

## **Article 8 Definitions**

### **CHAPTER 25.105 PURPOSE**

#### **§ 25.105.010. Purpose and Applicability.**

This article provides definitions of the technical and other terms and phrases used in Title 25 (Zoning) as a means of providing consistency in its interpretation. Where any definition in this article may conflict with definitions in other titles of the Municipal Code, these definitions shall prevail for the purposes of this Zoning Code, except as may otherwise be specified. If a word is not defined in this chapter or in other provisions of the Municipal Code, the most common dictionary definition is presumed to be correct.

(Ord. 2000 § 2, (2021))

#### **§ 25.105.020. Organization.**

This article is subdivided into the following chapters:

- A. Chapter 25.106 (Land Use Definitions) applies to land uses and activities identified in Tables 25.10-1 (Residential Zoning Districts Use Regulations), 25.12-1 (Commercial and Industrial Zoning Districts Use Regulations), 25.14-1 (Mixed-Use Zoning Districts Use Regulations), 25.16-1 (Downtown Zoning Districts Use Regulations), and 25.18-1 (Public/Institutional, Parks and Recreation, and Tidal Plan/Bay Zoning Districts Use Regulations).
  - B. Chapter 25.108 (General Definitions) applies to all other terms used in Title 25.
- (Ord. 2000 § 2, (2021))

## CHAPTER 25.106 LAND USE DEFINITIONS

### § 25.106.010. Purpose and Applicability.

The definitions in this chapter apply to land uses and activities identified in Tables 25.10-1 (Residential Zoning Districts Use Regulations), 25.12-1 (Commercial and Industrial Zoning Districts Use Regulations), 25.14-1 (Mixed-Use Zoning Districts Use Regulations), 25.16-1 (Downtown Zoning Districts Use Regulations), and 25.18-1 (Public/Institutional, Parks and Recreation, and Tidal Plan/Bay Zoning Districts Use Regulations). (Ord. 2000 § 2, (2021))

### § 25.106.020. "A" Definitions.

Accessory Dwelling Unit (ADU). As defined in Section 25.48.030 (Accessory Dwelling Units) of this title.

Accessory Use. See "Use, Accessory."

Adult Entertainment Uses. Any establishment which as a regular or substantial course of conduct performs or operates as an adult bookstore, merchandise, or video store, adult theater, adult motion picture theater, adult cabaret, adult model studio, adult hotel/motel, or any other business establishment which as a regular and substantial course of conduct offers to its patrons products, merchandise, services or entertainment characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical parts. "Adult-oriented business" does not include those uses or activities, the regulation of which is preempted by State law. "Adult-oriented business" shall also include any establishment which, as a regular or substantial course of conduct, provides or allows performers, models, actors, actresses or employees to appear in any place in lingerie or similar attire which does not opaquely cover specified anatomical parts.

Air Courier, Terminal, and Freight, Services. Transportation facilities for handling freight, with or without storage and maintenance facilities. This classification does not include local messenger and local delivery services.

Animal Care Services

- A. Kennel. The commercial provision of shelter/kenneling for dogs, cats, other household animals, and horses (where allowed), including activities associated with such shelter (e.g., feeding, exercising, grooming, and incidental medical care).
- B. Grooming. The commercial provision of bathing and trimming services for dogs, cats, and other household animals permitted by the Municipal Code. Overnight boarding is not included with this use (see "Kennel").
- C. Pet Hotel. A business that primarily provides supervised care for overnight and extended indoor boarding facilities that mimic a home or hotel setting for dogs, cats, and other domestic animals. Ancillary services include training, spa and grooming treatments, and day care in supervised group indoor and/or outdoor play areas. Facilities include operational means and/or sound attenuation measures to diminish perceived odors and sound.

- D. Veterinarian. Establishments where household animals receive medical and surgical treatment and may be temporarily boarded (more than one-night stay) in association with such medical or surgical treatment. Short-term animal boarding may be provided as an accessory use.

#### Assembly Facilities

- A. Community Assembly Facility. A facility for public or private meetings, including community centers, banquet centers, religious assembly facilities, civic and private auditoriums, union halls, meeting halls for clubs, and other membership organizations. This classification includes functionally related facilities for the use of members and attendees such as kitchens, multi-purpose rooms, classrooms and storage. It does not include gymnasiums or other sports facilities ~~uses~~ that represent more than 20 percent of overall square footage, convention centers, or facilities, such as day care centers and schools that are separately classified and regulated.
- B. Religious Assembly Facilities. Any facility specifically designed and used to accommodate the gathering of persons for the purposes of fellowship, worship, or similar conduct of religious practices and activities. This definition includes functionally related internal facilities (i.e., kitchens, multi-purpose rooms, storage, etc.) and residences for clergy. Other establishments maintained by religious organizations, including full-time educational institutions, hospitals and other related operations, are classified according to their respective activities.

Auto Repair. See "Vehicle Services and Repair." Auto

Sales. See "Vehicle Sales."

Auto Rentals. See "Vehicle Services and Repair, Vehicle Rentals."  
(Ord. 2000 § 2, (2021))

#### **§ 25.106.030. "B" Definitions.**

Banks and Financial Institutions. A bank, savings and loan, credit union, or other financial institution that provides retail banking services to individuals and businesses. These uses include only those institutions engaged in the on-site circulation of cash money. This classification does not include "Check Cashing and Pay Day Loan Establishments."

Bars, Taverns. See "Eating and Drinking Establishments, Bars and Taverns."

Bed and Breakfast. A building or group of buildings providing 15 or fewer bedrooms or suites that are rented for overnight lodging for payment for periods of fewer than 30 consecutive calendar days, with a common eating area for guests and where meals may be provided. This use classification does not include hotels and motels (see "Hotels and Motels") or hostels (see "Hostels").

Boarding House. See "Communal Housing."

Breweries, Distilleries, Wineries. An establishment which produces ales, beers, meads, hard ciders, wine, liquor and/or similar beverages on-site. Also includes incidental sale of beverages for on-site and off-site consumption in keeping with the regulations of the Alcohol Beverage Control (ABC) and Bureau of Alcohol, Tobacco, and Firearms (ATF). Establishments may provide food

service that is subordinate to the production and sale of alcoholic beverages.

**Building Materials and Contractor Services.** Establishments providing goods and services to contractors and individuals and carrying a full line of building materials, appurtenances and decorator items (including hardware, plumbing, electrical, heating, air-conditioning, or building supplies, tools and equipment, plants and garden products, patio furniture, swimming pools, spas, and hot tubs, lighting fixtures and cabinets, paint, carpeting, floor coverings or wallpaper) to facilitate the improvement, rehabilitation and maintenance of individual dwellings. All merchandise other than plants is kept within an enclosed building or fully screened enclosure and fertilizer, soil, soil amendments are stored and sold in package form only. Tools may be available for rent.

**Business Services.** Establishments providing goods and services to other businesses and individuals on a fee or contract basis, including printing and copying, advertising and mailing, equipment rental and leasing, office security, custodial services, photo finishing, including associated delivery services with two or fewer fleet vehicles on site.

(Ord. 2000 § 2, (2021))

#### **§ 25.106.040. "C" Definitions.**

**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 nonresidential use where needed for security purposes or to provide 24-hour care or monitoring of people, animals, equipment, or other conditions on the site.

**Check Cashing and Pay Day Loan Establishments.** A commercial land use that generally includes some or all of a variety of financial services, including cashing of checks, warrants, drafts, money orders, or other commercial paper serving the same purpose; deferred deposit of personal checks whereby the check casher refrains from depositing a personal check written by a customer until a specific date pursuant to a written agreement; money transfers; payday advances; issuance of money orders; making consumer or auto-title loans; and similar uses. This category does not include State or Federally chartered banks, savings associations, credit unions, or industrial loan companies. It also does not include retail sellers that are primarily engaged in the business of selling consumer goods, such as consumables to retail buyers, and that cashes checks or issues money orders as a service to its customers (for a fee not exceeding two dollars) incidental to their main purpose or business.

**Commercial Recreation, Large Scale.** ~~Recreational facilities where visitors are participant actors rather than spectators. Examples include outdoor facilities such as amusement and theme parks, water parks, swimming pools; driving ranges, golf courses, miniature golf courses, riding stables; and indoor facilities such as large fitness centers, gymnasiums, handball, badminton, racquetball, dance hall and tennis club facilities; ice skating or roller skating rinks; trampoline and bounce house establishments; bowling alleys; and electronic game and amusement centers. This classification may include snack bars and other incidental food and beverage services to patrons. Bars or restaurants with alcohol sales shall be treated as a separate use and shall be regulated accordingly, even when operated in conjunction with the entertainment and recreation use. A facility or establishment with a gross floor area of more than 5,000 square feet that provides indoor or outdoor recreational activities or entertainment for the general public or members, operated for profit or nonprofit. Examples may include, but are not limited to, amusement and theme parks, swimming pools, fitness studios, dance studios, arcades, escape rooms, climbing gyms, or similar uses. This classification may include snack bars and other incidental food and beverage services to patrons.~~

Commercial Recreation, Small Scale. ~~Commercial establishments that offer specialized programs in personal fitness, recreation, or dance, provided in an individual or group setting. Typical uses include classes or instruction in fitness, martial arts, yoga, and dance. Commercial recreation, small scale may also include rehearsal studios, pool and billiard lounges. A facility or establishment with a gross floor area of 5,000 square feet or less that provides indoor or outdoor recreational activities or entertainment for the general public or members, operated for profit or nonprofit. Examples may include, but are not limited to, fitness studios, martial arts, yoga, pilates, dance studios, arcades, escape rooms, climbing gyms, or similar uses.~~

Communal Housing. Shared living quarters without separate kitchen facilities for each room or unit, where five or more rooms or beds are rented individually to tenants under separate rental agreements, with or without meal service included. This classification includes convents and monasteries, rooming and boarding houses, dormitories and other types of organizational housing intended for long-term occupancy (more than 30 consecutive calendar days) but excludes "Lodging and Similar Uses," and "Residential Care Facilities," "Supportive Housing," and "Transitional Housing."

Community Assembly Facility. See "Assembly, Community Assembly Facility."

Community Open Space. Usable open space areas including plazas and parks that may be privately or publicly owned but which are open and available for public use.

Convenience Store. See "Food and Beverage Sales, Convenience Store."

Corner Store Retail. See "Retail Stores, Limited Corner Store."

Cottage Food Operation. A use located within a dwelling where certain low-risk food products that do not require refrigeration are made and sold, and as defined in Section 113758 of the California Health and Safety Code.

(Ord. 2000 § 2, (2021))

## **§ 25.106.050. "D" Definitions.**

Day Care Center. Establishments providing non-medical care for persons on a less than 24-hour basis other than "Family Day Care, Small" or "Family Day Care, Large." This classification includes nursery schools, preschools, and day care facilities for children or adults, and any other day care facility licensed by the State of California. Such use must comply with all applicable State regulations, and specifically those set forth in the California Health and Safety Code commencing with Section 1596.70, to be considered a general day care facility.

Donation Box, Outdoor. A bin, storage shed, or similar facility established as an outdoor, accessory use to a primary use for the purpose of providing a collection location for donated clothes, shoes, and small household items. Such facilities generally are established by a charitable or nonprofit organization.

Drive-Through or Drive-Up Facilities. An establishment that sells products or provides services to occupants in vehicles, including drive-in or drive-up windows and drive-through services. Examples include banks, and pharmacies. Does not include "click and collect" facilities in which an online order is picked up in a stationary retail business without use of a drive-in service (see "Retail Stores, General"). Does not include drive-through fast food (see "Restaurant, Drive-Through" within "Eating and Drinking Establishments"). Does not include drive-in theaters or gas stations (see "Vehicle Fuel Sales and Accessory Service").

