

SECTION 2 – DEFINITIONS

Editor’s note: current through Ordinance 2018-1131

- 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 accessory dwelling units.¹
- 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.
- 2.3.1 ACRE, NET – means area of a site or lot, excluding land to be dedicated for required easements for vehicles or rights-of-way, either public or private, land that is unbuildable because of floor hazards, and land to be dedicated for parks, schools, and other public uses.²
- 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.
- 2.4.1 ACTIVE USE – means a street-level land use that engages pedestrians and provides “eyes” on the street. Examples include retail shops, restaurants, personal services, and offices serving walk-in clientele.³
- 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.
- 2.8.1 ALTERNATIVE FUELS AND RECHARGING FACILITY – means a facility offering motor vehicle fuels not customarily offered by commercial refueling stations (e.g., LPG) as well as equipment to recharge electric-powered vehicles.⁴

¹ Amended by Ord. 999, 05/27/04; Ord. 2017-1118, §1, 5/23/2017

² Added by Ord. 2017-1124, §1, 11/28/2017

³ Added by Ord. 2017-1124, §2, 11/28/2017

⁴ Added by Ord. 2017-1124, §3, 11/28/2017

- 2.8.2 ANIMAL RETAIL SALES (PET SHOPS) – means retail sales and boarding of domestic animals, provided such activities take place within an entirely enclosed building. This classification includes grooming if incidental to the retail use.⁵
- 2.9 ANIMAL CLINIC AND ANIMAL HOSPITAL:⁶
- (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.
- 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.⁷
- 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.⁸
- 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.
- 2.10a APARTMENT HOTEL, EFFICIENCY UNITS OR SINGLE ROOM OCCUPANCY (SRO) UNITS - "Apartment hotel", "efficiency units" or "single room occupancy (SRO) unit" mean a dwelling unit containing only one habitable room for occupancy by no more than two (2) persons, and containing a minimum of 220 square feet of living space. These units are considered a residential use and subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.⁹
- 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 SERVICE STATION – Establishments primarily engaged in retailing automotive fuels or retailing these fuels in combination with ancillary activities, such as: providing minor vehicle repair services; conducting state inspections (e.g. "smog checks"); selling automotive oils, replacement parts, and accessories; and providing incidental food and retail services.¹⁰

⁵ Added by Ord. 2017-1124, §4, 11/28/2017

⁶ Amended by Ord.394, 05/27/68

⁷ Amended by Ord.759, 1/13/87

⁸ Amended by Ord.759, 1/13/87

⁹ Amended by Ord. 2014-1079, §1, 8/26/2014

¹⁰ Amended by Ord. 474, 06/28/71; Ord. 2017-1124, §5, 11/28/2017

- 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 fully enclosed room at least seventy square feet or more in area in a residential structure which has heat, ventilation, electricity, a window and a closet may be considered a bedroom. Living rooms, dining rooms, kitchens, dens, bathrooms, or other similar rooms are not considered bedrooms. Bedrooms do not include rooms that are clearly incidental to the other living spaces of the home, such as laundry rooms, rooms that are left open to adjacent living areas of the home, alcoves and breakfast nooks, and rooms accessed solely through bedrooms of the home, such as walk-in closets.¹¹
- 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.
- 2.18.1 **BORDERING PROPERTIES** – Bordering properties mean lots that abut a project site, and lots that are separated from a project site only by a public right-of-way or access easement.¹²
- 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.

¹¹ Amended by Ord. 1006, 4/21/05; Ord. 1029, 07/24/07; Ord. 2016-1106, §3, 6/28/2016

¹² Amended by Ord. 2016-1100, §1, 2/23/2016

- 2.23.1 **BUILDING MATERIALS AND SERVICES** – means retail sales or rental of building supplies or equipment. This classification includes lumberyards, tool and equipment sales or rental establishments, and includes establishments devoted principally to taxable retail sales to individuals for their own use. This definition does not include hardware stores less than 10,000 square feet.¹³
- 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 accessory dwelling unit, as defined herein, is not a principal building.¹⁴
- 2.26 **BUILDING, GOVERNMENT** – means administrative, clerical, or public contact offices of a government agency, including postal facilities and courts, together with incidental storage and maintenance of vehicles. This classification excludes corporation yards, equipment service centers, and similar facilities that primarily provide maintenance and repair services and storage facilities for vehicles and equipment. Administrative, clerical, or public contact offices of a government agency, including postal facilities and courts, together with incidental storage and maintenance of vehicles. This classification excludes corporation yards, equipment service centers, and similar facilities that primarily provide maintenance and repair services and storage facilities for vehicles and equipment.¹⁵
- 2.27 **BUILDING SETBACK LINE** - A line parallel to, and at a set distance from each property line. The front setback is measured from the front property line or from the edge of the sidewalk if proposed to be located within the lot line and dedicated for public use.¹⁶
- 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, 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.
- 2.30.1 **BUSINESS AND PROFESSIONAL OFFICES** means offices for firms and organizations providing professional, executive, management, or administrative services, including accounting, architecture, computer hardware and software design, engineering, graphic design, interior design, investment, law, management, medical/dental, real estate, tax preparation and other services.¹⁷

