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ARTICLE 2 DEFINITIONS

SECTION 2.0 PURPOSE OF DEFINITIONS

The purpose of this article is to clarify and define terms and use categories found throughout this Ordinance. The Ordinance has been written in “plain English” style and the meaning is intended to be clear as read. However, because it is also a legal document and because of the need for terms with specific meanings, the Ordinance also provides guidance on how specific terms are used. Defined terms are highlighted throughout the Ordinance by the SMALL CAPS format.

SECTION 2.1 GENERAL

SECTION 2.1.10 SCOPE OF DEFINITIONS

Unless otherwise expressly stated, words and phrases in this Ordinance shall have the meanings indicated herein.

SECTION 2.1.20 RULES OF CONSTRUCTION

Terms used or defined in this Ordinance shall be construed in accordance with the following rules:

- 2.1.21** The singular shall include the plural, and the plural shall include the singular.
- 2.1.22** The word “used”, shall include the words “arranged,” “designed,” or “intended to be used.” The words “used” or “occupied” shall be considered as though followed by the words “or intended, arranged, or designed to be used or occupied.”
- 2.1.23** The word “building” shall include the word “structure.”
- 2.1.24** The present tense shall include the future tense.
- 2.1.25** The word “shall” is mandatory and the term “may” is permissive or discretionary.
- 2.1.26** The word “or” includes “and” unless the contrary is evident from the text.

1 **2.1.27** The word “includes”, “including” and “such as”, when followed by a list of
2 examples, shall not limit a term to such examples, but are intended to mean
3 “including but not limited to”.

4 **2.1.28** The word “lot” includes “parcel.” The words “building,” “structure,” “lot,” or
5 “parcel” shall be construed as being followed by the words “or any portion
6 thereof.”

7 **2.1.29** The word “person” includes a firm, association, organization, partnership,
8 company, or corporation, as well as an individual.

9 **SECTION 2.1.30 BUILDING CODE DEFINITIONS**

10 Where terms are not defined in this Ordinance and are defined in the Massachusetts State
11 Building Code (780 CMR), Chapter 2, such terms shall have the meanings ascribed to them in
12 said Code unless a contrary intention is clearly evident in this Ordinance.

13 **SECTION 2.1.40 TERMS NOT DEFINED**

14 Where terms are not defined through the methods described herein, such terms shall have the
15 ordinarily accepted meanings such as the context implies as defined by *Webster’s Third New*
16 *International Dictionary, Unabridged.*

17 **SECTION 2.2 GENERAL TERMS DEFINED**

18



19

20

21 **ABANDONED.** Any USE, BUILDING or STRUCTURE not used for a period of two (2) years shall be
22 considered ABANDONED.

23

24 **ACCESS DRIVES, ACCESS DRIVEWAY** A paved surface, other than a STREET, which provides
25 vehicular access from a STREET or PRIVATE ROAD to a LOT.

26

27 **ACCESSORY APARTMENT.** A DWELLING UNIT located within an owner-occupied SINGLE-FAMILY
28 DWELLING. See Section 4.4.14.

1
2 ACCESSORY BUILDING. A BUILDING subordinate to, incidental to, and located on the same LOT
3 with a PRINCIPAL BUILDING. See Figure 2-8.
4
5 ACCESSORY USE. A use subordinate and related to the PRINCIPAL USE of land or of a BUILDING
6 on a LOT and incidental thereto.
7
8 ACCESSORY DRIVE-THROUGH. A STRUCTURE or portion of a STRUCTURE that establishment that
9 permits customers to receive services or goods on the same premise as the PRINCIPAL USE while
10 remaining in their vehicles.
11
12 ADJACENT. Next to or abutting.
13
14 ADULT DAY CARE. See DAY CARE, ADULT.
15
16 ADULT BOOKSTORE. See Section 6.3.30 Adult Entertainment Definitions
17
18 ADULT BOOTH. See Section 6.3.30 Adult Entertainment Definitions
19
20 ADULT DANCING. See Section 6.3.30 Adult Entertainment Definitions
21
22 ADULT ENTERTAINMENT. See Section 6.3.30 Adult Entertainment Definitions
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24 ADULT MOTEL. See Section 6.3.30 Adult Entertainment Definitions
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26 ADULT MOTION PICTURE THEATER. See Section 6.3.30 Adult Entertainment Definitions
27
28 ADULT PARAPHERNALIA STORE. See Section 6.3.30 Adult Entertainment Definitions
29
30 ADULT RETAILER. See Section 6.3.30 Adult Entertainment Definitions
31

1 ADULT VIDEO STORE. See Section 6.3.30 Adult Entertainment Definitions

2

3 AGRICULTURE. All forms of farming and forestry including the cultivation and tillage of the soil,
4 dairying, pasturage, the production, cultivation, growing and harvesting of any agricultural, aqua
5 cultural, floricultural, viticulture, silvicultural, apicultural, or horticultural commodities, tree
6 farming, greenhouses, nurseries, the growing and harvesting of forest products, the raising and
7 keeping of horses as a commercial enterprise, the keeping and raising of poultry, swine, cattle,
8 and other domesticated animals used for food purposes, bees, and fur-bearing animals, and
9 related uses of packing, storing, and transporting the products of agriculture. The retail sale of
10 agricultural products may be included with any of the above uses provided the majority of the
11 products for sale has been raised or grown on the premises.

12

13 ANIMAL HOSPITAL. See VETERINARY CLINIC.

14

15 ANIMAL SERVICES. . See KENNEL and VETERINARY CLINIC.

16

17 APARTMENT BUILDING. See DWELLING, APARTMENT BUILDING.

18

19 AS OF RIGHT. A term used to describe a use or STRUCTURE that is allowed without an approval
20 by the Planning Board, Board of Appeals, Office of Planning & Economic Development or City
21 Council, although it may be subject to a BUILDING PERMIT or a USE PERMIT. In Table 4-4, Use
22 Table, AS OF RIGHT USES are listed as Y.

23

24 ASSISTED LIVING CENTER. A profit or non-profit entity which provides room and board and
25 where the operator provides a minimum of two meals per day and assistance with activities of
26 daily living for three or more elderly or disabled residents.

27

28 AUTOMATED TELLER MACHINES. (ATMs). A machine used by bank and financial service
29 patrons for conducting transactions including deposits, withdrawals, and fund transfers, without
30 contact with financial institution personnel. The machines may be located at or within banks, or
31 in other locations, in compliance with these regulations.

32

33 AUTOMOBILE SALES OR SERVICE. See MOTOR VEHICLE Sales.

34

1 AWNING SIGN. See Section 9.1 SIGN Definitions.

2

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5 BANK. A financial institution that is open to the public or its members and engaged in deposit
6 banking and closely related functions such as loans, investments and other fiduciary activities.

7

8 BAR. See TAVERN.

9

10 BED AND BREAKFAST. A private, owner-occupied house which rents guest rooms as an overnight
11 or temporary accommodation and includes breakfast in the room rate.

12

13 BOARD OF APPEALS. The Zoning Board of Appeals for Springfield, Massachusetts.

14

15 BUFFER PLANTING STRIP. A strip of land within a parcel that is planted to protect an abutting land
16 use from the land use on the subject parcel.

17

18 BUILDING. A STRUCTURE enclosed within exterior walls or firewalls, built, erected and framed
19 of a combination of any materials, whether portable or fixed, having a roof, for the shelter of
20 persons, animals or property. See also ACCESSORY BUILDING and PRINCIPAL BUILDING.

21

22 BUILDING COMMISSIONER. The designated BUILDING COMMISSIONER of the City.

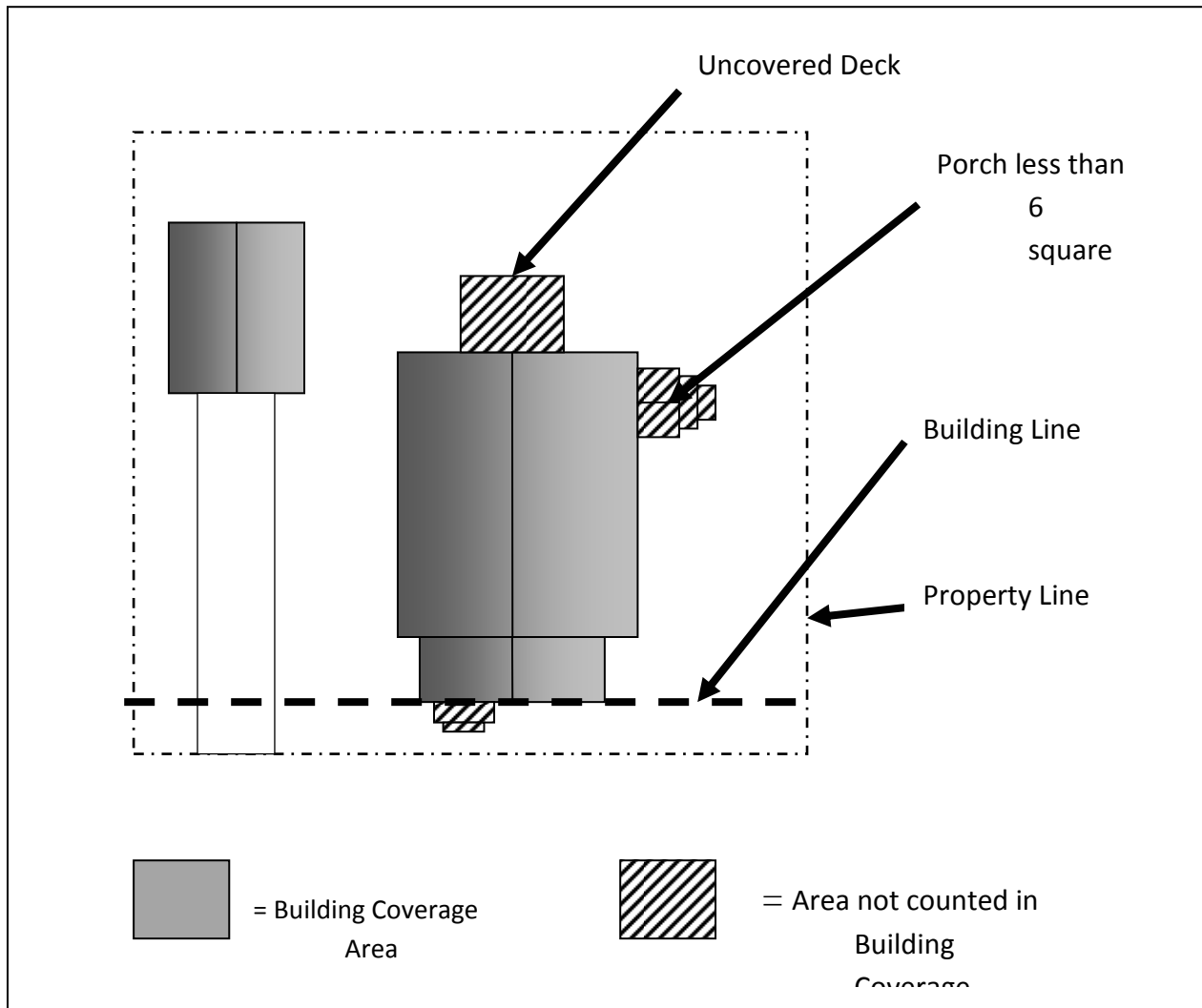
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24 BUILDING COVERAGE. That portion of a LOT that is covered by STRUCTURES, expressed as an
25 area measure or as a fraction or percentage, as determined by the context. BUILDING COVERAGE
26 does not include cornices, eaves, PORCHES less than six (6) square feet, DECKS and gutters. See
27 Figure 2-1.

