

Section 18 Definition of Terms

ACCESSORY BUILDING: A structure in a residence district which:

1. Is clearly incidental to and customarily found in conjunction with a principal building; and
2. Is subordinate to the purpose of the principal building; and
3. Contributes to the comfort, convenience or necessity of occupants in the principal building; and
4. Is located on the same lot or parcel as the principal building.

ACCESSORY BUILDING, DETACHED: A subordinate structure accommodating an accessory use which is structurally independent and not physically attached to, and separated from, the principal building.

ACCESSORY DWELLING: Shall mean a dwelling unit which is customarily incidental to that of the main dwelling unit. The accessory dwelling unit is customarily incidental, related, appropriate and subordinate to the main dwelling unit of the lot or building. The accessory dwelling unit contains one or more habitable rooms forming an independent living area which may contain sleeping, sanitary and cooking facilities. The term shall include an apartment, but shall not include a hotel room or suite, guest rooms in boarding houses, or Accessory Living Quarters.

ACCESSORY LIVING QUARTERS: An area within or attached to a dwelling unit provided for guests, relatives, or servants of the occupants of the principal dwelling, which may include cooking, sleeping and sanitary facilities, and which is not leased or rented. The term shall not include "apartment" or "dwelling unit".

ACCESSORY LIQUOR SERVICE: The providing of spirituous liquors, for compensation, to patrons of a general entertainment establishment, such as bowling centers and theaters, or as room service in a hotel, provided such service is incidental and clearly subordinate to the primary use.

ACCESSORY USE: A use that is clearly incidental to and complementary when found in conjunction with a principal use.

ADULT CARE HOME: A residential care institution, licensed by the Arizona Department of Health Services, which provides supervisory care, personal care, or custodial care services to not more than ten (10) adults who may be unrelated to the manager or owner of the home and who require the assistance of no more than one (1) person to walk or to transfer from a bed, chair, or toilet, but who are able to self-propel a wheelchair.

ANIMAL SALES/SERVICES (DOMESTIC): A business where the sale of or veterinary care of dogs, cats, and other domestic small animals occurs. Any storage of animals overnight shall be within a completely enclosed building.

ANIMAL SALES/SERVICE (LARGE ANIMALS): A business where the sale of or veterinary care of large animals occurs. Large animals include livestock, horses and other non-domestic animals. Any storage of animals overnight shall be within a completely enclosed building.

APARTMENT: Same as "DWELLING UNIT".

ARTERIAL STREET: A general term designating streets of major significance to the community including section line and major streets and State and County highways, which are designed to carry substantial volumes of traffic, providing a system for citywide through traffic movement. In Mesa Proving Grounds the arterial streets shall be: Elliot Road, Ellsworth Road, Signal Butte Road, Ray Road, and Williams Field Road.

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ASSISTED LIVING FACILITY: A residential care institution intended for occupancy by persons of advanced age or limited ability for self care, which may provide food, transportation, recreation, or other services to the residents thereof, and which is licensed by the Arizona Department of Health Services to perform supervisory care, personal care, or custodial care services. The term shall include boarding houses, dormitories, apartments, and similar multiple residence living arrangements when operated as an assisted living facility as defined herein, but shall not include group homes for the handicapped, adult care homes, nursing homes, hospitals, or hotels. Nursing homes which are licensed by the Arizona Department of Health Services shall be considered the same as an assisted living facility for the purposes herein.

BACKBUILDING: A structure connecting a Principal Building to an outbuilding. .

BIG BOX USER: Any single retail space (limited to permitted retail uses in the LUG) with a building footprint equal to or greater than seventy-five thousand (75,000) square feet.

BAR: A facility which is regularly open for the primary purpose of serving spirituous liquors to patrons for compensation and on-site consumption. Any facility providing both food and spirituous liquor service within the same premises for on-site consumption which does not meet the definition and requirements for a restaurant, as defined in this Section, shall be considered a bar. The term shall include "nightclub."

BED AND BREAKFAST ESTABLISHMENT: A dwelling in which the occupants of the dwelling provide, for compensation, the short term lodging and meals for not more than six (6) guest rooms, located within the dwelling or within an accessory building on the same lot or property.

BLOCK: The aggregate of private lots, parcels, or property together with tracts, easements and service lanes circumscribed by roadways.

