

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

FIRST DRAFT FOR PUBLIC REVIEW

ARTICLE 2, SUBARTICLE 7 – General Terms

http://www.ocpublicworks.com/ds/planning/projects/all_districts_projects/orange_is_the_new_green



Article 2. – The Comprehensive Zoning Code

Subarticle 7: General Terms (NEW)

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Sec. 7-9-134. Use Classifications (New)

Sec. 7-9-134.1. Purpose and Applicability

Use classifications describe one 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 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 household, located on a single lot that does not contain any other dwelling unit (except an Accessory Dwelling Unit where permitted), and not attached to another dwelling unit on an abutting lot. This classification includes individual manufactured housing units installed on a foundation system pursuant to Section 18551 of the California Health and Safety Code.
- (2) Attached.** A dwelling unit designed for occupancy by one household that is located on a single lot and shares a common vertical wall with a single-family dwelling on an abutting lot.

(b) Duplex. A permanent building containing two (2) dwelling units. A single building that contains two dwelling units or two single-family dwellings on a single parcel. This use is distinguished from an Accessory Dwelling Unit, which is an accessory residential unit as defined by State law and this Zoning Code.

(c) Accessory dwelling unit. A dwelling unit providing complete independent living facilities for one or more persons that is located on a parcel with another primary, single-family dwelling as defined by California Government Code Section 65852.2. 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 TBD, Accessory Dwelling Units, for further details.

(d) Multifamily dwelling. Two (2) Three or more dwelling units within a single building or within two or more buildings on the same site or lot. Types of multiple family dwellings include garden apartments, senior citizen housing developments, and multi-story apartment and condominium buildings. This classification includes transitional housing in a multiple-unit format. The classification is distinguished from and excludes Group Residential Facilities.

(e) Group residential. Shared living quarters without separate kitchen or bathroom facilities where two or more rooms are rented to individuals under separate

rental agreements or leases, either written or oral, whether or not an owner, agent, or rental manager is in residence, offered for rent for permanent or semi-transient residents for periods generally of at least thirty days. This classification includes rooming and boarding houses, dormitories, fraternity and sorority houses, convents, monasteries, and other types of organizational housing, private residential clubs, congregate housing designed for occupancy for six months or longer, single-room occupancy housing, and senior group residential facilities living accommodations are shared living quarters with or without separate kitchen or bathroom facilities for each room or unit. It excludes extended stay hotels intended for long-term occupancy (thirty days or more; see Hotel and Motel), and Residential Facilities that are licensed by the State of California to provide permanent living accommodations and 24-hour, primarily non-medical care and supervision for persons in need of personal services, supervision, protection, or assistance for sustaining the activities of daily living.

- (f) *Family day care. Home.* A home at which the resident of the home provides regular nonmedical care, protection, and supervision of one (1) to fourteen (14) children for periods of less than 24 hours per day. The provider shall be licensed per the State Health and Safety Code unless specifically exempted therein. A day care facility licensed by the State of California that is located in a single-family residence or other dwelling unit where the resident of the dwelling provides care and supervision for children under the age of eighteen (18) for periods of less than twenty four (24) hours a day.

(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 which provides family day care to seven (7) to fourteen (14) children, including children who reside at the home. A facility that provides care to seven (7) or eight (8) and up to twelve (12) children, including children who reside at the home and are under the age of ten (10), or up to fourteen (14) children in accordance with Health and Safety Code Section 1597.465, or any successor thereto. See section TBD, Family Day Care, Large, for further details.

- (g) *Family foster care home.* The occupancy of a single-family dwelling unit by six (6) or fewer foster children living with foster parents, whose care they have been placed, and other family members.

- (h) *Mobile home parks.* Any area or tract of land with two (2) or more lots that are rented, leased, or owned to accommodate mobile homes for human habitation and includes mobilehome accommodation structures in accordance with Health and Safety Code Section 18214, or any successor thereto, including facilities and amenities used in common by occupants who rent, lease, or own spaces for mobile homes through a subdivision, cooperative, condominium or other form of resident ownership.

- (i) Residential care facilities. Facilities that provide permanent living accommodations and 24-hour primarily non-medical care and supervision for persons in need of personal services, supervision, protection, or assistance for sustaining the activities of daily living. Living accommodations are shared living quarters with or without separate kitchen or bathroom facilities for each room or unit. This classification includes facilities that are operated for profit as well as those operated by public or not-for-profit institutions, including Congregate Living Health Facilities, Group Homes for Minors, Persons with Disabilities, people in recovery from alcohol or drug addictions, and Hospice facilities. See section TBD, Residential Care Facilities, for further details.
- (1) Residential care, small. A Residential Facility licensed by the State of California providing care for six (6) or fewer persons.
 - (2) Residential care, large. A Residential Facility licensed by the State of California and providing care for more than six (6) persons.
 - (3) Hospice, small. A facility that provides residential living quarters for up to six (6) terminally ill persons.
 - (4) Hospice, large. A facility that provides residential living quarters for more than six terminally ill persons.
 - (5) Senior living facilities. Facilities that 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, Chapter 8, Article 1, Section 87101(e)(2) and Health and Safety Code Division 2, Chapter 10, Article 1, Section 1171(e)(1). This classification includes facilities for independent living, assisted living, memory care, and continuing care retirement communities and life care communities licensed by the State of California but not Skilled nursing facilities or convalescent care facilities intended for residents who require nursing care or supervision, either on a short-term or long-term basis and are regulated by California Code of Regulations Title 22, Division 2, Chapter 10.
 - (6) Alcoholism or drug abuse recovery or treatment facility. A facility licensed by the State that provides 24-hour residential nonmedical services, including alcohol, drug, or alcohol and drug recovery treatment or detoxification services to adults who are recovering from problems related to alcohol, drug, or alcohol and drug misuse or abuse.
- (j) Supportive housing. As defined in subdivision (b) of Section 50675.14 of the California Health and Safety Code, housing with no limit on the length of stay that is linked to an on-site or off-site service that assists 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. “Target population” means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other

chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5, Sec. 4500 et seq. of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people. Facilities may operate as licensed or unlicensed facilities subject to applicable State requirements. Supportive housing may be provided in a variety of residential housing types (e.g. single-family dwelling, multiple-unit dwelling, single-room occupancy, group residential).

- (k) *Transitional housing.* 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 ~~will~~ shall be no less than six (6) months from the beginning of the assistance. Transitional housing may be designated for homeless or recently homeless individuals or families transitioning to permanent housing. This classification includes domestic violence shelters. Transitional housing may be provided in a variety of residential housing types (e.g. single-family dwelling, multiple-unit dwelling, single-room occupancy, group residential).

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 but not crematoria.
- (b) *Child care and early education facility.* Establishments providing non-medical care for persons less than eighteen (18) years of age on a less-than-24-hour basis other than Family Day Care (Small and Large). This classification includes commercial and nonprofit nursery schools, preschools, day care facilities for children, and any other day care facility licensed by the State of California. See Division 3, Section 9.31.120, Child Care and Early Education Facilities, for further details.
- (c) *Colleges and trade schools, public or private.* 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 colleges, business and computer schools, management training, technical and trade schools, but excludes personal instructional services such as music lessons.
- (d) *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 day care centers and schools that are separately classified and regulated. See section TBD, Community Assembly, for further details.

- (e) *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 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. Community Gardens do not include Medical Marijuana Collectives.
- (f) *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 schools or institutions of higher education providing curricula of a general nature.
- (g) *Day care facility.* Establishments licensed by the State of California providing non-medical care for persons on a less than twenty-four (24) hour basis other than Family Day Care. This classification includes commercial and non-profit nursery schools, preschools, and day care facilities for children or adults, and any other licensed day care facility. See section TBD, Child Care and Early Education Facilities, for further details.
- (h) *Emergency shelters.* 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 as defined by Section 50801 of the California Health and Safety Code, as may be amended from time to time. This classification includes facilities that provide temporary housing, meals, showers, and other related services to persons who are homeless and where on-site supervision is provided whenever the shelter is occupied. Specialized programs and services, such as counseling and job training related to the needs of the residents may also be provided. See section TBD, Emergency Shelters and Facilities, for further details.
- (i) *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 excludes

corporation yards, equipment service centers, and similar facilities that primarily provide maintenance and repair services and storage facilities for vehicles and equipment (see Utilities, Major).

- (j) Hospitals and clinics. State-licensed public, private, and non-profit facilities providing medical, surgical, mental health, or emergency medical services. This classification includes facilities for inpatient or outpatient treatment, including substance-abuse programs, as well as training, research, and administrative services for patients and employees. This classification excludes veterinaries and animal hospitals (see Animal Care, Sales, and Services).
- (1) Hospital. A facility providing medical, psychiatric, or surgical services for sick or injured persons primarily on an inpatient basis, and including ancillary facilities for outpatient and emergency treatment, diagnostic services, training, research, administration, and services to patients, employees, or visitors.
- (2) Clinic. A facility providing medical, psychiatric, or surgical service for sick or injured persons exclusively on an outpatient basis, including emergency treatment, diagnostic services, administration, and related services to patients who are not lodged overnight. Services may be available without a prior appointment. This classification includes licensed facilities offering substance abuse treatment, blood banks and plasma centers, and emergency medical services offered exclusively on an outpatient basis. This classification does not include private medical and dental offices that typically require appointments and are usually smaller scale.
- (3) Skilled nursing facility. A facility or a distinct part of a hospital that provides continuous skilled nursing care and supportive care to patients whose primary need is for the availability of skilled nursing care on an extended basis. It provides 24-hour inpatient care and, as a minimum, includes physician, nursing, dietary, pharmaceutical services and an activity program. Intermediate care programs that provide skilled nursing and supportive care for patients on a less-than-continuous basis are classified as skilled nursing facilities.
- (k) Multi-service center. A facility providing a variety of supportive services for disabled and homeless individuals and other targeted groups on a less-than-24-hour basis. Examples of services provided are counseling, meal programs, personal storage lockers, showers, instructional programs, television rooms, and meeting spaces. This classification is distinguished from licensed day care centers (see Day care facility), clinics (see Clinics), and emergency shelters providing 24-hour or overnight care (see Emergency shelters).
- (l) Park and recreation facilities. Parks, playgrounds, recreation facilities, trails, historical and archaeological sites, wildlife preserves, and related open spaces, which are open to the general public. This classification includes playing fields,

courts, gymnasiums, swimming pools, picnic facilities, tennis courts, golf courses, and botanical gardens, as well as related food concessions or community centers within the facilities, restrooms, etc.

