

**RESOLUTION 2001-488**

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, DECLARING *The 2001 Amendments to Section 103(Definitions) of the Planning and Zoning Ordinance (87-A23) dated November 28, 2001*, TO BE A PUBLIC RECORD.**


WHEREAS, ARS 9-802 permits the enactment and publication by reference of a code or public record, including a statute, rule, or regulation of the municipality, in the interests of economy, and

WHEREAS, the document entitled *The 2001 Amendments to Section 103 (Definitions) of the Planning & Zoning Ordinance (87-A23) dated November 28, 2001*, is a lengthy revision of the ordinance, which would qualify for enactment by reference as a matter of law,

**NOW, THEREFORE, THE MAYOR AND THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE HEREBY DECLARE *The 2001 Amendments to Section 103 (Definitions) of the Planning and Zoning Ordinance (87-A23) dated November 28, 2001*, ATTACHED HERETO AND INCORPORATED HEREIN, TO BE A PUBLIC RECORD PURSUANT TO ARS 9-802, TO BE ENACTED BY ORDINANCE 2001 A192, AND ORDER THAT THREE (3) COPIES OF THE AMENDMENTS BE PERMANENTLY FILED IN THE OFFICE OF THE TOWN CLERK AND COMMUNITY DEVELOPMENT DIRECTOR, AND AVAILABLE FOR PUBLIC USE AND INSPECTION.**

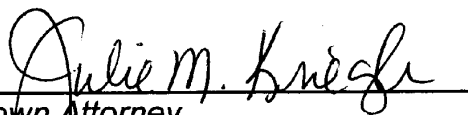
*PASSED, APPROVED, AND ADOPTED by the Mayor and common Council of the Town of Camp Verde, Yavapai County, Arizona, on the 28th day of November 2001.*

Approved:

  
Mayor /Dated: 12-3-01

Attest:   
Town Clerk

Approved as to form:

  
Town Attorney

**SECTION 103 - DEFINITIONS**

- ACCESSORY USE:** See ~~USE~~ A use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with such principal use.
- ADULT DAY CARE:** An establishment enrolling four or more adults where fees or other forms of compensation for the care of the adults is charged, and which is licensed and approved to operate by the State.
- AGRICULTURE:** The production, keeping or maintenance, for sale, lease or personal use, of plants and animals useful to man, including the breeding and grazing of any or all of such animals; or lands devoted to a soil conservation or forestry management program.
- ALLEY:** A public passageway affording a secondary means of access to abutting property that has been dedicated or deeded to the public for public use.
- APARTMENT:** A suite of rooms, with or without cooking facilities used for living purposes. Each such suite of rooms having cooking facilities shall constitute a dwelling unit.  
See "Apartment House"
- APARTMENT HOTEL:** See "HOTEL"
- APARTMENT HOUSE:** Any building or portion thereof that contains three or more dwelling units and, for the purpose of this code, includes residential condominiums.
- APPLICANT:** A person submitting an application for development.
- APPLICATION FOR DEVELOPMENT:** The application form and all accompanying documents and exhibits required of an applicant by an approving authority for development review purposes.
- APPROVED PLAN:** A plan, which has been granted final approval by the appropriate approving authority.
- ASSISTED LIVING CARE FACILITY:** An extended or intermediate care facility licensed or approved to provide full-time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.

