

# Article VII – Development Code Definitions

## Chapter 17.220 - Definitions, Glossary

### **17.220.010 - Purpose of Chapter**

This Chapter provides definitions of terms and phrases used in this Development Code that are technical or specialized, or that may not reflect common usage. If any of the definitions in this Chapter conflict with definitions in other provisions of the Municipal Code, these definitions shall control for the purposes of this Development Code. If a word is not defined in this Chapter, or other provisions of the Municipal Code, the most common dictionary definition is presumed to be correct.

### **17.220.020 - Definitions of Specialized Terms and Phrases**

As used in this Development Code, the following terms and phrases shall have the meanings ascribed to them in this Section, unless the context in which they are used clearly requires otherwise. The following definitions are in alphabetical order.

**'A' weighted sound level.** The total sound level in decibels of all sound as measured with a sound level meter with a reference pressure of 20 micropascals using the 'A' weighted network (scale) at slow response. The unit of measurement shall be defined as dB(A).

**Abandoned.** In addition to those definitions provided by State law, Municipal Code and case law, the term abandoned means and refers to any item which has ceased to be used for its designed and intended purpose. The factors used in determining whether or not an item has been abandoned, include, but are not limited to, the following:

1. Present operability and functional utility of the item;
2. The date of last effective use of the item;
3. The condition of disrepair or damage;
4. The last time an effort was made to repair or rehabilitate the item;
5. The status of registration or licensing of the item;
6. The age and degree of obsolescence;
7. The nature of the area and location of the item.

**Abandoned Sign.** A sign that no longer advertises a business, lessor, owner, product, service or activity on the premises where the sign is displayed.

**Accessory Retail Uses.** The retail sales of various products (including food) in a store or similar facility that is located within a health care, hotel, office, or industrial complex for the purpose of serving employees or customers, and is not visible from public streets. These uses include pharmacies, gift shops, and food service establishments within hospitals; convenience stores and food service establishments within hotel, office and industrial complexes.

**Accessory Structure.** A structure that is physically detached from, secondary and incidental to, and commonly associated with the primary structure. For the purposes of this Development Code, accessory structures and uses include: detached garages, greenhouses, artist's studios, and workshops; hot tubs, jacuzzis, spas, and swimming pools, together with any enclosures; and any other open air enclosures, including gazebos and detached patio covers.

**Accessory use.** A use that is conducted on the same parcel as the principal use or structure to which it is related, and which is clearly incidental to and customarily found in connection with the principal use.

**Agent.** A person authorized in writing by the property owner to represent and act for a property owner in contacts with City employees, committees, Commissions, and the City Council, regarding matters regulated by this Development Code.

**Aggregate processing and batch plants.** Manufacturing facilities for the sorting, grading, and storage of aggregates as construction materials; includes concrete batch plants. A retail ready-mix concrete operation as an incidental use in conjunction with a building materials outlet is defined under "Building Material Stores."

**Agricultural Accessory Structures.** An uninhabited structure for the storage of farm animals, implements, supplies or products, that contains no residential use and is not open to the public. Includes: barns; grain elevators; silos, and other similar structures, but not commercial greenhouses (which are under "Plant Nurseries and Garden Supply Stores") or structures for agricultural processing activities (which are under "Agricultural Processing). Also may include: coops, corrals, pens, stables, etc., and wind machines for water pumping or other conversion of wind energy to mechanical or thermal power.

**Agricultural Processing.** The processing of crops after harvest, to prepare them for on-site marketing or processing and packaging elsewhere. Includes the following:

- alfalfa cubing
- corn shelling
- cotton ginning
- custom grist mills
- custom milling of flour, feed and grain
- dairies (but not feedlots, see instead "Animal Sales Yards, Feedlots, Stockyards")
- drying of corn, rice, hay, fruits and vegetables
- grain cleaning and custom grinding

hay baling and cubing  
pre-cooling and packaging of fresh or farm-dried fruits and vegetables  
sorting, grading and packing of fruits and vegetables  
tree nut hulling and shelling

Any of the above activities performed in the field with mobile equipment not involving permanent structures are included under the definition of "Crop Production."

**Alcoholic Beverage Sales.** The retail sale of beer, wine, and/or other alcoholic beverages for on- or off-premise consumption.

**Alley.** A public or private roadway, generally not more than 30 feet wide that provides vehicle access to the rear or side of parcels having other public street frontage, that is not intended for general traffic circulation.

**Allowed use.** A use of land identified by Article II (Zoning Districts and Allowable Land uses) as a permitted or conditional use that may be established with land use permit and, where applicable, Design Review and/or Building Permit approval, subject to compliance with all applicable provisions of this Development Code.

**Alteration.** Any construction or physical change in the internal arrangement of rooms or the supporting members of a structure, or a change in the external appearance of any structure, not including painting.

**Ambient noise level.** An all encompassing noise level associated with a given environment. A composite of sounds from all sources, excluding the noise in question, at the location and approximate time at which a comparison with the noise in question is to be made.

**Animal Raising and Keeping.** The keeping/raising of farm animals, including cattle, goats, horses, sheep, swine (including pot bellied pigs), fowl, poultry, and other animals determined by the City Planner to not be common household pets. Does not include: birds, cats, dogs, and other household pets or exotic animals, which are separately defined.

**Animal unit.** An animal unit is equal to one livestock animal or 10 fowl.

**Antenna.** A device used in communications which transmits or receives radio signals.

**Antenna, dish.** A dish-like antenna used to link communications sites together by wireless transmission of voice or data. Also called microwave antenna or microwave dish antenna.

**Antenna, panel.** An antenna or array of antennae that are flat and rectangular and designed to concentrate a radio signal in a particular area. Also referred to as directional antennae.

**Antenna, whip.** An antenna that transmits signals in 360 degrees. They are typically cylindrical in shape and are less than six inches in diameter and measure up to 18 feet in height. Also called omnidirectional, pipe or stick antennae.

**Approval.** Includes both approval and approval with conditions.

**Area of a Sign.** See "Sign Area."

**Area of regional significance.** An area designated by the State Mining and Geology Board which is known to contain a deposit of minerals, the extraction of which is judged to be of prime importance in meeting future needs for minerals in a particular region of the State within which the minerals are located and which, if prematurely developed for alternate incompatible land uses, could result in the premature loss of minerals that are of more than local significance.

**Area of Special Flood Hazard.** See Special Flood Hazard Area.

**Area of statewide significance.** An area designated by the State Mining and Geology Board which is known to contain a deposit of minerals, the extraction of which is judged to be of prime importance in meeting future needs for minerals in the State and which, if prematurely developed for alternate incompatible land uses, could result in the permanent loss of minerals that are of more than local or regional significance.

**Attractive nuisance.** Any condition, instrument or machine which is unsafe and unprotected and therefor dangerous to young children by reason of their inability to appreciate the inherent peril, and which may be reasonably expected to attract children to a property and therefor risk injury by playing with, in or on it.

**Auto, Mobile Home, and Vehicle Sales.** Retail establishments selling and/or renting the following (vehicles may be new or used):

automobiles  
boats  
campers  
golf carts  
jet skis  
mobile homes  
motorcycles  
motor homes  
motorized farm equipment  
recreational and utility trailers  
repair shops  
snowmobiles  
tires  
trucks  
vans

Does not include: auto parts/accessory sales separate from a vehicle dealership (see "Auto Parts Sales"); bicycle and moped sales (see "Retail Stores, General Merchandise"); tire recapping establishments (see "Repair and Maintenance - Vehicle"); businesses dealing exclusively in used parts, (see "Recycling, Scrap and Dismantling Yards"); or "Service Stations," which are separately defined.

**Auto Parts Sales.** Stores that sell new automobile parts, tires, and accessories. May also include minor parts installation (see "Repair and Maintenance - Vehicle"). Does not include tire recapping establishments, which are found under "Repair and Maintenance - Vehicle," or businesses dealing exclusively in used parts, which are included under "Recycling Facilities - Scrap and Dismantling Yards."

**Automated Teller Machine (ATM).** Machines used by bank and financial service patrons for conducting transactions including deposits, withdrawals and fund transfers, without contact with financial institution personnel. The machines may be located at or within banks, or in other locations, in compliance with this Development Code.

**Automobile repair.** See "Repair and Maintenance, Vehicle."

**Automobile dismantling yard.** See "Recycling, Scrap, and Dismantling Yards."

**BACT.** Best Available Control Technology. Technology required to reduce emissions of air pollutants.

**Banks and Financial Services.** Financial institutions including:

- banks and trust companies
- credit agencies
- holding (but not primarily operating) companies
- lending and thrift institutions
- other investment companies
- securities/commodity contract brokers and dealers
- security and commodity exchanges
- vehicle finance (equity) leasing agencies

This definition does not include escrow companies and title insurance companies which come under the definition "Offices, Business and Professional". See also, "Automatic Teller Machine," above.

**Bars and Drinking Places.** Businesses where alcoholic beverages are sold for on-site consumption, which are not part of a larger restaurant. Includes bars, taverns, pubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. May include entertainment (e.g., live music and/or dancing). May also include beer brewing as part of a microbrewery, and other beverage tasting facilities.

**Base flood.** A flood having a one percent probability of being equaled or exceeded in any given year (also called the 100-year flood).

**Bed and Breakfast Inns.** Residential structures with one family or representative in permanent residence with up to ten bedrooms rented for overnight lodging, where meals may be provided subject to Section 17.58.070 (Bed and Breakfast Inns), and applicable Health Department regulations. A Bed and Breakfast Inn with more than ten guest rooms is considered a hotel or motel, and is included under the definition of "Hotels and Motels." Does not include room rental in a "boarding house" situation; see "Rooming and Boarding Houses."

**Beverage Production.** Manufacturing facilities including bottling plants, breweries, coffee roasting, soft drink production, and wineries. Does not include milk processing; see "Food Products." May include tasting and accessory retail sales of beverages produced on site. A tasting facility separate from the manufacturing facility is included under the definition of "Bars and Drinking Places" if alcoholic beverages are tasted, and under "Restaurant" if beverages are non-alcoholic.

**Borrow pits.** Excavations created by the surface mining of rock, unconsolidated geologic deposits, or soil to provide material (borrow) for fill elsewhere.

**Breakaway wall.** Any type of wall, whether solid or lattice, and whether constructed of concrete, masonry, wood, metal, plastic or other building material that is not part of the structural support of the building and which is designed to break away under abnormally high tides or wave action without causing damage to the structural integrity of the building on which they are used or buildings to which they might be carried by flood waters. A breakaway wall shall have a design load resistance of not less than 10 and not more than 20 pounds per square foot. Use of breakaway walls shall be certified by a registered engineer or architect and shall meet the following conditions:

1. Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and
2. The elevated portion of the building shall not incur any structural damage due to the effects of wind and water loads acting simultaneously in the event of the base flood.

**Broadcasting Studios.** Commercial and public communications uses including radio and television broadcasting and receiving stations and studios, with facilities entirely within buildings. Transmission and receiving apparatus, including antennae and towers, are included under the definition of "Telecommunications Facilities."

**Building.** See "Structure."

**Building Material Stores.** Retail establishments selling lumber and other large building materials, where most display and sales occur indoors. Includes paint, wallpaper, glass,

fixtures, nursery stock, lawn and garden supplies. Includes all these stores selling to the general public, even if contractor sales account for a major proportion of total sales. Includes incidental retail ready-mix concrete operations, except where excluded by a specific zoning district. Establishments primarily selling electrical, plumbing, heating, and air conditioning equipment and supplies are classified in "Wholesaling and Distribution." Hardware stores are listed in the definition of "Retail Stores, General Merchandise," even if they sell some building materials.

