

**CHAPTER 1 ARTICLE 10
INTRODUCTORY PROVISIONS**

PALMDALE ZONING ORDINANCE

An ordinance providing for the creation of zones in the incorporated area of the City of Palmdale and prescribing area requirements, classes of uses and standards of development for buildings, structures, improvements and premises in said several zones. The City Council of the City of Palmdale does ordain as follows:

**CHAPTER I
GENERAL PROVISIONS**

ARTICLE 10 INTRODUCTORY PROVISIONS

Section 10.01 Authority for this Ordinance

This Ordinance is adopted under the authority granted to the City of Palmdale by Article 11, Section 7 of the California Constitution and in accordance with the requirements of California Government Code Sections 65800 et. seq. and 66410 et. seq.

Section 10.02 Short Title

This Ordinance shall be known as the "Palmdale Zoning Ordinance."

Section 10.03 Replacement of Previous Ordinances

The provisions of this Ordinance insofar as they are substantially the same as the provisions of any ordinance or portions of any ordinance repealed by this Ordinance shall be construed as restatements and continuations thereof, and not as new enactment's.

CHAPTER 1 ARTICLE 10 INTRODUCTORY PROVISIONS

Section 10.04 Purpose

The purpose of this Zoning Ordinance is to promote the public health, safety, and general welfare and to preserve and enhance the quality of life within the City by establishing regulations to ensure that an appropriate mix of land uses is developed in an orderly manner. To achieve this purpose, the City desires to achieve a pattern and distribution of land uses which generally meets the following objectives:

- A. To implement the goals, objectives and policies of the General Plan;
- B. To retain and enhance established residential neighborhoods, commercial and industrial districts, public facilities, recreation, open space and other amenities;
- C. To allow for the infill and redevelopment of areas at similar scale and character;
- D. To accommodate expansion of development into vacant and under-utilized lands, while considering environmental and infrastructural constraints;
- E. To provide a diversity of areas throughout the community characterized by differing land use activity, scale and intensity;
- F. To maintain and enhance significant environmental and visual resources;
- G. To provide opportunities for economic development, including business creation and expansion in a variety of manufacturing, service and marketing industries; and
- H. To establish Palmdale as a distinctive community with a high quality of life and a visually pleasing, secure environment for the City's residents and businesses.

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Section 10.05 Prohibitions

A. General prohibitions

1. No structure shall be moved into an area, erected, reconstructed, added to, enlarged, advertised on or structurally altered or maintained, and no structure or land shall be used for any purpose, except as specifically provided and allowed by this Zoning Ordinance and any other applicable codes, ordinances and resolutions.
2. No person shall use or permit to be used any structure or land, nor shall any person erect, structurally alter or enlarge any structure or advertise on any structure except in accordance with the provisions of this Zoning Ordinance and any other applicable codes, ordinances and resolutions.
3. No permit or entitlement may be issued or renewed for any use, construction, improvement or other purpose unless specifically provided for, or permitted by, this Zoning Ordinance, and any other applicable codes, ordinances and resolutions.
4. Parolee homes of two or more parolees unrelated by blood, marriage or legal adoption are prohibited. *(Zoning Ordinance Amendment 08-01, adopted by City Council March 3, 2010.)*
5. Sex offender homes or Probationer homes of two or more unrelated sex offenders and/or two or more individuals on probation are prohibited. *(Zoning Ordinance Amendment 08-01, adopted by City Council March 3, 2010.)*

B. Violations

Any person violating any provision of this Zoning Ordinance, or any amendment thereto, is guilty of a misdemeanor. Each violation is a separate offense for each and every day during any portion of time during which the violation is committed and is subject to the penalties specified in Chapter 1.12 of the Palmdale Municipal Code.

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C. Public nuisance

Any use of property contrary to the provisions of this Zoning Ordinance is illegal and is deemed to be a public nuisance. The authorized legal representative of the City may commence actions and proceedings for the abatement thereof, in the manner provided by law, and may take such other steps and may apply to any court having jurisdiction to grant such relief as will abate or remove such use, and restrain and enjoin any person from using any property contrary to the provisions of this Section.

D. Injunctions

The provisions of this Section may also be enforced by injunction issued by any court having jurisdiction over the owner or occupant of any real property affected by such violation or prospective violation.

E. Enforcement

The Director of Planning, Senior Code Enforcement Officer, or any representative thereof designated by the Director, is hereby authorized to notify, cite and take legal action against any person who is in violation of the provisions of the Zoning Ordinance.

Section 10.06 General Plan Consistency

The Zoning Ordinance is the primary tool for implementing the goals, objectives and policies of the Palmdale General Plan, pursuant to the mandates of State law. All development proposals within the incorporated area of the City shall be found to be consistent with the General Plan, prior to approval.

No land shall be developed nor shall any use be initiated which is not found to be in conformance with the General Plan, applicable Specific Plan, Zoning Ordinance or other applicable provisions of the City of Palmdale Municipal Code.

ARTICLE 11 SCOPE

Section 11.01 Minimum Requirements of this Ordinance

In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience, morals and general welfare.

Section 11.02 Replacement of Other Ordinances

The provisions of this Ordinance shall not be deemed or construed to repeal, amend, modify, alter or change any other ordinance or any part thereof not specifically repealed, amended, modified, altered or changed herein, except in such particulars or matters as this Ordinance is more restrictive than such other ordinance, or part thereof; and that in all particulars wherein this Ordinance is not more restrictive, each such other ordinance shall remain in full force and effect.

Section 11.03 Compliance with Other Ordinances and Laws

Nothing in this Ordinance shall be construed to authorize the use of any lot or parcel of land in violation of this Ordinance or any other applicable statute, ordinance or regulation.

Section 11.04 Reference to any Portion of this Ordinance

Whenever reference is made to any portion of this Ordinance, or of any other law or ordinance, the reference applies to all amendments and additions now or hereafter made.

**CHAPTER 1 ARTICLE 11
SCOPE**

Section 11.05 Severability of any Portion of this Ordinance

Provisions of this Title are declared to be severable. If any provision, clause, sentence, section, or any part thereof is held to be unconstitutional, invalid, or inapplicable to any person or circumstance by a court of competent jurisdiction, such unconstitutionality, invalidity, or inapplicability shall not affect or impair any of the remaining provisions, sentences, sections, or parts of this Title or their applicability to other persons or circumstances.

Section 11.06 Continuation of Previously Granted Variances

All exceptions and variances heretofore granted pursuant to the provisions of Ordinance No. 140 shall be deemed to exist hereafter as variances pursuant to Article 23 (Variances), and shall be subject to all the conditions and provisions governing such variances upon the effective date of this Ordinance.

Section 11.07 Continuation of Previously Granted Permits

All permitted uses heretofore lawfully existing under Ordinance No. 140 shall continue in effect until revoked or terminated and shall be continued under this Ordinance and shall be subject to all conditions governing such permit.

Section 11.08 Continuation of Previously Adopted Development Agreements

Nothing in this Ordinance shall be interpreted to supersede the provisions of a development agreement which was adopted prior to the effective date of this Ordinance and which is still in effect. However, in any instance where a development agreement is silent on standards, requirements or other provisions as contained in this Ordinance, and such provisions are not in conflict with that development agreement, the Zoning Ordinance shall apply.

Section 11.09 Continuation of Existing Nonconforming Uses

Any use established or conducted, or any building or improvement lawfully existing as a nonconforming use prior to the effective date of this Ordinance pursuant to Ordinance No. 140 shall be deemed to be continued under this Ordinance, and in determination of the termination date established by this Ordinance, shall be computed from the original date it became nonconforming under said Ordinance No. 140.

Section 11.10 Lawfully Established Uses Made Nonconforming Because of Changes in Standards of Development

A use which was lawfully established but was made nonconforming (as defined in Section 16.14) because of changes in standards of development may be changed or expanded as provided in Article 29 (Nonconforming Uses and Structures) subject to all other provisions of this Ordinance or any other ordinance or law.

Section 11.11 Procedures Regarding Pending Proceedings

- A. Except as otherwise provided in this Section, after the effective date of this Ordinance, any pending application or project which has not been deemed complete shall be subject to the applicable provisions of this Ordinance. Any pending application, project or proceeding which has been deemed complete shall be subject to the provisions of the Zoning Ordinance of the City of Palmdale which were in effect on the date such proceeding was deemed complete.
- B. The Planning Director may determine that the approval of a Subdivision Development Plan (SDP) pursuant to Section 26.02 is subject to the side yard setback provisions in effect as of the effective date of the tentative tract approval in which the lot is located, provided that evidence submitted by the developer substantiates that the project met any one of the following criteria on the effective date of this Ordinance, and that said criterion is still met on the date of SDP submittal for each lot on which the exemption is sought.

CHAPTER 1 ARTICLE 11 SCOPE

1. The lot is in a recorded tract in which the shape or dimension of the lot, or infrastructure or improvements have been constructed which would preclude adherence to Section 41.09.D of this Ordinance without substantial expense on the part of the builder or developer. Such improvements could include, but are not limited to, utility stub-outs, individual lot grading, curb cuts or driveways. *(Zoning Ordinance Amendment 02-03, adopted by City Council July 9, 2003.)*
2. The lot is part of an approved tentative tract map within which at least one phase has been recorded and in which construction is underway, based on building plans or model homes with five (5) foot setbacks on each side; provided, however, that if the lot is in a phase of said map which is proposed for development with a different product type than those depicted in the originally approved building plans or model homes, then the lot shall adhere to all applicable provisions of this Ordinance.

Section 11.12 License Approval Continued

The rights given by any permit, license or other approval under any ordinance repealed by this Ordinance, shall not be affected by such repeal, but such rights shall hereafter be exercised in accordance with the provisions of this Ordinance.

Section 11.13 Violation of Previous Ordinance

Any use established or conducted, or any building or improvement existing in violation of the Zoning Ordinance upon the effective date of this Ordinance, shall not be deemed to have acquired the status of a nonconforming use by reason of the adoption of this Ordinance, or any provision thereof. To the extent that such use, building or improvement was a violation of any ordinance, statute or law, or is a violation of this Ordinance, it shall be deemed a continuing violation.

Section 11.14 Conviction of Crime Continued

Any conviction for a crime under any ordinance which is repealed by this Ordinance, which crime is continued as a public offense by this Ordinance, constitutes a conviction under this Ordinance for any purpose for which it constituted a conviction under such repealed ordinance.

Section 11.15 Private Agreements

The provisions of this Zoning Ordinance are not intended to abrogate any easements, covenants, conditions and restrictions or other existing private agreements which are more restrictive than the provisions of this Zoning Ordinance.

Section 11.16 Interpretation of Language

In the event the Zoning Ordinance requires interpretation, the Planning Director may make the interpretation or may refer the matter to the Planning Commission for action. The Planning Commission shall be the final authority unless the matter is appealed to the City Council, pursuant to Section 20.11.

Section 11.17 Similar Use Determination

The Planning Director may authorize a use not listed within a zoning district if the Planning Director makes a determination that the use is similar to, and no more objectionable than other uses permitted or conditionally permitted in the zoning district, pursuant to Section 24.12 (Determination on Unlisted Uses).

Section 11.18 Repeals

This Ordinance supersedes Ordinance No. 140, and all subsequent amendments thereto.

**CHAPTER 1 ARTICLE 12
DELEGATION OF AUTHORITY**

ARTICLE 12 DELEGATION OF AUTHORITY

Section 12.01 Planning Commission

A. Administration and Enforcement

The Planning Commission is hereby vested with the duty of administering and the power of enforcing this Ordinance.

B. Powers and Duties

The Planning Commission shall have all of the powers and all of the duties conferred upon it by the Palmdale Municipal Code and this Ordinance, or by amendment of the Palmdale Municipal Code or this Ordinance, and no other.

Section 12.02 Regulation of Power or Duty by the Commission

Whenever by ordinance an administrative power is granted to or an administrative duty imposed upon the Commission, the Commission may authorize or instruct the Director to exercise such administrative power, or perform such administrative duty. The Director shall exercise all such powers and perform all such duties as instructed by the Commission.

Section 12.03 Assumption of Power or Duty of Public Officer

Whenever a power is granted to, or a duty imposed upon a public officer by this Ordinance, the power may be exercised, or the duty may be performed by the Commission, a deputy of the public officer, or a person authorized, pursuant to law or ordinance, by said officer, unless this Ordinance expressly provides otherwise.

**CHAPTER 1 ARTICLE 13
DESIGNATIONS OF ZONES AND DISTRICTS**

ARTICLE 13 DESIGNATION OF ZONES AND DISTRICTS

Section 13.01 List of Zones

The following zones are established in order to carry out the purpose of this Ordinance:

- A-1 (Light Agriculture)
- R-1 (Single Family Residential)
- R-2 (Medium Residential)
- R-3 (Multiple Residential)
- C-1 (Light Commercial)
- C-2 (Office Commercial)
- C-3 (General Commercial)
- C-4 (Commercial Center)
- C-5 (Service Commercial)
- C-D (Downtown Commercial) *(Zoning Ordinance Amendment 98-1, adopted by City Council March 10, 1999.)*
- M-1 (Light Industrial)
- M-2 (General Industrial)
- M-3 (Airport Industrial)
- M-4 (Planned Industrial)
- PF (Public Facilities)
- QR (Quarry and Reclamation)
- MX (Mixed Use Transitional)
- OR (Open Space and Recreation)

Section 13.02 Suffixes to Symbols

The following additional symbols are established in order to carry out the purpose of this Ordinance:

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A. Units per acre of net area

The letter "U" in combination with a numeral shall specify the density per net acre when used as a suffix to a zoning symbol. In no case shall a density figure be rounded up.

B. Minimum lot size

1. A numeral following the zone designation shall specify the minimum lot size permitted. Where this numeral is over one thousand (1,000), the designated lot size shall signify square feet. Where less than one thousand (1,000), the designated lot size shall signify acres.
2. In all cases, the minimum lot size specified by the zoning designation shall mean net lot area, excluding dedications for right-of-way and easements.

C. Notwithstanding any provision contained in this section, in no case shall the density allowed on any lot exceed that permitted by the underlying General Plan designation for the property.

ARTICLE 14 MAPS

Section 14.01 Zoning Maps

There is hereby adopted the "Official Zoning Map of the City of Palmdale" as attached hereto and set forth herein. All property within the City is hereby placed in such zones as indicated on said map, and no property shall be used except in accordance with the zoning designations on said map and the provisions of this Ordinance. Said map shall be maintained in the City offices by the City Clerk and duly certified by him or her. All amendments to the Official Zoning Map shall be noted thereon with the date of the amendment and references to the amending ordinance. Said Official Zoning Map is hereby made a part of this Ordinance and may be amended by reference thereto and to this Section.

Section 14.02 Uncertainty of Boundaries

Where uncertainty exists as to boundaries of any zone shown upon the zoning map, or any part thereof, the following provisions shall apply:

- A. Where a boundary follows a public or private street or alley, the centerline of the street or alley shall be the boundary.
- B. In the case where a zone boundary divides a lot or parcel, the location of such boundaries, unless said boundary is indicated by dimensions or legal description, shall be determined by use of the scale appearing on said zoning map.
- C. Where a public highway, street or alley, or any portion thereof is officially vacated or abandoned, the area comprising such vacated highway, street or alley shall acquire the zone classification of the property to which it reverts. Where the centerline of the vacated right-of-way forms a zoning boundary, the zoning boundary shall remain.

