

## **Chapter 13. Definitions & Terms**

24-1301 Definitions

24-1302 Architecture & Design Terms

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### **24-1301 Definitions**

All terms used in this code shall have their plain and commonly accepted meaning, based upon the context of their use in the code. The following terms shall have the meaning given below, unless more specifically described, limited or qualified within the standards of this code. Some Chapters have specific definitions where the terms have the given meaning for interpretation of that chapter.

*100-year flood.* A flood having a recurrence interval that has a one-percent chance of being equaled or exceeded during any given year (one-percent-annual-chance flood). The terms "one-hundred-year flood" and "one-percent-chance flood" are synonymous with the term "100-year flood."

*100-year floodplain.* The area of land susceptible to being inundated as a result of the occurrence of a 100-year flood.

*Abandoned Sign.*

- (1) A sign or sign structure and components, for which no legal owner can be found; and/or
- (2) A sign and structure which are used to identify or advertise a business, tenant, owner, product, service, use, event or activity that has not been located on the premises for a period of 90 consecutive days or longer.

*Accessory Building or Structure.* A detached building or structure located upon the same lot as the principal building or structure to which it is related, which is incidental to and customarily found in connection with such principal building or structure.

*Accessory Use.* A use customarily incidental, related and subordinate to the main use of the lot, building or structure which does not alter the principal use.

*Adjacent.* Close, contiguous, and related to by proximity, sharing a common boundary or otherwise nearby to have a relationship without intervening dissimilar elements. When referring to land, separation caused by a street, alley, sidewalk, railroad right-of-way, utility line, trail, or irrigation ditch, or similarly related land can be considered adjacent.

*Abutting.* Directly touching elements that share a common edge or boundary.

*Alley.* A minor way used primarily for vehicular access or service to the back of properties adjacent to a street. An alley shall not be considered a street.

*Alteration.* Any act or process requiring a building permit, moving permit, demolition permit or sign permit for the reconstruction, moving, improvement or demolition of any designated property or district; or any other action in which a review by either the historic preservation commission or the city's historic preservation specialist is necessary under this article and/or the district designation plan and in accordance with the definitions of major and minor alterations, for the purposes of this article.

*American National Standards Institute (ANSI).* The standards by said organization that helps development in the use have an equitable and open process that serves industry and the public good, having a consensus in standards development; ANSI's essential requirements.

**Animal Unit.** A unit of measurement used to determine the animal capacity of a particular site or parcel of land and to establish an equivalency for various species of livestock.

**Animated Sign** (see *Flashing or animated or Imitating sign*).

**Antenna.** A device used to transmit and/or receive radio, television or any other transmitted signal and which may be rooftop, wall or ground-mounted.

**Appeal.** A review of a final decision by a higher authority.

**Applicant.** The owners or lessees of property, their agent, or persons who have contracted to purchase property, or the city or other quasi-governmental entity that is proposing an action requiring review and approval by one or more of the sections in this title. An applicant may subsequently become the developer once approval is granted and, in this case, the terms shall be interchangeable.

**Appurtenances.** The visible, functional objects accessory to and part of buildings or structures and which may extend above the height of the roof.

**Art.** All forms of original creations of visual art, including, but not limited to, sculpture; mosaics; painting, whether portable or permanently fixed, as in the case of murals; photographs; crafts made from clay; fiber and textiles; wood; glass; metal; plastics; or any other material or any combination thereof; calligraphy; mixed media composed of any combination of forms or media; unique architectural styling or embellishment, including architectural crafts, environmental landscaping; or restoration or renovation of existing works of art of historical significance. Works of art are not intended to be used for commercial advertising purposes.

**Arterial street** (see *Street*).

**Artificial turf.** Any of the various synthetic fibers made to resemble natural grass.

**Awning, Internally Illuminated.** Any transparent backlit awning or awning lettering which transmits light from within the awning to the outside surface of the awning.

**Awning Sign.** A sign that is mounted or painted on or attached to an awning.

**Backing.** The background area of a sign, which differentiates the total sign display from the background against which it is placed.

**Basement.** Any level of a building where more than one-half of the vertical distance between floor and ceiling is below the grade of the site.

**Beacon** (see *Searchlight, strobe light or beacon*).

**Bedroom.** Any room intended and used principally for sleeping purposes.

**Berm** (see "Earthen berm.")

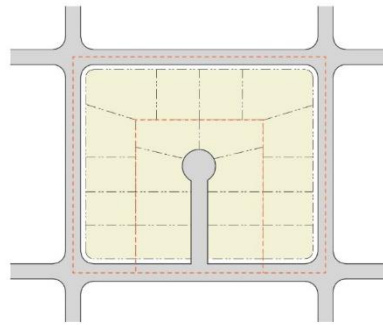
**Bioretention Facility.** A landscaped stormwater element designed to concentrate or remove debris and pollution from surface water runoff by moving water slowly and horizontally at the surface through vegetation using gently sloped sides that cleanse water from pollutants and soil erosion before it enters the city's stormwater system.

**Bioswale.** A channeled depression or trench that receives rainwater runoff (as from a parking lot) and has vegetation (such as grasses, flowering herbs, and shrubs) and organic matter (such as mulch) to slow water infiltration and filter out pollutants.

**Block.** A group of platted lots and outlots surrounded by streets or by other features that interrupt the street network such as parks, railroad rights-of-way, or municipal boundary lines; or the perimeter of all lots fronting on the street in the case of a cul-de-sac.



Standard Block

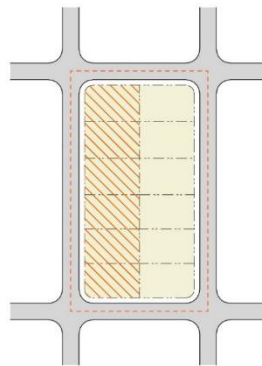


Cul-de-sac Block



Exception

**Block face.** All lots on one side of a block.



Block Face

**Buffer.** To promote separation and enhance compatibility between land uses of different intensities.

**Building.** Any structure built for the shelter or enclosure of persons, animals or property of any kind, excluding fences or walls.

**Building Appurtenance.** The visible, functional or ornamental object accessory to and part of a building.

**Building Code.** Any law, ordinance or code which is in force in the city and which pertains to the design and construction of buildings and other structures, or to any components thereof, such as cooling and heating, plumbing, electricity and the like.

**Building Envelope.** The area in which a building or structure is constructed or placed in a development and in which the land area beyond the envelope is under the single ownership or common ownership of all property owners within the development.

**Building Footprint.** The outline of the total area which is covered by a building's perimeter at the ground level.

**Building Frontage.** The area of the lot along the front building line, and when referring to design standards it may include relationship of this area and the primary facade of the building.

**Building Frontage, Principal.** The horizontal linear dimension which is designated as the primary facade of that portion of a building occupied by a single use or occupancy for the purposes of allocating signs and other design requirements.

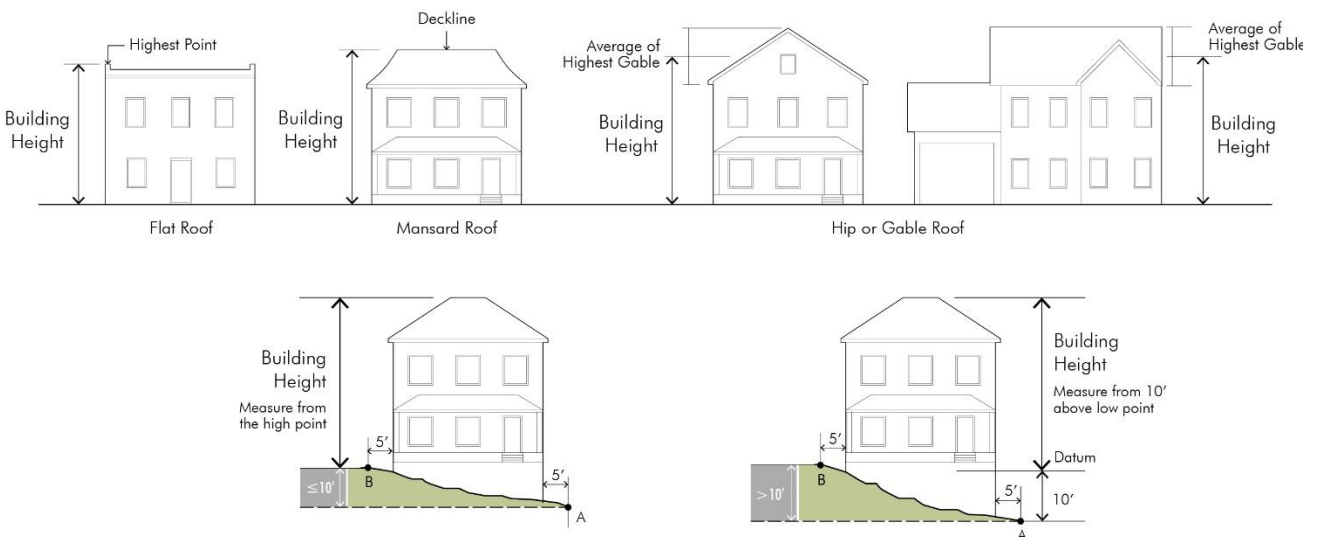
**Building Frontage, Secondary.** That dimension of a building abutting a public right-of-way other than the principal building frontage for the purposes of allocating signs and other design requirements.