**Building Official.** The Senior Building Inspector or his/her designee.

**Building/Structure Frontage.** The building elevation which fronts on a public street, public parking lot, private parking lot available to the general public, or pedestrian walk where customer access to a structure is available.

**Bungalow courts.** Small houses carefully arranged around a planned open space.

**Business frontage.** That portion of a building frontage occupied by a single business tenant having a public entrance within the building frontage.

**Business Support Services.** Establishments primarily within buildings, providing other businesses with services including maintenance, repair and service, testing, rental, etc., also includes:

blueprinting

business equipment repair services (except vehicle repair, see "Repair and Maintenance - Vehicle")

commercial art and design (production)

computer-related services (rental, repair)

copying, quick printing, and blueprinting services

equipment rental businesses within buildings (rental yards are "Storage Yards and Sales Lots")

film processing laboratories

heavy equipment repair services where repair occurs on the client site

janitorial services

mail advertising services (reproduction and shipping)

other "heavy service" business services

outdoor advertising services

photocopying

photofinishing

protective services (other than office related)

soils and materials testing laboratories

window cleaning

**"Cabin Plot"** means a section of ground not less than thirty feet by forty feet in area, upon which only one camp cottage or cabin is located.

**Cabinet shop.** See "Furniture and Fixtures".

**California Environmental Quality Act (CEQA).** State law (California Public Resources Code Sections 21000 et seq.) requiring public agencies to document and consider the environmental effects of a proposed action, prior to allowing the action to occur.

**California Public Utilities Commission (CPUC).** The governmental agency which regulates the terms and conditions of public utilities in the State.

**Campground.** Commercial facilities where sites are provided for overnight outdoor camping with tents. See also "Recreational Vehicle Parks."

**Cardlock Fueling Facility.** An automated vehicle fuel sales facility without an attendant.

**Caretaker and Employee Housing.** A temporary or permanent residence that is accessory to a nonresidential primary use of the site, where needed for security, or 24-hour care or supervision. Does not include living quarters within a single-family dwelling for domestic staff, which are included under the definition of "Single-Family Dwelling."

**Car wash.** Permanent, self-service and attended car washing establishments, including fully mechanized and automatic (drive-through) facilities. Temporary car washes are fund-raising activities, typically conducted at a service station or other automotive-related business, where volunteers wash vehicles by hand, and the duration of the event is limited to one day.

**Cellular.** An analog or digital wireless communication technology that is based on a system of interconnected neighboring cell sites, each of which contains antennae.

**Cemeteries and Columbariums.** Internment establishments engaged in subdividing property into cemetery lots and offering burial plots or air space for sale. Includes animal cemeteries; cemetery, mausoleum, crematorium and columbarium operations, and full-service funeral parlors accessory to a cemetery or columbarium.

**Certificate of Public Convenience and Necessity.** A certificate issued by the California Public Utilities Commission (CPUC).

**Channel letters.** Three-dimensional individually cut letters or figures, illuminated or unilluminated, affixed to a structure.

**Chemical Products.** Manufacturing facilities that produce or use basic chemicals, and other establishments creating products predominantly by chemical processes. Facilities included in this definition manufacture three general classes of products: (1) basic chemicals, such as acids, alkalis, salts, and organic chemicals; (2) chemical products to be used in further manufacture, such as synthetic fibers, plastic materials, dry colors, and pigments; and (3) finished chemical products to be used for ultimate consumption, such

as drugs, cosmetics, and soaps; or to be used as materials or supplies in other industries such as paints, fertilizers, and explosives. Also includes sales and transportation establishments handling the chemicals described above in other than one of the uses included in the Retail Trade group in the land use and permit tables.

**Child Day Care Facilities.** Facilities that provide nonmedical care and supervision of minor children for periods of less than 24 hours. These facilities include the following, all of which are required to be licensed by the California State Department of Social Services:

- 1. Child day care centers (13 or more children).** Allowed in the zoning districts as determined by Article II (Zoning Districts and Allowable Land Uses) and the standard in Section 17.58.080 (Child Day Care Facilities).
- 2. Large family day care homes (seven to twelve children).** Allowed within any single-family residence located in a residential zoning district, in compliance with the standards in Section 17.60.060(A) (Standards for large family day care homes). A large family day care home may provide care for two additional children up to 14 children in compliance with Section 1597.46 of the Health and Safety Code; and
- 3. Small family day care homes (six or fewer children).** Allowed within any single-family residence located in a residential zoning district. A small day care home may provide care for two additional children up to eight children in compliance with Section 1597.44 of the Health and Safety Code;

**Churches/Places of Worship.** Religious facilities operated by organizations for worship, or the promotion of religious activities, including churches, synagogues, mosques, etc., and religious schools; and accessory uses on the same site, such as living quarters for ministers and staff, and child day care facilities where authorized by the same type of land use permit required for the church itself. Other establishments maintained by religious organizations, such as full-time educational institutions, hospitals and other potentially related operations (such as a recreational camp) are classified according to their respective activities.

**Clothing Products.** Manufacturing establishments producing clothing, and fabricating products by cutting and sewing purchased textile fabrics, and related materials such as leather, rubberized fabrics, plastics and furs. Custom tailors and dressmakers not operating as a factory and not located on the site of a clothing store ("General Merchandise Stores") are instead included under "Personal Services." See also, "Textile and Leather Products."

**Co-location.** The locating of wireless communications equipment from more than one provider on a single ground-mounted, roof-mounted or structure-mounted facility.

**Code Enforcement Director.** A City officer or employee, as may be designated by the City Manager, to enforce property maintenance, zoning and other City violations.

**Commercial Parking and Vehicle Storage.** Service establishments in the business of storing operative cars, buses, recreational vehicles, and other motor vehicles for clients. Includes both day use and long-term public and commercial garages, parking lots and structures, except when accessory to a principal use. Includes sites where vehicles are stored for rental or leasing. All principal uses are considered to include any customer or public use off-street parking required by this Development Code. Does not include dismantling yards; see "Recycling, Scrap and Dismantling Yards".

**Commercial properties.** Any structure, premises or portion thereof used for wholesale or retail purposes on which the property user or employees are engaged in work for which it is intended that compensation be received for goods or services.

**Commission.** See "Planning Commission."

**Common Interest Development.** A common interest development includes a community apartment project, a condominium project, a planned development, or a stock cooperative.

**Community Centers.** Multi-purpose meeting and recreational facilities typically consisting of one or more meeting or multi-purpose rooms, kitchen and/or outdoor barbecue facilities, that are available for use by various groups for such activities as meetings, parties, receptions, dances, etc.

**Community event.** An event determined by the City Council to be of community importance.

**Community information/directory sign.** A sign which provides information about the community and civic groups, typically located near the municipal boundary.

**Community Noise Equivalent Level (CNEL)** measurements are a weighted average of sound levels gathered throughout a 24-hour period. This is essentially a measure of ambient noise.

**Compatible land uses, mining.** Land uses inherently compatible with mining and/or that require a minimum public or private investment in structures, land improvements, and which may allow mining because of the relative economic value of the land and its improvements. Examples of the uses may include very low density residential, geographically extensive but low impact industrial, recreational, agricultural, silvicultural, grazing, and open space.

**Concrete, Gypsum, and Plaster Products.** Manufacturing establishments producing bulk concrete, concrete building block, brick and all types of precast and prefab concrete products. Also includes ready-mix concrete batch plants, lime manufacturing, and the manufacture of gypsum products, such as plasterboard. A retail ready-mix concrete operation as an incidental use in conjunction with a building materials outlet is defined under "Building Material Stores."

**Condominium.** A structure containing two or more dwelling units, where the interiors of each unit are individually owned, and the balance of the property including both land and structures is owned in common by the owners of the individual units. The balance of the property is called the common area. The term "condominium" is also defined by California Civil Code Section 1351.

**Conservation Easement.** An easement whose purpose is to retain land predominantly in its natural, scenic, historical, agricultural, forested, or open space condition.

**Construction Contractors Yard.** Storage yards operated by, or on behalf of a contractor for storage of large equipment, vehicles, or other materials commonly used in the individual contractor's type of business; storage of scrap materials used for repair and maintenance of contractor's own equipment; and buildings or structures for uses such as offices and repair facilities.

**Construction and Heavy Equipment Sales.** Retail establishments selling or renting heavy construction equipment, including cranes, earth moving equipment, heavy trucks, etc.

**Convenience Store.** Retail stores typically less than 15,000 square feet in gross floor area that carry a range of merchandise oriented to convenience and travelers' shopping needs. These stores may be part of a service station or an independent facility.

**Corral.** A fenced area typically for confining horses or other hooved animals.

**Cost effective.** Capable of achieving results which would justify the required costs.

**Covenant of Easement.** An easement granted in favor of the City restricting or limiting the use of land for air or light access, emergency access, aviation, landscaping, parking access, open space, or similar purposes.

**Crop Production.** Commercial agricultural field and orchard uses including production of:

- field crops
- flowers and seeds
- fruits
- grains
- melons
- ornamental crops
- tree nuts
- trees and sod
- vegetables

Also includes associated crop preparation services and harvesting activities, such as mechanical soil preparation, irrigation system construction, spraying, crop processing and sales in the field not involving a permanent structure.

**Decibel (dB).** A unit for measuring the amplitude of sounds, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, of 20 micropascals.

**Density.** The number of housing units per net acre, unless otherwise stated, for residential uses.

**Department.** The City of Jackson Planning Department, referred to in this Development Code as "Department."

**Destination Resort.** Destination Resort is any hotel which includes on the site of the hotel three or more of the following outdoor recreation facilities that are available to hotel occupants with or without additional charge: Wedding/conference facilities, spas and/or salons, retail shops, restaurants, bike paths, walking trails, running trails or horse trails, horseback riding facilities, one or more golf courses, tennis courts, skating facilities and one or more swimming pools.

**Detached.** Any structure that does not have a wall or roof in common with another structure.

**Detached living area.** A detached living area is an accessory structure within a residential zoning district, is not a required element of the main dwelling and is designed for human occupancy. It is intended to provide living quarter(s) within a detached residential accessory structure, located on the same premises with the main dwelling, for use by members of the family occupying the main dwelling and their non-paying guests.

**Development.** Any construction activity or alteration of the landscape, its terrain contour or vegetation, including the erection or alteration of structures. New development is any construction, or alteration of an existing structure or land use, or establishment of a land use, after the effective date of this Development Code.

**Development Agreement.** A contract between the City and an applicant for a development project, in compliance with Chapter 17.150 (Development Agreements) of this Development Code and Government Code Sections 65864 et seq. A development agreement is intended to provide assurance to the applicant that an approved project may proceed subject to the policies, rules, regulations, and conditions of approval applicable to the project at the time of approval, regardless of any changes to City policies, rules, and regulations after project approval. In return, the City may be assured that the approved project will contain elements and components that are in the best interests of the City and will promote the public interest and welfare of the City.

**Development Code.** The City of Jackson Development Code, Title 17 of the Jackson Municipal Code, referred to herein as "this Development Code."

**Dismantled.** From which essential equipment, parts or contents have been removed or stripped and the outward appearance verifies the removal.

**District.** See "Zoning District."

**Docks and Piers, Commercial.** Commercial waterfront facilities providing fuel for boats and other watercraft, and mooring facilities.

**Drive-in and Drive-thru Sales.** Facilities where food or other products may be purchased by motorists without leaving their vehicles. These facilities include fast-food restaurants, drive-through photo, coffee, and dairy product stores, etc.

**Drive-in and Drive-thru Services.** Facilities where services may be obtained by motorists without leaving their vehicles. These facilities include drive-up bank teller windows, dry cleaners, etc. Does not include: walk-up automatic teller machines (ATMs) or automobile service stations, which are separately defined; or car washes (see "Repair and Maintenance - Vehicle").

