

ARTICLE 23 DEFINITIONS

DEFINITIONS

For the purpose of this ordinance, certain terms and words are herein defined (words used in the present tense include the future; words in the singular number include the plural; and words in the plural include the singular); the word “shall” is mandatory and not permissive; the word “person” includes individuals, partnerships, corporations, clubs, or associations; the word “structure” includes the word “building.” The following words or terms, when applied in this ordinance, shall carry full force when used interchangeably: lot, plot, parcel, or premises; used, arranged, occupied or maintained; sold or dispensed; construct, reconstruct, erect, alter (structurally or otherwise), but not the term “maintain” or any other form thereof. The following additional words and phrases shall for the purpose of this ordinance have the following meanings:

ABUT: To physically touch or border upon; or to share a common property line.

ACCESS STREET OR SERVICE ROAD: A street or road which is parallel to and adjacent to an arterial road and provides a means of direct ingress and egress to abutting property with the intent of avoiding driveway accesses to the arterial road.

ACCESSORY USE OR STRUCTURE: A use or structure that is clearly and customarily incidental and subordinate to the primary use or structure and is located on the same lot or may be under certain circumstances on an adjoining lot.

ACRE: An area of land forty-three thousand, five hundred sixty square feet (43,560)

ACRE, NET: An area comprising forty-three thousand, five hundred sixty (43,560) square feet of land excluding rights-of-way, roadway easements and ingress and egress easements

ADJACENT: Nearby, but not necessarily touching.

ADJOINING LOT OR LAND: A lot or parcel of land which shares all or part of a common lot line with another lot or parcel of land.

AGRICULTURE: Shall mean the tilling of the soil, raising of crops, horticulture, viticulture, silviculture, apiculture, aquaculture, small livestock raising, and/or pasture and range livestock production; including all uses incidental thereto, but not including commercial dairies, stockyards, feedlots, slaughterhouses, fertilizer yards, or plans for the reduction of animal matter or any other related industrial use which is similarly objectionable because of noise, odor, smoke, dust or fumes; nor including the concentrated single use operation of the raising of hogs, turkeys, chickens or fur bearing animals.

ALL-WEATHER ACCESS: Each commercial and/or public facilities site and each subdivision having six (6) or more lots shall have at least one primary all-weather access road constructed in such a way that

water no more than twelve (12) inches in depth with a maximum velocity of five (5) feet per second shall pass across the roadway or crossing section during the 100-year event. The all-weather access shall be consistent with Gila County roadway and drainage requirements. The 25-year event shall be conveyed under the crossing.

ALLEGED VIOLATOR means the Property Owner(s), tenant or any other entities that are responsible for meeting the Gila County Development Codes.

~~**ALLEY:** A public passageway, affording a secondary means of access to abutting property.~~

ALLEY: A public thoroughfare that affords a secondary means of access to abutting property, and not intended for general traffic circulation.

ANIMAL UNITS: An animal unit shall represent the unit of measurement utilized as the basis for determining the number of domestic farm animals permitted on non-agricultural parcels and shall consist of one large animal, or three medium animals, or ten small animals.

ANTIQUUE: A product that is sold or exchanged because of value derived or because of oldness as respects the present age, and not simply because same is not a new product.

APARTMENT: An attached dwelling unit.

APARTMENT HOUSE: A building containing apartments.

APPROVAL, CONDITIONAL: An affirmative action by the Planning Commission or the Board of Supervisors indicating that approval will be forthcoming upon satisfaction of certain specified stipulations.

APPROVAL, FINAL PLAT: Approval of the final plat by the Board of Supervisors, as evidenced by certification on said plat by the Clerk of the Board of Supervisors.

APPROVAL, PRELIMINARY PLAT: Approval of the preliminary plat by the Planning Commission.

ARCHITECTURAL ELEMENTS: Elements indicative of local heritage; embellishments to windows, doors, etc.

ARTERIAL: A highway used or intended to be used for heavy traffic flow, usually a section line or mid-section line road.

ARTERIAL ROAD: A street or road with the principal function of serving as a part of a major network for the through traffic flow (separate from local traffic) to and from areas of principal traffic generation – of adequate design, capacity and construction to provide for the safe and rapid distribution and collection of through traffic, and to provide limited ingress and egress to and from collector and local streets.

ARTIST: One who practices an art in which imagination and taste presides over execution. This is not deemed to include the business of teaching the mechanics of the art.

