

**MILFORD
ORDINANCE 2019-02**

REVISING DEFINITION

NOW THEREFORE, be it ordained by the City Council of Milford City that Chapter 13.01 of the Milford City Code is hereby amended to read as follows:

SECTION 1: **AMENDMENT** "13.01.040 Definitions" of the Milford Municipal Code is hereby *amended* as follows:

A M E N D M E N T

13.01.040 Definitions

For the purpose of this title, the following definitions shall apply unless the context clearly indicates or requires a different meaning. **Abut.** Two adjoining parcels of property with a common property line, including two or more lots adjoining only at a corner, except where such common property line is located in a public street right-of-way. **Access or Accessway.** The place, means or way by which pedestrians and vehicles shall have safe, adequate, and usable ingress and egress to a property or use as required by this title.

Accessory Building. A subordinate building located on a building site, the use of which is customarily related to a main building or to the use of the land. **Addition.** An extension or increase in floor area or height of a building or structure. **Air Contaminant.** Particulate matter, dust, fumes, gas, mist, smoke, vapor, or any combination thereof having or tending to have a deleterious effect on human beings, vegetation, animals or property. **Alley.** An access roadway or drive that provides service access to the rear or sides of a parcel. **Alteration.** Any work on a structure that does not result in any addition to the structure. **Ambient Noise Level.** General noise level one finds in a certain area at a given time. **Amendment.** A change in the wording, context, or substance of this title, or an addition or deletion or a change in the zone boundaries or classifications upon the zoning map, which imposes any regulation not theretofore imposed, or removes or modifies any such regulation theretofore imposed. **Amusement Arcade.** Any business having five or more mechanical or electronic games as defined in this section. **Animal Clinic.** A place where animals no larger than the largest breed of dogs are given medical or surgical treatment; a facility primarily for treatment of out-patients and where only a short time, critical patients are kept longer than 24 hours. **Boarding of animals** shall be incidental to such clinic use. **Animal, Domestic.** Any domesticated animal or household pet commonly maintained in a dwelling unit with humans, which is not normally sold for commercial purposes. **Animal, Exotic.** Any animal or household pet not commonly maintained in a dwelling unit with humans, nor commonly maintained on a farm. **Wild Animal** means the same as **Exotic Animal**. **Animal, Farm.** Any animal commonly maintained or used on a farm or for farming purposes other than domestic animals. **Animal Hospital.** A place where animals are given medical care and the boarding of animals is limited to a short-term care incidental to the hospital use. **Antennae.** Devices, external to any structure, used for the purposes of sending or receiving electronically transmitted messages. **Antique Shop.** A establishment dealing in the buying and selling of items belonging to or typical of earlier times which are valued for their age. **Apartment.** A habitable room or suite of two or more habitable rooms with a single kitchen, in a multiple unit dwelling, occupied or suitable for occupancy as a residence for one family and shall be considered a dwelling unit. **Apartment Hotel.** A multiple-family dwelling with six or more guest rooms which furnishes services for the use of its tenants which are ordinarily furnished by hotels. **Apartment House.** Any building or portion thereof which is designed, built, rented, let or hired out to be occupied, or which is occupied as the home or residence of three or more families living independently of each other and doing their cooking in the building. **Architectural Projections.** Projections from a building which are necessary for the shading of a building or features such as sills, cornices and chimneys. Such projections may extend into required yards only as allowed by the provisions of this title. **Automotive Repair Specialty Shops.** A retail and service place of business engaged primarily in light repair, and sale of goods and service for automotive vehicles. Extensive automotive repair, including but not limited to transmission, body and engine repair, is not included in this definition. **Automotive Service Station.** A retail place of business engaged primarily in the sale of motor fuels and supplying only those incidental goods and services which

