

## Chapter 16.12

### DEFINITIONS AND USE CLASSIFICATION SYSTEMS

#### Sections:

#### 16.12.010 Purpose.

#### 16.12.020 Classification Rules.

#### 16.12.030 Authority and Responsibility.

#### 16.12.040 Definitions and Use Types

#### 16.12.010 Purpose.

Use classifications describe one or more uses having similar characteristics, but do not list every use or activity that may be within the classification. The purpose of this Chapter is to classify uses according to a limited number of uses based on common functional, product or compatibility characteristics, by providing a basis for the regulation of uses according to criteria that are directly relevant to the public health, safety, and general welfare. The classifications will apply throughout the Title. (Ord. 606, 1999; Ord. 782, 2011)

#### 16.12.020 Classification Rules.

All uses will be classified according to the use types described in this Chapter. The classifications will comply with the provisions of this Chapter.

A. TYPES OF USES REGULATED. Only principal uses are included within the Use Classification System. Accessory uses and temporary uses are regulated by the use regulations for each zoning district.

B. TYPICAL USES WITHIN USE TYPES. The description of the use types in this Chapter often contains typical uses classified within that use type. These typical uses are examples and are not meant to include all uses that may properly be classified with the use type.

C. CLASSIFYING NEW USES. New uses will

be classified into use types based on the description of the use types and upon characteristics similar to other uses already classified within this type, subject to the applicable provisions of this Section. (Ord. 606, 1999; Ord. 782, 2011)

#### 16.12.030 Authority and Responsibility.

The Director shall have the authority and responsibilities with respect to the Use Classification System.

A. CLASSIFY USES. The Director shall have the authority to classify uses according to use type or to decide that a use does not fit under any use type and, therefore, is not permitted.

B. LIST OF USES. The Director shall develop and maintain an administrative list of common uses and the use types into which they are classified.

C. PROCEDURE. The classification of a use is an administrative decision without notice and hearing, except that an application can appeal the Director's decision according to Section 16.08.060. (Ord. 606, 1999; Ord. 782, 2011)

#### 16.12.040 Definitions and Use Types

ABUTTING (adjacent). Two or more parcels sharing a common boundary, of at least one point.

ABANDONED. To cease or suspend from developing or maintaining a building or use for a stated period of time.

ABANDONED ACTIVITY. A business or activity with no reported sales activity for at least 180 days. Exceptions are temporary closures for repairs, alterations, or other similar situations.

ACCESS. Safe, adequate, and usable ingress or egress to a property or use.

ACCESS RESTRICTION. That right of access to a parcel has been dedicated to the City and that, as a consequence, a property owner no longer has a right to go to and from his/her property over that right-of-way line.

ACCESSORY BUILDING OR STRUCTURE. A structure, detached from the principal structure on

the same lot, incidental to the principal building, not designed for permanent human habitation, and may include conditioned space. The term "Accessory Building or Structure" includes sheds, detached garages, workshops, tool and storage buildings over one hundred twenty (120) square feet, recreation rooms and pool houses.

**ACTION.** The decision made by a review authority on a land use application, including appropriate findings, environmental determination and conditions of approval, where applicable.

**ADULT BUSINESSES.** Establishments or places of business primarily engaged in an adult oriented type of business. For further explanations and requirements for adult-oriented businesses see Chapter 16.110. The following are categories of this use type:

a. **Adult Book Store:** An adult bookstore includes any commercial establishment, vending machine, dispenser, booth, cart or other stand alone unit that has more than twenty-five (25%) percent of its merchandise (as measured by cost of inventory, retail floor area, retail value, or gross revenue) in books, magazines, photographs, paraphernalia, drawings, motion pictures, video tapes, films, or other audio or visual representations, which describe or depict sexual intercourse, fellatio, cunnilingus, bestiality, sodomy, sadomasochism, or other sexual conduct.

b. **Adult Entertainment Center:** An adult entertainment center includes any commercial establishment, vending machine, dispenser, booth, cart or other stand alone unit that shows or provides films, or displays them on a viewer, screen, or television set, more than twenty-five (25%) percent of which depict, describe, or relate to sexual intercourse, cunnilingus, bestiality, sodomy, sadomasochism, or other sexual conduct; or any commercial establishment that provides live entertainment wherein the entertainers perform partially or totally nude.

**AFFORDABLE HOUSING.** That housing which can be rented or purchased by those of moderate, low and very low incomes as specified in the California Code of Regulations (Title 25, Sections 6922 and 6924).

**AGRICULTURE.** The use of land for farming, dairying, pasturing and grazing, horticulture, floriculture, viticulture, apiaries, animal and poultry husbandry, and accessory activities, including but not limited to storage, harvesting, feeding or maintenance of equipment excluding stockyards, slaughtering or commercial processing.

**AMBIENT NOISE LEVEL.** The background noise level always present when isolated, identifiable sources are absent.

**AMBULANCE SERVICES.** Provision of emergency medical transportation vehicles, including incidental office services, and storage and maintenance of vehicles.

**ANIMAL BOARDING SERVICES.** Establishments providing shelter and care for small domestic animals on a commercial basis. Activities of this use type include feeding, exercising, grooming and incidental medical care. The facility shall be located at least 300 feet away from any residentially zoned district if any operations and/or boarding of animals is not conducted within an entirely enclosed and soundproofed building.

**ANIMAL GROOMING SERVICES.** Establishments focusing primarily on bathing and trimming services for small animals on a commercial basis, and includes indoor boarding of domestic animals for a maximum period of forty-eight (48) hours.

**ALLEY.** A public or private way, at the rear or side of property, permanently reserved as an supplementary means of vehicular or pedestrian access to abutting property.

**ALTERATION.** Any construction or physical change in the internal arrangement of rooms or supporting members of a building or structure, or

change in appearance of any building or structure.

