

Chapter 17.04

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17.04.010 General rules for interpretation.

Unless the context otherwise requires, the following definitions shall be used in the interpretation and construction of this title and words used in the present tense shall include the future; the singular number shall include the plural, and the plural the singular; the word "used" shall include arranged, designed, constructed, altered, converted, rented, leased or intended to be used, and the word "shall" is mandatory and not directory. Whenever reference is made to any portion of this title or any other ordinance or law, the reference shall apply to all amendments and additions now or hereafter made. (Ord. 1229 § 2 (part), 1982).

17.04.020 Adjacent. "Adjacent" means adjoining or having a common boundary. (Ord. 1229 § 2 (part), 1982).

17.04.025 Adjacent property owner. "Adjacent property owner", when used in this title to describe the type of notice of an action which must be given, means the owner of any real property, as shown in the latest information available in the county assessor's records, lying within the distance of the

exterior boundary of the parcel for which an entitlement is sought as specified as follows:

<u>Total Areas of Parcels Subject to Entitlement</u>	<u>Distance for Notification</u>
Less than 2 gross acres	300 feet
2 gross acres to less than 10 gross acres feet	500
10 gross acres or larger	1,000 feet

(Ord. 2465, § 2 (part), 2002; Ord. 1250 § 1, 1983).

17.04.026 Advertising media. "Advertising media" means any structure, object, device, display, balloon or graphic on or attached to any land, building, vehicle, vessel or structure, which is used to communicate any message, or which advertises or promotes any business, product, activity, person or interest. (Ord. 3237 § 4, 2013)

17.04.027 Affordable housing. "Affordable housing" means housing capable of being purchased or rented by a household with extremely low, very low, low or median income, based on a household's ability to make monthly payments necessary to obtain housing. Housing is considered affordable when a household pays less

than 35 percent of its gross monthly income for housing. (Ord. 3212 § 1, 2012; Ord. 2896 § 2, (part), 2008).

17.04.028 Affordable housing unit. “Affordable housing unit” means a dwelling unit which meets the standards specified in Section 17.65.050(B) of this code and is affordable housing to households having extremely low, very low, low or median income. (Ord. 3212 § 2, 2012; Ord. 2896 § 3, (part), 2008).

17.04.030 Aggrieved party. “Aggrieved party” means any person whose happiness or peace of mind is disturbed by the granting or denial of any permit. (Ord. 1229 § 2 (part), 1982).

17.04.031 Agricultural by-product processing facility. “Agricultural by-product processing facility” means a facility for processing by-products from the growing, raising, harvesting or processing of agricultural products, for example composting facilities. (Ord. 3350 § 1, 2019)

17.04.033 Agricultural hospitality facility. “Agricultural hospitality facility” means a facility that provides rest, relaxation or food to travelers or local residents for compensation and is located on a parcel that supports an agricultural use, including but not limited to transient lodging facilities and restaurants. (Ord. 3350 § 2, 2019)

17.04.035 Agricultural laborer housing. “Agricultural laborer housing” means temporary or permanent accommodations for employees engaged in agricultural operations on a working farm or ranch. The employees must obtain the majority of their compensation from the farm or ranch on which they reside during the time they reside there. Accommodations shall include any living quarters as provided in the Health and Safety Code. Agricultural laborer housing on Williamson Act contract land is subject to recommendation by the Agricultural Advisory Committee and approval by the Board of Supervisors. (Ord. 3350 § 3, 2019; Ord. 2582 § 1, 2004)

17.04.037 Agricultural marketing. “Agricultural marketing” means a facility or activity that promotes the sale of agricultural products grown, processed or produced on the farm or ranch where the facility or activity is located, including but not limited to tasting rooms, accessory gift shops, retail sales of the agricultural products, retail sales of other agricultural products produced in Tuolumne County, accessory retail sales of food products not produced on the farm or ranch for on-site

consumption, and farm or ranch tours. (Ord. 3350 § 4, 2019)

17.04.040 Agricultural processing facility. “Agricultural processing facility” means a facility for the preparation, processing, packing, canning or otherwise preparing agricultural products for sale or distribution. Agricultural processing facility includes water systems, on-site wastewater treatment and disposal systems, and other services related to the processing of the agricultural product. (Ord. 3350 § 5, 2019; Ord. 1229 § 2 (part), 1982).

17.04.050 Agricultural products. “Agricultural products” are commodities resulting from the practice of agriculture and value added products as a result of processing agricultural commodities. (Ord. 3350 § 6, 2019; Ord. 2582 § 2, 2004; Ord. 1229 § 2 (part), 1982).

17.04.055 Agricultural support services. “Agricultural support services” are land uses which support local agricultural land uses through providing services or supplies necessary to the operation of an agricultural land use. (Ord. 3350 § 7, 2019)

17.04.060 Agriculture. “Agriculture” means the use of land for the production of food, feed, fiber, nursery and apiary commodities, and their necessary accessory uses. (Ord. 3350 § 8, 2019; Ord. 1229 § 2 (part), 1982).

17.04.070 Alley. “Alley” means a public thoroughfare not more than thirty feet in width which affords a means of access to abutting property and a link between streets, and includes the following:

A. “Improved pedestrian alleyway” means an alley that has been improved in accordance with the standards established in the *Tuolumne Parking & Alleyway Study* dated October 15, 2010, as it may be amended by the Board of Supervisors, including a minimum 14’ wide paved surface, to provide an enjoyable and safe non-vehicular link between streets and incorporates the functional use of the alley as a utility corridor with aesthetic treatment. Vehicles for emergency and maintenance services are allowed through the pedestrian alleyway but other vehicle use is prohibited except during emergencies.

B. “Improved vehicular alleyway” means an alley that has been improved in accordance with the standards established in the *Tuolumne Parking & Alleyway Study* dated October 15, 2010, as it may be amended by the Board of Supervisors, including a minimum 16’ wide asphalt paved surface, to provide for the functional use of the alley for one-way vehicular access in an aesthetically pleasing

manner. (Ord. 3192, § 2, 2012; Ord. 1229 § 2 (part), 1982).

17.04.073 Animal processing facility. "Animal processing facility" means a facility where animals are killed and/or their carcasses are cut and wrapped for consumption as food products. "Animal processing facility" does not include the onsite slaughtering of animals raised by the owner or tenant. (Ord. 3350 § 9, 2019)

17.04.075 Antenna. "Antenna" means a device used in communications which transmits and/or receives radio, television, or other electromagnetic signals, including, but not limited to, dish panel, parabolic and whip antennas. (Ord. 2506 § 3, 2003)

17.04.080 Applicant. "Applicant" means any owner or his/her authorized agent who files an application for a permit or change in land use pursuant to the provisions of this title. (Ord. 1229 § 2 (part), 1982).

17.04.090 Appurtenant. "Appurtenant" means incidental or secondary but related to the principle use or structure. (Ord. 1229 § 2 (part), 1982).

17.04.096 Archive. "Archive" means the official repository, located within Tuolumne County, for cultural resources artifacts and documents. (Ord. 2280 § 24, 1999).

17.04.098 Area to perimeter ratio. "Area to perimeter ratio" means the number achieved by dividing the total area of the parcel by the total perimeter of the parcel boundary. The units to be used are square feet for area and linear feet for perimeter, and the resultant ratio has no units. (Ord. 2340 § 1, 2000).

