

**CITY OF BELMONT
MEMORANDUM**



TO: Planning Commission

FROM: Carlos de Melo, Community Development Director

SUBJECT: April 7, 2009 Planning Commission Meeting – Agenda Item 6B
Discussion Regarding Belmont Zoning Code (BZO)
Lot Coverage, Hardscaping, and Parking in Front Yards

SUMMARY

In anticipation of commencing a 2009 Priority Calendar work program to review the Belmont Zoning Ordinance (BZO) language regarding *Lot Coverage, Hardscaping, and Parking in Front Yards* issues, staff believes it appropriate to begin discussion on these topics with the Planning Commission.

Some of the pertinent BZO sections which address these topics are listed below:

Section 8.2.6

8.2.6 *LOCATION OF REQUIRED PARKING FACILITIES - The location of off-street parking and garage spaces in relation to the use served shall be as follows: All distances specified shall be walking distances between such parking spaces and a main entrance to the use served.*

- (a) *For Uses in a Residence District - Parking and garage space accessory to dwellings shall be located on the same site as the use served. No parking outside of the required driveway and parking area shall be permitted between the front of the dwelling and the front property line. In the aforementioned area, additional parking, paving for parking, and circular driveways are not permitted. Any variance from this standard is subject to the procedure of Section 14 and findings of Section 8.1.3(c).*

Spaces accessory to uses other than dwellings in Residential Districts may be located on a site adjacent to, or directly across a street or alley from the site occupied by the use served; but in no case at a distance in excess of 300 feet from such use.

Section 9.5.4

9.5.4 *ACCESSORY BUILDINGS - Accessory buildings as regulated herein are permitted in any district, if constructed either at the same time as the main building on the lot, or subsequently.*

- (a) *In any R District, nonhabitable one story detached accessory building (i.e. garages and storage sheds) may occupy part, but not more than 40 percent, of the required yard areas; provided however, that no detached accessory building shall be located in front of the main building. Detached accessory buildings which include habitable floor area, (including secondary dwelling units) shall not occupy the required yard areas.*

Section 9.7.3

9.7.3 *YARD REQUIREMENTS - ACCESSORY USES*

- (a) *In any R Districts non-required accessory uses not requiring a building permit may occupy any yard area.*
- (b) *Nonhabitable accessory buildings (i.e. garages and storage sheds) may occupy part of the yard area subject to the limitations contained herein; and shall be included in the calculation of lot coverage.*
- (c) *A distance of not less than five (5) feet shall be maintained between any accessory building and the main building on a lot or parcel.*

In addition, Section 2 – Definitions provides language related to setbacks and lot coverage (See Attachment I).

Staff welcomes Commission feedback in relation to the above topics and others as appropriate; such feedback will result in direction towards a future Zone Text Amendment.

PUBLIC CONTACT

No other public contact beyond posting of the agenda was initiated by the City in preparation of tonight's item.

ATTACHMENTS

- I. Belmont Zoning Code (BZO) Section 2 – Definitions

ATTACHMENT I

SECTION 2 - DEFINITIONS

- 2.1 GENERAL PROVISIONS - For the purposes of this Ordinance certain terms used herein are defined as set forth in this and the following sections. All words in the present tense include the future tense; the plural number includes the singular, and all words in the singular include the plural unless the natural construction of the sentence indicates otherwise. The word "shall" is mandatory, not directory.
- * 2.2 ACCESSORY BUILDING - A building which is subordinate to, and the use of which is incidental to that of the main building or use on the same lot; including detached secondary dwelling units.
- 2.3 ACCESSORY USE - A use incidental and subordinate to the principal use of the premises, which does not alter the essential characteristics of the use considered as a whole and as related to other uses permitted in the same district.
- 2.4 ACREAGE - Any tract or parcel of land in common ownership having an area of one acre or more which is not designated as a lot or parcel on a subdivision map.
- 2.5 ADMINISTRATIVE - Pertaining to the performance of executive duties, or directing the execution, application or conduct of duties of an office, business or institution.
- 2.6 AGRICULTURE - Tilling of soil; horticulture; floriculture; forestry; viticulture; raising crops; livestock; farming; dairying; animal husbandry; including all uses customarily accessory and incidental thereto, but excluding slaughter houses, fertilizer works, bone yards, and commercial feed lots including cattle feeding and the feeding of garbage or offal to swine or other animals, or plants for the reduction of animal matter.
- 2.7 AIRPORT - Any area of land or water which is used or intended for use by aircraft and including the necessary appurtenant structures and/or facilities thereon.
- 2.8 ALLEY - A minor public way providing secondary access at the back or side of a property.
- ** 2.9 ANIMAL CLINIC AND ANIMAL HOSPITAL:
- (a) ANIMAL CLINIC - Any building or portion thereof designed or used exclusively for the medical or surgical treatment of animals, birds, or pets of any kind.
 - (b) ANIMAL HOSPITAL - Any building or portion thereof designed or used for the care or treatment of cats, dogs, or other animals.

