25.09: Glossary

This section provides definitions of terms used in the Zoning Code.

For regulations, see the other sections of this Code dealing with the topic defined.

25.09.001 Using the Definitions

The following apply to the interpretation of words:

1. When not inconsistent with the context:

    a. All words used in the present tense include the future tense.
    b. All words in the singular include the plural.
    c. Words in the plural include the singular.

2. The masculine gender includes the feminine and neutral gender.
3. The word "shall" is always mandatory. The word "may" is permissive.
4. For words not defined, the common dictionary definition shall be used.
5. Where a definition in this Chapter conflicts with the common dictionary definition, the definition in this Chapter shall apply.

25.09.002 Definitions

Abattoir. A facility used for the slaughter of animals and the processing and/or packaging of meat for sale. Also known as a “slaughterhouse.”

Access Road. A vehicular access roadway greater than or equal to 18 feet in width and serving two or more single-family dwellings.

Accessory Dwelling Unit. An attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary dwelling. See also, “Junior Accessory Dwelling Unit”.

Accessory Structure. A structure that is physically detached from, and secondary and incidental in terms of use to the primary structure. An accessory structure may be larger than the primary structure; for instance, a barn (accessory structure) larger than the house (primary structure).

Accessory Use. A use which is subordinate or incidental to the principal use on the same lot and serving a purpose customarily incidental to the principal use such as a parking garage and storage building.

Acreage, Gross. The entire acreage of a parcel or lot, including any proposed public roadways and all other areas which may be ultimately excluded from development. See also, "Acreage, Net".

Acreage, Net. The acreage of a parcel or lot, excluding areas to be dedicated for public purposes or other reasons. See also, "Acreage, Gross".

Adult Animal. Any animal attaining an age when one of the following applies:

1. It attains 90% of the size, measured by height and/or weight, of an average adult of the species;
2. It no longer requires its mother's care; or
3. It attains the age when an average adult of the species is able to breed

Adult Cat. A domestic cat (Fells catus) that has reached the age of four months

Adult Dog. A dog that has reached the age of four months. See also "Dog"

Agriculture. The cultivation of soil for the growing of crops and the rearing of animals to produce food, wool, and other products.

Agricultural Employee Housing. Residential housing whose occupancy is restricted to persons who are employed in, raising or harvesting any agricultural commodities. All occupants of the housing unit(s) must be agricultural employees. The housing shall be provided by someone other than an agricultural employer, as defined in Section 1140.4 of the State of California Labor Code. Agricultural employee housing is not a business run for profit; it does not differ in any way from a traditional dwelling.

Agricultural Employer. An employer engaged in agricultural operations who employ employees, as defined in Labor Code Section 1140.4(c).

Agricultural Processing. The washing, sorting, packaging, and shelling of harvested agricultural products, in a covered and/or enclosed structure, for shipment or sale. Also includes the production of wine, including crushing of grapes, fermenting, storing, and bottling of wine produced on site. See also "Cannery" and "Winery"

Agricultural Products. Any product produced by a commercial agricultural operation, either in its

raw form (e.g., whole eggs) or processed to make it ready for wholesale or retail sale (e.g., packaged broccoli). Does not include products which require heating, cooking or baking. Also includes the production of eggs. See also "Commercial Agriculture"
Agricultural Storage. The storage of harvested or processed agricultural products in a covered and/or enclosed structure.

Airport. A place, either on land or on water, where aircraft may land and take off and where additional space may be provided to discharge or receive cargo and passengers, make repairs and take in fuel. See also "Unmanned Aerial Vehicle Takeoff and Landing Facility"

Aerial view of Hollister Municipal Airport.

Alley. A passage or way open to public travel, affording secondary means of vehicular access to abutting lots, and not intended for general traffic circulation.

ALUC. Airport Land Use Commission of San Benito County

ALUCP. The most recently adopted Airport Land Use Compatibility Plan for Frazier Lake Airpark, as adopted by the San Benito County Airport Land Use Commission.

Animal. Birds, fishes, reptiles and all non-human mammals. See also "Livestock"

Animal Control Officer. The Chief Animal Control Officer or his or her agents and/or deputies.

Animal Shelter. A premise selected by the Chief Animal Control Officer with the approval of the Board of Supervisors for the care, confinement, isolation or detention of animals.

Approach Safety Zone. The inner edge of this zone coincides with the outer edge of the clear zone and is 450 feet wide. The zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the end of the runway. Its centerline is the continuation of the centerline of the runway.

Approved Entity. A public or private entity assuming responsibility and ownership of facilities and infrastructure intended in whole or in part to serve the planned unit development and with certain guarantees of providing services to the owners of the lots created by the planned unit development.

Area of Special Flood Hazard. Land in the floodplain subject to a 1% or greater chance of flooding in any given year.

Assembly Uses. Facilities designed for the gathering of people for any purpose, including social events, religious worship, concerts, events, etc., either as special events or on a regular schedule.

Automobile/Vehicle Related Uses. Uses which by design are primarily associated with the repair and refueling of motor vehicles and the provision of services, food, refreshments, etc., to drivers and passengers.

Automobile Wrecking Yards. See "Junkyard"

Average Slope. The rate of vertical change of ground surface averaged over the site and expressed in percentage or degrees. Average slope is calculated as follows:

$$S = \frac{0.00229\ IL}{A}$$

Where:
0.00229 is the conversion factor for square feet;
I = contour interval in feet;
L = combined length of all contour lines within the parcel;
A = area of parcel in gross acres.

Balance. The cutting and filling of a site which does not require the export or import of earth material.

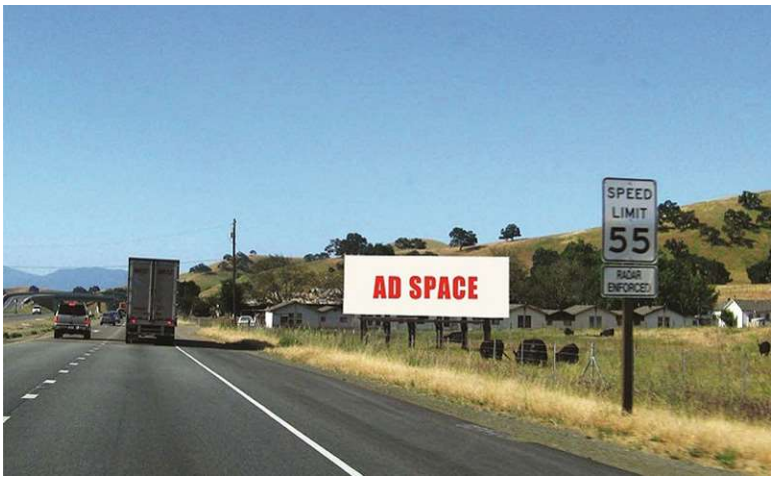
Banner. Any sign of lightweight fabric or similar material that is permanently mounted to a pole or a building by a permanent frame at one or more edges. National flags, state or municipal flags or the official flag of any institution or business shall not be considered banners.

Beacon. Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.

Bed and Breakfast. An establishment providing overnight accommodations and a morning meal by people who rent rooms in their homes to visitors.

Billboard. A permanent sign that meets one or more of the following criteria: 1) it is used for the display of off-site commercial messages; 2) it is used for general advertising; 3) displays space on

the sign in a routinely rented, leased or donated to advertisers other than the owner or operator of the sign; or 4) the sign structure is a principal use, as opposed to an accessory or appurtenant use, of the land. A shopping center sign is not within this definition, so long as it is used to display advertising for commercial enterprises located outside the shopping center.



A billboard.

Block. All property fronting on one side of a street between an intersection and intercepting streets or between a street and a waterway, dead-end street, major easement or right-of-way, or unsubdivided land.

Board of Supervisors. The Board of Supervisors of the County of San Benito, State of California.

Boarding House. A residence or dwelling, other than a motel or hotel, wherein two or more rooms (with or without individual or group cooking facilities), are rented to individuals under separate rental agreements or leases.

Breezeway. A covered passageway with a solid roof used to join two or more detached buildings or two or more parts of the same building.

A typical breezeway.

Building. See "Structure"

Building, Accessory. A subordinate building, the use of which is incidental to that of a main building on the same building site. These structures include, but are not limited to, sheds, and signs.

Building Height. The vertical distance measured from the average level of the highest and lowest point of that portion of the lot covered by the building to the highest point of the roof, ridge or parapet wall. See Chapter 25.07 for rules regarding measuring heights.

Building, Main. A building in which the primary use of the parcel on which it is situated, even if the main building is not the largest building on a parcel. In a residential district, the primary dwelling shall be deemed the main building on the parcel, regardless of its size.

Building Marker. Any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or is made of bronze or other permanent material.

Building Site. The portion of a lot or parcel intended to be occupied by a building or buildings.

Campground. Land or premises which is used, or intended to be used, let or rented for occupancy by campers traveling by automobile or otherwise, or for occupancy by tents, recreational vehicles or similar quarters.

Cannabis Retailer, Microbusiness, or Dispensary. Any facility or location, whether fixed or mobile, where cannabis is cultivated, provided, sold, made available, or otherwise distributed, as defined in Division 10 of the Business and Professions Code and Chapter 6, Article 2 and 2.5 of the Health and Safety Code.

Cannabis-Related Industrial. The following types of facilities are defined:

Cannabis Indoor Commercial Cultivation Facility. A building or portion of a building used for a business involving the wholly indoor commercial cultivation of cannabis plants within California in compliance with the Medicinal and Adult-Use Cannabis Regulation and Safety Act (the "MAUCRSA", Business and Professions Code Section 26000, et. seq).

Cannabis Laboratory Materials Testing Facility. A building, or portion thereof, used for a business involving the materials testing, investigation, scientific research, or experimentation of medicinal or non-medicinal cannabis or cannabis products within California in compliance with the Medicinal and Adult-Use Cannabis Regulation and Safety Act (the "MAUCRSA", Business and Professions Code Section 26000, et. seq).

Cannabis Manufacturing Facility. A building, or portion thereof, used for a business involving the manufacture for off-site sale of cannabis products within California in compliance with the Medicinal and Adult-Use Cannabis Regulation and Safety Act (the "MAUCRSA", Business and Professions Code Section 26000, et. seq).

Wholesale Cannabis Logistics, Distribution, and Transportation Facility. A building, or portion thereof, used for a business involving the procurement, sale, and transport of cannabis and cannabis products within California in compliance with the Medicinal and Adult-Use Cannabis Regulation and Safety Act (the "MAUCRSA," Business and Professions Code Section 26000, et seq.).