**Duplex.** A detached residential structure under single ownership containing two dwellings.

**Dwelling.** One or more habitable rooms, that are designed, used, and/or intended to be used as an independent living space with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of one or more people maintaining a household. A dwelling shall have no more than one kitchen, room, or other area with cooking facilities. All habitable areas for the dwelling unit shall have interior access to and from each other from within the building except for detached living areas and habitable areas above or below attached garages.

**Dwelling, Multi-Family.** A building or a portion of a building used and/or designed as residences for three or more families living independently of each other. Includes: triplexes, fourplexes (buildings under one ownership with three or four dwelling units, respectively, in the same structure) and apartments (five or more units under one ownership in a single building); townhouse development (three or more attached single-family dwellings where no unit is located over another unit); senior citizen multi-family housing; apartments above commercial space in commercial zoning districts; and common ownership, attached unit projects such as condominiums.

**Dwelling, Single Family.** A building designed for and/or occupied by one family. Also includes factory-built, modular housing units, constructed in compliance with the Uniform Building Code (UBC), and mobile homes/manufactured housing on permanent foundations. May include the rental of rooms within a dwelling also occupied by the property owner or a primary tenant.

**Dwelling, Two Family.** See "Duplex."

**Easement, Covenant of.** See "Covenant of Easement".

**Easement, Public Service.** See "Public Service Easement".

**Eave.** The overhanging lower edge of a roof.

**Edge of roof.** On a pitched roof, the lowest portion of the fascia board covering the roof rafters, or if no fascia board exists, the lowest point of the roof rafters. On a flat roof, the top of the parapet wall.

**Electric Utility Facilities.** Facilities for production or generation of electrical energy, electrical substations in an electrical transmission system which receives electricity at 100,000 volts or greater, and electrical transmission lines of 100,000 volts or greater, consistent with Government Code Sections 53091 and 53096 and Public Resources Code Section 12808.5.

**Electrical and Electronic Equipment, Instruments.** Establishments engaged in manufacturing machinery, apparatus, and supplies for the generation, storage, transmission, transformation and use of electrical energy, including:

appliances such as stoves/ovens, refrigerators, freezers, laundry equipment, fans, vacuum cleaners, sewing machines  
aviation instruments  
electrical transmission and distribution equipment  
electronic components and accessories, and semiconductors, integrated circuits, related devices  
electronic instruments, components and equipment such as calculators and computers  
electrical welding apparatus  
lighting and wiring equipment such as lamps and fixtures, wiring devices, vehicle lighting  
industrial apparatus  
industrial controls  
instruments for measurement, testing, analysis and control, associated sensors and accessories  
miscellaneous electrical machinery, equipment and supplies such as batteries, X-ray apparatus and tubes, electromedical and electrotherapeutic apparatus, electrical equipment for internal combustion engines  
motors and generators  
optical instruments and lenses  
photographic equipment and supplies  
pre-recorded magnetic tape  
radio and television receiving equipment such as television and radio sets, phonograph records and surgical, medical and dental instruments, equipment, and supplies  
surveying and drafting instruments  
telephone and telegraph apparatus

transformers, switch gear and switchboards  
watches and clocks

Does not include testing laboratories (soils, materials testing, etc.) (see "Business Support Services"), or research and development facilities separate from manufacturing (see "Research and Development").

**Electrical transmission lines.** Overhead utility lines for the transmission of electricity at 100,000 volts or more, between generation and/or switching facilities, and local distribution systems.

**Electromagnetic field.** The local electric and magnetic fields caused by voltage and the flow of electricity that envelop the space surrounding an electrical conductor.

**Emergency Shelter.** A facility for the temporary shelter and feeding of indigents or disaster victims, operated by a public or non-profit agency.

**Emergency work.** The use of any equipment, machinery, vehicle or other activity in a short term effort to protect or restore safe conditions in the City, or work by private or public utilities when restoring utility service.

**Enhanced specialized mobile radio.** A digital wireless communication technology that specializes in providing dispatching services.

**Environmental Impact Report (EIR).** An informational document used to assess the physical characteristics of an area and to determine what effects will result if the area is altered by a proposed action, prepared in compliance with the California Environmental Quality Act (CEQA).

**Equestrian Facilities.** Commercial horse, donkey, and mule facilities including:

horse ranches  
boarding stables  
riding schools and academies  
horse exhibition facilities  
pack stations

This land use includes barns, stables, corrals, and paddocks accessory and incidental to the above uses. Noncommercial facilities of this type are included in the definition of "Agricultural Accessory Structures."

**Establishment of an adult entertainment establishment.** Includes any of the following:

1. The opening or commencement of an adult entertainment establishment as a new business;

2. The conversion of an existing establishment, whether or not an adult entertainment establishment, to any of the adult entertainment establishments defined in this Subsection;
3. The addition of any of the adult entertainment establishments defined in this Subsection to any other existing adult entertainment establishment; or
4. The relocation of any adult entertainment establishment.

**Exploration or prospecting.** The search for minerals by geochemical, geological, geophysical or other techniques, including, but not limited to, assaying, drilling, sampling or any surface or underground work needed to determine the extent, quantity or type of minerals present.

**Exotic animal.** Non-domesticated animals that require a permit from the California Department of Fish and Game or the United States Department of Agriculture for the raising and keeping of such animal.

**Extremely Low Income.** Households with income less than 30 percent of area median income.

**Family.** One or more persons living together in a dwelling unit with common access to and common use of all living, kitchen, and eating areas within the dwelling unit.

**Farmer's Markets.** Temporary and/or occasional outdoor retail sales of farm produce from vehicles or temporary stands, located within a parking lot, or a public right-of-way (where authorized by encroachment permit).

**Feasible.** Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.

**Fisheries and Game Reserves.** Commercial fish hatcheries, rearing ponds, fish and game preserves, and game propagation.

**Flood or Flooding.** A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of flood waters;
2. The unusual and rapid accumulation or runoff of surface waters from any source; and/or
3. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of

nature, or by some similarly unusual and unforeseeable event which results in flooding.

**Flood Boundary and Floodway Map.** The official map on which the Management Agency or Federal Insurance Administration has delineated both the areas of flood hazard and the floodway.

**Flood Insurance Rate Map (FIRM).** The official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to Amador County.

**Flood Insurance Study.** The official report provided by the Federal Insurance Administration that includes flood profiles, the FIRM, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.

**Floodplain management.** The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space lands.

**Floodplain, 100-year.** See "One hundred year floodplain".

**Flood proofing.** A combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

**Floodway.** The channel of a river or other water course and the adjacent land areas that shall be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. Also referred to as "Regulatory floodway".

**Floor Area Ratio (FAR).** The Floor Area Ratio (FAR) is the ratio of floor area to total lot area. FAR restrictions are used to limit the maximum floor area allowed on a site (including all structures on the site). The maximum floor area of all structures (measured from exterior wall to exterior wall) permitted on a site (including carports) shall be determined by multiplying the Floor Area Ratio (FAR) by the total net area of the site (FAR x Net Site Area = Maximum Allowable Floor Area (see Figure 7-1).

**Flower tower.** A structure that integrates a monopole into a light pole or other utility pole.

**Food and Beverage Distribution.** A use engaged primarily in wholesale storage and distribution of food and/or beverage manufactured products, supplies, and equipment, including incidental storage and sales activities.

**Food Production.** Manufacturing establishments producing or processing foods for human consumption and certain related products. Includes:

bakery products  
candy, sugar and confectionery products  
catering services separate from stores or restaurants  
dairy products  
fats and oil products  
fruit and vegetable canning, preserving, related processing  
grain mill products and by-products  
meat, poultry, and seafood canning, curing, byproduct processing  
miscellaneous food item preparation from raw products

Does not include: bakeries which sell all products on-site (see "Retail Stores, General Merchandise"); beer brewing as part of a brew pub, bar or restaurant (see "Bars and Drinking Places"); beverage production other than dairy products (see "Beverage Production"); slaughterhouses and rendering plants (see "Slaughterhouses and Rendering Plants"); or operations on crops after harvest (see "Agricultural Processing Uses").

**Furniture and Fixtures Manufacturing.** Manufacturers which produce wood and metal household furniture, appliances; bedsprings and mattresses; all types of office furniture, and partitions, shelving, lockers and store furniture; and miscellaneous drapery hardware, window blinds and shades. Includes wood and cabinet shops, but not sawmills or planing mills, which are instead included under "Lumber and Wood Products."

**Furniture, Furnishings and Equipment Stores.** Stores engaged primarily in selling:

draperies  
floor coverings  
furniture  
glass and chinaware  
home furnishings  
home sound systems  
large musical instruments  
lawn furniture  
movable spas and hot tubs  
office furniture  
other household electrical and gas appliances  
outdoor furniture  
refrigerators  
stoves  
televisions

**General Plan.** The City of Jackson General Plan, including all elements thereof and all amendments thereto, as adopted by the City Council under the provisions of Government Code Sections 65300 et seq., and referred to in this Development Code as the "General Plan."

**Glass Products.** Manufacturing establishments producing flat glass and other glass products which are pressed, blown, or shaped from glass produced in the same establishment. Does not include artisan and craftsman type operations of a larger scale than home occupations; see "Handcraft Industries and Small Scale Manufacturing."

**Golf Courses/Country Clubs.** Golf courses, and accessory facilities and uses including: clubhouses with bar and restaurant, locker and shower facilities; driving ranges; "pro shops" for on-site sales of golfing equipment; and golf cart storage and sales facilities.

**Golf Driving Ranges.** Commercial recreation facilities independent from golf courses where patrons practice drives.

**Grade, Finished.** The final elevation of the land surface of a site after completion of development.

**Grade, Natural.** The elevation of the ground surface in its natural state, before construction, filling, and/or excavation.

**Graffiti.** Unauthorized inscribing, spraying of paint or making of symbols using chalk, dye, ink, paint, spray paint or similar materials on public or private places, structures or other surfaces.

**Grocery Stores.** Stores where most of the floor area is devoted to the sale of food products for home preparation and consumption, which typically also offer other home care and personal care products, and which are substantially larger and carry a broader range of merchandise than "Convenience Stores."

**Gross floor area.** The area in square feet of all floors within a building, measured from the interior surfaces of the exterior walls.

**Half-story.** See "Story, Half-Story."

**Handcraft Industries, Small-Scale Manufacturing.** Manufacturing establishments not classified in another major manufacturing group, including: jewelry; musical instruments; toys; sporting and athletic goods; pens, pencils, and other office and artists' materials; buttons, costume novelties, miscellaneous notions; brooms and brushes; and other miscellaneous manufacturing industries.

**Haul road.** A road along which material is transported from the area of excavation to the processing plant or stock pile area of the surface mining operation or where construction materials are brought to a construction site.

**Health/Fitness Facilities.** Fitness centers, gymnasiums, health and athletic clubs including indoor sauna, spa or hot tub facilities; indoor tennis, handball, racquetball, archery and shooting ranges and other indoor sports activities.

**Historic resource.** Any feature, both natural and built, that holds intrinsic value because of its relationship to a time and place.

**Home Business.** The conduct of a business within a dwelling unit or residential site, employing occupants of the dwelling, with the business activity being subordinate to the residential use of the property.

**Hotel or Motel.** Facilities with six or more guest rooms or suites, provided with or without meals or kitchen facilities, rented to the general public for overnight or other temporary lodging (less than 30 days). Hotels provide access to most guest rooms from an interior walkway. Motels provide access to most guest rooms from an exterior walkway. Also includes lodging units for recreational developments in the Recreation zoning district; ownership of such lodging units may include timeshares and undivided interest units. Also includes accessory guest facilities such as swimming pools, tennis courts, indoor athletic facilities, accessory retail uses, etc.