AUTOMOBILE SERVICE STATION:	<del>A place of business having pumps and/or storage tanks from which liquid fuel and/or lubricants are dispensed at retail directly into the motor vehicle. Service, inspections and minor repairs are considered accessory to the sale of such fuel and lubricants. See "Motor Vehicle Fuel-Dispensing Station"</del>
<u>AWNING:</u>	<u>A roof-like cover that projects from the wall of a building for the purpose of shielding a doorway or window from the elements.</u>
<u>BASEMENT:</u>	<u>Any floor level below the first story in a building, except that a floor level in a building having only one floor level shall be classified as a basement unless such floor level qualifies as a first story as defined herein. Or as defined in the current adopted UBC.</u>
<u>BED AND BREAKFAST:</u>	See " <u>ROOMING HOUSE</u> "
<u>BEDROOM:</u>	<u>A private room planned and intended for sleeping, separable from other rooms by a door, and accessible to a bathroom without crossing another bedroom or living room.</u>
<u>BOARDER:</u>	<u>An individual other than a member of the family occupying the dwelling unit or part thereof who, for a consideration, is furnished sleeping accommodations and may be furnished meals or other services as part of the consideration.</u>
<u>BOARDING STABLE:</u>	<u>A structure designed for the feeding, housing and exercising of horses not owned by the owner of the premises and for a consideration.</u>
<u>BUILDING:</u>	<del>A structure having a roof supported by columns or walls. Any structure used or intended for supporting or sheltering any use or occupancy.</del>
<u>BUILDING (ACCESSORY):</u>	<u>A subordinate structure building, either attached or detached from the principle or main building or use occupied or devoted to a use incidental to the principal use, containing an accessory use.</u>
<u>BUILDING AREA:</u>	<del>The total area (taken on a horizontal plane at the mean grade level) of the principle buildings and all accessory buildings (exclusive of uncovered porches, terraces and steps). See "FLOOR AREA"</del>
<u>BUILDING (CLOSED):</u>	<u>A building structure completely enclosed by a roof, walls and doors on all sides facing the perimeter of a lot.</u>

**BUILDING  
HEIGHT:**

~~The vertical distance (measured from the structure grade level) to the highest level of the roof surface of flat roofs; to the deck line of mansard roofs; or to the mean height between eaves and ridge for gable, gambrel or hip roofs.~~

~~Except where specifically provided in this Ordinance, building height does not apply to portions of buildings extending above the general roofline and comprising an aggregate area not greater than 25 per cent of the total roof area, or to structure other than buildings.~~

The vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:

1. The elevation of the highest adjoining sidewalk or ground surface within a 5-foot (1524 mm) horizontal distance of the exterior wall of the building when such a sidewalk or ground surface is not more than 10 feet (3048 mm) above lowest grade.
2. An elevation 10 feet (3048 mm) higher than the lowest grade when the sidewalk or ground surface described in Item 1 is more than 10 feet (3048 mm) above the lowest grade.

The height of a stepped or terraced building is the maximum height of any segment of the building. Or as defined in the current adopted UBC.

BUS SHELTER:

A small, roofed structure, having from one to three walls, located near a street, and designed primarily for the protection and convenience of bus passengers.

BUS TURNOUT:

A paved indentation at the side of a roadway designed to allow buses to pick up and discharge passengers.

CAMPER:

Any individual who occupies a campsite or otherwise assumes charge of, or is paced in charge of, a campsite.

CAMPGROUND:

A plot of ground upon which two or more campsites are located, established, or maintained for occupancy by the general public as temporary living quarters for recreation, education, or vacation purposes.

- CARPORIT: A roofed structure to provide space for the parking or storage of motor vehicles and enclosed on not more than three sides.  
~~An open porch used solely for the parking of motor vehicles and contain no enclosing screen, lattice or other material other than the wall or walls of the building to which is attaches, or other than a storage room (where the side adjoining the lot boundary does not exceed 6 feet).~~
- CEMETERY:  
(MEMORIAL PARK): Property used for interring of the dead.  
~~A perpetual care landscaped cemetery in which all grave and plat markers must be flush with the ground grade. (Moved to separate definition.)~~
- CHANGE OF USE: Any use which substantially differs from the previous use of a building or land.
- CHARITABLE USE: Property used by a nonprofit or philanthropic organization that provides a service beneficial to the general public or to a significant portion of the public for no fee or at a fee recognized as being less than that charged by profit-making organizations.
- CHILD CARE CENTER: A private establishment enrolling more than four children between the ages of two and five years of age and where tuition, fees, or other forms of compensation for the care of the children is charged, and which is licensed or approved to operate as a child care center by the State.
- CHURCH: A building or structure, or groups of buildings or structures, which by design and construction are primarily intended for the conducting of organized religious services and accessory uses, associated with the church.
- CLINIC: An establishment where patients are admitted for examination and treatment by one or more physicians, dentists, psychologists or social workers and where patients are not usually lodged overnight.
- COMMERICAL USE: Activity carried out for pecuniary gain.
- COMPLETE APPLICATION: An application form completed as specified by the rules and regulations of the Town and all accompanying documents required by for approval of the application.
- CONDITIONAL USE: A use permitted in a particular zoning district only upon showing that such use in a specified location will comply with all the conditions and standards for the location or operation of such use as specified in a zoning ordinance and authorized by the Town Council.

