

**COUNTY OF ORANGE**  
**“ORANGE IS THE NEW GREEN”**  
**ZONING CODE UPDATE**

**ARTICLE 2, SUBARTICLE 7 – General Terms**

**Final Draft – December 2019**

[http://www.ocpublicworks.com/ds/planning/projects/all\\_districts\\_projects/orange\\_is\\_the\\_new\\_green](http://www.ocpublicworks.com/ds/planning/projects/all_districts_projects/orange_is_the_new_green)



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**Article 2. – The Comprehensive Zoning Code**  
**Subarticle 7: General Terms**

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## **Article 2, Subarticle 7: General Terms**

### **Sec. 7-9-134. - Use Classifications.**

#### **Sec. 7-9-134.1. - Purpose and Applicability.**

Use classifications describe one (1) or more uses of land having similar characteristics but do not list every use or activity that may appropriately be within the classification. The Director shall determine whether a specific use shall be deemed to be within one (1) or more use classifications or not within any classification in this section. The Director may determine that a specific use shall not be deemed to be within a classification, whether or not named within the classification, if its characteristics are substantially incompatible with those typical of uses named within the classification.

#### **Sec. 7-9-134.2. - Residential Uses.**

(a) **Single-Family Dwelling.**

- (1) Detached. A dwelling unit designed for occupancy by one (1) household, located on a single lot (1) that does not contain any other dwelling unit (except an Accessory Dwelling Unit where permitted), and not attached to another dwelling unit. This classification includes mobilehomes and individual manufactured housing units installed on a foundation system.
- (2) Attached. A dwelling unit designed for occupancy by one (1) household that is located on a single lot and shares a common wall with another single-family dwelling.

(b) **Duplex.** A permanent building containing two (2) dwelling units.

(c) **Accessory dwelling unit.** A dwelling unit providing complete independent living facilities for one (1) or more persons that is located on a parcel with another primary, single-family dwelling as defined by Government Code Section 65852.2, as may be amended. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling's location. An accessory dwelling unit may be within the same structure as the primary unit, in an attached structure, or in a separate structure on the same parcel. This use is distinguished from a duplex. See section 7-9-90, "Accessory dwelling units."

(d) **Junior accessory dwelling unit.** Pursuant to California Government Code Section 65852.22, as may be amended, a junior accessory dwelling unit means a unit that is no more than five hundred (500) square feet in size and contained entirely within an existing or proposed single-family dwelling unit. A junior accessory dwelling unit shall include an efficient kitchen (sink, cooking appliances, food preparation counter, and storage cabinets) and may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

(e) **Multifamily dwelling.** Two (2) or more dwelling units within a single building or within two (2) or more buildings on the same site or lot. Types of multifamily dwellings include garden apartments, senior citizen housing developments, apartments, and condominium buildings.

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- (f) *In-home family child day care home.* A home at which the resident of the home provides regular nonmedical care, protection, and supervision of one (1) to eight (8) ~~fourteen (14)~~ children for periods of less than twenty-four (24) hours per day. The provider shall be licensed per the State Health and Safety Code unless specifically exempted therein. See section 7-9-95.5, "Child day care facilities."
- (1) Small. A facility that provides care for eight (8) or fewer children, including children who reside at the home and are under the age of ten (10).
- (2) Large. A ~~family day care home~~ facility which that provides family day care to seven (7) for up to fourteen (14) children, including children who reside at the home and are under the age of ten (10).
- (g) *Family foster care home.* The occupancy of a single-family dwelling unit by six (6) or fewer foster children living with foster parents, in whose care they have been placed, and other family members.
- (h) *Mobilehome.*
- (1) A structure transportable in one (1) or more sections, designed to be used with or without a permanent foundation system. Mobilehome does not include recreational vehicle, commercial coach, noncommercial coach or factory-built housing.
- (2) A trailer coach designed to be used without a permanent foundation and which is in excess of eight (8) feet in width and in excess of forty (40) feet in length.
- (i) *Mobilehome parks.* Any area or tract of land with two (2) or more lots that are rented, leased, or owned to accommodate mobilehomes for human habitation and includes mobilehome accommodation structures in accordance with Health and Safety Code Section 18214, as may be amended, including facilities and amenities used in common by occupants who rent, lease, or own spaces for mobilehomes through a subdivision, cooperative, condominium, or other form of resident ownership.
- (j) *Supportive Housing:* Housing with no limit on length of stay, that is occupied by the target population for the housing as identified by the provider, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Supportive housing that is provided in single family dwelling, multifamily dwelling units, residential care facilities, or boarding house uses, shall be permitted, conditionally permitted or prohibited in the same manner as the other single-family dwelling, multifamily dwelling units, residential care facilities, or boarding house uses under this Code.
- (k) *Transitional housing.* As defined by Government Code Section 65582, as may be amended, dwelling units with a limited length of stay that are operated under program requirements that require the termination of assistance and recirculation of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six (6) months from the beginning of the assistance. Transitional housing projects may be designated

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for homeless or recently homeless individuals or families transitioning to permanent housing. Transitional housing may be provided in a variety of residential housing types including single-family and multifamily dwellings.

**Sec. 7-9-134.3. Public/Semi-Public Uses.**

- (a) Cemetery. Establishments primarily engaged in operating sites or structures reserved for the interment of human or animal remains, including mausoleums, burial places, columbariums, and memorial gardens.
- (b) Community assembly facility. A facility for public or private meetings including community centers, banquet centers, religious assembly facilities, civic 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, and storage. It does not include gymnasiums or other sports facilities, convention centers, or facilities, such as child care centers, early education facilities, and schools that are separately classified and regulated. See section 7-9-94, “Community assembly facilities.”
- (c) Community garden. An area of land managed and maintained by a public or non-profit organization or a group of individuals to grow and harvest food crops and/or ornamental crops, such as flowers, for personal or group use, consumption, or donation. Community gardens may be divided into separate plots for cultivation by one (1) or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members. Community gardens may be accessory to public or institutional uses such as parks, schools, community centers, or religious assembly uses. This classification does not include gardens that are on a property in residential use when access is limited to those who reside on the property. Personal and commercial cannabis cultivation is prohibited in community gardens.
- (d) Cultural institutions and facilities. A facility engaged in activities to serve and promote aesthetic and educational interest in the community that are open to the public on a regular basis. This includes performing arts centers for theater, music, dance, and events; spaces for display or preservation of objects of interest in the arts or sciences; libraries; museums; historical sites; aquariums; art galleries; and zoos and botanical gardens. This does not include educational institutions.
- (e) Educational Institutions.
  - (1) Colleges and trade schools, public or private. Educational institutions of higher education providing curricula of a general, religious or professional nature, typically granting recognized degrees, including conference centers and academic retreats associated with such institutions. This classification includes junior/community colleges, business and computer schools, management training, technical and trade schools, but excludes personal instructional services such as music lessons.

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- (2) Schools, public or private. Facilities for primary or secondary education, including public schools, charter schools, and private and parochial schools having curricula comparable to that required in the public schools of the State of California.
- (f) Emergency shelters. As defined by Section 50801 of the California Health and Safety Code, as may be amended, housing with minimal supportive services for homeless persons that is limited to occupancy of one-hundred eighty (180) consecutive days or less by a homeless person and from which no individual or household may be denied emergency shelter because of an inability to pay. This classification includes facilities that provide temporary shelter, meals, showers, and other related services to persons who are homeless and where on-site supervision is provided whenever the shelter is occupied.
- (g) Government buildings. Administrative, clerical, or public contact offices of a government agency, including postal facilities and courts, together with incidental storage and maintenance of vehicles. This classification includes law enforcement stations, fire stations, corporation yards, equipment service centers, and similar facilities that primarily provide maintenance and repair services and storage facilities for vehicles and equipment.
- (h) Health care facility. Health care facilities are licensed by the State and include facilities that provide outpatient treatment to patients and those facilities that provide care to patients admitted for a 24-hour stay or longer.
- (1) Pursuant to Health and Safety Code Section 1200, as may be amended, a “clinic” means an organized health facility that provides direct medical, surgical, dental, optometric, or podiatric services, or treatment, to patients who remain less than 24 hours. This includes primary care clinics such as community clinics and free clinics, and specialty clinics such as surgical clinics, chronic dialysis clinics, rehabilitation clinics, and alternative birth centers.
- (2) Pursuant to Health and Safety Code Section 1250, as may be amended, a “health facility” means a facility, place, or building that is organized, maintained, and operated for the diagnosis, care, prevention, and treatment of human illness for one (1) or more persons, and to which persons may be admitted for a 24-hour stay or longer. This includes general acute care hospitals (“hospitals”), skilled nursing facilities, hospices, congregate living health facilities, and intermediate care facilities.
- (i) Multi-service center for the homeless. Means a A facility which serves as a regional resource hub that provides emergency shelter beds and supportive services, and is operated under the auspices of a government or non-profit agency. for bringing together essential services to meet the needs of homeless clients. A multi-service center for the homeless shall have an emergency shelter component and a resource/services component that provides supportive services assistance to individuals and families experiencing homelessness. These supportive services A multi-service center for the homeless shall include intake, assessment, and linkages to public benefits, mental health, behavioral health, physical health, and employment and housing resources. individualized case management services for homeless clients. Services provided by

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the emergency shelter component shall address basic and immediate necessities, such as overnight shelter, showers, food, medical attention and mental health services, as well as higher level needs including, but not limited to, computer access, job training and placement, life skills coaching, and legal assistance.

- (j) Park. An area of outdoor natural, semi-natural, or planted space set aside for enjoyment and recreation by the general public, or for the protection of wildlife or natural habitats.
  - (1) Passive. Parks that are designed for activities that require only minimal disruption of natural sites with limited vehicle access and may include riding and hiking trails, viewpoints, and wildlife corridors.
  - (2) Active. Parks developed with attractions that are intended to facilitate active and/or team play such as playgrounds, playing fields, swimming pools, outdoor fitness stations, golf courses, and sport courts. These parks may also offer picnic areas, community centers, and a variety of concessions.
- (k) Park and recreation facilities. Typically located in public parks, this classification includes playing fields, sport courts, gymnasiums, swimming pools, picnic facilities, golf courses, bicycle rentals, community centers, and botanical gardens, as well as food concessions. These facilities may also provide access to historical, archeological, and paleontological sites, wildlife preserves, or marine preserves.
- (l) Parking, vehicle, public or private. Surface lots and structures for use of occupants, employees, or patrons on the subject site or offering automobile parking to the public when such use is not incidental to another on-site activity.

#### **Sec. 7-9-134.4. Commercial Uses.**

- (a) Adult entertainment business. See section 7-9-120, “Adult entertainment businesses.”
- (b) Animal sales, care, and services. Retail sales and veterinary services related to the care, grooming, and boarding of household pets including:
  - (1) Animal sales, pet stores, and grooming. Facilities may provide one (1) or more of the following: retail sale of household pets, retail sale of pet-related supplies, and/or grooming services. This classification excludes dog walking and similar pet care services not carried out at a fixed location.
  - (2) Kennel. Any property where four (4) or more dogs, or four (4) or more cats, over the age of four (4) months, are kept or maintained for any business purpose, whether or not for profit, including, but not limited to, animal rescuers but ~~except~~ excepting veterinary clinics and veterinary hospitals. ~~and except property for which an animal permit has been issued pursuant to section 4-1-76.~~
  - (3) Pet day care service. A facility for keeping dogs, cats, or other household pets, not owned by the owner or operator, for periods of less than twenty-four (24) hours.

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(4) Veterinary or animal clinic. Provides veterinary services for small pets and animals. This classification allows 24-hour accommodation of animals receiving medical services and may also include kennels and/or grooming facilities.

(c) Automobile/vehicle/vessel sales and services. Retail or wholesale businesses that sell, lease, rent, and/or repair automobiles, recreational vehicles, light duty trucks, vans, trailers, boats and motorcycles, including the following:

(1) Alternative fuels and recharging facility. A facility offering motor vehicle fuels not customarily offered by commercial refueling stations as well as equipment to recharge electric-powered vehicles. This classification does not include facilities within public garages or other stations that are accessory to a permitted use.

(2) Auction. A facility that sells new or used automobiles and other vehicles through a bidding process.

(3) Automobile/vehicle/vessel rentals. Rental of automobiles, vehicles, trailers, boats, trucks, and motorcycles. Typical uses include car rental agencies or car sharing services.

(4) Automobile/vehicle/vessel sales and leasing. Sale or lease, retail or wholesale, of automobiles, light trucks, motorcycles, motor homes, boats, and trailers, together with associated repair services and parts sales, but excluding body repair and painting. Typical uses include automobile dealers and recreational vehicle sales and leasing agencies. This classification does not include automobile/vehicle/vessel brokerage and other establishments which solely provide services of arranging, negotiating, assisting, or effectuating the purchase of a automobile/vehicle/vessel for others.

a. ~~New. Sales or leasing of new automobiles and trucks by new car dealers, including previously owned automobiles, and sales of parts and accessories, storage, and incidental maintenance and repair.~~

b. ~~Used. Sales or leasing of previously owned automobiles and trucks by car dealer not affiliated with new car manufacturers.~~

c. ~~Motorcycles. Sales of motorcycles or similar vehicles, such as motor scooters, mini-bikes, and all-terrain vehicles including repair and sales of parts and accessories as an incidental use.~~

(5) Automobile/vehicle/vessel service and repair, major. Repair of automobiles, trucks, motorcycles, motor homes, boats and recreational vehicles, including the incidental sale, installation, and servicing of related equipment and parts, generally on an overnight basis. This classification includes repair shops, body and fender shops, transmission shops, wheel and brake shops, glass services, vehicle painting and tire sales and installation, but excludes vehicle dismantling or salvaging and tire retreading or recapping.

(6) Automobile/vehicle/vessel service and repair, minor. The service and repair of automobiles, light-duty trucks, boats, and motorcycles, including the incidental sale,



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installation, and servicing of related equipment and parts. This classification includes the replacement of small parts and liquids as an accessory use to a gasoline sales station or accessories and supply store, and smog checks, tire sales and installation, radio/electronics installation, air conditioning/heater service, and the sale of related parts and accessories, quick-service oil, tune-up and brake and muffler shops where repairs are made or service provided in enclosed bays and no vehicles are stored overnight. This classification excludes disassembly, removal or replacement of major components such as engines, drive trains, transmissions or axles; body and fender work, vehicle painting or other operations that generate excessive noise, objectionable odors or hazardous materials, and towing services. It also excludes repair of heavy trucks, limousines, or construction vehicles.

