

## 11.0 DEFINITIONS

### 11.1 DEFINITIONS OF SPECIALIZED TERMS

**A. Purpose.** This Section provides the definitions of terms and phrases used in the Downtown Code that are technical or specialized, or that may not reflect common usage. Certain Fresno Municipal Code (FMC) definitions have been modified for usage within the Downtown Code boundaries. If any definition in this Section conflicts with a definition in the FMC, the definitions in this Section shall control. If a word is not defined in this Section, or in other provisions of the Downtown Code, the Director shall determine the correct definition through a written interpretation presented to the Planning Commission giving deference to common usage.

**B. Applicability.** This section applies to all parcels and right-of-way within the boundaries of the Downtown Code as identified in Figure 1. As used in the Downtown Code, each of the following terms and phrases shall have the meaning ascribed to them in this Section, unless the context in which they are used clearly requires otherwise.

#### KEY

<b>Bold text</b>	Term or Specialized Phrase
Black text	Definition of Term or Specialized Phrase
CAPITALIZED	Reference to a term in Section 11.0
Blue text	FMC definition
Green text	New text added to FMC definition only for DT Code
Grey text	Text to be removed from FMC definition only for DT Code

### 11.2 DEFINITIONS

#### A

**Access, Building.** The physical point(s) and type of pedestrian access to a building from the public sidewalk. Also see building access.

**Access, Site.** The physical point(s) of vehicular access from a street or other right-of-way to a site.

**Access, Lot.** The physical point(s) of access to an individual lot for vehicles and pedestrians from a street, other right-of-way or sidewalk.

**Accessory Structure.** A subordinate building such as garages, tree houses, carports, storage sheds, shelters, pools or similar structures, the use of which is incidental to that of the main building (residential, commercial, or industrial) on the same lot and/or building site.

**Accessory Dwelling (Carriage House).** An apartment not greater than 500 square feet sharing ownership and utility connections with a main building. An accessory dwelling may or may not be within an outbuilding.

**Accessory Building (Outbuilding).** See ACCESSORY STRUCTURE.

**ADA (Americans with Disabilities Act).** United States public law enacted in 1990 guaranteeing rights for people with disabilities. This law protects people with disabilities against discrimination, provides "equal opportunity" for individuals with disabilities in housing, employment, transportation, government services and programs, etc., and requires that "reasonable accommodation" be made in public accommodations, including the workplace, for those with physical or mental disability.

**Agriculture.** The commercial operation of raising livestock and/or farming crops of fruit, vegetables or grain for sale.

**Allee.** A row of trees planted along a thoroughfare or sidewalk.

**Alley.** A low capacity thoroughfare with one, shared lane and no parking lanes, designed and intended for service and/or secondary access purposes (the rural version of an alley is a 'lane').

**Antique or Collectible Store.** A retail store that sells antiques, curios, gifts and souvenirs, and collectible items including sports cards and comic books. A store that primarily sells books is included under general retail. Does not include stores selling other types of second hand items (e.g., clothing), which are instead included in the definition of "Thrift Shop, Second Hand Store."

**Apartment.** A dwelling sharing a building and a lot with other dwellings and/or uses. Apartments may be for rent or for sale as condominiums.

**Arcade.** See FRONTAGE TYPES.

**Art, Public.** See PUBLIC ART WORK.

**Awning / Valence Sign.** See SIGNAGE TYPES.

**Axial.** The horizontal alignment of two elements such that two or more elements are in visual alignment, such as a street that

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terminates in a T-intersection on a particular block-face or two buildings on opposite ends of a block that face each other across a plaza or a facade designed to be axial to a T-intersection and the perpendicular street that it faces.

### B

**Bed and Breakfast Inn.** A house-scale building occupied by a resident person or family, containing individual living quarters on a transient basis, for compensation, and in which a breakfast may be provided for guests. The breakfast provided shall not constitute a restaurant operation and may not be provided to persons other than guests.

**Bicycle Path (Class 1', Class 2').** A dedicated area, paved in a variety of materials (e.g., asphalt to decomposed granite) that is non-traversable by vehicles and is often shared with pedestrians.

**Bicycle Route (Class 3 'Bike Lane').** An identified area, usually by white lines, that is part of the vehicular roadway that allows bicycle use.

**Block.** All property fronting on one side of a street between intersecting and intercepting streets, or between a street and a right-of-way, waterway, end of an existing cul-de-sac, or city-county boundary. Where the city-county boundary intersects or intercepts a street in a block as described herein, the block shall be considered to end at the city-county boundary.

**Block Face.** The aggregate of all the building facades on one side of a block. The block face provides the context for establishing architectural compatibility.

**Block-Scale Building.** The physical appearance when a building by its physical length and overall size is massed and organized to be larger than a house in its footprint.

**Boarding House.** A dwelling other than a hotel where lodging and meals for three or more persons is provided for compensation.

**Bosque.** A dense growth of trees with lawn or groundcover, or underbrush.

**Breezeway.** A roofed passageway, open on at least two sides where the roof is structurally integrated with the structure of the main building. A fence or wall not exceeding six feet in height may be permitted on one side of said breezeway.

**Building Access.** Buildings are accessed in either of two ways: a) WALK-UP or b) POINT access.

Walk-Up Access means when an individual suite or dwelling is accessed by the pedestrian directly from a public sidewalk or private open space directly accessed by the public sidewalk. House-scale buildings are accessed only by walk-up access

Point access means when individual suites or dwellings are accessed by the pedestrian through a common lobby. Block-scale buildings are accessed by either walk-up or point-access or, through a combination of the two.

**Building, Accessory.** Building(s) which are in support of the main building on the lot and subject to the building placement standards for accessory buildings.

**Building Civic.** See CIVIC BUILDING.

**Building Function.** The land uses accommodated by a building and its lot.

**Building Height.** The vertical extent of a building measured in stories to the eave of the highest story, not including a raised basement or a habitable attic. Height limits do not apply to masts, belfries, clock towers, chimney flues, and similar structures. Building height shall be measured from the average grade of the enfronting thoroughfare.

**Building, Main ('primary').** A building, in compliance with the allowed building types in Section 5.0, which corresponds to the lot which contains or supports the primary function on the lot. Each lot may only contain one main building.

**Building Placement.** The maximum horizontal envelope available for placing a building on a lot.

**Building Type.** A structure defined by the combination of configuration, placement and function. The building types used in the downtown code are listed below in the order they appear in section 5.0 'Building standards':

**A. Tower.** A block scale building organized around a central core. The first five floors of this building type are expressed as a podium building that defines the streetscape. This allows for pedestrian-scale mid-rise buildings to define the street frontage with tall, thin towers extending higher, ensuring that the massing of tall buildings is in the spirit of downtown's historic towers, as well as diminishing shadows on the street and on adjacent properties. Tower buildings may accommodate the land uses identified in Table 3.

**B. Flex Building.** A block-scale building type designed for occupancy by retail, service, and/or office uses on the ground floor, with upper floors configured for retail, service, office, and/or residential uses. Second floor units may be directly accessed from the street through a stair; upper floors are accessed through a street level lobby. Flex buildings may accommodate the land uses identified in Table 3.

**C. Lined Building.** A block scale building that conceals a public (park-once) garage or other large scale faceless building, (such as a movie theater, or "big box" store) designed for occupancy by retail, service, and/or office uses on the ground floor, with upper floors configured for retail, service, office, and/or residential uses. The access corridor, if applicable, is included in the minimum depth. Lined buildings may accommodate the land uses identified in Table 3.