**Building or Structure Height.** The vertical distance from grade at an exterior wall of a building or structure to the highest point of the coping of a flat roof, to the average height of the highest gable of a hipped roof, or a monitor roof, or to the highest point of a curved roof. This measurement shall be exclusive of church spires, cupulas, chimneys, ventilators, pipes, and similar appurtenances. For the purposes of this definition, grade applies as follows:

- (1) When there is less than a ten-foot difference between the highest and lowest ground surface within a five-foot horizontal distance from the wall, use the highest elevation.
- (2) When there is greater than a ten-foot difference between the highest and lowest ground surface within a five-foot horizontal distance from the wall, use ten-feet higher than the lowest elevation in this area.

The height of the building is the vertical distance above a reference datum measured to

- (a) the highest point on a flat roof;
- (b) the deck line of a mansard roof;
- (c) the average of the highest gable on a hip or gabled roof.



**Building, Principal.** The primary building on a lot or a building that houses the principal use.

**Building Line.** The actual line at which a building is constructed, and the location of other elements on the lot or adjacent lots may refer to this line extended outward from the building.

**Building Line, Required Front.** The portion of the lot frontage required to be occupied by the front facade of a principle structure, or other permitted accessory structures or landscape associated with the frontage design.

**Caliper.** The diameter or circumference of a tree.

**Candela.** A unit of luminous intensity, defined as the luminous intensity of a source that emits monochromatic radiation of frequency  $540 \times 10^{12}$  Hertz and that has a radiant intensity of  $1/683$  watt/steradian and adopted in 1979 as the international standard of luminous intensity.

*Centerline (of Public Right-of-Way).* A line running midway between the bounding right-of-way lines of a street or alley. For the purposes of calculating signage, the centerline means the apparent centerline of the road determined by finding the point midway between the outer edges of the road surface.

*Certificate of Approval.* A certificate issued by the city authorizing the construction, alteration or demolition of property and improvements designated under this article.

*Certificate of Occupancy (C.O.).* A written certificate provided by the city signifying the subject building/structure (property) has complied with city standards allowing for use and occupancy.

*Change of Use.* A use that substantially differs from the previous use of a building or land and which may affect such things as parking, drainage, circulation, landscaping, building configuration, noise, or lighting. A change of ownership which does not include any of the factors listed above shall not be considered a change of use.

*Changeable Copy Sign* (also known as a marquee sign). A sign designed to allow the changing of copy as with individual letters through manual means, without altering the sign backing or structure in any such way.

*Channel.* A natural or artificial watercourse of perceptible extent, with definite bed and banks to confine and conduct continuous or periodic flowing water.

*Channel Letters, Individual Letters, Raceway and Channel Sign.* Individual letters, flat cutout letters or symbols constructed to be applied singly in the formation of a wall sign or freestanding sign.

*Channelization.* The artificial creation, enlargement, or realignment of a stream channel.

*Circumference.* The perimeter measurement of a building or structure, measured as a continuous line.

*Clear Vision Zone or Area.* That area which the city requires maintenance of in order to preserve the sight distance and safety of motorists, pedestrians, and bicyclists by requiring an unobstructed line of sight necessary for most drivers stopped at an intersection to see an approaching vehicle, pedestrian or bicyclist to avoid a collision.

*Collector Street* (see *Street*).

*Commercial Mineral Deposit.* A natural mineral deposit of limestone used for construction purposes, coal, sand, gravel, and quarry aggregate, for which extraction is or will be commercially feasible and regarding which it can be demonstrated by geologic, mineralogic, or other scientific data that such deposit has significant economic or strategic value to the area, state, or nation.

*Common Consumption Area.* An area designed as a common area located within a designated Entertainment District and approved by the local licensing authority that uses physical barriers to close the areas to motor vehicle traffic and limit pedestrian access.

*Comprehensive Plan.* The comprehensive plan of the city, as provided for in the city Charter and which provides for the future growth and improvement of the community, for the preservation of historic and natural resources, and for the general location and coordination of streets and highways, recreation areas, public building sites and other physical development. Comprehensive plan may also include any specific plans, policies, or programs adopted under the guidance of that plan for the purposes of interpreting and applying this code.

*Condominium.* A form of ownership in which the interior floor space of a unit or area is owned individually, and the structure, common areas and facilities are owned by all of the owners on a proportional, undivided basis.

*Coverage.* Land area which is covered with impervious surfaces, such as buildings, patios, or decks with roofs, carports, swimming pools, tennis courts, or land area covered by any other type of structure, including parking lots.

*Cul-de-sac.* A local street with one open end and the other end terminating in a vehicular turn around.

*Deciduous.* A plant with foliage that is shed annually.

*Decision Point Distance.* Where the clear vision sight distance triangle begins.

*Deck.* A floored outdoor area, typically elevated above grade and adjoining a residential dwelling.

*Dedication.* Setting aside property for a specific purpose, including, but not limited to, streets, utilities, parks, and trails.

*Demolition.* Any act or process which destroys, in part or in whole, any designated property or property located within a designated historic district.

*Density.* The number of dwelling units per gross acre of land area.

*Detention Area.* An area which is designed to capture specific quantities of stormwater and to gradually release the same at a sufficiently slow rate to reduce the risk of flooding.

*Developer.* Any person, partnership, joint venture, association, or corporation or other legal entity who or which shall participate as owner, promoter, designer, builder, or sales agent in the planning, platting, development, promotion, sale, or lease of a subdivision.

*Developing.* A lot, or grouping of lots or tracts of land, with less than 60 percent of their perimeter boundary adjacent to existing development. For the purposes of this definition, public parks, natural areas and other such areas which are not eligible for further development shall be considered developed. Areas which were originally platted prior to 1978 and which have at least 75 percent of the lots in the development built on within this 20-year period shall also be considered developed. A replat of the original plat shall not affect the commencement of this 20-year period.

*Development.* Any construction or activity which changes the basic character or use of land on which construction or activity occurs, including, but not limited to, any non-natural change to improved or unimproved real estate, substantial improvements to buildings or other structures, mining, dredging, filling, grading, paving, extraction, or drilling operations.

*Development or Subdivision Improvement Agreement.* A written instrument for the purposes of specifying all improvements to be constructed by the developer, as well as the timetable for construction of such improvements, any special conditions of construction, and construction cost estimates.

*Direct Lighting.* Spot or floodlighting used to illuminate a sign surface.

*Directional On-Site.* Signs that direct the movement or placement of pedestrian or vehicular traffic on a lot without reference to, or inclusion of, the name or logo of a product sold or services performed on the lot or in a building, structure or business enterprise occupying property, such as "welcome," "entrance," "exit," "restrooms," "parking," "loading area," and "drive-thru."

*Dissolve.* A mode of message transition on an electronic message display accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.

*District.* A portion of the community within which uniform regulations apply.

*Downtown Entertainment District.* That area contained within the south curb flow line of 7th Street, the west curb flow line of 8th Avenue, the north curb flow line of 10th Street and the east curb flow line of 9th Avenue.

*Drive-in or Drive-through.* Accessory site and building features that encourage or permit customers to order and receive food or beverages while remaining in a motor vehicle for consumption on or off the site and which includes a menu board and audio or video speakers.

*Drive-up.* Accessory site or building features that encourage or permit customers to receive services or obtain or drop off products while remaining in a motor vehicle and which excludes a menu board and/or audio or video speakers.

*Driveway.* An improved concrete or asphalt path leading directly to one or more city-approved parking spaces constructed with a concrete, asphalt, or similar all-weather surface.

*Dry Wash Channel.* Natural passageways or depressions of perceptible extent, containing intermittent or low-base flow.

*Dust Abatement Plan.* A plan intended and designed to control dust during the construction or development of property.

*Dwelling Unit.* One room, or connected rooms, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease as a single unit, on a monthly basis or longer, physically separated from any other room or dwelling units which may be in the same structure and served by no more than one gas meter and one electric meter.

*Earthen Berm.* A mound of earth, higher than grade, used for screening or buffering, the definition of space, noise attenuation, and decoration in landscaping.

*Easement.* A right granted by a property owner permitting a designated part of interest in the owner's property to be used by others for a specific use or purpose.

*Ecological Character.* The natural features and attributes of an area or landscape that, combined, give the area its character.

*Electronic Message Display.* A sign capable of displaying words, symbols, figures, or images that can be electronically or mechanically changed by remote or automatic means.

*Emergency.* An unexpected and sudden event that must be dealt with urgently in order to stabilize or protect a structure.

*Entertainment District.* An area within the city that is designated as an Entertainment District of a size no more than 100 acres and containing at least 20,000 square feet of premises licensed as a tavern, hotel and restaurant, brew pub, retail gaming tavern, or vintner's restaurant at the time the district is created.

*Evergreen.* A plant with foliage that persists and remains green year-round.

*Existing Development.* Any development in the city once all public improvements, including water, sewer, streets, curb, gutter, streetlights, fire hydrants, and storm drainage facilities, are installed and completed.

