

CHAPTER 17.04. DEFINITIONS

Sec. 17.04.010. Definitions.

The following words, terms and phrases, when used in this title, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory building means a detached subordinate building, the use of which is customarily incidental to that of the principal building or to the principal use of the land, and which is located on the same lot with the principal building or use.

Accessory structure means any structure other than a principal structure.

Accessory use means a use which is clearly incidental to and customarily found in connection with and located on the same lot as the principal use.

Adult animal means an animal which is five months of age or older.

Area of lot means the total horizontal area within the lot lines of a lot.

Boardinghouse and *roominghouse* mean a building or portion thereof which is used to accommodate, for compensation, three or more boarders or roomers, not including members of the occupant's family, who might be occupying such building. The term "compensation" shall include compensation in money, services or other things of value.

Building means any wall, sign, or other structure of any kind or nature whatsoever, and any permanent structure built for the shelter or enclosure of persons, animals, chattels or enclosure of any kind which is permanently affixed to the land, has one or more floors and a roof, and is bound by either open space or the lot lines of a lot.

Building height means the height of any building is the vertical distance above grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the average height of the highest gable of a pitched or hip roof.

Business district means a B-G General Business District, B-D Downtown Core Business District, or B-L Light Business Commercial District.

Bulk is the term used to decide the size and mutual relationship of buildings and other structures, and therefore includes:

- A. The size of buildings and other structures;
- B. The shape of buildings and other structures;
- C. The location of exterior walls of buildings and other structures in relation to lot lines, to the centerline of streets, to other walls of the same building, and to other buildings or structures; and
- D. All open spaces relating to a building or a structure.

Carport means a space used for the housing or storage of motor vehicles and enclosed on not more than two sides by walls.

Condominium means a building in which the owner of a unit owns only the air space within the unit exclusive of the floors and ceilings.

Density means the intensity of use permitted in residential areas, determined by the ratio of dwelling units to land area.

Dwelling means a building or portion thereof used exclusively for residential occupancy, including one-family dwellings, two-family dwellings, and multiple-family dwellings, but not including hotels, motels, tents, other structures designed or used primarily for temporary occupancy and not including mobile homes.

Dwelling, one-family, means a detached building, arranged, designed and intended to be occupied by not more than one family, and contains at least 600 square feet of floor area.

Dwelling, two-family, including duplexes, means a single structure designed and constructed on a single foot print containing two separate living units occupied and/or owned by two families living separate from and independently of each other, containing at least 600 square feet of floor area per living unit and separated by a shared common interior fire wall as required by adopted building codes.

Dwelling, multiple-family, means a building occupied by three or more families living independently of each other in separate dwelling units, and containing at least 300 square feet of floor area in each dwelling unit, including apartment houses, condominiums, townhouses, and other such dwelling facilities joined into one structure and composed of separate dwelling units.

Dwelling unit means one or more rooms connected together but structurally divided from all other rooms in the same structure and constituting a separate, independent housekeeping unit for permanent residential occupancy, designed to be occupied as a unit by one family, with facilities for sleeping, cooking and eating.

Employees means the greatest number of persons to be employed in the building in question during any season of the year, and at any time of day or night.

Family means any number of persons immediately related by blood, marriage or adoption; or not more than three persons not necessarily related by blood, marriage or adoption.

Fence means a structure designed or intended to constitute an enclosure or barrier, including a wall or a planter not exceeding 24 inches in width or other similar structure.

Floor area means the sum of the gross horizontal areas of the several floors of the structure, including interior balconies and mezzanines, garages, all horizontal measurements to be made between the exterior faces of walls, including the walls of roofed porches having more than two walls, excluding therefrom, basements. The term "basements," as used herein, is defined as a floor level below the first floor in a building which does not exceed 36 inches in height above the lowest point of elevation of the finished surface of the ground, paving or sidewalk immediately adjoining said building.

Garage means a building or portion thereof in which a motor vehicle containing flammable or combustible liquids or gas in its tank is stored, repaired or kept.