¹³ Added by Ord. 2017-1124, §6, 11/28/2017

¹⁴ Amended by Ord. 999, 05/27/04; Ord. 2017-1118, §2, 5/23/2017

¹⁵ Amended by Ord. 2017-1124, §7, 11/28/2017

¹⁶ Amended by Ord. 2017-1124, §8, 11/28/2017

¹⁷ Added by Ord. 2017-1124, §9, 11/28/2017

- 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.
- 2.31.1 BUSINESS SERVICES. The business services use type refers to establishments primarily engaged in the provisions of services of a clerical, employment, protective or minor processing nature to firms, rather than individuals, and where the storage of goods other than samples is prohibited. Typical uses include secretarial services, quick-printing services, and blueprint services.¹⁸
- 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 lot.¹⁹
- 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.
- 2.42.1 COMMUNITY ASSEMBLY. A facility for public or private meetings including community centers, banquet centers, religious assembly facilities, civic auditoriums, unions halls, meeting halls for clubs and other membership organizations. This classification includes functionally related facilities for the use of members and attendees such as

¹⁸ Added by Ord. 2017-1124, §10, 11/28/2017

¹⁹ Amended by Ord. 2017-1118, §3, 5/23/2017

kitchens, multi-purpose rooms, and storage. It does not include gymnasiums or other sports facilities, convention centers, day care centers or schools.²⁰

- 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 Use Permit and subject to the limitations and conditions specified therein.²¹
- 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 CUMULATIVE GROSS FLOOR AREA ADDITION – Cumulative Gross Floor Area means the total gross floor area of additions:
- (a) Proposed by any pending development application;
 - (b) Approved in any building permit not yet finalized; and,
 - (c) Constructed under any building permit finalized within two years from the application date for any pending development application.²²
- 2.48.2 DAYLIGHT PLANE - A series of planes defining a three-dimensional volume of space in which a building must be constructed. A daylight plane may be more restrictive than the height limit or the minimum setback applicable at such point on the site.²³
- 2.48.3 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.²⁴

²⁰ Added by Ord. 2017-1124, §11, 11/28/2017

²¹ Amended by Ord. 2018-1131, §4, 4/24/2018

²² Added by Ord. 2016-1100, §2, 2/23/2016

²³ Added by Ord. 2016-1100, §3, 2/23/2016

²⁴ Renumbered by Ord. 2016-1100, §4, 2/23/2016

- 2.48.3 DAY CARE CENTER. Establishments providing non-medical care for persons on a less-than-24-hour basis. This classification includes commercial and nonprofit nursery schools, preschools, day care facilities for children or adults, and any other day care facility licenses by the State of California.²⁵
- 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.²⁶
- 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.
- 2.57.1 ENTRY LEVEL - The lowest entry to the habitable portions of the home, not including areas dedicated solely to crawl space, unfinished storage and garage.²⁷
- 2.58 EXECUTIVE - Pertaining to the management and administration of business enterprises.
- 2.59 FAMILY - "Family" means a group of individuals living together in a dwelling unit as a single housekeeping unit under a common housekeeping management plan based on an internally structured relationship providing organization and stability.²⁸

²⁵ Added Ord. 2017-1124, §12, 11/28/2017

²⁶ Amended by Ord. 999, 05/27/04

²⁷ Amended by Ord. 2016-1100, §5, 2/23/2016

- 2.60 FLOOR AREA, GROSS – means the sum of all finished and unfinished 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 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. For the purposes of calculating floor area and an associated floor area ratio (FAR) other than for single family or duplex and related accessory structures, the gross floor area does not include underground parking, partially underground parking with no more than three feet above sidewalk level, or parking structures that are interior to a commercial, residential, or mixed-use building.²⁹
- 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.³⁰
- 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.³¹
- 2.65 GRADE ESTABLISHED - The curb line grade at the lot lines established by the City Engineer, or otherwise established by law.
- 2.66 DELETED³²
- 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.³³
- 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.³⁴