*Exposed Incandescent or High Intensity Discharge Lighting.* Any sign or portion of a sign that utilizes an exposed incandescent or high intensity lamp, with the exception of neon.

*Exterior or Perimeter Wall.* A wall, elements of a wall, parapet wall or any elements or groups of elements which define the exterior boundaries or courts of a building.

*Facade.* The exterior face of a building.

*Fade.* A mode of message transition on an electronic message display accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

*Family.* An individual living alone, or any number of persons living together as a single household who are interrelated by blood, marriage, adoption or other legal custodial relationship; or not more than two unrelated adults and any number of persons related to those unrelated adults by blood, adoption, guardianship or other legal custodial relationship. In multifamily units, the number of unrelated adults shall be determined based on the provisions of the city's housing code. For the purposes of this definition, a bona fide employee of the family who resides in the dwelling unit and whose live-in status is required by the nature of his employment shall be considered a member of the family.

*Federal Register.* The official daily publication for rules, proposed rules, and notices of federal agencies and organizations, as well as executive orders and other presidential documents.

*Fence.* Any artificially constructed barrier of an approved material or combination of materials erected vertically to enclose or screen areas of land.

*Figures.* An outline, shape or pattern of numbers, letters or abstract images.

**Financial Security or Guarantee.** A financial obligation, in a form acceptable to the city, which assures completion and payment for all improvements related to development of property.

**Flag.** Material attached to or designed to be flown from a flagpole or similar device and which may display the name, insignia, emblem or logo of any nation, state, municipality, or commercial or noncommercial organization (see *Pennants*).

**Flashing or Animated.** Signs or lighting with flashing, blinking, moving or other animation effects or that give the visual impression of such movement by use of lighting, or intermittent exhibits or sequential flashing of natural or appearance of artificial light or colors, including those signs that rotate, revolve, spin, swing, flap, wave, shimmer, or make any other motion, or illusion of motion, or which imitate official governmental protective or warning devices (see *Imitating sign*).

**Flood or Flooding.** A general and temporary condition of partial or complete inundation of normally dry land areas from the unusual and rapid accumulation or runoff of surface waters from any source.

**Floodplain.** An area which is adjacent to a stream or watercourse and which is subject to flooding as a result of the occurrence of an intermediate regional flood and which is so adverse to past, current or foreseeable construction or land use as to constitute a significant hazard to public health and safety or to property. The term "floodplain" includes, but is not limited to, mainstream floodplains, debris fan floodplains, and dry wash channels and floodplains.

**Floor Area, Gross.** The total area of a building measured by taking the outside dimensions of the building at each floor level, or from the centerlines of walls separating two buildings and excluding areas used exclusively for the service of the building such as mechanical equipment spaces and shafts, elevators, stairways, escalators, ramps, loading docks, cellars, unenclosed porches, attics not used for human occupancy, any floor space in accessory buildings, or areas within the building which are intended for the parking of motor vehicles.

**Flow Line.** The low point within a street section wherein water is intended to collect and flow, typically the gutters along each edge of pavement.

**Foundation Plantings.** Live plantings located immediately around the base of the foundation of a building façade that reflects the formal geometry of the structure.

**Frame.** A complete, static display screen on an electronic message display.

**Frame Effect.** A visual effect on an electronic message display applied to a single frame to attract the attention of viewers.

**Freestanding Sign.** A sign which is not attached to any building. A freestanding sign shall include, but is not limited to, a pole, monument, a canopy, and freestanding wall sign. A sign that extends more than four feet from a wall but is attached and/or is part of a canopy or an awning shall be considered a freestanding sign.

**Freestanding Wall or Fence.** Either a wall that is not attached to a building or a wall attached to a building that projects more than four feet beyond the exterior wall of the habitable portion of the building.

**Frontage.** The area of a lot between the front building line and the front lot line.

**Garage or Yard Sale.** The occasional sale of new or used goods at a residence, which may be held outside and/or within a garage or accessory building.

**Gas.** All natural gases and all hydrocarbons not defined as oil.

**General Improvement District #1.** That 19-block district bounded by 11th Street to the south, 6th Street to the north, 7th Avenue to the east and 11th Avenue to the west, excluding city Block 35.

**Geologic Hazard.** A geologic condition which is adverse to current or foreseeable future construction or land use associated therewith, constituting a hazard to public health and safety or property, including, but not limited to, landslide, rock fall, subsidence, expansive soils, slope failure, mudflow, or other unstable surface or subsurface conditions.



**Ghost Sign.** Old hand-painted signage that has been preserved on a building for an extended period of time, whether by actively keeping it or choosing not to destroy it.

**Glare.** A sensation of brightness within the visual field that causes annoyance, discomfort, or loss in visual performance and visibility.

**Grade.** The average elevation of the finished surface of the ground, paving, or sidewalk with a radius of five feet from the base of the structure.

**Graphics.** Drawings, decals, paint, or illustrations.

**Gravel.** Inert materials such as loose fragments of rock larger than "pea" size and commonly used as parking surface material.

**Gross Floor Area** (see *Floor area*).

**Gross Leasable Area (GLA).** The area of a building that can be leased to tenants, including storage areas and common areas apportioned to the number of tenants sharing the area. Gross leasable area shall be measured in the same manner of gross floor area, but is apportioned to specific uses or tenants in the building.

**Gross Land Area.** The total land area of a site or property, including land to be dedicated for streets and other public purposes.

**Ground Cover.** Materials that typically do not exceed one foot in height used to provide cover of the soil in landscaped areas, which may include a combination of, but not limited to river rock, cobble, boulders, concrete pavers, grasses, flowers, low-growing shrubs and vines, and those materials derived from once-living things, such as wood mulch. In no event shall weeds be considered ground cover.

**Ground Kites.** Freestanding frames usually covered with flexible fabric and designed to be animated by the wind to attract attention.

**Guest.** A person who is visiting at the principal or primary home of another person for up to 30 days, and which home is not the principal or primary home of the guest.

**Habitat.** Areas that contain adequate food, water and cover to enable one or more species of wildlife to live in or use the area for part of all of the year and which typically consists of natural or planted vegetation, along with one or more sources of water available in the area or adjacent areas.

**Hazard.** Any structure or use of land which endangers or obstructs the airspace required for aircraft in landing, take-off and maneuvering at the airport.

**Hazardous Material.** Any substance or materials that, by reason of their toxic, caustic, corrosive, abrasive or otherwise injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance, or which may be detrimental to the natural environment and/or wildlife inhabiting the natural environment.

**Height** (see *Building height*).

**Highest Adjacent Grade.** The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

**Hillside Development.** Development in areas which contain existing, natural slopes in excess of 15 percent.

**Historic District.** A geographically definable area with a concentration of buildings, structures, sites, spaces or objects unified by past events, physical development, design, setting, materials, workmanship, sense of cohesiveness or related historical and aesthetic associations, that is recognized through listing in a local, state or national landmarks register.

**Historic Preservation.** The protection, rehabilitation and/or restoration of districts, buildings, structures, and artifacts which are considered significant in history, architecture, archaeology, or culture.

**Historic Sign.** A sign that has been officially designated as an historic landmark.

*Historic Structure.* Any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
  - a. By an approved state program as determined by the Secretary of the Interior; or
  - b. Directly by the Secretary of the Interior in states without approved programs.

*Holiday Decorations.* Temporary decorations, lighting or displays which are clearly incidental and customary and commonly associated with any national, state, local, religious or commonly celebrated holiday and which contain no commercial message.

*Home Occupation.* An occupation, profession, activity, or use conducted within a residential dwelling unit that is incidental and secondary to the use of a residential dwelling unit, which does not alter the exterior of the property or affect the residential character of the environment and which meets the provisions of this article.

*Home Occupation, Rural.* An accessory use to a farming operation or a nonfarm household located in a rural area, designed for gainful employment involving the sale of agricultural produce grown on the site, conducted either from within the dwelling and/or from accessory buildings located within 500 feet of the dwelling occupied by those conducting the rural home occupation.

*Homeowners' Association.* An association of homeowners or property owners within a development, typically organized for the purpose of enforcement of private covenants and/or carrying out the maintenance of common areas, landscaping, parks, building exteriors and streets.

*Household Pet.* Any nonvenomous species of reptile and any domestic dog, cat, rodent, primate or bird over the age of four months, which is typically kept indoors. For the purposes of this definition, guide or assistance animals shall not be considered household pets.

*Illumination.* The use of artificial or reflective means for the purpose of lighting a sign.

*Imitating Sign.* Signs which purport to be, are an imitation of, or resemble an official traffic sign, signal or equipment which attempt to direct the movement of pedestrian or vehicular traffic using such words as "Stop," "Danger" or "Caution" to imply a need or requirement to stop, or a caution for the existence of danger, such as flashing red, yellow and green (see *Flashing or animated*).

*Impervious.* Any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to building roofs, paved parking and driveway areas, compacted areas, sidewalks, and paved recreation areas.

*Incidental Sign.* Nondescript signs, emblems or decals attached to a permanent structure informing the public only of those facilities or services available on the premises, such as a credit card sign or a sign indicating hours of business.