<u>CONDOMINIUM:</u>	<u>A building or group of buildings, in which units are owned individually, and common areas and facilities are owned by all the owners on a proportional, undivided basis.</u>
<u>CONSIDERATION:</u>	<u>An inducement to a contract.</u>
<u>CONSOLIDATION:</u>	<u>The removal of lot lines between contiguous parcels.</u>
<u>CONTIGUOUS:</u>	<u>Next to, abutting, or touching and sharing a common boundary or portion thereof in actual contact.</u>
<u>COTTAGE INDUSTRY:</u>	<u>A home occupation carried out in a structure separate from the principal building.</u>
<u>COURT:</u>	<p><del>Any space (other than a yard) on the same lot with a building or group of buildings which is unobstructed and open to the sky from and above the floor level of any room having a window or door opening on such court. The width of a court shall be its least horizontal dimension.</del></p> <p>A space, open and unobstructed to the sky, located at or above grade level on a lot and bounded on three or more sides by walls of a building.</p>
<u>DAY CARE CENTER:</u>	<u>See "ADULT CARE CENTER " OR "CHILD CARE CENTER"</u>
<u>DRIVEWAY:</u>	<u>A private roadway providing access for vehicles to a parking space, garage, dwelling or other structure.</u>
<u>DWELLING:</u>	<p><del>A building containing one or more dwelling units.</del></p> <p><u>Any building or portion thereof that contains not more than two dwelling units.</u></p>
<u>DWELLING UNIT:</u>	<p><del>A room (or group of rooms) designed for one or more persons living and cooking as on homogeneous body (including relatives and servants) and contain one accommodation for preparation of meals.</del></p> <p><u>Any building or portion thereof that contains living facilities, including provisions for sleeping, eating, cooking and sanitation, as required by this code, for not more than one family, or congregate residence for 10 or less persons.</u></p>
<u>EASEMENT:</u>	<u>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.</u>
<u>ELEVATION:</u>	<p><u>(1) A vertical distance above or below a fixed reference level; (2)</u> <u>A flat scale drawing of the front, rear, or side of a building.</u></p>
<u>ENCROACHMENT:</u>	<u>Any obstruction in a delineated floodway, right-of-way or adjacent property.</u>

- EXCAVATION: Removal and/or recovery by any means whatsoever of soil, rock, minerals, mineral substances or organic substances other than vegetation, from water or land on or beneath the surface thereof, or beneath the land surface, whether exposed or submerged.
- EXISTING USE: The use of a lot, property or structure at the time of the enactment of a zoning ordinance.
- EXTENDED CARE FACILITY: A facility or distinct part of a facility or approved nursing home, infirmary unit of a home for the aged or a government medical institution which provides 24-hour medical supervision for two or more people who are not related to the governing authority of such facility by marriage, blood or adoption.
- FAMILY: One or more individuals occupying a dwelling unit and living as a single household unit.
- FARM OR FARMLAND: A parcel of land used for agricultural purposes.
- FARM STAND: A booth or stall located on a farm from which produce and farm products are sold to the public.
- FARM STRUCTURE: Any building or structure used for agricultural purposes.
- FENCE: An artificially constructed barrier of any material or combination of materials erected in such a manner as to control entrance to, enclose, screen or mark the boundaries of a property.
- FILL: Sand, gravel, earth or other materials of any composition whatsoever placed or deposited in such a manner as to give solidity or bulk.
- FINAL APPROVAL: The last official action taken by the Town on a development plan which has been given preliminary approval, after all conditions and requirements have been met, and the required improvements have been installed or guarantees properly posted for their installation, or approval conditioned upon the posting of such guarantees.
- FINISHED ELEVATION: The proposed or actual elevation of the land surface of a site after completion of all site preparation work.
- FLAG LOT: A lot not fronting on or abutting a public road and where access to the public road is by a narrow private right-of-way.

