

Title 17 – Zoning

Article VI

Glossary

Chapter 17.98 Glossary of Terms 17.98-1

Revisions:

The following revisions have been made to Article VI of Title 17:

Date of Adoption	Ordinance Number	Subject	Section	Page Number

Chapter 17.98 Glossary of Terms

Sections:

17.98.010 Purpose..... 17.98-1
 17.98.020 General Definitions 17.98-1

Draft Zoning Code Changes:
This chapter updates many existing definitions and incorporates many new definitions, including several new figures.

17.98.010 Purpose

The purpose of this Chapter is to provide general definitions of the terms and phrases used in the Code that are technical or specialized in an effort to ensure consistency in the interpretation of the Zoning Code. Definitions are organized alphabetically.

17.98.020 General Definitions

Abandoned Sign. Any sign which is located on a premises that has been vacated for a period of more than 90 days as regulated in Section 17.52.120 (Nonconforming and Abandoned Signs).

Abut. Adjoin or border on.

Accent Trees. Trees used to supplement the required street trees.

Accessory Building. A detached building containing habitable space, which is smaller in size than the main building on the same lot, and the use of which is incidental to the primary use of the lot.

Accessory Structure. A detached, subordinate structure or building, the use of which is incidental to and subordinate to that of the main building, structure, or use on the same lot, or to the use of the land. The types of accessory structures listed below shall have the meanings respectively ascribed to them:

- Accessory structure. A detached accessory structure that is either entirely enclosed by walls and a solid roof or is partially enclosed with a solid roof. These include, but are not limited to, garages, greenhouses, pool houses, sunrooms, workshops, storage sheds, barns and other agricultural outbuildings, as well as carports, patio covers, gazebos, stables, and other agricultural outbuildings with solid roof construction. An accessory structure also includes windmills, water towers, and other similar agricultural structures.
- Landscape feature. A detached decorative structure typically used in conjunction with plant materials for aesthetic enhancement, including, but not limited to, patio trellis covers, pergolas and gazebos with non-solid roof construction, arched trellises, vertical lattice structures, statues, fountains, and similar features.
- Pool/Spa. Any structure intended for swimming or recreational bathing that contains water over three feet deep. Includes in-ground and aboveground structures and includes, but is not limited to, hot tubs, spas, portable spas, and non-portable wading pools.

Accessory Use. A use incidental to, subordinate to, and devoted exclusively to the principal use of the same premises.

Addition. The creation of any new portion of a building which results in a vertical or horizontal extension of the building or results in any new gross floor area that was not present in the building prior to construction of the addition. The creation of a mezzanine or loft, or a conversion of a previously unused attic or underfloor space to usable floor area, shall also be considered an addition for the purposes of this Title.

Adult Bookstore or Adult Video Store. A commercial establishment which has 25 percent or more of its stock-in-trade or 25 percent or more of its floor space devoted to the sale or rental, for any form of consideration, of any one or more of the following:

- Books, magazines, periodicals, or other printed matter or photographs, films, motion pictures, videocassette tapes, DVD, slides, tapes, records, or other forms of visual or audio representations which are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.
- Instruments, devices, or paraphernalia which are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of themselves or others.

Adult Cabaret. A business establishment (whether or not serving alcoholic beverages) that features “adult live entertainment.”

Adult Entertainment Business. Those businesses including adult bookstore or adult video store, adult cabaret, adult motel, adult theater, adult newsrack, adult viewing area, and bathhouse, as defined by this Title.

Establishment of an Adult Entertainment Business. Includes any of the following:

- The opening or commencement of any such adult entertainment business as a new business;
- The conversion of an existing business, whether or not an adult entertainment business, to any of the adult entertainment businesses defined in this Title;
- The addition of any of the adult entertainment businesses defined in this Title to any other existing adult entertainment businesses; or
- The relocation of any such adult entertainment business.

Adult Live Entertainment. Any physical human body activity, whether performed or engaged in, alone or with other persons including, but not limited to, singing, walking, speaking, dancing, acting, posing, simulating, wrestling or pantomiming, in which: (1) the performer (including, but not limited to, topless and/or bottomless dancers, go-go dancers, exotic dancers, strippers, or similar performers) exposes to public view, without opaque covering, “specified anatomical areas,” and/or (2) the performance or physical human body activity depicts, describes, or relates to “specified sexual activities” whether or not the specified anatomical areas are covered.

Adult Motel. A motel, hotel, or similar commercial establishment which: is used for presenting on a regular and substantial basis images through closed circuit television, cable television, still or motion picture machines, projectors, videos, holograms, virtual reality devices or other image-

producing devices that are distinguished or characterized by the emphasis on matter depicting or describing or relating to “specified sexual activities; or “specified anatomical areas;” or offers a sleeping room for rent for a period of time less than ten hours.

Adult Newsrack. Any coin-operated machine or device which dispenses material substantially devoted to the depiction of specified sexual activities or specified anatomical areas.

Adult Theater. An enclosed or unenclosed building to which the public is permitted or invited, used for presenting any form of audio or visual material, and in which a substantial portion of the total presentation time is devoted to the showing of material which is distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.

Adult Viewing Area. An area in any adult book and/or novelty store, cabaret, theater, motion picture arcade, or other adult entertainment business, where a patron or customer would ordinarily be positioned for the purpose of viewing or watching a performance, picture show, or film.

Affordable Housing Costs. Housing expenses, including a reasonable allowance for principal and interest on a mortgage loan, including any loan insurance fees, property taxes and assessments, fire and casualty insurance, property maintenance and repairs, homeowner association fees, and a reasonable allowance for utilities (30 percent of gross monthly income), for owner-occupied target units reserved for the following income households, not exceeding the following calculations:

- A. Extremely low income households: 30 percent of the area median income for Contra Costa County, adjusted for household size, multiplied by 30 percent.
- B. Very low income households: 50 percent of the area median income for Contra Costa County, adjusted for household size, multiplied by 30 percent.
- C. Lower income households: 70 percent of the area median income for Contra Costa County, adjusted for household size, multiplied by 30 percent.
- D. Moderate income households: 110 percent of the area median income for Contra Costa County, adjusted for household size, multiplied by 30 percent.

Affordable Housing Plan. A plan for a residential development submitted by an applicant as provided by Chapter 17.32 (Affordable Housing Requirements).

Affordable Housing Unit. An ownership unit that must be offered to eligible purchasers (in accordance with eligibility requirements set by the City) at a City-approved affordable sale price according to the requirements of Chapter 17.32 (Affordable Housing Requirements).

Affordable Rent. Monthly housing expenses, including a reasonable allowance for utilities (30 percent of gross monthly income), for rental target units reserved for the following income households, not exceeding the following calculations:

- A. Extremely low income households: 30 percent of the area median income for Contra Costa County, adjusted for household size, multiplied by 30 percent.
- B. Very low income households: 50 percent of the area median income for Contra Costa County, adjusted for household size, multiplied by 30 percent.

- C. Low income households: 80 percent of the area median income for Contra Costa County, adjusted for household size, multiplied by 30 percent.
- D. Moderate income households: 110 percent of the area median income for Contra Costa County, adjusted for household size, multiplied by 30 percent.

Affordable Sales Price. A sales price at which lower or very low income households can qualify for the purchase of target units, calculated on the basis of underwriting standards of mortgage financing available for the development.

A-Frame Sign. A portable and movable sign capable of standing on its own support(s), made of wood, cardboard, plastic, or other lightweight and rigid material. See Figure 17.98.020-1 (A-Frame Sign).

Alcoholic Beverage Sales. The retail sale of beverages containing alcohol for off-site consumption subject to regulation by the State Department of Alcoholic Beverage Control (ABC) as an off-sale establishment.

Alcoholic Beverage Service. The retail sale of beverages containing alcohol for on-site consumption subject to regulation by the ABC as an on-sale establishment.

Alley. Alleys are narrow private drives serving commercial and residential development, no greater than 40 feet in width.

Alley Access Parking. Residential or commercial parking that is accessible from an alley.

Amusement Device. Any machine or device which may be operated for use as a game, contest, or amusement upon the insertion of a coin, slug, or token in any slot or receptacle attached to such machine or connected therewith, which does not contain a payoff device for the return of slugs, money, coins, checks, tokens, or merchandise.

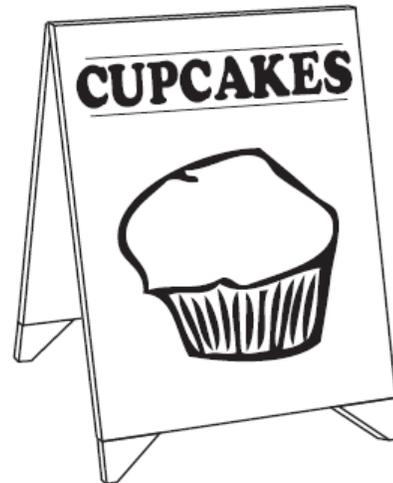
Animated Sign. Any sign which uses mechanical or electrical movement or change of lighting, either natural or artificial, to depict action or to create visual motion or the appearance thereof.

Antenna, Amateur Radio. Any antenna which is used for the purpose of transmitting and receiving radio signals in conjunction with an amateur radio station licensed by the Federal Communications Commission.

Antenna, Directional (also known as a Panel Antenna). An antenna that transmits and/or receives radio frequency signals in a directional pattern of less than 360 degrees.

Antenna. Any system of wires, poles, rods, panels, whips, cylinders, reflecting discs, or similar devices used for transmitting or receiving electromagnetic waves when such system is either external to or attached to the exterior of a structure, or is portable or movable. Includes devices having active elements extending in any direction and directional beam-type arrays having elements carried by and disposed from a generally horizontal boom that may be mounted upon

FIGURE 17.98.020-1
A-FRAME SIGN



and rotated through a vertical mast or tower interconnecting the boom and antenna support, all of which elements are deemed to be a part of the antenna.

Antenna, Façade-Mounted (also known as Building-Mounted). Any antenna directly attached or affixed to the elevation of a building, tank, tower, or other structure.

Antenna, Ground Mounted. Any antenna with its base, whether consisting of single or multiple posts, placed directly on the ground or a single mast less than 15 feet tall and 6 inches in diameter.

Antenna, Parabolic (also known as Satellite Dish Antenna). Any device incorporating a reflective surface that is solid, open mesh, or bar configured that is shallow dish, cone, horn, bowl, or cornucopia shaped and is used to transmit or receive electromagnetic or radio frequency communication/signals in a specific directional pattern.

Antenna, Receive-Only. An antenna for the reception of radio and television signals, without transmitting capabilities; may include pole or dish types of antennas.

Antenna Structure. Any structure, including a pole, mast, or tower, whether free-standing or mounted on another building or structure, that supports an antenna or an array of antennas.

