

Sec. 80-478. - Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Access drive. A private road giving access from a public way to a building on abutting grounds.

Accessory outdoor dining area. Any area outside the gross floor area of the building or business where customers may be served, including but not limited to food or beverages, provided, however, that any attempt to enclose such outside area may be construed to have a parking requirement as required for inside seating.

Accessory use. A subordinate use which is customarily incidental to the principal use of a lot, and which is located on the same lot as a principal use.

Addition. A structure added to the original structure at some time after completion of the original structure.

Administrative permit. Any use authorized by an administrative permit shall be approved and permitted by the planning and zoning administrator whenever the proposed use complies fully with the requirements of the subject property's zoning district and standards.

Annexation. The incorporation of new land areas into the city limits.

Approved plan. A plan that has been given final approval by the appropriate authority.

Automobile service, major. Automobile repair services which generally require substantial replacement/repair of major components of an automobile. Examples of major automobile service include, but are not limited to, transmission repairs/replacement, paint and bodywork engine overhaul, and radiator repair.

Automobile service, minor. Automobile maintenance services which generally only require very brief adjustments and replacement of minor components. Examples of minor automobile service include but are not limited to, tune-up, oil change, lubrication, brake repair, air conditioning system services, muffler replacement, and alignment. Minor automobile parking shall be defined further as no overnight parking permitted.

Automobile service station. A building or premises where products necessary for automobile service or maintenance are sold, provided there is no storage of automobiles, and only minor services are rendered and all repairs are performed indoors. An automobile service station is neither a repair garage nor a body shop.

Automobile Service Station Pumps. Service station pumps and pump islands: Service station pumps and pump islands may occupy a required yard adjacent to a street, provided that no portion of such pump island shall be closer than 25 feet to any street intersection.

Basement. The level below a floor of a building with a minimum of one-half of the total wall area below grade. A basement is not a story. The term basement is synonymous with cellar.

Bed and breakfast inn. A residence in which the frequency and volume of visitors are incidental to the primary use as a private residence and where guest-rooms or cottages or cabins are made available for visitors for fewer than 14 consecutive days. Breakfast is the only meal served and is included in the charge for the room.

Bedroom. Any room in a dwelling designed and intended for sleeping, separable from other rooms by a door.

Berm. A planted earthen mound, usually linear in shape.

Block. An area of land bounded by streets or by a combination of streets and public land, railroad right-of-way, waterway or any other barrier to the continuity of development.

Boarding house. A dwelling in which meals, lodging, or both are furnished for compensation to more than two but not more than ten non-transient persons.

Brewpub. An accessory use to a permitted restaurant where distilled spirits, malt beverages or wines are licensed to sell and where beer or malt beverages are manufactured or brewed for consumption on the premise and solely in draft form.

Brownfields. A tract of land that has been developed for industrial purposes, the reuse of which is complicated by the presence or potential presence of contaminants.

Buffer, general. A buffer achieved with natural vegetation or revegetated. A portion of a tract which is permanently set aside to provide a perceived or actual visual (or horizontal spatial) separation between the use on the tract and abutting tracts through the use of natural vegetation or other means including replanting or the provision of supplemental plantings or other visual screening elements or noise attenuation devices. Buffers shall remain undisturbed except as required to implement landscape enhancement.

Buffer, replanted. A buffer that has been replanted or enhanced to provide a perceived or actual visual separation between the use on the tract and the abutting tracts to achieve a visual screening or noise attenuation device (noise barrier walls).

Buffer, state waters. An area along the course of any state waters to be maintained in an undisturbed and natural condition.

Buffer, undisturbed. A natural undisturbed portion of a lot, except for approved access and utility crossings, which is set aside to achieve a visual barrier between the use on the lot and adjacent lots and/or uses.

Buffer, zoning. A natural undisturbed portion of a lot, except for approved access and utility crossings, which is set aside to achieve a visual barrier between the use on the lot and adjacent lots and/or uses. A buffer is achieved with natural vegetation and must be replanted subject to the approval of the director of the department of planning and zoning or his/her designated agent(s) when sparsely vegetated. Clearing of undergrowth from a buffer is prohibited except when accomplished under the supervision of the director of the public works or his/her designated agent(s).

Buildable area. The portion of a parcel of land where a building may be located and shall contain enough square footage to meet the minimum required by the zoning district. That portion which is not located in the minimum setbacks, utility corridors, driveways, slopes to build streets, tree save areas, landscape strips, specimen tree areas, state water buffers, zoning buffers, wetlands, storm water and sanitary sewer easements.

Building. Any structure with a roof designed or built for the support, enclosure, shelter, or protection of persons, animals, or property of any kind.

Building height. The average of two measurements of vertical distance from adjacent grade to the lowest and highest points of the roof of the highest story of a building.

Building line at lot width. A line within a lot along which the distance of the "lot width at building line" is measured; the front yard setback line.

Building permit. Written permission issued by the proper municipal authority for construction, repair or alteration of, or addition to, a structure.

Building setback line. A line formed by the front, side and rear lot lines, beyond which a building or any projection thereof, excluding uncovered steps, cannot extend.

Business Services: Establishments primarily engaged in rendering services to business establishments on a fee or contract basis, such as, advertising and mailing; building maintenance; employment services, management and consultant services, protective services; equipment rental and leasing; commercial research; development and testing; and personal supply services.

Canopy. A roof-like cover, excluding carports, that either projects from the wall of a building or is freestanding.

Canopy tree. Any self-supporting woody plant of a species that grows to an overall height of at least 40 feet, usually with one stem or trunk and many branches.

Car wash, accessory. A customarily incidental use of an attached or detached bay for cleaning vehicles.

Car wash, principal. A primary or main use which provides space for cleaning vehicles.

Care facilities.

Assisted living facility. A facility which provides short- and long-term care room and board on a 24-hour basis for residents requiring assistance with daily living activities (such as, but not limited to, dressing, grooming, bathing, housekeeping, transportation, etc.) due to health or age-related conditions. Limited on-site medical care, as well as transportation assistance for medical appointments is generally provided. Licensed by the state department of human resources.

Convalescent center. A domiciliary care is provided to convalescing, chronically or terminally ill persons who are provided with food, shelter and care and not meeting the test of family. Convalescent homes are primarily designed to provide a home-like environment while patients recover from long-term illnesses or medical procedures. This use shall not include hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured. Licensed by the state department of human resources.

Personal care home. Any dwelling, whether operated for profit or not, which undertakes through its ownership or management to provide or arrange for the provision of housing, food services, and one or more personal services for two or more adults who are not related to the owner or administrator by blood or marriage. Licensed by the state department of human resources.