<u>FLOOR AREA:</u>	<del>See <u>BUILDING FLOOR AREA</u></del> <u>The area included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts and courts. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the useable area under the horizontal projection of the roof or floor above.</u>
<u>FURNITURE (OUTSIDE):</u>	<u>Weather resistant movable items such as tables, chairs and cabinets for use or ornament on patios, decks or lawns.</u>
<u>GLARE:</u>	<u>The effect produced by brightness sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.</u>
<u>GOLF COURSE:</u>	<u>A tract of land developed for playing golf, improved with tees, greens, fairways, hazards, and which may include clubhouses and shelters.</u>
<u>GRADE:</u>	<u>The degree of rise or descent of a slopping surface.</u>
<u>GRADE (FINISHED):</u>	<u>The final elevation of the ground surface after development.</u>
<u>GRADE (NATURAL):</u>	<u>The elevation of the ground surface prior to man-made alterations.</u>
<u>GRAVEL PIT:</u>	<u>An open land area where sand, gravel and rock fragments are mined or excavated for sale or off-tract use.</u>
<u>GRADING:</u>	<u>The excavation, removal, filling, movement, storage or relocation of material which has the effect of changing the existing topography of the property not defined as mining or quarrying or as may be defined further in the Uniform Building Code as adopted and amended by the Town.</u>
<u>GROUND FLOOR:</u>	<u>The lowest story in a building that is not more than four feet below grade, for more than 50% of the total perimeter, or not more than eight feet below grade, at any point.</u>
<u>GROUP CARE FACILITY:</u>	<u>A facility or dwelling unit housing persons unrelated by blood or marriage and operating as a group family household.</u>
<u>GUESTROOM:</u>	<del>One or more rooms intended as one occupancy over night (or longer) by other than members of the family. If such contains cooking facilities it is deemed a dwelling unit.</del> <u>Any room or rooms used or intended to be used by a guest for sleeping purposes. Every 100 square feet (9.3 m2) of superficial floor area in a dormitory shall be considered to be a guest room.</u>



HEALTH CARE FACILITY:

A facility or institution, whether public or private, engaged in providing services for health maintenance, diagnosis, or treatment of human disease, injury, pain, deformity or physical condition.

HEIGHT:

See BUILDING HEIGHT.

HOSPITAL:

A facility providing primary health services and medical or surgical care to persons, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions and including, as an integral part of the facility, related facilities such as laboratories, outpatient facilities or training facilities. A place for the treatment or care of human ailments, and, unless otherwise specified, the term shall include sanitarium, clinic, maternity home, rest home, convalescent home and similar.

HOTEL:

~~A building other than a boarding house as defined herein, which building contains more than five guest rooms and offers transient lodging accommodations to the general public and provides additional services such as restaurants, meeting rooms, and recreation facilities, where entrance to the sleeping rooms or apartments is from a common entrance or lobby. For Density Formula purposes, two such guestrooms may be counted as one dwelling unit.~~

Any building containing six or more guest rooms intended or designed to be used, or that are used, rented or hired out to be occupied, or that are occupied for sleeping purposes by guests.

HOTEL (APARTMENT):

~~A building or group of buildings containing a number of independent suite of rooms for dwelling purposes and in which at least one common dining room is provided. For Density Formula purposes, each two guest rooms may be counted as one dwelling unit.~~

HOUSEHOLD:

A family living together in a single dwelling unit, with common access to and common use of, all living and eating areas and all areas and facilities for food preparation and storage within the dwelling unit.

HOUSING UNIT:

A room or group of rooms used by one or more individuals living separately from others in the structure, with direct access to the outside or to a public hall and containing separate toilet and kitchen facilities.

