec. 1, 2007)

18.09.345: Cargo Container: See KMC 18.09.2095, Transportable Unit. (Ord. 5557 Sec. 1, 2014)

18.09.350: Carport: “Carport” means a covered space for the housing of vehicles, boats, trailers, etc., and enclosed on no more than two (2) sides. (Ord. 5180 Sec. 1, 2007)

18.09.360: Car Wash: “Car Wash” means a drive through facility; automated, attended or coin operated, for the purposes of washing vehicles. (Ord. 5180 Sec. 1, 2007)

18.09.370: Cemetery: “Cemetery” means land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbarium, crematories, mausoleums, and mortuaries when operated in conjunction within the boundaries of such cemetery. (Ord. 5180 Sec. 1, 2007)

18.09.380: Church or Place of Religious Worship: “Church or Place of Religious Worship” means a building or buildings intended primarily for public religious worship including ancillary activity and improvements such as schools providing part time religious education in association with religious services, assembly rooms, kitchen, reading room, recreation hall and may include a residence for church staff. For the purposes of this title, schools being operated for primarily nonreligious education and those portions of churches or places of religious worship which house such schools shall not be considered churches or places of religious worship. (Ord. 5180 Sec. 1, 2007)

18.09.390: Clearing: “Clearing” means the destruction or removal of vegetation, ground cover, shrubs and trees, including, but not limited to, root material removal and/or topsoil removal. (Ord. 5180 Sec. 1, 2007)

18.09.400: Clinic: “Clinic” means a building designed and used for the diagnosis and treatment of human outpatients excluding overnight care facilities. (Ord. 5180 Sec. 1, 2007)

18.09.410: Closed Record Appeal: “Closed Record Appeal” means an administrative appeal on the record following an open record hearing on a project permit application when the appeal is on the record with no or limited new evidence or information allowed to be submitted and only appeal argument allowed. (Ord. 5180 Sec. 1, 2007)

18.09.420: Combustible: “Combustible” means a material with a flashpoint of 100° Fahrenheit to 1,100° Fahrenheit. (Ord. 5180 Sec. 1, 2007)

18.09.430: Commercial Vehicle: “Commercial Vehicle” means any vehicle, the principal use of which is the transportation of commodities, merchandise, tools, spare parts, produce, freight, animals, or passengers for hire. (Ord. 5180 Sec. 1, 2007)

18.09.440: Communication Relay or Transmission Facilities: “Communication Relay or Transmission Facilities” means telephone, telegraph, television, radio, cable, commercial broadcasting, microwave, transmission or retransmission facilities and substations, and any other communication conveyance for commercial purposes. (Ord. 5180 Sec. 1, 2007)

18.09.450: Community Center: “Community Center” means an assembly place, structure, area, or other facility used for and providing fraternal, social, and/or recreational programs generally open to the public and designed to accommodate and serve significant segments of the community. (Ord. 5180 Sec. 1, 2007)

18.09.460: Comparable Uses: “Comparable Uses” means a land use that is equivalent or similar to permitted uses within a given zoning district. (Ord. 5180 Sec. 1, 2007)

18.09.470: Comprehensive Plan: “Comprehensive Plan” means the Comprehensive Plan of the City of Kennewick, including all adopted sub-area plans, as may be amended. (Ord. 5180 Sec. 1, 2007)

18.09.480: Condominium: “Condominium” means an estate in real property consisting of an undivided interest in common with other purchasers in a portion of a parcel of real property, together with a separate interest in space in a residential building, such as an apartment and may include a separate interest in other portions of such real property. (Ord. 5180 Sec. 1, 2007)

18.09.490: Construction Yard: “Construction Yard” means a facility for the storage of construction related materials and equipment. (Ord. 5180 Sec. 1, 2007)

18.09.500: Convenience Store: “Convenience Store” means any commercial establishment offering for sale pre-packaged food products, including limited on-site food preparation, household items, and other goods commonly associated with the same and having a gross floor area of less than 5,000 square feet. (Ord. 5180 Sec. 1, 2007)

18.09.510: Critical Areas: “Critical Areas” means areas which including wetlands, areas with a critical recharging effect on aquifers used for potable water, fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas such as unstable slopes. (Ord. 5180 Sec. 1, 2007)

18.09.520: Day Care Center: “Day Care Center” means an agency licensed by the State which regularly provides care for thirteen (13) or more children during part of the twenty-four (24) hour day. (Ord. 5461 Sec. 1, 2012: Ord. 5180 Sec. 1, 2007)

18.09.530: Density: “Density” means a measure of the intensity of development, generally expressed in terms of dwelling units per acre or in terms of population (i.e., people per acre). (Ord. 5180 Sec. 1, 2007)

18.09.540: Development: “Development” means any change in use, enhancement of use, or extension of the use of the land, including, but not limited to, land disturbing activities, structural development, including construction, installation or expansion of a building or other structure; creation of impervious surfaces; subdivisions, short subdivisions and binding site plans, as defined in RCW 58.17.020 as well as redevelopment of an already developed site. (Ord. 5180 Sec. 1, 2007)

18.09.545: Distillery, Craft: “Distillery, Craft” means a distiller that produces alcoholic beverage spirits by distillation or by infusion through distillation or re-distillation to a maximum of 60,000 proof gallons or less consistent with WAC 314-28-050. (Ord. 5541 Sec. 3, 2014)

18.09.550: Domestic Water Systems: “Domestic Water Systems: means potable water, supply infrastructure and source as provided to customers and others who place anticipated and approved demands on the system. (Ord. 5180 Sec. 1, 2007)

18.09.560: Drainage: “Drainage” means the collection, conveyance, containment, including retention and detention, and/or discharge of surface and stormwater runoff. (Ord. 5180 Sec. 1, 2007)

18.09.570: Drainage Control: “Drainage Control” means a pipe, swale, natural feature or manmade improvement for the purpose of carrying and/or retaining drainage. (Ord. 5180 Sec. 1, 2007)

18.09.580: Dry Cleaners and Laundries: “Dry Cleaners and Laundries” means facilities which provide services for the cleaning of clothing and household items. Laundries include coin-operated laundries. (Ord. 5180 Sec. 1, 2007)

18.09.590: Dwelling Unit: “Dwelling Unit” means one or more rooms physically arranged so as to create an independent housekeeping establishment for occupancy by one family with separate toilets and facilities for cooking and sleeping. (Ord. 5180 Sec. 1, 2007)

18.09.592: Dwelling, Attached Zero Lot Line: “Dwelling, Attached Zero Lot Line” or “duplex zero lot line” means a single-family dwelling on its own lot, which shares a

common wall on a side lot line with a similar adjoining dwelling on a separate parcel. (Ord. 5365 Sec. 5, 2011)

18.09.594: Dwelling, Detached Zero Lot Line: “Dwelling, Detached Zero Lot Line” means a detached single-family dwelling, on its own lot, with one wall built to one side lot line and provided with easements to benefit the adjacent zero lot line parcel. (Ord. 5365 Sec. 6, 2011)

18.09.600: Dwelling, Multi-Family: “Dwelling, Multi-Family” means a building used for occupancy by two or more families living independently of each other. (Ord. 5180 Sec. 1, 2007)

18.09.605: Dwelling, Single-Family Conventional: “Dwelling, Single-Family Conventional” means a single-family dwelling, on its own lot, separated from adjoining lots and generally in conformance with residential zoning. (Ord. 5365 Sec. 7, 2011)