17.04.099 Auction yard. "Auction yard" means a yard, pen, corral, building or premise permanently devoted to assembling livestock for sale, resale, exchange or transfer, the primary purpose of which is to facilitate transfer of ownership of the livestock. "Auction yard" does not include a yard, pen, corral, building or premise on a farm or ranch used to sell livestock. (Ord. 3350 § 10, 2019; Ord. 3237 § 5, 2013)

17.04.100 Banner. "Banner" means any sign printed on cloth, paper, plastic or other similar material, that is not permanently attached to a building or structure for the purpose of advertising, announcing, declaring, demonstrating, displaying or attracting the attention of the public, excluding

official notices issued by a court or public officer. (Ord. 3350 § 11, 2019; Ord. 1229 § 2 (part), 1982)

17.04.101 Bed and breakfast. "Bed and breakfast" means a dwelling unit which provides lodging and breakfast for temporary overnight occupants for compensation. (Ord. 3350 § 12, 2019)

17.04.103 Board. "Board" means the Board of Supervisors of the County. (Ord. 3350 § 13, 2019)

17.04.110 Boardinghouse. "Boardinghouse" means a dwelling other than a hotel where lodging and meals for three or more persons are provided for compensation. Boardinghouse includes rooming house. (Ord. 1229 § 2 (part), 1982)

17.04.115 Bona fide effort. "Bona fide effort" means the process undertaken by a project proponent to find alternatives to demolition or relocation of a cultural resource including but not limited to:

- A. Marketing the property for sale or lease; or
- B. Pursuing alternative funding sources for preservation such as local tax incentives and state and/or federal tax credits, loans, redevelopment agency loans, CDBG grants or similar financial incentives; and
- C. Obtaining written statements from licensed building contractors or architects detailing the actual costs to rehabilitate the property. (Ord. 2280 § 25, 1999).

17.04.120 Building. "Building" means any structure having a roof supported by columns or walls, used or intended to be used for the shelter of or enclosure of persons, animals or property. (Ord. 1229 § 2 (part), 1982).

17.04.130 Building, accessory. "Accessory building" means a subordinate building, the use of which is incidental and accessory to a principal use on the same parcel. (Ord. 1229 § 2 (part), 1982).

17.04.140 Building height. "Building height" means the vertical distance from grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof. (Ord. 1229 § 2 (part), 1982)

17.04.150 Campground. "Campground" means any area or tract of land where one or more spaces are rented or leased or held out for rent or lease for temporary recreational occupancy. (Ord. 1229 § 2 (part), 1982).

17.04.160 Camping party. "Camping party" means one or more persons occupying a space within a campground or recreational vehicle park. (Ord. 1229 § 2 (part), 1982).

17.04.165 Christmas tree farm. "Christmas tree farm" means the commercial growing and harvesting of trees for sale as Christmas trees. A Christmas tree farm may feature either wholesale or on-site retail sales or both. Christmas tree farms may also sell accessory items for Christmas trees. Christmas tree farms do not include facilities for the manufacture of artificial Christmas trees. (Ord. 2115 § 1, 1995).

17.04.170 Civic event. "Civic event" means any significant celebration or program receiving area-side recognition and staged for the amusement, entertainment or education of the public. (Ord. 1229 § 2 (part), 1982).

17.04.180 Clubhouse. "Clubhouse" means any building or premises used for regular or periodic meetings of a group or persons organized for a nonprofit purpose, exclusive of groups organized to render a service customarily carried on as a business. (Ord. 1229 § 2 (part), 1982).

17.04.185 Commercial coach. "Commercial coach" means a structure transportable in one or more sections, designed and equipped for human occupancy for industrial, professional, or commercial purposes, which is required to be moved under a permit, and shall include a trailer coach as defined in Section 635 of the Vehicle Code. "Commercial coach" also means a special purpose commercial coach as defined in Section 18012.5 of the Health and Safety Code, which is not required to be moved under a permit. (Ord. 2390 § 1, 2001).

17.04.190 Commercial recreation and amusement center. "Commercial recreation and amusement center" means a business or group of businesses featuring one or more types of amusement and recreational activities for compensation. (Ord. 1229 § 2 (part), 1982)

17.04.200 Commission. "Commission" means the planning commission of the county. (Ord. 1229 § 2 (part), 1982).

17.04.210 Condominium. "Condominium" means an estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in space in a residential, industrial or commercial building on such real property. A condominium may include, in

addition, a separate interest in other portions of such real property. (Ord. 1229 § 2 (part), 1982).

17.04.220 Corner parcel. "Corner parcel" means any parcel abutting two streets at the point of intersection. (Ord. 1229 § 2 (part), 1982).

17.04.222 Cottage food operation. "Cottage food operation" means an enterprise conducted within a permitted single-family dwelling where low risk food products are prepared or packaged for sale to consumers as defined in Section 113758 of the California Health and Safety Code. (Ord. 3225 § 2, 2013)

17.04.223 Cultural Resource. "Cultural resource" means any building, structure, object, site, district, or other item of cultural, social, religious, economic, political, scientific, agricultural, educational, military, engineering or architectural significance to the citizens of Tuolumne County, the State of California, or the nation which is 50 years of age or older or has been listed on the National Register of Historic Places, the California Register of Historical Resources, or the Tuolumne County Register of Cultural Resources. The term "cultural resource" includes historical resources and historic properties. (Ord. 3225 § 1, 2013; Ord. 2280 § 26, 1999).

17.04.225 Day care center. "Day care center" means a facility, other than a family day care home, which provides nonmedical care to persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24-hour basis. Day care center also includes infant centers, preschools and adult day care facilities. (Ord. 2119 § 1, 1995).

17.04.228 Demolition. "Demolition" means any intentional act or process which results in the destruction of 50% or more of an individual building, structure, object, or site. Demolition excludes maintenance and repair, activities that involve interior features only, and activities that do not require a building permit. (Ord. 2280 § 27, 1999).

17.04.230 Development of mineral resources. "Development of mineral resources" means commercial excavation and processing of mineral, earth or building materials, together with necessary buildings, apparatuses and incidental appurtenances. (Ord. 1229 § 2 (part), 1982).

17.04.240 Director. "Director" means the director of the county community development department. (Ord. 2314 § 74, 1999; Ord. 1229 § 2 (part), 1982).

17.04.245 District. "District" means a grouping of resources (including historic properties, historical resources, and cultural resources) linked either by geography or by association and function; the district may have been planned or designed as a unit (e.g., a neighborhood or college campus) or through association has been historically united (e.g., central business districts, transportation networks). Other examples of districts are residential neighborhoods, commercial areas, industrial complexes, civic centers, defined communities, water distribution systems, groups of habitations and associated activity areas, large ranches or estates, and large parks. (Ord. 2280 § 28, 1999).

17.04.250 Dormitory. "Dormitory" means a residence hall providing sleeping accommodations for individuals or for groups, usually without private baths. (Ord. 1229 § 2 (part), 1982).

17.04.260 Duplex. "Duplex" means a building on a single parcel containing two primary single-family dwelling units totally separated from each other by an unpierced wall extending from ground to roof, except that common entry ways may be provided. (Ord. 2595 § 1, 2004; Ord. 1229 § 2 (part), 1982).

17.04.270 Dwelling. "Dwelling" means any building or portion thereof designed or used as the residence of one or more persons. Dwelling does not include dormitory. (Ord. 2595 § 2, 2004; Ord. 1229 § 2 (part), 1982).