ATTACHED BUILDING: (See BUILDING, ATTACHED)

AUTOMOBILE SERVICE STATION: A place of business having pumps and/or storage tanks from which fuel and/or lubricants are dispensed at retail directly into the motor vehicle. Service, inspection and minor repairs are considered accessory to the sale of such fuel and lubricants.

BED AND BREAKFAST ESTABLISHMENT: A type of home occupation involving a portion of a single family dwelling in which from one to five bedrooms are completely furnished guest rooms occupied on a nightly basis for compensation, and ordinarily involving the serving of a morning meal prepared on the premises.

BERM: An earthen mound designed to provide visual interest, screen undesirable views and/or decrease noise.

BILLBOARDS: See Sign, Off-Site

BLOCK: That property fronting on one side of a street and so bounded by other streets, canals, railroad right-of-way, unsubdivided acreage or other barriers, except alleys, of sufficient magnitude as to interrupt the continuity of development on both sides thereof.

BOARD: The Board of Supervisors (except Section 106, Boards of Adjustment).

BOARD OF DIRECTORS: Means the Board of the Gila County Flood Control District.

BOARDING HOUSE: A limited commercial activity in which up to five rooms in a dwelling are occupied as completely furnished guest rooms occupied on a weekly or monthly basis for compensation, and in which food prepared on the premises may be served to the occupants in a common dining room.

BUFFER: Thought of as a “transitional space,” a buffer consists of horizontal space (land) and vertical elements (plants, berms, fences or walls). Its purpose is to physically separate and visually screen adjacent land uses that are not fully compatible.

BUILDING: A structure having a roof supported by columns or walls.

BUILDING, ACCESSORY: A subordinate building, either attached or detached from the main building, containing an accessory use.

BUILDING AREA: The total areas, taken on a horizontal plane at the mean grade level, of the principal buildings and all accessory buildings exclusive of uncovered porches, terraces and steps.

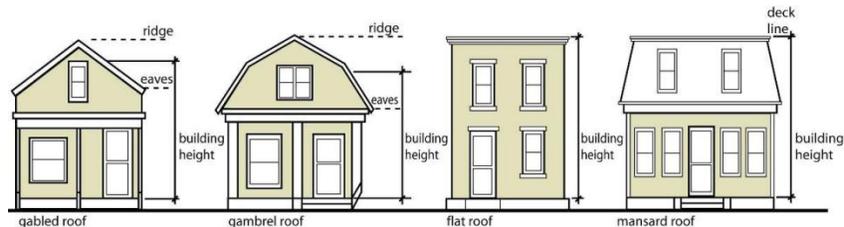
BUILDING, ATTACHED: A building which has at least a part of a wall in common with another building, or which is connected to another building by a roof which exceeds 6 feet between opposite open ends.

BUILDING, CLOSED: A building completely enclosed by a roof, walls and doors.

BUILDING, COMMUNITY: A public or quasi-public building used for community activities of an educational, recreational, or public service nature.

BUILDING, DETACHED: A building which is separated from another building or buildings on the same lot. Buildings connected only with a roof not more than 6 feet wide between opposite open ends shall be deemed detached.

BUILDING HEIGHTS: The vertical distance measured from the grade level to the highest level of the roof surface of flat roofs, to the deck line of mansard roofs, or to the mean height between eaves and ridge for gable or gambrel or hip roofs. Except where specifically provided in this ordinance, building height does not apply to portions of buildings extending above the general roof line and comprising an aggregate area not greater than twenty five percent (25%) of the total roof area, or to structures other than buildings.



BUILDING, MAIN: A building or buildings in which is conducted the principal use of the lot on which it is situated. In any residential district, any dwelling shall be deemed to be the main building of the lot on which the same is situated.

BUILDING, PUBLIC: (See PUBLIC BUILDING OR USE)

BUILDING SCALE The relationship between the mass of a building and its surrounding, including the width of the street, open space, and mass of surrounding buildings. Mass is determined by the three dimensional bulk of a structure; height, width and depth.

BUILDING SETBACK LINE: A line that separates the development envelope area and the area in which no building or structure, or portion thereof shall be erected, constructed or established.

CARPOR: An open porch used solely for the parking of motor vehicles and containing no enclosing walls, screen, lattice or other material other than the wall or walls of the building to which it is attached, or other than a storage room.