- (1) Passive. Facilities that are designed for activities that require only minimal disruption of natural sites such as riding and hiking trails, viewpoints, wildlife corridors, with limited vehicle access and few concessions and services.
- (2) Active facilities. Facilities developed with attractions such as playing fields, swimming pools, golf courses, tennis courts, gymnasiums that offer a variety of concessions and services.
- (m) Parking, public or private. Surface lots and structures for use of occupants, employees, or patrons on the subject site or offering parking to the public for a fee when such use is not incidental to another on-site activity.
- (n) 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.

Sec. 7-9-134.4. Commercial Uses

- (a) Adult entertainment business. An establishment that, as a regular and substantial course of conduct, offers, sells or distributes adult-oriented merchandise, or that offers to its patrons materials, products, merchandise, services, entertainment or performances that have sexual arousal, sexual gratification, and/or sexual stimulation as their dominant theme, or are characterized by an emphasis on specified sexual activities or specified anatomical areas and are not customarily open to the general public because they exclude minors by virtue of their age. This classification does not include any establishment offering professional services conducted, operated, or supervised by medical practitioners, physical therapists, nurses, chiropractors, psychologist, social workers, marriage and family counselors, osteopaths, and persons holding licenses or certificates under applicable State law or accreditation from recognized programs when performing functions pursuant to the respective license or certificate. (See also additional definitions in section TBD, Adult-Entertainment Businesses.)
- (b) Animal care, sales and services. Retail sales and services related to the boarding, grooming, and care of household pets including:
 - (1) Animal sales and grooming. Retail sales of animals and/or services, including grooming, for animals on a commercial basis. Typical uses include dog bathing and clipping salons, pet grooming shops, and pet stores and shops. This classification excludes dog walking and similar

- pet-care services not carried out at a fixed location, and excludes pet-supply stores that do not sell animals or provide on-site animal services.
- (2) Boarding, kennel. A commercial, non-profit, or governmental facility for keeping, boarding, training, breeding or maintaining dogs, cats, or other household pets not owned by the kennel owner or operator. Typical uses include pet clinics, pet day care, and animal shelters, but exclude pet shops and animal hospitals that provide 24-hour accommodation of animals receiving medical or grooming services.
 - (3) Pet day care service. A commercial, non-profit, or governmental facility for keeping four or more dogs, cats, or other household pets not owned by the kennel owner or operator primarily for periods of less than 24 hours.
 - (4) Veterinary services. Veterinary services for small animals. This classification allows 24-hour accommodation of animals receiving medical services, but does not include kennels or other boarding facilities.
- (c) Automobile/vehicle sales and services. Retail or wholesale businesses that sell, rent, and/or repair automobiles, recreational vehicles, light duty trucks, vans, trailers, and motorcycles, including the following:
- (1) Alternative fuels and recharging facility. A facility offering motor vehicle fuels not customarily offered by commercial refueling stations (e.g., LPG) 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 rentals. Rental of automobiles. Typical uses include car rental agencies.
 - (4) Automobile/vehicle sales and leasing. Sale or lease, retail or wholesale, of automobiles, light trucks, motorcycles, motor homes, 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 agencies. This classification does not include automobile brokerage and other establishments which solely provide services of arranging, negotiating, assisting, or effectuating the purchase of an automobile 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 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 auto repair shops, body and fender shops, transmission shops, wheel and brake shops, auto glass services, vehicle painting and tire sales and installation, but excludes vehicle dismantling or salvaging and tire retreading or recapping.
- (6) Automobile/vehicle service and repair, minor. The service and repair of automobiles, light-duty trucks, boats, and motorcycles, including the incidental sale, installation, and servicing of related equipment and parts. This classification includes the replacement of small automotive parts and liquids as an accessory use to a gasoline sales station or automotive accessories and supply store, and smog checks, tire sales and installation, auto radio/electronics installation, auto 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; automotive 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) 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.
- (d) Banks and financial institutions.
 - (1) Bank, credit union. 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 without retail banking services/on-site circulation of money (see Offices, Business and Professional).

- (2) Drive-through service. A facility where banking services are obtained by motorists without leaving their vehicles.
- (3) Check-cashing business. An establishment that provides compensation for checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. This classification also includes establishments offering deferred deposits, whereby the check casher refrains from depositing a personal check written by a customer until a specific date pursuant to a written agreement.
- (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 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 10,000 square feet in floor area (see General Retail Sales), plant nurseries (See Nurseries and Garden Centers), 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. (For three or more fleet vehicles, see Light Fleet-Based 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 entertainment and recreation.
 - (1) Convention and conference centers. Facilities designed and used for conventions, conferences, seminars, trade shows, product displays, banquets, and other events in which groups gather to promote and share common interests. Convention centers typically have at least one auditorium and may also contain concert halls, lecture halls, meeting rooms, and conference rooms, as well as accessory uses such as facilities

for food preparation and serving and administrative offices. For conference facilities accessory to hotels, see Hotel and Motel.

- (2) Large-scale. Large outdoor facilities such as amusement and theme parks, sports stadiums and arenas, racetracks, amphitheaters, drive-in theaters, driving ranges, golf courses, and facilities with more than 5,000 square feet in building area, including fitness centers, gymnasiums, handball, racquetball, or large tennis club facilities; ice or roller skating rinks; swimming or wave pools; miniature golf courses; bowling alleys; archery or indoor shooting ranges; riding stables; etc. This classification may include restaurants, snack bars, and other incidental food and beverage services to patrons.
 - (3) Small-scale. Small, generally indoor facilities that occupy less than 5,000 square feet of building area, such as billiard parlors, card rooms, health clubs, dance halls, small tennis club facilities, poolrooms, and amusement arcades. This classification may include restaurants, snack bars, and other incidental food and beverage services to patrons.
 - (4) Cinemas. 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.
 - (5) Theaters. Facilities for dramatic, musical, or live performances on a stage. This classification may include incidental food and beverage services to patrons.
- (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-sale 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. The liquor service facility is physically separate from the dining area and may be operated during hours when food is not served. See section TBD, Alcoholic Beverage Sales, for further details.
 - (2) Restaurant, full service. Restaurants providing food and beverage services to patrons who order and are served while seated and pay after eating. Take-out service may also be provided. See section TBD, Alcoholic Beverage Sales, for further details.
 - (3) Restaurant, limited service and take-out. Establishments where food and beverages may be consumed on the premises, taken out, or delivered, but where limited table service is provided. This classification includes cafes, cafeterias, coffee shops, delicatessens, fast-food restaurants, sandwich shops, limited-service pizza parlors, self-service 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 (see Commercial Kitchen).
- (4) Restaurant, take-out only. Restaurants where food and beverages are prepared on a customer-demand basis and can be taken out or delivered, but are not consumed on the premises. No seating or other facilities for on-premises dining are provided.
- (5) Restaurant with drive through. Establishments where food or non-alcoholic beverages are purchased by motorists who remain in their vehicles during the sales transaction. Includes drive-up service.
- (k) Food and beverage sales. Retail sales of food and beverages for off-site preparation and consumption. Typical uses include food markets, groceries, and liquor stores.
- (1) Convenience market. Retail establishments that sell a limited line of groceries, prepackaged food items, tobacco, magazines, and other household goods, primarily for off-premises consumption. These establishments typically have long or late hours of operation and occupy a relatively small building. This classification includes small retail stores located on the same lot as or operated in conjunction with a Service Station.
- (2) Farmers' market. A location where the primary activity is the sale of agricultural products by producers and certified producers. Sales of ancillary products may occur at the location.
- (3) General market. Retail food markets of food and grocery items for off-site preparation and consumption. Typical uses include supermarkets, neighborhood grocery stores, and specialty food stores, such as retail bakeries; candy, nuts and confectionary stores; meat or produce markets; vitamin and health food stores; cheese stores; and delicatessens. This classification includes small-scale specialty food production, such as pasta shops with retail sales.
- (4) Liquor store. Establishments primarily engaged in selling packaged alcoholic beverages, such as ale, beer, wine, and liquor.
- (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 production, limited instructional services, and urban agriculture. See section TBD, Home Occupations, for further details.

- (n) Instructional services. Establishments that offer specialized programs in personal growth and development. Typical uses include classes or instruction in music, fitness, art, or academics. Instructional Services also include rehearsal studios as an accessory use. This use type excludes Colleges and Trade Schools and facilities that offer instructional services (See General Personal Services). This use type also excludes gyms, exercise clubs, or studios offering performing arts, martial arts, physical exercise, or yoga training and similar types of instruction. See “personal services-physical training”.
- (o) Live/work units. A unit that combines a work space and incidental residential occupancy occupied and used by a single household in a structure that has been constructed for such use or converted from commercial or industrial use and structurally modified to accommodate residential occupancy and work activity in compliance with the Building Code. The working space is reserved for and regularly used by one or more occupants of the unit. See section TBD, Live/Work Units, for additional details.
- (p) Lodging and visitor services.
 - (1) 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.
 - (2) Boarding house. Any building or portion thereof with access provided through a common entrance to guest rooms having no cooking facilities and which are rented on a monthly basis or longer. Meals may or may not be provided. A building other than a Hotel, Motel or Bed and Breakfast, including on-site accessory structures, with guest rooms where lodging for two or more persons who are not living as a single household is provided with or without meals for monetary or non-monetary consideration under two or more written or oral agreements or leases for periods of at least thirty (30) days. This definition does not include Alcoholism or Drug Abuse Recovery Treatment Facilities, Correctional Facilities, Residential Care Facilities, Certified Sober Living Homes, or Family Foster Care Homes. Also called a Lodging house or Rooming house.
 - (3) Hotels and motels. 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 guest rooms. 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, motels, and tourist courts, but does not include rooming houses, boarding houses, private residential clubs, time-share uses, or bed and breakfast inns within a single-family residence, which are separately defined and regulated.