Nursing home/hospice care facilities. Means a home for aged or ill persons in which three or more persons not of the immediate family are provided with food, shelter, and care for compensation; but not including hospitals, clinics, or similar institutions devoted primarily to diagnosis and treatment. Licensed by the state department of human resources.

Cemetery, human. The use of property as a burial place for human remains. Such a property may contain a mausoleum.

Cemetery, pet. The use of property as a burial place for the remains of pets. Such a property may contain a mausoleum.

Certificate of occupancy (CO). A document issued by the building official indicating that a building has been constructed in accordance with all codes and provisions of this chapter, or that a legal variance to the codes and provisions of this chapter has been granted.

Certificate of zoning compliance. A document issued by the zoning administrator or its designee stating that a use of a building and/or land conforms to all provisions of this chapter or that a legal variance to the provisions of this chapter has been granted.

Check casher. An individual, partnership, association, or corporation engaged in cashing checks, money orders, or other drafts for a fee. Such fee may be payable in cash, in the form of exchange of value in excess of regular retail value, in the form of mandatory purchase of goods or services by patrons on a regular basis, which shall mean the check casher conducts such services more than ten times in any calendar month, or in the form of the purchase catalog items or coupons or other items indicating the ability to receive goods, services, or catalog items.

Check cashing establishment. Any establishment licensed by the state pursuant to O.C.G.A. § 7-1-700 et seq.

Church, temple or place of worship. A facility in which persons regularly assemble for religious ceremonies. This shall include, on the same lot, accessory structures and uses such as minister and caretaker's residences, and other uses identified under the provisions for administrative and use permits.

Cistern. An artificial reservoir (as an underground tank) for storing liquids and especially water (as rainwater).

City. The city of Fairburn, Georgia.

City council, mayor, and council. The mayor and council of the city.

Clear cutting. The removal of all vegetation from a property, whether by cutting or other means, excluding stream buffer requirements.

Clinic. A use where medical examination and treatment is administered to persons on an outpatient basis. No patient shall be lodged on an overnight basis.

Club, lodge, retreat, campground. A building or facility allowed with an administrative or use permit which provides space, food, and/or lodging facilities for and operated for social, educational, or recreational purposes.

Clubhouse, general. A non-profit social, educational or recreational use normally involving community centers, public swimming pools and/or courts, civic clubhouses, lodge halls, fraternal organizations, country clubs and similar facilities.

Clubhouse, neighborhood. Any club operated for recreation and social purposes solely by the residents of a specific neighborhood or community.

Cluster districts. A development pattern and technique where structures or building sites are arranged in close proximity to one another in non-linear groups to allow for the maximum number of residences under current residential zoning and subdivisions. This type of development protects natural resources and is typically adjacent to permanently preserved common open space, to make efficient and visually aesthetic use of the natural features of the landscape and maximize visualization of permanently preserved open space.

Code enforcement officer. The individual designated by the city administrator whose duty it shall be to enforce the provisions of this chapter.

Community farming/gardens. Means an area of land managed and maintained by a group of individuals to grow and harvest food crops and or ornamental crops for personal use, consumption, or donation. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members.

Condominium. A type of ownership for attached or detached dwelling units, offices, or other space within a structure, as defined by the provision of O.C.G.A. title 44, chapter 3, article III (O.C.G.A. § 44-3-70 et seq.) in which each unit is independently owned and financed by the occupant, but in which all lands are owned in common on a proportional, undivided basis.

Cool roof. A cool roof is a reflective roof - a white or light-colored surface off of which sunlight will bounce, as opposed to a dark surface that absorbs the heat like a cast-iron skillet. The roofing material on a cool roof should also have a high emissivity, which means it easily releases heat.

Commissary. A licensed or permitted food service establishment that provides required services to a mobile food truck. A commissary may provide anything from a source for obtaining potable water and disposing of wastewater; storage for food and supplies; or cooking facilities to prepare the food for sale and consumption.

Country inn. A facility, with the owner or innkeepers residing on the premises, where guest rooms are made available for visitors for fewer than 30 consecutive days. A country inn is distinguished from a bed and breakfast category in that it serves both breakfast and lunch or dinner.

Courtyard. An open-air area, other than a yard, that is bounded by the walls of a building. Courtyards are used primarily for supplying pedestrian access, light, and air to the abutting building(s). Site furniture, lighting, and landscaping are appropriate for courtyards. Vehicular access allowed for unloading and loading only. No vehicular parking or vehicular storage is allowed.

Crematorium. A facility for the reduction of remains to ashes by incineration.

Cul-de-sac. A street having only one connection to another street, and is terminated by a vehicular turn-around.

Curb cut. An opening along the curb line of a public right-of-way through which vehicles may enter or exit the roadway. Curb cut applies to access regardless of the existence of curbing.

Cutoff. A luminaire light distribution where the emission does not exceed two and one-half percent of the lamp lumens at an angle of 90 degrees above nadir and does not exceed ten percent at a vertical angle of 80 degrees above nadir.

Cutoff fixture. A luminaire light distribution where the candela per 1,000 lamp lumens does not numerically exceed 25 (two and one-half percent) at or above a vertical angle of 90 degrees above nadir, and 100 (ten percent) at or above a vertical angle of 80 degrees above nadir. This applies to all lateral angles around the luminaire.

DBH (diameter at breast height). The diameter of a tree measured at a point four and one-half feet above grade.

Day care center. Any establishment operated by an individual, partnership, society, agency, corporation, institution or group, and licensed by or registered with the state as a group day care home or day care center, which enrolls therein for pay, for supervision and care, at a minimum three or more children or adults. Such facility may provide supervision, care, education, recreation, and specialized programming but does not provide overnight accommodations.

Adult day care facility. Any facility, whether operated for profit or not, which undertakes through its ownership or management to provide or arrange for the provision of housing, food service and one or more personal services for three or more adults who are not related to the owner or administrator by blood or marriage for a period of less than 24 hours per day.

Child daycare center. A use in which shelter, care, and supervision for three or more children under the age of 18 on a regular basis away from their residence for less than 24 hours a day. A child daycare facility may provide basic educational instruction. The term shall include nursery school, kindergarten, early learning center, play school, pre-school, and group day care home. Child daycare facilities shall be further differentiated by the following:

Large. A place operated by any person or group who receives therein for pay for supervision and care for fewer than 24 hours per day, without transfer of legal custody, 19 or more children under 18 years of age.

Medium. A place operated by any person or group who receives therein for pay for supervision and care for fewer than 24 hours per day, without transfer of legal custody, seven but not more than 18 children under 18 years of age.