Cannery. A factory where food is canned or bottled. See also, "Agricultural Processing" and "Winery"

Car Share. A program that allows customers hourly access to shared vehicles from a dedicated home location, with the vehicles required to be returned to that same location at the end of the trip.

Caretaker Unit. A dwelling unit provided for an on-site caretaker. Permitted per Chapter 25.03 of this Code.

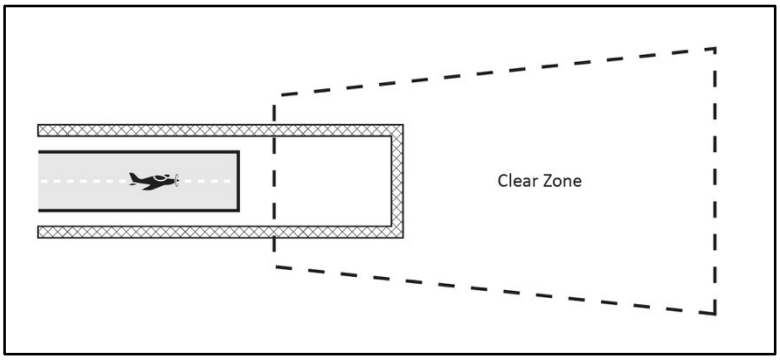
Cat. A domestic cat (Felis catus), including female and male, altered or unaltered.

Change of Copy. A change of a previously permitted or legal sign which affects only the display face of that sign.

Chief Animal Control Officer. See Title 13 of the County Code.

Clear Zone. A trapezoidal area of ground level which coincides with the end of the primary surface and is 250 feet wide. The approach zone expands outward uniformly to a width of 450

feet at a horizontal distance of 1,000 feet from the primary surface. The clear zone overlaps the utility runway visual approach zone.



Clear Zone

Club. Depending on context: A building used for assembly purposes, or an association or organization dedicated to a particular interest or activity.

Commercial Agriculture. Commercial agriculture is the practice of agriculture as a commercial enterprise, with products intended for distribution to wholesalers or retail outlets or for direct sale to the public. Commercial agriculture includes the delivery or distribution of crops to customers located elsewhere. Commercial agriculture also includes operations typically associated with farming, including equipment, vehicle, and materials storage; and the repair of equipment and vehicles used onsite. See also, “Agriculture” and “Agricultural Processing”

Commercial Mascot. Live human being(s) and/or animal(s) used for the purpose of commercial advertising, such as, by way of example and not limitation, sign spinners, sign clowns, sandwich board signs over a live human body, and persons dressed to appear or suggest as a trademark or symbol of a commercial enterprise. In-person protestors and demonstrators expressing non-commercial messages are not considered commercial mascots.

Commercial Recreation. Establishments providing participant or spectator recreation, either indoors or outdoors, for a fee or admission charge. Illustrative examples of these uses include: batting cages, billiards and pool halls, bowling alley, country clubs, family fun centers, golf courses, and rock climbing.

Common Improvements. Ponds, drainage facilities, street lighting, utilities, and other infrastructure required for the orderly development of the planned unit development. The open space within the planned unit development may or may not be included in the definition of common improvements.

Common Open Space. Land within the site designated for a planned unit development and designated and intended in whole or in part for the use or enjoyment of residents of the planned unit development. The area may contain complementary structures and improvement as are

necessary and appropriate. Fee title to common open space may be held by the homeowner's association or by another approved entity

Community Assembly. A facility for public or private meetings, including community centers, union halls, meeting halls, and other membership organizations. Included in this classification is the use of functionally related facilities for the use of members and attendees such as kitchens, multi-purpose rooms, classrooms and storage.

Composting, Agricultural. An operation where a combination of agricultural commodities and by-products such as feedstock, vegetable waste, cannery waste, soils or yard trimmings are processed to a stabilized state through controlled biological decomposition for the purpose of making compost to amend soils.

Composting, Commercial. An operation where a combination of materials such as feedstock, vegetable waste, cannery waste, soils or yard trimmings are processed to a stabilized state through controlled biological decomposition for the purposes of making compost for commercial sales to persons other than the composter.

Conditional Use Permit. A discretionary permit required for certain uses specified in this Code to provide for the review of proposed uses, with the intent of ensuring that, if approved, such use can be operated in a manner compatible with surrounding uses.

Condominium. As defined in California Civil Code section 1351.

Constraints. A factor or factors that restrict development of a site due to environmental hazards or conditions, including but not limited to wildlife habitat, slope, flooding, fire hazard, fault zone, and landslides.

Construction Sign. A sign displayed on the site of a construction project during the period of time that construction is diligently pursued.

Contour. A line drawn on a plan which connects all points of equal elevation.

Contour Grading. A grading concept designed to result in earth forms, which resemble natural terrain characteristics. Horizontal and vertical variations are often used for slope banks. Contour Grading does not necessarily minimize the amount of cut and fill occurring.

Cottage Food Operation. As defined in California Health and Safety Code section 113758.

County. When capitalized, refers to the governmental agency of the County of San Benito (e.g., "The County regulates land uses."). When lowercase, refers to the geographic area (e.g., "There are many beautiful areas in the county.").

County Road. A road which is either existing, offered for dedication, or accepted by the County.

Court. An open, unoccupied space, other than a yard, on the same lot with a building or group of buildings, and which is bounded on two or more sides by such building or buildings.

Crowing Fowl. A male chicken (rooster), peafowl and guinea fowl two months of age or older.

A "crowing fowl"

Custom and Artisan Manufacturing. The production or fabrication of goods by hand manufacturing or artistic endeavor, which involves only the use of hand tools or small mechanical equipment, and which may include incidental instruction or direct sales for consumers. Typical uses include ceramic studios, fabric and needleworking, leather working, metalworking, glass working, candle-making shops, woodworking, and custom jewelry manufacturers.

Cut. For the purposes of implementing the Hillside/Ridgeline regulations of this chapter, "cut" is the mechanical removal of earth material.

Cut and Fill. The excavating of earth material in one place and depositing of it as fill in an adjacent place.

Cut-Off Standards. A standard for light emission wherein light rays emanating from a source are shielded, reflected, or refracted at angles that direct and cut off the light at an angle less than 90 degrees. See County Ordinance No. 748 for additional lighting standards.

Day Care Centers. Establishments providing non-medical care for persons on a less than 24-hour

basis other than Small or Large Family Day Care. This classification includes nursery schools, preschools, and day care facilities for children or adults, and any other day care facility licensed by the State of California.

DBH. Diameter at breast height is the diameter of a tree measured at four and one-half feet above the ground while standing on the high side of the tree. The diameter may be calculated by use of the following formula: Diameter = circumference/3.142

Dead-End Road. A street with only one inlet or outlet.

Decision Making Body. Either the Planning Commission or the Board of Supervisors of the County of San Benito.

Defensible Space. The area within the perimeter of a parcel, development, neighborhood or community where basic wildland fire protection practices and measures are implemented, providing the key point of defense from an approaching wildfire or defense against encroaching wildfires or escaping structure fires.

Density. The ratio of residential dwelling units to gross acreage, expressed as "units per acre."

Design Theme. A conceptual description of the physical and visual characteristics of a development proposal, with emphasis on the aesthetic qualities.

Destroy or Destruction. With regard to a tree (including without limitation its root system), any physical state or condition in which a tree is killed or is so severely damaged that its death is imminent.

Developed. For the purposes of implementing the Tree Preservation regulations of this title, refers to a parcel containing at least one permitted residential structure.

Development. Any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

Director. The Director of Planning and Building of the county or his or her designee

Distribution Center. See "Logistics Facility"

District. See Chapter 25.03 of this Code

District, Combining. See Chapter 25.04 of this Code.

Dog. Any dog (canis familiars) of either sex, altered or unaltered, or any other member of the canis genus.

A typical dog.

Drip Line. A line which may be drawn on the ground around a tree directly under its outermost branch tips and which identifies that location where rainwater tends to drip from the tree.

Drive-In Business. A business where patrons park and are served in their vehicle by staff who come to the vehicle. At a drive-in restaurant, meals are consumed in the vehicle at the restaurant. Compare to "Drive-Through Facilities"

Drive-Through Facilities. An establishment that sells products or provides services to occupants in vehicles at which staff remain inside the building and orders are fulfilled at a window. The product is then consumed or used elsewhere. Examples include drive-through restaurants, banks, dry cleaners, and pharmacies. Includes "drive-in" restaurants.

Typical drive-through business, in this case a restaurant

Driveway. A vehicular access road less than 18 feet wide and serving not more than two single-family dwellings. For the purposes of implementing the Fire Safety standards of this Code, a driveway is a "Fire Apparatus Access Road" as defined in Section 202 of the California Fire Code.

Dwelling Types. Various types of dwelling units are defined below:

Dwelling, Duplex. A residential building containing two dwelling units under one roof where both units are on the same lot.

A duplex. A halfplex is physically the same, but is split by a property line to place each unit on its own lot.

Dwelling, Halfplex. A residential building containing two dwelling units under one roof where each unit is on its own lot.

Dwelling, Multi-Family. Three or more attached or detached dwelling units on a single lot. Types of multi-unit residential include townhouses and multiple detached residential units. See also, “Dwelling, Single-Family” and “Dwelling, Duplex”

Examples of multi-family dwellings include triplexes (above) and apartments (below).

Dwelling, Single-Family. A dwelling unit that is designed for occupancy by one household. "Single-Family Dwelling" includes manufactured housing units. See also "Dwelling Unit," "Manufactured Housing Unit," "Dwelling, Duplex" and "Dwelling, Multi-Family"

Dwelling, Two-Family. A building designed for occupancy by two families living independently of each other, either in a "duplex" or "halfplex" configuration.

Dwelling, Triplex. A residential building containing three dwelling units under one roof.

Dwelling Unit. One or more rooms in a building designed for or used as a residence and constituting a separate and independent housekeeping unit, with a single kitchen and internal circulation to all living areas. Does not include a lodging or boardinghouse, a fraternity or sorority house, club, or hotel/motel.

Dwelling Unit, Accessory. See Chapter 25.08 of this Code.

Efficiency Kitchen. For the purposes of implement the Junior Accessory Dwelling Unit regulations of this Code, an efficiency kitchen includes both of the following:

a. An appliance for cooking or heating food.
b. A food preparation counter and storage cabinets of reasonable size in relation to the size of the Junior ADU in which they are located.