- (4) Recreational vehicle parks. A facility that provides short-term rental spaces for overnight use by persons with recreational vehicles with support facilities.
- (5) 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 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.
- (q) 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 (see Automotive Sales and Services) and personal apparel (see Personal Services).
- (r) 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 exterior-mounted antennas and transmission towers (see Utility Facility) or transmission and receiving apparatus, antennas, and towers (see Wireless Telecommunication Facility).
- (s) 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, clothes, printed materials, or other consumer products. 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.
- (t) Nursery and 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. This classification includes wholesale and retail nurseries offering plants for sale.
- (u) 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 banks and savings and loan associations with retail banking services (see Banks and Financial Institutions). This classification also includes 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 or independent research laboratory facilities (see Research and Development) and hospitals.

- (1) Business, professional, and technology. Offices 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 (see Offices, Walk-In Clientele).
- (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 banks or check-cashing facilities, which are separately classified and regulated (see Banks and Financial Institutions).
- (v) Outdoor sales, temporary and seasonal. An outdoor place, in a County-approved location, or for a County-approved activity, where new or used goods or secondhand personal property is offered for sale or exchange to the general public by a multitude of individual licensed vendors, usually in compartmentalized spaces. The term is interchangeable with and applicable to: swap meet, flea markets, auctions, open air markets, outdoor sales activities, or other similarly named or labeled activities. Temporary outdoor sales include pumpkin patches and Christmas tree lots.
- (w) Pawn shop. Establishments engaged in the buying or selling of new or secondhand merchandise and offering loans in exchange for personal property.
- (x) 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, video rental stores, 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 Chapter TBD, Massage Regulations, of the Orange County Code, and in which all persons engaged in the practice of massage are certified pursuant to the California Business and Professions Code Section 4612. This classification does not include gyms, exercise clubs, or studios offering performing arts, martial arts, physical exercise, or yoga training and similar types of instruction. See section TBD, Personal Service, for further details.

- (2) Restricted personal services. An establishment whose principal business activity is one 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.

(y) Retail sales.

- (1) Convenience retail. Establishments primarily engaged in the provision of frequently or recurrently needed, small personal items or services for residents within a reasonable walking distance. These include various general retail sales and personal services of an appropriate size and scale to meet the above criteria.
- (2) General retail. The retail sale or rental of merchandise not specifically listed under another use classification. This classification includes retail establishments with 80,000 square feet or less of sales area, including department stores, clothing stores, furniture stores, pet-supply stores, small hardware stores (with 10,000 square feet or less of floor area), and businesses retailing the following goods: toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies and services (including portraiture and retail photo processing), medical supplies and equipment, pharmacies, electronic equipment, sporting goods, kitchen utensils, hardware, appliances, antiques, art galleries, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, video rental, and new automotive parts and accessories (excluding vehicle service and installation). Retail sales may be combined with other services, such as office machine, computer, electronics, and similar small-item repairs.
- (3) Large format retail (80,000 s/f and larger). Retail establishments (over 80,000 square feet of sales area) that sell merchandise and bulk goods for individual consumption, including membership warehouse clubs.
- (4) With drive-through. A retail establishment with drive-through facilities.

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 (See Industry, Limited).
- (b) Construction and material yards. 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, wood product manufacturing, paper manufacturing, chemical manufacturing, plastics and rubber products manufacturing, nonmetallic mineral product manufacturing, primary metal manufacturing, fabricated metal product manufacturing, 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 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 (See Communication Facility).

- (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) 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
- (i) 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.
- (j) 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 autos, trucks, and other passenger vehicles used for personal or business travel (see Automobile Sales and Rental/Leasing and also Automobile Services and Repair for automobiles, motorcycles, and other smaller passenger vehicles).
 - 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.~~

- (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 (see Automobile Wrecking, Dismantling Yard).
- (3) Vehicle storage. A facility for the storage of operative cars and other fleet vehicles, trucks, buses, recreational vehicles, and other motor vehicles. Includes facilities for the storage and/or servicing of fleet vehicles.
- (k) Wholesale trade, warehouse, storage, and distribution. Storage and distribution 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.
 - (1) 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.
 - (2) 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.
 - (3) Outdoor storage. Storage of vehicles or commercial goods or materials in open lots.
 - (4) Personal storage. Facilities offering enclosed storage with individual access for personal effects and household goods including mini-warehouses and mini-storage. This use excludes workshops, hobby shops, manufacturing, or commercial activity.
 - (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 (see Construction Sales and Services).

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 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) *Bikeshare facility.* Land and equipment used for the operation or maintenance of a network of publicly-available bicycles in a Bikeshare System operated by a for-profit, non-profit, or government agency. These facilities may include stations, hubs, parking facilities, payment/customer service kiosks, map stands, and helmet vending.
- (c) *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.
- (d) *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 or more reception/transmission systems. Typical uses include wireless telecommunication towers and facilities, radio towers, television towers, telephone exchange/microwave relay towers, cellular telephone transmission/personal communications systems towers, and associated equipment cabinets and enclosures. See section TBD, Telecommunications Facilities, for further details.*
- (2) *Facilities within buildings. Facilities located completely within a building including communication equipment and storage devices such as computer servers.*
- (e) *Freight/truck terminals and warehouses.* Facilities for freight, courier, and postal services. This classification does not include local messenger and local delivery services (see Light Fleet-Based Services).

- (f) Light fleet-based services. Passenger transportation services, local delivery services, medical transport, and other businesses that rely on fleets of three or more vehicles with rated capacities less than 10,000 lbs. This classification includes parking, dispatching, and offices for taxicab and limousine operations, ambulance services, non-emergency medical transport, local messenger and document delivery services, home cleaning services, and similar businesses. This classification does not include towing operations (see Automobile/Vehicle Sales and Service, Towing and Impound) or taxi or delivery services with two or fewer fleet vehicles on site (see Business Services).
- (g) 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 utilities (see Utilities, Major).
 - (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.
- (h) Utilities, major. Generating plants, electric substations, solid waste collection, including transfer stations and materials-recovery facilities, cogeneration facilities, commercial renewable energy facilities, solid waste treatment and disposal including sanitary landfills, 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 California Government Code Section 53091.
- (i) Utilities, minor. Facilities necessary to support established uses involving only minor structures, such as electrical distribution lines, and underground water and sewer lines.
- (j) 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 landfill.
- (k) Wind-energy-conversion system (WECS). 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; 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; cotton ginning; wineries; alcohol fuel production; and receiving and processing of green material, other than that produced on site. This classification does not include commercial composting or the stockpiling or processing of manure for commercial purposes.
- (b) *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.
- (c) *Animal raising.* The raising, grazing, or feeding of animals for animal products, animal increase, or value increase, and dairying as an accessory use on farms with dairy cattle.
- (d) *Extractive activities.* Mining, quarrying, and extraction of rock, sand, aggregate, gravel, earth, clay, gas, oil and other natural resources.
- (1) *Quarrying.* 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 Orange County Code of Ordinances).
- (e) *Crop cultivation.* The cultivation of tree, vine, field, forage, and other plant crops intended to provide food or fibers. The classification excludes wholesale or retail nurseries (see Nurseries and Garden Centers).
- (f) *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, mobile home, manufactured home, recreational vehicle, travel trailer, or other housing accommodation maintained in one or more buildings and on one or more sites.
- (1) *Farmworker dwelling unit.* A single family residential unit providing accommodations for six or fewer farmworkers at any one 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.
- (g) 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).
- (h) 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 shall differ. Community gardens, community-supported agriculture farms, and private farms are all considered urban farms.

Sec. 7-9-134.8. Accessory Uses

- (a) Caretaker unit. Living accommodations for employees and their immediate families employed for the exclusive purpose of on-site management, maintenance, or upkeep.
- (b) Farmers' stand. A stand located on an active farm that sells processed agricultural products, such as jams, preserves, pickles, juices, cured olives, and other "value-added" products made with ingredients produced on or near the farm, in addition to fresh produce, eggs, and other goods produced on the farm. These stands are accessory to on-site agricultural operations in order to promote the sale of locally grown fresh produce.
- (c) Home-based business. See "home occupation".

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

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 as required by section 7-9-TBD of these regulations.

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. An attached or a detached residential dwelling unit as defined by Section 65852.2(j) of the Government Code, which provides complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation and is situated on the same parcel as the single-family dwelling with which it is associated. This term also includes an efficiency unit, as defined in Section 17958.1 of the Health and Safety Code and a manufactured home, as defined in Section 18007 of the Health and Safety Code.

Accessory use. ~~See “use, accessory”. 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 service or general administration, but excluding retail sales.

Adult entertainment business. See section 7-9-TBD

Advertising device/display. See section 7-9-TBD

Affordable housing unit. A dwelling unit within a residential development which shall be reserved for rent or sale, and is made available at an affordable rent or affordable ownership cost based on affordable household income levels (extremely low, very low, low, or moderate income).

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.

Aggrieved person. Any person who, in person or through a representative, appeared at a public hearing or by other appropriate means before action on a permit, informed the County of his or her concerns about an application for such permit, or who, for good cause, was unable to do either, and who objects to the action taken on such permit and wishes to appeal such action to a higher authority.

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, nursery and ornamental plants. This includes produce stands that sell products produced on site. Agriculture does not include the production, cultivation, or distribution of marijuana for either commercial purposes or personal use medical or recreational use.

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

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

Allowed use. A use of land identified by this Code as a permitted or conditional use that may be established with planning permit and/or building permit approval, subject to compliance with all applicable provisions of this Code.

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 (see also 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.

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. A room or suite of rooms within a building comprising an independent, self-contained dwelling unit, with kitchen or cooking facilities and a bathroom, occupied or suitable for occupation as a residence for living and sleeping purposes. See “dwelling, multifamily multi-unit”.