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MAPS**

- D. Areas in dedicated highways, streets or alleys, aqueducts, flood control channels or similar water features, or in railroad rights-of-way, other than as are designated on the zoning map as being classified in one of the zones provided in this Ordinance, shall be deemed to be in Zone PF (Public Facilities), and in the case of highways, streets or alleys permitted to be used only for purposes lawfully allowed, and in the case of railroad rights-of-way be permitted to be used solely for the purpose of accommodating tracks, signals, other operative devices and the movement of rolling stock. *(Zoning Ordinance Amendment 98-1, adopted by City Council March 10, 1999.)*

ARTICLE 15 TERMINOLOGY

Section 15.01 Gender

When consistent with the context, words in the masculine gender include the feminine and neuter genders.

Section 15.02 May

"May" is permissive.

Section 15.03 Oath

"Oath" includes an affirmation or declaration in all cases in which, by law, an affirmation may be substituted for an oath, lent to the words "affirm" and "affirmed."

Section 15.04 Plural

When consistent with the context, words in plural include the singular.

Section 15.05 Shall and Must

"Shall" and "must" are each mandatory.

**CHAPTER 1 ARTICLE 15
TERMINOLOGY**

Section 15.06 Singular

When consistent with the context, words in the singular number shall include the plural.

Section 15.07 Tenses

When consistent with the context, words used in the present tense include the past and future tenses; and words in the future tense include the present tense.

ARTICLE 16 DEFINITIONS

For the purpose of carrying out the intent of this Ordinance, the words, phrases and terms included herein shall be deemed to have the meaning ascribed to them in this Article.

Section 16.01 (A)

Abandon shall mean to cease or suspend from developing or maintaining a building or use for a stated period of time.

Abandoned Activity shall mean a business or activity with no reported sales or activity for a period of at least one hundred eighty (180) days. Exceptions are temporary closures for repairs, alterations or other similar situations.

Adult-Oriented Businesses are defined in Section 92.05.B. (*Zoning Ordinance Amendment 97-4 adopted by City Council June 11, 1997.*)

Abut or Abutting shall mean the same as **Adjacent**.

Access shall mean the place or way by which pedestrians and/or vehicles shall have safe, adequate and usable ingress and egress to a property or use as required by this Ordinance.

Accessory shall mean a use or structure customarily incidental to a building, part of a building or structure, which is subordinate to and the use of which is incidental to and detached from the main building, structure or use on the same lot. If a structure is attached to the main building by a common wall, or by a continuation of the roof of the main building, such structure shall be considered a part of the main building.

Action shall mean a decision made by the reviewing authority on a land use application, by a process as specified in this Ordinance.

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Addition shall mean any construction which increases the size of a building, dwelling or facility in terms of site coverage, height, length, width, or gross floor area, occurring after completion of the original structure or facility.

Adjacent shall mean two (2) or more lots or parcels of land separated only by an alley, street, highway or recorded easement, or sharing a common boundary of at least one point.

Agent shall mean any person showing written verification that he or she is acting for, and with the knowledge and consent of, a property owner.

Agriculture shall mean the cultivation of row, field or tree crops, floricultural specialties, or the raising of animals, on a large-scale basis, for commercial purposes.

Aircraft shall mean any device used, or designed for flight in the air, and capable of conveying persons or goods.

Airport shall mean any area of land or water which is used or intended to be used for the landing and taking off of aircraft regulated by the FAA and any appurtenant areas used or intended to be used for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon.

Alcohol & Drug Free Residential Recovery Home non-licensed – See Sober Living Home. *(Zoning Ordinance Amendment 08-01, adopted by City Council March 3, 2010.)*

Alcohol & Drug Treatment Facility means any premises, place or building that provides 24-hour residential non-medical services (as defined in the California Community Care Facilities Act) to seven or more persons, unrelated by blood, marriage or legal adoption, in exchange for monetary or non-monetary consideration, who are recovering from problems related to alcohol or drug misuse or abuse, and who need drug or alcohol recovery treatment or detoxification services. A license from the State of California is required and the facility must comply with the provisions of Section 91.14 herein. *(Zoning Ordinance Amendment 08-01, adopted by City Council March 3, 2010.)*

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Alcoholism or Drug Abuse Recovery or Treatment Facility means any premises, place, or building that provides 24-hour residential non-medical services to six or fewer adults who are recovering from problems related to alcohol, drug, or alcohol and drug misuse or abuse, and who need alcohol, drug, or alcohol and drug recovery treatment or detoxification services and is licensed by the state to provide such treatment or services. These facilities are treated as small residential care facilities and are not subject to the provisions of Zoning Ordinance Section 91.14. *(Zoning Ordinance Amendment 08-01, adopted by City Council March 3, 2010.)*

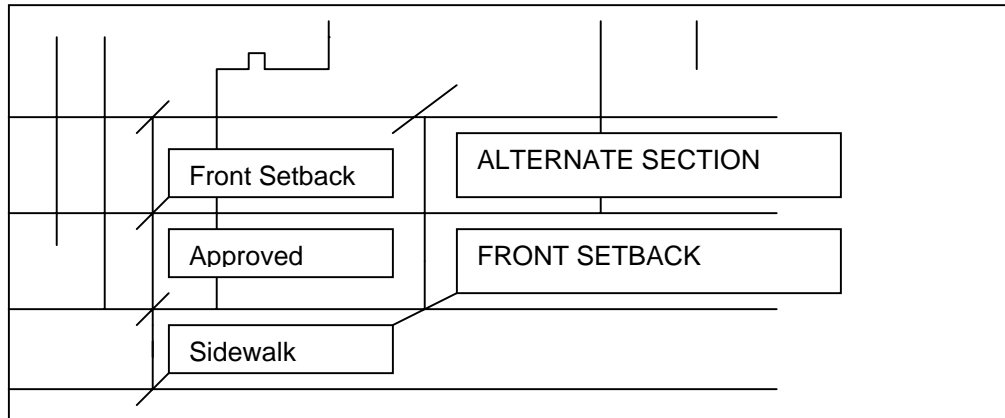
Alcohol-Related Establishments shall mean those establishments which are required to obtain a State Alcoholic Beverage Control License type 20 (off-sale beer and wine), type 21 (off-sale general), type 40 (on-sale beer), type 41 (on-sale beer and wine eating place), type 42 (on-sale beer and wine, public premises), type 47 (on-sale general eating place), type 48 (on-sale general bar), type 52 (veteran club) or type 63 (beer and wine hospital), or comparable license type, and which sell or serve alcoholic beverages for on-site or off-site consumption either as a primary or accessory use. Bona fide restaurants, drug stores and food markets which allocate less than ten (10) percent of the gross floor area for alcohol sales, are not included within this definition. For definitions of other terms pertaining to alcohol-related establishments, see Section 92.07 of this Ordinance. *(Zoning Ordinance Amendment 95-1 adopted by City Council June 14, 1995.)*

Alley shall mean any public thoroughfare, having a width of not more than thirty (30) feet, which affords only a secondary means of access to abutting property.

Alteration shall mean any construction or physical change in the internal arrangement of rooms or the supporting members of a building or structure, or change in the appearance of any building or structure.

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Alternate Section shall mean a method of delineating the required front yard area on single family residential lots, which allows the required building setback to be measured from back of sidewalk rather than from the public right-of-way. This method was utilized on certain subdivision maps within the City of Palmdale before 1988, and is no longer in use on new development.



Amendment shall mean a change in the wording, context or substance of this Ordinance, or a change in the zoning maps, which are part of this Ordinance when adopted by ordinance by the City Council in the manner prescribed by law.

Amusement Arcade shall mean any establishment, room or place where more than four (4) amusement machines are available for public use.

Amusement Machine shall mean any device, whether mechanical, electrical or electronic, or similar object, which by payment of a fee, or insertion of a coin or token, may be operated for the primary purpose of amusement. The term amusement machine does not include any device or object the primary purpose of which is to play music.

Animal Enclosure shall mean any pen, corral or fenced area intended for confinement of animals.

Animal Hospital shall mean a place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment.

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Animals, Domesticated Pets, shall mean any animal customarily kept as a household pet, not including wild or exotic animals.

Animals, Farm, shall mean any animal customarily raised for agricultural purposes, not including wild or exotic animals.

Animals, Wild or Exotic, shall mean any warm or cold-blooded animal not normally maintained in a dwelling unit with people, not considered domesticated within California or requiring a permit from the State of California Department of Fish and Game.

Antenna, Vertical, shall mean a device for transmitting or receiving radio, television, or any other transmitted signal.

Antique or Collectible Store, shall mean a store which sells or consigns to sell items which are by their style, design or use commonly considered to be of another era or age, a collectible, or of heirloom quality. These items shall be in proper working order or restoreable to working condition. Secondhand or thrift items are not considered antiques. *(Zoning Ordinance Amendment 10-01, adopted by City Council August 4, 2010.)*

Apartment shall mean a room or group of two (2) or more rooms within a building containing separate living facilities for four (4) or more families, which is constructed, designed, intended for or actually used by a single family for living and sleeping purposes for periods of thirty (30) consecutive days or longer.

Apartment Building shall mean a building, or a portion of a building, designed or used for occupancy by four (4) or more families, living independently of each other and containing four (4) or more dwelling units.

Applicant shall mean owner(s) or lessee(s) of property or their agent(s), or person(s) who have contracted to purchase property contingent upon their ability to acquire the necessary permits under this Ordinance, or the agent(s) of such persons.

Application shall mean the form and information submitted by an applicant, which is used by the City to determine whether to approve or deny permits or other entitlements for use.

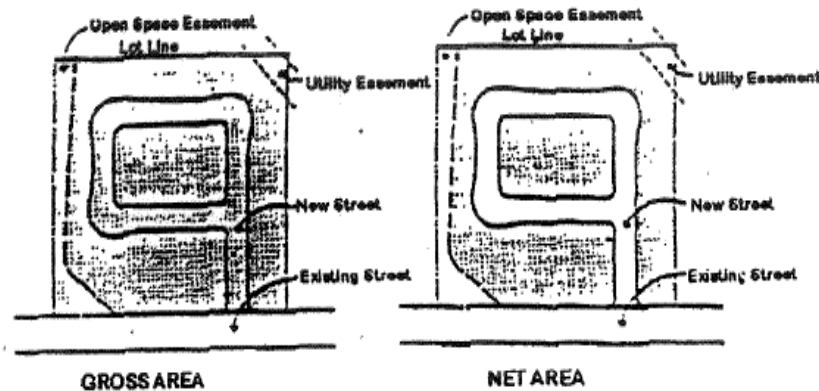
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Approval shall mean the action taken by the **Reviewing Authority** pursuant to this Ordinance to approve or conditionally approve an application for a land use entitlement and related permits.

Area as used in this Ordinance shall mean net area unless otherwise specified.

Area, Gross, shall mean that area of a lot or parcel of land inclusive of the following, except as otherwise provided in Article 81 (Lot Area):

1. Public alleys, highways or streets; or
2. Proposed public facilities such as alleys, highways, streets or other necessary public sites when included within a proposed development project; or
3. Other public or private easements where the owner of the property does not have the right to use the entire surface of the land.



Area, Net, shall mean that area of a lot or parcel of land exclusive of the following, except as otherwise provided in Article 81 (Lot Area):

1. Public alleys, highways or streets, except as provided in Section 81.01; or

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2. Proposed public facilities such as alleys, highways, streets or other necessary public sites when included within a proposed development project; or
3. Other public or private easements where the owner of the property does not have the right to use the entire surface of the land.

Arterial, Major, shall mean an arterial shown as such on the Circulation Map of the City of Palmdale General Plan.

Arterial, Regional, shall mean an arterial shown as such on the Circulation Map of the City of Palmdale General Plan.

Arterial, Secondary, shall mean an arterial shown as such on the Circulation Map of the City of Palmdale General Plan.

Assessor shall mean the Assessor of the County of Los Angeles.

Assisted Living Facility also known as a Large Residential Care Facility, shall mean a residential care facility as defined herein, licensed by the State of California to house seven or more individuals in accordance with the Community Care Facilities Act and which provides institutional housing and personal care services on a 24-hour basis to seven (7) or more adults who require some form of personal assistance due to a handicap or illness. The services provided by these facilities include on-site assistance with personal care such as housekeeping, bathing, meals, shopping, and transportation, the administering of medication, and other similar services that meet the personal needs of the residents, excluding on-site physicians. These facilities also provide congregate dining, living, social and recreational areas. An Assisted Living Facility must be licensed by the State as a Large Residential Care Facility and must comply with the requirements and provisions of Section 91.11 herein. This term does not include senior apartments, nursing homes, convalescent homes, substance abuse recovery facilities, alcohol and drug residential recovery homes, sober living homes, alcohol and drug treatment facilities, transitional housing, or hospitals. *(Zoning Ordinance Amendment 98-1, adopted by City Council March 10, 1999.) (Zoning Ordinance Amendment 08-01, adopted by City Council March 3, 2010.)*

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Attached shall mean any structure that has an interior wall or roof in common with another structure.

Auction sales shall mean a sale open to the public where property or goods are sold to the highest bidder. Auction sales shall not include one-time bankruptcy or asset liquidation auctions. *(Zoning Ordinance Amendment 10-01, adopted by City Council August 4, 2010.)*

Automobile Dismantling Yard shall mean the same as **Wrecking Yard**. *(Zoning Ordinance Amendment 98-1, adopted by City Council March 10, 1999.)*

Automobile Impound Yard shall mean facilities designated or maintained by a governmental agency for the temporary storage of vehicles legally removed or impounded by a peace officer from public or private property as prescribed by law.

Automobile Repair, General shall mean establishments engaged in general automotive repair, including but not limited to regular maintenance services, engine repair, transmission repair, radiator repair, exhaust system repair, brake relining, and wheel alignment.

Automobile Repair, Heavy shall mean establishments engaged in major auto repair, including but not limited to body and fender repair, body painting, reupholstery, and engine replacement.

Automobile Repair, Light shall mean establishments engaged in minor auto repair, including but not limited to lubrication, engine tuning, smog check stations, minor tire repair, and minor parts replacement.

Automobile Sales Lot shall mean an open area used for display, sale and/or rental of new or used automobiles

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Automobile Service Station shall mean an establishment primarily engaged in selling gasoline and other automotive fuels, lubricating oils and performing minor repair work, and which does not fall within the definition of a **Convenience Store** as defined in Section 16.03. *(Zoning Ordinance Amendment 95-1 adopted by City Council June 14, 1995.)*

Awning shall mean a shelter projecting from and supported by an exterior wall of a building and constructed of nonridged materials on a supporting framework.

Section 16.02 (B)

Basement shall mean any floor level (story) which is partly or completely below grade. A basement shall be counted as a story for the purposes of height measurement where any portion of a basement has more than one-half (1/2) of its height above grade.

Bed and Breakfast shall mean a transient lodging establishment, typically limited to twenty (20) or less rooms with a common dining area, primarily engaged in providing overnight or otherwise temporary lodging for the general public, which is inhabited as a primary residence by the owners or operators, and which may provide meals to the extent permitted by law.

Berm shall mean a mound or embankment of earth.

BIA refers to the Building Industry Association, Antelope Valley Chapter.