Small. A private residence operated by any person who receives therein for pay for supervision and care for fewer than 24 hours per day, without transfer of legal custody, three but not more than six children under 18 years of age.

Deed restrictions or covenants. Private stipulations or legal restrictions assigned to the use of land, contained in the deed to the property or otherwise formally recorded.

Density. The number of dwelling units per acre. The standard for calculating gross density shall be the number of dwelling units divided by the entire acreage of the lot. Net density shall be based on the lot acreage minus the area comprising the network of streets and sidewalks together with any required reservation of open space.

Development of regional impact (DRI) study. A review by the Atlanta Regional Commission and the state regional transportation authority of large scale projects that are of sufficient size that they are likely to create impacts beyond the jurisdiction in which each project will be located.

Development standards. Dimensional measurements as specified in zoning districts relating to such standards as yard setbacks, lot area, lot frontage, lot width, height and floor area.

District. A geographic section of the city within which the zoning regulations are uniform.

Driveway. A private road giving access from a public way to a house, garage, or other building on abutting grounds.

Dumpster. A metal container designed for receiving, transporting, and dumping waste materials.

Dwelling. A building or portion thereof used exclusively for residential occupancy, including one-family, two-family (duplex) and multiple-family dwellings, but not hotels or boardinghouses and rooming houses.

Dwelling, Accessory. A detached dwelling unit meeting the single-family development standards and having a floor area of a maximum 800 square feet or less on the same lot as a primary dwelling. Accessory dwelling units are distinct dwelling units with independent kitchen facilities.

Dwelling, multifamily. A building (land area) or portion thereof used exclusively for residential occupancy by three or more families living independent of each other and containing three or more dwelling units.

Dwelling unit. One or more rooms constructed with cooking, sleeping, and sanitary facilities designed for and limited to use as living quarters.

Easement. A grant or reservation by the owner of land for the use of such land by the others for a specific purpose or purposes by the public, the city, a corporation or other persons for specified purpose, and which must be included in the conveyance of land affected by such easement.

Environmentally adverse. Any use or activity which poses a potential or immediate threat to the environment and/or is physically harmful or destructive to living beings as described in the executive order 12898 regarding environmental justice.

Environmentally stressed community. A community exposed to a minimum of two environmentally adverse conditions resulting from public and private municipal (e.g., solid waste and wastewater treatment facilities, utilities, airports, and railroads) and industrial (e.g., landfills, quarries and manufacturing facilities) uses.

Erosion. The detachment and movement of soil or rock fragments, or the wearing away of the land surface by water, wind, ice or gravity.

Extended stay residential facilities, or other similar accommodations. A building designed for occupancy as a temporary abiding place of individuals who are lodged with or without meals, in which there are six or more guestrooms.

Family. Means one or more persons related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship, or up to three (3) unrelated persons, occupying a dwelling unit and living as a single housekeeping unit, as distinguished from persons occupying a rooming, boarding or lodging house, or a hotel.

Family day care home. A home occupation in which shelter, care, and supervision are provided for six or fewer persons on a regular basis. A family day care home may provide basic educational instruction.

Farm. A parcel of land which is used for the raising of animals (including fish) on a commercial basis, or non-commercial such as ranching, dairy farming, piggeries, poultry farming and fish farming; a facility for the business of boarding or renting horses to the public; or a site used for the raising or harvesting of agricultural crops such as wheat, field forage and other plant crops intended for food or fiber.

Fence. A structure serving as an enclosure, a barrier, or a boundary, usually made of posts or stakes joined together by boards, wire, or rails.

Flag lot. A lot where frontage to a public street is provided via a narrow strip of land forming a pole or stem to the buildable portion of the lot.

Flood lamp. A form of lighting designed to direct its output in a specific direction with a reflector formed from the glass envelope of the lamp itself. Such lamps are so designated by the manufacturers and are typically used in residential outdoor area lighting.

Floodplain. Any land area susceptible to flooding, which would have at least a one percent probability of flooding occurrence in any calendar year based on the basin being fully developed as shown in the current land use plan (i.e., the regulatory flood).

Floor area. The floor area is the gross horizontal area of the several floors of a structure exclusive of carport, garage, basement, attic, open porches, and balconies. Only finished, conditioned living space can contribute to the minimum required floor area.

Frontage. The length of any one property line of a lot that abuts a public street right-of-way.

Future land use map. A map contained in the city comprehensive plan depicting the desired pattern of development by type of use. This map is referenced in all zoning decisions.

Garden center/landscaping business. A business whose primary operation is the sale and/or storage of seeds and organic and inorganic materials, which include but are not limited to trees, shrubs, flowers, and other plants for sale or transplanting, mulch, pine straw, and other organic products for landscaping purposes, and other limited related accessory products for gardening and/or landscaping and the storage and use of landscape vehicles with an approved use permit for landscaping business, plant nursery, or garden center with indoor retail component.

Golf course. A use of land for playing the game of golf. The term shall not include miniature golf, but may include a country club and a driving range as an accessory use.

Grade. The average elevation of the finished surface of the ground adjacent to the exterior walls of a building.

Green roof. The roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root barrier and drainage and irrigation systems.

Green space. Permanently protected land and water, including agricultural and forestry land that is in its undeveloped, natural state or that has been developed only to the extent consistent with, or is restored to be consistent with, one or more of the following goals:

Water quality protection for rivers, streams, and lakes;

Flood protection;

Wetlands protection;

Reduction of erosion through protection of steep slopes, areas with erodible soils, and stream banks;

Protection of riparian buffers and other areas that serve as natural habitat and corridors for native plant and animal species;

Scenic protection;

Protection of archaeological and historic resources;

Provision of recreation in the form of boating, hiking, camping, fishing, hunting, running, jogging, biking, walking, and similar outdoor activities; and

Connection of existing or planned areas contributing to the goals set out in this paragraph.

Greyfields. Economically obsolescent, outdated, failing, and/or under used real estate assets or land. The term was coined as a way to describe the sea of empty asphalt and "dead malls".

Gross acreage. The total acreage of a lot prior to making site improvements.

Group home for children. A dwelling unit or facility in which full time residential care is provided for children under the age of 17 as a single housekeeping unit. A group home must comply with applicable federal, state and local licensing requirements. A group home may not serve the purpose of, or as an alternative to, incarceration. A group home for children shall be further differentiated by the following:

Small. A facility where care is provided for two or three unrelated children under the age of 17.

Medium. A facility where care is provided for four to six unrelated children under the age of 17.

Large. A facility where care is provided for seven to 15 unrelated children under the age of 17.