*Indirect Lighting.* Reflected light or lighting directed toward or across a surface.

*Individual Letters* (see *Channel letters*).

*Infill.* A lot, or grouping of lots or tracts of land, with at least 60 percent of their perimeter boundary adjacent to existing development. If a right-of-way at least 120 feet in width or streets designated on the

comprehensive transportation plan, as major collectors or arterial streets are adjacent to the subject lot, lots across such a street shall be excluded for the purposes of determining infill and at least 60 percent of the remaining boundaries of the site shall be adjacent to existing development for the lot to be determined to be infill.

*Inflatable Sign or Inflatable Object.* Any object filled with air or other gas, including balloons, which characterize a commercial symbol or contain a message.

*Intensity.* An expression of the level or nature of development in nonresidential developments, or zones or specific land uses based on combinations of building coverage and height, impervious surfaces, expected traffic, hours of operation, noise, or similar impacts on surrounding areas.

*Internal Illumination.* A light source that is contained within the sign itself, or where light is visible through a translucent surface.

*Irrigation System.* An underground, automatic sprinkler system or above-ground drip system explicitly designed for watering vegetation.

*Kiosk.* A freestanding structure upon which temporary information and/or posters, notices, and announcements are posted.

*Landscape Plan.* A scaled graphic plan showing the treatment of all open space areas, parking lots, parking areas, areas adjacent to the public right-of-way, perimeter treatment, and other landscaped areas.

*Landscaping.* Any combination of living plants, such as trees, shrubs, vines, ground covers, flowers, or grass; natural features, such as rock, stone, bark chips, or shavings; and structural features, including but not limited to, fountains, reflecting pools, screening walls, solid fences, and benches.

*Lawn.* A stretch of open, turf-grass covered land; artificial turf shall not be considered lawn or turf-grass.

*Leading Edge.* The point of a sign, including its support structure, nearest to the public right-of-way.

*Legal Description.* A land description recognized by law, including the measurements and boundaries.

*Legible.* A sign capable of being read with certainty without visual aid by a pedestrian of normal visual acuity.

*Live Plantings.* Trees, shrubs and organic ground cover which are in healthy condition.

*Livestock.* Animals typically related to agricultural or farming uses, including, but not limited to, chickens, swine, sheep, goats, horses, cattle, yaks, alpacas, and emus.

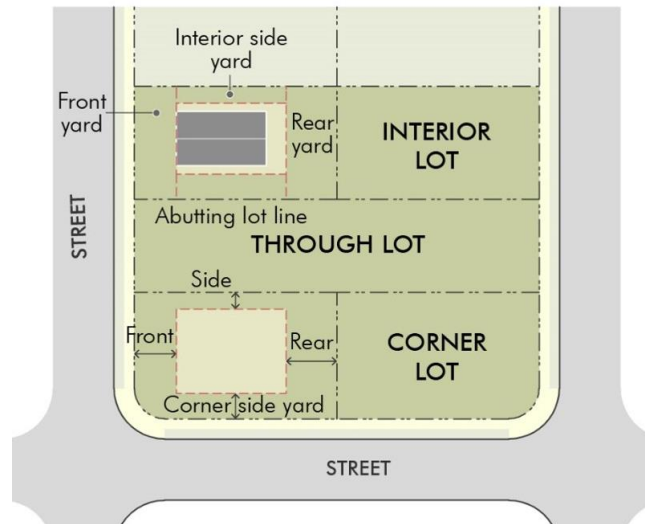
*Living Fence.* A permanent hedge tight enough and strong enough to serve almost any of the functions of a manufactured fence, but it offers agricultural and biological services.

*Living Unit.* Any habitable room or group of rooms forming a single habitable unit, used or intended to be used for living and sleeping, but not for cooking or eating.

*Loading Space or Zone.* An off-street space or berth used for the loading or unloading of cargo, products, or materials from vehicles.

*Local street (see Street).*

*Lot.* A parcel of land, established by a subdivision plat, having the required minimum dimensions, which shall be located on either a public right-of-way or on a legal and perpetual access and which is occupied or designed to be occupied by one or more principal buildings, structures, or uses.



*Types of Lots*

**Lot Area.** The total square footage or acreage contained within lot lines.

**Lot, Corner.** A lot abutting on and at the intersection of two or more streets.

**Lot Coverage** (see *Coverage*).

**Lot Depth.** The average distance between the front and rear lot lines.

**Lot, double Frontage or Through.** A lot that fronts upon two parallel streets or that fronts upon two streets that do not intersect at the boundaries of the lot. The lot line abutting the street which provides primary access shall be considered the front lot line.

**Lot, Interior.** A lot other than a corner lot, with frontage on only one street.

**Lot Line.** A line dividing one lot from another lot or parcel, or from a street or alley.

**Lot Line, Front.** The property line dividing a lot from a street or public or common space on which the building and lot orients. On a corner lot, generally the shorter street frontage shall be considered as a front lot line, except that the context of the block and abutting lots may allow the following arrangements:

- (1) **Standard Corner.** The building orients to the same front as all other buildings on the same street, and an expanded side setback applies on the other street side of the lot. Side and rear setbacks apply to the remaining sides.
- (2) **Reverse Corner.** The building orients to the end-grain of the block (not the same as other buildings on the interior of the block), and the front setback and frontage design applies to that street. The other street-side setback is the greater of (a) the stated street-side setback for that building type or (b) 10 feet in front of the forward-most point of the front building line of the abutting lot. Side and rear setbacks apply to the remaining sides.
- (3) **Corner Orientation.** The building orients to both streets, with the front setback and frontage design applying on both street sides. The two remaining lot lines are treated as side setbacks and there is no rear setback.



Standard Corner

Reverse Corner

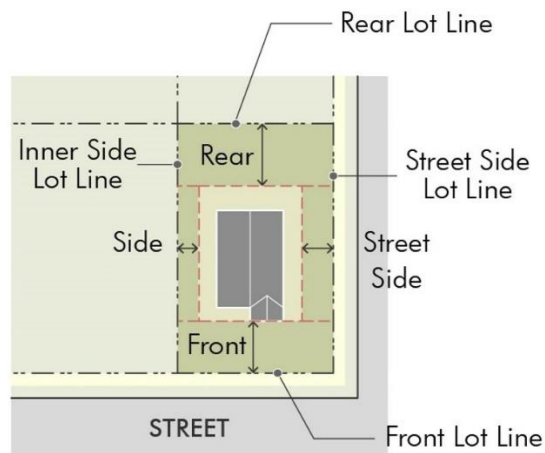
Corner Orientation

*Lot Line, Interior Side.* A side lot line which is adjacent to a side lot line of another lot.

*Lot Line, Rear.* The line opposite the front lot line. Where the side lot lines meet in a point, the rear lot line shall be assumed to be a line not less than ten feet long, lying within the lot and parallel to the front lot line.

*Lot Line, Side.* Any lot lines other than the front or rear lot line.

*Lot Line, Street Side.* A side lot line which separates the lot from a street.



Lot and Building Lines

**Lot line, zero.** The location of a building on a lot in such a manner that one or more of the building's sides rests directly on a lot line, provided that separations or setbacks between buildings meet all applicable building and fire code provisions.



*Zero Lot Line Development*

**Low-water Adaptive Plants.** Plants which have or can adapt to low levels of irrigation water.

**Maintenance of Landscaping.** Regular watering, mowing, pruning, fertilizing, clearing of debris and weeds, removing and replacing of dead plants, and the repair and replacement of irrigation systems.

**Maintenance of a Sign.** Cleaning, repairing, painting, or replacement of defective parts in a manner that does not alter the dimension, material or structure.

**Manufactured Home** (see *Dwelling or Residence, Single-Family in the description of uses*).

**Mechanical Equipment.** Any and all equipment ancillary to the use or function of a building and/or structure, including, but not limited to, heating or cooling equipment, pool pumps and filters, electrical equipment, transformers, exhaust stacks, and roof vents.

**Menu Board.** A permanently mounted sign which lists the products or services available at a drive-in or drive-thru facility and not legible from the right-of-way.

**Mid-range Expected Service Area.** The growth area capable of accommodating the estimated increase in development in the city in the next five years.

**Mineral Owner.** Any person having title or right of ownership in subsurface oil and gas or leasehold interest therein.

**Mobile Home.** A detached, single-family housing unit that does not meet the definition of single-family dwelling or residence set forth in these definitions and which has all of the following characteristics:

- (1) Designed for a long-term occupancy and containing sleeping accommodations, a flush toilet, a tub or shower bath and kitchen facilities and has plumbing and electrical connections provided for attachment to outside systems;
- (2) Designed to be transported after fabrication on its own wheels, on a flatbed or other trailers or on detachable wheels;
- (3) Arrives at the site where it is to be occupied as a complete unit and is ready for occupancy except for minor and incidental unpacking and assembly operations, location on foundation supports or jacks, underpinned, connections to utilities and the like;
- (4) Exceeding 8 feet in width and 32 feet in length, excluding towing gear and bumpers; and
- (5) Is without motive power.