BOARDING HOUSE: A dwelling in which the owner(s) or primary occupant(s) provides three (3), four (4), or five (5) bedrooms as lodging for compensation, and in which food may be served to the occupants thereof. The occupancy of one (1) or two (2) bedrooms for compensation shall not be considered a boarding house provided not more than two (2) guests shall occupy each bedroom. The term shall include group homes, dormitories, and similar congregate living arrangements, but shall not include hospitals, nursing homes, hotels, group homes for the handicapped, social service facilities, motels, bed and breakfast establishments or a dwelling occupied by one or more individuals living together without supervision as a single housekeeping unit.

BUILD TO LINE: A line generally parallel to streets, set at the DUP level, that demarks the greatest distance a front building façade can retreat from the adjacent road into a property. Refer to *Exhibit 7.35* - Parcel/Lot Configuration Diagram.

BUILDABLE LOT AREA: That portion of a lot or parcel excluding the required yards, easements and areas within future right-of-way width lines in accordance with the General Development Standards of the CP.

BUILDING: Any structure used or intended for supporting or sheltering any use or occupancy.

BUILDING, ENCLOSED: A building with a perimeter that can encompass a body of air composed of rigid walls and roof.

BUILDING HEIGHT: The vertical distance from finished grade to the top of parapet or wall of a flat roof or to the mean height between the plate line and peak of a mansard, gable, hip, shed or similar roof, excluding embellishments allowed per the provisions of Section 17.

BUILDING MATERIALS/SERVICE: A facility and or building used for the sales and service of building materials by professional contractors and non-professionals. This includes construction related materials for all development types, service for construction related tools and materials and outdoor storage of large building materials.

BUSINESS SERVICES: A use that provides support services to office uses, research and development uses, and other office related uses including copying, printing, delivery, electronic and computer support and other similar business support function.

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CAR WASH: A facility for the cleaning and washing of motor vehicles including interior cleaning, vacuuming, waxing and detailing, by means of self-service, automated mechanical equipment, manual labor, or a combination thereof. Any Car Wash dispensing gasoline or other motor vehicle fuels shall be considered a gas or alternative fuel station.

CLINIC: A building or group of buildings designed and used for extended medical care and treatment, diagnosis, and housing of persons under the care of doctors and nurses or other supervisory personnel, excluding emergency room operations. The term shall include substance abuse treatment facilities.

CLUBS: A facility that is available for semi-public and private use as a meeting place or for recreation that has the ability to limit access only to members and can charge membership dues. Such buildings or facilities may be operated as a business, commercial activity, or for profit, but not including buildings or facilities established for activities listed in the City's regulations as adult entertainment activities.

CLUB OWNERSHIP: A person who is member or part-owner of a Club.

CHURCH: A building or group of buildings or structures, used for organized religious services and limited accessory uses generally associated therewith. The term shall include synagogues, temples, mosques, and other similar recognized places of worship.

CIVIC: The term defining not-for-profit organizations dedicated to arts, culture, education, recreation, government, transit, and municipal parking.

CIVIC BUILDING: A building operated by not-for-profit organizations dedicated to arts, culture, education, recreation, government, transit, and municipal parking, or for use approved by the legislative body.

CIVIC SPACE: An outdoor or indoor area dedicated for public use.

COCKTAIL LOUNGE: Same as "BAR".

COMMERCIAL USE: The buying, selling, leasing or storage of real or personal property, or the furnishing of services for compensation. The term shall also include the parking or storage of equipment, machinery or supplies to be utilized elsewhere for compensation.

COMMERCIAL ENTERTAINMENT: The use of property or buildings for providing entertainment on a commercial basis. The use includes arcades, amusement facilities, bowling alleys, theaters, etc.

COMMERCIAL RECREATION: The commercial use of property for physical exercise or activities including stadiums, arenas, playing fields, private gyms, rock climbing facilities, recreation clubs or other space used for recreational activities.

COMMUNITY CENTER: A public or private Club.

COMMUNITY PLAN: Consists of a narrative report, existing conditions map and background information describing the characteristics, components and timing of the proposed PC District by DU (s). It also includes a land use budget describing density, intended Floor Area Ratios (FAR), land use groups and sub-land use groups and applicable General Development Standards. It is a multi-faceted development plan, organized by development unit, and includes information about how the community plan will be implemented. The community plan will illustrate the proposal's relationship and conformity with adjacent land uses, circulation systems and provisions of utilities and other public services. All references to the CP include amendments, if any.

CONSTRUCTION YARD: An outdoor storage yard for construction equipment, materials and supplies, Construction Yards, with or without on-site offices, are primary uses in Industrial Use categories, and may be considered as a temporary accessory use with an on-site business office during the time construction of that site is taking place (See Secs. 7.16 and 7.17 for additional details).