Typical efficiency kitchen, shown with an optional sink and refrigerator.

Efficiency Unit. As defined in the Building Code

Election Period. The period of time that commences 60 days before any primary, general, or special election, and ends ten days after such election has been held.

Emergency Access. An approved secondary access roadway for the exclusive use of emergency vehicles (e.g., sheriff, fire, ambulance).

Emergency Shelter. Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less. as defined in Section 50801 of the California Health and Safety Code. Medical assistance, counseling, and meals may be provided.

Employee Housing. Housing for at least five employees as defined in Section 17008 of the Employee Housing Act.

Employer-Provided Farmworker Housing. Housing accommodations described in Section 17008(a) of the Employee Housing Act for five or more farmworkers by their employer and

maintained in connection with any work or place where work is being performed, whether or not rent is involved.

Erosion. The process by which the soil and rock components of the earth's crust are worn away and removed from one place to another by natural forces such as wind and water.

Establishment. For the purposes of the regulation of signs, "establishment" is a non-residential use of real property, which involves structures that would be subject to a building permit if constructed anew and the routine presence of live human beings for at least 24 hours per week.

Export. For the purposes of implementing the Hillside/Ridgeline regulations of this Title, refers to excess earth material that is removed from a grading project and deposited off site.

Family. One or more persons living together in a dwelling unit.

Family Day Care. A day care facility in a residential home where residents of the dwelling provide care and supervision for children under the age of 18 for periods of less than 24 hours a day.

- ***Small.*** Generally, a facility that provides care for eight or fewer children, as defined in California Health and Safety Code section 1597.44.
- ***Large.*** Generally, a facility that provides care for up to 14 children, as defined in California Health and Safety Code section 1597.465.

FAR Part 77. Federal Aviation Regulations, 14 CFR Part 77, Subpart C.

Farmworker Housing. A housing accommodation developed for and/or provided to farmworkers and shall consist of any living quarters, dwelling, boarding house, or other housing accommodation maintained in one or more buildings and on one or more sites. Farmworker housing shall consist of either a farmworker dwelling unit or a farmworker housing complex.

Feed Lot. Any premises on which cattle are held or maintained for the purpose of feeding and fattening for market, and where cattle are concentrated and fed in a central location.

Fill. A deposit of earth material placed by artificial means.

Finish Grade. The final elevation of the ground surface after development which is in conformance with the approved plan.

Flag Sign. Any fabric, banner or bunting containing distinctive colors, patterns or symbols, used as a symbol of a government, political subdivision or other entity.

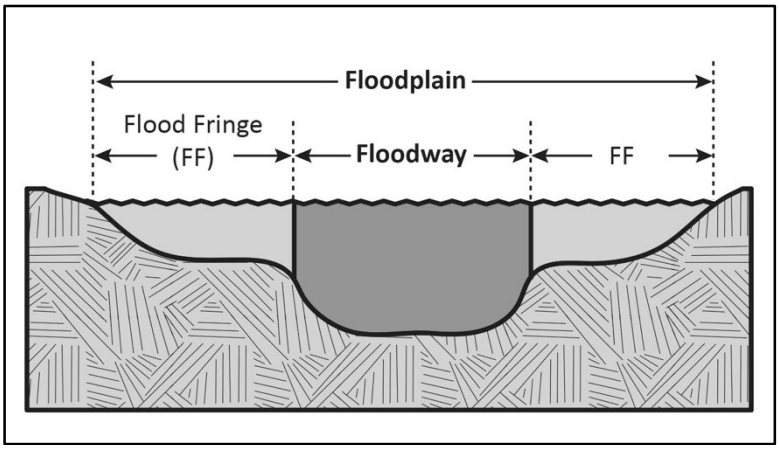
Flood or Flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters; and/or
2. The unusual and rapid accumulation of runoff or surface waters from any source.

Flood Hazard Boundary Map (FHBM). Official map of a community issued by FEMA, where the boundaries of the flood, mudflow and related erosion areas having special hazards have been designated.

Floodplain. Level land which is subject to flooding, usually from a nearby or adjacent stream or river, but across which water is not actively flowing. See also "Floodway"

Floodway. An area of land which during a flooding event carries flowing water. See also "Floodplain"



Floodplain and floodway.

Floodway Fringe. The area between the outer edge of a floodplain and the edge of the floodway.

Floor Area, Gross. The sum of all enclosed or covered areas of a building measured to the exterior faces of the enclosing walls, columns or posts, but excluding areas permanently open to the sky and exterior areas under roof eaves, trellises or cantilevered overhangs.

Floor-Area Ratio. The ratio of the total gross floor area of all buildings on a lot to the area of the parcel on which the building(s) are located.

A typical food truck.

Food Truck. As used in this Code, "Food Truck" is a "Mobile Food Facility" as defined in Section 113831 of the California Retail Food Code. The operation of Food Trucks in the unincorporated area is regulated by the San Benito County Department of Environmental Health.

Foot-Candle. A measure of the amount of light falling on a surface. A higher foot-candle rating indicates more light.

Foundation. The lowest part of building or structure that is in direct contact with the soil and which transfers loads from the structure to the soil.

Frazier Lake Airpark Combining District Boundary. The boundary of the Frazier Lake Airpark (FLA) Combining District is defined as the boundary of the Airport Influence Area, established in the Frazier Lake Airpark Airport Land Use Compatibility Plan (ALUCP). The Airport Influence Area is defined as the area bounded by Lovers Lane to Shore Road, west along Shore Road and extended to the railroad tracks, then northwest along the railroad tracks to the Pajaro River, then north along the Pajaro River to Miller's Canal, then northeast along Miller's Canal to the San Benito County line, then east along the county line to Lovers Lane then south to Shore Road.

Freestanding Sign. A sign that is self-supporting, permanently in a fixed location and not attached to a building. "Portable sign" is not included in this definition.

Front Wall. The wall of a building or other structure nearest the front lot line.

Garage, Private. A building for the noncommercial storage of private motor vehicles as an incidental use to a residence.

Garage, Public. Any premises used for the commercial storage of motor vehicles.

General Advertising. The business of promoting other businesses or causes using methods of advertising, in contrast to self-promotion or on-site advertising

Grading. To bring an existing surface to a designed form by excavating, filling, or smoothing operation. See County Code, Chapter 19.17 (Grading, Drainage and Erosion Control) for additional grading requirements.

Gross Area. The entire area of a parcel or lot, including any proposed public roadways and all other areas which may be ultimately excluded from development. See also, "Net Area".

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

Guest House. A detached accessory residential structure on a property without a kitchen or cooking facilities. A guest house is not considered an Accessory Dwelling Unit. See also "Accessory Dwelling Unit".

Habitable Floor Area. Space in a structure for living, sleeping, eating or cooking, defined by the outer walls of a structure, but not including a garage or closets.

Hardscape. All artificially produced impervious surfaces such as concrete, asphalt, pools, sport courts, and wooden decks.

Hardware Store. A retail store which offers hardware, plumbing, electrical, and related goods to the general public, generally in a store of 25,000 square feet or less. See also "Home Improvement Store"

Hazard to Air Navigation. An obstruction determined by the Federal Aviation Administration to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

Heavy Industry. Industrial uses which take place entirely within an enclosed building, and which are generally characterized by one or more exterior indications (visible emissions, noise, dust, odors, etc.) of the activity taking place inside. See also, "Light Industry"

Height of Building. Generally, the vertical distance from the average base elevation to the highest point of the structure. See Chapter 25.07 for standards on measurement of building height.

Hillside Lot. A parcel of land with a slope of 15% or greater within the building area or building envelope.

Hobby or Hobby/Personal. An activity which is undertaken or pursued for pleasure or relaxation and not as a business or for financial gain. A commercial operation which operates at a financial loss is not a hobby.

Hobby Kennel. A kennel, where a limited number of dogs are maintained on a noncommercial basis for the personal use and pleasure of the owner. See Chapter 25.08 for regulations regarding the number of animals which may be kept in a hobby kennel.

Home Improvement Store. A retail store which offers a variety of goods related to improvement, including lumber, hardware, plumbing, electrical, appliances, etc., for sale to the general public. Generally large in size (approximately 75,000 square feet or larger). See also "Hardware Store"

Homeowner Association. An incorporated homeowner association, assuming responsibility and ownership of facilities and infrastructure intended, in whole or in part, to serve the planned unit development.

Hotel. A commercial establishment offering lodging to travelers and which has rooms which open to an interior hallway or lobby. May include a restaurant and/or meeting rooms. See also "Motel"

Hotel, Resort. A hotel which contains luxury facilities with full-service accommodations and amenities.

Household. See "Family".

House Trailer. A prefabricated structure, built in a factory on a permanently attached chassis.

Human Scale. Refers to buildings scaled to human physical capabilities with steps, doorways, railings, work surfaces, seating, shelves, fixtures, walking distances, and other features that fit well to the average person.

Hybrid Animal. Any animal which is the offspring of two different species of animals, such as a mule (the offspring of a male donkey and a female horse).

A mule, an example of a hybrid animal.

Incidental or **Incidental Use.** A use of land or a building which is subordinate to the primary use, generally based on the area of land or building devoted to the use. An incidental use will generally comprise less than 25% of the total building or site area, although the Director may make a different determination per Chapter 25.01 of this Code. (See also "Primary Use")

Independent Living Facility. A residential dwelling unit having permanent provisions for living, sleeping, eating, cooking, and sanitation.

Intensity of Development. The amount of development that may be placed on a site as governed by building square footage and envelope criteria, such as floor area ratio, setbacks, height, lot coverage, and the like. Also see Slope Density Formula.

Junior Accessory Dwelling Unit. See Chapter 25.08 of this Code. See also, "Accessory Dwelling Unit"

Junkyard. Any outdoor area of more than 200 square feet in area where junk, waste, discarded or salvaged materials are stored or handled. Includes automobile wrecking yards, house wrecking yards, used lumber yards, and places or yards for storage of salvaged house wrecking and structural steel materials and equipment.

Kennel. Any lot, building, structure, enclosure or premises whereon or wherein more than five adult dogs, 12 puppies under the age of four months, nine adult cats, 12 kittens under the age of

four months, or any combination of dogs and cats totaling more than five adult dogs and cats and 12 puppies and kittens under the age of four months, or any number of hybrid animals, are kept or maintained for any purpose whatsoever. This definition shall apply to all types of kennels including, without limitation, boarding kennels and commercial kennels. This definition does not include a duly licensed veterinary hospital, a hobby kennel, or a public pound.