17.04.280 Dwelling group. "Dwelling group" means two or more detached dwelling units on one parcel. (Ord. 1229 § 2 (part), 1982).

17.04.290 Dwelling, multiple-family. "Multiple-family dwelling" means a building arranged or designed to be occupied by more than two families in individual dwelling units. (Ord. 1229 § 2 (part), 1982).

17.04.300 Dwelling, single family. "Single-family dwelling" means one dwelling unit. (Ord. 2595 § 3, 2004; Ord. 1229 § 2 (part), 1982).

17.04.303 Dwelling, single-family primary. "Primary single-family dwelling" means the principal and largest dwelling unit on a parcel. (Ord. 2595 § 4, 2004)

17.04.305 Dwelling, single-family secondary. "Secondary single-family dwelling" means a dwelling unit that is located on the same parcel as a primary single-family dwelling but is incidental to and smaller in size than the primary single-family

dwelling. A secondary single-family dwelling may be either an attached or detached unit that provides complete, independent living facilities for one household. (Ord. 2592 § 5, 2004)

17.04.306 Dwelling, single-family, secondary, attached. "Attached secondary single-family dwelling" means a secondary single-family dwelling that is structurally connected to the primary single-family dwelling but that does not alter the character of the building as a single-family dwelling as determined by the director. An attached secondary single-family dwelling may be structurally separated from the primary single-family dwelling by an unpierced wall extending from ground to roof or it may share common living areas. (Ord. 2595 § 6, 2004)

17.04.307 Dwelling, single-family, secondary, detached. "Detached secondary single-family dwelling" means a secondary single-family dwelling that is structurally independent from the primary single-family dwelling. (Ord. 2595 § 7, 2004)

17.04.310 Dwelling unit. "Dwelling unit" means a room or group of rooms, including sleeping, eating, cooking, and sanitation facilities, but not more than one kitchen, which constitutes an independent housekeeping unit, occupied or intended for occupancy by one household. Dwelling unit does not include a recreational vehicle. (Ord. 3170 § 1, 2011; Ord. 2595 § 8, 2004; Ord. 1229 § 2 (part), 1982).

17.04.315 Easement. "Easement" means an interest in real property giving a person or public entity other than the owner of a parcel, a right to use that parcel, or a portion, or to prevent the owner's use, for some specific purpose. Such specific purposes may include streets, alleys, bicycle paths, pedestrian facilities, equestrian trails, sanitary sewers, drainage, utilities or other public or private uses. (Ord. 2117 § 2, 1995).

17.04.317 Equipment Building, shelter or cabinet. "Equipment building, shelter or cabinet" means an enclosed structure used to house electronic equipment. (Ord. 2506 § 4, 2003.)

17.04.318 Emergency shelter. "Emergency shelter" means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. (Ord. 3266 § 1, 2014; Ord. 3170 § 2, 2011)

17.04.320 Family. "Family" means one or more persons living together as a single housekeeping unit in a dwelling, not including any group

occupying a rooming house or boardinghouse or hotel or motel. (Ord. 1229 § 2 (part), 1982).

17.04.322 Family day care home. "Family day care home" means a home which regularly provides care, protection, and supervision of children, under 18 years of age, in the provider's own home, for periods of less than 24 hours per day, while the parents or guardians are away, and includes the following:

- A. "Large family day care home" means a home which regularly provides day care to 7 to 12 children, inclusive, including children under the age of 10 years who reside at the home. A large family day care home may provide day care for more than 12 and up to 14 children if the criteria in Section 1597.465 of the Health and Safety Code are met.
- B. "Small family day care home" means a home which provides family care to 6 or fewer children, including children under the age of 10 years who reside at the home. A small family day care home may provide day care for more than 6 and to up to 8 children if the criteria in Section 1597.44 of the Health and Safety Code are met. (Ord. 3350 § 14, 2019)

17.04.324 Farmers market. "Farmers market" means a location where farmers may transport and sell to the public agricultural products that they produced. A certified farmers market is a farmers market that is approved by the Tuolumne County Agricultural Commissioner, is operated in accordance with regulations contained in the Food and Agricultural Code and where the agricultural products sold are exempt from the established grade, size, labeling, packaging and other such requirements for fruits, nuts and vegetables. (Ord. 3350 § 15, 2019)

17.04.325 Farm or ranch tour. "Farm or ranch tour" means a visit to a farm or ranch, whether guided or not. (Ord. 3350 § 16, 2019; Ord. 3170 § 3, 2011; Ord. 2119 § 2, 1995).

17.04.326 Farm stay. "Farm stay" means a farm or ranch which produces agricultural products as its primary source of income and which provides overnight transient accommodations as an accessory use to the commercial agricultural use so that members of the public may experience a rural lifestyle. Food service is limited to registered guests with the price of food included in the price of the overnight transient occupancy accommodation. The establishment can have no more than six guest bedrooms. (Ord. 3350 § 17, 2019)

17.04.327 Feasible. "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal and technological factors. (Ord. 2280 § 29, 1999).

17.04.330 Feed yard. "Feed yard" means a confined area wherein large numbers of livestock are kept with limited space per animal, to prepare such for market, where sixty percent or more of the feed for such animals is not from grazing. Feed yard includes feed lot. "Feed yard" does not include a yard, pen, corral, building or premise on a farm or ranch used to sell livestock. (Ord. 3350 § 18, 2019; Ord. 1229 § 2 (part), 1982).

17.04.340 Flea market. "Flea market" means an outdoor market or sale featuring temporary individuals stalls or concessions set up for the purpose of selling merchandise. (Ord. 1229 § 2 (part), 1982).

17.04.350 Foster home. "Foster home" means a home licensed for the care of children. (Ord. 1229 § 2 (part), 1982).

17.04.360 Garage, commercial. "Commercial garage" means a building or portion thereof, other than a private garage, used for the servicing, repairing, equipping, hiring, selling or storing of motor driven vehicles. (Ord. 1229 § 2 (part), 1982).

17.04.370 Garage, private. "Private garage" means a building designed, used or intended to be used for the storage of automobiles belonging to the owner or tenant of the property on which the garage is located; a carport. (Ord. 3170 § 4, 2011; Ord. 1229 § 2 (part), 1982).

17.04.375 General farming and ranching. "General farming and ranching" means growing, cultivating, raising, breeding, or producing plants or animals for commercial or domestic purposes, including but not limited to, livestock, dairy, furbearing animals, poultry, aquaculture, apiculture, grains, herbs, vegetables, fruit, horticultural plants, and Christmas trees, and the accessory structures related to these activities, such as barns and greenhouses. "General farming and ranching" includes agriculture and agricultural production but does not include landscaping, gardens, or pets that are accessory to a residential use. (Ord. 3350 § 19, 2019)

17.04.380 Grade. "Grade" means the average level of the finished surface of the ground adjacent to the exterior of a building. (Ord. 1229 § 2 (part), 1982).

17.04.385 Gross acreage. "Gross acreage" means the total area of a parcel including easements, rights-of-way, lakes and streams. (Ord. 2127 § 1, 1996).

17.04.390 Guesthouse. "Guesthouse" means a detached building occupied by guests without compensation of any kind as a condition of occupancy and used as sleeping quarters only, without cooking or housekeeping facilities. (Ord. 1229 § 2 (part), 1982).

