

## Chapter 17.08

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**17.08.010 Generally.**

Unless the context otherwise requires, the definitions set forth or otherwise provided for in this section shall be used in the interpretation and construction of this title. Words used in the present tense include the future; the singular number shall include the plural, and the plural the singular; the word “buildings” shall include the word “structure”, and word “used” shall include “arranged, designed, constructed, altered, converted, rented, leased or intended to be used,” and the word “shall” is mandatory and not discretionary. (Ord. 2003-03 § 3 (part))

**17.08.020 Abut, abutting, adjoining.**

“Abut”, “abutting”, or “adjoining” all mean contiguous to or touching. (Ord. 2003-03 § 3 (part))

**17.08.030. Access, vehicular.**

“Access” means the physical means by which an individual in a vehicle is able to enter upon public or private property from a street. “Ingress” and “egress” are other words for access. (Ord. 2003-03 § 3 (part))

**17.08.040. Accessory use, structure.**

A. “Accessory use” means a land use that is associated with an existing permitted or conditional use within a zoning district.

B. “Accessory structure” means a usual and customary building normally associated with a permitted or conditional use. (Ord. 2003-03 § 3 (part))

**17.08.050. Acre.**

“Acre” means a measure of real property equaling 43,560 square feet. (Ord. 2003-03 § 3 (part))

**17.08.060 Administrative permit.**

“Administrative permit” means any permit listed in Section 17.80.060 of this title and issued as a ministerial act by the city. (Ord. 2003-03 § 3 (part))

**17.08.070 Agriculture equipment sales.**

“Agriculture equipment sales” means a business which is primarily engaged in the sale of equipment, vehicles, materials, supplies and tools to serve farming, ranching or timber interests and businesses. (Ord. 2003-03 § 3 (part))

**17.08.080. Agriculture product processing, canning.**

“Agriculture product processing, canning” means the conversion of raw agriculture products into marketable commodities. (Ord. 2003-03 § 3 (part))

**17.08.090. Agriculture product sales.**

“Agriculture product sales” means the sale of food or fiber commodities from the property where produced with stands for the purpose of displaying and selling these commodities. (Ord. 2003-03 § 3 (part))

**17.08.100. Airport.**

“Airport” or “heliport” means a place on land or water, where aircraft may land and take off, receive and disembark passengers or cargo, may take on fuel, purchase accessories or obtain service or repair. “Airstrip” also means airport. (Ord. 2003-03 § 3 (part))

**17.08.110. Alley.**

“Alley” means a public or private thoroughfare which affords a secondary means of access to abutting property. (Ord. 2003-03 § 3 (part))

**17.08.120. Apartment.**

“Apartment” means a dwelling unit located within a structure that contains one or more attached dwelling units in which the units are available for rent or lease. “Apartment” also means an individual unit within a multiple-family residential development. (Ord. 2003-03 § 3 (part))

**17.08.130. Apartment complex.**

“Apartment complex” means a multiple-family residential project or development. (Ord. 2003-03 § 3 (part))

**17.08.140. Area.**

“Area” means a piece of land that can be definitively described and located with specific boundaries. (Ord. 2003-03 § 3 (part))

**17.08.150. Automobile sales.**

“Automobile sales” means a land use in which the primary business is based upon retail or wholesale transactions involving the transfer of title to motor vehicles including automobiles, light utility vehicles, trucks, motorcycles, recreation vehicles, and all terrain vehicles. (Ord. 2003-03 § 3 (part))

**17.08.160. Automobile service.**

“Automobile service” means a land use which is involved in the business of repairing, modifying and maintaining motor vehicles. (Ord. 2003-03 § 3 (part))

**17.08.170. Automobile service station.**

“Automobile service station” means any place where motor fuel or lubricating oil or grease is offered for sale to the public and deliveries are made directly into vehicles. (Ord. 2003-03 § 3 (part))

**17.08.180. Automobile salvage yard.**

“Automobile salvage yard” means an individual or entity engaged in the business of acquiring or buying salvage automobiles (including non-repairable vehicles) for resale in their entirety or as spare parts, or rebuilding, restoration or crushing of such vehicles. (Ord. 2003-03 § 3 (part))

**17.08.190. Bar, club, lounge.**

“Bar”, “club”, or “lounge” mean a land use in which the primary activity is the sale of alcoholic beverages for onsite consumption. A bar, club, or lounge may also provide entertainment for its patrons. (Ord. 2003-03 § 3 (part))