Half-block means the portion of a block located on either side of a dedicated alley in blocks which are bisected by one alley traversing the length of the block.

Home occupations means any use conducted entirely within the dwelling and carried on by the occupants thereof, which is clearly incidental and secondary to the primary use of the dwelling for dwelling purposes and does not change the character thereof.

Hotel and motel mean a building designed for occupancy as the more or less temporary abiding place of individuals who are lodged with or without meals, in which there are six or more guest rooms, and in which no provision is made for cooking in any individual room or suite. A motel or hotel room or suite which includes cooking facilities shall be considered a dwelling unit.

Household pet means any trained or domesticated animal kept at a place of residence, excluding horses, cows, sheep, goats, pigs, animals of bovine genus, chickens, ducks, peacocks, turkeys, geese, fowl, rabbits, mink, chinchilla, snakes of over three feet in length or any venomous animal, venomous amphibian, venomous reptiles,

venomous snakes, venomous lizards, venomous frogs and any such animals not ordinarily kept as household pets. Household pets include dogs, cats, canaries, parrots, and other small caged birds, hamsters, guinea pigs, and similar rodents, ferrets, fish, reptiles and other such species that normally would be kept at a dwelling, but does not include any species or animal capable of inflicting substantial physical harm to man.

Industrial district means any I-L Limited Industrial District, I-G General Industrial District, or I-R Restricted Industrial District.

Junkyard means an industrial use (not permitted in residential and business districts) contained within a building, structure or parcel of land, or portion thereof, used for the collecting, storage or sale of waste paper, rags, scrap metal or discarded material; or, for the collection, dismantling, storage, salvaging, or demolition of vehicles, machinery or other materials and including the sale of whole or parts thereof.

Landscaping shall be considered to have the same meaning as landscape, landscaped, and landscaped areas, and shall include those areas covered with grasses, natural grass, vegetative ground cover or other natural living plant material such as shrubs, trees and flowers, and shall also include non-vegetative elements such as washed rock, lava rock, bark chips and/or ornamental features such as pools, fountains, benches and other such similar and physical ornamental and decorative features.

Lot means the basic land development unit, a parcel of land having fixed boundaries not divided by any public street or alley, which is used or intended to be used by one or more principal permitted uses.

Lot line, front, means the property line dividing a lot from a street. On a corner lot only one street line shall be considered as a front line, and the shorter street frontage shall be considered the front line.

Lot line, rear, means the line opposite the front line. In the case of an irregular lot, the line designated by the city as the rear lot line, with due consideration to the orientation of the existing structures and streets in the vicinity.

Lot line, side, means any lot lines other than the front lot lines or rear lot lines.

Lot, reverse corner, means a corner lot having its side street line substantially a continuation of the front lot line of the first lot to its rear.

Major addition means the extension of an existing building where the cost of the addition, not including repairs and reconstruction of the existing building, is in excess of the assessed valuation of the existing building as assessed by the county assessor during the year preceding the year in which such major addition takes place.

Mixed use district means any zone district which permits a combination of usually separated land uses, especially residential and commercial. For purposes of this title, the mixture of uses may occur either within the same lot or within the same structure. The term "mixed use district" includes the R-M Residential Mixed Use District and B-N Neighborhood Business Zone.

Mobile home means any dwelling unit larger than 256 square feet in area which is either wholly or in substantial part manufactured at an off-site location and any movable or portable dwelling over 32 feet in length and over eight feet wide, constructed to be towed on its own chassis and designed without a permanent foundation for year around occupancy, which includes one or more components that can be retracted for towing purposes and subsequently expanded for additional capacity, or of two or more units separately towable but designed to be joined into a single unit, and no structure which would otherwise be a mobile home within the terms of this definition shall cease to be a mobile home by reason of being placed upon a permanent foundation or by reason of removal of the wheels or chassis or any part thereof.