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Figure 2-1 Building Coverage



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4 **BUILDING DEPARTMENT.** The Building Department of the City.

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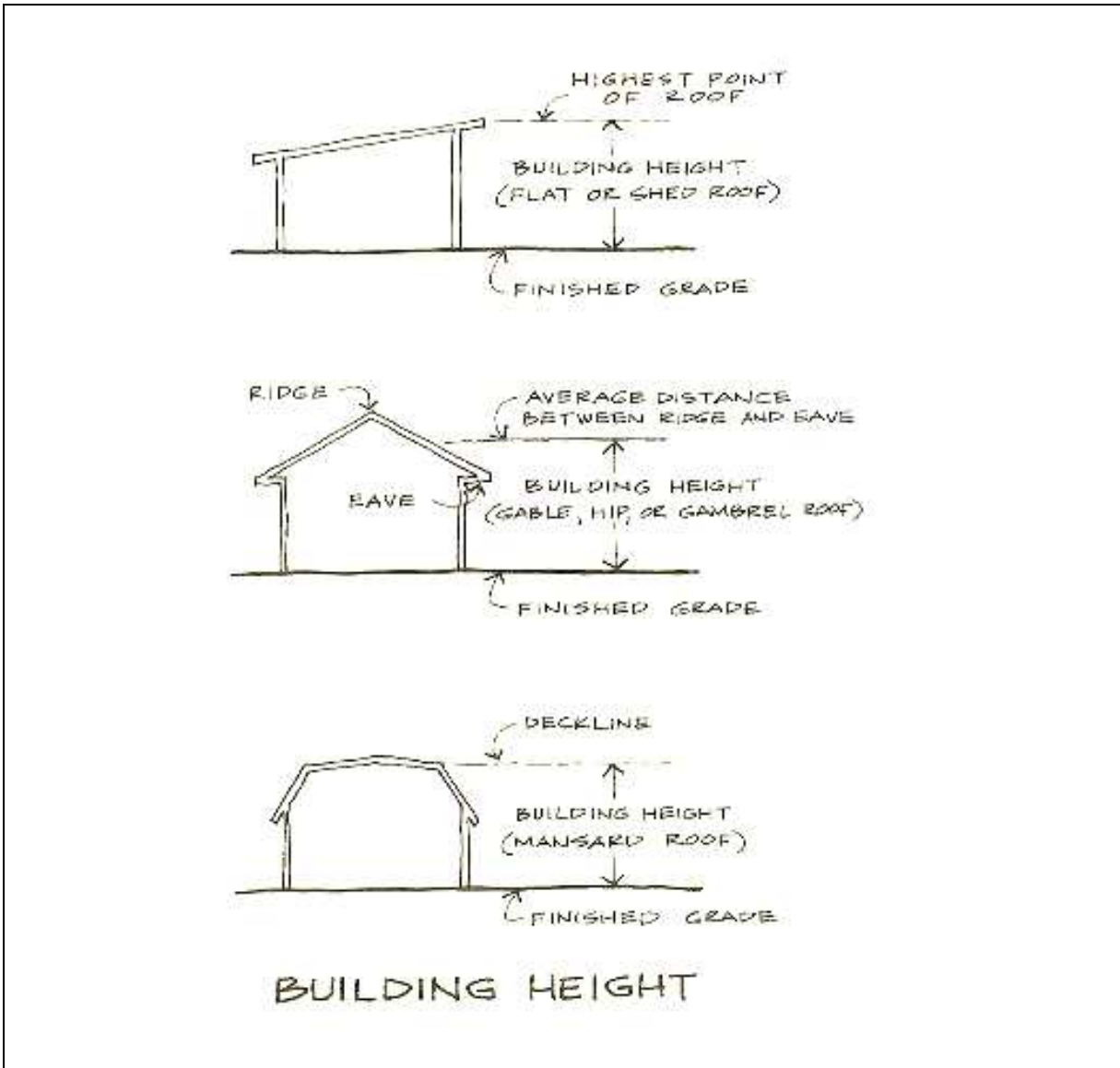
6 **BUILDING FOOTPRINT.** The horizontal measurement of land area covered by a **BUILDING**
7 measured from the faces of exterior walls.

8

9 **BUILDING HEIGHT.** The vertical distance from the **FINISHED GRADE** abutting a **BUILDING** or
10 **STRUCTURE** to the highest point of the roof. **BUILDING HEIGHT** shall be measured to the top of the
11 highest cornice line in the case of a flat or shed roof; to the deck line of mansard roof; and to the
12 mean height between the eaves and ridge of a gable, hip or gambrel roof. Chimneys, spires,
13 cupolas, and similar minor projections not intended for human occupancy shall not be included
14 in calculating **BUILDING HEIGHT**. Figure 2-2 illustrates how to measure **BUILDING HEIGHT**.

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Figure 2-2 Building Height



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BUILDING LINE. The line parallel to the FRONT LOT LINE equal to the depth of the REQUIRED FRONT YARD (See Figure 2-1).

BUILDING PERMIT. Written Permission issued by the BUILDING COMMISSIONER for the construction, repair, alteration, or addition to a STRUCTURE pursuant to the Massachusetts State Building Code (780 CMR).

C

CANOPY SIGN. See Section 9.1 Sign Definitions.

CAR WASH. See MOTOR VEHICLE SERVICES.

CEMETERY. Land used for the burial of the dead or cremated remains, and including accessory mausoleums, crematoriums, columbarium and maintenance facilities.

CHARITABLE USE. Use of land or STRUCTURES by a nonprofit corporation or association organized for charitable purposes including but not limited to education, social welfare, environmental conservation, scientific research, cultural enrichment, and the arts. Uses that meet the definitions of educational or religious use are covered by those definitions rather than “charitable use” for purposes of use regulation.

CHILD CARE. See DAY CARE CENTER and FAMILY DAY CARE HOME.

CITY. The City of Springfield, Massachusetts. *The term City is not put in SMALL CAPS format due to its common use in this Ordinance.*

CITY ORDINANCE. The Revised Ordinances of the City of Springfield, 1984, as amended.

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CLUB OR LODGE. Establishments where an organization conducts regular meetings where food and alcohol may be served and indoor and outdoor amusement may be provided for members and their guests. There are no sleeping facilities.

COLLEGE. An educational institution authorized by the state to award associate, baccalaureate, or higher degrees.

CONDOMINIUM. A form of property ownership in which individual units are owned separately and the balance of the real estate are owned in common under the provisions of M.G.L. Chapter 183A. . “Condominium” does not signify a use or a type of BUILDING, but rather a form of ownership that may apply to any type of BUILDING or use, including SINGLE-FAMILY DWELLINGS, TWO-FAMILY DWELLINGS, MULTI-FAMILY DWELLINGS, commercial uses, industrial uses, or MIXED-USE BUILDINGS.

CREMATORIUM. A location containing facilities used to cremate the dead.

D

DAY CARE. The terms “day care center,” “family day care home,” “large family day care home” and “school age child care program” shall have the meanings as defined in M.G.L. c. 28A s. 9.

DAY CARE CENTER, ADULT. Those services, including nursing services, occupational therapy, physical therapy, social, recreational and educational events which are regulated by the Massachusetts Department of Public Health in accordance with 130 CMR 404.

DAY CARE HOME BASED, ADULT. A residential DWELLING where care for adults is provided by the occupant. See 4.4.73.

DAY CARE CENTER. Any facility operated on a regular basis whether known as a day nursery, nursery school, kindergarten, child play school, progressive school, child development center, or pre-school, or known under any other name, which receives children not of common parentage under seven (7)

1 years of age, or under sixteen (16) years of age if such children have
2 special needs, for nonresidential custody and care during part or all of the
3 day separate from their parents. DAY CARE CENTER shall not include: any
4 part of a public school system; any part of a private, organized educational
5 system, unless the services of such system are primarily limited to
6 kindergarten, nursery or related preschool services; a Sunday school
7 conducted by a religious institution; a facility operated by a religious
8 organization where children are cared for during short periods of time
9 while persons responsible for such children are attending religious
10 services; a FAMILY DAY CARE HOME; an informal cooperative
11 arrangement among neighbors or relatives; or the occasional care of
12 children with or without compensation therefore.

13 FAMILY DAY CARE HOME. Any private residence which on a regular basis,
14 receives for temporary custody and care during part or all of the day,
15 children under seven (7) years of age or children under sixteen (16) years
16 of age if such children have special needs; provided, however, in either
17 case, that the total number of children under sixteen (16) in a FAMILY DAY
18 CARE HOME shall not exceed six (6), including participating children
19 living in the residence. FAMILY DAY CARE HOME shall not mean a private
20 residence used for an informal cooperative arrangement among neighbors
21 or relatives, or the occasional care of children with or without
22 compensation therefore.

23 LARGE FAMILY DAY CARE HOME. A private residence which, on a regular basis,
24 receives for temporary custody and care during part or all of the day,
25 children under seven (7) years of age or children under sixteen (16) years
26 of age if such children have special needs, and receives for temporary
27 custody and care for a limited number of hours, children of school age in
28 accordance with regulations promulgated by the Massachusetts
29 Department of Early Education and Care or any successor agency;
30 provided, however, that the number of children under the age of sixteen
31 (16) in a LARGE FAMILY DAY CARE HOME shall not exceed ten (10),
32 including participating children living in the residence. LARGE FAMILY
33 DAY CARE HOME shall not mean a private residence used for an informal
34 cooperative arrangement among neighbors or relatives, or the occasional
35 care of children with or without compensation therefore.

36 SCHOOL AGE CHILD CARE PROGRAM. Any program or facility operated on a
37 regular basis which provides supervised group care for children not of
38 common parentage who are enrolled in kindergarten and are of sufficient

1 age to enter first grade the following year, or an older child who is not
2 more than fourteen (14) years of age, or sixteen (16) years of age if such
3 child has special needs. Such a program may operate before and after
4 school and may also operate during school vacation and holidays. It
5 provides a planned daily program of activities that is attended by children
6 for specifically identified blocks of time during the week, usually over a
7 period of weeks or months. A SCHOOL AGE CHILD CARE PROGRAM shall
8 not include: any program operated by a public school system; any part of a
9 private, organized educational system, unless the services of such system
10 are primarily limited to a SCHOOL AGE CHILD CARE PROGRAM; a Sunday
11 school or classes for religious instruction conducted by a religious
12 organization where the children are cared for during short periods of time
13 while persons responsible for such children are attending religious
14 services; a FAMILY DAY CARE HOME except as provided under LARGE
15 FAMILY DAY CARE HOME; an informal cooperative arrangement among
16 neighbors or relatives; or the occasional care of children with or without
17 compensation therefore.

18
19 DECK. A platform, attached and with direct access to a BUILDING, that may have railings but
20 does not have walls or a roof or any roof-like STRUCTURE.

21
22 DEPARTMENT OF PUBLIC WORKS. The Department of Public Works of the City, also known as
23 DPW.

24
25 DEVELOP. To construct or alter a STRUCTURE or to make a physical change to the land including
26 excavations and fills.

27
28 DEVELOPMENT. All improvements on a site, including BUILDINGS, other STRUCTURES, PARKING
29 and LOADING AREAS, LANDSCAPING, paved or graveled areas, and areas devoted to exterior
30 display, STORAGE, or activities. DEVELOPMENT includes improved open areas such as plazas and
31 walkways, but does not include natural geologic forms or unimproved land.