are required in the day-to-day operation of automotive vehicles and the fulfilling of motorist needs. Automotive, Trailer, and Mobile Home Sales Lot. An open area used for the display, sales or rental of new or used automobiles or trailer coaches or mobile homes, but where no major repair or repainting or remodeling is done. Automotive Wrecking Business. The dismantling or wrecking of used motor vehicles or trailers, or the storage and sale of dismantled or damaged vehicles or their parts, but not including the incidental storage of damaged vehicles in connection with the operation of a repair garage. Bachelor or Studio Unit. A dwelling unit consisting of a combined room for living and sleeping and a separate room for cooking. Balcony. An unroofed or roofed platform enclosed by a railing or parapet projecting from the wall of a building for the private use of occupant or for exterior access to the above-grade living units. When a balcony is roofed and enclosed with operating windows or doors, it is considered part of the room it serves. Bar. Premises used primarily for the sale or dispensing of liquor by the drink for onsite consumption and where food may be available for consumption on the premises as accessory to the principal use. Basement. The portion of building between floor and ceiling which is partly or wholly underground. A basement shall be counted as a story for purposes of height measurement where more than one-half of its height is above the average level of the adjoining ground. Billiard Parlor. An establishment that has three or more billiards or pool tables. Boardinghouse or Rooming house. A dwelling unit where lodging is provided, with or without meals, for compensation, for five or more persons.

Building. A structure having a roof supported by columns or walls. Building Height. Vertical distance from the average elevation of the finished grade to the highest point on the structure directly above; provided, that a roof shall be measured to the highest point of the roof. Building Line. A line in the interior of a lot parallel to a property line and located at a distance equal to setback distance. Building, Main. A building or buildings within which is conducted the principal use permitted on the lot, as provided by this title. Building Site. A legally created parcel or contiguous parcels of land in single ownership, which provides the area and open spaces required by this title, exclusive of all vehicular and pedestrian rights-of-way and all other easements that prohibit the surface use of the property by the owner thereof. Building Site Coverage. The percentage of the building site covered by structures, open or enclosed excluding courts, patios, terraces, swimming pools, and post-supported roofs over walkways.

Building Site, Through. Editor's note: This material is missing from the Zoning Ordinance.

Business. Management, operation, sale, purchase or other transaction involving the handling or disposition of commodities or services. Carport. A roofed structure, or a portion of a building, primarily for the parking of automobiles belonging to the occupants of the property. Certificate of Occupancy. A required document issued by the Building Official prior to the occupation or use of land or prior to occupation or use of buildings erected or structurally altered. Clinic, Medical.

An organization of doctors providing physical or mental health service and medical or surgical care of the sick or injured but does not include in-patient or overnight accommodations. Club.

An association of persons for some common purpose but not including groups organized primarily to render a service which is customarily carried on as a business. Cluster Development.

An Arrangement of dwelling units, attached or detached which provides a number of dwelling units sufficient to meet density requirements, constructed on smaller lots in return for the restriction or dedication of the remaining acreage as permanent open space. Commercial.

Operated or carried on primarily for financial gain. Commercial Complex. Two or more businesses shown on a common development plan, plot plan, or precise plan functioning as a

unit, with common off-street parking provided on the property as an integral part of the unit.

Commercial Recreation. Any use of development either public or private, providing amusement, pleasure, or sport, which is operated or carried on primarily for financial gain. Commission or Planning and Zoning Commission. The Milford City Planning and Zoning Commission.

Community Collector. A medium-speed highway abutting similar land uses. The primary function is to collect and distribute trips within a hierarchy of roads and, secondarily, to carry short trips between adjacent neighborhoods. A community collector has a significant amount of parallel and perpendicular pedestrian traffic.

Community Facility. A noncommercial use established primarily for the benefit and service of the population of the community in which it is located.

Conditional Use. A use which requires a special degree of control because of characteristics peculiar to it, or because of size, technological processes, type of equipment, or because of the exact location with reference to surroundings, streets, existing improvements or demands upon public facilities.