CAMPING TRAILER: (See RECREATIONAL VEHICLE)

CIRCULATION PLAN: Part of the comprehensive plan adopted by the Planning Commission designating and defining the physical street system.

COLLECTOR ROAD: A street or road that serves local traffic movements within an area, and traffic between major arterials and local streets; provides a means of ingress and egress to local streets and abutting property; serves to connect adjacent neighborhoods; and includes the principal entrance

streets into residential neighborhoods. There also may be provisions for parking and loading or unloading on collector streets.

COLOR BOARD: The Historic Colors of America color chart put out by Spectra-Tone Paint.

COMMERCIAL ACRE: Thirty Six Thousand (36,000) square feet of land area, exclusive of streets and alleys and other non-developable square footage.

COMMISSION: Planning and Zoning Commission.

COMMUNITY BUILDING: (See BUILDING, COMMUNITY)

COMPREHENSIVE PLAN: A plan adopted by the County providing a program to guide the orderly growth of the County.

COMMON OPEN SPACE: Squares, greens neighborhood parks, public parks, and linear environmental corridors owned and maintained by the County.

COMPLAINT: Means a formal notification of a civil violation of any referenced ordinance filed with the Hearing Officer.

CONDITIONAL USE: A use which, although not specifically permitted in a given zoning district, would become harmonious or compatible with neighboring uses through the application and maintenance of qualifying conditions.

CONDITIONAL USE PERMIT: A permit issued in conjunction with the establishment of a Conditional Use setting forth by incorporation or reference all qualifying conditions governing the use of the property.

CONDOMINIUM: Real Estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of the separate portions. Real Estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners.

CONFORM TO (COMPLY WITH) ZONING REGULATIONS: Means conformance with all applicable requirements of the zoning ordinance including, but not limited to, minimum lot size, lot configuration such as lot width and lot depth, setbacks, distances between buildings, performance standards and property development standards.

CONGREGATE RESIDENCE: Any building or portion thereof which contains facilities for living, sleeping and sanitation, and may include facilities for eating and cooking, for occupancy by other than a family. A congregate residence may be a shelter, convent, monastery, dormitory, fraternity or sorority house, but does not include jails, hospitals, nursing homes, hotels, or boarding houses.

CONTIGUOUS: In actual contact.

COTTAGE INDUSTRY: A limited manufacturing activity carried on by the occupant of a dwelling as a secondary use in connection with which there is no outdoor display of stock-in-trade or unenclosed storage of raw materials or products; not more than three non-residents of the premises may be employed; may be conducted within the main dwelling or an accessory building, provided that not more than fifty percent of the combined floor area may be devoted to the cottage industry; adequate on-site parking will be provided for all permitted activities, but there shall be no more than five parking spaces; the permitted use will not generate vibration, smoke, dust, glare, heat, excessive noise or electrical interference with the reception of radio and television reception.

COVENANTS, CONDITIONS AND RESTRICTIONS (CC&Rs): Shall mean a privately prepared recorded document designed to govern the use of parcels within a subdivision.

COUNSEL: Means an attorney licensed to practice law in the State of Arizona.

COUNTY: Shall mean the County of Gila, Arizona, and shall include the Planning Commission and the County Board of Supervisors.

COUNTY BOARD: Means the Gila County Board of Supervisors.

COUNTY OFFICER: Means a county zoning inspector/code compliance officer, deputies or assistants.

PARTY: Means the defendant or the County.

CODE COMPLIANCE SUPERVISOR: Means the Code Compliance Supervisor or his/her designate.

COUNTY SUPERVISORS: Shall mean the Board of Supervisors of Gila County, Arizona.

COURT: Any space other than a yard on the same lot with a building or group of buildings and which is unobstructed and open to the sky from above the floor level of any room having a window or door opening on such court. The width of a court shall be its least horizontal dimension.

CUL-DE-SAC STREET: A local street having one end permanently terminated in a vehicular turnaround, or equally convenient form of vehicular maneuvering area as may be required by the County Engineering Department.

CUSTOM: Pertaining to work, service or assembly done to order for individual customers for their own use or convenience.

DAY NURSERY: (See SCHOOL, NURSERY)

DEAD-END STREET: A street having a traffic outlet on one end only and terminated at the other end by undeveloped property with temporary provisions for the turning around of vehicular traffic as may be required by the County Engineering Department. The provisions for turning shall be removed and right-of-way required for the turning shall be abandoned at the time access is provided to abutting property.