Dwellings. See "Single-Unit Dwelling," "Two-Unit Dwellings," "Multi-Unit Dwellings," or

"Accessory Dwelling Unit."  
(Ord. 2000 § 2, (2021))

**§ 25.106.060. "E" Definitions.**

**Eating and Drinking Establishments**

- A. Bars and Taverns. Any establishment that sells or serves alcoholic beverages for consumption on the premises and is holding or applying for a public premises license from the State Department of Alcoholic Beverages and in which persons under 21 years of age are restricted from the premises. References to the establishment shall include any immediately adjacent area that is owned, leased, or rented, or controlled by the licensee. This use includes stand-alone tasting rooms where alcoholic beverages are sold and consumed on-site and any food service is subordinate to the sale of alcoholic beverages. This use does not include adult entertainment businesses.
- B. Night Clubs. Any establishment in which all of the following features are made available: (1) Alcoholic beverages served or consumed on the premises; (2) Floor space provided for dancing or standing or both for patrons in conjunction with an entertainment activity, provided that floor space utilized for patrons to view television or similar media shall not be construed to constitute floor space provided for dancing or standing or both for patrons in conjunction with an entertainment activity; and (3) Music or other sound that is amplified through speakers for the purpose of entertaining patrons, except for sound associated with television or similar media being viewed by patrons and music provided exclusively as background entertainment for dining patrons. In any case where the above features are only incidental to a private event not open to the general public such as a wedding reception, banquet, non-profit event or similar function, such features shall not be construed to constitute a nightclub. Does not include adult entertainment businesses.
- C. Outdoor Dining. A dining area with seats and/or tables located outdoors of a sit-down restaurant, fast food, or other food service establishment. Outdoor dining is located on-site entirely outside the walls of the contiguous structure or enclosed on one or two sides by the walls of the structure with or without a solid roof cover.
- D. Restaurants, Drive-Through. Restaurants providing food and beverage services to occupants in vehicles, including drive-in or drive-up windows and drive-through services. Does not include "click and collect" facilities in which an online order is picked up in a stationary retail business without use of a drive-in service.
- E. Restaurants. Restaurants providing food and beverage services, which may include the sales of alcoholic beverages for consumption on the premises. Takeout or delivery service may be provided. This use includes microbreweries where the sale and consumption of alcoholic beverages are subordinate to on-site food service. This classification also includes catering businesses or bakeries that have a storefront retail component.
- F. Tasting Room. An establishment that offers wine, beer, or liquor for consumption on the premises, and those products are manufactured or rectified on the premises or at an off-site location associated with the premises. Tasting rooms may include food sales. See Section 25.48.250 (Tasting Rooms as an Accessory Use).

Elderly and Long-Term Care. Establishments that provide 24-hour medical, convalescent, or chronic care to individuals who, by reason of advanced age, chronic illness, or infirmity, are unable to care for themselves, and is licensed as a skilled nursing facility by the State, including, but not

limited to, rest homes and convalescent hospitals. Does not include "Residential Care Facilities" or "Hospitals and Clinics."

#### Emergency Shelter

- A. Emergency Shelter, Permanent. A facility or use, which provides temporary housing (six months or less) for homeless individuals or families, as defined in Section 50801 of the California Health and Safety Code. Supplemental services may include, but are not limited to, meals, day care, medical assistance, and counseling.
- B. Emergency Shelter, Temporary. A facility or use, which provides temporary housing (six months or less) for homeless individuals or families, as defined in Section 50801 of the California Health and Safety Code and is established in association with an on-site church or nonprofit institution and the use does not occur continuously at any one location for more than six months of any 12-month period. Supplemental services may include, but are not limited to, meals, day care, medical assistance, and counseling.
- C. Low Barrier Navigation Center. A Housing First, low barrier, temporary, service-enriched shelter focused on helping homeless individuals and families to quickly obtain permanent housing. Low barrier includes best practices to reduce barriers to entry, such as allowing partners, pets, storage of personal items, and privacy. See Government Code Section 65660.
- D. For the purposes this paragraph, "emergency shelter" shall also include other interim interventions, including but not limited to, bridge housing, and respite or recuperative care

Extended-Stay Hotels. A building or group of buildings containing lodging accommodations of one or more rooms typically let for periods of a week or more and that contain standard kitchens and appliances and other facilities to support such extended occupancy. To constitute an extended stay hotel, each hotel room must contain kitchen facilities to include a range cooktop, microwave or conventional oven, refrigerator, and sink, and must allow stays longer than 30 days.

(Ord. 2000 § 2, (2021))

#### § 25.106.070. "F" Definitions.

Family Day Care. A day-care facility licensed by the State that is located in a single-unit residence or other dwelling unit where a resident of the dwelling provides care and supervision for children under the age of 18 for periods of fewer than 24 hours a day.

Family Day Care, Small. A facility that provides care for eight or fewer children (or capacity limits for small family day cares as set forth by the State, see [California](#) Health and Safety Code Section 1596.78), including children who reside at the home and are under the age of 10. See [California](#) Health and Safety Code Section 1596.78.

Family Day Care, Large. A facility that provides care for nine to 14 children (or capacity limits for large family day cares as set forth by the State, see [California](#) Health and Safety Code Section 1596.78), including children who reside at the home and are under the age of 10. See [California](#) Health and Safety Code Section 1596.78.

Family. One or more persons living together in a dwelling unit, with common access to, and common use of all living, kitchen, and eating areas within the dwelling unit.

Food and Beverage Sales. Retail sales of food and beverages for off-site preparation and consumption.



- A. Alcohol Sales Store. A retail establishment engaged in the sale of alcoholic beverages as a primary use, including beer, wine, distilled spirits, hard liquor, and/or any other alcoholic beverages and regulated by the Department of Alcoholic Beverage Control. Does not include grocery stores, convenience stores, warehouse stores, or other alcohol sales authorized as part of an off-site wine tasting room or food and beverage product manufacturing.
- B. General Market. Retail food markets of food and grocery items for off-site preparation and consumption. Typical uses include supermarkets (less than 75,000 square feet - see "Retail Stores, Large Format"), neighborhood grocery stores, and specialty food stores, such as retail bakeries with less than 20 percent of floor space dedicated to customer seating; candy, nuts, and confectionary stores; meat or produce markets; vitamin and health food stores; cheese stores; and delicatessens. This classification may include small-scale specialty food production such as pasta shops with retail sales. May include secondary uses within the store for visitor convenience, such as banking services, retail sales of non-food items, and a pharmacy.
- C. Convenience Store. A retail establishment with not more than 3,000 square feet of gross floor area, offering retail sales of food, beverage, and small convenience items primarily for off-premises consumption. Sale of alcoholic beverages is limited to beer and wine only in conjunction with an ABC License Type 20. This classification excludes tobacco stores, liquor stores, delicatessens, confectioneries, and specialty food markets, or grocery stores having a sizeable assortment of fresh fruits and vegetables, and fresh-cut meat, fish, or poultry. Also see "Alcohol Sales" and "General Market."

Food Preparation (Catering). Businesses preparing and/or packaging food for off-site consumption, excluding those of an industrial character in terms of processes employed, waste produced, water used, and traffic generation. Typical uses include catering kitchens, bakeries with onsite retail sales, and small-scale specialty food production. Food Preparation may also be considered accessory to allowed restaurant uses.

Food Processing and Production. Facilities that manufacture, package, label, or store food for consumption off site and does not provide products directly to a consumer. Uses do not include any retail components.

Funeral Services and Cemeteries. An establishment primarily engaged in the provision of services involving the care, preparation, or disposition of human remains and conducting memorial services. Typical uses may include crematories, columbaria, mausoleums, mortuaries, funeral chapels, and funeral homes. May include areas for living quarters for funeral home/mortuary manager.

Food Trucks. Any vehicle from which food or drink is sold or offered for sale, not including delivery vehicles used to transport food or drink from a store or distributor having a valid food permit to a customer's home, or a vehicle transporting food or drink from a wholesale establishment to a retail outlet.

(Ord. 2000 § 2, (2021))

## **§ 25.106.080. "G" Definitions.**

Gas Station. See "Vehicle Fuel Sales and Accessory Service."

Government Buildings and Facilities. A building or structure owned, operated, or occupied by a governmental agency to provide a governmental service to the public; in some circumstances, government buildings and facilities may not be open to the public.



Grocery Store. See "Food and Beverage Sales, General Market."  
(Ord. 2000 § 2, (2021))

### **§ 25.106.090. "H" Definitions.**

Home Occupations. The conduct of a business within a dwelling unit or residential site with the business activity being subordinate to the residential use of the property.

Hospitals and Clinics. State-licensed facilities providing medical, surgical, psychiatric, or emergency medical services to sick or injured persons. This classification includes facilities for inpatient or outpatient treatment, including substance-abuse programs as well as training, research, and administrative services for patients and employees. This classification excludes veterinaries and animal hospitals (see "Animal Care, Sales, and Services").

- A. Hospital. A facility providing medical, psychiatric, or surgical services for sick or injured persons primarily on an in-patient basis, and including ancillary facilities for outpatient and emergency treatment, diagnostic services, training, research, administration, and services to patients, employees, or visitors.
- B. Medical Clinic. A facility providing medical, psychiatric, or surgical service for sick or injured persons exclusively on an out-patient basis, including emergency treatment, diagnostic services, administration, and related services to patients who are not lodged overnight. Services may be available without a prior appointment. This classification includes licensed facilities such as blood banks and plasma centers, and emergency medical services offered exclusively on an outpatient basis such as urgent care centers. This classification does not include private medical and dental offices that typically require appointments and are usually smaller scale; see "Medical and Dental Offices."

Hostels. An establishment with guest rooms or suites that may be private or common which are rented to the public for overnight lodging for periods of fewer than 30 consecutive calendar days to transient patrons. Hostels cater primarily, but not exclusively, to travelers who arrive by bicycle, train, or other nonautomotive vehicles, and are generally an inexpensive form of lodging. This use classification does not include bed and breakfasts (see "Bed and Breakfast"), hotels and motels (see "Hotels and Motels"), or home sharing or short-term rentals.

Hotels and Motels. An establishment with guest rooms or suites, with or without kitchen facilities, rented to the public for overnight lodging for periods of fewer than 30 consecutive calendar days to transient patrons, but not providing room rentals on an hourly basis. These establishments may provide additional services, such as conference and meeting rooms, restaurants, bars, personal services, shuttle services, retail services, or recreational facilities available to guests or to the public. A hotel or motel may include ancillary facilities such as common meeting rooms, dining facilities, and guest amenities. This use classification does not include bed and breakfasts (see "Bed and Breakfast") or hostels (see "Hostels").

(Ord. 2000 § 2, (2021))

Heavy Equipment Sales (and Rental). Sales, servicing, rental, fueling, and washing of large trucks, trailers, tractors, and other heavy equipment used for construction, moving, agricultural, or landscape gardening activities, as well as boats, mobile homes, and recreational vehicle/campers. Examples include cranes, earth moving equipment, tractors, combines, heavy trucks, etc. Includes large vehicle operation training facilities. Sales of new or used automobiles are excluded from this classification (see "Vehicle Sales, Auto and Light Truck").

#### **§ 25.106.100. "I" Definitions.**

Industrial. Establishments engaged in the manufacturing of finished parts or products, either from raw materials or previously prepared materials, within an enclosed structure. Includes processing, fabrication, assembly, treatment, testing (e.g., laboratories), packaging, incidental office storage, sales, and distribution of the parts or products; and large-scale/bulk laundry and dry-cleaning plants. Excludes vehicle/equipment rentals (see "~~Vehicle Sales~~, Heavy Equipment Sales and Rental").