CORE: Shall mean 1.) a dense and intense mix of non-residential and residential uses within the same building and/or site, 2.) a center, 3.) a dense collection of similar uses, 4.) a region or area anchored by a central strong use or activity.

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CORNER LOT: Same as "LOT-CORNER".

CULTURAL INSTITUTIONS: This category includes a variety of public and private facilities including government buildings, museums, and other buildings or facilities for cultural interaction including exhibit space and performing arts space. Institutional uses may include private facilities that charge an admission fee for cultural exhibits and performances.

DAY CARE: The care, supervision and guidance of persons unaccompanied by parent, guardian or custodian, on a regular basis for periods of less than twenty-four (24) hours per day in a place other than the person's own home.

DAY CARE CENTER: A facility in which day care is regularly provided for compensation for six (6) or more persons not related to the proprietor. The care of five (5) or fewer persons who are not members of the household shall not be considered a Day Care Center.

DAY CARE GROUP HOME: A residential facility, certified by the Arizona Department of Health Services, in which day care is regularly provided for compensation for periods of less than twenty-four (24) hours per day for not less than five (5) full-time and part-time children, but no more than ten (10) full-time children through the age of twelve (12) years.

DENSITY: A ratio expressing the number of dwelling units per gross acre.

DETACHED ACCESSORY BUILDING: Same as "ACCESSORY BUILDING, DETACHED".

DEVELOPMENT UNIT (DU): An approximate "Sub Area" within a specifically defined PC District Boundary containing singular or multiple classification or mixed-use classifications may be permitted in the PC District in conformance with the general plan. A Development Unit may include text or table format, and would convey information similar to that referenced on a map but describes the area in more specific detail. The City Council may approve a particular definition of "Sub Area" or "Development Unit" for any individual PC district.

DRIVE-IN RESTAURANT: A restaurant which provides food and beverage service directly to patrons within parked vehicles for consumption on or off the premises.

DRIVE-THROUGH FACILITY: A business operation which provides goods or services passed through exterior windows or mechanical devices to patrons within motor vehicles.

DWELLING UNIT: One (1) or more habitable rooms forming an independent living area which may contain sleeping, sanitary, and cooking facilities. The term shall include an apartment but shall not include a hotel room or suite, guest rooms in boarding houses, or accessory living quarters.

EASEMENT, PUBLIC UTILITY AND FACILITIES (PUFE): An easement for the installation of facilities, underground or overhead, furnished for the use of the public, including electricity, gas, steam, communication, water, storm drainage, sewage, sidewalks, landscaping, traffic control devices, street lights, flood control, etc., owned and operated by any person, firm, corporation, municipal department, or board duly authorized by state or municipal regulations. Utility or utilities as used herein may also refer to such persons, firms, corporations, departments or boards.

EMBELLISHMENT: Decorative, ornamental, or architectural elements of a building intended to provide visual enhancement. Embellishment shall include partial parapets, pediments, towers, spires, reveals, recesses, and similar features, but shall not include a representation of letters, numerals, emblems, logos, or other features which convey a commercial advertising message.

FACTORY-BUILT BUILDING: A residential or nonresidential building including a dwelling unit or habitable room thereof which is either wholly or in substantial part manufactured at an off-site location to be assembled on-site, except that it does not include a recreational vehicle or mobile home.

FIRE LANE: See City Fire Code or as allowed per the provisions of Section 10.

FINISHED GRADE: The final elevation and grading of the ground surface after grading is completed.

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FLOOR AREA RATIO (FAR): The total amount of floor area contained within a building or set of buildings (Gross Floor Area (GFA) typically expressed in square feet), divided by the total net area of the site and expressed as a ratio. FAR shall not include surface, underground and structured parking toward the GFA but shall remain a part of the net area of the site. For example: A 20,000 square foot (GFA) building on a 80,000 square foot lot with surface parking would have a FAR of "0.25." A four story building with 20,000 square foot for each floor (80,000 square foot total) on a 80,000 square foot site with structured parking would have a FAR of 1.00.

FOOD AND BEVERAGE SALES: Shall mean a place, building or structure that primarily sells food and beverages for consumption off-site. This use may have an ancillary seating area within the building or outdoors that allow for consumption of the food and beverages sold on premises.

FOSTER HOME: A dwelling maintained by an individual or individuals having care or control of one (1) but not more than six (6) minor children, other than those related by blood, marriage or adoption, or those who are legal wards of such individuals, which is licensed by the Arizona State Department of Economic Security.

FOSTER HOME, GROUP: A Foster Home suitable for the placement of more than six (6), but not more than ten (10), minor children, which is licensed by the Arizona Department of Economic Security.