Biosolid Material shall have the same meaning as **Sludge**. *(Zoning Ordinance Amendment 97-1 adopted by City Council August 13, 1997.)*

Boarding House means the rental of a residence/dwelling, other than a hotel or motel, wherein a room or rooms, with or without individual or group cooking facilities, are occupied by or rented to five or more individuals under separate rental agreements or leases, either written or oral, or implied, with an owner; an owner's agent, representative or manager; a tenant; resident; or occupant; whether or not an owner, an owner's agent, representative or manager, or family thereof is in residence. For example, a residence occupied by the owner and four or more roommates, each separately obligated to pay rent to the owner, constitutes a boarding house and must comply with the zoning and

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regulations for boarding houses. The definition does not include Assisted Living Facilities, licensed Residential Care Facilities, Sober Living Homes established in accordance with Section 91.13, licensed Alcohol & Drug Treatment Facilities established in accordance with Section 91.14 or Alcoholism or Drug Abuse Recovery or Treatment Facilities. *(Zoning Ordinance Amendment 08-01, adopted by City Council March 3, 2010.)*

Borrow Pit shall mean the same as **Quarry**.

Buildable Area shall mean the portion of the lot remaining after deducting all required setbacks and easements from the gross area of the lot.

Building shall mean any structure for the shelter, housing or enclosure of any person, animal, article or chattel and when any portion thereof is completely separated from every other portion thereof by a division wall or fire wall, without openings, each such portion shall be a separate building.

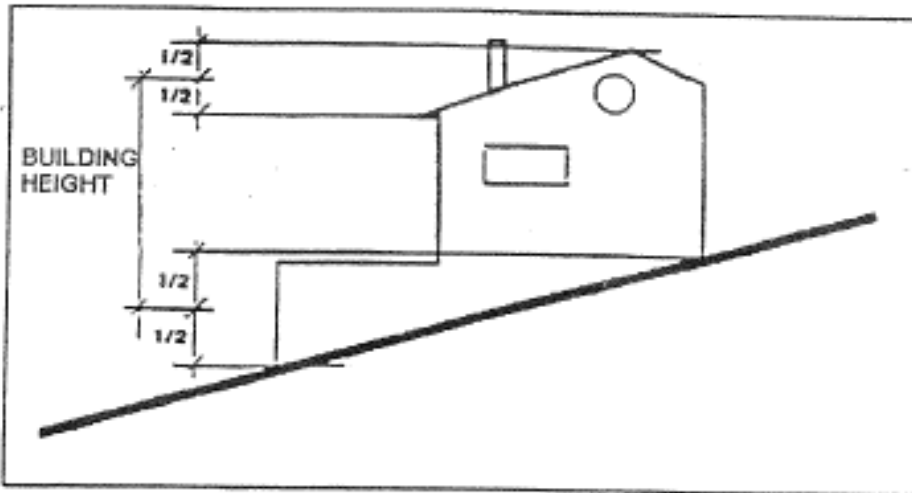
Building, Accessory. See **Accessory**.

Building Coverage shall mean the percent of lot area which may be covered by all buildings or roofed structures. This includes all accessory buildings or structures, balconies, covered patios, covered entryways and any similar structures that reduce the amount of lot area open to the sky.

Building Distance, Minimum, shall mean the shortest distance measured from any point between buildings, exclusive of any permitted projections which are regulated separately.

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Building Height shall mean the vertical distance measured from the average level of the highest and lowest point of that portion of the lot covered by the building to a point midway between the highest and lowest point on the roof; provided that chimneys, spires, towers, tanks and similar projections shall not be included in the height.



Building, Principal, shall mean one (1) or more buildings on a lot or building site designed or used to accommodate the primary use to which the premises are devoted.

Building Setback Line shall mean that line parallel to the street right-of-way line at a distance therefrom equal to the depth of the front yard required for the zoning district in which the lot is located.

Building Site shall mean the ground area of:

1. All or a portion of a lot or parcel of land, or
2. All or a portion of two (2) or more lots or parcels of land, when used in combination for a building or group of buildings, together with all yards and open spaces required by this Chapter.

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Business Office shall mean an office which has as its main function the arrangement of business transactions, the holding of sales meetings and administrative conferences, the receiving of client payments, and the keeping of records and accounts pertaining to a business.

Business or Commerce shall mean the purchase, sale or other transaction involving the handling or disposition of any article, substance or commodity or service for profit or livelihood, and shall include office buildings, offices, recreational or amusement enterprises.

Business or Trade Association shall mean a not-for-profit and tax-exempt voluntary membership organization duly qualified as such by the United States Internal Revenue Service and the California Tax Franchise Board that represents a group of companies having a business or trade in common. Activities include promoting business for the industry, encouraging ethical practices in the industry, setting of industry standards, conducting research, cooperating with other organizations, and holding conventions.
(Zoning Ordinance Amendment 03-06, adopted by City Council June 25, 2003.)

Section 16.03 (C)

Care Facility, Residential. See Residential Care Facility and Assisted Living Facility.
(Zoning Ordinance Amendment 08-01, adopted by City Council March 3, 2010.)

Caretaker's Unit shall mean a dwelling unit accessory to a principal use on a site and intended for occupancy on the same site by a caretaker, security guard, servant, or similar position requiring residence on the site, exclusive of a hotel/motel manager's unit.

Carport shall mean a permanent roofed structure not completely enclosed, used or intended to be used for vehicle parking.

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Car Washes, Automated shall mean a mechanized facility where vehicles move along self-propelled wash racks through a series of stages such as rinsing, washing and drying. Customers do not provide any labor and typically stay inside the car while the vehicle is being washed. Automated car washes are typically used in conjunction with gas stations. *(Zoning Ordinance Amendment 00-01, adopted by City Council November 8, 2000.)*

Car Washes, Full Service shall mean an establishment where cars are washed by hand and/or through a mechanized facility where vehicles move along self-propelled wash racks. Customers typically leave their vehicles before it is washed and provides no labor. Towel drying services are provided. Detailing services such as cleaning of upholstery and floor mats, vacuuming, waxing, buffing, and engine steam cleaning may be offered. *(Zoning Ordinance Amendment 00-01, adopted by City Council November 8, 2000.)*

Car Washes, Self Service shall mean a facility typically consisting of stalls with coin operated water hoses and other cleaning devices, and where the customer provides the labor of washing and cleaning their own vehicle. *(Zoning Ordinance Amendment 00-01, adopted by City Council November 8, 2000.)*

Cellar shall mean the same as **Basement**.

Cemetery shall mean land used or intended to be used for the burial or interment of the dead and dedicated for cemetery purposes. Cemetery includes columbaria, crematories and mausoleums, and may include chapels when operated in conjunction with and within the boundary of such cemetery.

Certificate of Occupancy shall mean a document issued by the proper authority allowing the occupancy or use of a building and certifying that the structure, building or development conforms with all the applicable municipal codes, ordinances and conditions of approval.

Charitable Organization shall mean an organization, association, corporation, or other legal entity duly qualified for tax-exempt status by the United States Internal Revenue Service and the California Tax Franchise Board. *(Zoning Ordinance Amendment 03-06, adopted by City Council June 25, 2003.)*

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Churches See **Religious assembly use**. (*Zoning Ordinance Amendment 03-06, adopted by City Council June 25, 2003.*)

City shall mean the City of Palmdale, California, or the area within the territorial limits of the City of Palmdale, California, and such territory outside of the City of Palmdale, California, over which the City of Palmdale, California, has jurisdiction or control by virtue of any constitutional or statutory provision.

Civic Associations See **Professional membership organization**. (*Zoning Ordinance Amendment 03-06, adopted by City Council June 25, 2003.*)

Club, Country, shall mean a private club organized and operated for social purposes and possessing outdoor recreational facilities, such as golf courses, tennis courts or polo grounds.

Clubhouse shall mean any building used by an association of persons, organized for some common purpose, but not including a group organized solely or primarily to render service customarily carried on as a commercial enterprise.

Club (fraternal) or lodge shall mean a private or not-for-profit tax exempt organization providing meeting, recreational, or social facilities restricted to enrolled members and their guests and organized for a purpose to pursue common goals, activities or interests, usually characterized by certain membership qualifications, payment of fees or dues, regular meetings and a constitution or by-laws. A building or area used by such a group shall be considered a club. (*Zoning Ordinance Amendment 03-06, adopted by City Council June 25, 2003.*)

Code shall mean a code adopted by Ordinance of the City of Palmdale.

Commission shall mean the Planning Commission of the City of Palmdale.

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Communication Facility shall mean a building or structure constructed for the purpose of relaying or conveying information transmitted via microwave, fiber optic or electronic equipment, including but not limited to **Microwave Stations, Telephone Repeater Stations** and their **Accessory** structures and uses. This definition does not include non-commercial communication facilities such as licensed amateur radio stations and standard radio and television receive-only antennas. Communication facilities are further classified as a **Major Communication Facility** or **Minor Communication Facility** as follows: *(Zoning Ordinance Amendment 97-3, adopted by City Council September 10, 1997.)*

Major Communication Facility shall mean a communication facility that, due to size, scale, location, or other characteristics, is likely to have some detectable impact on adjacent uses or on the environment, including aesthetic or visual impacts, or that may have a cumulative impact City-wide or on the regional environment due to the number of sites included or in combination with other projects. This definition includes freestanding antenna structures, including monopoles and towers, or the placement of a network of wireless communication facilities throughout an area onto existing structures, or other facilities which, as determined by the Planning Director, warrant this classification. *(Zoning Ordinance Amendment 97-3, adopted by City Council September 10, 1997.)*

Minor Communication Facility shall mean a communication facility which by its size, scale, location, design, or combination of such measures, allows the facility to be aesthetically integrated into the surrounding environment so as not to be readily seen or recognized as a communication facility and is not likely to have some detectable impact on adjacent uses or on the environment. Such a facility is commonly referred to as a "Stealth Facility". *(Zoning Ordinance Amendment 97-3, adopted by City Council September 10, 1997.)*

Composting Facility shall mean a facility which causes, under controlled conditions, the biological degradation of yard waste materials, including leaves, grass clippings, garden waste, brush and branches and Christmas trees. The term "composting facility" shall not include compost bins or piles on developed residential property for the exclusive use of the residents of said property. *(Zoning Ordinance Amendment 97-1, adopted by City Council August 13, 1997.)*

CHAPTER 1 ARTICLE 16 DEFINITIONS

Conditional Use Permit shall mean a discretionary entitlement which may be granted under the provisions of this Ordinance which when granted authorizes a specific use to be made of a specific property, subject to compliance with conditions of approval imposed on the entitlement.

Condominium shall mean a development of an undivided interest in common for a portion of a parcel coupled with a separate interest in space in a residential or commercial building on the parcel.

Conference and meeting facilities shall mean a building or group of buildings in which space can be leased by private groups or the public at large for private or public live meetings, videoconferencing or teleconferencing and where ancillary retail sales and food sales may take place but the primary use of the site is for the lease of space for gatherings. *(Zoning Ordinance Amendment 03-06, adopted by City Council June 25, 2003.)*

Congregate Meal Facility shall mean a facility that provides scheduled meals on a daily basis for families or individuals who are homeless or low income. This term does not include homeless shelters or transitional housing. *(Zoning Ordinance Amendment 98-1, adopted by City Council March 10, 1999.)*

Construction shall mean any site preparation, assembly, erection, substantial repair, alteration or similar action conducted on public or private property.

Construction Commencement shall mean the start of construction of substantial on-and-off-site and structural improvements after a building permit or grading permit has been issued.

Contiguous shall mean the same as **Adjacent**.

Contour Grading shall mean a grading technique which utilizes curvilinear, horizontal, and vertical undulations in order to simulate the characteristics of natural topography.

Convalescent Facility shall mean a use which provides in-patient services for persons requiring regular medical attention or for aged or infirm persons who are unable to care for themselves, excluding surgical or emergency medical services.

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Convenience Store shall mean a retail establishment which contains less than five thousand (5,000) square feet of gross floor area utilized in whole or in part for the retail sale of a variety of frequently needed personal convenience items such as groceries, delicatessen items, staples, dairy products, pre-packaged foods, sundry items and/or alcoholic beverages, and which may include the sale of automotive gasoline and related products. This definition is typified by the quick-sale retail store of which there are several national and many regional chains. This definition does not include specialty food stores such as meat markets, health food stores, or ethnic food stores carrying solely those items which are the customary fare of a particular culture without other non-ethnic items, or a full service food market containing less than five thousand 5,000 square feet of gross floor area wherein at least ten (10) percent of the gross floor area is utilized for the sale of fresh meat, seafood, and fresh produce.

Convents and monasteries shall mean a religious community of friars, monks, or nuns or a group of buildings occupied by such a community. *(Zoning Ordinance Amendment 03-06, adopted by City Council June 25, 2003.)*

Corporate Massage means any massage of the neck, arms, shoulders and back area above the waist where the client is fully clothed and in a sitting position, where the massage is (i) administered by a licensed and permitted technician; (ii) approved as an accessory use in a permitted location as authorized by Section 92.14 of the Zoning Ordinance; and (iii) is limited to the upper body and conducted without the uses of supplementary aids, such as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments, or other similar preparations commonly used in this practice. *(Zoning Ordinance Amendment 96-3 adopted by City Council January 8, 1997.)*

Counseling Shall mean the application of mental health, psychological, or human development principles, through cognitive, affective, behavioral or systemic intervention strategies, that address wellness, personal growth, or career development as well as pathology. Counseling and mental health services are activities that focus on cognitive, emotional, behavioral, and social needs of individuals, groups, and families. They are designed to prevent and address problems, facilitate positive learning and behavior, and enhance healthy development. Counseling includes individual counseling, small group counseling, classroom guidance, prevention, and crisis response. *(Zoning Ordinance Amendment 03-06, adopted by City Council June 25, 2003.)*

CHAPTER 1 ARTICLE 16 DEFINITIONS

Council shall mean the City Council of the City of Palmdale, California. "All its members" or "all councilmembers" means the total number of councilmembers holding office.

County shall mean the County of Los Angeles.

Court shall mean an open, unoccupied space other than a yard, unobstructed from ground to sky, bounded on two (2) or more sides by the walls of a building. An inner court is a court entirely enclosed within the exterior walls of a building. All other courts are outer courts.

Cross Lot Drainage shall mean a drainage system that conveys site run-off towards the rear or side lot line where it is captured in a drainage channel, pipe, or similar structure and directed across lot lines to an approved point of discharge, or detention or retention.

Cultural heritage area Shall mean an area, building or group of buildings using local history as a framework for education and promotion and may incorporate traditional parks, historic sites, public buildings and restored or replicated buildings or neighborhoods. The use may follow a central theme, such as "natural environment," "local history" or "colonial times". These cultural attributes are interpreted and promoted and may include programs such as ethnic festivals, theater, interactive exhibits, and walking tours. *(Zoning Ordinance Amendment 03-06, adopted by City Council June 25, 2003.)*

Custom Home shall mean a detached single-family dwelling which is individually designed and constructed to fit the unique requirements of both the site and the intended owner.

Custom Home Subdivision shall mean the division of land into lots which are improved but not developed, intended for sale to purchasers who thereafter will construct custom homes on an individual basis, without development sequencing or phasing by a single builder.

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Section 16.04 (D)

Day Care, Commercial, shall mean a facility which is licensed and utilized to provide daily non-medical care and supervision to thirteen (13) or more children under eighteen (18) years of age, or to any number of adults with physical or mental health conditions or disabilities who require non-medical supervision, for periods of less than 24-hours per day. This term includes nursery schools and preschools. *(Zoning Ordinance Amendment 03-06, adopted by City Council June 25, 2003.)*

Day Care, Family, shall mean a single-family residential facility, occupied by the operator, which is licensed and utilized for the purpose of providing daily non-medical care and supervision to fourteen (14) or fewer children under eighteen (18) years of age. *(Zoning Ordinance Amendment 97-2, adopted by City Council June 11, 1997.)*

Day Care, Large Family, shall mean a Family Day Care facility in which seven (7) to twelve (12) children under the age of eighteen (18) are cared for, plus up to two (2) additional school age children in accordance with State Department of Social Services regulations. *(Zoning Ordinance Amendment 97-2, adopted by City Council June 11, 1997.)*

Day Care, Small Family, shall mean a Family Day Care facility in which one (1) to six (6) children under the age of eighteen (18) are cared for, plus up to two (2) additional school age children in accordance with State Department of Social Services regulations. *(Zoning Ordinance Amendment 97-2, adopted by City Council June 11, 1997.)*

Daylight Grading shall mean a grading technique which designates an existing natural contour as the transition line between a manufactured pad for development and an adjacent natural slope face and which eliminates the need for fill slopes along the exposed edges of the development pad.