**17.08.200. Base zoning district.**

“Base zoning district” means the underlying zone that dictates land use and primary development standards. (Ord. 2003-03 § 3 (part))

**17.08.210. Bed and breakfast inn.**

“Bed and breakfast inn” means a business which involves accommodations in five or fewer guest rooms potentially with breakfast available for guests of the inn. (Ord. 2003-03 § 3 (part))

**17.08.220. Block.**

“Block” means all property facing one side of the street or between a street and the railroad right-of-way, property along a dead-end street, or un-subdivided land. The intercepting street determines only the boundary of the block on the side of the street that it intercepts. (Ord. 2003-03 § 3 (part))

**17.08.230. Boarding house.**

“Boarding house” is a structure where lodging and meals for boarders are provided for compensation. (Ord. 2003-03 § 3 (part))

**17.08.240. Bottling plant.**

“Bottling plant” means a land use in which beverages, including, water, are processed for sale, resale, or distribution. (Ord. 2003-03 § 3 (part))

**17.08.250. Building.**

“Building” means structure. (Ord. 2003-03 § 3 (part))

**17.08.260. Building coverage.**

“Building coverage” means the percentage of land area covered by the building footprint.

**17.08.270. Building footprint.**

“Building footprint” means the land area covered by a building as measured at its perimeter foundation walls including any roofed area that may not have perimeter foundation walls. (Ord. 2003-03 § 3 (part))

**17.08.280. Building official.**

“Building official” means the person in charge of the city building department or department head. (Ord. 2007-05; 9-4-07).

**17.08.285. Building inspector.**

“Building inspector” means the person performing the city’s building inspections. (Ord. 2007-05; 9-4-07)

**17.08.290. Building, residential.**

“Residential building” means a building designed to be used exclusively for dwelling purposes. (Ord. 2003-03 § 3 (part))

**17.08.300. Building setback.**

“Building setback” means the required minimum distance from a property line or edge of a road easement or property right-of-way to the closest point of any building. (Ord. 2003-03 § 3 (part))

**17.08.310. Building site.**

“Building site” means the portion of a parcel of land, in a single or joint ownership, and occupied or to be occupied by a building, together with such open spaces as are required by the terms of this title. (Ord. 2003-03 § 3 (part))

**17.08.320. Business.**

“Business” means a land use established for the purposes of commerce and as a means of generating revenue or income. (Ord. 2003-03 § 3 (part))

**17.08.330. Business, wholesale.**

“Wholesale business” means the selling of commodities in large quantities, as to retailers or jobbers rather than to consumers directly, but not including the storing and/or sale of any material or commodity, and not including the processing or manufacture of any product or substance. (Ord. 2003-03 § 3 (part))

**17.08.340. California Environmental Quality Act (CEQA).**

“California Environmental Quality Act” means a state law requiring state and local agencies to regulate activities with consideration for environmental protection. If a proposed activity has the potential for a significant adverse environmental impact, an Environmental Impact Report (EIR) must be prepared and certified as to its adequacy before taking action on the proposed project. (Ord. 2003-03 § 3 (part))

**17.08.350. Campground.**

“Campground” means a parcel of land upon which individuals may occupy locations for overnight accommodations in a recreational vehicle, tent or cabin. (Ord. 2003-03 § 3 (part))

**17.08.360. Carport.**

“Carport” means a structure which is attached or detached from another building, and which is open on at least two sides with a covering for vehicle storage. (Ord. 2003-03 § 3 (part))

**17.08.370. Cemetery.**

“Cemetery” means a place for the internment of the remains of the deceased either by burial, cryostorage, mausoleum, or cremation. (Ord. 2003-03 § 3 (part))

**17.08.380. Centerline.**

“Centerline” means the line located equidistant from the edges of an easement or right-of-way. Centerline of a road right-of-way or easement does not necessarily mean the center of the physical location of the road. (Ord. 2003-03 § 3 (part))

**17.08.390. Church.**

“Church” means a land use that is used for the purposes of conducting religious services and religious education. Whether or not any reference is made, a church includes all other places of worship for any denomination. (Ord. 2003-03 § 3 (part))

**17.08.400. City.**

“City” means the city of Orland. (Ord. 2003-03 § 3 (part))

**17.08.410. City council.**

“City council” means the city council of the city of Orland. (Ord. 2003-03 § 3 (part))