FOUNDATION BASE: The area adjacent to the exterior walls of a building containing hardscape, such as entry plazas, covered walkways, sidewalks, and ground cover, and landscaping.

FOUNTAIN: An ornamental structure featuring a jet or jets of water and/or water emptying into a pool, basin or body of water.

FRONTAGE: The area between a building Façade and the back of curb, inclusive of its built and planned components. The character in which a building address an adjacent street, typically formal - walls nearly parallel or perpendicular to the street, or random/organic/informal - walls have little to no relationship to the geometry of the adjacent street.

FRONTAGE LINE: See "BUILD TO LINE". **FUNCTION:** The use or uses accommodated by a building and its Lot.

GASOLINE AND ALTERNATIVE FUEL STATION: Any facility having pumps and/or storage tanks from which fuels for vehicles are dispensed directly into motor vehicles to the general public for compensation. Recharging stations for the transmission of electrical current are not gasoline or alternative fuel stations.

GENERAL DEVELOPMENT STANDARDS: Design standards and parking requirements and other zoning related development standards.. The term includes building setbacks, maximum building heights, parking stall sizes, parking ratios, minimum building separation requirements, landscape setbacks, landscape planting ratios and other similar requirements. Dimensional General Development Standards include requirements which are characterized by minimum or maximum physical characteristics that can be measured as width, length, depth or height. The General Development Standards are included throughout Sections 7 through 17.

GENERAL OFFICE: Shall mean a location, usually a building or portion of a building, where a company conducts its business.

GRANNY FLAT: See "ACCESSORY DWELLING".

GOVERNMENT: Shall mean any government entity federal, state, county or municipal.

GROSS FLOOR AREA (GFA): The sum of the gross areas of the floor or floors of an enclosed building or buildings.

GROUP FOSTER HOME: Same as "FOSTER HOME, GROUP".

GROUP HOME: See "BOARDING HOUSE".

GROUP HOME FOR THE HANDICAPPED: A dwelling shared as their residence by handicapped persons who reside together as a single housekeeping unit, in which staff persons may provide supervision, counseling, treatment or therapy for the residents therein, and which may be licensed by, certified by, registered with, or otherwise authorized, funded or

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regulated, in whole or in part, by an agency of the state or federal government. The term shall include adult care homes, homes for the chronically mentally ill, group care agencies, and similar residential living arrangements for handicapped persons, but shall not include boarding houses, homes for the developmentally disabled, nursing homes, substance abuse treatment facilities, or any facility providing treatment, counseling, or therapy to patients or clients who do not reside on the premises.

GUEST HOUSE: See "ACCESSORY LIVING QUARTERS".

HANDICAPPED: A person who: 1.) has a physical or mental impairment which substantially limits one or more of such person's major life activities; 2.) has a record of having such an impairment; or 3.) is regarded as having such an impairment. However, "handicapped" shall not include current illegal use of or addiction to a controlled substance (as defined in Section 102 of the Controlled Substance Act [21 United States Code 802]).

HARDSCAPE: Hardscape may be counted towards meeting open space or landscape calculations per site or subdivision plan. Hardscape may include, but not be limited to, paving, decomposed granite, pavers, flatwork, pots, street furniture, play structures, shade structures, ramadas, trellises, pergolas, arbors, steps, ramps, railings, fences, walls, art, water features (fountains, spas, pools, ponds, lakes, streams), fire elements (bar-b-ques, fire pit, gas lights), lighting, drainage ways, manhole covers, utility covers, signage, sports equipment, misting systems and boulders, signs, parking screen walls, fire hydrants, transformers, SES equipment, back flow preventers, telecommunications boxes and retention basins.

HAZARDOUS MATERIALS: A substance or material which has been determined by the Secretary of Transportation to be capable of posing an unreasonable risk to health, safety, and property when transported in commerce, and which has been so designated. The term includes hazardous substances, hazardous wastes, marine pollutants, and elevated temperature materials. The concentration of the substance will be considered when determining the substance's hazardous risk.

HEALTH CLUB: A place or building where active exercise and related activities are performed utilizing weight control or muscle building equipment or apparatus for the purpose of physical fitness. It shall also mean a place or building which provide massage, exercise or related activities with or without such equipment or apparatus. Accessory Uses including restaurants, retail and other related uses are allowed within Health Clubs.