* Amended by Ord. #999, 5/27/04

** Amended by Ord. #394, 5/27/68

- 2.9.1 ANTENNA: "Antenna" means any composition of metal, wire, fiberglass or other substance which together with its necessary supports, grounding rods, and other external components is constructed for the purpose of receiving or transmitting electronic signals.
- * 2.9.2 ANTENNA, DISH-TYPE: "Dish-type antenna" means any antenna external to or attached to the exterior of any building or structure, which is parabolic or semi-circular in cross-section.
- * 2.9.3 ANTENNA HEIGHT: "Antenna height" means the height of the entire antenna apparatus measured from the point of mounting to the point of highest possible extension of the antenna.
- 2.10 APARTMENT - A room or suite of rooms in a multiple-family structure, which is arranged, designed or used as a single housekeeping unit and has complete kitchen facilities, permanently installed.
- 2.11 AUTOMOBILE SALES LOT - Premises on which new or used passenger automobiles, trailers, mobile homes or trucks in operating condition are displayed in the open for sale or trade.
- ** 2.12 AUTOMOBILE SERVICE STATION - Automobile service station shall mean an area which dispenses fuel and provides for the service of motor vehicles, including tube and tire repairs, battery charging, storage of merchandise and supplies related to the servicing of motor vehicles sales, lubricants, automobile washing (not including mechanical car wash) and grease racks.
- 2.13 AUTOMOBILE WRECKING YARD - Any use of premises, excluding fully enclosed buildings, where on two or more motor vehicles not in operating condition are standing more than 30 days, or on which used motor vehicles, or parts thereof, are dismantled or stored.
- 2.14 BALCONY - A platform, enclosed by a parapet or a railing, projecting from an exterior wall of a building and open to the sky.
- 2.15 BASEMENT - That portion of a building between floor and ceiling, which is partly below and partly above grade, but so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling.
- *** 2.16 BEDROOM - Any room at least seventy square feet or more in area in a residential structure which is not a kitchen, dining room, living room, or bathroom. Within such residential structure, any second living or dining room, or any den, study, or other similar room which is capable of being used for sleeping quarters that contains a closet, or to which a closet could be added, shall also be considered a bedroom.