Light Industrial. The manufacture and/or processing of consumer-oriented goods in a manner that does not produce noticeable odors, air emissions, or other environmental effects, and that has limited associated trucking activity. Light industries generally require limited amounts of raw materials to produce goods. Examples of light industries include, but are not limited to, the manufacture of electronic instruments, equipment, and appliances; brewery and alcohol production, pharmaceutical manufacturing; and production apparel manufacturing.

Heavy Industrial. The manufacture and/or processing of materials and goods utilizing large quantities of raw materials, and generally requiring high capitalization and production of large quantities of output. Heavy industry often sells output to other business users rather than consumers. Characteristics of heavy industry include, but are not limited to, heavy trucking activity, noise, emissions requiring federal or state environmental permits, use of large quantities of hazardous materials as defined the U.S. Environmental Protection Agency, and requirement for specialized permits from Federal and State occupational health and safety agencies. This classification does not include recycling (see "Recycling Facilities") or the processing of animals. (Ord. 2000 § 2, (2021))

#### **§ 25.106.110. "J" Definitions.**

~~Reserved. Junior Accessory Dwelling Unit (JADU). As defined in Section 25.48.030 (Accessory Dwelling Units) of this title.~~

#### **§ 25.106.120. "K" Definitions.**

Reserved.

#### **§ 25.106.130. "L" Definitions.**

Laboratories/Research and Development. A facility for scientific research, and the design, development and testing of electrical, electronic, magnetic, optical, computer, and telecommunications components in advance of product manufacturing, and the assembly of related products from parts produced off site, where the manufacturing activity is secondary to the research and development activities. Examples of this use include, but are not limited to, pharmaceutical, chemical and biotechnology research and development, medical labs, therapeutic discovery, genomic research, molecular diagnostics, soils and materials testing labs, vivarium, and forensic labs and other similar or related uses. This type of facility is distinguished from office-based research and development (see "Offices, Research and Development") in its orientation more toward testing and analysis than product development or prototyping; an industrial research and development facility may typically include this type of lab. The "medical lab" subset of this land use type is oriented more toward specimen analysis and processing than direct blood drawing and specimen collection from patients (see "Hospitals and Clinics") but may also include incidental specimen collection.

Light Industrial. See "Industrial, Light Industrial."

Limited Corner Store Retail. See "Retail Stores, Limited Corner Store."

Liquor Store. See "Food and Beverage Sales, Alcohol Sales Store."

Live/Work Unit. A unit that combines a workspace and incidental residential occupancy occupied and used by a single household. Live/work units have been constructed for such use or converted from commercial or industrial use and structurally modified to accommodate residential occupancy and work activity in compliance with the California Building Code. Live/work units shall include a dedicated working space that is reserved for and regularly used by one or more occupants of the unit. Live/work space includes, but is not limited to, a dedicated work space with an incidental sleeping area, a food preparation area, and a full bathroom including bathing and sanitary facilities which satisfy the provisions of applicable codes. Live/work units can include renter-occupant and/or owner-occupant.

Low Barrier Navigation Center. See "Emergency Shelter, Low Barrier Navigation Center." (Ord. 2000 § 2, (2021))

#### **§ 25.106.140. "M" Definitions.**

Market, General. "See Food and Beverage Sales, General Market."

Medical Clinics. See "Hospitals and Clinics."

Medical Office. "See Offices, Medical or Dental."

Micro unit. A form of multifamily housing; a small, self-contained, single-occupancy apartment that includes space for sleeping (provided as part of the primary living area or as no more than one bedroom), sitting, a kitchenette, and a bathroom, ranging in size up to 450 square feet; this definition is independent of an accessory dwelling unit and junior accessory dwelling unit.

Mixed-Use Developments. An approach to land use development that involves integrating two or more different types of uses on the same property as part of a unified development. Generally, mixed-use development consists of commercial and residential uses integrated either vertically in the same structure or group of structures, or horizontally on the same development site where parking, open spaces, and other development features are shared. In a mixed-use development, both uses are considered primary uses of the land. Light industrial and commercial uses may also co-exist on the same site as a mix of uses but are not referred to as mixed-use developments.

Multi-Unit Dwellings. Three or more attached or detached residential units on a single lot. Types of multi-unit dwellings include rowhouses, townhouses, garden apartments, senior housing developments, and multi-story apartment buildings. Multi-unit dwellings may also be combined with nonresidential uses as part of a mixed-use development.  
(Ord. 2000 § 2, (2021))

#### **§ 25.106.150. "N" Definitions.**

Night Club. See "Eating and Drinking Establishments, Night Clubs."

Nurseries and Garden Centers. Establishments primarily engaged in retailing nursery and garden products—such as trees, shrubs, plants, seeds, bulbs, and sod—that are predominantly grown elsewhere. These establishments may sell a limited amount of a product they grow themselves. Fertilizer and soil products are stored and sold in package form only. This classification includes wholesale and retail nurseries offering plants for sale. This classification also includes farm supply and feed stores.  
(Ord. 2000 § 2, (2021))

## **§ 25.106.160. "O" Definitions.**

### **Offices**

- A. Co-Working. A facilitated environment that may contain desks or other workspaces and facilities and is used by a recognized membership who share the site in order to interact and collaborate with each other as part of a community. Rules for membership and participation in the co-workspace are available to the public. Fabrication tools are limited to those that do not generate noise or pollutants in excess of what is customary within a typical office environment.
- B. Medical or Dental. Office use providing consultation, diagnosis, therapeutic, preventive, or corrective personal treatment services by doctors, dentists, chiropractors, acupuncturists, optometrists, and similar medical professionals, medical and dental laboratories within medical office buildings but excluding clinics or independent research laboratory facilities and hospitals (see "Hospitals and Clinics"), and similar practitioners of medical and healing arts for humans licensed for such practice by the State of California. Incidental medical and/ or dental research within the office is considered part of the office use, where it supports the on-site patient services.
- C. Professional. Offices of firms or organizations providing professional, executive, management, or administrative services, such as accounting, architectural, computer software design, engineering, graphic design, interior design, investment advisors and brokers, insurance offices, legal offices, real estate and mortgage offices and services, and tax preparation offices, but excluding banks and savings and loan associations (see "Banks and Financial Institutions").
- D. Research and Development. Offices of firms or organizations engaged in study, testing, design, analysis and experimental development and testing of products, processes or services, including incidental prototype manufacturing of products or provisions of services to others among other similar related services, but does not include the general or mass production of the product. Includes electronic research firms or pharmaceutical research laboratories, and similar or related business types. Excludes medical testing and analysis and manufacturing, except of prototypes.

**Open Space and Conservation Uses.** Any parcel or area of land or water that is essentially unimproved and devoted to an open-space use as defined in this section, and that is designated on a local, regional, or state open-space plan as any of the following:

- A. Open space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays, and estuaries; and coastal beaches, banks of rivers and streams, and watershed lands.
- B. Open space used for the managed production of resources, including, but not limited to, forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of groundwater basin; bays, estuaries, marshes, rivers, and streams that are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.
- C. Open space for outdoor recreation, including, but not limited to, areas of outstanding

scenic, historic, and cultural value; areas particularly suited for park and recreation purposes, including access to beaches and rivers and streams; and areas that serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.

- D. Open space for public health and safety, including, but not limited to, areas that require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, floodplains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.

Outdoor Dining. See "Eating and Drinking Establishments."

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

Outdoor Temporary and/or Seasonal Sales. The temporary outdoor use of property for retail sales for a specified duration of time.

(Ord. 2000 § 2, (2021))

## **§ 25.106.170. "P" Definitions.**

### **Parking Facilities**

- A. Parking Facility, Primary Use. A public or private space dedicated to accommodating vehicle parking stalls, backup area, driveways, and aisles and in which vehicle parking is the primary use of the site. Includes surface parking lots and parking structures/garages.
- B. Parking Facility, Accessory Use. Surface lots and structures for use of occupants, employees, or patrons on the subject site or offering parking to the public for a fee when such use is not incidental to another on-site activity.

Park and Fly, Accessory. Surface lots and structures for vehicle parking associated with airport travel. As an accessory use to hotels, Accessory park and fly is intended to service hotel patrons. As an accessory use to office developments, accessory park and fly may function as a separate paid-to-park program not affiliated with patrons of the office development.

Park and Fly, Primary Use. Surface lots and structures for vehicle parking associated with airport use where vehicle parking is the primary use of the site. Primary use park and fly is not permitted in any zoning district.

Park and Recreation Facilities, Public. Parks, playgrounds, recreation facilities, trails, wildlife preserves, and related open spaces, all of which are noncommercial. This classification also includes noncommercial playing fields, courts, gymnasiums, public swimming pools, picnic facilities, tennis courts, and public golf courses, botanical gardens, as well as related food concessions or community centers within the facilities.

Personal Services, General. Provision of recurrently needed services of a personal nature. This classification includes barber shops and beauty salons, seamstresses, tailors, day spas, medical spas (includes non-surgical and minimally invasive treatments such as injectable fillers, photorejuvenation, facials and skin peels, microneedling, laser skin resurfacing and hair removal and other similar treatments related to beauty and wellness are permitted as ancillary to the personal service use), massage services (where massage practitioners are certified pursuant to the Business and Professions Code Section 4612), dry cleaning agents (excluding large-scale bulk dry cleaning plants), shoe repair shops, ~~photocopying, photo-finishing services~~, tattoo and body

piercing services, and travel agencies mainly serving the general public. ~~Non-surgical and minimally invasive treatments such as injectable fillers, photorejuvenation, facials and skin peels, microneedling, laser skin resurfacing and hair removal and other similar treatments related to beauty and wellness are permitted as ancillary to the personal service use. Non-surgical and minimally invasive treatment services are permitted as a primary use if the business space has no street frontage (e.g., is located in an enclosed mall building or contains a layout with inward facing storefronts with no street frontage).~~

Personal Services, Specialized. Personal services that may tend to have a potentially offensive 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, palm and card readers, and psychics.

Pet Hotel. See "Animal Care Services, Pet Hotel."

Public Assembly. See "Assembly Facilities, Community Assembly Facility."  
(Ord. 2000 § 2, (2021))

#### **§ 25.106.180. "Q" Definitions.**

Reserved.

#### **§ 25.106.190. "R" Definitions.**

Recycling Facilities. A facility for receiving, temporarily storing, transferring and/or processing materials for recycling, reuse, or final disposal. This use classification does not include facilities that deal with animal matter, nor does it include waste transfer facilities that operate as materials recovery, recycling, and solid waste transfer operations, which are classified as utilities.

- A. Light Processing. A facility used to sort, store and/or process recyclable materials. Processing means the preparation of material for efficient shipment, or to an end-user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and remanufacturing. Light processing facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source-separated recyclable materials and repairing of reusable materials sufficient to qualify as a certified processing facility. A light processing facility shall not shred, compact, or bale ferrous metals other than food and beverage containers.
- B. Reverse Vending Machine(s). Facilities with an automated mechanical device that accepts, sorts, and processes recyclable materials and issues a cash refund or a redeemable credit slip. Processing and sorting is not conducted on site.
- C. Small Collection. A facility available for the general public for the recycling of California Redemption Value (CRV) products such as glass, aluminum cans, and plastic beverage containers as defined by the State's Department of Resources Recycling and Recovery. Small collection facilities occupy an area of not more than 500 square feet, and may include a mobile unit, reverse vending machines or a grouping of reverse vending machines, kiosk-type units which may include permanent structures, or unattended containers placed for the donation of recyclable materials.

Research and Development. "See "Laboratories/Research and Development."