Applicant. Any person, firm, partnership, association, joint venture, corporation, or any entity or combination of entities, which seeks City approvals.

Appraiser, Certified. A person certified by the State of California Office of Real Estate Appraisers to estimate the value of a particular real property.

Approving Authority. The designated planning agency responsible for the review and action on planning entitlements.

Area Median Income. The median household income as provided in Section 50093(c) of the California Government Code, as it is currently enacted or hereafter amended.

Arborist. An arborist for the sake of this Chapter shall mean either a “certified arborist” which is a professional arborist that is a member in good standing of the International Society of Arboriculture. Or, a “consulting arborist” which is a professional arborist that is a member in good standing of the American Society of Consulting Arborists. Proof of either membership shall be required by the City along with a copy of the arborist's valid California contractor's license.

Arcade. A continuously covered public space open on the sides, except for structural columns or piers, adjacent to and extending along the façade of a building. The space may be located between the façade and a sidewalk or another public space, or it may replace a sidewalk along a private street where no building setback is present.

Articulation. The manner in which portions of a building form are expressed (materials, color, texture, pattern, modulation, etc.).

Arterials. Arterials provide primary connections between major areas within the City of Pinole and also distribute traffic between adjacent communities. In addition, arterials provide considerable statewide and interstate circulation. Speed limits often range from 30 to 50 mph.

Attic. The area located between the ceiling of the top story of a building and the building's roof and not usable as habitable or commercial space.

Arcade Frontage. An arcade frontage is nearly identical in character to the gallery frontage except that the upper stories of the building may project over the public sidewalk and encroach into the public right-of-way. The sidewalk must be fully absorbed within the colonnade so that a pedestrian may access it. This frontage is typically for retail use. An encroachment permit is needed to construct this frontage type but can be approved as part of Design Review as established in Section 17.12.080 (Administrative Design Review).

Awnings. Any structure made of a flexible fabric or similar material covering a metal frame attached to a building, whether or not the same is so erected as to permit its being raised to a position flat against the building when not in use.

Balloon Sign. A flexible bag made of a material such as rubber, latex, polychloroprene, or a nylon fabric that is filled with a gas such as helium, hydrogen, nitrous oxide, or air. A balloon qualifies as a “sign” when it is larger than eight cubic feet in volume or is stationed at or more than 10 feet above the ground.

Banner. Any sign of lightweight fabric or similar material that is mounted to a pole or a building at one or more edges. Flags shall not be considered banners (see “Flag”).

Balcony. A horizontal platform extending from the exterior wall of a building, accessible from the building’s interior and not directly accessible from the ground. A balcony is typically not covered by a roof or building overhang or enclosed on more than two sides by walls. However, railings shall not be considered enclosures.

Basement. A portion of a building wholly underground or in which more than one-half the distance from the floor to the ceiling is below the average adjoining grade, and as otherwise defined in the Building Code currently in effect.

Bay Window. A portion of a building cantilevered so as to project out from a wall and containing windows which cover at least 50% of the projection’s surface. A bay window which projects into a required yard shall not exceed 25% of the length of the wall.

Beacon or Spotlight. Any structure or equipment emitting laserlight or light with one or more beams (whether stationary or moving) that are directed into the atmosphere or at one or more points not on the same lot as the light source.

Bedroom. Any conditioned space, as defined by the Building Code, in a dwelling unit or accessory structure which is 70 square feet and greater in size and which is located along an exterior wall, but not including the following: hall, bathroom, kitchen, living room (maximum of one per dwelling unit), dining room (in proximity to kitchen, maximum of one per dwelling unit), family room (maximum of one per dwelling unit), laundry room, closet/dressing room opening off of a bedroom. The Community Development Director may grant exceptions if a room, by its design, cannot function as a bedroom. Sewing rooms, dens, studios, lofts, game rooms, and any other conditioned room along an exterior wall which is 70 square feet or greater in size will be considered to be bedrooms unless the room is specifically exempted. Rooms may be exempted from being considered a bedroom if there is no closet and either a minimum four-foot opening, without doors, into another room or a half wall (four-foot maximum height) between the room and another room are present.

Billboard. A sign which meets any one or more of the following criteria (also see “Off-Site or Off-Premise Sign”):

- A permanent structure sign which is used for the display of off-site commercial messages.

- A permanent structure sign which constitutes a principal, separate, or secondary use, as opposed to an accessory use, of the parcel on which it is located.
- An outdoor sign used as advertising for hire, e.g., on which display space is made available to parties other than the owner or operator of the sign or occupant of the parcel (not including those who rent space from the sign owner, when such space is on the same parcel or is the same development as the sign), in exchange for a rent, fee, or other consideration.
- An off-site outdoor advertising sign on which space is leased or rented.

Blade/Bracket Sign. A small, pedestrian-oriented sign that projects perpendicular from a structure (bracket sign) or is hung beneath a canopy (blade sign may also be referred to as an under canopy sign).

Block: An area designated on an official map of the City, which is bounded on all sides by the public right-of-way, a railroad right-of-way, private streets or a boundary line of unsubdivided acreage or any combination thereof.

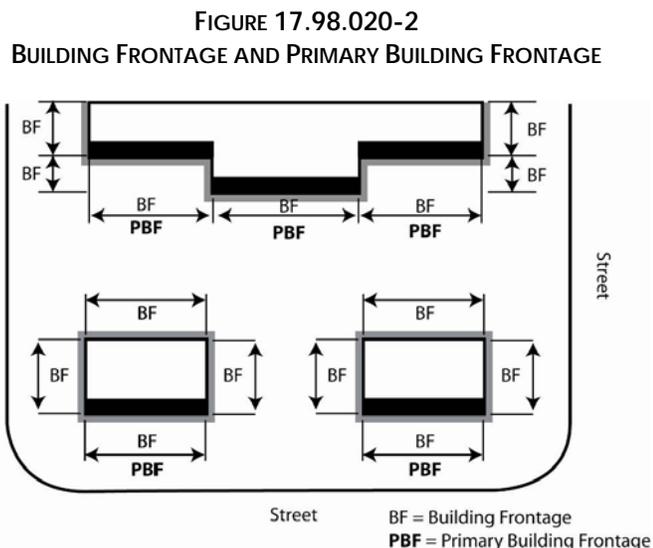
Buildable Portion of a Lot or Buildable Yard Area. That portion of a lot that is not in the required yard area.

Building: Any enclosed structure having a roof and supported by columns or walls.

Building-Attached Sign. A sign placed on a wall, awning, canopy, parapet, or a blade bracket. Also see “Wall Sign,” “Canopy Sign,” or “Blade/Bracket Sign.”

Building Entry Space. A public space adjacent to a pedestrian building entrance.

Building Frontage, Primary. The building frontage that faces the street. In cases where a building has more than one street frontage, the longest of the street frontages shall be considered the primary building frontage. In cases where a business has no building frontage facing a street, the building frontage with the primary business entrance shall be considered the primary building frontage. See Figure 17.98.020-2 (Building Frontage and Primary Building Frontage). For multi-tenant buildings, ground floor tenants may have their primary frontage determined independently of the rest of the building based upon the aforementioned rules.



Building Sign. A sign placed on a wall, awning, canopy, or parapet, or a projecting sign.

Building Site. The land area occupied by or capable of being covered by all structures permissible under this Title.

Canopy Sign. Any sign that is part of or attached to an awning, canopy, or other material, or structural protective cover over a door, entrance, window, or outdoor service area.

Carpport. A roofed structure for one or more automobiles which is enclosed by not more than two walls. A carport shall meet the minimum horizontal and vertical dimensions specified by the City's Traffic Engineer in order to be used for one or more legal parking spaces required under this Chapter.

Changeable Copy Sign. A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged manually without altering the face or surface of the sign. A sign on which the message or characters change more than 12 times per day shall be considered an animated sign and not a changeable copy sign for purposes of this Chapter.

Change of Use. Any change in the nature or character of the use of a building or structure. A residential change of use includes, but is not limited to, the elimination of any dwelling unit, the reduction in the floor area or habitability of a dwelling unit, or the reduction in the floor area or habitability of bedroom or sleeping quarters in a group living accommodation or residential hotel, when a new use is to replace a previous use. A residential change of use does not include the establishment of a home occupation in compliance with this Title. A commercial change of use includes a change to a different category of commercial or manufacturing use but does not include changes between uses that are classified in the same category of commercial or manufacturing use.

Channel Letter Sign. A sign made up of individual letters that are independently mounted to a wall or other surface. The "air space" between the letters is not part of the sign structure but rather of the building façade. A logo may also be considered a channel letter provided it is clearly distinguishable from other sign elements.

Charitable Use. A use that is conducted by a charitable institution, organization, or association organized for charitable purposes and conducted for charitable purposes only, as defined under state or federal tax laws.

City Facility. Any building or property owned by the City of Pinole and open to the public. This definition includes, but is not limited to, City Hall and the Senior Center.

City Manager. The City Manager of the City of Pinole or his or her or her designee.

City. The City of Pinole.

City Property. Land or other property in which the City of Pinole holds a present right of possession and control, plus all public rights-of-way, plus public parks, regardless of ownership. Schools, even if publicly owned or operated, are not within this definition.