**ANCILLARY USE.** A use incidental to and customarily associated with a specific principal use, located on the same lot or parcel, including, but not limited to, massage therapy/spa, body art and kennels or boarding of pets.

**ANTENNA.** A device for transmitting or receiving radio, television, or any other transmitted signal.

**APARTMENT, MULTI-FAMILY.** The part of a structure designed and used for occupancy by two or more individual persons or families living independently of each other, including duplex, triplex, fourplex, and other multi-unit designs.

**APPLICANT.** The owner(s) or lessee(s) of property, or their agent(s), or person(s) who have contracted to purchase property contingent upon their ability to acquire the necessary permits under this Development Title, or their agents.

**AREA OF BENEFIT.** A geographical area created to spread the cost of a service or improvements. An area of benefit is also sometimes referred to as a "Local Benefit District".

**ASSEMBLY/LIGHT MANUFACTURING.** An establishment engaged in assembly and/or light manufacturing activities that use moderate amounts of partially processed materials to produce items of relatively high value per unit weight, such as consumer electronics, small household items, etc.

**ATTACHED.** Any structure that has an interior wall or roof in common with another structure.

**AUTO/TRUCK TRAVEL PLAZA.** Minor servicing and washing of trucks, retail sales of fuel and auto/truck accessories, restaurants, convenience market and overnight accommodations available for truck crews.

**AUTO SALES LOT.** An open area used for the display, sale, rental or consignment of new or used automobiles, vans or small trucks.

**BARN.** A building used especially for storing hay and grain and for housing livestock or farm

equipment.

**BASEMENT.** A story partly or completely under-ground. A basement shall be counted as a story for purposes of height measurement where any portion of a basement has more than one half its height above average finished ground level.

**BED AND BREAKFAST INN.** A transit lodging establishment primarily engaged in providing overnight or otherwise temporary lodging for the general public and may provide meals to the extent otherwise permitted by law.

**BIKEWAY.** An area, either within or outside the right-of-way of a dedicated street, where bicycle travel is the designated use. "Bikeway" includes bike paths and bike lanes.

**BLOCK.** A parcel of land surrounded by public streets, highways, freeways, railroad rights-of way, flood control channels, creeks, washes, rivers, or unsubdivided acreage or any combination thereof.

**BOARDING HOUSE.** A structure where lodging and meals for five or more boarders is provided for compensation.

**BUILDING.** Any structure having a roof supported by columns or walls.

**BUILDING AREA.** The net portion of the lot remaining after deducting all required setbacks from the gross area of the lot.

**BUILDING COVERAGE (Lot Coverage).** The percent of lot area that may be covered by buildings or structures on a lot.

**BUILDING HEIGHT.** The vertical distance from the pad grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the average height of the highest gable of a sloping roof.

**BUILDING, MAIN.** A building in which the principal use is conducted.

**BUILDING SITE.** The ground area occupied or to be occupied by a building or group of buildings with all of the open spaces required by this Title.

**CARPORT.** A permanent roofed structure not

completely enclosed to be used for vehicle parking.

**CARETAKER RESIDENCE.** Complete independent living facility used only by an individual whose presence on the property is necessary for the operation of the business and/or to prevent vandalism, pilferage, damage, or destruction of property, structures or equipment on the same parcel.

**CATERING SERVICE.** Preparation of food and beverages for off-site consumption.

**CEMETERY.** Services or grounds involving the keeping of bodies below ground on cemetery grounds and the incidental provision of interring, undertaking, and crematory services on said cemetery grounds.

**CHILD CARE CENTERS.** Child day-care services for fifteen (15) or more children. Typical uses include child care centers, preschools, and day nurseries.

**CHURCHES.** Structures and grounds used for religious worship and incidental religious education, but not including private schools.

**CITY.** The City of Ripon.

**CITY COUNCIL.** The City Council of the City of Ripon.

**CLUB.** An association of persons, whether or not incorporated, organized for some common purpose, but not including a group organized primarily to render a service customarily carried on as a business.

**CLUBS AND LODGES.** Meeting, recreational, or social facilities of a private or nonprofit organization primarily for use of members or guests. This use type includes union halls, social clubs and centers for youths or seniors.

**COMMERCIAL RECREATION AND ENTERTAINMENT.** Provision of participant and/or spectator recreation or entertainment. The use types include theaters, sports venues and stadiums, race tracks, amusement parks, bowling alleys, billiard parlors, ice/roller skating rinks, golf

courses, miniature golf courses, scale model courses, shooting galleries, tennis/ racquetball courts, health/fitness clubs, pinball arcades, or electronic games centers having eight (8) or more coin operated game machines.

**COMMERCIAL VEHICLE.** A vehicle customarily used as part of a business for transportation of goods or people.

**COMMISSION.** The Planning Commission of the City of Ripon.

**COMMUNICATION FACILITIES.** Broadcasting, recording, and other communication through electronic or telephonic mechanisms. The use types include radio, television or recording studios, and telephone switching centers.

**COMMUNITY CENTERS.** Special purpose facilities which includes uses such as senior centers, boy and girls clubs and community centers.

**CONDOMINIUM.** A development consisting of an undivided interest in common for part of a parcel coupled with separate interest in space in a residential or commercial building on the parcel.

**CONFERENCE CENTER.** Specialized hotels designated and built almost exclusively to host conferences, exhibitions, large meetings, seminars, training sessions, etc. A conference center often also provides office facilities, and a range of leisure activities.

**CONVALESCENT FACILITIES.** Establishments providing twenty-four (24) hour care for persons requiring regular medical attention, but excluding facilities providing surgical or emergency medical services.

**CONVENIENCE MARKET.** A small grocery store, selling a limited variety of food and nonfood products, typically with extended hours and conveniently located to service a variety of customers. Does not include stores whose primary focus is the sale of liquor.