**17.08.420. Civic center.**

“Civic center” means an area developed or to be developed with any of the following public buildings or uses including offices, libraries, playgrounds, parks, assembly halls, police stations and fire stations. (Ord. 2003-03 § 3 (part))

**17.08.430. CEQA Guidelines.**

“CEQA guidelines” means the procedures and guidelines for implementation of the California Environmental Quality Act (CEQA) including any specific requirements adopted by the city of Orland. (Ord. 2003-03 § 3 (part))

**17.08.440. Clinic.**

“Clinic” means a land use which is established for the purposes of providing a health or life-style related service for humans and animals. (Ord. 2003-03 § 3 (part) and Ord. 2007-04; 9-4-07))

**17.08.450. Combining district, combining zone.**

“Combining district” or “combining zone” means a land use classification that combines with a base zone to add additional planning opportunities to the use of land. (Ord. 2003-03 § 3 (part))

**17.08.460. Commercial.**

“Commercial” means a use related to commerce and the production of revenue or income. (Ord. 2003-03 § 3 (part))

**17.08.470. Community care facility.**

“Community care facility” means a residential facility for the care and housing of six or fewer persons which may be developmentally disabled, seniors, alcoholics in recovery, and other similar facilities licensed by the state. The state has determined that six or fewer is considered to be a residential use. (Ord. 2003-03 § 3 (part))

**17.08.480. Conditional use permit.**

“Conditional use permit” means a land use permit issued in a zone for uses which have the potential to be incompatible with neighboring land uses and zoning and are to be permitted following a public hearing in which interested parties have the opportunity to comment. “Use permit” also means conditional use permit. (Ord. 2003-03 § 3 (part))

**17.08.490. Construction.**

“Construction” means the physical development of a parcel, including site excavation and grading, framing and finishing, up to the point of final inspection, use, or occupancy, whichever occurs first. (Ord. 2003-03 § 3 (part))

**17.08.500. Consumer service.**

“Consumer service” means a business which derives its principal revenue from offering an intangible product for sale, or provides a service. (Ord. 2003-03 § 3 (part))

**17.08.510. Contractor’s equipment yard.**

“Contractor’s equipment yard” means a parcel of land that is used for the temporary or ongoing outside storage of equipment, tools, materials, and vehicles used in the performance of a contractor’s business. (Ord. 2003-03 § 3 (part))

**17.08.520. Corner lot.**

“Corner lot” means a lot that has two or more parcel lines contiguous to a public street. (Ord. 2003-03 § 3 (part))

**17.08.530. Date of decision.**

“Date of the decision” granting or denying a permit under this title means the date on which the decision is announced or final vote taken. (Ord. 2003-03 § 3 (part))

**17.08.540. Day-care center, family and adult day-care home.**

A. “Day-care center” means a land use to which children are taken for care and/or educational experience, other than that of a public or private school, while parents or legal guardians are unavailable to watch the children for periods of less than eighteen (18) hours with no land-use limit on the number of children within the facility unless otherwise specified in the facility’s permit.

B. “Small family day-care home” means a day-care center in the home of the person operating the facility, and providing care for no more than eight children, including children who are members of the provider’s family. (Health & Safety Code § 1597.44)

C. “Large family day-care home” means a day-care center in the home of the person operating the facility, and providing care for no more than fourteen (14) children, including children who are members of the provider’s family. (Health & Safety Code § 1597.46)

D. “Day health care center” means a land use to which adults, generally those over the age of sixty (60), are taken for care or activities while the children or guardians of the adults are unavailable to watch or care for the adult. (Health & Safety Code § 1570.7) (Ord. 2003-03 § 3 (part))

**17.08.550. Density.**

“Density” means either of the following:

A. For residential use, density means the number of dwelling units per acre.

B. For non-residential use, density means the percentage of lot coverage.

(Ord. 2003-03 § 3 (part))

**17.08.560. Density, gross.**

“Gross density” means the total number of units permitted under the property’s general plan designation or zone district before streets or other dedications are provided. (Ord. 2003-03 § 3 (part))

**17.08.570. Density, net.**

“Net density” means the total number of units permitted under the property’s general plan designation or zone district excluding street area and other dedications. (Ord. 2003-03 § 3 (part))

**17.08.580. District.**

“District” means a portion of the city within which certain uses of lands, buildings or structures are permitted or prohibited, and within which certain yards and other open spaces are required and certain height limits are established for the same as set forth in this title. (Ord. 2003-03 § 3 (part))