17.04.400 Guest ranch. "Guest ranch" means a farm or ranch where the primary use is a commercial agricultural operation and where members of the public may stay for compensation to experience a rural lifestyle as an accessory use to the commercial agricultural use and where guest facilities, including but not limited to the lodge, bunkhouse or cottages, recreational activities, food and beverage service, and entertainment, are limited to use or consumption by registered overnight guests of the guest ranch. (Ord. 3350 § 20, 2019; Ord. 1229 § 2 (part), 1982).

17.04.410 Harvesting of timber. "Harvesting of timber" means the cutting of trees for commercial purposes. "Harvesting" does not include cutting of trees necessary for a homesite or a road or the cutting of dead, dying or diseased timber pursuant to county ordinance. (Ord. 1229 § 2 (part), 1982).

17.04.415 Health care facility. "Health care facility" means an institution providing medical or surgical care and treatment, (Ord. 1229 § 2 (part), 1982).

17.04.418 High-water mark. "High-water mark" means the highest level to which water will rise in a reservoir, lake or pond before it overflows, unless otherwise established by county ordinance or by the agency having jurisdiction over the reservoir, lake or pond, (Ord. 2394 § 3, 2001).

17.04.420 Highway. "Highway" means any street designated and maintained as part of the state highway system. (Ord. 1229 § 2 (part), 1982).

17.04.430 Home occupation. "Home occupation" means any use conducted entirely within a dwelling or private garage, and carried on exclusively by the inhabitants thereof and which is merely incidental to the residential use of the parcel and does not change its residential character or appearance. Home occupation does not include cottage food operations. (Ord. 3225 § 3, 2013; Ord. 1229 § 2 (part), 1982).

17.04.440 Hotel. "Hotel" means a building containing six or more bedrooms where overnight lodging without individual cooking facilities is offered to the public for compensation, primarily for the accommodation of transient guests unless the room is used as a single room occupancy. A hotel is not a motel or dormitory or boardinghouse. (Ord. 3170 § 5, 2011; Ord. 1229 § 2 (part), 1982).

17.04.443 Household. "Household" means all the persons, related or unrelated, who occupy a single dwelling unit. Persons not living in households are classified as living in group quarters. (Ord. 2896 § 4, (part), 2008).

17.04.444 Household, extremely low-income. "Extremely low-income household" means a household with an annual income no greater than 30% of the County median income, adjusted by household size, as determined by the California Department of Housing and Community Development. (Ord. 3212 § 3, 2012)

17.04.445 Household, low-income. "Low-income household" means a household with an annual income of at least 50% of the County median income but less than 80% of the County median income, adjusted by household size, as determined by the California Department of Housing and Community Development. (Ord. 2896 § 5, (part), 2008; Ord. 2595 § 9, 2004)

17.04.446 Household, median-income. "Median-income household" means a household with an annual income equal to the County median income, adjusted by household size, as determined by the California Department of Housing and Community Development. (Ord. 2896 § 6, (part), 2008).

17.04.447 Household, moderate-income. "Moderate-income household" means a household with an annual income of at least 80% of the County median income but less than 120% of the County median income, adjusted by household size, as determined by the California Department of Housing and Community Development. (Ord. 2896 § 7 (part), 2008).

17.04.448 Household, very low-income. "Very low-income household" means a household with an annual income no greater than 50% of the County median income, adjusted by household size, as determined by the California Department of Housing and Community Development. (Ord. 2896 § 8 (part), 2008).

17.04.449 Inclusionary unit. "Inclusionary unit" means an affordable housing unit provided by the developer of a residential housing project pursuant to the provisions of Chapter 17.65 of this code. (Ord. 3212 § 4, 2012; Ord. 2896 § 9 (part), 2008).

17.04.450 Industry. "Industry" means the manufacture, fabrication, processing, reduction, or destruction of any article, substance, or commodity, or any other treatment thereof resulting in a change of form, character or appearance. Industry, also includes the storage, sales, repair, refinishing, or warehousing of such materials or commodities. (Ord. 1229 § 2 (part), 1982).

17.04.460 Junk. "Junk" means discarded or salvaged materials or waste. (Ord. 1229 § 2 (part), 1982).

17.04.470 Kennel. "Kennel" means any parcel, structure, enclosure or premises whereupon or wherein are kept dogs or cats in the following numbers for more than five weeks in any calendar year, whether such keeping is for pleasure, profit, breeding, or exhibiting:

- A. Five or more dogs; or
- B. Seven or more cats; or
- C. Seven or more dogs and cats in any combination provided that a combination that includes five or more dogs constitutes a kennel.

A kennel does not include a parcel zoned A (Agricultural) on which are kept five or more dogs used for herding or other purposes in conjunction with a commercial agricultural operation. (Ord. 3136 § 1, 2010; Ord. 1229 § 2 (part), 1982).

17.04.475 Kitchen. "Kitchen" means an area with appliances or other facilities for the preparation or preservation of food that includes a gas or electric range, oven or stovetop. A kitchen does not include wet bars or specialized home canning or preserving facilities. (Ord. 2595 § 10, 2004)

17.04.480 Landscaping. "Landscaping" means the improvement of any real property through the use of shrubs, hedges, trees, grass or other plants with or without decorative or functional fences, railings, statues, curbs and similar structures to enhance the appearance of the property, reduce soil erosion, or provide screening for light or sound. (Ord. 1229 § 2 (part), 1982).

17.04.483 Lattice Tower. "Lattice Tower" means a self supporting or guyed structure, erected on the ground, which consists of metal crossed strips or bars to support antennas and related equipment. (Ord. 2506 § 5, 2003.)

17.04.485 Living area. "Living area" means the space within a dwelling for sleeping, eating, cooking, and other activities of the persons who occupy the dwelling. Living area includes bathrooms, hallways, stairwells, storage areas, utility spaces, and similar areas. Living area does not include exterior decks, open porches, carports, or garages. The size of the living area is measured from the exterior wall of the dwelling. (Ord. 2595 § 11, 2004)

17.04.490 Livestock. "Livestock" means poultry, horses, cattle, sheep, pigs and similar animals, not including dogs or other small household pets. (Ord. 1229 § 2 (part), 1982).

17.04.495 Lot line adjustment. "Lot line adjustment" means relocation of boundary lines between two or more existing adjacent parcels, where the land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels than originally existed is not thereby created. (Ord. 2127 § 2, 1996)

17.04.500 Main building. "Main building" means any building in which is conducted the principal use of the parcel on which it is situated. Every dwelling in any residential (R) district is a main building. (Ord. 1229 § 2 (part), 1982).

17.04.502 Maintenance and repair.

"Maintenance and repair" means:

- A. Any work for which a building permit is not required by law; or,
- B. Work for which a building permit is required by law where the purpose and effect of such work is to correct any deterioration of or damage to an improvement or natural feature or any part thereof to restore the same to its condition prior to the occurrence of such deterioration or damage including replacement of doors, windows, porches or similar architectural features. (Ord. 2280 § 30, 1999).

17.04.503 Merger. "Merger" means the elimination of boundary lines between parcels to join four or less separate and contiguous parcels under common ownership into one parcel. (Ord. 2127 § 3, 1996).