Kennel House. Any separate structure within a primary enclosure, which is used as sleeping quarters for the animal or animals kept within the primary enclosure.

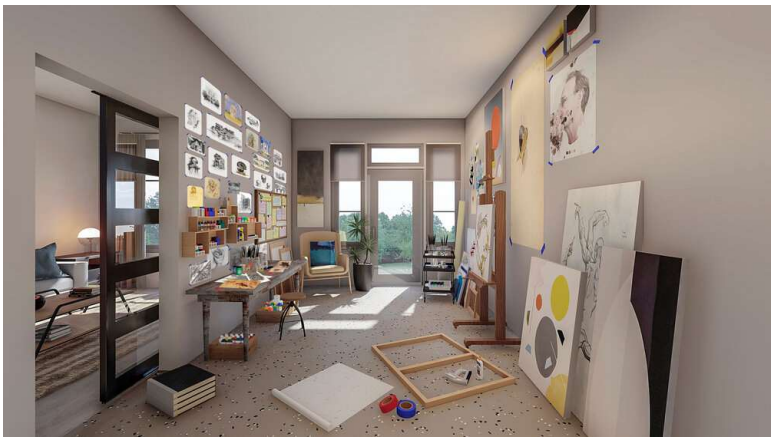
Kennel, Primary Structure. Any structure used to immediately restrict an animal or animals to a limited amount of space, such as a room, pen, cage or a compartment, exclusive of any kennel house.

Kitchen. A room or other space within a building designed and constructed for the cooking and/or preparation of food and containing 1) a stove or cooktop using natural gas or 220-volt electricity and 2) a ventilated hood over the stove or cooktop. See also "Dwelling Unit"

Legal Lot of Record. A lot or parcel which complies with the requirements of the Subdivision Map Act. Includes: A lot shown on a Final Map, a lot or parcel shown on a Record of Survey approved by the Board of Supervisors or Planning Commission, a parcel shown on a Parcel Map or Certificate of Compliance recorded in lieu of a Parcel Map, a recorded Certificate of Compliance, a parcel shown on an approved Division of Land Plat, a parcel shown on a Lot legalization Plat used as evidence of legal parcel prior to a Certificate of Compliance, a parcel shown on an approved Boundary Adjustment Plat, a parcel described in a Grant Deed or other bona fide conveyance document recorded prior to February 1, 1972, or a parcel which is completely surrounded by lots already determined to have been legally created.

Light Industry. Industrial uses which take place entirely within an enclosed building, with no indication (visible emissions, noise, dust, odors, etc.) of the activity taking place inside. See also, "Heavy Industry"

Live Work Development. A particular type of mixed-use development that includes live-work floor plans for residents who desire office, commercial, or studio space adjacent to their living space.



An artist's live-work space.

Livestock, Large. A horse, ass, burro, donkey, mule, equine creature, cow, bull, steer, heifer, ox, bovine creature, llama, vicuna, sheep, ovine creature, goat, caprine creature, hog, pot-bellied pig, or swine creature. *See also, "Pet," "Poultry" and "Livestock, Small"*

Livestock, Small. A farm animal larger than ten pounds but smaller than a Large Livestock. See also "Small Farm Animal"

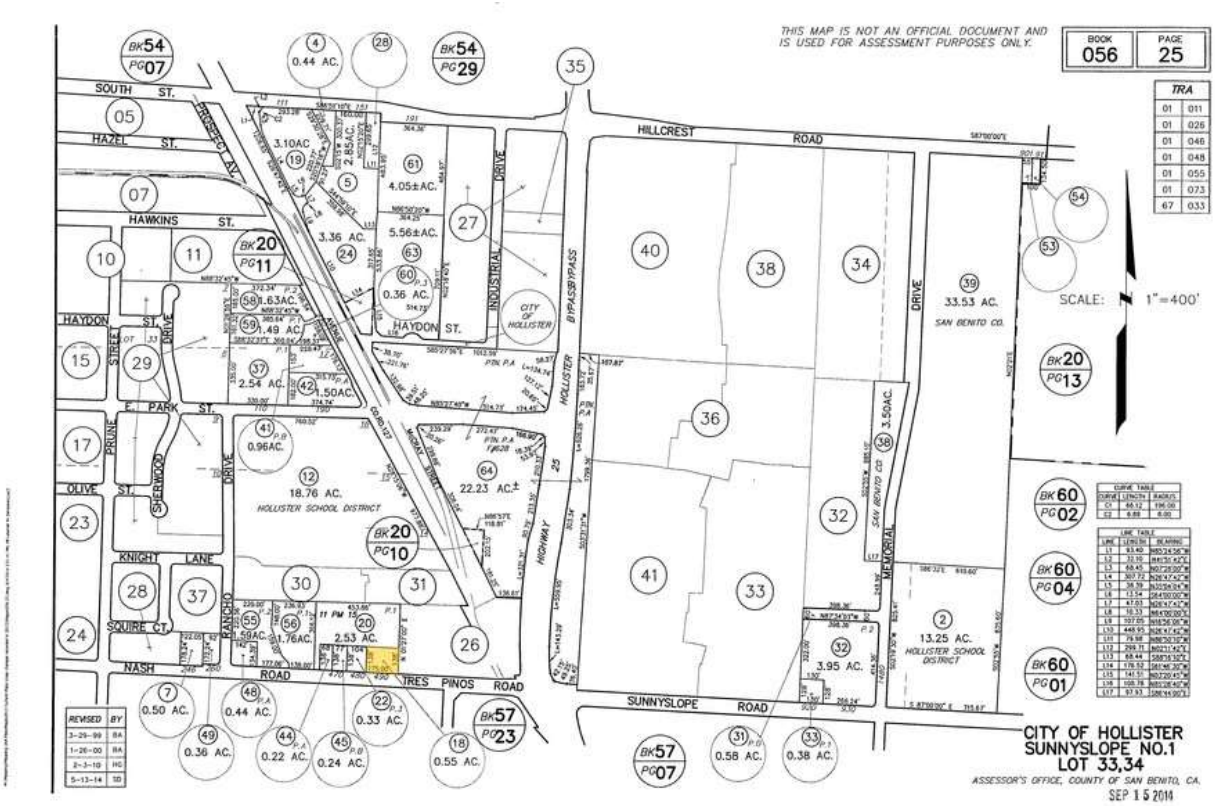
Livestock Farm or Ranch. The raising and growing or livestock as a commercial enterprise, intended for widespread distribution to wholesalers or retail outlets. Livestock Farm or Ranch includes the delivery or distribution of animals to customers located elsewhere. Also includes operations typically associated with farming or ranching, including equipment, vehicle, and materials storage; and the repair of equipment and vehicles used onsite. See also, "Commercial Agriculture"

Living Area. The interior habitable area of a dwelling unit. Equivalent to "conditioned space" as defined in the Building Code.

Logistics. A use characterized by the short-term storage of goods before they are sent to either a retail store or directly to the end user. Logistics uses typically take place in large buildings.

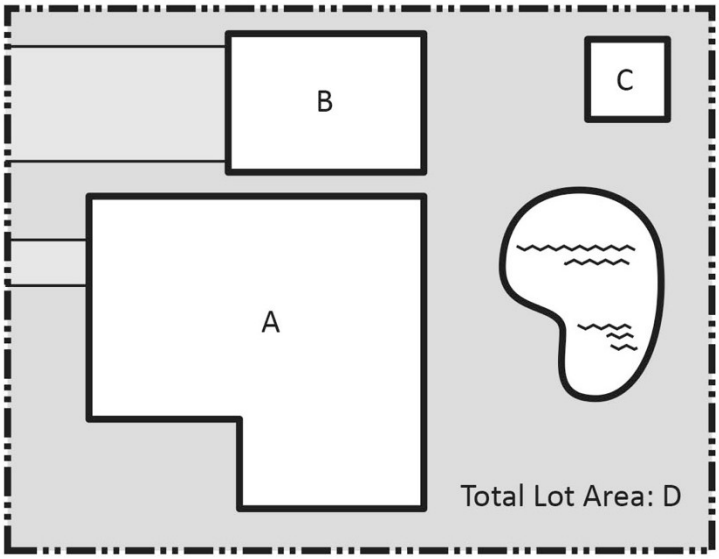
A typical logistics facility.

Lot. A parcel of land established or to be established by subdivision as provided in the Subdivision Ordinance of the County of San Benito; or a parcel of land established under the applicable federal or state law and local ordinance at the time it was created as set forth in the state's Subdivision Map Act.



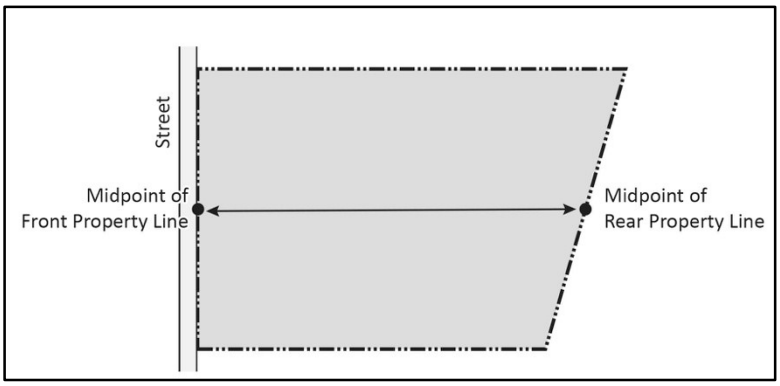
Lots are shown on an Assessor's Parcel Map for an area in San Benito County.

Lot Coverage. Any area covered by a building, not including eaves of 30 inches or less. Does not include paved driveways, sidewalks, paths and patios, and uncovered pools or spas.



Lot coverage is the sum of the area of all buildings (A + B + C) divided by the total area of the lot or parcel (D).

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



Measuring lot depth.

Lot Line Adjustment. An adjustment of the boundary lines between existing adjoining parcels, where the land taken from one parcel is added to an adjoining parcel and where no new parcel is created.

