

BINGEN MUNICIPAL CODE

Chapter 16.08

DEFINITIONS

Abut/abutting. Two or more properties or lots joined by a common boundary or point.

Access. The right to cross between public and private property allowing pedestrians, bicyclists, and vehicles to enter and leave property.

Appeal. A request that a final decision by an approval authority be considered by a higher authority as described in this title.

Applicant. A person who applies for a land use review or building permit. An applicant can be the owner of the property or someone the owner states in writing is representing the owner.

Approval authority. Either the City Administrator or City Council.

Binding site plan. A scale drawing as specified in Chapter 16.44, which (1) identifies the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by local, state, or federal regulations; (2) contains inscriptions or attachments setting forth such appropriate limitations and conditions for use of the land as established by the approval authority; and (3) contains provisions requiring any development on the subject to conform with the approved site plan.

Boundary line adjustment. A modification to the common boundaries of two tracts of land which does not create any additional parcels or tracts of land.

Building. Any structure, permanent, mobile, demountable or movable, built or used for the support, shelter, or enclosure of any person, animals, goods, equipment, or chattels and property of any kind.

City. The City of Bingen, Washington.

City Council or Council. The City Council for the City of Bingen, Washington.

City Administrator or Administrator. The person who is charged with the responsibility of administering this title.

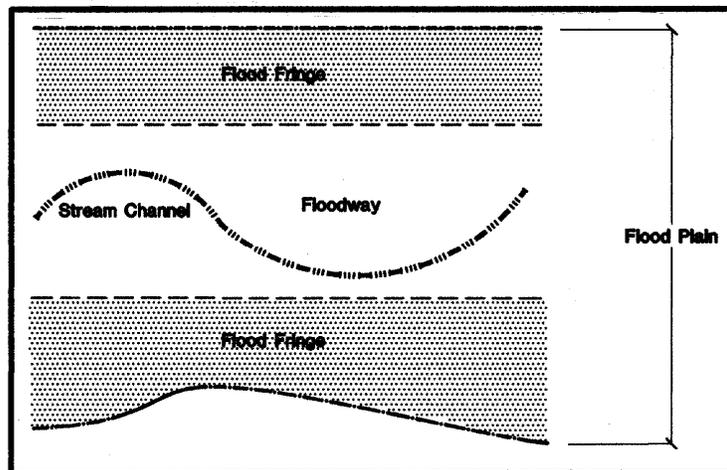
Complete application. The submittal of materials by an applicant in support of a land division or boundary line adjustment application, which contains all of the necessary information required by this title.

Comprehensive Plan. The Bingen Comprehensive Plan as adopted and amended by the city council.

Final plat. A map, diagram, drawing or re-plat containing all descriptions, location, specifications, dedications, provisions and information concerning a land division as specified by this ordinance.

Flood plain-related definitions:

- **Flood or flooding.** A general and temporary condition of partial or complete inundation of normal dry land areas from the overflow of inland waters and/or the unusual and rapid accumulation of runoff of surface waters from any source.
- **Flood Insurance Rate Map (FIRM).** The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
- **Flood plain.** The flood plain includes land subject to a 100-year flood (a flood that has a 1% chance of occurring each year) and areas subject to flooding that have been identified based on historical information. The 100-year flood plain is also called the area of Special Flood Hazard by the Federal Emergency Management Agency (FEMA) and includes the floodway and floodway fringe along the Columbia River and Jewett Creek.
- **Floodway.** The normal stream or drainage channel and that adjoining area of the flood plain needed to convey flood water. Floodways must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation.
- **Floodway fringe.** The area within the flood plain lying outside of the floodway.
- **Lowest floor.** The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable design requirements in Bingen Municipal Code Title 15.16 Flood Hazard Protection, as now and hereafter amended.



Geologically hazardous areas or geologic hazards. Areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns.

Hearing, de novo. Anew; afresh; a second time. Appeal hearings, which are held “de novo”, allow participants to introduce new evidence or information for the consideration of the approval authority.