Condominium. A state of realty consisting of separate interests in residential buildings together with undivided interests common in other portions of same property unit as a separate interest, and common areas are entire condominium except units granted; thus, owners of condominiums are grantees of units. Each grantee owns a separate interest in his unit and an interest as granted in common, in common area.

Convalescent Home, Nursing Home, Rest Home and Home for the Aged. Each mean a facility licensed by the State Department of Public Health, the State Department of Social Welfare, or the county, which provides bed and ambulatory care for patients with post-operative convalescent, chronically ill or dietary problems, and persons unable to care for themselves; but not including alcoholics, drug addicts, or persons with mental or contagious diseases or afflictions.

Conventional Development. A development, other than a condominium, apartment, or cluster development, with each dwelling unit situated on a residential lot of record and no lot containing more than one dwelling unit.

Corral. A pen or enclosure for confining horses or other large animals.

Country Club. A club organized and operated primarily for social and outdoor recreation purposes, including incidental accessory uses and structures.

Court. An unoccupied space, other than a yard, on the same lot with a building or a group of buildings.

Day Nursery (Including Preschool and Nursery Schools). Any group of buildings, building or portion thereof, used primarily for the daytime care of six or more children at any location other than their normal place of residence.

Density, Gross. The total number of dwelling units permitted on an acre of land exclusive of all existing public arterial streets and rights-of-way, but including all streets or right-of-way to be developed.

Density, Net. The same as density except proposed streets and rights-of-way shall be excluded.

Driveway. A vehicular passageway for the exclusive use of the occupants of a property and their guests. A driveway shall not be considered as a street.

Duplex. An attached permanent building containing two dwelling units.

Dwelling. Any building or portion thereof designed or used primarily as a residence or sleeping place of one or more family members, but not including a tent, travel trailer, hotel, motel, hospital, or nursing home.

Dwelling Group. One or more buildings, not more than two stories in height, containing dwelling units and arranged around two or three sides of a court which opens onto a street, including single-family, duplex, and multiple-family dwellings.

Dwelling, Guest. Living quarters within an accessory building which occupies not more than one-tenth of the area of the lot on which it is situated, for use exclusively by temporary, nonpaying guests of the resident family, such quarters having no kitchen.

Dwelling, Multiple-Family. A building arranged or designed to be occupied by more than two (2) families.

Dwelling, Single-Family. A building arranged or designed to be occupied by one (1)