32
33 DISPLAY AREA. See Section 9.1 SIGN Definitions.

34
35 DISTRICT. See ZONING DISTRICT

1 DISTURBANCE AREA. An area of land affected by removal of vegetation, excavation, or
2 filling or grading to prepare for DEVELOPMENT.

3
4 DOMESTIC ANIMAL. Any animal that is kept for personal use or enjoyment within the home
5 provided that such creatures are not kept to supplement food supplies or are used for any
6 commercial purposes whatsoever other than offering for sale one litter, brood or offspring of a
7 household pet domiciled on the premises. A DOMESTIC ANIMAL shall include but is not limited to
8 dogs, cats, birds, and reptiles. A DOMESTIC ANIMAL does not include farm animals such as
9 horses, ponies, cows, pigs, chickens, roosters, goats, pigeons or sheep.

10
11 DOVER AMENDMENT. Those sections of M.G.L 40A, Section 3, which limit the authority of local
12 governments to regulate certain uses, including but not limited to religious, educational,
13 agricultural, and child care uses. See Sections 6.2 and 12.7.

14
15 DRIVE-UP OR DRIVE-THROUGH FACILITY. Any portion of a commercial establishment that, by
16 design, is an automatic teller machine or allows for customers to interact with an employee of the
17 establishment through a window or similar structural feature while remaining in their vehicle.

18
19 DRIVEWAY. A private roadway providing access to a LOT from a STREET or PRIVATE ROAD.

20
21 DRY CLEANING OR LAUNDRY.

22 SELF - SERVICE LAUNDRY. A business that provides washing, drying, and/or
23 ironing machines for hire too be used by customers on the premises.

24 DRY CLEANING, DROP OFF. An establishment which launders or dry cleans
25 articles dropped off on the premises directly by the customer or where
26 articles are dropped off, sorted, and picked up but where laundering or dry
27 cleaning is done elsewhere.

28 DRY CLEANING OR LAUNDRY, PROCESSING. A BUILDING, or premises used for
29 cleaning fabrics, textiles, wearing apparel, or articles of any sort by
30 immersion and agitation (laundry) or immersion only in volatile solvents
31 (dry cleaning).

32 DWELLING. A BUILDING or portion thereof containing one or more DWELLING UNITS.

1 DWELLING, SINGLE-FAMILY. A BUILDING consisting of a single DWELLING UNIT.
2 SINGLE-FAMILY DWELLING UNITS are detached from other DWELLING
3 UNITS.

4 DWELLING, MULTI-FAMILY. A BUILDING consisting of three (3) or more
5 DWELLING UNITS, such as an APARTMENT BUILDING or a townhouse.

6 APARTMENT BUILDING. A MULTI-FAMILY DWELLING that is not a
7 TOWNHOUSE.

8 TOWNHOUSE. A type of MULTI-FAMILY DWELLING in which at least three
9 (3) DWELLING UNITS ARE IN A ROW. THE DWELLING UNIT extends
10 from the foundation to the roof and are separated by fire rated
11 walls from other DWELLING UNITS, no unit is located over another
12 unit, and each unit has its own front and rear access to the outside.

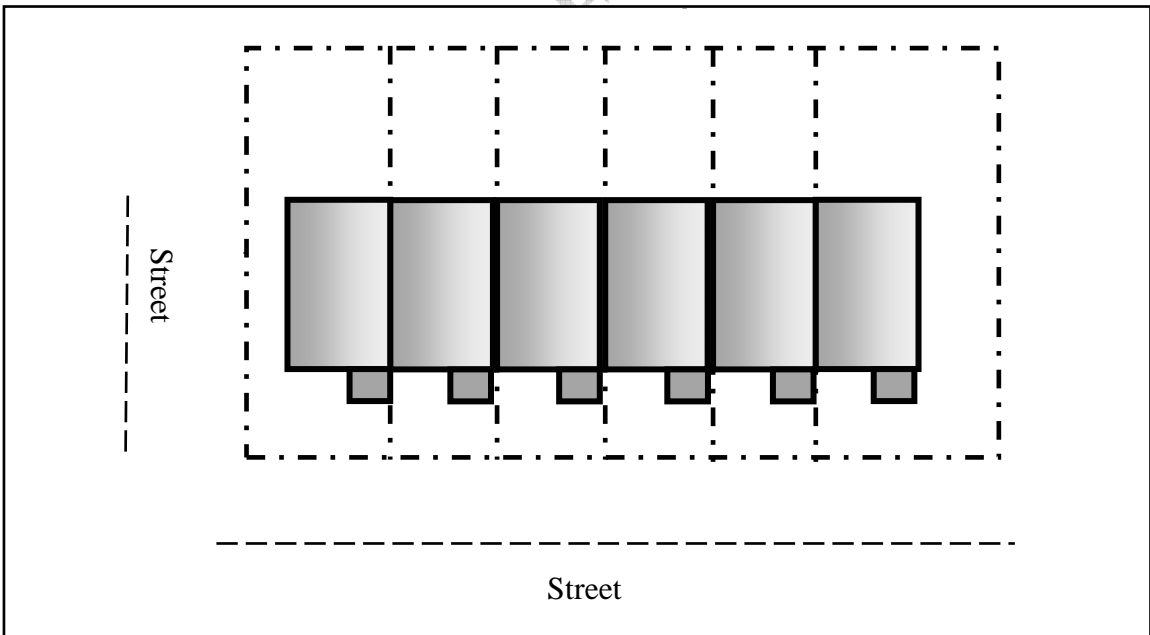
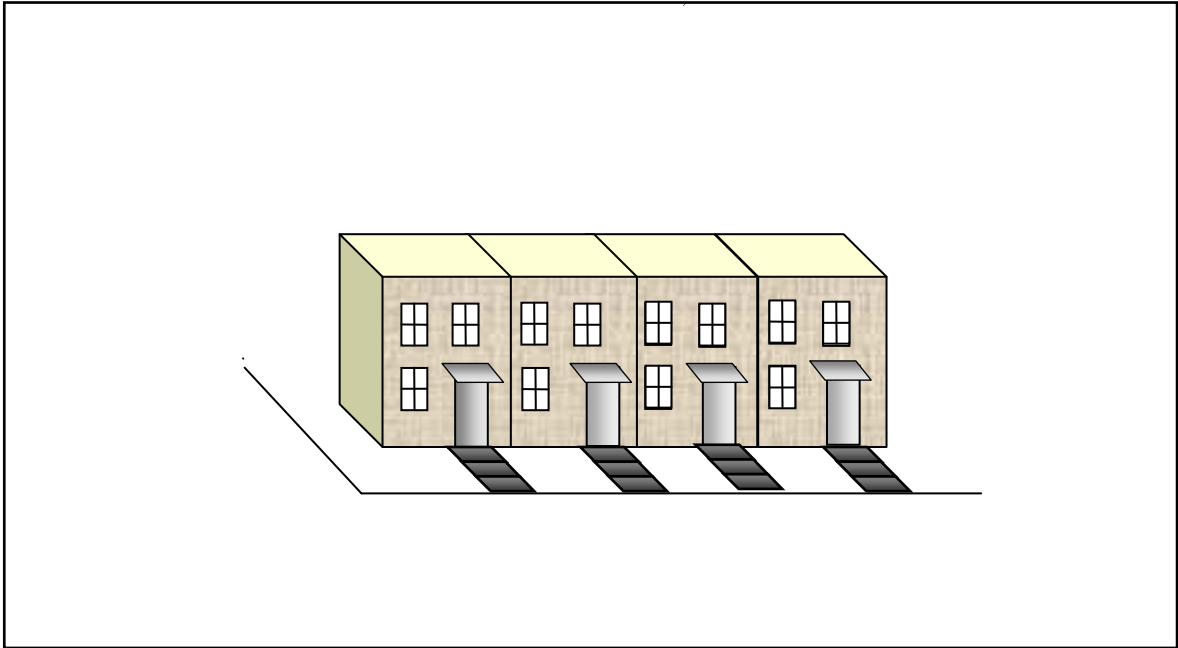
13 TOWNHOUSES may be held in different forms of ownership, including fee
14 simple ownership on separate LOTS, condominium ownership
15 (where each unit is owned separately but the BUILDING and land
16 are owned in common), or single ownership (where the entire
17 BUILDING is in one ownership and individual townhouses are lease
18 out as rental units). Figure 2-3 is an illustration of TOWNHOUSES
19 on separate LOTS.

20 A TOWNHOUSE unit extending from the foundation to the roof may not be
21 divided into separate DWELLING UNITS. Any MULTI-FAMILY
22 DWELLING that does not meet the definition of a TOWNHOUSE shall
23 be deemed to be an APARTMENT BUILDING.

24

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Figure 2-3 Multi-Family Townhouse Elevation and Plan View



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DWELLING, SINGLE-ROOM OCCUPANCY (SRO): A lodging house in which all residents have separate bedrooms with private bathrooms but share

1 common areas for cooking, dining, and other purposes normally
2 associated with residential use.

3 DWELLING, SINGLE ROOM OCCUPANCY, ENHANCED (ENHANCED SRO). A MULTI-
4 FAMILY DWELLING with one-room studio apartments that include a
5 bathroom and kitchen.

6 DWELLING, TWO-FAMILY. A BUILDING consisting of two DWELLING UNITS, not
7 including a SINGLE-FAMILY DWELLING with an ACCESSORY APARTMENT.

8 DWELLING UNIT. A BUILDING or portion thereof providing complete independent living
9 facilities for one family; including sleeping, cooking and sanitary facilities, not
10 including, transient occupancy units, such as hotels, motels, rooming or boarding
11 houses.

12

13

14 **E**

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16 EDUCATIONAL USE, EXEMPT. The use of land or BUILDINGS primarily for the training and
17 teaching of children, youths, or adults, including preschools, elementary and secondary schools,
18 colleges, vocational schools, and technical schools. Exempt educational uses also include
19 dormitory and residential facilities for students, faculty, and staff of an educational institution,
20 and residential facilities that provide educational services for their residents, including group
21 homes, homeless shelters, half-way houses, or any other program in which counseling,
22 education, or residential facilities are provided to residents or clients. In order to qualify as an
23 exempt educational use such use must occur on land owned or leased by (a) the Commonwealth
24 of Massachusetts or any of its agencies, subdivisions or bodies politic; or (b) a religious sect or
25 denomination; or (c) a nonprofit educational corporation.

26

27 EDUCATIONAL USE, NON-EXEMPT. The use of land or BUILDINGS primarily for the training and
28 teaching of children, youths, or adults, including private for-profit schools and any other school
29 or institution providing instruction or educational services, where such use does not occur on
30 land owned or leased by (a) the Commonwealth of Massachusetts or any of its agencies,
31 subdivisions or bodies politic; or (b) a religious sect or denomination; or (c) a nonprofit
32 educational corporation.

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ERECTING A SIGN. See Section 9.1 Sign Definitions.

F

FAA. Federal Aviation Administration.

FCC. Federal Communications Commission.

FAMILY. An individual or two (2) or more persons related by genetics, adoption or marriage, living and cooking together as a single housekeeping unit or a group of three (3) or fewer persons who are not related by genetics, adoption or marriage, living and cooking together as a single housekeeping unit.

FENCE. A barrier constructed of materials other than living vegetation erected for the purpose of protection, confinement, enclosure, or privacy.