IMPROVED LOT:

A lot having an improvement on it.

<u>IMPROVEMENT:</u>	<u>Any made-made, immovable item or structure, which becomes part of, placed upon, or is affixed to, real estate.</u>
<u>INFRASTRUCTURE:</u>	<u>Facilities and services needed to sustain industrial, residential and commercial activities.</u>
<u>INN:</u>	<u>A commercial facility for the housing and feeding of transients.</u>
<u>INTERMEDIATE CARE FACILITY:</u>	<u>A facility which provides, on a regular basis, health related care and services to individuals, who do not require the level of care and treatment which a hospital or skilled nursing facility is designed to provide, but who, because of their mental or physical condition, require care and services beyond the level of room and board, which can be made available to them only through facilities such as these.</u>
<u>JOINT OWNERSHIP:</u>	<u>The equal estate interest of two or more persons.</u>
<u>JUNK:</u>	<u>Any old or discarded material, scrap, waste, reclaimable material or debris, whether or not stored or used in conjunction with dismantling, processing, salvaging, storage, baling, disposal or other use or disposition.</u>
<u>KIOSK:</u>	<u>A freestanding structure upon which temporary information and/or announcements, notices or posters are displayed for public observation.</u>
<u>LAND:</u>	<u>Ground, soil or earth including improvements on, above or below the surface.</u>
<u>LAND DISTURBANCE:</u>	<u>Any activity which alters the land topography or vegetation cover or any activity involving the clearing, cutting, excavating, filling or grading of land.</u>
<u>LAND RECLAMATION:</u>	<u>Increasing land use capability by changing the land's character or environment, usually through drainage and/or fill.</u>
<u>LAND USE:</u>	<u>A description of how land is occupied or used.</u>
<u>LAND USE MAP:</u>	<u>A map indicating the desired and proposed location, extent and intensity of land uses to be used as a guide for future development.</u>
<u>LANDMARK:</u>	<u>(1) Any site, building, structure, or natural feature that has visual, historic or cultural significance; (2) A permanent marker designating property boundaries.</u>

- LANDSCAPE: (1) An expanse of natural scenery; (2) The addition of lawns, trees, plants, and other natural and decorative features to land.
- LAUNDRY (SELF-HELP): ~~A building in which domestic type washing machines and/or dryers are provided on a rental basis for use by individuals doing their own laundry.~~
- LAUNDROMAT: An establishment that provides washing, drying or dry cleaning machines on the premises for rental use to the general public for household laundering or dry cleaning purposes.
- LODGER: A transient renter whose meals may or may not be supplied in the cost of the rent.
- LONG-TERM CARE FACILITY: A facility or distinct part of a facility or approved nursing home, infirmary unit of a home for the aged or a government medical institution which provides 24-hour medical supervision for two or more people who are not related to the governing authority of such facility by marriage, blood or adoption.
- LOT AREA: The total area within the lot lines of a lot, excluding any street rights-of-way.
- LOT (CORNER): A lot abutting on two or more streets at their intersectingion or abutting on two parts of the same street forming an interior angle of less than ~~intercepting streets where the angle of intersection does not exceed~~ 135 degrees. A corner lot shall be considered to be in that block in which it fronts.
- LOT COVERAGE: The portion of the lot that is covered by buildings and structures.
- LOT DEPTH: The ~~shortest~~ distance measured from between the mid-point of the front and rear line.
- LOT (INTERIOR): A lot other than a corner lot. ~~Lots having no sides abutting on a street.~~
- LOT LINE: A line of record bounding a lot, which divides one lot from another lot or from a public or private street or any other public space.
- LOT LINE (FRONT): The lot line separating a lot from a street right-of-way. That part abutting a street. The front line of a corner lot shall be the shorter of the two street lines as originally platted, or if such are equal, the most obvious front by reason of usage by adjacent lots. The front line of a through lot shall be that line which is obviously the front by reason of usage by adjacent lots. Such a lot exceeding 188 feet in depth may be considered as having two front lines.