family, the structure having only one (1) dwelling unit. Dwelling, Two-Family. A building arranged or designed to be occupied by two (2) families, the structure having only two (2) dwelling units. Dwelling Unit. One (1) or more rooms in a dwelling, apartment hotel or apartment motel, designed for or occupied by one (1) family for living or sleeping purposes and having kitchen and bathroom facilities for the use of not more than one (1) family. Easement. A recorded right or interest in the land of another, which entitles the holder thereof to some use, privilege or benefit out of or over the land. Educational Institution. Private or public schools, colleges or universities qualified by the State Board of Education to give general academic instruction. Family. An individual, or two (2) or more persons related by blood, marriage or adoption, or a group of not more than four (4) persons (excluding servants) who are not related, living in a dwelling unit as a single housekeeping unit and using common cooking facilities. Fence. A free standing structure of metal, masonry, composition or wood or any combination thereof resting on or partially buried in the ground, and used for confinement, privacy, protection, screening or partition purposes. Floor Area, Gross. The total horizontal area, in square feet, including the exterior walls of all floors of a structure. Floor Area Ratio. The numerical value obtained by dividing the gross area of a building or buildings located upon a lot or parcel of land by the total area of such lot or parcel of land. Fortunetelling. Telling of fortunes, forecasting of future events or furnishing of any information not otherwise obtainable by the ordinary process of knowledge, by means of any occult or psychic power, faculty or force, including but not limited to clairvoyance, aliraudience, cartomancy, phrenology, spirits, tea leaves, or other such reading, mediumship, seership, prophecy, augury, astrology, palmistry, necromancy, mind-reading, telepathy, or other craft, art, science, cards, talisman, charm, potion, magnetism, magnetized article or substance, crystal gazing, oriental mysteries, or magic of any kind or nature or similar means of act. Freeway. A high-speed divided arterial highway for through traffic with full control access and grade separations at major intersections. A freeway has emergency parking only and no parallel or perpendicular pedestrian movements. Garage, Private. A building, or a portion of a building, enclosed and used primarily for the parking of automobiles belonging to the occupants of the property. Garage, Public. A building, or a portion of a building, enclosed and used primarily for the parking of automobiles belonging to the general public. General Plan and The Milford City General Plan. The general plan of the city. Grade, Ground Elevation. The average elevation of the finished ground surface surrounding a building. Grazing. The act of pasturing livestock on growing grass or other growing herbage, or on dead grass or other dead herbage existing in the place where grown, as the principal sustenance of the livestock so grazed. Gross Area. The horizontal area within the lot lines of a lot or parcel of land before public streets, dedicated or reserved for public use are deducted from such lot or parcel. Guest House. Living quarters within an accessory building located on the same premises with the main building for use by temporary guest of the occupants of the premises, having no kitchen and not rented or otherwise used as a separate dwelling. Habitable Room. Any room for sleeping or living purposes excluding such enclosed places as closets, bath or toilet rooms, connecting corridors, unfinished attics, foyers, storage spaces, utility rooms, spaces used exclusively for cooking or eating, and similar spaces. Home Occupation. An occupation conducted as an accessory use within a dwelling unit. Hospital. A facility licensed by the state Department of Public Health providing clinical, temporary emergency service of medical, obstetrical or surgical nature to human patients. Hotel. Any building or portion thereof with access provided through a common entrance, lobby or hallway to six or more guest rooms, and

which rooms are designed, intended to be used or are used, rented or hired out as temporary or overnight accommodations for guests. Improvements. Any man made artifacts which add to the value or enhance the value of land, e.g. streets, utilities, buildings. Industry. The manufacture, fabrication, processing, reduction or destruction of any article, substance or commodity, or any other treatment thereof in such a manner as to change the form, character, or appearance thereof, and includes storage elevators, truck storage yards, warehouses, wholesale storage and other similar types of enterprise. Institution. A social, educational, governmental, health, or religious organization. Intensity. The magnitude of activity affecting the development of densities, traffic flow, commercialism, tourism and land use. Junk. Any worn out, castoff, or discarded article or material. Junk and Salvage Yard. Any property used for the breaking up, dismantling, sorting, storage, distribution, or sale of any scrap, waste material or junk. Kennel. ~~Any lot where four or more dogs, or cats, over the age of four months, are kept or maintained.~~ A lot where a maximum of four dogs are kept or maintained. Kennel, Commercial. Any kennel or property maintained for the purpose of boarding, breeding, raising or training dogs or cats for a fee or for sale. Kitchen. Any room in a building or dwelling unit which is used for cooking and preparation of food. Landscaping. The planting of suitable plant materials or a combination of plant materials with minimum areas of paving, gravel, or otherwise dust free materials including an adequate irrigation system. Laundromat. A business premises equipped with individual clothes washing and drying machines whether coin-operated or attendant operated for the use of retail customers, exclusive of laundry facilities provided an accessory use in an apartment house, hotel or motel. Laundry, Commercial. A building where clothing and fabrics are washed, other than a laundromat and is defined in this title as an industrial use.