FINISHED GRADE. The average grade existing at the time of application for a BUILDING PERMIT or USE PERMIT, or the final grade necessary to implement an approved subdivision plan as shown on the plans. The FINISHED GRADE is the average of the highest and lowest elevation of the ground abutting the perimeter of the PRINCIPAL BUILDING.

FLOOR AREA. Unless otherwise modified or specified, the term “Floor Area” in this ordinance shall mean GROSS FLOOR AREA.

FLOOR AREA, GROSS. The sum of the horizontal areas of a BUILDING, measured from exterior face of exterior walls, or in the case of a common wall separating two BUILDINGS, from the centerline of the common wall. GROSS FLOOR AREA shall not include: stairwells, underground parking areas, uncovered steps, exterior balconies, interior space less than seven

1 (7) feet in height, elevator shafts and space devoted to mechanical
2 equipment.

3 FLOOR AREA, NET. The gross FLOOR AREA, excluding interior walls, hallways,
4 stairwells, closets, storage areas, restrooms and similar features.

5

6 FRONTAGE. The horizontal distance measured along a LOT LINE dividing a LOT from:

7 A. A public STREET or a way which the City Clerk certifies is maintained and
8 used as a public way, or

9 B. A way shown on a plan approved and endorsed in accordance with the
10 Subdivision Control Law (M.G.L Ch. 41, ss. 81K to 81GG), or

11 C. A way in existence when the Subdivision Control Law became effective in
12 the City having, in the opinion of the Planning Board, sufficient width,
13 suitable grades and adequate construction to provide for the needs of
14 vehicular traffic in relation to the proposed use of land abutting thereon or
15 served thereby, and for the installation of municipal services to serve such
16 land and the BUILDINGS erected thereon or to be erected thereon.

17

18 FUNERAL HOME OR PARLOR. See UNDERTAKING ESTABLISHMENT.

19

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G

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22 GARAGE, RESIDENTIAL. A BUILDING used for the storage of one or more automobiles owned and
23 used by the owner or tenant of the LOT on which it is erected for a purpose accessory to the use
24 of the LOT.

25

26 GARAGE, PARKING. See PARKING GARAGE.

27

28 GENERAL SERVICE AND CONTRACTOR'S SHOP. An establishment used for the indoor repair,
29 maintenances or storage of materials related to construction, remodeling, machine repair
30 (including small engine repair), furniture making or artist studio. These uses also include but are

1 not limited to metal, machine and welding shops, furniture upholstery shops and similar business
2 engagements in custom fabrication and repair which are wholly contained within a BUILDING
3 with no outdoor storage. The shop activity does not create a noticeable amount of noise, dust,
4 odor or vibration outside of the BUILDING in which it takes place

5

6 GROUND SIGN. See Section 9.1 Sign Definitions.

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10 HAZARDOUS MATERIALS. Items classified by the Massachusetts State Building Code as “Use
11 Groups H, H-1, H-2, H-3, and H-4. See also Industrial Uses with High Hazard Uses.

12

13 HEALTH CLUB. An indoor or outdoor facility including game courts, exercise equipment, locker
14 rooms, SWIMMING POOL(s), used primarily for athletic practice or competition, fitness classes or
15 lessons, or related activities.

16

17 HEIGHT OF BUILDING. See BUILDING HEIGHT.

18

19 HELIPORT. An area designed to be used for the landing and takeoff of helicopters including all
20 necessary passenger, cargo and emergency service facilities, but not including a helicopter
21 landing and takeoff area that is accessory to, and on the same LOT as, a HOSPITAL.

22

23 HOME BASED BUSINESS. A business, trade, profession, or other business activity resulting in a
24 product or service for compensation, conducted wholly or partly in a DWELLING, as regulated by
25 Section 4.5.

26

27 HOME BASED BUSINESS SITE. The LOT on which the HOME BASED BUSINESS is conducted.

28

29 HORSE STABLE. A stable or group of stables or barns for the purpose of keeping and boarding
30 equine animals.

1
2 HORTICULTURE. Includes greenhouses and the growing and keeping of nursery stock and the sale
3 thereof.

4
5 HOSPITAL. A facility in excess of 10,000 square feet and licensed by the state that provides
6 health services and overnight patient care.

7
8 HOTEL. A BUILDING, or portion of a BUILDING with access provided through a common
9 entrance, lobby or hallway to one or more guest rooms, designed to be rented out as temporary or
10 overnight accommodations for guests. This definition shall not include a BED AND BREAKFAST
11 HOME, LODGING HOUSE or MOTEL, as defined separately in this section.

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14 **I**

15
16 INDIVIDUAL LETTER SIGN. See Section 9.1 Sign Definitions.

17
18 INDUSTRIAL

19 INDUSTRIAL, LIGHT. Research and development activities, the manufacturing,
20 compounding, processing, packaging storage, assembly and or treatment
21 of finished or semi-finished products which activities are conducted
22 wholly within an enclosed BUILDING. LIGHT INDUSTRIAL activity does not
23 create a noticeable amount of noise, dust, odor or vibration outside of the
24 BUILDING in which it takes place.

25 INDUSTRIAL USES WITH HIGH HAZARD USES. An industrial USE containing a HIGH
26 HAZARD USE.

27 HIGH HAZARD USE. A use classified by the Massachusetts State Building
28 Code as “Use Group H,” including Use Groups H-1, H-2, H-3 or
29 H-4.

1 HIGH HAZARD USE A. A USE which contains materials that present a
2 detonation hazard (Use Group H-1), or that present a deflagration
3 hazard or a hazard from accelerated burning (Use Group H-2).

4 HIGH HAZARD USE B. A use which contains materials that readily support
5 combustion or present a physical hazard (Use Group H-3), or
6 which contain materials that are a health hazard (Use Group H-4).

7 INDUSTRIAL USE, NOT INCLUDING HIGH HAZARD USES. An establishment that is
8 engaged in basic processing, reduction, or destruction of materials or
9 products predominantly from extracted or raw materials, and a use
10 engaged in the storage, warehousing, and distribution of resulting products
11 or materials. See also, PACKAGING, WAREHOUSING AND DISTRIBUTION.
12

13 J

14
15 JUNKYARD. Any land used for the deposit, collection or storage of waste, used or discarded
16 things or materials, whether or not in connection with the dismantling, processing, salvage, sale
17 or other use or disposition thereof; and the deposit or storage on any LOT of two (2) or more
18 wrecked, inoperative or unregistered vehicles, or parts thereof, for one (1) month or more,
19 excluding the storage of garaged vehicles.
20

21 K

22
23 KENNEL. An establishment where four (4) or more DOMESTIC ANIMALS over six (6) months of
24 age are kept for any reason; or an establishment where any number of such animals are kept for
25 the purpose of selling, boarding, breeding, training, treating or grooming, except for
26 VETERINARY CLINICS.
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LANDSCAPING. That portion of a LOT that is free of structural improvements and/or impervious surface but improved with pervious and planted materials such as grass, trees, shrubs and other live plant materials.

LAUNDRY. See DRY CLEANING or LAUNDRY.

LIBRARY or MUSEUM. A public or private facility containing printed, electronic, sculptural and pictorial material for public use and purpose of study, reference and recreation.

LOADING SPACE, OFF-STREET. An area for the temporary parking of a commercial vehicle while loading or unloading merchandise or material.

LODGING HOUSE. A BUILDING in which lodgings are rented to four (4) or more persons who do not constitute a FAMILY and who occupy the premises as a principal place of residence, including a single-room occupancy (SRO) DWELLING with shared kitchen and dining facilities. See also DWELLING, SRO.

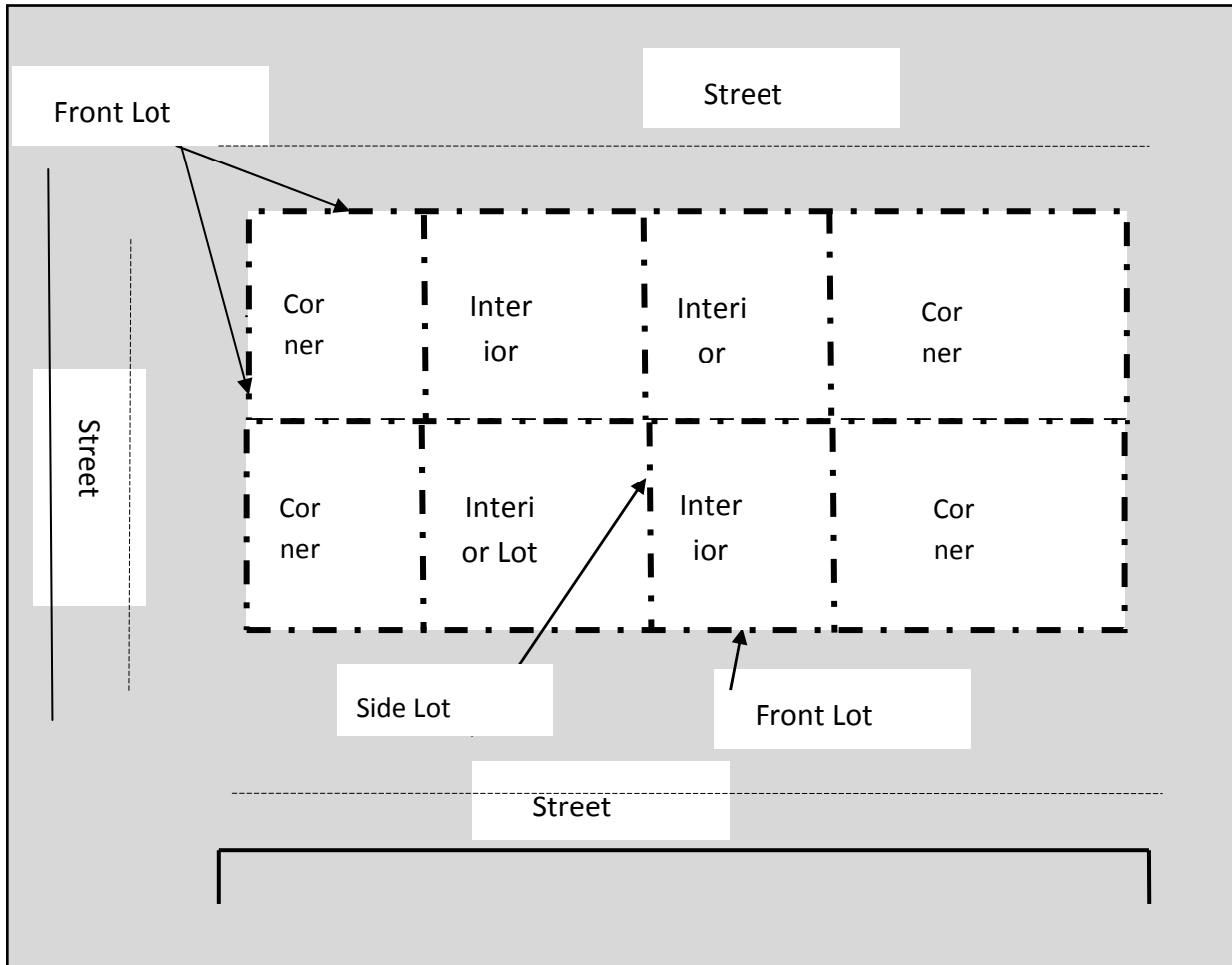
LOT. An area of land in single ownership with definite boundaries as shown in the record title of the property or by a plan recorded with the Registry of Deeds. See Figure 2-4.

LOT, CORNER. A LOT abutting two or more STREETS at their intersection, or upon two parts of the same STREET forming an interior angle of less than one hundred thirty-five degrees. A CORNER LOT has two (2) FRONT LOT LINES, two (2) FRONT YARDS, two (2) SIDE YARDS and no REAR YARD. See Figure 2-4.