**Mobile Home Accessory Building or Structure.** A building or structure that is an addition to or supplements the facilities provided in a mobile home. It is not a self-contained, separate, habitable

building or structure. Examples are awnings, cabanas, garages, storage structures, carports, fences, windbreaks, or porches and patios that are open on at least three sides.

*Mobile Home Park or Community.* A site or tract of land held under one ownership, which is suited for the placement of mobile homes.

*Mobile Home Park or Community, Existing.* A mobile home park or community for which the construction of facilities for servicing the lots on which the mobile homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads) are completed before the effective date of the ordinance codified in this Development Code.

*Mobile Home Park or Community, Expansion to.* The preparation of additional sites by the construction of facilities for servicing the lots on which the mobile homes are to be affixed (including the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads).

*Mobile or Micro Home Site.* A plot of ground within a mobile home community, or other small format housing project, designed for the accommodation of one mobile home or similar small-format dwelling unit and its accessory structures.

*Model Home.* An unoccupied dwelling unit built on a site in a development for display and/or sales purposes and which may include an office solely for the development in which it is located, and which typifies the units that will be constructed in the development.

*Monument Sign.* A freestanding sign supported primarily by an internal structural framework or other solid structure features where the base of the sign is in contact with the ground.

*Mulch.* A natural planting material such as pine straw, coconut fiber, ground pine post peeling, or tree bark used to control weed growth, reduce soil erosion and water loss.

*Multiple Use.* A site, tract of land or development that contains more than one type of land use, including, but not limited to, residential, office, retail, or industrial uses.

*Native Grass.* A native Colorado grass.

*Natural Area.* Aquatic or terrestrial habitats or areas which exist in their natural condition and which have not been significantly altered by human activity.

*Natural Area Corridor.* An aquatic or terrestrial corridor that connects one or more natural areas or habitats together.

*Natural Feature.* Features which give an area its general appearance and ecological character and which attract or support the wildlife species that use or inhabit the area.

*Neighborhood.* The land area which is in the vicinity of the lot, tract, outlot, or parcel of land in question and which will be affected to a greater extent than other land areas in the city by uses which exist on the lot or are proposed for it. A neighborhood also includes lots which are adjacent to one another and have a community of shared interest.

*Neon.* A sign illuminated by a light source consisting of a neon or gas tube that is bent to form letters, symbols or other shapes.

*New Construction.* Structures for which the start of construction commenced on or after the effective date of the ordinance codified in this article.

*Nits.* A unit of measurement of luminance, or the intensity of visible light, where one nit is equal to one candela per square meter.

*Nonconforming.* Any building, structure, site, or use that does not conform to the regulations of this Development Code, but which was lawfully constructed, established and/or occupied under the regulations in force at the time of construction or initial operation.

*Nonconforming Mobile Home Communities.* Mobile home communities lawfully established and properly licensed by the city under the 1976 Code, or which were developed and used prior to and as of

September 5, 1972, as a place where mobile homes were located for residential occupancy and, as of that date, the area must have been in compliance with any and all applicable city or county ordinances and regulations related to mobile home use of land.

*Non-deciduous.* Shrubs or trees, also called evergreens that keep their foliage year-round.

*Official Map.* The map establishing the zoning classifications of all land in the city and showing all amendments to zoning classifications as they may be adopted.

*Off-premises Sign.* A sign or device that advertises a business establishment, good, facility, service, or product which is not sold or conducted on the premises on which the sign or device is located and which may be designed to change copy on a periodic basis.

*Off-street Parking Areas (see Parking).*

*Oil.* Crude petroleum oil and any other hydrocarbons, regardless of gravities, which are produced at the well in liquid form by ordinary production methods, and which are not the result of condensation of gas before or after it leaves the reservoir.

*Opacity.* The degree or extent that light is obscured.

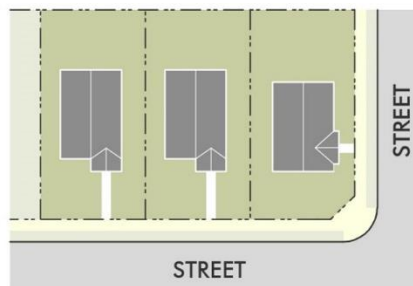
*Open Space, Common.* A common area permanently set aside for the common use and enjoyment of residents or occupants of a development or members of a homeowners' association, which open area may be landscaped and/or left with natural vegetation cover and which may include swimming pools and other recreational leisure facilities; areas of scenic or natural beauty and habitat areas; hiking, riding, or off-street bicycle trails; and landscape areas adjacent to roads which are in excess of minimum required rights-of-way.

*Open Space, Private or On-lot.* An outdoor area not intended for habitation, directly adjoining a dwelling unit or building, which is intended for the private enjoyment of the residents or occupants of the adjacent dwelling unit or building and which is defined in such a manner that its boundaries are evident. Private or on-lot open space may include lawn area, decks, balconies, and/or patios.

*Open Space, Required.* That portion or percentage defined by the zoning standards of a lot required to be open and unobstructed. The area must not be covered by any structure or impervious surface, such as sidewalks or driveways, with the exception of required amenities, identity features, or useable open space required pursuant to this code.

*Open Space, Usable.* That portion of a lot or site available to all occupants of the building or site for recreational and other leisure activities that are customarily carried on outdoors.

*Oriented.* To locate or place a building or structure in a particular direction on a lot or site which shall generally be parallel to the adjacent street.



*Buildings Oriented to the Street*

*Ornamental Tree.* A deciduous tree planted primarily for its ornamental value or for screening and which will typically be smaller than a shade tree approximately 15 to 25 feet in height.



**Outdoor Display.** The display of products for sale outside a building or structure in areas to which customers have access..

**Outdoor Storage.** The keeping, outside a building, of any goods, material, merchandise, or vehicles in the same place for more than 24 hours. Outdoor storage shall not include the storing of junk or the parking of inoperable motor vehicles. Storage of commercial recreational vehicles/equipment, boat, and personal vehicles are excluded from this definition.

**Outlot.** A tract of land platted in a subdivision for a specific purpose, which shall be shown on the face of the plat. Specific purposes may include, but are not limited to, drainage areas, stormwater detention or retention areas, parks, open space, or land areas reserved for other public facilities.

**Overlay District.** A zoning district classification which encompasses a defined geographic area and imposes additional requirements above that required by the underlying zoning. Overlay districts may be combining, where they join property included in two or more adjoining districts based on common attributes or policies; or overlay districts may be separating, where they distinguish property in a single district based on a specific attribute or context that requires different regulations.

**Parcel.** A unit or contiguous units of land in the possession of, or recorded as the property of one person, partnership, joint venture, association or corporation, or other legal entity.

**Park.** Any dedicated and accepted public or private land available for recreational or scenic purposes.

**Parking.** The parking or leaving of an operable, licensed vehicle, current in its registration, for a temporary period.

**Parking Areas or Lots.** Areas designed, used, required, or intended to be used for the parking of motor vehicles, including driveways or access ways in and to such areas but excluding public streets and rights-of-way.

**Parking Bay.** A group of parking stalls or vehicle parking spaces to accommodate 15 or more vehicles.

**Parking Block.** A group of parking bays surrounded by landscape edges, internal access streets, public streets or buildings and sidewalks, typically used to break larger parking areas into smaller distinct components. Parking blocks are used to minimize the visual impact of parking, improve organization of the development and circulation within the site, and/or preserve opportunities for the site to accept infill or redevelopment in a more logical pattern without disruption of streets and utilities.

**Parking, Shared.** The development and use of parking areas on two or more separate properties for joint use by those properties.

**Parking Slab.** A paved parking space located off-street and designed to accommodate standard-sized motor vehicles as provided in the off-street parking and loading requirements chapter of this Development Code.

**Parking Space.** A space or stall within a parking area established in conformance with this Development Code.

**Parking Space, Storage.** A space for the storage of operable, licensed vehicles, current in registration, including recreational vehicles or equipment, for a period of 30 days or longer.

**Parkway.** The strip of land typically located between the sidewalk and the curb, also referred to as a *tree lawn*.

**Path or Pathway.** A designated route or path for non-motorized use such as for walking or bicycling. Paths may include both sidewalks and trails.

**Pennants.** Any long, narrow, usually triangular flag typically made of lightweight plastic, fabric, or other material, and not containing a message, image or representative symbol, usually found in a series on a line and designed to move in the wind.

*Perennials.* Non-woody plants, which may die back to the ground each year but continue to grow on an annual basis. Perennials shall also include cold weather bulbs and tubers and ornamental grasses that grow each year and shall count toward ground cover requirements.

*Perimeter Treatment Plan.* A plan intended to provide visual and noise protection for the outer edges of developments, which border arterial streets, major collector streets, or other sensitive borders. Perimeter treatment also provides an attractive and varied streetscape for people traveling along thoroughfares.

*Permanent Sign.* A sign attached to a building, structure or the ground in a manner that precludes ready removal or relocation of the sign.

*Permeable.* A material that allows liquids or gases to pass through it.

*Permitted Sign.* A sign having a legal permit issued in accordance with the provisions of this title.

*Permitted Use.* A use allowed in a zoning district and subject to the restrictions and review procedures which apply to that district.

