CHAPTER 17.01

GENERAL PROVISIONS

Sections:

17.01.010 - Title
17.01.020 - Purpose and Intent
17.01.030 - Scope and Compliance
17.01.040 - Definitions

Section 17.01.010 - Title

The provisions of this ordinance and amendments to it shall be known and may be cited as "The City of Kettle Falls Unified Development Ordinance, Title 17 of the Kettle Falls Code."

Section 17.01.020 - Purpose and Intent

A. It is the intent of the City to provide uniform, equitable and reasonable standards to govern the use of land and structures in the interest of health, safety and the general welfare. The purpose of this ordinance is to implement the Kettle Falls Comprehensive Plan and substantiating studies, and to comply with the provisions and objectives of RCW Chapter 36.70 and RCW Chapter 36.70A as now or hereafter amended.

B. The broad objectives of this Title are to:

1. Regulate the type and intensity of the use of land and structures;
2. Regulate the placement of structures;
3. Require basic amenities for satisfactory relationships between land and building uses and public requirements; and
4. Organize the broad patterns of land use which will be of the greatest benefit to the greatest number of people over a long period of time.

C. Standards provided by this Title for particular districts and circumstances are determined to be the minimum requirements in public interest of health, safety and general welfare to achieve the objectives of the Comprehensive Plan. These standards are adopted in recognition of the findings that certain orderly relationships are necessary for the well being of the City and its residents.

Section 17.01.030 - Scope and Compliance

A. In their interpretation and application, the provisions of this Title shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and general welfare. Whenever the requirements of this Title differ from the requirements of any of the lawfully-adopted rules, regulations, ordinances, or deed restrictions, the most restrictive or that imposing the higher standards to be met prior to a land use being permitted shall govern.

B. Upon request and as determined necessary, the Planning Commission shall interpret the meaning or application of the provisions of this Title and issue a written administrative interpretation within 30 days. The written interpretation shall concisely identify the issue as well as the reasoning behind the interpretation.

C. No structure or lot shall be used or occupied, and no building permit for the erection, relocation, alteration or expansion of any structure shall be granted, unless compliance with the provisions of this title have been satisfied.

Section 17.01.040 - Definitions

17.01.041 - General Provisions

A. The following definitions are provided to aid in the understanding and interpretation of the provisions of this Title. Words used in the present tense include the future, words used in the singular number include the plural, and words in the plural number include the singular. The word "shall" is always mandatory and not merely directive.

B. Terms that are not specifically defined below are to be understood according to the common meaning in use in the City, as interpreted by the Administrator.

17.01.042 - Definitions

Accessory: A building, area, part of a building, structure or use which is subordinate to, and the use of which is incidental to, that of the main building, structure or use on the same lot. Within residential zones, the accessory structure or use shall be limited in area as set forth within the underlying zone classification, unless the building is used in conjunction with permitted farming or animal raising.

Accessory Dwelling Unit: Attached: A second dwelling unit including separate kitchen, sleeping quarters, sanitation facilities, and entrance, within or on a lot with a primary residence. The second unit shares one or more common or abutting walls, and is created auxiliary to and is always smaller than the primary residence, and meets all requirements of 17.03.031 KFMC. (Ord. 1646, 2005)

Accessory Dwelling Unit: Detached: A second dwelling unit including separate kitchen, sleeping quarters, sanitation facilities sited on a lot with a primary residence. The second unit is created auxiliary to and is always smaller than the primary residence, and meets all requirements of 17.03.032 KFMC. (Ord. 1646, 2005)

Access Lane: An area of land allowing ingress and egress to and from a parcel of land which may or may not have minimum lot frontage on a public street, road, or right-of-way.

Administrative Exception: A minor deviation from standards specified in this Code.

Adult entertainment: 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 human pubic region, anus, buttocks, or genitals, or wearing any device or covering exposed to view that simulates the appearance of any portion of the female breast below the top of the areola or any portion of the human pubic region, anus, buttocks, or genitals, even if completely and opaquely covered. This includes 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, or simulation or relation to human genitals in a state of sexual stimulation or arousal, acts of human masturbation, sexual intercourse or sodomy, or fondling or other erotic touching of human genitals, pubic region, buttocks, or female breast.

Adult Retail Use Establishment: An establishment which, for money or any other form of consideration, devotes a significant or substantial portion of stock in trade to the sale, exchange, rental, loan, trade, transfer, or viewing of adult oriented merchandise. "Adult oriented merchandise" means any goods, products, commodities, or other ware, including but not limited to videos, CD Roms, DVDs, magazines, books, pamphlets, posters, cards, periodicals or non-clothing novelties which depict, describe or simulate a specified anatomical area or specified sexual activities.

Agricultural: Relating to the science or art of cultivating soil or producing crops to be used or consumed directly or indirectly by man or livestock, or raising of livestock.

Agricultural land: As defined at WAC 365-190-030(1) or as amended.

Agricultural Processing: The series of operations taken to change agricultural products into food products.

Airport: Any area of land or water which is designated and set aside for landing and taking off of aircraft and which is utilized, or which is certified on a plan to be utilized, in the interest of the public for such purposes.

Airport Hazard: Any structure or tree or use of land which obstructs the airspace required for the flights of aircraft in landing or taking off at an airport or which is otherwise hazardous to such landing or taking off of aircraft, and any use of land which is hazardous to persons or property because of its proximity to an airport.

Airstrip, Personal: A landing area for only one (1) aircraft for personal use only by only the owner.

Airstrip, Private: A landing area for more than one (1) aircraft.

Alley: A public right-of-way which provides access only to the rear and/or side of properties abutting and having access to a public road.

Altered/Alteration: Any change, addition or modification in construction or any change of occupancy from one use to another or from one division of a trade to another.

Amendment: A change in the wording, context, or substance of this Code, or change in the zone boundaries upon the zoning map.

Animal, Large: Horses, donkeys, burros, llamas, bovines, goats, sheep, swine, bison, camels and other animals or livestock of similar size and type, except inherently dangerous mammals and inherently dangerous reptiles.

Animal, Small: Animals or fowl other than a household pet or large animals including, but not limited to, chickens, guinea hens, geese, ducks, turkeys, pigeons not otherwise defined, rabbits, mink, chinchilla, nutria, gnawing animals in general and other animals or fowl of similar size and type. Young small animals or fowl under three (3) months in age shall not be included when computing intensity of small animals or fowl. Young or miniature large animals are not included in this definition and are considered large animals.

Animal, Wildlife Rehabilitation or Scientific Research Facility: A building, structure, pen or portion(s) thereof or an area of land where animals are housed, kept or maintained for the purpose of wildlife rehabilitation; or for the purpose of investigation, aimed at the discovery and interpretation of facts or the collecting of information about a particular subject.