- (7) Automobile Service and gas stations. Establishments primarily engaged in retailing automotive fuels or retailing these fuels in combination with activities, such as providing minor automobile/vehicle repair services; selling automotive oils, replacement parts, and accessories; and/or providing incidental food and retail services. This classification includes “mini marts” that sells products, merchandise, or services that are not directly related to the operation of motor vehicles where such sale is by means other than vending machines.
- (8) Automobile/vehicle washing and services. Washing, waxing, or cleaning of automobiles or similar light vehicles.
- (9) Car sharing service. Car sharing refers to a type of automobile rental where automobiles are stored within a permitted and defined area. These automobiles are typically rented out for shorter periods of time (usually on a per hour basis) and often intended for shorter distance trips. Membership in the car share service is typically required. Excludes taxi and ride hail/rideshare services.

(d) Banks and financial institutions.

- (1) Bank, credit union, or savings and loan. A state or federally chartered financial institution providing retail banking services. This classification includes only those institutions engaged in the on-site circulation of money, including credit unions, but excluding check-cashing businesses. For administration, headquarters, or other offices of banks and credit unions or commercial credit institutions without retail banking services/on-site circulation of money.
- (2) Drive-through banking service. A facility where banking services are obtained by motorists without leaving their vehicles.

(e) Bar. See Eating and Drinking Establishments.

- (f) Building materials, sales, and service. Establishments whose primary activity is retail sales or rental of building supplies or equipment. This classification includes lumberyards, tool and equipment sales or rental establishments, and includes establishments devoted principally to taxable rental of equipment to individuals and business, and whose activities may include

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storage and delivery of items to customers. This classification includes lumberyards, tool and equipment sales or rental establishments, and includes establishments devoted principally to taxable retail sales to individuals for their own use. This definition does not include Construction and Material Yards, hardware stores less than ten thousand (10,000) square feet in floor area, plant nurseries, or establishments engaged in the business of selling, leasing, or otherwise transferring any firearms or ammunition.

- (g) Business Services. Establishments primarily engaged in rendering services to other business establishments on a fee or contract basis, such as advertising and mailing, building maintenance, personnel and employment services, management and consulting services, protective services, equipment rental and leasing, photo finishing, copying and printing, travel, office supply, and similar services.
- (h) Catering service. A business that prepares food for consumption on the premises of a client or at any other location separate from where the food was prepared.
- (i) Commercial recreation. Any use or activity where the primary intent is to provide amusement, pleasure or sport and that is operated for financial gain.
  - (1) Outdoor. Outdoor facilities including, but not limited to: driving ranges and golf courses; country clubs; riding, yacht, tennis or swimming clubs; swimming or wave pools; miniature golf courses; archery ranges, paintball field/park; or zipline facility. This classification may include restaurants, snack bars, and other incidental food and beverage services to patrons.
  - (2) Indoor. Indoor facilities typically include: fitness centers; gymnasiums; handball or racquetball facilities; ice or roller skating rinks; swimming pools; bowling alleys; billiard parlors; health and athletic clubs; and amusement arcades. This classification may include restaurants, snack bars, and other incidental food and beverage services to patrons.
  - (3) Cinemas. Also known as movie theaters. Facilities for the indoor display of films and motion pictures on single or multiple screens. This classification may include incidental food and beverage service to patrons.
  - (4) Theaters. Facilities for dramatic, musical, or live performances on a stage. This classification may include incidental food and beverage services to patrons.

~~Any use or activity where the primary intent is to provide amusement, pleasure or sport and that is operated for financial gain. It includes establishments where food and beverages are sold as a secondary or ancillary use, but does not include restaurants, night clubs and cocktail lounges.~~
- (j) Eating and drinking establishments. Businesses primarily engaged in serving prepared food and/or beverages for consumption on or off the premises.
  - (1) Bars/night clubs/lounges. Businesses licensed by the State to sell and serve alcoholic beverages for consumption on the premises as a primary use and including on-site

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service of alcohol including beer, wine, and mixed drinks. This use includes micro-breweries where alcoholic beverages are sold and consumed on-site and any food service is subordinate to the sale of alcoholic beverages.

- (2) Restaurant. Establishments where food and beverages may be consumed on the premises, taken out, or delivered. This classification includes drive-thru and drive-up establishments, cafes, cafeterias, coffee shops, delicatessens, fast-food restaurants, sandwich shops, limited-service pizza parlors, self-service restaurants, sit-down restaurants, and snack bars with indoor or outdoor seating for customers. This classification includes bakeries that have tables for on-site consumption of products. It excludes catering services that do not sell food or beverages for on-site consumption.
- (k) *Fitness center.* Also known as health club, gym, or instructional studio. A commercial facility providing equipment and/or instruction designed to promote or improve the health of its clients. This includes studios that provide instruction in martial arts, yoga practice, gymnastics, and other physical exercise.
- (l) *Funeral parlors and interment services.* Establishments primarily engaged in the provision of services, involving the care, preparation, or disposition of the human remains and conducting memorial services. Typical uses include a crematory, columbarium, mausoleum, or mortuary.
- (m) *Home occupation.* Commercial uses that are incidental and secondary to the primary residential use of a dwelling and maintained by a resident or residents who are permanent occupants of the dwelling. Typical uses include business and professional offices, cottage food operations, limited instructional services, and urban agriculture. See section 7-9-104, "Home occupations," for further details.
- (n) *Lodging and visitor services.*
- (1) Bed and breakfast. A residential structure that is in residential use by the property owner or manager who lives on the site and within which up to five (5) bedrooms are rented for overnight lodging and where meals may be provided.
- (2) Hotels and motels. An establishment providing temporary overnight lodging to transient patrons. These establishments may provide additional services, such as conference and meeting rooms, restaurants, bars, or recreation facilities available to guests or to the general public. This use classification includes hostels, motor lodges, and tourist courts, but does not include boarding houses, time-share uses, or a bed and breakfast use within a single-family residence, which are separately defined and regulated.
- (3) Recreational vehicle parks. A facility that provides short-term rental spaces and support facilities for overnight use by persons with recreational vehicles.
- (4) Time share use. A multi-unit residential development in which a purchaser receives the right in perpetuity, for life, or for a term of years, to the recurrent, exclusive use or occupancy of a lot, parcel, unit, or segment of real property, annually or on some other

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periodic basis, for a specified period of time that has been or shall be allotted from the use or occupancy periods into which the project has been divided.

- (o) Maintenance and repair services. Establishments engaged in the maintenance or repair of office machines, household appliances, furniture, and similar items. This classification excludes maintenance and repair of motor vehicles and personal apparel.
- (p) Media-production facility. A facility that provides indoor commercial and public communication uses, as well as outdoor sets, backlots, and other outdoor facilities for motion picture, television, video, sound, computer, and other communications media production. Indoor communication uses include without limitation radio and television broadcasting, receiving stations and studios with facilities entirely within buildings. This classification does not include antennas and transmission towers (e.g., Wireless Telecommunication Facility).
- (q) Mobile food facility/vendor. A self-contained truck or trailer or non-motorized push cart that is readily movable without disassembling and is used to sell or prepare and serve food. This classification includes push carts used in conjunction with a commissary, commercial kitchen, or other permanent food facility upon which food is sold or distributed at retail.
- (r) Offices. Offices of firms, organizations, or public agencies providing professional, executive, management, administrative or design services, such as accounting, architectural, computer software design, engineering, graphic design, interior design, investment, insurance, and legal offices, excluding financial institutions with retail banking services. This classification also includes corporate headquarters and offices where medical and dental services are provided by physicians, dentists, chiropractors, acupuncturists, optometrists, and similar medical professionals, including medical/dental laboratories within medical office buildings, but excludes clinics, independent research laboratories, and hospitals.
  - (1) Business, professional, and technology. Offices and/or corporate headquarters of firms, organizations, or agencies providing professional, executive, management, administrative, financial, accounting, or legal services, but excluding those that primarily provide direct services to patrons that visit the office.
  - (2) Medical and dental. Offices providing consultation, diagnosis, therapeutic, preventive, or corrective personal-treatment services by doctors and dentists; medical and dental laboratories that see patients; 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 if it supports the on-site patient services.
  - (3) Walk-in clientele. Offices providing direct services to patrons or clients that with or without prior appointments. This use classification includes employment agencies, insurance agent offices, real estate offices, travel agencies, utility company offices, and offices for elected officials. It does not include financial institutions or check-cashing facilities, which are separately classified and regulated.

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- (4) Wholesale business office. Samples on the premises are made available for inspection by customers but no warehousing is allowed.
  - (s) Outdoor sales, temporary outdoor sales of merchandise. See section 7-9- 117.10.
  - (t) Outdoor sales, seasonal product sales. See section 7-9-117.8.
  - (u) Pawn shop. Establishments engaged in the buying or selling of new or secondhand merchandise and offering loans in exchange for personal property.
  - (v) Personal services.
    - (1) General personal services. Provision of recurrently needed services of a personal nature. This classification includes barber shops and beauty salons, seamstresses, tailors, dry cleaning agents (excluding large-scale bulk cleaning plants), shoe repair shops, self-service laundries, photocopying and photo finishing services, and travel agencies mainly intended for the consumer. This classification also includes massage establishments that are in full compliance with the applicable provisions of the County of Orange Codified Ordinances, and in which all persons engaged in the practice of massage are certified pursuant to the California Business and Professions Code Section 4612, as may be amended. This classification does not include fitness centers.
    - (2) Regulated personal services. An establishment whose principal business activity is one (1) or more of the following: 1) using ink or other substances that result in the permanent coloration of the skin through the use of needles or other instruments designed to contact or puncture the skin, or 2) creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration.

**Sec. 7-9-134.5. - Industrial Uses.**

- (a) Commercial kitchen. Kitchens used for the preparation of food to be delivered and consumed off-site. Typical uses include catering facilities. This classification does not include businesses involved in the processing or manufacturing of wholesale food products.
- (b) Building, construction, and industrial materials storage. Storage of construction materials or equipment on a site other than a construction site.
- (c) Custom manufacturing. Establishments primarily engaged in on-site production of goods by hand manufacturing or artistic endeavor, which involves only the use of hand tools or small mechanical equipment and the incidental direct sale to consumers of only those goods produced on-site. Typical uses include ceramic studios, candle-making shops, woodworking, and custom jewelry manufacturers.
- (d) General manufacturing. Manufacturing of products from extracted or raw materials or recycled or secondary materials, or bulk storage and handling of such products and materials. This classification includes operations, such as biomass energy conversion, food and beverage processing, production apparel manufacturing, photographic processing plants, leather and allied product manufacturing, bottling plants, wood product manufacturing, paper

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manufacturing, chemical manufacturing, plastics and rubber products manufacturing, nonmetallic mineral product manufacturing, primary metal manufacturing, fabricated metal product manufacturing (welding shops), metal plating, and automotive and heavy equipment manufacturing.

- (e) Limited industrial. Establishments engaged in light industrial activities taking place primarily within enclosed buildings and producing minimal impacts on nearby properties. This classification includes manufacturing or assembly of finished parts or products primarily from previously prepared materials; micro-breweries where retail sales are clearly incidental, and no alcoholic beverages are consumed on-site; wineries; commercial laundries and dry-cleaning plants; monument works; printing, engraving and publishing; computer and electronic product manufacturing; furniture and related product manufacturing; and industrial services.
- (f) Media production. Establishments engaged in the production of movies, video, music and similar forms of intellectual property. Typical facilities include movie and recording studios and production facilities, distribution facilities, editing facilities, catering facilities, printing facilities, post-production facilities, set construction facilities, sound studios, special effects facilities and other entertainment-related production operations. This classification does not include facilities for live audiences (See Commercial entertainment and recreation) or transmission and receiving equipment for radio or television broadcasting.
- (1) Support facility. Administrative and technical production support facilities such as offices, editing and sound recording studios, film laboratories, and similar functions that occur entirely within a building.
- (2) Full-service facility. Indoor and outdoor production facilities, distribution facilities, post-production facilities, set construction facilities, sound stages, special effects facilities, and other media-related production operations.
- (g) Oil and gas facilities. Onshore support facilities related to processing/treatment/storage/distribution activities for pre-existing licensed offshore oil and gas production. This classification excludes any activities or facilities directly or indirectly associated with hydraulic fracturing, drilling, or reworking wells to expand capacity.
- (h) 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 waste-transfer facilities that operate as materials recovery, recycling, and solid-waste-transfer operations and are classified as industrial uses.
- (1) Recycling collection facility. An incidental use that serves as a neighborhood drop-off point for the temporary storage of recyclable materials, but where the processing and sorting of such items is not conducted on-site.
- (2) Recycling processing facility. A facility that receives, sorts, stores and/or processes recyclable materials.

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- (i) Research and development/technology. A facility for scientific research and the design, development, and testing of electrical, electronic, magnetic, optical, pharmaceutical, chemical, and biotechnology components and products in advance of product manufacturing. This classification includes assembly of related products from parts produced off-site, where the manufacturing activity is secondary to the research and development activities.
- (j) Salvage and wrecking. Storage and dismantling of vehicles and equipment for sale of parts, as well as their collection, storage, exchange or sale of goods, including, but not limited to any used building materials, used containers or steel drums, used tires, and similar or related articles or property.
- (k) Sanitary landfill. A type of solid waste disposal facility where non-hazardous waste material is deposited and managed by spreading, compacting to the smallest practical volume, and applying soil and other cover material over all exposed waste.
- (l) Landfill gas recovery operations. As landfill cells are filled with waste, methane gas, a byproduct of any decomposing material, is collected from within the waste through a system of vertical wells and pipelines and directed to a separate on-site treatment facility. The treated landfill gas is either pumped off-site to a manufacturer near the landfill to supplement or replace their natural gas usage or is used to generate electricity right at the landfill that is delivered to the electrical grid.
- (m) Waste transfer facility. A facility that operates as a materials recovery, recycling and solid waste transfer operation providing solid waste recycling and transfer services for other local jurisdictions and public agencies that are not located within the County. The facility sorts and removes recyclable materials (including paper, metal, wood, inert materials such as soils and concrete, green waste, glass, aluminum and cardboard) through separation and sorting technologies to divert these materials from the waste stream otherwise destined for a sanitary landfill.
- (n) Vehicle/equipment facilities.
- (1) Heavy vehicle and large equipment sales/rental, service, and repair. An establishment that sells/rents and may provide service and repairs to construction, farm or other heavy equipment, this classification does not include automobiles, trucks, and other passenger vehicles used for personal or business travel.
- a. Commercial Vehicles and Equipment. A facility that sells/rents or services and makes repairs to construction, farm, or other heavy equipment, as well as vehicles for moving or towing property (such as cranes, earthmoving equipment, forklifts, tractors, heavy trucks, cargo trucks, vans, and trailers).
- b. Recreational Vehicles. An establishment that sells, rents and/or leases motor homes, trailers, and boats, including incidental storage, installation of accessories, and maintenance. This classification also includes facilities that service or repair recreational vehicles.