Residential Care Facilities. Facilities that are licensed by the State to provide permanent living accommodations and 24-hour primarily non-medical care and supervision for persons in need of

personal services, supervision, protection, or assistance for sustaining the activities of daily living. Living accommodations are shared living quarters with or without separate kitchen or bathroom facilities for each room or unit. This classification includes facilities that are operated for profit as well as those operated by public or not-for-profit institutions, including hospices, nursing homes, convalescent facilities, and group homes for minors, persons with disabilities, and people in recovery from alcohol or drug addictions. This use classification excludes "Transitional Housing," "Supportive Housing," and "Elderly and Long-Term Care," which are defined separately.

- A. Residential Care, General. A facility that requires a State license or is licensed by the State to provide 24-hour primarily non-medical care and supervision for more than six persons. May include residential living quarters for more than six terminally ill persons.
- B. Residential Care, Limited. A facility that requires a State license or is State licensed and provides 24-hour nonmedical care and supervision for six or fewer persons. May include residential living quarters for more than six or fewer terminally ill persons.
- C. Residential Care, Senior. A housing arrangement chosen voluntarily by the resident, the resident's guardian, conservator, or other responsible person, where residents are 60 years of age or older 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. This classification includes continuing care retirement communities and life care communities licensed for residential care by the State of California. Facilities with six or fewer persons are excluded from this definition (see "Residential Care, Limited").
- D. Group Home: A residential facility that provides 24-hour care and supervision to children, delivered at least in part by staff employed by the licensee in a structured environment. The care and supervision provided by a group home shall be nonmedical, except as otherwise permitted by law

Restaurants. See "Eating and Drinking Establishments."

#### Retail Stores

- A. General. The retail sale or rental of merchandise not specifically listed under another use classification. This classification includes department stores, clothing stores, furniture stores, pet supply stores, hardware stores, and businesses retailing goods such as: toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies and services (including portraiture and retail photo processing), medical supplies and equipment, pharmacies, electronic equipment, sporting goods, kitchen utensils, hardware, appliances, antiques, art galleries, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, and new automotive parts and accessories (excluding vehicle service and installation). Retail sales may be combined with other services such as office machine, computer, electronics, and similar small-item repairs. Retail sales include spaces to make your own art (e.g., pottery, paintings, etc. that serve walk-in customers and appointment slots for groups).
- B. Limited Corner Store. A retail establishment intended to serve a residential area, with no more than 2,000 square feet of gross floor area, which sells primarily food products, household items, hardware, newspapers, and magazines. Limited corner store retail may be located on a corner lot or mid-block.
- C. Large Format. Any singular retail use, whether stand alone or within a multi-building development, wherein said single-use building occupies at least 75,000 square feet of gross



leasable area, typically requires high parking to building area ratios, and has a regional sales market, including membership warehouse clubs. May include secondary uses within the store for visitor convenience, such as grocery and prepared food and drink sales, banking services, and a pharmacy.

- D. Retail Sales, Specialized. Retail uses that may tend to have a potentially offensive effect upon surrounding areas and which may need to be dispersed to minimize their adverse impacts. Examples of these uses include adult stores, tobacco/smoke/vape shops, and pawn shops.

(Ord. 2000 § 2, (2021))

#### **§ 25.106.200. "S" Definitions.**

Schools, Primary and Secondary. Facilities for primary or secondary education, including public schools, charter schools, private schools, and parochial schools having curricula comparable to that required in the public schools of the State. This use classification excludes "Tutoring and Educational Centers."

Short-Term Rental. The use or possession of or the right to use or possess any room or rooms, or portions thereof in any dwelling unit for residing, sleeping or lodging purposes for less than 30 consecutive calendar days, counting portions of days as full calendar days.

Single-Unit Dwelling. A dwelling unit designed for occupancy by one household which is not attached to or located on a lot with commercial uses or other dwelling units, other than an accessory dwelling unit. This definition also includes individual manufactured housing units installed on a foundation system pursuant to [California](#) Health and Safety Code Section 18551.

Storage, Personal ("Self-Storage"). Facilities offering enclosed storage with individual access for personal effects and household goods including mini-warehouses and mini-storage. This use excludes workshops, hobby shops, manufacturing, or commercial activity.

Studios, Arts. Small-scale instructional facilities or a small practice space for the individual artist, musician, or any individual practitioner of the activities defined here, typically accommodating one group of students at a time, in no more than one instructional space. Examples include individual and group instruction and training, production rehearsal, photography and the processing of photographs produced only by users of the studio facilities. Also includes production studios for individual filmmakers, musicians, painters, sculptors, photographers, and other artists. These uses may also include accessory retail sales of products related to the services provided.

Supportive Housing. The term Supportive Housing (per [California](#) Government Code Section 65582~~(f)~~, as may be amended) shall mean a dwelling unit occupied by a target population, with no limit on length of stay, that is linked to on-site or off-site services that assist the supportive housing resident(s) in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community. A target population means persons with low incomes having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act ([California](#) Welfare and Institutions ~~[W&I]~~ Code Section 4500) and may include—among other populations—adults, emancipated youth, families, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people. Supportive housing may be designed as a residential group living facility or as a regular residential use and includes both facilities that provide on-site and off-site services.

(Ord. 2000 § 2, (2021))

### **§ 25.106.210. "T" Definitions.**

**Temporary Uses.** A use of land that is designed, operated, and occupies a site for a limited specified period of time.

**Theaters, Live.** A theater, concert hall, auditorium, or similar establishment which, for any fee, regularly features live performances. This use may include incidental food and beverage services to patrons. Does not include adult entertainment businesses.

**Theaters, Movie or Similar.** Facilities for indoor display of films, motion pictures, or closed-circuit television pictures before an individual or assemblage of persons, whether such assemblage be of a public, restricted or private nature, except a home or private dwelling. This classification may include incidental food and beverage services to patrons. Does not include adult entertainment businesses.

**Trade Schools.** Public or private post-secondary schools providing occupational or job skills training for specific occupations, including business and computer schools, trade schools and apprenticeship programs, management training, and technical training schools. Excludes personal instructional services such as music lessons and tutoring.

**Transit Facility.** A facility or location with the primary purpose of transfer, loading, and unloading of passengers and baggage. May include facilities for the provision of passenger services such as ticketing, restrooms, lockers, waiting areas, passenger vehicle parking and bus bays, for layover parking, and interior bus cleaning and incidental repair. Includes rail and bus terminals but does not include terminals serving airports or heliports.

**Transitional Housing.** Transitional housing (per [California](#) Government Code Section 65582~~(h)~~, as may be amended) shall mean buildings configured as rental housing developments but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of assistance. Transitional housing may be designed as a residential group living facility or as a regular residential use and includes both facilities that provide on-site and off-site services.

**Tutoring and Educational Centers.** A business where supplemental educational instruction in specific subjects and skills is provided to school-age children, as well as teenagers and adults for college and exam preparation.

**Two-Unit Dwellings.** No more than two residential units located on a single lot, not including an accessory dwelling unit. The residential units may be located in a single building that contains two residential units (also known as a duplex) or in two detached buildings.  
(Ord. 2000 § 2, (2021))

### **§ 25.106.220. "U" Definitions.**

**Urban Agriculture.** Cultivation on the premises of fruits, vegetables, plants, flowers, herbs, and/or ornamental plants intended to produce food, fibers, or other plant products for personal use or for on- or off-site sale.

**Use.** The purpose for which land or the premises of a building, structure, or facility thereon is designed, arranged, or intended, or for which it is or may be occupied or maintained.

- A. Use, Accessory. A use that is customarily associated with, and is incidental and subordinate to, the primary use and located on the same parcel as the primary use.
- B. Use, Primary. A primary, principal, or dominant use established, or proposed to be established, on a parcel.

Utility Structures and Service Facilities, Small. Facilities necessary to support established uses involving only minor structures, such as electrical distribution lines, electric substations; and underground water and sewer lines.

Utility Structures and Service Facilities, Large. Generating plants; solid waste collection, including transfer stations and materials recovery facilities; solid waste treatment and disposal; water or wastewater treatment plants; and similar facilities of public agencies or public utilities, including corporation and maintenance yards.

(Ord. 2000 § 2, (2021))

### § 25.106.230. "V" Definitions.

Vehicle Fuel Sales and Accessory Service. An establishment engaged in the retail sale of vehicle fuels or the retail sale of these fuels in combination with activities, such as providing minor vehicle repair services; selling automotive oils, replacement parts, and accessories; and/or ancillary retail and grocery sales and automated vehicle washing. Does not include body and fender work or "heavy" repair of trucks or other motor vehicles (see "Vehicle Sales" and "Vehicle Services and Repair").

Vehicle Sales.

~~B.A.~~ A. Auto and Light Truck. A retail establishment selling new or used automobiles, trucks and vans, motorcycles, personal watercraft and all-terrain vehicles, and similar vehicles. May also include the sale, installation, and servicing of related equipment and parts, incidental to vehicle dealerships. Does not include mobile home, recreational vehicle, or watercraft sales (see "Heavy Equipment Sales and Rental"); tire recapping establishments (see "Vehicle Services and Repair"); businesses dealing exclusively in used parts; or "Vehicle Fuel Sales and Accessory Service," which are separately defined.

~~Heavy Equipment Sales (and Rental). Sales, servicing, rental, fueling, and washing of large trucks, trailers, tractors, and other heavy equipment used for construction, moving, agricultural, or landscape gardening activities, as well as boats, mobile homes, and recreational vehicle/campers. Examples include cranes, earth moving equipment, tractors, combines, heavy trucks, etc. Includes large vehicle operation training facilities. Sales of new or used automobiles are excluded from this classification (see "Vehicle Sales, Auto and Light Truck").~~

Vehicle Services and Repair. The service and repair of motor vehicles in an enclosed building, including the repair or replacement of engines and transmissions, body and fender repair, and the installation of non-factory installed products.

- A. Car Wash. Washing, waxing, detailing, or cleaning of automobiles or similar light vehicles, including self-serve washing facilities.
- B. Major (Major Repair/Body Work). Major repair of automobiles, motorcycles, recreational

vehicles, or trucks including light-duty trucks (i.e., gross vehicle weights of less than 10,000 pounds) and heavy-duty trucks (i.e., gross vehicle weights of more than 10,000 pounds). Examples of uses include full-service motor vehicle repair garages; body and fender shops; brake shops; machine shops, painting shops; towing services, and transmission shops. Does not include vehicle dismantling or salvage and tire retreading or recapping.

C. Minor (Minor Repair/Maintenance). Minor repair of automobiles, motorcycles, recreational vehicles, or light trucks, vans or similar size vehicles (i.e., vehicles that have gross vehicle weights less than 10,000 pounds) including installation of electronic equipment (e.g., alarms, audio equipment, etc.); servicing of cooling and air conditioning, electrical, fuel and exhaust systems; brake adjustments, relining and repairs; oil and air filter replacement; wheel alignment and balancing; tire sales, service, and installation shops; shock absorber replacement; chassis lubrication; smog checks; engine tune-ups; and installation of window film, and similar accessory equipment.

D. Vehicle Rental. Rental of automobiles, motorcycles, mopeds, motorized scooters, recreational vehicles, trucks, and similar vehicles and equipment powered by a motor, including on-site storage and incidental maintenance that does not require pneumatic lifts.

Vehicle Storage. The storage of operative or inoperative vehicles. These uses include storage of towed vehicles, impound yards, and storage lots for buses and recreational vehicles, but does not include vehicle dismantling or off-site airport parking.