LOT, INTERIOR A LOT that abuts only one (1) STREET. An INTERIOR LOT has one (1) FRONT LOT LINE and FRONT YARD, and at least two (2) SIDE LOT LINES and SIDE YARDS. See Figure 2-4.

1

Figure 2-4 Lots



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4 LOT AREA. The total horizontal area of the LOT lying within the LOT LINES, and not including
5 any portion of a STREET.

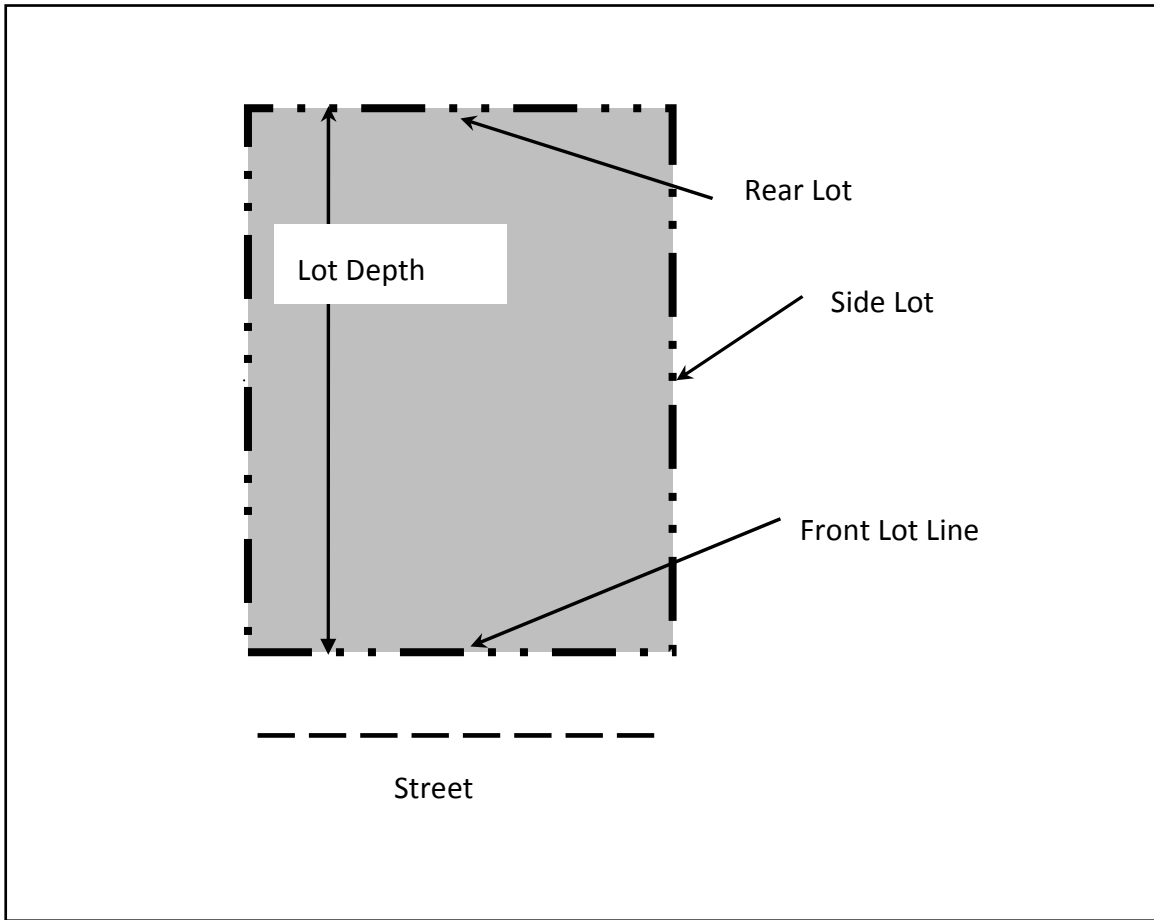
6

7 LOT DEPTH. The length of a straight line drawn from the midpoint of the FRONT LOT LINE to the
8 midpoint of the REAR LOT LINE, as shown in Figure 2-5.

9

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Figure 2-5 Interior Lot with Lot Lines



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4 **LOT LINE.** A line separating one LOT from another LOT or from a STREET. See Figure 2-5.

5 **LOT LINE, FRONT .** A line separating a LOT from a STREET. A CORNER LOT has
6 two FRONT LOT LINES. Also known as STREET LOT LINE. See Figure 2-5

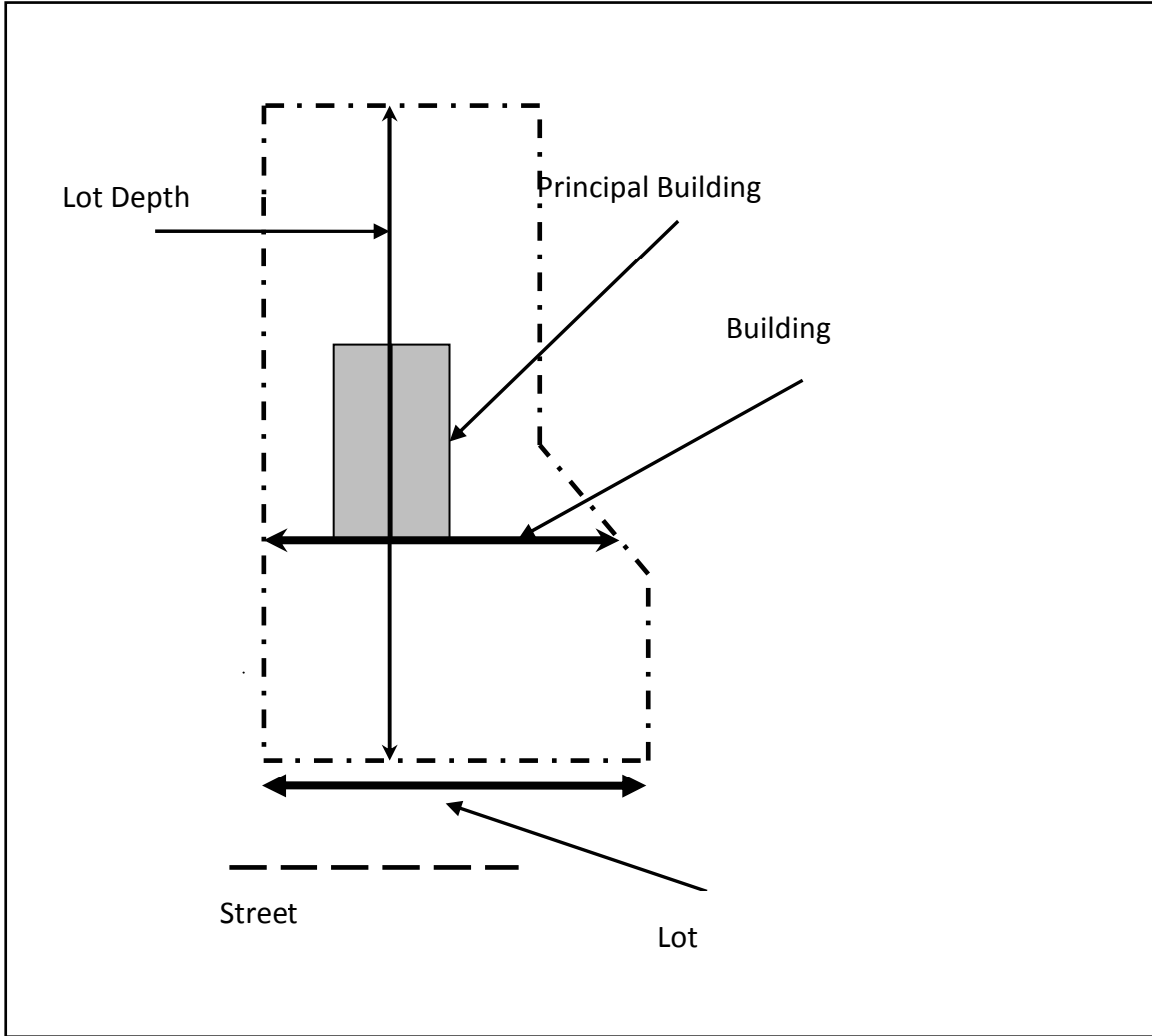
7 **LOT LINE, INTERIOR .** A LOT LINE not abutting a STREET. See Figure 2-4.

8 **LOT LINE, REAR .** The LOT LINE which is opposite and most distant from the
9 FRONT LOT LINE, on an INTERIOR LOT. In the case of an irregular or
10 triangular-shaped LOT, the REAR LOT LINE shall be a line ten (10) feet in
11 length within the LOT parallel to and at the maximum distance from the
12 FRONT LOT LINE. See Figure 2-5.

13 **LOT LINE, SIDE.** Any LOT LINE not a FRONT LOT LINE or REAR LOT LINE. See
14 Figure 2-5

1 LOT WIDTH. The horizontal distance between the SIDE LOT LINES at the BUILDING LINE of the
2 PRINCIPAL BUILDING on an INTERIOR LOT, measured at right angles to the line comprising the
3 depth of the LOT, as shown in Figure 2-6.

4 **Figure 2-6 Lot Width Measurement**



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9 M.G.L. The General Laws of the Commonwealth of Massachusetts

10

11 MASSAGE PARLOR. See Section 6.3.30 Adult Entertainment Definitions.

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MARINA, COMMERCIAL FERRY SERVICE. Waterfront establishments such as a dock or basin where slips, moorings and often supplies, repairs and other accessory services are available related to water craft.

MEDICAL OFFICE or CLINIC. A BUILDING used for professional offices for medical, surgical, dental, physical, rehabilitation, mental health, and other health care providers, related support services, pharmacies, and laboratories, and usual and customary accessory facilities thereto. A MEDICAL OFFICE or CLINIC shall not include provisions for overnight patient care.

MEMBRANE-COVERED FRAME STRUCTURE. A STRUCTURE consisting of a rigid framework that supports a fabric covering such as cloth, canvas, plastic, etc.

MIXED-USE BUILDING. A BUILDING which includes more than one USE category. A MIXED-USE BUILDING can include a mix of residential and non-residential USES or a mixture of non-residential USES such as RETAIL SALES and OFFICE USES.

MOBILE HOME. A STRUCTURE transportable in one or more sections, which is eight body feet or more in width and is thirty two body feet or more in length, and which is built on a permanent chassis, and designed to be used as a DWELLING with permanent foundation, when connected to the required facilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein.

MOBILE HOME PARK. Any LOT or PARCEL upon which three (3) or more MOBILE HOMES occupied for DWELLING purposes are located, including any BUILDING, STRUCTURES, fixtures and equipment used in connection with MOBILE HOMES (G.L.C. 140, s. 32F).

MONUMENT SIGN. See Section 9.1 Sign Definitions.

MOTEL. A BUILDING, or portion of a BUILDING with access to one or more guest rooms provided by exterior or partially-enclosed walkways, designed to be rented out as temporary or overnight accommodations for guests.

1 MOTOR VEHICLE, DISPATCH. A facility that coordinates MOTOR VEHICLES to pick up passengers,
2 or traveling on fixed routes, such as Refuse Collection Trucks.