**COOP.** A covered enclosure for housing fowl, as defined in RMC, Title 6.

**COPING.** The top layer of a wall.

**CREMATORY.** An establishment involving the reduction of human body to ashes by burning.

**COUNCIL.** The City Council of the City of Ripon.

**COUNTY.** The County of San Joaquin, hereafter referred to as "County."

**COURT.** An open, unoccupied space, other than a yard, on the same lot with a building and bounded on two or more sides by the walls of a building.

**CUSTOM MANUFACTURING.** Uses in this category are typically the on-site production of goods by hand manufacturing or artistic endeavor that involves only the use of hand tools or small mechanical equipment, the incidental sale of these goods directly to consumers. Usual uses include ceramic studios, candle making shops, custom jewelry manufactures, and like uses.

**DAYS.** Days are based on calendar days, except where otherwise noted.

**DENSITY BONUS.** An increase in residential units over the maximum number of normally allowed units within a residential General Plan designation.

**DETENTION FACILITIES.** Publicly owned and operated facilities providing housing, care and supervision of persons confined by law.

**DEVELOPER.** Any person or persons, partnership, firm, corporation, or other business entity financially responsible for the work involved on a given project, either direct or through the services of any employee, agent, or independent contractor.

**DEVELOPMENT.** The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill, or land disturbance; and any use or extension of the use of the land; and any activity requiring a permit, excluding maintenance.

**DEVELOPMENT PROJECT.** Any project for

which a discretionary permit is required, excluding General Plan amendments, ordinance text changes, rezonings, Specific Plans and Specific Plan amendments.

**DEVIATION.** A "deviation" is a limited waiver of zoning standards on property being proposed for subdivision.

**DIRECTOR.** The Director of Planning, hereafter referred to as "Director" or designee.

**DISCRETIONARY PERMIT.** Any permit required before the development or use of real property can proceed, that the City Council, Planning Commission or Staff may approve, deny or approve subject to conditions. Discretionary permits include, but are not limited to, major and minor subdivisions, use permits, variances, zone district reclassifications and site plan reviews.

**DUPLEX.** A house or residential unit designed to contain two units, typically sharing a common wall on a single residential parcel.

**DWELLING GROUP.** A group or row of detached or semidetached dwellings occupying a parcel of land in one ownership and having a yard or court in common, including bungalow courts, but not including recreational vehicle parks or lots with second dwelling units.

**DWELLING, MULTIPLE.** A building occupied as a residence by three or more families living independently of each other, including apartment buildings or courts but not including recreational vehicle parks.

**DWELLING, SINGLE-FAMILY.** A detached or attached building occupied by one family.

**DWELLING, TWO-FAMILY.** A building occupied by two families exclusively, living independently.

**DWELLING, SECOND UNIT.** A detached or attached dwelling unit, located on the same parcel as another primary dwelling and subject to the requirements specified in Chapter 16.86.

**EQUESTRIAN CENTER.** A full service facility

providing boarding services, training and show facilities, and riding lessons for equestrians.

**FAMILY.** An individual, or two (2) or more persons related by blood, marriage or legal adoption, or a group of not more than five (5) persons, who are not so related, living together as a single housekeeping unit.

**FAMILY DAY CARE, ADULT.** Non-medical care and supervision of six (6) or fewer persons on a less than twenty-four (24) hour basis.

**FAMILY DAY CARE, CHILD.** Child day-care services in a residence which provide care for fourteen (14) or fewer children, including children who reside at the residence.

**FENCE.** A wall or barrier constructed of boards, masonry, wire, or any other material for the purpose of enclosing space or separating parcels of land. The term "fence" does not include retaining walls but does include fence gates and gateposts.

**FENCE HEIGHT.** The height of any fence as determined by measurement from the natural or finished grade at the lowest side of the fence. If a fence is proposed to be built on top of an earthen berm or other landscape feature, the maximum fence height shall include the height of the berm or landscape feature.

**FINISH GRADE.** The final elevation of the site after excavating or filling which conforms to the approved final grading plan. The finish grade is also the grade at the top of a paved surface.

**FINAL MAP.** A map or recording instrument for a subdivision of land. The final map must be in substantial compliance with an approved tentative map. A final map must be filed with the County Recorder.

**FREIGHT DELIVERY.** The delivery of goods made by commercial freight haulers.

**FRONTAGE.** That side of a lot which abuts a public road, or waterway if so specified.

**FRONTAGE, PRIMARY.** That side of a lot abutting a street where the main building entrance is

located and in the general direction in which the principal building faces.

**FRONTAGE, SECONDARY.** That side of a lot abutting a street which is to the side or in the opposite direction from which the principal building faces.

**GARAGE.** An enclosed building, or portion of an enclosed building used for the parking of vehicles. For Detached Garages see Chapter 16.140 section 16.140.030 (Accessory Buildings/Structures) for specific requirements.

**GARAGE & YARD SALE.** The sale of personal possessions and household articles incidentally accumulated during normal residential use of the property on which the sale is held.

**GENERAL PLAN.** The City of Ripon General Plan as adopted by the City Council, which may be amended from time to time.

**GOVERNMENT OFFICES.** Administrative, clerical or public contact offices of a government agency, including postal facilities, with incidental storage and maintenance of vehicles.

**GRADE.** The degree of rise or descent of a sloping surface.

**GROUP CARE FACILITY. LARGE.** A facility authorized, certified, and licensed by the State of California to provide non-medical residential care and supervision for seven (7) or more persons, on a 24 hour-a-day basis to either mentally disordered or otherwise disabled persons, to dependent and neglected children or to aged individuals.