**17.08.590. Drive in restaurant/drive-up window.**

“Drive in restaurant/drive-up window” means a restaurant where customers are either served outside of the building with a walk up window, a drive up window for vehicles, or otherwise served in their vehicle without having to enter the restaurant. (Ord. 2003-03 § 3 (part))

**17.08.600. Duplex.**

“Duplex” means a dwelling unit that consists of two independent units that are attached. (Ord. 2003-03 § 3 (part))

**17.08.610. Dwelling.**

A. “Dwelling” means any building or portion thereof designed or used for habitation or residential occupancy.

B. “Dwelling single family” means any building or portion thereof which contains one dwelling unit.

C. “Dwelling two family” (or duplex) means any building or portion thereof which contains two dwelling units.

D. “Dwelling, multiple” (or triplex for three units; fourplex for four units; or multi-family residential) as defined means any building or portion thereof which contains three or more dwelling units within one structure. (Ord. 2003-03 § 3 (part))

**17.08.620. Dwelling unit.**

“Dwelling unit” means a single residential unit designed for human habitation. (Ord. 2003-03 § 3 (part))

**17.08.630. Easement.**

“Easement” means any legal right defined as an easement in the California Code of Civil Procedure, § 800 et al. Generally, an easement is a right to the use of another’s land. (Ord. 2003-03 § 3 (part))

**17.08.640. Electronic component assembly.**

“Electronic component assembly” means an industrial use in which the manufactured goods are assembled from components manufactured elsewhere. (Ord. 2003-03 § 3 (part))

**17.08.650. Electronic component manufacturing.**

“Electronic component manufacturing” means an industrial use in which components for use in electronic equipment are manufactured from raw materials. (Ord. 2003-03 § 3 (part))

**17.08.660. Explosive.**

“Explosive” means and includes any chemical compound or mechanical mixture, that is commonly used or intended for the purpose of producing an explosion, and that contains any oxidizing and combustible units, packing, that an ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing effects on contiguous objects or of destroying life or limb. (Ord. 2003-03 § 3 (part))

**17.08.670. Exterior side yard.**

“Exterior side yard” means the required side yard setback area on any corner lot adjacent to a public street. (Ord. 2003-03 § 3 (part))

**17.08.680. Family.**

“Family” means a group of individuals with a common bond by means of blood, marriage, or conscientiously established relations living together as a housekeeping unit sharing a dwelling unit. (Ord. 2003-03 § 3 (part))

**17.08.690. Fence, wall.**

“Fence” or “wall” means a structure constructed of posts, supports, and cross members that serves as an obstruction to mark property lines or delineate or restrict access to a portion of property, Fences for the purpose of this chapter includes walls, hedges, and screen plantings. (Ord. 2003-03 § 3 (part))

**17.08.700. Flea market.**

“Flea market” means a temporary land use in which a series of booths, tables, or other temporary display areas are set up in which an individual, persons, vendors, group, organization, or business which offer both new and used merchandise for retail trade. (Ord. 2003-03 § 3 (part))

**17.08.710. Frontage.**

“Frontage” means the total distance along a property line that abuts a public street or streets. (Ord. 2003-03 § 3 (part))

**17.08.720. Garage.**

“Garage” means a structure intended for use for storage of vehicles and other items. This definition does not replace the definition of a garage in the California Building Code. A garage may be incorporated within a building. (Ord. 2003-03 § 3 (part))

**17.08.730. Garage sale.**

“Garage sale” means a garage, yard, lawn, patio or similar type sale held anywhere on the premises in any residential zone for the purpose of disposing of personal property. (Ord. 2003-03 § 3 (part))

**17.08.740. General plan.**

“General plan” means the city of Orland general plan as currently adopted including all amendments. (Ord. 2003-03 § 3 (part))

**17.08.750. Government code.**

“Government code” means the California Government Code. (Ord. 2003-03 § 3 (part))

**17.08.760. Gross floor area.**

“Gross floor area” means the total square footage of a structure as measured around the exterior perimeter including any non-walled areas under roof and any outside storage or sales areas. (Ord. 2003-03 § 3 (part))

**17.08.770. Gross land area.**

“Gross land area” means the area of the parcel exclusive of any required public dedication. (Ord. 2003-03 § 3 (part))

**17.08.780. Group care home.**

“Group care home” means a facility licensed by the state pursuant to Health and Safety Code § 1502 et seq. (Ord. 2003-03 § 3 (part))