Days shall always be consecutive calendar days unless otherwise stated.

Decision, Discretionary, shall mean decisions that require the exercise of judgment, deliberation, or decision on the part of the reviewing authority in the process of approving or disapproving a particular activity, as distinguished from ministerial decisions in which the reviewing authority's determination is limited to finding whether there has been conformity with applicable statutes, ordinances, or regulations.

**CHAPTER 1 ARTICLE 16
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Decision, Ministerial, shall mean decisions that are approved by a reviewing authority based upon a given set of facts in a prescribed manner in obedience to the mandate of legal authority.

Dedication shall mean the donation to a public agency of land or the right to utilize land, for a specific public use.

Density shall mean the number of dwelling units per gross acre, unless otherwise stated, for residential uses.

Density Transfer shall mean an increase in density on one portion of a property to a level that may exceed the underlying General Plan designation of that portion of the property while maintaining a gross density over the entire property that is consistent with the underlying General Plan designation.

Department shall mean the City of Palmdale Planning Department, unless otherwise stated.

Design shall include the planning and engineering of the following: street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignment and grades thereof; location and size of all required easements and rights-of-way; fire roads and fire breaks; lot size and configuration; traffic access; grading; land to be dedicated for park or recreational purposes; location and size of all proposed buildings and structures; and any other such specific physical improvements.

Detached shall mean any building or structure that does not have a wall or roof in common with any other building or structure.

Development shall mean the placement or erection of any solid material or structure; discharge or disposal of any dredged material or any gaseous liquid, solid or thermal waste; grading, removing, dredging, mining or extraction of any soil or materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access

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thereto; construction, reconstruction, demolition, or alteration of the size of any structure including any facility of any private, public or municipal utility; and the removal of any major vegetation. As used in this Ordinance, "structure" includes but is not limited to any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line. A "project", as defined in Government Code Section 65931, is included with this definition.

Development Proposal shall mean an application for approval of a specific plan, a subdivision, conditional use permit, tentative tract map, parcel map or any other development permit or entitlement application which has been filed with and is pending for consideration by the City.

Director shall mean the Director of Planning of the City of Palmdale.

Discontinue (Discontinuance) shall mean the cessation or removal of a use for a specified period of time or permanently.

District, Zone. See **Zone**.

Dormitory shall mean a structure intended principally for sleeping accommodations, and where no individual kitchen facilities are provided, where such structure is related to an educational or public institution or is maintained and operated by a recognized non-profit welfare organization.

Drainage Facilities shall mean improvements constructed for the storage or conveyance of storm runoff in drainage channels, including channels, culverts, ponds, storm drains, drop-inlets, outfalls, basins, pumps, gutter inlets, manholes, and conduits.

Driveway shall mean a permanently surfaced area providing direct access for vehicles between a street and a permitted off-street parking or loading area.

Duplex shall mean a building designed or used exclusively for occupancy by two (2) families and containing two (2) dwelling units.

Dwelling shall mean a structure or portion thereof designed for residential occupancy, not including hotels or motels.

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Dwelling, Multiple, shall mean a building or portion thereof, designed for occupancy by two (2) or more families, living independently of each other and containing two (2) or more dwelling units.

Dwelling, Primary, shall mean the principal single-family dwelling unit located on a lot where a second or dependent dwelling unit is existing or proposed.

Dwelling, Single Family, shall mean a building designed or used exclusively for occupancy by one (1) family and containing one (1) dwelling unit.

Dwelling, Three Family (Triplex), shall mean a building designed or used exclusively for occupancy by three (3) families and containing three (3) dwelling units.

Dwelling Unit shall mean one (1) or more rooms in a building or portion thereof, designed, intended to be used or used for occupancy by one (1) family for living and sleeping quarters, and containing only one (1) kitchen, not including hotels or motels.

Section 16.05 (E)

Easement shall mean the grant of one or more property rights by the property owner for use by the public, a corporation, or another person or entity.

Eave shall mean the projecting lower edge of a roof overhanging the wall of a building.

Educational Services shall mean establishments that provide instruction and training in a wide variety of subjects. Specialized establishments, such as schools, colleges, universities, and training centers, provide this instruction and training. These establishments may be privately owned and operated for profit or not for profit, or they may be publicly owned and operated. They may also offer food and accommodation services to their students. Educational services are usually delivered by teachers or instructors that explain, tell, demonstrate, supervise, and direct learning. Instruction is imparted in diverse settings, such as educational institutions, the workplace, or the home through correspondence, television, or other means. It can be adapted to the particular needs of the students, for example sign language can replace verbal

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language for teaching students with hearing impairments. All industries in the sector share this commonality of process, namely, labor inputs of instructors with the requisite subject matter expertise and teaching ability. (*Zoning Ordinance Amendment 03-06, adopted by City Council June 25, 2003.*)

Efficiency Apartment shall mean a dwelling unit that combines kitchen, living and sleeping facilities into one (1) room in an apartment or multiple dwelling.

Electric Distribution Substation shall mean an assembly of equipment which is part of a system for the distribution of electric power where electric energy is received at a sub-transmission voltage and transformed to a lower voltage for distribution for general consumer use.

Elevation shall mean:

1. A vertical distance above or below a fixed reference level; or
2. A flat scale drawing of the front, rear or side of a building or structure.

Emergency shall mean a sudden, unexpected occurrence demanding immediate action to prevent or mitigate loss of or damage to life, health, property or public services.

Enclosed shall mean a covered space fully surrounded by walls, including windows, doors, and similar openings or architectural features.

Engineer, City shall mean the City Engineer of the City of Palmdale.

Entertainment, Live, shall mean any act, play, revue, pantomime, scene, dance act, musical performance, performance art, or song and dance act, or any combination thereof, performed by one (1) or more persons whether or not they are compensated for the performance.

Exotic Animal shall mean any warm or cold-blooded animal not normally maintained in a dwelling unit with people, not considered domesticated within California, or requiring a permit from the State of California Department of Fish and Game.

**CHAPTER 1 ARTICLE 16
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Explosives shall mean any explosive substance, having a power equal to or greater than that of ordinary black powder, including but not limited to blasting caps, detonating, fulminating or electric caps, gunpowder and dynamite, but shall not include fixed ammunition for small arms.

Extraction shall mean the removal from the earth of oil, water, gas, gravel, mineral or geothermal resources by drilling, pumping or other means, whether for exploration or production purposes.

Section 16.06 (F)

Facade shall mean the exterior wall of a building exposed to public view, or that wall viewed by persons not within the building.

Family Entertainment Center shall mean an establishment engaged in providing a range of entertainment activities to a variety of age groups including children. Such activities may include but not be limited to batting cages, go-cart tracks, miniature golf courses, play areas, amusement machines and limited food service, provided that any facility having more than four (4) amusement machines shall also be classified as an Amusement Arcade.

Farmer's Market shall mean any location or activity where a variety of agricultural products, including but not limited to fruits, vegetables, meats, nuts and flowers, are offered for sale to the general public by farmers and produce growers who are certified by a farmer's market association, and is limited to no more than two (2) days of operation in a one (1) week period. *(Zoning Ordinance Amendment 98-1, adopted by City Council March 10, 1999.)*

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Fence shall mean an artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

Fence, Open, shall mean a fence that permits at least fifty (50) percent open visibility through the fence.

Fill shall mean any material or substance which is deposited, placed, pushed, dumped, pulled or transported or moved to a new location and the conditions resulting therefrom. Fill also includes pilings placed for the purpose of erecting structures thereon when located in a submerged area. Examples of fill material include, but are not limited to, earth, excavated or dredged materials, sand, gravel, rock, riprap, and concrete.

Floodplain shall mean the relatively flat areas of low lands adjoining, and including, the channel of a river, stream, water course, bay or other body of water which is subject to inundation by the flood water of a one hundred (100) year frequency flood as identified on maps provided by the Federal Emergency Management Agency (FEMA).

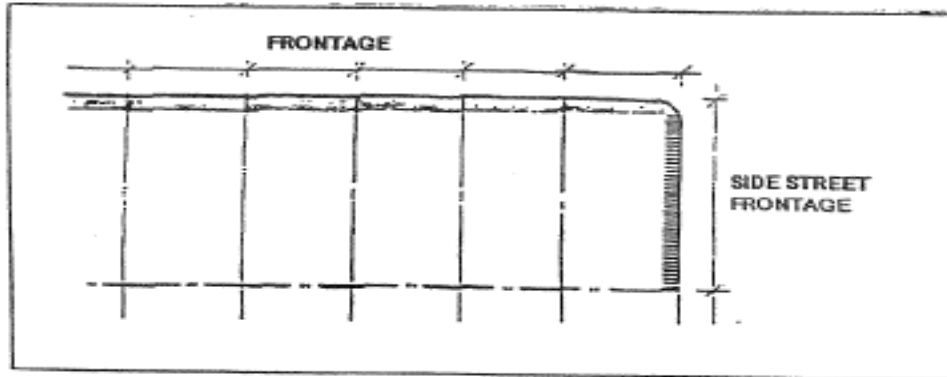
Floor Area, Habitable, shall mean the total horizontal area of all the floors of a building measured from the exterior surface of the outside walls including all floors below ground level but exclusive of vent shafts, courts and garages.

Floor Area Ratio (FAR) shall mean the numerical value obtained through dividing the floor area of a building or buildings, excluding below grade floor area, by the total area of the lot or parcel of land on which such building or buildings are located.

Freeway shall mean a highway in respect to which the owners of abutting lands have no right or easement of access to or from their abutting lands or in respect to which such owners have only limited or restricted right or easement of access and which is declared to be such in compliance with the Streets and Highways Code of the State of California.

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Frontage shall mean that side or sides of a lot abutting a street.



Front Wall shall mean the nearest wall of a structure to the street upon which the structure faces, excluding cornices, canopies, eaves and any other architectural embellishments.

Section 16.07 (G)

Gable shall mean the vertical triangular end of a building from cornice or eaves to ridge.

Garage, Private, shall mean an accessory building or an accessory portion of the main building, designed and used primarily for the shelter or storage of vehicles owned or operated by the occupants of the main building.

Garage, Public, shall mean a building other than a private garage used for the parking and storage of vehicles that is available to the general public.

Garage Sale shall mean the sale from the residence or residential lot of a vendor of his personal property which has been used in his home and which personal property was not purchased, acquired, or solicited by the vendor for the purpose of resale. A yard or patio sale is included within the definition of garage sale.

**CHAPTER 1 ARTICLE 16
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Gas Station shall mean an establishment primarily engaged in the sale of gasoline and oil only. A gas station may have employees on site, or be unmanned and activated by cards or codes. No repair work (even minor repair) shall be conducted on site. See **Automobile Service Station** or **Convenience Store** for other similar uses. *(Zoning Ordinance Amendment 00-01, adopted by City Council November 8, 2000.)*

General Plan shall mean the comprehensive, long-term General Plan for the physical development of the City of Palmdale, as adopted by the City Council and as hereafter amended.

Glare shall mean the effect produced by brightness sufficient to cause annoyance, discomfort, or loss in visual performance and ability.

Government Code shall mean the State of California Government Code.

Grade shall mean the vertical location of the ground surface.

Grade, Finished, shall mean the final grade of the site which conforms to approval plans.

Grade, Natural, shall mean the elevation of the ground surface in its natural state, before manmade alterations.

Gradient shall mean the rate of vertical change of a ground surface expressed as a percentage figure and determined by dividing the vertical distance by the horizontal distance. (Also see slope and slope steepness.)

Grading shall mean any excavation, filling, or movement of earth material by mechanical means, including but not limited to rock processing, dredging, blasting, bulldozing, and digging.

Grading, Mass, shall mean a grading technique in which all lots, building pads and streets are graded over the entire site area resulting in the disruption of the majority of the on-site natural grade and vegetation, and often resulting in, but not required to result in, a successive pad/terrace configuration.

CHAPTER 1 ARTICLE 16 DEFINITIONS

Gross Leasable Area (GLA) shall mean the total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines, and upper floors, if any; expressed in square feet and measured from the center line of joint partitions and from outside wall faces.

Guest House shall mean living quarters located within an accessory building located on the same premises with a main building and occupied solely by members of the family, temporary guests or persons regularly employed on the premises. Such quarters shall have no kitchen and shall not be rented or otherwise used as a separate dwelling unit.

Section 16.08 (H)

Habitable Structure. A structure that is suitable for human occupancy for purposes of employment, habitation or other purpose.

Hardscape shall mean any inorganic decorative landscape materials, including but not limited to, stones, boulders, cobbles, pavers, decorative concrete and/or mulch, incorporated into an overall landscape design. (*Zoning Ordinance Amendment 00-05, adopted by City Council May 9, 2001.*)

Health Club shall mean an establishment providing exercise and other health fitness conditioning, including gymnasiums, aerobic dance and exercise classes, reducing salons, spas, and similar fitness facilities.

Health Department shall mean the County of Los Angeles Department of Health Services/Public Programs.

Health Facilities, Mobile shall mean mobile facilities providing health services, such as bloodmobiles; health, hearing, or vision screening; and health fairs.

Height. See **Building Height**

Heliport shall mean a landing area used by helicopters, including all necessary passenger and cargo facilities, maintenance and overhaul, fueling, service, storage, tie-down areas, hangers, and other necessary buildings and open spaces.

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Helistop shall mean any helicopter landing area used, designed or intended to be used for the receiving or discharging of passengers and cargo but shall not include other appurtenant facilities permitted at a heliport other than a shelter for passengers.

Hillside Area shall mean any property containing slope areas of ten (10) percent or greater.

Homeless Shelter shall mean a facility that provides sleeping accommodations and restroom facilities to homeless persons for less than a 24-hour stay. This term does not include congregate meal facilities or transitional housing. *(Zoning Ordinance Amendment 98-1, adopted by City Council March 10, 1999.)*

Home Occupation shall mean an occupation or business carried out for gain within a dwelling unit in a residential or agricultural zone, which is incidental and secondary to the use of the dwelling unit for residential purposes and which does not change the character of the residential use, established and operated in compliance with the provisions of this Ordinance.

Homeowners Association shall mean an organization incorporated under state law among property owners who have a common interest in certain property.

Hospital shall mean an institution specializing in giving clinical, temporary, and emergency services of a medical or surgical nature to ill or injured persons, and licensed by state law to provide in-patient facilities and services in surgery, obstetrics, and general medical practice.

Hotel shall mean a building in which there are five (5) or more guest rooms where transient lodging (for a period of thirty (30) consecutive calendar days or less) with or without meals is provided for compensation.