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- (2) Towing services. A facility that dispatches tow trucks and provides temporary storage of operative or inoperative vehicles. This classification does not include automobile wrecking or dismantling.
  - (3) Vehicle storage. A facility for the storage of operative cars and other fleet vehicles, trucks, buses, recreational vehicles, campers, boats, and other motor vehicles. Includes facilities for the storage and/or servicing of fleet vehicles.
  - (o) Warehouse storage and distribution.
    - (1) Wholesale storage and distribution. Warehouse facilities without sales to the public on-site or direct public access. except for public storage in a small, individual space exclusively and directly accessible to a specific tenant. This classification includes mini-warehouses.
    - (2) Chemical, mineral, and explosives storage. Storage of hazardous materials, including but not limited to: bottled gas, chemicals, minerals and ores, petroleum or petroleum-based fuels, fireworks, and explosives.
    - (3) Indoor warehousing and storage. Storage within an enclosed building of commercial goods prior to their distribution to wholesale and retail outlets and the storage of industrial equipment, products, and materials, including but not limited to automobiles, feed, and lumber. Also includes cold storage, draying or freight, moving and storage, and warehouses. This classification excludes the storage of hazardous chemical, mineral, and explosive materials.
    - (4) Outdoor storage. Storage of vehicles, commercial goods, or materials outside.
    - (5) Wholesaling and distribution. 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, including janitorial and restaurant supplies. 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. This classification does not include wholesale sale of building materials.
    - (6) Mail-order businesses. Also known as direct-mail marketing. Indoor storage and distribution of goods made available for direct sale to customers through catalogs or websites. Distribution to the customer is accomplished through the use of a mail or delivery service.

**Sec. 7-9-134.6. - Transportation, Communication, and Utility Uses.**

- (a) Airports and heliports. Facilities for the takeoff and landing of airplanes and helicopters, including runways, helipads, aircraft storage buildings, public terminal buildings and parking, air freight terminals, baggage handling facilities, aircraft hangar and public transportation and related facilities, including bus operations, servicing and storage. This classification also



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includes support activities such as fueling and maintenance, storage, airport operations and air traffic control, incidental retail sales, coffee shops and snack shops, and airport administrative facilities, including airport offices, terminals, operations buildings, communications equipment, buildings and structures, control towers, lights, and other equipment and structures required by the United States Government and/or the State for the safety of aircraft operations.

- (b) Bus/rail passenger station. Facilities for passenger transportation operations. This classification includes rail and bus stations and terminals but does not include terminals serving airports or heliports. Typical uses include ticket purchasing and waiting areas out of the public right of way, restrooms, and accessory uses such as cafes.
- (c) Car share service. See section 7-9-134.4 “Car sharing service.”
- (e) Communication facilities. Facilities for the provision of broadcasting and other information-relay services through the use of electronic and telephonic mechanisms.
  - (1) Antenna and transmission towers. Broadcasting and other communication services accomplished through electronic or telephonic mechanisms, as well as structures and equipment cabinets designed to support one (1) or more reception/transmission system(s). Typical uses include wireless telecommunication towers and facilities, radio towers, television towers, telephone exchange/microwave relay towers, and associated equipment cabinets and enclosures.
  - (2) Facilities within buildings. Facilities located completely within a building including communication equipment and storage devices such as computer servers.
- (d) Freight/truck terminals, transfer stations, and warehouses. Facilities for freight, courier, and postal services. This classification does not include local messenger and local delivery services.
- (e) Utilities, major. Includes utility buildings and structures such as generating plants, electric substations, cogeneration facilities, commercial renewable energy facilities, water or wastewater treatment plants, telephone switching facilities, and similar facilities of public agencies or public utilities that are subject to land use permit requirements as provided for in Government Code Section 53091, as may be amended.
- (f) Utilities, minor. Facilities necessary to support established uses involving only minor structures, such as overhead electrical distribution lines, and underground electrical, water, and sewer lines.
- (g) Wind energy conversion system. A wind energy conversion system consists of a wind turbine and associated control or conversion electronics, including appurtenances, such as a tower or ladder.

**Sec. 7-9-134.7. - Agricultural and Extractive Uses.**

- (a) Agricultural processing. Establishments performing a variety of operations on crops after harvest, to prepare them for market on-site or further processing and packaging at a distance from the agricultural area, including but not limited to: alfalfa cubing; hay baling and cubing;

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corn shelling; drying of corn, rice, hay, fruits and vegetables; pre-cooling and packaging of fresh or farm-dried fruits and vegetables; grain cleaning and custom grinding; custom grist mills; custom milling of flour, feed and grain; sorting, grading and packing of fruits and vegetables; tree nut hulling and shelling; production of wine; alcohol fuel production; and receiving and processing of green material, other than that produced on-site. This classification does not include cannabis processing, commercial composting, wineries, or the stockpiling or processing of manure for commercial purposes.

- (b) *Agricultural mineral*: Any mineral substance, mixture of mineral substances or mixtures of mineral and organic substances produced, labeled and sold as a soil additive which does not require licensing by the State of California as a fertilizer pursuant to the California Agricultural Code, Title 3, Agriculture, as may be amended.
- (c) *Agricultural-support services*. Agriculturally related services, such as storage of agricultural products; sales, maintenance, and repair of farm machinery and equipment; farm animal veterinary clinics; custom farming services; agriculturally related building, feed, and farm-supply stores; agricultural waste handling and disposal services; and other similar related services.
- (d) *Animal raising*. The commercial raising, grazing, or feeding of farm or ranch type animals for animal products, animal increase, or value increase, and dairying as an accessory use on farms with dairy cattle. This does not include livestock feeding ranches.
- (e) *Extractive activities*. Mining, quarrying, and extraction of rock, sand, aggregate, gravel, earth, clay, gas, oil and other natural resources.
  - (1) Quarrying and mining. The process of removing or extracting stone, rock, aggregate, sand, gravel, earth, clay or similar material from an open excavation but not including extraction by underground method. Also known as surface mining.
  - (2) Oil exploration and drilling. The process of drilling for oil, gas and other hydrocarbon substances pursuant to the regulations of the Orange County Oil Code (Sections 7-8-1 through 7-8-53 of the County of Orange Codified Ordinances).
- (f) *Compostable Material Handling Facility or Operation*. An operation or facility that processes, transfers, or stores compostable materials. Handling of compostable materials results in controlled biological decomposition. Handling includes composting, screening, chipping and grinding, and storage activities related to the production of compost, compost feedstocks, and chipped and ground materials. Includes: agricultural material composting operations; green material composting operations and facilities; vegetative food material composting facilities; research composting operations; chipping and grinding operations and facilities; and, biosolids composting operations. A compostable materials handling facility or operation does not include activities excluded from regulation pursuant to Title 14 of California Code of Regulations, Section 17855, as may be amended.
  - (1) Compost. The product resulting from the controlled biological decomposition of organic wastes that are source separated from the municipal solid waste stream, or

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which are separated at a centralized facility. "Compost" includes vegetable, yard, and wood wastes which are not hazardous waste pursuant to Public Resources Code, Section 40116, as may be amended.

- (g) *Crop cultivation.* The cultivation of tree, vine, field, forage, and other types of crops intended to provide food or fibers. The classification excludes the cultivation of cannabis, wholesale or retail nurseries.
- (h) *Farm.* An area of land and its buildings used for growing crops and/or raising animals, typically under the control of one (1) owner or manager.
- (i) *Farmworker housing.* A housing accommodation developed for and/or provided to farmworkers including any living quarters, dwelling, boarding house, tent, barracks, bunkhouse, maintenance-of-way car, mobilehome, manufactured home, recreational vehicle, travel trailer, or other housing accommodation maintained in one (1) or more buildings and on one (1) or more sites. This housing shall meet all applicable State and Federal regulations.
- (1) Farmworker dwelling unit. A single-family residential unit providing accommodations for six (6) or fewer farmworkers at any one (1) time.
- (2) Farmworker housing complex. Farm employee housing other than a farmworker dwelling unit that is licensed by the State and contains a maximum of thirty-six (36) beds if the housing consists of any group living quarters, such as a barrack or a bunkhouse, or contains a maximum of twelve (12) residential units. A farmworker housing complex shall be occupied exclusively by farmworkers and their households.
- (j) *Greenhouse.* A structure with permanent structural elements (e.g., footings, foundations, plumbing, electrical wiring) used for cultivation and to shade or protect plants from climatic variations. This classification includes facilities associated with and accessory to greenhouses, such as shade structures and hoop structures, packing and shipping facilities, paved parking and driveways, and other accessory structures (e.g., boiler rooms and storage sheds).
- (k) *Livestock feeding ranches.* Where domesticated animals are raised in an agricultural setting to produce commodities such as meat, eggs, milk, fur, leather, and wool. The term is sometimes used to refer solely to those that are bred for consumption.
- (l) *Permanent facilities for the sale of agricultural products grown on-site.* These facilities are located on the site of agricultural operations and used to sell fresh produce, eggs and other goods produced on the farm. This includes processed products such as jams, preserves, pickles, juices, cured olives, and other "value-added" products made with ingredients produced on the farm. This definition does not include wineries.
- (m) *Urban farm.* An agricultural use in an urban area, in a zoning district where urban land uses predominate. Urban farms may be of any size, though permit requirements may differ. Community gardens, community-supported agriculture farms, and private farms are all considered urban farms.

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**Sec. 7-9-135. – ~~7-9-21.~~ - Sections 7-9-22 through 7-9-44 Definitions.**

Section 7-9-135 Sections ~~7-9-21~~ through 7-9-47, inclusive, shall be known as the "Definitions."  
All references to this section shall include sections 7-9-21 through 7-9-47 and also section 7-9-118.3, CD District and 7-9-113.3, FP District.

**Sec. 7-9-135.1. – ~~7-9-21.1.~~ Title, purpose and applicability.**

The purpose of these provisions is to promote consistency and precision in the interpretation of the Comprehensive Zoning Code. The meaning and construction of words and phrases as set forth shall apply throughout this Code, except where the context of such works or phrases clearly indicates a different meaning or construction. Definitions contained in specific Zoning Code provisions are to be used specifically for those sections and shall supersede conflicting definitions contained in section 7-9-135.

Abutting or adjoining. Having a common boundary, except that parcels having no common boundary other than a common corner shall not be considered abutting.

Access. The place or way through which pedestrians and/or vehicles shall have safe, adequate, and usable ingress and egress to a property or use.

Access intersection area. See "visibility triangle."

Accessory building. ~~A subordinate building located on a building site, the use of which is customarily ancillary to that of a main building or to the use of the land. See "Building, accessory."~~

Accessory dwelling unit. See section 7-9-134.2.

Accessory use. See "Use. Accessory use." ~~A use ancillary to the principal use of the land or building site, or to a building or other structure located on the same building site as the accessory use. An accessory use includes outside storage and structures which do not require a building permit.~~

Adjacent. Directly abutting, having a boundary or property line(s) in common or bordering directly, or contiguous to.

Administrative office. A place of business for the rendering of services or general administration but excluding retail sales.

Adult entertainment business. See section 7-9-146.2 ~~120.~~

Advertising device/display. See section 7-9-144.1 ~~114.1.~~

Affordable housing unit. A residential dwelling unit which shall be reserved for rent or sale to eligible households based upon housing cost and household income levels at extremely low, very low, low, or moderate income as established by the California Department of Housing and Community Development (HCD) or U.S. Department of Housing and Urban Development (HUD).

Agent. A person who has been given written authorization by the property owner to represent and act for a property owner in contacts with the County.

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*Aggrieved person.* Any person or party who objects to the action taken on a discretionary permit and wishes to appeal such action to the appropriate Board of Appeals.

*Agriculture.* The production, keeping or maintenance of plants and/or animals useful to people, including but not limited to food and fiber crops, livestock forage and grazing, orchards, and plant nursery. This includes apiaries and produce stands that sell products produced on-site. Agriculture does not include the production, cultivation, or distribution of cannabis.

*Agricultural (farm) employee.* A person who works full or part-time (twenty-four (24) hours or more per week) in the service of a bona fide commercial operation(s) that pertains to agriculture, as determined by the County Agricultural Commissioner.

*Agricultural mineral.* Any mineral substance, mixture of mineral substances or mixtures of mineral and organic substances produced, labeled and sold as a soil additive which does not require licensing by the State of California as a fertilizer pursuant to the California Agricultural Code, Title 3, Agriculture, as may be amended.

*Alcoholism or drug abuse recovery or treatment facilities.* Pursuant to Health and Safety Code Section 11834.02, as may be amended, alcoholism or drug abuse recovery or treatment facilities shall be licensed by the State and includes any premises, place, or building that provides residential nonmedical services to adults who are recovering from problems related to alcohol, drug, or alcohol and drug misuse or abuse, and who need alcohol, drug, or alcohol and drug recovery treatment or detoxification services.

*Alley.* A public way permanently reserved primarily for secondary vehicular service access to the rear or side of properties otherwise abutting on a street.

*Alteration.* Any change, addition, or modification that changes the exterior architectural appearance or materials of a structure or object. Alteration includes changes in exterior surfaces, changes in materials, additions, remodels, demolitions, and relocation of buildings or structures, but excludes ordinary maintenance and repairs.

*Animal clinic.* A place where animals no larger than the largest breed of dogs are given medical and surgical treatment. A facility primarily for treatment of outpatients and where only critical patients are kept longer than 24 hours. No boarding of animals shall be permitted. See section 7-9-134.4.

*Animal hospital, livestock.* A place where livestock (horses, cows, etc.) and small animals are given medical or surgical treatment. Boarding of animals shall be incidental to such hospital use.

*Apartment.* Self-contained dwelling unit, with kitchen and a bathroom, occupied or suitable for occupation as a residence for living and sleeping purposes within a multifamily dwelling. See “~~dwelling~~, multifamily dwelling.”

*Apiary.* A place or structure in which bees and beehives are kept and maintained, usually for the purpose of harvesting the honey they produce.

*Applicant.* The person, partnership, corporation, or government agency applying for any permit defined by the Zoning Code.

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Arborist. See section 7-9-69, "Tree preservation regulations."

Archeological site. A place (or group of physical sites) in which evidence of past activity is preserved (either prehistoric, historic, or contemporary) and which has been, or may be, investigated.

Architectural feature. An exterior building feature, including a roof, walls, windows, doors, porches, posts, pillars, recesses or projections, and exterior articulation or walls, and other building surfaces.

Area per unit. The net land area of a building site, in square feet, divided by the number of dwelling units on the building site.

Area plan. A plan that provides detailed information regarding a portion of the real property within the boundaries of a previously adopted planned community or specific plan.

Area, project net. See "project net development area."