Applicant. The person, partnership, corporation, or state or local government agency applying for a permit, certificate, zoning clearance, zone change, or other land use entitlement.

Approving authority. Any person, committee, commission or board authorized by the applicable zoning or specific plan regulations, or by the provisions of this district to approve, conditionally approve or disapprove a discretionary permit application or project or coastal development permit. See “decision-making body”.

Arborist. A person certified by the International Society of Arboriculture or the American Society of Consulting Arborists or other qualified professional organization as an expert in the care of trees.

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 area~~ net development area."

Areawide 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.

Arterial highway. A street classified as a Major Arterial or Minor 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.~~

Article. Title 7, Division 9, Article 2 of the County Code of Ordinances known as "The Comprehensive Zoning Code of the County of Orange."

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

Attached building or structure. Two 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 5 lineal feet in length and 30 inches in height above finished grade.

Attic. The unfinished 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.

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 sides (see also Deck).

Basement. A non-habitable space beneath the first or ground floor of a building that has more than one-half of its height above finished grade.

Bathroom. A room containing toilet, sink, and bathing facilities.

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 having the potential of being a bedroom and meeting the standards of the California Building Ordinance as a sleeping room.

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

Block. Property bounded on all sides by a public right-of-way.

Blockface. All property between two intersections that fronts upon a street or abuts a public right-of-way

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

Boarding and rooming house. A building other than a Hotel, Motel or Bed and Breakfast Inn, including on-site accessory structures, with guest rooms where lodging for two or more persons who are not living as a single household is provided with or without meals for monetary or non-monetary consideration under two or more written or oral agreements or leases for periods of at least thirty (30) days. This definition does not include Alcoholism or Drug Abuse Recovery Treatment Facilities, Correctional Facilities, Residential Care Facilities, or Family Foster Care Homes. Any building or portion thereof with access provided through a common entrance to guest rooms having no cooking facilities and which are rented on a monthly basis or longer. Meals may or may not be provided.

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

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 and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or materials.

Building, accessory. A detached building located on the same parcel as the principal building, which is incidental and subordinate to the principal building in terms of both size and use. A building ~~will~~ shall be considered part of the principal building if

located less than six (6) feet from the principal building or if connected to it by fully enclosed space.

Building, principal. A building in which the principal use of the parcel on which it is located is conducted.

Building code. Any regulations of 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 considered to be the face of the building.

Building frontage. The lineal dimension, parallel to the ground, of a building abutting on a public street, or a parking lot accessory to that business, even though another business may also have entitlement to that parking lot.

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 TBD, Rules of Measurement for specific requirements for calculation.

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 chart entitled "Building lines" in section 7-9-127.1 TBD. When computed from 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 line plan. A development plan that specifies the required setbacks for buildings and structures for a designated area such as a tract map.

Building site. A parcel or contiguous parcels of land ~~which was established in compliance with the building site requirements of this code.~~ occupied or to be occupied by a main building and accessory buildings together with such open spaces as are required by the terms of this Code and having its principal frontage on a street, road, highway, or waterway.

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 ground floor area of the building or buildings and 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.

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.

Build-to line. A line parallel to the lot line where the façade of the building is required to be located.

Butler pantry. An area for food storage and preparation that is auxiliary to and separate from a kitchen and serves a similar function within a primary dwelling or in an accessory dwelling unit.

Cabana. An accessory structure designed for use as a bathhouse or recreation room in connection with use of a swimming pool. Also known as “Pool house.”

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

Canopy. A roofed shelter projecting over a sidewalk, driveway, entry, window, or similar area that may be wholly supported by a building or may be wholly or partially supported by columns, poles, or braces extending from the ground.

Care facility, large, licensed. Any one of the following residential or nonresidential care facilities, which serves seven or more residents (or clients):

- (a) A health facility, as defined by Health and Safety Code Section 1250, including general acute care hospital; acute psychiatric hospital; skilled nursing facility; intermediate care facility; intermediate care facility/developmentally disabled – rehabilitative; special hospital; intermediate care facility/developmentally disabled; intermediate care facility/developmentally disabled – nursing; congregate living health facility; correctional treatment center (including in-patient health services and not including facilities providing offender rehabilitation services); nursing facility; and intermediate care facility/developmentally disabled – continuous nursing.

- (b) A community care facility, as defined by Health and Safety Code Section 1502, including: residential facility; adult day program; therapeutic day services facility; foster family agency; foster family home; small family home; social rehabilitation facility; community treatment facility; full-service adoption agency; noncustodial adoption agency.
- (c) A residential care facility, as defined at Health and Safety Code Section 1568.01 as a residential care facility for persons with chronic, life-threatening illnesses who are eighteen (18) years of age or older, or are emancipated minors, and for family units.
- (d) A residential care facility for the elderly, as defined at Health and Safety Code Section 1569.2(k) as a housing arrangement chosen voluntarily by persons sixty (60) years of age or over (or their authorized representative) where varying levels and intensities of care and supervision, protective supervision, or personal care are provided based on their varying needs.
- (e) A pediatric day health and respite care facility, as defined at Health and Safety Code Section 1760.2, as a facility which provides an organized program of therapeutic social and day health activities and services and limited 24-hour inpatient respite care to medically fragile children twenty (21) years of age or younger, including terminally ill and technology dependent children.
- (f) An alcoholism or drug abuse recovery or treatment facility, as defined at Health and Safety Code Section 11834.02, licensed by the state.

Care facility, large, unlicensed. A residential facility, not licensed by the state, for seven (7) or more individuals with a disability who are not living together as a household (as defined) and in which every person residing in the facility is an individual with a disability (except the licensee, members of the licensee's family, or persons employed as facility staff).

Care facility, small, licensed. A community care facility as defined by Health and Safety Code Section 1502, which serves six (6) or fewer adult residents (not including the licensee or members of the licensee's family or staff) and is licensed by the California State Department of Social Services to provide non-medical care and supervision.

Care facility, small, unlicensed. Care facility, small, unlicensed. A residential facility, not licensed by the state, for six (6) or fewer total residents managed under a single operator and in which every person residing in the facility is an individual with a disability (except the licensee, members of the licensee's family, or persons employed as facility staff) or a facility designed for short-term stays by each resident as a transition from drug or alcohol rehabilitation.

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 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. An accessible and usable covered space enclosed on not more than two sides, designed, constructed, and maintained for the parking or storage of one or more motor vehicles.

Categorical exclusion. An exception from the requirements of a Coastal Development Permit, as identified in the Public Resources Code §§ 30610(e) and 30610.5.

Cellar. 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 of street. The geographic center of a public or private road right-of-way.

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

~~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.)~~

~~A line shown as a centerline on a map entitled "Precise Plan of Highway Alignment," and any amendments thereto.~~

~~A line shown as a centerline on a recorded tract map, an approved record of survey map or a parcel map.~~

~~A line in the center of the ultimate street right-of-way.~~

Certified farmers' market. A market operated by a local government agency, one 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'). Certified farmers' markets are food facilities as defined in the California Uniform Retail Food Facilities Law and shall obtain a valid health permit to operate and are regulated by local environmental health agencies.

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 associated with a use for which the previous type of use shall remain substantially unchanged.

Clinic, medical. ~~An organization of doctors~~ A facility providing physical or mental health service and medical or surgical care to sick or injured persons but not including inpatient or overnight accommodations. See “use classifications”.

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 §§ 30000 et seq., as amended.

Coastal Commission. The California Coastal Commission established pursuant to the California Coastal Act (Division 20 of the Public Resources Code).

Coastal Plan. The coastal land use plan, a component of the “Local Coastal Program,” as adopted by the County.

Coastal-related use. Any use that is dependent on a coastal-dependent development or use.

College. 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.

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.

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.

Commercial recreation. 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.

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 assembly. A facility for public or private meetings including religious assembly, civic auditoriums, union halls, and lodge halls.

~~*Community care facility.* Any facility which may or may not require a State license to provide nonmedical day care for children, adults, or both, including physically handicapped and mentally incompetent persons. This includes child day care facilities/day care nurseries and family day care homes. Community care facility shall be distinct from congregate care facilities, supportive housing, transitional housing and emergency shelters as defined in this Article. Notwithstanding the foregoing definition, foster family homes, as defined by state law, shall be considered community care facilities.~~

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. A piece of land used for the cultivation of edible and non-edible plants grown for and maintained by a group of individuals in the community. Community gardens may produce food for individual consumption or food for sale, may be designed for beautification of the community and/or may be used for educational purposes.

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. Enclosed bins provide an alternative to heaping or piling yard debris. Worm bins allow for organic kitchen scraps to be converted to organic soil conditioner. This definition does not include containers used in non-residential composting facilities.

Condition of approval. A performance standard, required change in a project, environmental mitigation measure, or other requirement imposed by the review authority to ensure that a project or use shall be constructed or established in compliance with the approved planning permit and plans.

Conditionally permitted. Permitted subject to approval of a site development permit, use permit, variance, or coastal development 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, the boundaries of which are shown on a recorded Final Map or Parcel Map. A condominium may include, in addition, a separate interest in other portions of such real property.

~~*Congregate Care Facility:* A facility, including a Congregate Living Health Facility as defined in State law, providing care on a monthly basis or longer and which is the primary residence of the people it serves. It provides services to the residents such as the following: dining, housekeeping, security, medical, transportation and recreation. Any commercial services provided are for the exclusive use of the occupants of the facility. Such a facility may be located in more than one (1) building and on contiguous parcels within the building site. It includes facilities offering occupancy on a monthly~~

~~basis and longer such as hotels, resorts, etc., which have characteristics similar to the above.~~

Congregate living health facility. A residential home, which is licensed by the State of California 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 diagnosed with a terminal illness or who are catastrophically and severely disabled.

Convalescent Home care facility. A facility licensed by the State Department of Health Services as a skilled nursing facility, as defined by Section 1250 of the Health and Safety Code, which provides ~~bed and ambulatory~~ 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 home, convalescent hospital, congregate living health facility, rest home, or home for the aged but not residential care, hospitals, or clinics.

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.

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 producing and preparing low-risk food products in a kitchen within the person's primary dwelling for sale elsewhere.