DEFENDANT: Means the alleged violator of the Gila County Development Codes.

DESIGNATED REPRESENTATIVE: Means a person over eighteen (18) years of age, other than an attorney, authorized in writing by the defendant to represent the defendant in proceedings before the Hearing Officer. The written authorization shall state the name of the person authorized to act on defendant's behalf; that the defendant understands and agrees to be bound by actions taken by the designated representative in proceedings before the Hearing Officer; and shall be signed by the defendant before a notary public.

DETACHED BUILDING: (See BUILDING, DETACHED)

DEVELOPER: See "Subdivider"

DEVELOPMENT CODE: Means the Codes and Ordinances necessary to and utilized in Land Use Development in Gila County. The development code includes the following statutes, codes, and ordinances as enumerated.

1. The Gila County Floodplain Management Ordinance, and subsequent revisions: A.R.S. 48-3601 through 3628, and subsequent revisions; 44 CFR Parts 59 and 60 and subsequent revisions.
2. Wastewater Codes:
 - a. Aquifer Protection Permit Program, Title 18 Environmental Quality, Arizona administrative Codes Chapter 9, Articles 1 & 3 (Parts A and E), Article 7 (701), (708.A) and (711) as specified in Appendix A of the Gila County Delegation Agreement #06-0020 with ADEQ.
 - b. A.R.S. 49-141(A)(3), (4), and (5) Unhealthy Conditions Causing Environmental Nuisance as specified in Appendix B of the Gila County Delegation Agreement #06-0020 with ADEQ.
3. Gila County, Arizona Unified Development Code Ordinance.
4. The Building Code Ordinance of the County of Gila including all adopted amendments and revisions.

DEVELOPMENT ENVELOPE: The delineated boundary inside the property limits within which all development and disturbance of ground must be contained. No disturbance of any kind for any purpose is allowed outside of the development envelope except for driveway access and utility service lines to the structure.

DIRECTOR: Shall be the duly appointed Director of the Community Development Department of Gila County or his designee.

DISTRICT: Refers to Zoning District (either Use District or Density District).

DOMESTIC FARM ANIMALS: Animals, other than household pets, that are kept and maintained for commercial production and sale and/or family food production, education or recreation. Domestic farm animals are identified by the following categories: A- Large Animals include horses, donkeys, mules, cattle and other bovine animals. B - Medium Animals include sheep and goats. C- Small Animals include rabbits, chinchillas, chickens, turkeys, ducks, geese and pigeons.

DOUBLE FRONTAGE LOT: A lot having street frontage on both the front and rear property lines.

DRIVE-IN RESTAURANT: Any establishment where food or beverages are dispensed for consumption on the premises, but not within a closed building.

DRIVE-IN THEATER: An open-air theater where the performance is viewed by all or part of the audience from motor vehicles.

DRIVEWAY: A private road which allows vehicular ingress and/or egress access from a public road.

DWELLING: A building containing one or more dwelling units.

DWELLING, CONVENTIONAL: Shall mean a dwelling constructed on the site by craftsmen utilizing basic materials delivered to the site. Said building shall consist of footings and foundations poured in place and solidly attached to the walls, which shall be constructed in place. Roofing materials, interior and exterior finishes shall be applied on the site.

DWELLING, MOBILE HOME: A structure, transportable in one or more sections, which is at least 8 feet wide and 32 feet in length, which is built on a permanent chassis and designed to be used as a dwelling unit, with or without a permanent foundation, when connected to the required utilities.

DWELLING, MODULAR: A dwelling unit delivered to the site in one or more factory-assembled modules consisting of multiple building systems. Modules shall be such that they may not be towed on their own chassis. Modular dwelling unit shall be permanently affixed to a permanent foundation system.

DWELLING, MULTIPLE: A building containing two or more dwelling units.

DWELLING, PREFABRICATED: A dwelling unit delivered to the site in a combination of sized individual building components and partially assembled building modules comprising primarily a portion of a single building system (i.e., floor, wall). Such dwelling shall be capable of site assembly by relatively unskilled crews and shall be permanently affixed to a permanent foundation system.

DWELLING, PRECUT: A dwelling unit delivered to the site as individually sized building components with little, if any, factory assembly of building subsystems. The parts and components of said precut building shall be assembled on the site and permanently affixed to a permanent foundation system.