3

4 MOTOR VEHICLE SALES.

5 SALES OF VEHICLES, DEALERSHIP. Any business establishment that sells or leases
6 new or used automobiles, trucks, vans, trailers, recreational vehicles,
7 boats, motorcycles or other similar motorized vehicle. A VEHICLE
8 DEALERSHIP may maintain an inventory of the vehicles for sale or lease
9 on-site and may also provide on-site facilities for the repair and service of
10 the vehicles sold or leased by the dealership.

11 SALES OF USED OR NEW VEHICLES. The use of land for the display or sale of used
12 automobiles, panel trucks, vans trailers or recreational vehicles.

13 SALES OF MOTOR VEHICLE PARTS, RETAIL. See RETAIL SALES.

14

15 MOTOR VEHICLE RENTALS. A BUILDING or portion thereof used for the rental of automobiles
16 including incidental parking and servicing of vehicles for rent or lease. Typical uses include auto
17 rental agencies.

18

19 MOTOR VEHICLE SERVICES.

20 GAS STATION, NO MOTOR VEHICLE REPAIR. Any Building or premises used to
21 supply motor fuels (including but not limited to alternative fuels such as
22 natural gas or hydrogen). RETAIL SALES, SALES and CAR WASH uses are
23 allowed as ACCESSORY USES, provided they do not occupy more than fifty
24 (50) percent of the LOT in aggregate. MOTOR VEHICLE REPAIR AND
25 MAINTENANCE facilities are considered a separate use.

26 CAR WASH. Mechanical facilities for washing or waxing private automobiles,
27 light trucks and vans including auto detailing services. CAR WASH is also
28 allowed as an ACCESSORY USE to Gas Stations.

29 INSTALLATION OF INTERIOR MOTOR VEHICLE PARTS. The sale and installation of
30 electronic parts inside vehicles such as but not limited to stereos, radios
31 and other interior products, and the repair of such parts.

1 MOTOR VEHICLE REPAIR AND MAINTENANCE. The repair, overhaul, removing, adjusting,
2 replacing or assembling, disassembling, or installing new or used MOTOR VEHICLE parts such as
3 mufflers, brakes, or tires.

4

5 MOTOR VEHICLE PAINTING OR BODY WORK. The repair or straightening of a MOTOR VEHICLE
6 body or frame and painting of MOTOR VEHICLES or MOTOR VEHICLE parts. Maintenance, service
7 and engine repair may be performed as an ancillary function of the body work.

8

9 MOTOR VEHICLE, TEMPORARY STORAGE. The unenclosed storage of operable vehicles on a LOT
10 for a continuous period of time more than seventy two (72) hours but less than thirty (30) days,
11 excluding MOTOR VEHICLE dealerships and residential parking lots.

12

13 MOTOR VEHICLE, TEMPORARY CAR STORAGE LOT. TEMPORARY MOTOR VEHICLE STORAGE
14 limited to passenger vehicles or light trucks.

15

16 MOTOR VEHICLE, TEMPORARY TRUCK STORAGE LOT. TEMPORARY MOTOR VEHICLE STORAGE
17 (not limited to passenger vehicles and light trucks), including storage of trucks, truck bodies, or
18 other vehicles.

19

20 MOVABLE SIGN. See Section 9.1 Sign Definitions.

21

22 MOVING SIGN. See Section 9.1 Sign Definitions.

23

24 MUNICIPAL USE. A BUILDING or facility owned and used by the City.

25

N

26

27 NEON SIGN. See Section 9.1 Sign Definitions.

28

1 NON-ACCESSORY SIGN. See Section 9.1 Sign Definitions.

2

3 NONCONFORMING BUILDING OR NONCONFORMING USE. A BUILDING or a use of land or of
4 BUILDINGS existing at the effective date of this Ordinance, or any amendments thereto which
5 does not conform with the requirements of this Ordinance, or any amendments thereto.

6

7 NURSING HOME. A facility, licensed by the State, for the aged or infirm in which three or more
8 persons not of the immediate family are kept or provided with food, shelter and care for
9 compensation.

10

11 **O**

12

13 OFFICE OF PLANNING AND ECONOMIC DEVELOPMENT. The Planning Department for the City.
14 *The term Office of Planning and Economic Development is not put in SMALL CAPS format due to*
15 *its common use in this Ordinance.*

16

17 OFFICE USES, NON-MEDICAL. A BUILDING or portion thereof that is administrative, executive or
18 research based.

19

20 OPEN SPACE. The space on a LOT not occupied by BUILDINGS, STRUCTURES, driveways, OFF-
21 STREET PARKING or LOADING SPACES, or other areas for vehicular circulation or storage.

22

23 OVERLAY DISTRICT. A ZONING DISTRICT shown on the ZONING MAP that applies to special rules
24 to manage land use in specific areas that overlap different ZONING DISTRICTS. OVERLAY
25 DISTRICTS are designed to deal with special characteristics of each area. The rules for OVERLAY
26 DISTRICTS apply in addition to the regulations contained in other articles of this Ordinance.
27 Where there is a conflict between the regulations of an OVERLAY DISTRICT and those of the
28 underlying district, the overlay district regulations control.

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PACKAGING, WAREHOUSING AND DISTRIBUTION. Facilities used commercially for indoor storage, which may include automated delivery systems, loading docks and heavy trucking activity.

PARK. A municipally owned area that is used principally for active or passive recreation, which may include equipment and facilities for active recreation and play such as playfields, play STRUCTURES, swings, slides, public assembly and ACCESSORY USES such as restrooms. A PARK may also accommodate related municipal uses such as educational facilities and facilities for storage and maintenance of equipment used in the PARK. See also PLACE OF OUTDOOR AMUSEMENT for non municipal facilities.

PARKING GARAGE. A BUILDING or STRUCTURE for the storage of more than three (3) MOTOR VEHICLES or more than one RECREATIONAL VEHICLE.

PARKING, OFF-STREET

PARKING, SHARED. The provision that two or more uses which are within close proximity may share parking facilities to fulfill their individual parking requirements because their prime operational hours do not overlap, or other such evidence that the shared use can be accommodated.

PARKING STRUCTURE. A roofed structure or portion thereof composed of one or more levels or floors used exclusively for the parking or short term storage of MOTOR VEHICLES.

SURFACE PARKING LOT. An off-street paved parking area for MOTOR VEHICLES with no BUILDING or STRUCTURE other than small ACCESSORY BUILDINGS such as parking attendant booths.

PERSONAL SERVICES. A facility providing personal services such as hair salon, barber shop, tanning beds, or Spa.

1 PLACE OF AMUSEMENT

2 PLACE OF AMUSEMENT, INDOOR. Establishments that provide recreation fully
3 enclosed within a Building. Examples include, bowling alley, indoor play
4 space, arcade, movie theater, establishment with more than two (2) pool
5 tables, and establishments with more than five (5) video machines.

6 PLACE OF AMUSEMENT, OUTDOOR. Any outdoor space, other than a PARK, that is
7 maintained or operated for the amusement, patronage, or recreation of the
8 public for a fee or free of charge including, but not limited to, miniature
9 golf course, golf driving range, batting cage, archery range.

10 PLACE OF WORSHIP. See RELIGIOUS USE.

11

12 PLANNING BOARD. The Planning Board of the City. *The term Planning Board is not put in*
13 *SMALL CAPS format due to its common use in this Ordinance.*

14

15 PLANNING BOARD RULES AND REGULATIONS. The procedural regulations adopted by the
16 Planning Board in accordance with M.G.L Chapter 40.

17

18 PLAYGROUND. A recreation area with play apparatus for use primarily by children. See also,
19 PARK

20

21 POLE SIGN. See Section 9.1 SIGN Definitions.

22

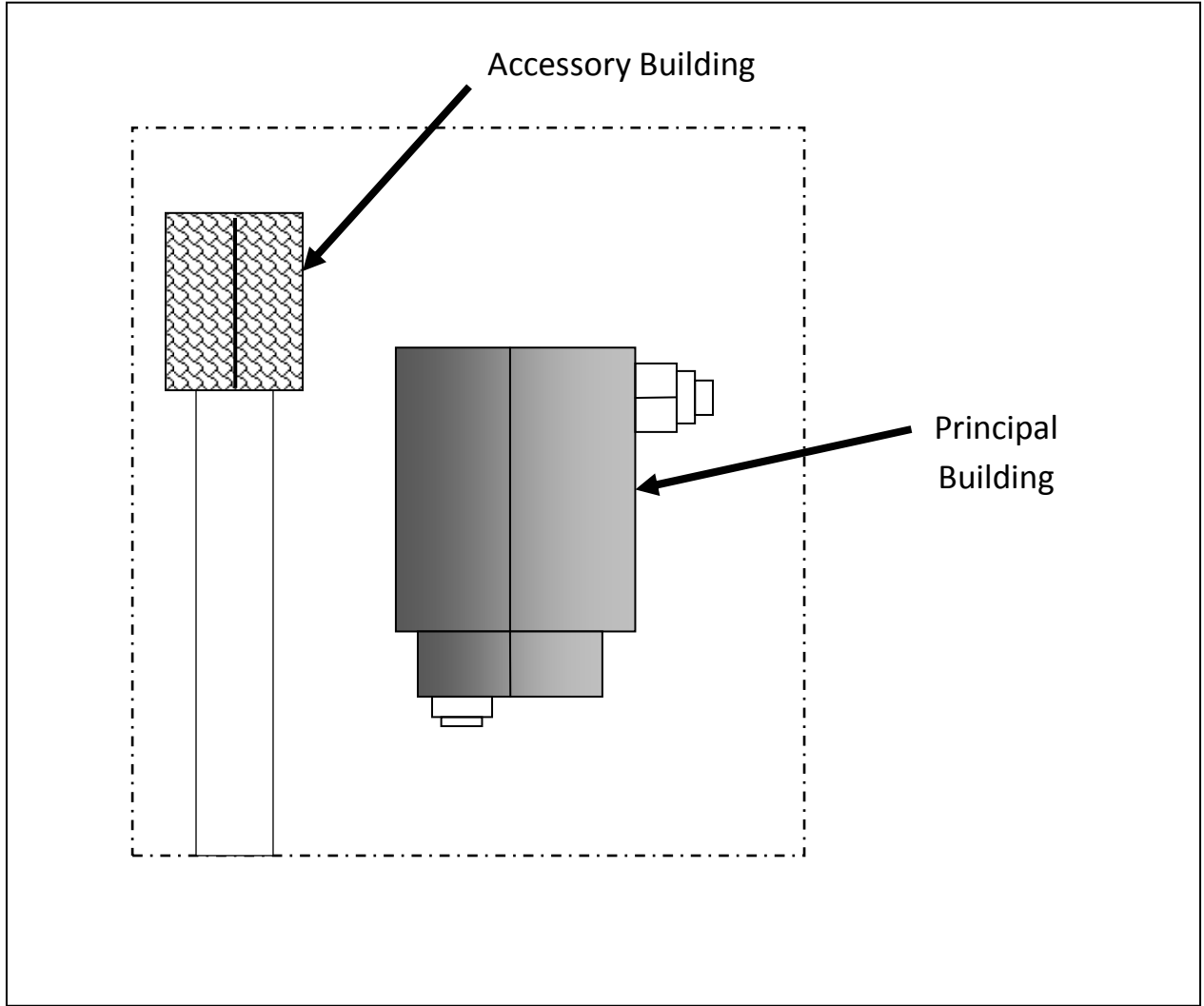
23 PORCH. A platform, attached and with direct access to a BUILDING, that has a roof or roof-like
24 STRUCTURE but does not have walls except where it is attached to the BUILDING. A PORCH may
25 be screened or glazed, but is not heated or cooled.