**GROUP CARE FACILITY. SMALL.** A facility authorized, certified, and licensed by the State of California to provide non-medical residential care and supervision for six (6) or fewer persons, on a 24 hour-a-day basis to either mentally disordered or otherwise disabled persons, to dependent and neglected children or to aged individuals.

**GROUP RESIDENTIAL.** Shared living quarters without separate kitchen or bathroom facilities for

each room or unit. This classification includes boardinghouses, dormitories, fraternities, sororities, and private residential clubs.

**GUEST HOUSE.** Living quarters, having no permanent kitchen facilities, located on a lot with a main building and occupied for the sole temporary use of members of the family or guests and not rented or leased, or used as a separate dwelling. The term "Guest House" does not include "Second Unit Dwellings", as defined in Chapter 16.86.

**HAZARDOUS MATERIAL INDUSTRIAL.** The manufacture, fabrication, processing, packaging and treatment, or storage of chemicals and chemical products that are considered as hazardous materials and could potentially pose a threat to the community if handled inappropriately.

**HEAVY INDUSTRIAL.** Production process that should not be near residential or commercial uses due to the intensive nature of the industrial activity or its scale of operation. These uses can be located near other similar manufacturing uses although special control measures may still be required of some extremely intensive operations to ensure compatibility with similar industrial uses. Typical uses include food processing and packaging, laundry and dry cleaning plants, motor vehicle assembly, sawmills, textile dyeing, leather tanning and chemical production.

**HELIPORTS.** Pads and facilities enabling takeoffs and landings by helicopters.

**HIGH DENSITY RESIDENTIAL.** Residential development with densities ranging from 16 to 22 units per gross acres. This designation permits a range of housing types, including single family attached and detached and multi-family developments, and is intended for specific areas where higher density is appropriate.

**HIGH TECHNOLOGY.** Establishments directed at research, development, and controlled production of high-tech electronic, industrial, or scientific products. Typical uses include biotechnology firms

and computer component manufacturers.

**HIGH TURNOVER SIT DOWN RESTAURANT.** Sit-down, full service eating establishments with turnover rates of approximately one (1) hour or less.

**HISTORIC RESOURCE.** Any object, building, structure, site, area, or place which is historically or archaeologically significant, or which is significant in the aesthetic, architectural, cultural, engineering, scientific, economic, agricultural, educational, social, political, or military annals of the state, county, or community.

**HISTORIC DISTRICT.** An integrated group of structures or an area which holds special historical interest or value.

**HISTORICALLY SIGNIFICANT.** Any site, structure, or district which holds special historical interest or value as part of the culture or heritage characteristic of the nation, state, county or community, including registered National or State Landmarks, items registered or eligible for listing on the National Register of Historical Places, and resources of local historical significance.

**HOME OCCUPATION.** Any occupation, conducted in compliance with Chapter 16.88, Home Occupation that is customarily or ordinarily conducted within a dwelling. The home occupation must be clearly incidental and secondary to the use of the dwelling as a dwelling and cannot change the residential character or design of the dwelling.

**HOSPITAL.** Facilities providing medical, surgical, psychiatric, or emergency medical services to injured persons, primarily on an inpatient basis. This use type includes incidental facilities for outpatient treatment, and training, research, and administrative services for patients and employees.

**HOTEL.** Guest rooms or suites occupied on a transient basis, with most gaining access from an interior walkway.

**HOUSEHOLD, LOW INCOME.** A household whose income does not exceed eighty percent (80%)

of area median income.

**HOUSEHOLD, MODERATE INCOME.** A household whose income does not exceed one hundred twenty percent (120%) of the area median income.

**HOUSEHOLD, SENIOR CITIZEN.** A person of a least 62 years of age, or 55 years of age if the project consists of at least thirty-five (35) dwelling units.

**HOUSEHOLD, VERY-LOW INCOME.** A household whose income does not exceed fifty percent (50%) of the area median income.

**INCUBATOR UNITS.** More than one small business located in one facility, sharing office support and equipment.

**I N D O O R V E H I C L E S A L E S ESTABLISHMENT.** Sale and/or lease of vehicles within an enclosed structure, with the following provisions:

1. All vehicles owned by or being sold by the dealership must be stored, maintained, and sold within a permanent building. The dealership may not display, store, or service vehicles outdoors or under any temporary structure or partially enclosed building.

2. Dealerships are limited to the sale or lease of automobiles, motorcycles and watercrafts. Dealerships may not have more than ten (10) of any such vehicles on the premises for sale, lease, storage, or service at any given time.

3. All vehicle service must be performed in a permanent structure out of view from the public areas. The dealership may not service vehicles outdoors or in a partially enclosed building.

4. All dealerships must conform to all sign and advertising requirements as required by Chapter 16.172 of the Ripon Municipal Code.

5. Indoor vehicle establishments shall comply with all applicable building and fire codes.

**INOPERATIVE VEHICLE.** A vehicle that mechanically is incapable of being driven, including

a vehicle which is missing any part essential for movement or where such essential parts are broken or defective; or a vehicle prohibited from being operated on a public street or highway pursuant to Sections 4000, 5202, 24002, or 40001 of the California Vehicle Code, concerning license plates, registration, equipment, safety and related matters.

**JUNKYARD.** The use of any lot, or portion of a lot, for the sale, storage, keeping, or abandonment of junk, including scrap metals or salvageable material, or for the dismantling, wrecking, or abandonment of automobiles or other vehicles.

**KITCHEN, PERMANENT FACILITIES.** Include but are not necessarily limited to any gas service, hood, electrical service, etc., intended for cooking appliances such as ranges, stoves, etc.

**LABORATORY, MEDICAL, DENTAL, OR OPTICAL.** Establishments intended for the research and laboratory processing and analysis of material and/or products relating to the medical industry.