18.09.610: Dwelling, Single-Family Detached: “Dwelling, Single-Family Detached” means a residential building containing not more than one dwelling unit entirely surrounded by setbacks on the same lot. (Ord. 5180 Sec. 1, 2007)

18.09.620: Easement: “Easement” means a covenant (binding agreement) which grants or restricts a specific right of use. (Ord. 5180 Sec. 1, 2007)

18.09.625: Electric Vehicle Infrastructure: “Electric Vehicle Infrastructure” means structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations. (Ord. 5571 Sec. 3, 2014)

18.09.630: Essential Public Facilities: “Essential Public Facilities,” mandated by the GMA, include airports, public educational facilities, state and regional transportation facilities, state and local correctional facilities, and other facilities of statewide significance. For the purpose of this title, wastewater reuse facilities shall be considered to be essential public facilities. (Ord. 5180 Sec. 1, 2007)

18.09.640: Espresso Stands (Drive Through): “Espresso Stands (Drive Through)” means a retail business which offers primarily coffee beverages (hot or cold) and related merchandise to the traveling public. (Ord. 5180 Sec. 1, 2007)

18.09.650: Espresso Stands (Sidewalk): “Espresso Stands (Sidewalk)” means a retail business which offers primarily coffee beverages (hot or cold) and related merchandise and are established in a cart or other portable structure. (Ord. 5180 Sec. 1, 2007)

18.09.655: Event Center: “Event Center” is an area or structure that contains a social event, reception or happening which may include serving food and/or alcohol, and providing entertainment. (Ord. 5204 Sec. 19, 2007)

18.09.660: Façade: “Facade” means the exterior wall of a building exposed to public view or that wall viewed by persons not within the building. (Ord. 5180 Sec. 1, 2007)

18.09.670: Facility: “Facility” means both the physical structure or structures in which a service is provided, and the property within the parcel boundaries of its location. (Ord. 5180 Sec. 1, 2007)

18.09.680: Family: “Family” means one or more persons living together as a single housekeeping unit. (Ord. 5407 Sec. 1, 2012; Ord. 5180 Sec. 1, 2007)

18.09.690: Family Day Care Home: “Family Day Care Home” means a person regularly providing care during part of the twenty-four (24) hour day to six (6) or fewer children in the family abode of the person or persons under whose direct care the children are placed. (Ord. 5461 Sec. 2, 2012; Ord. 5180 Sec. 1, 2007)

18.09.710: Fence: “Fence” means an artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land. (Ord. 5180 Sec. 1, 2007)

18.09.720: Fire Flow: “Fire Flow” means a measure of water flow and pressure at a specific location as required or determined by the Fire Department. (Ord. 5180 Sec. 1, 2007)

18.09.730: Fire Flow Requirement: “Fire Flow Requirement” means a minimum level of water discharge at a specified location as determined by the Fire Department. (Ord. 5180 Sec. 1, 2007)

18.09.740: Flammable: “Flammable” means any combustible material, be it solid, liquid, or gaseous form as determined by the Fire Department. (Ord. 5180 Sec. 1, 2007)

18.09.750: Floor Area: “Floor Area” means gross measurement in square feet of floor on a single plane in or a part of a given structure. Such measurement is taken on the horizontal plane outside and along the exterior walls of the structure being measured. (Ord. 5180 Sec. 1, 2007)

18.09.760: Floor Area Ratio: “Floor Area Ratio” is determined by dividing the gross floor area of all buildings on a lot by the area of that lot. (Ord. 5180 Sec. 1, 2007)

18.09.770: Frontage: “Frontage” means that side of a lot abutting on a street or public or private right-of-way and ordinarily regarded as the front of the lot. (Ord. 5180 Sec. 1, 2007)

18.09.775: Functionally Disabled: “Functionally Disabled” means, with respect to a person who has a physical or mental impairment which substantially limits one or more of such person’s major life activities; has a record of having such an impairment, or being regarded as having such an impairment. Such term does not include current, illegal use of or addiction to a controlled substance. (Ord. 5309 Sec. 1, 2010)

18.09.780: Garage, Private: “Garage, Private” means a building for the private use of the owner or occupant of a principal building situated on the same lot of the principal building

for the storage of motor vehicles with no facilities for mechanical service or repairs of a commercial or public nature. (Ord. 5180 Sec. 1, 2007)

18.09.790: Gas Station: “Gas Station” means a facility which provides fuel for automobiles. Gas stations may include limited service facilities for the provision of emergency repairs, and retail sales of auto related supplies and equipment. Facilities, which combine convenience stores and fast food, will be required to locate where those uses are permitted. (Ord. 5180 Sec. 1, 2007)

18.09.800: Geologically Hazardous Areas: “Geologically Hazardous Areas” means areas that because of the susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns. (See RCW 36.70A.030) (Ord. 5180 Sec. 1, 2007)

18.09.810: Grade: “Grade” means the lowest point of elevation of the finished surface of 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 at any point around the building. (Ord. 5180 Sec. 1, 2007)

18.09.820: Grading: “Grading” means the physical manipulation of the earth's surface and/or drainage pattern in preparation for an intended use or activity. (Ord. 5180 Sec. 1, 2007)

18.09.830: Grocery Stores: “Grocery Stores” means retail stores selling primarily food and household goods. (Ord. 5180 Sec. 1, 2007)

18.09.840: Group Living: “Group Living” means living facilities for groups of unrelated individuals that include at least one person residing on the site who is responsible for supervising, managing, monitoring and/or providing care, training or treatment of residents. Descriptions of types of facilities are as follows:

(1) Type I: Any state or federally approved dwelling used as a residence for the care or rehabilitation of dependent children, the elderly, and the physically and/or mentally handicapped. Residential care homes shall provide care for six or fewer residents.

(2) Type II: Any state or federally approved facility, other than a clinic, used as a residence for the care or rehabilitation of dependent children, the elderly, and the physically and/or mentally handicapped. Residential care centers shall provide care to seven or more residents. (Ord. 5309 Sec. 2, 2010; Ord. 5180 Sec. 1, 2007)

18.09.860: Growth Management Act (GMA): “Growth Management Act (GMA)” means the Growth Management Act as enacted in 1990 and amended by the State of Washington (RCW 36.70A). (Ord. 5180 Sec. 1, 2007)

18.09.870: Habitat: “Habitat” means the location where a particular species (or identified subspecies) of plant or animal lives and its surroundings, both living and non-living. Habitat includes the presence of a group of particular environmental conditions surrounding an organism including air, water, soil, mineral elements, moisture, temperature, and topography. (Ord. 5180 Sec. 1, 2007)

18.09.880: Hardware Stores: “Hardware Stores” means retail stores which sell tools and equipment used in the building, maintenance, and repair of homes and businesses. (Ord. 5180 Sec. 1, 2007)

18.09.890: Hazardous Waste: “Hazardous Waste” means all dangerous and extremely hazardous waste as defined by RCW 70.105.010 except for moderate-risk waste. (Ord. 5180 Sec. 1, 2007)

18.09.900: Hazardous Waste Treatment and Storage Facility, Off-site: “Hazardous Waste Treatment and Storage Facility, Off-Site” means a treatment and storage facility that treats and stores waste from generators on properties other than those on which the treatment and storage facility is located. Such materials are subject to State of Washington siting and handling criteria. (Ord. 5180 Sec. 1, 2007)