* Amended by Ord. #759, 1/13/87

** Amended by Ord. #474, 6/28/71

*** Amended by Ord. #1006, 4/21/05; Amended by Ord. #1029, 07/24/07;

- 2.17 **BLOCK** - The space along one side of a street between the two nearest intersecting streets or between an intersecting street and a right-of-way, waterway, or other similar barrier, whichever is lesser.
- 2.18 **BOARDING HOUSE** - A building other than a hotel or restaurant where meals are provided for compensation to three or more persons, but not more than 12 persons, who are not members of the householder's family.
- 2.19 **BUILDABLE AREA** - The space within the setback lines remaining on a lot after the minimum open space requirements of this Ordinance have been complied with.
- 2.20 **BUILDING** - Any structure with substantial walls and roof securely affixed to the land and entirely separated on all sides from any other structure by space or by walls in which there are no communicating doors, windows or openings, which is designed or intended for the shelter, enclosure or protection of persons, animals, chattels or property of any kind.
- 2.21 **BUILDING, COMPLETELY ENCLOSED** - A building separated on all sides from the adjacent open space, or from other buildings or other structures, by a permanent roof and by exterior walls or party walls pierced only by windows and normal entrance or exit doors.
- 2.22 **BUILDING, DETACHED** - A building surrounded by open space on the same lot.
- 2.23 **BUILDING, EXISTING** - A building erected prior to the effective date of this Ordinance, or one for which a legal building permit has been issued.
- 2.24 **BUILDING, NONCONFORMING** - Any building which does not conform to the requirements of this Ordinance.
- * 2.25 **BUILDING, PRINCIPAL** – A building in which the principal use of the lot upon which it is situated is conducted. Every dwelling in any R District is a principal building. A detached secondary dwelling unit, as defined herein, is not a principal building.
- 2.26 **BUILDING, GOVERNMENT** - A building owned or used by the federal, state, county or city government, or any political subdivision, agency or instrumentality thereof.
- 2.27 **BUILDING SETBACK LINE** - A line parallel to the street line at a distance from it, regulated by the front yard requirements set up in this Ordinance.
- 2.28 **BUILDING SITE** - A lot or parcel of land, in single or joint ownership, and occupied or to be occupied by a main building and accessory buildings, or by a dwelling group and its accessory buildings, together with such open spaces as are required by the terms of this Ordinance and having its principal frontage on a street.
- 2.29 **BULK** - The term used to describe the size and mutual relationships of buildings and other structures as to size, height, coverage, shape, and location of exterior walls in relation to lot lines, to the center lines of the streets, to other walls of the same building,

* Amended by Ord. #999, 5/27/04

and to other buildings or structures, and to all open spaces relating to the building or structure.

- 2.30 BUSINESS - Any occupation, employment or enterprise wherein merchandise is exhibited or sold, or which occupies time, attention, labor and materials, or where services are offered for compensation.
- 2.31 BUSINESS, RETAIL - The retail sale of any article, substance, or commodity for profit or livelihood, conducted within a building but not including the sale of lumber or other building materials or the sale of used or secondhand goods or materials of any kind.
- 2.32 BUSINESS, USED MERCHANDISE - A trade outlet dealing in retail sales of secondhand goods.
- 2.33 BUSINESS, WHOLESALE - The wholesale handling of any article, substance or commodity for the profit or livelihood, but not including the handling of lumber or other building materials or the open storage or sale of any material or commodity and not including the processing or manufacture of any product or substance.
- 2.33.1 CABARET – A restaurant, tavern, or lounge which provide live musical entertainment on the premises.
- 2.34 CARPORT - A structure to house or protect motor vehicles which are owned or operated by the occupants of the principal building on a lot.
- 2.35 CELLAR - That portion of a building between floor and ceiling which is wholly or partly below grade and so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling.
- 2.36 CITY - The City of Belmont, California.
- 2.37 CITY CLERK - The City Clerk of the City.
- 2.38 CITY ENGINEER - The City Engineer of the City.
- 2.39 CITY TREASURER - The City Treasurer of the City.
- 2.40 CLINIC OR MEDICAL HEALTH CENTER - A building, other than a hospital as defined herein, used by two or more licensed physicians associated with one another for the purpose of receiving and treating patients.
- 2.41 CLUB (FRATERNAL) OR LODGE - The social use of a building or of any premises by a non-profit association, where such use is restricted to enrolled members and their guests.
- 2.42 COMMISSION - The Planning Commission of the City.
- 2.43 COMPREHENSIVE GENERAL PLAN - The Comprehensive General Plan for the City officially adopted by the Council as such.