**LABORATORY, RESEARCH AND ANALYSIS.** Establishments intended for the research of an industrial or scientific nature and laboratory processing of material, but excludes medical testing and analysis, product testing, and manufacturing of materials classified under the High Technology use type. Typical uses include electronics research firms, pharmaceutical research laboratories, photographic laboratories, and like uses.

**LIMITED INDUSTRIAL.** Production processes that, by the nature of the activity performed or the scale of operation, can be located near residential or commercial uses with minimum impact to the adjacent uses. This use type usually includes processing, small scale food processing, fabrication, assembly treatment, and packaging, but excludes basic industrial processing from raw materials or large scale food processing.

**LINEN SUPPLY SERVICES.** Establishments

primarily engaged in supplying, on a rental basis, laundered items, such as uniforms, gowns and coats, table linens, bed linens, towels, clean room apparel, treated mops, shop towels, and door mats. These establishments may contain laundering facilities.

**LIQUOR STORE.** An establishment whose primary focus is the sales of alcohol for off premises consumption, typically with extended hours and conveniently located to service a variety of customers.

**LOCAL BENEFIT DISTRICT.** A district formed over certain, specified parcels of real property to allocate the costs and benefits, as among benefitted property owners, of public infrastructure, to reimburse either the City or private developers or owners for the installation of said infrastructure.

**LOT.** A parcel of land established by plat, subdivision, or otherwise permitted by law, to be used, developed or built upon. The classifications of lots are:

- a. **Corner.** A lot located at the intersection of two streets, not including alleys.
- b. **Flag.** A lot having access or an easement to a public or private street by narrow private right-of-way.
- c. **Interior.** A lot abutting one street.
- d. **Key.** A lot with one side line that abuts the rear of any one or more adjoining lots.
- e. **Reverse Corner.** A corner lot, the rear of which abuts the side of another lot.
- f. **Through.** A lot having frontage on two generally parallel streets, with only one primary access.

**LOT AREA.** The total area included within lot lines, including one half, but not exceeding ten (10) feet of width of any abutting alley.

**LOT DEPTH.** The average distance between the front and rear lot lines or between the front line and the intersection of the two side lines, if there is no rear line.

**LOT LINE ADJUSTMENT.** A minor change in

a property line between existing parcels that would create no new parcels, pursuant to the Subdivision Map Act.

**LOT MERGER.** A reduction of the number of lots.

**LOT MERGER, VOLUNTARY.** An owner-initiated merger of contiguous parcels under common ownership without reversion to acreage, pursuant to the Subdivision Map Act.

**LOT WIDTH.** The horizontal distance between the side lot lines, measured at right angles to the lot depth at a midway point between the front and rear lot lines.

**LOT OF RECORD.** A parcel held in separate ownership as shown on the County Assessor's records and established by the provisions of this or previous Titles.

**MAJOR SUBDIVISION.** A subdivision of land creating five (5) or more parcels, five (5) or more condominiums, or community apartment project containing five (5) or more units, unless otherwise excepted in the definition of a Minor Subdivision.

**MANSARD ROOF.** A roof having two slopes on all sides with the lower slope steeper than the upper one.

**MANUFACTURED HOME.** A manufactured home is a complete single-family home deliverable in one or more transportable sections, designed to be placed on a permanent foundation, and constructed to the standards established by the U. S. Department of Housing and Urban Development (HUD). A manufactured home is not the same as a recreational vehicle or commercial coach which may look similar from the exterior.

**MASSAGE ESTABLISHMENT.** An establishment whose primary function of business is where any person provides, receives, or permits others to provide or receive massage therapy services.

**MEDIAN, ROADWAY.** A paved or planted area separating a street or highway into two or more

lanes of opposite direction of travel.

**MEDICAL MARIJUANA DISPENSARY.** Any facility or location where medical marijuana is made available to and/or distributed by or to two (2) or more of the following: a primary caregiver, a qualified patient, or a person with an identification card, in strict accordance with California Health and Safety Code §11362.5 et seq. A “medical marijuana dispensary” shall not include the following uses, as long as the location of such uses are otherwise regulated by this Title or applicable law: a clinic licensed pursuant to Chapter 1 of Division 2 of the Health and Safety Code, a health care facility licensed pursuant to Chapter 2 of Division 2 of the Health and Safety Code, a residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the Health and Safety Code, a residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the Health and Safety Code, a residential hospice, or a home health agency licensed pursuant to Chapter 8 of Division 2 of the Health and Safety Code, as long as any such use complies strictly with applicable law including, but not limited to, Health and Safety Code §11362.5 et seq.

**MEDIUM DENSITY RESIDENTIAL.** Residential development with densities ranging from 8 to 13 units per gross acres. This designation permits a range of housing types, including single family attached and detached and multi-family developments, and is intended for specific areas where medium and higher densities are appropriate.

**MINI-STORAGE.** Buildings providing space for the storage of household and commercial goods, and yards providing space for the storage of vehicles, boats, and trailers.

**MINOR SUBDIVISION.** A subdivision of land where:

a. The land before division contains less than five (5) acres, each parcel created by the division abuts upon a maintained public street or highway,

and no dedications or improvements are required by the City Council; or

b. Each parcel created by the division has a gross area of twenty (20) acres or more and has an approved access to a City maintained road, street, or highway; or

c. The land consists of a parcel or parcels of land which have approved access to a public road, street, or highway and which compose part of a tract of land zoned for industrial or commercial development and which have the approval of the City Council as to street alignments and widths; or

d. The subdivision would create four (4) parcels or less, or condominiums or community apartments containing four (4) units or less; or

e. Each parcel created by the division has a gross area of not less than forty (40) acres or is not less than a quarter of a quarter-section.