Animated Sign: Any sign that uses movement or change of lighting to depict action or create a special effect or scene.

Antique: Any item which because of age, rarity or historical significance, has a monetary value greater than its original value, as determined at applicant's expense by an independent appraiser, or which has an age recognized by the United States government as entitling the article to an import duty less than that prescribed for contemporary merchandise.

Antique Store: A shop selling, or offering for sale, antiques. Such a shop shall not be considered a dealership handling used or second hand merchandise.

Assembly - Light: The assemblage of metals and/or materials into products normally used in the home.

Assembly - Heavy: The assemblage of materials and/or metals into products not normally used in the home.

Auction Yard: An open area or an area entirely enclosed within a building where items are stored or displayed for not more than seven (7) consecutive days within any given thirty (30)-day period and where persons are permitted to attend sales and offer bids on such items.

Auto Wrecking, Junk and Salvage Yards: Any area, lot, land, parcel, building, structure or part thereof where waste, discarded or salvaged materials are exchanged, handled, bought, sold, baled, packed, stripped, stored, dumped or disassembled, including but not limited to inoperable vehicles, machines or remnants thereof, and/or metals, paper, rags, tires and bottles. The following establishments shall not be considered an Auto Wrecking, Junk, and Salvage Yard when all activity, storage, odor and noise is confined wholly within an enclosed building: (1) the private, noncommercial storage of inoperable vehicles and remnants thereof; (2) pawn shops; (3) secondhand stores; (4) used furniture stores and public garages; (5) open sales lots for the sale of new and used motor vehicles and machinery which is in operable condition; (6) motor vehicle towing services and auto and/or body repair establishments which do not store inoperable vehicles for more than ninety (90) days; and (7) accessory storage areas for recyclable items associated with permitted uses.

Automobile Sales: An area, other than a street, used for the display and sale of more than two (2) new or used automobiles or trucks in any thirty (30)-day period and where no repair work is done except that necessary for completion of the sale.

Automobile/Taxi Rental: An area, or building, used to park and repair automobiles to be rented to the general public and where no other automobile repair work is done; such area may include customer service and support space.

Banner: Any sign of lightweight fabric or similar material that is permanently mounted to a pole or a building by a permanent frame at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall be considered banners.

Beacon: Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same buildable lot as the light source; also, any light with one or more beams that rotate and move.

Beehive: A structure designed to contain one colony of honey bees (apis mellifera) and registered with the Washington State Department of Agriculture per RCW 15.60 or as amended.

Beekeeping, Commercial: An activity, generally operated for a profit, where more than twenty-five (25) beehives are kept on a lot.

Beekeeping, Hobby: An activity, generally engaged in for personal use, where twenty-five (25) or fewer beehives are kept on a lot.

Block: A group of lots, tracts or parcels within well-defined and fixed boundaries.

Building: A structure with a single roof or connected with a roof built for the support, shelter, or enclosure of persons, animals, stored items, mechanical devices, or property of any kind, and permanently affixed to the ground. This shall include any vehicle affixed to the ground for any of the described purposes.

Building Marker: Any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

Building Sign: Any sign attached to any part of a building, as contrasted to a freestanding sign.

Canopy Sign: Any sign that is part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

Caretaker's Residence: A manufactured or mobile home, or an existing building or structure used as a residence, that is owned by the owner of the property it rests upon and is occupied by a bona fide employee of the property owner.

Cemetery: Land or facilities on such land legally used or planned for use for the preparation for burial and for the burial of the human dead or household pets including columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundary of such cemetery.

Changeable Copy Sign: A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for the purposes of this ordinance. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" sign and not a changeable copy sign for purposes of this definition.

Church: An establishment, the principal purpose of which is religious worship and for which the main building or other structure contains the sanctuary or principal place of worship, and including accessory uses in the main building or in separate buildings or structures, including Sunday school rooms and religious education classrooms, assembly rooms, a common kitchen, a library room or reading room, recreation hall and on site quarters for nuns and clergy, but excluding facilities for training of religious orders. A single family dwelling (parsonage) is included in this definition when situated upon or directly abutting the subject real property and its primary use is by the pastor or caretaker.

Circus: A commercial variety show of a temporary nature which includes animal acts for public entertainment.

Clinic: A building or portion of a building containing offices for providing outpatient medical, dental, or psychiatric services.

Club: An association of persons for a common purpose, but not including groups organized primarily to render a service which is customarily carried on as a business.

Clustered Housing: A group of dwelling units, consisting of permitted uses in the underlying zone, designed in such a manner as to make efficient use of existing or planned facilities, and the amount of resultant common open space per dwelling unit thereby is equal to or greater than the open space requirements for conventional development under the pertinent zone and zoning standards.

Code: Kettle Falls Municipal Code, and the Unified Development Ordinance of the City of Kettle Falls contained within it.

College: A public or private institution offering instruction in a professional, vocational, or technical field beyond the 12th grade.

Commercial Message: Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity. This includes signs for garage sales, open houses, and real estate signs.

Commercial Use: Any activity carried out for pecuniary gain or loss.

Commercial Zones: Those zones outright permitting commercial uses including the Commercial Zones C-1, C-2, and C-3 zones.

Commission: The Kettle Falls Planning Commission or any subcommittee thereof empowered to carry out its prescribed duties.

Community Hall: A building and related grounds used for social, civic, or recreational purposes and owned and operated by a nonprofit group serving the area in which it is located and open to the general public on an equal basis.

Community-Recreational Facility: Any public or private building, structure, or area which provides amusement, relaxation, or diversion from normal activities for persons within the area in which it is located and which is not operated for profit.

Community Residential Facility: Any dwelling licensed, certified or authorized by state, federal or local authorities as a residence for children or adults with physical, developmental or mental disabilities, dependent children or elderly individuals in need of supervision, support and/or independent living training. This may include a specialized group home for the developmentally disabled, group care facility for children, and boarding homes.

Community Transit Center: A bus transfer area or facility located at major points providing passenger access to routes and adjacent activities.

Community Treatment Facility: Any dwelling or place licensed, certified or authorized by state, federal or local authorities as a residence and treatment facility for children or adults with mental disabilities, alcoholism or drug abuse problems needing a supervised living arrangement and rehabilitation services on a short or long-term basis. Does not include detoxification centers. May include alcohol and/or drug abuse treatment facilities and adult treatment facilities.

Comprehensive Plan: The Comprehensive Plan of Kettle Falls, Washington, and additional elements as adopted or later amended by the City Council.