- 2.44 CONDITIONAL USE - The term "Conditional Use" shall mean a use or occupancy of a structure, or a use of land, permitted only upon issuance of a Conditional Use Permit and subject to the limitations and conditions specified therein.
- 2.44.1 CONDOMINIUM – Condominium is an estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in space in a residential, industrial or commercial building on such real property such as an apartment, office or store. A condominium may include, in addition, a separate interest in other portions of such real estate.
- 2.45 CONVALESCENT HOME - (See Nursing and Convalescent Home; 2.92)
- 2.46 COUNCIL - The City Council of the City.
- 2.47 COURT - An uncovered area partly or wholly enclosed by buildings or walls and used primarily for supplying access, light and air to abutting buildings.
- 2.48 CURB LEVEL - The level of the established curb in front of the building measured at the center of such front of building or lot. Where a building faces on more than one street, the curb level shall be the average of the levels of the curbs at the center of the frontage on each street. (Where no curb elevation has been established, the City Engineer shall establish such curb level or its equivalent for the purpose of this Ordinance).
- 2.48.1 DENSITY TRANSFER - The permanent transfer of residential units in the HRO-2 Zoning District from one group of lots to another discontinuous site along the same roadway and within the same statistical sub-area as shown on the San Juan Hills Area Plan.
- 2.49 DISTRICT - A section or part of the incorporated portion of the City for which the use regulations are uniform, as set forth herein.
- 2.50 DRIVE-IN ESTABLISHMENT - An establishment, other than an automobile service station, which is designed to accommodate the motor vehicles of patrons in such manner as to permit the occupants of such vehicles, while remaining therein, to make purchases or receive services.
- 2.51 DWELLING - A building, or portion thereof, containing one or more dwelling units. The term dwelling does not include any trailer, motel, hotel or boarding house as defined herein.
- 2.52 DWELLING GROUP - A group of two or more detached or semi-detached one-family, two-family, or multiple dwellings occupying a parcel of land, in one ownership and having any yard or court in common, but not including automobile courts.
- 2.53 DWELLING, ROW (PARTY-WALL) - A row of two to six attached one-family, party-wall dwellings, not more than two and one-half stories in height, nor more than two rooms in depth, measured from the building line.
- 2.54 DWELLING, MULTIPLE-FAMILY - A building, or portion thereof, containing two or more dwelling units.

- * 2.55 DWELLING, SINGLE-FAMILY - A principal building designed for use and occupancy by no more than one family, and containing not more than one kitchen or kitchen facility.
- 2.56 DWELLING, TWO-FAMILY OR DUPLEX - A building designed or altered to provide dwelling units for occupancy by two families living independently of each other.
- 2.57 DWELLING UNIT - One or more rooms designed for, or used as a residence for not more than one family, including all necessary household employees of such family, and constituting a separate and independent housekeeping unit with a single kitchen permanently installed. The term does not imply or include such types of occupancy as a lodging or boarding house, club, sorority house, fraternity house or hotel.
- 2.58 EXECUTIVE - Pertaining to the management and administration of business enterprises.
- * 2.59 FAMILY - Individuals that may reside in a dwelling unit and consisting of persons related by blood, marriage or adoption plus not more than two additional unrelated persons; or unrelated persons not to exceed a total of three.
- ** 2.60 FLOOR AREA, GROSS - The sum of all finished and un-finished framed-in floor surfaces with an interior vertical height of six and one-half feet or more from floor to ceiling, capable of accommodating living space, measured from the exterior walls plus garages, utility rooms, and enclosed accessory structures. Covered decks, porches, patios, carports, and other covered areas which are not enclosed on all sides shall not be counted as dwelling floor area. Unfinished floor area existing as of August 23, 2001 shall not be made habitable such that the total habitable floor area exceeds the maximum floor area allowed in the zone, subject to Section 4.2.10 (Exceptions to Single Family Floor Area Standards).
- *** 2.61 FLOOR AREA RATIO (F.A.R.) - The gross floor area of all buildings on a lot divided by the net area of such lot.
- 2.62 GARAGE, PRIVATE - An accessory building or an accessory portion of a main building designed for shelter or storage of vehicles, owned or operated by the occupants of the principal building.
- 2.63 GARAGE, PUBLIC - A building or portion thereof, except a private garage, used or designed to be used for the storage of motor vehicles.
- **** 2.64 GRADE (Adjacent Ground Elevation) - The lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than five (5) feet from the building, between the building and a line five (5) feet from the building.