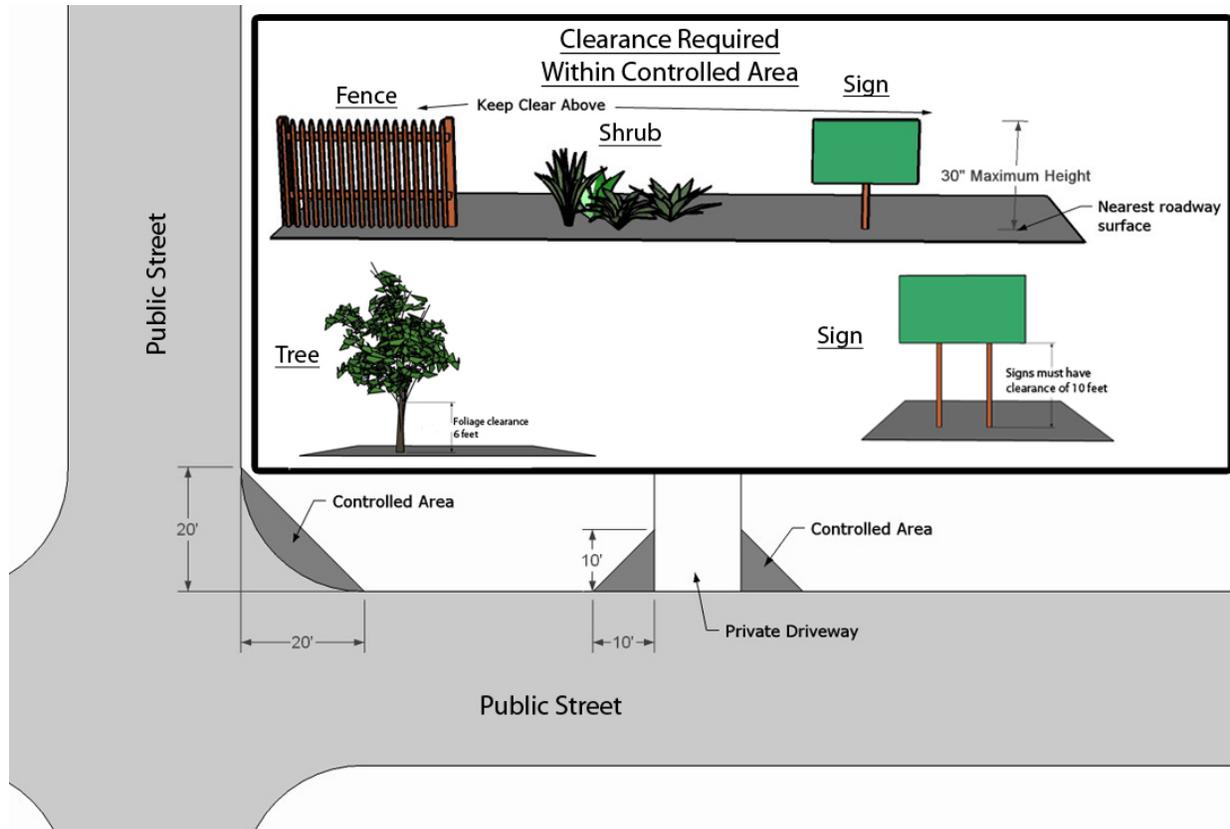
Clear Vision Triangle. The required clear cross-visibility area unobstructed by any structure or landscape between 30 inches and seven feet above the surface of the public sidewalk as follows. See Figure 17.98.020-3 (Clear Visibility Triangle).

1. At any corner formed by the intersection of a driveway/alley and street, the cross-visibility area shall be a triangle having two sides ten feet long and running along the

driveway/alley edge and curb line of street, said length beginning at their intersection and the third side formed by a line connecting the two ends.

- At any corner formed by the intersecting streets, the cross-visibility area shall be a triangle having two sides 20 feet long and running along each curb line, said length beginning at their intersection and the third side formed by a line connecting the two ends.

**FIGURE 17.98.020-3
CLEAR VISIBILITY TRIANGLE**



Collocation (also Co-Location). Structure, or property as another communication facility owned or operated by a different communication service provider. The placement or installation of wireless facilities, including antennas, and related equipment, on, or immediately adjacent to, a wireless telecommunications collocation facility that includes collocation facilities, pursuant to Section 65850.6 of the California Government Code.

Commercial Message. Any sign, wording, logo, or other representation that names or advertises a business, product, service, or other commercial activity.

Commercial Use. The categories of commercial uses of a property include retail products store, personal/household service, food service establishment, entertainment establishment, office, tourist hotel, automobile uses, live/work units, mixed-use development, wholesale use, parking lot and any use listed as a sub-category of the above uses, or any other use determined to be a business activity (except home occupations), as these terms are defined in this Title.

Community Development Director. The City of Pinole Community Development Director and his or her designee. In the absence of a Community Development Director, the City of Pinole Planning Manager shall assume the responsibilities of the Community Development Director as outlined in this Zoning Code.

Community Garden. A site used for growing plants for food, fiber, herbs, or flowers, which is shared and maintained by City residents.

Concertina Wire. A type of barbed wire or razor wire that is formed into large coils that usually sits atop another type of fencing.

Condition. A requirement attached to a permit or entitlement, the satisfaction of which is necessary for the validity and effectiveness of the permit or entitlement.

Condominium. An estate in real property consisting of an undivided interest-in-common in a portion of a lot of real property together with a separate interest in space in a residential, industrial, or commercial building on such real property such as an apartment, office, or store. A condominium may include, in addition, a separate interest in other portions of such real property.

Condominium Conversion. The conversion of the ownership of the units in a residential housing project that are or were previously occupied as rental units from a single ownership to an ownership in which the residential units may be sold individually. Such condominium conversions include, but are not limited to, the conversion of existing multiple unit residential housing projects to any of the following: a community apartment project, a condominium project, and a stock cooperative, all as defined in Section 1351 of the California Civil Code.

Construction. The placing of construction materials and their fastening in a permanent manner to the ground or to a structure or building for the purpose of creating or altering a structure or building, or excavation of a basement.

Construction Sign. A temporary sign identifying the architect, engineer, or contractor directly connected with a construction project and which is placed upon the premises where construction, repair, or renovation is in progress.

Conversion, Commercial. The physical change of a building's walls separating lease spaces so as to change (1) the number of separate, individual commercial lease spaces for commercial businesses, or (2) the number of square feet of leasable floor area of any lease space.

Conversion, Residential. The physical change of the floor area and/or walls of a building that is used for dwelling unit, group living accommodation, or residential hotel room purposes, so as to change the number of dwelling units, sleeping rooms, or residential hotel rooms, or reduce the floor area and/or habitable space of any residential living quarters.

Copy. The words, letters, numbers, figures, designs, or other symbolic representations incorporated into a sign.

Corner Arcade. A small covered space adjoining the intersection of two streets at the same elevation as the adjoining sidewalk or sidewalk widening and directly accessible to the public at all times.

County. The County of Contra Costa.

Covenants, Conditions and Restrictions. A written declaration relating to the maintenance, operation, duties and responsibilities of the common owners of the project and may include, but is not limited to, those restrictions provided for in Section 1355 of the California Civil Code.

Coverage Area. All the area of a lot, as projected on a horizontal plane, which is enclosed by the exterior walls of buildings or enclosed accessory structures, or covered by decks, porches, stairs, and/or landings which cover an enclosed space or paved ground area. Eaves and uncovered decks located over a pervious surface, as well as paths, driveways, and improvements existing at grade only, do not constitute coverage of a lot.

Cut Down, Destroy, or Remove. To mechanically or manually rip, cut, push or pull a live tree from its stem and/or root ball in such a way that it cannot recover and thrive.

Deck. An unenclosed structure, usually made of wood, built to provide a solid continuous surface for outdoor use and/or access to a door, which is accessible from the ground level directly or from a connecting stairway and separated from the ground by an air space.

Demolition. A building or enclosed structure shall be considered demolished for the purposes of this Chapter when, within any continuous 12-month period, such building or enclosed structure is destroyed in whole or in part or is relocated from one lot to another. For purposes of this Title, destroyed in part means when 50% or more of the enclosing exterior walls and 50% or more of the roof are removed.

Density Bonus. A density increase over the otherwise maximum allowable residential density under the applicable Zoning Code and Land Use Element of the General Plan as of the date of application by the applicant to the City. The applicant may elect to accept a lesser percentage of density bonus. The amount of density bonus to which the applicant is entitled shall vary according to the amount by which the percentage of affordable housing units exceeds the percentage established in Chapter 17.38 (Density Bonus).

Density Bonus Housing Agreement. A legally binding agreement between a developer and the City to ensure that the requirements of Chapter 17.38 (Density Bonus) are satisfied.

Density Bonus Units. Those residential units granted pursuant to the requirements of Chapter 17.38 (Density Bonuses) which exceed the otherwise maximum residential density for the development site.

Development. Development shall mean any improvement of real property which requires the approval of a subdivision, design review approval, a use permit, a variance, a grading permit, a site development permit, a demolition permit or a building permit.

Development Area. Development area shall mean that portion of property on which any construction activity including demolition, grading, building construction, landscaping or installation of utility services is to occur.

Directional Sign, On-Site. A sign located on the same property as an establishment, primarily providing direction to guide vehicles and pedestrians to businesses, including, but not limited to, those signs identifying parking area and circulation patterns.

Directory Sign. A pedestrian-oriented sign that identifies or lists the names and locations of tenants at a multi-tenant site.

Discretionary Development Approval. Discretionary development approval shall mean the approval of a subdivision, design review approval, a conditional use permit, a minor use permit, a planned development permit, a hillside planned development permit, a variance or any other approval by the City Council, Planning Commission, Design Review Board or Zoning Administrator.

Dormer. A projection built out from a sloping roof, usually housing a vertical window or ventilating louver. All features of a dormer shall be set back a minimum of three feet from the exterior of the wall below, with the exception of the dormer's eaves, which may project horizontally not more than two feet from the exterior face of the dormer. A dormer must be below the ridge of the portion of the building's roof where the dormer is located. The total horizontal dimension of the dormer(s) facing a given side of a building, as measured parallel to that side, shall not exceed 25% of the length of the exterior wall(s). Dormers meeting this definition shall not be calculated in the average height of building.

Dripline. The largest outside perimeter of the canopy of a tree.

Drive-in Use. A use where a customer is permitted or encouraged, either by the design of physical facilities or by the service and/or packaging procedures offered, to be served while remaining seated within an automobile including, but not limited to, drive-through food, financial services, and automatic car washes.

Driveway. A paved, vehicular accessway connecting an off-street parking space or parking lot with a public or private street.

Dwelling, Attached. A building containing a single dwelling unit and having one or more walls in common with another such unit with each unit located on a separate lot.

Dwelling Unit, Second. An attached or detached dwelling unit which provides complete independent living facilities for one or more persons, with permanent requirements for living, sleeping, eating, cooking, and sanitation sited on the same parcel as the primary dwelling unit. This definition includes granny flats, efficiency units and manufactured homes, pursuant to Government Code section 65852(i)(4).

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

Dwelling Unit, Primary. The main dwelling unit on a parcel of land consisting of a room or suite of rooms with a single kitchen, other than a hotel unit with a kitchen, designed or used for residential use and occupancy.

Efficiency Unit. As defined by Health and Safety Code section 17958.1, an efficiency unit is a dwelling unit with a minimum of 500 square feet, consisting of one principal room together with bathroom, kitchen, hallway, closets, and/or dining room alcove directly off the principal room.

Electromagnetic Wave. An electrical wave propagated by an electrostatic and magnetic field of varying intensity.

Electronic Message Sign. An electronic sign, typically comprising a liquid crystal diode (LCD), light emitting diode (LED), plasma, or other digital illuminated sign that displays one or more messages. An electronic message sign is different from an illuminated sign in that the illumination

of the display creates the message, rather than illumination lighting the message. An electronic message sign could be used as a message delivery method for a wall sign, a monument sign or other freestanding sign, or a billboard.

Emergency Shelter. Consistent with Health and Safety Code Section 50801, emergency shelter is defined as housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

Emergency Use Permit. A permit issued by the City Council during a declared emergency for the establishment of a use or the construction of a structure that is required to ameliorate the effects of the emergency.