Congregate. A facility where care is provided for 16 or more unrelated persons under the age of 17.

Group home/shelter. A state licensed 24-hour residential facility functioning as a single housekeeping unit for the sheltered care of persons with special needs, which, in addition to providing food and shelter, may also provide some combination of personal care, social or counseling services and transportation. Bedroom suites shall not include kitchen facilities. For purposes of this chapter, group home/shelter shall not include those facilities which exclusively care for children under the age of 17.

Small. A facility where care is provided for two or three unrelated adults over the age of 18.

Medium. A facility where care is provided for four to six unrelated adults over the age of 18.

Large. A facility where care is provided for seven to 15 unrelated adults over the age of 18.

Congregate. A facility where care is provided for 16 or more unrelated adults over the age of 18.

Halfway house. Any dwelling used as a residence by individuals on parole, probation, or serving a criminal sentence on condition of house arrest, for the purpose of rehabilitation of the individual while transitioning back into the community.

Hardship. The existence of extraordinary and exceptional conditions pertaining to the size, shape, or topography of a particular property, because of which the property cannot be developed in strict conformity with the provisions of this chapter.

Height. The distance from grade to the highest point of an object.

Historic period lighting. Commercial lighting with an architectural design from the late 19th and early 20th centuries.

Home occupation. A low intensity type business conducted within or administered from a portion of a dwelling (see [section 80-138](#)).

Hospital. The provisions of in-patient health care for people, including general medical and surgical services, psychiatric care, and specialty medical facilities. Outpatient facilities are normally included.

Hotel/motel. A building in which lodging and/or boarding is provided for fewer than 30 days. The term may include a restaurant in conjunction therewith and may also mean an inn.

Impervious surface. Mainly artificial structures, such as pavements (roads, sidewalks, driveways and parking lots) that are covered by impenetrable materials such as asphalt, concrete, brick, stone, and rooftops.

Improvement. Any manmade object that becomes part of, is placed upon, or is affixed to real estate.

Industrialized (modular) housing. A single-family dwelling unit manufactured in one or more sections in accordance with the Georgia Industrialized Building Act of 1982, as amended and the rules of the commissioner of the state department of community affairs issued pursuant thereto. An industrialized or modular housing unit is designed for placement on a permanent foundation and does not have a permanent chassis, axle, or wheels. In addition, it is placed on a permanent foundation and is not intended to be moved at a later date.

Inoperable vehicle. A motorized vehicle incapable of immediately being driven.

Junk facility. See salvage/storage/junk facility.

Junked vehicle. Any wrecked or inoperative vehicle which:

- (1) Does not bear a current license plate;
- (2) Has not been capable of operating under its own power for a period exceeding 30 days;
or
- (3) From which parts have been or are to be removed for reuse or sale.

Kennel. A use for the shelter of domestic animals where the shelter of these animals involves an exchange of revenue in which a business license is required. If the kennel is a non-business operation, its use shall be certified by the county animal control office.

Land development regulations. Standards to provide guidance and establish rules and regulations governing the development of lands within the corporate city limits.

Landfill, inert waste disposal. Disposal facility accepting only waste that will not or is not likely to cause production of leachate of environmental concern by placing an earth cover thereon. Such waste is limited to earth and earth-like products, concrete, cured asphalt, rocks, bricks, yard trash, stumps, limbs, and leaves. This definition excludes other types of industrial and demolition waste not specifically listed above. (Refer to the rules concerning solid waste management of the state department of natural resources, environmental protection division, as amended, for further definition.)

Landfill, solid waste disposal. A disposal facility accepting solid waste excluding hazardous waste disposed of by placing an earth cover thereon. Solid waste includes waste from domestic, agricultural, commercial, and industrial sources. (Refer to the rules concerning solid waste management of the

state department of natural resources, environmental protection division, as amended, for further definition.)

Landscape strip. An area required by this resolution or by conditions of zoning which is reserved for the installation and/or maintenance of plant materials.

Large-scale retail/service commercial development. A retail/service commercial development with at least one large-scale retail structure but no more than four such structures whether freestanding or combined.

Large-scale retail/service commercial structure. An individual retail/service commercial structure that is 75,000 square feet or greater. This size threshold refers to an individual establishment and its associated outdoor areas used for display and storage.

Lawful use. Any use of lots or structure which is not in violation of any existing federal, state or local law, statute, regulation or ordinance.

LEED (leadership in energy and environmental design). Is an internationally recognized green building certification system, providing third-party verification that a building or community was designed and built using strategies intended to improve performance in metrics such as energy savings, water efficiency, CO₂ emissions reduction, improved indoor environmental quality, and stewardship of resources and sensitivity to their impacts.

Licensed cashier of checks (check cashing facility). Any individual, partnership, association, or corporation duly licensed by the department of banking and finance to engage in this type of business.

Licensee. A licensed cashier of checks, drafts, or money orders.

Livestock. Used to refer (singularly or plural) to a domesticated animal intentionally raised in an agricultural setting to produce commodities such as food or fiber, or for its labor. The term generally does not include poultry, or farmed fish.

Live-work units. Buildings or spaces within buildings that are used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work. Maximum size of the live-work unit shall be 1,200 square feet with at least one-third of the unit designated for residential space.

Loading space. An area within the main building or on the same lot, which provides for the temporary parking of vehicles for loading or unloading of people, goods, and equipment.

Loft, residential. A dwelling in combination with any permitted use in a non-commercial zoning district provided the dwelling is located above the first floor, with direct access to the street or other public area; the dwelling has at least 800 square feet of usable floor area, and the dwelling meets all the requirements of the building and fire codes.

Lot. An unsubdivided parcel or portion of land occupied or intended to be occupied by a common use or occupied or intended to be occupied by a building or group of buildings devoted to a common use, together with the customary accessory buildings and uses and open spaces belonging to the same, which has both lot area and lot dimensions equal to or greater than the lot width and lot area requirements established by this chapter for the zoning district in which such tract of land is located and for the use purposed for the tract of land.

Lot, corner. A parcel of land bounded on two or more adjacent sides by street right-of-way lines

Lot coverage. The total horizontal ground area of a lot that is occupied by all buildings on the lot.

Lot, double frontage. A lot having frontage on two streets that do not intersect at any point along the lot, as distinguished from a corner lot.

Lot, flag. A lot to which access to the bulk of the lot area is by means of a narrow, private right-of-way or driveway.

Lot frontage. The horizontal distance of a lot adjacent to a street right-of-way.

Lot line. A boundary of a lot. The term "lot line" may also be referred to as a property line.