**D. Flex Shed.** A block-scale building designed for occupancy primarily by light manufacturing, workshop, and warehouse uses. Flex shed buildings may also accommodate residential uses provided that ground floor residential uses do not exceed 20% of the total ground floor area. 100% Of upper floor areas may be occupied by residential uses, subject to requirements.

This building type also accommodates the large loading and/or staging area requirements that light manufacturing and warehouse uses might need as well as support areas and parking to

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be located either to the side or the rear of the building in order to ensure that buildings front the sidewalk and street. The flex shed building type also accommodates the large loading and/or staging area requirements that light manufacturing and warehouse uses might need, but requires these support areas, including parking, to be located either to the side or the rear of the building in order to ensure that buildings front the sidewalk and street. Flex Shed buildings may accommodate the land uses identified in Table 3.

**E. Hybrid Court.** A combination of block-scale and house-scale buildings to arrange suites and/or dwelling units around one or more common courtyards. The courtyard is intended to be a semi-public outdoor room that is an extension of the public realm. Hybrid Court buildings may accommodate the land uses identified in Table 3.

**F. Court.** A group of house scale dwelling units arranged to share one or more common courtyards. The courtyard is intended to be a semi-public outdoor room that is an extension of the public realm. Court buildings may accommodate the land uses identified in Table 3.

**G. Live/Work.** A block-scale integrated residence and working space, occupied and utilized by a single household in a building of at least 3 such units arrayed side by side. The interior is designed or structurally modified to accommodate joint residential occupancy and work activity. The ground floor work space is directly accessed from the primary street, and the living space at the rear or above is directly or indirectly accessed from the working space. This type is prohibited on a lot without alley access. Live/Work buildings may accommodate the land uses identified in Table 3.

**H. Rowhouse.** A block-scale building comprised of three or more attached two- or three-story dwelling units arrayed side by side, with the ground floor raised above grade. The front elevation and massing of each rowhouse building may be either symmetrical or asymmetrical, repetitive or unique in disposition, as long as the delineation of each individual unit is evident. Each dwelling unit is directly accessed from the front yard/ street. This type is prohibited on a lot without alley access. Rowhouse buildings may accommodate the land uses identified in Table 3.

**I. Bungalow Court (House Court).** Four or more house scale single dwellings arranged around a shared courtyard, with pedestrian access to the building entrances from the courtyard and/or fronting street. The courtyard is wholly open to the street and parking is placed in the rear of the lot or behind each unit. Bungalow Court buildings may accommodate the land uses identified in Table 3.

**J. Rosewalk.** Six or more house scale single dwellings arranged linearly on either side of a common green. Having the same right-of-way width as a narrow neighborhood street, the rosewalk (in contrast to the bungalow court) must connect two parallel streets. Pedestrian access to the building entrances are accessed from the common green and/or primary street. Rosewalks are prohibited on corner lots without alley access. Rosewalk buildings may accommodate the land uses identified in Table 3.

**K. Duplex, Triplex, and Quadplex.** House-scale duplexes, triplexes, and quadplexes are buildings surrounded on all four sides by setbacks (front yard, side yard, rear yard) and share

similar setbacks, massing, scale, and frontage types as surrounding buildings. Duplex, Triplex, and Quadplex buildings may accommodate the land uses identified in Table 3.

**L. Single Dwelling.** A house-scale building that is surrounded on all four sides by setbacks (front yard, side yards, rear yard) and shares similar setbacks, massing, scale, and frontage types as surrounding houses. Single Dwelling buildings may accommodate the land uses identified in Table 3.

**M. Carriage house.** An attached or detached house-scale dwelling, also known as a 'granny flat,' which provides complete independent living facilities for one or more persons and which is located or established on the same lot on which a single dwelling is located. Carriage houses may contain permanent provisions for living, sleeping, eating, cooking, and sanitation.

**Bulkhead.** A low partition located between the grade and the glazed opening(s) of a storefront.

## C

**Card Room.** Any building or structure, or any portion of a building or structure, or any premises or place where any person or persons are allowed to play a card game.

**Church.** See MEETING FACILITIES, Public or Private.

**Civic.** The term defining not-for-profit organizations dedicated to the arts, culture, education, government, transit and municipal parking facilities.

**Civic Building.** A building that is operated by not-for-profit organizations dedicated to arts, culture, education, recreation, government, transit, and municipal parking.

**Civic Space.** An open area dedicated for public use, typically for community gatherings. Civic Space is defined by the combination of certain physical constants defined by the relationship between their intended use, their size, their landscape and their enfronting buildings.

**Colonnade.** A series of columns similar to an ARCADE but spanned by straight lintels rather than arches, linked together, usually as an element of a BUILDING.

**Commercial Recreation Facility, Indoor.** Establishments providing indoor amusement and entertainment services for a fee or admission charge, including:

- bowling alleys
- coin-operated amusement arcades
- dance halls, clubs and ballrooms
- electronic game arcades (video games, pinball, etc.)
- ice skating and roller skating
- internet/cyber café
- pool and billiard rooms as primary uses

This land use does not include adult businesses. Four or more electronic games or coin-operated amusements in any establishment, or a premises where 50 percent or more of the floor area is occupied by amusement devices, are considered an electronic

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game arcade as described above; three or fewer machines are not considered a land use separate from the primary use of the site.

**Commercial Frontage.** The non-residential frontage of a building. Non-residential activities subject to city approval are allowed within this space, which must be at least 30 feet in depth as measured from the inside wall along or nearest the adjacent sidewalk or other public space. These spaces are limited to the first floor and as such, have different building requirements than upper floors (e.G., Large storefront windows, signage, etc.).

**Community Assembly (Lodge, Place of Worship).** See MEETING FACILITIES, Public or Private.

**Context.** The particular combination of elements that create a specific environment. A neighborhood zoning district such as ng is administratively similar to the land-use zoning districts in conventional zoning ordinances, except that in addition to specifying the building use, density, height and setback, all the relevant elements and characteristics of the intended environment are integrated. The integration includes the characteristics of the lot and building as well as those of the enfronting public streetscape. This approach is applied accordingly to the other components of the downtown code: open space types, thoroughfare types, building types, frontage types and signage types.

**Coverage.** See LOT COVERAGE.

**Curb.** The edge of the vehicular pavement detailed as a raised curb or a swale. The curb usually incorporates the drainage system.

**Curb Radius.** A term used by transportation engineers to describe the sharpness of a corner. A large curb radius enables vehicles to go around corners faster. A small curb radius slows down turning vehicles. A large curb radius also increases the distance a pedestrian must walk to cross the street.

## D

**Density, Dwellings.** The number of dwelling units within a standard measure of land area, usually as units per acre. The Downtown Code does not regulate per density and instead allows as many dwellings as are allowed by the parking requirements of the zoning district and through compliance with all other applicable requirements.

**Density, Population.** The number of persons projected to reside within a standard measure of land area, usually as units per acre.

**Design Speed.** The velocity at which a thoroughfare can be comfortably driven without the constraints of signage or enforcement. There are 4 ranges of speed:

- Very low: below 20mph,
- Low: 20-25mph,
- Moderate: 25-35mph, and
- High: above 35mph

Design speed determines the character and context for a particular segment of the thoroughfare system.

**Design-Lot.** The land area that corresponds to an allowed building type for the purposes of complying with the lot width and depth requirements of Section 5.0 for the applicable zoning district.

**Developable areas.** Those areas of a site that are not identified or dedicated as open space.

**Director.** The City of Fresno DARM Director, or designee.

**Domestic violence shelter.** Emergency shelter for victims of domestic violence or abuse.

**Drive-through restaurant.** A facility where food is prepared and served on the premises and which also allow motorists to order and purchase food without leaving their vehicles.