17.04.504 Mills Act. "Mills Act" means the historic property preservation incentive program established pursuant to Government Code Section 50280.1 et seq. and implemented in Tuolumne County pursuant to Resolution 171-92 to provide local property tax reductions for maintenance, rehabilitations and/or remodels of qualifying

structures, buildings, objects, sites, or districts consistent with the Secretary of the Interior's standards and guidelines. (Ord. 2280 § 31, 1999).

17.04.505 Mineral resources. "Mineral resources" means:

- A. Small Scale Development. Prospecting for, or the extraction of, minerals for commercial purposes and the removal of overburden in total amounts of less than one thousand cubic yards and that disturbs one acre or less;
 - B. Large Scale Development. Prospecting for, or the extraction of, minerals for commercial purposes and the removal of overburden in total amounts of one thousand cubic yards or greater, or that disturbs more than one acre.
- (Ord. 3350 § 21, 2019; Ord. 1229 § 2 (part), 1982).

17.04.507 Mini-mart. "Mini-mart" means a grocery store in conjunction with a service station. (Ord. 1532 § 1, 1987).

17.04.508 Mobile food vendor. "Mobile food vendor" means a vehicle, usually a van, truck, towed trailer or pushcart, from which food or beverages are sold directly to consumers for commercial purposes. Mobile food vendor does not include a vehicle used for catering events. (Ord. 3225 § 4, 2013)

17.04.510 Mobilehome. "Mobilehome" means a manufactured dwelling unit, transportable on its own wheels, designed and equipped to be used with or without a foundation system. Mobilehome includes a manufactured home, as defined in section 18007 of the Health and Safety Code. Mobilehome does not include a recreational vehicle, commercial coach, or factory-built housing, as defined in Section 19971 in the Health and Safety Code. (Ord. 2477 § 3, 2002; Ord. 1229 § 2 (part), 1982).

17.04.520 Mobilehome park. "Mobilehome park" means an area or tract of land where more than two spaces are rented or leased or held out for rent or lease to accommodate mobilehomes. (Ord. 1229 § 2 (part), 1982).

17.04.525 Monopole. "Monopole" consists of a single pole structure, erected on the ground to support wireless communication antennas and connecting appurtenances. (Ord. 2506 § 6, 2003.)

17.04.530 Motel. "Motel" means a building or group of buildings containing sleeping or dwelling units independently; accessible from the outside where overnight lodging is offered to the public for compensation, primarily for the accommodation of

automobile travelers unless the room is used as a single room occupancy. (Ord. 3170 § 6, 2011; Ord. 1229 § 2 (part), 1982).

17.04.532 Music festival. "Music festival" means an event with an organized series of musical performances typically by different individuals, bands, or groups of paid, professional, or amateur performers or by prerecorded or electronic means, to which members of the public are invited or admitted for a charge or free of cost. Music festivals often feature a theme, such as musical genre, nationality, or holiday, and may include other attractions, such as food, merchandise vendors, performance art, and social activities. Music festival does not include music provided in conjunction with and related to a school, religious institution, or organized camp program, commercial events on land zoned agricultural (A or AE) or residential estate (RE), or musical entertainment provided in theaters, bars, restaurants, or similar indoor retail service establishments. (Ord. 3225 § 5, 2013)

17.04.535 Net acreage. "Net acreage" means the area of a parcel excluding areas within deeded or dedicated road easements or road easements that have been offered for dedication, and less the area of any reservoir, lake or pond on the parcel as measured at the high-water mark where that area exceeds 20% of the gross acreage of the parcel, except the dedication of the area of any reservoir, lake or pond on a parcel shall not apply where such parcel is being reconfigured or merged with one or more parcels. (Ord. 2394 § 4, 2001; Ord. 2127 § 4, 1996).

17.04.540 Nuisance. "Nuisance" means any condition or situation resulting from unreasonable or unlawful practices or from neglect which is injurious or unsightly or offensive to the senses so as to interfere with the comfortable enjoyment of life or property by reasonable persons residing or working in the neighborhood of such condition. (Ord. 1229 § 2 (part), 1982).

17.04.545 Object. "Object" means a construction which is either small in scale, simply constructed, and although potentially moveable, is associated with a specific setting or environment. Examples of objects include public sculptures, monuments, boundary markers, steam donkeys on their skids, and statuary and fountains in town squares. (Ord. 2280 § 32, 1999).

17.04.550 Outdoor advertising structure. "Outdoor advertising structure" means any sign. (Ord. 1229 § 2 (part), 1982).

17.04.560 Outdoor market. "Outdoor market" means any retail sales business which is conducted primarily outdoors. (Ord. 1229 § 2 (part), 1982).

17.04.562 Outdoor seating. "Outdoor seating" means an area provided for dining or drinking in the open air in conjunction with a restaurant, take-out restaurant, or bar. An outdoor seating area is one that is not fully enclosed but may be partially enclosed and must be in a specifically identified area. (Ord. 2705 § 1, 2006)

17.04.570 Owner. "Owner" means the title holder of record for a particular property or premises, including the holders of surface rights and mineral rights where those rights are held separately. (Ord. 1229 § 2 (part), 1982).

17.04.580 Parcel of land. "Parcel of land" means a geographical area of land, used or capable of being used under the regulations of this title created in accordance with the subdivision laws or ordinances in effect at the time of its creation. (Ord. 1229 § 2 (part), 1982).

17.04.590 Parking area. "Parking area" means an open area, other than a street, alley or other thoroughfare, used for the parking of motor vehicles whether for a fee, free or as an accommodation for clients or customers. Parking area includes parking lot. (Ord. 1229 § 2 (part), 1982).

17.04.600 Parking space. "Parking space" means an area for the parking of a motor vehicle. (Ord. 1906 § 1, 1992; Ord. 1229 § 2 (part), 1982).

17.04.605 Pet. "Pet" means a domesticated animal kept for pleasure rather than utility or commercial enterprise, such as dogs, cats, and other domesticated animals suitable for housing inside a dwelling. (Ord. 2049 § 1; 1994)

17.04.606 Petting zoo. "Petting zoo" means raising and maintaining a variety of domestic animals, as defined by Section 6.04.020 of this Code, for purposes of both exhibition to the public and direct contact by the public. (Ord. 3350 § 22, 2019)

17.04.607 Photodocument, Photodocumentation. "Photodocument" or "Photodocumentation" means the preparation of a photographic record of all elevations of a cultural resource. (Ord. 3267 § 1, 2014; Ord. 2280 § 33, 1999).

17.04.608 Poultry. "Poultry" means domesticated fowl raised for meat or eggs. For purposes of Section 17.18.020, poultry includes chickens (hens), pheasants, quail, doves, domestic turkeys and domestic hybrids of these species, but does not include roosters, tom turkeys, ducks, pigeons, guinea fowl, geese, peacocks, pea hens, chukars, grouse or large fowl including, but not limited to, ostriches and emus. (Ord. 3267 § 2, 2014).

17.04.609 Preexisting wireless communication facilities. "Preexisting wireless communication facilities" refer to any wireless communication facilities which lawfully existed on the effective date of Ordinance 2506, including permitted wireless communication facilities that have not yet been constructed for which a use permit has been issued and has not expired. (Ord. 2506 § 7, 2003.)

17.04.610 Public agency. "Public agency" means any taxing agency, government, district or municipality or subordinate division thereof. (Ord. 1229 § 2 (part), 1982).

17.04.620 Public sewer system. "Public sewer system" means a community or regional system for the collection, treatment and disposal of sewage which meets all applicable state and local laws and is owned and operated by any public entity or public utility which is authorized to acquire, construct, maintain and operate sanitary sewers and sewer systems. (Ord. 1229 § 2 (part), 1982).