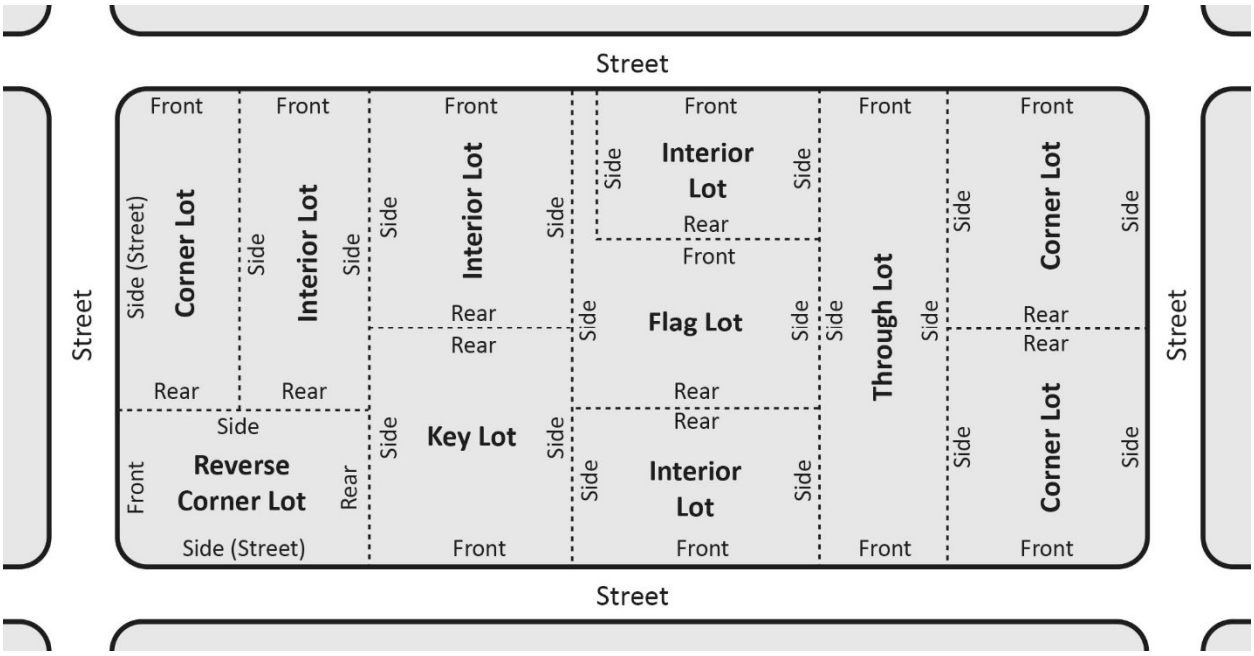


Illustration of Lot Types

Lot Types. The following are types of lots, as illustrated above.

Lot, Corner. A parcel of land which is bounded on two or more adjacent sides by street frontage.

Lot, Flag. An interior lot connected to the street by a narrow portion.

Lot, Interior. A lot bounded on one side by a street line and on all other sides by adjacent lots.

Lot, Key. An interior lot adjoining the rear lot line of a reversed corner lot.

Lot, Reverse Corner. A corner lot in which the rear property line abuts the front yard area of an adjoining interior lot.

Lot, Through. A lot having frontage on two parallel or approximately parallel streets.

Lot Width. *See section 25.07.004*

LRDA (Least Restricted Development Area). Least restricted areas on a property where development would have a minimal impact on the natural landscape and environment.

Manmade Slope. A manufactured slope consisting wholly or partially of either cut or filled material.

Manufactured Home. A structure, transportable in one or more sections, which is built on a permanent chassis, and designed for use with or without a permanent foundation when

connected to the required utilities.

Marquee Sign. A permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building generally designed and constructed to provide protection from the weather; and has a sign at its front or side displaying details of the use within the building.

Minimal Grading. A grading concept designed to minimize excavation and filling. Allows the movement of earth for projects such as individual building foundations, driveways, local roads, and utility excavation. The concept is associated with roads conforming closely to natural contours and with buildings being built on natural terrain.

Mixed Use Development. Properties on which various uses, such as office, commercial, institutional, and residential, are combined in a single building (vertical) or on a single site (horizontal) in an integrated development project with significant functional interrelationships and a coherent physical design. A "single site" may include contiguous properties.

Mobile Home. A vehicle, other than a motor vehicle, designed or used for human habitation, for carrying persons and property or its structure, and for being drawn by a motor vehicle.

Mobile Home Park. A parcel or parcels of land which has been planned and improved for the placement of mobile homes for non-transient use.

Motel. A commercial establishment offering lodging to travelers and which has rooms which open to the outdoors. May include a restaurant or meeting rooms.

Multi-Family Dwelling. See “Dwelling, Multi-Family”

Natural Slope. A slope that is not manmade. A Natural Slope shall retain natural vegetation.

Net Lot Area. The area of a lot exclusive of rights-of-way or ingress-egress easements for public or private uses.

Net Metering. Net-metering is a service to an electric consumer under which electric energy generated by that electric consumer from an eligible on-site generating facility and delivered to the local distribution facilities may be used to offset electric energy provided by the electrical utility to the electric consumer during the applicable billing period. Net-metering does not allow the sale of power back to the electric company or into the wholesale electricity market.

Non-Commercial Sign. A sign that does not identify, advertise or attract attention to a business, product or service, or propose an economic transaction. Typical examples including signs whose message addresses a topic of public concern or controversy including, but not limited to: politics, religion, philosophy, science, art or social commentary.

Non-Conforming Building. A building, structure or portion thereof, which does not conform to the regulations of this title for the district in which it is situated (e.g, setbacks or height limit), but which complied with the applicable regulations in place at the time it was constructed.

Non-Conforming Site. A site which does not conform with the regulations of this title for the district in which it is situated (e.g., parking or landscaping), but which complied with the applicable regulations in place at the time it was constructed.

Non-Conforming Use. A use that does not conform to the regulations for the district in which it is situated but which complied with the applicable regulations at the time it was established.

Off-Site Sign. A sign that identifies, advertises, or attracts attention to a business, product service, event or activity sold, existing or offered elsewhere than upon the same lot or parcel where the sign is displayed. The off-site distinction applies only to commercial messages.

On-Site Sign. A sign that identifies, advertises, or attracts attention to a business, product, service, event or activity sold, existing or offered upon the same lot where the sign is displayed. However, signs relating to tenants or establishments located within a multi-tenant non-residential development are all considered on-site anywhere within the development. The on-site distinction applies only to commercial messages.

Outdoor Activity. Any activity which takes place outside of an enclosed building, including activity under a roof but not enclosed by walls.

Outdoor Storage. The storage of anything outdoors not under a permanent roof.

Overflight Zone. Defined as:

a. The overflight zone is established by swinging arcs of 5,000 feet radii from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs.
b. The overflight zone does not include the approach and transitional zones.

Own. To be the legal owner, keeper, harborer, possessor; to have the care, charge, custody or control of an animal; or to be registered as the owner on a license or other legal document.

Owner. For the purposes of implementing the Planned Development section of this Title, refers to the legal or beneficial owner or owners of all the land proposed to be included in the PUD. The holder of an option or contract to purchase, lessee having a remaining term of not less than 20 years, or other person having an enforceable proprietary interest in such land shall be deemed to be the owner for the purposes of these provisions.

Pad. A level area created by grading to accommodate development.

Parcel. Same as “Lot”.

Parking Area. An off street area for the parking of motor vehicles, including areas required to provide ingress to and egress from the parking area.

Passageway. A pathway that extends from a street or alley to one entrance of the accessory dwelling unit.

Pennant. Any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in series.

Permit. For the purposes of implementing the Sign regulations of this Title, “Permit” is a written authorization to erect or display a sign that is subject to such authorization by this article. Permits authorized by this article do not include those permits issued by the Planning and Building Department under the authority of Title 21 of the San Benito County Code.

Person. Any individual, partnership, corporation, limited liability company, trust or association. For the purpose of implementing the Tree Preservation regulations of this section, also includes a governmental agency.

Personal Services. Services provided to an individual that relate to everyday living, not including medical or veterinary services. Examples include: Barber and beauty shops, retail dry cleaning stores with limited equipment, small electronics (such as smartphone) repair, shoe repair, tailors, nail salons, and non-medical professional offices (lawyer, accountant, etc.).

Personal Storage. Facilities offering enclosed storage with individual access for personal effects and household goods including mini-warehouses and mini-storage. This use excludes workshops, hobby shops, manufacturing, or commercial activity.

Pet. A small animal kept for amusement or companionship, e.g., cats, dogs, hamsters, pot-bellied pigs, small birds and non-poisonous reptiles and fish. This definition specifically excludes any large animal or animal commonly defined as livestock. See also “Small Farm Animal”

Pet Clinic. Any lot, building, structure, enclosure or premises whereon or wherein is carried on a business for the medical care and treatment (including surgery) of pets. This definition does not include a kennel, the buying and selling or bartering of animals, the medical treatment of large animals or livestock, the business or activities of a pet shop, or to premises operated by any rescue organization, any public pound or any animal shelter.

Pet Shop. Any lot, building, structure, enclosure or premises whereon or wherein is carried on a business of buying and selling or bartering animals. This definition does not include any commercial kennel, any hobby kennel, the buying or selling of livestock, the business or activities of a duly licensed veterinary hospital, or to premises operated by the Society for the Prevention

of Cruelty to Animals, any privately operated rescue organization, any public pound or any animal shelter.

Pickup Window. At a drive-through or drive-in business, the window through which staff provides product to customers.

Pickup window at a drive-through restaurant

Places of Worship. Any facility specifically designed and used to accommodate the gathering of persons for the purposes of fellowship, worship, or similar conduct of religious practices and activities. This definition includes functionally related internal facilities (i.e., kitchens, multi-purpose rooms, storage, etc.) and residences for clergy. Associated uses (i.e., day care centers or full-time or part-time schools) may be allowed as incidental uses to the primary use. See also "Assembly Uses"

Planned Unit Development. An area of land controlled by an owner to be developed with a number or mix of dwelling units or mixed-use development the plan for which may not correspond to lot size, bulk or type of dwelling, density, lot coverage, street widths, setbacks, and/or required open space to the regulations established in any one residential district created from time to time under the provisions of this title.

Planning Commission. The Planning Commission of the County of San Benito.

Plot. Same as "Lot".

Portable Sign. A sign that is not permanently in a fixed location and not attached to the ground or a building. Personal apparel, appearance, commercial mascots, hand-held signs and signs on automobiles are not within this definition.

Poultry. Chickens, ducks, geese, pigeons, pheasants, peafowl, turkeys, guinea fowl and similar birds raised for eggs, meat, or other products.