**Household Pets.** The keeping/raising of birds, cats, dogs, or other common household pets, as determined by the City Planner, accessory to a residential use.

**Housing unit.** Any structure designed or used for the shelter or housing of one or more persons.

**Hunting and Fishing Clubs.** Areas reserved for public or private hunting of wildlife, fishing, and accessory structures in support of those activities.

**Idle.** Surface mining operations curtailed for a period of one year or more, by more than 90 percent of the operation's previous maximum annual mineral production, with the intent to resume those surface mining operations at a future date.

**Impulsive noise.** A noise of short duration, usually less than one second and of high intensity, with an abrupt onset and rapid conclusion.

**Inclusionary Housing.** A system that requires a minimum percentage of lower and moderate income housing to be provided in new developments. Inclusionary programs are based on mandatory requirements or development incentives, such as density bonuses.

**Incompatible land uses.** With respect to surface mining operations, land uses inherently incompatible with mining and/or that require public or private investment in structures, land improvements, and landscaping and that may prevent mining because of the greater economic value of the land and its improvements. Examples of the uses may include high density residential, low density residential with high unit value, public facilities, geographically limited but impact intensive industrial, and commercial.

**Indoor Recreation Centers.** Establishments providing indoor amusement/entertainment services for a fee or admission charge, including:

bowling alleys  
card rooms  
coin-operated amusement arcades  
dance halls, clubs and ballrooms  
electronic game arcades  
ice skating and roller skating  
pool and billiard rooms as principal uses

Ten or more electronic games or coin-operated amusements in any establishment is considered an arcade as described above, four or less machines are not considered a land use separate from the primary use of the site.

**Inoperative.** Incapable of functioning or producing activity for mechanical or other reasons.

**Intensification of use.** A change in the use of a site or structure where the new or modified use is required by Chapter 17.48 (Parking and Loading Standards) to provide more off-street parking spaces than the former use or the owner/operator implements a change in the operational characteristics of the use (e.g. increase in the number of days and/or hours of operation) which have the ability to generate more activity on the site.

**Intruding noise level.** The total sound level in decibels caused, created, maintained or originating from the source of the noise in question, at a specified location, while the source of the noise in question is in operation.

**Kennel, Commercial.** Commercial facilities for the boarding of five or more dogs (four months of age or older), or five or more cats for commercial purposes, except for dogs or cats for sale in pet shops, or patients in animal hospitals.

**Kennel, Private.** The non-commercial keeping of five or more dogs (four months of age or older), or five or more cats.

**Land use permit.** Authority granted by the City to use a specified site for a particular purpose, including Conditional Use Permits and Minor Conditional Use Permits, Development Plans and Minor Development Plans, Planned Development Permits, Temporary Use Permits, Variances and Minor Variances, and Zoning Clearances, as established by Article IV (Land Use and Procedures) of this Development Code.

**Large Family Day Care Home.** See "Child Day Care Facilities."

**Large Retail Establishments.** Big-box retail facilities are large, industrial-style buildings or stores with footprints that generally range from 20,000 square feet to 200,000 square feet. Most of these facilities are single story structures, but they typically have a three-story mass that stands more than 30 feet tall. These retail facilities include, but are not limited to, discount department stores, outlet stores, and warehouse clubs.

**Lattice tower.** A structure with three or four steel support legs that supports a variety of antennae. These towers generally range in height from 60 to 200 feet and are constructed in areas where increased height is needed, microwave antennae are required or where the weather demands a more structurally-sound design.

**Laundries and Dry Cleaning Plants.** Service establishments engaged primarily in high volume laundry and garment services, including: power laundries (family and commercial); garment pressing and dry cleaning; linen supply; diaper service; industrial laundries; carpet and upholstery cleaners. Does not include coin-operated laundries or dry cleaning pick-up stores without dry cleaning equipment; see "Personal Services."

**Laundromat.** Service establishments providing washing and/or drying machines on the premises for rental use to the general public.

**Libraries and Museums.** Public or quasi-public facilities including aquariums, arboretums, art exhibitions, botanical gardens, historic sites and exhibits, libraries, museums, and planetariums, which are generally non-commercial in nature.

**Live/Work Quarters (Loft).** Buildings or spaces within building that are jointly used for commercial/industrial and residential purposes where the residential use of the space is clearly secondary or accessory to the primary use as a place of work.

**Lot or parcel.** A recorded lot or parcel of real property under single ownership, lawfully created as required by the Subdivision Map Act and City ordinances, including this Development Code. Types of lots include the following. (See Figure 7-2, Lot Types)

1. **Corner lot.** A lot located at the intersection of two or more streets, where they intersect at an interior angle of not more than 135 degrees. If the intersection angle is more than 135 degrees, the lot is considered an interior lot.
2. **Flag lot.** A lot having access from the building site to a public street by means of private right-of-way strip that is owned in fee.
3. **Interior lot.** A lot abutting only one street.
4. **Key lot.** An interior lot, the side of which adjoins the rear property line of a reverse corner lot.
5. **Reverse corner lot.** A corner lot, the rear of which abuts a key lot.
6. **Through lot.** A lot with frontage on two generally parallel streets.

**Lot area.** Gross lot area is the total area included within the lot lines of a lot, exclusive of adjacent dedicated street rights of way. Net lot area is exclusive of vehicular access easements which limit the use of the lot.

**Lot coverage.** See "Site Coverage."

**Lot depth.** The average linear distance between the front and the rear lot lines or the intersection of the two side lot lines if there is no rear line. (See Figure 7-3, Lot Features). The City Planner shall determine lot depth for parcels of irregular configuration.

**Lot frontage.** The boundary of a lot adjacent to a public street right-of-way.

**Lot line or property line.** Any recorded boundary of a lot. Types of lot lines are as follows. (See Figure 7-3 Lot Features)

**1. Front lot line.** On an interior lot, the property line separating the parcel from the street. The front lot line on a corner lot is the line with the shortest frontage. (If the lot lines of a corner lot are equal in length, the front lot line shall be determined by the City Planner.) On a through lot, both lot lines are front lot lines and the lot is considered to have no rear lot line.

**2. Interior lot line.** Any lot line not abutting a street.

**3. Rear lot line.** A property line that does not intersect the front lot line, which is most distant from and most closely parallel to the front lot line.

**4. Side lot line.** Any lot line that is not a front or rear lot line.

**Lot width.** The horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines. The Director shall determine lot width for parcels of irregular shape.

**Lumber and Wood Products.** Manufacturing, processing, and sales uses involving the milling of forest products to produce rough and finished lumber and other wood materials for use in other manufacturing, craft, or construction processes. Includes the following processes and products:

containers, pallets and skids  
firewood  
milling operations  
trusses and structural beams  
turning and shaping of wood products  
wholesaling of basic wood products  
wood product assembly

Craft-type shops are included in "Handcraft Industries and Small-Scale Manufacturing." Other wood and cabinet shops are included under "Furniture and Fixture Manufacturing." The indoor retail sale of building materials, construction tools and equipment is included under "Building Material Stores."

**Machinery Manufacturing.** The manufacturing of machinery and equipment for purposes and products including the following:

boats  
bulldozers  
carburetors

construction  
conveyors  
cranes  
die casting  
dies  
dredging  
engines and turbines  
farm and garden  
food products manufacturing  
gear cutting  
heating, ventilation, air conditioning  
industrial trucks and tractors  
industrial furnaces and ovens  
industrial molds  
laundry and dry cleaning  
materials handling  
mining  
oil field equipment  
paper manufacturing  
passenger and freight elevators  
pistons  
printing  
pumps  
refrigeration equipment  
textile manufacturing

**Major wireless communication facility.** A wireless communication facility that:

1. Is ground-mounted on property not within the public right-of-way;
2. Is ground-mounted within the public right-of-way, but does not qualify as a microcell facility; or
3. Is roof- or structure-mounted and exceeds 10 feet in height and/or exceeds the maximum height allowed in the zoning district in which the facility is located.

**“Manufactured home”** means a residential building, dwelling unit, or an individual dwelling room or combination of rooms thereof, or building component, assembly, or system manufactured in such a manner that all concealed parts or processes of manufacture cannot be inspected before installation at the building site without disassembly, damage, or destruction of the part which is either wholly manufactured or is in substantial part manufactured at an off-site location to be wholly or partially assembled on-site in accordance with building standards published in the State Building Standards Code. Manufactured home does include a mobile home which was constructed after July 1, 1976, and was issued an insignia of approval by the U.S. Department of Housing and Urban Development.

**Map Act.** See "Subdivision Map Act."

**Massage parlor.** An establishment where, for any form of consideration, alcohol rub, electric or magnetic treatment, fomentation, massage or similar treatment or manipulation of the human body is administered unless the treatment or manipulation is administered by an acupuncturist, chiropractor, massage therapist, medical practitioner, physical therapist or similar professional person licensed by the State.

This definition does not include an athletic club, gymnasium, health club, reducing salon, school, spa or similar establishment where massage therapy or similar manipulation of the human body is offered as an incidental or accessory service.

**Mean sea level.** The National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a Flood Insurance Rate Map are referenced.

**Medical Marijuana Cultivation.** Any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of any form of cannabis, regardless of whether there is an intent to produce, distribute, or sell the resulting product commercially.

**Medical Marijuana Delivery.** The commercial transfer of medical marijuana or medical marijuana products from a medical marijuana dispensary to a primary caregiver or qualified patient as defined in California Health and Safety Code section 11362.7, or to a testing laboratory, and including the use of any technology platform owned or controlled by a dispensary to arrange or facilitate the transfer of medical marijuana or medical marijuana products within the City. Medical marijuana delivery shall not include the carriage of medical marijuana or medical marijuana products on public roads otherwise in compliance with California Business and Professions Code section 19340.

**Medical Marijuana Dispensary.** Any facility or location where marijuana is stored, placed, cultivated, sold, traded, exchanged, bartered, made available to and/or distributed by or to one or more of the following: a primary caregiver, a qualified patient, or a person with an identification card, whether or not in accordance with California Health and Safety Code Section 11362.5 et seq. However, Medical Marijuana Dispensary shall not include the following uses, as long as the locations of such uses are otherwise regulated by this code 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 Section 11362.5 et seq.”

**Medical Services - Clinics and Laboratories.** Facilities primarily engaged in furnishing outpatient medical, mental health, surgical and other personal health services, but which are separate from hospitals, including:

health management organizations (HMOs)  
medical and dental laboratories  
medical, dental and psychiatric offices  
out-patient care facilities  
other allied health services

Counseling services by other than medical doctors or psychiatrists are included under "Offices."

**Medical Services - Extended Care.** Residential facilities providing nursing and health-related care as a principal use with in-patient beds, such as: board and care homes; convalescent and rest homes; extended care facilities; skilled nursing facilities. Long-term personal care facilities that do not emphasize medical treatment are included under "Residential Care Homes."

**Medical Services - Hospitals.** Hospitals and similar facilities engaged primarily in providing diagnostic services, and extensive medical treatment, including surgical and other hospital services. These establishments have an organized medical staff, inpatient beds, and equipment and facilities to provide complete health care. May include on-site accessory clinics and laboratories, accessory retail uses and emergency heliports (see the separate definition of "Accessory Retail Uses").

