

## ARTICLE 10

### Definitions

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## Definitions

**CHAPTER 18.100 - DEFINITIONS****Sections:**

- 18.100.010 - Purpose of Chapter
- 18.100.020 - Definitions of Specialized Terms and Phrases

**18.100.010 - Purpose**

This Chapter provides definitions of terms and phrases used in this Inland Land Use and Development Code that are technical or specialized, or that may not reflect common usage. If any of the definitions in this Chapter conflict with definitions in other provisions of the Municipal Code, these definitions shall control for the purposes of this Inland Land Use and Development Code. If a word is not defined in this Chapter, or in other provisions of the City of Fort Bragg Municipal Code, the Director shall determine the correct definition.

**18.100.020 - Definitions of Specialized Terms and Phrases**

As used in this Inland Land Use and Development Code, the following terms and phrases shall have the meaning ascribed to them in this Section, unless the context in which they are used clearly requires otherwise.

**A. Definitions, "A."**

**Abut.** Having property lines, street lines, or zoning district lines in common.

**Accessory Retail or Services.** The limited retail sale of ~~various~~ products, or the provision of ~~certain personal~~ services within a health care, hotel, office, or industrial complex, to employees ~~and~~ or customers. Examples of these uses include pharmacies, gift shops, ~~and~~ food service establishments, ~~within hospitals~~, convenience stores, ~~and food service establishments within hotel, office and industrial complexes~~, and barber and beauty shops ~~hair salons, etc. within residential care facilities~~.

Comment [MJ1]: Simplify

**Accessory Structure.** A structure that is physically detached from, secondary and incidental to, and commonly associated with a primary structure on the same site. See also "Agricultural Accessory Structure" and "Residential Accessory Uses and Structures."

**Accessory Use.** A use customarily incidental to, related and clearly subordinate to a primary use on the same parcel, which does not alter the primary use nor serve property other than the parcel where the primary use is located.

~~**Adult Day Care.** See "Day Care, Adult."~~

**Adult Oriented Business.** The following terms and phrases are defined for the purposes of Chapter 18.40 (Adult Oriented Business Regulations).

1. **Adult Arcade.** Any business establishment or concern containing one or more coin or slug operated or manually or electronically controlled still or motion picture projectors, video machines, projector or similar image-producing devices, that are maintained to display images to an individual or group of individuals when

## Definitions

those images are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas.

2. **Adult Bookstore.** Any establishment which as a regular and substantial course of conduct, displays and/or distributes sexually oriented merchandise, sexually oriented material, books, periodicals, magazines, or other printed materials, or photographs, drawings, sculptures, films, motion pictures, videos, discs, cassettes, slides, tapes, records, or other form of visual or audio representations which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specified sexual activities and/or specified anatomical areas (See "adult-oriented business" for definition of regular and substantial course of conduct.)
3. **Adult Cabaret.** A nightclub, bar, lounge, restaurant, or similar business establishment or concern which features as a regular and substantial course of conduct, any type of live entertainment, films, motion pictures, computer generated images, videos, discs, slides, or other photographic reproductions, or other oral, written or visual representations which are distinguished or characterized by an emphasis upon matter depicting, describing, or relating to specified sexual activities or specified anatomical areas.
4. **Adult Dance Studio.** Any business establishment or concern which provides for members of the public a partner for dance where the partner, or the dance is distinguished or characterized by an emphasis upon matter depicting, describing, or relating to specified sexual activities or specified anatomical areas.
5. **Adult Hotel/Motel.** A hotel, motel, or other similar business establishment or concern offering public accommodations for any form of consideration which as a regular and substantial course of conduct provides to its patrons, through the provision of rooms equipped with closed-circuit television, films, computer generated images, motion pictures, videos, discs, slides, other photographic reproductions, or other medium, material which is distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas and which rents, leases, or lets any room for less than a 12-hour period, or rents, leases, or lets any single room more than once in a 24-hour period.
6. **Adult Modeling Studio.** Any business or premises where there is furnished, provided, or procured, a figure model or models who pose in any manner which is characterized by its emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas where the model(s) is being observed or viewed by any person for the purpose of being sketched, photographed, painted, drawn, sculpted, filmed, or videotaped or otherwise depicted for a fee, compensation, gratuity, or other thing of value as consideration for the right or opportunity to so observe the model or to remain on the premises. "Adult Modeling Studio" does not include any live art class or any studio or classroom which is operated by any public agency, or any private educational institution authorized to issue and confer a diploma or degree in compliance with standards set by the State Board of Education.
7. **Adult-Oriented Business.** Any business establishment or concern which as a regular and substantial course of conduct operates as an adult arcade, adult bookstore, adult cabaret, adult dance studio, adult hotel/motel, adult modeling studio, adult theater; any business establishment or concern which as a regular and substantial course of conduct sells or distributes or offers for sale or distribution sexually oriented merchandise or sexually oriented material; or any other business establishment or concern which as a regular and substantial course of conduct offers to its patrons products, merchandise, services, or entertainment characterized by an emphasis on matters depicting, describing, or relating to specified sexual activities or specified anatomical areas. "Adult-oriented business" does not include those uses or activities, the regulation of which is preempted by State law. For the purposes of this Section, a business establishment or concern has established the provision of products, merchandise, services, or entertainment characterized by an emphasis on matters depicting describing, or relating to specified sexual activities or specified anatomical areas as a regular and substantial course of conduct when one or more of the following conditions exist:
  - a. The area devoted to adult merchandise and/or sexually oriented material exceeds more than 20 percent of the total display or floor space area open to the public;

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- b. The business establishment or concern presents any type of live entertainment which is characterized by an emphasis on specified sexual activity or specified anatomical areas at least four times in any month;
  - c. The regular and substantial course of conduct of the business consists of or involves the sale, trade, display, or presentation of services, products, or entertainment which are characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas.
- 8. **Adult Theater.** A business establishment or concern which, as a regular and substantial course of conduct, presents live entertainment performances, motion pictures, videos, computer images, slide photographs, or other pictures or visual representations or reproductions which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas.
- 9. **Adult-Oriented Business Operator.** A person who supervises, manages, inspects, directs, organizes, controls, or in any other way is responsible for or in charge of the premises of an Adult-Oriented Business or the conduct or activities occurring on the premises thereof. This term shall hereinafter be referred to as "operator."
- 10. **Applicant.** A person who is required to file an application for a permit under this Chapter, including an individual owner, managing partner, officer of a corporation, or any other operator, manager, employee, or agent of an Adult-Oriented Business.
- 11. **Bar.** Any commercial establishment licensed by the State Department of Alcoholic Beverage Control to serve any alcoholic beverages on the premises.
- 12. **Distinguished or characterized by an emphasis upon.** Shall mean and refer to the dominant or essential theme of the object described by the phrase. For instance, when the phrase refers to films "which are distinguished or characterized by an emphasis upon" the depiction or description of specified sexual activities or specified anatomical areas, the films so described are those whose dominant or predominant character or theme are the depiction of the enumerated sexual activities or anatomical areas. See *Pringle v. City of Covina* (1981) 115 Cal.App.3d 151.
- 13. **Entertainer.** Any person who dances, models, entertains, and/or performs specified sexual activities or displays specified anatomical areas in an Adult-Oriented Business.
- 14. **Establishment of an Adult-Oriented Business.** Shall mean and include any of the following:
  - a. The opening or commencement of any Adult-Oriented Business as a new business;
  - b. The conversion of an existing business, whether or not an Adult-Oriented Business, to any Adult-Oriented Business defined herein;
  - c. The addition of any of the Adult-Oriented Businesses defined herein to any other existing Adult-Oriented Business; or
  - d. The relocation of any Adult-Oriented Business.
- 15. **Figure Model.** Any person who, for pecuniary compensation, consideration, hire, or reward, poses in a modeling studio to be observed, sketched, painted, drawn, sculptured, photographed, or otherwise depicted.
- 16. **Live Art Class.** Any premises on which all of the following occur: there is conducted a program of instruction involving the drawing, photographing, or sculpting of live models exposing specified anatomical areas; instruction is offered in a series of at least two classes; the instruction is offered indoors; an instructor is present in the classroom while any participants are present; and preregistration is required at least 24 hours in advance of participation in the class.

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17. **Nudity or a state of nudity.** The showing of the human male or female genitals, pubic area, or buttocks with less than a fully opaque covering, the showing of the female breast with less than a fully opaque covering of any part of the areola.
18. **Operate an Adult-Oriented Business.** The supervising, managing, inspecting, directing, organizing, controlling, or in any way being responsible for or in charge of the conduct of activities of an Adult-Oriented Business or activities within an Adult-Oriented Business.
19. **Permittee.** The person to whom an Adult-Oriented Business Permit is issued.
20. **Person.** Any individual, partnership, co-partnership, firm, association, joint stock company, corporation, or combination of the above in whatever form or character.
21. **School.** Any child or day care facility, or an institution of learning for minors, whether public or private, offering instruction in those courses of study required by the California Education Code and maintained in compliance with standards set by the State Board of Education. This definition includes a nursery school, kindergarten, elementary school, middle or junior high school, senior high school, or any special institution of education or an institution of higher education, including a community or junior college, college, or university, but it does not include a vocational institution.
22. **Semi-nude.** A state of dress in which clothing covers no more than the genitals, pubic region, buttocks, areola of the female breast, as well as portions of the body covered by supporting straps or devices.
23. **Sexual Encounter Center.** Any business, agency, or person who, for any form of consideration or gratuity, provides a place where three or more persons, not all members of the same family, may congregate, assemble, or associate for the purpose of engaging in specified sexual activities or exposing specified anatomical areas.
24. **Sexually Oriented Material.** Any element of sexually oriented merchandise, or any book, periodical, magazine, photograph, drawing, sculpture, motion picture film, video, disc, computer generated image, or other written, oral or visual representation which, for purposes of sexual arousal, provides depictions which are characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas.
25. **Sexually Oriented Merchandise.** Sexually oriented implements and paraphernalia, including, but not limited to, dildos, auto sucks, sexually oriented vibrators, edible underwear, benwa balls, inflatable orifices, anatomical balloons with orifices, simulated and battery or electrically operated vaginas or penises, and similar sexually oriented devices which are designed or marketed primarily for the stimulation of human genital organs or sado-masochistic activity or which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas.
26. **Specified Anatomical Areas.** Shall mean and include any of the following:
  - a. Less than completely and opaquely covered human (1) genitals or pubic region; (2) buttocks; and/or (3) female breast below a point immediately above the top of the areola; or
  - b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered; or
  - c. Any device, costume, or covering that simulates any of the body parts included in Subparagraphs a. or b., above.

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27. **Specified Sexual Activities.** Shall mean and include any of the following, whether performed directly or indirectly through clothing or other covering;
- a. Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral-anal copulation, bestiality, direct physical stimulation of genitals, flagellation or torture in the context of a sexual relationship, or the use of excretory function in the context of a sexual relationship, any of the following depicted sexually oriented acts or conduct: anilingus, bestiality, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquerism, sapphism, zooerastia; or
  - b. Clearly depicted human genitals in a state of sexual stimulation, arousal, or tumescence; or
  - c. Use of human or animal ejaculation, sodomy, oral copulation, coitus, or masturbation; or
  - d. Fondling, or touching of nude human genitals, pubic region, buttocks, or female breast; or
  - e. Masochism, erotic, or sexually oriented torture, beating, or the infliction of pain; or
  - f. Erotic or lewd touching, fondling, or other sexually oriented contact with an animal by a human being; or human excretion, urination, menstruation, vaginal, or anal irrigation; or
  - g. The presence of any person who performs, or appears in a state of nudity or semi nude.

**Affordable and Inclusionary Housing Requirements.** The following terms and phrases are defined for the purposes of Chapters 18.31 (Density Bonuses and Affordable Housing Incentives), and 18.32 (Inclusionary Housing Requirements).

- 1. **Addition.** An extension or increase in floor area of existing development project.
- 2. **Affordable rent.** Monthly rent, including tenant paid utilities allowances and all fees for housing services, that does not exceed 30 percent of 80 percent of area median income for lower-income households. For very low-income households, affordable rents are monthly rents that do not exceed 30 percent of 50 percent of area median income. Where the applicant is requesting a density bonus in compliance with Chapter 18.31 or where the applicant is requesting direct financial assistance requiring a different rent, the term "affordable rent" for lower income households, shall mean monthly rents that do not exceed 30 percent of 60 percent of area median income in compliance with State law (Health and Safety Code Section 50079.5). Affordable rent shall be based on presumed occupancy levels of one person in a studio unit, two persons in a one-bedroom unit, three persons in a two-bedroom unit, and one additional person for each additional bedroom thereafter.
- 3. **Affordable sales price.** The maximum purchase price that will be affordable to the specified target income household. A maximum purchase price shall be considered affordable only if each monthly owner-occupied housing payment is equal to or less than one-twelfth of 30 percent of income for the specified target income household. In setting the affordable sales price, realistic assumptions regarding down payment, mortgage interest rate, and term will be established so that targeted income families can reasonably qualify. Affordable sales price shall be based upon presumed occupancy levels of one person in a studio unit, two persons in a one-bedroom unit, three persons in a two-bedroom unit, and one additional person for each additional bedroom thereafter.
- 4. **Affordable units.** Those dwelling units that are required to be rented at affordable rents or purchased at an affordable sales price to specified households.
- 5. **Annual household income.** The combined gross income for all adult persons living in a dwelling unit as calculated for the purpose of the Section 8 program under the United States Housing Act of 1937, as amended, or its successor.

## Definitions

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6. **Construction costs.** The estimated cost per square foot of construction, as established by the Building Official for use in setting regulatory fees and Building Permits, multiplied by the total square footage, to be constructed, except for any floor area devoted to a garage.
7. **Density Bonus.** As defined by State law Government Code Section 65915 et seq. (Section 65915 provides a legal framework for awarding density bonuses, which requires a density bonus award of at least 5 percent and up to 35 percent - over the maximum density otherwise allowed by the applicable zoning district - depending on the percentage of dwelling units that are affordable to households of very low, low and/or moderate income.)
8. **Developer.** A corporation, firm, or person constructing, placing, or creating new residential development directly or through the services of an agent, employee, independent contractor, or otherwise.
9. **Essential Public Service Employees.** These employees include City of Fort Bragg sworn police officers, Fort Bragg Fire Protection Authority fire fighters, Fort Bragg Unified School District teachers, and Mendocino Coast District Hospital health care workers.
10. **Gross floor area.** The sum of the gross horizontal floor areas of a structure measured from the exterior face of exterior walls, or from the center line of a wall separating two structures. In cases where no walls exist, the gross horizontal floor area shall be that area covered by the roof excluding two feet on each side of the structure for a standard roof projection.
11. **Inclusionary Housing In-Lieu Fee.** The fee established in compliance with Section 18.32.070 for residential development projects.
12. **Inclusionary Housing Trust Fund.** The City's Inclusionary Housing Trust Fund established in compliance with Section 18.32.040.
13. **Incentive.** A relaxation of a section of the zoning regulations in order to accommodate a development project that provides affordable housing in compliance with Chapter 18.31.
14. **Low-income household.** A household with income of up to 80 percent of median income.
15. **Market-rate unit.** A dwelling unit in a residential project that is not an affordable unit.
16. **Median income.** The median income, adjusted for family size, applicable to the County as published annually in compliance with Title 25 of the California Code of Regulations, Section 6932 (or its successor provision) by the United States Department of Housing and Urban Development.
17. **Moderate-income household.** A household with an income of up to 120 percent of median income.
18. **Monthly owner-occupied housing payment.** That sum equal to the principal, interest, property taxes, homeowner's insurance, and homeowner's association dues paid on an annual basis divided by 12.
19. **Residential development project.** A project for the construction or placement of any dwelling unit in a permanent location, or the subdivision of land that is planned, designed, or used for one or more single-family dwellings, and/or multi-family dwellings or mobile home parks.
20. **Sweat Equity housing development.** An affordable housing project for which some or all of the construction labor is provided by purchasers of the housing units or volunteers and for which all purchasers are lower income households, but where the continuing affordability of the units is not guaranteed for the time period required by Section 18.32.060.D. (Continued Affordability).
21. **Very low-income household.** A household with an income of up to 50 percent of median income.



## Definitions

**Agent.** A person authorized in writing by the property owner to represent and act for a property owner in the application of a permit and/or ~~contacts~~ with City employees, committees, Commissions, and the Council, regarding matters regulated by this Inland Land Use and Development Code.