Area median income (AMI). Median income of households in the County adjusted for size as determined by the U.S. Department of Housing and Urban Development and published by the California Department of Housing and Community Development pursuant to Health and Safety Code Section 50052.5, as may be amended.

Arterial highway. A street classified as a Principal, Major, Primary, Secondary, or Collector arterial highway in the Transportation Element of the General Plan.

~~Automobile repair specialty shops: A retail and service place of business engaged primarily in light repair, and sale of goods and services for automotive vehicles including brake, muffler and tire shops and their accessory uses. Heavier automobile repair such as major body and paint work, transmission and engine rebuilding are not included herein.~~

~~Automobile service station: A retail place of business engaged primarily in the sale of motor fuels and supplying those incidental goods and services which are required in the day-to-day operation of automotive vehicles and the fulfilling of motorists' needs.~~

Assessed value. The value of a structure or land, as shown in the records of the Orange County Assessor.

Attached building or structure. Two (2) or more buildings or structures that are physically connected with a wall, roof, deck, floor, bearing or support structures, trellises, architectural features, or any other structure at least five (5) lineal feet in length and thirty (30) inches in height above finished grade.

Attic. The space between the ceiling of the uppermost story and the roof assembly of a structure.

Awning. An architectural projection that provides weather protection, identity, or decoration, and is wholly supported by the building to which it is attached. An awning is typically constructed of non-rigid materials on a supporting framework that projects from and is supported by the exterior wall of a building.

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*Balcony.* A platform that projects from the wall of a building thirty (30) inches or more above grade that is accessible from the building's interior, is not accessible from the ground, and is not enclosed by walls on more than two (2) sides (see also Deck).

*Basement.* A story partly or fully underground. ~~and having more than one-half of its height above the ground level grade.~~

*Bathroom.* A room containing a toilet and a sink, and also may include bathing facilities (tub and/or shower).

*Bay window.* A large window, or set of windows, the top of which projects outward from the wall of a building and the bottom of the window(s) return into the wall above the floor.

*Bed and breakfast (B and B).* Any building or portion thereof with access provided through a common entrance to less than six (6) guest rooms having no cooking facilities and which are rented on a weekly basis or less. Meals may or may not be provided.

*Bedroom.* ~~Any habitable room other than, a kitchen, a dining room, or a living room.~~ Any room located in a dwelling unit or accessory dwelling unit that can be used for sleeping purposes designed to provide privacy for the occupant. Due to the layout of the floor plan, rooms designated as dens, lofts, studios, game rooms, home offices, libraries, craft rooms, or other similar habitable spaces, may be considered a bedroom. The decision-making body for the proposed use shall determine how many bedrooms are in a dwelling unit.

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

*Board of Supervisors.* The Orange County Board of Supervisors. See Codified Ordinances, Charter, Article I, Section 101.

*Boarding and rooming house:* A building other than a hotel, motel or bed and breakfast including onsite accessory structures, with guest rooms where lodging for two (2) or more persons, who are not living as a single housekeeping unit, is provided with or without meals for monetary or non-monetary consideration under two (2) or more written or oral agreements or leases for periods of at least thirty (30) days. This definition does not include Community Care Facilities, Alcoholism or Drug Abuse Recovery/Treatment Facilities, Group Homes, Sober Living Homes, or Correctional Facilities.

*Boat.* Boat means a vehicle or vessel designed for operation as a watercraft propelled by sail or one (1) or more electric or internal combustion engines.

*Breweries.* A property where beer is produced, bottled, and may be sold on-site.

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*Buffer.* An open area or barrier used to separate potentially incompatible activities and/or development features; for example, a required setback to separate an area of development from environmentally sensitive habitat, to reduce or eliminate the effects of the development on the habitat.

*Building.* Any structure having a roof supported by columns or walls.

*Building, accessory.* A subordinate building located on a building site with a primary use ~~the use of and~~ which is ~~customarily~~ ancillary to that of a main building or primary ~~to the~~ use of the land.

*Building code.* Any regulations adopted by the County governing the type and method of construction of buildings and structures, including sign structures.

*Building face.* The general outer surface of the structure or walls of a building. Where bay windows or pillars project beyond the walls, the outer surface of the windows or pillars is the face of the building.

*Building height.* The height of a building is the vertical distance from finished grade to the highest point of a building or structure. ~~relative to the surrounding ground area.~~ See section 7-9-129 24.10(a), Measuring building height.

*Building line.* An imaginary line on a building site specifying the closest point from an ultimate right-of-way line or a property line where a main building may be located. It may be a line shown as such on a map entitled "Precise Plan of Highway Alignment" or any other officially adopted precise plan, and any amendments thereto. If no such precise plan has been adopted, the building line shall be a line as specified on the Building Lines Chart ~~entitled in section in Table 7-9-127.1 61.9.~~ When computed from Table 7-9-61.9, the Building Lines Chart, the building line shall be at the required distance from, and measured at right angles to, the ultimate right-of-way line or property line.

*Building site.* A parcel or contiguous parcels of land which was established in compliance with the building site requirements of this code.

*Building site area ~~minimum~~.* The net development area calculated by measuring the building site horizontally as a level plane and excluding rights-of-way or easements that prohibit the surface use of the site, except easements for open space purposes on single-family lots. (Examples of open space easements include, but are not limited to, resource preservation and scenic easements.) The minimum building site area shall be undivided and relatively compact although the entire building site may be larger with diffuse parts.

*Building site coverage ~~maximum~~.* The relationship between the horizontal area covered by enclosed structure(s) and the ground floor area of the building or buildings and the net development area of the site. The building site coverage shall be described as a percentage (%) of the net development area of the site. Said net development area shall be computed by deducting from the gross site area any ultimate street rights-of-way together with all rights-of-way and all easements that prohibit the surface use of the site, except easements for open space purposes on single-family lots. (Examples of open space easements include, but are not limited to, resource preservation and scenic easements.) Unenclosed post-supported roofs over patios and walkways, unenclosed post-supported eave overhangs and swimming pools shall not constitute buildings for the purpose of this definition.



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*Building site, panhandle or flag.* A building site wherein the only vehicular access to the site is by way of a corridor or vehicular accessway which serves no other property, is less than forty (40) feet wide and is more than forty (40) feet long.

*Building site, shoreline.* A parcel of land abutting both a public or private beach or public or private harbor and a public or private street or highway.

*Building site, through.* A building site having frontage on two (2) parallel or approximately parallel streets.

*Building site depth.* See section 7-9-24.5, “Measuring Building Site Width and Depth.”

*Building site width.* See section 7-9-24.5, “Measuring Building Site Width and Depth.”

*Butler pantry.* An area for food storage and preparation that is auxiliary to and separate from a kitchen and serves a similar function.

*Cabana.* An unenclosed accessory structure commonly associated with a swimming pool.

*California Environmental Quality Act (CEQA).* Public Resources Code Sections 21000, et seq., as may be amended, or any successor statute and regulations promulgated thereto (14 California Code of Regulations Sections 15000, et seq., as may be amended) that require public agencies to document and consider the environmental effects of a proposed discretionary action.

*Caretaker.* A person who lives on the premises for the necessary purposes of managing, operating, maintaining, or guarding the primary use or uses permitted on the premises.

*Caretaker housing unit.* A dwelling unit occupied by a person who lives on the premises and is employed to manage, operate, maintain, or guard the primary use or uses permitted on the premises. This definition does not include farmworker housing.

*Carport.* A roofed structure, or a portion of a building which is open on two (2) or more sides, for the parking of automobiles belonging to the occupants of the property.

*Casita.* An enclosed accessory structure. See “guesthouse.”

*Categorical exclusion.* An exception from the requirements of a Coastal Development Permit, as identified in the Public Resources Code Sections 30610(e) and 30610.5, et. seq., as may be amended.

*Cellar.* See “basement.” ~~A portion of a building partly or wholly underground and having more than one-half of its height below the ground level grade. A cellar shall not be considered a building story.~~

*Centerline:* A line as described in the first situation that applies in the following instances:

- (a) A section line, half section line or quarter section line whenever a mapped highway is plotted on the "Master Plan of Arterial Highways" along a section, half section or quarter section line. (In the Irvine Subdivision, any original subdivision lot line shall be deemed a "section line" for the purposes of this paragraph.)

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- (b) A line shown as a centerline on a map entitled "Precise Plan of Highway Alignment," and any amendments thereto.
  - (c) A line shown as a centerline on a recorded tract map, an approved record of survey map or a parcel map.
  - (d) A line in the center of the ultimate street right-of-way.

*Change of use.* The replacement of an existing use on a site, or any portion of a site, by a new use, or a change in the type of an existing use, which may or may not be subject to discretionary review pursuant to the requirements of this Code. This term does not include a change of ownership, tenancy, or management.

~~*Clinic, medical.* See 7-9-134.3. An organization of doctors providing physical or mental health service and medical or surgical care to sick or injured persons but not including inpatient or overnight accommodations.~~

*Club.* An association of persons for some common purpose but not including groups organized primarily to render service which is customarily carried on as a business.

*Coastal Act.* The California Coastal Act of 1976, California Public Resources Code Section 30000 et. seq., as may be amended.

*Coastal Commission.* The California Coastal Commission established pursuant to the California Coastal Act (Division 20 of the Public Resources Code, as may be amended).

*College or University.* Institution of higher education providing curricula of a general, religious or professional nature, typically granting recognized degrees, including housing, conference centers and other facilities typically associated with such institutions. This definition includes junior colleges, business and computer schools, management training, technical and trade schools, but excludes personal instructional services such as music lessons.

*Codified Ordinances.* A comprehensive ordinance code entitled "Codified Ordinances of the County of Orange" adopted pursuant to the Government Code.

*Commercial.* Operated or conducted on a frequent basis for the purpose of financial gain.

*Commercial coach.* A vehicle, with or without motive power, designed and equipped for human occupancy for industrial, professional, or commercial purposes. Also known as a mobile coach.

*Commercial extraction.* The removal or displacement of sand, gravel, rock, aggregate, earth, clay or similar materials conducted for financial gain. The exporting of more than five thousand (5,000) cubic yards of these materials from any property during each of two (2) consecutive years shall be prima facie evidence of a commercial extraction operation. An extraction carried out as a necessary but supplemental part of a project leading to the impending development of the site is not a commercial extraction.

*Common Living Area:* Areas of a residential dwelling unit that are not closed off by interior doorways including, but not limited to, living rooms, kitchens, and dining rooms, but does not include

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hallways. Bedrooms, bathrooms, and other rooms closed off by an interior doorway shall not be considered common living areas.

*Communication transmitting, reception or relay facilities.* See "Wireless communications facilities" section 7-9-~~146.13~~ 109.

*Community apartment project.* A project in which an undivided interest in the land is coupled with the right of exclusive occupancy of an apartment located thereon.

*Community care facility.* Community care facilities shall be licensed by the California Department of Social Services (CDSS). These facilities provide non-medical, residential care, and supervision to children or adults in need of a supportive living environment. The services provided may include assistance in dressing and bathing; supervision of client activities; monitoring of food intake; or oversight of the client's property. Pursuant to Health and Safety Code Section 1502, as may be amended, community care facilities include the following: residential facility providing 24-hour care; adult day program; therapeutic day services facility; foster family agency; foster family care home; small family home; social rehabilitation facility; community treatment facility; full-service adoption agency; noncustodial adoption agency. This definition does not include In-home Family Child Care or Child Care Centers/Early Education Facilities.

*Community assembly facility.* See section 7-9-134.3.

*Community facility.* A noncommercial use established primarily for the benefit or enjoyment of the population of the community in which it is located.

*Community garden.* See section 7-9-134.3.

*Compatible.* That which is harmonious with and shall not adversely affect surrounding buildings and/or uses.

*Composting bin.* A container into which grass clippings, leaves, vegetable and fruit peelings, and/or other organic waste is placed in order to create compost. This definition does not include containers used in non-residential composting facilities.

*Condition of approval.* A performance standard, environmental mitigation measure, or other requirement imposed by the decision-making body authority to ensure that a project or use shall be constructed or established in compliance with the approved discretionary permit.

*Condominium.* ~~An estate consisting of~~ A development where an undivided interest in common in a parcel of real property together with a separate interest in space in a residential, industrial or commercial building on such real property, such as an office or store or multifamily dwelling. A condominium may include, in addition, a separate interest in other portions of such real property.

*Congregate living health facility.* A facility, which shall be licensed by the State of California pursuant to Section 1250 of the Health and Safety Code, as may be amended, to provide inpatient care, including the following basic services: medical supervision, 24-hour skilled nursing and supportive care, pharmacy, dietary, social recreational, and other services for persons who are terminally ill, ventilator dependent, or catastrophically and severely disabled.

Proposed revisions have been highlighted as follows:

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*Convalescent care facility:* A facility licensed by the State Department of Health Services as a nursing facility, as defined by Section 1250 of the Health and Safety Code, as may be amended, which provides 24-hour medical, convalescent or chronic care for more than six (6) patients with postoperative convalescent, chronically ill or dietary problems and persons unable to care for themselves; including persons undergoing psychiatric care and treatment both as inpatients and outpatients but not including persons with contagious diseases or afflictions. This definition includes facilities known as nursing homes, convalescent hospitals, congregate living health facilities, rest homes, or homes for the aged, but not hospitals or medical clinics.

~~*Convalescent Home:* A facility licensed by the State Department of Health Services which provides bed and ambulatory care for more than six (6) patients with postoperative convalescent, chronically ill or dietary problems and persons unable to care for themselves; including persons undergoing psychiatric care and treatment both as inpatients and outpatients but not including persons with contagious diseases or afflictions. Also known as nursing home, convalescent hospital, rest home, or home for the aged.~~

*Conversion project.* An apartment house, multiple or group dwelling, existing, under construction or for which building permits have been issued, which is proposed for conversion to a residential condominium, community apartment, residential stock cooperative, or planned development; or an existing mobilehome park which is proposed to be converted to a mobilehome condominium project, a mobilehome stock cooperative project, a mobilehome planned development, or a conventional mobilehome subdivision.

*Construction.* Construction, erection, enlargement, alteration, conversion, or movement of any building, structures, or land, together with any scientific surveys associated therewith.

*Construction office.* Temporary office space for the direction of onsite construction activities incidental to construction on a site.

*Correctional facility.* A facility owned and/operated by an individual, a for-profit, or a non-profit entity used for housing or provision of services for persons who are either (1) serving a sentence from a federal, state or county court and are under restraint, supervision, or security or (2) have served a sentence or have been released from a federal, state, or county prison or jail and are living under government supervision by a government-funded program. This definition shall include, but not be limited to prisons, jails, reformatories detention centers, correction centers, re-entry centers, halfway houses, and pre-release centers.