Household shall mean one (1) or more individuals, related or unrelated, living together in a single dwelling unit. *(Zoning Ordinance Amendment 98-1, adopted by City Council March 10, 1999.)*

**CHAPTER 1 ARTICLE 16
DEFINITIONS**

Section 16.09 (I)

Illegal Structure, Use, or Lot shall mean a structure, lot, or use which did not conform to applicable laws when constructed or initiated and has not been granted legal nonconforming status by a categorical provision of this Zoning Ordinance or has not been brought into full conformity by a specific remedy provided in this Zoning Ordinance.

Improvement shall mean any place, building, structure, natural feature, or object constituting a physical addition to real property or a structure on real property, or any part of such addition or facade.

Improvement, Tenant, shall mean an improvement within the confines of an existing building exclusive of those required to meet minimum Uniform Building Code occupancy standards such as wiring or plumbing.

Inoperative Vehicle shall mean any vehicle which is not currently registered or which is not capable of self-propulsion.

Intersection shall mean where two (2) or more roads connect at grade.

Irrigation System shall mean a connection of system components, including the water distribution network and the irrigation equipment downstream from the backflow prevention device that is necessary to ensure that all landscape areas and landscape materials are thoroughly and adequately watered. *(Zoning Ordinance Amendment 00-05, adopted by City Council May 9, 2001.)*

Section 16.10 (J)

Junk shall mean any scrap, waste, reclaimable material or debris, whether or not stored or used in conjunction with dismantling, processing, salvage, storage, baling, disposal or other use or disposition. Materials or equipment kept on any premises for use in the construction of any building on such premises, and any materials or equipment customarily used on a farm or ranch, and so situated, shall not be deemed "junk" or "salvage material" within the meaning of this section.

**CHAPTER 1 ARTICLE 16
DEFINITIONS**

Junk Yard shall mean the same as **Salvage Yard**. *(Zoning Ordinance Amendment 98-1, adopted by City Council March 10, 1999.)*

Section 16.11 (K)

Kenel shall mean any structure or facility in which five (5) or more dogs, cats, or other small animals over the age of four (4) months are kept, whether such keeping is for pleasure, profit, breeding, or exhibiting, including places where said animals are boarded, kept for sale, or hire.

Kitchen shall mean any space within a building designed, intended to be used or used for the cooking or the preparation of food, including storage and refrigeration.

Section 16.12 (L)

Labor Organization shall mean a building or group of buildings occupied for the purpose of business offices and/or private meeting facilities by any registered group or association of employees that exist in whole or in part for the purpose of collective bargaining, dealing with employers concerning terms and conditions of employment, represents members in arbitrations and other employment matters and that meets the definition of "labor union" under US Code §7103(a)(4). *(Zoning Ordinance Amendment 03-06, adopted by City Council June 25, 2003.)*

Land Reclamation Project shall mean a project established to restore otherwise unsuitable land to useful purposes through the use of fill materials such as rubbish, waste, soil and other unwanted materials. Land reclamation project shall include a dump or waste disposal facility.

Landscape Area shall mean the entire yard areas less the footprint of legally erected structures, driveways, non-irrigated portion of parking lots, and structures such as decks and patios. Water features (including pools and ponds) are included in the calculation of the landscaped area. Areas dedicated to edible plants, such as orchards or vegetable gardens, are not included. *(Zoning Ordinance Amendment 00-05, adopted by City Council May 9, 2001.)*

**CHAPTER 1 ARTICLE 16
DEFINITIONS**

Landscape Materials shall mean trees, shrubs, vines, ground covers, flowers, and/or lawns. *(Zoning Ordinance Amendment 00-05, adopted by City Council May 9, 2001.)*

Landscaping shall mean the planting and continuous maintenance of some combination of trees, shrubs, vines, ground covers, flowers, lawns or other decorative features to land. This may include the installation of natural landscape features such as rock and stone, earthen berms, walkways, plazas, courtyards, and structural features including but not limited to fountains, reflecting pools, art works and benches. *(Zoning Ordinance Amendment 00-05, adopted by City Council May 9, 2001.)*

Land Use shall mean the way in which property is or will be utilized or occupied.

Large Residential Care Facility. See Residential Care Facility, Large. *(Zoning Ordinance Amendment 08-01, adopted by City Council March 3, 2010.)*

Law denotes applicable federal law, the Constitution and statutes of the State of California, the ordinances of the City of Palmdale, and when appropriate, any and all rules and regulations which may be promulgated thereunder.

Legislative Body shall mean the City Council of the City of Palmdale.

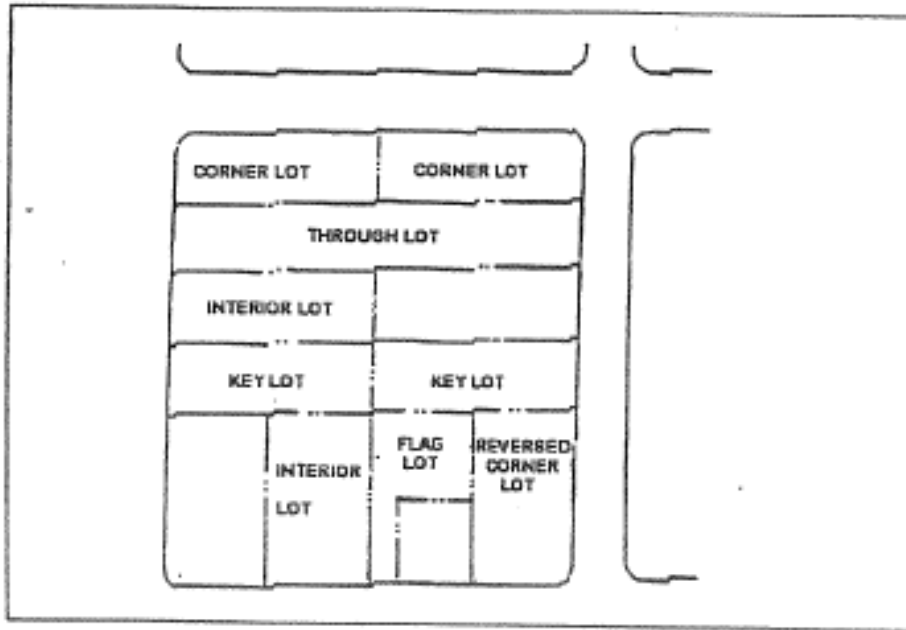
Light Source shall mean a device that produces illumination, including incandescent light bulbs, fluorescent and neon tubes, halogen and other vapor lights and reflecting surfaces or refractors incorporated into a lighting fixture. Any translucent enclosure of a light source or reflective surface is considered to be part of the light source.

Loading Space shall mean an area used exclusively for loading or unloading of goods from a vehicle in connection with the use of the site on which such space is located.

Lodging house. See boarding house. *(Zoning Ordinance Amendment 08-01, adopted by City Council March 3, 2010.)*

**CHAPTER 1 ARTICLE 16
DEFINITIONS**

Lot shall mean a parcel, tract or area of land established by plat, subdivision, or as otherwise permitted by law, to be used, developed or built upon. The classification of lots are:



1. **Corner** shall mean a lot located at the intersection of two (2) or more streets at an angle of not more than one hundred thirty-five (135) degrees. If the angle is greater than one hundred thirty-five (135) degrees, the lot shall be considered an "interior lot".
2. **Flag** shall mean a lot having access or an easement to a public or private street by a narrow, private right-of-way.
3. **Interior** shall mean a lot abutting only one (1) street.
4. **Key** shall mean a lot with a side line that abuts the rear line of any one (1) or more adjoining lots.

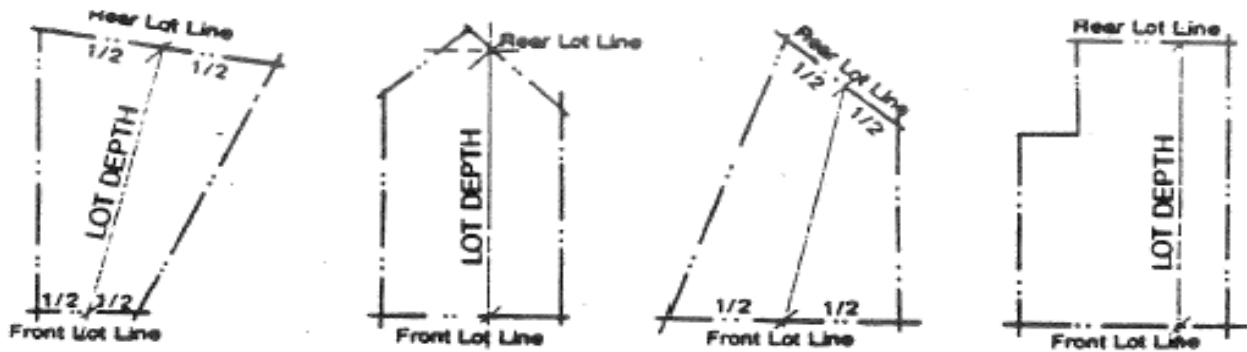
**CHAPTER 1 ARTICLE 16
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- 5. **Reverse Corner** shall mean a corner lot, the rear of which abuts the side of another lot.
- 6. **Through** shall mean a lot having frontage on 2 generally parallel streets, with only 1 primary access.

Lot Area shall mean the total horizontal area included within the lot lines of a lot or parcel of land, exclusive of any landscape easement.

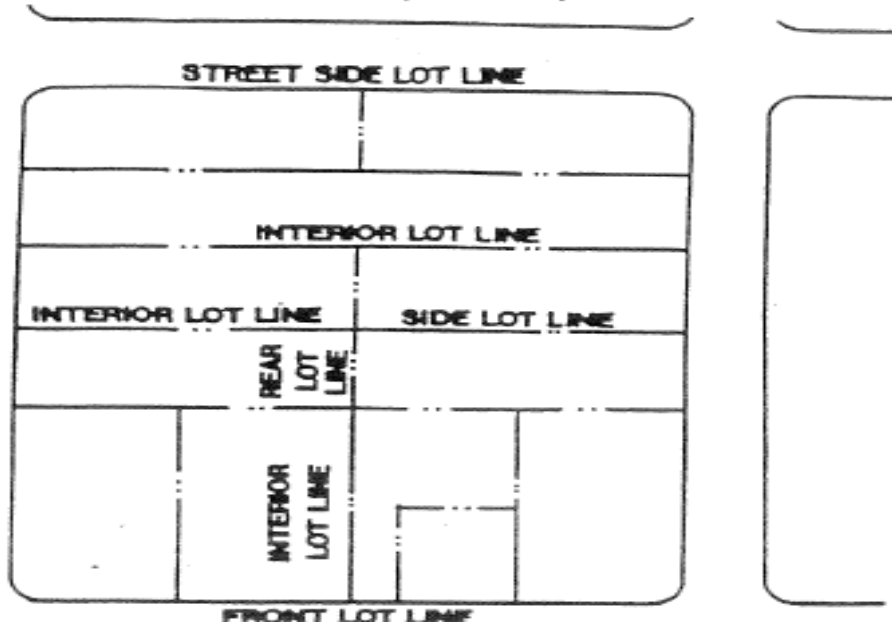
Lot Coverage shall mean the total horizontal area of a lot, parcel or building site covered by any building which extends more than three (3) feet above the surface of the ground level and including any covered car parking spaces. Covered patios shall not be considered as lot coverage provided that said patio is not more than fifty (50) percent enclosed.

Lot Depth shall mean the horizontal length of a straight line connecting the bisecting points of the front and the rear lot lines, exclusive of any landscape easement. *(Zoning Ordinance Amendment 95-6 adopted by City Council April 10, 1996.)*



CHAPTER 1 ARTICLE 16
DEFINITIONS

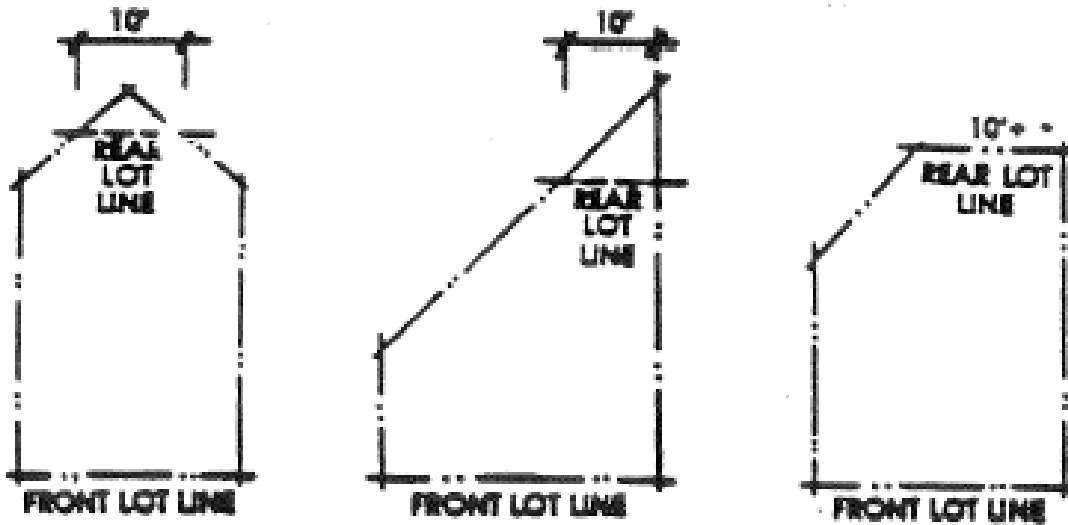
Lot Line shall mean any boundary of a lot. The classification of lot lines are:



1. **Front** shall mean the line separating the parcel from the street on an interior lot. On a corner lot, front shall mean the shorter lot line abutting a street. (If the lot lines on a corner lot are equal in length, the front lot line shall be determined by the Director.) On a through lot, front shall mean the lot line abutting the street providing the primary access to the lot.
2. **Interior** shall mean any lot line not abutting a street.

**CHAPTER 1 ARTICLE 16
DEFINITIONS**

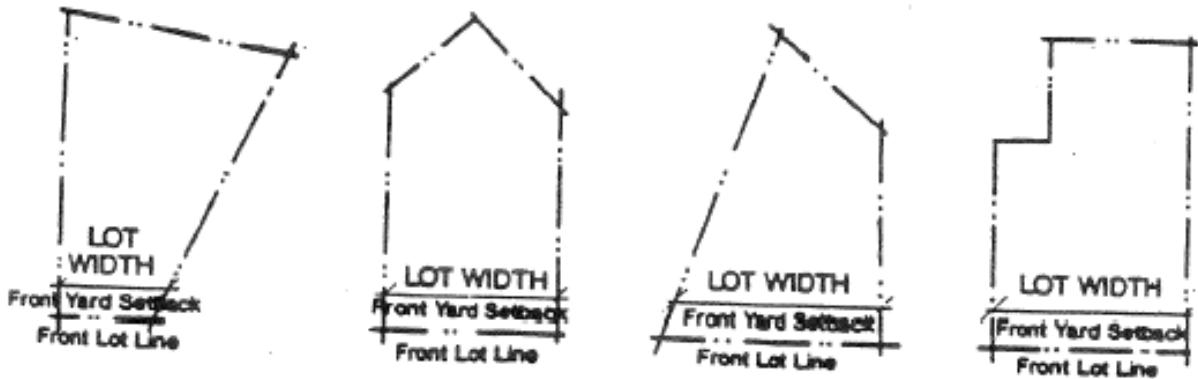
3. **Rear** shall mean a lot line not intersecting a front lot line, which is most distant from and most closely parallel to, the front lot line. In the case of an irregularly shaped lot or a lot bounded by only three (3) lot lines, rear shall mean a line within the lot having a length of ten (10) feet, parallel to and most distant from the front lot line and shall be interpreted as the rear lot line for the purpose of determining required yards, setbacks, and other provisions of this Zoning Ordinance.