18.09.910: Hazardous Waste Treatment and Storage Facility, On-site: “Hazardous Waste Treatment and Storage Facility, On-Site” means a treatment and storage facility that treats and stores waste generated on the same geographically contiguous or bordering property. Such materials are subject to State of Washington siting and handling criteria. (Ord. 5180 Sec. 1, 2007)

18.09.920: Hazardous Waste Storage: “Hazardous Waste Storage” means temporarily holding hazardous waste. (Ord. 5180 Sec. 1, 2007)

18.09.930: Hazardous Waste Treatment: “Hazardous Waste Treatment” means the physical, chemical, or biological amelioration of hazardous waste. (Ord. 5180 Sec. 1, 2007)

18.09.935: Hearing Examiner: “Hearing Examiner” means the Hearing Examiner of the City of Kennewick. (Ord. 5322 Sec. 48, 2010)

18.09.940: Height of Building: “Height of Building” means the vertical distance from the average contact ground level to the highest point of the coping of a flat roof, or the average height between the eaves and ridge of gable, hip or gambrel roofs. (Ord. 5180 Sec. 1, 2007)

18.09.950: Home Occupation: “Home Occupation” means any occupation or business carried on within a residence by the occupant thereof, which activity is clearly incidental to the use of the residence as a dwelling and does not change the residential character thereof. (Ord. 5180 Sec. 1, 2007)

18.09.960: Hospitals and Sanatoriums: “Hospitals and Sanatoriums” means any facility specializing in giving clinical, temporary, and emergency services of a medical or surgical nature to human patients and injured persons, and licensed by state law to provide facilities and services in surgery, obstetrics, and general medical practice including overnight and extended stays. (Ord. 5180 Sec. 1, 2007)

18.09.970: Hotel: “Hotel” means a facility offering transient lodging accommodations on a daily rate to the general public and may include additional services, such as restaurants,

meeting rooms, and recreational facilities. (See Transient accommodations). (Ord. 5180 Sec. 1, 2007)

18.09.980: Household: “Household” means all persons who occupy a housing unit which is intended as separate living quarters and having direct access from the outside of the building or through a common hall. The occupants may be a single family, one person living alone, two or more families living together, or any other group of related or unrelated persons who share living arrangements. (U.S. Department of Commerce, Bureau of the Census). (Ord. 5180 Sec. 1, 2007)

18.09.990: Impervious Surface: “Impervious Surface” means any material that substantially reduces or prevents the infiltration of stormwater into previously unimproved land, including driveways and parking areas. (Ord. 5180 Sec. 1, 2007)

18.09.1000: Industrial Park: “Industrial Park” means a facility which is designed as a coordinated environment for a variety of industrial and related activities, and shall be developed and/or controlled by a single management entity with special attention given to traffic, parking, utility needs, aesthetics, and compatibility with surrounding properties. Industrial parks shall have appropriate master plans and/or covenants, conditions, and restrictions as required. (Ord. 5180 Sec. 1, 2007)

18.09.1010: Industrial Use: “Industrial Use” means any activity that is involved in the production, processing, manufacturing, fabrication, or assembling of goods and materials, including the storage of material used in the industrial process, including warehousing, wash-down facilities, blacksmithing, welding, wholesale bakery, recycling facilities and distribution centers. (Ord. 5180 Sec. 1, 2007)

18.09.1020: Industrial Use, Heavy: “Industrial Use, Heavy” 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 storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions. (Ord. 5180 Sec. 1, 2007)

18.09.1030: Industrial Use, Light: “Industrial Use, Light” means a use engaged in manufacturing, typically having low impacts on the environment, in which articles are either produced, assembled, finished and/or packaged from prepared materials made at another location, or raw materials, such as pre-milled wood, paper, wool, textiles, leather, cork or semiprecious metals or stones. For the purposes of this definition, light industrial uses shall include the canning or bottling of food or beverages for human consumption using a mechanized assembly line, and printing plants. The incidental storage, sales, and distribution of products manufactured onsite shall be permitted. (Ord. 5180 Sec. 1, 2007)

18.09.1032: Infill: Infill development is the process of developing vacant or under-used parcels within existing urban areas. (Ord. 5180 Sec. 1, 2007)

18.09.1035: Infrastructure: “Infrastructure” means facilities, utilities and services needed to sustain industry, residential, and commercial activities. (Ord. 5180 Sec. 1, 2007)

18.09.1040: Intensity: “Intensity” means a measure of land use activity based on use, mass, size and impact, relative to adjacent land uses, locally and regionally. (Ord. 5180 Sec. 1, 2007)

18.09.1050: Junk: “Junk” means scrap or abandoned metal, paper, building material and equipment, bottles, glass, appliances, abandoned household goods, rags, rubber, motor vehicles, and parts thereof. (Ord. 5180 Sec. 1, 2007)

18.09.1060: Junk, Auto: “Junk, auto” means any auto, truck, or other motor vehicle which is inoperative due to lack of wheels, motor, running gear, or any combination thereof. (Ord. 5180 Sec. 1, 2007)

18.09.1070: Kennel: “Kennel” means any lot or premises on which six or more dogs or cats over six months of age are kept for purposes of boarding or keeping. (Ord. 5180 Sec. 1, 2007)

18.09.1080: Laboratories for Research and Testing: “Laboratories for Research and Testing” means a location and facility, often designed and built under State and Federal regulatory oversight, where scientific inquiries and experiments are conducted. (Ord. 5180 Sec. 1, 2007)

18.09.1090: Landfill: “Landfill” means a disposal site employing an engineered method of long-term storing of solid wastes in a manner that minimizes environmental hazards by spreading, compacting to the smallest volume, and applying cover material over all exposed waste at the end of each operating day. (Ord. 5180 Sec. 1, 2007)

18.09.1095: Library: A place in which literary and artistic materials, as books and periodicals are kept for reading, referencing, or borrowing, but generally not for sale. (Ord. 5461 Sec. 4, 2012)

18.09.1100: Lock and Gunsmiths: “Lock and Gunsmiths” means retail and service business engaged in the sale and repair of locks, keys, guns, and incidental retail. (Ord. 5180 Sec. 1, 2007)

18.09.1110: Lot: “Lot” means a designated parcel, tract, or area of land established by plat, subdivision, or as otherwise permitted by law, to be used, developed, or built upon as a unit. (Ord. 5180 Sec. 1, 2007)

18.09.1120: Lot Area: “Lot Area” means the total area enclosed within the boundary lines of a lot. (Ord. 5180 Sec. 1, 2007)

18.09.1130: Lot, Corner: “Lot, Corner” means a lot at the junction of and fronting on the intersection of two or more streets. (Ord. 5180 Sec. 1, 2007)

18.09.1140: Lot Coverage: “Lot Coverage” means the percent of ground coverage of all buildings or structures on a site measured from the outside of external walls or supporting,

but not to include at grade, off-street parking lots; deck areas; terraces; swimming pools; pool deck areas; walkways; roadways; and driveways. (Ord. 5180 Sec. 1, 2007)

18.09.1150: Lot Depth: “Lot Depth” means the horizontal length of a straight line drawn from the midpoint of the front property line to the midpoint of the rear property line. (Ord. 5180 Sec. 1, 2007)