Lot line, front. A lot line which extends the entire length of an abutting street from intersecting property line to intersecting property line. The front lot line of a corner lot has two front lines.

Lot line, rear. The boundary of a lot which is most distant from, and is, or is most nearly parallel to the front lot line; except that in the absence of a rear lot line as is the case of the triangular shaped lot, the rear lot line may be considered as a line within the lot parallel to and at a maximum distance from the front lot line.

Lot line, side. A lot line which is not a rear or front lot line.

Lot of record. An individual lot or lot which is a part of a subdivision, the map of which has been recorded in the office of the clerk of superior court of the county; or a parcel of land the deed of which has been recorded in the office of the clerk of superior court of the county.

Lot, substandard. A lot having less than the minimum area required by the district in which it is located, provided the lot was of record as a legally created lot on the effective date of the ordinance.

Lot, unlawful. Any lot-of-record which, at the time of recordation in the official records of the clerk of superior court, did not comply with zoning and subdivision laws in effect at that time.

Lot width. The horizontal distance between side lot lines measured at the minimum front yard setback line.

Lots, multiple frontage. Any lot having a property line adjacent to more than one public street right-of-way or private street shall be deemed a multiple frontage lot. Any rear or side setback that also fronts on a public right-of-way or private street shall have a setback depth equal to the minimum front setback depth specified for the appropriate zoning district.

Manufactured (mobile) housing. A dwelling unit fabricated in an off-site facility for installation or assembly at the building site, bearing a label certifying it is constructed in compliance with the Federal Manufactured Home and Standards Act, 42 U.S.C. §§ 5401—5445. Said dwelling unit is transportable and is delivered to a site on wheels and then converted to a semi-stationary or stationary structure. As used herein, the terms "manufactured housing or mobile home" shall exclude any structure that falls under the definition of the term "industrialized housing".

Marquee. Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building used for advertising or identification.

Massing. Varying the massing of a building may be achieved by varying the surface planes of the building with porches, balconies, bay windows, and/or overhangs, and/or stepping-back the buildings from the second floor and above, and/or breaking up the roofline with different elements to create smaller compositions.

Maximum lot coverage. The percentage of the gross acreage of a lot that may be occupied by a structure or structures. In calculating maximum lot coverage, gross acreage shall not include floodplains or slopes in excess of 30 percent.

Medical related lodging. A use which provides temporary lodging for family members of a hospitalized patient.

Minimum building separation. A required space between any two buildings on the same lot that are used for multi-family or nonresidential purposes.

Miniwarehouse. A building or portion thereof used for dead storage, mainly of the excess personal property of an individual or family, but also of small amounts of goods or merchandise for business or individuals. Miniwarehouse shall not include retail sale on the premises, commercial repair or other services, manufacturing or any other commercial use.

Mixed-use. A building or groups of buildings under one ownership designed to encourage a diversity of compatible land uses, which include a mixture of two or more of the following uses: retail, office and institutional, and/or service, and residential.

Mobile food truck. A retail food establishment that reports to and operate from a commissary and is readily moveable. Said mobile food truck shall be a motorized wheeled vehicle which includes a self-contained kitchen where food is prepared or stored and from which food products are sold and dispensed.

Mobile home. Prefabricated homes built in factories, rather than on-site, and then taken to the place where they will be occupied. Being built on a permanently attached chassis with highway-grade wheels and tires, they are usually transported by being pulled behind a tractor-trailer over public roads to a home site.

Mobile home park. Use of property for two or more mobile homes for living purposes, and spaces or lots set aside and offered for use for mobile homes. Does not include mobile home sales lot.

Modification, administrative. An application requesting change to an approved condition of zoning or use permit, except for conditions that pertain to a change in use, increase in density, and/or increase in height.

Modification, zoning. An application to change approved zoning conditions on rezoning and use permits where it has been determined by the zoning administrator that the requested change involves a matter of significant public interest.

Modular building. A transportable, nonresidential building fabricated in an off-site facility for installation or assembly at a separate building site.

Modular home. A factory-fabricated, single-family dwelling built in one or more sections, designed for placement on a permanent foundation and not having a permanent chassis. A modular home is not a mobile home.

Multi-tenant. Two or more businesses that provide goods and/or services within separate structures located on the same site or within the same structure, that provides wall separation and private access for each business.

Nightclub. An establishment having a capacity of at least 100 persons, with all booths and tables unobstructed and open to view, dispensing alcoholic beverages and in which music, dancing or entertainment is conducted. All such establishments shall be equipped with air conditioning. The principal business of a nightclub shall be entertainment, and the serving of alcoholic beverages shall be incidental thereto.

Nonconforming (grandfathered) lot, use, or structure. A use, lot or structure that was nonconforming at the time of the adoption and does not now meet the minimum requirements of the district in which it is located. Also, a use, lot, or structure which has been made nonconforming by some city or state action. Any change or addition to a use, lot, or structure must comply with current provisions of this chapter.

Official zoning map. The most current map depicting the district designation of all lots in the city, controlling their use and development, as attested by the city clerk.

Off-premises. A location outside of the subject lot for a designated use.

Off-site. The location of a structure or use outside the lot-of-record of the subject development including the adjoining street or other right-of-way.

Off-street parking space. A paved, off-street area adequate for parking an automobile, with appropriately related access to a public street or alley and associated maneuvering room.

Office, temporary. A mobile, manufactured or other structure which is used as an office for real estate sales, on-site construction management and related functions. Requires an administrative permit under temporary structures.

On-premises. The individual lot-of-record on which the use is located.

On-site. The location of a structure or use within the confines of a property delineated by property lines or, if referenced in a zoning or use permit case, within the confines of the boundaries of the legal description filed with the petition.

Open space. A portion of a site which is permanently set aside for public or private use and will not be developed. The space may be used for passive or active recreation or may be reserved to protect or buffer natural areas. Open space may include wooded areas other than required landscape strips and buffers, pathways/walkways, fields, and sensitive environmental areas such as wetlands, etc. Detention facilities and platted residential lots shall not be included in open space calculations.

Outdoor display. The outdoor display of products actively available for rent or sale within the principle business facility. This definition does not include products in shipping boxes, crates, on pallets, or other shipping containers, or any construction equipment which shall be considered outdoor storage.

Outdoor storage. The outdoor storage of products, whether for sale, rent or processing for a period exceeding 24 hours. This definition includes any products on pallets, in shipping containers, in or on crates, any construction equipment, any goods, junk, material, merchandise, or vehicles.