4. **Side** shall mean any lot line which is not a front or rear lot line.
5. **Street Side** shall mean any lot line abutting a street and over which access is permitted.

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Lot Width shall mean the horizontal distance between the side lot lines measured at the required front setback line.



Section 16.13 (M)

Manufactured Home shall mean a residential dwelling unit 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 or partially assembled on-site as permitted by the State of California and Federal laws.

Manufactured Home Park shall mean any lot or parcel of land where sites are rented or leased, or offered for rent or lease for one (1) or more **Manufactured Homes**.

Manufactured Home Site shall mean that portion of a **Manufactured Home Park** designated for use or occupancy of one (1) **Manufactured Home**, designed or used for the habitation of one (1) family, and including all appurtenant facilities thereon.

Manufactured Home Subdivision shall mean an area of land where lots are divided for sale, rent or lease to accommodate **Manufactured Homes**.

**CHAPTER 1 ARTICLE 16
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Manufacturing shall mean the mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the construction of products, and the blending of materials such as plastics, resins or oils.

Massage means any method of treating the external parts of the body for remedial, health, or hygienic purposes by means of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating the external parts of the body with the hands or other parts of the body, with or without the aid of any mechanical or electrical apparatus or appliances, or with or without supplementary aids such as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments, other similar preparations commonly used in this practice, or any other system for treatment or manipulation of the human body with or without any form of bath, such as Turkish, Russian, Swedish, Japanese, Shiahatsu, accupressure, vapor, shower, electric tub, sponge, mineral, fomentation, or any other type of bath, including herbal body wraps. *(Zoning Ordinance Amendment 96-3 adopted by City Council January 8, 1997.)*

Massage, Accessory Use means massage that is provided by a licensed and permitted massage technician as an accessory use to an approved primary use that uses only one massage table or one chair and where only one permitted massage technician is on-duty at any one time, in accordance with Section 92.14 of the Zoning Ordinance. *(Zoning Ordinance Amendment 96-3 adopted by City Council January 8, 1997.)*

Massage Establishment means any establishment having a fixed place of business where any person provides or attempts to provide, engages in, conducts, carries on, or permits to be engaged in, conducted, or carried on, any business of providing massages, as defined in this section, or health treatments involving massage as the principal function and where more than one massage table or chair will be utilized, or more than one licensed and permitted massage technician will be on-duty at any one time. *(Zoning Ordinance Amendment 96-3 adopted by City Council January 8, 1997.)*

Massage Technician includes “masseur”, or “masseuse”, “massage practitioner” and “massage therapist”, and means any person who administers to any other person, for any form of consideration or gratuity, a massage as defined in this section. *(Zoning Ordinance Amendment 96-3 adopted by City Council January 8, 1997.)*

Median shall mean a paved or planted area separating a street, accessway or highway into one (1) or more lanes of opposite direction of travel.

**CHAPTER 1 ARTICLE 16
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Medical Clinic shall mean any facility providing physical or mental health service, and medical or surgical care of the sick or injured but shall not include in-patient or overnight accommodations. Medical clinic includes health center, health clinic and doctor's offices.

Meeting facilities. See **Conference and meeting facilities.** *(Zoning Ordinance Amendment 03-06, adopted by City Council June 25, 2003.)*

Microwave Station shall mean a structure and appurtenant equipment necessary for the receiving, amplifying or transmitting of microwave signals, including necessary antenna systems, along a communications route or system which employs microwave frequencies assigned by the Federal Communications Commission. See **Communication Facility.** *(Zoning Ordinance Amendment 97-3, adopted by City Council September 10, 1997.)*

Mini-Warehouse or Self Storage Facility shall mean a structure containing separate storage spaces of varying sizes leased or rented on an individual basis.

Model Home shall mean a dwelling unit temporarily used for display purposes as an example of dwelling units available for sale in a particular residential development.

Month means a calendar month.

Motel shall mean one (1) or more buildings containing guest rooms or dwelling units, with one (1) or more such rooms or units having a separate entrance leading directly from the outside of the building or from an inner court. Such facilities are designed, used, or intended to be used, rented or hired out for temporary or overnight accommodations for guests, and are offered primarily to automobile tourists or transients by signs or other advertising media. Motel includes auto courts, motor lodges, tourist courts and motor hotels.

Motor Vehicle shall mean a self propelled device by which any person or property may be propelled, moved, or drawn upon a street or highway, excepting a device moved by human power or used exclusively upon stationary rails or tracks.

CHAPTER 1 ARTICLE 16 DEFINITIONS

Mulch shall mean any material, organic or inorganic, such as leaves, bark, straw, gravel, decomposed granite or other materials left loose and applied to the soil surface to reduce evaporation. *(Zoning Ordinance Amendment 00-05, adopted by City Council May 9, 2001.)*

Municipal Code shall mean the City of Palmdale Municipal Code.

Section 16.14 (N)

Noise shall mean any undesirable audible sound.

Nonconforming Structure, Legal, shall mean any structure or improvement that was lawfully established in compliance with all applicable ordinances and laws at the time it was erected, but which, due to the application of this Ordinance or any amendment thereto, no longer complies with all of the applicable regulations and standards of the zone in which the structure or improvement is located.

Nonconforming Use, Legal, shall mean any use of land or property that was lawfully established in compliance with all applicable ordinances and laws at the time the use commenced, but which, due to the application of this Ordinance or any amendment thereto, no longer complies with all of the applicable regulations and standards of the zone in which the use is located.

Nuisance shall mean anything which is injurious to health, or is indecent or offensive to the senses, or is an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, or which unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake or river, bay, stream, canal, or basin or any public square, street or highway.

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DEFINITIONS**

Section 16.15 (O)

Official Zoning Map shall mean a map which graphically shows all zoning district boundaries and classifications within the City of Palmdale, as contained within the Palmdale Zoning Ordinance, which is signed by the Planning Director and is on file in the Palmdale Planning Department.

Open Space, Common, shall mean open space within a project owned, designed, and set aside for use by all occupants of the project or by occupants of a designated portion of the project. Common open space is not dedicated to the public and is owned and maintained by a private organization made up of the open space users. Common open space includes common recreation facilities, open landscaped areas, and greenbelts, but excludes pavement or driveway areas, or parkway landscaping within public right-of-way.

Open Space, Private, shall mean that open space directly adjoining the unit or building which is intended for the private enjoyment of the occupants of the unit or building. Private open space shall in some manner be defined such that its boundaries are evident. Private open space includes private patios or balconies and front, rear, or side yards on a lot designed for single family detached or attached housing.

Open Space, Usable, shall mean outdoor or unenclosed area on the ground or on a deck or terrace, designed and accessible for outdoor living recreation, pedestrian access, or landscaping but excluding streets, parking facilities, driveways, utility or service areas.

Ordinance shall mean an ordinance of the City of Palmdale.

Outdoor Advertising shall mean the uses of a sign or signs soliciting public support or directing public attention to the sale, lease, hire or use of any objects, products, services or functions which are not produced, sold or otherwise available on the premises where such sign is erected or maintained.

CHAPTER 1 ARTICLE 16 DEFINITIONS

Outdoor Retail Sales shall mean any retail use where sales of goods or commodities mainly occur outdoors and is limited to uses that involve multiple vendors. Outdoor retail sales include but are not limited to swap meets and flea markets. *(Zoning Ordinance Amendment 98-1, adopted by City Council March 10, 1999.)*

Overspray shall mean water from an irrigation system that is delivered beyond the landscaped area, wetting pavements, walks, walls, structures, or other non-landscaped areas. *(Zoning Ordinance Amendment 00-05, adopted by City Council May 9, 2001.)*

Owner, applied to a building or land, shall mean any person appearing on the last equalized assessment roll of the County of Los Angeles, including any part owner and joint owner.

Section 16.16 (P)

Pad, Building, shall mean that area of a lot graded relatively flat, or to a minimum slope, for the purpose of accommodating a building and related outdoor space.

Parapet shall mean the extension of the main walls of a building above the roof level.

Parcel of Land shall mean a contiguous quantity of land in the possession of, or owned by, or recorded as the property of, the same claimant(s) or person(s).

Parking, Covered shall mean a permanent carport or garage that provides full overhead protection from the elements with roof coverings customarily used in building construction. Canvas, plastic, lath, and vegetation are not ordinary roof coverings and do not qualify a space, when used, as providing a covered parking space.

Parking Space shall mean an area, not including driveways, ramps, loading or work areas, which has been delineated and is maintained exclusively for the parking of one (1) motor vehicle.

Parkway shall mean the area of a public street that lies between the curb and the adjacent property line or physical boundary definition such as fences or walls, which is used for landscaping and/or passive recreation purposes.

**CHAPTER 1 ARTICLE 16
DEFINITIONS**

Parolee means any of the following: *(Zoning Ordinance Amendment 08-01, adopted by City Council March 3, 2010.)*

- 1) “California Department of Corrections and Rehabilitation parolee” means an adult or juvenile individual sentenced to a term in the California Department of Corrections and Rehabilitation, Division of Juvenile Operations and who received conditional and revocable release in the community under the supervision of a California Department of Corrections and Rehabilitation parole officer.
- 2) “Federal parolee” means an individual convicted of a federal crime, sentenced to a United States federal prison, and who received conditional and revocable release in the community under the supervision of a federal parole officer.
- 3) “State adult parolee” means an individual who is serving a period of supervised community custody, as defined in Section 3000 of the Penal Code, following a term of imprisonment in a state prison, and is under the jurisdiction of the California Department of Corrections and Rehabilitation, Division of Adult Parolee Operations.

Parolee Home means any residential structure or unit, whether owned and/or operated by an individual for-profit or non-profit entity, which is not licensed by the State of California and which houses at least two parolees unrelated by blood, marriage or legal adoption, in exchange for monetary or non-monetary consideration and/or paid by the parolee and/or any individual or public/private entity on behalf of the parolee. *(Zoning Ordinance Amendment 08-01, adopted by City Council March 3, 2010.)*

Pawn shop means a store where the principal business is that of taking in pawn and is required to obtain a pawnbroker license from the State of California pursuant to Section 21300 or 21301 of the Financial Code. *(Zoning Ordinance Amendment 10-01, adopted by City Council August 4, 2010.)*

Probation means an individual serving a period of time on probation ordered by a court of law. *(Zoning Ordinance Amendment 08-01, adopted by City Council March 3, 2010.)*

Probationer Home means any residential structure or unit, whether owned and/or operated by an individual for-profit or non-profit entity, which is not licensed by the State

CHAPTER 1 ARTICLE 16 DEFINITIONS

of California and which houses at least two probationers unrelated by blood, marriage or legal adoption, in exchange for monetary or non-monetary consideration and/or paid by the probationer and/or any individual or public/private entity on behalf of the probationer. *(Zoning Ordinance Amendment 08-01, adopted by City Council March 3, 2010.)*

Patio Cover shall mean any roof-like structure attached to another structure, or any extension of a roof line, constructed for the purpose of decoration or protection from the elements in connection with outdoor living.

Patio Sales - see Garage Sales

Permit shall mean written governmental permission issued by an authorized official, empowering the holder thereof to do some act not forbidden by law but not allowed without such authorization.

Permitted Use shall mean any use allowed in a zone and subject to the restrictions applicable to that zone.

Person shall mean any individual, copartnership, joint venture, association, social club, fraternal organization, company, joint stock association, corporation, estate, trust, organization, business, business trust, public agency, school district, the State of California and its political subdivisions or instrumentalities, receiver, syndicate or any group or combination thereof, acting as a unit, including any trustee, receiver or assignee.

Planned Development shall mean the planning, construction or implementation and operation of any use or structure, or a combination of uses and structures, based on a comprehensive and complete design or plan treating the entire complex of land, structures and uses as a single project.

Planning Commission shall mean the Planning Commission of the City of Palmdale.

Play Court shall mean any area having a paved or hard surface, used for recreational purposes, including but not limited to courts for tennis, racquetball, squash or badminton play. A basketball hoop adjacent to a driveway or attached to a structure is not a play court for purposes of the ordinance.

**CHAPTER 1 ARTICLE 16
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Preceding and **Following** mean next before and next after, respectively.

Principal Use shall mean the primary purpose for which a building, structure, or lot is designed, arranged, or intended, or for which they may be used, occupied, or maintained under this Ordinance.

Professional Membership Organization shall mean a not-for-profit tax exempt voluntary membership organization that represents individuals with a common background in a subject or in professions such as law, medicine, and accounting. There are three types of professional societies: *(Zoning Ordinance Amendment 03-06, adopted by City Council June 25, 2003.)*

- Associations such as the Los Angeles Conservancy that promote common personal interests and objectives.
- A second type includes professional, scientific, engineering, and learned societies that strive to advance the bodies of knowledge in their field, such as the American Chemical Society, and the Society of Automotive Engineers.
- A third type is dedicated to public service or policy causes, such as the National Council on Aging, and the American Lung Association.

Professional Office. An office from which a doctor, lawyer, engineer, or architect or similar professional may offer services.

Project shall mean the total development within the boundaries as defined on the development plan.

Projection, Architectural shall mean any projection including eaves, awnings, and/or chimneys which extend beyond the face of an exterior wall of a structure.

Property includes real and personal property.

Public Facilities shall mean any establishment, building or operation which is intended to be utilized for the establishment of public and/or quasi-public uses.

**CHAPTER 1 ARTICLE 16
DEFINITIONS**

Public Right-of-Way shall mean a strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be or is presently occupied by a road, sidewalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer, bikeway, pedestrian walkway, or other public use.

Public Utility Installations shall mean production, generation, reclamation, storage, or transmission facilities for electricity, water or natural gas, excluding individual service lines and facilities which do not have a local impact on surrounding properties.

Purchase and sale of secondhand tangible personal property shall mean a use permitted within the appropriate zone which purchases or accepts for consignment secondhand tangible personal property and may sell such goods as an incidental function of the primary business. Such businesses may include a jewelry store which purchases and/or sells used gold or jewelry, or an electronics store which purchases and/or sells used video games or other electronic media. The use is required to obtain a secondhand dealer license from the State of California pursuant to Section 21641 or 21642 of the Business and Professions Code. *(Zoning Ordinance Amendment 10-01, adopted by City Council August 4, 2010.)*

Section 16.17 (Q)

Quarry shall mean any place on a lot or parcel of land where dirt, soil, sand, gravel, rock, clay, decomposed granite, or other similar material is removed by excavation or otherwise. Quarry shall include mining operations for the removal of ores, precious stones, or other solid materials but shall not include:

1. The excavation and removal of materials from a lot or parcel of land preparatory to construction of a building for which a building permit has been issued and remains in full force and effect, provided that such excavation is confined to that necessary for such building construction but in no event shall more than five thousand (5,000) cubic yards of soil or other excavated materials be removed from the premises.
2. Excavation, on a lot, parcel of land or subdivision, necessary to grading, building construction or operation on the premises, where a building

**CHAPTER 1 ARTICLE 16
DEFINITIONS**

permit is not in full force and effect, provided that such grading is necessary to prepare a site for a lawful use permitted thereon but in no event shall more than five hundred (500) cubic yards of soil or other excavated materials be removed from such premises.

Section 16.18 (R)

Reclamation shall mean the 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.

Recorder shall mean the Recorder of the County of Los Angeles.

Recreational Facility shall mean any establishment, building or operation which is intended for the provision of recreational sports activities including tennis, racquetball, health facilities, track facilities, golf and other related sports activities.