18.09.1160: Lot, Flag: “Lot, Flag” means a lot with access provided to the bulk of the lot by means of a narrow corridor. (Ord. 5180 Sec. 1, 2007)

18.09.1170: Lot, Interior: “Lot, Interior” means a lot fronting only on one street. (Ord. 5180 Sec. 1, 2007)

18.09.1180: Lot Line, Front: “Lot Line, Front” means any property line of a lot which abuts a public street, private street or dedicated vehicular access easement is considered a frontage and shall meet the minimum front yard setback requirements of this code. On a corner lot, or lot bounded by more than one public or private street or dedicated easement, the front lot line” shall be the lot line providing principal access from the adjacent street. (Ord. 5180 Sec. 1, 2007)

18.09.1190: Lot Line, Rear: “Lot Line, Rear” means the property line of a lot that is most opposite or most distant from the designated front lot line and that does not intersect any front lot line. In the case of a triangular lot, it means a line 10 feet in length within the lot parallel to and at the maximum distance from the front lot line. In the event that the front lot line is curved, then the rear property line shall be assumed to be a line tangent to the front property line at its midpoint. (Ord. 5180 Sec. 1, 2007)

18.09.1200: Lot Line, Side: “Lot Line, Side” means any lot line that is not a front or rear lot line, or any lot line that intersects a front lot line. (Ord. 5180 Sec. 1, 2007)

18.09.1210: Lot of Record: “Lot of Record” means a lot whose existence, location, and dimensions have been legally recorded or registered in a deed or a plat. (Ord. 5180 Sec. 1, 2007)

18.09.1220: Lot, Substandard: “Lot, Substandard” means a lot or parcel of land that has less than the required minimum area or width as established by the zone in which it is located and provided that such lot or parcel was of record as a legally created lot on the effective date of this title. (Ord. 5180 Sec. 1, 2007)

18.09.1230: Lot, Through: “Lot, Through” means a lot having its front and rear yards each abutting on a street, alley, or right-of-way. (Ord. 5180 Sec. 1, 2007)

18.09.1240: Lot Width: “Lot Width” means the horizontal distance between side lot lines, measured at the required front setback line, or in an irregularly shaped lot, the dimension across the lot at the building line. (Ord. 5180 Sec. 1, 2007)

18.09.1250: Lumber Yards: “Lumber Yards” means facilities for the storage and sale, retail, and wholesale of primarily wood building products. (Ord. 5180 Sec. 1, 2007)

18.09.1260: Manufactured Housing: “Manufactured Housing” means a factory assembled structure intended solely for human habitation installed on a permanent foundation with running gear removed and connected to utilities on an individual building lot and which meets the adopted minimum building code requirements of the City. (Ord. 5180 Sec. 1, 2007)

18.09.1270: Marina: “Marina” means a facility that may include areas for storing, servicing, fuelling, berthing, securing and launching of private pleasure craft, including the sale of fuel, incidental supplies, retail goods, watercraft and associated products for boat owners, crews, and guests. (Ord. 5180 Sec. 1, 2007)

18.09.1280: Master Planned Community: “Master Planned Community” means a self-contained and fully integrated development intended to provide a mix of uses to provide jobs, housing, and services to residents, including protecting critical areas and preserving significant areas in open space. (Ord. 5180 Sec. 1, 2007)

18.09.1285: Mini-Day Care Center: “Mini-Day Care Center” means a person or agency providing care during part of the twenty-four (24) hour day to twelve (12) or fewer children in a facility other than the family abode of the person or persons under whose direct care the children are placed, or for the care of seven (7) through twelve (12) children in the family abode of such person or persons. (Ord. 5461 Sec. 5, 2012)

18.09.1290: Mini-Storage: “Mini-Storage” means a facility which provides storage spaces for the storage of domestic goods. Units may not be used for commercial or residential purposes. (Ord. 5407 Sec. 2, 2012; Ord. 5180 Sec. 1, 2007)

18.09.1300: Mitigation: “Mitigation” means the process of avoiding, reducing, or compensating for the environmental impact(s) of a proposal. (Ord. 5180 Sec. 1, 2007)

18.09.1310: Mixed Use: “Mixed Use” means development that combines two or more different land uses on the same lot or contiguous lots in the same zone, such as retail uses and residential uses. (Ord. 5180 Sec. 1, 2007)

18.09.1320: Mobile Home: “Mobile Home” means a factory assembled structure intended solely for human habitation and equipped with the necessary service connections and made so as to be readily movable as a unit on its own running gear. It is without a permanent foundation. (Ord. 5180 Sec. 1, 2007)

18.09.1330: Mobile Home Park: “Mobile Home Park” means a tract of land designed and maintained under a single ownership of unified control where two or more spaces or pads are provided solely for the placement of mobile homes for residential purposes, with or without charge. (Ord. 5180 Sec. 1, 2007)

18.09.1340: Motel: “Motel” means a building or group of detached buildings designed or used primarily for providing sleeping accommodations for automobile travelers and having a parking space adjacent to a sleeping room. (Ord. 5180 Sec. 1, 2007)

18.09.1350: Multi-Family Residential Development: “Multi-Family Residential Development” means developments containing buildings with two or more residential dwelling units on one lot. Multi-family residential developments are those that are designed and intended for residential occupancy in multi-family structures regardless of the type of building or ownership in which such use occurs. Examples include, but are not limited to, townhouses, duplexes, multiplexes, condominiums, apartment houses, boarding houses, and lodging houses. Accessory dwelling units shall not be considered multi-family residences. (Ord. 5180 Sec. 1, 2007)

18.09.1360: Multimodal: “Multimodal” means two or more modes or methods of transportation such as bicycling, driving an automobile, walking, bus transit, equestrian and pedestrian trail, or rail. (Ord. 5180 Sec. 1, 2007)

18.09.1370: Multi-Tenant Business: “Multi-Tenant Business” means one business location that involves at least two separate business license holders which are physically separated by interior or exterior building features. This definition does not include beauty, barber, and sun tanning salons or shops. (Ord. 5180 Sec. 1, 2007)

18.09.1375: Museum: An institution operated by a nonprofit organization or governmental agency as a repository of natural, scientific, historical, cultural, or literary objects of interest or works of art, and where collection of such items is systematically managed for the purpose of exhibiting them to the public. (Ord. 5461 Sec. 6, 2012)

18.09.1380: Nonconforming Structure or Use: “Nonconforming Structure or Use” means an existing structure or use that was in conformance with effective existing code at the time or annexed prior to the adoption, revision, or amendment of the comprehensive plan and/or this Title, but which now does not conform to the requirements of the comprehensive plan and/or this Title and/or to the requirements of the zoning district in which it is located. (Ord. 5180 Sec. 1, 2007)

18.09.1390: Nursery, Landscaping Material: “Nursery, Landscaping Material” means a business which offers retail and wholesale sales of landscaping materials including plant materials, gardening supplies, and building materials. Plant materials may be grown on site or purchased wholesale. (Ord. 5180 Sec. 1, 2007)

18.09.1400: Nursing Homes and Congregate Care Facilities: “Nursing Homes and Congregate Care Facilities” means those facilities which provide for the residential care of ambulatory and non-ambulatory patients, and which include assisted-living facilities. (Ord. 5180 Sec. 1, 2007)

18.09.1410: Office: “Office” means a structure that generally houses a business, government, professional, special purpose district, medical or financial institution for the

non-resident needs of individuals, groups or organizations. (Ord. 5450 Sec. 1, 2012; Ord. 5180 Sec. 1, 2007)