LOT LINE  
(REAR):

The lot line opposite and most distant from the front lot line or in the case of triangular or otherwise irregularly shaped lots, a line ten feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line. Where the side lines of the lot met in a point, the rear line shall be considered parallel to the front line or a tangent of the mid-point of a curved front line and lying 10 feet within the lot.

LOT, MINIMUM  
AREA OF:

The smallest lot area established by the zoning ordinance on which a building or structure may be located in a particular district.

LOT OF RECORD:

A lot which exists as shown or described on a plat or deed at the County Recorder's Office.

LOT  
(THROUGH):

A lot in which the front and rear line abut on a street.

LOT, WIDTH:

The horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required building setback line.

MADE LAND:

Land previously unsuitable for development because of high water table, flooding, unstable subsurface conditions or similar impairments and made suitable by corrective action.

MANUFACTURING:

The act of, either by mechanical or chemical means, transforming materials or substances into new products including the assembling of component parts; or establishments engaged in the manufacturing of products by assembling of component parts or blending of materials.

MINE:

1) A cavity in the earth from which minerals and ores are extracted. 2) The act of removing minerals, ores, or other natural resources.

MINING:

The extraction of minerals, ores or other natural resources. The term also includes quarrying; well operation; milling, such as crushing, screening, washing and floatation; and other preparation customarily done at the mine site or as part of the mining activity.

MOTEL:

A building or group of buildings containing guest rooms or dwelling units, each of which maintains a separate outside entrance, used primarily for the accommodation of automobile travelers and providing automobile parking space on the premises. For Density Formula purposes, two such guestrooms may be counted as one dwelling unit.  
See "HOTEL"

MOTOR VEHICLE  
FUEL-DISPENSING  
STATION:

That portion of a building where flammable or combustible liquids or gases used as motor fuels are stored and dispensed from fixed equipment into the fuel tanks of motor vehicles.

NURSERY SCHOOL:

See "CHILD CARE CENTER" SCHOOL

OCCUPANCY:

~~Any building or part thereof, that is ready for use or its intended use. (Added 3-17-01 by Ordinance 2001-A173)~~  
The purpose for that a building, or part thereof, is used or intended to be used.

PERMITTED USE:

Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.

RECLAMATION  
PLAN:

A written document outlining how land will be made into suitable and useful condition for development or open space after a temporary use or activity on the land is finished or completed.

RECREATIONAL  
VEHICLE:

~~A vehicle limited to not more than 10 feet in width and 40 feet in length, designed and constructed to permit temporary occupancy as a residence and towed or driven on its own chassis. A recreational vehicle shall not be considered as a dwelling nor occupied as such on residential lots (added 7-13-94 by Ord. 94A93/ Res. 94-268) ). repealed and updated by Ord. 95A102/Res-95-305 on 5-3-95)~~

A vehicular type portable structure without permanent foundation, which can be towed, hauled or driven and primarily designed as temporary living accommodation for recreational, camping and travel use and including but not limited to travel trailers, truck campers, camping trailers and self-propelled motor homes.

REST HOME:

See "LONG TERM CARE FACILITY" Same as HOSPITAL

RIGHT-OF-WAY:

A strip of land acquired by reservation, dedication, forced dedication, condemnation, prescription and intended to be occupied or occupied by a road, sidewalk, railroad, utilities, or other similar uses.

SCHOOL (NURSERY):

An establishment enrolling more than four preschool children and where tuition, fees, or other forms of compensation for the care and instruction of the children is charged, and which is licensed or approved to operate by the State. An institution intended primarily for the daytime care of children of pre-school age. Even though some instruction may be offered in connection with such care, the institution shall not be considered a "School" within the meaning of the Ordinance.