*Cottage food operation.* A business operated by a person, in compliance with State regulations, for the production and/or preparation of food products in a kitchen within the person's primary dwelling. These food products shall not be sold on- site.

*County.* County of Orange. County means the County of Orange including any special district governed by the Board of Supervisors.

*County engineer.* The County Engineer of the County of Orange.

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*Child Care Center/Early Education Facility.* ~~Day (care) nursery: A.k.a. child day care facility and day care center.~~ Any facility that is licensed by the, State and provides operated by a person, corporation or association used primarily for the provision of nonmedical daytime care, training, and/or early education of more than six (6) children under eighteen (18) years of age for a period of less than twenty-four (24) hours per day and is typically located in a commercial building, at any location other than their normal place of residence, excluding any children normally residing on the premises.

*Cultural institutions and facilities.* See section 7-90-134.3.

*Dairy.* A business operation where milk and other dairy products are produced for wholesale or commercial distribution.

*Decision-making body.* The Director, Zoning Administrator, Planning Commission, or the County Board of Supervisors, whichever is the decision-making body for the discretionary permit in accordance with this Code.

*Deck.* A platform, either freestanding or attached to a building, that is supported by pillars or posts. See “balcony.”

*Demolition.* The intentional destruction and removal of fifty percent (50%) or more of the enclosing exterior walls and fifty (50) percent of the roof of any structure.

*Density, residential.*

(a) *Gross.* The number of dwelling units per total project acreage.

(b) *Net.* The number of dwelling units per acre of building site area.

*Detached buildings and structures.* Two (2) or more buildings or structures that are each structurally independent and freestanding and not connected by walls, roofs, floors, decks, supports, trellises, architectural features or any other structure, fixture or device that exceeds thirty (30) inches in height above the finished grade.

*Development agreement.* An agreement between the County and any person or party having a legal or equitable interest in real property for the development of such property, and which complies with the applicable provisions of Government Code Section 65865, as may be amended, for such development agreements.

*Diameter of a tree.* See section 7-9-69, “Tree preservation regulations.”

*Director.* The Director, OC Development Services, or Deputy Director, OC Public Works/Manager, OC Development Services, Planning Division, ~~Director or Director, EMA means the Director of the Planning and Development Services Department, County of Orange,~~ or his authorized agent or representative.

*Disabled.* See “handicapped.”

*Distillery.* A property where liquor is produced, bottled, and may be sold on-site.

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Domestic animals. Pets and animals that are customarily kept within a dwelling or a yard for the personal use, companionship, or enjoyment of the residents.

Dormitory: See "Boarding house."

~~Drive-In~~ Drive-through facility. An establishment designed or operated so as to enable persons to receive a service or purchase or consume goods while remaining within a motor vehicle.

Drive-in or drive-thru restaurant. An establishment designed or operated to enable persons to order and receive food and beverages while remaining within a motor vehicle.

Driveway. A vehicular passageway within a building site for the exclusive use of the occupants of that building site and their guests. A driveway shall not be considered as a street or alley.

Driveway approach. A designated area between the curb or traveled way of a street and the street right-of-way line that provides vehicular access to abutting properties. When vehicular access to a building site is provided by way of a common driveway, the driveway approach is the line of intersection where the individual driveway abuts the common driveway.

Driveway, multifamily. See "street, multifamily."

Dry cleaning and laundry plant. A central processing facility for cleaning of clothing and fabrics collected from and returned to patrons and to dry cleaning and laundry agencies.

Duplex. See section 7-9-134.2.

Dwelling, multifamily. ~~Two (2) or more dwelling units on the same building site.~~ See section 7-9-134.2.

Dwelling, single-family. ~~One (1) dwelling unit per building site.~~ See section 7-9-134.2.

Dwelling unit. One (1) or more rooms in a structure including a kitchen of any size, designed for occupancy by one family for living and sleeping purposes, and including a mobilehome when such mobilehome bears an insignia of approval issued by the California Department of Housing and Community Development or a housing seal number from the Federal Department of Housing and Urban Development (HUD). designed, occupied, or intended for occupancy as separate living quarters, with full cooking, sleeping, and bathroom facilities.

Easement. A recorded right or interest in land owned by another person, consisting in the right to use or control the land, or an area above or below it, for a specific limited purpose. This purpose may include, but is not limited to, the right to travel across another's land to get to a nearby location, such as a road.

Easement, multifamily vehicular. See "street, multifamily."

Eaves. The part of the roof that meets or overhangs the walls of a building.

Educational institution. ~~Private or public elementary or secondary schools, colleges or universities qualified to give general academic instruction.~~

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*Effective date.* The date on which a permit or other approval becomes enforceable or otherwise takes effect.

*Electrical code.* Any code adopted by the County regulating the alteration, repair, and the installation and use of electricity or electrical fixtures.

*Electric vehicle charging station.* A charging station with any level of electric vehicle supply equipment that is designed and built in compliance with Article 625 of the California Electrical Code, as may be amended, and delivers electricity from a source outside an electric or hybrid vehicle into a plug-in electric or hybrid vehicle pursuant to Section 65850.7 of the California Government Code, as may be amended.

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

*Emergency shelter.* See section 7-9-134.3.

~~*Employee's Quarters.* Quarters for the housing of agricultural or domestic employees when such quarters are located upon the same land occupied by their employer.~~

*Enclosed.* Contained on all sides by walls which are pierced only by windows, vents, or customary entrances and exits.

*Energy facility.* A public or private processing, producing, generating, storing, transmitting, or recovering facility for electric, natural gas, petroleum, coal, or other source of energy.

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

*Environmental Impact Report (EIR).* An Environmental Impact Report as required under the California Environmental Quality Act.

*Environmentally sensitive habitat area (ESHA).* Any area in which plant or animal life or their habitats are rare or especially valuable because of their special nature or role in an ecosystem, and which could be easily disturbed or degraded by human activities and development. ESHAs include, without limitation: wetlands, riparian areas, habitats of rare and endangered species, rocky intertidal areas, anadromous fish streams, rookeries, and marine mammal haul-out areas.

*Environmental review.* An evaluation process pursuant to CEQA to determine whether a proposed project may have a significant impact on the environment.

*Equestrian stables, commercial.* Any property where one (1) or more horses are kept for commercial purposes, either for use by the public or by the animal(s) owners.

*Equine.* ~~Equus:~~ Any adult horse, pony, donkey, or mule. ~~animal of the family Equidae, which also includes asses and zebras.~~ The offspring of such animals shall be considered an adult when twenty-four (24) months of age. Two (2) juvenile equine shall be considered equivalent to one (1) adult.

*Erect.* To build, construct, or secure in a vertical or upright position.

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Exterior storage. The outdoor placement or keeping of materials in an area not fully enclosed by a storage structure.

Façade. The exposed exterior wall of a building.

Family foster care home. See section 7-9-134.2.

Farmers' market. A market operated by a local government agency, one (1) or more certified producers, or a nonprofit organization certified by and operating in a location approved by the County Agricultural Commissioner where farmers sell directly to consumers agricultural products or processed products made from agricultural products that the farmers grow themselves ("direct marketing").

Farmworker. An employee engaged in agriculture, which includes farming in all its branches, and among other things, includes the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities, the raising of livestock, bees, furbearing animals, or poultry, and any practices (including any forestry or lumbering operations) performed by a farmer or on a farm as an incident to or in conjunction with such farming operations, including preparation for market and delivery to storage or to market or to carriers for transportation to market.

Farmworker housing. See section 7-9-134.7.

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

Feature Plan: See section 7-9-150.1.

Flag: See section 7-9-144.1.

Fence. A barrier, railing, or other upright structure enclosing an area to mark a boundary, control access, or provide security.

Flood, floodplain, floodway, etc.: See section 7-9-113.3 42.

Floor area. The total horizontal enclosed area of all the floors below the roof and within the outer surface of the walls of a building or other enclosed structure.

Floor Area, Gross: The total horizontal floor area of all floors of a building, including the exterior walls thereof, measured in square feet; excepting that for commercial, professional and administrative office or industrial buildings or building complexes, areas used in common such as covered malls, walkways, patio areas and entries open to and directly connecting with outside areas shall not be included when calculating off-street parking requirements.

Floor area ratio (FAR). The ratio of the total floor area of all buildings on a lot to the lot area or building site area. Also known as a lot coverage ratio. Numerical value obtained by dividing the gross floor area of all buildings located on a building site by the building site area.

Footprint, building. The horizontal area, as seen in plan view, of a building or structure, measured from the outside of exterior walls and supporting columns, excluding eaves.



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*Fraternity house or sorority house.* A building, or portion of a building, occupied by a chapter of a regularly organized college fraternity or sorority officially recognized by an educational institution.

~~Freestanding Sign: See section 7-9-144.1.~~

*Freeway.* A State or Interstate highway.

*Frontage, building.* The linear portion of exterior walls enclosing interior spaces that are oriented to and most nearly parallel to public streets, public alleys, parking lots, malls or freeways.

*Frontage, street.* The linear portion of a lot or parcel of land that borders a public street.

*Garage.* A building or portion ~~of a building~~ thereof, containing accessible and usable enclosed space designed, constructed, and maintained for the parking or storage of one (1) or more motor vehicles ~~used primarily for the parking of four-wheeled motor vehicles.~~

*General plan.* The County of Orange General Plan. ~~General Plan means the Orange County General Plan.~~

*Glare.* The effect produced by a light source within the visual field that is sufficiently brighter than the level to which the eyes are adapted, such as to cause annoyance, discomfort, or loss of visual performance and ability.

*Government code.* The Government Code of the State of California. ~~Government Code means the California Government Code.~~

*Grade, Ground level.* The average elevation, determined by averaging the elevations of four (4) or more points as necessary, at the building site boundary line where it is less than five (5) feet from the building or at five (5) feet outside the perimeter of the bearing or foundation line of building.

*Grazing.* The act of pasturing livestock on growing grass or other growing herbage, or on dead grass or other dead herbage existing in the place where grown, as the principal sustenance of the livestock so grazed.

*Greenhouse.* A structure with permanent structural elements (e.g., footings, foundations, plumbing, electrical wiring) used for the indoor cultivation and to shade or protect plants from climatic variations. Includes hothouses.

~~Ground Sign: See section 7-9-144.1.~~

*Groundwater recharge.* A process whereby water moves from the surface downward through the soil (i.e., percolation) to where groundwater is located, typically in an aquifer. Establishing man-made groundwater recharge areas is often one aspect of an overall groundwater management program.

*Gross site area.* Also, known as project site area. The entire area of land that will be used for a development. May include one (1) or more parcels.

*Group home.* A facility that is being used as a supportive living environment for persons who are considered handicapped under State or Federal law. A group home operated by a single operator or service provider (whether licensed or unlicensed) constitutes a single facility, whether the facility

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occupies one (1) or more dwelling units. Group homes shall not include the following: (1) Community Care Facilities; (2) any group home that operates as a single housekeeping unit.

*Guesthouse.* An attached or detached building that may have a bathroom but shall not have having no cooking or kitchen facilities which and is used primarily for sleeping purposes, for members of the family household occupying the main dwelling and their nonpaying guests. This definition also includes, but is not limited to, the following types of accessory structures: pool house, casita, recreation room, craft room, or workshop (if habitable). A guesthouse shall not be rented. See section 7-9-91, "Guesthouses."

*Guidelines.* Explanatory and interpretative recommendations for specific Zoning Code provisions that are adopted by the County Board of Supervisors, Planning Commission, or Director.

*Habitable room.* Any room usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A room designed and used only for storage purposes is not a "habitable room." A space intended for living, sleeping, eating, or cooking, including living rooms, dining rooms, bedrooms, kitchens, dens, craft rooms, family rooms, and recreation rooms. Excluding, but not limited to, balconies, garages, open porches, utility rooms, unfinished attics, unfinished workshops, unfinished basements, and other unfinished spaces.

*Handicapped.* As more specifically defined under the fair housing laws, a person who has a physical or mental impairment that limits one or more major life activities, a person who is regarded as having that type of impairment, or a person who has a record of that type of impairment, not including current, illegal use of a controlled substance.

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

*Heat.* Thermal energy of a radioactive, conductive, or convective nature.

*Hedge.* Any group of shrubs planted in line or in groups so that the branches of any one (1) plant are intermingled or form contact with the branches of any other plant in the line. Hedges are not considered trees for the purposes of this Code.

*Height.* The vertical distance from finished grade to the highest point of a building or structure.

*Health care facility.* See section 7-9-134.3.

*Historic structure.* Any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

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- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
- (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program as determined by the Secretary of the Interior or directly by the Secretary of the Interior in states without approved programs.

*Home for the aged.* See "Convalescent ~~Home~~-care facility."

*Home occupation.* A commercial use conducted on residential property by the inhabitants of the subject residence, which is incidental and secondary to the residential use of the dwelling. An occupation conducted as an accessory use within a dwelling unit. See section 7-9-104-146.6.

*Hospice.* A health care facility facility that provides 24-hour non-medical care for terminally ill persons.

*Hospital.* See section 7-9-134.3. ~~A facility licensed by the State Department of Health Services providing clinical, temporary or emergency service of a medical, obstetrical, surgical, or mental health nature to human patients.~~

*Hotel.* Any building or portion thereof with access provided through a common entrance, lobby or hallway to six (6) or more guest rooms which are rented on a weekly basis or less and which have cooking facilities in less than twenty-five (25) percent of the total number of guest rooms. Cooking facilities exclude ovens.

*Household.* Includes all people occupying a single dwelling unit. A household shall also mean all people occupying two (2) dwelling units on the same site if both units are used as group homes owned or operated by the same operator.

*Housing cost.* The total monthly or annual recurring expenses required of a household for shelter. For a rental unit, total housing costs include the monthly rent payment and utilities. For a for-sale unit, total housing costs include the mortgage payment (principal and interest), property insurance, homeowner's association dues, mortgage insurance, property taxes, utilities, and any other related assessments.

*Income levels.* Income levels for households whose gross incomes do not exceed the qualifying extremely low, very low, low, moderate, and above-moderate income limits published by the California Department of Housing and Community Development (HCD) and amended periodically based on the U.S. Department of Housing and Urban Development (HUD) estimate based on the Orange County median income levels by family size. These income limits are equivalent to the following:

- (a) Extremely low income household. Thirty percent (30%) and under of area median income, adjusted for household size.

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- (b) Very low income household. Thirty-one percent (31%) to fifty percent (50%) of area median income, adjusted for household size.
  - (c) Low income household. Fifty-one percent (51%) to eighty percent (80%) of area median income, adjusted for household size.
  - (d) Moderate income household. Eighty-one percent (81%) to one-hundred and twenty percent (120%) of area median income, adjusted for household size.
  - (e) Above moderate income household. Over one-hundred and twenty percent (120%) of area median income, adjusted for household size.

