

§ 153.006 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ACCESSORY BUILDING. A subordinate building which serves a function customarily incidental to that of the main building. Customary **ACCESSORY BUILDINGS** include, but are not limited to, garages, carports, and small storage sheds.

ACCESSORY USE. A subordinate use which serves a function customarily incidental to the main building or use.

AGRICULTURAL AND RANCHING ACTIVITIES. Activities including the growing of field crops, sugar beets, fruit, vegetables, nursery stock, and other feed grains; truck gardening; forest and forest products; horticulture; raising and grazing of livestock and poultry; animal husbandry; dairy farms; animal kennels; fur-bearing animal farms; processing and selling of products produced on the premises, not including, however, the confined feeding of livestock without the use of straw or other material for bedding, or packing and rendering plants.

ADJACENT. Near, close, or abutting; across a street or highway.

BOARDING HOUSE. A building containing a single dwelling unit and provisions for not more than five guests, where lodging is provided with or without meals.

BUILDING. A structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, or property of any kind.

BUILDING, HEIGHT OF. The vertical dimension from the average elevation of the finished lot at the front of the building to:

- (1) The highest point of a flat roof;
- (2) The deck line of a mansard roof; or
- (3) The average height between the eaves and ridge for gable, hip, and gambrel roofs.

CHILD CARE CENTER. A facility in the business of providing care to children as defined by the State Department of Health and Human Services as a **CHILD CARE CENTER**.

COMMUNICATION TOWER. Any structure used to elevate a transmitter for radio, television, telephone, or any other types of communication.

COMPREHENSIVE DEVELOPMENT PLAN. A general plan for the improvement of the city as adopted by the City Council.

CONFINED LIVESTOCK FEEDING. The process and area used for the enclosing of livestock whereby the feed provided is not grown within the confined area on which the livestock are located and involves more than 30 head at a given time.

DISTRICT. A zoning district established by this chapter.

DUPLEX. Same as **DWELLING, TWO-FAMILY**.

DWELLING. A building or portion thereof designed exclusively for residential occupancy but not including recreational travel trailers or motor homes not used as a permanent residence. Attached garages shall be considered part of the dwelling unit.

DWELLING, FARM. A dwelling located on a farm or ranch and occupied by the owner, tenant, or employee of the farm or ranch.

DWELLING, MULTIPLE-FAMILY. A building or portion thereof designed for occupancy by three or more families living independent of each other, but under one roof.

DWELLING, SINGLE-FAMILY. A detached building designed exclusively for occupancy by one family.

DWELLING, TWO-FAMILY. A detached building designed exclusively for occupancy by two families living independently of each other, under one roof.

DWELLING UNIT. A group of rooms or a single room with kitchen facilities occupied or intended for occupancy as separate living quarters by a family or other group of persons living together, or by a person living alone.

EXCEPTION. An exception is a use that would not be appropriate generally or without restriction throughout the zoning district, but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare.

FAMILY. One or more persons occupying a premises and living as a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house, or hotel.

FAMILY DAY-CARE HOME. A private residence wherein children are cared for as defined by the State Department of Health and Human Services as a family child care home.

FARM. A tract of land, including structures thereon, utilized for agricultural purposes containing 20 acres or more which produces \$1,000 or more of farm products each year.

FEED LOT. Same as **CONFINED LIVESTOCK FEEDING**.

FENCE. A tangible barrier or obstruction of any material, or a line of obstacles above the surface of the ground on each side thereof, interposed along a line between two portions of land with the purpose or intent, or having the effect of preventing passage or view across the fence line.

FRONTAGE. The portion of a parcel of property which abuts a public right-of-way.

GROUP HOME. A facility licensed by the state in which persons who are unrelated by blood, marriage, or adoption reside while receiving therapy, training, or counseling for purposes of adaptation or rehabilitation.

HOME OCCUPATION. A business, profession, service or trade conducted for gain or support entirely within a residential building or its accessory structures.

JUNK YARD. Any area where waste, junk, discarded, or salvaged materials are bought, sold, stored, exchanged, baled or packed, disassembled, or handled, including dismantling or "wrecking" of automobiles or other vehicles or machinery, house wrecking, and structural steel materials and equipment.

LOT. A parcel of land shown on a subdivision map or a record of survey map or on a subdivision recorded in the office of the County Recorder, or a parcel described by metes and bounds, or a building site in one ownership having an area for each main building.

KENNEL. Any place, other than a farm, where five or more animals of one species or a total of eight or more animals of two or more species are kept or maintained.