County code. The Codified Ordinances of the County of Orange.

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.

Child day (care) nursery. A.k.a. child day care facility. Any facility licensed by the State of California and operated by a person, corporation or association used primarily for the provision of nonmedical daytime care, training, or education of more than six (6) children under eighteen (18) years of age at any location other than their normal place of residence, excluding any children normally residing on the premises including commercial and nonprofit nursery schools, preschools, day care facilities for children.

Cultural institution. A facility that is engaged in activities that serve and promote aesthetic and education and is regularly open to the public including libraries; museums; historical sites; aquariums; art galleries; and zoos and botanical gardens. This does not include schools, colleges, or institutions of higher education providing curricula of a general nature.

Decision-making body. The Director, Zoning Administrator, Planning Commission, or the County Board of Supervisors, whichever is the approval authority decision-making body for the 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 (50) percent 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 parcel or per acre.
- (b) *Net.* The number of dwelling units per parcel or per acre excluding street rights-of-way, public easements, public open space, land under water, and certified wetlands and floodplains.

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.~~

Developer. Any person, firm, partnership, association, joint venture, corporation, or any entity or combination of entities that seeks County approvals for all or part of a development project.

Development. The placement or erection of any solid material or structure on land, in, or under water; discharge or disposal of any materials; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, without limitation, subdivision pursuant to the Government Code Section 66410, and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreation use; and change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes.

Development project. Any of the uses, activities or structures listed under the definition of "development" when carried out, undertaken or established individually or independently of any other such use, activity or structure; or any group or combination of the listed uses, activities or structures which combine to form, or are a component part of an integrated project.

Development agreement. An agreement between the County and any person 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 for such development agreements.

Diameter of a tree. See "tree-related term, diameter at breast height."

Director. The Director, OC Development Services or designee. ~~Director or Director, EMA means the Director of the Planning and Development Services Department, County of Orange, or his authorized agent or representative.~~

Drive-in 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.

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.~~ An accessway other than a street or alley that provides vehicular access between a street and the parking or loading facilities located on an adjacent property.

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. A permanent building containing two (2) dwelling units.

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

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

Dwelling unit. ~~One 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 for the exclusive use of a single household.

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."

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

Effective date. The date on which a permit or other approval becomes enforceable or otherwise takes effect, rather than the date it was signed or circulated.

Electrical code. Any ordinance zoning code of 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 and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle pursuant to Section 65850.7 of the California Government Code.

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

Emergency shelters and facilities. A facility providing temporary, short-term residential accommodations with minimal supportive services for homeless families or individual persons that is limited to occupancy of one hundred eighty (180) consecutive days or less six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay, as defined in the California Health and Safety Code. Medical assistance, counseling, and meals may be provided. See "multi-service center for the homeless".

~~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.

Equus: Any adult horse, or 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 adult.

Erect. To build, construct, attach, hang, place, suspend, or affix to or upon any surface. Such term also includes the painting of wall signs.

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

Façade. The exterior wall of a building exposed to public view or that wall viewed by persons not within the building. The portion of any exterior elevation of a building extending vertically from the grade to the top of a parapet wall or eave, and horizontally across the entire width of the building elevation.

Family Day Care Home. A home at which the resident of the home provides regular nonmedical care, protection, and supervision ~~of one (1)~~ for up to fourteen (14) children for periods of less than 24-hours per day while the parents or authorized representatives are away. The provider shall be licensed per the State Health and Safety Code unless specifically exempted therein.

Family day care home, small. A family day care home which provides family day care for up to six (6) children or eight (8), including children who reside at the home, as provided in Health and Safety Code Section 1597.44.

Family day care home, large. A family day care home which provides family day care to seven (7) to fourteen (14) children, including children who reside at the home pursuant to Health and Safety Code Section 1597.465.

Family foster care home.

Farmers' market. An event that occurs on a regular basis in the same location and the majority of vendors are farmers, ranchers and other agricultural producers selling food, plants, flowers, and added-value products.

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. A housing accommodation developed for and/or provided to farmworkers including any living quarters, dwelling, boarding house, tent, barracks, bunkhouse, maintenance-of-way car, mobile home, manufactured home, recreational vehicle, travel trailer, or other housing accommodation maintained in one or more buildings and on one or more sites. Farmworker housing shall consist of either a farmworker dwelling unit or a farmworker housing complex.

- (a) *Farmworker housing complex.* Farmworker housing other than a farmworker dwelling unit that 1) contains a maximum of thirty-six (36) beds if the housing consists of any group living quarters, such as barracks or a bunkhouse, and is occupied exclusively by farmworkers or 2) contains a maximum of twelve (12) residential units occupied exclusively by farmworkers and their households, if the housing does not consist of any group living quarters.
- (b) *Farmworker dwelling unit.* A single family residential unit providing accommodations for six (6) or fewer farmworkers at any one time.

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 Plans: A feature plan is a plan which conceptually describes, graphically and/or in writing, a proposed development for an identified and relatively large area of real property. The purpose of a feature plan is to describe how significant natural and man-made features will shall be preserved or developed and how large-scale planning issues of special concern (e.g., traffic) will shall be addressed. All subsequently adopted discretionary permits (e.g., area plans) and subdivision maps shall be consistent with the feature plan.~~

Fence. A horizontal and vertical structure intended to separate properties, retain soil materials, and provide security; or as defined by the Building Official. Fences may also be walls, hedges, and screen planting.

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

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

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, street. That portion of a lot or parcel of land that borders a public street. "Street frontage" shall be measured along the common lot line separating said lot or parcel of land from the public street, highway, or parkway.

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. The vertical location of the ground surface.

- (a) ~~*Highest Adjacent grade.* The highest natural lowest elevation of the ground surface prior to construction next to the proposed~~ *Adjacent grade.* The lowest elevation of the ground surface within five (5) feet of the building exterior wall.
- (b) *Average grade.* A horizontal line approximating the ground elevation through each building on a site used for calculating the exterior volume of a building.
- (c) *Existing grade.* The elevation of the ground surface prior to grading.
- (d) *Finished grade.* The elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the lot line, or when the lot line is more than five (5) feet from the building, between the building and a line (5) five feet from the building.
- (e) *Natural Grade.* The ground surface that exists prior to being altered by mechanical or other means.

- (f) *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 for the indoor propagation of plants, constructed with a translucent roof and/or walls. Includes hothouses.

Ground Sign: See section 7-9-144.1.

Group residential. Shared living quarters without separate kitchen or bathroom facilities for each room or unit, offered for rent for permanent or semi-transient residents on a weekly or longer basis. This classification includes clean and sober facilities, rooming and boarding houses, dormitories and other types of organizational housing, private residential clubs, and extended-stay hotels intended for long-term occupancy (30 days or more), but excludes Hotels and Motels and Residential Care Facilities.

Guesthouse. An attached or detached building having no kitchen facilities, which is used primarily for sleeping purposes for members of the family occupying the main dwelling and their nonpaying guests.

Guidelines. Explanatory and interpretative recommendations that are adopted by the County Board of Supervisors, Planning Commission, Director, or other planning authority.

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, family rooms, recreation rooms, and enclosed porches suitable for year-round use. Specifically excluded are balconies, bathrooms, foyers, garages, hallways, laundries, open porches, pantries, storage closets, utility rooms, unfinished attics and basements, other unfinished spaces used for storage, and water closets.

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 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 a point on the ground below a structure to a point directly above.

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;
- (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 7-9-146.6.~~

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

Hospital. 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 guest rooms.

Family Household. One (1) or more persons occupying one (1) dwelling unit with common access to, and common use of, all living and eating areas and all areas and facilities for the preparation and storage of food; who share living expenses, including rent or mortgage payments, food costs and utilities; and who maintain a

single mortgage, lease, or rental agreement for all members of the household.
~~"Family" includes the occupants of community care facilities serving six (6) or fewer persons which are permitted or licensed by the State. "Family" does not include occupants of a fraternity, sorority, boarding house, lodging house, club, or motel.~~

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

Housing development project. A use that includes:

- (a) Only residential units;
- (b) Mixed-use development including residential units with retail and office uses where at least fifty (50) percent of the floor area is devoted to residential uses;
- (c) Transitional or supportive housing as defined by this Code.

Identification Sign: See section 7-9-144.1.

Illegal use. Any use of land or building that does not have the currently required permits, and was originally constructed and/or established without permits or approvals required for the use at the time it was brought into existence.

Improvement. An object affixed to the ground other than a structure.

Income levels. Income levels for households whose gross incomes do not exceed the qualifying extremely low, very low, low, and moderate income limits established by the California Department of Housing and Community Development (HCD) s, 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 (30) percent and under of area median income, adjusted for household size appropriate for the unit
- (b) Very low income household. Thirty-one (31) to fifty (50) percent of area median income, adjusted for household size appropriate for the unit
- (c) Low income household. Fifty-one (51) to eighty (80) percent of area median income, adjusted for household size appropriate for the unit
- (d) Moderate income household. Eighty-one (81) to one-hundred and twenty (120) percent of area median income, adjusted for household size appropriate for the unit

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 is zoned for multifamily, mixed use, or commercial development and has not been previously developed for urban uses but is immediately adjacent to parcels developed with urban uses or was previously developed for urban uses.

Intensity of use. The extent to which a particular use or the use in combination with other uses affects the natural and built environment in which it is located; the demand for services; and persons who live, work, and visit the area. Measures of intensity include, without limitation, requirements for water, gas, electricity, or public services; number of 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 or more intersecting streets.

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 purpose, but not including animal clinics and hospitals.

Kitchen. Any room or space within a building intended to be used for the cooking or preparation of food.

Land use. The purpose for which land or a structure is designed, arranged, intended, occupied, or maintained, including residential, commercial, industrial, etc.