*Person.* Any person, firm, association, organization, partnership, business, trust, corporation, company, contractor, supplier, installer, user, or owner or any representative, officer or employee thereof.

*Pervious.* A surface that allows water to pass through; a surface that presents an opportunity for precipitation to infiltrate into the ground.

*Planned Unit Development (PUD).* A development planned, designed, and constructed with specific standards as an integral unit and which typically consists of a combination of uses district, and provides for an equivalent level of standards, and broader community benefits in exchange for flexibility in the standards.

*Planting Median.* An area in the approximate center of a city street, road, or state highway that is used to separate the directional flow of traffic or the center of two parking bays that provide vegetation and pedestrian accessibility to the principal building or structure by way of a paved sidewalk.

*Plat.* A subdivision map or plan of property.

*Plat, Final.* A completed map of a subdivision setting forth fully and accurately all legal and engineering information, survey certification and any accompanying materials as required by this title.

*Plat, Preliminary.* A proposed subdivision map and any accompanying materials as required by this title, which provide sufficiently detailed information so that preliminary agreement as to the form and content of the plat, coordinating the planning, design, and engineering standards of this title, may be reached between the developer and the city.

*Pole Sign.* A sign that is affixed, attached, or mounted on a freestanding pole or structure that is not itself an integral part of or attached to a building or structure.

*Pollinator Gardens.* Gardens designed for the purpose of providing habitat for or attracting bees, butterflies, moths, hummingbirds, or other beneficial creatures that transfer pollen from flower to flower, or in some cases, within flowers.

*Portable Sign.* A sign that is not permanently affixed to a building, structure or the ground and that is easily moved, such as a sandwich board sign.

*Practicable.* Capable of being done within existing constraints including environmental, economic, technological, or other pertinent considerations.

*Premises.* The land, site or lot at which, or from which, a principal land use and activity is conducted.

*Primary Entrance.* The entrance to a building or structure which is intended to be the main pedestrian or public entrance and which shall typically be located on the front of the building or structure, and therefore includes enhancements and human-scale details to show the priority and importance of the space to the public.

*Principal Building or Structure (see Building).*

**Prohibited Activities Sign.** Signs located on a property posting said property for warning or prohibition, such as "no hunting," "no swimming," or "no parking."

**Projecting Wall Sign.** Any sign attached to a building and that extends more than 20 inches from the surface to which it is attached, but no more than four feet from the wall of the building. Signs projecting more than four feet from the building shall be considered freestanding signs.

**Promotional Association.** An association that is incorporated within the state that organizes and promotes entertainment activities within a common consumption area and is organized or authorized by two or more people who own or lease property within an Entertainment District.

**Public.** A person, structure, activity, or purpose owned or operated by a governmental agency or by a public nonprofit corporation with tax-exempt status under the federal Internal Revenue Code.

**Public Hearing.** A hearing held to allow interested persons to present their views before the zoning board of appeals, planning commission or city council. A public hearing is different from an open meeting which does not allow participation by the public.

**Public Improvement.** Any improvement required by title for which the city or a quasi-public agency agrees to assume responsibility for maintenance and operation, or which may affect an improvement for which the city or a quasi-public agency is already responsible. Such facilities include, but are not limited to, streets, parks, trails, drainage facilities, water and sewer facilities, gas, electricity, telephone, cable television, and other utility facilities.

**Public Sign.** Signs required or specifically authorized for a public purpose by any law, statute, or ordinance, including public directional signs on the right-of-way; signs which identify the city by name; signs that direct travelers to public buildings, parks or attractions; interpretative signs; way-finding signs, municipal uniform traffic control devices; and the like.

**Rain Garden.** A soil absorption or filter system designed to be depression storage or a planted hole that allows water filtration and absorption of rainwater runoff from impervious urban areas, such as roofs, driveways, walkways, parking lots, and turf-grass or sod areas. It is a type of bioretention facility designed to provide stormwater infrastructure improvements with vegetation. Typically shallow vegetative depressions with gentle slide slopes designed as individual stormwater receiving areas or linked to conveyance systems. Soils may or may not be amended in these facilities.

**Recreational Equipment.** Equipment intended for outdoor recreational use, including, but not limited to, snowmobiles, jet skis, all-terrain vehicles (ATVs), canoes and boats, and including the trailers for transporting such equipment.

**Recreational Vehicle.** A vehicle which is designed, intended and used for the purposes of temporary living accommodation for recreation, camping and travel use, including, but not limited to, travel trailers, truck campers, camping trailers and self-propelled motor homes, horse trailers and bus campers. For the purposes of this definition, neither a pop-up trailer nor a truck topper accessory (also known as a camper shell) which is not higher than eight inches above the truck cab when installed shall be considered a recreational vehicle. A horse trailer used primarily for transport of horses and/or livestock to or from the site it is stored upon shall not be considered a recreational vehicle under this definition.

**Recyclable Material.** Reusable material, including, but not limited to, metals, glass, plastic, and paper, which are intended for reuse or reconstitution for the purpose of using the altered form. The term "recyclable material" shall not include refuse or hazardous materials or the processing of recyclable materials.

**Redevelopment District.** All land located within the boundaries of the urban renewal area of the city, as it may be amended from time to time by the city council.

**Residential Complex, Subdivision or Multi-family Entry Sign.** An on-site sign that identifies a specific residential complex or subdivision.

**Right-of-way.** A right granted by a property owner and which is intended to be occupied by a street, sidewalk, railroad, utilities, and other similar uses.

**Right-of-way Landscaping.** Landscaping located within the public or private rights-of-way adjacent to a privately owned lot, outlot, or tract, including parkways.

**Riparian Zone.** An area where the presence of a surface and/or high subsurface water level permits the existence of increased vegetative diversity and abundance as contrasted to surrounding areas.

**Roof Sign.** A sign that is mounted on the roof of a building or structure such as a portico which is wholly dependent upon a building for support and which projects above the parapet of a building with a flat roof, or above the peak of the roof on that portion of the roof on which the sign is placed.

**Satellite & Communication Equipment.** A reflective surface configured in the shape of a shallow dish, cone, horn, or cornucopia which shall be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally based uses, including, but not limited to, satellite earth stations, television reception only satellite dish antennas, and satellite microwave antennas.

**Screening.** A method of reducing the impact of visual and/or noise intrusions through the use of plant materials, earthen berms, solid fences, and/or walls, or any combination thereof, intended to block that which is unsightly or offensive with a more harmonious element.

**Searchlight, Strobe Light or Beacon.** A stationary or revolving light that flashes or projects illumination, single color or multicolored, in any manner that is intended to attract or divert attention; excluding any device required or necessary under the safety regulations described by the Federal Aviation Administration or similar agencies.

**Seasonal Use.** A use intended for a period of limited duration, including, but not limited to, the sale of seasonal goods and products such as pumpkins, Christmas trees, produce and living plants.

**Setback.** The minimum distance a building, structure or use may be erected from a street, alley, or property line. Setbacks are also called required yards.

**Setback, Front.** The area extending across the full width of the lot, between the front lot line and the nearest line or point of the area allowed for construction or establishment of the building, structure, or use. Where expressed as a range, the front setback shall be interpreted as a "build to range," within which distance the front building line of the principal building shall be established.

**Setback, Interior Side.** The area extending from the front yard to the rear yard, between the side lot line adjacent to another lot and the nearest line or point of the area allowed for construction or establishment of the building, structure, or use.

**Setback, Oil and Gas** (see Section 24-1102 of this title).

**Setback, Rear.** The area extending across the full width of the lot between the rear lot line and the nearest line or point of the area allowed for construction or establishment of the building, structure, or use.

**Setback, Side.** The area extending from the front yard to the rear yard, between the side lot line and the nearest line or point of the area allowed for construction or establishment of the building, structure or use.

**Setback, Street Side.** The area extending from the front yard to the rear yard, which separates the lot from an adjacent street.

**Shade Tree.** A large woody plant, usually deciduous, that normally grows with one main trunk and has a mature height at least 30 feet, a canopy height above 12 feet, and screens and filters the sun.

**Shrub.** A woody plant which consists of a number of small stems from the ground or small branches near the ground and which may be deciduous or evergreen.

**Sidewalk.** A paved, surfaced or leveled area, paralleling and usually separated from the street, used as a pedestrian path.

**Sign.** Any device, surface, object, structure, building architecture or part thereof using graphics, symbols or written copy for the purpose of advertising, identifying or announcing or drawing attention to any

establishment, product, goods, facilities, services or idea, whether of a commercial or noncommercial nature.

*Sign Allowance.* The amount of signage that is allowable under the provisions of this article.

*Sign Alteration.* Any change of copy (excluding changeable copy signs), sign face, color, size, shape, illumination, position, location, construction, or supporting structure of any sign.

*Sign Area.* The entire face of a sign and any backing, frame, trim or molding and which may include the supportive structure.

*Sign Backing.* The surface, pattern or color of which any sign is displayed upon, against or through and that forms an integral part of such display and differentiates the total display from the background against which it is placed.

*Sign, Exposed Incandescent or High Intensity Discharge Lighting.* Any sign or portion of a sign that utilizes an exposed incandescent or high intensity lamp, with the exception of neon, in such a fashion as to project light directly onto adjoining property or right-of-way.