17.04.628 Public Utility. "Public Utility" means any agency that, under public franchise or ownership, or under certificate of convenience and necessity, or by grant of authority by a governmental agency, provides the public with electricity, gas, heat, steam, communication, transportation, water, sewage collection, or other similar service. (Ord. 2506 § 8, 2003.)

17.04.630 Public utility distribution facility. "Public utility distribution facility" means that portion of a utility system owned and operated by a legally authorized agency, organization or association needed to deliver the particular utility's product to individual customers. (Ord. 1229 § 2 (part), 1982).

17.04.640 Public water system. "Public water system" means a distribution system which provides potable water to residents of an area or community, and is operated by either an association, district, mutual or public utility company form of organization legally authorized to purvey water. (Ord. 1229 § 2 (part), 1982).

17.04.650 Professional office. "Professional office" means any building or portion thereof occupied by persons engaged in the practice of medicine, dentistry, real estate, insurance, architecture, accounting, law, engineering and similar professions. (Ord. 3177 § 1, 2011; Ord. 1229 § 2 (part), 1982).

17.04.655 Prospecting. "Prospecting" means that search for minerals by geological, geophysical, geochemical and other techniques, including, but not limited to, sampling, assaying drilling, or any surface or underground works needed to determine the type, intent, or quantity of minerals present. Prospecting does not include development of mineral resources. (Ord. 1229 § 2 (part), 1982).

17.04.657 Qualified Professional. "Qualified professionals" means those persons meeting the following standards necessary to conduct cultural resource studies:

A. For projects requiring archaeological expertise, qualified professionals are:

1. Archaeologists included on the California Historical Resources Information System Central California Information Center list or with ROPA (Register of Professional Archaeologists) certification; or
2. Persons with a graduate degree in anthropology or archaeology or closely related field with at least one year of full-time professional experience or equivalent specialized training in archeological research, administration or management and **all** of the following:
 - a. At least four months of supervised field and analytic experience in general North American Archaeology; and
 - b. Demonstrated ability to carry research to completion; and
 - c. At least one year of full-time experience at a supervisory level in the study of archeological resources of either the prehistoric period or historic period. An archaeologist shall be certified to conduct either prehistoric or historic archaeological investigations only unless demonstrated experience is in both fields.

B. For projects requiring historical expertise, qualified professionals shall have:

1. A graduate degree in history or closely related field, or
2. A bachelors degree in history or closely related field plus two years full-time experience in history; or
3. A bachelors degree in history or closely related field plus substantial contribution through research and publication to the body of scholarly knowledge in history.

C. For projects requiring architectural expertise, a qualified professional shall have:

1. A graduate degree in architectural history including course work in American architectural history, or
2. A bachelors degree in architectural history and 2 years full-time experience in American architectural history or American restoration architecture with a professional institution, or
3. A bachelors degree in architectural history and substantial contribution through research and publication to the body of scholarly knowledge in American architectural history, or
4. A graduate or bachelors degree in art history, historic preservation or closely related field and course work in American architectural history or,
5. A graduate or bachelors degree in art history, historic preservation or closely related field and 2 years full-time experience in American architectural history or American restoration architecture with a professional institution, or
6. A graduate or bachelors degree in art history, historic preservation or closely related field and substantial contribution through research and publication to the body of scholarly knowledge in American architectural history, or
7. A professional degree in architecture and at least one year of graduate study in architectural preservation, American architectural history, preservation planning or closely related field, or
8. A professional degree in architecture and at least one year full time professional experience on historic preservation projects including the following: detailed investigations of historic structures, preparation of historic structures research reports, preparation of plans and specifications for preservation projects, or
9. A state license to practice architecture and at least one year graduate study in architectural preservation, American architectural history, preservation planning or closely related field, or
10. A state license to practice architecture and at least one year full-time professional experience on historic preservation projects, including the following: detailed investigations of historic structures, preparation of historic structures research reports, preparation of plans and specifications for preservation projects. (Ord. 2280 § 34, 1999).

17.04.660 Recreation. "Recreation" means activities intended for amusement or diversion. (Ord. 1229 § 2 (part), 1982).

17.04.670 Recreational vehicle. "Recreational vehicle" means a motor home, travel trailer, truck camper or camping trailer less than forty feet in

length, with or without motor power, designed for human habitation for recreational purposes. A unit with 400 square feet or less of gross floor area and not exceeding 14 feet at the maximum horizontal projection, shall conclusively be deemed to be designed for recreational purposes. Recreational vehicle includes a park trailer as defined by Section 18009.3 in the Health and Safety Code. (Ord. 3170 § 7, 2011; Ord. 1229 § 2 (part), 1982).

17.04.680 Recreational vehicle park.

"Recreational vehicle park" means a park intended for overnight or short term occupancy by recreational vehicles. (Ord. 1229 § 2 (part), 1982).

17.04.685 Rendering plant. "Rendering plant" means a processing facility where dead animals, except those raised on the farm or ranch, or their parts are recycled into products for beneficial purposes. (Ord. 3350 § 23, 2019)

17.04.690 Residential care home. "Residential care home" means any residence which maintains and operates organized facilities for board, care, and supervision of unrelated individuals. (Ord. 1229 § 2 (part), 1982).

17.04.691 Restaurant. "Restaurant" means an establishment where the primary function is food and beverage preparation, service and consumption. (Ord. 2705 § 2, 2006).

17.04.692 Restaurant, take-out. "Restaurant, take-out" means an establishment where the primary function is preparation and sale of food and/or beverages in a form ready for consumption, where all or a significant portion of the consumption takes place or is designed to take place outside the confines of the restaurant, and where ordering and pickup of food or beverages may take place from an automobile. (Ord. 2705 § 3, 2006).

17.04.693 Resubdivision. "Resubdivision" means the merger and resubdividing of parcels under common ownership, or the adjustment of boundary lines between two or more parcels under common ownership. A resubdivision may not increase the number of parcels. (Ord. 2127 § 5, 1996).

17.04.694 Retail Sales. "Retail sales" means an establishment that is primarily engaged in selling goods or merchandise to the general public for personal or household consumption but may include sales to commercial customers as well as the general public, and rendering services incidental to the sale of such goods. The characteristics of retail sales establishments are: (1) the establishment is a place of business that is

primarily engaged in activities to attract the general public; (2) the establishment usually buys and receives wholesale merchandise and sells it as retail merchandise but may sell some merchandise wholesale to commercial customers; (3) the establishment may process or manufacture some of the products, such as a jeweler or bakery, but such processing or manufacturing must be incidental or subordinate to the selling activities; and (4) retail establishments sell primarily to customer for their own personal or household use but may sell some merchandise to commercial customers. The aggregate square footage of all adjacent stores which share a common check stand, management, a controlling ownership, or storage areas shall be considered one establishment. Retail sales establishments include discount warehouse or discount "club" stores. (Ord. 2550 § 3, 2004).

17.04.695 Retail sales, indoor. "Retail sales, indoor" means a retail sales establishment within an enclosed building. (Ord. 2550 § 4, 2004).

17.04.696 Retail sales, outdoor. "Retail sales, outdoor" means a retail sales establishment that displays and sells products and services primarily not in a building or structure. (Ord. 2550 § 5, 2004).