DWELLING UNIT: Any building or portion thereof containing one or more habitable rooms, designed, occupied, or intended for occupancy as separate living quarters with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of a single household.

DWELLING UNIT, PERMANENT: A dwelling unit of any type occupied, or suitable for occupation, for a period exceeding one hundred eighty (180) days.

EASEMENT: A grant by the owner for the use of specified land by the public, a corporation, or persons, for specific uses and purposes and so designated and recorded in the County Recorder's office.

ERECT: The incorporation of materials into a building or structure.

FAÇADE: The front of a building or any side facing a public way or area.



FAMILY: An individual or two or more persons related by blood, marriage or adoption, or a group not to exceed six unrelated persons living together as a single housekeeping unit.

FINAL PLAT: The final map of a property being subdivided as prepared by an Arizona registered land surveyor for recording and approval by the Planning Commission and the Board of Supervisors and prepared in accordance with Section 18-12.C.3 of these regulations.

FIRE AND/OR EXPLOSION HAZARD: Any structure, material or use operated or maintained in a manner likely to result in a sudden or immediate fire and/or explosion as determined by the Fire Marshal having jurisdiction.

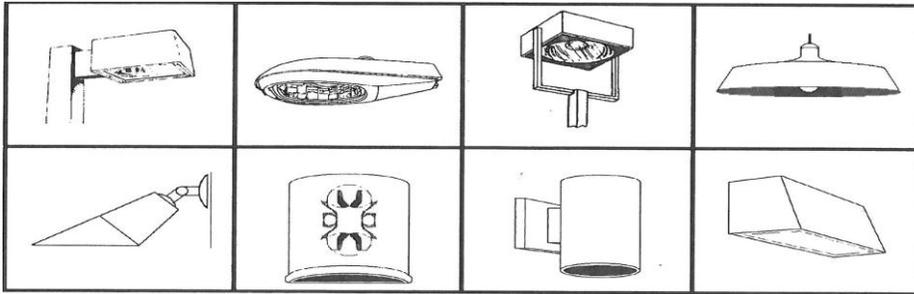
FREIGHT STATION: A facility for loading, unloading and warehousing of freight.

FREIGHT TERMINAL: A facility for loading and unloading of freight for current distribution and not warehousing.

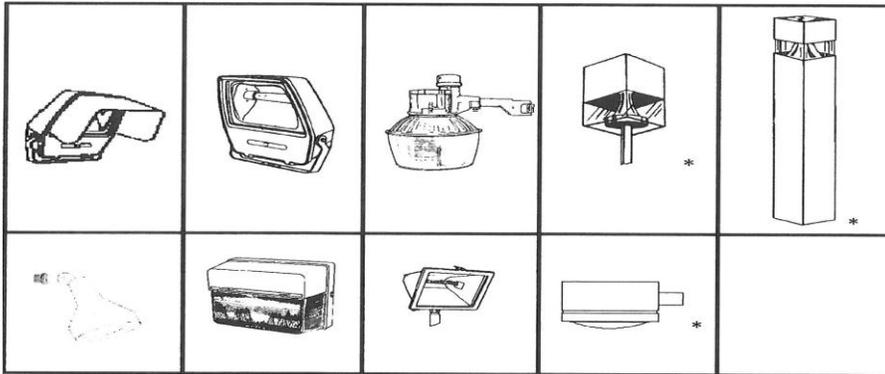
FULLY SHIELDED FIXTURE: Means a light fixture or luminous tube constructed and mounted such that all light rays emitted by the fixture or tube, either directly from the lamp, tube, or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.

A practical working way to determine if a fixture or tube is fully shielded: if the lamp or tube, any reflective surface, or lens cover (clear or prismatic) is visible when viewed from above or directly from the side, from any angle around the fixture or tube, the fixture or tube is *not* fully shielded.

Examples of fixtures that *are* Fully Shielded (Note: to be fully shielded these fixtures must be closed on top and mounted such that the bottom opening is horizontal):



Examples of fixtures that are NOT Fully Shielded:



*Note: even though the lamp in these fixtures is shielded from direct view when viewed from the side or above, reflective surfaces and/or lens covers are directly visible from the side.

Note for Luminous (neon) tubes: when such lighting is installed under or behind a roof overhang, if the roof-line or eave is not horizontal the tubing may be visible from above when viewed from the side and therefore be unshielded.