*Sign Face.* The area of a sign on which the copy is placed, or, for individual cutout letters, painted letters, channel letters or symbols, the perimeter of the individual elements shall be considered the area of the sign.

*Sign Frame.* A sign cabinet or that portion of the sign that holds the sign face in place.

*Sign Height.* The vertical distance measured from the grade, as defined herein, to the highest point of the sign or sign structure.

*Sign, Interior to a Building.* Signs inside buildings that are not legible from the public right-of-way or other publicly accessible exterior areas of the building. .

*Sign, Interior to Development.* Any sign that is located so that it is not legible from any adjoining property or the public right-of-way and not oriented in such a way as to attract the attention of those traveling along the right-of-way.

*Sign Permit.* A permit issued by a building official and which is required for any sign specified by this code.

*Sign Setback.* The minimum distance required from the apparent centerline of the right-of-way, to any portion of a sign or sign structure.

*Sign Structure.* The supports, uprights, bracing or framework of any structure for the purposes of displaying a sign.

*Sign, Wall.* A sign attached parallel to and extending less than 20 inches from the wall of a building. The definition of the term "wall sign" includes painted, individual letter, cabinet signs and those signs located on the roof of a building which are not roof signs as defined herein.

*Sign, Window.* Any type of sign that is painted or attached to or within 12 inches of any exterior window.

*Site Plan.* A set of drawings that the property owner, builder, or contractor uses to make improvements to a property through graphic representation, whether computer-generated or hand-drawn, of the arrangement of buildings, parking, drives, landscaping, and any other structure that is part of a development project.

*Sky Dancers.* Freestanding tubes which often simulate the shape of a person into which air is forced to inflate and animate and which do not characterize a commercial message or contain a message.

*Slope.* The ratio between elevation change to horizontal distance, expressed as a percentage.

*Soil Amendments.* Elements added to the soil, such as compost, natural fertilizer, manure, or chemical fertilizer, to improve its capacity to support plant life.

**Solid Fence.** A fence that is opaque and provided the fence is composed of solid wood, composite, vinyl, or masonry.

**Species of Special Concern.** Species of wildlife and plants which the state division of wildlife has identified and listed as state species of special concern.

**Stacking Space.** An area for motor vehicles to line up in while waiting to go through a drive-thru facility, a designated passenger drop-off/pick-up area or a parking lot or area.

**Stormwater Management Plan.** A plan for the management of stormwater drainage and control prepared in conformance with the regulations for stormwater management, adopted by the state department of public health and environment; and further, including a plan for erosion and sediment control pursuant to the requirements of chapter 12 of title 3 of this Code, including its references.

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

**Street.** A way for vehicular, pedestrian or bicycle traffic whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place or however otherwise designated.

**Street, Arterial.** Streets that permit relatively unimpeded traffic movement throughout the city and connecting to outside communities.

**Street, Arterial Major.** Arterial streets which generally carry traffic volumes greater than 20,000 vehicles per day when the property which the arterial street serves is fully developed and which permit rapid and relatively unimpeded traffic movement throughout the city, connecting major land use elements as well as connecting to outside communities.

**Street, Arterial Minor.** Arterial streets which generally carry traffic volumes greater than 10,000 vehicles per day when the property which the arterial street serves is fully developed and which permit relatively unimpeded traffic movement and are intended for use on routes where four moving lanes and one turn lane are required but where a major arterial cross-section is not warranted.

**Street, Collector.** Streets that collect and distribute traffic between arterial and local streets and serve as main connectors within the city, linking one neighborhood with another and which carry traffic with an origin or destination within the community.

**Street, Collector Major.** Collector streets which generally carry traffic volumes greater than 7,000 vehicles per day when the property which the collector serves is fully developed and which permit relatively unimpeded traffic movement and are intended for use on those routes where four moving lanes are required but where a larger classified street is not warranted.

**Street, Collector Minor.** Collector streets which generally carry traffic volumes up to 7,000 vehicles per day and collect and distribute traffic between arterial and local streets and which serve as main connectors within communities, linking one neighborhood with another.

**Street, Design Type.** A reference to the design attributes of a specific segment of the street, regardless of the functional class, and including lane widths, number of lanes, parking, streetscape, and sidewalks. Street design types allow the design of segments of streets to transition and relate better to the context and anticipated abutting land uses, without disrupting the overall role of the street in the functional classification system.

**Street, Functional Classification.** A system of categorizing streets based on their role in the overall street network, considering traffic volumes, traffic speeds, and continuity of the street.

**Street, Local.** Streets that provide direct access to adjacent property and which carry traffic with an origin or destination within the immediate neighborhood.

**Street, Local Low Volume.** Local streets which carry traffic volumes of up to 500 vehicles per day and which provide direct access to adjacent property.

*Street, Private.* A private roadway used to provide vehicular and emergency access.

*Street Tree.* A tree planted in close proximity to a street in order to provide shade over the street and to soften the street environment.

*Streetscape.* The scene that may be observed along a street, including both natural and non-natural components, including vegetation, buildings, paving, plantings, lighting fixtures and miscellaneous structures.

*Structure.* Anything constructed or erected on or in the ground, the use of which requires a more or less permanent location on or in the ground, and, including, but not limited to, walls, retaining walls, fences, parking lots, parking slabs and oil and gas production facilities.

*Subdivision.* The division of a lot, tract or parcel of land into two or more lots, tracts or parcels, or other division of land in compliance with the requirements of this title.

*Symbol.* A graphic device which stands for a concept or object.

*Temporary Sign.* Any sign, not intended for permanent installation such as, but not limited to, a banner, balloon, pennant, searchlight or beacon. Generally, these signs are intended to be used for a limited period of time or for a purpose announcing a special event or presenting other miscellaneous or incidental information or instructions.

*Temporary Structure.* A structure without any foundation or footings and which is intended to be removed at some point in the future.

*Temporary Use.* A use which shall generally be permitted to exist and be operated for no longer than 90 days in 12 consecutive months and which may occur as an accessory or principal use.

*Time or Temperature Sign.* A sign or portion thereof on which the only copy that is capable of being changed is an electronic or mechanical indication of time and/or temperature.

*Tract.* A parcel or parcels of land designated on a plat and intended to be further subdivided before development at some point in the future, but which may be initially created under single ownership through a subdivision process.

*Travel Trailer or Recreational Vehicle.* A portable structure, mounted on wheels and designed to be towed by a motor vehicle, or propelled by its own motive power, that may contain cooking or sleeping facilities and is intended to provide temporary living quarters for recreational camping or travel. A travel trailer also does not comply with either the National Manufactured Housing Construction and Safety Standards Act of 1974 or the uniform building code standards. Travel trailers are not permitted in residential zones as living quarters except as guest quarters for no longer than seven consecutive days.

*Tree.* A large woody plant with one or several self-supporting stems or trunks and numerous branches and may be deciduous or evergreen.

*Turf-grass.* A blend or mix of grasses most tolerant to the Colorado climate, whether in sod or seed form when planted, intended to be regularly maintained as a lawn in urbanized areas. Artificial turf shall not be considered lawn or turf-grass.

*Universal Design.* The design of buildings, products, or environments, to make them accessible to all people, regardless of age, disability, or other factors. The term "universal design" was coined by the architect Ronald Mace to describe the concept of designing all products and the built environment to be aesthetic and usable to the greatest extent possible by everyone, regardless of their age, ability, or status in life.

*Urban Heat Island.* An urban area that is significantly warmer than its surrounding rural areas due to modifications of land surfaces such as development and other human activities. The temperature difference is usually more significant at night than during the day.

*Use.* The type of activity for which land or a building or structure is designated, arranged or intended and also means the activity which regularly takes place upon the land or in a building or structure on the land. Not all uses shall be considered legal or permitted uses.

*Use, Principal.* The primary use of a building, structure or lot.

*Utility Box or Pedestal.* Devices designed and intended to house equipment necessary for the delivery of utility services to commercial and/or industrial customers, including, but not limited to, electric transformers, switch boxes, telephone pedestals and boxes, cable television boxes, traffic control boxes and similar devices.

*Utility Line Clearance Zones.* The minimum clearance horizontal or vertical standard determined by the utility holder. Obstructions and encroachments are prohibited.

*Utility Stand.* Part of a mobile home space which is used for the placement of the utility connections.

*Vacant* means a site or area that is not put to any use other than gardening.

*Vacation.* The legal abandonment of a right granted by a property owner, which was intended for a particular purpose, such as for streets or utility lines.

*Variance.* A modification of the strict terms of this Development Code as provided in this code.

*Vehicle Signs.* Signs which are attached to or located on licensed vehicles, trailers or semi-trailers and contain or display signage for the primary purpose of advertisement, excluding bumper stickers on the bumper and similar-sized adhesive decals.

*Vested Property Right.* The right to undertake and complete a development and use of property under the terms and conditions of an approved site specific development plan.

*Weed.* Any plant not typically propagated by the horticultural trades and not typically installed for the purposes of landscaping; or which presents a particularly noxious allergenic or growth characteristic. Weed does not include native and naturalized plants, other than designated noxious weeds, grown in areas managed primarily for ecological services.