26

27 PRINCIPAL BUILDING. The BUILDING or BUILDINGS containing the primary USE on a LOT. The
28 connection of a PRINCIPAL BUILDING to an ACCESSORY BUILDING by means of an unenclosed
29 and unheated STRUCTURE such as a breezeway, walkway or DECK, shall not make the
30 ACCESSORY BUILDING into part of the PRINCIPAL BUILDING. Figure 2-7 illustrates an example of
31 the relationship of a PRINCIPAL BUILDING to an ACCESSORY BUILDING.

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Figure 2-7 Principal Building



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PRINCIPAL USE. THE PRIMARY OR PREDOMINANT USE OF A BUILDING OR LOT.

PRIVATE ROAD. A STREET THAT HAS NOT BEEN ACCEPTED FOR PUBLIC MAINTENANCE.

PROJECTING SIGN. See Section 9.1 Sign Definitions.

Q, R

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3 RECYCLING CENTER. A BUILDING or LOT used for the collection and/or processing of used
4 materials whereby the resultant product is to be re-used in the same or different form or manner.
5 This term shall include bottle redemption facilities. This shall not include the storage or salvage
6 of MOTOR VEHICLES.

7
8 RECREATIONAL VEHICLE. A vehicular-type portable STRUCTURE without permanent foundation
9 that can be towed, hauled or driven and is primarily designed as temporary living
10 accommodations for recreational and camping purposes. RECREATIONAL VEHICLE includes boats
11 that can be towed by passenger vehicles.

12
13 REFUSE. Unwanted or discarded material including waste material generated by commercial,
14 industrial or residential USES.

15
16 RELIGIOUS USE. The use of land or BUILDINGS primarily for spiritual worship, whether or not of
17 a recognized religious denomination, together with reasonably related ACCESSORY USES,
18 including but not limited to recreation, art and music, religious education, drug rehabilitation,
19 and similar uses where such ACCESSORY USES are in fulfillment of the religious mission of the
20 institution. Religious uses include, without limitation, churches, synagogues, mosques, temples,
21 monasteries, and religious retreat centers, and the parsonages and residential facilities that are
22 used to house clergy and practitioners of the religious institution. The use of portions of a
23 religious BUILDING or site for other incidental charitable purposes, such as community meetings,
24 educational programs, social gatherings, occasional book or rummage sales, or the provision of
25 social services does not affect the status of the use as “religious.”

26
27 RESEARCH AND DEVELOPMENT LABORATORY.

28 RESEARCH AND DEVELOPMENT, BIOTECHNOLOGY. An establishment that employs
29 applied molecular biology to develop and test new products such as
30 medicines and drugs. This includes the use of microorganisms, such as
31 bacteria or yeasts, or biological substances, such as enzymes, to perform
32 specific industrial or manufacturing processes. Applications include the
33 production of certain drugs, synthetic hormones, and bulk foodstuffs as

1 well as the bioconversion of organic waste and the use of genetically
2 altered bacteria in the cleanup of oil spills.

3 RESEARCH AND DEVELOPMENT, OTHER. An establishment that conducts research,
4 testing, development, repair or controlled production of high-technology,
5 medical supplies or instruments, electronic, industrial or scientific
6 products or commodities.

7
8 RESTAURANT. An establishment where food and drink are prepared, served, and consumed,
9 mostly within the PRINCIPAL BUILDING.

10
11 RETAIL SALES AND SERVICES. An establishment which sells new or used merchandise directly to
12 consumers, and which may also provide after-sale services such as repair and installation.

13 RETAIL SALES does not include sales of new or used automobiles, trucks, recreational vehicles,
14 boats or trailers nor ADULT RETAILER sales, which are regulated in Section 6.5.

15
16 ROOF SIGN. See Section 9.1 Sign Definitions.

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19 **S**

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21 SECONDARY BUILDING WALL. See Section 9.1.SIGNS Definitions.

22
23 SEXUAL ENCOUNTER CENTER. See Section 6.3.30 ADULT ENTERTAINMENT Definitions

24
25 SHOPPING CENTER. A commercial development consisting primarily of retail sales and service
26 and/or personal service businesses, with four (4) or more businesses sharing common pedestrian
27 and parking areas.

28
29 SIGHT TRIANGLE. That part of a LOT enclosed by a straight line connecting points on the edge of
30 the traveled way of two STREETS, such points being twenty-five (25) feet distant from the point

1 of intersection of the edge of the traveled ways of said STREETS or extensions thereof. See also
2 Section 5.2 and Figure 5-2.

3

4 SIGN. See Section 9.1 Sign Definitions.

5

6 SINGLE AND SEPARATE OWNERSHIP. The ownership of a LOT by one or more persons or entity
7 which ownership is separate and distinct from that of any adjoining LOT.

8

9 SOLID WASTE. See REFUSE.

10

11 SPECIFIED ANATOMICAL AREAS. See Section 6.3.30 Adult Entertainment Definitions

12

13 SPECIFIED SEXUAL ACTIVITIES. See Section 6.3.30 Adult Entertainment Definitions

14

15 SPECIAL PERMIT GRANTING AUTHORITY. The City Council, Planning Board, or Board of Appeals
16 designated for the issuance of Special Permits.

17

18 STATE. The term State in this Ordinance shall mean the commonwealth of Massachusetts.

19

20 STORAGE.

21 SELF SERVICE STORAGE. A BUILDING or group of BUILDINGS divided into separate
22 storage compartments to meet temporary storage requirements of business
23 or personal property.

24 OUTDOOR STORAGE. The keeping of personal or business property outside a
25 BUILDING for a period of time exceeding seventy two (72) hours.

26 OUTDOOR SALES AND STORAGE. The display, distribution, sale and storage of
27 products or services primarily outside a STRUCTURE, including but not
28 limited to garden supplies, bicycles, lawn accessories, BUILDING and
29 landscape materials, and burial monuments. For sales of MOTOR
30 VEHICLES, see MOTOR VEHICLE SALES . HAZARDOUS MATERIALS are not
31 allowed in an OUTDOOR SALES AND STORAGE area.

1 OUTDOOR STORAGE, BULK. Goods for sale, storage, distribution or display that
2 have a large size, mass, or volume and are not easily moved or carried,
3 including railroad ties, fertilizer, or soil.
4

5 STORY. The part of a BUILDING or STRUCTURE between any floor and the floor or roof next
6 above.
7

8 STREET. (a) A public way or a way which the City Clerk certifies is maintained and used as a
9 public way; or (b) a way shown on a plan approved and endorsed in accordance with the
10 subdivision control law; or (c) a way in existence when the subdivision control law became
11 effective in the city, having, in the opinion of the Planning Board, sufficient width, suitable
12 grades and adequate construction to provide for the needs of vehicular traffic in relation to the
13 proposed use of the land abutting thereon or served thereby, and for the installation of municipal
14 services to serve such land and the BUILDINGS erected or to be erected thereon.
15

16 STREET LEVEL. Any story of a BUILDING in which the floor is less than six feet above or below
17 the finished grade at any STREET entrance of the BUILDING. Under this definition a BUILDING
18 may have more than one STREET LEVEL.
19

20 STREET LOT LINE. See LOT LINE, FRONT.
21

22 STRUCTURE. A combination of materials assembled at a fixed location to give support or shelter,
23 including a BUILDING, framework, retaining wall, platform, FENCE, SIGN, flagpole, TOWER,
24 ANTENNA, satellite dishes, DECKS and PORCHES.
25

26 SWIMMING POOL. Either (a) a below-ground pool; artificial pool of water located below
27 surrounding grade, and having a depth of a least thirty-six (36) inches, as measured from the
28 lowest point in the pool a vertical distance to the ground level; or (b) an above-ground pool;
29 artificial pool of water located above surface grade with a diameter of fifteen (15) feet or greater
30 at the outside dimensions, and a capacity to hold water to a depth of thirty-six (36) inches or
31 more.
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TAVERN. An establishment selling alcoholic beverages, with or without food, to be served to and drunk by patrons in plain view of other patrons, all entrances to which shall open directly from a public way.

TELECOMMUNICATIONS, ALTERNATIVE TOWER STRUCTURE. See Section 6.2.20.

TELECOMMUNICATIONS, ANCILLARY FACILITIES. See Section 6.2.20.

TELECOMMUNICATIONS ANTENNA. See Section 6.2.20.

TELECOMMUNICATIONS BUFFER AREA. See Section 6.2.20.

TELECOMMUNICATIONS CARRIER. See Section 6.2.20.

TELECOMMUNICATIONS CO-LOCATION. See Section 6.2.20.

TELECOMMUNICATIONS, FACILITY HEIGHT. See Section 6.2.20.

TELECOMMUNICATIONS , FUNCTIONALLY EQUIVALENT SERVICES. See Section 6.2.20.

TELECOMMUNICATIONS, GUYED TOWER. See Section 6.2.20.

TELECOMMUNICATIONS, LATTICE TOWER. See Section 6.2.20.

TELECOMMUNICATIONS, MONOPOLE. See Section 6.2.20.

1 TELECOMMUNICATIONS, MOUNT. See Section 6.2.20.

2 BUILDING MOUNT. See Section 6.2.20.

3 GROUND MOUNT. See Section 6.2.20.

4 STRUCTURE -MOUNT. See Section 6.2.20.

5

6 TELECOMMUNICATIONS, PERSONAL WIRELESS SERVICE FACILITY. See Section 6.2.20.

7

8 TELECOMMUNICATIONS, PRE-EXISTING TOWERS AND PRE-EXISTING ANTENNAS. See Section
9 6.2.20.

10

11 TELECOMMUNICATIONS, RADIO FREQUENCY (RF) ENGINEER. See Section 6.2.20.

12

13 TELECOMMUNICATIONS, RADIO FREQUENCY RADIATION (RFR). See Section 6.2.20.

14

15 TELECOMMUNICATIONS, STEALTH DESIGN. See Section 6.2.20.

16

17 TELECOMMUNICATION FACILITY. See Section 6.2.20.

18

19 TELECOMMUNICATIONS OR TRANSMISSION TOWER or TOWER. See Section 6.2.20.

20

21 TEMPORARY DWELLING. A replacement DWELLING that is occupied for up to one year following
22 destruction of an existing DWELLING due to destruction of an existing DWELLING, for example
23 from fire or flooding. See Section 4.4.90.