**Agricultural Accessory Structure.** A structure for sheltering animals, or agricultural equipment, hay, feed, etc. Examples of these structures include barns, non-commercial greenhouses, coops, corrals, and pens. May also include the storage of petroleum products for an on-site agricultural use allowed by the applicable zoning district. Does not include pasture fencing, which requires no City approval when in compliance with Section 18.30.050 (Fences, Walls, and Screening).

**Agricultural Product Processing.** The processing of harvested crops to prepare them for on-site marketing or processing and packaging elsewhere. Examples of this land use include the following:

- ~~alfalfa cubing~~
- ~~corn shelling~~
- ~~cotton ginning~~
- ~~custom grist mills~~
- custom milling of flour, feed and grain
- dairies (but not feedlots, see instead "Livestock
- ~~Operations, sSales yYards, fFeedlots,~~
- Stockyards")
- drying of corn, rice, hay, fruits and vegetables
- grain cleaning and custom grinding
- hay baling and cubing
- pre-cooling and packaging of fresh or farm-dried fruits and vegetables
- sorting, grading and packing of fruits and vegetables
- tree nut hulling and shelling
- wineries

**Comment [MJ2]:** This activities do not happen on the coast due to our climate.

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

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

**Allowed Use.** A use of land identified by Article 2 (Zoning Districts and Allowable Land Uses) as a permitted or conditional use that may be established with planning permit and, where applicable, Design Review and/or Building Permit approval, subject to compliance with all applicable provisions of this Land Use and Development Code.

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

**Ambulance, Taxi, and Specialized Transportation Dispatch Facility.** A base facility where ambulances, taxis, limousines, armored cars, tow trucks, and similar vehicles for specialized transportation are stored, and from which they are dispatched, and/or where ambulance vehicles and crews not based at a hospital or fire department stand by for emergency calls. Does not include storage facilities for towed vehicles, which is classified under "Vehicle Storage."

**Animal Keeping.** See Section 18.42.040 (Animal Keeping).

**Apartment.** See "Multi-Family Housing."

**Applicant.** Any person who is filing an application requesting an action who is:

1. The owner or lessee of property;
2. A party who has contracted to purchase property contingent upon that party's ability to acquire the necessary approvals required for that action in compliance with this Land Use and Development Code, and who presents written authorization from the property owner to file an application with the City; or
3. The agent of either of the above who presents written authorization from the property owner to file an application with the City.

## Definitions

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

**Architectural Feature.** An exterior building feature including roof, windows, doors, porches, etc.

**Arterial Street.** An arterial street as identified by the Circulation Element of the General Plan.

**Artisan/Craft Product Manufacturing.** Establishments that design and create/manufacture and/or assemble small products, primarily by hand, including composed of jewelry, pottery and other ceramics, as well as small glass, ceramic, and metal, fiber and similar materials into art and craft products. Includes woodworkers and cabinet makers. Also includes fine art activities such as painting, etching, watercolor, printing on a hand press, etc.

**Artisan Shop.** A retail store selling art glass, ceramics, jewelry, paintings, sculpture, and other handcrafted items, where the store includes an area for the crafting of the items being sold.

**Comment [MJ3]:** Consider collapsing these definitions and allowing the combined use in all commercial and industrial zones.

**Assessed Value.** The value of a structure as shown in the records of the County Assessor.

**Attic.** The area located between the uppermost plate and the roof or ridge of a structure.

**Auto and Vehicle Sales/Rental.** A retail or wholesale establishment selling and/or renting automobiles, trucks and vans, trailers, motorcycles, and bicycles (bicycle sales are also included under "General Retail"). Vehicles for sale may be displayed outdoors or indoors, as authorized by the required Use Permit.

May also include repair shops and the sales of parts and accessories, incidental to vehicle dealerships. Does not include: the sale of auto parts/accessories separate from a vehicle dealership (see "Auto Parts Sales"); mobile home, recreational vehicle, or watercraft sales (see "Mobile Home, RV and Boat Sales"); tire recapping establishments (see "Vehicle Services"); businesses dealing exclusively in used parts (see "Recycling - Scrap and Dismantling Yards"); or "Service Stations," which are separately defined.

**Auto Parts Sales.** Stores that sell new automobile parts, tires, and accessories. Establishments that provide installation services are instead included under "Vehicle Services - Repair and Maintenance - Minor." Does not include tire recapping establishments, which are found under "Vehicle Services" or businesses dealing exclusively in used parts, which are included under "Recycling - Scrap and Dismantling Yards."

**Auto Repair.** See "Vehicle Services."

**Automated Teller Machine (ATM).** Computerized, self-service machines used by banking customers for financial transactions, including deposits, withdrawals and fund transfers, without face-to-face contact with financial institution personnel. The machines may be located at or within banks, or in other locations, as allowed by Article 2. Does not include drive-up ATMs; see "Drive-Through Services." ATMs and other vending machines are not considered tenants for the purposes of signage or permitting.

**Comment [MJ4]:** If Vending machines are considered tenants they may install up to 25 SF of signage.

## Definitions

**B. Definitions, "B."**

**Bank, Financial Services.** Financial institutions including:

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

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See also, "Automated Teller Machine." Does not include check cashing stores, which are instead defined under "Personal Services - Restricted."

**Bar/Tavern.** A business where alcoholic beverages are sold for on-site consumption, which are not part of a larger restaurant. Includes bars, taverns, pubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. May include dancing as an incidental use, if authorized by the Use Permit approval for the facility. Does not include adult entertainment businesses, which are separately defined.

**Bed and Breakfast Inn (B&B).** See "Lodging."

**Best Management Practices (BMPs).** Activities, practices, and procedures to prevent or reduce the discharge of pollutants directly or indirectly to the municipal storm drain system and waters of the United States. Best Management Practices include: treatment facilities to remove pollutants from stormwater; operating and maintenance procedures; facility management practices to control runoff, spillage or leaks of non-stormwater, waste disposal, and drainage from materials storage; erosion and sediment control practices; and the prohibition of specific activities, practices, and procedures and such other provisions as the City determines appropriate for the control of pollutants.

**Big Box Retail.** A large formula retail establishment that is generally located on an arterial or collector roadway, requires a site of one acre or larger, and generally contains one or several businesses or structures totaling 30,000 or more square feet. They may operate as stand-alone facilities, but also in a type of shopping center called a "power center" or "value mall" having common characteristics including large warehouse-sized buildings and a reliance on auto-borne traffic. Warehouse retail stores that emphasize the packaging and sale of products in large quantities or volumes, some at discounted prices, where products are typically displayed in their original shipping containers. Patrons may be required to pay membership fees.

**Biologically Sensitive Area.** Any area in which plant or animal life or their habitats are rare or especially valuable as determined by the Army Corp of Engineers or the California Department of Fish and Game because of their special nature or role in an ecosystem, and which could be easily disturbed or degraded by human activities and development.

**Bioretention.** Shallow landscape depressions with soils, mulch, and planted vegetation intended to capture, treat, and infiltrate stormwater runoff.

**Broadcasting Studio.** Commercial and public communications use including radio and television broadcasting and receiving stations and studios, with facilities entirely within buildings. Does not include transmission and receiving apparatus, including antennas and towers, which are instead defined under "Telecommunications Facilities."

**Brewery/Restaurant – A brewery with an accessory restaurant, where the brewery component comprises more than 50 percent of the floor space.**

**Building Code.** Refers to the most recently adopted (by the City of Fort Bragg) version of the California Building Standards Codes (California Code of Regulations, Title 24), which are published on a triennial basis. The Building Code is adopted as Title 15 of the Fort Bragg Code of Ordinances.

## Definitions

**Building and Landscape Materials Sales.** A retail establishment selling hardware, lumber and other large building materials, plant materials, and other landscaping materials. Includes paint, wallpaper, glass, fixtures. Includes all these stores selling to the general public, even if contractor sales account for a major proportion of total sales. Establishments primarily selling electrical, plumbing, heating, and air conditioning equipment and supplies are classified in "Wholesaling and Distribution."

**Building Frontage.** A building wall adjacent to a parcel boundary that abuts a public right-of-way. A primary building frontage provides the main pedestrian entrance to the building. A secondary building frontage abuts a side street, rear entrance, or has an entrance from other than a public right-of-way. See Figure 10-1.

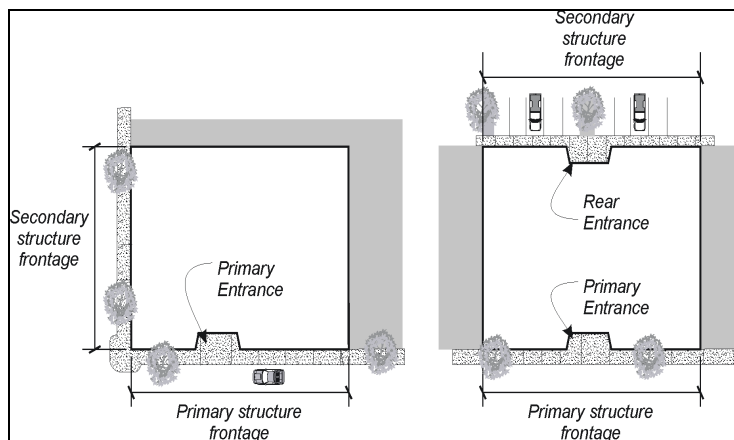


Figure 10-1 – Building Frontage

**Building Height.** See Section 18.30.060 (Height Limits and Exceptions).

**Building Official.** The Building Official of the City of Fort Bragg, or designee of the Building Official.

**Business Support Service.** An establishment within a building that provides services to other businesses. Examples of these services include:

- ~~blueprinting~~
  - computer-related services (rental, repair)
  - copying and quick printing services
  - courier, messenger, and delivery services, small scale, without fleet vehicle storage (see also "Freight Terminals")
- ~~film processing and photofinishing (retail)~~
  - outdoor advertising services
  - mailing and mail box services
  - protective services (other than office related)
  - security systems services

## Definitions

**C. Definitions, "C."**

**Cabinet Shop.** See "Furniture and Fixtures Manufacturing, Cabinet Shops."

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

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

**Caretaker Quarters.** A permanent residence that is secondary or accessory to the primary use of the property, and used for housing a caretaker employed on the site of any non-residential use where needed for security purposes or to provide 24-hour care or monitoring of people, plants, animals, equipment, or other conditions on the site.

**Carriage House.** See "Second Unit or Carriage House."

**Catering Service.** A business that prepares food for consumption on the premises of a client.

**Change of Use.** The replacement of an existing use on a lot or parcel, or any portion thereof, by a new use, or a change in the nature of an existing use; but does not include a change of ownership, tenancy, or management associated with a use for which the previous nature of the use will remain substantially unchanged.

**Child Day Care Center or Facility.** A child day care facility other than a family day care home, including but not limited to infant centers, pre-schools, extended day care facilities, and school age child care centers.

**City.** The City of Fort Bragg, State of California, referred to in this Inland Land Use and Development Code as the "City." For the purposes of this Land Use Code, "City" includes the Fort Bragg City Council, Planning Commission, advisory agencies, appeals boards, agents, employees, and officers of the City of Fort Bragg.

**City Council.** The Fort Bragg City Council, referred to in this Inland Land Use and Development Code as "City Council" and the "Council."

**Clean Water Act.** The Federal Water Pollution Control Act (3-3 U.S.C. §1251 et seq.), and any amendments to the Act.

**Commercial Recreation Facility - Indoor.** Establishments providing indoor amusement and entertainment services for a fee or admission charge, ~~including for example:~~

- ~~bowling alleys, shooting range, pool and billiard rooms, card rooms, etc.~~
- ~~gym, swimming pool, climbing wall, indoor ball courts, etc.~~
- ~~card rooms~~
- ~~coin-operated amusement arcades~~
- ~~dance halls, clubs and ballrooms~~
- ~~electronic game arcades (video games, pinball, etc.)~~
- ~~ice skating and roller skating~~
- ~~pool and billiard rooms as primary uses~~

This use does not include adult oriented businesses, which are separately defined. ~~Four or more electronic games or coin-operated amusements in any establishment, or a premises where 50 percent or more of the floor area is occupied by amusement devices, are considered an electronic game arcade as described above; three or fewer machines are not considered a land use separate from the primary use of the site.~~

**Comment [MJ5]:** Outdated examples.

**Comment [MJ6]:** This is so 1980!

## Definitions

**Commercial Recreation Facility - Outdoor.** A facility for various outdoor recreational activities, where a fee is charged for use. Examples include:

- amusement and theme parks
- pump tracks, go-cart tracks
- golf driving ranges, miniature golf courses
- ~~water slides~~

May also include commercial facilities customarily associated with the above outdoor commercial recreational uses, including bars and restaurants, video game arcades, etc.

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

**Community Garden.** A site for growing plants that is shared and maintained by community residents.

**Condition of Project Approval.** Any performance standard, prescribed change in a project, environmental mitigation measure, or other City-imposed requirement to alter or modify the project in any manner from the description in the application originally submitted for City approval. Alos know as a Special Condition of approval.

**Condition, Quantifiable.** A condition placed upon a project that requires the permit holder or project proponent to meet specific measurable standards. The measurement of a quantifiable condition shall be intended to be a finding of conforming to a measurable standard.

**Condition, Special.** A condition placed upon a project that requires the permit holder or project proponent to undertake a specific action, typically prior to approval of the building permit or the final certificate of occupancy.

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**Condition, Standard.** A condition that is placed upon all projects as part of the permitting process and which must be followed during the implementation of the permit.

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**Condition, Time Specific.** A condition placed upon a project that requires the satisfactory completion or undertaking of an approval requirement before a specific date or phase of the project development.

**Condominium.** As defined by Civil Code Section 1715, a development where undivided interest in common in a portion of real property is coupled with a separate interest in space called a unit, the boundaries of which are described on a recorded final map or parcel map.

**Conference/Convention Facility.** One or more structures accommodating multiple assembly, meeting, and/or exhibit rooms, and related support facilities (e.g., kitchens, offices, etc.).

**Construction Activity.** In the context of Chapter 18.64 (Stormwater Runoff Pollution Control), "construction activity" means activities subject to NPDES Construction Permits. ~~These include construction projects resulting in land disturbance of five acres or more.~~ These activities include clearing and grubbing, grading, excavating, and demolition.

**Construction Contractor Base.** Office, and indoor and/or outdoor storage facilities operated by, or on behalf of a contractor licensed by the State of California for storage of large equipment, vehicles, and/or other materials commonly used in the individual contractor's type of business; storage of scrap materials used for repair and maintenance of contractor's own equipment; and buildings or structures for uses such as repair facilities. Includes building contractors, landscape contractors, sign contractors, etc.

**Construction and Heavy Equipment Sales and Rental.** Retail establishments selling or renting construction, farm, or other heavy equipment. Examples include cranes, earth moving equipment, tractors, combines, heavy trucks, etc.

**Convenience Store.** A neighborhood serving retail store of 3,500 square feet or less in gross floor area, which carries a range of merchandise oriented to daily convenience shopping needs.

Definitions

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**Conveyance, or Convey.** Any transfer, sale, lease, rent, or disposition of or act to transfer, sale, lease, rent, or dispose of any affordable unit and include, but are not limited to, transfer of title or any interest therein by nonjudicial or judicial foreclosure and sale; but does not include transfer by gift, devise, or inheritance to the unit owner's spouse or issue, taking of title by surviving joint tenant, transfer of title to a spouse as part of divorce or dissolution proceedings, or acquisition of title or interest therein in conjunction with marriage.

**Cooperative Housing.** (Co-Housing) A type of Multi-Family residential development. It typically consists of smaller units (which may or may not include a kitchen and may or may not be detached) and a larger cooperative kitchen and gathering space for residents.

**County.** The County of Mendocino, State of California.

**Crop Production, Horticulture, Orchard, Vineyard.** Commercial agricultural production field and orchard uses, including the production of the following, primarily in the soil on the site and not in containers, other than for initial propagation prior to planting in the soil on the site:

- |                     |                         |
|---------------------|-------------------------|
| ▪ field crops       | ▪ ornamental crops      |
| ▪ flowers and seeds | ▪ tree nuts             |
| ▪ fruits            | ▪ trees and sod         |
| ▪ grains            | ▪ vegetables            |
| ▪ melons            | ▪ wine and table grapes |

Also includes associated crop preparation services and harvesting activities, such as mechanical soil preparation, irrigation system construction, spraying, crop processing and retail sales in the field, not including sales sheds, which are instead defined under "Produce Stand." Does not include greenhouses which are instead defined under "Plant Nursery," and "Residential Accessory Use or Structure," or containerized crop production, which is instead defined under "Plant Nursery." Does not include non-commercial home gardening, which is allowed as an accessory use in all zoning districts without City approval.