**Drive-through sales/service.** Facilities where services and purchases of minor items may be obtained by motorists without leaving their vehicles. Examples of such facilities include drive-up bank teller windows, pharmacies, dry cleaners, coffee kiosks and other similar uses. Excludes drive-through restaurants.

**Driveway.** A vehicular lane within a lot, usually leading to a garage. A driveway may be used for parking as allowed in the downtown code.

**Dwelling.** A house-scale main building, or a portion of a house-scale or block-scale main building or a manufactured unit designed for and used exclusively for residential occupancy by one family as defined in fmc 12-105-f-1 but not to include hotels, motels, boarding or lodging houses.

**Dwelling, second.** A second dwelling either attached to, or detached from, the existing one-family dwelling on a lot in a single family residential zone district as provided for by state government code section 65852.2, And subject to the standards of fmc 12-306-n-38 of this code.

**Dwelling, multi-family.** A main building which consists entirely or primarily of dwellings. See BUILDING TYPES.

**Dwelling Unit.** A building or portion thereof, or a mobile home, designed for residential occupation by one person or a group of two or more persons living together as a domestic unit as defined in FMC 12-105-F-1.

**Dwelling Unit Types.** The type of individual dwellings that exist independently or in combination depending upon the building type in which they are located:

- **Apartment.** A rental version of a flat, loft, or townhouse.
- **Condominium.** An ownership version of a flat, loft or townhouse
- **Flat.** A single-story unit.
- **Loft.** A double-story height unit with a mezzanine.
- **One-family dwelling.** A building designed for or used to house not more than one family or household.
- **Townhouse.** A two to three-story unit.

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### E

**Edge-yard building.** A building with setbacks on all sides where the front yard is set back from the frontage.

**Elevation (building).** The exterior walls of a building not along a frontage line. Also referred to as facade when the elevation is along a frontage line.

**Emergency shelter.** Any facility, the primary purpose of which is to provide temporary or transitional shelter for the homeless in general or for specific populations of the homeless.

**Employee housing.** Housing as described, defined, and regulated by the employee housing act, sections 17000 et seq. Of the California health and safety code.

**Enfront.** The placement of an element along a frontage line, as in "shopfronts enfront the street."

**Entrance (building).** The principal point of access of pedestrians to a building. In the support of pedestrian activity, the principal entrance gives access to the main building directly from the sidewalk adjacent to the lot or from an open space directly accessed from the sidewalk.

### F

**Fabric Building.** A building which is not civic or otherwise especially important in the overall neighborhood of blocks and buildings. A building which contributes to the forming of PUBLIC space by being contextual so that civic and institutional buildings are emphasized.

**Facade.** The exterior wall of a building that is set along a frontage line and through its design and integration with the frontage of the lot, supports the intended physical environment of the zoning district in which the building is located.

**Family.** An individual or group of two or more persons occupying a dwelling and living together as a single housekeeping unit in which each resident has access to all parts of the dwelling and where the adult residents share expenses for food and/or rent. Family does not include larger institutional group living situations such as dormitories, fraternities, sororities, monasteries, convents, residential care facilities or military barracks, nor does it include such commercial group living arrangements such as boardinghouses, rooming houses, and the like.

**Family day care home/center.** A home that regularly provides, as an accessory use of a residentially zoned and occupied property, for the care, protection and supervision of fourteen or fewer children, in the provider's own home, for periods of less than twenty-four hours/day, while the parents or guardians of the children are away and is either a small family day care home or a large family day care home.

**Farmer's Market, Certified.** Temporary markets, approved by the County Agricultural Commissioner and County Health Department, in which farmers sell their crops directly to the public. Certified Farmers Markets are generally conducted once or more weekly. To participate in these markets, farmers must obtain a certificate from the County Agricultural Commissioner verifying that they grow the items being sold.

**Forecourt.** See FRONTAGE TYPES.

**Forced Podium Hardscape.** A built condition which can occur when the podium created by the protruding roof of a sub-grade is minimally landscaped and not provided other design elements such as seating areas, fountains and gardens, to soften an otherwise featureless concrete appearance and provide areas within the courtyard that are attractive to, and usable, by residents and their visitors for active and passive pursuits.

**Frontage line.** Those lot lines that coincide with a public sidewalk or open space where the building has a front elevation (facade). Facades along frontage lines define the public realm and streetscape and are therefore more highly regulated than the elevations that coincide with other lot lines. When the lot has more than one frontage line, one shall be designated as the principal frontage line.

**Frontage type.** The element of a building between the public right-of-way and the private property associated with the building. Frontage types combined with the public realm create the perceptible streetscape. The frontage types are listed as they appear in the downtown code:

**A. Arcade.** Arcade frontages are composed of a building with ground floor facades which align with the property line, and upper floors which project over the property line to cover the sidewalk. A colonnade structurally and visually supports the building mass which encroaches into the public right-of-way. Arcades contain ground-floor storefronts, making them ideal for retail use as the arcade shelters the pedestrian and shades the storefront glass, preventing glare that might obscure views of merchandise. As allowed, the arcade also provides habitable space over the sidewalk creating a very urban street character.

**B. Gallery.** A gallery is a roof or deck projecting from the facade of a building, supported by columns located just behind the curb of the street. Galleries shelter the sidewalk with a roof or unenclosed, accessible, outdoor space making them ideal for retail use. Galleries may be one-, two-, or up to three stories in height as allowed by the zoning district, functioning as covered or uncovered porches at the second and third floors. Railing on top of the gallery is only required if the gallery roof is accessible as a deck.

**C. Shopfront.** Shopfronts are large openings in a facade that is at or near the sidewalk, enclosed with doors and transparent glass in a storefront assembly. This traditional retail frontage type is often provided with canopies or awnings, which may be fixed or retractable, to shelter pedestrians and shade the storefront glass from glare. The building entrance is at the grade of the sidewalk, and provides direct access to the commercial/retail uses on the ground floor. The storefront assembly may be recessed, as allowed by the zoning district, to provide a widened sidewalk or a covered area for outdoor dining.

Awnings, shed roofs, or canopies may encroach into the public right-of-way and cover the sidewalk within two feet of the curb.

**D. Forecourt.** A forecourt is a public space formed by a recess in the façade of a building. The forecourt is typically at grade but may be raised from the sidewalk in compliance with ADA accessibility standards.

Forecourts are generally appropriate for commercial or civic uses, or when of sufficient size, they may be used for vehicular drop-off at a civic building or hotel. Forecourts may be combined with other frontage types as identified in the zoning district standards.

Forecourts may be further defined by low walls or landscape between the sidewalk and adjacent property line. Forecourts may be

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landscaped or paved. Landscape may include lawn, grasses, small shrubs, and accent trees with sufficiently transparent canopies to allow views of the building facade.

**E. Loading dock.** The loading dock frontage is intended for industrial settings and may be used in urban settings that are no longer industrial. Exterior stairs are used to access the loading dock surface which is raised above the sidewalk level originally to facilitate the loading and unloading of goods into trains and trucks. For safety reasons, loading dock frontages utilize a railing, wall or fence at their perimeter.

**F. Stoop.** Stoops are stairs that provide access from the adjacent sidewalk to the elevated ground floor, securing privacy for the ground floor rooms near and facing the public street and passersby. This type is suitable for ground-floor residential uses with short setbacks as each stoop corresponds directly to the building entry(s). A roof may cover the stoop.