Line of Sight. A visual path emanating from average eye level judged to be five feet above the ground. Loading Space. An off-street space or berth on the same lot with a main building, or contiguous to a group of buildings, for the temporary parking of one or more commercial vehicles, while loading or unloading, and which has access from a street, alley, or other permanent means of ingress or egress. Local Street. A low speed, low-volume highway primarily for access to residential, business, and other abutting property. Lot. Any numbered or lettered parcel shown on a recorded tract map, a record of survey recorded pursuant to an approved division of land or a recorded parcel map. Lot, Corner. A lot located at the intersection or interception of two or more streets at an angle of not more than 135 degrees, which lot shall be considered a corner lot. If greater than 135 degrees, the lot shall be considered an exterior lot. Lot Depth. The average horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines. Lot, Flag. A lot so shaped and designed that the main building site area is set back from the street on which it fronts and includes an access strip not less than 20 feet in width at any point connecting the main building site area to the frontage street. Lot, Interior. A lot other than an exterior, corner or reverse corner lot. Lot, Key. The first lot to the rear of a reverse corner lot and not separated by an alley. Lot Line. Any line bounding a lot as defined in this section under Lot. Property Line. means the same as Lot Line. Lot Line, Front. On an interior lot, the front lot line is the property line abutting the street. On a corner or reverse corner lot, the front lot line is the shorter property line abutting a street, except in those cases where the subdivision or parcel map specified another line as the front lot line. On a through lot or a lot with three or more sides abutting a street or a corner or reverse corner lot with lot lines of equal length, the front of the building shall determine which property line shall be the front lot line for the purposes of compliance with yard and setback provisions of this title. On a private

street or easement, the front lot line shall be designed as the edge of the easement. Lot Line, Interior. A lot line not abutting a street. Lot Line, Rear. A lot line not abutting a street which is opposite and most distant from the front lot line; in the case of an irregularly shaped lot, a line within the lot, having a length of not less than ten feet. A lot which is bounded on all sides by streets may have no rear lot lines. Lot Line, Side. Any lot line not a front lot line or rear lot line. Lot, Reverse Corner. A corner lot, the side line of which is substantially a continuation of the front lot lines of the lot to its rear, whether across an alley or not. Lot, Through. A lot having frontage on two dedicated parallel or approximately parallel streets Lot Width. The horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines. Marquee. A roofed structure or awning or canopy attached to and supported by the building and extended over a building line and into public property. Manufactured Home. A transportable factory built housing unit, complying with the Utah Uniform Building Standards Act, 58-56-3-9. A unit constructed on or after June 15, 1976 according to the Federal Home Construction and Safety Standards Act of 1974 (HUD Code), in one or more sections, which in the traveling mode, is eight (8) body feet or more in width and forty (40) body feet or more in length, or when erected on its site is four hundred (400) or more square feet and which is built on a permanent chassis and is designed to be used as a dwelling, with or without a permanent foundation when connected to the required utilities, including plumbing, heating/cooling and electrical systems. All manufactured homes constructed on or after June 15, 1976, shall be identifiable by the manufacturers data plate bearing the date the unit was manufactured and a HUD label attached to the exterior of the home, certifying that the home was manufactured to HUD standards. Does not include a recreational vehicle or commercial coach. Manufactured Home Park. Any area or tract of land a minimum of ten (10) acres, where five (5) or more Manufactured Home lots are sold, rented or leased or held out for rent or lease to accommodate manufactured homes for human habitation, including manufactured home accommodation structure. The rental paid for such manufactured home is deemed to include rental for the lot it occupies. Marquee. A roofed structure or awning or canopy attached to and supported by the building and extended over a building line and into public property. Master Plan of Drainage. An engineering report outlining the drainage facilities needed for the proper development of a specific land increment of the city, and duly adopted by the City Council. Mechanical or Electronic Game. Any machine, apparatus, contrivance, appliance, or device which may be operated or played upon the placing or depositing therein of any coin, check, slug, ball, or any other article or device, or by paying therefore either in advance of or after use, involving in its use either tokens or change, including, but not limited to tape machine, card machine, pinball machine, bowling game machine, shuffle board machine, marble game machine, horse racing machine, bowling game machine, baseball game machine, football game machine, electronic video game, or any other similar machine or device. Ministorage or Miniwarehousing. A building or complex of buildings containing separate, enclosed units or cubicles, or other spaces which are available for rent, lease or sale to individuals for storage of goods, personal belongings and other miscellaneous articles of value. Model Home. A dwelling or residential building having all of the following characteristics: The dwelling is constructed upon a proposed lot previously designated as a model home site in a subdivision for which there is an approved tentative map and for which a final map has been recorded. The dwelling is intended to be temporarily utilized as an example of the dwellings which have been built or which are proposed to be built in the same subdivision. Mobile Home. Mobile Home for the purpose of this