²⁸ Amended by Ord. 422, 06/23/69; Ord. 2014-1079, §2, 8/26/2014

²⁹ Amended by Ord. 999, 05/27/04; Ord. 2016-1100, §6, 2/23/2016; Ord. 2017-1124, §13, 11/28/2017

³⁰ Amended by Ord. 619, 03/13/78

³¹ Amended by Ord.621, 03/27/78

³² Deleted by Ord. 999, 05/27/04

³³ Amended by Ord. 621, 03/27/78; Ord. 756, 12/12/86

³⁴ Amended by Ord. 868, 02/10/93

- 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.³⁵
- 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.³⁶
- 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.³⁷
- 2.68.6 An additional on-site parking space will be provided for any employee.³⁸
- 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.³⁹
- 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

³⁵ Amended by Ord. 868, 02/10/93

³⁶ Amended by Ord. 868, 02/10/93

³⁷ Amended by Ord. 820, 10/26/89

³⁸ Amended by Ord. 820, 10/26/89

³⁹ Amended by Ord. 820, 10/26/89

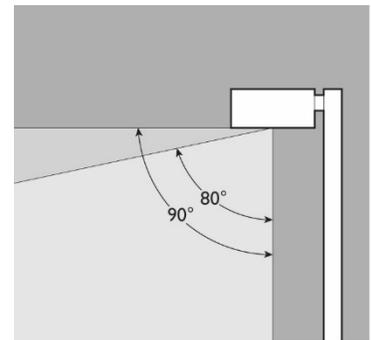
recognized or approved by it; any housing operated or used exclusively for religious, charitable or educational purposes by any organization having qualifications for exemption from property taxes under the laws of California; any housing owned by a governmental agency and used to house its employees or for governmental purposes; any camp as defined by the Labor Code or other housing furnished by an employer exclusively for employees.⁴⁰

2.70.1 **INSTRUCTIONAL SERVICES.** Services for the purpose of personal enrichment. Typical uses include classes or instruction in music, health, athletics, art, or academics. Instructional Services includes rehearsal studios as an accessory use.⁴¹

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.

2.72.1 **LIGHTING, FULL CUT-OFF.** A lighting fixture constructed in such a manner that it meets the adopted criteria of the Illuminating Society of North America and all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected an angle of 90 degrees, and above a vertical angle of 80 degrees, the luminous intensity cannot exceed 10 percent of the light or the lamp or lamps of the fixture. Also known as a fully shielded light fixture.⁴²



Permitted: Full Cutoff Luminaire
Does not allow light at 90°. Allows 100 cd per 1,000 lamp lumens at 80 degrees

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.

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.

⁴⁰ Amended by Ord. 829, 9/12/90

⁴¹ Amended by Ord. 2017-1124, §14, 11/28/2017

⁴² Amended by Ord. 2017-1124, §15, 11/28/2017

- 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 horizontal distance between the front and rear lot lines, measured in the mean direction of the side lot lines.⁴³
- 2.78.1 LOT DEPTH, AVERAGE – The sum of the length of the two sidelines of the lot divided by two.⁴⁴
- 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: ⁴⁵
- $$AS = \frac{100 IL}{A}$$
- 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 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 sum of the length of the front and rear lot line divided by two. In the case of irregularly-shaped lots having four or more sides, average lot width shall

⁴³ Amended by Ord. 2016-1100, §7, 2/23/2016

⁴⁴ Amended by Ord. 2016-1100, §8, 2/23/2016

⁴⁵ Amended by Ord. 820, 10/26/89

be the sum of the length of two lines drawn perpendicular to one side line at the widest and narrowest portions of the lot, divided by two.⁴⁶

- 2.85.1 MAINTENANCE AND REPAIR SERVICE. Establishments engaged in the maintenance or repair of office machines, household appliances, furniture, and similar items. This classification excludes maintenance and repair of motor vehicles.⁴⁷
- 2.85.2 MIXED USE. Under this section, mixed use refers to vertical mixed use where retail or commercial uses are on the ground floor, and residential, lodging, or office uses are above.⁴⁸
- 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 OR CONVALESCENT HOME - "Nursing Home" or "Convalescent Home" means a structure occupied or intended to be occupied, for compensation, by persons recovering from injury or illness, or suffering from the infirmities of old age, and any comparable licensed facility. "Nursing Home" or "Convalescent Home" is a type of Residential Care Facility.⁴⁹
- 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.