Outparcel (spin-site). A portion of a larger parcel of land generally designed as a site for a separate structure and business from the larger tract. An outparcel may or may not be a subdivision of a larger parcel. To be recognized as an outparcel, the portion must be identified on a site plan approved for the larger parcel.

Owner. An individual, firm, association, syndicate, partnership, or corporation having sufficient vested legal property rights in the property for which they seek an action under this chapter.

Parcel. An area of land having one continuous boundary held by one owner and recorded with the clerk of the superior court of the county.

Park land. Land within or suitable for public parks; land for noncommercial park, recreation or open space purposes;

Parking lot. An area which is used for the parking of vehicle.

Parking space. An area designated for the parking of one vehicle on an all-weather surface. All residential development shall provide two spaces per dwelling unit.

Path. A cleared way for pedestrians and/or bicycles that may or may not be paved or otherwise improved.

Pavement. An area of brick, stone, concrete, or asphalt placed on the surface of land sufficient for vehicular use, and that portion of a street right-of-way having an improved surface.

Pawn shop. A business that lends money at interest on personal property deposited with the lender until redeemed.

Permitted use. An activity conducted on a lot that is among those activities allowed as a matter of right under the zoning district of this chapter in which the lot is located, subject to the applicable regulations of the district.

Personal Services. Establishments primarily engaged in providing services involving the care of a person or his or her personal goods or apparel.

Pervious lot paving. Pervious paving materials include pervious interlocking concrete paving blocks, concrete grid pavers, perforated brick pavers, and compacted gravel. It is used to reduce the imperviousness of firm surfaces such as patios, walkways, driveways, fire lanes, and parking areas, for the purpose of reducing surface runoff and increasing infiltration.

Plant nursery. Any land used to raise trees, shrubs, flowers and other plants for sale or transplanting, but not including the retail sale of any related garden supplies such as chemical fertilizer, tools and other similar goods and/or equipment. See garden center/landscaping business for retail component.

Plat, final. The permanent plan documenting the approved subdivision of land as defined in the city subdivision regulations, indicating the proposed layout of the subdivision, together with all site improvements.

Plat, preliminary. An initial plan for the subdivision of land as defined in the city subdivision regulations, indicating the proposed layout of the subdivision.

Porch. A roofed open structure projecting from the exterior wall of a building and having at least 70 percent of the total area of the vertical planes forming its perimeter unobstructed in any manner except by insect screening between floor and ceiling.

Principal use. The primary activity on a lot distinguished from a secondary or accessory use.

Property. When used in conjunction with an application for rezoning, an area of land composed of less than one lot, or of accumulations of one or more lots, or parts thereof.

Protected zone. All lands that fall outside the buildable area of a parcel, all areas of a parcel required to remain in open space, all areas required as landscape strips and/or buffers (including zoning buffers, state water buffers and tributary buffers) and all tree save areas according to the provisions of the Fairburn zoning ordinance, conditions of zoning, use permit or variance approval, and/or the tree protection, landscaping and maintenance ordinance.

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Public art/Creative placemaking. Works of art in public places (usually outside and accessible to all) can take form in various sizes and scales and can be temporary or permanent. Public art/Creative placemaking can include murals, sculpture, memorials, integrated architectural or landscape architectural work, community art, digital new media, and performances and festivals. Public art/Creative Placemaking can be integrated into community revitalization work by placing arts and culture at the table with land-use, transportation, economic development, education, housing, infrastructure and public safety strategies.

Public notice. Information conveyed to the general population concerning any provision of this chapter or its application to real property in the city of the city appearing on affected property or in a paper of general circulation. Such notices are used primarily to announce the time, place, and nature of a hearing during which city officials will publicly debate such matters.

Rain barrel. A barrel used as a cistern to hold rainwater. A rain barrel catches and stores runoff rainwater from the roof which can be used to water the lawn or garden.

Rain gardens. A planted depression that allows rainwater runoff from impervious urban areas like roofs, driveways, walkways, parking lots, and compacted lawn areas the opportunity to be absorbed. This reduces rain runoff by allowing stormwater to soak into the ground.

Recreational court, private. An improved area designed and intended for the playing of a game or event such as basketball or tennis, and which serves a single-family dwelling(s), duplex dwellings and/or multi-family dwellings, or combinations of dwelling types, including such improved areas which are owned and/or controlled by a neighborhood or similar organization. A basketball goal adjoining a driveway of typical residential driveway dimensions shall not constitute a recreational court.

Recreational court, public. An improved area designed and intended for the playing of a game or event such as basketball or tennis, and is operated as a business or as a club unless such club is a neighborhood club or similar organization identified under recreational court, private.

Recreational facilities. Includes parks, recreation areas, golf courses, playgrounds, recreation counters (indoor and outdoor), playing fields, and other similar uses or facilities.

Recreational vehicle. A vehicle used for leisure time activities and as a dwelling unit while traveling. Examples include a camper, a motor home, and a travel trailer.

Recycling center, collecting. Any facility utilized for the purpose of collecting materials to be recycled including, but not limited to, plastics, glass, paper, and aluminum materials.

Recycling center, processing. Any facility utilized for the purpose of collecting, sorting, and processing materials to be recycled including, but not limited to, plastics, glass, paper, and aluminum materials. A recycling center is not to be considered a landfill.

Rehabilitation center. Shall include rehabilitation centers for persons with alcohol, drug abuse or other dependency problems or mentally or physically handicapped persons.

Relocated residential structure. A dwelling which has been removed from one location for relocation to another lot.

Repair garage, truck, and heavy equipment. A use which may provide a full-range of repairs and services including major overhauls on trucks and heavy equipment. Includes paint and body shops.

***Resident.* Any person who is a member of the family residing in the dwelling unit, takes substantially all of his overnight lodging at the dwelling unit, stores substantially all his personal belongings in the dwelling unit, and uses the address of the premises as his address for legal purposes such as voter registration, and payment of personal property taxes.**

Residential use dwelling. Any building or portion thereof where one actually lives or has his home; a place of human habitation.

Restaurant. A food service use which involves the preparation and serving of food to seated patrons. A cafeteria shall also be considered a restaurant. The restaurant seating area must be at least 40 percent of the gross square footage of the restaurant facility. Seating space located outside of the main structure (i.e. patios, decks, etc.) shall not be included in calculating the seating space.

Restaurant, drive-in. An establishment that serves food and/or beverages directly to customers in motor vehicles, regardless of whether it also serves food and/or beverages to customers who are not in motor vehicles, for consumption on or off the premises.