Conditional Use: An activity listed among those in any given zone, but permitted to locate only after a public hearing and the decision to grant a conditional use permit imposing such performance standards as will make the use compatible with other permitted uses in the same vicinity and zone and ensure against imposing excessive demands upon public utilities as determined by the Hearing Body.

Contractor's Yard: An area and/or building used to store equipment, trucks and motor vehicles, construction supplies, building equipment and raw materials for an individual or for a contractor engaged in building or other construction businesses, including but not limited to plumbing, electrical, structural, finish, demolition, transportation, masonry, excavation or other construction work. Normal maintenance of equipment is allowed. The definition of a contractor's yard shall not apply to those instances where materials stored are to be used within one hundred eighty (180) days for the improvement of a residence or business on the property where it is to be constructed.

Convalescent Home: A residential facility licensed by the State or County to provide special care and supervision to convalescents, invalids, and/or aged persons, but where no persons are kept who suffer from mental sickness or disease or physical disorder or ailment which is normally treated within sanitariums or hospitals. Special care in such a facility includes, but is not limited to, nursing, feeding, recreation, boarding and other personal services.

Critical Material: A substance present in sufficient quantity that its accidental or intentional release would result in the impairment of one or more beneficial uses of ground or surface waters.

Dairy: Any premises where three (3) or more cows, three (3) or more goats, or any combination thereof equaling three (3) or more animals maintained and milked for a period exceeding sixty (60) days. Day(s) shall mean calendar days unless otherwise specified and shall be computed pursuant to RCW 1.12.040 or as amended.

Day Care Facility: A facility furnishing care, supervision and guidance of a child or group of children up to twelve (12) years of age or younger for a period of more than four (4) hours, but less than twenty-four (24) hours per day, which facility meets all state and local licensing requirements. Day care facility is further defined as follows:

1. "Day Care Center": A facility for the care of thirteen (13) or more children with resident or nonresident license(s). No day care center shall be located in a dwelling unit unless that portion of the dwelling unit to which the children have access is used exclusively for the children during the hours the center is in operation or is separate from the usual or customary living quarters of the family;

2. "Mini-Day Care Center": A facility for the care of twelve (12) or fewer children in a facility other than the dwelling unit of the person(s) under whose direct care or supervision a child(ren) is placed, or for the care of from seven (7) to twelve (12) children in the dwelling unit of such person(s). In accordance with WAC Chapter 388-75, the total number of children actually permitted in a mini day care center is reduced by the number of children in the dwelling unit of preschool age and all other children through twelve (12) years of age during nonschool hours; and

3. "Family Day Care Home": A facility which regularly provides care during part of the twenty-four (24)-hour day to six (6) or fewer children in the dwelling unit of the person(s) under whose direct care and supervision a child(ren) is placed. In accordance with WAC Chapter 388-73-422, the total number of children actually permitted in a family day care home is reduced by the number of children in the dwelling unit of preschool age and all other children through twelve (12) years of age during nonschool hours.

4. A facility providing care for less than four (4) hours per day is classified as a "Nursery School."

5. In the event of change or modification to the referenced WAC chapters, the latest WAC definitions shall apply.

Density: The amount of land per dwelling unit, excluding the area for roads, parks, churches and schools, common open space, public/private capital facilities, and dedicated public lands, and any other nonresidential use, except tax-exempt open space.

Dependent Relative: One who is related by direct blood line, marriage, adoption, unmarried partner relationship or court-appointed guardianship; has been determined by a licensed physician to be physically or mentally incapable of caring for themselves and/or their property; and who is over the age of 18. The City may exercise discretion to decide qualifying relationships.

Dormitory: A building used as group living quarters for a student body or religious order as an accessory use for a college, university, boarding school, orphanage, convent, monastery, or other, similar institutional use.

Driveway: Any area, improvement or facility between the roadway of a public or private street and private property, which provides ingress/egress for vehicles from the roadway to a lot(s) or parcel(s).

Dwelling: A building or portion thereof designed exclusively for residential purposes on a permanent basis, as distinguished from a transient basis, and which, therefore, does not include hotels, motels, dormitories, convalescent homes or accessory buildings or structures.

Dwelling, Multi-Family: A building designed for occupancy by three (3) or more families living independently of one another within three (3) or more dwelling units.

Dwelling, Multi-Family (Low Income): A multi-family dwelling designed and constructed to primarily serve persons of low income as defined by the U. S. Census Bureau.

Dwelling, Single-Family: A building designed for long-term habitation exclusively by one family, having complete living facilities and constituting one dwelling unit. This definition shall include manufactured homes and mobile homes.

Dwelling, Two-Family (Duplex): A building designed exclusively for occupancy by two (2) families living independently of each other within two (2) dwelling units.

Dwelling Unit: One (1) or more rooms in a dwelling, designed, occupied or intended for occupancy as separate living quarters, with an individual entrance, and cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of one family maintaining a household.

Electric Sign: A sign or sign structure in which electrical wiring, connections and/or fixtures are used as part of the sign proper.

Electronically Changeable Message Sign: A sign upon which graphics, symbols or words can be varied upon the face or faces of a sign by a computer controller to display time, temperature, public service, community service and commercial information.

Explosive: Any substance that alone, or in combination or contiguity with another substance, may decompose suddenly and generate any destructive force to surrounding property or objects.

Family: An individual, or two or more persons related by blood, marriage, or adoption, or a group of not more than five (5) persons, excluding dependents, who are not related by blood, marriage or adoption, living together as a single nonprofit housekeeping unit in a dwelling unit.

Farm Machinery Sales and Repair: A specialized retail facility which caters exclusively to the sale and repair of farm machinery, including tractors, farm implements, combines, loaders, applicators, and their accessories. Such a facility shall not normally carry products related to the road construction, mining, or the forest products industries. The facility shall not be established as a car or truck sales lot or carry sales inventory normally provided by a hardware store, lumber yard, home improvement center, or an automotive service station.

Farmstead: One (1) or more residential and/or nonresidential structures located on a primarily agricultural parcel, the residents or users of which devote their time almost exclusively to the production of food or fiber or derive at least half (1/2) their income from agricultural pursuits.

Feed Lot: A confined area or structure used for feeding, breeding or holding livestock for eventual sale or slaughter and in which animal waste accumulates faster than it can naturally dissipate without creating a potential for a health hazard, particularly with regard to surface and ground water; but not including barns, pens or other structures used in a dairy operation or structures on farms holding livestock primarily during winter periods.

Feed Mill: A structure or building used to store or grind grain for animal or human consumption.

Fence: A wall or a barrier composed of stone, brick or posts connected by lumber, rails, panels, or wire for the purpose of enclosing space marking boundaries, serving as an obstruction or barrier or separating parcels of land.