HOME OCCUPATION: Shall mean any occupation or profession carried on by an owner or resident of the residential premises, and which is clearly incidental to the use of the structure for dwelling purposes and which does not change the exterior character of the premises. Such home occupation shall not produce regular customer traffic, provide for more than one (1) employee (one extra parking space above the minimum for a residence is required) not allow for retail sales or retail sales display, not allow for the warehouse style storage or stocking of products (storage of small quantities of "sample products" is permitted), not allow for the storage of fleet vehicles and all business shall be conducted indoors or within an enclosed yard that is screened from public view (no outdoor storage or display of products).

HOSPITAL: A building or group of buildings designed and used for extended medical care and treatment, diagnosis, and housing of persons under the care of doctors and nurses or other supervisory personnel, including emergency room operations. The term shall include medical centers that incorporate medical office buildings, nursing homes and assisted living centers, hospices, and limited retail and restaurant activity when incorporated as an accessory use.

HOTEL: A residence facility designed for short-term occupancy by transients or as a residence for periods of less than one year and which provides continuous on-site management. A Hotel shall contain rooms and/or dwelling units and shall customarily provide housekeeping, bellhop, laundry and on-site recreation services. Also, commercial and restaurant uses shall be an allowed accessory use to the Hotel. The hotel may also provide for conference and meeting facilities. The term shall include those facilities subject to the Transient Occupancy Tax provided in Title 5, Chapter 18 of the Mesa City Code, but shall not include nursing or convalescent homes, Boarding Houses, Bed and Breakfast Establishments or Apartment buildings. In conjunction with hotel conference and meeting facilities, events and other such activities that take place on portions of the hotel site designed to accommodate such events (either indoor or outdoor) are considered as an accessory use and not subject to the requirements noted in Section 17.11. Accessory use events shall not include any activity that requires the use of mandatory minimum required parking spaces, or activities which require the use of or straddle both sides of public rights-of-way or mandatory emergency access lanes or privately held land.

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JUNKYARD: Any area, lot, land, parcel, building or structure or part thereof used for the storage, collection, processing, purchase, sale or abandonment of junk as defined in Title 6 of the Municipal Code.

KENNEL: An enclosed, controlled area where five (5) or more animals (other than livestock) are boarded for compensation. No breeding shall be allowed.

KIOSK: A stand-alone structure, fixed or temporary, to assist with directions, for signage, for display or for limited sales of goods and services.

LAKE: A body of water used as an aesthetic or artistic amenity in a park or other open space, a holding facility for landscape irrigation, a holding facility for stormwater or a cultural or social amenity.

LAND USE BUDGET TRACKER: A document that updates the residential unit counts and commercial square footages approved by subdivision plat, site plan approvals, DU transfers or any other approvals that amend the allocations set forth within the Land Use Budget.

LIVE-WORK: A Mixed-Use unit consisting of a commercial and residential function. The commercial function may be anywhere in the unit. It is intended to be occupied by a business operator who lives in the same structure that contains the commercial activity or industry. The commercial or "work" function of the unit may be a retail storefront and allow for regular customer and employee traffic with the residential function behind, above or below the storefront square footage.

LOT: A piece or parcel of land separated from other pieces or parcels by description, as in a subdivision or on a recorded survey map or by metes and bounds, for purposes of sale, lease, or separate use.

LOT, AREA: The Area of a parcel, lot or property bounded by lot lines and exclusive of ROW and tracts, generally expressed in square feet.

LOT, CORNER: A parcel, lot or property with two or more sides adjacent to two streets (not service lane(s)) and their intersection.

LOT DEPTH: Refer to *Exhibits 7.35 thru 7.37* - Parcel/Lot Configuration Diagram.

LOT, FLAG: A parcel, lot or property with a narrow portion attached to the ROW or tract providing legal access to the parcel lot or property. The narrow portion may be narrower than the minimum lot width. Refer to *Exhibits 7.35 thru 7.37* - Parcel/Lot Configuration Diagram.

LOT, INTERIOR: A parcel, lot or property which is not a flag lot or a corner lot.

LOT LENGTH: See "LOT DEPTH".

LOT LINE: A line on a plat or of a land division which divides two separate lots, parcels, or properties. The line on a plat or of a land division which divides a lot, parcel, or property from an adjacent tract or ROW.

LOT, THROUGH: A parcel, lot or property adjacent to two streets (not service lane(s)) on relatively opposite sides of the parcel, lot or property. **LOT WIDTH:** Refer to *Exhibits 7.35 thru 7.37* - Parcel/Lot Configuration Diagram.

MASTER DEVELOPER: Shall mean the entity responsible for implementing the requirements of the Community Plan, and its designees and assignees.

MANUFACTURING: Premises available for the fabricating or assembling of materials into finished or partially finished products by hand or by the use of machinery.