GARAGE, PRIVATE: An accessory building occupied primarily by the passenger motor vehicle of the family’s resident on the same lot. This may include one commercial vehicle under five-ton capacity. Non-commercial vehicles of persons not resident on the lot may occupy up to one-half the capacity of such garage.

GARAGE, PUBLIC: Any building, other than that herein defined as a private garage, used for the storage or care of motor vehicles, or where any such vehicles are equipped for operation, repaired, or kept for remuneration, hire or sale.

GOVERNMENTAL AGENCY: The City of Globe, Town of Miami and/or Gila County Government that has jurisdiction over the area of concern.

GRAZING: The feeding of livestock on open range or fenced pasture for commercial purposes, and uses customarily incidental thereto, including facilities for the temporary assemblage of livestock prior to

shipping, but not including commercial dairies, slaughterhouses, feedlots, fertilizer yards, bone yards or plants for the reduction of animal matter.

GROUND COVER: Vegetative groundcovers that serve to keep soil from eroding or moving as a result of natural forces.

GUEST HOUSE: A detached or semi-detached secondary conventional dwelling unit having not more than 800 square feet of gross floor area and containing not more than two habitable rooms along with sanitary facilities and an optional kitchenette, occupied by relatives, servants or the non-paying guests of the occupant of the main dwelling.

GUEST ROOM: A room having no cooking facilities intended for occupancy by one or more persons not members of the family.

HABITABLE ROOM: A room within a structure for eating or sleeping. Bathrooms, toilet compartments, closets, halls, storage and utility spaces are not considered habitable rooms.

HALF-STREET: A street having only one-half of its required right-of-way width dedicated for public use, and when required by the County, improved to one half of full improvements.

HARDSCAPE: Hardscape, or "hardscaping" refers to inanimate elements of landscaping. Anything used in landscaping that is not part of the living component of the landscape (i.e. plants) can be considered a hardscape element (i.e. water fountains, stone walls, concrete or brick patios, tile paths, wooden decks and wooden arbors).



HEARING OFFICER: means an individual appointed by the Board of Supervisors to hear and adjudicate alleged violations of the referenced Gila County Development Codes.

HEIGHT OF BUILDING: (See BUILDING HEIGHT)

HELP-SELF LAUNDRY: (See LAUNDRY, SELF-HELP)

HOME OCCUPATION: A limited commercial activity carried on by the occupant of a dwelling as a secondary use, including professional and semi-professional offices, when conducted and entered from within the dwelling, in connection with which there is no outdoor display of stock-in-trade; not more than one non-resident of the premises is employed; not more than one-fourth of the floor area of one story of the main dwelling or a detached home workshop not more than two hundred (200) square feet in area is to be used for such home occupation; and provided the residential character of the main dwelling is not changed by said use; and, said use does not cause any sustained or unpleasant or unusual

noises or vibrations or noxious fumes or odors, or cause any parking or traffic congestion in the immediate neighborhood.

HOSPITAL: A place for the treatment or care of human ailments; and, unless otherwise specified, the term shall include sanitarium, preventorium, clinic, maternity home, rest home, and convalescent home.

HOTEL: A building other than a boarding house as defined herein, which building contains more than five guest rooms, and where entrance to the sleeping rooms or apartments is from a common entrance or lobby.

HOTEL, APARTMENT: (See APARTMENT HOTEL)

HOUSEHOLD: See "Family".

HOUSEHOLD PETS: Small domestic animals such as dogs, cats and certain birds, reptiles, fish, rodents and furbearing animals, but not including swine of any breed, which may, under normal circumstances, be kept within the confines of a dwelling unit, either caged or uncaged, and which are not kept, bred, raised or exchanged for commercial purposes.

INDIVIDUAL: Shall mean any private individual, tenant, lessee, owner, or any commercial entity including but not limited to companies, partnerships, joint ventures or corporations.

INORGANIC GROUNDCOVERS: River rock, artificial turf, artificial plant material, gravel, concrete, asphalt paving or other similar non-living material.

INSPECTOR: Zoning Inspector or any of his Deputy Inspectors.

INSTALLED: Shall mean the initial installation of outdoor light fixtures defined herein, following the effective date of this Ordinance but shall not apply to those outdoor light fixtures installed prior to such date.