18.09.1420: Off-Street Parking: “Off-Street Parking” means any space specifically allocated to the parking of motor vehicles that is not located within a public right-of-way, a travel lane, a service drive, or any easement for public use. (Ord. 5180 Sec. 1, 2007)

18.09.1430: Open Record Hearing: “Open Record Hearing” means a hearing, conducted by a single hearing body or officer that creates the record through testimony and submission of evidence and information. An open record hearing may be held prior to a decision on a project permit to be known as an “open record pre-decision hearing.” An open record hearing may be held on an appeal, to be known as an “open record appeal hearing,” if no open record pre-decision hearing has been held on the project permit. (Ord. 5180 Sec. 1, 2007)

18.09.1440: Open Space: “Open Space” typically implies a landscape that is primarily unimproved, such as wooded areas; parks; golf courses, trails; privately owned nature reserves; abandoned railroad lines; utility corridors; and other vacant rights-of-way. (Ord. 5180 Sec. 1, 2007)

18.09.1450: Outdoor Storage: “Outdoor Storage” means the keeping, in an unroofed area, of any goods, junk, material, merchandise, or vehicles, in the same place for more than 24 hours. (Ord. 5180 Sec. 1, 2007)

18.09.1460: Overlay District: “Overlay District” means a specially designated zoning district containing additional standards and requirements, which is applied on top of an underlying zoning classification. (Ord. 5180 Sec. 1, 2007)

18.09.1470: Parcel: “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. (Ord. 5180 Sec. 1, 2007)

18.09.1480: Parks: “Parks” means playgrounds, golf courses, recreation centers, swimming pools and similar public and private facilities consisting of open space or enclosed space developed for the use of the general public and reserved for recreational, educational, entertainment, gathering or scenic purposes. (Ord. 5180 Sec. 1, 2007)

18.09.1490: Parking, Shared: “Parking, Shared” means the development and use of parking areas on two or more separate properties for joint use by the residents or businesses on those two or more properties used for parking. (Ord. 5180 Sec. 1, 2007)

18.09.1500: Parking Space: “Parking space” means an area, which is improved, maintained and used for the sole purpose of temporarily accommodating a motor vehicle that is not in use. (Ord. 5204 Sec. 2, 2007; Ord. 5180 Sec. 1, 2007)

18.09.1505: Pawn Shop: “Pawn Shop” means an establishment engaged in the buying or selling of new or secondhand merchandise and offering loans in exchange for personal property. (Ord. 5204 Sec. 3, 2007; Ord. 5180 Sec. 1, 2007)

18.09.1510: Performance Standards: “Performance Standards” means criteria that are established and must be met before a particular use will be permitted. These measures are designed to guide development of property and include, but are not limited to, open space requirements, water and wastewater requirements, buffer zones, screening, size and height limits for buildings, noise, vibration, glare, heat, air or water contaminants, and traffic. (Ord. 5180 Sec. 1, 2007)

18.09.1515: Person with Functional Disabilities: “Person with Functional Disabilities” means a person who, because of a recognized chronic physical or mental condition, or disease, is functionally disabled to the extent of:

- (1) Needing care, supervision, or monitoring to perform activities of daily living or instrumental activities of daily living;
- (2) Needing supports to ameliorate or compensate for the effects of the functional disability so as to lead as independent a life as possible;
- (3) Having a physical or mental impairment which substantially limits one or more of such person’s major life activities;
- (4) Having a record of having such an impairment;
- (5) Being regarded as having such an impairment, but such term does not include current, illegal use of or active addiction to a controlled substance. (Ord. 5309 Sec. 4, 2010)

18.09.1517: Pet Grooming: “Pet grooming” shall mean the hygienic and cosmetic care of dogs, cats, or other domestic or partner animals. Services may include, but are not limited to, fur trimming and styling, shampooing, bathing, nail trimming and other procedures. This does not include boarding or kenneling of animals. (Ord. 5541 Sec. 4, 2014)

18.09.1520: Pharmacy, Dispensing: “Pharmacy, Dispensing” means a retail or wholesale establishment which sells drugs by prescription, and may include sales of over the counter medications and incidental health-related products. (Ord. 5180 Sec. 1, 2007)

18.09.1530: Photographic Studio: “Photographic Studio” means an establishment for the purpose of taking pictures and developing film and film-related products, including printing. May include incidental retail sales of photography-related supplies, equipment, and products. (Ord. 5180 Sec. 1, 2007)

18.09.1540: Planned Development: “Planned Development” means a development of land that is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages. Planned developments may include predetermined combinations of residential, commercial and industrial uses within the project area. The development may include streets, circulation ways, utilities, buildings, open spaces, and other site features and improvements. (See Master Planned Community Section 18.09.1280). (Ord. 5180 Sec. 1, 2007)

18.09.1550: Planning Department: “Planning Department” means the Community Planning Department of the City of Kennewick. (Ord. 5180 Sec. 1, 2007)

18.09.1555: Planning Director: “Planning Director” means the appointed Director of Kennewick’s planning staff, or his or her authorized representative, with review, decision making and other regulatory authority as specified by provisions of the Kennewick Municipal Code, including other such responsibilities and authorities, as specified by an appropriate representative of the City. (Ord. 5180 Sec. 1, 2007)

18.09.1560: Planning Commission: “Planning Commission” means the appointed members of the Planning Commission of the City of Kennewick. (Ord. 5180 Sec. 1, 2007)

18.09.1570: Plant Nursery: “Plant Nursery” means a commercial or private facility where botanical produce and/or ornamental fauna is incubated and grown either as seed stock or through the full growth cycle to harvest or sale to the public, as a wholesale concern, or for private use. (Ord. 5180 Sec. 1, 2007)

18.09.1580: Plumbing Shops and Yards: “Plumbing Shops and Yards” means facilities engaged in the wholesale and retail sale of plumbing and building supplies. (Ord. 5180 Sec. 1, 2007)

18.09.1590: Principal Use: “Principal Use” means the main use of land or structures, as distinguished from a secondary or accessory use. (Ord. 5180 Sec. 1, 2007)

18.09.1600: Printing, Publishing, and Reproduction Establishments: “Printing, Publishing, and Reproduction Establishments” means establishments for the purpose of producing printed materials, including newspapers, books and advertising material. These establishments may include self-service reproduction facilities, and include incidental sales. (Ord. 5180 Sec. 1, 2007)

18.09.1605: Prohibited Marijuana Uses: The production, processing and retail sales of marijuana and marijuana-infused products, all as defined in Initiative Measure No. 502, as codified in Revised Code of Washington Chapter 69, and implementing regulations in Chapter 314-55 of the Washington Administrative Code, are each prohibited and not allowed in any zone in the City of Kennewick. (Ord. 5566 Sec. 2, 2014)

18.09.1610: Public/Quasi Public Uses: “Public/Quasi Public Uses” includes any use of land, whether publicly or privately owned, for transportation, utilities, or communication, or for the benefit of the general public, including streets, schools, libraries, fire and police stations, municipal and county buildings, powerhouses, recreational centers, parks, and cemeteries. (Ord. 5180 Sec. 1, 2007)

18.09.1620: Public Services: “Public Services” means services provided by a public agency which include fire protection and suppression, law enforcement, public health, education, recreation, environmental protection. and other governmental services. (See RCW 36.70A.030) (Ord. 5180 Sec. 1, 2007)