Veterinary Services. See "Animal Care Services."  
(Ord. 2000 § 2, (2021))

#### **§ 25.106.240. "W" Definitions.**

Warehousing/Logistics. Facilities for storage and distribution without sales to the public on site or direct public access. In a warehousing use, the owner and operator of the warehouse is the owner of the goods or is the entity that offers the goods for sale or resale. This use normally operates from a warehouse or office having little or no display of merchandise and are not designed to solicit walk-in traffic. This classification excludes the storage of hazardous chemical, mineral, and explosive materials. Does not include personal storage (mini storage) facilities offered for rent or lease to the public (see "Storage, Personal"); or warehouse facilities in which the primary purpose of storage is for wholesaling (see "Wholesaling"); or building materials sales and services (see "Building Materials and Contractor Services").

Wholesaling. Indoor storage and sale of goods to other firms for resale, storage of goods for transfer to retail outlets of the same firm, or storage and sale of materials and supplies used in production or operation. Wholesalers are primarily engaged in business-to-business sales but may sell to individual consumers through mail or internet orders. They normally operate from a warehouse or office having little or no display of merchandise and are not designed to solicit walk-in traffic. Does not include building materials sales and services (see "Building Materials and Contractor Services").

Wireless Communication Facilities. Wireless telecommunication facilities consist of commercial wireless communication systems, including, but not limited to, cellular, PCS, paging, broadband, data transfer, and any other type of technology that fosters wireless communication through the use of portable electronic devices. A facility includes all supporting structures and associated

equipment. Use also included facilities where the antennae are mounted on the roof or top of a building or structure, or the side of a building or structure, other than on a standalone facility. See Section 25.48.300 (Wireless Communications Facilities) for specific definitions.  
(Ord. 2000 § 2, (2021))

**§ 25.106.250. "X" Definitions.**

Reserved.

**§ 25.106.260. "Y" Definitions.**

Reserved.

**§ 25.106.270. "Z" Definitions.**

Reserved.

## CHAPTER 25.108 GENERAL DEFINITIONS

### § 25.108.010. General.

For the purpose of this title, the plural includes the singular, the masculine includes the feminine and neuter, and vice versa, except as otherwise provided. Other terms used in this title shall be defined as set forth in this chapter.

(Ord. 2000 § 2, (2021))

### § 25.108.020. "A" Definitions.

**Abutting/Adjoining.** Contiguous to; having district boundaries or lot lines in common (i.e., not separated by an alley, public or private right-of-way, or street). See also "Adjacent."

**Access.** A way of approaching or entering a property, including ingress (the right to enter) and egress (the right to leave).

**Acreage, Gross.** The total land area in acres within a defined boundary, including any area for rights-of-way, public streets, and dedications of land for public use.

**Acreage, Net.** That portion of gross acreage exclusive of public streets, rights-of-way, and dedications of land for public uses.

**Addition.** Construction which extends or increases the building envelope.

**Adjacent.** The condition of being near to or close to but not necessarily having a common dividing line. Two properties that are separated by an alley, public or private right-of-way, street (other than a principal arterial), public access easement, or creek, river, stream, or other natural or artificial waterway shall be considered as adjoining one another. See also "Abutting/Adjoining."

**Affordable Housing.** "Affordable housing" and "affordable units" shall collectively mean units qualifying as "very low," "lower," and "moderate" income units as used in this title and in State Density Bonus Law.

**Affordable Housing Cost.** "Affordable housing cost" has the same meaning as defined in California Health and Safety Code Section 50052.5.

**Affordable Rent.** "Affordable rent" has the same meaning as defined in California Health and Safety Code Section 50053.

**Alley.** A public or private way providing a secondary means of access to public or private property.

**Allow.** A directive to give permission or to grant a right.

**Alter, Alterations.** Any change, addition or modification in construction or occupancy.

**Applicant.** Any person, firm, partnership, association, joint venture, corporation, entity, or any combination thereof, who seeks the grant of an entitlement or other approval required by this title.

**Arbor.** A free-standing structure that is substantially open to the passage of light and air on the roof and all sides, and serves to roof a gate, driveway, or walkway. "Substantially open" as used in this definition means that the sides and roof of the arbor are at least 60 percent open around any given point across each side and the roof.

**Attic.** The area located between the top plate of the uppermost habitable floor and the roof or ridge of a building, as further defined in the Building Code as adopted by the City of Burlingame.

**Average Maximum Unit Size.** The maximum value allowed when averaging the square footage of gross floor areas of all residential units in a project.

**Alcoholic Beverage.** Alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, wine, or beer which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances, and sales of which require a State Department of Alcoholic Beverage Control license. (Ord. 2000 § 2, (2021))

### **§ 25.108.030. "B" Definitions.**

**Balcony.** A platform, enclosed by a parapet or railing, projecting from an exterior wall of a building and open to the sky. A balcony may be either cantilevered or supported from below.

**Basement.** The portion of a building between floor and ceiling that is wholly or partially underground. Where more than two feet of any portion of the basement's height is above the existing grade next to the basement, a basement shall be counted as a story.

**Bay Window.** A window or group of windows that extends outward from a wall of a building forming a projection from a building. "Bow," oriel, and similar projecting windows shall be included in this definition. Some bay windows may have window seats.

**Bedroom.** Any space in a dwelling unit which contains a minimum of 70 square feet of floor area with no dimension less than seven feet and contains one or more windows and a door, unless it is one of the rooms listed below or common spaces. A room having the potential of being a bedroom shall be considered a bedroom for parking calculation purposes, unless the doorway access to the room with potential for being a bedroom is only through another bedroom.

Hallway	Den
Bathroom	Mezzanine
Living room, family room, dining room	Laundry room
Kitchen/breakfast nook	Garages
Attics	Other non-habitable spaces

**Block.** Property so designated on an official map of the City or part of the City or bounded by streets or street and railroad right-of-way or by streets or street and unsubdivided acreage.

**Builder.** Any person, firm, partnership, association, joint venture, corporation, or any entity or combination of entities which seeks City approvals for all or part of a commercial development project.

**Building.** Any structure with substantial walls and roof securely affixed to the land and entirely separated on all sides from any structure by space or by walls in which there are no communicating doors, windows or openings; and which is designed or intended for the shelter, housing or protection of persons, animals or chattels.

A. **Building, Main.** A building in which the primary use of the lot is conducted on which it is situated.

B. **Building, Accessory.** See ["Structure, Accessory."](#)

**Building Official.** City of Burlingame Building Official, or someone designated by him or her to



act on his or her behalf.

Building Permit. Includes full structural building permits as well as partial permits such as foundation-only permits.

(Ord. 2000 § 2, (2021))

#### **§ 25.108.040. "C" Definitions.**

Carport. A roofed motor vehicle shelter open on one or more sides.

City. The City of Burlingame.

City Engineer. The City Engineer of the City of Burlingame Public Works Department, or someone designated by him or her to act on his or her behalf.

Commercial Development Project. An application for a planning permit or building permit that includes the new construction of gross square feet of commercial space or the conversion of a residential use to a commercial use.

Commercial Linkage Fee. The fee paid by builders of commercial development projects to mitigate the impacts that such developments have on the demand for affordable housing in the City.

Commission. The Planning Commission of the City of Burlingame.

Community Development Department or Department. The Community Development Department of the City of Burlingame.

Conditionally Permitted. Allowed subject to approval of a conditional use permit or minor use permit.

Council. The City Council of the City of Burlingame.

County. The County of San Mateo.

Courtyard. An open space, unobstructed from the ground to the sky, that is bounded on two or more sides by the walls of a building that is on the same lot.

Curb Level. The level of the established curb in front of a building measured at the center of such front. Where no curb level has been established, the City Engineer shall establish such curb level or its equivalent for the purpose of this section.

(Ord. 2000 § 2, (2021))

#### **§ 25.108.050. "D" Definitions.**

Deck. A platform, either freestanding or attached to a building, that is supported by pillars or posts. See also "Balcony."

Declining Height Envelope. An inclined plane beginning at a stated height above grade at a side property line and extending toward the center of the site at a stated upward angle. (See Section 25.10.055)

Demolition. The act of reconstructing, removing, taking down or destroying all or portions of an existing building or structure.

Den. A room which is open on at least one side; does not contain a wardrobe, closet, or similar

facility; and which is not designed for sleeping.

Density. The number of dwelling units per unit of land. The Burlingame Zoning Code refers to density in terms of dwelling units per acre (du/ac).

Density Bonus. Density increase over the otherwise maximum allowable residential density for a residential project as provided by Government Code Sections 65915-65918. The following terms shall have the following meanings when used in Section 25.33.0240 (Density Bonus). All other terms shall be interpreted consistent with the meaning set forth in the State Density Bonus Law (Government Code Sections 65915 through 65918).

- A. Affordable Units. Collectively means units qualifying as "very low," "lower," and "moderate" income units.
- B. Applicant. Any person, firm, partnership, association, joint venture, corporation, entity, or any combination thereof, who seeks a density bonus and/or concessions.
- C. Child Care Facility. A child day care facility other than a family day care home, including, but not limited to, infant centers, preschools, extended day care facilities, and school-age child care centers.
- D. Concessions. Interchangeable with "incentives," unless otherwise indicated. The meaning shall be consistent with Government Code Section 65915(k).
- E. Density Bonus. A density increase over the otherwise maximum allowable residential density as of the date of the application.
- F. Housing Development. The meaning set forth in Government Code Section 65915(i).
- G. Incentives. Interchangeable with "concessions," unless otherwise indicated. The meaning shall be consistent with Government Code Section 65915(k).
- H. Lower Income. The same definition set forth in Health and Safety Code Section 50079.5.
- I. Moderate Income. The same definition set forth in Health and Safety Code Section 50093.
- J. Specific Adverse Impact. The same definition as set forth in Government Code Section 65589.5(d)(2).
- K. Very Low Income. The same definition as set forth in Health and Safety Code Section 50105.

Deny without Prejudice. Meaning that in the denial of an application authorized by this title, none of the rights or privileges of the individual or entity involved are considered to be lost or waived.

Department. The Community Development Department of the City of Burlingame. Detached Accessory Dwelling Unit. See "accessory dwelling unit."

Development. The physical extension and/or construction of urban land uses. Development activities include but are not limited to subdivision of land; construction or alteration of structures, roads, utilities, and other facilities; installation of septic systems; grading; deposit of refuse, debris, or fill materials; and clearing of natural vegetation cover (with the exception of agricultural activities). Routine repair and maintenance activities are not considered as "development."

Director. The Community Development Director of the City of Burlingame, or his or her designee.

District. A portion of the City within which certain uses of land and buildings are permitted or

prohibited and in which other buildings or land restrictions may be specified as set forth herein.

Driveway. Roadway providing the most direct access for vehicles from a right-of-way to a garage, dwelling, other structure or parking space.

(Ord. 2000 § 2, (2021))

#### **§ 25.108.060. "E" Definitions.**

Easement. A recorded right or interest in the land that belongs to someone else and which entitles the holder to some use, privilege, or benefit out of or over said land.

Electric Vehicle Charging Equipment. Any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle. Also referred to as charging station or charging equipment.

(Ord. 2000 § 2, (2021))

#### **§ 25.108.070. "F" Definitions.**

Façade. Façade means:

1. The exterior walls of a building or structure exposed to public view; or
2. The walls viewed by a person not inside the building; or
3. For a tenant space within a larger building, the portion of the exterior walls that corresponds to the interior space occupied by the tenant or business establishment; or
4. Any awnings on or attached to the exterior walls that meet the definition of façade.

Fee. A fee, charge, deposit or exaction collected by the City.

Fence. A structure of wood, masonry, metal, or other solid material built on or close to a property line for the purpose of physically separating properties.

First Approval. With regard to a commercial linkage fee, means the first discretionary approval to occur with respect to commercial development projects or, for commercial development projects not requiring a discretionary approval, the issuance of a building permit.

Floor Area, Gross. The total area enclosed within a building, including closets, stairways, and utility and mechanical rooms, measured from the outside face of the walls.