Primary or Primary Use. The principal or predominant use of land or a structure, generally based on the area of land or building devoted to the use. A primary use will generally comprise at least 75% of the total area used, although the Director may make a different determination per Chapter 25.01 of this Code. (See also "Incidental Use")

Primary Dwelling. An existing or proposed single family home on a lot with an accessory dwelling unit.

Primary Surface. Defined as:

a. A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the Primary Surface extends 200 feet beyond each end of that runway.
b. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

Principal Building. The building in which is conducted the principal use of the parcel on which it is located. Lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages and other clearly accessory uses shall not be considered Principal Buildings.

Professional Office. An establishment for professional, executive and administrative offices, including those of accountants, lawyers, doctors, dentists, architects, engineers, drafting offices, insurance agents, real estate agents and other occupations which are of similar character. See also "Personal Services"

Protected Zone. For the purpose of implementing the Tree Preservation regulations of this Title, refers to all lands zoned Single Family Residential (R-l) or Residential Multiple District (RM).

Public Sewer. A sewer disposal system regulated by the Water Quality Control Board and operated by a mutual sewer system, corporation, public agency or public utility.

Public Transit. A location, including but not limited to a bus stop or train station, where the public may access buses, trains, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

Public Water. A water system regulated by the Water Quality Control Board and operated by a mutual water system, corporation, public agency or public utility.

Real Estate Sign. A sign that advertises a real property, building or tenant space for sale, exchange, lease or other economic transaction. All signs within the scope of Cal. Civil Code § 713 are within this definition. This definition does not include signs concerning transient occupancy,

such as vacancy signs at hotels and motels.

Remodel. An improvement or alteration to the exterior or interior of a building that requires a building permit.

Removal/Remove. Removal or remove means the uprooting, cutting or severing of the main trunk, or major branches of a tree or any act which causes, or may be reasonably expected to cause a tree to die, including but not limited to the following: inflicting damage upon the a tree or a root system of a tree by machinery, storage of materials, soil compaction or other means; substantially changing the grade above the root system or trunk of the tree; or excessively or severely pruning or root pruning.

Residential Area to be Developed. For the purpose of implementing the Planned Development section of this Title, refers to the area of land to be developed for residential lots and associated recreation and subdivision improvements.

Residential Zones. Includes the following zones: Rural Residential (RR) Single Family Residential (R1) and Residential Multiple (RM).

Ridgeline. A line connecting the highest points along a ridge and separating drainage basins above a 15% slope.

Riparian Corridor. An area comprised of habitat strongly influenced and delineated by the presence of perennial or intermittent streams.

Roadside Stand. A permanent or temporary building, often small in size, placed for the purpose of selling produce and agricultural products.

A roadside stand

Reasonable Accommodation. Any deviation requested and/or granted from the strict application of the County's Zoning and Land Use laws, rules, policies, practices and/or procedures under provisions of Federal or California Law to make housing or other facilities readily accessible to and usable by persons with disabilities and thus enjoy equal employment or housing opportunities or other benefits guaranteed by law.

Recreational Trailer Park. Any area or tract of land where one or more lots are rented or leased or held out for rent or lease to owners or users of recreational vehicles or tents and which is occupied for temporary purposes.

Recreational Vehicles. See § 25.25.002 of this title.

Renewable Energy. Energy produced from geothermal, solar, or wind energy. Does not include energy created from the burning of any type of fuel.

Renewable Energy Generation Facility, Commercial Scale. A facility which generates electricity from geothermal, solar, or wind energy primarily for offsite users or utilities.

Renewable Energy Generation Facilities, Private Non-Commercial. A facility which generates electricity from geothermal, solar, or wind energy primarily for use on-site.

Residential Care Facilities. A facility licensed by the state of California to provide living accommodations, 24-hour care for persons requiring personal services, supervision, protection, or assistance with daily tasks. Amenities may include shared living quarters, with or without a private bathroom or kitchen facilities. This classification includes those both for and not-for-profit institutions but excludes Supportive Housing and Transitional Housing.

Small. A facility that is licensed by the state of California to provide care for six or fewer persons.

Large. A facility that is licensed by the state of California to provide care for more than six persons.

Residential Facility, Assisted Living. A facility that provides a combination of housing and supportive services for the elderly or functionally impaired, including personalized assistance, congregate dining, recreational, and social activities. These facilities may include medical services. Examples include assisted living facilities, retirement homes, and retirement communities. These facilities typically consist of individual units or apartments, with or without kitchen facility, and common areas and facilities. The residents in these facilities require varying levels of assistance.

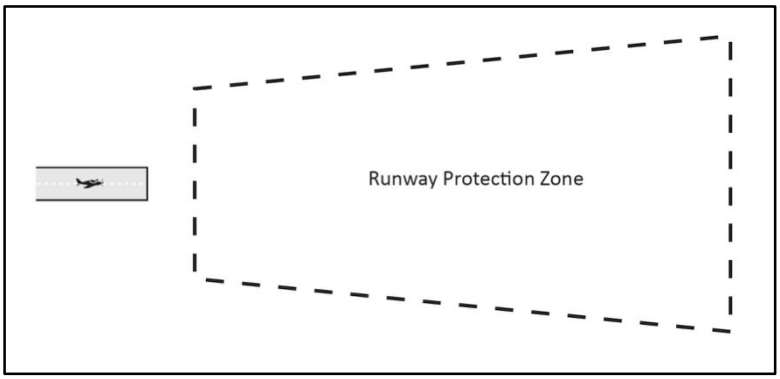
Retail Sales, Large Scale. The sale of retail goods to the general public in stores of 50,000 square feet or more. See also, "Retail Sales, Small Scale"

Retail Sales, Small Scale. The sale of retail goods to the general public in stores of less than square feet. See also, "Personal Services"

Roof Elements. Any item attached to a building extending above the maximum elevation of the roof, such as antennae, air conditioning equipment, vents, facades, decorative elements, etc.

Runway. A defined area on an airport prepared for landing and takeoff of aircraft along its length.

Runway Protection Zone. A trapezoidal area at ground level which coincides with the end of the primary surface and is 250 feet wide. The runway protection zone expands outward uniformly to a width of 450 feet at a horizontal distance of 1,000 feet from the primary surface. The runway protection zone underlies the utility runway visual approach slope.



Runway Protection Zone

Rural Farmworker Housing. Housing accommodations as described in Section 17008(b) of the Employee Housing Act which includes housing located in an agricultural zone, and in a rural area as defined in CA Health and Safety Code Section 50101; provided by someone other than an agricultural employer; and provided for five or more farmworkers of any agricultural employer(s) for any of the following purposes:

(1) Temporary or seasonal occupancy.

(2) Permanent occupancy, if the housing accommodation is a mobilehome, manufactured home, travel trailer, or recreational vehicle.

(3) Permanent occupancy, if the housing accommodation consists of one or more existing, conventionally built (i.e., subject to State Housing Code – Health and Safety Code Sections 17910-17998.3, also known as "stick-built") structure(s) on the site that are at least 30 years old, and at least 51 percent of the dwelling units or 51 percent of the beds in group quarters in the existing structure(s), are occupied by farmworkers.

Scar. A visible cut in a hillside with a slope greater than 1:1/2:1 in which all topsoil has been

removed and vegetation will be unable to establish itself after a significant period of time (five years).

Seasonal Occupancy or Seasonal Employee Housing. Farmworker housing which is operated annually on the same site and which is occupied for not more than 180 days in any calendar year, as further defined in Section 17010(b) of the Act.

Senior Citizen. An individual 55 years or older.

Serious Harm. With regard to a tree, any act or activity that causes damage to a tree (including without limitation its root system), thereby leaving the tree in a physical state that, in the judgment of any Certified Arborist retained by the county; (i) makes the death of the tree reasonably eminent; (ii) significantly shortens the normal life expectancy of the tree; or (iii) makes it impossibly or reasonably unlikely that the Tree can be fully restored to a condition of good health and/or normal appearance within 30 calendar days of such harm having been inflicted.

Setback or Setback Line. A line defined in this Code to govern the placement of buildings or structures with respect to property lines, streets, access easements, rights-of-way, or alleys.

Shall. Shall is mandatory and indicates a standard, requirement, etc., which must be met.

Short-Term Rental. A use in which a dwelling, or portion thereof, is rented for tourist or transient purposes for compensation for a period of less than twenty-eight (28) consecutive calendar days, and the renter is given exclusive use of the dwelling. The definition shall include any arrangement in which the rental period is less than twenty-eight consecutive days or can be reduced below 28 consecutive days, or in which the dwelling is rented multiple times within 28 consecutive days.

Sign. Any device, fixture, placard or structure, including its component parts, which by display of a visual image communicates a message or information regarding an object, product, place, activity, opinion, idea, person, institution, organization or place of business, or which identifies or promotes the interests of any person, and which is visible from any street, road, highway, right-of-way or public parking area. Notwithstanding the generality of the foregoing, the following are not within the definition of Sign for the purposes of this article:

1. Architectural features including decorative or ornamental elements of buildings, not including letters, trademarks or moving parts.
2. Automatic teller machines (ATMs).
3. Cornerstones, foundation stones, and similar permanent indicators of date of construction, dedication or installation.
4. Cultural and holiday decorations of a noncommercial nature, mounted on private residential property that pertain to cultural and religious observances.
5. Fireworks.

6. Grave markers. Including gravestones, insignia on tombs, mausoleums and other insignia of the deceased, which are part of a burial internments, mausoleum or memorial site.
7. Hot air balloons that carry persons and do not display general advertising images.
8. Interior signs not visible from the public right-of-way.
9. Manufacturer's marks on tangible products, such as trademarks and logos, which identify the make, seller, provider or product and that customarily, remain attached to the product or its packaging after sale.
10. News racks including any self-service or coin-operated box, container, storage unit, fixture or other dispenser placed, installed or maintained for display and sale or other distribution of one or more newspapers, periodicals or other publications.
11. Non-commercial symbols integrated into architecture, such as symbols of non-commercial organizations or concepts including, but not limited to: religious or political symbols, when such are permanently integrated into the structure of a permanent building which is otherwise legal. By way of example and not limitation, such symbols include church bells, stained glass windows, carved doors, artistic sanctuary.
12. Party jumps, including inflatable gymnasium devices, commonly used at birthday parties.
13. Personal appearance items or devices of personal apparel, decoration or appearance, including apparel, tattoos, makeup, masks and costumes, but not including hand-held commercial signs or commercial mascots.
14. Shopping carts, golf carts, personal scooters, and similar small personal transportation devices, when not used for the display of general advertising. Any vehicle which may legally traverse by its own power on any state road or federal highway is not within this definition.
15. Special event signage temporarily used in conjunction with special events, parades, demonstrations, protests and street closures.
16. Vending machines.
17. Visual images on trains or duly licensed public mass transit vehicles which legally pass through the county.