⁴⁶ Amended by Ord. 2016-1100, §9, 2/23/2016

⁴⁷ Added by Ord. 2017-1124, §16, 11/28/2017

⁴⁸ Added by Ord. 2017-1124, §17, 11/28/2017

⁴⁹ Amended by Ord. 2014-1079, §3, 8/26/2014

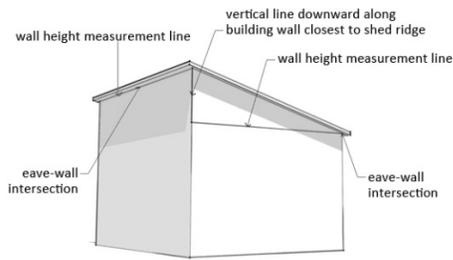
- 2.93.1 OFFICES WITH WALK-IN CLIENTELE means offices providing direct services to patrons or clients without prior appointments. This use classification includes employment agencies, insurance agent offices, real estate offices, travel agencies, utility company offices, and offices for elected officials. It does not include banks or check-cashing facilities.⁵⁰
- 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.
- 2.96.1 PERSONAL SERVICES, GENERAL means provision of recurrently needed services of a personal nature that do not pose land use compatibility issues warranting public review. This classification includes seamstresses, tailors, shoe repair shops, bike repair shops, self-service laundries, photocopying and photo finishing services, and travel agencies mainly intended for the consumer. This classification also includes fitness centers, exercise clubs, and studios offering performing arts, martial arts, physical exercise, or yoga training and similar types of instruction.⁵¹
- 2.96.2 PERSONAL SERVICES, LIMITED means Personal services that may cause land use conflicts because of hours of operation, drop-off or pickup requirements, or potential adverse impacts on neighboring uses or the local retail market. This classification includes barber shops and beauty salons, dry cleaning agents (excluding large-scale bulk cleaning plants), massage establishments, nail salons, smoke shops, or tobacco sales.⁵²
- 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.
- 2.97.1 PLATE HEIGHT – The point at which exterior building walls intersect with roof eaves. Plate height is illustrated in the figure below.⁵³

⁵⁰ Added by Ord. 2017-1124, §18, 11/28/2017

⁵¹ Added by Ord. 2017-1124, §19, 11/28/2017

⁵² Added by Ord. 2017-1124, §20, 11/28/2017

⁵³ Added by Ord. 2016-1100, §26 2/23/2016;



- 2.97.1 **PRESCRIBED ARTICULATION** – Specified measures which are required to interrupt the straight line of a building wall in order to reduce the perception of building bulk, which include but are not limited to projecting or recessing portions of exterior building walls, and incorporation of architectural features such as chimneys or bay windows.⁵⁴
- 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.
- 2.99.1 **PUBLIC VIEWS** – Public views means views from public vantage points to prominent natural features or landmarks.⁵⁵
- 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.
- 2.100.1 **RESEARCH AND DEVELOPMENT LABORATORY.** Establishments with laboratory facilities as distinct for offices, that are primarily engaged in the research, development, and controlled production of high-technology electronic, industrial or scientific products or commodities for sale, but excludes uses that in the opinion of the Planning Commission, may be objectionable by reason of production of offensive odor, dust, noise, bright lights, vibration or the storage of hazardous material or products, or uses which in the opinion of the commission threaten public safety. Typical uses include biotechnology firms and robotics laboratories.⁵⁶
- 2.100.1 **RESIDENTIAL CARE FACILITY** – As provided in Health and Safety Code Section 1502(a)(1), “Residential Care Facility” means any family home, group care facility, or similar facility, for 24-hour nonmedical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual.⁵⁷
- 2.100.2 **RESIDENTIAL CARE FACILITY, SMALL** - “Small Residential Care Facility” is a Residential Care Facility that serves six or fewer persons. In accordance with Health and Safety Code Section 1566.3, the residents and operators of such a facility are considered a

⁵⁴ Added by Ord. 2016-1100, §10, 2/23/2016

⁵⁵ Amended by Ord. 2016-1100, §11, 02/23/2016

⁵⁶ Added by Ord. 2017-1124, §21, 11/28/2017

⁵⁷ Amended by Ord. 2014-1079, §4, 08/26/2014; renumbered by Ord. 2016-1100, §12, 2/23/2016

family for purposes of this ordinance, and a Small Residential Care Facility is considered a residential use and a family dwelling.⁵⁸