Hearing, on the record. Appeal hearings, which are held only to consider the written record of the application including, but not limited to, the application, staff report, comments from review agencies and interested parties, and minutes or transcripts from previous hearings.

Land division. A subdivision or short plat.

Lot. A fractional part of divided lands having fixed boundaries, and being of sufficient area and dimensions to meet minimum zoning requirements for width and area. The term shall include tracts or parcels.

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

Lot, flag. A lot located behind another lot that has normal street frontage. A flag lot includes a strip of land or access easement that goes out to the street and is generally used for an access drive. There are two distinct parts to a flag lot; the flag which comprises the actual building site located behind another lot, and the pole which provides access from the street to the flag. A flag lot results from the division of a large lot with the required area and depth for two lots, but which has insufficient width to locate both on the street frontage.

Meander corner. A point established on a line which intersects a meanderable shore or meanderable stream but which does not represent a point on a property line unless indicated by specific reference.

Net area. The total usable area exclusive of space dedicated to such things as streets, easements, and uses out of character with the principal uses.

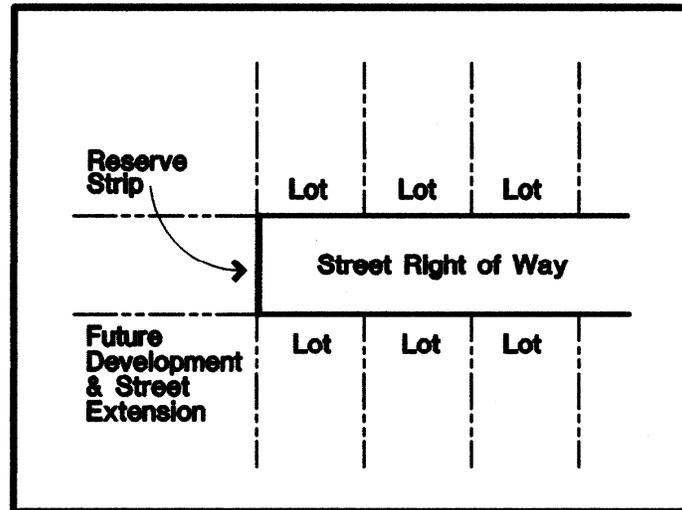
On-site. All lands in the development application and one-half (½) the right-of-way (to centerline) of roads lying adjacent to such lands.

Pathway. Any off-street way, which is intended for the primary use of pedestrians and/or bicyclists.

Plat. A map or representation of a subdivision or short plat showing the division of a parcel into lots, blocks, streets, and alleys or other division and dedications.

Preliminary map. A neat and approximate drawing of a proposed subdivision or short plat showing the general layout of roads, lots, blocks and other elements consistent with the requirements of Chapter 16.24 and shall be the basis for the approval or disapproval of the general layout of a subdivision or short plat.

Reserve strip. A strip of land reserved between the end or side of a street or alley and abutting a parcel of land to be held by the City until future street extension or widening occurs.



Right-of-way. Land dedicated to the public for access or utilities.

Riparian area. It is the area adjacent to a river, lake, or stream, which is the area of transition from an aquatic ecosystem to a terrestrial ecosystem.

Road or Street. A public or private way that is created to provide access for vehicles or persons to one or more lots, parcels, or tracts of land.

Short plat or short subdivision. A division or re-division of land into 4 or fewer lots for the purpose of sale, lease, or transfer of ownership. Future divisions of approved lots within a short plat may be considered a subdivision even though the division would be 4 or fewer lots.

Sidewalk. A concrete way located generally parallel to a street within the right-of-way, which meets adopted design standards. It is primarily intended for use by pedestrians.

Staff report. A report provided by the City Administrator or designated staff that provides review of the proposed development in relation to the requirements and approval criteria.

Subdivision. A division or re-division of land into an accumulative of 5 or more lots for the purpose of sale, lease, or transfer of ownership.

Wetland or wetlands. Areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those

artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands shall include those artificial wetlands intentionally created from non-wetland areas created to mitigate conversion of wetlands. (Ord. 507 §2, 2004).