INTERIOR LOT: (See LOT, INTERIOR)

JUNK: Any scrap, waste, reclaimable material, or debris, whether or not stored or used in conjunction with dismantling, processing, salvage, storage, baling, disposal, or other use or disposition, including but not limited to inoperable and unregistered motor vehicles, tires, vehicle parts, equipment, paper, rags, metal, glass, building materials, household appliances, brush, wood and lumber.

JUNK YARD: The use, either commercially or otherwise, of a lot, parcel, or portions thereof, for the storage, collection, processing, purchase, sale or abandonment of waste paper, rags, scrap metal, or other scrap or discarded goods, materials or machinery, or two or more unregistered, inoperable motor vehicles, or other type of junk.

KENNEL, COMMERCIAL: Any kennel maintained for the purpose of boarding, raising or training dogs or cats over the age of four months for a fee or for exchange or sale.

KENNEL, NON-COMMERCIAL: Any property where five or more dogs and/or cats over the age of four months are kept or maintained for use and enjoyment of the occupant for non-commercial purposes.

KEY LOT: (See LOT, KEY)

KINDERGARTEN: Same as Nursery School, except when operated in conjunction with a school of general instruction and having accredited instruction.

LANDHOLDINGS: Land held by the sub-divider, applicant, developer, or agent by actual title of ownership, or option to lease, or option to buy.

LANDSCAPING: The combination of landscape elements in a designed, specific application that meets the purposes of this ordinance. Landscape elements may include vegetation, such as trees, cacti, shrubs and groundcovers and other elements such as walls, earth berms, planters, and other architectural or structural elements.

LAUNDRY, SELF-HELP: A building in which domestic type washing machines and/or dryers are provided on a rental basis for use by individuals doing their own laundry.

LAWN: An area of grass maintained for decorative or recreational use.

LEGAL ACCESS: A way or means of approach to provide physical entrance to a property which shall consist of a public street, federal, state or county road, or a private recorded easement for ingress and egress connecting with any of the above. Any internal easement for ingress or egress created as a result of a minor land division shall be a minimum of twenty-four (24) feet in width.

LIVESTOCK: All animals otherwise classified as Domestic Farm Animals, but also including swine.

LIVING UNIT: (See DWELLING UNIT)

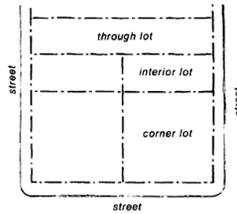
LOT: A parcel of land, or two or more parcels to be used as a unit, and having its principal frontage on a dedicated street or street easement. Where a half-street has been dedicated from such parcel, such shall be qualification for street frontage.

LOT: A parcel or portion of land separated from other parcels or portions by description as on a subdivision plat for the purpose of sale, lease, building development or other separate use.

LOT, CORNER: A lot abutting on two or more intersecting or intercepting streets, where the angle of intersection does not exceed one hundred thirty five (135) degrees. A corner lot shall be considered to be in that block in which the lot fronts.

LOT DEPTH: The shortest distance between the mid-point of each the front and rear line.

LOT, INTERIOR: Lots having no sides abutting on a street.



LOT, KEY: An interior lot having one side (at least) contiguous to the rear line of a corner lot.

LOT LINE, FRONT: That part abutting a street. The front line of a corner lot shall be the shorter of the two street lines as originally platted or, if such are equal, the most obvious front by reason of usage by adjacent lots. The front line of a through lot shall be that line which is obviously the front by reason of usage by adjacent lots. Such a lot exceeding one hundred eighty eight (188) feet in depth may be considered as having two front lines.

LOT LINE, REAR: That lot line opposite the front line. Where the side lines of the lot meet in a point, the rear line shall be considered parallel to the front line of a tangent of the mid-point of a curved front line and lying ten (10) feet within the lot.

LOT LINE, SIDE: Those property lines connecting the front and rear property lines.

LOT, THROUGH: A lot in which the front and rear lines abut on a street.

LOW PROFILE SIGN: A sign that does not exceed a height of five feet from finished grade.

MAIN BUILDING: (See BUILDING, MAIN)

MAINTAIN: The replacing of a part or parts of a building which have been made unusable by ordinary wear or tear or by the weather.

MARQUEE SIGN: A permanent or portable illuminated freestanding sign that employees flashing or moving elements.