- SCREENING: A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms, or densely planted vegetation.
- SELF-HELP LAUNDRY: See LAUNDRY
- SETBACK: The distance between the street right-of-way line and the front line of a building or any projection thereof.
- SITE PLAN: The development plan for one or more lots on which is shown the existing and proposed conditions of the lot including but not limited to: topography, vegetation, drainage, floodplains, waterways, utility services, landscaping, structures and signs, lighting and screening devices; and any other information that may be required in order for the approving authority to make an informed decision.
- SPOT ZONING: Rezoning a lot or parcel of land to benefit the owner for a use incompatible with surrounding uses and not for the purpose or effect of furthering the comprehensive zoning plan.
- STORY: That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between the floor and ceiling next above it. A basement, the ceiling of which is less than 4 feet 6 inches above the grade level shall not be considered a floor. A mezzanine floor shall be considered a story if it exceeds an area of 40 percent of the area of the floor next below it.  
That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a usable or unused under-floor space is more than 6 feet (1829 mm) above grade, as defined herein, for more than 50 percent of the total perimeter or is more than 12 feet (3658 mm) above grade, as defined herein, at any point, such usable or unused under-floor space shall be considered as a story. Or as defined in the current adopted UBC.
- STORY, FIRST: The lowest story in a building that qualifies as a story, as defined herein, except that a floor level in a building having only one floor level shall be classified as a first story, provided such floor level is not more than 4 feet (1219 mm) below grade, as defined herein, for more than 50 percent of the total perimeter, or not more than 8 feet (2438 mm) below grade, as defined herein, at any point. Or as defined in the current adopted UBC.

- STREET:** ~~A public passageway, which affords a principle means of access to abutting property.~~  
Any thoroughfare or public way not less than 16 feet (4877 mm) in width that has been dedicated or deeded to the public for public use.
- STRUCTURE:** ~~The result of arranging materials and parts together and attached to a lot (such as buildings, tanks and fences), but not including tents or vehicles.~~  
That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.
- UNSAFE BUILDING OR STRUCTURES:** All buildings or structures regulated by this code that are structurally unsafe or not provided with adequate egress, or that constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe. Any use of buildings or structures constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment, is for the purpose of this section, an unsafe use. Parapet walls, cornices, spires, towers, tanks, statuary, and other appendages or structural members that are supported by, attached to, or a part of a building and that are in deteriorated condition or otherwise unable to sustain the design loads that are specified in this code are hereby designated as unsafe building appendages.
- USE (NON-CONFORMING):** A use or activity which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails, by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning district. A use operated in an otherwise lawful manner that does not conform to the provisions of the District in which located.
- USE (TEMPORARY):** A use established for a fixed period of time with the intent to discontinue such use upon the expiration of a fixed time period.
- VARIANCE:** Permission to depart from the literal requirements of a zoning district.
- VEHICLE, MOTOR:** A self-propelled device used for transportation of people or goods over land surfaces and licensed as a motor vehicle.
- WRECKING YARD:** See YARD

**YARD:** A required space of uniform width adjacent to the perimeter of a lot, the interior boundary of which is measured as a minimum horizontal distance to the required setback of a principle structure from a lot boundary; or from any future width line.  
An open space, other than a court, unobstructed from the ground to the sky, except where specifically provided by this code, on the lot on which a building is situated.

**YARD (JUNK, SALVAGE):** Any area, lot, land, parcel, building or structure or part thereof used for the storage, collection, processing, purchase, sale or abandonment of wastepaper, rags, scrap metal or other scrap or discarded goods, materials, machinery or three or more unregistered, inoperable motor vehicles or other type of junk.  
An open land area or portion thereof (exclusive of an area not exceeding the provisions of Section 108H "Outside Storage") used for storage, keeping, sale or abandonment of junk (including scrap material, disabled vehicles or used vehicular parts).

**YARD (REQUIRED):** The open space between a lot line and the build-able area within which no structure shall be located except as provided in the zoning ordinance.

**ZONE:** A specifically delineated area or district within which regulations and requirements uniformly govern the use, placement, spacing and size of land and buildings.

**ZONING:** The dividing of a municipality into districts and the establishment of regulations governing the use, placement, spacing and size of land and buildings.

**ZONING MAP:** A map indicating the actual location, extent and intensity of land uses and development within the Town's boundaries.