Fire Lane: An access designed for emergency escape from an entrance to a parcel of land or its improvements.

Flag: Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision, or other entity.

Floor Area, Livable: The square footage amount of covered area used, or planned to be used for living purposes, not including garages, carports, crawl spaces and other generally not lived in spaces.

Floriculture: The cultivation of ornamental flowering plants.

Food Locker: A commercial building designed to prevent spoilage of food and to store food for retail food stores or persons buying in large quantities.

Fraternity: A men's organization formed chiefly for social purposes which may function as a place for living and eating, especially for college students.

Freestanding Sign: Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

Garage, Public: A building or portion thereof, other than a private garage, used for the care, parking, repair, or storage of automobiles, boats, and/or recreational vehicles or where such vehicles are kept for remuneration or hire.

Grade: The average elevation of the finished ground level at the center of all exterior walls of a building. In case of any wall which is parallel to and within five (5) feet of a lot line, elevation at the lot line adjacent to the center of the wall shall be considered the finished ground level. In the case of any sign, grade shall be measured or determined at the sign support structure(s).

Greenhouse, Commercial: An establishment where flowers, shrubbery, vegetables, trees and other horticultural and floricultural products are grown both in the open and in an enclosed building for sale on a retail or wholesale basis.

Hazardous Waste: All dangerous and extremely hazardous waste as defined at RCW 70.105.010(15), except for moderate risk waste as defined at RCW 70.105.010(17), or as amended.

Hazardous Waste Storage: The holding of hazardous waste for a temporary period, as regulated by WAC 173-303 or as amended.

Hazardous Waste Treatment: The physical, chemical or biological processing of hazardous waste for the purpose of rendering such wastes non-dangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume.

Hazardous Waste Treatment and Storage Facility, Off-Site: Treatment and storage facilities which treat and store hazardous wastes generated on properties other than those on which the facility is situate. This use is always the primary use of a property.

Hazardous Waste Treatment and Storage Facility, On-Site: Facilities that treat and store hazardous wastes generated on the same property. This activity is always an accessory use to a primary activity on the property.

Hearing Body: The individual, committee, or agency designated by the City Council to conduct public hearing and render decisions on amendments, special permits, conditional uses, appeals and other matters as set forth in the Code.

Home Industry: An occupation, profession or craft, excluding an adult retail use establishment, adult bookstore or adult entertainment establishment, in association with a primary residence, which is of such intensity or scope of operation that a Conditional Use Permit is necessary. Therefore, by character and definition, a home industry is different than a home profession or general commercial, industrial or business uses.

Home Profession: A profession or craft, excluding an adult retail use establishment, adult bookstore or adult entertainment establishment, carried on within a residence by the occupants, which activity is clearly incidental to the use of the residence as a dwelling and does not change the residential character of the dwelling or neighborhood, and is conducted in such a manner as to not give any outward appearance of a business in the ordinary meaning of the term. An activity which must comply with the following criteria to be deemed a home profession.

1. There shall be no exterior alterations to the dwelling which changes the residential appearance or character thereof.

2. The use, including all storage space, shall not occupy more than forty-nine percent (49%) of the residence's livable floor area. No home profession shall occupy a detached accessory building. All storage shall be enclosed within the residence.
3. Only members of the family who reside on the premises shall be engaged in the home profession.
4. One (1) sign identifying a home profession shall be limited in size to a maximum of four (4) square feet, be unlighted, and be placed flat against the residence.
5. There shall be no window display, nor shall sample commodities be displayed outside the building, except that horticultural and floricultural products grown on the premises may be so displayed.
6. There shall be no stock stored, nor commodity kept for sale on the premises which is not necessary to the profession or craft.
7. All material or mechanical equipment shall be used in a manner as to be in compliance with WAC 173-60 regarding noise.
8. Traffic generated which exceeds the following standards shall be prima facie evidence that the activity is a primary business and not a home profession.
   a. The parking of more than two (2) customer vehicles at any one (1) time.
   b. The use of loading docks or other mechanical loading devices.
   c. Deliveries of materials or products at such intervals so as to create a nuisance to the neighborhood.
9. The hours of operation for a home profession shall be limited from seven (7) a.m. to ten (10) p.m. The applicant shall specify on the home profession permit the hours of operation.
10. A Business License shall be issued by the City per fee schedule established by the City Council.

Horse Boarding: A barn, stable, or other structure where owners or users of the property commercially bathe, train, house and/or feed more than three (3) horses or other riding animals not owned by the users or owners of the property for more than twenty-four (24) consecutive hours.

Horticulture: The cultivation of a garden or orchard.

Hospital: An institution licensed by the state agencies under provisions of law to offer facilities and temporary or emergency services in surgery, obstetrics, and general medical practice for human patients who are ill or injured.

Hotel: A building in which there are six (6) or more guest rooms where lodging with or without meals is provided for compensation, and where no provision is made for cooking in any individual room or suite.

Household Pet: Any animal or bird, other than livestock, large or small animals and animals or birds considered to be predatory or wild, which normally lives in or is kept in a residence.

Incidental Sign: A sign, generally informational, that has a purpose secondary to the use of the buildable lot on which it is located, such as "no parking," "entrance," "loading only," "telephone," and other similar directives. No sign with a commercial message legible from a position off the buildable lot on which the sign is located shall be considered incidental.

Incinerator: A vessel, device, apparatus, or structure designed to burn solid waste under controlled, nuisance-free conditions, and at a relatively high temperature, for the purpose of reducing the combustible components to a nonputrescible residue capable of ready disposal.

Industrial Zones: Those zones outright permitting various industrial and manufacturing uses including the I and HI zones.

Inherently Dangerous Mammal: A live member of the canidae, felidae, or ursidae families, including hybrids thereof which, due to their nature, may be considered dangerous to humans, and which includes:

1. Canidae, including any member of the dog (canid) family not customarily domesticated by man, or any hybrids thereof, but not including domestic dogs (Canis lupus familiaris) or wolf hybrids which are a cross between a wolf and a domestic dog.
2. Felidae, including any member of the cat family not customarily domesticated by man, or any hybrids thereof, but not including domestic cats (Felis catus).
3. Ursidae, including any member of the bear family, or any hybrids thereof.

Inherently Dangerous Reptile: A live member of the class reptilia which:
1. is venemous, including but not necessarily limited to all members of the following families: Helodermidae; Viperidae; Crotalidae; Altractaspidae; Hydrophilidae; and Elapidae; or
2. is a "rear fanged" snake of the family Colubridae that are known to be dangerous to humans, including but not necessarily limited to all members of the following families: Dispholidus tupus; Thebtornis kirtlandii; and Rhabdophis spp.; or
3. is a member of the order Crocodilia (crocodiles, alligators and caiman).