Floor Area, Net. The gross floor area less areas stipulated by Section 25.30.060 (Determining Floor Area).

Floor Area Ratio (FAR). The floor area of the building or buildings on a site or lot divided by the area of the site or lot.

Foot-Candle. A unit of measure of the intensity of light falling on a surface, equal to one lumen per square foot or the intensity of light from a standardized candle burning at one foot from a given surface.

Footprint. The gross floor area to the outside of the exterior walls plus roof overhangs, eaves, balconies, and decks and trellises over outdoor areas. Footprint applies to first floor area and floor areas of the floors above the first which extend beyond first floors.

Frontage. All property fronting on one side of the street between intersecting or intercepting streets, or between a street and right-of-way, waterway, end of dead-end street, or City boundary measured along the street line.

(Ord. 2000 § 2, (2021); Ord. 2019 § 3, (2023))

#### **§ 25.108.080. "G" Definitions.**

Garage. A building, or portion thereof, containing accessible and usable enclosed space designed, constructed, and maintained for the parking or storage of one or more motor vehicles.

General Plan. A legal document which takes the form of a map and accompanying text adopted by the local legislative body. The plan is a compendium of policies regarding the long-term development of a jurisdiction. The State requires the preparation of seven elements or divisions as part of the plan: land use, housing, circulation, conservation, open space, noise, safety, and environmental justice. Additional elements pertaining to the unique needs of an agency are permitted.

Government Code. The Government Code of the State of California.

Grade. The average of the existing ground level at the center of all walls of a building. In case walls are parallel to, and within five feet of, a sidewalk, the ground level shall be measured at the sidewalk.

- A. Grade, Adjacent. The level of the soil immediately next to a structure or proposed structure.
- B. Grade, Curb. The curblineline grade at the lot lines established by the city engineer.
- C. Grade, Existing. The grade on a site prior to any grading or movement of soil for additional construction.
- D. Grade, Natural. The elevation of the ground surface in its natural state or as determined by the City Engineer who may refer to original subdivision and subdivision grading plans if available.

Greenhouse Window. A three-sided window with a shelf or shelves. It is set into a wall and projects from the face of the structure. It is not meant to be used for sitting, enclosed storage, or as a walking area.

Ground Floor. The first floor of a building other than a cellar or basement that is closest to finished grade.

(Ord. 2000 § 2, (2021))

#### **§ 25.108.090. "H" Definitions.**

Habitable Area. Any area within a structure defined as habitable area by the Uniform Building Code.

Hedge. A compact planting of any type of plant or shrub which acts or is intended to act as a fence.

Height, Building. See Chapter 25.30 (Rules of Measurement).

Height, Ceiling. The distance between the floor and the lowest ceiling joist, pipe, or similar construction above the floor.

High Quality Transportation Corridor. See "Transportation Corridor, High Quality."

Historic Resources. The following terms used in Chapter 25.35 (Historic Resources) of this title shall have the following meanings:

- A. Adaptive Reuse. Repurposing a designated historic resource for different uses or functions than those for which it was originally designed while retaining the original historic features of the resource.
- B. Alteration. Any change or modification, through public or private action, to the character-defining or significant exterior physical features of properties affected by this title. Such changes may be changes to or modification of structure, architectural details, or visual characteristics, grading, surface paving, the addition of new structures, and the placement or removal of any significant objects such as signs, plaques, light fixtures, street furniture, walls, fences, steps, plantings, and landscape accessories affecting the significant visual and/or historical qualities of the property.
- C. Demolition. Any act or process that destroys in part or in whole a historic resource.
- D. Designated Historic Resource. A parcel or part thereof on which a historic resource is situated and any abutting parcel or part thereof constituting part of the premises on which the historic resource is situated, and which has been designated as a historic resource in the Burlingame Historic Register, California Register of Historic Places, and/or National Register of Historic Places.
- E. Historic Resource. Improvements, buildings, structures, signs, or other objects of scientific, aesthetic, educational, cultural, architectural, or historical significance to the owner, citizens of the City and the State of California, the Bay Area region, or the nation which may be eligible for local designation for historic preservation by the City pursuant to the provisions of this title. A historic resource is either included in the Register or may be added in accordance with Section 25.35.060 (Historic Resource Designation Procedures).
- F. Improvement. Any building, structure, fence, gate, landscaping, tree, wall, parking facility, work of art, or other object constituting a physical feature of real property, or any part of such feature.
- G. Inventory. The October 6, 2008 Inventory of Historic Resources – Burlingame Downtown Specific Plan, which identifies resources in the City which may be considered historical.
- H. Ordinary Maintenance and Repair. Any work, for which a building permit is not required by law, where the purpose and effect of such work is to correct any deterioration of or damage to a structure or any part thereof and to restore the same to its condition prior to the occurrence of such deterioration or damage.
- I. Preservation. The identification, study, protection, restoration, or acquisition of historic resources.
- J. Register. The Burlingame Historic Register, which is a document containing a listing of properties in the City that: (1) contain an officially designated historic resource, whereby such designation has been applied by a formal process by a federal, State, or local government agency; and (2) have been identified as having a resource with characteristics that qualify it for receiving an official historic resource designation.

- K. Secretary of the Interior Standards for Rehabilitation. The standards promulgated by the National Park Service that provide guidance for the preservation, rehabilitation, restoration, and reconstruction of historic properties.
- L. Significant Feature. The natural or human-made elements embodying style or type of historic resource, design, or general arrangement and components of an improvement, including, but not limited to, the kind, color, and texture of the building materials, and the type and style of all windows, doors, lights, signs, and other fixtures appurtenant to such improvement.

Household. One or more persons 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 the preparation and storage of food; who share living expenses, including rent or mortgage payments, food costs and utilities; and who maintain a single mortgage, lease, or rental agreement for all members of the household.

Housing Development Project. "Housing development project" shall have the same meaning as defined in California Government Code Section 65950.5(b)(3).

(Ord. 2000 § 2, (2021))

#### **§ 25.108.100. "I" Definitions.**

Improved Space. Any area within a structure for which a building permit was issued for the interior finish of the area. Improved space may or may not be habitable under current California Building Code requirements.

Impervious Surface. A surface that is incapable of being penetrated by water, including buildings and paved surfaces such as parking, sidewalks, and roads.

(Ord. 2000 § 2, (2021))

#### **§ 25.108.110. "J" Definitions.**

Reserved.

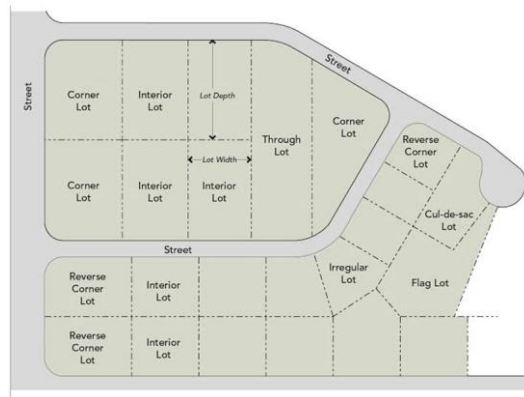
#### **§ 25.108.120. "K" Definitions.**

Reserved.

#### **§ 25.108.130. "L" Definitions.**

Loft. See "Mezzanine" when referring to an interior floor space of an occupiable or habitable structure.

Lot. A single parcel of land, usually fronting on a street, into which an urban block is usually divided for the construction of a building or for a use, as such lot is shown and delineated on the latest official map thereof on file with the County Recorder or, if subsequently resubdivided, as described in the deed of the owner.



**Lot Area.** The total horizontal area within the boundary lines of a lot.

**Lot, Corner.** A lot on a corner fronting on two intersecting streets.

**Lot, Coverage.** The proportion of the area of the footprint of a building in relation to the area of the lot on which it stands.

**Lot, Depth of.** See Section 25.30.050 (Measuring Lot Width and Depth). **Lot,**

**Interior.** A lot other than a corner lot.

**Lot Line, or Property Line.** The established division line between parcels of land, public or private.

**Lot, Standard and Substandard.** Any lot with at least 50 feet of street frontage and lot area at least equal to the minimum lot size designated for the area of the City by the map attached to Ordinance 712 and any amendments thereto. "Substandard lot" means any other lot.

**Lot, Through.** A lot having frontage on two parallel or approximately parallel streets.

**Lot, Width of.** See Section 25.30.050 (Measuring Lot Width and Depth).

**Lower Income Household.** "Lower income household" has the same meaning as defined in California Health and Safety Code Section 50079.5.

(Ord. 2000 § 2, (2021))

## **§ 25.108.140. "M" Definitions.**

**Major Transit Stop.** See "Transit Stop, Major."

**Market Value.** The highest price a willing buyer would pay and a willing seller would accept, both being fully informed and in an open market, as determined by an appraiser, the City Building Official, or other qualified professional.

**Mezzanine.** A partial or intermediate level of a building interior containing floor area without enclosing interior walls or partitions and not separated or partitioned from the floor level below or access way (stairs and/or landing) leading to the mezzanine from the floor below by a wall or any other partitions. Spaces designated as lofts or mezzanines that do not fully conform to this definition shall be deemed a "bedroom."

**Municipal Code.** The City of Burlingame Municipal Code.  
(Ord. 2000 § 2, (2021))



#### **§ 25.108.150. "N" Definitions.**

Nonconforming Structure. A structure that does not conform to the yard coverage, height, setback, or other physical dimensional requirements.

Nonconforming Use. A use that does not conform to the permitted or conditional use, including parking that does not conform to the permitted or conditional use regulations in the zone in which it is situated.

(Ord. 2000 § 2, (2021))

#### **§ 25.108.160. "O" Definitions.**

Onsite. Located on the lot that is the subject of discussion. Open Space.

- A. Open Space, Common. Open space that is accessible to all dwelling units on the site in the form of courtyards, landscaping, pedestrian paths, and recreational facilities.
- B. Open Space, Private. Open space that is accessible directly from the living area of a dwelling unit in the form of a fenced yard or patio, a deck, or balcony.
- C. Open Space, Usable. Indoor or outdoor area designed and intended to support residents' passive or active use and located on the same parcel as the dwelling units for which it is required. Usable open space shall not include any portion of parking areas, streets, driveways, sidewalks, or turnaround areas.

(Ord. 2000 § 2, (2021))

#### **§ 25.108.170. "P" Definitions.**

Parcel. The basic unit of land entitlement. A designated area of land established by plat, subdivision, or otherwise legally defined and permitted to be used or built upon. See also "Lot."

Parking Area. An area of a lot, structure, or any other area, including driveways, which is designed for and the primary purpose of which is to provide for the temporary storage of operable motor vehicles.

Parking Space, Automobile. Space within a parking area of a building exclusive of driveways, ramps, columns, office and work areas, for the temporary parking or storage of one automobile.

Parking, Bicycle. A covered or uncovered area equipped with a rack or racks designed and usable for the secure, temporary storage of bicycles.

Parking, Tandem. The parking of one vehicle behind another; except for parking for an accessory dwelling unit where tandem parking is defined as two or more vehicles that are parked on a driveway or in any other location on a lot, lined up behind one another.

Persons and Families of Low or Moderate Income. "Persons and families of low or moderate income" has the same meaning as defined in California Health and Safety Code Section 50093.

Planning Commission or Commission. The Planning Commission of the City of Burlingame.

Planning Division. The Planning Division of the Community Development Department of the City of Burlingame.

Planning Permit. With regard to commercial linkage fee, means any discretionary approval of a commercial project, including, but not limited to, a comprehensive or specific plan adoption

or amendment, rezoning, tentative map, parcel map, conditional use permit, variances, or architectural review.