Industrial hemp. A crop that is limited to types of the plant *Cannabis sativa* L. having no more than three-tenths (.3) of one percent (1%) tetrahydrocannabinol (THC) contained in the dried flowering tops, whether growing or not; the seeds of the plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin produced therefrom, as defined by Health and Safety Code Section 11018.5, as may be amended.

*Industrial Park.* An industrially zoned area wherein the permitted uses are planned, developed, managed, and maintained as a unit, with common off-street parking provided to serve all uses on the property.

Infill site. A site in an urbanized area that may have been previously developed and where at least seventy-five percent (75%) of the property immediately adjacent has been previously developed.

In-home Family Child ~~day~~ Care ~~Home, small~~. See section 7-9-134.2.

In-home Family Child ~~day~~ Care ~~Home, large~~. See section 7-9-134.2.

*Integral facilities.* Any combination of two (2) or more group homes which may or may not be located on the same or contiguous parcels of land, that are under the control and management of the same owner, operator, management company or licensee or any affiliate of any of them, and are integrated components of one (1) operation shall be referred to as Integral Facilities and shall be considered one (1) facility for purposes of applying Federal, State and local laws to its operation. Examples of such Integral Facilities include, but are not limited to, the provision of housing in one (1) facility and recovery programming, treatment, meals, or any other service or services to program participants in another facility or facilities or by assigning staff or a consultant or consultants to provide services to the same program participants in more than one (1) licensed or unlicensed facility.

*Integral Uses.* Any two (2) or more residential care programs commonly administered by the same owner, operator, management company or licensee, or any affiliate of any of them, in a manner in which participants in two (2) or more care programs participate simultaneously in any care or recovery activity or activities so commonly administered. Any such integral use shall be considered one (1) use for purposes of applying Federal, State, and local laws to its operation.

Intensity of use. The extent to which a particular use or the use in combination with other uses affects the demand for services; and persons who live, work, and visit the area. Measures of intensity include but are not limited to, requirements for water, gas, electricity, or public services; number of

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automobile trips generated by a use; parking demand; number of employees on a site; hours of operation; the amount of noise, light, or glare generated; the number of persons attracted to the site, or in eating establishments, the number of seats.

Intersection, street. The area common to two (2) or more intersecting streets.

Kennel. See section 7-9-134.3.

Kitchen. Any room or space within a building intended to be used for the cooking or preparation of food. This definition does not include wet bars.

Landscaping-related definitions. See Section 7-9-68, "Landscape and irrigation."

Laundry plant. See "dry cleaning and laundry plant."

Local Coastal Program (LCP). The County's land-use plans, zoning code, zoning map, and implementing actions certified by the Coastal Commission pursuant to the Coastal Act and adopted by the County Board of Supervisors for the purpose of carrying out the provisions of the Coastal Act.

Lodging house. See "boarding house."

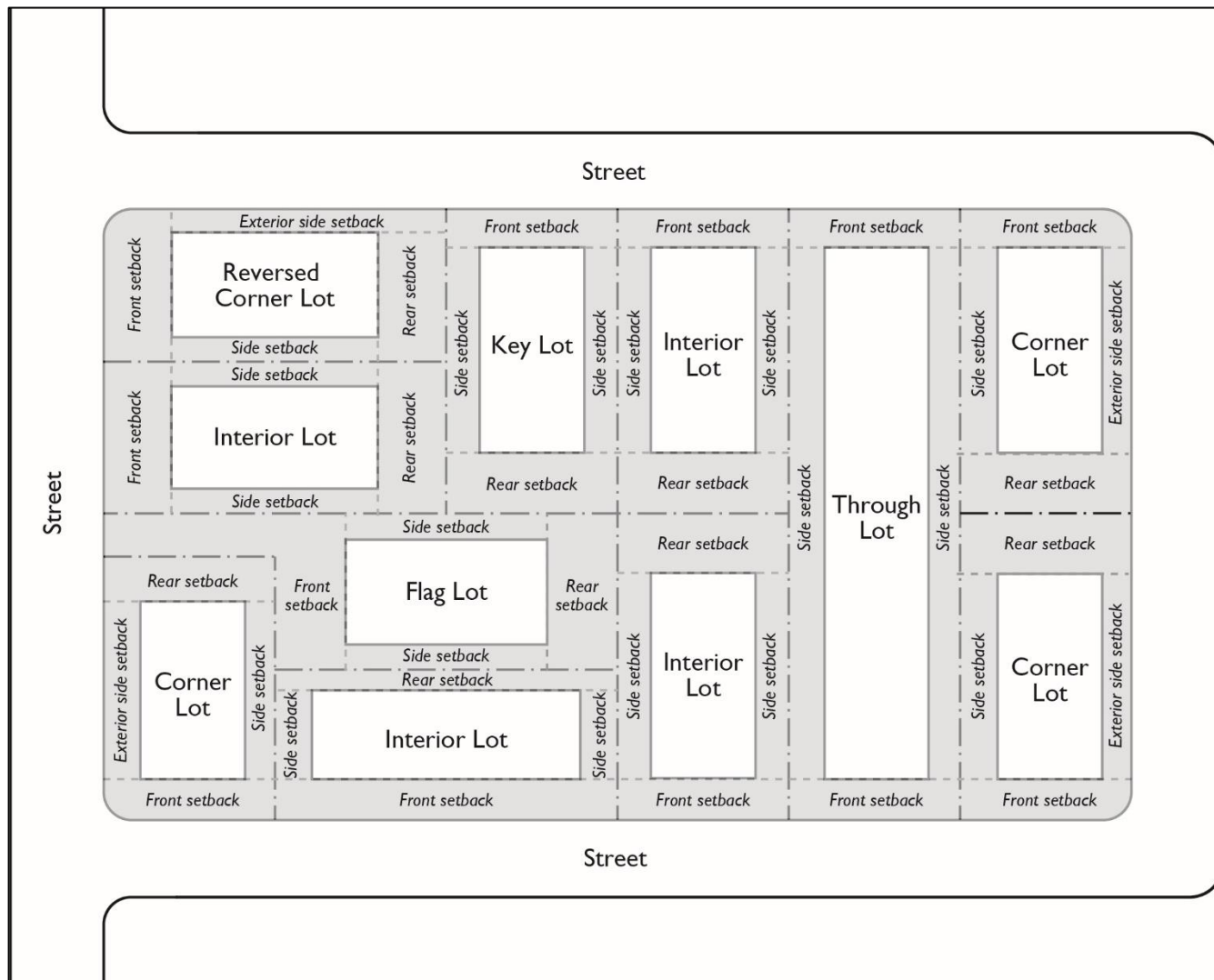
Lot. Any area identified as a lot or parcel on a recorded final map, parcel map, record of survey recorded pursuant to an approved division of land, certificate of compliance or lot line adjustment. A lot is not necessarily a building site. Lot types include the following:

- (a) Adjacent lot. A lot having a common property lot line.
- (b) Corner lot. A lot or parcel bounded on two (2) or more sides by street lines that form an interior angle less than one-hundred thirty-five (135) degrees. Includes reversed corner lot.
- (c) Flag lot. See "Building site, panhandle or flag."
- (d) Interior lot. A lot bounded on one (1) side by a street line and on all other sides by lot lines between adjacent lots, or that is bounded by more than one (1) street with an intersection greater than one-hundred thirty five (135) degrees. Includes key lot.
- (e) Irregular lot. Any lot that does not conform to the definition of a corner lot or an interior lot including, but not limited to, through lots, pie- and reverse-pie-shaped lots, flag lots, and triangular lots with double street frontages.
- (f) Panhandle lot. See "Building site, panhandle or flag."
- (g) Through lot. See "Building site, through."

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**FIGURE 7-9-1: LOT AND SETBACK TYPES**



Lot area. The area of a lot measured on a horizontal plane between bounding lot lines.

Lot coverage. The horizontal area covered by enclosed structure(s) calculated as a percentage of the gross-area of the site.

Lot line. The boundary between a lot and other property or the public right-of-way.

Lot line types.

- (a) Front lot line. On an interior lot, the line separating the lot from the street or lane. On a corner lot, the shorter lot line abutting a street or lane. On a through lot, the lot line

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abutting the street or lane providing the primary access to the lot. On a flag or panhandle lot, the interior lot line most parallel to and nearest the street or lane from which access is obtained.

- (b) Interior lot line. Any lot line that is not adjacent to a public or private right-of-way.
- (c) Rear lot line. The lot line that is opposite and most distant from the front lot line. Where no lot line is within forty-five (45) degrees of being parallel to the front lot line, a line ten (10) feet in length within the lot, parallel to and at the maximum possible distance from the front lot line, shall be deemed the rear lot line for the purpose of establishing the minimum rear setback.
- (d) Side lot line. Any lot line that is not a front or rear lot line.
- (e) Street side lot line. A side lot line of a corner lot that is adjacent to a public or private right-of-way. Main building(s). The building(s) containing the main or principal use(s) of the premises, or occupied for the purpose of operating or administering the main or principal use(s).

Maintenance and repair. The repair or replacement of nonbearing walls, fixtures, wiring, roof, or plumbing that restores the character, scope, size, or design of a structure to its previously permitted, and undamaged condition.

Major energy facility. Any energy facility as defined by Public Resources Code Section 30107 and California Code of Regulations Section 13012 as may be amended.

Major public works project. Any public works project as defined by California Code of Regulations Section 13012 as may be amended.

Mansard. A wall which has a slope equal to or greater than two (2) vertical feet for each horizontal foot and has been designed to look like a roof.

Marine preserve. Discrete geographic marine or estuarine area along the California coast designated by law or administrative action, and intended to protect, conserve, or otherwise manage a variety of resources and their uses.

~~Master Plan of Arterial Highways. A.k.a. Circulation Plan. A component of the Transportation Element of the Orange County General Plan~~ Countywide transportation plan maintained by the Orange County Transportation Authority (OCTA) depicting adopted and proposed routes for all commuter, secondary, primary and major highways within the County of Orange.

Master Plan of Drainage. Refers to an official engineering report outlining the drainage facilities needed for the proper development of a specific increment of the unincorporated area.

Medical clinic. See "clinic, medical."

Microenterprise home kitchen operation. A food facility that is operated by a resident in a private home where food is stored, handled, prepared, and may be served to consumers, pursuant to applicable State law.

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*Mining.* See "quarrying."

*Mini-storage facility* (~~Aka self-storage facility~~). A building or buildings containing various size storage compartments not exceeding five-hundred (500) square feet each, and wherein each compartment is offered for rent or lease to the general public for the private storage of materials excluding materials sold at the facility or delivered directly to customers.

*Mixed-use development.* A development that combines both residential and non-residential uses on the same lot.

*Mobilehome development.* Any area or tract of land used to accommodate mobilehomes for human habitation ~~and includes mobilehome accommodation structures typically in~~ mobilehome parks ~~or and~~ mobilehome subdivisions. The development may include facilities and amenities used in common by occupants who rent, lease, or own spaces for mobilehomes through a subdivision, cooperative, condominium, or other form of resident ownership. See section 7-9-92, Mobilehome developments.

~~Monument sign:~~ See section 7-9-144.1.

*Motel.* A building or group of buildings containing six (6) or more guest rooms rented on a weekly basis or less and which have cooking facilities in less than twenty-five (25) percent of the guest rooms.

~~*Multifamily dwelling/residence.* See "dwelling, multifamily."~~

*Multi-service center for the homeless.* See section 7-9-134.3.

*Noise-related definitions.* See Codified Ordinances, Title 4, Division 6, Noise Control.

*Noncommercial.* An activity or entity that is not primarily intended or directed towards a commercial objective or monetary compensation.

*Noncommercial coach.* A vehicle, with or without motive power, designed and equipped for human occupancy for classrooms and other nonresidential and non-commercial uses. Also known as a mobile coach.

*Noncommercial recreation.* Any use or activity where the primary intent is to provide amusement, pleasure, or sport and that is not operated for financial gain. It includes establishments where food and beverages are sold as a secondary or ancillary use.

*Nonconforming Use/Structure/Site, Legal:* A use/structure/site that was lawfully established in compliance with the zoning regulations that were applicable to the property at the time the use/structure/site was established, but which does not presently comply with the existing regulations of the zoning district within which it is located. See section 7-9-~~151~~ 115.

*Nursery, plant (retail).* A commercial agricultural establishment engaged in the on-site production and sale of horticultural products such as flowers, shrubs, and trees, intended for ornamental or landscaping purposes. A retail plant nursery raises horticultural products for sale to the general public.



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Nursery, plant (wholesale). A wholesale plant nursery raises horticultural products for sale to retail nursery and garden centers, or other businesses.

Nursery, plant (garden center). 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.

Nursing home. See “Convalescent care facility.”

Off-site use. Use or structure that is related to a specific primary use, but is not located on the same lot, or non-residential project site, as the primary use.

On-site loading facilities. A site or portion of a site devoted to the loading or unloading of motor vehicles or trailers, including loading berths, aisles, access drives, and landscaped areas.

On-site use. Use or structure that is related to a specific primary use and that is located on the same lot, or non-residential project site, as the primary use.

Open Space. Any parcel or area of land or water, public or private, ~~which~~ that is reserved for the purpose of preserving natural resources, for the protection of valuable environmental features, or for providing outdoor recreation or education. For purposes of measuring the amount of open space, it does not include public/private road right-of-way areas, driveway and parking areas not related to recreational uses, any buildings, building setback areas, or the required space between buildings, and surface utility facilities. "Open space" may include structures and impervious surfaces as identified in "Open space, usable."

Open Space Types.

- (a) Private open space. Open areas for outdoor living and recreation that are adjacent and directly accessible to a dwelling unit, reserved for the exclusive use of residents of the dwelling unit and their guests.
- (b) Common open space. Areas for outdoor living and recreation that are intended for the use of residents and guests of more than one (1) dwelling unit but not dedicated for general public use.
- (c) Usable open space. Open space without any slopes in excess of twenty percent (20%). Such open space may include structures and impervious surfaces such as tot lots, swimming pools, basketball courts, tennis courts, picnic facilities, and greenbelts with walkways or bicycle trails.

Operator. A company, business or individual who provides residential services, i.e., the placement of individuals in a residence, setting of house rules, and governing behavior of the residents as residents. Operator does not include a property owner or property manager that exclusively handles real estate contracting, property management and leasing of the property, and that does not otherwise meet the definition of operator.

Outdoor sales, temporary outdoor sales of merchandise. See section 7-9- 117.10.

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Outdoor sales, seasonal product sales. See section 7-9-117.8.