Restaurant, fast food. Fast food establishments refer to buildings used for the preparation and sale of ready-to-eat food. Fast Food Restaurants are characterized by a limited menu of food prepared quickly (often within a few minutes), and sometimes cooked in bulk in advance and kept hot, with minimal table service. Fast food restaurants often serve hamburgers, french fries, pizza, hot dogs, chicken, sub sandwiches, tacos, ice cream, coffee, milkshakes, etc.

Retail services

Retail or Service Establishments. An establishment that sells services or goods to meet the everyday needs of the community. Such establishments may include grocery stores, hardware stores, clothing stores, furniture stores, restaurants, hotels, watch repair establishments, barber shops, and other such local establishments. Retail or service establishments may sell goods as an incidental service when necessary. Retail or service establishments may sell products as a secondary service to the primary business activity. *Retail use.* A business whose primary purpose is the sale of merchandise to consumers.

Right-of-way. An area of land specifically designated for use as a public street or sidewalk; utility, railroad, interstate or transmission corridor; landscaping and street furnishings; or other public purpose.

Roadside produce stand. A use offering either farm-grown, prepared food products such as fruits, vegetables, canned foods, or prepared packaged meats for sale from a vehicle or a temporary structure. The consumption of food on-site is prohibited.

Roadside vending. The sale of merchandise such as clothing, crafts, household item, firewood, etc., from a temporary table or cart.

Rooming house. A residential use other than a hotel or motel in which lodging may be provided to non-household members for periods of 30 days or longer, and which does not include the provision of meals.

Rural. Rural applies to sparsely settled or agricultural country areas that are not urbanized.

Salvage/storage/junk facility. Any use involving the storage or disassembly of wrecked or junked automobiles, trucks or other vehicles; vehicular impound lots; storage, bailing or otherwise dealing in scrap irons or other metals, used paper, used cloth, plumbing fixtures, appliances, brick, wood or other building materials; and the storage or accumulation outside of a storage building of used vehicle tires or tire carcasses which cannot be reclaimed for their original use. Such uses are storage and/or salvage facilities whether or not all or part of such operations is conducted inside or outside a building or as principal or accessory uses. State approval is required for all sites utilized for reclamation and/or disposal of toxic and/or hazardous waste.

Satellite dish. A round, parabolic antenna designed to receive signals from orbiting satellites. Noncommercial dish antennas are defined as being less than four meters in diameter.

Scale.

(1) Refers to the relationship of the size of a building to neighboring buildings and of a building to a site. In general, the scale of new construction should relate to the majority of surrounding buildings.

(2) A linear scale, also called a bar scale, scale bar, graphic scale, or graphical scale, is a means of visually showing the scale of a map, nautical chart, engineering drawing, or architectural drawing.

Schools, colleges, and universities. Any educational facility established under the laws of the state (and usually regulated in matters of detail by local authorities), in the various districts, counties, or towns, maintained at the public expense by taxation, and open, usually without charge, to all residents of the city, town or other district; private schools which have students regularly attending classes and which teach subjects commonly taught in these schools of this state; any educational facility operated by a private organization or local county, or state that provides training or education beyond and in addition to that training received in grades kindergarten to twelfth, including but not limited to, trade, business and vocational schools; any institution of higher learning, consisting of an assemblage of colleges united under one corporate organization or government, affording instruction in the arts and sciences and the learned professions, and conferring degrees.

School, private. An educational use having a curriculum at least equal to a public school, but not operated by the county board of education.

School, special. An educational use devoted to special education including the training of gifted, learning disabled, mentally and/or physically handicapped persons, but not operated by the county board of education.

Screen. A fence, wall, hedge, landscaping, earthen berm, buffer area, or any combination of these that is designed to provide a visual and/or physical barrier.

Seasonal business use. A primary use involving the sale of items related to calendar holidays, such as Christmas trees, Halloween pumpkins, etc., which may be conducted outside.

Senior housing. A single family or multi-family development intended for, operated for and designed to accommodate residents 55 years of age and older. Senior housing communities are designed for seniors to live on their own, but with the security and conveniences of community living. Some provide communal dining rooms and planned recreational activities (congregate living or retirement communities), while others provide housing with only minimal amenities or services.

Service station. A use which provides for the sale of motor vehicle fuels and automotive accessories, and which may provide minor repair and maintenance services. A service station shall be limited to four or fewer bays excluding no more than one attached or detached bay for washing cars.

Setbacks. See building setbacks.

Sexually oriented business. An adult bookstore or adult video store, an adult cabaret, an adult motion picture theater, a semi-nude model studio, a sexual device shop, or a sexual encounter center.

Shopping center. A group of commercial establishments planned, developed, and managed as a unit with individual vendors housed in one building that provides customer access, amenities, and protection from the elements and features common, on-site parking.

Sidewalk. Any portion of a street between the curblines and the adjacent property line, intended for the use of pedestrians, excluding parkways.

Sign means any surface, frame, letter, figure, character, mark, plane, point, design, picture, stroke, stripe, reading matter, material, fabric, device, fixture, placard, structure, object, three dimensional object, or display which bears lettered, numbered, pictorial, or sculptured matter, designed to convey information visually, advertise, announce the purpose of, identify the purpose of a person, or entity, to draw attention, or to communicate information of any kind to the public and which is exposed to public view (excluding those objects which qualify as "architectural enhancement" pursuant to the city's art and architectural advisory committee ordinance, Code sections [80-451](#)

through [80-456](#)). For the purpose of this article, the term "sign" shall not include those devices located entirely within a building or structure, unless such devices are considered window signs; additionally the term "sign" shall include all structural members used to erect or mount same, and any company colors, trademarks, service marks, brand names, logos, symbols, or roof shapes, which are generally used by the company in the design of its buildings, and are generally used, or identified, as trade styles or other identifying marks or symbols of the company's business.

Site plan, conceptual. A detailed plan for one or more lots drawn to scale depicting the proposed and existing conditions based on a certified boundary survey.

Site plan, final. The construction plan that identifies the details of the proposed development to include approved conceptual site plan and other information to include erosion control plans and details, sediment/detention pond details, sewer and drainage plan, tree protection plan, water and sanitary sewer layout, and construction details.

Solar power. The conversion of sunlight into electricity, either directly using photovoltaics (PV) (able to generate a current or voltage when exposed to visible light or other electromagnetic radiation), or indirectly using concentrated solar power (CSP) (the use of mirrors or lenses to concentrate a large area of sunlight, or solar thermal energy, onto a small area).