**MIXED USE DEVELOPMENT.** Two or more uses that are integrated and developed under a coherent plan.

**MOBILE HOME.** The term “mobile home” shall be considered a manufactured home for the purposes of this chapter.

**MOBILE HOME PARK.** A residential facility arranged or equipped for the accommodation of two (2) or more manufactured homes, with spaces for such manufactured homes available for rent, lease or purchase, and providing utility services and other facilities either separately or in common to manufactured home space therein.

**MOTEL.** Guest rooms or suites occupied on a transient basis, with most gaining access from an exterior walkway.

**NET SITE AREA.** The total area within lot lines of a lot or parcel of land after public street easements or other areas to be dedicated or reserved for public use are deducted from the lot or parcel.

**NEWSPAPER/MAGAZINE STAND.** An establishment or stand whose primary focus of business is the sale of newspapers, magazines, etc.

**NONCONFORMING LOT.** A lot created by applicable laws but now the area, frontage or dimensions do not conform to provisions of this Development Title.

**NONCONFORMING STRUCTURE.** A structure that conformed to applicable laws when constructed but does not conform to the provisions of this Development Title.

**NONCONFORMING USE.** A use complying with applicable laws when established but does not conform to the provisions of this Development Title.

**OFF STREET PARKING.** A site or portion of a site devoted to the off street parking of motor vehicles, including parking spaces, aisles, access drives, and landscaped areas.

**OFFICES, BUSINESS AND PROFESSIONAL.** Offices of firms or organizations providing professional, executive, management, or administrative services such as architectural, engineering, real estate, insurance, investment counseling, legal, and medical/dental/optometry services. This use type includes chiropractor services, advertising businesses, employment services, real estate services, title companies, travel agencies, or any other business/office use as deemed appropriate by the Director of Planning.

**OFFICES, CONTRACTORS.** Contractors offices include businesses providing contracting types of services, such as plumbing, electrical, general contracting, etc. These offices can contain some on-site storage of materials so long as the materials contained on-site are contained within an enclosed building.

**PALLET MANUFACTURING.** Establishments for the manufacturing/sale of new pallet products. Activities must be conducted entirely with a building. Building must be equipped with automatic sprinkler system. Outside storage of product and materials is limited to no more than 30% of the site not occupied by a building. The height of stored pallets is limited to eight (8) feet and an overall

storage plan must be approved by the Fire District. The site must be enclosed with an eight (8) foot high solid wall or chain linked fence with salt material.

**PALLET RECOVERY SERVICES.** Establishments for the collection, storage, and sale of used pallets (minor repair of pallets is allowed). Activities must be conducted entirely on the premises and outside storage will be limited to no more than 30% of the site not occupied by building. The height of stored pallets is limited to eight (8) feet and an overall storage plan must be approved by the Fire District. The site must be enclosed with an eight (8) foot high solid wall or chain linked fence with slat material.

**PARCEL.** A piece of land under one ownership that has been legally subdivided or combined and is shown as a single parcel on the latest equalized assessment roll.

**PARK AND RECREATION FACILITIES.** Parks, playgrounds, recreation facilities and open spaces that are publicly owned and operated by a city, county, state, or federal agency.

**PARKWAY.** The area within a street right-of-way adjoining the outer edge of the paved surface in which sidewalks, landscaping, utilities, bank slopes, and related facilities may be located.

**PATIO AND SHADE STRUCTURE** an arbor, projecting structure, beams, or framework with a covered roof supported on posts or columns, an containing no solid walls in any portion.

**PAWN SHOPS.** Establishments engaged in retail sales of new and used merchandise, and offering loans secured by personal property.

**PERSON.** Any individual, firm, corporation, partnership, business, trust, association, syndicate, or other legal entity acting as a unit.

**PET STORE OR PET FOOD STORE.** Retail sales pets and pet supplies, including the boarding of small animals, provided such activities take place within an entirely enclosed building. The use type includes grooming incidental to the retail use, and

boarding of animals not offered for sale for a maximum period of forty-eight (48) hours.

**PLANNED DEVELOPMENT OVERLAY DISTRICT.** A designation intended for the development of an area consisting of a variety of residential uses or a combination of residential, commercial, and/or civic uses and associated ancillary uses and structures; situated on one or more contiguous parcels or noncontiguous parcels separated solely by a road or other right-of-way easement, or other any barrier which physically separates the parcels; and planned and developed as a unified project within a single development phase or series of development phases in accordance with an overall master plan and detailed specific or site plans.

**POOL HOUSE.** A covered enclosure associated with a swimming pool containing such amenities as a changing room, bathroom, shower, refreshment bar, storage, etc.

**PRINCIPAL USE.** The primary or predominant use of any lot, building or structure.

**PRINT SHOP.** Establishments engaged in printing by letterpress, lithography, gravure, screen, offset or other common process, including electrostatic (xerographic) copying; and establishments serving the printing trade such as bookbinding, typesetting, engraving, photoengraving and electrotyping. This use also includes establishments that publish newspapers, books and periodicals; and establishments manufacturing business forms and binding devices.

**PUBLIC.** Operated and/or maintained by a governmental agency or public utility.

**PUBLIC FACILITIES.** Any facility operated by a public entity, including but not limited to the following:

- a. Public buildings, including schools and related facilities;
- b. Sewage collection, treatment, and disposal facilities;

- c. Facilities for the supply, storage, treatment, and distribution of water for municipal and industrial uses;

- d. Facilities for the collection and disposal of storm waters for drainage and/or flood control purposes;

- e. Facilities for the generation of electricity and the distribution of gas and electricity;

- f. Transportation and transit facilities, including but not limited to, street, roads, and other related facilities;

- g. Parks and recreation facilities;

- h. Police and fire stations; or

- I. Clinics, Hospitals other related medical facilities.

**PUBLIC PARK.** A park, playground, swimming pool, reservoir, golf course or athletic field within the City that is under the control, operation or management of the City, the County, or the State.