Recreational Vehicle shall mean a vehicle towed or self-propelled on its own chassis or attached to the chassis of another vehicle and designed or used for recreational or sporting purposes. The term recreational vehicle includes, but is not limited to, travel trailers, pickup campers, camping trailers, motor coach homes, converted trucks and buses, boats and boat trailers, and all-terrain vehicles.

Recreational Vehicle Park shall mean any area or tract of land where one (1) or more lots are rented or leased or held out for rent or lease to owners or users of **Recreational Vehicles** or tent camping used for travel or recreation purposes.

Recyclable Material shall mean reusable material including, but not limited to, metals, glass, plastic and paper, which are intended for reuse, remanufacture, or reconstitution for the purpose of using the altered form. Recyclable material does not include refuse

**CHAPTER 1 ARTICLE 16
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or hazardous materials. Recyclable material may include used motor oil collected and transported in accordance with Section 25250.11 and 25143.2(b)(4) of the California Health & Safety Code.

Recycling Facility shall mean a center for the collection and/or processing of recyclable materials. A certified recycling facility or certified processor means a recycling facility 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 or processing activity located on the premises of a residential, commercial, or manufacturing use and used solely for the recycling of material generated by that residential property, business or manufacturer. Recycling facilities may include the following:

A. Collection Facility (Small)

A small collection facility is a center which occupies an area no more than five hundred (500) square feet for the acceptance by donation, redemption, or purchase, of recyclable materials from the public. Such a facility does not use power driven processing equipment. Collection facilities may include the following:

1. Reverse vending machines;
2. Mobile units;
3. Bulk reverse vending machines occupying more than fifty (50) square feet;
4. Kiosk type units which may include permanent structures;
5. Unattended containers placed for the donation of recyclable materials;

B. Collection Facility (Large)

A large collection facility is a center which occupies an area in excess of five hundred (500) square feet and which may include permanent structures.

**CHAPTER 1 ARTICLE 16
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C. Processing Facility

A processing facility is a building or enclosed space used for the collection and processing of recyclable materials. Processing means the preparation of material for efficient shipment, or to an end-user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and remanufacturing. Processing facilities include the following:

1. A light processing facility occupies an area of not more than forty-five thousand (45,000) square feet of gross collection, processing and storage area and has up to an average of two (2) outbound truck shipments per day. Light processing facilities are limited to baling, briquetting, crushing, compacting grinding, shredding, and sorting of source separated recyclable materials and repairing of reusable 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.
2. A heavy processing facility is any processing facility other than a light processing facility.

Religious Assembly Use shall mean a building or space primarily used for an assembly of persons to conduct worship, fellowship, study or other religious rituals, including, but not limited to, churches, synagogues, temples, mosques or shrines. *(Zoning Ordinance Amendment 03-06, adopted by City Council June 25, 2003.)*

Rental of Rooms means the rental of a room or rooms in a single family residence/dwelling for occupancy of not more than four individuals per single family residence/dwelling. *(Zoning Ordinance Amendment 08-01, adopted by City Council March 3, 2010.)*

Residence shall mean one (1) or more rooms designed, used or intended to be used as permanent living quarters for a family and not as temporary or over-night accommodations.

**CHAPTER 1 ARTICLE 16
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Residential Care Facility, also known as a “Residential Facility” means a facility as defined in the California Community Care Facilities Act and is any family home, group care facility, or similar facility determined by the State Director of Health Care Services, for 24-hour non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual. A Residential Care Facility must be licensed by the State of California. *(Zoning Ordinance Amendment 08-01, adopted by City Council March 3, 2010.)*

Residential Care Facility, Small means a residential care facility as defined herein, licensed by the State of California to house six (6) or fewer individuals in accordance with the California Community Care Facilities Act. *(Zoning Ordinance Amendment 08-01, adopted by City Council March 3, 2010.)*

Residential Care Facility, Large means a Residential Care Facility as defined herein, licensed by the State of California to house seven or more individuals in accordance with the Community Care Facilities Act. A Large Residential Care Facility must comply with the requirements and provisions of Section 91.11 herein. See also Assisted Living Facility. *(Zoning Ordinance Amendment 08-01, adopted by City Council March 3, 2010.)*

Residentially Designated Property shall mean property in any jurisdiction which is either zoned or designated in the General Plan for residential uses.

Reverse Vending Machine(s) - a reverse vending machine is an automated mechanical device which accepts at least one or more types of empty beverage containers including, but not limited to, aluminum cans, glass and plastic bottles, and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value as determined by the State. A reverse vending machine may sort and process containers mechanically provided that the entire process is enclosed within the machine. In order to accept and temporarily store all three container types in a proportion commensurate with their relative redemption rates, and to meet the requirements of certification as a recycling facility, multiple grouping of reverse vending machines may be necessary.

Reviewing Authority shall mean the person or decision-making body (i.e., Planning Director, Planning Commission or City Council) responsible for the review and/or final action on a land use entitlement.

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Right-of-Way. See Public Right-of-Way.

Roof Line shall mean the top edge of the roof or top of the parapet, whichever forms the top line of the building silhouette.

Room shall mean an unsubdivided portion of the interior of a dwelling, excluding bathrooms, kitchens, closets, hallways, and service porches.

Rooming House. See Boarding House. *(Zoning Ordinance Amendment 08-01, adopted by City Council March 3, 2010.)*

Section 16.19 (S)

Salvage Yard shall mean any premises used for the keeping or storage of junk, including but not limited to, iron and scrap metals, paper, rags, glass, wood and similar materials and shall include the dismantling of machinery or the storage or keeping for sale of parts and equipment resulting from dismantling or wrecking operations on said property or elsewhere. Salvage Yard shall also include the baling of cardboard, cardboard boxes, paper and paper cartons. *(Zoning Ordinance Amendment 98-1, adopted by City Council March 10, 1999.)*

Sanitarium shall mean the same as hospital.

Satellite Dish shall mean an apparatus capable of receiving communications from a transmitter relay located in planetary orbit.

School shall mean a building or group of buildings for educational and/or classroom purposes operated by a school district and/or other private or public education institutions offering a general course of study at primary, secondary or high school levels, and for private schools, which is equivalent to the courses of study at such levels offered by the public school districts. Day nurseries, vocational and trade schools shall be considered schools only when incidental to the conduct of the school as defined herein. These establishments may be privately owned and operated for profit or not-for-profit, or they may be publicly owned and operated. They may also offer food and accommodation services to their students. *(Zoning Ordinance Amendment 03-06, adopted by City Council June 25, 2003.)*

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School, vocational or technical shall mean a postsecondary institution offering educational services which provide career training or lead to an occupation or job title; prepare students to take or pass a licensing examination or other qualifying test for employment or which licenses persons in a particular profession, trade or job category. This definition does not include programs that lead to bachelor, master or doctoral degree or that provide solely a vocational or recreational program, or programs sponsored by a business or professional organization solely for the benefit of its members. *(Zoning Ordinance Amendment 03-06, adopted by City Council June 25, 2003.)*

Screening shall mean a method of visually shielding or obscuring a structure or portion thereof or use from an abutting or nearby use, or from the general public, by a fence, wall, hedge, berm or similar structure, architectural or landscape feature, or combination thereof.

Second Dwelling Unit shall mean an attached or detached residential dwelling unit that is accessory to an existing legally established primary single-family residential dwelling, which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking and sanitation.

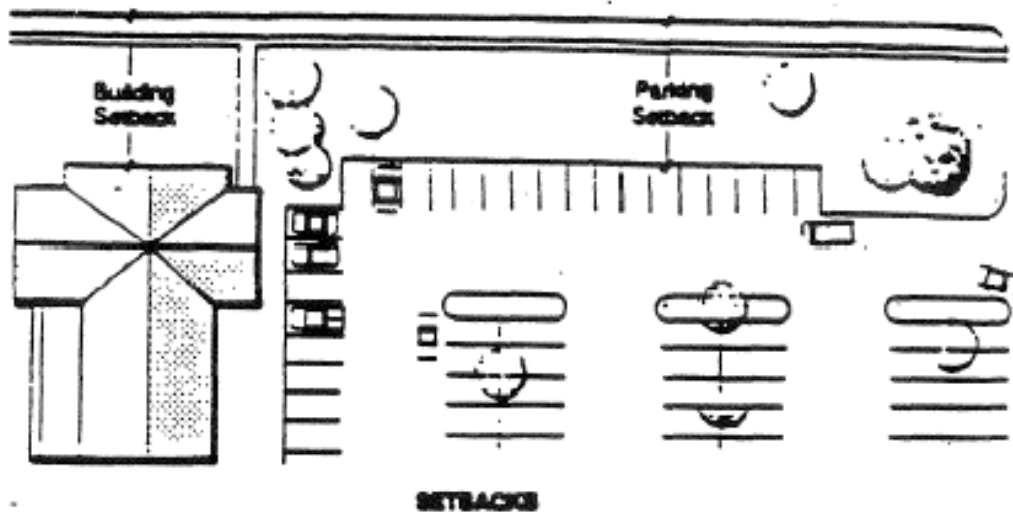
Second Hand Store shall mean a store where the primary business includes any buying, selling, trading, accepting for auctioning or auctioning secondhand tangible personal property and is required to obtain a secondhand dealer license from the State of California pursuant to Section 21641 or 21642 of the Business and Professions Code. This definition specifically excludes antique and thrift stores, firearms, used vehicle sales, remanufactured automotive parts, recycling facilities pursuant to Article 97, and salvage yards pursuant to Section 93.01 of the Zoning Ordinance. A secondhand store may sell some new items, but this shall be incidental to the primary use. *(Zoning Ordinance Amendment 10-01, adopted by City Council August 4, 2010.)*

Self Sufficiency Housing means residential accommodations, which includes support/counseling and other services for homeless individuals and/or families. The intent of this type of facility is to provide a stable environment for the homeless and to facilitate self-sufficiency. This type of facility typically involves a situation wherein the resident is accountable to the owner/operator for his location and conduct among other factors. The use of United States Department of Housing and Urban Development

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repossessed single-family residences for shelter purposes shall not be defined as “self sufficiency housing.” *(Zoning Ordinance Amendment 08-01, adopted by March 3, 2010.)*

Setback shall mean the minimum required distance that a building, structure, parking area or other designated item must be located from a lot line (see also **Yard**). Such distances shall be measured at a horizontal line at right angles to the property line or its target, exclusive of any landscape easements.



Setback Line shall mean a line within a lot parallel to and measured from a corresponding lot line, forming the boundary of a required yard and governing the placement of structures and uses on the lot (see also **Yard**).

Sex Offender means an individual that has served a term of imprisonment or jail time for an offense for which registration is required pursuant to Section 290 of the California Penal Code. *(Zoning Ordinance Amendment 08-01, adopted by City Council March 3, 2010.)*

Sex Offender Home means any residential structure or unit, whether owned and/or operated by an individual for-profit or non-profit entity, which is not licensed by the State of California and which houses at least two sex offenders unrelated by blood, marriage

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or legal adoption, in exchange for monetary or non-monetary consideration and/or paid by the sex offender and/or any individual or public/private entity on behalf of the sex offender. (*Zoning Ordinance Amendment 08-01, adopted by City Council March 3, 2010.*)

Sexually-Oriented Businesses shall mean the same as Adult-Oriented Businesses as defined in Section 92.05.B. (*Zoning Ordinance Amendment 97-4 adopted by City Council June 11, 1997 and Zoning Ordinance Amendment 98-1, adopted by City Council March 10, 1999.*)

Shelter, Emergency means a facility to provide nightly shelter for individuals and/or for families. The intent of this type of facility is to provide short duration (six months or less) emergency shelter and as such may be located in any zone as determined by the City at the time of the emergency. (*Zoning Ordinance Amendment 08-01, adopted by City Council March 3, 2010.*)

Sidewalk means that portion of a street between the curbing and the adjacent property line intended for the use of pedestrians.

Sign shall mean anything of visual appearance primarily used for or having the effect of, attracting attention from the streets, sidewalks or other outside public areas for identification purposes, including but not limited to, all outdoor advertising and any card, cloth, paper, paint, plastic, metal, painted glass, or wooden or stone materials, and any and all devices, structural and otherwise, lighted or unlighted, painted or not painted, attached to, made a part of, or placed in the window of, or in the front, rear, sides, or top of any structure on any land or any rock, bush, wall, tree, post, fence, building, or structure, which device in any manner, or by any means, whether enumerated in this Subsection or not, conveys a message, announces or directs attention to the name, nature, merits, availability, price, or type of goods, services, or products produced, sold, stored, furnished, or available at that location or at any other location. For definitions of other terms pertaining to signs, see Article 88 of this Ordinance.

Site Plan shall mean a plan, prepared to scale, showing accurately and with complete dimensioning all of the buildings, structures, uses, easements, and the exact manner of development proposed for a specific parcel of land.

Site Plan Review shall mean a discretionary entitlement which may be granted under the provisions of this Ordinance which, when granted, authorizes the construction of a

**CHAPTER 1 ARTICLE 16
DEFINITIONS**

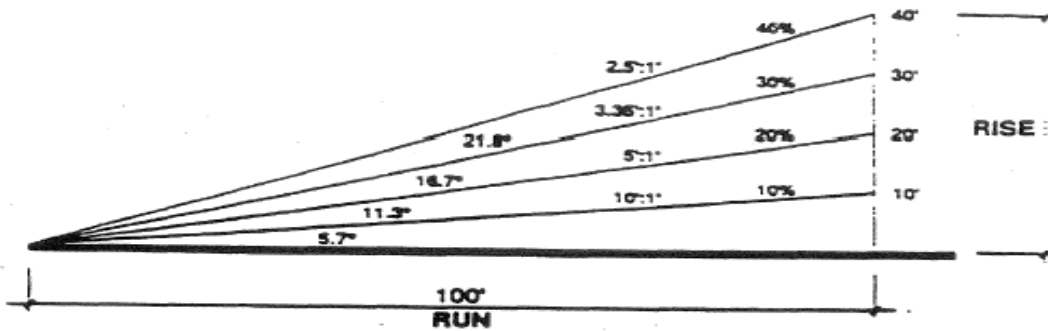
specific development on a parcel of land or the substantial modification of an existing development as defined in Section 21.02, subject to compliance with conditions of approval imposed on the entitlement. *(Zoning Ordinance Amendment 95-1 adopted by City Council June 14, 1995.)*

Slope shall mean an inclined ground surface, the inclination of which is expressed as a ratio of horizontal distance to vertical distance. See **Gradient**.

Slope Face shall mean the slopes located directly below, and leading up to, the crest of a significant ridgeline or prominent landform.

Slope, Manufactured shall mean a man made slope created by grading that consists wholly of cut or filled material.

Slope Steepness shall mean the relationship (the ratio) between the change in elevation (rise) and the horizontal distance (run) over which that change in elevation occurs. The percent of steepness of any given slope is determined by dividing the rise by the run on the natural slope of land, multiplied by 100.