MANUFACTURED HOME. A moveable or portable dwelling constructed to be towed on its own chassis, connected to utilities and designed with or without a permanent foundation for use year around living, which may consist of one or more units that can be telescoped when towed and expanded later for additional capacity, or of two or more units, separately towable but designed to be joined into one integral unit.

MOBILE HOME. See **MANUFACTURED HOME**.

MOBILE HOME PARK. A parcel of land which has been planned and improved for the placement of two or more mobile homes which conforms to this chapter.

MODULAR HOME. A structure designed primarily for residential occupancy, designed and is manufactured in one or more sections in a factory for installation on a permanent foundation at its final location. Modular homes are installed on a permanent, load bearing, perimeter support foundation, identical to the foundations used by conventional, site-builders, designed not to be moved once it is installed. A modular home does not contain any chassis.

NONCONFORMING USE. Any use, whether of a building, other structure, lot, or tract of land, which does not conform to the use regulations for the district in which the nonconforming use is located, either at the effective date of this chapter or as a result of subsequent amendments which may be incorporated into this chapter.

PARKING SPACE. An area, enclosed or unenclosed, sufficient in size to store one automobile not less than nine feet wide and 20 feet long, together with a driveway connecting the parking space with a street, road, or alley and permitting ingress and egress of that automobile without the necessity of moving another automobile.

PERMANENT FOUNDATION. A foundation, constructed of concrete, concrete block, or equivalent masonry material, extending below the frost line which is designed to resist frost action and to safely support a building.

PRE-BUILT HOME. A single-family residence constructed on a site other than the location where it is to be permanently placed and which is designed for transportation to the location of its permanent placement, which may be designed to have a running gear and hitches or tongues removed upon placement in its permanent position. A pre-built home includes the following, when used in this section, unless the context clearly indicates otherwise:

- (1) Manufactured or mobile homes;
- (2) Modular homes;
- (3) Pre-fabricated or pre-fab homes;
- (4) Kit homes;

(5) Any home in whole or part that is assembled in a factory or yard not on the location where it is to be placed either permanently, temporarily, or must be transported to the development site.

RECREATIONAL VEHICLE PARK. Any lot or parcel of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.

SANITARY LANDFILL. A type of operation in which garbage and refuse or garbage or refuse is deposited by a plan on a specified portion of land, is compacted by force applied by mechanical equipment, and then is covered by compacted suitable covering material to a depth of at least six to 12 inches over individual cells of garbage and refuse or garbage or refuse, which are closed at the end of each day, and to a depth of at least 24 inches over the finished landfill.

SIGN. Any device containing elements or symbols, organized or related, which is designed to inform or to attract the attention of persons not on the premises on which the sign is located, provided, however, that mailbox numbers or names, government flags or insignia, legal notices, governmental identification, information or directional signs shall not be included in the application of these regulations.

SIGN, OFF-SITE. A sign other than an on-site sign and includes an outdoor advertising sign, or device and billboard not relating in its subject matter to the use or activity of the premises on which the sign is located.

SIGN, ON-SITE. A sign relating in its subject matter to the premises on which it is located, or to the products, accommodations, services, or activities on the premises, or to the construction, sale, lease, or rental of the premises. **ON-SITE SIGNS** do not include outdoor advertising signs or billboards.

STRUCTURAL ALTERATIONS. Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams, or girders, or any complete rebuilding of the roof or the exterior walls. For the purpose of this definition, the following shall not be considered a **STRUCTURAL ALTERATION**:

- (1) Attachment of new facade where structural supports are not changed;
- (2) Addition of fire escapes where structural supports are not changed;
- (3) New windows; and/or
- (4) Repair or replacement of nonstructural members.

STRUCTURE. Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, **STRUCTURES** include buildings, mobile homes, and walls, but not signs or fences as otherwise defined herein.

TRAILER, TRAVEL. A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, and vacation use and is permanently identified **TRAVEL TRAILER** by the

manufacturer on the trailer. When factory-equipped for the road, it has a body width not exceeding eight feet, and body length not exceeding 32 feet.

YARD. A required open space which is unobstructed from the ground upward, except as otherwise provided in this chapter.

YARD, FRONT. An open space extending across the full width of the lot, the depth of which is the distance between the street right-of-way and the front of the primary building.

YARD, REAR. An open extending across the full width of the lot, the depth of which is the distance between a rear lot line and the rear of the primary building.

YARD, SIDE. An open space extending and including all open space between the front yard and the rear yard.
(Ord. passed - -2000; Ord. 702, passed 3-8-2001; Ord. 721, passed 5-8-2003; Ord. 849, passed 4-5-2012; Ord. 861, passed 12-13-2012)