Single-Family Dwelling. A dwelling unit that is designed for occupancy by one household. *See also, "Multiple Family Dwelling"*

Single-Family Farmworker Housing. Housing accommodations occupied by no more than six farmworkers for which the owner/operator has obtained or seeks a License pursuant to Section 17021.5 of the Employee Housing Act, which allows such projects to be deemed a single-family

dwelling and a residential use of the property.

Single-unit, Two-unit, and Multi-unit. For the purposes of the Accessory Dwelling Unit regulations in this Title, means the same, respectively, as single-family, duplex, and multi-family residential units.

Site Analysis. A process where a homeowner meets with staff before development plans have progressed substantially to discuss potential site constraints, conceptual plans, design considerations, neighborhood compatibility, and general standards and guidelines in designing a home.

Slope. A mathematical expression of an inclined ground surface, the inclination of which is expressed as a ratio of vertical distance (rise), or change in elevation, to the horizontal distance (run). The percent of any given slope is determined by dividing the rise by the run, multiplied by 100.

Slope Density Formula. The size of lots allowed in a new subdivision based on a formula that increases the minimum lot size allowed as the slope of the site increases. Also see Intensity Of Development.

Slope Transition. The area where a slope bank meets the natural terrain or a level graded area either vertically or horizontally.

Small Farm Animals. Any animal weighing ten pounds of less commonly kept on a farm, including poultry, rabbits, etc. See also "Livestock, Small" and "Poultry"

Small Animal Keeping. The raising or keeping, or both, of small animals. *See Chapter 25.08 for limits on the number of animals which may be raised or kept.*"

Small Livestock. See "Livestock, Small"

Small Livestock Farming. The raising or keeping, or both, of small farm animals and small livestock.

Soffit. The exposed undersurface of any exterior overhanging section of a roof eave.

Stable, Commercial. An accessory structure attached to, or detached from, the main building, occupied by one or more large livestock animals, where compensation is paid for the keeping of five or more animals, whether the compensation be direct or indirect. Also includes a structure occupied by five or more animals which are used for giving lessons for either the care of, or riding of, animals, which lessons are offered for compensation.

Stable, Private. An accessory structure, attached to or detached from the main building, occupied by one or more large livestock animals primarily for the use of the property owner and/or

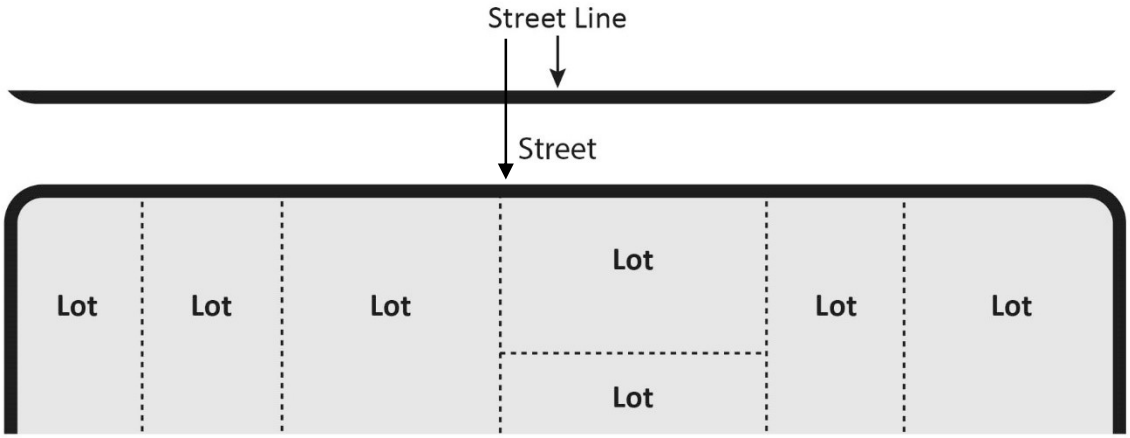
residents. Compensation may be paid for the keeping of no more than four animals.

Start of Construction. The first placement of permanent construction of a primary structure (other than a manufactured home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. Construction is not considered to be started by land preparation, such as clearing, grading, and filling, or by the installation of streets and/or walkways, or by excavation for a basement, footings, piers, or foundations, or the erection of temporary forms. Construction is also not considered to be started by the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not as part of the main structure.

Story. That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it then the space between the floor and the ceiling next above it.

Street Frontage. The property line of a parcel abutting the right-of-way to which such parcel has a legal right of access.

Street Line. The boundary between a street and abutting property.



Street line highlighted

Street, Public. A street or roadway which has been dedicated to and accepted by the County of San Benito, the State of California, or another city.

Structural Alteration. Any change in the supporting members of a building such as bearing walls, columns, beams or girders.

Structural Walls. Any bearing wall of a building.

Structure. Anything constructed or erected in a fixed location on the ground. A “structure” includes items which may not require a building permit, such as small prefabricated sheds.

“Structure” does not include items which are clearly intended to be easily moved, such as a portable BBQ. “Structure” does not include the following: flagpoles, in-ground swimming pools; walls; driveways, sidewalks, parking spaces, and patios and other uncovered paved areas.

Structure Mounted Sign. A sign that is permanently in a fixed location on a building. “Portable sign” is not included in this definition.

Structure, Outdoor Advertising. Any structure of any kind or character, erected or maintained for outdoor advertising sign purposes.

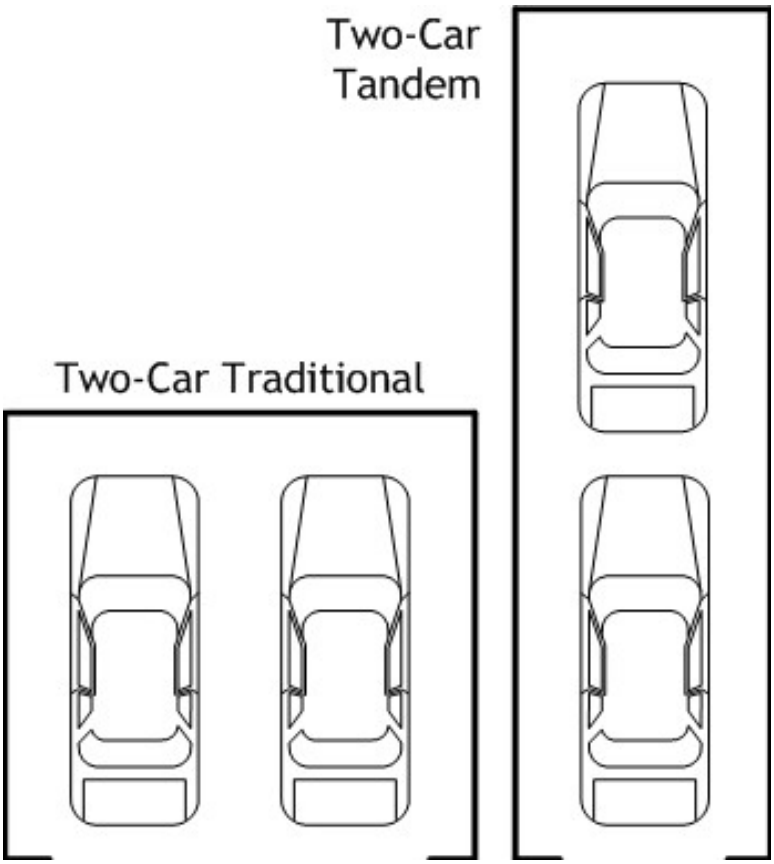
Substantial Improvement. Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50% of the market value either:

1. Before the improvement or repair started; or
2. If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether that alteration affects the external dimensions of the structure.

Supportive Housing. Dwelling units with no limit on length of stay, that are occupied by the target population as defined in subdivision (d) of Section 53260 of the California Health and Safety Code, and that are linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, where possible, work in the community.

Swimming Pool. Any tank or pool created artificially and designed for the purpose of containing a body of water offering the possibility of use for swimming, bathing or total body immersion and any portion which exceeds 24 inches in depth and which pool or tank is not readily portable in design or construction.

Tandem Parking. Two or more automobiles parked on a driveway or in any other location on a parcel, lined up behind one another.



Tandem parking (right) and standard parking (left)

Target Population. As defined in Government Code Section 65582, Target Population means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services. It may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

Temporary Occupancy or Temporary Employee Housing. Farmworker housing which is not operated on the same site annually, and which is established for one operation and then removed, as further defined in Section 17010(a) of the Employee Housing Act.

Temporary Sign. Any sign not installed for more than 30 days and not permanently mounted.

Tiny Homes. See Chapter 25.08.029 for a definition and information related to Tiny Homes.

Townhouse. A dwelling unit that for one household which located on a separate lot from any other unit (except a second dwelling unit, where permitted), and is attached through common walls to one or more dwellings on abutting lots. See also "Condominium".

Trailer. A vehicle designed and used for human habitation and with its wheels in place.

Transitional Housing. Housing that has a predetermined end point in time and operated under a program that requires the termination of assistance, in order to provide another eligible program recipient to the service (per Govt. Code Section 1954.12). The program length is typically no less than six months.

Tree. For the purpose of implementing the Tree Preservation regulations in this Title, "tree" shall mean any living tree having at least one trunk of eight inches or more in diameter measured four and one-half feet above the ground, or a multi-trunked tree having an aggregate diameter of ten inches or more, measured four and one-half feet above the ground (dbh). "Tree" does not include the following fruit and nut trees: Almonds, Apples, Apricots, Avocados, Cherries, Chestnuts, Mandarins, Nectarines, Olives, Oranges, Peaches, Pears, Pecans, Persimmons, Pistachios, Plums, or English Walnuts. This exception shall only apply to trees varieties which are cultivated for edible fruit production. Decorative, ornamental, landscaping or flowering varieties of the above trees are not exempt.

Trees of Special Protection. Shall include any of the following:

a) Heritage Trees. Any tree, regardless of species, which has a trunk diameter of 36 inches or greater measured four and one-half feet above the ground;

b) A tree shown to be preserved on an approved Development Plan or specifically required by the Planning Commission to be retained as a condition of approval of an entitlement;

c) A tree required to be planted as mitigation or replacement for the removal of a protected tree; and/or

d) A Landmark Tree. Any tree or grove of trees, or type of tree, designated by resolution of the Board of Supervisors to be of historical or cultural value, an outstanding specimen, an unusual or native species and/or of significant community benefit.