Plate Height. The vertical measurement from the top of the finished floor to the top of the plates.

Plate Line. A member on top of a stud wall such as a top plate on which joists or rafters rest to support an additional floor or roof or to form a ceiling.

Porch. A structure attached to a building, usually roofed and open-sided, and often at the entrance. It may be supported from the roof, screened, or glass enclosed.

Premises. Land and/or buildings or other improvements thereon.

Prezone. Pursuant to Government Code 65859, a legislative act of the City to apply a zoning designation or designations to a property or properties within the City's designated sphere of influence to specify the zoning that will apply to that property or properties upon annexation to the City.

Project. Any proposal for a new or changed use or for new construction, alteration, or enlargement of any structure that is subject to the provisions of this title. This term includes, but is not limited to, any action that qualifies as a "project" as defined by the California Environmental Quality Act.

Public Resources Code. The Public Resources Code of the State of California. Public

Works Department. City of Burlingame Public Works Department.

Public Works Director. The City of Burlingame Public Works Director, or someone designated by him or her to act on his or her behalf.

(Ord. 2000 § 2, (2021))

#### **§ 25.108.180. "Q" Definitions.**

Reserved.

#### **§ 25.108.190. "R" Definitions.**

Real Property. Land and improvements, if any, including anything permanently affixed to the land, such as buildings, walls, fences, and paved areas.

Recreational Vehicle. Any trailer, camper, motor home, boat, or other vehicle designed and intended for traveling and recreational purposes.

Review Authority. The body responsible for making decisions on zoning and related applications. (Ord. 2000 § 2, (2021))

#### **§ 25.108.200. "S" Definitions.**

Setback. The area between a lot line or property line and the setback line.

- A. Setback, Front. The minimum distance required between a structure and the front property line.
- B. Setback, Interior Side. The area between the side lot line and the structure when there is an adjacent parcel on the side of a lot.
- C. Setback, Line. The line which is the required minimum distance from the lot or any other lot line that establishes the area within which any structure may be erected or placed.

D. Setback, Rear. The minimum distance required between a structure and the rear property line.

E. Setback, Street Side. The area between the side lot line and the structure on the street side of a corner lot.

Shoreline Infrastructure. Modifications along the shoreline to meet the required elevation for protection against future flood and sea level rise conditions, as well as environmental enhancements and trails. This infrastructure can be natural or nature-based, hardened, or a hybrid system that combines both.

Sidewalk. A paved, surfaced, or leveled area, paralleling and usually separated from the street, used as a pedestrian walkway.

Signs. The following definitions shall apply to signs and sign-related regulations.

A. A-Board or A-Frame Sign. See "Portable (A-Board) Sign."

B. Abandoned Sign. Any lawfully erected sign, sign structure, advertising structure, or display that is not operated or maintained for a period of one year or longer. The following conditions shall be considered as the failure to operate or maintain a sign: (1) the sign displays advertising for a product of service that is no longer available; (2) the sign displays advertising for a business that is no longer licensed; (3) the sign advertises a business that is no longer doing business on the parcel where the sign is located; (4) the sign has a purpose for which the purpose has lapsed; or (5) the sign is blank.

C. Above-Roof Sign. A sign which extends above a roof or parapet of a building, including a mansard roof, and which is wholly or partly supported by such buildings.

D. Alter; Alteration. Any change in the depth, height, area, materials, location, or type of display of an existing sign but shall not be construed to prevent normal or periodic maintenance, upkeep, or repair of a sign or change of copy (e.g., rewiring, repainting).

E. Animated. The movement or the optical illusion of movement of any part of the sign structure, design, or pictorial segment, including the movement of any illumination or the flashing or varying of light intensity, or the automatic changing of all or any part of the facing of a sign.

F. Awning Sign. Any sign that is painted or applied to the face, valance, or side panel of a projecting structure consisting of a frame and a material covering, attached to and wholly supported by a building wall and installed over and partially in front of doors, windows, or other openings in a building.

G. Banner Sign or Banner. A temporary sign composed of cloth, canvas, plastic, fabric, or similar lightweight, nonrigid material that can be mounted to a structure with screws, cord, rope, cable, or a similar method. This sign type does not include flags (see "Flags").

H. Billboard. See "Off-Premises Advertising (General Advertising) Sign."

I. Bunting. A lightweight fabric in single or multiple colors used for decoration.

J. Cabinet, Cabinet Sign. A type of sign that contains all the text and/or logo symbols within a single enclosed frame with flat or shaped panels that is mounted to a wall or other surface (cabinet). Such sign structures typically use slide-in panels to display the message to the public.

K. Canopy. A permanent roof-like structure of rigid materials extending from the main entrance of a structure and is typically supported by posts at the corners farthest from where the canopy attaches to the structure.

- L. Canopy, Fueling Station. A roof-like structure, typically consisting of supporting columns, at a fueling station that covers the fueling islands and surrounding fueling area.
- M. Canopy Sign. A sign that meets any one or more of these criteria: (1) a sign mounted on a permanent canopy; (2) a traditional industry term for the variable message portion of a canopy sign; and/or (3) an integral sign and permanent canopy.
- N. Change of Copy. Changing of the face or letters on a sign.
- O. Changeable Copy. Sign copy designed to be used with removable graphics which will allow changing of copy.
- P. Commercial Message. Message concerning primarily a proposed economic transaction or the economic interests of the sign sponsor or audience.
- Q. Conforming Sign. A sign that is legally installed in accordance with Federal, State, and local permit requirements and laws.
- R. Content-Neutrality; Time, Place, and Manner Regulations. Consistently applicable, nondiscriminatory sign regulations that specify—without reference to the content of the message—when, how, and where a sign can be displayed, with physical standards such as, but not limited to, height, size, and location, that allow the sign to be readable.
- S. Copy. The message or content of a sign, which may include letters, numbers, figures, and/or images.
- T. Digital Sign. A variable message sign that utilizes computer-generated messages or some other electronic means of changing copy. These signs generally include displays using LEDs (light emitting diodes), CCDs (charge coupled devices), plasma, or functionally equivalent technologies to display a series of still images or full motion, usually remotely programmable and changeable, and are sometimes referred to as "digital signs" and "LED signs."
- U. Directional Sign. A sign located adjacent to a pedestrian or vehicle travel way that is internal to a site or complex, intended to provide orientation and safety assistance.
- V. Double-Faced Sign. A sign constructed to display its message on two parallel opposing (back-to-back) faces.
- W. Externally Illuminated Sign. A sign that is illuminated by a light source that is located on the exterior of the sign or nearby and directed toward and shines on the face of a sign.
- X. Façade. The side of a building below the eaves or parapet wall.
- Y. Face. The surface area on a sign where advertising copy is displayed.
- Z. Feather Sign. A temporary sign constructed of cloth, canvas, plastic fabric, or similar lightweight, non-rigid material, typically taller than it is longer, and supported by a single vertical pole mounted into the ground or on a portable structure. This sign type does not include flags (see "Flags").
- AA. A fabric, cloth, plastic, vinyl, canvas, leather, or other similar material sheet of square, rectangular, or triangular shape that is attached to a staff cord and mounted on a pole. This sign type includes official flags of national, State, or local governments. This sign type

does not include feather signs (see "Feather Sign"), banners (see "Banner"), or pennants (see "Pennant").

AB. Flashing Sign. A sign that contains an intermittent or sequential flashing light source.

Generally, the sign's message is constantly repeated, and the sign is most often used as a primary attention-getting device.

AC. Freestanding Sign. A sign that is supported by one or more uprights, braces, poles, or other similar structural components that are not attached to a building or buildings.

AD. Frontage, Building. The distance measured along the wall or walls of the building abutting on a public or private way, including public and private parking lots, from which public access is provided to the premises. The building frontage does not include alleys, porte-cochères, and other drive-through structures.

AE. Frontage, Parcel. The distance along the parcel line or lines abutting upon a street, easement, or public or private parking lots, giving access to the property.

AF. Frontage, Tenant. The width of a building occupied by a business tenant that fronts on a public street or faces a plaza, courtyard, pedestrian corridor or walkway, or parking lot, where customer access to the building is available. Width is measured as the widest point on an architectural elevation.

AG. Frontage, Street. The portion of the building or property which faces or abuts a street(s).

AH. Illegal Sign. A sign that meets any one or more of these criteria: (1) a sign erected without first complying with all ordinances and regulations in effect at the time of its construction and erection or use; (2) a sign which is a danger to the public or is unsafe; (3) a sign which is a traffic hazard not created by relocation of streets or highways or by acts of the City or County; and/or (4) a sign that is a public nuisance as defined under Chapter 1.16 (Abatement of Nuisances) in the Burlingame Municipal Code.

AI. Illuminated. Signs or individual letters in which an artificial source of light is used to make the message readable and includes both internally and externally lit signs.

AJ. Internally Illuminated Sign. A sign that is illuminated by a light source contained inside the sign.

AK. LED. Light Emitting Diode.

AL. Logo. An established identifying symbol or mark associated with a business or business entity.

AM. Maintenance. Cleaning, painting, changing copy, general servicing, and repairing as a routine procedure to preserve and keep in working order. Maintenance may include the replacement of parts with like kind parts as such parts fail.

AN. Marquee. A permanent roofed structure attached to and supported by the building and projecting from the building face and generally used to post or otherwise display copy

associated with the on-site business. See also "Canopy."

AO. Marquee Sign. A sign attached to a marquee.

AP. Menu Board. A permanently installed sign with changeable copy (electronic message or manual) for the purpose of providing product and/or service information for drive-through service, where allowed, at a business where customers remain seated in a vehicle occupying a drive-through service lane.

AQ. Message. See "Copy."

AR. Monument Sign. A freestanding ground sign with low overall height and the appearance of having a solid base. A monument sign includes any decorative base, cap, and trim.

AS. Multi-Faced Sign. A sign constructed to display its message on three or more connected faces.

AT. Neon Sign. A sign illuminated by or utilizing neon tubing, and/or related inert gases, or products that produce the same or similar effect as neon, such as flexible light-emitting diode (LED) neon-like tubing which is visible to the viewer.

AU. Noncommercial Message. Debate or commentary on topics of public concern; for example, politics, religion, philosophy, science, or art.

AV. Noncommercial Sign. Any sign that is not commercial. Noncommercial signs include: (1) advertising displays erected by nonprofit organizations for fundraising and related purposes; and (2) signs containing political, civic, public service, or religious messages.

AW. Nonconforming Sign. Any permanent sign or temporary sign, including its physical structure and supporting elements, which was lawfully erected and maintained in compliance with all applicable laws in effect at the time of original installation, but which does not now comply with the provisions of Chapter 25.42 (Signs).

AX. Off-Premises Advertising (General Advertising) Sign. A permanent sign in a fixed position that meets any one or more of these criteria: (1) the sign is routinely used for general advertising for hire; (2) the sign is used to display commercial advertising for a business not located on the same premises as the sign; (3) the sign is a separate economic unit, not an accessory or auxiliary use serving the principal use on the land; and/or (4) the message display area is made available to message sponsors other than the owner. Off-premises advertising sign may also be referred to as "billboard" or "outdoor advertising sign" in other sections of the Municipal Code.

AY. On-Premises Sign. A sign whose message and design relates to a business, event, goods, profession, or service being conducted, sold, or offered at the location where the sign is erected.

AZ. Painted Sign. A sign erected by means of painting the copy and all related material directly upon any portion of a building or other structure. This definition includes commercial murals.