**17.08.790. Guest house.**

“Guest house means a detached living quarter of permanent construction, without kitchens, which are clearly subordinate and incidental to the use of the main building on the same lot. (Ord. 2003-03 § 3 (part))

**17.08.800. Health and safety code.**

“Health and safety code” means the California Health & Safety Code, also written H&S. (Ord. 2003-03 § 3 (part))

**17.08.810. Height.**

“Height” means the vertical distance from the base elevation at the point of measurement to the highest point on the structure, excluding chimneys, antennae, and similar nonstructural elements. (Ord. 2003-03 § 3 (part))

**17.08.820. Heliport.**

“Heliport” means “airport” as defined herein. (Ord. 2003-03 § 3 (part))

**17.08.830. Highway.**

“Highway” means a state route as defined by the state of California Department of Transportation, CALTRANS. (Ord. 2003-03 § 3 (part))

**17.08.840. Home occupation.**

“Home occupation” means a business located in a home that is subservient to the use of the dwelling as a residence. (Ord. 2003-03 § 3 (part))

**17.08.850. Hospital.**

“Hospital” means a land use in which intensive and general medical care is provided for patients on an emergency in- and out- patient basis. (Ord. 2003-03 § 3 (part))

**17.08.860. Hotel.**

“Hotel” means a land use in which there are six or more rooms for transient occupancy. Motel and hotel are synonymous. (Ord. 2003-03 § 3 (part))

**17.08.870. Household pets.**

“Household pets” means domestic animals or fowl normally kept in the house for company or pleasure and not for profit, such as dogs, cats, canaries, parrots, but not including a sufficient number of dogs to constitute a kennel as defined herein. (Ord. 2003-03 § 3 (part))

**17.08.880. Indemnification.**

“Indemnification” means compliance with a request to relieve the city of liability or to accept the costs for defending the city from any action brought as a result of the project. (Ord. 2003-03 § 3 (part))

**17.08.890. Industry.**

“Industry” means the manufacturing, fabrication, processing, reduction or assembly of any article, substance or commodity which results in a new product from the original materials. (Ord. 2003-03 § 3 (part))

**17.08.900. Interior side yard.**

“Interior side yard” means the required setback area from any property line between two parcels, neither of which are public streets. (Ord. 2003-03 § 3 (part))

**17.08.910. Junk.**

“Junk” means, but is not limited to, trash; refuse; paper; glass; cans; bottles; rags; ashes; trimming from lawns, yards, trees, and shrubbery, including plants and leaves; and other solid waste or salvageable materials other than garbage; inoperable appliances, parts, tools; inoperable and unregistered vehicles; vehicle parts; vehicle hulks; discarded furniture; dirt; rocks; and materials from the demolition, alteration or construction of buildings or structures, unless such dirt, rock, or other materials from demolition, alteration or construction are being used for purposes of fill. (Ord. 2003-03 § 3 (part))

**17.08.920. Junkyard.**

“Junkyard” means a place in which junk, salvaged materials or products, scrap, or other waste materials are stored, broken up, dismantled, sorted, distributed, or sold privately or commercially. (Ord. 2003-03 § 3 (part))

**17.08.930. Kennel.**

“Kennel” means a land use where four or more dogs four months or older and/or four cats six weeks or older are bred, raised, trained, or boarded. (Ord. 2003-03 § 3 (part))

**17.08.940. Landfill.**

“Landfill” means a parcel of land that is appropriately licensed for the storage of solid waste. (Ord. 2003-03 § 3 (part))

**17.08.950. Landscaping.**

“Landscaping” means the replacement of developed or excavated areas of a parcel with introduced new living vegetation, shrubbery, trees, ground cover and combinations thereof. (Ord. 2003-03 § 3 (part))

**17.08.960. Living area.**

“Living area” means the interior habitable area for a dwelling unit, including basements and attics, but does not include a garage or any accessory structure. (Ord. 2003-03 § 3 (part))

**17.08.970. Lot.**

“Lot” means a legally established parcel of land.

A. “Corner lot” means a lot located at the intersection of two or more streets, where they intersect at an interior angle of not more than one hundred thirty-five (135) degrees. If the intersection angle is more than one hundred thirty-five (135) degrees, the lot is considered an interior lot.

B. “Flag lot” means a lot having access from the building site to a public street by means of private right-of-way strip that is owned in fee.