Outdoor storage. The keeping, in an unroofed area, of any goods, material, merchandise, or waste in the same place for more than twenty-four (24) hours, except for the keeping of building materials reasonably required for construction work on the premises pursuant to a valid and current building permit issued by the County. The outdoor storage of vehicles shall meet the requirements of Division 13, Article 1 of the Codified Ordinances.

Owner. A person or persons, settlor of a grantor trust, a general partner, firm, corporation, or other legal entity holding single or unified beneficial title to the property.

Paleontological site. A place, or group of sites, in which remains of ancient living forms such as fossils, plants, or animals is preserved.

Parapet. A wall or railing that extends above the roof line and along all or a portion of its perimeter.

Parcel map. A parcel map prepared pursuant to the State Subdivision Map Act and the County of Orange Subdivision Code.

Park. See section 7-9-134.3.

Parking accessway. A vehicular passageway that provides access and circulation from a street access point into and through a parking lot to parking aisles and between parking areas.

Parking area. An area designed for the temporary storage of operable motor vehicles.

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

(a) Long-term. Bicycle parking that is designed to serve employees, students, residents, commuters, and others who generally stay at a site for four (4) hours or longer.

(b) Short-term. Bicycle parking that is designed to serve shoppers, customers, messengers, guests, and other visitors to a site who generally stay for a period of less than four (4) hours.

Patio cover. Accessory structure that is unenclosed. Its roof can be either solid or lattice-like through which air and light can pass. Patio covers may be attached or detached from the principal or accessory structure, and are intended for recreational, outdoor living purposes.

Patio, enclosed. Accessory structure that has a roof and is enclosed. May be attached or detached from the principal or accessory structure, and are intended for recreational, outdoor living purposes.

Pavement. An artificially created hard, smooth surface that shall bear travel on public right-of-way or privately-owned property. Does not include turf block. May include waterproof coating.

Peak time. Period of time with the greatest amount of activity and vehicles on the site.

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Permit, discretionary. Any Site Development Permit, Use Permit, Variance Permit, Coastal Development Permit, Area Plan, Changed Plan/Minor Modification, or other entitlement for development and/or use of property provided by the Zoning Code.

Permitted use. Any use or structure that is allowed in a zoning district, subject to compliance with all applicable provisions of this Code.

Person. Any individual, firm, association, organization, partnership, business trust, company, or corporation.

Person with disabilities. Under the Americans With Disabilities Act, an individual with a disability is a person who: (1) has a physical or mental impairment that substantially limits one (1) or more major life activities; or (2) has a record of such an impairment; or (3) is regarded as having such an impairment.

Pier or dock. A platform extending from the shoreline into a body of water for the purposes of mooring, loading, or unloading ships or boats.

Pipeline or transmission line. Transportation facilities for the conveyance of water or commodities. Also includes pipeline surface and terminal facilities, pump stations, bulk stations, surge and storage tanks, but does not include lateral extensions or service lines.

Planned (unit) development. A subdivision of separately owned lots, parcels, or areas, ~~other than a community apartment, a condominium, or a stock cooperative project,~~ having either or both of the following features:

- (a) Lots, parcels, or areas owned in common by the owners of the separately owned lots, parcels, or areas.
- (b) Power to enforce any obligation in connection with membership in the owners association or any obligation pertaining to the beneficial use and enjoyment of any portion of, or any interest in, either the separately or commonly owned lots, parcels, or areas.

Planning commission. The Planning Commission of the County of Orange.

Plot plan. Detailed plan of development that depicts the location of all uses, including but not limited to, utilities, property lines, access, street right-of-ways, easements, building footprints and rooflines, parking areas, fences/walls, setbacks, and adjacent lots and uses. Typically on one (1) or more sheets contained within a set of architectural or construction plans. May also be referred to as a site plan.

Pole sign: See section 7-9-144.1

Portable sign: See section 7-9-144.1

Pool house. An enclosed accessory structure. See “guesthouse.”

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*Precise Plan of Highway Alignment.* A plan, supplementary to the Master Plan of Arterial Highways, (aka Circulation Plan), which establishes the highway centerline, the ultimate right-of-way lines and may establish building setback lines.

*Pre-existing.* In existence before the effective date of this Code.

*Principal use.* See “Use, Principal permitted use.”

*Project net development area.* All of the land area included within a plan for a development project excepting those areas designated for public and private road rights-of-way, schools, parks, and other uses or easements which preclude the use of the land therein as part of the development project.

*Property line.* The recorded boundary of a lot or parcel of land.

*Public agency.* The United States, the State of California, the County of Orange, any city within said County, or any political subdivision or agency thereof.

*Public land.* Any government-owned or operated land, including, but not limited to, public parks, beaches, playgrounds, trails, paths, schools, public buildings, and other recreational areas or public open spaces.

*Public safety area.* A strip of land twenty (20) feet in width adjacent to and parallel with a street right-of-way.

*Public resources code.* The Public Resources Code of the State of California.

*Quarrying.* The process of removing or extracting stone, rock, aggregate, sand, gravel, earth, clay or similar materials from an open excavation but not including extraction by underground method. A.k.a. surface mining.

*Rain barrel.* A vessel that stores rainwater runoff, typically from rooftops via rain gutters.

*Reasonable accommodation.* Any modification or waiver requested and/or granted from the strict application of the County’s zoning and land use regulations, rules, policies, practices and/or procedures under provisions of Federal or State law to make housing or other facilities readily accessible to and usable by persons with disabilities.

*Recreational vehicles.* A motor home, travel trailer, truck or van camper, tent trailer, camping trailer or trailer-borne recreation equipment with or without motive power, for recreational, travel or emergency purposes.

*Recycling center.* A facility that accepts delivery or transfer of ownership of source separated materials for the purpose of recycling or diversion from disposal. Included are "drop-off" recycling centers, where no fee is paid, such as churches or other charitable groups, or "buy-back" centers, like those at supermarkets, where a fee is usually paid to the generator for the materials. These facilities do not require a state permit. See also Transfer - Materials recovery facility.

*Referral facility.* A community care facility or a group home where one (1) or more person’s residency in the facility is pursuant to a court order or directive from an agency in the criminal justice system.

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Residential housing types.

~~Dwelling, single-family: One (1) dwelling unit per building site.~~

~~Dwelling, multifamily: Two (2) or more dwelling units on the same building site.~~

- (a) *Single-family dwelling, detached.* See section 7-9-134.2.
- (b) *Single-family dwelling, attached.* See section 7-9-134.2.
- (c) *Multifamily dwelling.* See section 7-9-134.2.
- (d) *Accessory dwelling unit.* See section 7-9-134.2.

*Rest home.* See "Convalescent ~~home~~ care facility."

*Retail.* The selling of goods, wares, or merchandise directly to the ultimate consumer.

*Riding and hiking trails.* A trail or way designed for and used by equestrians, pedestrians and cyclists using nonmotorized bicycles.

*Right-of-way.* An area or strip of land, either public or private, on which an irrevocable right of passage has been recorded for the use of vehicles or pedestrians or both.

*Roadway.* See "streets."

~~*Rooming house.* See "boarding house."~~

*Sanitary landfill.* A type of solid waste disposal facility where non-hazardous waste material is deposited and managed by spreading, compacting to the smallest practical volume, and applying soil and other cover material over all exposed wastes.

*Scenic highway.* Any highway designated a scenic highway by an agency of the county, state or federal government.

*Seasonal sales.* Christmas tree, pumpkin, and other temporary sale activities that are typically conducted outdoors. See section 7-9-117, Temporary uses and structures.

*Screening.* Screening refers to a wall, fence, hedge, informal planting, or berm, provided for the purpose of buffering a building or activity from neighboring areas or from the street.

*Self-storage facility.* See "mini-storage facility".

*Senior citizen.* A person fifty-five (55) years or older in a senior citizen housing development pursuant to Civil Code Section 51.3, as may be amended.

*Senior citizen housing development.* A residential development consisting of at least thirty-five (35) dwelling units which is developed for, or substantially rehabilitated or renovated for, senior citizens pursuant to Civil Code Section 51.3, as may be amended.

*Senior living facilities.* Provide care and services on a monthly basis or longer to residents aged sixty (60) years of age or older, as provided in California Code of Regulations, Title 22, Division 6,

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Chapter 8, Article 1, Section 87101, as may be amended, and Health and Safety Code Division 2, Chapter 10, Article 1, Section 1771, as may be amended. Senior living facilities may include:

Independent living (IL) facilities intended for individuals who are presently able to manage an independent lifestyle, but foresee a future where more support will be necessary. IL residents are provided with assistance in the instrumental activities of daily living, such as: dining, housekeeping, security, transportation and recreation. IL dwelling units may have separate kitchens and garages.

- (a) Assisted living (AL) facilities intended for residents that require some assistance with the activities of daily living, but do not need the 24-hour care of a nursing home. AL services are regulated by California Code of Regulations, Title 22, Division 6, Chapter 8 and may be provided only by a facility licensed as a Residential Care Facility for the Elderly (RCFE). These services include assistance with dressing, bathing, walking, eating and toileting, in addition to dining, housekeeping, security, transportation and recreation.
- (b) Memory care (MC) living facilities intended for residents who require specialized care for dementia, Alzheimer's or other memory related illnesses. MC services may be provided by a stand-alone facility, or by a facility offering a broader range of services. MC services such as dining, housekeeping, security, transportation and recreation, may only be provided by a facility licensed as a Residential Care Facility for the Elderly (RCFE).
- (c) Skilled nursing (SN) facilities intended for residents who require nursing care or supervision, either on a short-term or long-term basis, as regulated by California Code of Regulations Title 22, Division 5, Chapter 3.
- (d) Continuing care retirement community (CCRC) facilities intended to serve the long-term residential, social, and health care needs of elderly residents by providing a continuum of care, minimizing transfer trauma and allowing the following services to be provided in an appropriately licensed setting: dining, housekeeping, security, transportation and recreation. CCRC facilities are regulated by California Code of Regulations Title 22, Division 6, Chapter 8 and Health and Safety Code Division 2, Chapter 10. CCRC facilities may include more than one (1), or all four (4), of the types of senior living facilities listed above as items (a) through (d).

*Service.* An act, or any result of useful labor, which does not in itself, produce a tangible commodity.

~~*Service station:* See "automobile service station."~~

*Setback area/distance:* The area/distance between the building line and the property line or, when abutting a street, the ultimate right-of-way line.

*Shopping/office center.* A commercial area, or group of commercial establishments planned, developed, managed and maintained as a unit, with common off-street parking provided to serve all uses on the property.

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

Sign. Pursuant to section 7-1-95, "Orange County Sign Code," sign is defined as any structure, device or contrivance and all parts thereof which are erected or used for advertising purposes upon or within which any poster, bill, bulletin, printing, lettering, painting, device or other advertising of any kind whatsoever is used, placed, posted, tacked, nailed, pasted or otherwise fastened or affixed. This definition also includes electric signs. See section 7-9-114, "Signs."

This definition shall not be held to include, unless otherwise provided for in this article, any board, sign or surface used exclusively to display official notices issued by any court officer or public officer or a private person in giving legal notice; nor shall it be held to include a nonilluminated ground sign the advertising surface of which does not exceed six (6) square feet and which does not extend more than six (6) feet above grade; nor shall it be held to include a nonilluminated professional sign such as used by a doctor, dentist or similar professional person, provided the advertising surface of such nonilluminated sign does not exceed six (6) square feet and the sign extends not more than six (6) feet above grade.

Sign-related definitions. ~~Sign definitions are grouped according to sign type, i.e., how the sign is constructed and how the sign is used as follows:~~

- (a) Advertising device/display. Any contrivance, statue, or structure, other than a sign, used to attract attention or make anything known for the purpose of promoting (either directly or indirectly) the use of products or services of any person or business, including but not limited to a balloon, flag, pennant, propeller, or an oscillating, rotating, or pulsating light.
- (b) Area identification sign. A sign that identifies a residential area, neighborhood, shopping district industrial district, or any identifiable area.
- (c) Banner sign. A sign made of fabric or any non-rigid material with no enclosing framework on which a message or image is painted or otherwise affixed. ~~Any sign hung either with or without frames, possessing written communication applied to nonrigid paper, plastic or fabric of any kind.~~
- (d) Billboard. A sign used for the purpose of general advertising for hire, that is, some or all of the display area is customarily used to display the messages of advertisers or sponsors other than the owner of the sign. See "off-site sign."
- (e) Building frontage. See "Frontage, building."
- ~~Business sign. A sign displaying information pertaining to goods or services offered or produced by the business located on the property but not including advertising devices/displays. Business signs may include the identifying name of a business.~~
- (f) Civic activity sign. A bulletin board customarily incident to places of worship, libraries, museums, and other public institutions.

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- (g) Commercial sign. A sign with wording, logo, or other representation that directly or indirectly identifies, advertises, or calls attention to a business, product, service, profession, commodity, event, or other commercial activity. These signs are typically located on the same property as the business or commercial activity.
- (h) Commercial speech or commercial message. A message proposing a commercial transaction or otherwise related to the economic interests of the message sponsor or the viewing audience, or both.
- (i) ~~Construction sign.~~ A sign stating the names of those individuals or firms directly connected with the construction or development project, their addresses and their telephone numbers. A temporary sign that identifies a future development or use and is erected on property prior to and during the construction period.
- (j) Copy. Also called "sign copy." The visually communicative elements mounted on a sign.
- (k) ~~Travel direction~~ Directional or wayfinding sign. A sign to inform the motorist as to the route or direction of travel in order to arrive at the residential subdivision development project for sale or rent to which it pertains (original sales/rentals only). Does not include bus bench/shelter signs per section 7-9-146.9 or residential tract signs per section 7-9-136.1. that directs or guides pedestrian or vehicular traffic and which does not include general advertising for hire.
- (l) Electronic message board center sign. A sign having the capability of presenting variable message displays by projecting an electronically controlled pattern, and which can be programmed to periodically change the message display. ~~A sign with a fixed or changing display composed of a series of lights. (Does not include time and temperature displays.)~~
- (m) Face. That portion of a sign upon which the copy is mounted or displayed.
- (n) Flag. An advertising device, not including national flags or flags of political subdivisions.
- (o) Freestanding sign. A sign supported by structures or supports that are placed on or anchored in the ground and that are structurally independent from any building. Freestanding signs include "monument signs," "pole signs," and "ground signs." ~~An independent sign permanently affixed in or upon the ground, and which is neither attached to nor a part of a building, e.g., monument/ground and pole signs.~~
- (p) Ground sign. See "monument sign."
- (q) Identification Sign. A sign located on the property, limited to the identifying name and symbol/insignia of an existing or future community, building, business, facility, organization, person, etc.
- (r) Illuminated sign. A sign with an artificial source of light incorporated internally or externally for the purpose of illuminating the sign.
- (s) Inflatable sign. A sign that inflates used for advertising purposes.