**PUBLIC RIGHT OF WAY.** A strip of land acquired by reservation, dedication, prescription or condemnation and intended to be occupied by a road, trail, water line, sanitary sewer or other public uses.

**PUBLIC SAFETY FACILITIES.** Structures and grounds used for public safety and emergency services, including police and fire protection.

**QUALITY RESTAURANT.** High quality, full-service eating establishments with typical turnover rates of at least one hour or longer. These establishments generally do not serve breakfast, and some do not even serve lunch, but all serve dinner.

**RECREATIONAL VEHICLE.** A vehicle towed or self propelled on its own chassis or attached to the chassis of another vehicle and designed or used for recreational or sporting purposes. The term recreational vehicle includes, but is not limited to, travel trailers, pick up campers, camping trailers, motor coach homes, converted trucks or buses, boats and boat trailers, and all terrain vehicles.

**RECREATIONAL VEHICLE COVER.** A detached structure intended solely for the purpose of providing cover for a recreation vehicle using a framework and cover made of light weight materials, having no enclosed walls, and having a footprint no larger than five hundred (500) square feet.

**RECREATIONAL VEHICLE PARK.** A parcel of land composed of a lot or contiguous lots used, designed or intended as a campground to accommodate more than four (4) recreational vehicles.

**RECYCLING SERVICES - CONSUMER.** The collection and temporary storage, prior to recycling, of paper, aluminum, plastic, and glass products used by consumers in the home and not intended for reuse in their commercially marketed form. Any materials that are hazardous are excluded. Typical uses include neighborhood recycling centers.

**RECYCLING SERVICES - SCRAP OPERATIONS.** The storage, sale, dismantling, and recycling of inoperable vehicles, scrap metal products, and inoperable industrial equipment, and the storage and sale of scrap products brought in from neighborhood recycling centers. Typical uses include junk yard, automobile wrecking yards, and commercial recycling centers. The site must be enclosed with an eight (8) foot high solid wall or chain linked fence with slat material.

**RESIDENTIAL CARE, GENERAL.** Twenty-four (24) hour care of seven (7) or more persons in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those services and facilities licensed by the State of California.

**RESIDENTIAL CARE, LIMITED.** Twenty-four (24) hour care of six (6) or fewer persons in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those services and facilities licensed by the State of

California.

**RESORT.** A place that is popular for recreation and vacations and provides accommodations and entertainment.

**RETAIL SALES AND SERVICE.** Establishments providing for the sale of commonly used goods, merchandise, and services, excluding those use types identified in other categories.

**REVIEW AUTHORITY.** Any of the following entities that are empowered to interpret, implement and enforce the Development Title: City Council, Planning Commission, Director of Building and Planning, Planning Department, and Building Department.

**ROOM AND BOARD.** The renting of rooms and providing of table board in a dwelling unit, but not to the extent of becoming a hotel.

**SCHOOLS, PUBLIC OR PRIVATE.** Educational institutions having a curriculum comparable to that required in the public schools of the State of California.

**SCREENING.** A barrier consisting of plant materials, fencing, walls or berms for the purpose of enclosing space or separating parcels of land.

**SEASONAL TEMPORARY USES.** Temporary uses such as Christmas Tree lots, Pumpkin patches, and outdoor Christmas holiday décor booths.

- a. Requires a Minor Site Review application;
- b. Open to for profit and non-profit uses;
- c. Permitted in all zones except, residential zones;
- d. Shall operate no more than (8) consecutive weeks; and
- e. Any signage shall be restricted to the parcel that the temporary use is located upon.

**SECOND DWELLING UNIT.** An attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation

on the same parcel as the single-family dwelling is situated. A second unit also includes the following:

- a. An efficiency unit as defined in Section 17958.1 of the Health and Safety Code.
- b. A manufactured home as defined in Section 18007 of the Health and Safety Code.

**SECONDHAND STORE.** Retail sales of used appliances, clothing, equipment, and items used in a typical household, excluding antique shops primarily engaged in the sale of used furniture and accessories. (Ord. 606, 1999; Ord. 705 §3, 2005)

**SHADE STRUCTURE.** An arbor, projecting structure, beam, or framework with an open roof of cross rafters or lattice-work supported on posts or columns and containing no solid walls in any portion.

**SHELTERS.** Any public or private building that provides homeless shelter or transitional housing for the homeless. Shelters shall have the following categories:

- a. Small. Up to two (2) families or not more than five (5) adults.
- b. Medium. Three (3) to five (5) families or six (6) to fifteen (15) adults.
- c. Large. More than five (5) families or more than fifteen (15) adults. (Ord. 606, 1999)

**SHOPPING CENTER.** A complex of stores, motion-picture theaters, restaurants, etc, grouped together and having a common parking area.

- a. Small Shopping Center. Less than five (5) acres or 50,000 square feet of cumulative buildings.
- b. Large Shopping Center. Five (5) to ten (15) acres or where the total square footage of buildings exceeds 50,000 square feet, but does not exceed 100,000 square feet;
- c. Major Retail Facility. Exceeds fifteen (15) acres or where the total square footage of buildings exceeds 100,000 square feet.

**SHOPPING MALL.** A completely enclosed, air conditioned shopping center.

**SINGLE FAMILY RESIDENTIAL.** A

freestanding residential unit on one lot intended for the occupancy by one person or by one family.

**STORAGE.** A place or space where goods, materials, and personal properties are put for more than twenty-four (24) hours.

**STORAGE BUILDING, SMALL.** A building designed to permit the storage of personal goods and materials no greater than one hundred twenty (120) square feet in size and no greater than eight (8) feet in height.

**STORAGE, VEHICLE.** Operable vehicles shall not be stored for more than seventy-two (72) hours in any required front or side yard. Stored recreation vehicles shall not be used for human habitation for more eight (8) days.