MOTEL: Same as "HOTEL".

MIXED-USE: Means a development or building, on a single building site, Lot or parcel, that contains more than one use.

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MULTIPLE FAMILY (a.k.a. MULTI-FAMILY) RESIDENCE: Shall mean multiple (more than two) dwellings on one lot.

NIGHTCLUB: See "BAR".

NOTICE PROVISIONS: Shall mean the requirements set forth in the CP for noticing approval of DUs, site plans and any amendments to the CP, DUs and site plan approvals.

NURSING HOME: See "ASSISTED LIVING FACILITY".

OCCUPANT: The person occupying or having custody of a structure or premises as a lessee or other.

OPEN SPACE: The area or areas of a Lot or parcel intended to provide light and air, and is designed for either scenic or recreational purposes, excluding buildings, parking, driveways, and other vehicular surfaces. Hardscape, sidewalks, and other pedestrian areas within the Property shall be deemed Open Space.

OPEN SPACE, COMMON: An Open Space intended for use by all occupants of a development which includes areas such as floodways, drainage ways, drainage areas, pedestrian corridors, parks, golf courses, and other private and public recreation areas.

OPEN SPACE, PRIVATE: An Open Space intended for the exclusive use of the occupants of a dwelling unit.

OUTBUILDING: See "ACCESSORY BUILDING, DETACHED".

OUTDOOR DISPLAY: The outdoor placement of products for sale or advertising adjacent to a building classified as a commercial land use. The goods or services displayed outdoors for sale or advertising may or may not also be displayed within the interior square footage of the Commercial Use.

OUTDOOR STORAGE: The area outside or outdoors of a non-residential use used for storing items related to the non-residential uses. Outdoor Storage may include materials, goods, vehicles, and other products of the primary non-residential use.

OWNER: The person indicated on the records of the Maricopa County Assessor, or other official body, as the owner of record of the property in question, or designee.

PASSENGER TERMINAL: Shall mean a location, building or outdoor facility whereby passengers congregate for use of transit facilities.

PERSONAL SERVICES: Shall mean services such as consulting, counseling, tutoring, health and beauty services and other services conducted on a one-to-one or one-to-many basis dealing with matters considered personal to the customer.

PLANNING DIRECTOR: Person designated by the City Manager as having the primary responsibility for administering and enforcing the Community Plan. The Planning Director is authorized to designate a designee for the same responsibilities.

PORTABLE STORAGE CONTAINER: A prefabricated structure transported to a site for the purpose of temporary, periodic, or isochronal storage of merchandise, goods, or materials related to the primary, permitted use. The term shall include any such structure whether placed directly on the ground, or having an attached axle and wheels.

PRESCHOOL: Same as "DAY CARE CENTER".

PRIMARY STREET: Shall mean the streets with a high volume of traffic with a tighter urban cross section and high pedestrian activity and spaces along the street. Refer to Street Types within Section 10.

PRINCIPAL BUILDING: The main building on a Lot, usually located toward the Frontage. The site plan may designate multiple principal buildings for group developments.

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PRINCIPAL FRONTAGE: On corner Lots, the Frontage designated to bear the address and Principal Entrance to the building.

PRIVATE STREET: Real property recorded as improved roadway for pedestrian and motor vehicle traffic, constructed and maintained by private parties.

PROPERTY OWNER: See "OWNER".

PUBLIC MAINTENANCE FACILITY: A facility owned, operated or contracted by the City for maintenance vehicles, materials, service and storage.

PUBLIC ART: All forms of art work, works of art, performances and creations of visual art created by an artist. Public Art may be placed on public property or on private property that is visible from the public realm or provides the appropriate easements to allow for public access to or viewing of the public art.

PUBLIC STREET: Real property dedicated for, and recorded as, public right-of-way for pedestrian and/or motor vehicle traffic. The term shall not include public right-of-way designated for limited access freeways.

RECYCLING FACILITIES: A facility used solely for the collection of recyclable materials, such as aluminum cans, paper, etc. and which is conducted primarily in an enclosed building. Such facilities shall not be deemed a Junkyard. The use shall be used mainly as a collection center and no processing shall be conducted on-site. Storage of recycled materials shall be contained entirely within an enclosed building. Storage shall be considered ancillary to the small collection use.