C. “Interior lot” means a lot abutting only one street.

D. “Key lot” means an interior lot, the front of which adjoins the side property line of a corner lot. (Ord. 2003-03 § 3 (part))

**17.08.980. Lot coverage.**

“Lot coverage” means the percent of lot covered by all building footprints. Means the same as “Site coverage”. (Ord. 2003-03 § 3 (part))

**17.08.990. Lot depth.**

“Lot depth” means the average distance from the property line fronting a road or road easement to the rear or opposite property line. (Ord. 2003-03 § 3 (part))

**17.08.1000. Lot frontage.**

“Lot frontage” means the width of the lot fronting on a road or private road easement, measured along the property line. (Ord. 2003-03 § 3 (part))

**17.08.1010. Lot line.**

A. “Lot line” means any legally described parcel line as follows:

B. “Front lot line” is the shortest property line along the road or road easement.

C. “Side lot line” is the property line intersecting with the front lot line and dividing the parcel from other adjacent parcels or another public street.

D. “Exterior lot line” is the property line intersecting with the front lot line and contiguous with a public street on a corner lot.

E. “Interior lot line” is any property line dividing the parcel from other adjacent parcels.

F. “Rear lot line” is the property line opposite the front lot line. (Ord. 2003-03 § 3 (part))

**17.08.1020. Lot width.**

“Lot width” means the distance from one side property line to the other side property line measured along the front building setback line. (Ord. 2003-03 § 3 (part))

**17.08.1030. Manufactured housing.**

“Manufactured housing” means H.U.D. standard manufactured housing (on a permanent foundation) that are constructed entirely in the factory, and which since June 15, 1976, have been regulated by the federal Manufactured Home Construction and Safety Standards Act of 1974 under the administration of U.S. Department of Housing and Urban Development (HUD). (See “Mobile home” and “Modular unit”) (Ord. 2003-03 § 3 (part))

**17.08.1040. Mobile home.**

“Mobile home” means H.U.D. standard manufactured housing (not on a permanent foundation) or a non-permanent shelter as defined in California Vehicle Code § 396 and Health and Safety Code § 18008. (See “Manufactured housing” and “Modular unit”) (Ord. 2003-03 § 3 (part))

**17.08.1050. Mobile home park.**

“Mobile home park” is any area or tract of land where two or more mobile home lots (spaces) are rented or leased, held out for rent or lease, or were formerly held out for rent or lease and later converted to a subdivision, cooperative, condominium, or other form of residential ownership , to accommodate manufactured homes or mobile homes used for human habitation. (Ord. 2003-03 § 3 (part))

**17.08.1060. Modular unit, factory built house.**

“Modular house” and “factory built house” means a house built in components to the standards of the California Building Code at a location other than the site upon which the house is delivered and installed. Differs from mobile homes and manufactured housing by (in addition to lacking an integral chassis or permanent hitch to allow future movement) being subject to California housing law design standards. Also called factory-built housing and regulated by state law of that title. (See “Mobile home” and “Manufactured housing”) (Ord. 2003-03 § 3 (part))

**17.08.1070. Motel.**

“Motel” means a land use in which there are six or more rooms for transient occupancy. Motel and hotel are synonymous. (Ord. 2003-03 § 3 (part))

**17.08.1080. Net land area.**

“Net land area” means the area of land remaining after any required public dedication. (Ord. 2003-03 § 3 (part))

**17.08.1090. Nonconforming building or use.**

A. “Nonconforming building” means a structure that does not conform to present regulations.

B. “Nonconforming use” means a land use which does not conform to present regulations.

C. “Legally existing” means a use that predates present regulations but was legally constructed or established at the time the use or construction first commenced. (Ord. 2003-03 § 3 (part))

**17.08.1100. Nursery.**

“Nursery” or “plant nursery” means a business which is primarily engaged in the raising, propagation, growth, or sales of vegetation, plants and supplies. (Ord. 2003-03 § 3 (part))

**17.08.1110. Occupancy.**

“Occupancy” means the establishment of a use within a structure or upon a parcel of land, including and not limited to, installing display fixtures in a completed structure, stocking of inventory, or commencing temporary or permanent residency, whether or not a structure has been subject to an approved final inspection or a certificate of occupancy. (Ord. 2003-03 § 3 (part))

**17.08.1120. Off-site.**

“Off-site” means an improvement or other reference concerning a proposed project or subject property which is not located on the parcel under discussion. (Ord. 2003-03 § 3 (part))