Entitlement. Any permit or approval under this Zoning Code and other Titles of the Municipal Code that must be obtained before initiating a use or development activity.

Equivalent Financial Incentive. A monetary contribution, based upon a land cost per dwelling unit value, equal to one of the following:

- A density bonus and an incentive or concession; or
- A density bonus, where an incentive or concession is not requested or is determined to be unnecessary.

Exempt Sign. A sign which is not subject to a Sign Permit.

Façade. Those portions of a building, including exterior walls, porches, chimneys, balconies, parapets and roof portions, which are visible from a public right-of-way or an adjacent building.

Face Change. A change in color, material, copy, graphics, or visual image that requires the installation of a new or modified sign face, but which does not involve any change to an existing sign structure or mounting device.

Family. See "Household."

Fence. A structure made of wood, metal, masonry, or other material forming a physical barrier which supports no load other than its own weight, or a hedge that is designed to delineate, screen, or enclose a lot, yard, open space area, or other land area.

Flag. Any fabric, banner, or bunting 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.

Flashing Sign. An illuminated sign that exhibits changing light or color effect by blinking or any other such means so as to provide a non-constant illumination.

Floor Area, Gross. The total gross horizontal areas of all floors of a building or enclosed structure, including, but not limited to, usable basements and cellars, below the roof and within the outer surface of the main walls of principal or accessory buildings (or the centerlines of party walls separating such buildings or portions thereof) or within lines drawn parallel to and two feet within the roof line of any building or portion thereof without walls, except that in the case of a multi-story building which has covered or enclosed stairways, stairwells, and elevator shafts, the horizontal area of such features shall be counted only once at the floor level of their greatest

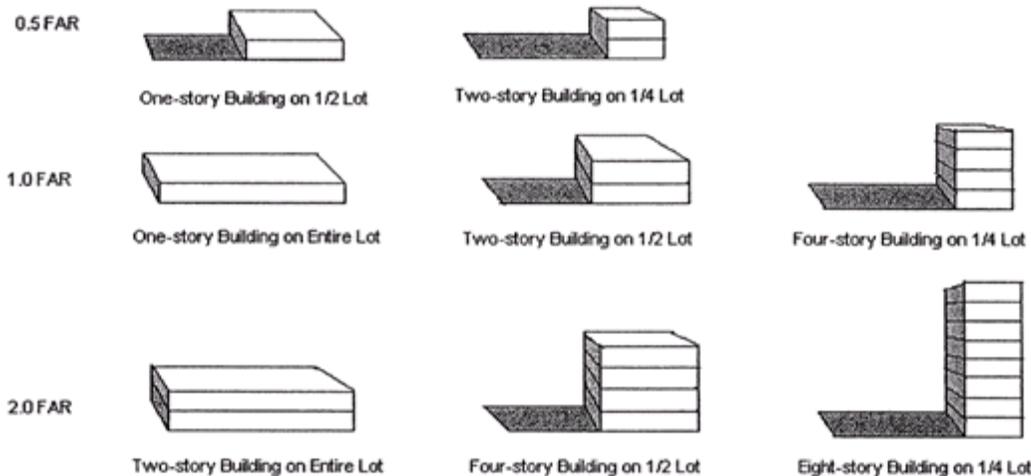
area of horizontal extent. Areas that shall be excluded from gross floor area shall include covered or uncovered areas used for off-street parking spaces or loading spaces and driveways; ramps between floors of a multi-level parking garage and maneuvering aisles relating thereto; mechanical, electrical, and telephone equipment rooms below finish grade; and areas which qualify as usable open space.

For nonresidential uses, gross floor area includes pedestrian access interior walkways or corridors, or interior courtyards, walkways, paseos, or corridors covered by a roof or skylight, but excludes arcades, porticoes, and similar open areas which are located at or near street level that are accessible to the general public and which are not designed or used as sales, display, storage, service, or production areas.

Floor Area, Leasable. The total interior floor area of a commercial lease space available for use by a single business including all sales, customer, display, shelving, assembly, seating, counter, kitchen, storage, and office areas but not including stairs, restrooms, and unenclosed walkways and those areas serving more than one lease space, including, but not limited to, common hallways, corridors, lobbies, maintenance areas, vestibules, and other common areas.

Floor Area Ratio. The gross floor area of all buildings on a lot divided by the building site area. See Figure 17.98.020-4 (Floor Area Ratio).

**FIGURE 17.98.020-4
FLOOR AREA RATIO**



Foot-Candle. A unit of illumination produced on a surface, all points of which are one foot from a uniform point of one candle.

Freestanding Sign. A permanent sign that is self-supporting in a fixed location and not attached to a building. It includes a sign connected or attached to a sign structure, fence, or wall that is not an integral part of a building. Freestanding signs are of three types: monument, pole, and pylon.

Frontage, Public. That side of a building facing onto a public street, mall (pedestrian courtyard), or parking area.

Frontage, Street. That side of a lot abutting a public street.

Full Shielding. A technique or method of construction which causes all light emitted from an outdoor light fixture to be projected below an imaginary horizontal plane passing through the lowest point on the fixtures from which light is emitted.

Future Tenant Signs. Signs erected for the purpose of announcing the future occupancy of a new tenant, other than the current resident tenant.

Garage or Carport. Parking space and shelter for automobiles or other vehicles, where the size of the parking space complies with the requirements of Chapter 17.48 (Parking). A garage is a completely enclosed attached or detached accessory structure with an operational door. A carport is an attached or detached accessory structure enclosed on no more than two sides. A garage or carport complies with the requirements of the Zoning Code for "covered" parking spaces.

Gas Pricing Signs. Signs identifying the brand, types, octane rating, etc., of gasoline for sale as required by state law.

Grade. The lowest point of elevation of the finished surface of the ground between the exterior wall of a building and a point five feet distant from said wall, or the lowest point of elevation on the finished surface of the ground between the exterior wall of a building and the property line if it is less than five feet distant from said wall. In cases where walls and fences are parallel to and within five feet of a public sidewalk, alley, or other public way, the grade shall be the elevation of the sidewalk, alley, or public way. In the case of signs, grade is the lowest point of elevation of the finished surface of the ground at the base of the sign, or in the case of a double support, the lowest point of elevation of the finished surface of the ground at the supports.

Grade, Existing. The elevation of the ground at any point on a lot as shown on the required survey submitted in conjunction with an application for a Building Permit or grading permit.

Grade, Finish. The lowest point of elevation of the finished surface of the ground between the exterior walls of a building and a point five feet distant from said wall, or the lowest point of elevation of the finished surface of the ground between the exterior wall of a building and the property line if it is less than five feet distant from said wall. In the case of walls which are parallel to and within five feet of a public sidewalk, alley, or other public way, the grade shall be the elevation of the sidewalk, alley, or public way.

Ground Floor Street Frontage. The occupied floor space in a structure nearest to the public right-of-way and closest to sidewalk grade.

Guest House. A detached structure accessory to a single-family dwelling, accommodating living/sleeping quarters, but without kitchen or cooking facilities. See "Accessory Building."

Habitable Space. A space in a building which is used or designed to be used for living, sleeping, eating, or cooking, but not including garages, bathrooms, utility, storage and laundry rooms, halls, or closets.

Hearing Body. The person, board, commission or council charged with making a determination for a permit or entitlement.

Hedge. Any line or row of plants, trees, or shrubs planted in a continuous line to form a dense thicket or barrier.

Height of Building, Average. The vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building (or, in the case of residential additions, that portion of the lot covered by the addition) to: in the cases of sloped, hipped or gabled roofs, the average height of the roof between the ridge and where the eave meets the plate; in the case of a roof with parapet walls, to the top of the parapet wall; in the case of a gambrel roof, the average height of the roof between the ridge and the point where the uppermost change in the roof's slope occurs; in the case of a mansard roof, to the height of the deck; and in the case of a shed roof, to the height of the roof ridge. Dormers, as defined in this subsection, shall not be included in the average height calculation.

Height of Building, Maximum. The vertical distance of a building at any point, within a given plane, from finished grade to the top of the roof or parapet walls.

Home Occupation. The conduct of a business within a dwelling unit or residential site, employing occupants of the dwelling, with the business activity being subordinate to the residential use of the property. Examples include, but are not limited to, accountants and financial advisors, architects, artists, attorneys, offices for construction businesses (no equipment or material storage), and real estate sales.

Home Occupation Sign. A sign located at a residence advertising a business or profession legally conducted in the residence.

Household. One or more persons, whether or not related by blood, marriage, or adoption, sharing a dwelling unit in a living arrangement usually characterized by sharing living expenses, such as rent or mortgage payments, food costs, and utilities, as well as maintaining a single lease or rental agreement for all members of the household and other similar characteristics indicative of a single household.

Illuminated Sign. A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign. Includes signs made from neon or other gas tube(s) that are bent to form letters, symbols, or other shapes. Excludes an electronic message sign, which is separately defined.

Incentive and Concession. Means such regulatory concessions as specified in subdivision (l) of Government Code Section 65915 which include, but are not limited to, the following:

1. The reduction of site development standards or a modification of Zoning Code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required that results in identifiable financially sufficient and actual cost reductions.
2. Approval of mixed-use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located.
3. Direct financial assistance.

4. Other regulatory incentives or concessions which result in identifiable cost reductions or avoidance.

Incidental Sign. A sign, emblem, or decal informing the public of goods, facilities, or services available on the premises, including, but not limited to, restrooms, phones, credit cards, or hours of business.

Landscape Feature. A detached decorative structure typically used in conjunction with plant materials for aesthetic enhancement, including, but not limited to, patio trellis covers, pergolas and gazebos with non-solid roof construction, arched trellises, vertical lattice structures, statues, and similar features.

Landscaped Area. An area of ground within the boundaries of a lot which consists of living plant material including, but not limited to, trees, shrubs, ground covers, grass, flowers, gardens, and vines. A landscaped area shall not include off-street parking spaces, driveways, paved walkways and paths, patios, and other surfaces covered by concrete or asphalt.

Lattice Tower. A support structure erected on the ground that consists of metal crossed strips or bars to support antennas and related equipment.

Loading Space, Off-street. A covered or uncovered space for trucks or other delivery vehicles for the loading or unloading of freight, cargo, packages, containers or bundles of goods, and/or bulky goods.

Loft. See “Mezzanine.”

Lot. A separate legal subdivision of land, as recorded with the Contra Costa County Recorder. Lots are categorized as follows:

Abutting Lot. A lot having a common property line or separated by a public path or alley, private street, or easement to the subject lot.

Confronting Lot. A lot whose front property line is intersected by a line perpendicular to and intersecting the front property line of the subject lot.

Corner Lot. A lot located at the junction of two or more intersecting streets, with a boundary line thereof bordering on each of such streets. The shortest such street frontage shall constitute the front of the lot.