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- (t) Mobile billboard. An advertising display that is attached to a wheeled, mobile, non-motorized vehicle, which carries, pulls, or transports a sign or billboard, and is for the primary purpose of advertising, as defined by California Vehicle Code Section 395.5, as may be amended.
- (u) ~~Monument/ground sign.~~ A low-profile freestanding sign mounted on or supported solely by a low-profile planter, pedestal, or similar solid, ground structure or base or a fence, or a freestanding wall, as distinguished from support by a pole or poles that is approximately the same width as the sign and which is designed to reflect the architectural theme of the building on the premises. Internal supports, poles or pylons, if any, are enclosed by decorative covers or otherwise not exposed to view.
- (v) Non-commercial message. A message or image on a sign that directs public attention to or advocates an idea or issue of public interest or concern that does not serve to advertise or promote any business, product, activity, service, interest, or entertainment.
- (w) On-site sign. Any sign or portion thereof that identifies, advertises, or attracts attention to a business, product, service, event or activity sold, existing or offered upon the same property or land use as the sign. The off-site/on-site distinction applies only to commercial messages.
- (x) Off-site sign. ~~Outdoor Advertising Sign~~ A sign, or the sign structure on which it is to be placed, the purpose of which is to advertise products or services that are not produced, stored, or sold on the property upon which the sign or structure is located. Does not include travel direction or bus bench/shelter signs. See “billboard.”
- (y) Pole sign, temporary. A freestanding sign directly supported by a pole or poles that are attached directly into or upon the ground with air space between the grade level and the sign face.
- (z) Portable sign. A freestanding sign that is not permanently affixed, anchored, or secured to either the ground or a structure on the property it occupies including a sign upon a vehicle or trailer used as a stationary advertising display, the primary purpose of which is to serve as a base or platform for the sign.
- ~~A sign not securely attached or fixed to the ground or to a permanent structure; or~~
- ~~A sign upon a vehicle or trailer used as a stationary advertising display, the primary purpose of which is to serve as a base or platform for the sign.~~
- (aa) Projecting sign. A single or double-faced sign, ~~other than a wall sign, that is~~ perpendicular to the wall upon which it is mounted and suspended from or supported by a building or structure and projects outward therefrom.
- (bb) Pylon sign. A freestanding sign that is supported by two (2) or more solid, monumental structures (pylons) and which has air space between the sign face and the ground level. Poles shall not be used as pylons.

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- (cc) *Real estate sign.* ~~A sign advertising the sale, lease or rent of the property upon which it is located, and the identification of the person or firm handling the sale, lease, or rent.~~ A temporary sign posted on any property that is being actively marketed for sale or for lease but not including signs on establishments offering transient occupancy such as hotels and motels.
- (dd) *Roof sign.* A sign erected wholly upon or above the roof of a building or above canopies, marquees and similar overhangs. Signs on mansards shall be considered wall signs.
- (ee) *Sign area.* The area within the perimeter of not more than eight (8) straight lines of a size sufficient to enclose the outer limits of any writing, representation, emblem, logo or any figure of similar character. Sign area does not include supporting structures such as sign bases and columns unless they include visually communicative elements of such sign.
- (ff) *Sign face.* An exterior display surface of a sign, including non-structural trim, exclusive of the supporting structure. The area of a sign which is available for mounting and public display of the visually communicative image.
- (gg) *Sign program.* A coordinated sign plan that includes details of all signs (not including exempt or temporary signs) that are, or will shall be placed on a site, including master identification, individual business and directory signs.
- (hh) *Temporary sign.* A structure or device used for the public display of visual messages or images, which is typically made of lightweight or flimsy materials and which is not intended for or suitable for long term or permanent display.
- (ii) *Traffic sign.* A sign for traffic direction, warning, and roadway identification.
- (jj) *Wall sign (wall-mounted sign).* A sign affixed to and wholly supported by a building in such a manner that its exposed face is approximately parallel to the plane of such building, and is not projecting more than eighteen (18) inches from the building face or from a permanent, roofed structure projecting therefrom. A sign attached to, erected on, painted on or otherwise affixed to the exterior wall of a building or structure in such a manner that the face of the sign is approximately parallel to the exterior wall of the building and exposed to the exterior side of the building. Signs and/or advertising displays in or on windows are not considered wall signs.
- (kk) *Window sign.* A temporary or permanent sign with a single face of copy that is painted or installed on a glass window or door, or located within 12 inches from inside the window, in a manner that it can be viewed from the exterior of a structure.

*Single-family dwelling/residence:* See "dwelling, single-family."

*Single housekeeping unit.* Means that the occupants of a dwelling unit have established ties and familiarity with each other, jointly use common areas, interact with each other, share meals, household activities, and expenses and responsibilities; membership in the single housekeeping unit is fairly stable

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as opposed to transient, members have some control over who becomes a member of the household, and the residential activities of the household are conducted on a nonprofit basis. There is a rebuttable presumption that integral facilities do not constitute single housekeeping units. Additional indications that a household is not operating as a single housekeeping unit include but are not limited to: the occupants do not share a lease agreement or ownership of the property; members of the household have separate, private entrances from other members; members of the household have locks on their bedroom doors; members of the household have separate food storage facilities, such as separate refrigerators.

*Single room occupancy (SRO).* A building with a common entrance containing a cluster of at least five (5) rental units which provide sleeping and living facilities for one (1) or two (2) persons where kitchen and/or bathroom facilities may be shared. See section 7-9-88, "Single room occupancy." ~~The units shall have a minimum of 100 net square feet of space for a single occupancy and 120 square feet for two-person occupancy. The calculation for net floor space in the sleeping area includes built-in cabinets, sinks, and closets, but excludes toilet compartments. A unit larger than 225 sq. ft. shall be deemed an efficiency dwelling unit and not a Single Room Occupancy (SRO).~~

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

*Site plan.* See "plot plan."

*Site coverage.* See "building site coverage."

*Site Development Permit.* ~~Also known as site plan.~~ See section 7-9-150.1 126.

*Site depth.* See "building site depth."

*Site width.* See "building site width."

*Sober living home.* A type of group home operated as a cooperative living environment providing an alcohol and drug-free home for persons recovering from alcoholism and/or drug abuse, which are not required to be licensed by the State. Sober living homes for six (6) or fewer residents are allowed in residential districts, subject to a group home permit. Sober living homes of seven (7) or more residents shall be permitted in any district, planned community, or specific plan area zoned for multifamily residential uses subject to the issuance of a Use Permit by the Planning Commission per section 7-9-150 125 and compliance with certain conditions. Residents may actively participate in recovery programs outside of the home such as detoxification, educational counseling, individual or group counseling sessions, or treatment/recovery planning. A sober living home may provide services to the residents such as dining, housekeeping, security, medical, transportation, and recreation, but shall not dispense medications to the residents. Sober living homes shall not include the following: (1) community care facilities; (2) any sober living home that operates as a single housekeeping unit.

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*Sober living home.* A type of group home operated as a cooperative living environment providing an alcohol and drug-free home for ~~six (6) persons or less~~ recovering from alcoholism and/or drug abuse, which are not required to be licensed by the State. Sober living homes for six (6) or fewer residents are allowed in residential districts, subject to a Group Home Permit. ~~, and are not required to be licensed by the State.~~ Sober living homes of seven (7) or more residents shall be permitted in any district, planned community, or specific plan area zoned for multifamily residential uses subject to the issuance of a Use Permit by the Planning Commission per section 7-9-125 and compliance with certain conditions. Residents may actively participate in recovery programs outside of the home such as detoxification, educational counseling, individual or group counseling sessions, or treatment/recovery planning. A sober living home may provide services to the residents such as dining, housekeeping, security, medical, transportation, and recreation, but shall not dispense medications to the residents. Sober living homes shall not include the following: (1) community care facilities; (2) any sober living home that operates as a single housekeeping unit.

Soil. Naturally occurring superficial deposits overlying bedrock.

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

Special gathering. See section 7-9-117.9, "Special gatherings."

Specific plan. A plan for a portion of the area covered by the General Plan that is consistent with, and shall implement, the General Plan pursuant to the provisions of Government Code Section 65450 et seq., as may be amended. See section 7-9-133, "Specific plans."

Stack parking. Cars parked closely behind and beside each other without regard to parking stalls in an effort to maximize space.

State. The State of California. ~~State means the State of California.~~

*Stock cooperative.* A corporation which is formed primarily for the purpose of holding title to, either in fee simple or for a term of years, improved real property, if all or substantially all of the shareholders of such corporation receive a right of exclusive occupancy in a portion of the real property, title to which is held by the corporation, which right of occupancy is transferable only concurrently with the transfer of the share or shares of stock or membership certificate in the corporation held by the person having such right of occupancy.

Stream. Watercourses, including streams, drainage ways, small lakes, ponds, and marshy areas through which streams pass. Coastal wetlands are not considered streams.

*Street.* A public or private vehicular right-of-way, other than an alley or driveway, including both local streets and arterial highways.

*Street, multifamily.* A driveway, easement, accessway or other private vehicular right-of-way to serve a unified multi-lot/multifamily project for which a discretionary permit per section 7-9-150 ~~125~~ has been approved and where residential setbacks, other than provided for in section 7-9-145.3(c) ~~70.3~~ are not required.

Proposed revisions have been highlighted as follows:

New language is underlined. Deleted language is ~~struck~~.

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*Structure.* Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground. That which is erected or constructed having a fixed location and is more than thirty (30) inches above the finished grade. An edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. A mobilehome, except when used as a temporary use with its weight resting at least partially upon its tires, is a structure for the purposes of this definition. (Note: For the coastal zone only, section 7-9-~~118~~ 40 defines structure differently.)

*Supportive housing.* See section 7-9-134.2.

*Surface mining.* See "quarrying."

*Swimming pool.* An artificial body of water having a depth in excess of eighteen (18) inches, designed, constructed and used for swimming, dipping or immersion purposes by men, women, or children.

*Tandem parking.* An arrangement of parking spaces such that one (1) or more spaces shall be driven across to access another space or spaces.

*Temporary.* A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

*Temporary use-related definitions.*

(a) Garage sales. The sale or offering for sale to the general public of personal property on a portion of a lot in a residentially zoned district, whether inside or outside any building.

(b) Outdoor sales, temporary outdoor sales of merchandise. See section 7-9- 117.10.

(n) Outdoor sales, seasonal product sales. See section 7-9-117.8.

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

*Tract map.* A subdivision map as defined by the State Subdivision Map Act and the County of Orange Subdivision Code.

*Trailer.* A vehicle, with or without motor power, that is designed or used for hauling materials or vehicles, or for human habitation, office, or storage. This does not include mobilehomes on a permanent foundation.

*Transfer-materials recovery facility.* A permitted nondisposal solid waste facility that accepts solid wastes, temporarily stores, separates, converts, or otherwise processes more than five percent (5%) of the solid wastes received, and transfers the residual materials to a solid waste disposal or transformation facility.

*Transfer station.* A permitted nondisposal solid waste facility that transfers solid waste directly from smaller to larger vehicles for transport to materials recovery facilities, land-fills, or transformation facilities.

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*Transformation facility.* A permitted facility that performs incineration, pyrolysis, distillation, gasification or biological conversion, other than composting, for recovery of energy from solid waste.

*Transitional housing.* See section 7-9-134.2.

~~and transitional housing development. Buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six (6) months and no longer than twenty four (24) months. Transitional housing shall be subject to the same requirements as other residential uses of the same type in the same district.~~

*Travel Direction Sign:* See section 7-9-144.1.

*Ultimate right-of-way.* The right-of-way shown as ultimate on an adopted precise plan of highway alignment, or the street rights-of-way shown within the boundary of a recorded tract map, a recorded parcel map or a recorded PC development plan. The latest adopted or recorded document in the above cases shall take precedence. If none of these exist, the ultimate right-of-way shall be considered the right-of-way required by the highway classification as shown on the Master Plan Arterial Highways. In all other instances, the ultimate right-of-way shall be considered to be the existing right-of-way, in the case of a private street, and the existing right-of-way, but not less than sixty (60) feet, in the case of the public street.

*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) *Accessory use.* Uses and structures are permitted when associated and subordinate to a principal permitted use on the same building site.
- (b) *Principal permitted use.* Use or structure that is allowed in a zoning district but is subject to regulations applicable to that use or structure.

*Use classification.* A system of classifying uses into a limited number of use types on the basis of common functional, product, or compatibility characteristics.

*Use Permit.* Also known as a Conditional Use Permit. See section 7-9-150.1. A discretionary permit which may be granted by the appropriate decision-making body 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 decision-making body.

*Utilities.* Equipment and associated features related to the mechanical functions of a building(s) and services such as water, electrical, telecommunications, and waste.

*Variance Permit.* A discretionary grant of permission to depart from the specific requirements of this Code that is warranted when, due to special circumstances regarding the physical characteristics

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of the property, the strict application of standards would deprive the property of privileges available to other property in the same zoning classification.

*Vehicle.* Any vehicle, as vehicle is defined by the California Vehicle Code, including any automobile, recreational vehicle, camper, camp trailer, trailer, trailer coach, motorcycle, house car, boat, or similar conveyance.

*Vehicular accessway.* A private nonexclusive vehicular easement affording access to abutting properties.

*Vibration.* A periodic motion of the particles of an elastic body or medium in alternately opposite directions from the position of equilibrium.

*Viewpoint.* A place affording a view of something.

*Visible.* Capable of being seen (whether or not legible) by a person of normal height and visual acuity walking or driving on a public roadway or in a public place.

*Wall.* A vertical structure that encloses, retains, or divides an area of land.

~~Wall Sign.~~ See section 7-9-144.1.

*Watershed.* The geographic area draining into a river system, ocean, or other body of water through a single outlet and includes the receiving waters. Watersheds are usually bordered and separated from other watersheds, by mountain ridges or other naturally elevated areas.

*Wildlife preserve or sanctuary.* A protected area of importance for wildlife, flora, fauna, or features of geological or other special interest, which is reserved and managed for conservation and to provide special opportunities for study or research.

*Wineries.* A property where grapes are processed into wine, bottled, and may be sold on-site.

*Wing wall.* An architectural feature in excess of six (6) feet in height which is a continuation of a building wall projecting beyond the exterior walls of a building.

*Zero lot line.* The location of a building on a lot in such a manner that one (1) or more building sides rests directly on a lot line.

*Zoning Administrator.* The Zoning Administrator of the County of Orange.

*Zoning Code.* The Comprehensive Zoning Code of the County of Orange, including zoning district maps and planned community or specific plan development plan maps and texts adopted pursuant to or as an amendment to sections 7-9-48 ~~25.1~~, 7-9-103 ~~47~~, 7-9-155 ~~132~~, and 7-9-156 ~~133~~.

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