* Amended by Ord. #999, 5/27/04

* Amended by Ord. #422, 6/23/69

** Amended by Ord. #820, 10/26/89; and by Ord. #959, 5/10/01; and by Ord. #970, 9/28/01; and by Ord. #985, 4/8/03

*** Amended by Ord. #619, 3/13/78

**** Amended by Ord. #621, 3/27/78

- 2.65 GRADE ESTABLISHED - The curb line grade at the lot lines established by the City Engineer, or otherwise established by law.
- ***** 2.66 DELETED
- * 2.67 HEIGHT, BUILDING - The vertical distance from finished grade at each point around the perimeter of the building to the uppermost portion of the roof for each respective cross-slope section of the building.
- ** 2.68 HOME OCCUPATION - Any gainful occupation engaged in by an occupant of a dwelling unit including handicrafts; tailoring; laundering; home office; teaching of music, dancing, and other instruction when limited to attendance of no more than two pupils at a time; and other like occupancies which meet all of the conditions herein. Occupancies determined by the Director of Planning and Community Development to cause traffic or parking problems, generate noise, odors or displays for sale incompatible with a residential setting, or involve the storage and/or use of hazardous substances in such quantity as to require a permit from the Fire Authority are not permitted.
- 2.68.1 The use is clearly incidental and secondary to the use of the dwelling for dwelling purposes.
- ** 2.68.2 The use is conducted entirely within a dwelling and is carried on by the inhabitants thereof, and no more than one employee or person engaged in services on the premises at any given time.
- ** 2.68.3 No article shall be sold or delivered, or offered for sale and delivery, on the premises, except such as is produced by the occupants on the premises, and no mechanical or electrical equipment shall be installed or maintained other than such is customarily incidental to domestic use, provided that computer, communication, and similar equipment, the operation of which is unnoticeable from outside the dwelling, shall be allowed.
- 2.68.4 The use does not change the character of the dwelling or adversely affect the uses permitted in the residential district.
- ** 2.68.5 The use creates no more than three deliveries or customer trips per day, not including instruction of pupils.
- ** 2.68.6 An additional on-site parking space will be provided for any employee.
- ** 2.68.7 Not more than one-quarter of the area of said dwelling is used for such use and no part of the garage or carport is used for such use.

***** Deleted by Ord. #999, 5/27/04

* Amended by Ord. #621, 3/27/78; and by Ord. #756, 12/12/86

** Amended by Ord. #868, 2/10/93

- 2.68.8 The entrance to the space devoted to such use is from within the building, and no internal or external alterations or construction features not customary in dwellings is involved.
- 2.68.9 No sign is displayed which is not in conformity with the regulations for the district in which the home occupation is located.
- 2.69 HOSPITAL - An institution devoted primarily to the maintenance and operation of facilities for the medical, surgical and/or psychiatric care of patients for 24 hours or more. The term "hospital" does not include convalescent, nursing or boarding homes, clinics, or any institution operating solely for the treatment of patients necessitating forcible confinement.
- * 2.70 HOTEL - Any structure, or any portion of any structure, which is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes. "Hotel" does not mean any of the following: Any motel, lodging house, rooming house, inn, apartment house, dormitory, public or private club, mobile home or house trailer in a fixed location, single family residence, hospital, sanitarium, medical clinic, convalescent home, rest home, home for aged people, foster home, or other similar facility operated for the care or treatment of human beings; any asylum, jail, prison, orphanage or other facility in which human beings are detained and housed under legal restraints, any housing owned or controlled by any educational institution and used exclusively to house students, faculty or other employees, and any fraternity or sorority house or similar facility occupied exclusively by students and employees of such educational institution, and officially recognized or approved by it; any housing operated or used exclusively for religious, charitable or educational purposes by any organization having qualifications for exemption from property taxes under the laws of California; any housing owned by a governmental agency and used to house its employees or for governmental purposes; any camp as defined by the Labor Code or other housing furnished by an employer exclusively for employees.
- 2.71 JUNK YARD - An outdoor space where junk, waste, discarded or salvaged materials are stored or handled, including automobile wrecking yards, and yards for used building materials and places or yards for storage of salvaged building and structural steel materials and equipment; excluding yards or establishments for the sale, purchase or storage of used cars or machinery in operable condition, and the processing of used, discarded or salvaged materials as part of a permitted manufacturing operation on the same premises.
- 2.72 KENNEL, COMMERCIAL - Any lot or premises or portion thereof on which dogs, cats and other household domestic animals are maintained, boarded, bred or cared for in return for compensation or are kept for sale.
- 2.73 LOADING AND UNLOADING SPACE, OFF-STREET - An open, hard-surfaced area of land other than street or public way, the principal use of which is for the standing, loading and unloading of motor vehicles, tractors and trailers, to avoid undue interference with public streets and alleys.