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Definitions

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## D. Definitions, "D."

**Day Care, Adult.** A state-licensed day care facility providing care and supervision of more than six adults for periods of less than 24 hours for any client.

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

1. **Day Care Center.** Commercial or non-profit child day care facilities designed and approved to accommodate 15 or more children. Includes infant centers, preschools, sick-child centers, and school-age day care facilities. These may be operated in conjunction with a school or church facility, or as an independent land use.
2. **Family Day Care Home.** As defined by Health and Safety Code Section 1596.78, a home that regularly provides care, protection, and supervision for 14 or fewer children, in the provider's own home, for periods of less than 24 hours per day, while the parents or guardians are away, and is either a large family day care home or a small family day care home.
3. **Large Family Day Care Home.** As defined by Health and Safety Code Section 1596.78, a day care facility in a single-family dwelling where an occupant of the residence provides family day care for seven to 14 children, inclusive, including children under the age of 10 years who reside in the home.
4. **Small Family Day Care Home.** As defined by Health and Safety Code Section 1596.78, a day care facility in a single-family residence where an occupant of the residence provides family day care for eight or fewer children, including children under the age of 10 years who reside in the home.

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

**Density Bonus.** See "Affordable and Inclusionary Housing Requirements."

**Department.** The City of Fort Bragg Community Development Department, referred to in this Land Use and Development Code as the "Department."

**Detached Structure.** A detached structure is any building that does not share a physical wall with the primary structure. Buildings that are only "attached" to the primary structure via a breezeway or covered patio are considered detached structures.

**Development.** On land grading, removing, dredging, mining, or extraction of any materials; subdivision pursuant to the subdivision map act, construction, reconstruction, demolition, or alteration of any structure;

**Development Agreement.** A contract between the City and an applicant for a development project, in compliance with the Municipal Code, and Government Code Sections 65864 et seq. A development agreement is intended to provide assurance to the applicant that an approved project may proceed subject to the policies, rules, regulations, and conditions of approval applicable to the project at the time of approval, regardless of any changes to City policies, rules, and regulations after project approval. In return, the City may be assured that the applicant will provide infrastructure and/or pay fees required by a new project.

**Diameter of a Tree.** Trunk diameter measured at 4.5 feet above the ground (also known as "Diameter at Breast Height," or "DBH").

**Director.** The City of Fort Bragg Community Development Director, or designee of the Director.



## Definitions

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**Discretionary land use approval.** Any decision of the City to approve the request of an applicant for a General Plan amendment, Zoning Map amendment, Tentative Map, Vesting Tentative Map, Final Map, Final Map modification or amendment, boundary line adjustment, Conditional Certificate of Compliance, development agreement, Minor Use Permit, Use Permit, Design Review, permit extension of time or modification, Variance, or Minor-Administrative Variance, reclamation plan, time extension, administrative permit pertaining to a land use approval or any accompanying California Environmental Quality Act (CEQA) determination pertaining to any type of approval referred to in this definition.

**Discretionary permit.** Any permit or license issued by the City for a project that requires the exercise of judgment or deliberation wherein the City decides to either approve or disapprove a particular activity in compliance with applicable laws, including Minor Use Permits, Use Permits, Minor-Administrative Variances, Variances, Design Review Approval, and Subdivision Maps.

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

**Drive-Through Retail or Service.** A facility where food or other products may be purchased, or where services may be obtained by motorists without leaving their vehicles. Examples of drive-through sales facilities include fast-food restaurants, drive-through coffee, dairy product, photo stores, pharmacies, etc. Examples of drive-through service facilities include drive-through bank teller windows, dry cleaners, etc., but do not include automated teller machines (ATMs), gas stations or other vehicle services, which are separately defined.

**Duplex.** See "Multi-Family HousingSecond Unit." A duplex is a type of Second Unit, where the second unit is attached or a component of the primary unit.

**Dwelling, Dwelling Unit, or Housing Unit.** A room or group of internally connected rooms that have sleeping, cooking, eating, and sanitation facilities, but not more than one kitchen, which constitute an independent housekeeping unit, occupied by or intended for one household on a long-term basis.

**Comment [MJ7]:** According to recently enacted legislation duplexes should be regulated as second units rather than as multi-family units.

**Comment [MJ8]:** Remove because it potentially discriminates against unrelated individuals, who may not constitute one household.

Definitions

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## E. Definitions, "E."

**Easement.** A grant of one or more of the property rights by the property owner to and/or for the use by the public, a corporation or another person or entity.

**Emergency.** A sudden, unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property, or essential public services.

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

**Comment [MJ9]:** Transitional housing cannot, under State Law, be regulated in a manner separate from housing in general. Therefore this descriptor must be removed.

**Engineering Geologist.** A registered geologist certified as an Engineering Geologist by the State of California.

**Engineering Geology.** The application of geologic knowledge and principles in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil works.

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

**Equestrian Facility.** A commercial facility for horses, donkeys, and/or mules, examples of which include horse ranches, boarding stables, riding schools and academies, horse exhibition facilities (for shows or other competitive events), and barns, stables, corrals and paddocks accessory and incidental to these uses. Does not include the simple pasturing of horses, donkeys, and/or mules, which is instead included in "Animal Keeping" as regulated by Section 18.42.040.

**Equipment Rental.** A service establishment that may offer a wide variety of household and business equipment, furniture, and materials for rental. Does not include construction equipment rental, which is separately defined.

## Definitions

**F. Definitions, "F."**

**Fence.** A constructed, un-roofed barrier of wood, metal, masonry, or other material as allowed by this Land Use and Development Code, that is intended to enclose, separate, define, secure, protect, and/or screen one or more areas of a site. ~~Includes masonry walls.~~

~~1. **Open Wire Fence.** A fence through which fenced areas remain visible because of the wire mesh used for the fence. Includes chain link fencing, deer fencing, etc.~~

~~2. **Safety Fence.** A fence constructed to prevent access to a hazard or hazardous area.~~

~~3. **Razor or Concertina Wire.** Sharp fencing materials that are designed to lacerate animals or unauthorized persons attempting to climb or cross the fence through other than a gate.~~

**Farm Supply and Feed Store.** A retail business selling supplies for use in soil preparation and maintenance, the planting and harvesting of crops, the keeping and raising of farm animals, and other operations and processes pertaining to farming and ranching. Does not include the sale, rental, or repair of farm machinery and equipment, which is instead included in the definition of "Construction and Heavy Equipment Sales and Rental."

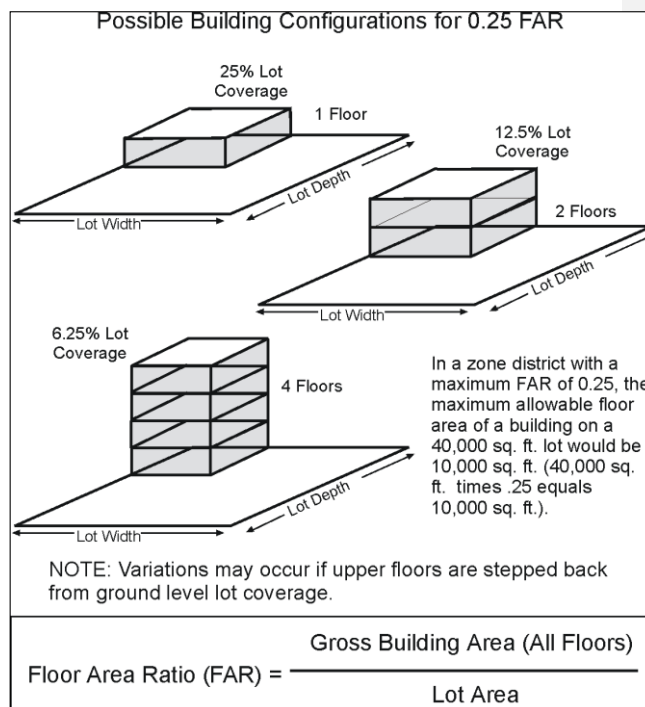
**Farmers Market.** The temporary use of a site for the ~~indoor or~~ outdoor sales of food and farm produce items from vehicles ~~or stands~~, in compliance with California Food and Agriculture Code Section 1392 et seq.

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

**Fire Code.** The Fire Code means section 15.08 of the Fort Bragg Code of Ordinances, portions of California Title 24, California Title 19, and applicable fire regulations.

**Fish Processing.** An establishment that prepares raw fish for wholesale distribution and/or retail sale.

**Floor Area Ratio (FAR).** The Floor Area Ratio (FAR) is the ratio of floor area to total lot area. FAR restrictions are used to limit the maximum floor area allowed on a site (including all structures on the site). The maximum floor area of all structures (measured from exterior wall to exterior wall) permitted on a site (excluding carports) shall be determined by multiplying the Floor Area Ratio (FAR) by the total net area of the site (FAR x Net Site Area = Maximum Allowable Floor Area). See Figure 10-2.



**Comment [MJ10]:** Deleting these examples, as the Section 3 of the ILUDC provides more and better definitions.

**Comment [MJ11]:** Chain link fencing is a prohibited fence type. Should not be defined concurrently with Open Wire Fence.

**Comment [MJ12]:** Fort Bragg's farmers market now operates indoors during the winter months.

**Figure 10-2 – Floor Area Ratio**

## Definitions

**Formula Business.** A business that is required by contractual or other arrangement to maintain standardized uses, services, decor, uniforms, architecture, signs, or other similar features. Formula businesses can include retail sales and services, restaurants, gas stations, and visitor accommodations, etc.

**Comment [MJ13]:** Do we want to include gas stations in this list. They are certainly formula.

~~**Freight Terminal.** A transportation facility furnishing services incidental to air, motor freight, and rail transportation. Examples of these facilities include:~~

- ~~▪ freight forwarding services~~
- ~~▪ freight terminal facilities~~
- ~~▪ home and business moving and storage services~~
- ~~▪ joint terminal and service facilities~~
- ~~▪ overnight mail processing and delivery dispatch facilities~~
- ~~▪ packing, crating, inspection and weighing services~~
- ~~▪ postal service bulk mailing distribution centers~~

**Comment [MJ14]:** Not a listed use in the use tables. No reason to define this.

**Fuel Dealer.** A retail trade establishment that sells fuel oil, butane, propane and liquefied petroleum gas (LPG), bottled or in bulk, to consumers.

**Furniture, Furnishings and Appliance Store.** A store that primarily sells the following products and related services, that may also provide incidental repair services:

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- |  |   |
|--|---|
| ▪ computers and computer equipment           | ▪ lawn furniture                                |
| ▪ draperies                                  | ▪ office furniture                              |
| ▪ floor coverings                            | ▪ other household electrical and gas appliances |
| ▪ furniture                                  | ▪ outdoor furniture                             |
| ▪ glass and chinaware                        | ▪ pool tables                                   |
| ▪ home appliances                            | ▪ refrigerators                                 |
| ▪ home furnishings                           | ▪ spas, hot tubs, swimming pools                |
| ▪ home sound systems                         | ▪ stoves  |
| ▪ interior decorating materials and services | ▪ televisions                                   |
| ▪ large musical instruments                  |   |

## Definitions

**G. Definitions, "G."**

**Garage, or Carport.** Parking space and shelter for automobiles or other vehicles, where the size of the parking space complies with the provisions of Chapter 18.36 (Parking and Loading).

1. A garage is an attached or detached accessory structure with a door, enclosed on at least three sides.
2. A carport is an attached or detached accessory structure enclosed on no more than two sides.

A garage or carport complies with the requirements of this Land Use and Development Code for "covered" parking spaces.

**General Plan.** The City of Fort Bragg's Inland General Plan, including all its elements and all amendments thereto, as adopted by the City Council in compliance with Government Code Section 65300 et seq., and referred to in this Land Use and Development Code as the "General Plan." The Coastal General Plan by contrast is part of the Certified Local Coastal Program and regulated development in the City's Coastal Zone.

**General Retail.** Stores and shops selling many lines of merchandise. Examples of these stores and lines of merchandise include:

- antique stores
- art galleries, ~~retail~~
- art supplies, ~~including picture framing services~~
- bicycles
- books, magazines, and newspapers
- ~~cameras and photographic supplies~~
- clothing, shoes, and accessories
- Consignment stores
- collectibles (cards, coins, comics, stamps, etc.)
- department stores
- dry goods
- fabrics and sewing supplies
- florists and houseplant stores (indoor sales only; outdoor sales are "Building and Landscape Materials Sales")
- hardware (not including building or landscape materials)
- Health care supplies
- hobby materials
- jewelry
- luggage and leather goods
- musical instruments, parts and accessories
- ~~orthopedic supplies~~
- ~~records, CDs~~
- religious goods
- small wares
- specialty shops
- sporting goods and equipment
- stationery
- toys and games
- variety stores
- ~~videos, DVDs, including rental~~

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Does not include adult oriented businesses and second hand stores, which are separately defined.

**Grade.** The ground surface immediately adjacent to the exterior base of a structure, typically used as the basis for measurement of the height of the structure.

**Grading.** The following terms and phrases are defined for the purposes of Chapters 18.60, and 18.62, regarding grading, drainage, erosion and sediment control.

1. **As-Graded.** The extent of ground surface conditions on completion of grading.
2. **Borrow.** Earth material acquired from an off-site location for use in grading on a site.
3. **Compaction.** The increase in the density of soil or rock fill by mechanical means.

**Comment [MJ15]:** Eliminate outdated examples

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**Comment [MJ16]:** Provides clarity as second hand stores are prohibited in CBD.

Definitions

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4. **Depth of Cut.** The vertical dimension from the exposed cut surface to the original ground surface at the cut's deepest point, generally at the hinge point. Where the construction slope is steeper than 3:1, the depth shall be measured from the top of the cut.
5. **Depth of Fill.** The vertical dimension from the exposed fill surface to the original ground surface at the fill's deepest point, generally at the hinge point. Where the construction slope is steeper than 3:1, the depth shall be measured from the toe of the slope.
6. **Earth Material.** Any rock, natural soil or fill and/or any combination thereof.
7. **Embankment.** A fill consisting of a deposit of soil, rock or other materials mechanically placed, including the conditions resulting therefrom.
8. **Erosion.** The wearing away of the ground surface as a result of the movement of wind, water, or ice.
9. **Excavation.** The mechanical removal of earth material.
10. **Grading.** Any excavating or filling or combination thereof.
11. **Key.** A designed compacted fill placed in a trench excavated in earth material beneath the toe of a proposed slope.
12. **Landform Grading.** A contour grading method that creates artificial slopes with curves and varying slope ratios in the horizontal and vertical planes designed to simulate the appearance of surrounding natural terrain.

**Groceries, Specialty Foods.** A retail business where the majority of the floor area, open to the public, is occupied by food products ~~packaged~~ for preparation and consumption away from the store. Includes retail bakeries, where any on-site baking is only for on-site sales.

**Guest House.** A detached (or attached) structure accessory to a single-family dwelling, accommodating living/sleeping quarters, but without kitchen or cooking facilities.

Definitions

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## H. Definitions, "H."

**Habitable Space.** Space within a dwelling unit for living, sleeping, eating, ~~and~~ cooking.

**Harbor and Marina Facilities.** Facilities providing a full range of services related to: commercial and recreational fishing; fisheries and hatcheries; seafood processing; ship and boat building, maintenance and repair; marine hardware sales and service; petroleum storage and handling; boat storage and miscellaneous storage activities; boat charter operations, etc.

**Hazardous Material.** Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed (California Health and Safety Code § 25117).

**Health/Fitness Facility.** A fitness center, gymnasium, health and athletic club, which may ~~include~~ any of the following: sauna, spa or hot tub facilities; indoor tennis, handball, racquetball, archery and shooting ranges and other indoor sports activities. Does not include adult entertainment businesses.

**Height.** See Section 18.30.060 (Height Limits and Exceptions).

**Home Occupation.** The conduct of a business within a dwelling unit or residential site, employing only the occupants of the dwelling, with the business activity being subordinate to the residential use of the property, ~~and having eight or fewer clients per day.~~

**Hotel or Motel.** See "Lodging."

**Household Pets.** The keeping/raising of birds, ~~reptiles~~, ~~fish~~, cats, dogs, ~~and~~ other common household pets, as determined by the Director, accessory to a residential use.

## Definitions

**I. Definitions, "I."**

**Illegal Discharge.** Any direct or indirect non-stormwater discharge to the storm drain system, except as exempted in Section 18.64.020 (Urban Runoff Water Quality and Discharge Management).