**Membership Organization Facilities.** Permanent, headquarters-type and meeting facilities for organizations operating on a membership basis for the promotion of the interests of the members, including facilities for:

business associations  
civic, social and fraternal organizations  
country clubs (golf courses separately defined)  
labor unions and similar organizations  
political organizations  
professional membership organizations  
other membership organizations

**Metal Fabrication, Machine and Welding Shops.** Establishments engaged primarily in the assembly of metal parts, including the following uses that produce metal duct work, tanks, towers, cabinets and enclosures, metal doors and gates, and similar products.

blacksmith and welding shops  
sheet metal shops  
machine shops and boiler shops

**Microcell.** A wireless communication facility that:

1. Contains a maximum of four whip or panel antennae. Each whip antenna does not exceed four inches in diameter and four feet in length. Each panel antenna does not exceed two square feet in surface area;
2. Contains a maximum of one wave antenna no larger than 10 square feet in surface area;
3. Has an array of antennae less than 10 feet in height;
4. Is roof- or structure-mounted or, if within the public right-of-way, is located on top of a light pole or telephone pole or a metal or precast concrete monopole (similar in design to a street light pole or street tree); and
5. Has a total height, if roof- or structure-mounted, that does not exceed the maximum height allowed in the applicable zoning district in which the facility is located.

**Mined lands.** The surface, subsurface, and ground water of an area in which surface mining operations will be, are being, or have been conducted, including private ways and roads appurtenant to any area, land excavations, workings, mining waste, and areas in which structures, facilities, equipment, machines, tools, or other materials or property which result from, or are used in, surface mining operations are located.

**Minerals.** Any naturally occurring chemical element or compound, or groups of elements and compounds, formed from inorganic processes and organic substances, including, but not limited to, coal, peat, and bituminous rock, but excluding geothermal resources, natural gas, and petroleum.

**Mining waste.** Includes the residual of equipment, liquid, machines, mineral, rock, soil, tools, vegetation or other materials or property directly resulting from, or displaced by, surface mining operations.

**Mining and Quarrying.** Surface mining operations for aggregates (sand and gravel), and/or other surface or subsurface mineral extraction operations.

**Minor wireless communication facility.** A wireless communication facility that:

1. Consists of a microcell; and
2. Is roof- or structure-mounted and is less than 10 feet in height and does not exceed the maximum height permitted in the zoning district in which the facility is located.

**Mixed Use.** Properties on which various uses, such as office, commercial, institutional, and residential, are combined in a single building or a single site in an integrated development project with significant functional inter-relationships and a coherent physical design. A "single site" may include contiguous properties.

**Mobile Home.** A trailer, transportable in one or more sections, that is certified under the National Manufactured Housing Construction and Safety Standards Act of 1974, which is over eight feet in width and 40 feet in length, with or without a permanent foundation and

not including recreational vehicle, commercial coach or factory-built housing. A mobile home on a permanent foundation is included under the definition of "Single-Family Dwellings."

**Mobile Home Park.** Any site that is planned and improved to accommodate two or more mobile homes used for residential purposes, or on which two or more mobile home lots are rented, leased, or held out for rent or lease, or were formerly held out for rent or lease and later converted to a subdivision, cooperative, condominium, or other form of resident ownership, to accommodate mobile homes used for residential purposes.

**“Modular Home”** means a manufactured home which meets the current Uniform Building Code (UBC) adopted by the City; the same as a conventional on-site constructed dwelling. A modular home is not subject to the Federal Department of Housing and Urban Developments nationwide mobile home construction and safety standards code; and therefore, a modular home is not a mobile home. A modular home meeting the current UBC may be placed in any zone allowing single-family residential dwellings.

**Monopole.** A structure composed of a single spire used to support antennae and related equipment.

**Mortuaries.** Funeral homes and parlors, where deceased are prepared for burial or cremation, and funeral services may be conducted.

**Motor Vehicles and Transportation Equipment.** Manufacturers of equipment for transporting passengers and cargo by land, air and water, including motor vehicles, aircraft, spacecraft, ships, boats, railroad and other vehicles such as motorcycles, bicycles and snowmobiles. Includes manufacture of motor vehicle parts and accessories; trailers and campers for attachment to other vehicles; self-contained motor homes; and van conversions.

**Mounted.** Attached or supported.

**Multi-Family Dwellings.** See "Dwelling, Multi-Family."

**Multiple Tenant Site/Center.** A commercial or industrial development consisting of two or more separate businesses that share either the same parcel or structure and use common access and parking facilities.

**Municipal Code.** The City of Jackson Municipal Code, as it may be amended from time to time by the City Council.

**Museum.** An institution devoted to the procurement, care, study, and display of objects of lasting interest or value.

**Nature reserves.** Sites with environmental resources intended to be preserved in their natural state.

**Negative Declaration.** A statement describing the reasoning that a proposed action will not have a significant adverse effect on the environment, in compliance with the California Environmental Quality Act (CEQA).

**Noise disturbance.** Any sound which endangers or injures the safety or health of human beings or annoys or is objectionable to a reasonable person of normal sensitivity.

**Noise in question.** Noise suspected of exceeding the standards of this Section.

**Noise source.** The activity responsible for the noise in question or noise which in fact exceeds the standards of this Section.

**Nonconforming Use, Structure, or Parcel.** (See Chapter 17.130 Nonconforming Uses, Structures, and Parcels).

**Occupancy.** All or a portion of a structure occupied by one tenant.

**Offices, Accessory to Primary Use.** Incidental offices that are customarily accessory to another use and are allowed as part of an approved principal use.

**Offices, Business.** Establishments providing direct services to consumers, such as insurance agencies; title insurance companies; real estate offices; post offices (e.g. MailBox Etc., American Mailboxes), but not including bulk mailing distribution centers, which are included under "Vehicle and Freight Terminals".

Does not include: medical offices (see "Medical Services - Clinics and Laboratories"); or offices that are incidental and accessory to another business or sales activity that is the principal use.

**Offices, Professional.** Professional or government offices including:

accounting, auditing and bookkeeping services  
advertising agencies  
architectural, engineering, planning and surveying services  
attorneys  
counseling services  
court reporting services  
data processing and computer services  
detective agencies and similar services  
educational, scientific and research organizations  
employment, stenographic, secretarial and word processing services  
government offices including agency and administrative office facilities  
management, public relations and consulting services

photography and commercial art studios  
writers and artists offices outside the home

Does not include: medical offices (see "Medical Services - Clinics and Laboratories") or offices that are incidental and accessory to another business or sales activity that is the principal use. Incidental offices that are customarily accessory to another use are allowed as part of an approved principal use.

**Offices, Temporary.** A mobile home, recreational vehicle or modular unit, or space within a permanent structure used as a temporary office facility. Purposes for temporary offices may include: construction supervision offices on a construction site or off-site construction yard; a temporary on-site real estate office for a development project; or a temporary business office in advance of permanent facility construction.

**Offices, Temporary Real Estate.** The temporary use of a dwelling unit within a residential development project as a sales or rental office for the units on the same site, which is converted to residential use at the conclusion of its office use.

**One hundred year flood.** A flood that has a one percent probability of being equaled or exceeded in any given year. It is identical to the base flood.

**One hundred year floodplain.** The area subject to inundation by a 100-year flood.

**Open space.** Land that is maintained in a primarily natural state, and/or primarily without structures other than facilities in support of outdoor recreation.

**Operator (surface mining).** Any person who is engaged in surface mining operations, or who contracts with others to conduct operations on their behalf, except a person who is engaged in surface mining operations as an employee with wages as the sole compensation.

**Outdoor Commercial Recreation.** Facilities for various outdoor participant sports and types of recreation where a fee is charged for use, including:

amusement and theme parks  
drive-in theaters  
go-cart and miniature auto race tracks  
health and athletic club outdoor facilities  
miniature golf courses  
skateboard parks  
swim and tennis clubs  
tennis courts  
water slides  
zoos

May also include commercial facilities customarily associated with the above outdoor commercial recreational uses, including bars and restaurants, fast-food restaurants, video game arcades, etc. Spectator facilities are included in the definition of "Sport Facilities and Outdoor Public Assembly."

**Outdoor Retail Sales and Activities.** Permanent outdoor sales and rental establishments including autos, lumber, other vehicles and equipment, and other uses where the business is not conducted entirely within a structure.

**Overburden.** Rock, soil or other materials that lie above a natural mineral deposit or in between deposits, before or after their removal, by surface mining operations.

**Owner.** In addition to those definitions provided by State law, Municipal Code and case law, the registered owner which includes, but shall not be limited to, the property owner, renter, lessor and/or other residents or guests residing permanently or temporarily on a residential property.

**Paper Products.** The manufacture of paper and paperboard, from both raw and recycled materials, and their conversion into products such as paper bags, boxes, envelopes, wallpaper, etc.

**Parcel.** See "Lot, or Parcel."

**Parking Pad.** A platform for vehicle parking, constructed on a residential parcel which slopes downward from a street.

**Parks and Playgrounds.** Public parks, play lots, playgrounds, and athletic fields for non-commercial neighborhood or community use, including tennis courts. If privately-owned, the same facilities are included under the definition of "Outdoor Recreation Facilities." See also "Golf Courses/ Country Clubs," "Outdoor Commercial Recreation," and "Sport Facilities and Outdoor Public Assembly."

**Paving and Roofing Materials.** The manufacture of various common paving and petroleum-based roofing materials, including bulk asphalt, paving blocks made of asphalt, creosote wood and various compositions of asphalt and tar. The manufacture of wood roofing materials (shingles, shakes, etc.) is included under "Lumber and Wood Products."

**Person.** Any individual, firm, co-partnership, corporation, company, association, joint stock association; city, county, state, or district; and includes any trustee, receiver, assignee, or other similar representative thereof.

**Personal communication services.** A digital wireless communication technology that has the capacity for multiple communication services and provides a system in which calls are routed to individuals rather than places, regardless of location.

**Personal Services.** Establishments providing non-medically related services, including beauty and barber shops; clothing rental; dry cleaning pick-up stores; laundromats (self-service laundries); psychic readers; shoe repair shops; tanning salons. These uses may also include accessory retail sales of products related to the services provided.

**Pet Shop.** A retail store selling live household pets and related supplies. Does not include overnight boarding services or facilities for animals other than those for sale on the site.

**Pipelines.** Transportation facilities for the conveyance of: crude petroleum; refined petroleum products such as gasoline and fuel oils; natural gas; mixed, manufactured or liquified petroleum gas; or the pipeline transmission of other commodities. Also includes pipeline surface and terminal facilities, including pump stations, bulk stations, surge and storage tanks.

**Planning Commission.** The Planning Commission of the City of Jackson, appointed by the City Council as provided by Government Code Section 65101.

**Plant Nurseries and Garden Supply Stores.** Commercial agricultural establishments engaged in the production of ornamental plants and other nursery products, grown under cover or outdoors. Includes stores selling these products, and commercial scale greenhouses. The sale of house plants or other nursery products entirely within a building is also included under "Retail Stores, General Merchandise." Home greenhouses are included under "Residential Accessory Uses and Structures."

**Plastics and Rubber Products.** The manufacture of rubber products such as: tires; rubber footwear; mechanical rubber goods; heels and soles; flooring; and other rubber products from natural, synthetic or reclaimed rubber. Also includes establishments engaged primarily in manufacturing tires. Also includes: establishments engaged in molding primary plastics for other manufacturers, and manufacturing miscellaneous finished plastics products; fiberglass manufacturing, and fiberglass application services. Establishments engaged primarily in recapping and retreading automobile tires are classified in "Repair and Maintenance - Vehicle."

**Premises.** Any structure, parcel, real estate or land or portion of land whether improved or unimproved, including adjacent parkways, parking strip, sidewalks and streets.

**Primary structure.** A structure that accommodates the primary use of the site.

**Primary use.** The main purpose for which a site is developed, including the activities that are conducted on the site a majority of the hours during which activities occur.

**Principal use.** The primary or predominant allowed use of any site or structure.

**Printing and Publishing.** Establishments engaged in printing by letterpress, lithography, gravure, screen, offset, or electrostatic (xerographic) copying, and other "quick printing" services; and other 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.

**Private Residential Recreation Facilities.** Privately-owned, non-commercial outdoor recreation facilities provided for members or project/neighborhood residents, including swim and tennis clubs, park and sport court facilities. Does not include golf courses/country clubs, which are separately defined.