Landscaping-related definitions. Also see section 7-9-TBD, landscape and irrigation

- (a) *Invasive plant material.* A plant that evolved in one region that is moved by humans to another, flourishing and crowding out native vegetation. Refer to the CIPC (California Invasive Plant Council) for plant inventory.
- (b) *Irrigation.* Applying water to the land to make it ready to assist plant growth.
- (c) *Landscaping.* The planting, configuration and maintenance of trees, ground cover, shrubbery, and other plant material, decorative natural and structural features (walls, fences, hedges, trellises, fountains, sculptures), earth-patterning and bedding materials, and other similar site improvements that serve an aesthetic or functional purpose.
- (d) *Mulch.* Any organic material, such as leaves, bark, straw, compost, or inorganic mineral materials, such as rocks, gravel, and decomposed granite, left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.
- (e) *Native plant material.* 1. A species occurring within a geographic boundary prior to European contact, according to the best available

scientific and historical documentation, including those species understood as indigenous, occurring in natural associations in habitats that existed prior to significant human impacts and alterations of the landscape. 2. Occurring naturally in an area, not as either a direct or indirect consequence of human activity, indigenous, not alien. See "California Native Plant Society".

- (f) Naturalized plant material. A non-native species that is growing on its own in nature.
- (g) Shrub. A bush, hedge, or any plant that is not a tree more than twelve (12) inches tall.
- (h) Tree. Any live woody or fibrous plant, the branches of which spring from and are supported upon a trunk. See "tree" definitions.
- (i) Trim. The cutting or removal of a portion of a tree, which removes less than one-third of the crown or existing foliage of a tree, removes less than one-third of the root system, and does not kill the tree.

Large family day care home. See "family day care home, large."

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

Lighting-related definitions.

- (a) Foot-candle. A quantitative unit of measure for luminance. One (1) foot-candle is equal to the amount of light generated by one candle shining on one square foot surface located one foot away. It is equal to one lumen uniformly distributed over an area of one (1) square foot.
- (b) Light fixture. The assembly that holds a lamp and may include an assembly housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirrors, and a refractor or lens.
- (c) Shielded fixture. Outdoor light fixtures shielded or constructed so that light rays emitted by the lamp are projected below the horizontal plane passing through the lowest point on the fixture from which light is emitted.

Living room. The principal room in a dwelling unit designed for general living purposes rather than for sleeping.

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.

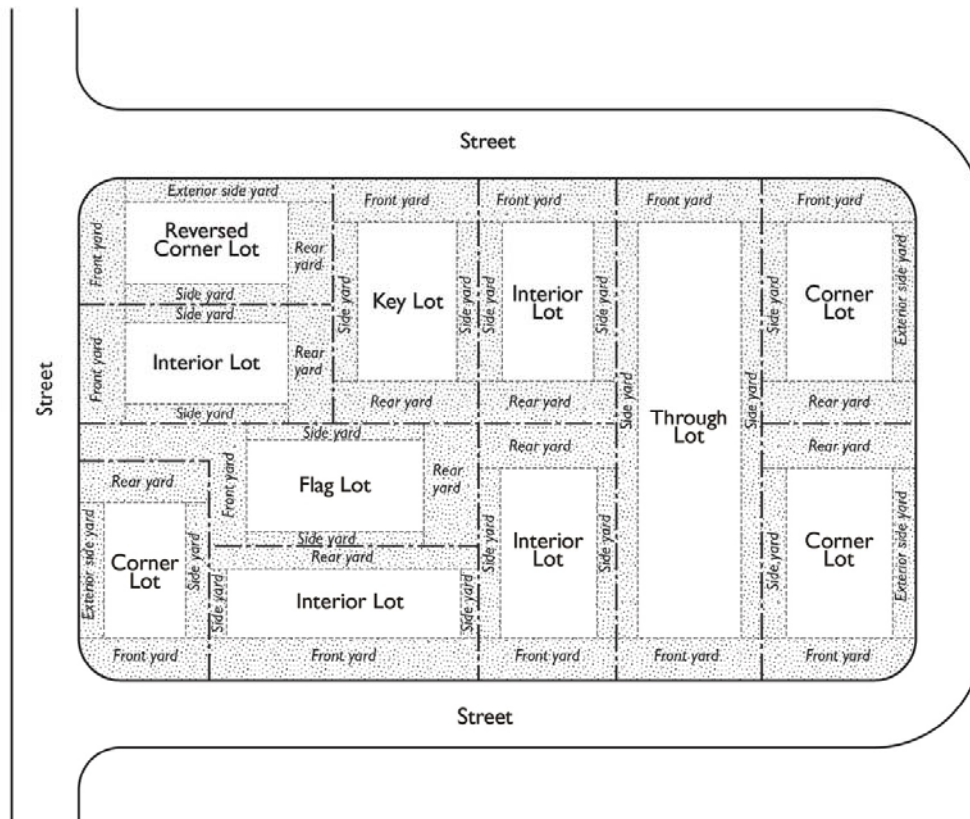
Lodging house. See "boarding house."

Lot. A parcel, tract, or area of land separated from other units of land by legal description, the ~~whose boundaries of which have been established by~~ are shown on a legal instrument, such as a parcel map or final map, described in a deed or, for which a

certificate of compliance has been issued, that has been recorded with the County of Orange, and is recognized as a separate legal entity for purposes of transfer of title, except public easements or rights-of-way. 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) *Abutting lot.* A lot having a common property line or separated by a public path or lane, private street, or easement to the subject lot.
- (b) *Corner lot.* A lot or parcel bounded on two or more sides by street lines that forming an interior angle less than 135 degrees.
- (c) *Flag lot.* A lot shaped so that the main portion of the lot area does not have access to a street other than by means of a narrow private right-of-way or driveway. Also called a “panhandle” lot.
- (d) *Interior lot.* A lot bounded on one side by a street line and on all other sides by lot lines between adjacent lots, or that is bounded by more than one street with an intersection greater than 135 degrees.
- (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, triangular lots with double street frontages, and multi-sided lots.
- (f) *Panhandle lot.* See “flag lot”.
- (g) *Reversed corner.*
- (h) *Through lot.* A lot having frontage on two parallel or approximately parallel streets.

FIGURE 7-9-TBD: LOT AND YARD TYPES



Lot area. The area of a lot measured horizontally between bounding lot lines.

Lot coverage. The portion of a lot that is covered by structures, including principal and accessory buildings, garages, carports, and roofed porches, but not including unenclosed and unroofed decks, landings, patios, or balconies.

Lot depth. The average distance from the front lot line to the rear lot line measured in the general direction of the side lines.

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 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 street.

- (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 yard.
- (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 street.
- (f) Lot width. The average distance between the side lot lines measured at right angles to the lot depth.

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 existing, authorized, and undamaged condition.

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

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

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.

Marijuana. As set forth in California Health and Safety Code Section 11018, "Marijuana" means all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; 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. It does not include industrial hemp, as defined in Section 11018.5; or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other product.

Master Plan of Arterial Highways. ~~A.k.a. Circulation Plan.~~ A component of the Transportation Element of the Orange County General Plan designating adopted and proposed routes for all commuter, secondary, primary and major highways within the County of Orange. Also known as the Circulation Plan.

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."

Mining. See "quarrying."

Medical marijuana collective. A group of medicinal marijuana patients and caregivers who associate cooperatively in the cultivation and distribution of marijuana pursuant to State Health and Safety Code Section 11362.5.

Mezzanine. An intermediate floor within a building interior without complete enclosing interior walls or partitions that is not separated from the floor or level below by a wall, and has a floor area that is no greater than one third of the total floor area of the floor below.

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.

Mobile Home.

- (a) A structure transportable in one (1) or more sections, designed to be used with or without a permanent foundation system. Mobile home does not include recreational vehicle, commercial coach, noncommercial coach or factory-built housing.
- (b) 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.

Mobile home development. Any area or tract of land used to accommodate mobilehomes for human habitation, ~~and includes mobilehome accommodation structures. Includes mobile home parks and mobile home subdivisions~~ including facilities and amenities used in common by occupants who rent, lease, or own spaces for mobile homes through a subdivision, cooperative, condominium or other form of resident ownership. See section 7-9-TBD.

~~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. ~~Means a~~ A facility ~~which is~~ operated under the auspices of a government or non-profit agency for the purpose of bringing together essential services to meet the needs of homeless clients. A multi-service center for the homeless shall have an emergency shelter component limited to occupancy of six (6) months or less and a resource/services component that provides assistance to individuals and families experiencing homelessness. A multi-service center for the homeless shall include intake, assessment and individualized case management services

for homeless clients. Services provided 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.

Mural. A work of art that is pictorial, abstract, or sculptural, and non-commercial, applied directly or attached to an exterior mounting surface or retaining wall located within public view. Embellishments to or decorations of architectural elements are not considered murals.

Noise-related definitions. See Title 4, Division 6, noise control

- (a) *Ambient noise level.* The all-encompassing noise level associated with a given environment, being a composite of sounds from all sources, excluding the alleged offensive noise, at the location and approximate time at which a comparison with the alleged offensive noise is to be made.
- (b) *Noise.* Any sound that annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.
- (c) *Noise-level reduction (NLR).* The difference in decibels of noise level from the outside of a building to the interior of a building, generally resulting from various construction methods and the materials used in walls, windows, ceilings, doors, and vents of a building.

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.

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-related definitions.

- (a) *Nonconforming parcel.* A legally created parcel of land having less area, frontage, or dimensions than the Zoning Codes require in the zoning district in which the parcel is located.
- (b) *Nonconforming sign.* See sign-related terms, nonconforming sign.
- (c) *Nonconforming structure.* A building or structure, or portion thereof, that was lawfully erected or altered or maintained, but which does not comply with all of the applicable provisions of this Code including, but not limited to, density, floor area, height, setbacks, usable open space, and other development standards.

- (d) *Nonconforming use.* The use of a building, structure, or site, or portion thereof, that was lawfully established and maintained, but does not comply with all of the applicable provisions of this Code including, but not limited to permitted use, location, intensity, operational characteristics, performance standards or hours of operation

~~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.~~

~~Nursery: See "Day (Care) Nursery."~~

Nursing facility, nursing home. The generic name for an establishment licensed as a skilled nursing facility by the California State Department of Health Services providing 24-hour medical, convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves, including without limitation rest homes and convalescent hospitals.