**G. Porch.** The porch frontage provides a physical transition from the sidewalk to the private lot and building while maintaining visual connection between buildings and the public space of the street. The porch frontage consists of a building with a front set back from the property line and a porch encroaching into the front yard the porch frontage accommodates non-residential as well as non-residential land uses.

**H. Front yard.** Front yards provide a physical transition from the sidewalk to the private lot and building. Front yard frontages consist of the building facade being set back from the front property line in a dimension large enough to create a front yard which is visually continuous with neighboring yards. The front yard may be raised from the sidewalk, creating a small retaining wall at the property line with entry steps to the yard.

**Frontage zone.** The areas of the lot which are within a certain distance of lot lines adjacent to a public sidewalk or open space and which have or will have facades.

## G

**Gallery.** See FRONTAGE TYPES.

**Garage.** An accessory structure on a lot or portion of a building that provides dedicated space for parking of vehicles.

**Gross square feet.** For the purposes of expressing the maximum amount of floor area within a particular building type and for the purposes of calculating parking requirements, means the sum of the gross horizontal areas of all floors, mezzanines and lofts of the building. Horizontal dimensions shall be taken from the exterior faces of the exterior walls of the building and shall include all enclosed and conditioned areas except stairways and elevators.

**Ground floor/ building footprint.** The area resulting from the application of building placement requirements and as further articulated by particular building design. In calculating the area, only the conditioned floor space and the area occupied by covered passages shall be counted for purposes of calculating allowable upper floor area.

**Ground floor facade.** The facade(s) of a building that is at the same grade as the adjacent sidewalk.

**Group Housing Facility.** Any building, facility, premises, house, structure, dwelling unit, multiple dwelling, apartment house, or portion thereof, at which persons reside in a group occupancy setting, but not including a hotel, motel, fraternity, sorority, rooming and/or boarding house, rest home or family. This facility is generally characterized by the provision of a pre-arranged or organized household structure or program. Residents of a facility may also receive medical treatment in addition to any non-medical supportive services in a residential or congregate care setting, as opposed to a hospital. Group housing facilities, except those located in a single-family dwelling with six (6) or fewer persons, are subject to the provisions of FMC 12-306-N-43.

## H

**Half-Story.** A story under a gable, hip or gambrel roof, plates of which are not more than three feet above the floor of such story.

**Historic Resource.** A resource as defined by Section 12-1600 of the Fresno Municipal Code.

**Home occupation.** An occupation conducted at a premises containing a dwelling unit as an incidental use by the occupant of that dwelling.

**Hotel, motel.** Any building or portion thereof containing six or more guest rooms used, designed, or intended to be used, let, or hired out to be occupied or which are occupied by six or more individuals for compensation, whether the compensation for hire be paid directly or indirectly.

**House.** A free-standing dwelling less than 100 feet long in any direction, occupied by one family, as defined in fmc 12-105-f-1.

**House-Scale.** The physical appearance when a building is massed and organized such that it is physically similar to a single-family house. Within the Downtown Code boundaries, this means a maximum building length of 100 feet in any direction.

**House Court.** See BUNGALOW COURT.

**House-Derivative.** The massing and organization of a building that reflects a single-family house either individually incrementally.

## I

**Infill Development.** A site developed within existing urban fabric, balancing, completing and/or repairing the surrounding areas.

**Inside Turning Radius.** The curved edge of a thoroughfare at an intersection, measured at the inside edge of vehicular tracking. The smaller the turning radius, the smaller the pedestrian crossing distance and the more slowly the vehicle is forced to make the turn. Control of the curb radius is an important variable in the fostering of a pedestrian-friendly environment.

**Incompatible Adjacency.** The result when a land use or building are allowed to exceed the physical or operational limits that would otherwise maintain compatibility with neighboring properties.

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### J

**Lot, curve.** A lot fronting on the outside curve of the right-of-way of a curved street, which street has a center line radius of two hundred fifty feet or less.

### K

**Commercial Kitchen.** A facility dedicated to the production of food for sale and/or supplying other businesses.

**Lot, interior.** A lot other than a corner lot.

### L

**Landscaping.** The planting of vegetation of all types, and may also include the installation of exterior decoration, furniture, sculpture, or structures, including on-premises monument signs as defined in section 13-904-m and flagpoles which comply with all applicable provisions of section 12-306-n-9, the preservation and enhancement of land form and natural land features, the location and construction of aesthetically pleasing and functional approaches for structures, roadways, pedestrian ways, and enclosures, and the enhancement of the environment for human habitation by climate control, air movement, pollution control and aesthetics.

**Lot, key.** A lot the side line of which is the rear line of one or more adjoining lots.

**Lot, non-conforming.** A lot having less area or dimension than that required in the **zoning** district in which it is located, and which was lawfully created prior to the zoning thereof whereby the larger area or dimension requirements were established; or any lot, other than one shown on a plat recorded in the office of the county recorder, which does not abut a public road or public right-of-way or approved private road right-of-way, and which was lawfully created prior to June 11, 1960.

**Large family day care home.** The family residence of a child care provider in which nonmedical care, protection and supervision of seven to twelve children, including children who reside in the residence (determined according to applicable state regulations), are provided for periods of less than twenty-four hours per day.

**Lot, through.** A lot having frontage on two (2) dedicated streets, not including a corner or reversed corner lot. The special standards of section 12-306-n shall apply. **In such cases, the building and frontage standards of the downtown code shall provide requirements per the applicable zoning district(s).**

**Land use.** The land use(s) accommodated by a building and its lot.

**Lot area.** The total of the area, measured in a horizontal plane, within the lot lines of a lot.

**Layer.** A range of depth of a lot within which certain elements are permitted.

**Lot coverage.** That portion of a lot or building site which is occupied by any building or structure, excepting paved areas, walks and swimming pools, regardless of whether said building or structure is intended for human occupancy.

**Liquor Store.** A retail store that primarily sells wine, beer, and/or spirits, that may specialize in one or more of the above, and may also sell convenience merchandise including food products.

**Lot depth.** The horizontal distance between the front and rear lot lines measured **along each side lot line**. In the mean direction of the side lot lines.

**Living Groups.** Area organizations, clubs or associations such as fraternities, sororities or co-operatives that include as a principal purpose the sharing of a residence by members.

**Lot line.** Any line bounding a lot as herein defined.

**Lot.** A parcel of real property with a separate and distinct number of other designation shown on a plat recorded in the office of the county recorder **which accommodates no more than one main building and contains accessory buildings as allowed by the zoning district.**

**Lot line, front.** The property line abutting a street **thoroughfare or public open space**. The special standards of section 12-306-n shall apply.

**Lot, corner.** A lot located at the intersection or interception of two or more streets at an angle of not more than one hundred twenty degrees. If the angle is greater than one hundred twenty degrees, the lot shall be considered an "interior lot."

**Lot line, rear.** A property line not abutting a street **thoroughfare or public open space** which is opposite and most distant from the front lot line. The special standards of section 12-306-n shall apply.

**Lot, corner, reversed.** A corner lot, the side line of which is substantially a continuation of the front lot lines of the lots to its rear.

**Lot line, side.** Any property line not a front lot line or rear lot line. The special standards of section 12-306-n shall apply.

**Lot of record.** A lot held in separate ownership as shown on the records of the county recorder at the time of the passage of an ordinance or regulation establishing the zoning district in which

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the lot is located.

**Lot width.** The horizontal distance along the principal frontage line of a parcel between the side lot lines which is necessary to accommodate the allowed building type.