18.09.1630: Radio, Television, and Small Electronic Repair and Services: “Radio, Television, and Small Electronic Repair and Services” means service establishments which primarily provide repair and service of household appliances and consumer electronics. Incidental sales of parts and used equipment are allowed. (Ord. 5180 Sec. 1, 2007)

18.09.1640: Radio, Television Broadcasting Stations: “Radio, Television Broadcasting Stations” means facilities for the production and broadcasting of radio and television programming. (Ord. 5180 Sec. 1, 2007)

18.09.1645: Rapid Charging Station: “Rapid Charging Station” means an industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels, which meets or exceeds any standards, codes, and regulations set forth by Chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540. (Ord. 5571 Sec. 4, 2014)**18.09.1650: RCW:** “RCW” means Revised Code of Washington. (Ord. 5180 Sec. 1, 2007)

18.09.1660: Recreation Facility: “Recreational Facility” means any development designed and intended for day use and/or overnight recreational uses, operated as a business, or as part of a business, and/or operated by a non-profit organization or public entity, including amusement parks, picnic areas, and campgrounds. (Ord. 5180 Sec. 1, 2007)

18.09.1670: Recreational Vehicle: “Recreation Vehicle” means a vehicular-type unit designed or used for temporary living quarters for recreational, camping, or travel use, which either has its own motor power or is mounted on or drawn by another vehicle and which has a body width of no more than eight feet and a body length of no more than 45 feet when factory-equipped for the road. “Recreational vehicle” shall include, but not be limited to, the following:

- (1) Travel Trailer. A vehicular, portable structure built on a chassis and drawn by a motorized vehicle and which is designed to be used as a temporary dwelling for travel, recreational and vacation uses;
- (2) Camper. A structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreational, and vacation uses;
- (3) Motor Home. A portable, temporary dwelling to be used for travel, recreational and vacation use constructed as an integral part of a self-propelled vehicle;
- (4) Camping Trailer. A folding structure mounted on wheels and designed for travel, recreational, and vacation uses.
- (5) Any structure inspected, approved, and designated as a recreational vehicle by, and bearing the insignia of the State of Washington, or any other state or federal agency having the authority to approve recreational vehicles. (Ord. 5180 Sec. 1, 2007)

18.09.1680: Recreational Vehicle Park: “Recreational Vehicle Park” means a lot or parcel of land occupied or intended for occupancy by recreational vehicles or tents for travel, recreational or vacation usage for short periods of stay subject to the provisions of this title. (Ord. 5180 Sec. 1, 2007)

18.09.1690: Recreational Vehicle Park, Seasonal: “Recreational Vehicle Park, Seasonal” means those recreational vehicle parks that are approved for stays of no more than 180 days (cumulative) within a consecutive 12-month period. (Ord. 5180 Sec. 1, 2007)

18.09.1700: Recreational Vehicle Park, Transient: “Recreational Vehicle Park, Transient” means those recreational vehicle parks approved for transient stays of not more than 30 consecutive days. These parks are “tourist-oriented” and usually have recreation and other facilities. (Ord. 5180 Sec. 1, 2007)

18.09.1710: Recycling Facilities: “Recycling Facilities” means any lot, lots, or portions thereof, or building, or structure commercially used for the storage, collection, processing, purchase, or sale of wastepaper, rags, scrap metal, or other scrap or discarded goods, materials, and machinery including junkyards and wrecking yards. Excluded from this definition shall be areas used for the storage of materials or objects accumulated by the manufacturer as an integral part of the manufacturing process, and non-commercial recycling centers or substations established for the collection of materials for transport to a commercial recycling facility. (Ord. 5180 Sec. 1, 2007)

18.09.1720: Recycling, High Intensity: “Recycling, High Intensity” means a facility that is not a junkyard and in which recoverable resources, such as newspapers, magazines, books, and other paper products, glass, metal cans, and other products are recycled, reprocessed, and treated to return such productions to a condition in which they may again be used for production. (Ord. 5180 Sec. 1, 2007)

18.09.1730: Recycling, Low Intensity: “Recycling, Low Intensity” means an incidental use that serves as a neighborhood drop-off point for temporary storage of recoverable resources. No processing of such items would be allowed. This facility would generally be located in a shopping center parking lot or in other public/quasi-public areas, such as in churches and schools. (Ord. 5180 Sec. 1, 2007)

18.09.1740: Research and Testing Laboratory: “Research Laboratory” means a building or group of buildings in which are located facilities for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory. (Ord. 5180 Sec. 1, 2007)

18.09.1745: Residential Care Center: “Residential Care Center” means any state or federally approved facility, other than a clinic, used as a residence for the care or rehabilitation of dependent children, the elderly, and the physically and/or mentally handicapped. Residential care homes shall provide care to seven or more residents. (Ord. 5309 Sec. 5, 2010)

18.09.1748: Residential Care Home: “Residential Care Home” means any state or federally approved dwelling used as a residence for the care or rehabilitation of dependent children, the elderly, and the physically and/or mentally handicapped. Residential care homes shall provide care for six or fewer residents. (Ord. 5309 Sec. 6, 2010)

18.09.1750: Residential Hotels: “Residential Hotels” means hotels which provide fully furnished apartments or rooms for longer temporary stays, usually not to exceed six months, and which are located and designed consistent with hotels. For the purpose of this code, residential hotels shall be considered to be hotels. (Ord. 5180 Sec. 1, 2007)

18.09.1760: Residential Use Sign: “Residential Use Sign” means a sign displayed on the side of a residential structure or inside of a window, not more than one square foot and unilluminated. (Ord. 5180 Sec. 1, 2007)

18.09.1770: Resort: “Resort” means a facility which includes hotels or motels that serve as a destination point for visitors, and generally provides recreational facilities for persons on vacation and provides self-contained personal services customarily furnished at hotels, including the serving of meals. (Ord. 5180 Sec. 1, 2007)

18.09.1780: Restaurant: “Restaurant” means an establishment that serves food and beverages primarily to persons seated within the building, such as cafes, tea rooms, buffet diners, and diners. (Ord. 5180 Sec. 1, 2007)

18.09.1785: Restaurant, Drive-In: “Restaurant, Drive-In” means a restaurant where food or beverages are sold primarily for consumption by customers in motor vehicles. (Ord. 5180 Sec. 1, 2007)

18.09.1790: Restaurant, Fast Food: “Restaurant, Fast Food” means an establishment that offers quick food service, which is accomplished through a limited menu of items already prepared and held for service, or prepared, fried, or griddled quickly, or heated in a device such as a microwave oven, and where orders are not generally taken at the customer's table, and food is generally served in disposable wrapping or containers. Fast food restaurants may include both drive-in and sit-down services. (Ord. 5180 Sec. 1, 2007)

18.09.1800: Retail Sale: “Retail Sale” means the sale of merchandise, services, or commodities for use or consumption by the immediate purchaser and not meant for resale. (Ord. 5180 Sec. 1, 2007)

18.09.1810: Retail Store: “Retail Store” means business engaging in the sale of merchandise, services, or commodities for use or consumption by the immediate purchaser and not meant for resale, including department stores, and drug stores. (Ord. 5180 Sec. 1, 2007)