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

Opacity. A measure of the relative impenetrability of fencing, windows and doors to light, typically expressed as a percentage. An opaque object with one hundred (100) percent opacity is neither transparent (allowing all light to pass through) nor translucent (allowing some light to pass through). An object with fifty (50) percent opacity allows half the light to pass through it.

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 single 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 dwelling unit but not dedicated for general public use.
- (c) Usable open space. Outdoor areas within the project that provide for outdoor living and/or recreation and that is conveniently located and accessible. ~~Open space without any slopes in excess of twenty (20) percent. 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.~~

Outdoor recreation/recreational uses.

Outdoor sales, temporary and seasonal. The sale or offering for sale to the general public of merchandise outside of a permanent structure on property owned or leased by the person, firm, or corporation. These sales are of a limited duration and conducted on an occasional basis, and are secondary or incidental to the principal permitted use or structure existing on the property.

Outdoor storage. The keeping, in an unroofed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than 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.

Overlay district. A zoning designation specifically delineated on the zoning district map establishing land use requirements that govern in addition, or as an alternative, to the standards set forth in the underlying base district.

Owner. A person or persons holding single or unified beneficial title to the property, including without limitation, the settlor of a grantor trust, a general partner, firm, or corporation.

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

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

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

- (a) Accessory parking. An area of a lot, structure, or any other area, which is designed and reserved for off-street parking to serve a building or use that is the primary or main use of the lot.

- (b) Long-term parking. An area designed for employee or non-employee-related uses, such as long-term parking for airport patrons, or parking when a vehicle is not normally moved during the period of an employee's work shift, as opposed to customer or visitor parking.

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 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 hours.

Pavement. An artificially created hard, smooth surface, especially of a public area or thoroughfare that shall bear travel. 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.

Permit, discretionary. Any Site development permit, Variance permit, Use Permit, , Coastal development permit, , or other entitlement for development and/or use of property provided by Zoning Codes or other provisions of the Code.

Permitted use. Any use or structure that is allowed in a zoning district and subject to any restrictions applicable to that zoning district.

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 or more major life activities; or (2) has a record of such an impairment; or (3) is regarded as having such an impairment. However, "disabled" shall not include current illegal use of or addiction to a controlled substance.

Pets and animals. Domestic and non-domestic animals including:

- (a) Household pets that are customarily kept within a dwelling or a yard for the personal use, companionship, or enjoyment of the residents such as domestic birds, cats, dogs, aquarium fish, rabbits, rodents, amphibians, turtles, and pot-bellied pigs.
- (b) Non-domestic animals kept for utility, food production, or commercial purposes including poultry, and fowl such as chickens, turkeys, peacocks, and homing pigeons but not including horses, cattle, goats, and other large livestock, or bees.

Pier or dock. A platform extending from the shoreline into the ocean 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.

Plant nursery. A commercial agricultural establishment engaged in the 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. A wholesale plant nursery raises horticultural products for sale to retail plant nurseries or other businesses.

Plot plan. 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.

Pool house. See “cabana”.

Precise Plan of Highway Alignment. A plan, supplementary to the Master Plan of Arterial Highways, 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. A use that fulfills a primary or predominant function of a zoning district, an establishment, institution, household, or other entity, and occupies at least seventy (70) percent of the gross floor area.

Principal structure. A structure in which the principal use of its lot is conducted. In any residential or agricultural zone, a dwelling is deemed to be the principal structure on the lot on which it is situated.

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

Project ~~net-area~~ 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 land, including, without limitation, 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.

Public works. Public facilities and infrastructure, including:

- (a) All production, storage, transmission, and recovery facilities for utilities subject to the jurisdiction of the California Public Utilities Commission, except for energy facilities;
- (b) All public transportation facilities, including streets, roads, highways, mass-transit facilities and stations and bridges, public parking lots and structures, ports, harbors, airports, railroads, and other related facilities;
- (c) All publicly financed recreational facilities; and
- (d) All community college facilities.

Qualified applicant. The property owner, the owner's agent, or any person, corporation, partnership, or other legal entity that has a legal or equitable title to land that is the subject of a development proposal, or is the holder of an option or contract to purchase such land, or otherwise has an enforceable proprietary interest in such land.

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 system that collects and stores rainwater runoff, typically from rooftops via rain gutters. Also known as cisterns.

Reasonable accommodation. Any deviation 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 and thus enjoy equal employment or housing opportunities or other benefits guaranteed by law.

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.

Recreational vehicle storage. On-site parking of recreational vehicle(s) on a parking space approved for a recreational vehicle and that is separate from the required off-street parking provided.

Recreational vehicle storage, private. Recreational vehicle storage which is owned and operated by a homeowners' association and used exclusively by members of that association.

Recreational vehicle storage, public. Recreational vehicle storage which is provided for use by the general public.

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.

Residential care facilities. Facilities that are licensed by the State of California to provide permanent living accommodations and 24 hour, primarily non-medical care and supervision for persons in need of personal services, supervision, protection, or assistance for sustaining the activities of daily living. Living accommodations are shared living quarters with or without separate kitchen or bathroom facilities for each room or unit. This classification includes facilities that are operated for profit as well as those operated by public or not-for-profit institutions, including hospices, nursing homes, convalescent facilities, and group homes for minors, persons with disabilities, and people in recovery from alcohol or drug additions. This use classification excludes Supportive Housing, Transitional Housing, and Emergency Shelters and Multi-Service Centers for the Homeless. See Use Classifications for additional detail.

Residential housing types.

- ~~(a) Dwelling, single family: One (1) dwelling unit per building site.~~
- ~~(b) Dwelling, multifamily: Two (2) or more dwelling units on the same building site.~~
- (c) *Single-family dwelling, detached.* A dwelling unit that is designed for occupancy by one household, located on a separate lot from any other dwelling unit (except a second dwelling unit where permitted), and not attached to another dwelling unit on an abutting lot. This classification includes individual manufactured housing units.
- (d) *Single-family dwelling, attached.* A dwelling unit that is designed for occupancy by one household located on a separate lot from any other unit (except a second dwelling unit, where permitted), and is attached through common vertical walls to one or more dwellings on abutting

lots. An attached single-family dwelling is sometimes called a "townhouse" or a "duplex" if there are only two units.

- (e) Multifamily dwelling. Three or more dwelling units within a single building or within two or more buildings on a site or lot. Types of multiple-family dwellings include garden apartments, senior housing developments, and multi-story apartment buildings. This classification includes transitional housing in a multiple-family format. The classification is distinguished from and excludes Group Residential Facilities.
- (f) Accessory dwelling unit. An attached or detached unit with kitchen, sleeping, and bathroom facilities located on a lot with one single-family dwelling pursuant to the requirements of Government Code Section 65852.2.

Rest home. See "convalescent ~~Home~~ facility."

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

Review authority. Body responsible for making decisions on discretionary permit applications.

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.~~ acquired by reservation, dedication, forced dedication, prescription, or condemnation, and intended to be occupied or occupied by a road, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer, or other similar use.

Roadway. See "streets."

Rooming house. See "boarding and rooming house."

Sanitary land fill. 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-TBD, Temporary Uses

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.

Secondary use. A land use subordinate or accessory to a principal land use.

Self-storage facility. See “mini-storage facility”.

Senior citizen. A person fifty-five (55) years or older who meets the qualifications of Civil Code Section 51.3.

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~~ persons sixty-two (62) years of age or older, or a person at least fifty-five (55) years of age who meets the qualifications found in Civil Code Section 51.3 and may include 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, Chapter 8, Article 1, Section 87101(e)(2) and Health and Safety Code Division 2, Chapter 10, Article 1, Section 1171(e)(1). This definition includes Senior Group Residential facilities that provide a central kitchen and dining facilities with separate bedrooms or private living quarters for senior citizens.

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, Chapter 8, Article 1, Section 87101(e)(2) and Health and Safety Code Division 2, Chapter 10, Article 1, Section 1171(e)(1). Senior living facilities may include:

- (a) Independent living (IL) facilities intended for individuals who are presently able to manage an independent lifestyle, but foresee a future where more support ~~will~~ shall 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.
- (b) 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 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.
- (c) 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).
- (d) 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 Title 22, Division 5, Chapter 3.

- (e) 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, or all four, 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. The area between a property line and a building or structure that shall be kept clear or open.

~~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.

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

Sign. Any visual communication used to advertise, promote, command, or inform, including but not limited to words, symbols, and illustrations, together with all parts, materials, frame and background. See section 7-9-TBD. Any identification, description, illustration, or device illuminated or non-illuminated, which is visible to the general public from any exterior public right-of-way, and directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise; or any emblem, painting, banner, pennant, or placard designed to advertise, identify, or convey information. A display, device, or thing need not contain lettering to be a sign. The following are not within this definition:

- (a) Architectural features. Decorative or architectural features of buildings (not including lettering, trademarks or moving parts), that do not perform a communicative function;
- (b) Fireworks, etc. The legal use of fireworks, candles and artificial lighting not otherwise regulated by this Code;
- (c) Foundation stones, cornerstones;
- (d) Grave markers, grave stones, headstones, mausoleums, shrines, and other markers of the deceased;

- (e) Personal appearance. Items or devices of personal apparel, decoration or appearance, including tattoos, makeup, wigs, costumes, and masks, but not including commercial mascots or hand-held signs; and
- (f) Symbols embedded in architecture. Symbols of noncommercial organizations or concepts including, but not limited to, religious or political symbols, when such are permanently integrated into the structure of a permanent building, including stained glass windows on churches, carved or bas relief doors or walls, bells, and religious statuary.