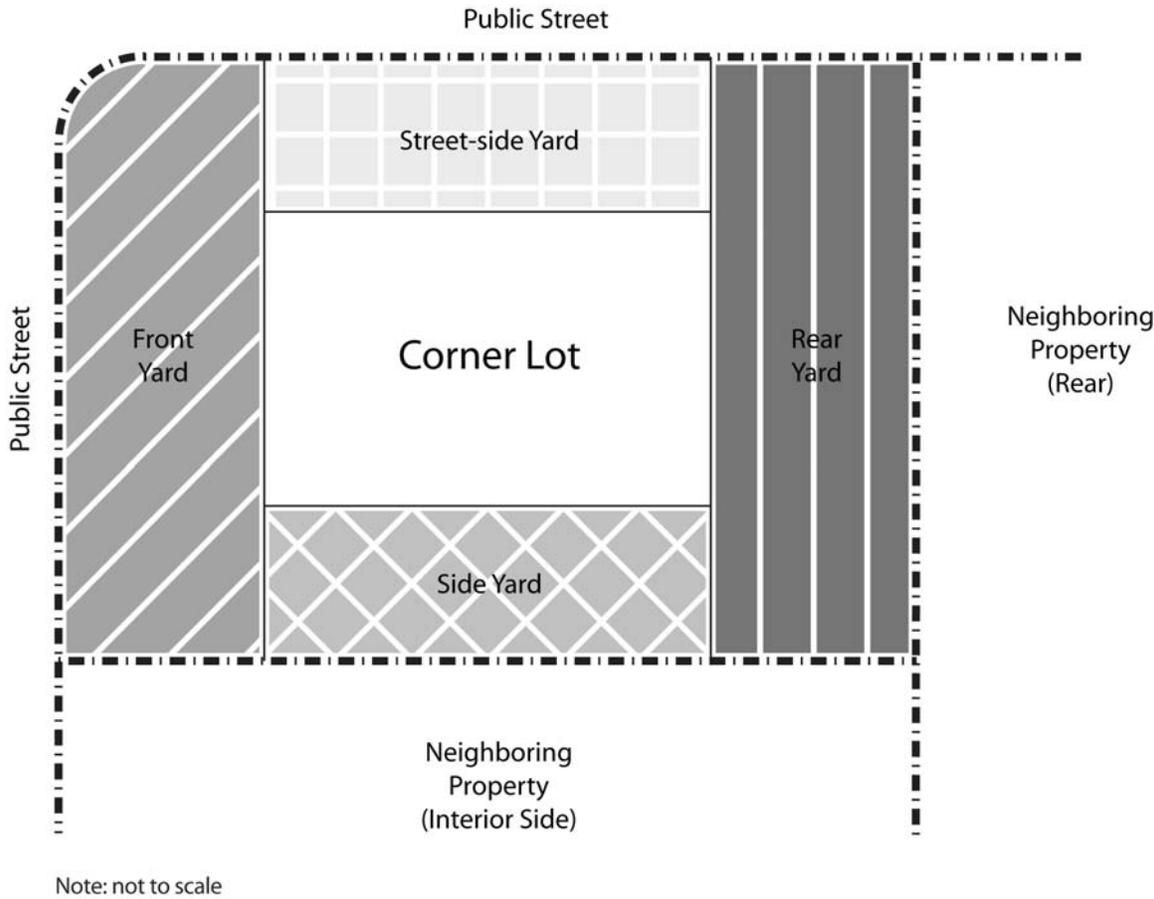
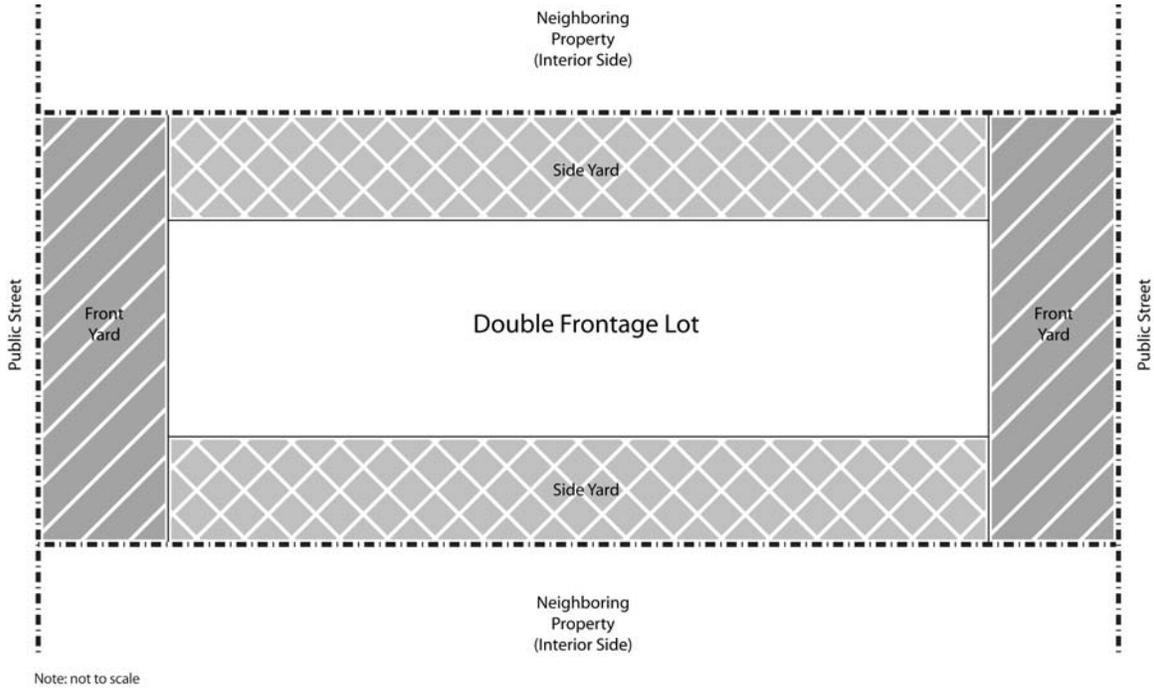
Double Frontage Lot. A lot having a frontage on two parallel or approximately parallel streets.

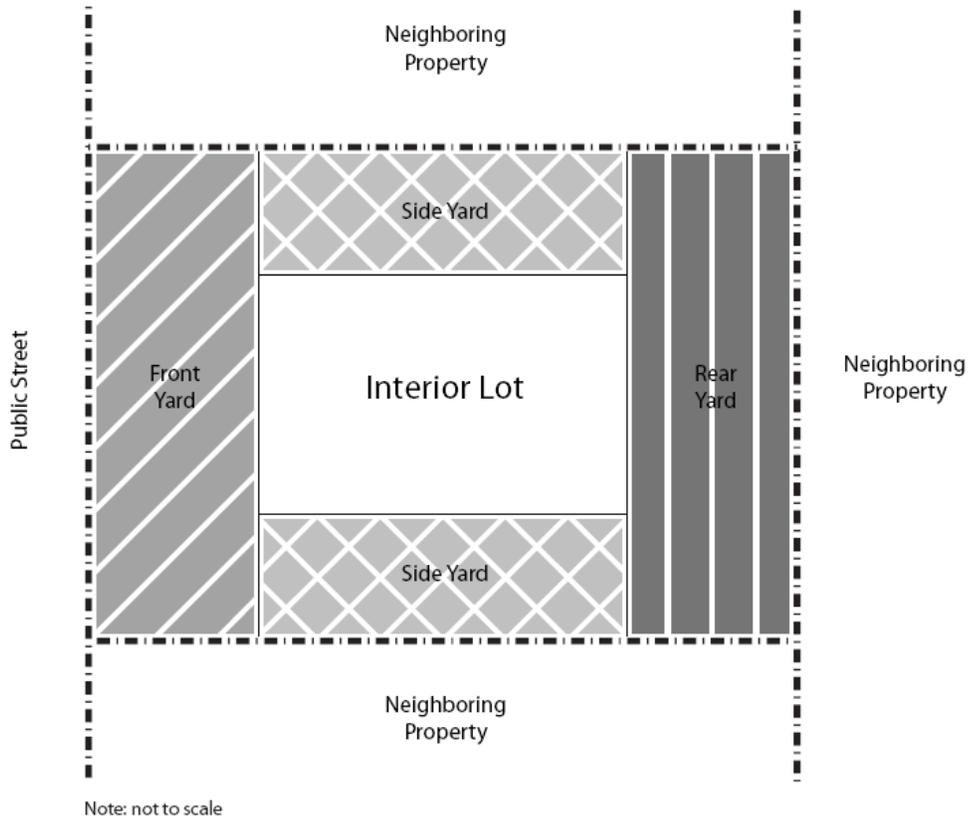
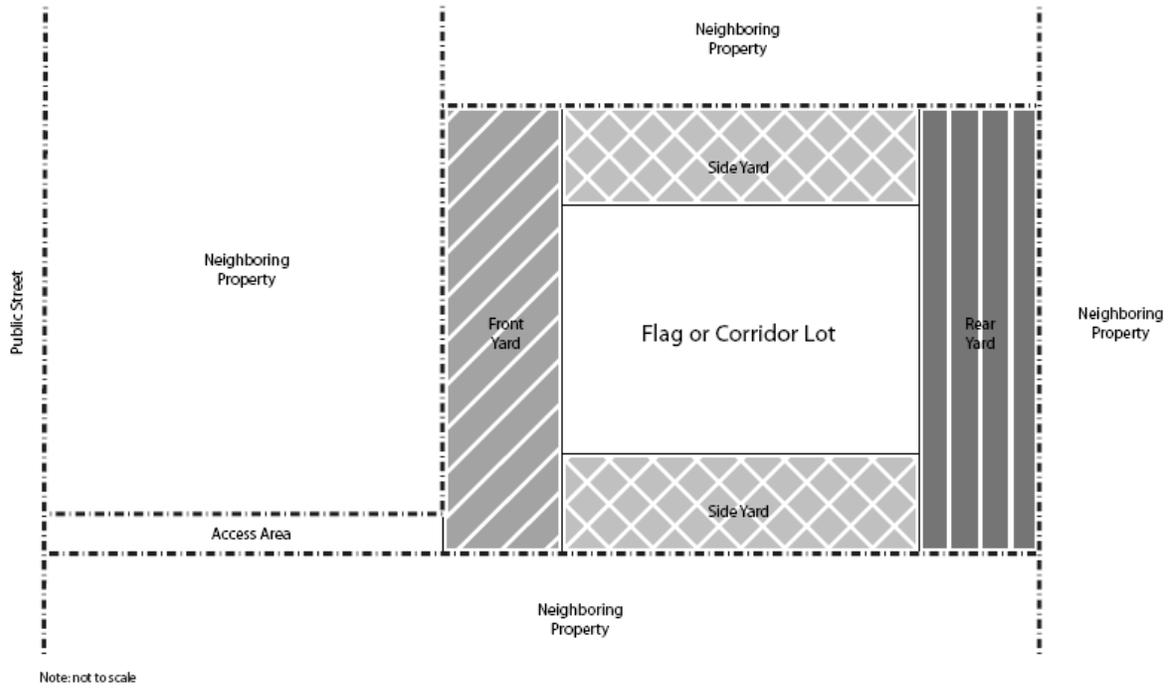
Flag Lot. A lot so shaped that the main portion of the lot area does not have direct street frontage, other than by a connection of a strip of land which is used for access purposes.