18.09.1820: Right-of-Way: “Right-of-Way” means land owned by a government or an easement for a certain purpose over the land of another, used for a road, ditch, electrical transmission line, pipeline, or public facilities such as utility or transportation corridors. (Ord. 5180 Sec. 1, 2007)

18.09.1830: Road or Vehicular Rights-of-Way: “Road or Vehicular Rights-of-Way” means a specific right-of-way dedicated or conveyed for a public or private road including the adjoining area designated for road expansion or utility purposes as specified by recorded easements, recorded ownership instruments, or dedications. (Ord. 5180 Sec. 1, 2007)

18.09.1840: Road, Private: “Road, Private” means a right-of-way or easement allowing vehicular ingress and egress established as a separate tract for the benefit of certain, adjacent properties, not including private driveways. (Ord. 5180 Sec. 1, 2007)

18.09.1850: Road, Public: “Road, Public” means all public rights-of-way reserved or dedicated for street traffic. (Ord. 5204 Sec. 4, 2007: Ord. 5180 Sec. 1, 2007)

18.09.1860: Rooming House: “Rooming House” means a building that is the primary residence of the owner and in which rooms are provided, by the owner, for compensation, to three or more adult persons not related by blood, marriage, or adoption to the owner. (Ord. 5180 Sec. 1, 2007)

18.09.1865: Rowhouses: “Rowhouse” means a single-family dwelling on its own lot, in a series of three or more similar dwellings in one structure but on separate lots, with interior units sharing common walls along both side property lines and end units sharing a common wall on one side property line, where parking is not incorporated within the dwelling unit. (Ord. 5365 Sec. 8, 2011)

18.09.1870: Sanitary Sewer Systems: “Sanitary Sewer Systems” means all facilities, including approved onsite disposal facilities, used in the collection, transmission, storage, treatment or discharge of any water borne waste, whether domestic in origin or a combination of domestic, commercial or industrial waste. (WAC 365-195-210). (Ord. 5180 Sec. 1, 2007)

18.09.1880: Satellite Dish Antenna: “Satellite Dish Antenna” means a round, parabolic antenna intended to receive signals from orbiting satellites and other sources. Non-commercial dish antennas are defined as being less than 12 feet in diameter. Commercial dish antennas are larger than 12 feet. (Ord. 5180 Sec. 1, 2007)

18.09.1890: School, Public: “School, Public” means a building whose primary use is as a facility where instruction is given to young persons to enhance their knowledge or skills, owned and operated by a public school district. (Ord. 5180 Sec. 1, 2007)

18.09.1900: School, Private or Parochial: “School, Private or Parochial” means a building whose primary use is as a facility where instruction is given to persons of any age to enhance their knowledge or skills, not including buildings where instruction is given primarily on religious matters. For the purposes of this title, buildings belonging to churches but used primarily for the education of children ages five to 18, Monday through Friday, shall be considered schools. (Ord. 5180 Sec. 1, 2007)

18.09.1910: Screen or Screening: “Screen or Screening” means the method by which a view of one site from another adjacent site is shielded, concealed, or hidden, utilizing techniques that include fences, walls, hedges, berms, or other such sight obscuring features. (Ord. 5309 Sec. 7, 2010: Ord. 5180 Sec. 1, 2007)

18.09.1915: Second-Hand/Consignment Store: “Second Hand/Consignment Store” means retail business which sells merchandise on a consignment basis or outright. (Ord. 5204 Sec. 20, 2007)

18.09.1920: Self-Service Storage Facility: See “Mini-Storage” KMC 18.09.1290. (Ord. 5407 Sec. 3, 2012; Ord. 5180 Sec. 1, 2007)

18.09.1930: SEPA (State Environmental Policy Act): “SEPA (State Environmental Policy Act)” means the environmental requirements of the State to consider environmental factors when making permit decisions for development proposals of a significant scale. (Ord. 5180 Sec. 1, 2007)

18.09.1940: Service Station: “Service Station” means facilities and premises where the primary use is the retail supply and dispensing of motor fuels, lubricants, batteries, tires, and motor vehicle accessories, and may include the minor mechanical service and repair of motor vehicles. (Ord. 5180 Sec. 1, 2007)

18.09.1950: Setback: “Setback” means the minimum distance of a structure from the road right-of-way line or any other lot line to the nearest projection of a structure placed on the property, excluding eaves of less than 36 inches. (Ord. 5180 Sec. 1, 2007)

18.09.1960: Shopping Center: “Shopping Center” means a grouping of commercial/retail facilities on a single lot with common parking facilities. (Ord. 5180 Sec. 1, 2007)

18.09.1970: Shoreline Management Act: “Shoreline Management Act” means state rules which detail the local requirements necessary to protect the state shorelines. (RCW 90.58 and WAC 173-18-020). (Ord. 5180 Sec. 1, 2007)

18.09.1975: Shoreline Master Program: “Shoreline Master Program (SMP)” means the comprehensive use plan and related use regulations which are mandated by the Shoreline Management Act, and used by local governments to administer and enforce the permit system for shoreline management. The City's master program includes establishment of a jurisdiction for applicability of the program for all lands within 200 feet of Kennewick. (Ord. 5180 Sec. 1, 2007)

18.09.1980: Shorelines: “Shorelines” means those lands adjacent to, and within a distance of 200 feet from the identified waterline where such waters are identified as having “State-Wide Significance.” Shorelines other than those of State-Wide Significance are locations where water and land meet, as defined by State law. (Ord. 5180 Sec. 1, 2007)

18.09.1990: Sign: “Sign” is any object, device, display, structure or part thereof, situated indoors or out which is used to identify, display, advertise, direct, or attract attention to an object, person, organization, institution, business, product, service, event, location or message by any means including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. (Ord. 5180 Sec. 1, 2007)

18.09.2000: Sign Painting and Manufacture: “Sign Painting and Manufacture” means a facility for the production and sale of signs. (Ord. 5180 Sec. 1, 2007)

18.09.2005: Single Housekeeping Unit: “Single Housekeeping Unit” means one person or two or more individuals living together sharing household responsibilities and activities which may include sharing expenses, chores, eating evening meals together and participating in recreational activities and having close social, economic, and psychological commitments to each other. (Ord. 5407 Sec. 12, 2012)

18.09.2010: Solid Waste: “Solid Waste” means all putrescible and non-putrescible solid and semi-solid wastes, including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and recyclable materials. (Ord. 5180 Sec. 1, 2007)

18.09.2020: Special Needs Housing: “Special Needs Housing” means all housing that is designed for 13 or more individual or family members who require supportive social services in order to live independently or semi-independently, including emergency, transitional and permanent housing. Special needs groups include, but are not limited to the homeless, elderly, AIDS victims, single parents, runaway and homeless youth, severely physically handicapped, mentally and emotionally disturbed, chronically mentally ill, developmentally disabled, farm workers (migrant labor households) and persons with substance abuse problems. (Ord. 5180 Sec. 1, 2007)

18.09.2030: Story: “Story” means that portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, the space between such floor and the ceiling above it. A basement shall be counted as a story if its ceiling is over six feet above the average level of the finished ground surface adjoining the exterior walls of such story, or if it is used for business or dwelling purposes. (See IBC definition). (Ord. 5180 Sec. 1, 2007)

18.09.2040: Structure: “Structure” means that which is built or constructed. A structure is 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, which requires an approval. (Ord. 5180 Sec. 1, 2007)