**17.08.1130. On-site.**

“On-site” means an improvement or other reference concerning the subject property under discussion. (Ord. 2003-03 § 3 (part))

**17.08.1140. Open space.**

“Open space” means the portion of the lot or parcel from the ground upward that is unoccupied by buildings, structures, parking lots and driveways, except as otherwise permitted by city regulations. Clubhouses, recreation buildings, pools, saunas, interior walkways, paths and similar amenities may be included in open space. (Ord. 2003-03 § 3 (part))

**17.08.1150. Parcel, lot.**

“Parcel” or “lot” means a described area of land within an ownership. Parcel may also mean a parcel established for tax purposes, sometimes called an assessor’s parcel. (Ord. 2003-03 § 3 (part))

**17.08.1160. Park, playground.**

“Park” or “playground” means a land use which is established for the purpose of providing passive or active recreation on a public or private basis. (Ord. 2003-03 § 3 (part))

**17.08.1170. Parking area.**

“Parking area” means the paved portion of a parcel which is developed for the storage of vehicles. (Ord. 2003-03 § 3 (part))

**17.08.1180. Paved.**

“Paved” means that the required surface typically used for parking, driveways or other vehicular access is improved with concrete, asphaltic concrete, or other similar material capable of handling the type of vehicular traffic anticipated with the proposed use. (Ord. 2003-03 § 3 (part))

**17.08.1190. Permit.**

“Permit” means an authorization to proceed issued by the city for a specific activity. (Ord. 2003-03 § 3 (part))

**17.08.1200. Planned community.**

“Planned community” means a large-scale development whose essential features are a definable boundary; a consistent, but not necessarily uniform, character; overall control during the development process by a single development entity; private ownership of recreation amenities; and enforcement of covenants, conditions, and restrictions by a master community association. (Ord. 2003-03 § 3 (part))

**17.08.1210. Planned unit development.**

“Planned unit development” means a description of a proposed unified development, consisting at a minimum of a map and adopted ordinance setting forth the regulations governing, and the location and phasing of all proposed uses and improvements to be included in the development. (Ord. 2003-03 § 3 (part))

**17.08.1220. Planning commission.**

“Planning commission” means the body appointed by the Orland city council to review planning matters assigned pursuant to the city code. (Ord. 2003-03 § 3 (part))

**17.08.1230. Planning department.**

“Planning department” means the city-appointed or designated staff of the city of Orland to assist the city with planning-related matters. (Ord. 2003-03 § 3 (part) and Ord. 2007-05; 9-4-07)

**17.08.1240. Planning director.**

“Planning director” means the person appointed or designated to assist the city with planning-related matters. (Ord. 2003-03 § 3 (part))

**17.08.1245 Pre-occupancy inspection.**

“Pre-occupancy inspection” means a required inspection before any existing building and/or structure other than residential, is used, occupied or business license is issued to/for. (Ord. 2007-05; 9-4-07)

**17.08.1250. Professional office.**

“Professional office” means a non-retail or non-commercial wholesale activity wherein professional service is typically provided to the public, or the office is the headquarters for a commercial or industrial activity. (Ord. 2003-03 § 3 (part))

**17.08.1260. Property line.**

“Property line” is a legal boundary describing a parcel of land. (Ord. 2003-03 § 3 (part))

**17.08.1270 Public agency.**

“Public agency” means a political subdivision, federal, state, or local government or its departments, or governmental jurisdictions or districts. ((Ord. 2003-03 § 3 (part))

**17.08.1280 Public Resources Code.**

“Public Resources Code” means the California Public Resources Code, also written PRC. (Ord. 2003-03 § 3 (part))

**17.08.1290 Public services.**

“Public services” means services needed for development of a parcel of land. This may include, but is not limited to, electricity, access, water, sewage collection and treatment, and telecommunications. (Ord. 2003-03 § 3 (part))

**17.08.1300 Public utility buildings and uses.**

“Public utility buildings and uses” means buildings, structures and uses of a public business which provides a general service to the public, such as telecommunications, electricity, water, or other services. (Ord. 2003-03 § 3 (part))

**17.08.1310 Recreational vehicle park.**

“Recreational vehicle park” means any area or tract of land or a separate section within a mobile home park, where two or more lots are rented or leased or held out for rent, or lease to owners or users of recreational vehicles or tents. (Ord. 2003-03 § 3 (part))