**Private wireless communication facility.** A wireless communication facility that has not been granted a Certificate of Public Convenience and Necessity by the California Public Utilities Commission (CPUC).

**Professional center.** An integrated building or site for two or more separate, commercial businesses or tenants. Separate businesses or tenants shall be evident by such factors as separate ownership interests, separate leases, and separate ingress/egress.

**Property.** Any parcel of land and shall include any alley, parkway, sidewalk or unimproved public easement abutting the parcel.

**Property frontage.** The front or frontage is that side of a parcel or development site abutting on a public street.

**Property owner.** The person(s) or entity to whom property tax is assessed, as shown on the latest equalized assessment roll of the County.

**Public Improvements and Engineering Standards.** The City of Jackson Public Improvements and Engineering Standards, as adopted by the Council.

**Public Buildings and Structures.** Public agency (including special district) facilities other than public safety and utility facilities as defined below.

**Public Safety Facilities.** Facilities operated by public agencies including fire stations, other fire prevention and fire fighting facilities, police and sheriff substations and headquarters, including interim incarceration facilities.

**Public Service Easement.** A right-of-way, easement, or use restriction acquired for public use for sewers, pipelines, polelines, electrical transmission and communication lines, pathways, storm drains, drainage, water transmission lines, and similar purposes.

**Public Utility Facilities.** Fixed-base structures and facilities serving as junction points for transferring utility services from one transmission voltage to another or to local distribution and service voltages. These uses include any of the following facilities that are not exempted from land use permit requirements by Government Code Section 53091:

corporation and maintenance yards  
electrical substations and switching stations  
natural gas regulating and distribution facilities  
public water system wells, treatment plants and storage  
telephone switching facilities  
wastewater treatment plants, settling ponds and disposal fields

These uses do not include office or customer service centers (classified in "Offices"); equipment and material storage yards; or public, commercial, and private electromagnetic and photoelectrical transmission, broadcast, repeater and receiving stations for radio, television, telegraph, telephone, cellular or wireless telephone, and data network communications (classified as "Telecommunications Facilities") .

**Public wireless communication facility.** A wireless communication facility that has been granted a Certificate of Public Convenience and Necessity by the California Public Utilities Commission (CPUC).

**Radio frequency radiation.** Electromagnetic radiation in the portion of the spectrum from three kilohertz to 300 gigahertz.

**Reclamation.** The combined process of land treatment that minimizes water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion, and other adverse effects from surface mining operations, including adverse surface effects incidental to underground mines, so that mined lands are reclaimed to a usable condition which is readily adaptable for alternate land uses and create no danger to public health or safety. The process may extend to affected lands surrounding mined lands, and may require backfilling, grading, resoiling, revegetation, soil compaction, stabilization, or other measures.

**Recreational vehicle (RV).** A motor home, travel trailer, truck camper, or camping trailer, with or without motive power, originally designed for human habitation for recreational, emergency, or other occupancy, which meets all of the following criteria:

1. It contains less than 320 square feet of internal living room area, excluding built-in equipment, including wardrobe, closets, cabinets, kitchen units or fixtures, and bath or toilet rooms;
2. It contains 400 square feet or less of gross area measured at maximum horizontal projections;
3. It is built on a single chassis; and
4. It is either self-propelled, truck-mounted, or permanently towable on the highways without a towing permit.

**Recreational Vehicle Park.** A site where one or more lots are used, or are intended to be used, by campers with recreational vehicles or tents. Recreational vehicle parks may include public restrooms, water, sewer, and electric hookups to each lot and are intended as a higher density, more intensively developed use than campgrounds. May include accessory retail uses where they are clearly incidental and intended to serve RV park patrons only.

**Recycling Facilities.** This land use type includes a variety of facilities involved with the collection, sorting and processing of recyclable materials.

- 1. Collection facility.** A center where the public may donate, redeem or sell recyclable materials, which may include the following:
  - a. Reverse vending machine(s);
  - b. Small collection facilities which occupy an area of 350 square feet or less and may include:
    - (1) A mobile unit;
    - (2) Bulk reverse vending machines or a grouping of reverse vending machines occupying more than 50 square feet; and
    - (3) Kiosk-type units which may include permanent structures.
  - c. Large collection facilities which occupy an area of more than 350 square feet and/or include permanent structures.
- 2. Mobile recycling unit.** An automobile, truck, trailer, or van used for the collection of recyclable materials, carrying bins, boxes, or other containers.
- 3. Processing facility.** A structure or enclosed space used for the collection and processing of recyclable materials for shipment, or to an end-user's specifications, by such means as baling, briquetting, cleaning, compacting, crushing, flattening, grinding, mechanical sorting, remanufacturing and shredding. Processing facilities include the following types, both of which are included under the definition of "Scrap and Dismantling Yards:"
  - a. Light processing facility occupies an area of under 45,000 square feet of collection, processing and storage area, and averages two outbound truck shipments each day. Light processing facilities are limited to baling, briquetting, compacting, crushing, grinding, shredding and sorting of source separated recyclable materials sufficient to qualify as a certified processing facility. A light processing facility shall not shred, compact, or bale ferrous metals other than food and beverage containers; and

- b. A heavy processing facility is any processing facility other than a light processing facility.
- 4. Recycling facility.** A center for the collection and/or processing of recyclable materials. A "certified" recycling or processing facility is certified by the California Department of Conservation as meeting the requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986. A recycling facility does not include storage containers located on a residentially, commercially or industrially designated site used solely for the recycling of material generated on the site. See "Collection Facility" above.
- 5. Recycling or recyclable material.** Reusable domestic containers and other materials which can be reconstituted, remanufactured, or reused in an altered form, including glass, metals, paper and plastic. Recyclable material does not include refuse or hazardous materials.
- 6. Reverse vending machine.** An automated mechanical device which accepts one or more types of empty beverage containers and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value, as determined by State law. These vending machines may accept aluminum cans, glass and plastic bottles, and other containers.

A bulk reverse vending machine is a reverse vending machine that is larger than 50 square feet, is designed to accept more than one container at a time, and issues a cash refund based on total weight instead of by container.

- 7. Scrap and dismantling yards.** Outdoor establishments primarily engaged in assembling, breaking up, sorting, and the temporary storage and distribution of recyclable or reusable scrap and waste materials, including auto wreckers engaged in dismantling automobiles for scrap, and the incidental wholesale or retail sales of parts from those vehicles. Includes light and heavy processing facilities for recycling (see the definitions above). Does not include: places where these activities are conducted entirely within buildings; pawn shops, and other secondhand stores; the sale of operative used cars; or landfills or other waste disposal sites.

**Religious Retreats and Organizational Camps.** Lodging facilities operated by religious or secular organizations for their members and not open to the general public. Includes convents and monasteries.

**Removal of clothing.** Striptease, or the removal of clothing, or the wearing of transparent or diaphanous clothing, including models appearing in lingerie, to the point where "specified anatomical areas" are exposed.

**Repair and Maintenance - Vehicle.** The repair, alteration, restoration, painting, or finishing of automobiles, trucks, recreational vehicles, boats and other vehicles as a principal use, including the incidental wholesale and retail sale of vehicle parts as an

accessory use. This use includes major and minor categories. Major vehicle repair facilities deal with entire vehicles. Minor facilities specialize in limited aspects of repair and maintenance (i.e., muffler and radiator shops, quick-lube, etc.).

Includes tire recapping establishments. Does not include automobile parking (see "Commercial Parking and Vehicle Storage"), repair shops that are part of a vehicle dealership on the same site (see "Auto, Mobile home, Vehicle and Parts Sales"); automobile service stations, which are separately defined; or automobile dismantling yards, which are included under "Recycling, Scrap and Dismantling Yards."

**Repair and Maintenance - Consumer Products.** Service establishments in which the repair of consumer products is the principal business activity, including: electrical repair shops; television and radio and other appliance repair; watch, clock and jewelry repair; re-upholstery and furniture repair. Does not include shoe repair (see "Personal Services"), or businesses serving the repair needs of heavy equipment (see "Business Support Services").

**Research and Development.** Indoor facilities for scientific research, and the design, development and testing of computer software, and electrical, electronic, magnetic, optical and mechanical components in advance of product manufacturing, that are not associated with a manufacturing facility on the same site. Includes chemical and biotechnology research and development. Does not include soils and other materials testing laboratories (see "Business Support Services"), or medical laboratories (see "Medical Services - Clinics and Labs").

**Residential Accessory Uses and Structures.** Any use and/or structure that is customarily a part of, and clearly incidental and secondary to, a residence and does not change the character of the residential use. These uses include the following detached accessory structures, and other similar structures normally associated with a residential use of property:

- docks and piers
- garages
- gazebos
- greenhouses
- spas and hot tubs
- storage sheds
- studios
- swimming pools
- tennis and other on-site sport courts
- workshops

Also includes the indoor storage of automobiles (including their incidental restoration and repair), personal recreational vehicles and other personal property, accessory to a residential use. Does not include home satellite dish and other receiving antennas for earth-based TV and radio broadcasts; see "Telecommunications Facilities."

**Residential Care Home.** This land use consists of a dwelling unit licensed or supervised by any Federal, State, or local health/welfare agency which provides 24-hour nonmedical care of unrelated persons who are handicapped and need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual in a family-like environment, including but not limited to residential care facilities for the elderly and persons with chronic life-threatening illness, foster care homes, alcoholism or drug abuse recovery or treatment facilities, pediatric day health and respite care facilities, intermediate care facilities for the developmentally disabled, and congregate living health facilities. For the purposes of this definition, a "family dwelling unit" includes a single-family dwelling, a unit in a multi-family dwelling, including a unit in a duplex and a unit in an apartment building, a mobile home, including a mobile home located in a mobile home park, a unit in a cooperative, a unit in a condominium development, a unit in a townhouse development, and a unit in a planned development.

**Residential district or zone.** Any of the residential zoning districts established by Section 17.06.020 (Zoning Districts Established).

**Restaurant, Counter Service.** A retail business where customers are served prepared food from a walk-up ordering counter for either on- or off-premise consumption. A restaurant with drive-up or drive-through service is included under the definition of "Drive-in and Drive-Thru Sales."

**Restaurant, Table Service.** A retail business selling food and beverages prepared on the site, where most customers are served food at tables for on-premise consumption. These restaurants may also provide food on a take-out basis where take-out is clearly secondary to table service.

**Retail Stores, General Merchandise.** Stores and shops selling many lines of merchandise. Such types of stores and lines of merchandise include:

- antique shop
- artists' supplies
- auto parts (not repair or machine shops)
- bakeries (retail only)
- bicycles
- books
- cameras and photographic supplies
- clothing and accessories
- department stores
- drug and discount stores
- dry goods
- fabrics and sewing supplies
- florists and houseplant stores (indoor sales only—outdoor sales are "Plant Nurseries")
- general stores
- hardware

hobby materials  
jewelry  
luggage and leather goods  
musical instruments, parts and accessories  
newsstands  
orthopedic supplies  
pet stores  
religious goods  
small wares  
specialty shops  
sporting goods and equipment  
stationery  
toys and games  
variety stores

**Review authority.** The individual or official City body (the City Planner, City Manager, Planning Commission, or City Council) identified by this Development Code as having the responsibility and authority to review, and approve or disapprove the permit applications described in Article IV (Land Use and Development Permit Procedures).

**Rezoning.** An amendment to the Zoning Map which changes the zoning district applied to a site or area to another zoning district.

**Roof-mounted.** Mounted above the eave line of a structure.

**Rooming and Boarding Houses.** The renting of individual bedrooms within a dwelling to three or more people, whether or not meals are provided.