RESORT: A building or group of buildings containing guest rooms and residential units for occupancy by transients or as a residence for periods of less than one (1) year. The resort may include recreational amenities such as a golf course, tennis, swimming pools, spa related activities and other resort related activities for guests. A resort may allow for uses and accessory uses authorized for a Hotel including restaurants, bars, meeting and convention facilities, and accessory use events. Resort guest rooms shall include timeshare, interval ownership, condominium hotel units, motel units, and any other ownership structure and shall be counted against the nonresidential square footage and/or hotel rooms permitted per the Land Use Budget. In conjunction with resorts that include hotel conference and meeting facilities, events and other such activities that take place on portions of the resort campus designed to accommodate such events (either indoor or outdoor) are considered as an accessory use and not subject to the requirements noted in Section 17.11. Accessory use events shall not include any activity that requires the use of mandatory minimum required parking spaces, or activities which require the use of or straddle both sides of public rights-of-way or mandatory emergency access lanes or privately held land. The term shall include those facilities subject to the Transient Occupancy Tax provided in Title 5, Chapter 18 of the Mesa City Code, but shall not include nursing or convalescent homes, Boarding Houses, Bed and Breakfast Establishments or Apartments.

RESPONSIBLE PARTY: A person charged with a civil violation as outlined within the CP.

RESTAURANT: A facility which is regularly open for the primary purpose of serving food prepared for consumption, either on or off the premises, to customers for compensation.

RIGHT-OF-WAY, PUBLIC (ROW): An area of land which by deed, conveyance, agreement, easement, dedication, usage or process of law is reserved or dedicated to the City for public purposes including, but not limited to: Street, highway, alley, public utility, pedestrian walkway, bikeway, or drainage. Within public rights-of-way, the City of Mesa coordinates the locations of public or private improvements, underground or overhead; including electricity, gas, steam, communication, telecommunications, data transmission, cable TV, water, storm drainage, sewage, sidewalks, landscaping, traffic signals, streetlights, flood control, pedestrian, roadway purposes, etc. owned and operated by any person, firm, company, corporation, municipal department, or board duly authorized by federal, state or municipal regulations.

ROOF AREA: That portion of a Lot or parcel covered by the roof structure of all buildings, excluding the eaves and overhangs, but including covered porches, patios and carports.

ROADSIDE STAND: A seasonal to permanent stand that allows for the sale of goods on private property alongside a public or private roadway for uses allowed within the LUG.

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SCHOOL: A public, private, or charter institution which provides a curriculum of general academic education, including kindergarten, elementary, junior high, high school, college and university. The term shall not include a Day Care center.

SCHOOL DORMITORY: A residential building that provides housing students for schools, colleges, universities, post-secondary schools and other educational uses either on-site or off school property.

SCREENING DEVICE: A visual barrier which may be composed of earthen berms, landscape materials, and/or structural elements utilized in accordance with the provisions of the CP.

SECONDARY STREET: A street secondary to the Primary Street. Setbacks and build-to lines are varied and more flexible than the Primary Street.

SERVICE LANE: A public right-of-way or private tract used to provide vehicular access to properties which abut it.

SETBACKS: The distance a building must be placed away from an object or property line. Refer to Section 7 of the CP.

SEXUALLY ORIENTED BUSINESS: See Section 6-16-1 of the Mesa City Code. **SINGLE-FAMILY RESIDENCE, DETACHED:** A single residence dwelling unit that is not attached to any other dwelling unit on a single Lot or parcel, except for an Accessory Dwelling as defined herein and where permitted.

SINGLE-FAMILY RESIDENCE, ATTACHED: A single residence dwelling unit, located singly on a Lot or parcel, but attached through common vertical walls to one or more dwellings on abutting lots.

SITE PLAN: Shall mean a Site Plan approved per the requirements of Section 6 of the CP that delineates the location of buildings, landscaping, parking and other site development along with the residential unit counts and commercial square footages approved by Site Plan approval. These amounts shall be specified on the Land Use Budget Tracker as site plan amounts. See "SITE PLAN DEVELOPMENT POTENTIAL" for additional information regarding Site Plan approval.

SITE PLAN DEVELOPMENT POTENTIAL (SPDP): A site plan that depicts a future potential development scenario and calculations of existing, proposed and potential GFA and dwelling units on a property. See Section 6.1D.3. Site Plan Development Potential ("SPDP") Submittal for details

SMALL ANIMAL HOSPITAL OR CLINIC: A facility having reasonable sound attenuation construction features where animals other than livestock are given medical treatment, and where limited kennel facilities for the short-term boarding of animals awaiting or convalescing from treatment may be provided. Short term boarding of small animals other than livestock for other purposes outside of the general health of the animal may be considered as an accessory use.