**Illicit Connection.** An illicit connection is either of the following:

1. Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system, including any conveyances that allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether the drain or connection had been previously allowed, permitted, or approved by a government agency; or
2. Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by the City.

**Incidental Agriculture.** Non-commercial crop production, horticulture, and orchard uses; and private, non-commercial stables and corrals.

**Industrial Activity.** Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b)(14).

**Industrial Research and Development (R&D).** A facility for scientific research, and the design, development and testing of ~~electrical, electronic, magnetic, optical and computer and telecommunications~~ high-tech products or components in advance of ~~or as part of~~ product manufacturing, and the assembly of related products from parts produced ~~on or~~ off-site, where the manufacturing activity is secondary to the research and development activities, ~~and where no more than 30 percent of the total floor area is office~~. Includes pharmaceutical, chemical and biotechnology research and development. Does not include soils and other materials testing laboratories (see "Laboratory"), or medical diagnostic laboratories (see "Medical Services - Laboratory").

**Intensification of Use.** A change in the use of a structure or site, where the new use is required by this Land Use and Development Code to have more off-street parking spaces than the former use; or a change in the operating characteristics of a use (for example, hours of operation), which generates more activity on the site.

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**Comment [MJ17]:** Not a permitted use anywhere in the code. Consider adding it to the table, or delete it from the definitions. If it is added to the table, it should be modernized as described. It will also be moved to R section of definitions.

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**J. Definitions, "J."**

No specialized terms beginning with the letter "J" are defined at this time.

**K. Definitions, "K."**

**Kennel, Animal Boarding.** A commercial facility for the grooming, keeping, boarding or maintaining of ~~six~~ five or more dogs (four months of age or older), or ~~five~~ six or more cats except for dogs or cats for sale in pet shops, or patients in animal hospitals. A business that provides grooming services with no boarding facilities is classified under "Personal Services." See also "Veterinary Clinic, Animal Hospital."

**Kitchen.** A room or space within a building used or intended to be used for the cooking or preparation of food, which includes any of the following: refrigerator, stove, oven, range top, dishwasher, kitchen sink.

**Comment [MJ18]:** Change to six or more since 18.42.040 allows 5 animals total as "animal keeping" not animal boarding.



## Definitions

**L. Definitions, "L."**

**Laboratory - Analytical, Testing.** A facility for testing and analysis, and/or research. Examples of this use include soils and materials testing labs, medical service labs and forensic labs. See also "Industrial Research and Development." ~~Does not include diagnostic medical laboratories, which are classified under "Medical Services-Laboratory."~~

**Comment [MJ19]:** Consider collapsing into one Laboratory type as they have similar impacts.

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

**Land Use and Development Code.** The City of Fort Bragg Inland Land Use and Development Code, Title 18 of the Fort Bragg Municipal Code, referred to herein as "this Land Use and Development Code."

**Landscaping Standards.** The following terms are defined for the purposes of Chapter 18.34 (Landscaping Standards).

1. **Drought resistant cool season grass.** Cool season grasses which can tolerate drought stress. These grasses usually require high water use irrigation scheduling to stay green and vital, but will survive under limited water (e.g., turf-type tall fescues, Medallion, and Rebel).
2. **Functional need (for turf).** Turf planting which serves a functional or practical need rather than purely aesthetic purpose. Examples include: athletic fields and pedestrian circulation areas.
3. **High water use plantings.** Annuals, container plantings, and plants recognized as high water use (e.g., Rhododendrons or Birch) or plants documented as having a plant factor greater than 0.6.
4. **Hydrozone.** A landscape area having plants with similar water needs. Typically, a hydrozone is served by a valve or set of valves with the same type of irrigation hardware and schedule.
5. **Irrigation circuit.** A section of an irrigation system, including the piping and sprinkler heads or emitters, that is operated by a single remote control valve.
6. **Landscaped area.** The parcel area less building footprints, driveway, parking areas, paved walks and patios, and undeveloped open space of designated natural areas. Project landscaped area includes all areas under irrigation, water features, and hardscape other than those noted above.
7. **Low water use plants.** Plants which are recognized as drought resistant or low water use when established, or plants documented as having a plant factor less than or equal to 0.6.
8. **Microclimate.** A section of a landscaped site with unique climatic conditions that affect the amount of water plants within the area use (e.g., courtyards, tree understory areas, and median islands).
9. **Non-mechanically compacted soil.** Soil which has not undergone engineered compaction procedures.
10. **Organic amendment.** Any fully organic material added to the soil to improve soil structure, and other physical properties of the soil (e.g., compost, composted sawdust, peat moss, and redwood soil conditioner).
11. **Overspray.** Water which is discharged from an overhead irrigation system outside the desired planting area, especially water which wets adjacent hard surfaces (e.g., patios, sidewalks, and streets).
12. **Plant factor.** A number which represents the portion of reference evapotranspiration used by a particular plant. For example, a shrub with a plant factor of 0.5 uses 50 percent of reference evapotranspiration; a tree with a plant factor of 1.2 uses 120 percent of reference evapotranspiration.

## Definitions

13. **Porous mulch.** A loose material which is applied to the soil surface to reduce evaporation and retard weed growth (e.g., compost, decomposed granite, straw, wood chips).
14. **Rain shut-off device.** A device which automatically shuts the irrigation system off when a measurable amount of rain occurs.
15. **Reference evapotranspiration.** A standard calculation of the quantity of water transpired by a reference crop and evaporated from adjacent soil surfaces as measured by the California Irrigation Management Information System (CIMIS) of weather stations.
16. **Registered historical site.** A site that is registered as historically significant through either national, State, City or County registries.
17. **Runoff.** Water which is not absorbed by the soil to which it is applied and runs off onto other areas. Runoff usually occurs when water is applied at a rate greater than the infiltration rate of the soil, and is especially problematic on slopes and on heavy clay soils.
18. **Water feature.** Ornamental or functional body of water (e.g., a fountain, pool, or pond).
19. **Water saving techniques (to mitigate runoff from slopes).** Landscape design techniques which either allow irrigation to be applied at a rate close to the infiltration rate of the soil or which capture and recycle runoff.

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

~~**Laundry, Dry Cleaning Plant.** A service establishment engaged primarily in high volume laundry and garment services, including: carpet and upholstery cleaners; diaper services; dry cleaning and garment pressing; commercial laundries; linen supply. These facilities may include accessory customer pick up facilities. These facilities do not include coin-operated laundries or dry cleaning pick up stores without dry cleaning equipment; see "Personal Services."~~

**LCP.** See "Local Coastal Program."

**Library, Museum.** Public or quasi-public facilities, examples of which include: aquariums, arboretums, art galleries and exhibitions, botanical gardens, historic sites and exhibits, libraries, museums, planetariums, and zoos. May also include accessory retail uses such as a gift/book shop, restaurant, etc.

**Live/Work Unit.** An integrated housing unit and working space, occupied and utilized by a single household in a structure, either single-family or multi-family, that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and which includes:

1. Complete kitchen space and sanitary facilities in compliance with the Building Code; and
2. Working space reserved for and regularly used by one or more occupants of the unit.

**Local Coastal Program (LCP).** The following documents comprise the City of Fort Bragg Local Coastal Program, in compliance with the Coastal Act: the Coastal General Plan; the Coastal Land Use and Development Code and the Zoning Map; and any other implementing actions undertaken by the City in compliance with the Coastal Act.

### Lodging.

1. **Bed and Breakfast Inn (B&B).** A residential structure with one or more bedrooms rented for overnight lodging with an on-site manager, where meals may be provided subject to applicable Environmental Health Department regulations.
2. **Hotel or Motel.** A facility with guest rooms or suites, with or without kitchen facilities, rented to the general public for transient lodging. Hotels typically include a variety of services in addition to lodging; for example,

**Comment [MJ20]:** Not defined in use tables, definition is not required. Considered under manufacturing or delete as highly unlikely to come to Fort Bragg given regulatory environment for Dry Cleaning facilities.

## Definitions

restaurants, meeting facilities, personal services, etc. Also includes accessory guest facilities such as swimming pools, tennis courts, indoor athletic facilities, accessory retail uses, etc.

3. **Vacation Rental.** An upstairs housing unit rented for over-night lodging, located in a mixed-use building within the Central Business District. Limited to three vacation rentals per parcel.

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**Lot Area.** Gross lot area is the total area included within the lot lines of a lot, exclusive of adjacent dedicated street rights of way. Net lot area is the gross area of the lot, exclusive of easements for streets or driveways that are not for the exclusive use of the lot on which the easement is located.

**Lot, or Parcel.** A recorded lot or parcel of real property under single ownership, lawfully created as required by applicable Subdivision Map Act and City ordinance requirements, including this Land Use and Development Code. Types of lots include the following. See Figure 10-3 (Lot Types).

1. **Corner Lot.** A lot located at the intersection of two or more streets, where they intersect at an interior angle of not more than 175 degrees. If the intersection angle is more than 175 degrees, the lot is considered an interior lot.
2. **Flag Lot.** A lot having access from the building site to a public street by means of private right-of-way strip that is owned in fee.
3. **Interior Lot.** A lot abutting only one street.
4. **Key Lot.** An interior lot that fronts on two streets and adjoins both the side and back property line of a corner lot.
5. **Reverse corner Lot.** A corner lot, the rear of which abuts a key lot.
6. **Through Lot.** A lot with frontage on two generally parallel streets.

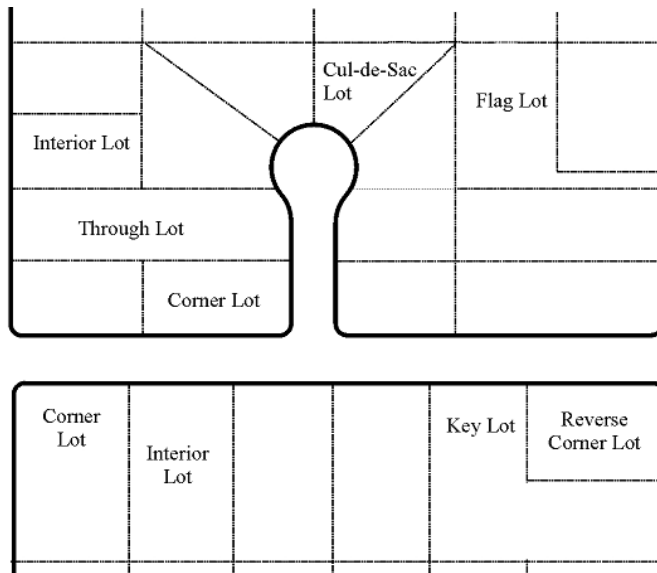


Figure 10-3 – Lot Types

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

**Lot Depth.** The average linear distance between the front and the rear lot lines or the intersection of the two side lot lines if there is no rear line. See Figure 10-4 (Lot Features). The Director shall determine lot depth for parcels of irregular configuration.

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

## Definitions

**Lot Line or Property Line.** Any recorded boundary of a lot. Types of lot lines are as follows [see Figure 10-4 (Lot Features)]:

1. **Front Lot Line.** On an interior lot, the property line separating the parcel from the street. The front lot line on a corner lot is the line with the shortest frontage. (If the street-fronting lot lines of a corner lot are equal in length, the front lot line shall be determined by the Director.) On a through lot, both lot lines are front lot lines and the lot is considered to have no rear lot line.
2. **Interior Lot Line.** Any lot line not abutting a street.
3. **Rear Lot Line.** A property line that does not intersect the front lot line, which is most distant from and most closely parallel to the front lot line.
4. **Side Lot Line.** Any lot line that is not a front or rear lot line.

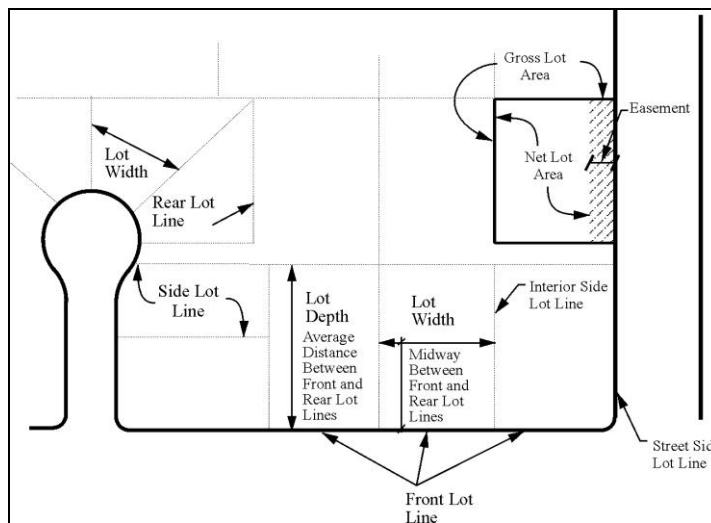


Figure 10-4 – Lot Features

**Lot Width.** The horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines. See Figure 10-4 (Lot Features). The Director shall determine lot width for parcels of irregular shape.

**Low Impact Development (LID) Design Principles.** Low Impact Development is an approach to developing land and managing stormwater runoff that incorporates environmentally sound technology and sustainable design techniques to address adverse impacts of urbanization and protect aquatic resources, water quality, and the natural pre-development hydrology. To mimic pre-development conditions, the design techniques maintain pre-development time to concentration by infiltrating, filtering, storing, evaporating, treating, and detaining stormwater flows on site, where feasible.

**Low Impact Development Design Strategies.** Low Impact Development Design Strategies include but are not limited to:

- Rainwater storage techniques such as: bioretention rain gardens, landscape island storage, rooftop detention and retention (green/vegetated roofs), under parking lot and street storage, rain barrels and cistern storage, catch basins and seepage pits, under sidewalk storage, etc.
- Site preparation techniques such as: maintain pre-development site drainage patterns, strategic grading, site finger printing, resource conservation, flatter slopes, reforestation, native plantings, pollution prevention, bioengineering wetlands for stormwater infiltration, detention and conveyance.

Definitions

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- Stormwater conveyance techniques such as: flatter wider swales, long flow paths, smaller culverts, pipes & inlets, maximize sheet flow, etc.
- Landscaping techniques such as: tree and shrub depressions, turf depressions, use of native plants, engineered soil, etc.
- Surfacing techniques such as: alternative surfaces (permeable paving, grass pave, etc.), reducing the amount or extent of impervious surface, utilizing surface roughness technology to slow stormwater movement, etc.
- Infiltration techniques such as: vegetative swales, buffers & strips, infiltration swales & trenches, elimination of curb and gutter, pervious surfaces, etc.

## Definitions

**M. Definitions, "M."**

**Maintenance Service, Client Site Services.** Base facilities for various businesses that provide services on the premises of their clients. Includes gardening, janitorial, pest control, water and smoke damage recovery, and similar services; and appliance, computer, electronics, elevator, equipment, HVAC, instrument, plumbing, and other maintenance and repair services not operating from a retail establishment that sells the products being maintained or repaired. When these services operate from a retail establishment that sells the products being maintained or repaired, they are instead considered part of the retail use. When the base facilities for these services include service or storage yards, or fleet vehicle storage, they are instead classified under "Construction Contractor Base."

**Manufacturing - Cannabis** - A process where cannabis is transformed into a product (such as food, medicine, oil, clothing, textile, etc.) , and the production, preparation, propagation, or compounding of cannabis or cannabis products, directly or indirectly.

**Comment [MJ21]:** New definition as directed by City Council

**Manufacturing/Processing - Heavy.** A facility accommodating manufacturing processes that involve and/or produce basic metals, building materials, chemicals, fabricated metals, paper products, machinery, textiles, and/or transportation equipment, where the intensity and/or scale of operations may cause significant impacts on surrounding land uses or the community. Heavy manufacturing uses are not allowed within the City of Fort Bragg except where limited varieties are included under the definition of "Manufacturing - Intensive." Examples of heavy manufacturing uses include the following.