Mobile home and travel trailer district means any MH Mobile Home and Travel Trailer Park District.

Modular home means a structure manufactured pursuant to the authority of the National Manufactured Housing Construction and Safety Standards Act (42 USC 4501 et seq., as amended) and the construction of which meets or exceeds the International Building Code as adopted by the city, which home is transferable in one or

more sections and which is built on a permanent chassis off-site, with wheels and axles that are a temporary means of transport of the unit to its site and which is designed to be used and shall be affixed to a permanent foundation.

Nonconforming building means any legally existing building which does not conform to the location and bulk regulations of this title for the district in which such nonconforming building is located, either at the effective date of the ordinance from which this title is derived, or as a result of subsequent amendments which may be incorporated into this title.

Nonconforming use means any use whether within a building or other structure or on a tract of land, which does not conform to the use regulations of this title for the district in which such nonconforming use is located either at the effective date of the ordinance from which this title is derived or a result of subsequent amendments which may be incorporated into this title.

Off-street loading space means an off-street space, either within a structure or without a structure, on the same lot provided and maintained solely for loading and unloading of materials and merchandise and having direct and unobstructed access to a street.

Off-street parking space means a reasonably level off-street area, either enclosed or open and, if open, surfaced to an extent to permit the reasonable use thereof under all weather conditions, used exclusively for the temporary storage or parking of motor vehicles and having direct and unobstructed access to a street. Off-street parking spaces shall be of not less than nine by 20 feet.

Permitted use means a use by right which is specifically authorized in a particular zone district.

Premises means all of any lot or part or all of any building or group of buildings located thereon.

Professional office means an office for professions such as physicians, dentists, lawyers, architects, engineers, artists, musicians, designers, teachers, accountants, and others who, through training, are qualified to perform services of a professional nature, and where no storage or sale of merchandise exists.

Projected area means that area enclosed by the projected lines of the structure.

Projected line means a line which is transferred from the outer periphery of a structure, including all attachments and appurtenances.

Residential district means any R-E Estate Residential, R-L Limited Residential, R-G-R General Residential Restricted, or R-G General Residential zone of the city.

Setback means the horizontal distance required to be maintained between a given lot line and the projected lines of any structure.

Setback space means the land area resulting from application of setback requirements between the lot line and the closest possible projected line of a conforming structure.

Street means a public thoroughfare which affords the principal means of access to abutting property.

Structure means any manmade object except driveways, sidewalks, curbs and parking lot dividers.

Structure, principal, means a structure which contains a primary permitted use. Only one principal structure shall be constructed per lot.

Townhouse means a building in which the owner of a unit also owns the land upon which the unit is located and which is completely independent except for the yard surrounding the building.

Unobstructed open space means an area upon which no structure may be erected or surface area utilized for vehicular movement or parking. For purposes of this title, such areas include, but are not limited to, landscaped yards, patios, plazas, arcades and pedestrian and/or bicycle pathways. Design features, including, but not limited

to, benches, fountains, statuary, raised planting areas, light fixtures and picnic shelters shall not be deemed to violate open space requirements.

Yard means that portion of the open area on a lot extending and unobstructed from the ground upward from a lot line for a depth or width specified by the regulations for the district in which the lot is located.

Yard, front, means a yard extending across the full width of the lot between the front lot line and the nearest line or point of the building.

Yard, rear, means a yard extending across the full width of the lot between the rear lot line and the nearest line or point of the building.

Yard, side, means a yard extending from the front yard to the rear yard between the side lot line and the nearest line or point of the building.

(Code 1992, §§ 17.04.010—17.04.220, 17.04.240, 17.04.260, 17.04.280—17.04.330, 17.04.350—17.04.620; Ord. No. 7-1993, § 1(part), 1993; Ord. No. 1-1995, § 1, 1995; Ord. No. 7-1998, § 1, 1998; Ord. No. 7-2003, 2003; Ord. No. 13-2014, 2014; Ord. No. 4-2020, § 1, 11-2-2020)