17.04.697 Retail services. "Retail services" means an establishment primarily providing services or entertainment, as opposed to products, to the general public for personal or household use, including but not limited to financial services, personal services, theatres, amusement and recreation facilities, health, educational, and social services, and museums. (Ord. 3177 § 2, 2011; Ord. 2705 § 4, 2006; Ord. 2550 § 6, 2004).

17.04.698 Retail services, indoor. "Retail services, indoor" means a retail services establishment within an enclosed building. (Ord. 2667 § 6, 2005; Ord. 2550 § 7, 2004).

17.04.699 Retail services, outdoor. "Retail services, outdoor" means a retail services establishment that primarily provides services or entertainment not in a building or structure. (Ord. 2550 § 8, 2004).

17.04.700 Right of Way. "Right-of-way" means an easement to pass over an affected parcel. Rights-of-way may include the land on which public roads, railroads, public utilities, bicycle paths, pedestrian facilities or equestrian trails are located. (Ord. 2550 § 9, 2004).

17.04.705 Roadside stand. "Roadside stand" means a structure located on a farm or ranch and

used or intended to be used by the owner or tenant of the farm or ranch for the sale of agricultural products grown or raised in Tuolumne County and adjacent counties. (Ord. 3350 § 24, 2019; Ord. 2550 § 10, 2004).

17.04.710 Rummage sale. "Rummage sale" means a temporary business offering for sale such items as clothing, furniture or other merchandise. (Ord. 1229 § 2 (part), 1982).

17.04.715 Secretary of the Interior Standards. "Secretary of the Interior Standards" means those standards identified in the *Secretary of the Interior Standards and Guidelines for Historic Preservation Projects* (36 C.F.R. 67), the *Secretary of the Interior's Standards for Rehabilitation*, and the *Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation*, with accompanying interpretive guidelines. (Ord. 2280 § 35, 1999).

17.04.720 Setback. "Setback" means the distance from a parcel boundary or property line to the nearest exterior wall of a building. (Ord. 1229 § 2 (part), 1982).

17.04.730 Setback line. "Setback line" means the line parallel to a property line at a distance from the property line equal to the yard requirement for buildings at that location as specified in this title. (Ord. 1229 § 2 (part), 1982).

17.04.735 Shopping Center. "Shopping center" means a group of two or more retail sales or service establishments planned, developed, owned or managed as a unit with common off-street parking provided on the site. (Ord. 2550 § 11, 2004).

17.04.740 Sign. "Sign" means any card, cloth, glass, metal, painted, paper, plastic, wooden or other, configuration of any character placed in or on the ground or any tree, wall, bush, rock, fence, pavement, structure, or thing, for the purpose of advertising, announcing, declaring, demonstrating, displaying or attracting the attention of the public, and excluding official notices issued by a court or public officer. (Ord. 1229 § 2 (part), 1982).

17.04.742 Silhouette. "Silhouette" means a representation of the outline of the towers and antenna associated with a wireless communication facility, as seen from an elevation perspective. (Ord. 2506 § 9, 2003)

17.04.743 Single room occupancy. "Single room occupancy" means a dwelling within a hotel or motel that consists of one or two rooms and

contains no sanitary facilities or food preparation facilities, or contains either, or contains both types of facilities. Single room occupancy could include an efficiency dwelling unit or a congregate residence as defined in the California Building Code. (Ord. 3170 § 8, 2011)

17.04.745 Site. "Site" means a location of a prehistoric or historic activity, which may include buildings and structures, but is important because the location itself possesses historic, cultural, or archaeological values regardless of the values of existing above-ground features. Examples of sites include habitation and village sites; rock shelters; hunting and fishing sites; petroglyphs and rock carvings; grounds and gardens; places where hostilities occurred; campsites; cemeteries and funerary sites; ruins of historic buildings and structures; natural features such as springs, rock formations, and other land areas having cultural significance; designed landscapes; trails, ruins of canals, ditches, flumes, pipelines, roads, utility lines, fences, rock walls and railroad grades. (Ord. 2280 § 36, 1999).

17.04.750 Skilled nursing facility. "Skilled nursing facility" means any establishment which provides nonhospital skilled nursing care administered by licensed registered or vocational nurses. (Ord. 1229 § 2 (part), 1982).

17.04.760 Space. "Space" means a designated area within a mobilehome park, recreational vehicle park or campground designed and intended for occupancy by a mobilehome, recreational vehicle or camping party. (Ord. 1229 § 2 (part), 1982).

17.04.770 Stable, commercial. "Commercial stable" means a building or enclosed area where horses are offered for rent or boarded for compensation. (Ord. 3350 § 25, 2019; Ord. 1229 § 2 (part), 1982).

17.04.780 Stable, private. "Private stable" means a building or enclosed area intended for occupancy by horses or similar animals for the exclusive use of the owner or tenant of the premises and their guests. (Ord. 3350 § 26, 2019; Ord. 1229 § 2 (part), 1982).

17.04.785 State Historical Building Code (SHBC). "State Historical Building Code" means those regulations contained in Part 8 of Title 24 of the State Building Standards Code which applies to all qualified buildings, structures, objects, districts, and sites designated under federal, state, or local authority as eligible for listing on local, state or national registers of cultural resources. It provides

alternatives to the California Building Code in cases consistent with building regulations for the rehabilitation, preservation, restoration, or relocation of qualified cultural resources designated as historic. (Ord. 2280 § 37, 1999).

17.04.787 Stealth facility. "Stealth facility" means a structure which is designed to blend into the surrounding environment, typically one that is architecturally integrated into a structure or is freestanding. Example of stealth facilities include those designed to look like trees or rocks. (Ord. 2506 § 10, 2003.)

17.04.790 Stockyard. "Stockyard" means a fenced area permanently devoted to keeping a large number of livestock for brief periods with limited space per animal that is managed or operated as a public market for livestock producers and buyers. "Stockyard" does not include a yard, pen, corral, building or premise on a farm or ranch used to sell livestock. (Ord. 3350 § 27, 2019; Ord. 1229 § 2 (part), 1982).

17.04.795 Storage containers. "Storage container" means any factory-built container or part thereof designed or used for freight or storage and includes Conex boxes and sea-land containers, but not including railroad box cars. Conex boxes are lockable box-like containers designed for use by the military to ship supplies overseas. Sea-land trailers are semi-truck trailers with detachable undercarriages that can be stacked for ship or rail transport (Ord. 1800 § 1, 1990).

17.04.800 Street. "Street" means a publicly or privately maintained thoroughfare, excluding private driveways, which affords primary access to abutting property. (Ord. 1229 § 2 (part), 1982).

17.04.810 Structure. "Structure" means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner and created primarily for purposes other than sheltering human activity. "Structure" includes bridges, tunnels, dredges, fire lookouts, turbines, dams, power plants, windmills, kilns, mounds, earthworks, cairns, railroad locomotives and cars, telescopes, bandstands, gazebos, aircraft, canals, ditches, flumes, pipelines, roads, utility lines, fences, rock walls, railroad grades, and historic footpaths. (Ord. 2280 § 38, 1999; Ord. 1229 § 2 (part), 1982).

17.04.815 Structural alterations. "Structural alterations" means any change in the supporting members of a building. (Ord. 3266 § 2, 2014)

17.04.820 Supportive Housing. "Supportive housing" means housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. (Ord. 3266 § 3; Ord. 1229 § 2 (part), 1982).