## M

**Main Building.** The primary building on a lot.

**Manufacturing.** This code distinguishes between various types of manufacturing and identifies if they are allowed in the zoning districts. Examples of such types include:

- non-perishable items
- perishable items such as food
- furniture and cabinets
- machinery
- general manufacturing

**Marquee Sign.** See SIGNAGE.

**Medical Services, Clinic, Urgent Care.** A facility other than a hospital where medical, mental health, surgical and other personal health services are provided on an outpatient basis. Examples of these uses include:

- medical offices of 5 or more licensed practitioners and/or medical specialties
- out-patient care facilities
- urgent care facilities
- other allied health services

These facilities may also include incidental medical laboratories. Counseling services by other than medical doctors or psychiatrists are included under "Offices - Professional/Administrative."

**Medical Services, Doctor Office.** A facility other than a hospital where medical, dental, mental health, surgical, and/or other personal health care services are provided on an outpatient basis, and that accommodates no more than four licensed primary practitioners (e.g., chiropractors, medical doctors, psychiatrists, etc., other than nursing staff) within an individual office suite. A facility with five or more licensed practitioners is instead classified under "Medical Services - Clinic, Urgent Care." Counseling services by other than medical doctors or psychiatrists are included under "Offices - Professional / Administrative."

**Medical Services, Extended Care.** Residential facilities providing nursing and health-related care as a primary use with in-patient beds. Examples of these uses include: board and care homes; convalescent and rest homes; extended care facilities; and skilled nursing facilities. Long-term personal care facilities that do not emphasize medical treatment are included under "Residential Care."

**Meeting facilities.** Consisting of group gatherings conducted indoors. Typical uses include churches, synagogues, mosques, temples, bingo halls, private clubs, fraternal, philanthropic and charitable organizations, and lodges. Does not include Theaters.

**Mezzanine.** An intermediate floor placed in any story or room with a clear height - above or below - of 7 feet. When the total

area of any such mezzanine floor exceeds 33 1/3 per cent of the total floor area in that room, it shall be considered as constituting an additional story. The clear height above or below the mezzanine floor construction shall be not less than 7 feet.

**Motel.** An establishment that provides lodging and parking, and in which the rooms are usually accessible from an outdoor parking area, based on an agreed payment of a fixed amount of money in exchange for use of the guest room for a fixed period of time, typically on a nightly or weekly basis, but not for more than twenty-nine (29) consecutive days, but excluding a hotel, group housing facility, emergency residential shelter, fraternity, sorority, rooming or boarding house, rest home or family.

## N

**Neighborhood market/convenience store.** A neighborhood serving retail store of 5,000 square feet or less in gross floor area, which carries a range of merchandise oriented to daily convenience shopping needs. May include alcoholic beverage sales only where table 3 allows alcoholic beverage sales as part of a general retail use.

**Net developable area.** The private area defined by a block which is not to remain for public uses such as open space or thoroughfares.

**Nonconforming buildings.** A building or portion thereof which was lawful when established but which does not conform to subsequently established zoning or zoning regulations. See section 12-317 1.3A8 for regulations.

**Nonconforming land use.** A land use lawful when established but which does not conform to subsequently established zoning or zoning regulations. See section 12-317 1.3A8 for regulations.

## O

**Office.** The Downtown Code distinguishes between the following types of office land uses. These do not include medical offices (see "Medical Service, Clinic, Laboratory, Urgent Care," and "Medical Service, Doctor Office.")

**Business (Processing).** Office-type facilities characterized by high employee densities, and occupied by businesses engaged in information processing, and other computer-dependent and/or telecommunications-based activities. Examples of these uses include:

- airline, lodging chain, and rental car company reservation centers
- computer software and hardware design and development
- consumer credit reporting
- data processing services
- health management organization (HMO) offices where no medical services are provided
- insurance claim processing
- mail order and electronic commerce transaction processing

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- telecommunications facility design and management
- telemarketing

**Professional/Administrative).** Office-type facilities occupied by businesses that provide professional services, or are engaged in the production of intellectual property. Examples of these uses include:

- accounting, auditing and bookkeeping services
- advertising agencies
- attorneys
- business associations, chambers of commerce
- commercial art and design services
- construction contractors (office facilities only)
- counseling services
- court reporting services
- detective agencies and similar services
- design services including architecture, engineering, landscape architecture, urban planning
- educational, scientific and research organizations
- business incubator
- financial management and investment counseling
- literary and talent agencies
- management and public relations services
- media postproduction services
- news services
- photographers and photography studios
- political campaign headquarters
- psychologists
- secretarial, stenographic, word processing, and temporary clerical employee services
- security and commodity brokers
- writers and artists offices

**Business.** Establishments providing direct services to consumers. Examples of these uses include employment agencies, insurance agent offices, real estate offices, travel agencies, utility company offices, elected official satellite offices, etc. This use does not include "Bank, Financial Services," which are separately defined.

**Overlay.** The method for addressing additional topics such as terminated vistas, certain types of commercial frontage, the conversion of non-conforming land uses and structures. Each topic is identified as to its purpose and requirements as well as to which parcels it applies. See Figure 2 for Overlays and their particular boundaries.

### P

**Parking Area, Private.** An area, other than a street, used for the parking of automotive vehicles capable of moving under their own power and restricted from general public use, but shall not include parking provided for residential uses unless such parking provides spaces for more than four cars.

**Parking area, public.** An area, other than a private parking area or street, used for the parking of vehicles capable of moving under their own power, either free or for remuneration.

**Parking area, residential.** An area, other than a street, located on the subject lot for the parking of vehicles owned by the residents of such lot. Such areas shall be permitted only in the several agricultural districts.

**Parking area, temporary.** An area providing for public or private off-street parking, which is not intended to satisfy the off-street parking requirements of the applicable zoning district ordinance for a use as provided therein subject for any applicable zone district or pursuant to section 12-306-i-2, and which is established for a temporary period in accordance with section 12-306-i-7.

**Parkway (planting strip).** The area between the sidewalk and the curb which is reserved for trees which are intended to shade the sidewalk and provide spatial definition to the streetscape.

**"Park-once" (shared parking policy).** An accounting for parking spaces that are available to more than one function. The requirement is based on a range of parking-demand found in mature, mixed-use centers. The shared parking ratio varies according to multiple functions in close proximity unlikely to require the spaces at the same time. This approach to parking uses a variety of parking spaces in off-street (surface lots and garages) and on-street (parallel and diagonal) to achieve a balanced and distributed supply of parking.

**Paseo (passage).** A public place or path designed for walking that is often within a block, between buildings or along the edge of a public open space.

**Patio (courtyard).** A private or public courtyard enclosed by at least two walls of the main building and at least one wall of an adjacent building.

**Patio (cover).** An overhead structure which partially covers an open area within the lot adjacent to a building.

**Pedestrian first.** The practice of addressing the needs of people, once out of their automobiles, through a series of interdependent urban design and streetscape principles (e.G., Wide sidewalks, street trees and shade, on-street parking, outdoor dining, inviting storefronts, the feeling of being in an 'outdoor room', short crosswalk distances, interconnected and short blocks).

**Pedestrian shed.** An area defined by the average distance that may be traversed by the average person at an easy pace from the area's edge to its center in approximately 5 minutes. This distance is used to determine the size of a neighborhood. This dimension averages one quarter of a mile or approximately 1400 feet for generally flat terrain.

**Personal services.** Establishments providing non-medical services to individuals as a primary use. Examples of these uses include:

- Salon, barber and beauty
- Pet grooming without boarding
- Clothing / Garment rental and repair
- Tailor
- Dry cleaning pick-up stores with limited equipment
- Laundromat (self-service laundries)

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- Shoe repair
- Home electronics and small appliance repair
- Locksmith
- Fortune teller
- Palm and card reader
- Psychic

These uses may also include accessory retail sales of products related to the services provided.