Interior Lot. A lot other than a corner lot.

Key Lot. Any interior lot which abuts the rear lot line of a corner lot.

FIGURE 17.98.020-5
LOT AND YARD TYPES





Lot Area. The total horizontal area within a lot's boundary lines.

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 Frontage. The portion of a property that abuts one side of a public street which allows primary access to the property. The public street frontage for lots fronting on a curved street, or on the curved portion of a cul-de-sac street, shall be measured along an arc located within the front 50 feet of the lot and based on a center point coincidental with the center point of the street curve. If such arc is farther than 20 feet from the right-of-way line of the street, that arc will be considered the front yard setback line of the lot.

Lot Infill. Vacant land or property adjacent to developed land or property on at least two sides or adjacent to developed land or property on one side and adjacent to an area zoned for open space, parks and recreation, or San Pablo Bay conservation on another side.

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

Lot Line, Front. In the case of an interior lot, a line separating the lot from the street or place, and in the case of a corner lot, a line separating the narrowest street frontage of the lot from the street. In the case of a square or nearly square-shaped corner lot, the owner may choose which street shall be designated as the front of the lot. Once the choice of frontage has been made, it cannot be changed unless all requirements for yard space are complied with.

Lot Line, Rear. A lot line which is opposite and most distant from the front lot line and, in case of an irregular, triangular, or gore-shaped lot, a line ten feet in length within the lot, parallel to and at the maximum distance from the front lot line. See Figure 17.98.020-6 (Setback Determination for Irregular Lots).

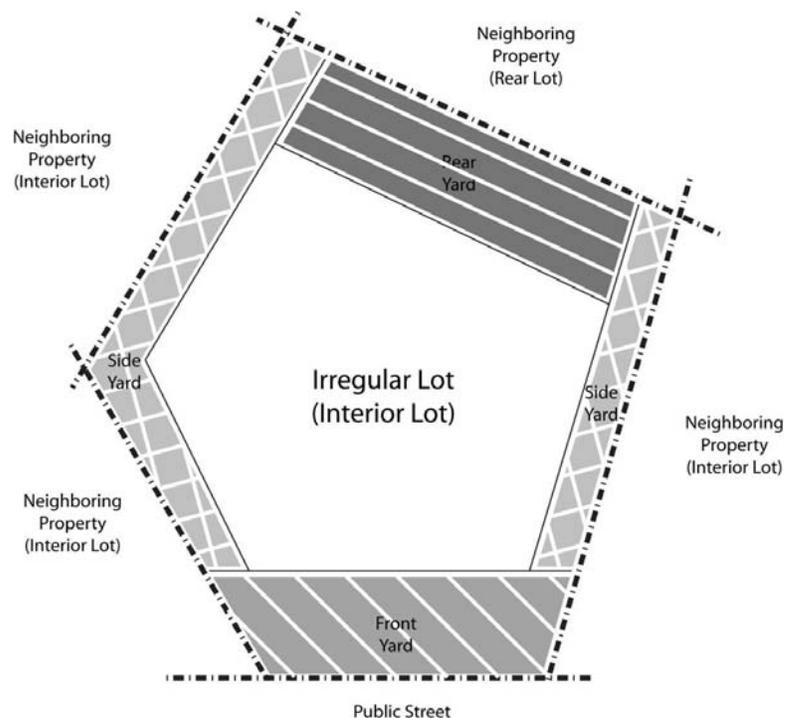
Lot Line, Side. Any lot boundary line not in a front lot line or a rear lot line.

Lot Width. The average distance between the side lot lines measured at right angles to the lot depth.

Low Income Households. Households earning a 51% to 80% of the median household income, as defined by guidelines adopted each year by the California Department of Housing and Community Development (HCD).

Luminaire. A complete lighting unit consisting of a light source and all necessary mechanical, electrical, and decorative parts. The pole, post, or bracket is not considered a part of the luminaire.

**FIGURE 17.98.020-6
SETBACK DETERMINATION OF IRREGULAR LOTS**



Maintenance of Building. Those activities which preserve an existing building including, but not limited to, cleaning, painting, and refurbishing (but not altering) exterior and interior walls, equipment, facilities, and fixtures.

Maximum Allowable Residential Density. The maximum number of residential units permitted by the City's Zoning Code at the time of application.

Menu/Order Board Sign. A sign installed in a drive-through facility and oriented so as to be visible primarily by drive-through customers.

Mezzanine. An intermediate level of a building interior containing floor area without complete enclosing interior walls or partitions, placed in any story or room and not separated from the floor or level below by a wall. The floor area of any mezzanine shall be counted as part of the total floor area for any floor area or floor area ratio limitation. In addition, when the total floor area of any such mezzanine exceeds 33.3% of the total floor area in that room, it shall constitute an additional story. No more than one continuous mezzanine may be permitted in any one room.

Mixed-use. The use of a lot or building with two or more different land uses including, but not limited to, residential, commercial retail, office, or manufacturing, in a single structure or a group of physically integrated structures.

Moderate Income Households. Households earning a 80% to 120% of the median household income, as defined by guidelines adopted each year by the California Department of Housing and Community Development (HCD).

Monopole. A single pole support structure greater than 15 feet in height erected on the ground or on a structure to support antennas and related communications equipment.

Monument Sign. A sign constructed upon a solid-appearing base or pedestal (typically stone, brick, or concrete), the total width of which is at least 50 percent of the overall height of the sign. Also see "Pylon Sign" and "Pole Sign."

Multi-Tenant Center. A property or combination of properties containing three or more separate tenants and which share common parking, driveway, and access areas.

Mural. A non-commercial message expression of public art executed directly on a wall (fresco) or done separately and affixed to it.

NIER. A non-ionizing electromagnetic radiation (e.g., electromagnetic radiation primarily in the visible, infrared, and radio frequency portions of the electromagnetic spectrum).

Noncommercial Sign. A sign that displays noncommercial speech, e.g., commentary or advocacy on topics of public debate and concern.

Nonconforming Sign. A sign lawfully erected and legally existing at the time of the effective date of an ordinance but which does not conform to the requirements of the Zoning Code.

Nonconforming Use or Building. A use or building which is not consistent with a requirement or requirements of Title XX, but which was lawfully established or constructed prior to the effective date of the requirement(s) with which it is inconsistent. A use shall not be considered nonconforming if it is only inconsistent with the Zoning Code with respect to the number of auto or bicycle spaces, their location on site, or screening.

Non-Restricted Unit. All units within a housing development, excluding the target units.

Off-Site Sign (Also Off-Premise Sign). A sign which directs attention to a business, profession, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the same lot or parcel on which said sign is located. This definition shall include billboards, posters, panels, painted bulletins, and similar advertising displays. The off-site/on-site distinction applies only to commercial messages. Off-site signs meet any one of the following criteria:

- A permanent structure sign which is used for the display of off-site commercial messages.
- A permanent structure sign which constitutes a principal, separate, or secondary use, as opposed to an accessory use, of the parcel on which it is located.
- An outdoor sign used as advertising for hire, e.g., on which display space is made available to parties other than the owner or operator of the sign or occupant of the parcel (not including those who rent space from the sign owner, when such space is on the same parcel or is the same development as the sign), in exchange for a rent, fee, or other consideration.
- An off-site outdoor advertising sign on which space is leased or rented.

On-Site Sign (Also On-Premise Sign). A sign which directs attention to a business, profession, commodity, service, or entertainment conducted, sold, or offered upon the lot or parcel on which the sign is placed. The off-site/on-site distinction applies only to commercial messages. In the case of multiple-tenant commercial or industrial developments, a sign is considered on-site whenever it is located anywhere within the development. In the case of a duly approved Uniform Sign Program, a sign anywhere within the area controlled by the program may be considered on-site when placed at any location within the area controlled by the program.

Open View Fencing. Fencing that does not create a solid visual barrier such as wrought iron or tubular steel.

Outdoor Storage. The storage of any material for a period greater than 24 hours, including items for sale, lease, processing, and repair (including vehicles) not in an enclosed building.

Overspeed Control. A mechanism used to limit the speed of blade rotation to below the design limits of the Wind Energy Conversion System.

Parapet. A low wall or railing not exceeding 42 inches above the roof and along its perimeter, usually for fire containment and/or architectural purposes.

Parcel. A term used by the Contra Costa County Tax Collector to describe a lot, portion of a lot, or group of lots for property tax purposes.

Park and Ride Facility. A designated area where a vehicle may be left in order for the driver to carpool with other commuters or to ride public transit.

Parks and Public Plazas. Public parks include playgrounds and athletic fields/courts and public plazas and outdoor gathering places for community use. If privately owned and restricted to the public (e.g., require payment of fee), the same facilities are included under the definition of "Outdoor Commercial Recreation."

Parking Area, Accessory. An area of a lot reserved for use as off-street parking intended to serve a building or use which is the primary or main use of the lot.

Parking Facility. A parking lot or parking structure used for parking motor vehicles where the facility is the primary use of the site. Parking structures and lots that are developed in conjunction with another primary use of the site to satisfy the on-site parking requirements for the development are not included in this definition.

Parking Lot or Structure. The exclusive or primary use of a lot for off-street parking spaces, in either an open paved area or within a structure built specifically for parking purposes.

Parking Space. Space on an area of land, covered or uncovered, designed and intended to be used for parking a motor vehicle, which space is improved with a durable dustless surface suitable for use under all weather conditions, and which space shall not be located in any required front yard or any required side yard adjacent to a street.

Parking Space, Off-street. An area, covered or uncovered, designed for the storage of an automobile which is paved, accessible by an automobile, and usable for such automobile storage use without permanent obstruction.

Paseo. A public space that is located within a block's interior and that connects two streets that are parallel or within 45 degrees of being parallel to each other.

Path. A right-of-way used or designed for pedestrian access.

Paving. A surface such as concrete or asphalt or other material or combination of materials that is impervious.

Pennant. Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, attached to a rope, wire, or string, usually in a series, designed to move in the wind and attract attention.