**Rural Recreation.** Facilities for outdoor recreational activities including: outdoor archery, pistol, rifle, and skeet clubs; rodeo facilities; guest ranches; health resorts including outdoor hot springs or hot tub facilities. Hunting and fishing clubs are separately defined.

**Schools.** Public and private educational institutions, including:

boarding schools  
business, secretarial, and vocational schools  
community colleges, colleges and universities  
elementary, middle, and junior high schools  
establishments providing courses by mail  
high schools  
military academies  
professional schools (law, medicine, etc.)  
seminaries/religious ministry training facilities

Also includes specialized schools offering instruction in:

art  
ballet and other dance  
computers and electronics  
drama  
driver education  
language  
music

Also includes facilities, institutions and conference centers that offer specialized programs in personal growth and development, such as fitness, environmental awareness, arts, communications, and management. Does not include pre-schools and child day care facilities (see "Child Day Care Facilities").

**Second Hand Stores.** Indoor retail establishments that buy and sell used products, including books, clothing, furniture and household goods. The sale of antiques is included under "Retail Stores, General Merchandise." The sale of cars and other used vehicles is included under "Auto, Mobile Home, Vehicle and Parts Sales."

**Secondary Housing Unit.** A second permanent dwelling that is accessory to a primary dwelling on the same site. A residential second unit provides living facilities for one or more persons, including permanent provisions for living, sleeping, eating, sanitation, and parking.

**Senior Citizen/Disabled Congregate Care Housing.** Multi-family residential projects where occupancy is limited to people of 55 years or older and/or people with physical or mental disabilities, and no persons under 18 years of age are permitted as residents. These facilities may include individual apartment units, community dining centers, common recreation areas, and medical facilities.

**Service Station.** A retail business selling gasoline or other motor vehicle fuels, which may also provide services which are incidental to fuel services. These secondary services may include vehicle engine maintenance and repair, towing and trailer rental services. Does not include the storage or repair of wrecked or abandoned vehicles, vehicle painting, body or fender work, or the rental of vehicle storage or parking spaces.

**Setback.** The distance by which a structure, parking area or other development feature must be separated from a lot line, other structure or development feature, or street centerline. Setbacks from private streets are measured from the edge of the easement. See also "Yard." Figure 7-4 – Setbacks, shows the location of front, side, street side, rear, and interior setbacks.

**Shopping Center.** Primarily retail commercial sites with at least five separate tenants whose combined gross floor area totals at least 10,000 square feet, and where any underlying separate lots comprising the site are tied together by a binding legal agreement providing rights of reciprocal parking and access.

**Sign.** A structure, device, figure, display, message placard, or other contrivance, or any part thereof, situated outdoors or indoors, which is designed, constructed, intended, or used to advertise, or to provide information in the nature of advertising, to direct or attract attention to an object, person, institution, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. Does not include murals, paintings and other works of art that are not intended to advertise or identify any business or product. Does not include product displays immediately behind windows that provide no other advertising of the product (i.e., with prices or other signs or information). (See Figure 7-5 – Sign Types)

Area of sign” means the number of square feet of the smallest rectangle within which a sign face can be enclosed. In determining the area of an individual sign which has more than one face, the greatest area of sign faces visible from any one point shall be used. The “total area of signs on a site” is the greatest area of sign faces which are visible from any one point.

“American Flag” “Sign” does not include the flag of the United States of America, the flag of the State of California or the flag of the County of Amador, nor any support frame or standard which is used exclusively for display of any such flag; also includes patriotic bunting.

“Animated sign,” means a sign, or any device designed to attract attention by visual means through the movement or semblance of movement of the whole or any part of the sign.

“Banner sign” is any canvas or plastic coated cloth sign which is mounted to a structure with rope or canvas. These signs are considered temporary.

“Billboard” means a sign structure which is available for lease or rent.

“Building face,” means the whole of a building visible in an elevation of the building excluding sloped roof surfaces.

“Bulletin Board” means a sign which accommodates changeable copy and which displays information on activities and events on the premises.

“Community directional sign” means a sign informing the location of a community service organization, public facility, or a church.

“Directory sign” means a sign identifying the location of occupants of a building or group of buildings which are divided into rooms or suites as separate offices or studios.

“Eaves” are the lower boarder of a roof that overhangs the wall.

“Exterior-illuminated sign” means any sign with any part of which is illuminated from an exterior artificial light sources mounted on the sign, another structure, or the ground.

“Fascia” means a flat horizontal band or broad fillet covering the joint between the top of a wall and projecting eaves.

“Flashing sign,” means an illuminated sign in which the artificial light is not maintained in a stationary or constant intensity.

“Freestanding sign” means a sign not attached to any building and having its own support structure.

“Historic District” is defined as the metered parking district within the City.

“Identification sign” means any sign identifying an institution in a residential zone, occupant, apartment, residence, school or church, and not advertising any product or service.

“Interior-illuminated sign” means any part of which has characters, letters, figures, or any portion of the sign face or outline thereof illuminated from an interior light source.

“Height of sign” means the vertical distance from average adjacent ground level to the top of the sign including the support structure and any design elements.

“Lot frontage” or “frontage,” means the horizontal distance along a lot line adjacent to a public street, or the side of a lot adjacent to a public street.

“Marquee sign” means a sign placed on the face of a permanent roof structure projecting over the building entrance, which is an integral part of the building (usually a theater or hotel) and is not a fascia extension of the roof or eave.

U. “Monument sign” means a sign which is completely self-supporting, has its base on the ground, and is generally rectangular in form.

“Non-conforming sign” means a sign which is validly installed under laws or ordinances in effect prior to the adoption of this Chapter, but which is in conflict with the provisions of this Chapter.

“Non-illuminated sign” means a sign with no internal or external artificial light source and only incidentally illuminated by ambient light conditions.

“Nonresidential zone” means any zone other than RS, RLD, RSF, RD, RMD, and RHD zone districts.

“Notice” means written correspondence given to a tenant or property owner either by personal delivery or by deposit in the United States mail in a sealed envelope, registered mail, return receipt requested, postage prepaid and addressed to the owner or his tenant.

“Off-premises sign” means any sign which directs attention to a business, service, product, or entertainment not sold or offered on the premises on which the sign is located.

“Person” means any individual, partnership, corporation, association or government or any other legal entity.

“Pole sign” is a sign erected on one or more uprights supported from the ground, and which is not a part of any building or structure other than a structure erected solely for the purpose of supporting a sign.

“Premises” means a building or unified complex of buildings on one lot or on two or more contiguous lots under common ownership.

“Price sign,” means a sign on the premises of a service station which contains information on the cost and type of motor fuel only (Refer to Section 13530 et. seq. California Business and Professional Code).

“Projecting sign” means a sign which extends out from a building face or wall so that the sign face is perpendicular or at an angle to the building face or wall.

“Public entrance” means a place of entry at a premises which is accessible to the general public.

GG. “Roof-mounted sign” means any sign located or attached to the eave of a roof of a building.

“Shopping center” means five or more stores with a minimum area of fifty thousand square feet, three hundred feet of frontage and common off-street parking.

“Second story,” means the highest point of the second floor of a building.

“Sign” means any visual device or representation designed or used for the purpose of communicating a message or identifying or attracting attention to a premises, product, service, person, organization, business or event, with or without the use of the words, visible from outside the premises on which such device is located.

“Sign face” means the visible sign proper including the characters and symbols (excluding essential structural elements which are not an integral part of the display” and including non-structural frame.

“Suspended sign,” means a sign attached to and located below any permanent eave, roof, or canopy.

“Temporary sign” Means any sign, banner, pennant, valance, or advertising display constructed of cloth, canvas, light fabric, cardboard, wall board, or other light materials, with or without frames which remain in use not more than one hundred ten days.

“Wall sign” means a single-faced sign painted on or attached to a building or wall, no part of which extends out from or above a wall more than six inches (excluding window signs).

“Window sign” means a sign displayed within a building or attached to the interior of a window but visible through a window or similar opening for the primary purpose of exterior visibility.

**Sign Area.** The entire area within a perimeter defined by a continuous line composed of right angles using no more than four lines which enclose the extreme limits of lettering, logo, trademark, or other graphic representation.

**Sign Height.** The vertical distance from the uppermost point used in measuring the area of a sign to the average grade immediately below the sign, including its base or the top of the nearest curb of the street on which the sign fronts, whichever measurement is the greatest.

**Sign Lighting, Direct.** The method of sign illumination using individual bulbs or other lighting elements to form the alphabetic or numeric characters or graphic elements of the sign, or where the sign face or individual letters or numbers are of translucent material through which light from lighting fixtures inside the sign is transmitted.

**Sign Lighting, Indirect.** The illumination of a sign by a light fixture separate from the sign that shines light on the sign.

**Significant noise.** Annoying or disturbing to more than a small percentage of the people within the area impacted by the noise in question.

**Simple tone noise.** A noise characterized by a predominant frequency(ies) so that other frequencies cannot be readily distinguished. If measured, simple tone noise shall exist if the one third octave band sound pressure level in the band with the tone exceeds the arithmetic average of the sound pressure levels of the contiguous one third octave bands in the following manner:

1. By five dB for frequencies of 500 Hertz and above;
2. By eight dB for frequencies between 160 Hertz and 499 Hertz; or
3. By 15 dB for frequencies less than or equal to 159 Hertz.

**Single-Family Dwellings.** See "Dwelling, Single Family."

**Single-Room Occupancy (SRO) Housing.** A compact dwelling unit with limited cooking and living facilities designed primarily for one individual, within a multiple-unit structure.

**Site.** A parcel or adjoining parcels under single ownership or single control, considered a unit for the purposes of development or other use.

**Site coverage.** The percentage of total site area occupied by structures, paving for vehicle use, and all other impervious surfaces. Structure/building coverage includes the primary structure, all accessory structures (e.g., carports, garages, patio covers, storage sheds, trash dumpster enclosures, etc.) and architectural features (e.g., chimneys, balconies, decks, porches, stairs, etc.). Structure/building coverage does not include eave overhangs, second-story balconies, and decks that allow for the drainage of water through the deck surface and are a minimum of ten feet above the finished grade at all points. Structure/building coverage is measured from exterior wall to exterior wall. Pavement coverage includes areas necessary for the ingress, egress, outdoor parking, and circulation of motor vehicles. (See Figure 7-6 – Site Coverage)

**Site Plan Review Committee.** A committee established by the City Council consisting of the City Planner, City Engineer, and Building Official. The purpose of the committee is to review applications to ensure compliance with the Development Code.

**Slope, Complex.** The rate of rise or fall of the natural terrain, expressed as a percentage, of an area with two or more directions of slope. Complex slope is measured by the following formula:

$$\text{Complex Slope} = (0.00229 * I * L) / A$$

0.00229 = Conversion factor for square feet

I = Contour interval in feet

L = Sum of the length of contour lines in feet

A = Size of the area in acres

**Slope, Simple.** The rate of rise or fall of the natural terrain, expressed as a percentage, of an area with a single direction of slope. Simple slope is measured by the following formula:

$$\text{Simple Slope} = (V / H) * 100$$

V = Vertical distance between the highest elevation and lowest elevation of a straight line drawn perpendicular to the sloping surface

H = Horizontal distance of a straight line drawn perpendicular to the sloping surface

**Small Family Day Care Homes.** See "Child Day Care Facilities."

**Sound level meter.** An instrument used for measurement of sound levels, which meets the American National Standard Institute's Standard S1.4-1971 or most recent revision for Type 1 or Type 2 sound level meters, or an instrument and the associated recording and analyzing equipment that provides equivalent data.

**Sound pressure level.** A sound, in decibels, 20 times the logarithm to the base 10 of the ratio of the pressure of the sound to a reference pressure of 20 micropascals.