**Personal services, restricted.** Personal services that may tend to have adverse effects upon surrounding areas and which may need to be dispersed to minimize their adverse impacts. Examples of these uses include:

- Bailbonds
- Check cashing stores
- Massage (licensed, therapeutic, non-sexual)
- Pawnshops
- Spas and hot tubs for hourly rental
- Tattoo and body piercing services
- Tanning salons

**Pharmacy, Prescription Pharmacy.** A business establishment where drugs are sold or dispensed at retail or displayed for sale at retail, the primary business of which is the compounding and dispensing of medicine according to prescriptions written by physicians, and a pharmacist who is licensed under the laws of the State of California is on duty at all times when such establishment is open for business. The facility shall conform to the following criteria:

- The facility shall not occupy more than 1000 square feet of floor space.
- There shall be no more than three full-time registered pharmacists employed.
- The facility shall be limited to retail sales of pharmaceuticals, first-aid and sickroom supplies.
- The facility shall be arranged such that the customer waiting area is separated from all merchandise by a counter or partition.
- The facility shall be located within a medical office complex and shall not have direct access to the public street.
- Outdoor advertising shall conform to the property development standards of the district wherein the facility is located.

**Place, Sense of.** The physical condition when a combination of factors are present to generate a certain physical environment that aligns with the intentions of the DNCP and FCSP.

**Planter.** An area dedicated to landscaping with plants and/or trees.

**Porch.** See FRONTAGE TYPES.

**Principal Building.** The main building on a lot for which the lot was generated.

**Private frontage.** The privately held layer between the frontage line and the principal building facade. Structures and landscaping within the private frontage are held to specific standards to

support the intended streetscape of the zoning district. The private frontage layer may overlap the public streetscape in the case of awnings, galleries and arcades.

**Projecting Sign.** See SIGNAGE.

**Professional Office.** See OFFICE, Professional / Administrative.

**Property Development Standard.** Any definitive, measurable characteristic or aspect of a development, specified by the **down-town code** zoning ordinance of the Fresno municipal code, such as but not limited to yard setbacks, parking, building height, space between buildings, lot area and dimensions, defined linear distances such as for signs, spacing requirements, and size of districts. It does not however, apply to any standard related to the use of property such as population density nor to any standard called for in any adopted plan.

**Property Line.** See LOT LINE.

**Public Art Work.**

- Public art work **as defined in the FMC** for the purposes of inclusion in the development process shall be defined as follows:
  - Sculpture: free-standing, wall supported or suspended; kinetic, electronic; in any appropriate material or combination of materials.
  - Murals or portable paintings: in any appropriate material or variety of materials, with or without collage or the addition of non-traditional materials or means.
  - Photography, original works of graphic art, limited edition prints, works on/of paper, original paintings.
  - Earthworks, fiberworks, waterworks, neon, glass, mosaics, or any combination or forms of media including sound, literary elements, holographic images, or hybrids of media and new genres.
  - Furnishings or fixtures, including but not limited to gates, railings, streetlights or seating, if created by artists as unique elements.
  - Artistic or aesthetic elements of the overall architecture or landscape design if created by a professional artist or a design team that includes a professional visual artist.
- The following items shall not be eligible for inclusion as public artwork:
  - Directional elements such as supergraphics, signage or color coding except where these elements are integral parts of an overall design created by a professional visual artist. "Art objects" which are mass produced or of standard manufacture, such as playground equipment, fountains or statuary elements, unless incorporated into an artwork by a project artist.
  - Mass-produced reproductions by mechanical or other means, of original works of art.
  - Decorative, ornamental, architectural or functional elements which are designed by the building architect, as opposed to elements created by an artist commissioned for that purpose.

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**Public Frontage.** The area between the frontage line of the lot and the curb of the vehicular lanes, and the type and dimension of curbs, walks, planters, street trees and streetlights.

**Public Garage (Park-Once garage).** A garage (below or above-grade) which provides the public with parking spaces for commercial, service and office uses.

**Public Market.** See FARMER'S MARKET.

### Q

### R

**RCFE (Residential Care Facility for Elderly).** See GROUP CARE HOME.

**Rear yard Building.** A building that occupies the full frontage, leaving the rear of the lot as the sole yard. This type, with its continuous facade, steadily defines the public thoroughfare. The rear elevations may be articulated for functional purposes. In its residential form, this type of building is the rowhouse. For its commercial form, this type of building is the flex building.

**Recess line.** A horizontal line, the full width of a facade, above which the upper stories are set back a minimum distance from the ground floor facade.

**Repair, Vehicles.** This code distinguishes between a variety of vehicular repair activities and identifies which are allowed in the various zoning districts. Examples include the following:

- commercial: vehicles such as delivery vans and/or trucks
- non-commercial: passenger vehicles
- recreational: vehicles such as boats, motorhomes, motorcycles, other off-road vehicles

**Residential.** Premises available for long-term dwelling.

**Residential / commercial mixed use project.** A project in the c-p, c-1, c-2, c-3, c-4, c-5, c-6 and cc zone **any of the downtown code zoning districts**, and in the c-m and m-1 districts when located within the boundaries of the central area plan, that proposes a residential use mixed with commercial and/or light industrial land uses within a finite site and is planned in a unified, integrated manner, incorporates design features, results in the efficient use of land, is compatible with the surrounding environment and is consistent with adopted city plans and **DNCP and FCSP, as applicable, and the applicable requirements of the Downtown Code**. policies. A residential/commercial mixed use project shall only be permitted with a conditional use permit issued pursuant to Sections 12-405 and 12-406 of this code.

**Restaurant.** A commercial establishment where, during all business hours, food is prepared for and served to the customer, for consumption on or off the premises. It shall be operated as a bona fide eating place that maintains approved and permitted suitable kitchen facilities within the establishment, thereby making actual and substantial sales of meals. A restaurant may provide entertainment for the customer by performers of the arts (music, dance, comedy, readings, etc.), and differs from a Night Club in that it does not provide floor space for customer dancing and dancing is prohibited. A restaurant differs from a Tavern because it must prepare and serve food at all times during busi-

ness hours and the sale of alcoholic beverages is secondary to the sale of food. **As allowed by the downtown code, a restaurant may operate on the sidewalk or open space adjacent to the main building in which the restaurant is located.**

**Restaurant, Drive-Through.** See DRIVE THROUGH RESTAURANT.

**Retail.** Stores and shops selling many lines of merchandise. Examples of these stores and lines of merchandise include:

- antiques or collectibles
- art galleries, retail
- art supplies, including framing services
- bicycles
- books, magazines, and newspapers
- cameras and photographic supplies
- clothing, shoes, and accessories
- department stores
- drug stores and pharmacies
- dry goods
- fabrics and sewing supplies
- florists and houseplant stores (indoor sales only; outdoor sales are "Building and Landscape Materials Sales")
- hobby materials
- jewelry
- luggage and leather goods
- musical instruments (small), parts and accessories (large instruments are under "Furniture, Furnishings, and Appliance Store")
- orthopedic supplies
- small wares, specialty shops
- sporting goods and equipment
- stationery
- thrift shop (second hand store)
- toys and games
- variety stores
- videos, DVDs, records, CDs, including rental stores

Does not include adult businesses which are separately defined.

**Retail Store.** A business selling goods, wares, or merchandise directly to the ultimate consumer.

**Roof Sign.** See SIGNAGE.

**Road.** shall mean the same as "Street." **A particular thoroughfare type that is most applicable to rural or industrial areas because of the characteristics of its public frontages.**

**Rooming House.** See BOARDING HOUSE.

**Rural Residential.** A residential land use on parcels located in **the NE zoning district**, a semi-rural environment consistent with an unincorporated area which allows the use of the keeping of farm animals and incidental agricultural activities and agricultural buildings.