* Amended by Ord. #829, 9/12/90

- 2.74 LOT - A portion of a recorded subdivision intended as a unit for transfer of ownership or for development.
- 2.75 LOT AREA - The area of a horizontal plane bounded by the front, side and rear lot lines.
- 2.75.1 LOT AREA, NET - The lot area minus any access corridors on flag lots and any access easements.
- 2.76 LOT, CORNER - A lot which is bounded on two or more sides by street lines; where the angle of intersection does not exceed 135 degrees.
- 2.77 LOT COVERAGE - The area of a lot occupied by the principal building and accessory buildings.
- * 2.78 LOT DEPTH - The maximum distance measured perpendicular from the front property to the rear property line.
- 2.79 LOT FRONTAGE - That boundary of a lot along a public street.
- 2.80 LOT INTERIOR - A lot other than a corner lot or reversed corner lot.
- 2.81 LOT LINE - The boundary property line encompassing a lot. For the purposes of this Ordinance the front lot line is the boundary line which abuts a public street, the front lot line on a corner lot is the narrowest frontage facing a street, and the longest frontage facing a street is the side, irrespective of the direction in which the dwelling faces. The rear lot line is the lot line or line most nearly parallel to and most remote from the front property line. All other lot lines are side lot lines. An interior lot line is a side line in common with another lot.
- 2.82 LOT, REVERSED CORNER - A corner lot, the rear of which abuts upon the side of another lot, whether across an alley or not.
- ** 2.83 LOTS SLOPE, AVERAGE – The average slope of a vacant lot shall be calculated using the following formula:
- $$AS = \frac{100 IL}{A}$$
- A = Net area of a lot in square feet.
AS = Average percent of slope.
I = Contour interval in feet.
L = Summation of existing contour length in feet.
- 2.83.1 LOT SLOPE, IMPROVED LOTS – The lot slope of a lot occupied by a residence is determined by dividing the grade elevation change from the front to the rear of the lot

* Amended by Ord. #789, 3/10/88
** Amended by Ord. #820, 10/26/89

along the longest line within the lot boundaries which lies perpendicular to ground contours.

- 2.84 LOT, THROUGH - A lot other than a corner lot having frontage on two parallel or approximately parallel streets. On a through lot both street lines shall be deemed front lot lines.
- * 2.85 LOT WIDTH (AVERAGE) - The area of a lot divided by the lot depth.
- 2.86 MOBILE HOME - Any vehicle designed, used, or intended to be used generally for living and/or sleeping quarters for one or more persons, which is capable of being moved by its own power, towed or transported by another vehicle. The term "mobile home" includes trailer.
- 2.87 MOBILE HOME PARK - Any area, tract, plot or site of land whereupon two or more mobile homes are placed, located and maintained for dwelling purposes only, either on a permanent or a semi-permanent basis and for which a fee, rental or contract for payment for such use is collected by or collectible by the person holding the land.
- 2.88 MOTEL - A building, or group of buildings on the same lot, whether detached or in connected rows, containing sleeping or dwelling units independently accessible from the outside, with garage space or parking space located on the lot, and designed for, or occupied by, travelers. The term includes, but is not limited to, any buildings or building groups designated as auto courts, motor lodges, tourist courts, or by any other title or sign intended to identify them as providing lodging to motorists.
- 2.89 Reserved.
- 2.90 NON-CONFORMING USE - Any use lawfully occupying a building or land at the effective date of this Ordinance, or of subsequent amendments thereto, which does not conform to the regulations for the district in which it is located.
- 2.91 NURSERY SCHOOL - An institution providing care, with or without instruction, for more than five children of pre-school age.
- 2.92 NURSING AND CONVALESCENT HOME - A building and premises for the care of the sick, injured, aged or infirm persons; or a place of rest for those who are bedfast or in need of considerable nursing care, but not including facilities for the treatment of sickness, or injuries, or surgical care.
- 2.93 OUTDOOR ADVERTISING STRUCTURE - Any free-standing ground sign or billboard which advertises a product or service other than that which is provided on the premises and has an advertising surface of 100 square feet or more.
- 2.94 PARKING AREA, PRIVATE - An open, hard-surfaced area, other than street or public way, designed, arranged and made available for the storage of private passenger automobiles of occupants of the building or buildings for which the parking area is developed and is accessory.