Triplex Dwelling. See "Dwelling, Triplex"

Two-Family Dwelling. See "Dwelling, Two-Family"

Unmanned Aircraft System. An aircraft without a pilot or passengers on board, operated remotely. Commonly known as a "drone."

Unmanned Aerial Vehicle Takeoff and Landing Facility. A facility designed for the takeoff and landing of unmanned aircraft, such as drones used for package deliveries.

Unmanned aircraft carrying a package.

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

Use, Accessory. A use accessory to and customarily a part of the permitted use, which use is clearly incidental and secondary to the permitted use and which does not change the character thereof.

Use, Principal. The main use of land and buildings and the main purpose for which land and buildings exist. The principle use of property may occupy less than a majority of either the land area, the area of structures, or both.

Utility Runway. A runway that is constructed for and intended to be used by propeller-driven aircraft of 12,500 pounds maximum gross weight and less.

Utility Runway Visual Approach Zone. The inner edge of this approach zone coincides with the end of the primary surface and is 250 feet wide. The approach zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

Variance. The procedure whereby the strict application of the provisions of this title relating to height, area, yard requirements or other requirements of this title may be modified in a particular instance. See Chapter 25.02.

Veterinary Hospital. A facility for the medical care and treatment (including surgery) of large animals, not commonly kept as house pets, including livestock, hybrid or wild animals. Veterinary Hospitals may include the treatment of pets and boarding kennels only as uses that are accessory to the treatment and care of large animals.

Viewing Area. Any public road/highway that adjoins the property line of the lot being developed.

Visual Runway. A runway intended solely for the operation of aircraft using visual approach procedures.

Warehousing, Storage, and Wholesaling and Distribution. Indoor storage and/or sale of goods to other firms for resale; storage of goods for transfer to retail outlets of the same firm; or storage and sale of materials and supplies used in production or operation, including janitorial and restaurant supplies. This use includes cold storage, freight moving and storage, warehouses, and wholesalers. Wholesalers are primarily engaged in business-to-business sales but may sell to individual consumers through mail or internet orders. They normally operate from a warehouse or office having little or no display of merchandise and are not designed to solicit walk-in traffic. See also "Personal Storage"

Wild Animal. Any animal which is not normally domesticated in the United States including, but not limited to, any lion, tiger, bear, non-human primate (monkey, chimpanzee and the like), wolf, cougar, ocelot, wildcat, skunk, raccoon, ferret, venomous reptile, boa, python, anaconda, members of the order Crocodilian, or other such animal (ferae naturae), regardless of its actual or asserted state of docility, tameness or domesticity.

Winery. A facility for the fermenting and processing of grape juice into wine or the refermenting of still wine into sparkling wine. Includes:

- The storage and aging of wine and the bottling of wine.
- Tasting of wine produced onsite and providing food either free or for sale
- The use of the facility for events (weddings, parties, etc.)

See also, "Agricultural Processing"

Yard. An open space other than a court on the same building site with a building, which open space is unoccupied and unobstructed from the ground upward, not including any portion of any street, road or alley, access easement or road right-of-way.

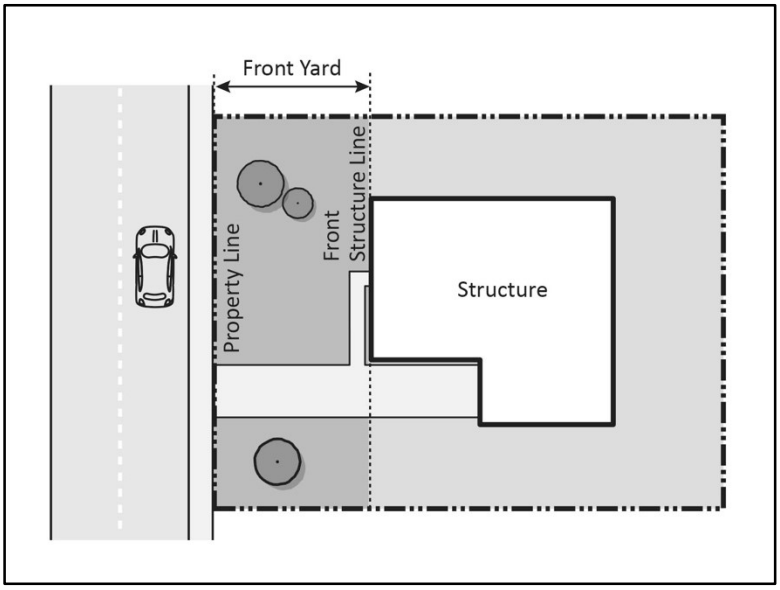
Yard. For the purpose of implementing the Tree Preservation regulations of this chapter, the following definitions apply:

a) Backyard. Shall be defined as the open space area on the same lot as a dwelling, located between the furthest rear portion of a primary dwelling and extending to the rear property line. For purposes of this chapter, Backyard does not infer "Rear Yard" as defined by San Benito County Code, Title 25.

b) Side-Yard. Shall be defined as the yard area located on each side of the primary dwelling on a parcel, beginning at the furthest front portion of a primary dwelling,

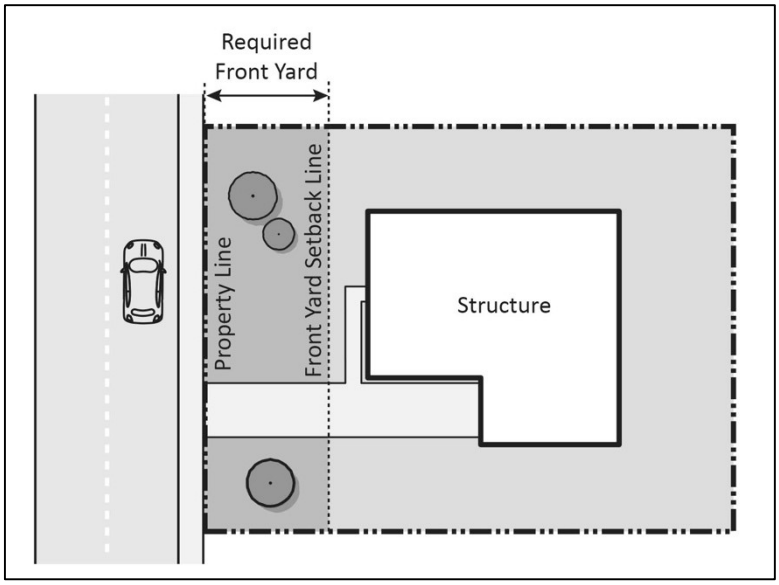
extending to the furthest rear portion of a primary dwelling and bounded by the nearest side property line. For purposes of this chapter, Side-yard does not infer "Side Yard" as defined by San Benito County Code, Title 25.

Yard, Front. The area between the primary structure and the front lot line.



Front yard is the area between the primary structure and the front lot line.

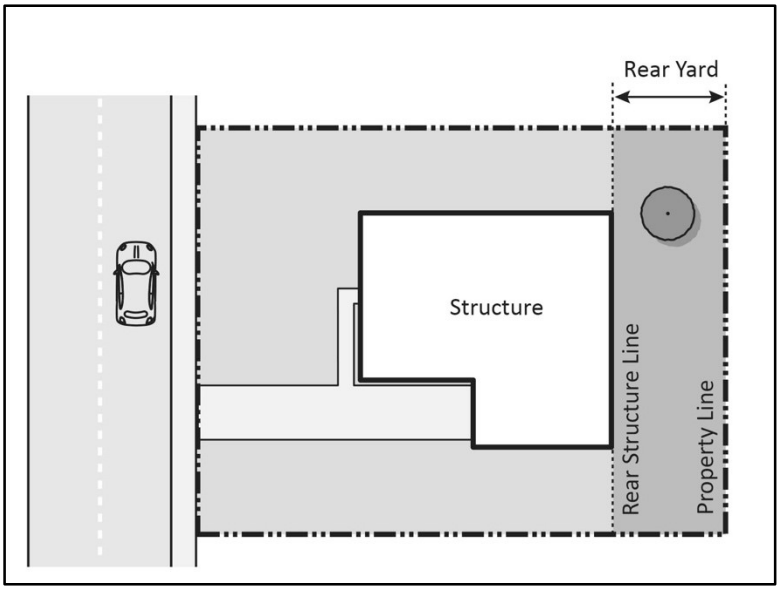
Yard, Required Front. The area between the front lot line and the front setback line.



Required front yard is established by the front setback line.

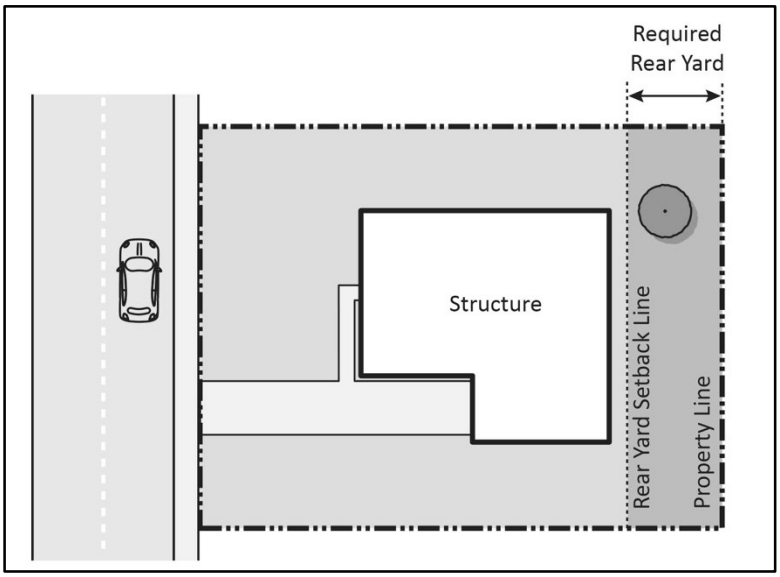
Yard, Required. The area between a lot line and the setback line corresponding to that line.

Yard, Rear. The area between the rear of the primary building on a lot and the rear property line.



Rear yard is the area between the primary structure and the rear property line.

Yard, Rear, Required. The area between the rear lot line and the rear property line.



Required rear yard is defined by the rear setback line.

Yard, Side. The area between the primary structure and each side lot line.