17.04.821 Target Population. "Target population" means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people. (Ord. 3266 § 4, 2014; Ord. 3170 § 9, 2011)

17.04.822 Timber. "Timber" means trees of any species maintained for eventual harvest or harvested for forest product purposes, whether planted or of natural growth, standing or down, on privately or publicly owned land, including Christmas trees, but does not mean nursery stock. (Ord. 2115 § 2, 1995).

17.04.823 Timber harvesting, commercial. "Commercial timber harvesting" means the cutting or removal of timber for the purposes of sale for profit for wood product purposes, such as lumber or fire wood. Commercial timber harvest does not include the cutting or removal of timber for personal use of the wood by the property owner or for other non-commercial purposes. (Ord. 3350 § 28, 2019; Ord. 2115 § 3, 1995).

17.04.824 Timberland. "Timberland" means privately owned land, or land acquired for state forest purposes, which is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 20 cubic feet per acre. (Ord. 2115 § 4, 1995).

17.04.825 Tourist information facilities. "Tourist information facilities" includes those facilities necessary to disseminate tourist and visitor information to the general public and may include limited structures and related facilities (includes

tourist office, tourist bureau, visitor center and visitor bureau). (Ord. 1757 § 4, 1990).

17.04.827 Transient. “Transient” means any person who exercises occupancy, or is entitled to occupancy by reason of concession, permit, right of access, license, or other agreement, for a period of 30 consecutive days, or less, counting portions of calendar days as full days. Any such person occupying space in a hotel, motel or inn shall be deemed to be a transient until the period of thirty days has expired unless there is an agreement in writing between the operator and the occupant providing for a longer period of occupancy. (Ord. 3170 § 10, 2011)

17.04.828 Transitional Housing. “Transitional housing” means buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined point in time that shall be no less than six months from the beginning of the assistance. (Ord. 3266 § 5, 2014; Ord. 3170 § 11, 2011)

17.04.830 Transmission line. “Transmission line” means that portion of a public utility network which conveys a product from the source or point of origin to one or more public utility distribution facilities. (Ord. 1229 § 2 (part), 1982).

17.04.834 Tuolumne County Register of Cultural Resources. “Tuolumne County Register of Cultural Resources” means Tuolumne County’s local register of significant cultural resources established pursuant to Resolution 171-92 on July 7, 1992. (Ord. 2280 § 39, 1999).

17.04.836 Tuolumne County Database of Cultural Resources. “Tuolumne County Database of Cultural Resources” means the organized collection of cultural resources information for Tuolumne County maintained by the Tuolumne County Community Development Department. (Ord. 2280 § 40, 1999).

17.04.838 U-Pick operations. “U-Pick operations” means a farm where members of the public can harvest and pay for their produce. (Ord. 3350 § 29, 2019)

17.04.840 Use. “Use” means any purpose for which land or premises is designated, arranged or intended, or for which it is or may be occupied or maintained. (Ord. 1219 § 2 (part), 1982).

17.04.850 Use, accessory. “Accessory use” means a secondary or subordinate use related to and on the same parcel or parcels of land as the principal use and conducted so as to not significantly change the character, appearance or operation of the principal use. (Ord. 3350 § 30, 2019; Ord. 1229 § 2 (part), 1982).

17.04.860 Use, nonconforming. “Nonconforming use” means a use of land or a structure lawfully existing on the effective date of this title or any amendment thereto, which does not conform with the regulations of the district in which it is located. (Ord. 1229 § 2 (part), 1982).

17.04.870 Use, principal. “Principal use” means the predominant purpose for which land or premises or a structure thereon is designated, arranged, or intended, or for which it is or may be occupied or maintained. (Ord. 3350 § 31, 2019; Ord. 2736 § 1, 2006; Ord. 1229 § 2 (part), 1982)

17.04.880 Use, public. “Public use” means any use available to persons generally, whether for compensation or not, without discrimination except on the basis of age, or sex, or the use of any parcel or buildings by a public agency. (Ord. 1229 § 2 (part), 1982).

17.04.890 Use, quasi-public. “Quasi-public use” means any use conducted on property which is exempt from property tax, other than a public building or dwelling. (Ord. 1229 § 2 (part), 1982).

17.04.900 Utility trailer. “Utility trailer” means a trailer not designed or intended for human habitation. (Ord. 1229 § 2 (part), 1982).

17.04.910 Warehouse. “Warehouse” means a building in which merchandise or personal property is stored either for compensation or in connection with any retail or wholesale business. (Ord. 1229 § 2 (part), 1982).

17.04.920 Wholesaling. “Wholesaling” means the sale of merchandise for subsequent resale. (Ord. 1229 § 2 (part), 1982).

17.04.927 Wireless communication facility. “Wireless communication facility” means a facility that transmits or receives electromagnetic signals. It includes antennas, microwave dishes, horns, and other types of equipment for the transmission or receipt of such signals, wireless communication towers or similar structures supporting said equipment, equipment buildings, parking area, and other accessory facilities.

A. Wireless communication facility - Minor. "Minor wireless communication facility" means:

1. A facility accessory to and located on the same site as a residential, commercial, industrial, agricultural or recreational use, the principal use of which is to provide service to the occupants of the parcel on which the facility is located, including but not limited to the following:
 - a. A ground or structure-mounted radio, television, or satellite dish antenna, or unlicensed band, broad band, or high band antenna, internet repeater antenna, or other antenna related to wireless internet service, including any mast.
 - b. A ground or mounted citizens band radio antenna including any mast limited to twenty feet above the height of the structure or as otherwise limited by federal law.
 - c. A ground, building, or tower mounted antenna operated by a federally licensed amateur radio operator as part of the Amateur Radio Service.
2. Mobile facilities providing public information coverage of news events of a temporary nature.

B. Wireless communication facility - Major. "Major wireless communication facility" includes all wireless communication facilities not clearly set forth and included in the definition of wireless communications facility - minor.

C. Wireless communication facility - co-located. "Co-located wireless communication facility" means a major wireless communication facility comprised of a single wireless communication tower or building supporting two or more antennas owned or used by more than one public or private entity.

D. Wireless communication facility - multiple user. "Multiple user wireless communication facility" means a major wireless communication facility comprised of multiple wireless communication towers or buildings supporting one or more antennas owned or used by more than one public or private entity.

E. Wireless communication facility – community network or neighborhood repeater. "Community network" or "neighborhood repeater" means a wireless receiver-transmitter-antenna system designed to provide communication service for a smaller geographical area than typically served by a Major Wireless Communication Facility and that operates on a frequency band allocated by the Federal Communications Commission for unlicensed operation of wireless digital communications systems. (Ord. 2736 § 2, 2006; Ord. 2506 § 11, 2003.)

17.04.928 Wireless communication tower.

"Wireless communication tower" means a mast,

pole, monopole, guyed tower lattice tower, free-standing tower, or other structure designed and primarily used to support antennas. (Ord. 2506 § 12, 2003.)

17.04.930 Yard. "Yard" means an open space on the same parcel with a building, which open space is unoccupied by buildings and unobstructed from the ground upward except for permitted projections. (Ord. 1229 § 2 (part), 1982).

17.04.940 Zoning district. "Zoning district" means any principal or combining district as set forth in this title or the area regulated by any such principal or combining district. (Ord. 1229 § 2 (part), 1982).