Inherently Dangerous Mammal/Reptile Keeper: Any person who harbors and/or owns one (1) or more inherently dangerous mammals or reptile.

Inoperable: A machine or vehicle does not function as it was originally designed because an essential component(s) has stopped functioning properly, is missing or absent.

Kennel: An establishment or place, other than an animal or veterinary hospital or clinic or animal shelter, where eleven (11) or more dogs and/or eleven (11) or more cats over six (6) months of age are housed, groomed, bred, boarded, trained or sold commercially or as pets.

Kennel, Private: The domicile of a person or persons who own or breed five (5) or more dogs, cats or small animals, but less than eleven (11) dogs, cats or small animals over six (6) months of age, primarily for personal recreational use, such as participation in recognized conformation shows, field or obedience trials, racing, scenting, pulling, specialized hunting or working and water trials, search and rescue, tracking, and for the purpose of improving the physical soundness, temperment, and conformation of a given breed to a standard.

Landfill: A method of final disposal of solid waste by utilizing land in a manner that allows the disposal of solid waste without creating hazards to public health, significant impacts to the environment, or nuisances.

Library: An establishment for the sole purpose of loaning and circulating books or providing a reading room and reference service to the public, whether conducted by a public or private agency or whether the service is with or without direct cost to the user.

Livestock: Animals including, but not limited to horses, cattle, llamas, sheep, goats, swine, reindeer, donkeys and mules.

Loading Berth: An off-street space, designated area or berth located on the same lot or site as the buildings or use served, which provides the temporary parking of a commercial vehicle while loading or unloading merchandise, materials, or passengers.

Lot: A platted or unplatted parcel of land defined by the records of the Stevens County Assessor to be segregated and/or separated from other parcels of land and in compliance with State and local platting laws.

Lot Area: The total horizontal space within the lot lines of a lot, excluding any street rights-of-way.

Lot, Buildable: A division of land created in compliance with State and local platting laws of at least sufficient size and lot frontage to meet any minimum local or State Code requirements for use as a building site.

Lot Depth: The horizontal length of a straight line drawn from the midpoint of the lot front line and at right angles to such line to its intersection with a line parallel to the lot front line and passing through the midpoint of the lot rear line. In the case of a lot having a curved front line, the lot front line for purposes of this section shall be deemed to be a line tangent to the curve and parallel to a straight line connecting the points of intersection of the lot side lines with the curved lot front line.

Lot Frontage (Frontage): The length of that portion of a lot abutting a public private street which provides principal access to the lot.

Lot Lines:

1. Lot Front Line - A line separating the lot from the street, or public right-of-way other than an alley if a street does not exist. In the case of a corner lot, the shortest continuous line separating the lot from the street or public right-of-way shall be the lot front line. In case of corner lots having equal lines abutting a street or public right-of-way, that property line which when extended creates the front property line for the greatest number of interior lots in the same block shall be considered as the lot front line of such corner lot. Where a lot does not abut a public right-of-way or street the lot front line shall be the lot line nearest to a street or public right-of-way.

2. Lot Rear Line - A lot line which is opposite and most distant from the lot front line.

For the purposes of establishing the lot rear line, the following shall apply:

a. In the case of a lot with a rear boundary formed by a single line that is parallel to the lot front line, the rear boundary is the lot rear line.

b. In the case of a lot, the rear boundary of which is formed by two (2) or more lines, the lot rear line shall be a line ten feet (10') in length within the lot and farthest removed from the lot front line and at right angles to the line comprising the depth of such a lot.

c. In the case of a trapezoidal lot, the rear line of which is not parallel to the lot front line, the lot rear line shall be deemed to be a line at right angles to the line comprising the depth of such lot and drawn through a point bisecting the recorded lot rear line.

d. In no case shall the application of the above be interpreted as permitting a main building to locate closer than five feet (5') to any property line, unless such building portion is below grade with no visible portion above grade.

3. Lot Side Line - Any lot boundary line not a lot front line or a lot rear line.

Lot of Record: An area of land designated as a residential lot on the plat or subdivision lawfully recorded or registered with the Auditor for Stevens County.

Lot Types:

1. Corner Lot - A lot situated at the intersection of two (2) or more streets, the street frontage of which lot forms an angle not greater than one hundred and twenty-eight degrees (128°), and not less than forty-five degrees (45°),

2. Interior Lot - A lot other than a corner lot.

Lot Width: The horizontal distance between the lot side lines measured at right angles to the line comprising the depth of the lot. Minimum lot width shall be the same for the entire depth of the parcel.

Low Intensity Lighting: Lighting not exceeding the equivalent of eight hundred (800) milliamperes fluorescent tubing space on nine-inch (9) centers, or of exposed neon not exceeding thirty (30) milliamperes.

Main Building: **see principal building.**

Manufactured Home, Consumer Choice: a manufactured home that meets all of the following criteria:

1. Is a designated Manufactured Home (see below);

2. Is a "new Manufactured home" as defined by RCW 35.63.160(2) or as amended;
3. Is set on a permanent foundation;
4. Is thermally equivalent to the state energy code; and
5. Meets all other design standards for the zoning district it is to be placed in.

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

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

Manufactured Home, other: A factory-built single-family dwelling constructed after June 15, 1976, consistent with the Department of Housing and Urban Development (HUD) Manufactured Home Construction and Safety Standards Act, and identified as such by appropriate labeling. Manufactured homes shall be considered as single-family dwellings. A manufactured home also:

1. Includes plumbing, heating and electrical systems.
2. Is built on a permanent chassis.
3. Can be transported in one or more sections with each section at least 8 feet wide and 40 feet long when transported, or when installed on the site is 320 square feet or greater.

Manufactured Mobile Home Park: A site having as its principal use the rental of space for occupancy by two (2) or more manufactured mobile homes, and the accessory buildings, structures, and uses customarily incidental to such homes.

Marquee: Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Marquee Sign: Any sign in any manner attached to or made part of a marquee.

Massage Parlor: A building or structure where persons obtain massage treatment and/or advice, or where persons use facilities for nonsexual relaxation purposes.

Medical Office: See "Clinic."

Mobile Home: A factory-built dwelling built prior to June 15, 1976, to standards other than the HUD Code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state.

Modular Home: A factory-assembled structure designed primarily for use as a dwelling when connected to the required utilities, does not contain its own running gear, and must be mounted on a permanent foundation. A modular home does not include a mobile home or manufactured home.