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 sign. 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 or off-premise sign”.
- (e) Building frontage. As used in these regulations, the linear measurement of exterior walls enclosing interior spaces that are oriented to and most nearly parallel to public streets, public alleys, parking lots, malls or freeways.
- (f) Building identification sign. A sign that contains the name and/or logo and/or address of the building to which it is affixed or of the occupant located therein but does not include general advertising for hire.
- (g) 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.~~

- (h) *Civic activity sign.* A bulletin board customarily incident to places of worship, libraries, museums, and other public institutions.
- (i) 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 serves the economic interests of the message sponsor or proposes a commercial transaction.
- (j) 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.
- (k) *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.~~
- (l) Copy. Also called "sign copy." The visually communicative elements mounted on a sign.
- (m) ~~Travel direction~~ Directional 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.~~
- (n) ~~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.)~~
- (o) Face. That portion of a sign upon which the copy is mounted or displayed.
- (p) Flag. Any fabric or banner containing distinctive colors, patterns, or design that displays the symbol(s) of a nation, state, local government, company, organization, belief system, idea, or other meaning. ~~An advertising device, not including national flags or flags of political subdivisions.~~
- (q) 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.~~

- (r) *Ground sign.* See “Monument Sign”.
- ~~(s) *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.~~
- (t) *Illuminated sign.* A sign with an artificial source of light incorporated internally or externally for the purpose of illuminating the sign.
- (u) *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.
- ~~(v) *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.~~
- (w) *Moving sign.* A sign or any portion thereof that rotates, moves, or appears to move in some manner by mechanical, electrical, natural, or other means.
- (x) *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.
- (y) *Non-communicative aspects.* Those aspects of a sign that are not directly communicative, such as physical structure, mounting device, size and height, setback, illumination, spacing, and scale relative to other structures.
- (z) *Nonconforming sign.* A sign lawfully erected and legally existing on the effective date of this Section, or of amendments thereto, but which does not conform to the provisions of this Zoning Code.
- (aa) *Off-site or off-premise sign.* A sign that identifies, advertises or attracts attention to a business, product, service, event or activity sold, existing or offered at a different location. The off-site/on-site distinction applies only to commercial messages.

- (bb) On-site or on-premise 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.
- ~~(cc) 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.~~
- (dd) Pole sign. A freestanding sign directly supported by a pole or poles that are permanently attached directly into or upon the ground with air space between the grade level and the sign face.
- (ee) 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.
- ~~i. A sign not securely attached or fixed to the ground or to a permanent structure; or~~
- ~~ii. 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.~~
- (ff) 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.
- (gg) Pylon sign. A freestanding sign that is supported by one or more solid, monumental structures or pylons and which has air space between the sign face and the ground level.
- (hh) 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.~~
- (ii) 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.
- (jj) 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.

- (kk) 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.
- (ll) 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.
- (mm) 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.
- (nn) Traffic sign. A sign for traffic direction, warning, and roadway identification.
- (oo) 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.~~
- (pp) 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 housekeeping unit. See “household”.

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 or two persons where kitchen and/or bathroom facilities may be shared. ~~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 coverage. The percentage of total site area occupied by structures. See Building site coverage.

Site development permit. ~~The purpose of a site development permit is to provide for the administrative review of detailed development plans for a proposed use. Also known as site plan. A permit granting approval of a detailed plan of development for a parcel including the type and intensity of proposed land uses, conceptual grading plans, the location of infrastructure improvements and, if applicable, the type and net acreage of parks, open space, schools and other community facilities.~~ See section 7-9-150.1 TBD.

Sober living home. A type of supportive housing that is operated as a cooperative living environment to provide an alcohol- and drug-free home environment for persons recovering from alcoholism and drug abuse, or both who actively participate in recovery programs, which does not provide any detoxification, educational counseling, individual or group counseling sessions, or treatment or recovery planning. A Sober Living Home may provide services to the residents such as dining, housekeeping, security, medical, transportation and recreation.

Soil. Naturally occurring superficial deposits overlying bedrock.

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

Specific plan. A plan for all or part of the area covered by the General Plan that is prepared to be consistent with and to implement the General Plan, pursuant to the provisions of Government Code, §§ 65450 et seq.

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.

Story. That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story is that portion of a building included between the upper surface of the topmost floor and the upper surface of the roof above. A mezzanine with a floor area that exceeds one third of the total floor area of the floor or level below constitutes a story.

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

Stream buffer. A designated width of land abutting a stream that protects biological productivity, water quality, and the hydrological characteristics of the stream.

Street. A public or private vehicular right-of-way, other than an alley or driveway, including both local streets and arterial highways thoroughfare that provides the principal means of access to a block and to abutting property. "Street" includes avenue, court, circle, crescent, place, way, drive, boulevard, highway, road, and any other thoroughfare, except an alley or walkway.

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-TBD has been approved and where residential setbacks, other than provided for in section 7-9-145.3(c)-TBD are not required.

Structural alterations. Any physical change to or the removal of the supporting members of a structure or building, such as bearing walls, columns, beams, or girders, including the creation, enlargement, or removal of doors or windows and changes to a roofline or roof shape.

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 defines structure differently.)

- (a) *Structure, accessory.* A detached subordinate structure, used only as incidental to the main structure on the same lot.
- (b) *Structure, primary (structure, main).* A structure housing the principal use of a site or functioning as the principal use.
- (c) *Structure, temporary.* A structure without any foundation or footings, and which is intended to be removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.
- (d) *Structure, subterranean.* A structure located entirely underground, except for openings for ingress and egress.

Supportive housing. As defined in subdivision (b)(2) of Section 50675.14 of the California Health and Safety Code, as may be amended from time to time, 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 shall be subject to the same requirements as other residential uses

~~of the same type in the same district and shall not include a Congregate Care Facility, as defined in Section 7-9-24.~~

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 or more spaces shall be driven across in order to access another space or spaces.

Temporary use-related definitions.

- (a) *Garage sales.* The sale or offering for sale to the general public of over five items of personal property on a portion of a lot in a residentially zoned district, whether inside or outside any building.
- (b) *Outdoor sales, temporary and seasonal.* The sale or offering for sale to the general public of merchandise outside of a permanent structure on property owned or leased by the person, firm, or corporation. These sales are of a limited duration and conducted on an occasional basis, and are secondary or incidental to the principal permitted use or structure existing on the property.

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

Tract map. A map prepared pursuant to the State Subdivision Map Act and the County of Orange Subdivision Code, which shows the design and subdivision of a parcel into five or more lots or units.

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 including camper, recreational vehicle, travel trailer, and mobile home, but not including mobile homes on a permanent foundation.

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

Transfer station. A ~~permitted~~ legally-established 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.

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

Transitional housing 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.

Unit. See “dwelling unit”.

Unit owner. The holder of record in fee title to a dwelling unit. “Unit owner” includes a contract purchaser (“vendee”) under an installment land contract.

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.* A use that is customarily associated with, and is incidental and subordinate to, the primary use and located on the same lot as the primary use, and occupies not more than thirty (30) percent of the gross floor area.
- (b) *Incidental use.* A secondary use of a lot and/or building that is located on the same lot, but is not customarily associated with the primary use.
- (c) *Permitted use.* Any use or structure that is allowed in a zoning district without a requirement for approval of a Use Permit, but subject to any restrictions applicable to that zoning district.
- (d) *Primary use.* A primary, principal, or dominant use established, or proposed to be established, on a lot and occupies at least seventy (70) percent of the gross floor area of the tenant space or building.

Use classification. A system of classifying uses into a limited number of use types on the basis of common functional, product, or compatibility characteristics. All use types are grouped into the following categories: residential, public and semi-public, commercial, employment, and transportation, communication, and utilities.

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 County of Orange authority to provide for the accommodation of land uses with special site or design requirements, operating characteristics, or potential adverse effects on surroundings,

which are not permitted as of right, but which may be approved upon completion of a review process and, where necessary, the imposition of special conditions of approval by the decision-making body.

Use type. A category that classifies similar uses based on common functional, product, or compatibility characteristics.

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

Variance. 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 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 Ordinance, including any automobile, camper, camp trailer, trailer, trailer coach, motorcycle, house car, boat, or similar conveyance.

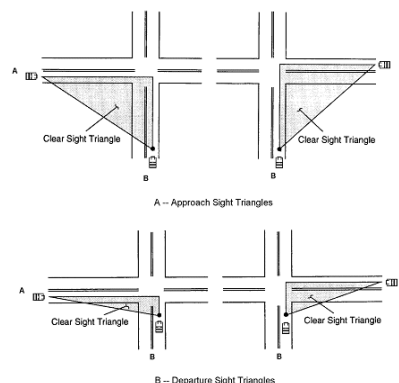
Vehicular accessway. A private nonexclusive vehicular easement affording access to abutting properties.

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

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.

Visibility triangle. A generally triangular area formed by the intersecting curb lines (or edge of pavement when no curbs exist) and a line joining points on these curb lines at a stated distance along both lines from their intersection and which defines a minimum area of unobstructed view necessary for a motor vehicle driver, bicyclist, or pedestrian to have a clear view of oncoming cross-street motor vehicle, bicycle or pedestrian traffic or traffic control devices including, but not limited to, intersections of streets, alleys, driveways. Sometimes called a Sight Distance Triangle or Access intersection area.

FIGURE TBD: VISIBILITY TRIANGLE (FHWA 2001)



Wall. Any vertical exterior surface of building or any part thereof, including windows. See “fence”.

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

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.

Yard. An open space, other than a court on a lot, that is unoccupied and unobstructed from the ground upward, except as otherwise permitted by this Code.

- (a) Front yard. A yard extending across the front of a lot for the full width of the lot between the side lot lines. The depth of a front yard is a distance specified by this Code for the district in which it is located and measured inward from the front lot line.
- (b) Interior side yard. A yard extending along an interior side of a lot from the front lot line to the rear lot line, and to a depth specified by this Code for the district in which it is located and measured inward from the interior side lot line.
- (c) Street side yard. A yard extending along the street side of a corner lot from the front lot line to the rear lot line, and to a depth specified by this Code for the district in which it is located and measured inward from the street side lot line.
- (d) Rear yard. A yard extending across the rear of a lot for its full width between side lot lines, and to a depth specified by this Code for the district in which it is located. If a lot has no rear 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, ~~will~~ shall be deemed the rear lot line for the purpose of establishing the minimum rear yard.

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

Zoning 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 TBD, 7-9-103, 7-9-155-TBD, and 7-9-156-TBD.

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.

FIRST DRAFT FOR PUBLIC REVIEW