18.09.2050: Subdivision: “Subdivision” means the division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale or building development. (Ord. 5180 Sec. 1, 2007)

18.09.2060: Temporary Commercial and Industrial Activities and Structures: “Temporary Commercial and Industrial Activities and Structures” means those structures, facilities, or uses that occur on a seasonal or sporadic basis and involve the processing and/or sale of commodities such as the sale of farm produce, firewood, fireworks, Christmas trees, and temporary rock crushing activities. (Ord. 5180 Sec. 1, 2007)

18.09.2070: Temporary Use: “Temporary Use” means a use, intended for limited duration, to be located in a zoning district permitting or not permitting such use, and not continuing a nonconforming use or building. (Ord. 5180 Sec. 1, 2007)

18.09.2080: Tower: “Tower” means a structure situated on a non-residential site that is intended for transmitting or receiving television, radio, or telephone communications, excluding those used exclusively for dispatch communications. (Ord. 5180 Sec. 1, 2007)

18.09.2085: Townhouse: “Townhouse” means a single-family dwelling on its own lot, in a series of three or more similar dwellings in one structure but on separate lots, with interior units sharing common walls along both side property lines and end units sharing a common wall on one side property line, and with parking incorporated within each dwelling unit. (Ord. 5365 Sec. 9, 2011)

18.09.2090: Transient Accommodations: “Transient Accommodations” means a building or group of buildings in which lodging or lodging and meals are provided for transient guests for compensation, including cabins, resorts, hotels, motels, hostels, and campgrounds. For the purposes of this title, transient” shall be defined as being not more than 30 consecutive days duration. (Ord. 5180 Sec. 1, 2007)

18.09.2095: Transportable Unit: “Transportable Unit” (also referred to as a “cargo container”) means a standardized, reusable vessel that is or appears to be:

- (1) Originally, specifically or formerly designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities; and/or
- (2) Designed for or capable of being mounted or moved on a rail car; and/or
- (3) Designed for or capable of being mounted on a chassis or bogie for movement by truck trailer or loaded on a ship. (Ord. 5557 Sec. 2, 2014)

18.09.2100: Truck Stops/Recreational Vehicle Travel Centers: “Truck Stops/Recreational Vehicle Travel Centers” means a facility that provides fuel and travel services for long haul trucking, travel trailers, recreational vehicles and the general traveling public. These facilities include fuel sales, sanitary waste disposal sites for recreational vehicles, and truck stop/recreational vehicle travel center development. These facilities may include supporting uses such as convenience stores, smaller restaurants and limited transient accommodations providing that they are secondary uses, and are supportive of the primary function of providing fuel. (Ord. 5180 Sec. 1, 2007)

18.09.2110: Urban Growth Area: “Urban Growth Area” means those areas designated for urban growth as established by Benton County pursuant to RCW 36.70A.03. (Ord. 5180 Sec. 1, 2007)

18.09.2120: Urban Level of Facilities and Services: “Urban Level of Facilities and Services” means those urban governmental services as defined within the capital facilities element of the Kennewick Comprehensive plan. (Ord. 5180 Sec. 1, 2007)

18.09.2130: Use: “Use” means any legal activity pursued on a piece of property, with or without any improvements. (Ord. 5180 Sec. 1, 2007)

18.09.2140: Utilities: “Utilities” means fixed improvements, including structures and facilities that convey, generate, transmit or distribute power, gas, oil, water, sewage, surface drainage or communication signals. (Ord. 5180 Sec. 1, 2007)

18.09.2150: Variance: “Variance” means approval to deviate from the dimensional requirements of this title. (Ord. 5180 Sec. 1, 2007)

18.09.2160: Vehicle Repair and Service: “Vehicle Repair and Service” means facilities and premises where the primary use is the retail supply and dispensing of lubricants, batteries, tires, and motor vehicle accessories, and includes the mechanical service and repair of motor vehicles. (Ord. 5180 Sec. 1, 2007)

18.09.2170: Vehicle Sales, Repair, and Service: “Vehicle Sales, Repair, and Service” means facilities and premises where the primary use is the retail sale of vehicles, including cars, trucks, farm vehicles, and boats and includes the supply and dispensing of lubricants, batteries, tires, motor vehicle accessories, and includes the mechanical service and repair of motor vehicles. (Ord. 5180 Sec. 1, 2007)

18.09.2180: Veterinary Hospital: “Veterinary Hospital” means any facility specializing in giving clinical, temporary, and emergency services of a medical or surgical nature to animals, especially domestic animals, and licensed by state law to provide such facilities and services. (Ord. 5180 Sec. 1, 2007)

18.09.2190: WAC: “WAC” means Washington Administrative Code. (Ord. 5180 Sec. 1, 2007)

18.09.2200: Warehouse/Warehousing: “Warehouse/Warehousing” means terminal facilities used for handling freight for redistribution. (Ord. 5180 Sec. 1, 2007)

18.09.2210: Wholesale Sales: “Wholesale Sales” means the sale of materials, services, or merchandise, primarily for the purpose of resale, manufacture, or remanufacture. (Ord. 5180 Sec. 1, 2007)

18.09.2215: Wineries: “Wineries” means establishments for making wine. A winery is a facility specifically designed for a combination of the following activities: tasting, fruit processing, fermentation, barrel aging of wine and packaging, depending on the categories mentioned below:

- (1) Type A: Wineries with retail sales and services and on-site tasting, but without primary fruit processing or bulk fermentation.
- (2) Type B: Wineries with retail sales and services and on-site tasting, with primary fruit processing and/or bulk fermentation.
- (3) Type C: Wineries with either on-site primary fruit processing or bulk fermentation or both. (Ord. 5244 Sec. 1, 2008)

18.09.2220: Wireless Communication Facility: “Wireless Communication Facility” is any commercial facility for the receipt or transmission of communications by electromagnetic radiation. (Ord. 5180 Sec. 1, 2007)

18.09.2230: WSDOT: “WSDOT” means Washington State Department of Transportation. (Ord. 5180 Sec. 1, 2007)

18.09.2240: Yard: “Yard” means a required type of setback on a lot adjoining a lot line. (Ord. 5180 Sec. 1, 2007)

18.09.2250: Yard, Front: “Yard, Front” means a required setback extending across the full width of a lot lying between front lot line to the front building line in depth. Front yard width shall be measured at right angles to the front of the lot. (Ord. 5180 Sec. 1, 2007)

18.09.2260: Yard, Rear: “Yard, Rear” means a required setback extending across the full width of a lot and lying between the rear lot line and the nearest line of the building. Rear yard depth shall be measured at right angles to the rear of the lot. (Ord. 5180 Sec. 1, 2007)

18.09.2270: Yard, Side: “Yard, Side” means a required setback lying between the side of a lot line and the nearest line of the building and extending from the front yard to the rear yard, or in the absence of either of such front or rear yards, to the front or rear lot lines. Side yard widths shall be measured at right angles to sidelines of the lot. (Ord. 5180 Sec. 1, 2007)

18.09.2280: Zone: “Zone” means a mapped area to which a uniform set of regulations applies. The City of Kennewick official zoning map describes the extent and boundaries for the zones described within this Title. (Ord. 5180 Sec. 1, 2007)

18.09.2290: Zoning: “Zoning” means the process by which a county or municipality legally controls the use of property and physical configuration of development upon tracts of land within its jurisdiction. (Ord. 5180 Sec. 1, 2007)