Penthouse, Mechanical. A room or enclosed structure attached to the roof level for the uppermost story, for purposes of sheltering mechanical equipment, water tanks, and/or vertical openings for stairwell and elevator shafts. Such a structure shall be considered a story if it contains usable floor area or habitable space.

Permanent Sign. A sign that is entirely constructed out of durable materials and is intended to exist for the duration of time that the use or occupant is located in the premises.

Permit. A document issued by the proper Authority authorizing the applicant to undertake certain activities. For the purposes of this Title, permit is included in the definition of entitlement.

Personal Wireless Services. Commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services as defined in the Telecommunications Act of 1996.

Physical Therapist. A person who treats physical dysfunction or injury by the use of therapeutic exercise and the application of modalities intended to restore or facilitate normal function or development. A physical therapist is not required to be a medical doctor by law.

Play Equipment. Structures and surfaces used for recreational purposes including play structures, jungle gyms, and sports courts such as tennis and basketball courts.

Plaza. An urban public space typically bounded by buildings, public rights-of-way, and other secondary public spaces.

Pole Sign. An on-site free-standing sign supported by a sign structure from the ground which identifies businesses or institutions located on the same parcel or in the same development on which the sign is located. Generally, pole signs are supported by one or more metal or wood posts, pipes, or other vertical supports. The support structure is not integrated into the overall design of the sign. Also see “Monument Sign” and “Pylon Sign.”

Political Sign. A sign erected prior to (or may exist after) an election to advertise or identify a candidate, campaign issue, election proposition, or other related matters.

Pool/spa. Any structure intended for swimming or recreational bathing greater than 120 square feet with at least 2,000 gallons of water and a minimum depth of three feet.

Portable Sign. Any on-site or off-site advertising device defined as a sign that is not permanently attached to a building or to the ground. Portable signs include, but are not limited to, signs designed to be transported by means of wheels, signs configured as A-frame or T-frame, menu and sandwich board signs, and umbrellas used for advertising.

Projecting Sign. A sign attached to and extending outward from a building’s face. Includes but is not limited to a blade sign, bracket sign, or marquee sign.

Protected Tree. Protected tree or tree shall mean the following:

- A. Select trees with a single perennial stem of 12 inches or larger in circumference measured four and a half feet above the natural grade. The list of select trees includes:
 1. Coast Live Oak.
 2. Madrone.
 3. Buckeye.
 4. Black Walnut.
 5. Redwood.
 6. Big Leafed Maple.
 7. Redbud.
 8. California Bay.
 9. Toyon.
- B. Any other tree with a single perennial stem greater than 56 inches in larger in circumference measured four and a half feet above the natural grade.
 1. Trees species specifically excluded from protection under this Chapter include any other species of nut or fruit trees, palm trees or eucalyptus trees.

- 2. Also any tree species not listed above, that is smaller than 56 inches in larger in circumference measured four and a half feet above the natural grade.
- C. For convenience in the field, circumferences are considered equivalent to diameter as follows:

Diameter	Circumference
4 inches	12 inches
9 inches	28 inches
12 inches	37 inches
18 inches	56 inches

Public Property. All real property owned, operated, or controlled by the City, other than PROW and any privately owned area within the City's jurisdiction which is not yet but is designated as a proposed public place on a tentative subdivision map approved by the City.

Public Recreation Facility, Outdoor. An outdoor facility public owned or leased which has been set aside for assembly, recreation, play, and/or ornamental purposes.

Public Right-of-Way (PROW): Any public street, public way, public place or rights-of-way, now laid out or dedicated, and the space on, above, or below it, and all extensions thereof and additions thereto, owned, operated, and/or controlled by the City or subject to an easement owned by the City and any privately owned area within the City's jurisdiction which is not yet but is designated as a proposed public place on a tentative subdivision map approved by the City.

Public Safety and Emergency Services. Facilities that provide police and fire protection.

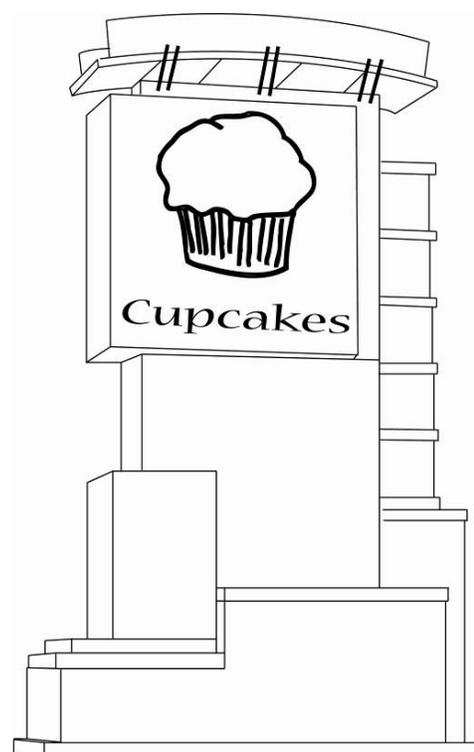
Public Space. An open area for public use on a lot developed in accordance with requirements of an arcade, a building entry, an employee break area, or a plaza.

Pruning. To cut branches away from a plant.

Pylon Sign. An on-site free-standing sign supported by a sign structure from the ground which identifies businesses located on the same parcel or in the same development on which the sign is located. Pylon signs are designed such that the support structure and the sign face are designed as one architecturally unified and proportional element. See Figure 17.98.020-7 (Pylon Sign). Also see "Monument Sign" and "Pole Sign."

Qualifying Senior Resident. Senior citizens or other persons eligible to reside in a senior citizen housing development, as described in Section 51.3 of the California Civil Code.

Figure 17.98.020-7
Pylon Sign



Readerboard Sign. A sign on which copy is changed manually in the field or electronically, including, but not limited to, theatre marquee signs, business directories, church and museum signs, and gas price signs.

Readily Visible. A wireless telecommunications facility is readily visible if it can be seen from street level or from the main living area of a legal residence in a residential district or from a public park by a person with normal vision and distinguished as an antenna or other component of a wireless telecommunication facility, due to the fact that it stands out as a prominent feature of the landscape, protrudes above or out from the building or structure ridgeline, or is otherwise not sufficiently camouflaged or designed to be compatible with the appurtenant architecture or building materials. For purposes of this definition, main living area means the living and dining and similar areas of a dwelling, but not bedrooms, bathrooms, or similar areas.

Real Estate Sign. Any sign, temporary in nature, the copy of which concerns a proposed economic transaction involving real property. Does not include occupancy signs at establishments offering transient occupancy, such as hotels and motels.

Related Equipment. All equipment ancillary to the transmission and reception of voice and data by means of radio frequencies for or related to the requirement of personal wireless services. Such equipment may include cable, conduit, connectors, equipment pads, equipment shelters, cabinets, buildings, and access ladders.

Retaining Wall. A structure that holds back soil and rock from a building, structure, or area that helps to prevent erosion and the downward slide of such materials.

Right-of-Way Line. The future right-of-way line or plan lines of any highway or street as shown on the current Circulation Plan Roadway System and Sizing Map of the City's General Plan.

Roof Sign. A sign installed on a roof or projecting above the eave of a building or mounted on an arcade or parapet.

Roofline. The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or minor projections.

Rooming House. A building used for residential purposes, other than a hotel, where lodging for five or more persons who are not living as a single household is provided for compensation, whether direct or indirect. In determining the number of persons lodging in a rooming house, all residents shall be counted, including those acting as manager, landlord, landlady, or building superintendent.

Rotor Area. The largest area of the Wind Energy Conversion System which extracts energy from the windstream. In a conventional propeller-type Wind Energy Conversion System there is a direct relationship between rotor area and the rotor diameter.

Satellite Dish. A device which is designed to receive signals or communications from orbiting satellites.

Satellite Earth Station (SES). A facility consisting of more than a single satellite dish or parabolic antenna that transmits to and/or receives signals from an orbiting satellite.

Setback. The minimum distance between a structure and a property line of the lot measured at a right angle from the designated property line.

Setback Line. A line parallel to a specified lot line which defines a required yard area.

Shed, Garden and/or Tool. An accessory structure designed to store tools, lawn and garden care, or maintenance equipment or materials and which is not designed to contain any habitable space.

Shielding. A technique or method of construction which causes light emitted from an outdoor light fixture to be projected below an imaginary horizontal plane passing through the fixtures.

Sidewalk Café Seating. Tables and/or chairs (including benches) and umbrellas associated with lawfully operating food service establishments and similar uses, in or on the public right-of-way or resting on, or projecting into, the sidewalk area, which are not physically or structurally attached to a building, retaining wall, or fence.

Sign. Any structure, part thereof, device, fixture, or placard or inscription which is located upon, attached to, or painted or represented on any land, or on the outside of any building or structure, or on an awning, canopy, marquee, or similar appendage, or permanently affixed to the glass on the outside or inside of a window so as to be seen from the outside of the building, and which displays or includes any numeral, letter, word, model, banner, emblem, insignia, symbol, device, light, trademark, or other representation used as, or in the nature of, an announcement, advertisement, attention arrester, direction, warning, or designation of any person, firm, group, organization, place, commodity, product, service, business, profession, enterprise, or industry when such image is visible from any public right-of-way. Notwithstanding the generality of the foregoing, the following are not within this definition:

- Architectural features. Decorative or architectural features of buildings (not including lettering, trademarks, or moving parts).
- Manufacturers' marks. Marks on tangible products, which identify the maker, seller, provider, or product and which customarily remain attached to the product even after sale.
- Newsracks and newsstands.
- Personal appearance. Items or devices of personal apparel, decoration, or appearance, including tattoos, makeup, wigs, costumes, masks, etc. (but not including commercial mascots).
- Symbols embedded in architecture. Symbols of non-commercial organizations or concepts including, but not limited to, religious or political symbols, when such are permanently integrated into the structure of a permanent building which is otherwise legal. The definition also includes foundation stones and cornerstones.

Significant Adverse Impact. A significant, quantifiable, direct and unavoidable impact of a solar energy system, based on objective, identified and written public health or safety standards, policies or conditions as they existed on the date the application was deemed complete.

Slope. See "Grade."

Solid Fencing and Walls. Fencing and walls that create a solid visual barrier, such as fences and walls constructed of wood or brick.

Solar Energy System. Either (a) solar collector or other solar energy device or any structural design feature of a building of which the primary purpose is to provide for the collection,

storage, or distribution of solar energy for space heating or cooling, water heating, or the generation of electricity; or (b) any structural design feature of a building, whose primary purpose is to provide for the collection, storage, and distribution of solar energy for electricity generation, space heating or cooling, or for water heating, pursuant to Civil Code Section 801.5.

Special Category Tenants. Refers to persons or tenants who fall within one or more of the following categories:

- Elderly means individuals 62 years of age or older.
- Handicapped or permanently disabled as defined in Section 50072 of the California Health and Safety Code or 42 USC 423 and 24 C.F. R. 8.3.
- Low income or very low income as defined in the Zoning Code.