ordinance shall carry the same connotation and definition as “manufactured home” and has no other meaning. Mobile Home Park. Any area or tract of land where one or more mobile home lots are sold, rented or leased or held out for rent or lease to accommodate mobile homes used for human habitation, and includes mobile home accommodation structure. The rental paid for any such mobile home is deemed to include rental for the lot it occupies. Model Home. A dwelling or residential building having all of the following characteristics:

1. The dwelling is constructed upon a proposed lot previously designated as a model home site in a subdivision for which there is an approved tentative map, and for which a final map has been recorded.
2. The dwelling is intended to be temporarily utilized as an example of the dwellings which have been built or which are proposed to be built in the same subdivision.

Motel. Motel shall be referred to in this title as hotel, inn, motor inn, or lodge and means a building or group of buildings containing guest rooms or dwelling units designed, intended, or used primarily for the accommodation of transient automobile travelers; including but not limited to buildings or building groups designated as auto cabins, motor courts, or motor hotels. Motor Vehicle. A self-propelled device used or intended to be used for the transportation of freight or passengers upon a street or highway, excepting a device moved by human power or a device used exclusively upon stationary rails or tracks. Net Area. The total horizontal area within the property lines of a lot or parcel of land exclusive of all right-of-way. Nightclub. An establishment dispensing liquor and meals and in which music, dancing, or entertainment is conducted. Noncommercial. An enterprise or activity which is not normally conducted for profit or gain. Nonconforming Structure. A lawfully established building or structure that does not conform to the regulations of this title or is designed for a use that does not conform to the regulations of this title for the district in which it is located, either on the date of adoption of this chapter or as the result of subsequent amendments to this chapter. Office. A place where a particular type of business is transacted or a service is supplied. The following types of uses are typical office functions:

1. Agricultural, business, and personal credit services; security and commodity brokers, dealers,

Open Space, Developed. Open space substantially free of structures but possibly containing improvements which are part of a development plan or are appropriate for the residents of any residential development. Open Space, Natural. Any parcel of land or water which is essentially unimproved and devoted to an open space use. Parcel. The same as Lot, as defined in this section. Parking Area, Private. An area, other than a street, designed or used primarily for the parking of private vehicles and not open to general public use. Parking Area, Public. An area, other than a private parking area or street, used for the parking of vehicles and available for general public use, either free or for remuneration. Parking Area, Restricted. An area used for parking vehicles on a semi-permanent basis and not available to the general public for hourly or day-to-day parking. Parking Stall. The space within a building or a private or public parking area, exclusive of driveways, ramps, columns, office and working areas, for the parking of one automobile. Parkway. A relatively low speed arterial highway abutting and distributing trips to a variety of land uses. This facility primarily serves short range trips. A parkway has emergency parking only and will have considerable parallel and perpendicular pedestrian movement. Pathway. An access way to accommodate pedestrians, bicycles, and electric carts. Pawnbroker shop. A secondhand dealership as defined herein. Pedestrianway. A right-of-way for pedestrians, free from vehicular traffic and including access ramps, stairs, and mechanical lifts and routes through buildings which are available for public use. Personal Service Establishment. A place where specified services are provided to individuals for their comfort or convenience. The following types of uses are typical personal service establishment functions: Beauty or barber shops, locksmiths, photography studios, shoe repair, dry cleaners, Laundromats, tailors, dressmaking shops, and pet grooming. Planned Development. A development of parcels of land as a coordinated project which have been developed according to an approved development plan. Adequate control of the development is provided in order to maintain aesthetic values and to protect the investment of developers as well as the community as a whole. Planned developments may be either residential, commercial, or industrial in nature or a combination thereof. Planned Street Line. The planned right-of-way for a major or secondary highway or traffic collector street. A yard abutting such a highway or street shall be measured from this planned right-of-way line. Pool. Any structure for swimming, bathing or wading or as a fish pond or similar use. Private. Belonging to, or restricted for the use or enjoyment of particular persons. Public Safety Area. A strip of land adequate in width adjacent to and parallel with a street right-of-way. Public Way. Any street, alley, pedestrian way, pathway, channel, viaduct, subway, bridge, easement, right-of-way or other way in which the public has a right of use. Real Estate Tract Sales Office. A temporary use of a building for the sole purpose of selling residences within a particular subdivision or series of subdivisions. Recreational Vehicle. A travel trailer, pickup camper, or motorized home, with or without motive power, designed for human habitation for recreational or emergency occupancy. Restaurant, Take-Out. Any commercial establishment serving food or drinks, making provisions encouraging consumption of food or beverage at home or on other premises which do not serve people directly in automobiles. Retail. The selling of goods, wares or merchandise directly to the ultimate consumer. Riding and Hiking Trail. A trail or way designed for and used by equestrians, pedestrians, and cyclists using nonmotorized bicycles. Right-Of-Way. An area or strip of land, either public or private, on which a right of passage has been recorded. Roof Mounted Equipment. Anything other than roofing materials or skylights which is used for the operation of any building including, but not limited to heating, ventilation and air conditioning units, vents, antennae, air ducts, and equipment hoods. Salvage.

Any article or materials which is to be or intended to be reclaimed or saved from destruction. Sanitarium, Health. An institution where patients, other than mental or drug addict patients, are housed and where medical or post surgical treatment is provided. Sanitarium, Mental. An institution for the recuperation and treatment of victims of mental disorders or drug addiction. Scenic Highway. Any highway designated as a scenic highway by an agency of the city, county, state or federal government, Secondhand Dealership. Any individual personal partnership, firm or corporation whose business includes buying, selling, trading, taking in pawn, accepting for sale on consignment, or accepting for auctioning, secondhand tangible property. Service. An act or any result of useful labor, which does not, in itself, produce a tangible commodity. Setback Area. The area between the building line and the property line, or when abutting a street, the ultimate right-of-way line. Setback Distance. The distance between the building line and the property line, or when abutting a street, the ultimate right-of-way line. Shopping Center. An integrated development of retail and service commercial activities on one or more lots of land sharing common parking and signing facilities and serving a wide spectrum of community shopping needs. Sidewalk. That portion of a thoroughfare, other than a roadway, set apart by curbs, barriers, markings, or other delineation's for pedestrian travel. See also Pedestrianway as defined in this section. Sign. Any device used for visual communications or attraction, including any identification, announcement, declaration, demonstration, display, illustration, insignia or symbol used to advertise or promote the interest of any person; together with all parts, materials, frame and background. Sign and Advertising Device, for the purpose of this chapter, do not include the following for purposes of this title;

1. Official notices issued by any court or public body or officer;
2. Notices posted by any public officer in performance of a public duty or by any person in giving any legal notice;
3. Directional, warning, or information signs or structures required by or authorized by law or by federal, state or county authority or;
4. The flag of the state or of the United States or any official flag of any other state or country.

Specific Plan. A definite statement adopted by ordinance of policies, standards, and regulations, together with a map or description defining the location where such policies, standards, and regulations are applicable pursuant to the requirements of the Government Code of the state.

Stable, Private. A building or a portion of a building used to shelter and feed equines which are used exclusively by the occupants of the property on which the stable is situated.