1. **Chemical Product Manufacturing.** An establishment that produces or uses basic chemicals, and other establishments creating products predominantly by chemical processes. Examples of these products include: basic chemicals, including acids, alkalis, salts, and organic chemicals; chemical products to be used in further manufacture, including synthetic fibers, plastic materials, dry colors, and pigments; and finished chemical products to be used for ultimate consumption, including drugs/pharmaceuticals, cosmetics, and soaps; or to be used as materials or supplies in other industries including paints, fertilizers, and explosives. Also includes sales and transportation establishments handling the chemicals described above, except as part of retail trade.
2. **Concrete, Gypsum, and Plaster Product Manufacturing.** An establishment that produces bulk concrete, concrete building block, brick, and/or other types of precast and prefabricated concrete products. Also includes ready-mix concrete batch plants, lime manufacturing, and the manufacture of gypsum products, including plasterboard. A retail ready-mix concrete operation as an incidental use in conjunction with a building materials outlet is defined under "Building and Landscape Materials Sales."
3. **Glass Product Manufacturing.** An establishment that manufactures glass and/or glass products by melting silica sand or cullet, including the production of flat glass and other glass products that are pressed, blown, or shaped from glass produced in the same establishment. Artisan and craftsman type operations of a larger scale than home occupations are instead included under "Manufacturing - Light - Handcraft Industries and Small-Scale Manufacturing."
4. **Paving and Roofing Materials Manufacturing.** The manufacture of various common paving and petroleum-based roofing materials, including bulk asphalt, paving blocks made of asphalt, creosote wood, and various compositions of asphalt and tar. Does not include the manufacture of wood roofing materials (shingles, shakes, etc.; see "Lumber and Wood Product Manufacturing").
5. **Petroleum Refining and Related Industries.** Industrial plants for purifying petroleum, and the compounding of lubricating oils and greases from purchased materials. Also includes oil or gas processing facilities, liquefied natural gas (LNG) facilities, the manufacture of petroleum coke and fuel briquettes, tank farms, and terminal facilities for pipelines. Does not include petroleum pipeline surge tanks and pump stations ("Public Utility Facilities"), or petroleum product distributors ("Petroleum Product Storage and Distribution").

## Definitions

6. **Plastics, other Synthetics, and Rubber Product Manufacturing.** The manufacture of rubber products including: tires, rubber footwear, mechanical rubber goods, heels and soles, flooring, and other rubber products from natural, synthetic, or reclaimed rubber. Also includes establishments engaged primarily in manufacturing tires; products from recycled or reclaimed plastics or styrofoam; molding primary plastics for other manufacturers, manufacturing miscellaneous finished plastics products, fiberglass manufacturing, and fiberglass application services. Does not include establishments engaged primarily in recapping and retreading automobile tires ("Vehicle Services - Major Repair/Body Work").
7. **Primary Metal Industries.** An establishment engaged in: the smelting and refining of ferrous and nonferrous metals from ore, pig, or scrap; the rolling, drawing, and alloying of metals; the manufacture of castings, forgings, stampings, extrusions, and other basic metal products; and the manufacturing of nails, spikes, and insulated wire and cable. Also includes merchant blast furnaces and by-product or beehive coke ovens.
8. **Pulp and Pulp Product Manufacturing.** An establishment that manufactures pulp, paper, or paperboard. Includes pulp, paper, and paperboard mills. Does not include establishments primarily engaged in converting paper or paperboard without manufacturing the paper or paperboard, including envelope manufacturing, converted paper products, paper coating and glazing, paper bags, assembly of paperboard boxes, wallpaper ("Manufacturing - Light - Paper Product Manufacturing").
9. **Textile and Leather Product Manufacturing.** An establishment that converts basic fibers (natural or synthetic) into a product, including yarn or fabric, that can be further manufactured into usable items ("Manufacturing - Light - Clothing and Fabric Product Manufacturing"), and industries that transform hides into leather by tanning or curing. Includes:
  - coating, waterproofing, or otherwise treating fabric
  - dressed and dyed furs
  - dyeing and finishing fiber, yarn, fabric, and knit apparel
  - leather-tanned, curried, and finished
  - manufacture of knit apparel and other finished products from yarn
  - manufacture of felt goods, lace goods, non-woven fabrics and miscellaneous textiles
  - manufacturing of woven fabric, carpets, and rugs from yarn
  - preparation of fiber and subsequent manufacturing of yarn, threads, braids, twine cordage
  - scouring and combing plants
  - upholstery manufacturing
  - yarn and thread mills

**Manufacturing/Processing - Light.** A facility accommodating manufacturing processes involving and/or producing: apparel; food and beverage products; electronic, optical, and instrumentation products; ice; jewelry; and musical instruments. Light manufacturing also includes other establishments engaged in the assembly, fabrication, and conversion of already processed raw materials into products, where the operational characteristics of the manufacturing processes and the materials used are unlikely to cause significant impacts on surrounding land uses or the community. Examples of light manufacturing uses include the following.

1. **Clothing and Fabric Product Manufacturing.** An establishment that assembles clothing, draperies, and/or other products by cutting and sewing purchased textile fabrics, and related materials including leather, rubberized fabrics, plastics and furs. Does not include custom tailors and dressmakers not operating as a factory and not located on the site of a clothing store (see "Personal Services"). See also, "Manufacturing - Heavy - Textile and Leather Product Manufacturing.
2. **Electronics, Equipment, and Appliance Manufacturing.** An establishment that manufactures equipment, apparatus, and/or supplies for the generation, storage, transmission, transformation and use of electrical energy, including:

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## Definitions

- appliances including stoves/ovens, refrigerators, freezers, laundry equipment, fans, vacuum cleaners, sewing machines
- aviation instruments
- computers, computer components, peripherals
- electrical transmission and distribution equipment
- electronic components and accessories,
- semiconductors, integrated circuits, related devices
- electrical welding apparatus
- lighting and wiring equipment such as lamps and fixtures, wiring devices, vehicle lighting
- industrial controls
- instruments for measurement, testing, analysis and control, associated sensors and accessories
- miscellaneous electrical machinery, equipment and supplies such as batteries, X ray apparatus and tubes, electromedical and electrotherapeutic apparatus, electrical equipment for internal combustion engines
- motors and generators
- optical instruments and lenses
- photographic equipment and supplies
- radio and television receiving equipment
- surgical, medical and dental instruments, equipment, and supplies
- storage media, blank and pre-recorded, including magnetic, magneto-optical, and optical products such as compact disks (CDs), computer diskettes and hard drives, digital versatile disks (DVDs), magnetic tape products, phonograph records, etc.
- surveying and drafting instruments
- telephone and telegraph apparatus
- transformers, switch gear and switchboards
- watches and clocks

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

3. **Food and Beverage Product Manufacturing.** Manufacturing establishments producing or processing foods and beverages for human consumption, and certain related products. Examples of these uses include:
- bottling plants
  - breweries
  - candy, sugar, confectionery products manufacturing
  - catering services separate from stores or restaurants
  - coffee roasting
  - dairy products manufacturing
  - fat and oil product manufacturing
  - fruit and vegetable canning, preserving, related processing
  - grain mill products and by-products
  - meat, poultry, and seafood canning, curing, byproduct processing
  - soft drink production
  - miscellaneous food item preparation from raw products

Does not include: bakeries, which are separately defined; ~~or beer brewing as part of a brew pub, bar or restaurant (see "Bar/Tavern," and "Night Club").~~

4. **Furniture and Fixtures Manufacturing-~~Cabinet Shop~~.** Manufacturers producing: wood and metal household furniture and appliances; bedsprings and mattresses; all types of office furniture and public building furniture and partitions, shelving, lockers and store furniture; and miscellaneous drapery hardware, window blinds and shades. ~~Includes Does not include furniture re-upholstering businesses, wood workers and custom cabinet shops, which are separately regulated under Artisan/Craft Product Manufacturing, but not Does not include sawmills or planing mills, which are instead included under "Manufacturing - Heavy."~~

5. **Handcraft Industries, Small-Scale Manufacturing.** ~~Establishments manufacturing and/or assembling small products primarily by hand, including jewelry, pottery and other ceramics, as well as small glass and metal art and craft products, and taxidermists. Also includes manufacturing establishments producing small products not classified in another major manufacturing group, including: brooms and brushes; buttons, costume novelties; jewelry; musical instruments; pens, pencils, and other office and artists' materials; sporting and athletic goods; toys; etc.~~

**Comment [MJ22]:** Provides for consistency with changes made to the use of Artisan and Craft Manufacturing.

**Comment [MJ23]:** Provides for consistency with changes made to the use of Artisan and Craft Manufacturing.



## Definitions

6. **Metal Products Fabrication, Machine and Welding Shops.** An establishment engaged in the production and/or assembly of metal parts, including the production of metal cabinets and enclosures, cans and shipping containers, doors and gates, duct work, forgings and stampings, hardware and tools, plumbing fixtures and products, tanks, towers, and similar products. Examples of these uses include:
  - blacksmith and welding shops
  - plating, stripping, and coating shops
  - sheet metal shops
  - machine shops and boiler shops
7. **Paper Product Manufacturing.** An establishment that converts pre-manufactured paper or paperboard into boxes, envelopes, paper bags, wallpaper, etc., and/or that coats or glazes pre-manufactured paper. Does not include the manufacturing of pulp, paper, or paperboard (see "Manufacturing - Heavy - Pulp and Pulp Product Manufacturing").
8. ~~**Photo/Film Processing Lab.** A facility that provides high volume and/or custom processing services for photographic negative film, transparencies, and/or prints, where the processed products are delivered to off-site retail outlets for customer pick-up. Does not include small scale photo processing machines accessory to other retail businesses.~~

**Comment [MJ24]:** No longer an industry type

**Manufacturing/Processing - Medium Intensity.** A facility accommodating manufacturing processes that involve and/or produce building materials, fabricated metal products, machinery, and/or transportation equipment, where the intensity and/or scale of operations is greater than those classified under "Manufacturing - Light," but where impacts on surrounding land uses or the community can typically be mitigated to acceptable levels. Examples of intensive manufacturing uses include the following.

1. **Lumber and Wood Product Manufacturing.** Manufacturing, processing, and sales involving the milling of forest products to produce rough and finished lumber and other wood materials for use in other manufacturing, craft, or construction processes. Includes the following processes and products:
  - containers, pallets and skids
  - manufactured and modular homes
  - ~~matches (wood)~~
  - milling operations
  - trusses and structural beams
  - ~~turning and shaping of wood products~~
  - wholesaling of basic wood products
  - wood product assembly
2. **Machinery Manufacturing.** An establishment that makes or processes raw materials into finished machines or parts for machines. Does not include the manufacture of electronics, equipment, or appliances ("Electronics, Equipment, and Appliance Manufacturing").
3. **Motor Vehicles and Transportation Equipment.** Manufacturers of equipment for transporting passengers and cargo by land, air and water, including motor vehicles, aircraft, spacecraft, ships, boats, railroad and other vehicles such as motorcycles, bicycles and snowmobiles. Includes manufacture of motor vehicle parts and accessories; trailers and campers for attachment to other vehicles; self-contained motor homes; and van conversions. Does not include mobile home and modular home assembly (listed under "Lumber and Wood Products").
4. **Stone and Cut Stone Product Manufacturing.** An establishment that cuts, shapes, and/or finishes marble, granite, slate, and/or other stone for construction and miscellaneous uses. Does not include establishments engaged primarily in buying or selling partly finished monuments and tombstones ("Artisan and Craft Manufacturing, Handcraft Industries, Small-scale Manufacturing").
5. **Structural Clay and Pottery Product Manufacturing.** An establishment that produces brick and structural clay products, including pipe, china plumbing fixtures, vitreous china articles, and/or fine earthenware and

## Definitions

porcelain products. Does not include artist/craftsman uses (see " ~~Artisan and Craft Manufacturing, Handcraft Industries and Small Scale Manufacturing~~," "Home Occupations").

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

**Media Production.** Facilities for motion picture, television, video, sound, computer, and other communications media production. ~~These facilities include the following types:~~

~~1. **Backlots/Outdoor Facilities.** Outdoor sets, backlots, and other outdoor facilities, including supporting indoor workshops and craft shops.~~

~~2. **Indoor Support Facilities.** Administrative and technical production support facilities, including administrative and production offices, post-production facilities (editing and sound recording studios, Foley stages, etc.), optical and special effects units, film processing laboratories, etc.~~

~~3. **Soundstages.** Warehouse-type facilities providing space for the construction and use of indoor sets, including supporting workshops and craft shops.~~

**Medical-Marijuana-Cannabis Dispensary.** Any facility or location where ~~medical-marijuana-cannabis~~ is made available to and/or distributed by or to two or more of the following: a primary caregiver, a qualified patient, or a person with an identification card, in strict accordance with California Health and Safety Code Section 11362.5 et seq. A "~~medical-marijuana-cannabis~~ dispensary" shall not include the following uses, as long as the location of such uses are otherwise regulated by this Code or applicable law: a clinic licensed pursuant to Chapter 1 of Division 2 of the Health and Safety Code, a health care facility licensed pursuant to Chapter 2 of Division 2 of the Health and Safety Code, a residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the Health and Safety Code, a residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the Health and Safety Code, a residential hospice, or a home health agency licensed pursuant to Chapter 8 of Division 2 of the Health and Safety Code, as long as any such use complies strictly with applicable law including, but not limited to, Health and Safety Code Section 11362.5 et seq. (Ord. 851 §4, 2005.)

**Medical Services - Clinic, Urgent Care.** A facility other than a hospital where medical, mental health, surgical and other personal health services are provided on an outpatient basis. Examples of these uses include:

- medical offices with four or more licensed practitioners and/or medical specialties
- out-patient care facilities
- urgent care facilities
- other allied health services

These facilities may also include accessory medical laboratories. Counseling services by other than medical doctors or psychiatrists are included under "Offices - Professional."

**Medical Services - Doctor Office.** A facility other than a hospital where medical, dental, mental health, surgical, and/or other personal health care services are provided on an outpatient basis, and that accommodates no more than four licensed primary practitioners (for example, chiropractors, medical doctors, psychiatrists, etc., other than nursing staff) within an individual office suite. A facility with five or more licensed practitioners is instead classified under "Medical Services - Clinic, Urgent Care." Counseling services by other than medical doctors or psychiatrists are included under "Offices - Professional."

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

**Medical Services - Laboratory.** Non-research facilities for the testing of blood and tissue samples for medical diagnoses, and for the fabrication of dental prosthetics and eyeglasses. Does not include laboratories for medical research, which are classified under "Laboratory - Analytical, Research and Development, Testing."

**Comment [MJ25]:** Detail not needed.

**Comment [MJ26]:** Make this terminology consistent with pending law

## Definitions

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

**Meeting Facility, Public or Private.** A facility for public or private meetings, including community centers, religious assembly facilities (e.g., churches, mosques, synagogues, etc.), civic and private auditoriums, grange halls, union halls, meeting halls for clubs and other membership organizations, etc. Also includes functionally related internal facilities such as kitchens, multi-purpose rooms, and storage. Does not include conference and meeting rooms accessory and incidental to another primary use that are typically used only by on-site employees and clients, and occupy less floor area on the site than the offices they support (see "Offices"). Does not include: sports or other commercial entertainment facilities (see "Theater," and "Sports and Entertainment Assembly"); or convention centers (see "Conference/Convention Facility"). Related on-site facilities such as day care centers and schools are separately defined, and separately regulated by Section 18.20.030 (Allowable Land Uses).

**Mixed-Use Project.** A project that combines both commercial and residential uses, where the residential component is typically located above the commercial. Mixed use projects can also be located in separate buildings on the same parcel.

**Comment [MJ27]:** Clarification and provides more flexibility to allow a variety of mixed use configurations.

**Mobile Home.** A trailer, transportable in one or more sections, that is certified under the National Manufactured Housing Construction and Safety Standards Act of 1974, which is over eight feet in width and 40 feet in length, with or without a permanent foundation and not including recreational vehicle, commercial coach or factory-built housing. A mobile home on a permanent foundation is included under the definition of "Single-Family Dwellings."

**Mobile Home, Boat, or RV Sales.** Retail establishments selling both mobile home dwelling units, and/or various vehicles and watercraft for recreational uses. Includes the sales of boats, campers and camper shells, jet skis, mobile homes, motor homes, and travel trailers.

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

**Comment [MJ28]:** Confusing.

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

**Motel.** See "Lodging."

**Multi-Family Housing.** A dwelling unit that is part of a structure containing ~~one~~ three or more other dwelling units, or a non-residential use. An example of the latter is a mixed-use project where, for example, ~~one~~ three or more dwelling units are part of a structure that also contains one or more commercial uses (retail, office, etc.). Multi-family dwellings include: ~~duplexes~~, triplexes, fourplexes (buildings under one ownership ~~with two~~, three or four dwelling units, respectively, in the same structure); apartments (five or more units under one ownership in a single building); and townhouse development (three or more attached dwellings where no unit is located over another unit), and other building types containing multiple dwelling units (for example, courtyard housing, row houses, stacked flats, etc.). Duplexes are considered separately as an attached second unit.