- 2.100.3 RESIDENTIAL DESIGN CRITERIA (RDC) - A companion document to the Zoning Ordinance, which provides additional, objective, measurable, or quantifiable review criteria required for new construction. The RDC includes relevant criteria for the regulation of building bulk (such as second story step backs, prescribed articulation, and daylight planes), which are specified based upon the scope of the project, site conditions, and the architectural style of the home.⁵⁹
- 2.100.4 RESIDENTIAL DESIGN GUIDELINES (RDG) – a companion document to the Zoning Ordinance, which provides basic design concepts and elements of good design required for all new residential structures and additions. The RDG includes relevant examples of designs that generally conform to the standards for Single Family Design Review application approval.⁶⁰
- 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.
- 2.104.1 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.⁶¹
- 2.104.2 SECOND STORY STEPBACK – An identified setback for second story exterior building walls as measured from the lower story exterior building walls.⁶²
- 2.104.3 SECONDARY DWELLING UNIT - A secondary dwelling unit is an accessory dwelling unit as defined in Section 24.⁶³
- 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.
- 2.105.1 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.⁶⁴

⁵⁸ Amended by Ord. 2014-1079, §5, 8/26/2014; renumbered by Ord. 2016-1100, §13, 2/23/2016

⁵⁹ Added by Ord. 2016-1100, §14, 2/23/2016

⁶⁰ Amended by Ord. 2014-1079, §6, 8/26/2014; renumbered and amended by Ord. 2016- 1100, §15, 2/23/2016

⁶¹ Amended by Ord. 470, 6/14/71; renumbered by Ord. 2016-1100, §16, 2/23/2016

⁶² Added by Ord. 2016-1100, §18, 2/23/2016

⁶³ Amended by Ord. 2016-1100, §17, 2/23/2016; Ord.2017-1118, §4, 5/23/2017

⁶⁴ Amended by Ord. 759, 01/13/87; renumbered by Ord. 2017-1124, §22, 11/28/2017

- 2.105.2 **SOCIAL SERVICE CENTER.** Facilities providing a variety of supportive services for disabled and homeless individuals and other targeted groups on a less-than-24-hour basis. Examples of services provided are counseling, meal programs, personal storage lockers, showers, instructional programs, television rooms, and meeting spaces. This classification is distinguished from day care centers and emergency shelters providing 24-hour or overnight care.⁶⁵
- 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.
- 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.

⁶⁵ Added by Ord. 2017-1124, §23, 11/28/2017

- 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.
- 2.119a SUPPORTIVE HOUSING – “Supportive housing” is defined by California Health & Safety Code Section 50675.14 and means housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Supportive housing is permitted as a residential use and is only subject to those restrictions that apply to other residential dwellings in the same zone. This paragraph is advisory only and not intended to deviate from state law as it may be amended from time to time.⁶⁶
- 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 TRANSITIONAL HOUSING – “Transitional housing” is defined by California Health & Safety Code Section 50675.2 and means buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six (6) months from the beginning of assistance. Transitional housing is permitted as a residential use and is only subject to those restrictions that apply to other residential dwellings of the same type in the same zone. This paragraph is advisory only and not intended to deviate from state law as it may be amended from time to time.⁶⁷
- 2.122b 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.⁶⁸
- 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.
- 2.123.1 UTILITIES, MINOR. Facilities necessary to support established uses involving only minor structures, such as electrical distribution lines, and underground water and sewer lines.⁶⁹

⁶⁶ Amended by Ord. 2014-1079, §7, 8/26/2014

⁶⁷ Amended by Ord. 2014-1079, §8, 8/26/2014

⁶⁸ Amended by Ord. 2014-1079, §9, 8/26/2014

⁶⁹ Amended by Ord. 2017-1124, §24, 11/28/2017

- 2.123.2 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.⁷⁰
- 2.123.3 VEHICLE WASHING. Washing, waxing, or cleaning of automobiles or similar light vehicles, including self-serve washing facilities that are the principal use of a building, structure, or site.⁷¹
- 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.
- 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.

⁷⁰ Amended by Ord. 470, 06/14/71, Ord. 781, 12/10/87; renumbered by Ord. 2017-1124, §25, 11/28/2017

⁷¹ Amended by Ord. 2017-1124, §26, 11/28/2017