Special Needs Population. Persons identified as having special needs related to any of the following:

- Mental health.
- Physical disabilities.
- Developmental disabilities, including, but not limited to, mental retardation, cerebral palsy, epilepsy, and autism.
- The risk of homelessness.
- Persons eligible for mental health services funded in whole or in part by the Mental Health Services Fund, created by Section 5890 of the Welfare and Institutions Code.

Specified Anatomical Areas. Include any of the following:

1. Less than completely and opaquely covered, and/or simulated to be reasonably anatomically correct, even if completely and opaquely covered human:
 - a. Genitals, pubic region;
 - b. Buttocks, anus; or
 - c. Female breasts below a point immediately above the top of the areola; or
2. Human male genitals in a discernibly turgid state, even if completely or opaquely covered.

Specified Sexual Activities. Include any of the following, irrespective of whether performed directly or indirectly through clothing or other covering:

1. Human genitals in a state of sexual stimulation or arousal; and/or
2. Acts of human masturbation, sexual stimulation or arousal; and/or
3. Use of human or animal ejaculation, sodomy, oral copulation, coitus or masturbation; and/or

4. Masochism, erotic or sexually oriented torture, beating, or the infliction of pain, or bondage and/or restraints; and/or
5. Human excretion, urination, menstruation, vaginal or anal irrigation; and/or
6. Fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.

Stealth Facility. Any wireless telecommunications facility that is not readily visible because it has been designed to blend into the surrounding environment and is visually unobtrusive. Examples may include architecturally screened roof-mounted antennas, building-mounted antennas that are painted and treated as an architectural element to blend with the existing building, and monopoles that are disguised as flag poles or public art, or camouflaged using existing vegetation. A pole or tower with antennas that are flush with or do not protrude above or out from the pole or antenna is not considered to be a stealth facility unless the pole or tower is an existing pole or tower, existing utility pole or tower, or existing light standard or street light, or replacement thereof.

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 shall be that portion of a building between the floor of the topmost floor and the ceiling or roof above. If the finished floor level directly above the ceiling of a basement, garage structure, cellar, or unused underfloor space is more than six feet above existing grade at any point, such basement, cellar, or unused underfloor space shall be considered a story. Penthouses used for purposes other than shelter of mechanical equipment or shelter of vertical shaft openings in the roof shall be considered a story.

Street. A public or private thoroughfare which provides principal means of access to abutting lots including, but not limited to, avenue, place, way, manor, drive, circle, lane, court, boulevard, highway, road, and any other thoroughfare except an alley or a path as defined in this Chapter.

Street Line. The boundary between a lot and an adjacent street.

Structural Alteration. Any physical change to or removal of the supporting members of a building, foundation or bearing walls, columns, beams or girders, or creation or enlargement of a window or door, or change of a roofline or roof shape, including creating, enlarging, or extending a dormer.

Structure. Anything constructed or erected upon the ground or attached to a structure having location on the ground. Structures include, but are not limited to, buildings, landscape features, and pools and spas.

Structure Ridgeline. The line along the top of an existing roof or top of a structure, including existing parapets, penthouses, or mechanical equipment screens.

Studio. See "Art/Craft Studio." Also see "Dance, Exercise, Martial Arts or Music Studio."

Subdivision Directional Sign. A temporary or otherwise limited-term sign for the purpose of providing direction for vehicular and/or pedestrian traffic to the initial home sales of multiple lots with a single builder within a master planned community, including both single-family and multi-family for-sale products. All other home sales signs are included within the definition of Real Estate Sign.

Subdivision Permanent Identification Sign. A sign located at the entrance to the subdivision for the purpose of a permanent identification of the subdivision. Such signs are of a permanent nature, usually constructed of long-lasting, weather-resistant materials such as stone or metal.

Subdivision Sign. A sign identifying the initial home sale and location of land and/or multiple lots with a single builder within an approved residential subdivision/master planned community, including both single-family and multi-family for-sale products. Such sign is located off-site from the master planned community.

Subterranean Structure. A roofed structure constructed underground, with no building stories aboveground, of which the roof does not exceed three feet above the pre-existing grade. Such structures are either separated from a building or connected to a building only by means of a passageway or hallway with no openings to finished grade except for a doorway.

Target Unit. A dwelling unit within a qualifying housing development which will be reserved for sale or rent to, and affordable to, a specific income household or qualifying senior residents.

Telecommunications. The transmission, between or among points specified by the user, of information of the user's choosing, without change in the content of the information as sent and received as defined in the Telecommunications Act of 1996.

Telecommunications Equipment. Equipment, other than customer premises equipment, used by a telecommunications carrier to provide telecommunications services. Includes software integral to such equipment (including upgrades) that is not located, in whole or in part, in, above, or below streets, public rights-of-way, or other public property.

Telecommunications Service. The offering of telecommunications for a fee directly or indirectly to any person as defined in the Telecommunications Act of 1996.

Telecommunications Tower. Any mast, pole, monopole, lattice tower, or other structure designed and primarily used to support antennas. A ground- or building-mounted mast greater than 15 feet tall and 6 inches in diameter supporting one or more antennas, dishes, arrays, etc. shall be considered a telecommunications tower.

Temporary Sign. A structure or device used for the public display of visual messages or images, which is easily installed with common hand tools, or without tools, and which is not intended for or suitable for long-term or permanent display (e.g., less than 30 days), due to the lightweight or flimsy construction materials. Examples include, but are not limited to, A-frame signs, banners, pennants, streamers, or similar non-permanent sign made of paper, cloth, canvas, lightweight fabric, or other non-rigid material, with or without frames.

Temporary Structure. A tent, tent-house, trailer, mobile office, mobile home, or other movable structure or other temporary structure whose construction does not require a building permit.

Temporary Use Permit. A permit issued for a temporary use or a temporary structure.

Three-Dimensional Object Sign. A sign that comprises a three-dimensional object that graphically or iconically brands an establishment or development. Such signs may be used as both building-attached or free-standing signs.

Time/Temperature Sign. An electronic or mechanical device that shows time and/or temperature but contains no business identification or advertising.

Tower. A mast, pole, monopole, lattice tower, or other structure designed and primarily used to support antennas. Includes ground-mounted structures 12 feet or greater in height and building-mounted structures that extend above the roofline, parapet wall, or other roof screen with a mast greater than six inches in diameter supporting one or more antenna, dishes, arrays, or other associated equipment.

Transitional Housing. Consistent with Health and Safety Code Section 50675.2, transitional housing is defined as 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 months.

Tree Removal Permit. A permit issued by the City for removal of one or more protected trees.

Tree Survey Plan. A tree survey plan shall mean the site plan of the project site illustrating the items listed below. The tree survey plan shall show which trees are proposed to remain on site and which trees are to be removed.

- A. All existing buildings.
- B. All proposed buildings.
- C. All existing roads and pathways.
- D. All proposed roads and driveways.
- E. All trees on site, including species and stem circumference measured four and a half feet above the natural grade.
- F. The dripline for each tree identified on the site plan.
- G. The existing grade of the site.
- H. The proposed grade of the site.
- I. Any protected trees on the site.

Usable Open Space. Outdoor space, including natural and landscaped ground areas, pools, patios, decks, and balconies, designed for active or passive recreational use and which is accessible to the occupants of a building on the same lot.

Usable Space. Any portion of a building or structure which is designed to be or can be used as habitable space, which has finished walls (sheetrock or plaster) and/or is heated with any fixed furnace or central heating system, including bathrooms, halls, garages, and laundry rooms. Storage areas with over six feet of vertical space shall also be considered usable space.

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

Use, Incidental. A secondary use of a lot and/or building. An incidental use shall not exceed 25% of the floor area of the primary use, and if it consists of the commercial sales of a different line of products or services than the primary use, such incidental use may not generate gross receipts in excess of 33% of the gross receipts generated by the primary use.

Use, Transitional. A use of a building, property or land area that is limited in duration of time, does not permanently alter the character or physical facilities of the premises or property, and is in keeping with the purposes listed in the district where it is located.

Utility. An entity which provides water, sewage collection, electricity, natural gas, telephone, cable television, or other public service or good to the public.

Vehicle Sign. A sign that is attached to and is an integral part of a motorized vehicle or bicycle used directly for the purpose of a particular business and not used primarily as a sign base or for general advertising.

Very Low Income Household. Households whose income does not exceed the qualifying income limits for very low income households applicable to Contra Costa County, as published and periodically updated by the State Department of Housing and Community Development pursuant to Section 50105 of the California Health and Safety Code.

Wall Sign. A sign attached directly to an exterior wall of a building or dependent upon a building for support with the exposed face of the sign located in such a way as to be substantially parallel to such exterior building wall to which it is attached or by which it is supported.

Wind Energy Conversion System. A machine that converts the kinetic energy in the wind into a usable form (commonly known as a wind turbine or windmill). The WECS includes all parts of the system except the tower and the transmission equipment.

Windmill. A device that converts the kinetic energy of the wind to a usable form of electrical or mechanical energy, usually by means of rotating blades.

Window Sign. Any sign, picture, letter, character, or combination thereof designed to communicate information about an activity, business, commodity, event, sale, or service that is placed upon and/or inside and/or within three feet of a window for the purpose of being visible from exterior of the window.

Wireless Telecommunications Facilities. A facility that transmits and/or receives electromagnetic signals, including, but not limited to antennas, microwave dishes, parabolic antennas, directional antennas, cable conduit and connectors, and other types of equipment for the transmission or reception of such signals, towers or similar structures supporting the equipment, equipment pads, equipment buildings, shelters, cabinets, parking area and other accessory development.

Yard. A required open area on a lot that is between a property line and a setback line. A yard is unoccupied and unobstructed from the ground upward by any portion of a building or structure, except as otherwise permitted in this Title. Specified yard areas are as provided in individual Article II of this Chapter and defined as follows:

Front Yard. A yard extending across the full width of the front of a lot from the front lot line to the front setback line.

Rear Yard. A yard extending across the full width of the lot between the rear lot line and the rear setback line.

Side Yard. A yard between the side lot line and the side setback line, and extending from the front lot line to the rear lot line.

Yard Area, Actual. The actual yard area of a lot is the horizontal area between the property line and a parallel line along the nearest structure located outside of the required setback area. See Figure 17.98.020-7 (Yard Area).

Yard Area, Required. The required yard area (front, interior side, street side, and/or rear) of a lot is the horizontal area between the property line and the minimum setback distance for the respective yard pursuant to Article II. (Zoning Districts, Allowable Uses, and General Development Standards). See Figure 17.98.020-8 (Yard Area).

FIGURE 17.98.020-8
YARD AREA