**Special flood hazard area (SFHA).** An area having special flood or flood-related erosion hazards, and shown on an FHBM or FIRM as Zone A, A1-30 or AE.

**Specified anatomical areas.** Less than completely and opaquely covered anal region, buttock, female breasts below a point immediately above the top of the areole, human genitals, pubic region, or human male genitals in a discernible turgid state, even if completely and opaquely covered.

**Specified sexual activities.** Includes any of the following:

1. The fondling or other erotic touching of the anus, buttocks, female breasts, human genitals or pubic region;
2. All sex acts, actual or simulated (e.g., intercourse, oral copulation or sodomy);
3. Masturbation, actual or simulated; or
4. Excretory functions (e.g., human excretion, menstruation, urination, vaginal or anal irrigation, etc.) alone or as part of or in connection with any of the activities described above.

**Sport Facilities and Outdoor Public Assembly.** Indoor and outdoor facilities for spectator-oriented sports and other outdoor public assembly facilities for such activities as outdoor theater productions and concerts. These facilities include: amphitheatres; stadiums and coliseums; arenas and field houses; race tracks; motorcycle racing and drag strips; and other sports that are considered commercial.

**State Geologist.** An individual holding office in compliance with State law (Public Resources Code, Article 3, Chapter 2 of Division 1, Section 677).

**Stealth facility.** A communications facility which is designed to blend into the surrounding environment, typically one that is architecturally integrated into a structure. Also referred to as concealed antenna.

**Stone and Cut Stone Products.** Manufacturing establishments engaged primarily in cutting, shaping, and finishing marble, granite, slate, and other stone for building and miscellaneous uses. Also includes establishments engaged primarily in buying or selling partly finished monuments and tombstones.

**Storage, Accessory to Residential Project.** Common storage facilities shared by residents of a multi-family housing project or mobile home park.

**Storage, Personal Storage Facility.** A structure or group of structures containing generally small, individual, compartmentalized stalls or lockers rented as individual storage spaces and characterized by low parking demand.

**Story, Half Story.**

**1. Story.** The portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above, the space between the floor and the ceiling above. (See Figure 7-7, Story)

**2. Half-story.** A story under a gable, hip or gambrel roof, the top plates of which are no more than two feet above the floor of the story. (See Figure 7-8, Half Story)

**Stream bed skimming.** Excavation of sand and gravel from stream bed deposits above the mean summer water level or stream bottom, whichever is higher.

**Street.** A public thoroughfare which affords principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road, and any other thoroughfare except an alley as defined in this Subsection, or a private thoroughfare which affords or has the potential to afford principal means of access to five or more parcels.

**Street line.** The boundary between a street right-of-way and property.

**Structural Clay and Pottery Products.** Manufacturing establishments engaged primarily in producing brick and structural clay products, including pipe, china plumbing fixtures, and vitreous china articles, fine earthenware and porcelain products. Artist/craftsman uses are included in "Cottage Industries," "Handcraft Industries and Small Scale Manufacturing," "Home Occupations."

**Structure.** Anything constructed or erected, the use of which requires attachment to the ground or attachment to something located on the ground. For the purposes of this Development Code, the term "structure" includes "buildings."

**Structure-mounted.** Mounted to the side of a structure (e.g., a billboard, church steeple, freestanding sign, water tank, etc.).

**Structure, primary.** See "Primary Structure."

**Studios for Art, Dance, Music, Photography, etc..** Facilities for: individual and group instruction and training in the arts; production rehearsal; photography, and the processing of photographs produced only by users of the studio facilities; and martial arts training studios.

**Subdivision.** The division, by any subdivider, of any unit or portion of land shown on the latest equalized Amador County assessment roll as a unit or contiguous units, for the purpose of sale, lease or financing, whether immediate or future. Property shall be considered as contiguous units, even if it is separated by roads, streets, utility easement or railroad rights-of-way. Subdivision includes a condominium project, as defined in Section 950 of the Civil Code, a community apartment project, as defined in Section 11004 of the Business and Professions Code, or the conversion of five or more existing dwelling units to a stock cooperative, as defined in Section 11003.2 of the Business and Professions Code.

**Subdivision Map Act, or Map Act.** Division 2, Title 7 of the California Government Code, commencing with Section 66410 as presently constituted, and any amendments to those provisions.

**Supportive Housing.** 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.

**Surface mining operations.** All, or any part of, the process involved in the mining of minerals on mined lands by removing overburden and mining directly from the mineral deposits, open-pit mining of minerals naturally exposed, mining by the auger method, dredging and quarrying, or surface work incident to an underground mine. Surface mining operations include in-place distillation or retorting or leaching, the production and disposal of mining waste, prospecting and exploratory activities, borrow pitting, streambed skimming, and segregation and stockpiling of mined materials (and recovery of same).

**Target Population.** Persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Development Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals existing from institutional settings, veterans, and homeless people.

**Telecommunications Facilities.** Public, commercial and private electromagnetic and photoelectrical transmission, broadcast, repeater and receiving stations for radio,

television, telegraph, telephone, cellular or wireless telephone, and data network communications; including commercial earth stations for satellite-based communications. Includes antennae, towers, commercial satellite dish antennae, and equipment buildings. Does not include telephone, telegraph and cable television transmission facilities utilizing hard-wired or direct cable connections (see "Pipelines and Utility Lines").

**Textile and Leather Products.** Manufacturing establishments engaged in performing any of the following operations:

coating, waterproofing, or otherwise treating fabric  
dyeing and finishing fiber, yarn, fabric, and knit apparel  
manufacture of knit apparel and other finished products from yarn  
manufacture of felt goods, lace goods, non-woven fabrics and miscellaneous textiles  
manufacturing of woven fabric, carpets and rugs from yarn  
preparation of fiber and subsequent manufacturing of yarn, threads, braids, twine cordage  
upholstery manufacturing

**Theaters and Meeting Halls.** Indoor facilities for public assembly and group entertainment, other than sporting events, including:

civic theaters, meeting halls and facilities for "live" theater and concerts  
exhibition and convention halls  
meeting halls for rent  
motion picture theaters  
public and semi-public auditoriums  
similar public assembly uses

Does not include outdoor theaters, concert and similar entertainment facilities, and indoor and outdoor facilities for sporting events; see "Sport Facilities and Outdoor Public Assembly."

**Tow Yard.** An outdoor storage facility for the temporary storage of towed vehicles.

**Townhouse.** Three or more attached dwelling units, each typically of two stories, where no unit is located over another unit.

**Traffic safety visibility area.** A triangular-shaped portion of land established at street intersections to preserve the sight distance of motorists entering or leaving the intersection. The dimensions of the visibility area (described as the sight distance area in the figure) is shown in Figure 3-1 (Fence and Wall Standards).

**"Trailer Camp"** means any park, recreational vehicle park, camp, site or lot where one or more spaces are rented, leased or held out for rent to owners or users of trailers or recreational vehicles which are occupied for temporary or season use. Said camp includes all buildings, tents and structures intended for use of the camp. A trailer camp

shall not include automobile or recreational vehicle sales lots on which unoccupied trailers are marked for purposes of inspection and sale.

**“Trailer Camp Unit”** means a section of ground in a trailer camp of not less than eight hundred square feet of only one automobile and on trailer.

**Transient Rental.** The rental of single-family or individual multi-family dwellings for overnight or vacation lodging.

**Transit Stations and Terminals.** Passenger stations for vehicular; also terminal facilities providing maintenance and service for the vehicles operated in the transit system. Includes buses, taxis, railway, etc.

**Transit Stop Shelter.** A small-scale covered waiting area for busses, taxis, and rail/mass transit stops.

**Transitional Housing.** Buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance.

**Translucent.** Surface that allows light to shine through, but is diffused to the extent that distinct images cannot be perceived.

**“Tourist Camp”** means any park, tourist park, tourist court, court site, lot, parcel, or tract of land upon which one or more camp cottages or cabins are located and maintained for the accommodation of transients by the day, week, or month, whether a charge is made or not.

**Unit.** See "Housing Unit."

**Use.** The purpose for which land or a structure is designed, arranged, intended, occupied, or maintained.

**Utility Lines.** Transportation facilities for the conveyance of water or commodities other than petroleum. Also includes pipeline surface and terminal facilities, including pump stations, bulk stations, surge and storage tanks. Utility lines include facilities for the transmission of electrical energy for sale, including transmission lines for a public utility company. Also includes telephone, telegraph, cable television and other communications transmission facilities utilizing direct physical conduits. Does not include offices or service centers (see "Offices"), or distribution substations (see "Public Safety and Utility Facilities").

**Vacation.** Also known as a summary abandonment, the complete or partial abandonment or termination of the public right to use a street, highway, or public service easement.

**Variance.** A discretionary entitlement that may waive or relax the development standards of this Development Code, in compliance with 17.82 (Variances and Historic Variances).

**Vehicle and Freight Terminals.** This land use consists of transportation establishments furnishing services incidental to air, motor freight, and rail transportation including:

- freight forwarding services
- freight terminal facilities
- joint terminal and service facilities
- packing, crating, inspection and weighing services
- postal service bulk mailing distribution centers
- transportation arrangement services
- trucking facilities, including transfer and storage

**Veterinary Clinics, Animal Hospitals, Kennels, Boarding.** Office and indoor medical treatment facilities used by veterinarians, including large and small animal veterinary clinics, and animal hospitals. Also includes commercial facilities for the keeping, grooming, boarding or maintaining of four or more dogs four months of age or older, or four or more cats for commercial purposes, except for dogs or cats in pet shops.

**Visitor Center.** A use devoted to the distribution and sale of information for visitors and other travelers.

**Warehouse Retail Stores.** Retail stores that emphasize the packaging and sale of products in large quantities or volumes, some at discounted prices, where products are typically displayed in their original shipping containers. Sites and buildings are usually large and industrial in character. Patrons may or may not be required to pay membership fees.

**Warehousing.** Facilities for the storage of farm products, furniture, household goods, or other commercial goods of any nature. Includes cold storage. Does not include: warehouse, storage or mini-storage facilities offered for rent or lease to the general public (see "Storage, Personal Storage Facilities"); warehouse facilities in which the primary purpose of storage is for wholesaling and distribution (see "Wholesaling and Distribution"); or terminal facilities for handling freight (see "Vehicle and Freight Terminals").

**Wholesaling and Distribution.** Establishments engaged in selling merchandise to retailers; to industrial, commercial, institutional, farm, or professional business users; or to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies. Includes such establishments as:

- agents, merchandise or commodity brokers, and commission merchants
- assemblers, buyers and associations engaged in the cooperative marketing of farm products
- merchant wholesalers

stores primarily selling electrical, plumbing, heating and air conditioning supplies and equipment.

**Wireless communication facility.** Any public or private structure that supports antennae, microwave dishes and other related equipment that sends and/or receives radiofrequency signals.

**Wrecked.** Having an outward appearance of damage to parts and contents which is essential to the operation of the item.

**Yard.** An area between a lot line and a setback, unobstructed and unoccupied from the ground upward, except for projections permitted by this Development Code.

**1. Front yard.** An area extending across the full width of the lot between the front lot line and the required setback.

**2. Rear yard.** An area extending the full width of the lot between a rear lot line and the required setback.

**3. Side yard.** An area extending from the front yard to the rear yard between the nearest side lot line and the required setback.

**Zoning clearance.** A land use entitlement issued by the City Planner in accordance with the provisions set forth in Section 17.72.030 (Review and Decision).

**Zoning district.** Any of the residential, commercial, industrial, special-purpose, or combining districts established by Article II of this Development Code (Zoning Districts and Allowable Land Uses), within which certain land uses are allowed or prohibited, and certain site planning and development standards are established (e.g., setbacks, height limits, site coverage requirements, etc.).