SOCIAL SERVICE FACILITY: An establishment where the principal function involves providing on-site food, clothing, shelter, employment or other related services primarily intended for economically disadvantaged persons with limited ability for self care, or those persons in need of counseling for employment, or those persons with personal or behavioral disabilities. The term shall include the principal assistance or service facility and all appurtenant or related establishments intended for use by the patrons of the principal facility. The term shall include homeless shelters, charity dining facilities, plasma centers, rescue missions, day labor hiring centers, substance abuse detoxification and treatment centers, halfway houses, and similar facilities, but shall not include State Licensed care facilities such as homes for the developmentally disabled, child crisis, and domestic violence centers. Characteristic of this land use is the outdoor congregation of individuals awaiting services, receiving service, or having already received service, often in the form of loitering; or the forming of queues for receipt of gratis or heavily discounted goods or services.

COMMUNITY PLAN

SPECIAL EVENT: A temporary use in all zoning districts which:

1. Is intended for purposes of entertainment, education, commercial promotion, or cultural, religious, ethnic, or political expression.
2. Is conducted on public or private property on a site or in an area which may not be specifically zoned, authorized, or otherwise approved for such use on a permanent basis.
3. Is carried on in a temporary structure, or outside.
4. May occur in conjunction with an existing permitted use or as a separate activity.
5. Includes parades, sporting events, circuses, fairs, carnivals, festivals, religious revivals, political rallies, vehicle shows and displays, and similar recognized temporary activities.
6. Shall not include wedding and funeral ceremonies, holiday boutiques, elections, private yard sales, Christmas tree and pumpkin sales lots, and charity car washes.

SPORTS RANCH: A facility providing instruction and training in a specific recognized sport or sports such as golf, tennis, running, equitation and similar outdoor activities; and which may include ancillary uses such as food service, proshops, classrooms, dormitories, clubhouses and administrative offices.

STRUCTURE: Anything which is built or constructed or any piece of work artificially built up or composed of parts, including, but not limited to, buildings, fences, towers, overhead transmission lines and mechanical equipment.

SWAP MEET: A commercial activity characterized by the sale or barter of merchandise or farm products to the general public by individuals from a booth or stall. The term shall include a farmer's market, flea market, and similar commercial activities.

SWIMMING POOL: A contained body of water used for bathing or swimming purposes either above or below ground level with the container being eighteen (18) or more inches in depth at any point, and/or wider than eight (8) feet at any point measured on the long axis. The term shall not include Lakes.

TRADE SCHOOL: See "VOCATIONAL SCHOOL".

TRANSFERS: Shall mean the allocation of residential units or gross square footage of non-residential uses from one Development Unit to another Development Unit.

TRANSIT TERMINALS: A facility used for providing access to the local and regional transit system. The terminal may be an outdoor facility, such as a bus stop. The facility may also be a building that includes waiting areas, ancillary retail and service uses to benefit the users of the transit terminal. Sale of tickets and passes for the transit system is also allowed within the terminal. The design may include provisions for bus turning radii, pavement that can support the weight of transit vehicles, general traffic and transit vehicles and facilitating walking between buildings and transit stops. Shelters may be allowed within the ROW.

USE: The specific purpose for which a building or Lot is arranged, intended, designed, occupied or maintained.

USE, PERMITTED: A use specifically permitted or a use analogous to those specifically permitted by this CP.

USE, PROHIBITED: A use listed as Prohibited in Section 7.16 - Permitted Uses.

VARIANCE: Authorization to depart from the literal requirements of the Municipal Code generally involving dimensional and locational provisions, but excluding land use.

VOCATIONAL SCHOOL: A facility that provides a curriculum of specialized instruction and training for a specific occupation or trade.

COMMUNITY PLAN

WAREHOUSING: A business in which goods or merchandise are stored, including shipping or distribution activities.

YARD: 1.) The physical void created by setbacks. 2.) The space between a property line, tract or ROW and façade of the primary building. See *Exhibits 7.35 thru 7.37* - Parcel/Lot Configuration Diagram.

WIRELESS COMMUNICATION FACILITY, COMMERCIAL: A mono-pole, lattice tower, guyed tower, or similar structure, which may support appurtenances and antennae, intended for commercial wireless communication purposes, such as a television antenna, cellular or PCS phone tower. The term includes the placement of commercial wireless communications equipment on existing building and structures, or the use of artificial plants, or single-use structures designed as buildings, to house and elevate commercial wireless communications equipment.

WIRELESS COMMUNICATION FACILITY, NONCOMMERCIAL: A mono-pole, lattice tower, guyed tower, or similar structure, which may support appurtenances and antennae, intended for noncommercial wireless communication purposes, amateur radio tower or HAM radio tower.