### S

**Satellite Dish Antenna.** A Satellite Receive-Only Earth Station Antenna and Support Mechanism **subject to the** . The Special Standards of Practice and Regulation, **FMC Section 12-306-N-40**, shall apply.

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**Second Hand Store.** See **THRIFT SHOP**. A retail business which sells used merchandise.

**Service Station (Fueling Station).** An Automobile Service Station, Truck Service Station, and any other type of vehicle service station.

**Setback, Building.** The area of a lot measured from a lot line to a building facade or elevation that must be maintained clear of permanent structures excepting galleries, fences, garden walls, arcades, porches, stoops, balconies, bay windows, terraces and decks (that align with the first floor level) which are permitted to encroach into the setback.

**Setback line, front yard (frontage zone).** The line which defines the depth of the required front yard for the lot in order to generate and support the intended public realm of the zoning district. Said setback line shall be parallel with the right-of-way line or highway setback line when one has been established.

**Setback line, rear yard or side yard.** The line which defines the width or depth of the required rear or side yard. Said setback line shall be parallel with the property line, removed therefrom by the perpendicular distance prescribed for the yard in the zoning district.

**School.** Includes the following facilities:

**Elementary, Middle, Secondary.** A public or private academic educational institution, including elementary (kindergarten through 6th grade), middle and junior high schools (7th and 8th grades), secondary and high schools (9th through 12th grades), and facilities that provide any combination of those levels. May also include any of these schools that also provide room and board.

**Business, Trade Schools, Colleges.** A school that provides education and/or training, including tutoring, or vocational training, in limited subjects. Examples of these schools include:

- art school
- ballet and other dance school
- business, secretarial, and vocational school
- computers and electronics school
- drama school
- driver education school
- establishments providing courses by mail
- language school
- martial arts
- music school
- professional school (law, medicine, etc.)
- seminaries/religious ministry training facility
- trade school

Does not include family day care centers (see "Family Day Care Center for 14 or Fewer Children" and "Family Day Care Center for more than 14 Children"). See also the definition of "Studio - Art, Dance, Martial Arts, Music, etc." for smaller-scale facilities offering specialized instruction.

**Shopfront.** See FRONTAGE TYPES.

**Shopfront Frontage Line.** Frontage line designating the require-

ment for a shopfront, making the ground level available for commercial use.

**Sideyard building.** The physical arrangement when a building occupies one side of the lot with the setback to the other side. The visual opening of the side yard on the street frontage causes such a building to appear freestanding. A shallow front setback defines a more urban condition. This type permits systematic climatic orientation in response to the sun or the breeze.

**Sidewalk.** The paved layer of the public frontage dedicated exclusively to pedestrian activity.

**Signage.** Any device used for visual communication including any announcement, declaration, demonstration, display, illustration, insignia or symbol used to advertise or promote a product, service or business to the public, together with all parts, materials, frame and background.

This definition shall not include official notices issued by a court or public body or officer or directional, warning or informational sign or structures required by or authorized by law or by federal, state, or county or city authority.

**A. Wall sign.** A sign that is painted or applied directly to the wall, typically above the shopfront or more creatively as approved by the city. This type consists of a single externally illuminated panel or individual letters including a logo and does not include cabinet signs. This type of sign is intended for viewing from across the street and along the sidewalk.

**B. Window sign.** A sign that is painted or applied directly to the storefront window(s) and/or door(s). This type consists of individual letters, including a logo with allowances for contrasting background. This type of sign is intended for viewing from across the street and at close range.

**C. Awning / canopy sign.** A sign that is integral to the awning or canopy above a shopfront. This type of sign may be located either on the valence face of the awning that faces the street or on the valence perpendicular to the building. Also included is a feature area on the main panel. For canopies, this type of sign is located on top of and along the front edge of the canopy. This type of sign is intended for viewing at close range.

**D. Sidewalk sign.** A two-sided, non-illuminated, portable sign that is placed outside of the shopfront on the adjacent sidewalk for viewing at close range. The sidewalk sign is intended for use by restaurants, cafes, other food-oriented businesses, theaters and other such activities.

**E. Marquee sign.** A vertically-oriented two- to three-sided sign that projects from the facade over a sidewalk, public open space or other public right-of-way and may project above the building's parapet. This type of sign is intended for viewing along the sidewalk and down the street from the adjacent block. Marquee shall mean a permanent roofed structure attached to and supported by the building and projecting over public property.

**F. Projecting sign.** A two-sided sign that projects over a sidewalk (public or private) or open space (public or private). This type of sign is intended for viewing at close range.

**G. Monument sign.** A sign that is located within frontages where the building is setback substantially from the sidewalk and the sign is to be viewed from a distance along the street. This type of sign typically occurs as part of site-defining land-

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scape, in the form of a low wall that may include gateway that encloses outdoor dining or open space areas. This type of sign may occur as a freestanding sign subject to location and size limitations aimed at scale and compatibility with pedestrian frontages.

**H. Yard / porch sign.** This sign type consists of two related signs that occur within the front yard and porch areas of a building's frontage.

Yard - a two-sided sign that is located on a post within frontages where the building is setback from the sidewalk to be viewed along the sidewalk at close range.

Porch - a sign that is hung from the porch entry to the building to be viewed from the sidewalk at close range.

**I. Roof sign.** A sign that is for use on block-scale buildings that are at least 5 stories tall. This type of sign is intended for viewing from a distance to help emphasize the identity and presence of a particular area as a whole and therefore, the signage is allowed to be more inventive.

**J. Pole sign.** A vertically-oriented sign that is detached from the main building, located along the primary frontage, consisting of a single structural support with the sign mounted at the top. This type of sign is intended for viewing from a distance to identify a business set back and not readily visible from the street.

**Single Room Occupancy.** Sometimes called a single resident occupancy, is a multiple tenant building that houses one or two people in individual rooms. Tenants usually share bathrooms and/or kitchens, while some SRO rooms may include kitchenettes, bathrooms, or half-baths.

**Site Plan.** A plan **diagram**, prepared to scale, showing accurately and with complete dimensioning, all of the **proposed blocks, lots, buildings and uses or modifications** proposed for a specific parcel of land.

**Site Plan Review.** The review by the **DRAM Director or designee** of a site plan and other studies to assist said Director in determining the manner in which the applicant intends to make use of his **the subject** property.

**Stand, Temporary.** **A freestanding structure not within an agricultural area intended for short-term use not to exceed 30 days. Examples include those temporary structures used at Farmer's Markets and fruit stands found in agricultural areas.** STAND, TEMPORARY shall mean the same as "Structure, Temporary." The Special Standard of Section 12-306-N shall apply.

**Stoop.** See FRONTAGE TYPES.

**Story.** A habitable level within a building from finished floor to finished ceiling.

**Story.** A space **level** in a building between the surface of any floor and the surface of the floor next above, or if there be no floor above, then the space between such floor and the ceiling of roof above. **Attics and raised basements are not considered a story for the purposes of determining building height.**

**Story, One-Half.** See HALF-STORY.

**Street.** A public thoroughfare or right-of-way dedicated, deeded or condemned for use as such, other than an alley, which affords the principal means of access to abutting property. This definition includes an avenue, place, way, drive, lane, boulevard, highway, road, and any other thoroughfare except as excluded in this Zoning Ordinance.

**Street, Side.** That **The** street bounding a corner or reversed corner lot and which extends in the same direction as the line determining the depth of the lot.