- 2.95 PARKING LOT - An open, hard-surfaced area, other than street or public way, to be used for the storage, for limited periods of time, of operable passenger automobiles and commercial vehicles, and available to the public, whether for compensation, free, or as an accommodation to clients or customers.
- 2.96 PARKING SPACE - Usable space within a public or private parking area, or a building of sufficient size and area, exclusive of access drives, aisles or ramps, for the storage of one properly spaced passenger automobile or commercial vehicle.
- 2.97 PLANNED UNIT DEVELOPMENT - A use or a combination of uses planned for a tract of land to be developed as a unit under single ownership or control, which includes two or more principal buildings.
- 2.98 PRINCIPAL USE - The main use of land or buildings as distinguished from a subordinate or accessory use.
- 2.99 PUBLIC UTILITY - Any person or municipal department duly authorized to furnish to the public, under public regulation, electricity, gas, steam, communication or similar or associated services, transportation or water.
- 2.100 REPAIR – The reconstruction or renewal of any part of an existing building for the purpose of its maintenance. The term “repair” or “repairs” shall not apply to any other change in a structure such as would be required by additions to or remodeling of such structure.
- 2.101 RESTAURANT - Any land, building or part thereof, other than a boarding house, where meals are provided for compensation, including, among others, such uses as cafe, cafeteria, coffee shop, lunch room, tea room, and dining room.
- 2.102 REST HOME - (See Nursing and Convalescent Home).
- 2.103 ROOF LEVEL - The elevation of the topmost point of the roof.
- 2.104 ROOMING HOUSE - A building with not more than five guest rooms where lodging is provided for compensation pursuant to previous arrangements, but not open to public or overnight guests. The term includes a lodging house.
- * 2.104a SANITORIUM – A building and premises, other than a hospital, intended for the care and housing of more than five (5) sick, injured or infirm persons for compensation.
- ** 2.104b SECONDARY DWELLING UNIT - A secondary dwelling unit is a separate dwelling unit which provides complete, independent living facilities for one or more persons, located on a lot containing a single-family dwelling as the principal building. It includes permanent provisions for living, sleeping, cooking, eating, and sanitation.