**17.08.1320 Recreational vehicle storage.**

“Recreational vehicle storage” means a commercial activity in which recreation vehicles are garaged either within a building, or an open enclosure for payment of a rental fee. (Ord. 2003-03 § 3 (part))

**17.08.1330 Rest home.**

“Rest home” means a building where two or more infirm or aged persons are housed for compensation. (Ord. 2003-03 § 3 (part))

**17.08.1340 Right-of-way, public.**

“Public right-of-way” is a strip of land acquired by reservation, dedication, prescription or condemnation and intended to be occupied by a road, trail, water line, sanitary sewer and/or other public uses. (Ord. 2003-03 § 3 (part))

**17.08.1350 Rooming house.**

“Rooming house” means the same as “boarding house” as set forth herein. (Ord. 2003-03 § 3 (part))

**17.08.1370 School.**

“School” means an institution, public or private, established for the purpose of educating a class of students at any grade level, either for profit or nonprofit purposes. (Ord. 2003-03 § 3 (part))

**17.08.1380 Second dwelling unit.**

“Second dwelling unit” means an accessory single family dwelling authorized by the California Government Code Section 65852.2, which is provided in addition to an existing residence on the same lot. (Ord. 2003-03 § 3 (part))

**17.08.1390 Shopping center.**

“Shopping center” means a commercial center, or group of commercial establishments, planned, developed, managed and maintained as a unit, with common off-street parking provided to serve all uses on the property. (Ord. 2003-03 § 3 (part))

**17.08.1400 Side and front on corner lots.**

The front yard (of a corner lot) may face either street frontage of a corner lot, at the option of the owner. (Ord. 2004-05§ 3: Ord. 2003-03 § 3 (part))

**17.08.1410 Sign.**

“Sign” means any device capable of visual communications or attraction, including declarations, announcements, demonstrations, displays, insignias, trademarks, or symbols, used for the purpose of informing, advertising, or promoting any business, place, or event. (Ord. 2003-03 § 3 (part))

**17.08.1415 Site Plan Review.**

“Site Plan” means a plan, prepared to scale, showing accurately and with complete dimensions, all of the buildings, structures and uses and the exact manner of development proposed for a specific parcel of land. A “Site Plan” application may be approved by the city manager, or his/her nominee, without the necessity of public notice, a public hearing, or planning commission action if findings required for approval (Section 17.82.050) can be made. (Ord. 2007-05; 9-4-07)

**17.08.1420 Street.**

“Street” means a public thoroughfare accepted by the city which affords principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road, except an “alley” as defined herein. (Ord. 2003-03 § 3 (part))

**17.08.1430 Structure.**

“Structure” means shelter, building, dwelling unit, or other physical development upon the land to house, protect, store, or cover persons or things. (Ord. 2003-03 § 3 (part))

**17.08.1440 Structure alteration.**

“Structure alteration” means any change in supporting members of a building or structure, such as bearing walls, columns, beams or girders. (Ord. 2003-03 § 3 (part))

**17.08.1450 Temporary use.**

“Temporary use” means a land use which may occur on a parcel of land for a limited time as may be authorized herein. (Ord. 2003-03 § 3 (part))

**17.08.1460 Use.**

“Use” means the activity that takes place on a parcel of land. (Ord. 2003-03 § 3 (part))

**17.08.1470 Variance.**

“Variance” means a discretionary entitlement which permits the departure from the strict application of the development standards contained in this title. (Ord. 2003-03 § 3 (part))

**17.08.1480 Yard.**

“Yard” means the area between a property line and required setback line with any lot. (Ord. 2003-03 § 3 (part))

**17.08.1490 Yard, front.**

“Front yard” means a yard extending across the full width of the front portion of the lot measured from the front line of the lot to the nearest line of a building or structure wall or required front setback line, whichever is closer to the property line. (Ord. 2003-03 § 3 (part))

**17.08.1500 Yard, rear.**

“Rear yard” means a yard extending across the full width of the rear portion of the lot measured between the rear line of the lot and the nearest line of the building or structure wall or required rear yard setback line, whichever is closer to the property line. (Ord. 2003-03 § 3 (part))

**17.08.1510 Yard, side.**

“Side yard” means a yard between the side line of the lot and nearest structure setback or required side yard setback line, whichever is closer to the property line and extending from the front yard of the lot to the rear yard. (Ord. 2003-03 § 3 (part))