**Street Line.** The boundary line between the street right-of-way and abutting property.

**Streetscape.** The urban element that provides the major part of the public realm as well as paved lanes for vehicles. A streetscape consists of two key attributes: capacity and context. Capacity is the number of vehicles that can move safely through a segment within a given time period. It is physically manifested by the number of lanes and their width, and by the curb radius. Context is physically manifested by the appropriate Frontage types as determined by the zoning district in which the streetscape is located.

**Street wall.** An opaque, freestanding wall built along the frontage line, or coplanar with the facade, often for the purpose of masking a parking lot from the adjacent thoroughfare.

**Structure.** Anything constructed or built, any edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, which requires location on the ground or is attached to something having a location on the ground, including swimming and wading pools and covered patios, excepting outdoor areas such as paved areas, walks, tennis courts, and similar recreation areas.

**Structure, Advertising.** Shall mean the same as "Advertising Structure."

**Structural Alteration.** Any change in the supporting members of a building, such as in a bearing wall, column, beam or girder, floor or ceiling joists, roof rafters, roof diaphragms, foundations, piles, or retaining walls or similar components.

**Supermarket.** A **grocery** market having fifteen thousand or more square feet of floor area devoted principally to the sale of food.

**Studio - Art, Dance, Martial Arts, Music (School).** Small scale facilities, typically accommodating no more than two groups of students at a time, in no more than two instructional spaces. Larger facilities are included under the definition of "Schools - Business, Trade Schools, Colleges." Examples of these facilities include:

- individual and group instruction and training in the arts;
- production rehearsal;
- photography, and the processing of photographs produced only by users of the studio facilities;
- martial arts training studios;
- gymnastics instruction, and
- aerobics and gymnastics studios with no other fitness facilities or equipment

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Also includes production studios for individual musicians, painters, sculptors, photographers, and other artists.

## T

**Tavern.** An establishment whose primary business is the sale of alcoholic beverages to customers for consumption on the premises. This does not include on-site manufacturing of alcoholic beverages. While a Tavern may have facilities for performers of the arts (music, comedy, etc.) for the entertainment of the customer, it differs from a Night Club in that customer dancing is prohibited. A Tavern differs from a Restaurant in that it is not required to prepare and serve food.

**Telecommunications Facilities.** Public, commercial and private electromagnetic and photoelectrical transmission, broadcast, repeater and receiving stations for radio, television, telegraph, telephone, data network, and wireless communications, including commercial earth stations for satellite-based communications. Includes antennas, commercial satellite dish antennas, and equipment buildings. Does not include telephone, telegraph and cable television transmission facilities utilizing hard-wired or direct cable connections.

**Terrace.** A level, paved area accessible directly from a building as its extension.

**Thoroughfare (Street).** A vehicular way incorporating moving lanes and parking lanes (except alleys/lanes which have no parking lanes) within a right-of-way.

**Thoroughfare Types.** The range of rights-of-way for use by vehicular and pedestrian traffic and for providing access to lots and open space, consisting of vehicular lanes and public frontages. A wide variety of thoroughfare types applies to the Downtown Code boundaries with each type being identified as one of three principal movement types of thoroughfares that comprise an interconnected, varied and hierarchical network. The three principal movement types are:

**Free Flow.** A thoroughfare which has dedicated, striped lanes of travel and tends to be a more highly traveled thoroughfare. Typical speeds are up to 55 mph.

**Slow Flow.** A thoroughfare, of moderate capacity (shorter in length than a free flow street) which does not have striped, dedicated lanes of travel but has enough width for cars to pass each other comfortably but at a slow speed. Typical speeds are up to 20 mph.

**Yield Flow.** A thoroughfare of low capacity, shortest in length, and of a type where a single travel lane is shared by cars in both directions. Typical speeds are up to 15 mph.

**Thrift Shop (Second Hand Store).** A secondhand store operated on a nonprofit basis which sells donated merchandise. A thrift shop shall be operated by a nonprofit organization only and any profits used exclusively for charitable purposes.

**Traffic-Calming.** A set of techniques which serves to reduce the speed of traffic such as lane-narrowing, on-street parking, chicanes, yield points, sidewalk bulge-outs, speed bumps, surface variations, mid-block deflections, and visual cues. Traffic-calming is a retrofit technique unnecessary when thoroughfares are correctly designed for the appropriate speed at initial construction.

**Transect.** A system of classification deploying the conceptual range of 'rural-to-urban' to arrange, in useful order, the typical context groupings of natural and urban areas. This gradient, when rationalized and expressed in zoning districts, becomes the basis of the Regulating Plan supporting the Downtown Code.

**Transit-Oriented Development (TOD).** A mixed-use area designed to maximize access to public transport, often incorporating features to encourage transit ridership. A TOD neighborhood typically has a center with a transit station or stop (train station, tram stop, or bus stop), surrounded by relatively high-density development with progressively lower-density development spreading outwards from the center. TODs generally are located within a radius of one-quarter to one-half mile from a transit stop to provide residents with easy access to transit.

**Transitional Housing.** Accommodation for people, ready to move beyond emergency shelter into a more independent living situation, provided by a local authority or a housing association.

**Transition Line.** A horizontal line, the full width of a facade expressed by a material change or by a continuous horizontal articulation such as a cornice or a balcony.

**Type.** A form determined by function and confirmed by culture. A type is physically defined by its function, and its configuration, and in the case of buildings, its disposition on the lot including frontage and height.

## U

**Urban Fabric.** The pattern of developed land into neighborhoods, districts or corridors which is divided into blocks that are defined by thoroughfares. Urban fabric is in contrast to rural areas.

**Use, Land.** See LAND USE.

**Use, Accessory.** A land use incidental and accessory to the principal land use of a lot or a building located on the same lot.

## V

**Vacation Rental.** A furnished apartment or house rented out on a temporary basis to tourists as an alternative to a hotel.

**Vernacular.** The common language of a region, particularly in reference to the methods of construction which use locally available resources and traditions to address local needs and circumstances. Vernacular architecture tends to evolve over time to reflect the environmental, cultural, and historical context in which it exists.

## W

## X

## 11.0 DEFINITIONS

### Y

**Yard.** Any open space on the same lot with a building or a dwelling group **that adjoins or surrounds a building and**, which open space is unoccupied and unobstructed from the ground upward to the sky, except for the **allowed** projections, accessory buildings or structures, including on-premises signs and flagpoles, which comply with all applicable provisions of Section 12-306-N-9, permitted by this Zoning Ordinance.

**Yard, Front.** **The** a space between the front yard setback line and the front lot line or highway setback line, and extending the full width of the lot.

**Yard, Rear.** **The** a space between the rear yard setback line and the rear lot line, extending the full width of the lot.

**Yard, Side.** **The** a space extending from the front yard, or from the front lot line where no front yard is required by the **Downtown Code** is Zoning Ordinance, to the rear yard, or rear lot line, between a side lot line and the side yard setback line.

**Yard / Porch Sign.** See SIGNAGE.

### Z

**Zaguan.** A pedestrian passage within a building that connects the public sidewalk to interior courtyards or that connects two or more courtyards. A zaguan is typically covered by an upper floor(s) and is no more than one room in length.

**Zoning District.** One of several geographic areas on the Downtown Code Zoning Map (Figure 2) identified to implement the DNCP and FCSP, as applicable, through the allocation of development and land use standards.

**Zoning Map (Figure 2).** The official map that is part of FMC Chapter 12 and delineates the boundaries of each zoning district in the Downtown Code.

## 11.0 DEFINITIONS

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