Special event. An event or happening organized by any person or organization which will generate or invite considerable public participation and/or spectators for a particular and limited purpose of time, including, but not limited to, special sales and service promotions, car shows, arts and crafts shows, horse shows, carnivals, festivals, exhibitions, circuses, fairs, show houses and tours of homes for charity. Special events are not limited to those events conducted on the public streets but may occur entirely on private property. Special events may be for profit or nonprofit. Events which will occur in the public right-of-way, such as roadway foot races, fundraising walks, bike-a-thons, parades, etc. are subject to the approval of the city police department.

Stadium. A large open or enclosed structure used for sports and other major events and partly or completely surrounded by tiers of seats for spectators.

Story. A portion of a building between the surface of any floor and the floor or space above it, excluding basements and attics.

Story, half. A heated and finished area below a roof, one or more of the vertical walls of which are less than normal ceiling height for the building.

Street. A public way for vehicle traffic that provides the primary means of access to abutting properties.

Street trees. Any tree whose trunk is located 50 percent or more within the land lying between property lines on either side of all public streets, boulevards, and alleys including public easements.

Structural alteration. Any change in the supporting member of a structure, such as foundations, bearing walls or bearing partitions, columns, beams, girders, or any substantial change in the roof or exterior walls.

Structure. Any object constructed or erected with a fixed location on or in the ground, or attached to something having a fixed location on or in the ground.

Structure, accessory. A subordinate or secondary structure, customarily incidental to a principal structure or use and located on the same lot. Examples of accessory structures in single-family dwelling districts include outbuildings, such as, tool sheds, woodsheds, workshops, outdoor kitchens, pool houses, gazebos, guest houses, storage sheds, temporary storage pods, detached garages and

detached carports, etc. Fences and retaining walls are not considered accessory structures. Driveways, surface parking lots, patios, and similar paved surfaces are not considered accessory structures.

Structure, principal. The primary building on a lot as distinguished from a secondary or accessory structure.

Subdivision. The division of land into three or more lots. A development consisting of subdivided lots.

Subordinate/incidental. Of lesser order or importance. Uses which are incidental to a permitted use as long as the incidental or subordinate use does not undercut the plain intent of the zoning.

Surface, all weather. Any surface treatment, including gravel, which is applied to and maintained so as to prevent erosion, and to limit vehicle wheels from making direct contact with soil, sod or mud; and which effectively prevents the depositing of soil, sod or mud onto streets from areas required to be so treated.

Sustainable. Development that meets the needs of the present without compromising the ability of future generations to meet their needs.

Swimming pool, private. A recreation facility designed and intended for water contact activities which serves a single-family dwelling(s), duplex dwellings and/or multi-family dwellings, or combinations of dwelling types, including pools which are owned and/or controlled by a neighborhood club or similar organization.

Swimming pool, public. A recreation facility designed and intended water contact activities which are operated as a business or as a club unless such club is associated with a neighborhood club or similar organization.

Tasting room. An outlet operated for the distribution and sale of wine by providing complimentary samples of such wine to the public and for the sale of such wine at retail.

Temporary storage pod. An accessory structure on a lot used for storage for less than three months. It is not intended for permanent storage. Such structure is used primarily for storage of building materials, household goods, personal items and other materials for use on a limited basis on residential, commercial or industrial property. Examples of temporary storage pods include portable storage units (PODS) and self-storage containers.

Transfer station. A facility used to transfer solid waste from one transportation vehicle to another for transportation to a disposal facility or processing operation.

Travel trailers. Used primarily as temporary or vacation homes and is equipped for use (while traveling) as a dwelling.

***Truck or motor freight terminal, service facility.* An establishment engaged in transporting goods or commodities for another business enterprise, including the parking and repair of the motor vehicles used in providing such service.**

Truck stop. A commercial establishment that provides fuel, parking, and sometimes food, primarily used for trucks, usually located on or near an interstate or state highway.

Truck terminal. A primary use of property where trucks/trailers are temporarily stored, maintained or based. Trucks/trailers shall have current registration and license plates with decal.

Use permit. A permit approved by the city council, pursuant to a public hearing, which authorizes a use which must meet certain standards which exceed the requirements of the district as a whole.

Used or occupied. Means and shall be construed to include the words "intended, arranged, or designed to be used or occupied".

Variance.

Administrative minor variance. A variance to the minimum district yard requirements of not more than one-foot, granted administratively by zoning director.

Concurrent variance. A concurrent variance from any standards of this chapter which shall be filed simultaneously with rezoning, use permit or zoning modification requests on the same property based on the conceptual plan submitted.

Minor variance. An application requesting deviation from the minimum yard requirements, not to exceed ten percent of the dimensional requirements.

Primary variance. A request for a variance from any zoning ordinance provision that is not being handled as a minor, administrative minor or concurrent variance and shall be heard and decided by the planning and zoning commission in accordance with Article VI of this chapter.

Secondary variance. An appeal of a decision and/or action of the zoning administrator authorized to hear a variance request or interpretation of this chapter.

Vehicle, junk, or salvage. Any automobile, truck or other vehicle which is missing one of the following:

- (1) Current registration,
- (2) License plate with current decal,
- (3) Proof of liability insurance,
- (4) Drive train component for more than 30 days.

Veterinary clinic/hospital. A place where animals are given medical care and the boarding of animals is limited to short-term care incidental to the hospital use.

Waste. Material that are discarded, disposed of, or no longer usable.

Waste disposal boundary. The limit of all waste disposal areas, appurtenances, and ancillary activities (including but not limited to internal access roads and drainage control devices).

Waste, hazardous. See state department of natural resources definition.

Waste, solid. See state department of natural resources definition.

Yard:

Front. An unoccupied area extending the full width of the lot located between the front lot line and the front yard setback line. On corner lots, the front yard shall be considered as parallel to the street upon which the lot has its least dimension.

Rear. An unoccupied area extending the full width of the lot located between the rear lot line and the rear yard setback line.

Side. An unoccupied area bounded by the side yard setback line, the side lot line and the front and rear yards.

Zoning conditions. Requirements placed on property by the city council at the time of approval of a rezoning and/or use permit.

Zoning district. A specifically delineated area or district in a municipality within which regulations and requirements uniformly govern the use, placement, spacing, and size of land and buildings.

Zoning map. The "zoning district maps" of the city.

(Ord. No. 2008-10Z, exh. A, §§ 2.01, 2.02, 8-25-2008; Ord. No. 2012-04, § 1(Exh. A), 6-11-2012; Ord. No. 2013-18, § 1(Exh. A), 9-9-2013; Ord. No. 2013-25, § 1, 10-14-2013; Ord. No. 2013-26, § 1, 10-14-2013; Ord. No. 2014-01, § 1, 2-14-2014; Ord. No. 2014-09, 6-9-2014, 10-28-2019)