**Comment [MJ29]:** Consistent with State Law which considers a duplex a type of attached second unit that is subject to very limited regulation. This change could potentially increase the number of housing units in Fort Bragg, as large and medium sized homes in single family residential districts may be split up into two units to accommodate more households. This change will also allow a number of currently illegal second units to become legalized within their zoning districts.

**Municipal Storm Sewer System.** A conveyance or system of conveyances, including municipal streets, gutters, conduits, natural or artificial drains, channels and watercourses, or other facilities owned, operated, maintained or controlled by the City and used for the purpose of collecting, storing, transporting or disposing of stormwater.

## Definitions

### N. Definitions, "N."

**National Pollutant Discharge Elimination System (NPDES).** The National Pollutant Discharge Elimination System established by Section 402 of the Clean Water Act, 33 USC Section 1342, as it may be amended from time to time.

**National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permits.** General, group, and individual stormwater discharge permits that regulate facilities defined in Federal NPDES regulations in compliance with the Clean Water Act. The California Regional Water Quality Control Board, North Coast Region (hereinafter, Regional Board) and the State Water Resources Control Board have adopted general stormwater discharge permits, including but not limited to the General Construction Activity and General Industrial Activity permits.

**Natural, or Existing Grade.** The contour of the ground surface before grading.

**Negative Declaration.** An ~~environmental report, prepared under CEQA, that analyzes a project and concludes statement describing the reasoning~~ that a proposed action will not have a significant adverse effect on the environment, in compliance with the California Environmental Quality Act (CEQA).

**Comment [MJ30]:** Definition was not complete.

**Night Club.** A facility with the primary function of providing entertainment, examples of which include live music and/or dancing, comedy, etc., which may serve alcoholic beverages for on-site consumption. Does not include adult entertainment businesses, which are separately defined.

**Nonconforming Parcel.** A parcel that was legally created prior to the adoption of this Land Use and Development Code or amendment, ~~that but~~ does not comply with the current area, width, depth, or other applicable requirements of this Land Use and Development Code.

**Nonconforming Sign.** A sign that lawfully existed prior to the effective date of this Land Use and Development Code or amendment, but does not comply with the current sign regulations of this Land Use and Development Code.

**Nonconforming Structure.** A structure that was legally constructed prior to the adoption or amendment of this Land Use and Development Code, but does not comply with the current setback, height limit, and/or other applicable requirements of this Land Use and Development Code.

**Nonconforming Use.** A use of land and/or a structure (either conforming or nonconforming) that was legally established and maintained prior to the adoption of this Land Use and Development Code or amendment, but does not conform to the current Land Use and Development Code requirements for allowable land uses within the applicable zoning district.

**Non-Stormwater Discharge.** Any discharge to the storm drain system that is not composed entirely of stormwater.

**NPDES.** See "National Pollutant Discharge Elimination System."

## Definitions

**O. Definitions, "O."**

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

**Off-Sale Liquor Establishment.** Any establishment at which alcohol is sold, served, or given to patrons, to be consumed off-site, except food markets, supermarkets, drugstores, and other retail establishments in which the sale of alcohol for off-site use constitutes less than 20 percent of the total sales.

**Off-Site.** An activity or accessory use that is related to a specific primary use, but is not located on the same site as the primary use.

**Office.** This Land Use and Development Code distinguishes between the following types of offices. These do not include medical offices (see "Medical Service - Clinic, Laboratory, Urgent Care," and "Medical Service - Doctor Office").

**Comment [MJ31]:** Consider revising to simplify as shown.

1. **Accessory.** Office facilities for administration, and/or on-site business and operations management, that are incidental and accessory to another business, sales, and/or service activity that is the primary use.
2. **Business/ServiceGeneral.** Establishments providing direct services to customers. Examples of these uses include bail bond services, elected official satellite offices, employment agencies, insurance agent offices, realtor offices, travel agencies, utility company offices, vehicle sales offices with no vehicles for sale on-site, etc. Use also includes administrative, clerical, or public contact and/or service offices of a local, state, or federal government agency or service facilities. This use does not include "Bank, Financial Services," which is separately defined.
- ~~3. **Government.** Administrative, clerical, or public contact and/or service offices of a local, state, or federal government agency or service facilities. Includes post offices, but not bulk mailing distribution centers, which are under "Freight Terminal."~~
- ~~4. **Processing.** Office-type facilities characterized by high employee densities, and occupied by businesses engaged in information processing, and other computer dependent and/or telecommunications-based activities. Examples of these uses include the following, but do not include small scale telephone answering services, which are instead classified under "Office - Professional or Administrative":~~
  - ~~• airline, lodging chain, and rental car company reservation centers~~
  - ~~• computer software and hardware design and development~~
  - ~~• consumer credit reporting~~
  - ~~• data processing services~~
  - ~~• health management organization (HMO) offices where no medical services are provided~~
  - ~~• insurance claim processing~~
  - ~~• mail order and electronic commerce transaction processing~~
  - ~~• telecommunications facility design and management~~
  - ~~• telemarketing~~
- ~~35. **Professional and Administrative.** Office-type facilities occupied by businesses that provide professional services and/or engage in the production of intellectual property. Examples of these uses include:~~
  - ~~▪ accounting, auditing and bookkeeping services~~
  - ~~▪ advertising agencies~~
  - ~~• answering services~~
  - ~~▪ attorneys~~
  - ~~▪ business associations, chambers of commerce~~
  - ~~▪ commercial art and design services~~
  - ~~▪ construction contractors (office facilities only)~~
  - ~~▪ counseling services~~
  - ~~▪ court reporting services~~
  - ~~▪ detective agencies and similar services~~
  - ~~▪ design services including architecture, engineering,~~

## Definitions

- landscape architecture, urban planning
- educational, scientific and research organizations
- financial management and investment counseling
- literary and talent agencies
- management and public relations services
- media postproduction services
- news services
- photographers and photography studios
- political campaign headquarters
- psychologists
- secretarial, stenographic, word processing, and temporary clerical employee services
- security and commodity brokers
- writers and artists office

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

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

~~**Office-Supporting Retail.** A retail store that carries one or more types of merchandise that will typically be of frequent interest to and/or needed by the various businesses listed under the definition of "Office," and/or the employees of those businesses. Examples of these types of merchandise include:~~

- ~~▪ Books~~
- ~~▪ Computer equipment~~
- ~~▪ Florists, flower stands~~
- ~~▪ Newsstands, newspapers and magazine stores~~
- ~~▪ Office supplies, stationery~~
- ~~▪ Photographic supplies and cameras~~

**Comment [MJ32]:** Not currently located in the Use Tables. Included in general retail.

**On-Sale Liquor Establishment.** Any establishment at which alcohol is sold, served, or given to patrons, to be consumed on-site.

**On-Site.** An activity or accessory use that is related to a specific primary use, which is located on the same site as the primary use.

**Open Fencing.** A barrier constructed of material which is transparent, such as glass, plastic panels or wrought iron, used in conjunction with recreation and seating areas.

**Ordinary Maintenance and Repair.** Work for which a Building Permit is not required, the purpose and effect of which is to correct deterioration of or damage to a structure or any part thereof and to restore the structure to its condition before the deterioration or damage.

**Organizational House.** A residential lodging facility operated by a membership organization for its members and not open to the general public. Includes fraternity and sorority houses, student dormitories, convents, monasteries, and religious residential retreats.

**Outdoor Retail Sales and Activities.** Permanent outdoor sales and rental establishments including auction yards, flea markets, lumber and other material sales yards, newsstands, outdoor facilities for the sale or rental of vehicles/equipment, and other uses where the business is not conducted entirely within a structure. Does not include the sale of automobiles and recreational vehicles ("Auto and Vehicle Sales and Rental") or mobile homes ("Mobile Home, Boat, or RV Sales"). Outdoor retail sales and activities shall comply with the standards for "Outdoor Displays and Sales" in Section 18.42.130.

## Definitions

**P. Definitions, "P."**

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

**Park/Playground.** A public outdoor recreation facility that may provide a variety of recreational opportunities including playground equipment, open space areas for passive recreation and picnicking, and sport and active recreation facilities.

**Pedestrian Orientation.** Any physical structure or place with design qualities and elements that contribute to an active, inviting and pleasant place for pedestrians including:

1. Building facades that are highly articulated at the street level, with interesting uses of material, color, and architectural detailing, located directly behind the sidewalk;
2. Design amenities related to the street level such as awnings, paseos, arcades;
3. Visibility into buildings at the street level;
4. A continuous sidewalk, with a minimum of intrusions into pedestrian right-of-way;
5. Continuity of building facades along the street with few interruptions in the progression of buildings and stores;
6. Signs oriented and scaled to the pedestrian rather than the motorist;
7. Landscaping; and
8. Street furniture.

**Pedestrian Oriented Use.** A land use that is intended to encourage walk-in customers and that generally does not limit the number of customers by requiring appointments or otherwise excluding the general public. A pedestrian oriented use provides spontaneous draw from sidewalk and street due to visual interest, high customer turnover, and social interaction.

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

**Personal Services.** Establishments providing non-medical services to individuals as a primary use. Examples of these uses include:

- |  |  |
|--|--|
| ▪ barber and beauty shops                            | ▪ massage (licensed, therapeutic, non-sexual)  |
| ▪ clothing rental                                    | ▪ pet grooming with no boarding  |
| ▪ dry cleaning pick-up stores with limited equipment | ▪ shoe repair shops  |
| ▪ home electronics and small appliance repair        | ▪ tailors  |
| ▪ laundromats (self-service laundries)               | ▪ tanning salons   |
| ▪ locksmiths   | ▪ These uses may also include accessory retail sales of products related to the services provided. |
| ▪ <u>tattoo and body piercing services</u>           |  |
| ▪ <u>spas and hot tubs for hourly rental</u>         |  |

**Comment [MJ33]:** Very legalistic definition. Consider deleting as the code references applicant, not person.

**Comment [MJ34]:** Reflect change in our perceptions of the desirability of body art and spas. These uses are not the outliers they once were.

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## Definitions

**Personal Services - Restricted.** Personal services that may tend to have a blighting and/or deteriorating effect upon surrounding areas and which may need to be dispersed to minimize their adverse impacts. Examples of these uses include:

- check cashing stores
- fortune tellers, psychics
- palm and card readers
- pawnshops
- psychics
- spas and hot tubs for hourly rental
- tattoo and body piercing services

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**Comment [MJ35]:** See comment above.

**Petroleum Product Storage and Distribution.** Wholesale establishments engaged in the storage, and sale of gasoline, oil, butane, propane, and liquefied petroleum gas (LPG) and similar products, to retailers. Does not include the sale of gasoline at a service station ("Service Stations"), or the retail sale of fuel for space heating ("Fuel Dealer").

**Planning Commission.** The City of Fort Bragg Planning Commission, appointed by the Fort Bragg City Council in compliance with Government Code Section 65101, referred to throughout this Land Use and Development Code as the "Commission."

**Planning Permit.** Authority granted by the City to use a specified site for a particular purpose. "Planning Permit" includes Use Permit, Minor Use Permit, Limited Term Permit, Variance, Minor Variance, Design Review, administrative permits, and Zoning Clearance, as established by Article 7 (Planning Permit Procedures) of this Land Use and Development Code.

**Plant Nursery.** A commercial agricultural establishment engaged in the production of ornamental plants and other nursery products, grown under cover either in containers or in the soil on the site, or outdoors in containers. The outdoor production of ornamental plants in the soil on the site is instead included under "Crop Production, Horticulture, Orchard, Vineyard." Also includes establishments engaged in the sale of these products (e.g., wholesale and retail nurseries) and commercial-scale greenhouses (home greenhouses are included under "Residential Accessory Use or Structure"). The sale of house plants or other nursery products entirely within a building is also included under "General Retail."

**Pollutant.** Anything which causes or contributes to pollution. Pollutants may include: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure (including but not limited to sediments, slurries, and concrete materials); and noxious or offensive matter of any kind.

**Pollution.** The human-made or human-induced alteration of the quality of waters by waste to a degree which unreasonably affects, or has the potential to unreasonably affect, either the waters for beneficial uses or the facilities which serve these beneficial uses (California Water Code § 13050).

**Porter-Cologne Act.** The Porter-Cologne Water Quality Control Act and as amended (California Water Code § 13000 et seq.).

**Professional Inspection.** An inspection required by this Development Code, the Director, or City Engineer to be performed by a civil engineer, soils engineer, or engineering geologist. These inspections include those performed by persons supervised by engineers or geologists.

**Projected Runoff.** A numerical projection based on the following formula: precipitation multiplied by parcel size multiplied by imperviousness factor. Precipitation shall be presumed in all cases to be one inch of rainfall falling within a 24-hour period. Parcel size shall be the total square footage of the lot being developed. An imperviousness factor

## Definitions

represents the amount of average stormwater drainage from the average of all parcels zoned for a particular land use. This numerical projection shall be used as a starting point in measuring compliance with the 20 percent urban runoff reduction required by this Development Code.

**Primary Frontage.** For parcels that face more than one street, the primary frontage is the front of the property that faces the larger/more traveled street. By contrast a secondary frontage is that piece of a parcel that faces the smaller/less traveled street.

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

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

**Printing and Publishing.** An establishment engaged in printing by letterpress, lithography, gravure, screen, offset, or electrostatic (xerographic) copying; and other establishments serving the printing trade such as bookbinding, typesetting, engraving, photoengraving and electrotyping. This use also includes establishments that publish newspapers, books and periodicals; establishments manufacturing business forms and binding devices. "Quick printing" services are included in the definition of "Business Support Services."

**Private Residential Recreation Facility.** A privately-owned, non-commercial outdoor recreation facility provided for residential project or neighborhood residents, including swimming pools, swim and tennis clubs, park and sport court facilities. Does not include golf courses and country clubs, which are separately defined.

~~**Produce Stand.** A temporary business established and operated for a specific time, selling raw, unprocessed fruits, vegetables, nuts, and other produce in its raw or natural state, and that is accessory to an on-site or adjacent agricultural operation.~~

**Comment [MJ36]:** Consider deleting as this use is not listed in the Use Tables. Or consider adding this use to the Use Tables.

**Property Line.** The recorded boundary of a parcel of land.

**Proposed Project.** A proposed new structure, new addition to an existing structure, or area of other new site development; these do not include the alteration of any portion of an existing structure other than an addition.

**Protected Zone of a Tree.** The maximum extent of the drip line of the tree plus five feet, projected in a circle around the tree, with the trunk at the center of the circle.

~~**Public Auction, Flea Market.** An indoor or outdoor facility where items sold are auctioned to on-site customers, or where used and/or new merchandise is sold at retail by individual vendors in a temporary or permanent facility operated and managed by a different proprietor or business entity, provided that the operator may also be engaged in sales.~~

**Comment [MJ37]:** See comment above.

**Public Facility.** A site or structure owned and operated by the City of Fort Bragg for the purpose of providing one or more services to residents of the City, and/or to support other City functions.

**Public Safety Facility.** A facility operated by a public agency including fire stations, other fire prevention and fire fighting facilities, police and sheriff substations and headquarters, including interim incarceration facilities. May include ambulance dispatch facilities on the same site.

## Definitions

**Q. Definitions, "Q."**

Qualifying Resident. A senior citizen, low income-family, disabled person or other person eligible to reside in senior in a specific type of citizen-affordable housing.

**R. Definitions, "R."**

**Recreational Vehicle (RV).** A motor home, travel trailer, truck camper, or camping trailer, with or without motive power, originally designed for human habitation for recreational, emergency, or other occupancy, which:

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

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

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

**Comment [MJ38]:** Simplify recycling definitions to apply to only large and small facilities.

1. **Small ~~Collection~~ Facility.** A center where the public may donate, redeem or sell recyclable materials, which may include the following, where allowed by the applicable zoning district:

- a. Reverse vending machines;
- b. Small collection facilities which occupy an area of 350 square feet or less and may include a mobile unit;

~~2. **Medium Collection Facility.** Includes the following:~~

- ~~ca.~~ Bulk reverse vending machines or a grouping of reverse vending machines occupying more than 50 square feet; and

- ~~cb.~~ A kiosk unit.

- ~~23.~~ **Large ~~Collection~~ Facility.** Large collection facilities which occupy an area of more than 350 square feet and/or include permanent or mobile structures.