Motel: One or more attached or detached buildings providing separate sleeping or living quarters, primarily to temporarily accommodate transient individuals or families traveling by motor vehicle, with attached garages or parking spaces conveniently located to each unit and may include kitchen facilities. Also commonly referred to as a tourist court, tourist home, motor lodge, motor inn or similar designation.

Multiple Building Complex: A group of structures, or a single structure, with dividing walls and separate entrances for each business, housing at least two (2) retail businesses, offices, commercial ventures or independent or separate parts of a business which share the same lot, access and/or parking facilities.

Neighborhood: A geographic area bounded by distinct physical boundaries, such as major or minor arterials, geologic formations, broad open spaces and similar features, centered around common interests or facilities and distinguished from a "community," which could be composed of more than one (1) neighborhood as herein defined.

Nonconforming: A lot, use, building, sign or structure which was legal when commenced or built, but which does not conform to subsequently enacted regulations.

Nursery: An area, structure, or building and all accessory areas, structures, or buildings which are used exclusively for the purpose of nurturing trees, shrubs, flowers, and/or other plants for the purpose of transplant and/or sale.

Nursery School: A private agency, school, or institution engaged in educational work with preschool children and in which no child is enrolled on a regular basis for four (4) or more hours per day. Enrollment for four (4) or more hours per day shall classify the facility as a "Day Care Facility" or "Kindergarten."

Nursing Home: A place licensed by the State Department of Social and Health Services as a "nursing home" or institution which operates or maintains facilities providing convalescence and/or chronic care for a period in excess of twenty-four (24) consecutive hours for three (3) or more patients who are not related to the operator by blood or marriage and who by reason of illness or infirmity are unable to properly care for themselves.

One Hundred (100)-Year Flood Plain: An area determined by the Federal Emergency Management Agency (FEMA) or by Stevens County or the City of Kettle Falls to have a one-percent (1%) chance of flooding in any given year.

Open Space: The area of a lot or building site that is free and clear of buildings and structures.

Opponent of Record: A person who has provided verbal or written testimony in opposition to a proposal/project before or during the public testimony portion of a hearing, or filled out and submitted a Party of Record Notice indicating opposition prior to the close of the public hearing.

Orchard: A planting of trees producing fruit and/or nuts for the purpose of sale.

Ordinary High-Water Mark: That mark on all lakes, streams and surface waters which will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland in respect to vegetation; provided, that in any area where such a mark cannot be found, the ordinary high water mark shall be the line of the mean high water.

Outdoor Advertising Display/Structure: A name, identification, card, paper, cloth, metal, wooden or other display, illustration or device of any kind or character, including but not limited to any poster, bill, printing, painting or other advertisement of any kind whatsoever, which is affixed to or represented directly or indirectly upon a building, structure, tree, wall, rock, fence, or piece of land and which directs attention to an object, product, place, activity, person, institution or business. An outdoor advertising display/structure does not include directional, warning, or information structures required or authorized by law, official notice of any court or public body or office posted by a public officer in performance of a public duty, any flag, emblem, or insignia of any government, government agency, civic, charitable, religious, patriotic, fraternal or similar organizations; or any "sign."

Owner: Any person, partnership, corporation, association, unincorporated organization, trust or any other legally recognized commercial entity having sufficient proprietary interest to seek development of land. This includes a representative with written owner authorization.

Overlay Zone: Requirements described in the Code text which exist in conjunction with another zone and which relate to the official zoning map. Developments within such an area must conform to the requirements of both zones and, in the event of inconsistencies, the most restrictive requirements shall control.

Park-and-Ride Facility: A parking area or structure used for the specific purpose of storing motor vehicles in order that the occupants can transfer to a higher occupancy vehicle (HOV) (e.g., buses, vans, carpool autos) to complete a trip.

Park, Public: A site under the control of any Federal, state or local government agency, and designated or developed for recreational use by the public. Subject to the regulations of the controlling agency, recreational uses may include, but are not limited to indoor facilities, such as museums, swimming pools and skating rinks, and outdoor facilities such as athletic fields, playgrounds, fishing areas, and areas and trails for hikers, equestrians, bicyclists, or off-road recreational vehicle users.

Parking Area, Satellite: A parking area more than three hundred (300) feet away from the establishment, building, structure, or use which it is designed to serve.

Parking Facility: A parking area, building, or structure used for the specific purpose of parking or storage of motor vehicles for compensation and/or to accommodate the patrons of the establishment providing said parking facility; establishments providing such facilities include industrial, manufacturing, commercial, recreational, office, institutional and residential uses, but exclude single family dwellings.

Parking Lot Travel Lane: Privately owned lanes for vehicles to travel through parking lots to parking stalls, loading areas, public roadways, and other adjacent public or private parking lots.

Party of Record: A person who has provided verbal or written testimony in or regarding a public hearing on a land use action.

Pennant: Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

Permitted Use: An activity or use so designated in any given zone, and which may occur without special action by the City Council or Hearing Body, subject to provisions of the zone in which it is located.

Person: A corporation, company, association, society, firm, partnership or joint stock company, as well as an individual, a state, and all political subdivisions of a state or any agency or instrumentality thereof.

Person or Party Having Standing: Any party of record.

Pigeon Loft: Any structure which is used for the housing or keeping of performing or show pigeons.

Pigeon, Performing: Pigeons which are raised and used in the sport, hobby or competition of racing; which require being released for freedom of flight for purposes of training, maintaining physical conditioning or competitive performing; and which are identified by a leg band containing the name or initials of the owner or with an identification or registration number stamped on the band. Specifically included in this category are flying tipplers, rollers, tumblers and homing or racing pigeons.

Pigeon, Show: Pigeons which are raised and used in the sport, hobby or competition of show; which do not require being released for freedom of flight for maintenance of physical conditioning or training; and which are identified by a leg band containing the name or initial of the owner, or with an identification or registration number stamped on the band.

Planned Unit Development (P.U.D.): A land development project planned comprehensively as an entity through a design process prescribed by ordinance.

Portable Sign: Any sign which is not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including but not limited to signs designed to be transported by means of wheels; signs converted to A- or T-Frames; menu and sandwich board signs; balloons used as signs; umbrellas used as advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business and is, therefore, fully functional and operational.

Primary Purpose; Primary Use; Principal Use: The predominant use to which the lot or property is or may be devoted and to which all other uses are accessory.

Principal Building: The building in which is conducted the principal use of the property on which it is located. Buildable lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other clearly accessory uses shall not be considered principal buildings.

Private Repeater Facility: A facility for the noncommercial reception and retransmission of radio signals.

Professional Offices: An office maintained and used as a place of business by individuals in licensed professions and other generally recognized professions which utilize training or knowledge in the mental disciplines as distinguished from occupations primarily oriented to manual skills or the handling of commodities.