- BA. Parcel. See definition in Section 25.108.170 ("P" Definitions).
- BB. Pennant. A triangular or irregular piece of fabric or other material, whether or not containing a message of any kind, commonly attached by strings or strands intended to flap in the wind. This sign type does not include flags (see "Flag").
- BC. Permanent Sign. A sign constructed of durable materials and attached to a building, structure, or the ground in a manner that will resist environmental loads such as wind, and precludes ready removal or movement of the sign, and intended to exist for the duration of time that the use or occupant is located on the premises.
- BD. Person. Any person, firm, partnership, association, corporation, company, or organization of any kind.
- BE. Placed. Erected, constructed, posted, painted, printed, tacked, glued, carved, or otherwise fastened, affixed, or made visible in any manner.
- BF. Pole Sign. An elevated freestanding sign that is supported by one or more exposed poles that are permanently attached directly into or upon the ground.
- BG. Portable (A-Board) Sign. A sign that is not permanently affixed to a structure or the ground. Portable (A-Board) signs generally include A-frame structures or similar low-profile signs, and are usually hinged at the top, or attached in a similar manner, and widened at the bottom to form a shape similar to the letter "A." Portable (A-Board) signs may also be referred to as a sandwich board sign. Other variations of such signs may also be in the shape of the letter "T" (inverted) or the letter "H." This definition does not include feather signs.
- BH. Porte-Cochère. A permanent roof-like structure of rigid materials attached to a drive-through establishment and typically supported by posts or pillars at the corners farthest from where the porte-cochère attaches to a drive-through establishment. Porte-cochères are large enough for vehicles to pass through and/or underneath.
- BI. Porte-Cochère Sign. Any sign placed on a porte-cochère façade.
- BJ. Premises. See definition in Section 25.108.170 ("P" Definitions).
- BK. Projecting Sign. A building-mounted sign with faces projecting from and perpendicular to the building fascia.
- BL. Pylon Sign. A freestanding sign that is supported and in direct contact with the ground or one or more solid, monumental structures or pylons that are architecturally treated as part of the overall sign design and which typically has a sign face with a vertical dimension that is greater than its horizontal dimension. A pylon sign includes any decorative base, cap, and trim.
- BM. Repair. To reconstruct, rebuild or undertake restoration after a substantial degree of neglect and deterioration has occurred.
- BN. Roof Sign. A sign erected, constructed, or placed upon or over a roof of a building, including



a mansard roof, and which is wholly or partly supported by such buildings.

BO. Sign. A structure, device, figure, display, message placard, or other contrivance, or any part thereof, situated indoors, which is designed, constructed, intended, or used to advertise, provide information in the nature of advertising, provide historical, cultural, archaeological, or social information, or direct or attract attention to an object, person, institution, business, product, service, event, policy, or location by any means, including words, letters, logos, figures, designs, symbols, fixtures, colors, illumination, or projected images. The following do not fall within the definition of a sign for the purposes of this title.

1. Architectural or decorative features of buildings (not including lettering, trademarks, or moving parts).
2. Graphic images that are visible only from above, such as those visible only from airplanes or helicopters, but only if not visible from the street surface or public right-of-way.
3. Holiday and cultural observance decorations that are on display for not more than 60 calendar days per year (per parcel or use) and which do not include commercial advertising messages.
4. Manufacturers' marks on tangible products that identify the maker, seller, provider, or product and which customarily remain attached to the product even after sale.
5. Murals, painted or otherwise attached or adhered, with images or representation on the exterior of a structure that are visible from a public right-of-way or neighboring property; do not contain commercial advertisement (is noncommercial in nature); and are designed in a manner so as to serve as public art, enhance public space, and provide inspiration.
6. Colored or illuminated elements that contain no lettering, numbers, trademarks, or logos, and are located on a wall or canopy.
7. News racks and newsstands.
8. Merchandise on display and available for immediate purchase.
9. Shopping carts.
10. Symbols embedded in architecture such as symbols of noncommercial organizations or concepts including, but not limited to, religious or political symbols, when such are permanently integrated into the structure of a building; the definition also includes foundation stones and cornerstones.
11. Vehicle and vessel insignia as shown on street-legal vehicles and properly licensed watercraft including, but not limited to, license plates, license plate frames, registration insignia, noncommercial messages, messages relating to the business

of which the vehicle or vessel is an instrument or tool (not including general advertising for hire), and messages relating to the proposed sale, lease, or exchange of the vehicle or vessel.

12. Vending machines that do not display off-site commercial messages or general advertising messages.

BP. Sign Area. See Section 25.42.070 (Calculation of Sign Height and Area) for specific rules for measuring the area of different sign types.

BQ. Sign Copy. All portions of a sign displaying a message, including text, symbols, emblems, logos, or representations, but not including the supporting structures, decorative features, or base of a sign.

BR. Sign Copy, Channel. Sign copy with three-dimensional individual letters, symbols, emblems, logos, or representations, with an open back or front, illuminated or not illuminated, that are affixed to a building or to a freestanding sign structure with translucent faces, reverse lit channel letters, or push-through acrylic panels.

BS. Sign Copy, Illuminated Channel. Channel sign copy with either an internal light source with an opaque face or an internal light source with a translucent face. The background illumination portion of illuminated channel sign copy is commonly referred to as halo lighting.

BT. Sign Copy, Push-Through. Sign copy routed out of aluminum or other sign material and then pushed through the routed area to provide depth.

BU. Sign Face. The area of a sign on which copy is intended to be placed.

BV. Sign Structure, Supporting Structure. The structural portion of a sign securing the sign to the ground, a building, or to another structure including, but not limited to, columns, crossbeams, and braces.

BW. Single Face Sign. A sign with only one face plane.

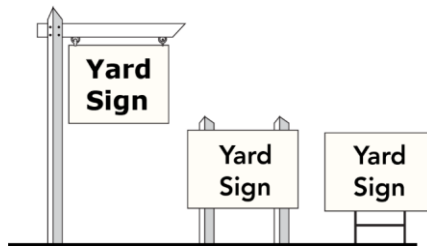
BX. Shopping Center. A commercial development under unified control consisting of four or more separate commercial establishments sharing a common building, or which are in separate buildings that share a common entranceway or parking area.

BY. Sky Sign. Any sign attached to, painted on or suspended from a balloon, kite, or similar object secured to real or personal property within the City.

BZ. Temporary Sign. A sign that is intended to be displayed for a definite and limited period of time and which is not permanently installed, affixed, or maintained on a building or structure.

CA. Three-Dimensional Sign. Any sign which is a three-dimensional, sculptured, or molded representation of an animate or inanimate object that identifies, advertises, or otherwise directs attention to a product or business.

- CB. Trademark. A word or name which, with a distinctive type or letter style, is associated with a business or business entity in the conduct of business.
- CC. Vehicle Sign. Any sign or device placed on, mounted on, or affixed to a motor vehicle, freight, flatbed or storage trailer, or other conveyance. Vehicle signs shall not include signs wrapped on a vehicle actively being used to load, transport, or unload persons, goods, or services in the normal course of business.
- CD. Visibility. The quality of a letter, number, graphic, or symbol which enables the observer to distinguish it from its surrounds or background.
- CE. Wall Sign. Any sign attached to, or erected against the wall, parapet, with the exposed face of the sign in a line approximately parallel to the plane of the building or structure wall. This definition includes painted signs, including commercial murals, individual letters or logos, primary wall signs, and secondary wall signs.
- CF. Width. The measurement of a sign, base of a sign, building, or façade at its full extent from side to side.
- CG. Window Area. The area within the perimeter window frames and glass doors located on a business frontage or street frontage.
- CH. Window Sign. Any sign that is applied or attached to a window or located within two feet of a window in such a manner that it can be seen from the exterior of the structure.
- CI. Yard Sign. Any temporary sign placed in the ground or attached to a supporting structure, posts, or poles, that is not attached to any building, not including banners.



Site. A lot, or group of contiguous lots, that is proposed for development in accordance with the provisions of this title and is in a single ownership or under unified control.

State. The State of California.

Story. That portion of any building included between the surface of any floor and the surface of the next floor above it, and if there ~~is~~<sup>isbe</sup> no floor above it, then the space between such floor and the ceiling next above it. See also the definition of "attic."

Street. The land dedicated to, or condemned for, or established by, use as a public thoroughfare, or a public or private thoroughfare which affords principal means of access to abutting property.

Street Line. The property line or boundary between a street right-of-way and abutting property.

Structure. Anything constructed or erected that requires location on the ground or attachment to

something having location on the ground, including swimming pools, but excluding driveways, sidewalks, patios, or parking spaces.

- A. Structure, Accessory. Any building or structure measuring over 30 inches in height, the use of which is incidental to the main building on the same lot.
- B. Structure, Main. See "Building, Main."
- C. Structure, Temporary. A structure without any foundation or footings and which is intended to be removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

Substantial Construction.

A. Construction of a wholly new building; or

B. ~~Modification, or removal or reconstruction~~ of 50 percent or more of the first floor exterior walls of a building. ~~; change to accessory structures is not included in this definition. Modification means removing walls, removing foundation, cutting or sistering a stud, enlarging or reducing the size of a window or door, or relocating a window or door. Change to accessory structures and like for like replacement of windows, doors, roofing, and siding material is not modification pursuant to this section.~~

(Ord. 2000 § 2, (2021))

#### **§ 25.108.210. "T" Definitions.**

Temporary or Intermittent Use. A use allowed for a limited duration consisting of activities that represent a variation from the normal business operations. Examples include, but are not limited to, parking lot sales, benefits, and special events. See Section 25.48.260 (Temporary Uses).

Trailer. A vehicle designed for carrying property or persons on its own structure and for being drawn by a motor vehicle.

Transit Stop, Major. Per California Public Resources Code Section 21064.3 major transit stop means a site containing any of the following: ~~a~~An existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

Transportation Corridor, High Quality. An existing or planned fixed-route bus corridor with headway of 15 minutes or better during both the morning and evening peak commute periods.

Trellis. A structure with a roof made of repetitive members open to the sky and supported by posts, open on all sides. See also "Arbor."

(Ord. 2000 § 2, (2021))

#### **§ 25.108.220. "U" Definitions.**

Use Permit. A discretionary permit, such as a minor use permit or conditional use permit, which may be granted by the appropriate City of Burlingame authority to provide for the accommodation of land uses with special site or design requirements, operating characteristics, or potential adverse effects on surroundings, which are not permitted as of right but which may be approved upon completion of a review process and, where necessary, the imposition of special conditions of approval by the permit granting authority.

(Ord. 2000 § 2, (2021))

**§ 25.108.230. "V" Definitions.**

Vehicle. A device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved by human power.

Vending Machine. An automated mechanical device that ejects consumer products, including, but not limited to, snack food items, non-alcoholic beverages, electronic devices, and movies, and that accepts cash, debit, and/or credit.

(Ord. 2000 § 2, (2021))

**§ 25.108.240. "W" Definitions.**

Window. An opening in an exterior wall, normally glazed, to admit light and/or air.

Window, Bay. See "Bay Window."

Window, Greenhouse. See "Greenhouse Window."

(Ord. 2000 § 2, (2021))

**§ 25.108.250. "X" Definitions.**

Reserved.

**§ 25.108.260. "Y" Definitions.**

Yard. An open space that lies between any structure and the nearest lot line and is on the same property as the structure.

Yard, Front. A yard extending across the front of the lot between the inner side lines and measured between the front line of the lot and the front line of the building.

Yard, Rear. A yard extending across the width of the lot, and measured between the rear line of the lot and the rear line of the main building.

Yard, Side. A yard between the building and the side line of the lot and extending from the street line of the lot to the rear yard.

(Ord. 2000 § 2, (2021))

**§ 25.108.270. "Z" Definitions.**

Zoning District (or "Zone" or "Zone District"). An area of the City delineated on the official zoning map, designated by name or abbreviation as provided in the regulations codified in this title.

(Ord. 2000 § 2, (2021))