- ~~4. **Mobile Recycling Unit.** An automobile, truck, trailer, or van used for the collection of recyclable materials, carrying bins, boxes, or other containers.~~

## Definitions

~~5. **Processing Facility.** A structure or enclosed space used for the collection and processing of recyclable materials for shipment, or to an end user's specifications, by such means as baling, briquetting, cleaning, compacting, crushing, flattening, grinding, mechanical sorting, re-manufacturing and shredding. Processing facilities include the following types, both of which are included under the definition of "Scrap and Dismantling Yards," below:~~

- ~~a. A light processing facility occupies an area of under 45,000 square feet of collection, processing and storage area, and averages two outbound truck shipments each day. Light processing facilities are limited to baling, briquetting, compacting, crushing, grinding, shredding and sorting of source separated recyclable materials sufficient to qualify as a certified processing facility. A light processing facility shall not shred, compact, or bale ferrous metals other than food and beverage containers; and~~
- ~~b. A heavy processing facility is any processing facility other than a light processing facility.~~

**36. Recycling Facility.** A center for the collection and/or processing of recyclable materials. A "certified" recycling or processing facility is certified by the California Department of Conservation as meeting the requirements of the California Beverage Container Recycling and Litter Reduction Act of 1786. A recycling facility does not include storage containers located on a residentially, commercially or industrially designated site used solely for the recycling of material generated on the site. See "Collection Facility" above.

**47. Recycling or Recyclable Material.** Reusable domestic containers and other materials which can be reconstituted, re-manufactured, or reused in an altered form, including glass, metals, paper and plastic. Recyclable material does not include refuse or hazardous materials.

~~8. **Reverse Vending Machine.** An automated mechanical device which accepts at least one or more types of empty beverage containers and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value, as determined by State law. These vending machines may accept aluminum cans, glass and plastic bottles, and other containers.~~

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

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

**Reduced Runoff.** A numerical projection based on the following formula: projected runoff multiplied by 0.80. This projection represents the maximum amount of stormwater drainage expected to occur at a particular site upon implementation of an approved Urban Runoff Mitigation Plan.

**Repair Service - Equipment, Large Appliances, etc.** A service and facility where various types of electrical, electronic, and mechanical equipment, and home and business appliances are repaired and/or maintained away from the site of the equipment owner. Does not include vehicle repair or maintenance, which is included under "Vehicle Services," the repair of small home appliances and electronic equipment, which is included under "Personal Services," maintenance and repair activities that occur on the client's site, which are included under "Maintenance Service - Client Site Services," or repair services provided on the site of a retail use that sells the products for which repair services are offered, which are incidental to the on-site sales.

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**Comment [MJ39]:** Redundant and conflicts with the definition below.

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## Definitions

**Residential Accessory Use or Structure.** Any use and/or structure that is customarily a part of, and clearly incidental and secondary to a residence, and does not change the character of the residential use. This definition includes the following detached accessory structures, and other similar structures normally associated with a residential use of property. See also "Agricultural Accessory Structure."

- garages
- gazebos
- greenhouses (non-commercial)
- spas and hot tubs
- storage sheds
- studios
- ~~swimming pools~~ ~~chicken coops~~
- ~~tennis and other on-site sport courts~~ ~~firewood shed~~
- workshops

**Comment [MJ40]:** Don't have many swimming pools or tennis courts in fort Bragg.

Also includes the indoor storage of automobiles (including their incidental restoration and repair), personal recreational vehicles and other personal property, accessory to a residential use. Does not include: second units, which are separately defined; guest houses, which are included under the definition of second units; ~~or home satellite dish and other receiving antennas for earth-based TV and radio broadcasts (see "Telecommunications Facilities").~~

**Comment [MJ41]:** Outdated.

**Residential Care Facility.** A ~~single family dwelling or~~ multi-unit facility licensed or supervised by a Federal, State, or local health/welfare agency that provides 24-hour nonmedical care of unrelated persons who are ~~handicapped and~~ in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual in a family-like environment. Does not include day care facilities, which are separately defined. ~~Does not include single family homes that provide 24-hour nonmedical care of unrelated individuals as this use is included in Single Family Residential (per state law).~~

**Comment [MJ42]:** Single family residential care facilities must be regulated the same way as a single family home. Consider eliminating this use all together.

**Residential Care Facility for the Elderly (RCFE).** A housing arrangement chosen voluntarily by the residents, or the residents' guardians, conservators or other responsible persons; where 75 percent of the residents are at least 62 years of age, or, if younger, have needs compatible with other residents; and where varying levels of care and supervision are provided, as agreed to at the time of admission or as determined necessary at subsequent times of reappraisal (definition from California Code of Regulations Title 22, Division 6, Chapter 6, Residential Care Facilities for the Elderly). RCFE projects may include basic services and community space.

RCFE projects include assisted living facilities (board and care homes), congregate housing, independent living centers/senior apartments, and life care facilities as defined below.

1. **Assisted Living Facility.** A residential building or buildings that also provide housing, personal and health care, as permitted by the Department of Social Services, designed to respond to the daily, individual needs of the residents. Assisted Living Facilities may include kitchenettes (small refrigerator, sink and/or microwave oven) within individual rooms. Assisted Living Facilities are required to be licensed by the California Department of Social Services, and do not include skilled nursing services.
2. **Independent Living Center/Senior Apartment.** Independent living centers and senior apartments and are multi-family residential projects reserved for senior citizens, where common facilities may be provided (for example, recreation areas), but where each dwelling unit has individual living, sleeping, bathing, and kitchen facilities.
3. **Life Care Facility.** Sometimes called Continuing Care Retirement Communities, or Senior Continuum of Care Complex, these facilities provide a wide range of care and supervision, and also provide health care (skilled nursing) so that residents can receive medical care without leaving the facility. Residents can expect to remain, even if they become physically incapacitated later in life. Life Care Facilities require multiple licensing from the State Department of Social Services, the State Department of Health Services, and the State Department of Insurance.

**Residential Component of Mixed Use Project.** See "Mixed Use Project."

Definitions

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**Residential Zone.** Any of the following zoning districts established by Chapter 18.14 (Zoning Map): RR (Rural Residential), RS (Suburban Residential), RL (Low Density Residential), RM (Medium Density Residential), RH (High Density Residential), and RVH (Very High Density Residential).

**Restaurant, Café, Coffee Shop.** A retail business selling ready-to-eat food and/or beverages for on- or off-premise consumption. These include eating establishments where customers are served from a walk-up ordering counter for either on- or off-premise consumption ("counter service"); and establishments where customers are served food at their tables for on-premise consumption ("table service"), that may also provide food for take-out. Also includes a brewery/restaurant, which serves food and includes the manufacture of beer and other brewed spirits.

**Retail Complex.** A primarily retail commercial site with three or more separate businesses sharing common pedestrian and parking areas.

**Review Authority.** The individual or official City body (the Community Development Director, Planning Commission, or City Council) identified by this Land Use and Development Code as having the responsibility and authority to review, and approve or disapprove the permit applications described in Article 7 (Planning Permit Procedures).

~~**Rooming or Boarding House.** A dwelling or part of a dwelling where lodging is furnished for compensation to five or more persons living independently from each other. Meals may also be included. Does not include fraternities, sororities, convents, or monasteries, which are separately defined under "Organizational House."~~

**Comment [MJ43]:** It is not legal to regulate residential uses in this manner. A household may rent out rooms to unrelated individuals (so long as the rentals are for longer than one month and occupancy stays under the building code threshold).

## Definitions

**S. Definitions, "S."**

**School.** A public or private academic educational institution, including:

boarding school	high school
community college, college, or university	military academy
elementary, middle, and junior high schools	

Also includes schools providing specialized education/training. Examples include the following:

art school	establishments providing courses by mail
ballet and other dance school	language school
business, secretarial, and vocational school	martial arts
computers and electronics school	music school
drama school	professional school (law, medicine, etc.)
driver education school	seminaries/religious ministry training facility

Also includes facilities, institutions and conference centers that offer specialized programs in personal growth and development, such as fitness, environmental awareness, arts, communications, and management. Does not include pre-schools and child day care facilities (see "Day Care"). See also the definition of "Studio - Art, Dance, Martial Arts, Music, etc." for smaller-scale facilities offering specialized instruction.

**Second Hand Store.** A retail store that buys and sells used products, including clothing, furniture and household goods, jewelry, appliances, musical instruments, business machines and office equipment, tools, motors, machines, instruments, firearms, or any similar secondhand articles or objects. Does not include **consignment shops ("retail Stores")**, **used** bookstores ("Retail Stores"); secondhand farm and construction equipment ("Construction, Farm, and Heavy Equipment Sales"); junk dealers, or scrap/dismantling yards (Recycling Facilities - Scrap and Dismantling Yards); the sale of antiques and collectibles ("Retail Stores"); the sale of cars and other used vehicles ("Auto and Vehicle Sales, Leasing, and Rental, Used"); or pawnshops ("Personal Services - Restricted").

**Second Unit/~~or~~ Carriage House/Duplex.** A second permanent dwelling **unit** that is accessory **or attached** to a primary dwelling on the same site. A second unit ~~or carriage house~~ **or duplex unit** that provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, sanitation, and parking, and if attached to the primary dwelling, is provided exterior access separate from the primary dwelling. A carriage house is a second unit located over a detached garage. Includes guest houses. **A second unit may be attached to the primary unit to form a duplex.**

**Comment [MJ44]:** Update Second Unit definition to comply with State law.

**Secondary Frontage.** For parcels that face more than one street, the secondary frontage is the front of the property that faces the smaller/less traveled street. By contrast a primary frontage is that portion of a parcel that faces the ~~smaller-larger or more traveled~~ **street**.

**Comment [MJ45]:** Fix error in definition.

**Service Animal.** **A dog or miniature horse that provides services to a differently abled individual under the auspices of the American with Disabilities Act. Excludes companion animals which are separately regulated under Article 4 Animal Keeping.**

**Comment [MJ46]:** A number of folks have come in seeking exceptions from the zoning ordinance for their companion animals, which are not covered under ADA.

**Service Station.** A retail business selling gasoline and/or other motor vehicle fuels, and related products. Where allowed by Article 2 (Zoning Districts and Allowable Land Uses), a gas station may also include a "Convenience Store," "Vehicle Services," and/or trailer rental ("Auto and Vehicle Sales or Rental"), which are separately defined.

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**Setback.** The distance by which a structure, parking area or other development feature must be separated from a lot line, other structure or development feature, or street centerline. See also "Yard," and Section 18.30.100 (Setback Requirements and Exceptions).

## Definitions

**Sign.** A structure, device, figure, display, message placard, or other contrivance, or any part thereof, situated outdoors or indoors, which is designed, constructed, intended, or used to advertise, or to provide information in the nature of advertising, to direct or attract attention to an object, person, institution, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. ~~Does not include murals, paintings and other works of art that are not intended to advertise or identify any business or product. Murals, painting and other works of art are separately regulated in the signage ordinance.~~ Types of signs include the following.

1. **A-Board Sign.** A portable "a-frame" or "sandwich board" sign.
2. **Abandoned Sign.** A sign that no longer advertises a business, lessor, owner, product, service or activity on the premises where the sign is displayed.
3. **Animated or Moving Sign.** A sign which uses movement, lighting, or special materials to depict action or create a special effect to imitate movement.
4. **Awning Sign.** A sign copy or logo attached to or painted on an awning.
5. **Banner, Flag, or Pennant.** Cloth, bunting, plastic, paper, or similar non-rigid material used for advertising purposes attached to a structure, staff, pole, line, framing, or vehicle, not including official flags of the United States, the State of California, and other states of the nation, counties, municipalities, official flags of foreign nations and nationally or internationally recognized organizations.
6. **Bench Sign.** Copy painted on a portion of a bench.
7. **Cabinet Sign (Can Sign).** A sign with its text and/or logo symbols and artwork on a translucent face panel that is mounted within a metal frame or cabinet that contains the lighting fixtures which illuminate the sign face from behind.
8. **Changeable Copy Sign.** A sign designed to allow the changing of copy through manual, mechanical, or electrical means including time and temperature.
9. **Directional Sign.** A sign that is designed and erected solely for the purposes of directing vehicular and/or pedestrian traffic within a project.
10. **Directory Sign.** A sign for listing the tenants and their suite numbers of a multiple tenant structure or center.
11. **Double-Faced Sign.** A sign constructed to display its message on the outer surfaces of two identical and/or opposite parallel planes.
12. **Electronic Reader Board Sign.** A sign with a fixed or changing display composed of a series of lights, but not including time and temperature displays.
13. **Mural/Painting or other Two Dimensional Art.** A mural is a piece of decorative artwork, typically located on the exterior of a building. A mural is generally excluded from sign regulations, however an over the counter design review is required per section 18.38.080.

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Comment [MJ47]: Add clarifying language about murals and paintings



## Definitions

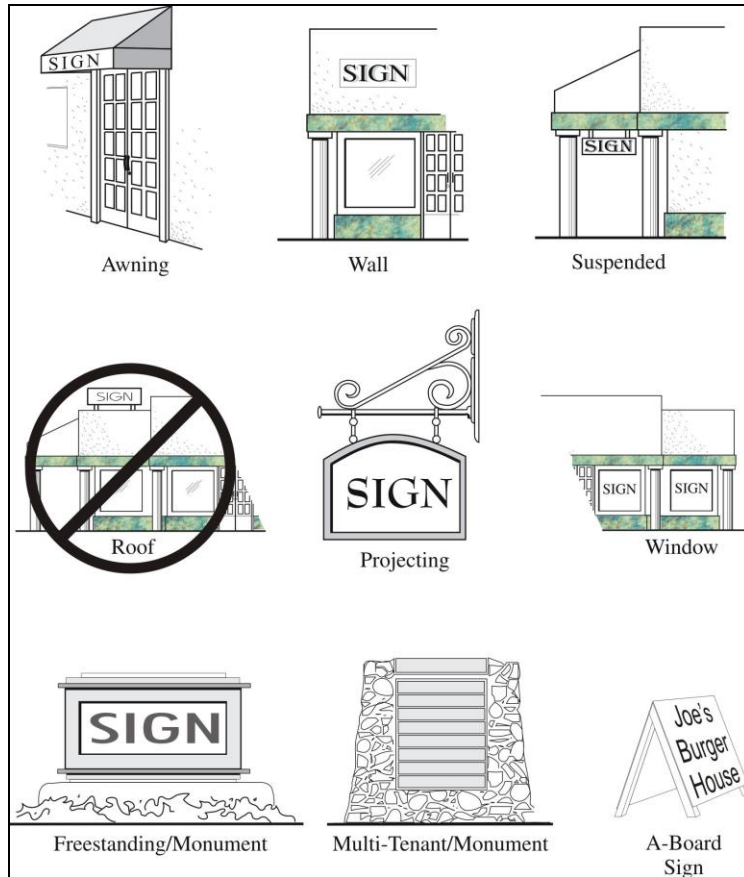


Figure 10-5 – Sign Examples

13. **Flashing Sign.** A sign that contains an intermittent or sequential flashing light source.
14. **Freestanding Sign.** A sign fixed in an upright position on the ground not attached to a structure other than a framework, pole or device, erected primarily to support the sign. Includes monument signs and pole signs.
15. **Illegal Sign.** A sign that includes any of the following:
  - a. A sign erected without complying with all regulations in effect at the time of its construction or use;
  - b. A sign that was legally erected, but whose use has ceased, the structure upon which the ~~display-sign~~ is placed has been abandoned by its owner, or the sign is not being used to identify or advertise an ongoing business for a period of not less than 90 days;
  - c. ~~A sign that was legally erected which later became nonconforming as a result of the adoption of an ordinance, the amortization period for the display provided by the ordinance rendering the display conforming has expired, and conformance has not been accomplished;~~

**Comment [MJ48]:** The City does not have an amortization period for non-conforming signs.

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- d. A sign that was legally erected which later became nonconforming and then was damaged to the extent of 50 percent or more of its current replacement value;
  - e. A sign which is a danger to the public or is unsafe;
  - f. A sign which is a traffic hazard not created by relocation of streets or highways or by acts of the City; or
  - g. A sign that pertains to a specific event, and five days have elapsed since the occurrence of the event.
- 16. **Indirectly Illuminated Sign.** A sign whose light source is external to the sign and which casts its light onto the sign from some distance.
- 17. **Internally Illuminated Sign.** A sign whose light source is located in the interior of the sign so that the rays go through the face of the sign, or light source which is attached to the face of the sign and is perceived as a design element of the sign.
- 18. **Marquee (Canopy) Sign.** A sign which is attached to or otherwise made a part of a permanent roof-like structure which projects beyond the building wall in the form of a large canopy to provide protection from the weather.
- 19. **Monument Sign.** An independent, freestanding structure supported on the ground having a solid base as opposed to being supported by poles or open braces.
- 20. **Multi-Tenant Sign.** An identification sign for a commercial site with multiple tenants, displaying the names of each tenant on the site.
- 21. **Nonconforming Sign.** An advertising structure or sign which was lawfully erected and maintained prior to the adoption of this Land Use and Development Code, but does not now completely comply with current regulations.
- 22. **Off-Site Directional Sign.** A sign identifying a publicly owned facility, emergency facility, or a temporary subdivision sign, but excluding real estate signs.
- 23. **Off-Site Sign.** A sign identifying a use, facility, service, or product that is not located, sold, or manufactured on the same premise as the sign, or that identifies a use, service, or product by a brand name which, although sold or manufactured on the premise, is not a principal item for sale or manufactured on the premise.
- 24. **Permanent Sign.** A sign constructed of durable materials and intended to exist for the duration of time that the use or occupant is located on the premises.
- 25. **Political or Social Issue Sign.** A sign that addresses:
  - a. The passage or defeat of a measure appearing on the ballot in any national, state, or local election;
  - b. The election or defeat of any candidate for any public office in any national, state, or local election; or
  - c. An international, national, state, or local political or social issue.
- 26. **Pole/Pylon Sign.** An elevated freestanding sign, typically supported by one or two poles or columns.
- 27. **Portable Sign.** A sign that is not permanently affixed to a structure or the ground.
- 28. **Projecting Sign.** A sign other than a wall sign suspending from, or supported by, a structure and projecting outward.