Prohibited Use: A use not specifically enumerated as a permitted use, conditional use or nonconforming use. Prohibited uses include, but are not limited to, the enumerated "prohibited uses" within each zone of this Code.

Projecting Sign: Any sign affixed to a building or wall in such a manner that its leading edge extends more than six (6) inches beyond the surface of the building or wall.

Public Utility: A closely regulated public or private enterprise with an exclusive franchise for providing a public service paid for directly by the recipient of that service.

Public Utility Local Distribution Facility: Any building, structure, or device which transfers directly to the public the service or supply provided by a public utility, including telephone, electric (less than sixty (60) feet in height), gas, cable television, water and sewer, and all other facilities, equipment and structures necessary for conducting a local distribution service by a government or public utility.

Public Utility Transmission Facility: Any building, structure, or device which does not directly transfer to the public the service or supply provided by a public utility, including telephone, electric (greater than 55,000 volts or 55 KV), gas, cable television, water and sewer, and all other facilities, equipment, and structures, including substations, switching stations, and reservoirs.

Record: The official file, exhibits, maps and slides including the tape recorded proceedings or transcription thereof.

Recreational Area, Commercial: An indoor and/or outdoor area or structure(s) operated for profit and devoted to facilities and equipment for recreational purposes including, but not limited to, swimming pools, tennis courts, racquet ball courts, dance and other similar uses whether the use of such area is limited to private membership or whether open to the public upon the payment of a fee.

Recreational Vehicle (RV): A vehicular-type portable structure without permanent foundation, primarily designed as temporary living quarters for recreational, camping, or travel use, with or without motor power, and occupied in any one place for a period not exceeding thirty (30) days. This includes, but is not limited to, travel trailers, truck campers, camping trailers and self-propelled motor homes.

Recreational Vehicle Park: An area where facilities are provided for recreational or camping vehicles or travel trailers, tents or other portable habitation, utilized by the public as a place for camping, vacationing, or temporary usage for not more than thirty (30) days. The park may include certain recreational or service facilities for the use of the residents of the park. Recreational or camping vehicle parks shall comply with all applicable State and County regulations.

Residence: A building or structure, or portion thereof, which is designed for and used to provide a place of abode for human beings, but not including hotels or motel units, or places of abode having no kitchen within each unit. A residence must include one or more dwelling units.

Residential Recreational Vehicle: A vehicular type portable structure without permanent foundation, primarily designed as temporary living quarters for recreational, camping, or travel use, with or without motor power, and occupied in any one place for a period exceeding thirty (30) days. This includes, but is not limited to, travel trailers, truck campers, camping trailers and self-propelled motor homes.

Residential Sign: Any sign located in a district zoned for residential uses that contains no commercial message except advertising for goods or services legally offered on the premises where the sign is located, if offering such service at such location conforms with all requirements of the Unified Development Ordinance.

Residential Zones: Those zones outright permitting residential uses, including the SR, LDR, SFR, MH, RD, and MFR zones.

Retirement/Elderly Apartments: A multi-family dwelling designed for people who are retired from active employment service, and who are not medically dependent upon other individuals.

Retirement/Elderly Apartments (Low Income Subsidized): A retirement/elderly apartment developed and owned by a nonprofit sponsor who receives a direct funding loan from HUD-FHA or some other agency and where rents are subsidized by HUD-FHA or some other agency based upon low income status.

Roadway: The paved or improved portion of a street or road designed or ordinarily used for vehicular travel, but also including shoulders, auxiliary lanes, sidewalks and curbs lying within the roadway right of way or easement.

Roof: A structural covering over any portion of a building or structure, including the projections beyond the walls or supports of the building or structure.

Roof Sign: Any sign erected or constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

Roof Sign, Integral: Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of six (6) inches.

Runway: Any existing or planned paved surface or turf-covered area of an airport which is specifically designed and used, or planned to be used, for the landing and/or taking off of aircraft.

Sanitarium: A health station or retreat, or any place where resident patients are housed, which specializes in giving temporary or emergency clinical services of a medical or surgical nature, including surgical and post surgical treatment of persons with mental disorders, but excluding the psychiatric treatment of such mental and nervous disorders.

Schools: Kindergarten, Elementary, Middle, Junior High and High: Public and private institutions of learning offering instruction from kindergarten to grade 12 required by the Education Code of the State of Washington.

Secondhand: Any material or good that has been used and is not specifically addressed by one of the Zoning Matrices.

Self-Service Storage Facility: A facility including buildings and/or structures containing spaces of varying sizes leased or rented on an individual basis and used exclusively for the storage of property, including vehicles and boats.

SEPA: The Washington State Environmental Policy Act of 1971 and administrative codes promulgated pursuant thereto.

Service Station, Automobile: A retail establishment for the on-premises sale of motor vehicle fuel and other petroleum products and automobile accessories, and for the lubrication and minor repair of automotive vehicles, but not including tire recapping, engine overhaul, or body and fender work.

Setback: The distance from the property line to the nearest part of the applicable building, structure, or sign, measured perpendicularly to the property line.

Sewage Sludge: The concentrated deposit, sediment, or mass resulting from the treatment of sewage, including materials pumped from cesspools, septic tanks, sewage holding tanks and drywells.

Sign: Any visual communication device, structure, placard or fixture which is visible from any right-of-way and is intended to aid the premises in promoting the sale of products, goods, services or events, or to identify a building using graphics, colors, letters, figures, symbols, trademarks or written copies, or to identify the purpose of a person or entity, or to communicate information of any kind to the public.

Solar Collector: The south face of a structure higher than two (2) feet above the ground level at the south wall which has solar sky space and can use solar energy to reduce consumption of energy for space heating, lighting, water heating, and/or to generate electrical energy used by that structure.

Solid Waste: All putrescible and nonputrescible solid and semisolid material, including but not limited to garbage, refuse, bulky wastes, inert waste, agricultural solid waste, sewage sludge and demolition and construction wastes.

Solid Waste Recycling/Transfer Site: A structure or vehicle, the main purpose of which is to hold solid waste or recyclable materials, prior to transport to a central disposal or collection location. Recycling sites are allowed only in conjunction with solid waste transfer and disposal sites and shall limit recyclables only to ferrous metals, aluminum, glass, plastics, paper, and other reusable items. Solid waste recycling/transfer site is not a sanitary landfill, garbage and refuse dump, or recycling plant.

Sorority: A female fraternity.

Specialty Agricultural Production: Includes retail nursery, greenhouse, and food crops, all grown under cover.