Slope Percentage = $\frac{\text{Rise}}{\text{Run}} \times 100$ Slope Ratio = $\frac{\text{Rise}}{\text{Run}}$ where rise equals one foot

% Grade	100%	50%	40%	33%	30%	25%	20%	15%	12%	10%	8%	6%
Degree	45°	26.6°	21.8°	18.4°	16.7°	14°	11.3°	8.5°	6.8°	5.7°	4.6°	3.4°
Ratio	1:1	2:1	2.5:1	3:1	3.3:1	4:1	5:1	6.7:1	8.3:1	10:1	12.5:1	16.7:1

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Sludge shall mean the accumulated matter, whether mechanically treated, irradiated, digested, stabilized, composted or untreated, produced in the treatment of wastewater. This includes liquid, semi-liquid, and solid material that has been mechanically dewatered or air dried. *(Zoning Ordinance Amendment 97-1, adopted by City Council August 13, 1997.)*

Small Residential Care Facility. See Residential Care Facility, Small. *(Zoning Ordinance Amendment 08-01, adopted by City Council.)*

Sober Living Home means a residential structure or unit, not licensed by the state, which houses six or fewer residents and which meets the definition and complies with all the requirements set forth in Section 91.13 of this Code. *(Zoning Ordinance Amendment 08-01, adopted by City Council.)*

Social Club. see **Club (fraternal) or lodge.** *(Zoning Ordinance Amendment 03-06, adopted by City Council June 25, 2003.)*

Social and Professional Organization shall mean a nonprofit association of persons, whether incorporated or unincorporated, organized for some common purpose including fraternities, sororities, lodges, political membership, veterans, civic, social, and similar organizations, but not including a group organized primarily to render a service customarily carried on as a business.

Solar Access shall mean a property owner's right to have sunlight shine on his land or buildings for the specific purposes and to the extent provided under existing State law.

Solid Fill shall mean any non-combustible materials, insoluble in water, such as soil, rock, sand or gravel, that can be used for grading land or filling depressions.

Solid Fill Project shall mean any operation on a parcel of land where more than one thousand (1,000) cubic yards of solid fill materials are deposited for any purpose including the grading or reclaiming of land.

**CHAPTER 1 ARTICLE 16
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Specific Plan shall mean a plan consisting of text maps, and other documents and exhibits regulating development within a defined area of the City, consistent with the General Plan and the provisions of Government Code Section 65450 et seq.

State shall mean the State of California.

Stealth Telecommunications Facility shall mean a telecommunications facility as defined in Section 16.20 which by its size, location, design, or combination of such measures, causes the facility to be aesthetically integrated into the surrounding environment so as not to readily be seen or recognized. *(Zoning Ordinance Amendment 97-3, adopted by City Council September 10, 1997.)*

Stockpile shall mean the temporary placement or storage of inert materials, including but not limited to rock, sand, gravel and soil. No stockpile shall contain biological material, such as greenwaste, trash, composted material, biosolid material or sludge. *(Zoning Ordinance Amendment 97-1, adopted by City Council August 13, 1997.)*

Storage Shed shall mean a single-story accessory structure incidental to a main building and used for storage purposes. This term shall not include animal enclosures, garages, trailers, motor homes, mobile homes shipping and cargo containers, or other similar structures. *(Zoning Ordinance Amendment 98-1, adopted by City Council March 10, 1999.)*

Story shall mean that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.

Story, Half, shall mean a story with at least two (2) of its opposite sides situated immediately under a sloping roof, with the floor area of said story not in excess of two-thirds (2/3) of the floor area of the floor immediately below it.

Street shall mean any public or private thoroughfare which affords primary means of access to abutting property.

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Structure shall mean anything constructed or erected, which requires a fixed location on the ground, or is attached to something having a fixed location on the ground.

Structure, Accessory shall mean a detached structure not for human habitation (as opposed to an accessory dwelling) which is incidental to and associated with a specific principal use or facility located on the same lot.

Structure, Advertising, shall mean a structure existing, erected or maintained to serve exclusively as a stand, frame or background for the support or display of signs.

Structure, Principal, shall mean one (1) or more buildings conducting the principal use of the lot upon which it is situated.

Subdivision shall mean the division of a lot, tract or parcel of land into two or more lots, tracts, parcels or other divisions of land for sale, development or lease.

Subdivision Development Plan shall mean the specific development plan for an approved tentative map, including plot plans, building elevations, grading plans and landscape plans applicable to individual lots within said tentative map.

Swap Meet (indoor and outdoor) shall mean any location or activity where new or used goods or secondhand personal property is offered for sale or exchange to the general public by a multitude of individual licensed vendors, usually in compartmentalized spaces; and, where a fee may be charged to prospective buyers for admission, or a fee may be charged for the privilege of offering or displaying such merchandise. The term swap meet is interchangeable with and applicable to: flea markets, auctions, open air markets, other similarly named or labeled activities; but the term does not include the usual supermarket or department store retail operations.
(Zoning Ordinance Amendment 98-1, adopted by City Council March 10, 1999.) (Zoning Ordinance Amendment 10-01, adopted by City Council August 4, 2010.)

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Section 16.20 (T)

Telephone Repeater Station shall mean a building used for housing amplifying equipment along aerial or underground telephone cable routes. See **Communication Facility**. *(Zoning Ordinance Amendment 97-3, adopted by City Council September 10, 1997.)*

Temporary Dependent Housing shall mean a residential dwelling unit intended for the sole occupancy of one or two adult persons who are sixty-two (62) years of age or over or handicapped, provided that minimum liveable floor area does not exceed eight hundred fifty (850) square feet or thirty (30) percent of the existing living area of the principal dwelling, where attached, whichever is less.

Temporary Structure shall mean a structure without any foundation or footings and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

Temporary Use shall mean a use established for a specified period of time, with the intent to discontinue the use at the end of the designated time period.

Tenant and **Occupant**, applied to a building or land, include any person who occupies the whole or a part of such building or land, whether alone or with others.

Tennis Court shall mean any fenced or enclosed, paved or hard-surfaced areas used for playing tennis or paddle tennis. *(Zoning Ordinance Amendment 95-6 adopted by City Council April 10, 1996.)*

Theatres, live performances shall mean a building or structure, enclosed or otherwise, which provides a stage and associated equipment for the presentation of artistic performance and seating or assembly area for two or more spectators. This definition does not include adult theatres, adult cabarets or any other adult oriented establishment. *(Zoning Ordinance Amendment 03-06, adopted by City Council June 25, 2003.)*

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Thrift Store shall mean a commercial location where used goods are offered for sale or exchange to the general public by a registered non-profit organization. *(Zoning Ordinance Amendment 98-1, adopted by City Council March 10, 1999.) (Zoning Ordinance Amendment 10-01, adopted by City Council August 4, 2010.)*

Townhouse shall mean a building subdivided into individual units such that each owner owns the unit structure and the land on which the unit is located or an exclusive easement for it, plus a common interest in the land upon which the building is located.

Trailer shall mean a vehicle designed for carrying persons or property on its own structure and capable of being drawn by a motor vehicle.

Transfer Station shall mean an area, including any necessary buildings or structures, for the temporary storage and the salvage of rubbish, garbage or industrial waste.

Travel Trailer shall mean a **Recreational Vehicle** other than a motor vehicle, which is designed or used for human habitation and which may be moved upon a public highway without a special permit or chauffeur's license or both, without violating any provision of the Vehicle Code.

Triplex shall mean the same as **Dwelling, Three-Family**.

Section 16.21 (U)

Unit, Attached, shall mean a unit completely within an existing principal building or added to an existing principal building, provided that both dwelling units shall be attached by a common wall, floor, or ceiling and not simply by an attached breezeway or porch; and shall be contained within one building. A second dwelling unit constructed above an existing detached garage shall be considered an attached unit.

Unit, Detached, shall mean a unit that is structurally independent and separated from the existing primary dwelling by a minimum of ten (10) feet.

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Use shall mean the purpose for which land or a building or structure is arranged, designed, or intended to be used, or for which it is or may be used, occupied or maintained.

Use, Accessory. See **Accessory**.

Use Inauguration shall mean the institution of use or occupancy of a property or that applicable grading and building permits have been issued, internal infrastructure installed, foundations poured and above ground construction initiated and ongoing.

Section 16.22 (V)

Variance shall mean a discretionary entitlement which permits the departure from the strict application of the development standards contained in this Zoning Ordinance.

Vehicle, Commercial shall mean a vehicle customarily used as part of a business for the transportation of goods or people.

Vehicle Reservoir Area shall mean an area for temporary stopping of motor vehicles in a line while awaiting service, such as provided at a drive-through business.

Vehicle Sight Distance shall mean the area through which a driver has a clear view of oncoming vehicle and pedestrian traffic when waiting to proceed at a street corner or driveway.

Veterinary Clinic, Small Animal, shall mean any facility providing medical or surgical treatment, clipping, bathing and similar services to dogs, cats and other small animals, but excluding boarding or the keeping of animals on the premises other than those requiring emergency treatment or those recovering from anesthetic.

Veterinary Hospital, Large Animal shall mean a place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment, including incidental boarding to horses, livestock and other farm animals.

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Vietnamese Pot Bellied Pigs shall mean those pigs (also known as "pygmy pigs" or "mini pigs"), referred to by the scientific name of Sus Scrofa Jubatas Muller or Sus Scrofa (Cristatas) Vittatus, that do not stand higher than twenty (20) inches at the shoulder, are no longer than forty (40) inches from the tip of the head to the end of buttocks, and weigh no more than one hundred twenty (120) pounds.

Section 16.23 (W)

Warehouse, Storage and Distribution Buildings shall mean a building primarily used for the storage of equipment, building materials, lumber, furniture, manufactured goods, wholesale products, and similar types of materials or finished products, including, but limited to: wholesale distribution facilities, and moving and transfer storage, except mini-warehouses and personal storage facilities, and excluding bulk storage of materials which are flammable or explosive or which create hazardous or commonly recognized offensive conditions.

Warehousing shall mean the act of maintaining or operating a warehouse.

Wedding chapel shall mean a building or group of buildings primarily established to perform legal sectarian or non-sectarian marriages for a fee and generally available to the public. The wedding chapel may be free standing or incorporated into a religious assembly use. *(Zoning Ordinance Amendment 03-06, adopted by City Council June 25, 2003.)*

Wholesale Sales shall mean the sale of goods by an individual or firm, usually in large quantities and at lower prices, to another individual or firm for the purposes of resale; or a product for which no sales tax is paid by the purchaser.

Wrecking Yard shall mean any premises used for the dismantling or wrecking of vehicles required to be registered under the Vehicle Code of the State of California including the buying, selling or dealing in such vehicles or the integral parts or component materials thereof, and the storage, sale or dumping of dismantled, partially dismantled or wrecked inoperative vehicles. Wrecking yards shall not include the incidental storage of inoperative or disabled vehicles in connection with the legal operation of an automobile repair garage, automobile body and fender repair shop or automobile impound yard. *(Zoning Ordinance Amendment 98-1, adopted by City Council March 10, 1999.)*

**CHAPTER 1 ARTICLE 16
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Section 16.24 (X)

Xeriscape shall mean a water conservation concept that stresses the use of the appropriate plant material and irrigation techniques which are well suited for the local microclimate. This concept incorporates native plants, selected hardscapes, and proper planting and irrigation techniques that improve the overall water efficiency of a landscape system. *(Zoning Ordinance Amendment 00-05, adopted by City Council May 9, 2001.)*

Section 16.25 (Y)

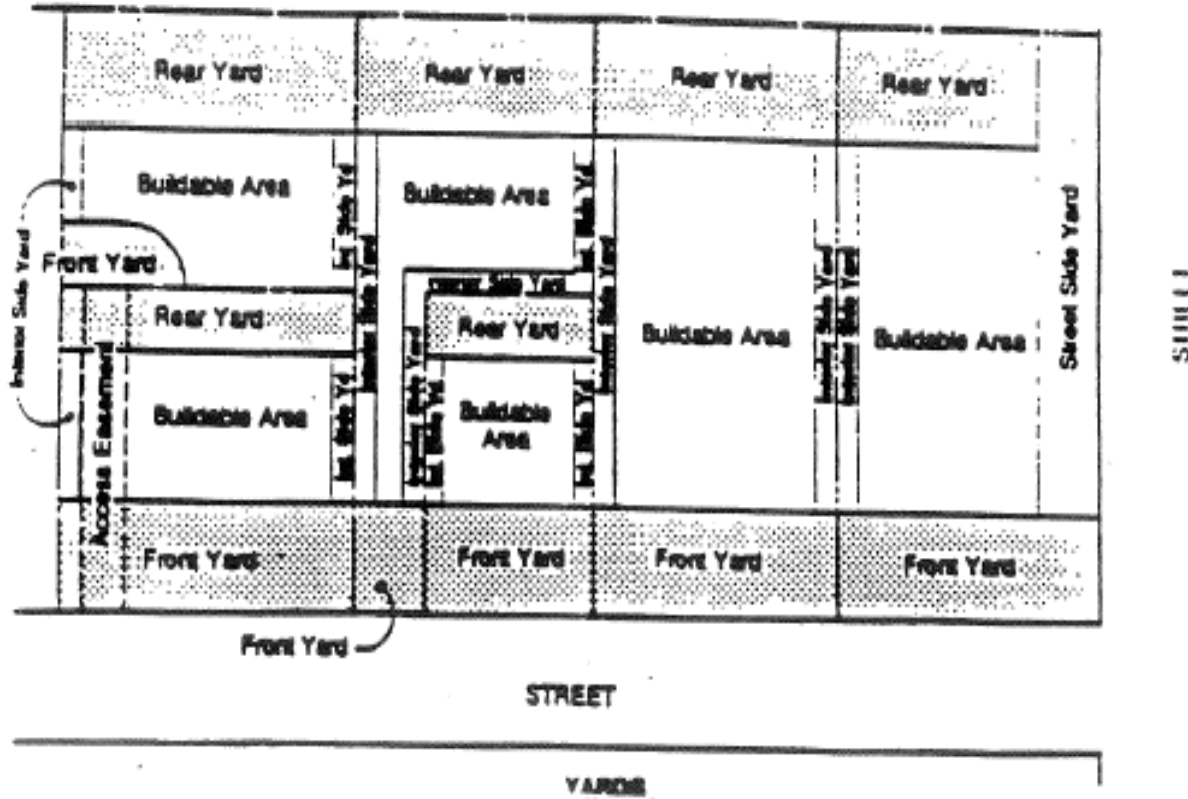
Yard shall mean an open space on a parcel of land, other than a court, unobstructed and unoccupied from the ground upward, except for projections permitted by this Zoning Ordinance.

Yard, Front shall mean an area extending across the full width of the lot between the front lot line or the existing or future street right-of-way and a structural setback line parallel thereto. On corner lots, the shortest street frontage shall be the front yard in residential land use districts, while the longest street frontage shall be the front yard in commercial/industrial land use districts.

Yard, Interior Side shall mean an area extending from the required front yard or, where there is no required front yard, from the front lot line to the required rear yard or, where there is no required rear yard, to the rear lot line and from the interior side lot line to a setback line parallel thereto.

**CHAPTER 1 ARTICLE 16
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Yard, Rear shall mean an area extending across the full width of the lot between the rear lot line and a setback line parallel thereto. On flag lots, the rear yard location shall be determined through project review.



Yard, Street Side shall mean an area extending from the required front yard or, where there is no required front yard, from the front lot line to the rear lot line, and from the side street lot line, or the existing or future side street right-of-way (whichever is greater) to a structural setback line parallel thereto.

Yard Sales - see Garage Sales

Year means a calendar year.

**CHAPTER 1 ARTICLE 16
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Section 16.26 (Z)

Zero Lot Line shall mean the location of a structure on a lot in such a manner that one (1) or more of the structure's sides rest directly on a lot line.

Zone shall mean a portion of the territory of the City, exclusive of streets, alleys and other public ways, within which certain uses of land, premises and buildings are not permitted and within which certain yards and open spaces are required and certain height limits are established for buildings, all as set forth and specified in this Ordinance.

Zoning Ordinance shall mean this document, approved by Ordinance No. 1060, and any subsequent amendments thereto.