*Wildlife.* Wild, native vertebrates (including fish), mollusks and crustaceans and any species introduced or released by the division of wildlife, whether alive or dead, including any part, egg or offspring thereof.

*Wind Sign (see Pennants, Ground kites and Sky dancers).*

*Work Vehicle.* A vehicle outfitted with equipment such as, but not limited to, storage racks, hoists, cranes, vises, heavy equipment or other business and construction equipment, whether attached or removable, or which may have attached trailers carrying such work equipment. A horse trailer used primarily for transport of horses and/or livestock shall not be considered a work vehicle under this definition.

*Xeric Landscaping or Xeriscape.* A landscape design strategy coined by Denver Water in 1981 to help make water-efficient landscaping an easily recognized concept. Xeriscape is a combination of the word "landscape" and the Greek word "xeros," which means dry. For the purposes this code, it shall mean the use of low-water or very low-water plants in place of plants that typically require more water to survive. Xeric landscaping does not mean the same as hardscaping or the use of rocks or rock mulch.

*Yard.* The area of a lot between the property line and the foundation of a building, structure or use. The term "required yard" means that area also described as a required setback area where construction of buildings, structures and uses is limited in placement.

*Yard, Front.* The portion of a lot between the front façade of a primary structure and the right-of-way. A yard may contain more land area than a setback area.

*Yard, Interior Side.* An open-space area between the interior side property line and the building setback line, extending between the front building setback line and the rear building setback line.



*Yard, Rear.* The space or area of a lot between the rear property line and the principal building, extending the lot's full width, and measured perpendicular to the building at the closest point to the rear property line.

*Yard, Street-side.* The area extending between the front yard and the rear yard or rear street yard and situated between the side street property line and the face of the principal building which is parallel to, or most nearly parallel to, the side street property line.

## 24-1302 Architecture & Design Terms

This glossary of architecture and design terms explains concepts, strategies, and techniques that are used to affect building and site design.

### a. Architectural Style.

When used generally, architectural style refers to a distinctive manner of expression, fashion or composition of building elements at a specific time.

When used specifically, architectural style refers to a prevalent or historical style that is documented with common or typical patterns in assembling building elements and form, and where variations within the style follow common rules of application for materials, massing or composition of the details. (i.e. Art Deco, Colonial Revival, Craftsman, Mid-Century Modern, Mission, Spanish Colonial Revival, Tudor Revival, Victorian, etc. See *Colorado's Historic Architecture & Engineering Guide*, [www.historycolorado.org/colorados-historic-architecture-engineering-guide](http://www.historycolorado.org/colorados-historic-architecture-engineering-guide) )

### b. Building Elements. Buildings are made up of vertical elements, horizontal elements, details, and ornamentation that break up the building elevations into distinct components and establish the form and scale of the building. Building elements include:

1. *Awning.* A sloped or rounded framed projection attached to a wall and extended over a window or door to provide protection from the elements.
2. *Bay (window).* A bump out in the facade typically associated with an element of the interior floor plan but located to provide balance and relief to the massing on the exterior facade. A bay is usually associated with a window.
3. *Belt Course.* A continuous row or layer of stones, brick or other primary building material set in a wall and in line with changes in stories, changes in materials, or window sills. Belt courses make a visually prominent horizontal line to break up a wall plane by using a distinct material and/or implementing a pronounced and distinct pattern of the material.
4. *Bracket.* A projecting support placed under an eave or other projection with design qualities and details that add emphasis to the roof structure or massing element.
5. *Canopy.* A flat roofed projection attached to a wall and extended over a window, door, or walkway, or a freestanding structure over walkway or service area that gives protection from the elements.
6. *Clerestory Window.* A window high on a wall section above eye level and used to permit light or air into areas that otherwise do not have windows due to functional constraints of the building.
7. *Column.* A supporting pillar, especially one consisting of design qualities and details that add emphasis and ornamentation to a portion of the facade, or any roof structure or area it supports.
8. *Cornice.* An ornamental topping projecting from the wall with design qualities and details that crowns a structure along the top near the roof, with an emphasis that is compatible with but more elaborate than other similar details and ornamentation on the building.

9. *Eaves.* An overhang of the roof structure, where larger eaves can increase the prominence of the roof as a “cap” to the building and protect portions of the facade (particularly windows) from the elements.
  10. *Entry Feature.* A structural component of the building or building footprint used to emphasize and add interest to the entry into the building, provide active social space protected from elements, contribute human scale to the building elevation, and create transitions from public to private space.
  11. *Facia.* The exposed vertical edge of the roof often with design qualities and details that add emphasis and ornamentation to the roof structure.
  12. *Foundation.* The base upon which the entire structure sits, designed with stronger, heavier materials, and often includes details and ornamentation to emphasize a buildings connection to the ground, a sense of permanence, and transition to the main wall plane for vertical articulation.
  13. *Gable.* The triangular and vertical portion of a wall plane between intersecting roof pitches.
  14. *Lintel.* A horizontal beam, typically over a door, window or storefront to support the structure above it and add accent to the door, window, or storefront.
  15. *Parapet.* A vertical extension of the wall plane above the roof, typically used to hide a flat or low-sloped roof and the rooftop equipment, or function as a firewall for attached structures, and usually including ornamentation to provide a visually prominent “cap” to the building.
  16. *Pediment.* A gable or ornamental tablet or panel, typically triangular or arched, placed above a point of emphasis on a facade and often supported by columns or pilasters.
  17. *Pilaster.* A projecting vertical element on a wall plane used to give the appearance of a supporting column and used to articulate the extent of a wall plane or other component of a facade.
  18. *Sidelight.* A window with a vertical orientation along an opening (door or window) that is narrower than the opening but provides emphasis to the importance of the opening with expanded transparency, additional trim and ornamentation, or other architectural details.
  19. *Transom.* A window above an opening (door or window) built on a horizontal crossbar that may provide light and/or swing open to add ventilation.
- c. **Building Form.** Building form refers to the outward three dimensional envelope of a building or space affected by the mass, shape, composition, and articulation of building elements.
1. *Mass.* Mass is the volume (height x width x depth or height x building footprint) defined by a structure relative to its surroundings.
  2. *Shape.* Shape affects the massing and refers to the simplicity or complexity of the outer dimensions of surface planes (wall planes or roof planes), and their orientation (horizontal / vertical; symmetrical / asymmetrical).
  3. *Composition.* Composition is how the different building elements or materials are arranged to either distinguish or coordinate a particular shape or mass.
  4. *Articulation.* Articulation is using architectural elements to clearly call out a different portion of the composition, shape, or mass and break the building form into smaller, identifiable pieces.
    - (a) *Horizontal Articulation.* Breaking the mass down through different levels of height on the building, particularly for taller buildings, or by a step back or other voids in the massing.
    - (b) *Vertical Articulation.* Breaking the mass down through different bays or structural components along the length of the building elevation, particularly for longer, larger footprint buildings.
  5. *Altering Form.* Techniques to alter the form of a building and affect the scale include:
    - (a) Main mass and wing or secondary masses;

- (b) Stepping back in the wall plane, usually larger differences (i.e. 4 feet +) at upper story(ies);
- (c) Cantilever or overhangs, usually a smaller distance (i.e. 1 to 4 feet) over a lower story;
- (d) Off-sets or breaks in a wall plane in relation to interior floor plan or outside space, not to the level of creating a wing or secondary mass;
- (e) Dormers, including a window and sub-roof within roof structure;
- (f) Projections of an element of the facade composition such as a bay window, entry feature, or eaves; and
- (g) Articulation and composition of the facade in relation to, or in addition to any of the above techniques.

d. **Scale.**

Scale refers to the perceived or relative size of a form in relation to something else – usually a person, a social space (courtyard, lot, streetscape, etc.), or another building. For example, “human scale” refers to how spaces or objects relate to and are experienced or perceived by people at a close range and a slow pace. Scale can be affected by the mass, shape, composition, or articulation of the form to make an otherwise larger form seem smaller or more relatable based on how the components are perceived.

e. **Compatibility.** Compatibility refers to the similarity of buildings and sites to adjacent properties or to prevalent patterns and themes in an area. In general, the elements of compatibility will include combinations of the following:

1. Similar proportions of building masses, particularly nearest the property lines and other adjacent buildings;
2. Similar orientation of the building including the relationship to streetscapes, the shaping of open spaces, and the locations and arrangements of the building footprint;
3. Similar window and door patterns, including location, size, and proportions;
4. Similar roof lines (planes, pitches, profiles and details);
5. Similar building materials, particularly primary building materials, or where materials differ they share common textures or color palates;
6. A common architecture style, including the facade composition and materials; however, many styles can allow differences in design within the style.

*Note:* Compatibility does not necessarily mean the same, but rather a sensitivity to the context, adjacencies, and character of the area. While not all of the above elements are necessary for compatibility, the greater the number that are similar, the greater the compatibility will be; significant departures from any one element should be compensated with either greater similarity of other elements or by similarity of more elements. Where things are not compatible, transitions should occur through space and landscape buffer designs.