* Amended by Ord. 470, 6/14/71

** Amended by Ord. #715, 12/13/83; and by Ord. #999, 5/27/04

- 2.105 SETBACK AREA - The space on a lot required to be left open and unoccupied by buildings or structures, either by the front and side yard requirements of this Ordinance, or by delineation on a recorded subdivision map.
- *** 2.105a SIGNAL ACCESS, REASONABLE - Reasonable signal access means the maximum number and strength of signals available for a given antenna size, height, and location consistent and balanced with the goals of maintenance aesthetic quality and public safety.
- 2.106 STABLE, PRIVATE - A detached accessory structure for the keeping of one or more horses or cows owned and used by the occupant of the premises and not for remuneration, hire or sale.
- 2.107 STABLE, RIDING - A structure used or designed for the boarding or care of riding horses.
- 2.108 STORY - That portion of a building included between the surface of any floor or mezzanine and the surface of the floor above it, or if there is no floor above, then the space between the floor and the ceiling next above it. Any portion of a story exceeding 14 feet in height shall be considered as an additional story for each 14 feet or fraction thereof. If the finished floor level directly above a basement or cellar is more than six feet above grade, such basement or cellar shall be considered a story.
- 2.109 STREET - A right-of-way, which provides vehicular and pedestrian access to adjacent properties, the dedication of which has been officially accepted by the Council. The term "street" includes, also, the terms highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place, and other such terms.
- 2.110 STREET, ARTERIAL - A street designated as an arterial street by the Council. It is the primary purpose of an arterial street to carry fast or heavy traffic.
- 2.111 STREET, COLLECTOR - A street designated as a collector street by the Council. A collector street has the primary purpose of carrying traffic from minor streets to other collector streets and arterial streets.
- 2.112 STREET, COMMERCIAL - A street designated as a commercial street by the Council. It is the primary purpose of a commercial street to provide for traffic movement in a commercial area.
- 2.113 STREET, FRONTAGE - A minor street, parallel to and adjacent to an arterial street, which has the primary purpose of providing access to abutting properties.
- 2.114 STREET, INDUSTRIAL - A street designated as an industrial street by the Council. It is the primary purpose of an industrial street to provide for traffic movement in an industrial area.
- 2.115 STREET LINE - A line separating an abutting lot or parcel from a street.

*** Amended by Ord. #759, 1/13/87

- 2.116 STREET, MINOR - Any street not otherwise designated in the Comprehensive General Plan, but not including alleys. It is the purpose of a minor street to provide access to abutting properties.
- 2.117 STREET, PARTIAL - A dedicated right-of-way which provides only a portion of the required street width.
- 2.118 STRUCTURAL ALTERATIONS - Any change, other than incidental repairs, which would prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams and girders.
- 2.119 STRUCTURE - Anything constructed or erected, except fences not exceeding four feet in height, which requires permanent location on the ground or is attached to something having location on the ground.
- 2.120 TAVERN OR LOUNGE - A building where alcoholic beverages are sold for consumption on the premises, not including restaurants where the principal business is serving food.
- 2.121 TRAILER - Any vehicle designed to be towed or transported by another vehicle. The term "trailer" includes a mobile home.
- 2.122 TRAILER PARK - A Mobile Home Park.
- * 2.122a TRUCK STORAGE YARD OR TERMINAL - Any area, tract, plot or site of land whereupon two or more trucks or other pieces of heavy equipment are stored, parked or maintained, or, the origin or terminal point of two or more trucks or other pieces of heavy equipment, usually where loading, storage or maintenance facilities are located.
- 2.123 USE - The purpose for which land or a building thereon is designed, arranged or intended, or for which it is occupied or maintained, or leased.
- ** 2.123a VEHICULAR SERVICE SHOPS – Premises primarily engaged in the sales, service and major repair or exchange of vehicle parts and accessories conducted wholly within a building.
- 2.124 YARD - An open space on the same lot with a principal building or group of buildings, which is unoccupied and unobstructed from its lowest level upward, except as otherwise permitted in this Ordinance, and which extends along a lot line and at right angles thereto to a depth or width specified in the yard regulations for the district in which the lot is located.
- 2.125 YARD, FRONT - The yard extending across the full width of the lot adjacent to the front street line.

* Amended by Ord. #494, 12/11/72

** Amended by Ord. #470, 6/14/71; and by Ord. #781, 12/10/87

- 2.126 YARD, REAR - The yard extending across the full width of the lot and lying between the rear line of the lot and the nearest line of the principal building.
- 2.127 YARD, SIDE - The yard lying between the nearest wall of the principal building and a side lot line, and extending from the front yard or the front lot line to the rear yard.
- 2.128 ZONING CERTIFICATE - The term "zoning certificate" as used herein shall mean a notation attached to a building permit, occupancy permit or business license, or issued separately, by the City to certify that the building, structure use, or occupancy specified thereon is in conformity with all the provisions of this Ordinance.
- 2.129 ZONING MAPS - The map or maps incorporated into this Ordinance designating Zoning Districts.