Specified Anatomical Areas: Human genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola, when such areas are less than completely and opaquely covered. This definition shall also include human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities: Human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse or sodomy; fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

Story: 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 a topmost floor and the ceiling or roof above. If the finished floor level directly above a usable or unused under-floor space is more than six (6) feet above grade as defined herein for more than fifty percent (50%) of the total perimeter or is more than twelve (12) feet above grade as defined herein at any point, such usable or unused under-floor space shall be considered as a story.

Street: A strip of land or way subject to vehicular and/or pedestrian traffic that provides direct or indirect access to property, including but not limited to alleys, avenues, boulevards, courts, drives, highways, lanes, places, roads, terraces, trails, or other thoroughfares.

Street Frontage: The distance for which a lot line of a buildable lot adjoins a public street, from one lot line intersecting said street to the furthest distant lot line intersecting the same street.

Structure: Any object constructed or erected which requires location on or in the ground or is attached to something having a location on the ground (including towers, smokestacks, overhead transmission lines, captive balloons, etc.) but not including fences or walls used as fences less than six (6) feet in height. Excluded from this definition are accessory storage structures for the sole use of the owner or occupant less than one hundred twenty (120) square feet in area not specifically permitted or prohibited by this Title or written interpretation thereto. Also excluded are docks and piers, but which may still be governed by the City's Shoreline Management Plan.

Subdivision: Short plats, preliminary subdivision plats, and final plats, as provided at RCW 58.17 and KFMC Title 17.

Suspended Sign: A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

Temporary Sign: Any sign that is used only temporarily and is not permanently mounted.

Temporary Use: A use properly approved for location on a lot for a period not to exceed six (6) months with the intent to discontinue such use after the time period expires. This definition excludes Temporary Signs.

Tire Salvage Yard: Any area, lot, land, parcel, building, structure or part thereof where waste, discarded or salvaged tires are exchanged, handled, bought, sold, stored, chipped, shredded or dumped. Outdoor storage of up to eight hundred (800) tires and the storage of up to eighteen hundred (1800) tires inside an enclosed building or semi-trailer, as an accessory use to a permitted business use, shall not be considered a Tire Salvage Yard.

Tower: A structure not enclosed with exterior walls and which extends more than seventy five feet (75′) above grade or which exceeds the maximum building height for the zone in which it is located. Public utility structures used for the distribution or transmission of electricity are excluded from this definition, but structures used for production of energy are included (e.g. wind tower). Structures less than seventy five feet (75′) above grade shall be considered accessory structures.

Tower, Private: A structure less than seventy-five (75) feet in height above grade used for two-way communication for hobby or emergency service purposes by private individuals.

Transitional Community Facility: Any dwelling or place licensed, certified or authorized by state, federal or local authorities as a half-way house for adults leaving correctional facilities or run-away youth needing temporary residence as a transition to community living or as a temporary shelter in time of crisis. May include a half-way house or crisis residential center.

Use: The purpose for which land or building is arranged, designed, or intended, or for which either is or may be occupied or maintained.

Utility Runway: A runway that is constructed for and intended to be used by propeller driven aircraft of twelve thousand five hundred (12,500) pounds, maximum gross weight or less.

Variance: The means by which an adjustment may be made in the application of the specific regulations of this Code to a particular parcel of property which property, because of special circumstances applicable to it, is deprived of privileges

commonly enjoyed by other properties in the vicinity and similar zone classification and which adjustment remedies the difference in privileges. However, a variance may not authorize a use otherwise prohibited in the zone classification in which the property is located.

Vehicle: An item, not a manufactured or mobile home, which is designed to transport objects, merchandise, other articles or persons from one point to another whether the item or vehicle is operable or inoperable.

Veterinary Hospital or Clinic, Small Animal: An establishment other than a kennel in which veterinary medical services including clipping, bathing, and similar services, are rendered to dogs, cats and other small animals and domestic pets.

Veterinary Hospital or Clinic, Large Animal: An establishment in which veterinary medical services and similar services are rendered to large animals, such as horses, cows, donkeys, sheep, pigs, and similar animals.

Wall Sign: Any sign attached parallel to, but within six inches (6") of a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by the wall or building, and which displays only sign surface.

Window Sign: Any sign, picture, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service, which is placed inside a window or upon the windowpanes or glass and is visible from the exterior of the window.

Wireless Communication Antenna Array: One or more rods, panels, discs or similar devices used for the transmission or reception of radio frequency (RF) signals, which may include omnidirectional antenna (whip), directional antenna (panel) and parabolic antenna (dish). Wireless communication antenna array shall be considered an accessory use, provided they are located upon an existing structure.

Wireless Communication Support Tower: A structure specifically designed to support a wireless communication antenna array, and may include a guyed tower, self-supporting tower, a single pole structure (or monopole), lattice tower, and other similar structures.

Yard: An open space on a lot other than a court, unoccupied and unobstructed from the ground upward, except as otherwise provided in this Code.

Yards, Types and Measurements:

1. Front Yard - An area extending across the full width of a lot and lying between the lot front line and that portion of a proposed or existing building or structure on the lot closest to the lot front line, or between the lot front line and the required front yard depth in each classification when no building or structure exists or is proposed. The front yard is generally recognized by location of the main entrance to the building and/or orientation to the primary street. "Front yards" shall be measured by a line at right angles to the lot front line, or by the radial line or radial line extended in the case of a curved lot front line. Any lot extending between two (2) nonintersecting streets shall be deemed to have front yards on both streets regardless of building orientation.
2. Rear Yard - An area extending across the full width of the lot and lying between the lot rear line and that portion of a proposed or existing building or structure closest to the lot rear line, or between the lot rear line and the required rear yard depth in each classification when no building or structure exists or is proposed. "Rear yards" shall be measured by a line at right angles to the lot rear line, or by the radial line or radial line extended in the case of a curved lot area line.
3. Side Yard - That area of a lot, unoccupied, which is neither a front yard, a rear yard or a flanking street yard.
4. Flanking Street Yard - That unoccupied area of a lot which is coterminous with a flanking street bounded by the front yard and rear yard and the flanking street yard depth.

Youth oriented businesses: A business utilizing a permanent building or facility where children under the age of 18 are invited onto the business premises in conjunction with such business activity and at least fifty percent (50%) of the business revenue is generated from their patronage.

Zone: A portion of the City of Kettle Falls designated on the official zoning map as one of the classifications listed in the Kettle Falls City Code and/or Uniform Development Ordinance.

Zoological Park: Any facility other than a pet shop, circus or kennel displaying, exhibiting or keeping one or more species of animals. Domestic pet shows or farm displays of domestic animals are excluded from this definition. (Ord. 1643, 2005)