**STORY.** The space within the building included between the surface of any floor and the surface of the ceiling immediately above.

**STREET SYSTEM.** The classification of streets and highways by their diverse functions and design, and are described as follows:

- a. Local Street. A two-way undivided roadway providing direct access to all abutting properties.
- b. Frontage Road. A two-way undivided/divided roadway running parallel with freeways providing direct access to all abutting properties.
- c. Collector. A two-lane undivided roadway which funnels traffic from local streets to arterial roadways.
- d. Minor Arterial. A two to four lane divided roadway with limited access to abutting properties which carries local and through traffic within the community.
- e. Major Arterial. A multi-lane divided roadway with restricted access to abutting properties which carries local and through traffic to expressways and freeways.
- f. Expressway. A roadway providing no direct access to abutting properties which carries local and through traffic to freeways, major/minor arterial roadways and collectors. Expressways are intended

to provide minimum interference with the flow of through traffic, and intersections are typically elevated with separate access roads.

g. **Freeway.** A multi-lane divided highway providing no access to adjoining property and are intended to accommodate high speed, high volume, long distance regional through traffic and traffic between urban areas.

**STRUCTURE.** Any object constructed or installed by man having location upon, in, or under the ground, including, but not limited to, buildings, fences over six (6) feet in height, towers, signs, smokestacks, and overhead transmission lines.

**STUDIOS.** Establishments that provide work space for individuals practicing a fine art, such as: artists, boxing, dance, gymnastics, martial arts, music, photography, voice, etc.

**TEMPORARY MOBILE HOME.** Refer to Chapter 16.92, Section 16.92.030.

**TOWNHOUSE.** A single-family dwelling connected to another single-family dwelling by a common wall.

**TRAILER.** "Trailer" means a vehicle without motive power, designed to be drawn by a motor vehicle and used for human habitation or carrying persons.

**TRIPLEX.** A house or residential unit designed to contain three units, typically sharing some form of common walls on a single residential parcel.

**TRUCK SALES AND SERVICES.** Establishments for the operation of truck terminals, and the sales, rental, and repair of trucks.

**USE.** "Use" means the purpose for which premises or a building thereon is designed, arranged or intended, or for which it is or may be occupied or maintained.

**UTILITIES, MAJOR.** Generating plants, electrical substations, above ground electrical transmission lines, refuse collection or disposal facilities, water reservoirs, water or wastewater treatment plants and similar facilities of public

agencies or public utilities. A structure that may affect surrounding uses shall be regulated under this use type.

**UTILITIES, MINOR.** Utility facilities that are necessary to support legally established uses and involve only minor structures such as electrical distribution lines, storm drainage retention ponds and underground drainage lines, and underground water and sewer lines.

**VARIANCE.** A "variance" is a limited waiver of zoning standards for a use that is already permitted within a zone. Variances are usually considered when the physical characteristics of a piece of property, such as size, shape, topography, location, or surroundings, pose unique challenges. For example, a very small or oddly shaped lot may need a variance from a setback or floor area ration requirement in order to be developed.

**VEHICLE STORAGE YARD.** Yards and buildings for the storage of both operable and inoperable vehicles, including towed vehicle and impound yards, but does not include vehicle dismantling.

**VETERINARIAN/ANIMAL HOSPITAL - LARGE.** Establishments where any animals may receive medical and surgical treatment. This use type includes short term overnight boarding of animals (up to 30 days) and incidental care such as bathing and trimming. The facility shall be located at least 300 feet away from any residentially zoned district if any operations and/or boarding of animals is not conducted within an entirely enclosed and soundproofed building.

**VETERINARIAN/ANIMAL HOSPITAL - SMALL.** Establishments where small animals receive medical and surgical treatment. This use type includes short term overnight boarding of animals (up to 30 days) and incidental care such as bathing and trimming, provided that all operations are conducted entirely within a completely enclosed building which complies with specifications for

sound-proof construction prescribed by the chief building official.

**VISITOR ACCOMMODATIONS.** Establishments offering lodging on a less than weekly basis which includes eating and drinking services. This use type includes Bed and Breakfast Inns, Hotels, Motels, Conference Centers, and Resorts.

**WASTE FACILITY.** A facility that provides for on-site waste stabilization or neutralization. This use type excludes hazardous waste disposal facilities. (Ord. 606, 1999)

**WHOLESALE AND DISTRIBUTION FACILITY.** This category includes the bulk storage, sale, and distribution of materials and equipment. Those activities which are conducted only within enclosed buildings are considered light wholesaling, while those involving open air yards are considered heavy wholesaling. (Ord. 606, 1999)

**YARDS.**

A. "Required Yard" except as otherwise provided in this chapter, means open spaces on the same lot with a building and open and unobstructed from the ground upward, meeting the setbacks as defined:

1. "Required Front Yard" means a yard

extending across the front of the lot between the side property lines and measured between the front lot line to the required front yard setback.

2. "Required Side Yard" for interior lots, means a yard between the side lot line and building, and extending from the required front yard to the required rear yard and having a width equal to the shortest distance between the side lot line and the building; and for corner lots, means a yard between the side lot line and the building and extending from the street line to the rear lot line and having a width equal to the shortest distance between the side lot line and the building.

3. "Required Rear yard" means a required yard extending along the rear lot line (not a street line) throughout the entire width of the lot.

B. **REAR YARD AREA.** Means mid-point between front property line and rear property line, excluding any required yard area.

**ZONING DISTRICT.** A portion of the City that is specifically designated for certain uses of land and structures that are defined, and regulations are specified by this Development Title. (Ord. 551 § (part) 2, 1996; Ord. 475 §1, 1991; Ord. 89 §2.46, 1954; Ord. 89 §2.47, 1954; Ord. 89 §2.48, 1954; Ord. 606, 1999; Ord. 784, 2011)