Stable, Public. A stable other than a private stable.

Story. That portion of a building included between the upper surface of any floor and upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.

Street or Highway. A public or private vehicular right-of-way other than an alley.

Street Opening. The centerline of a street right-of-way as established by official survey.

Structure. Anything constructed or erected requiring a fixed location on the ground or attached to something having a fixed location on the ground except business signs and other improvements of a minor character.

Structural Alterations. Any change in supporting members of a building or structure.

Swap Meet, Indoor or Outdoor. An event at which two or more persons or entities offer goods or services for sale or exchange, and at which a fee is charged to the party selling the goods or the buyer is charged for the privilege of entering the site to engage in sales transactions. Also may be referred to as Flea Markets, Swap Lots, Open Air Markets, or Outdoor Bazaars.

Swimming Pool. An artificial body of water having a depth in excess of 18 inches, designed, constructed and used for swimming, dipping or immersion purposes by humans.

Thrift Shop. A secondhand dealership as defined herein.

Townhouse Development. A cluster development consisting of attached two-story dwelling units.

Ultimate Right-Of-Way. The right-of-way shown as ultimate on an adopted precise plan of highway alignment; or the street rights-of-way shown within the boundary of a recorded tract map, a recorded parcel map, or a recorded development plan. The latest adopted or recorded document in the cases mentioned in this section shall take precedence. If none of these exist, the ultimate right-of-way shall be considered the right-of-way required by the highway classification as shown on the master plan of arterial highways. In all other instances, the ultimate right-of-way shall be considered to be the existing right-of-way.

Use, Accessory. A use customarily incidental and accessory to the principal use of the land or building site, or to a building or other structure located on the same building site as the principal use.

Use, Principal. The main purpose for which land or a building is occupied, arranged, designed or intended, or for which either land or building is or may be occupied or maintained.

Use, Temporary. A use which is required for the proper function of the community or temporarily required in the process of establishing a permitted use, or construction of a public facility. Such use shall be permitted only after the issuance of a temporary use permit as established by the provisions of this chapter.

Valet Parking. Vehicular parking whereby a parking attendant is utilized to park cars in an assigned area that is not available to the general public.

Vehicular Accessway. A private, nonexclusive vehicular easement affording access to abutting properties.

Vehicle, Commercial. A vehicle which when operated upon a highway is required to be registered as a commercial vehicle by the state Vehicle Code, and which is used or maintained for the transportation of persons for hire, compensation or profit, or designed and used primarily for the transportation of property.

Wholesale. A business establishment engaged in selling to retailers or jobbers, rather than consumers.

Wing Wall. An architectural feature in excess of six feet in height which is a continuation of a building wall projecting beyond the exterior walls of a building.

Yard. Any open space on the same lot with a building or dwelling group, which space is between the setback lines and the lot lines of

the parcel or the planned street line and is unoccupied and unobstructed except for projections permitted by this chapter. Zone. A zoning district, as defined in the State Conservation and Planning Act, shown on the zoning map to which uniform regulations apply. Zoning Ordinance or This Ordinance. The comprehensive zoning ordinance of the city. Zoning Map. The official zoning map of the city which is a part of this title.

SECTION 2: **EFFECTIVE DATE** This Ordinance shall take effect immediately upon publication or posting.

PASSED AND ADOPTED BY THE MILFORD COUNCIL May 21, 2019


	AYE	NAY	ABSENT	ABSTAIN
Russell Smith	<u>X</u>	_____	_____	_____
Les Whitney	<u>X</u>	_____	_____	_____
Terry Wiseman	<u>X</u>	_____	_____	_____
Ian Spaulding	<u>X</u>	_____	_____	_____
Shane Yardley	<u>X</u>	_____	_____	_____

Presiding Officer

Attest



 Nolan Davis, Mayor, Milford



 Monica D. Seifers, City Recorder
 Milford