24

25 TEMPORARY SIGNS OR BANNERS. See Section 9.1 Sign Definitions.

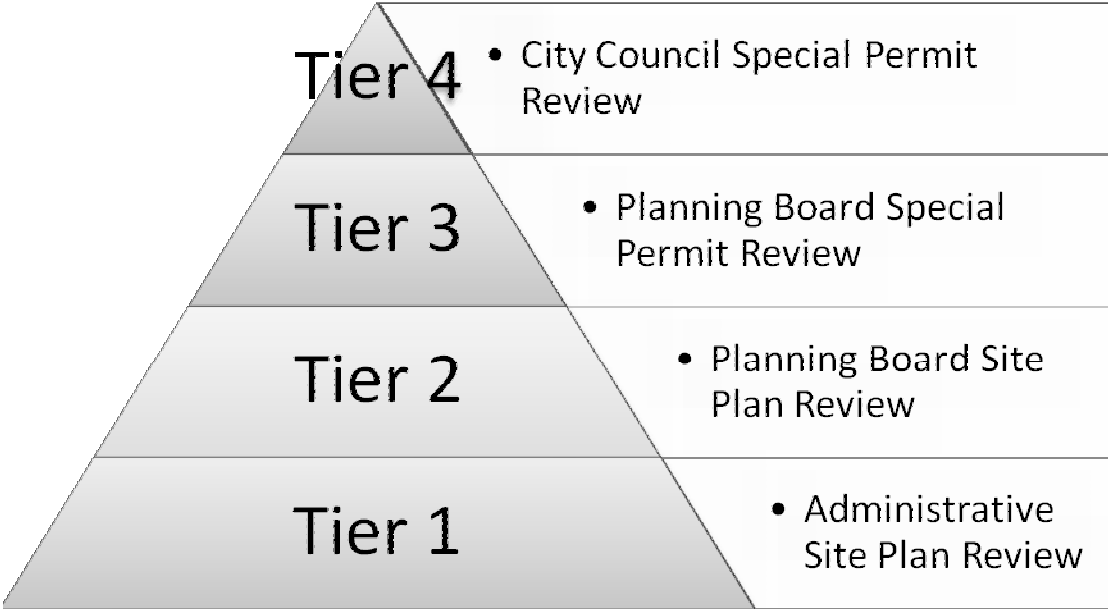
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27 TIERED REVIEW. The system of reviews in which USES are grouped into categories of review
28 based on their size, intensity or impact. The different review categories or “tiers” are illustrated
29 in Diagram 2-1.

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Diagram 2-1 Tiered Review Categories



TRASH. See REFUSE.

TRAVEL TRAILER. A portable vehicle on a chassis, not exceeding 36 feet in length or nine feet in width, which is designed to be used as a temporary DWELLING during travel, recreational, and vacation uses, and which may be identified as a travel trailer by the manufacturer. Travel trailers generally contain sanitary, water, and electrical facilities.

TRASH HAULING SERVICES. An establishment which coordinates the pickup of refuse or trash from residential and commercial facilities, but not the storage or transfer of refuse or trash at the facility.

TRUCK, LIGHT. A truck of 10,000 pounds gross vehicle weight rating or less, including a pickup, van, truck-based station wagon or sport utility vehicle.

TRUCK STOP. A fuel dispensing and repair service facility designed to accommodate primarily the trucking industry. ACCESSORY USES common to a TRUCK STOP may include a RESTAURANT, shower facilities, lodging facilities, and short-term parking areas.

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UNDERTAKING ESTABLISHMENT. A facility in which dead bodies are prepared for burial or cremation and where funeral services may be conducted.

UNIVERSITY. See COLLEGE

USABLE OPEN SPACE. OPEN SPACE that is located and configured to provide active or passive recreational or relaxation opportunities. USABLE OPEN SPACE does not include the area of required YARDS, and may include, but are not limited to, parks, play areas, improved playing fields, publicly accessible natural or wildlife viewing areas, gardens, maintained and landscaped lawn with trees and seating areas, natural or landscaped walking paths and running trails; public and private pedestrian spaces, and other similar environments.

USE. The purpose for which the BUILDING or LOT may be designed, arranged, intended, maintained operated, or occupied; or any activity, occupation, business or operation carried on or intended to be carried on in a BUILDING, STRUCTURE or on a LOT.

USE PERMIT. A permit obtained from the BUILDING COMMISSIONER for any new USE of land or any change of use of an existing STRUCTURE where no BUILDING PERMIT is required, as described in Section 11.1.

UTILITIES. Facilities related to the provision, distribution, collection and transmission or disposal of water, storm and sanitary sewage, oil, gas, electric power, telecommunication, and cable.

UTILITIES, PUBLIC. UTILITIES that are subject to City acceptance for operation and maintenance. For purposes of this Ordinance PUBLIC UTILITIES include: water lines, sanitary and storm sewer lines and pump stations, their appurtenances and any component parts thereof.

UTILITIES, PRIVATE. UTILITIES that are not subject to acceptance by the City. For purposes of this Ordinance, private utilities include: natural gas lines, electric power lines and substations, telephone, cable and fiber-optic lines

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and the PRIVATE UTILITY’S operation, maintenance, repair and replacement thereof.

V

VACANT. Unoccupied land, STRUCTURE, BUILDING or part thereof that is available and suitable for occupancy.

VETERINARY CLINIC. A facility concerned with the medical diagnosis, treatment and care of DOMESTIC ANIMALS, primarily on an outpatient basis, and where the boarding of animals under treatment is incidental to the principal clinic use. A VETERINARY CLINIC shall have no outdoor dog runs or play areas, and no boarding of animals except for indoor boarding directly related to medical treatment.

W

WALL SIGN. See Section 9.1 Sign Definitions.

WAREHOUSE. An establishment with storage, wholesale and distribution of manufactured products, supplies and equipment.

WHOLESALE SALES. A place of business primarily engaged in selling or distributing merchandise to retailers; to industrial, commercial or professional business users or to other wholesalers. Such facility may include WAREHOUSING, STORAGE, and DISTRIBUTION services.

WINDOW SIGN. See Section 9.1 Sign Definitions.

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2 WIRELESS COMMUNICATION. See Section 6.2.20.

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4 WIRELESS COMMUNICATIONS FACILITY. See Section 6.2.20.

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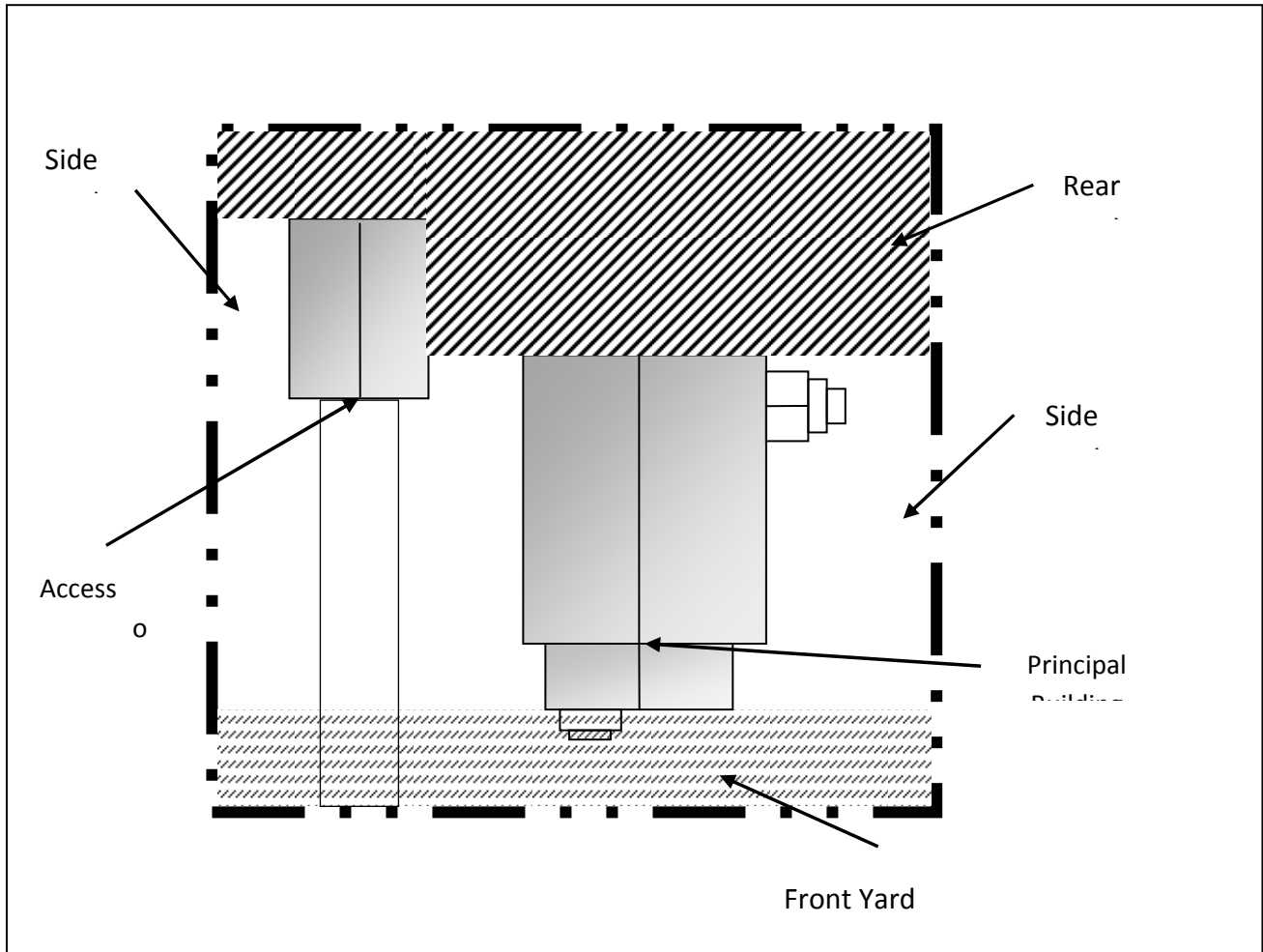
X, Y

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8 YARD. The OPEN SPACE between a BUILDING and the nearest LOT LINE, unoccupied and
9 unobstructed by any portion of a STRUCTURE from the ground upward, except as otherwise
10 provided herein as shown in See Figure 2-8. In measuring a YARD, the shortest horizontal
11 distance between the BUILDING and the LOT LINE shall be used. All YARDS shall be exclusive of
12 stairs, overhanging eaves, gutters, cornices of less than three (3) feet deep on PRINCIPAL
13 BUILDINGS and eaves, gutters, and cornices less than twelve (12) inches deep on ACCESSORY
14 BUILDINGS, and steps.

Figure 2-8 Yards



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FRONT YARD. A YARD extending across the full width of a LOT between the FRONT LOT LINE and nearest point of any BUILDING. (See Figure 2-8.)

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REAR YARD. A YARD extending across the full width of the LOT between the REAR LOT LINE and nearest point of any BUILDING. (See Figure 2-8.)

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REQUIRED YARD. The minimum YARD depth as required in this Ordinance as contrasted to the actual YARD resulting from a specific location of a BUILDING. For example, a BUILDING may be **required** to be located a minimum of ten (10) feet from the FRONT LOT LINE but the BUILDING may actually be placed fifteen (15) feet from the FRONT LOT LINE. In this case the REQUIRED FRONT YARD is ten (10) feet; while the actual FRONT YARD is fifteen (15) feet. Certain restriction may apply to REQUIRED YARDS that do not apply to the built actual YARD.

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1 SIDE YARD. A YARD extending from the FRONT YARD to the REAR YARD along
2 each side of a LOT. (See Figure 2-8.)
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4 **Z**

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6 ZONING DISTRICT. Specifically delineated area within the City as shown on the ZONING MAP
7 where certain regulations and requirements govern the use, placement, spacing, and size of land
8 and BUILDINGS.
9

10 ZONING MAP. A map of the City delineating each ZONING DISTRICT that is a part of this
11 Ordinance incorporated by reference in Article 3, Section 3.3, which may be amended in
12 accordance with Article 13. Due to its size the ZONING MAP is incapable of being included
13 within this volume. The ZONING MAP may be obtained from the Office of Planning and
14 Economic Development.
15

16 ZONING PERMIT. See USE PERMIT.

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Article 3 Districts

<i>Section 3.0</i>	<i>Purpose</i>
<i>Section 3.1</i>	<i>Establishment of Districts</i>
<i>Section 3.2</i>	<i>Purpose of Zoning Districts</i>
<i>Section 3.3</i>	<i>Zoning Map</i>
<i>Section 3.4</i>	<i>Interpretation of District Boundaries</i>

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