## Definitions

29. **Real Estate Sign.** A sign indicating that a property or any portion thereof is available for inspection, sale, lease, rent, or directing people to a property, but not including temporary subdivision signs.
30. **Roof Sign.** A sign constructed upon or over a roof, or placed so as to extend above the edge of the roof.
31. **Temporary Sign.** A sign intended to be displayed for a limited period of time and capable of being viewed from a public right-of-way, parking area or neighboring property.
32. **Vehicle Sign.** A sign which is attached to or painted on a vehicle which is parked on or adjacent to any property, the principal purpose of which is to attract attention to a product sold or business located on the property.
33. **Wall Sign.** A sign which is attached to or painted on the exterior wall of a structure with the display surface of the sign approximately parallel to the building wall.
34. **Window Sign.** A sign posted, painted, placed, or affixed in or on a window exposed to public view. An interior sign which faces a window exposed to public view and is located within three feet of the window.

**Sign Area.** See Section 18.38.060.A (General Requirements for All Signs - Sign area measurement).

**Sign Height.** See Section 18.38.060.B (General Requirements for All Signs - Sign height measurement).

**Significant Material.** Any substance including: garbage and debris; lawn clippings, leaves, and other vegetation; biological and fecal waste; mortar; sediment and sludge; manure and other fertilizers, pesticides, oil, grease; gasoline; paints, solvents, cleaners, and any fluid or solid containing toxic or nontoxic chemicals, or heavy metals; used batteries; or anything that contains such significant materials or to which such significant materials may attach.

**Single-Family Dwelling.** A building designed for and/or occupied exclusively by ~~a single housekeeping unit in a more or less permanent living arrangement~~ **one family**. Also includes factory-built, modular housing units, constructed in compliance with the Uniform Building Code (UBC), and mobile homes/manufactured housing units that comply with the National Manufactured Housing Construction and Safety Standards Act of 1974, placed on permanent foundation systems.

**Comment [MJ49]:** To avoid conflict with legal cases defining a family.

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

**Site Coverage.** The percentage of total site area occupied by structures, sidewalks, paved driveways, and other impervious surfaces.

**Small Family Day Care Home.** See "Day Care."

**Small Secondary Unit.** A second unit of 600 square feet or less.

~~**Social Service Organization.** A public or quasi-public establishment providing social and/or rehabilitation services, serving persons with social or personal problems requiring special services, the handicapped, and the otherwise disadvantaged. Examples of this land use include: counseling centers, welfare offices, job counseling and training centers, or vocational rehabilitation agencies. Includes organizations soliciting funds to be used directly for these and related services, and establishments engaged in community improvement and neighborhood development. Does not include day care services, emergency shelters and transitional housing, or "Residential Care," which are separately defined.~~

**Comment [MJ50]:** This definition defines a use by the type of user, rather than the activity. It then is used to regulate where these types of users (handicapped, low income, disadvantaged) can engage in business. It is, therefore, discriminatory. Each social service use should be regulated according to the activity in which it engages: office, medical services, art studio, education, etc.

**Soil.** Naturally occurring superficial deposits overlying bedrock.

## Definitions

**Soils Engineer (Geotechnical Engineer).** An engineer experienced and knowledgeable in the practice of soils (geotechnical) engineering.

**Soils Engineering.** The application of the principles of soils mechanics in the investigation, evaluation and design of civil works involving the use of earth materials and the inspection or testing of the construction thereof.

~~**Sports and Entertainment Assembly.** A large scale indoor or outdoor facility accommodating spectator oriented sports, concerts, and other entertainment activities. Examples of this land use include amphitheaters, race tracks, stadiums and coliseums. May also include commercial facilities customarily associated with the above uses, including bars and restaurants, gift shops, video game arcades, etc.~~

**Comment [MJ51]:** This type of use will likely never happen in Fort Bragg. The Sports and Active Recreation facility use should be added to the Use Table, instead.

**Sports and Active Recreation Facility.** Public and private facilities for various outdoor sports and other types of recreation, where the facilities are oriented more toward participants than spectators. Examples include:

- athletic/sport fields (e.g., baseball, football, softball, soccer)
- health and athletic club outdoor facilities
- skateboard parks
- swimming pools
- tennis and other sport courts (e.g., handball, squash)

**Storm Drain System.** Publicly-owned facilities operated by the City by which stormwater is collected and/or conveyed, including any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures which are within the City and are not part of a publicly owned treatment works as defined at 40 CFR Section 122.2.

**Stormwater.** Any surface flow, runoff, and drainage consisting entirely of water from rain storm events.

**Storage - Accessory.** The indoor storage of materials accessory and incidental to a primary use is not considered a land use separate from the primary use.

**Storage - Outdoor.** The storage of various materials outside of a structure other than fencing, either as an accessory or primary use.

**Storage - Personal Storage Facility.** Structures containing generally small, individual, compartmentalized stalls or lockers rented as individual storage spaces and characterized by low parking demand.

**Storage - Warehouse, Indoor Storage.** Facilities for the storage of furniture, household goods, or other commercial goods of any nature. Includes cold storage. Does not include: warehouse, storage or mini-storage facilities offered for rent or lease to the general public ("Storage - Personal Storage Facility"); warehouse facilities primarily used for wholesaling and distribution (see "Wholesaling and Distribution"); or terminal facilities for handling freight (see "Freight Terminal").

**Street.** A public thoroughfare accepted by the City, which affords principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road, and any other thoroughfare except an alley as defined in this Subsection.

**Structure.** Anything constructed or erected, the use of which requires attachment to the ground or attachment to something located on the ground. For the purposes of this Land Use and Development Code, the term "structure" includes "buildings," but does not include swimming pools.

~~**Studio - Art, Dance, Martial Arts, Music, etc.** Small scale facilities, typically accommodating production studios for individual musicians, painters, sculptors, photographers, and other artists and/or one a group of students at a time under instruction in art, dance, martial arts, music etc., in no more than one instructional space. Larger facilities are included under the definition of "Schools - Specialized education and training." Examples of these facilities include: individual and group instruction and training in the arts; production rehearsal; photography, and the processing of~~

Definitions

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~~photographs produced only by users of the studio facilities; martial arts training studios; gymnastics instruction, and aerobics and gymnastics studios; and dance studios. -with no other fitness facilities or equipment. Also includes production studios for individual musicians, painters, sculptors, photographers, and other artists.~~

**Comment [MJ52]:** Revised definition to reflect actual types of studios that are in Fort Bragg and likely to open here.

**Studio Unit.** A residential unit where living and sleeping space is combined in a single room.

**Subdivision.** The division, by any subdivider, of any unit or portion of land shown on the latest equalized Mendocino County assessment roll as a unit or contiguous units, for the purpose of sale, lease or financing, whether immediate or future. Property shall be considered as contiguous units, even if it is separated by roads, streets, utility easement or railroad rights-of-way. Subdivision includes the following, as defined in Civil Code Section 1715: a condominium project; a community apartment project; or the conversion of five or more existing dwelling units to a stock cooperative.

**Subdivision Improvements.** Subdivision improvements include but are not limited to streets, storm drainage facilities, sanitary sewers, water supply facilities, electric and gas lines.

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

## Definitions

**T. Definitions, "T."**

**Telecommunications Facility.** Public, commercial and private electromagnetic and photoelectrical transmission, broadcast, repeater and receiving stations for radio, television, telegraph, telephone, data network, and wireless communications, including commercial earth stations for satellite-based communications. Includes antennas, commercial satellite dish antennas, and equipment buildings. Does not include telephone, telegraph and cable television transmission facilities utilizing hard-wired or direct cable connections. The following terms and phrases are defined for the purposes of Chapter 18.44 (Telecommunications Facilities).

1. **Antenna.** Any system of poles, panels, rods, reflecting discs or similar devices used for the transmission or reception of electromagnetic waves or radio frequency signals.
2. **Colocation.** The location of two or more wireless, hard wire, or cable communication facilities on a single support structure or otherwise sharing a common location. Colocation shall also include the location of communication facilities with other facilities (e.g., water tanks, light standards, and other utility facilities and structures).
3. **Communication Facility.** An unstaffed facility, generally consisting of antennas, and equipment cabinet or structure, and related equipment, which receives and/or transmits electromagnetic waves, light waves, radio frequencies or other types of signals.
4. **Equipment Cabinet.** A cabinet or structure used to house equipment associated with a wireless, hard wire, or cable communication facility.
5. **Monopole.** A single freestanding pole, post, or similar structure, used to support equipment associated with a single communication facility.
6. **Multipoint Distribution Service.** A microwave communication service that delivers video programming, data and/or voice communication directly to subscribers, including multi-channel multipoint distribution series, instructional television fixed services, and local multipoint distribution services, or as defined by the Section 207 of the Telecommunications Act of 1996, Section 1.4000 of Title 47 of the Code of Federal Regulations and any interpretative decisions thereof issued by the Federal Communications Commission.
7. **Service Provider.** Any authorized provider of communication services.
8. **Tower.** Any ground or roof mounted pole, spire, structure, or combination thereof taller than 15 feet, including supporting lines, cables, wires, braces, and masts, intended primarily for the purpose of mounting an antenna or similar apparatus above grade.

**Temporary Structure.** 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.** A use of land that is designed, operated and occupies a site for a limited time, typically less than 12 months.

**Tenant.** A person renting or leasing a housing unit or non-residential space.

**Terrestrial Vegetation.** Native plants common to areas away from riparian features or the ocean.

**Theater.** A commercial indoor facility for group entertainment, other than sporting events. Examples of these facilities include: civic theaters, and facilities for "live" theater and concerts and movie theaters. See also "Meeting Facility, Public or Private," ~~and "Sports and Entertainment Assembly."~~

**Comment [MJ53]:** Eliminated this definition.

**Top of Creek Bank.** The uppermost ground elevation paralleling a creek or watercourse where the gradient changes from a more defined vertical component to more horizontal.

**Transit Station or Terminal.** A passenger station for vehicular, and rail ~~mass transit~~ systems; also terminal facilities providing maintenance and service for the vehicles operated in the transit system. Includes buses, taxis, railway, etc.

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## U. Definitions, "U."

**Unit Owner, or Owner.** The holder of record fee title to an affordable unit. "Unit owner" includes a contract purchaser ("vendee") under an installment land contract.

**Use.** See "Land Use."

**Use, Primary.** See "Primary Use."

**Urban Runoff.** Any surface water flow produced by non-stormwater resulting from residential, commercial, and industrial activities involving the use of potable and non-potable water.

**Urban Runoff Mitigation Plan.** A plan which shall be required to be approved in connection with any new development that includes ground disturbance. Any such plan shall achieve 20 percent reduction of the projected runoff for the site.

**Utility Facility.** A fixed-base structure or facility serving as a junction point for transferring electric utility services from one transmission voltage to another or to local distribution and service voltages, and similar facilities for water supply and natural gas distribution. These uses include any of the following facilities that are not exempted from planning permit requirements by Government Code Section 530171:

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

These uses do not include office or customer service centers (classified in "Offices").

**Utility Infrastructure.** Pipelines for water, natural gas, and sewage collection and disposal; and facilities for the transmission of electrical energy for sale, including transmission lines for a public utility company. Also includes telephone, telegraph, cable television and other communications transmission facilities utilizing direct physical conduits. Does not include offices or service centers (see "Offices - Business and Service"), or distribution substations (see "Utility Facility").

## Definitions

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**V. Definitions, "V."**

**Vacation Rental.** ~~A rental of a residential room or house for less than a month for any purpose~~ See "lodging".

**Vehicle Services.** The repair, servicing, alteration, restoration, towing, painting, cleaning, or finishing of automobiles, trucks, recreational vehicles, boats and other vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. This use includes the following categories.

1. **Major Repair/Body Work.** These establishments include towing, collision repair, vehicular and engine repair (brake jobs, transmission work, etc.), other body work, and painting services; tire recapping.
2. **Minor Maintenance/Repair.** Minor facilities providing limited repair and maintenance services. Examples include: attended and self-service car washes; detailing services; muffler and radiator shops; quick-lube services; tire and battery sales and installation (not including recapping).

Does not include automobile parking (see "Parking Facilities"), repair shops that are part of a vehicle dealership on the same site (see "Auto and Vehicle Sales and Rental," and "Mobile Home, RV, and Boat Sales and Rental"); gas stations, which are separately defined; or dismantling yards, which are included under "Recycling - Scrap and Dismantling Yards."

**Vehicle Storage.** A facility for the storage of operative cars and other fleet vehicles, trucks, buses, recreational vehicles, and other motor vehicles. Includes facilities for the storage and/or servicing of fleet vehicles. Does not include public or private parking lots; or dismantling yards (classified in "Recycling - Scrap and Dismantling Yards").

**Veterinary Clinic, Animal Hospital.** Office and indoor medical treatment facilities used by veterinarians, including large and small animal veterinary clinics, and animal hospitals. See also "Kennel, Animal Boarding."

~~Video Rental. See "General Retail" and "Adult Entertainment Business."~~

**W. Definitions, "W."**

**Warehouse.** See "Storage - Warehouse, Indoor Storage."

**Waters of the United States.** Surface watercourses and water bodies as defined at 40 CFR § 122.2, including all natural waterways and definite channels and depressions in the earth that may carry water, even though such waterways may only carry water during rains and storms and may not carry stormwater at and during all times and seasons.

**Wholesaling and Distribution.** An establishment engaged in selling merchandise to retailers; to contractors, industrial, commercial, institutional, farm, or professional business users; to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies. Examples of these establishments include:

- agents, merchandise or commodity brokers, and commission merchants
- assemblers, buyers and associations engaged in the cooperative marketing of farm products
- merchant wholesalers
- stores primarily selling electrical, plumbing, heating and air conditioning supplies and equipment.

Also includes storage, processing, packaging, and shipping facilities for mail order and electronic-commerce retail establishments.

**Wine Tasting.** A facility, or area within a winery, where wine and related products are offered for retail sale, where wine may be tasted for a fee, or without charge.

**Winery.** A manufacturing facility where wine grapes are crushed, and their juice is fermented, aged, bottled, and sold at wholesale as finished wine. May include tasting and accessory retail sales of wine produced on site.



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**X. Definitions, "X."**

No specialized terms beginning with the letter "X" are defined at this time.

**Y. Definitions, "Y."**

**Yard.** An area between a lot line and a structure, unobstructed and unoccupied from the ground upward, except for projections permitted by this Land Use and Development Code. See also "Setback," and Section 18.30.100 (Setback Requirements and Exceptions).

1. **Front Yard.** An area extending across the full width of the lot between the front lot line and the primary structure.
2. **Rear Yard.** An area extending the full width of the lot between a rear lot line and the primary structure.
3. **Side Yard.** An area between a side lot line and the primary structure extending between the front and rear yards.

**Z. Definitions, "Z."**

**Zero Lot Line.** The location of a building on a lot in such a manner that one or more building sides rests directly on a lot line.

**Zoning District.** Any district established by Section 18.14 (Zoning Map), within which certain land uses are allowed or prohibited, and certain site planning and development standards are established (e.g., setbacks, height limits, site coverage requirements, etc.).