MEDICAL MARIJUANA DESIGNATED CAREGIVER CULTIVATION LOCATION: An enclosed, locked facility such as a closet, room, greenhouse or other building that complies with all Department of Health Services regulations for the cultivation of medical marijuana. The establishment of a cultivation location by a designated caregiver must be in compliance with all regulations adopted by the Arizona Department of Health Services and State Statutes applicable to the use of medical marijuana.

MEDICAL MARIJUANA DISPENSARY: An entity defined in A.R.S. §36-2801(11) that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, supplies, sells or dispenses marijuana or related supplies and educational materials. Must be authorized by Department of Health Services.

MEDICAL MARIJUANA DISPENSARY OFFSITE CULTIVATION LOCATION: The additional location where marijuana is cultivated by a Medical Marijuana Dispensary as referenced in A.R.S. §36-2804(B)(1)(b)(ii).

Must be in compliance with all Department of Health Services regulations for Medical Marijuana cultivation.

MEDICAL MARIJUANA INFUSION (OR MANUFACTURING) FACILITY: A facility that incorporates medical marijuana (cannabis) by the means of cooking, blending, or incorporation into consumable/edible goods.

MEDICAL MARIJUANA QUALIFYING PATIENT CULTIVATION LOCATION: An enclosed, locked facility such as a closet, room, greenhouse or other building with a Conditional Use Permit issued by Gila County where a patient who is qualified to cultivate marijuana pursuant to A.R.S. §36-2801 cultivates marijuana. The establishment of a cultivation location by a qualified patient must be in compliance with all regulations adopted by the Arizona Department of Health Services and State Statutes applicable to the use of medical marijuana.

MINOR LAND DIVISION: The dividing of one parcel of land into five or fewer separate parcels, lots or fractional interests, any of which is ten (10) acres or smaller in size. A minor land division does not include:

- a. The division of land into lots or parcels each of which is, or will be, thirty-six (36) acres or more in area including to the center line of dedicated roads or easements, if any, contiguous to the lot or parcel.
- b. Adjustment of the boundary line between two abutting parcels or lots or transfer of land between two owners of abutting parcels or lots which does not result in the creation of any additional parcel or lots.

MOBILE HOME: (See DWELLING, MOBILE HOME)

MOBILE HOME DEVELOPMENT: Any lot, tract, or parcel of land used or offered for use in whole or in part, with or without charge, for the parking of more than two mobile homes, travel trailers, or recreation vehicles.

MOBILE HOME PARK: A site with required improvements and utilities for the long-term parking of mobile homes, which may include services and facilities for the residents.

MODULAR HOME: (See DWELLING, MODULAR)

MOTEL: A building or group of buildings containing guest rooms or apartments, each of which maintains a separate outside entrance, used primarily for the accommodation of automobile travelers, and providing automobile parking space on the premises.

MOTOR HOME: (See RECREATIONAL VEHICLE)

MULTIPLE DWELLING: (See DWELLING, MULTIPLE)

NATURAL BUFFER: A buffer that is composed of undisturbed areas in which disturbance is prohibited except to enhance small areas by planting the same plant material and density as undisturbed areas endemic to the site area.

NATURAL OPEN SPACE: Undisturbed, native vegetation.

NEWSPAPER OF GENERAL CIRCULATION: Shall be deemed to mean a daily newspaper, if one is published in the County Seat; if no daily newspaper is published, a weekly newspaper may be used.

NON-RESIDENTIAL SUBDIVISION: The division of a tract of land into parcels for occupancy by non-residential uses and/or structures, whether for sale or for building development for leasing and/or renting.

NUISANCE: Any act, action, or condition relating to the use of property which endangers the health, safety or property of others, or which interferes with the enjoyment or use of property.

NURSERY SCHOOL: (See SCHOOL, NURSERY)

OPEN PORCH: (See PORCH, OPEN)

OUTDOOR LIGHT FIXTURES: Outdoor artificial illuminating devices, outdoor fixtures, lamps and other devices, permanent or portable, used for illumination or advertisement. Such devices shall include, but are not limited to search, spot, or flood lights for:

- buildings and structures
- recreational areas
- parking lot lighting
- landscape lighting
- billboards and other signage (advertising or other)
- street lighting

OVERHEAD PROTECTION STRUCTURE: Overhead protection structures are devices installed on a building façade or freestanding devices intended to provide shade and protection to pedestrian areas and display windows. These may include porches, colonnades, trellises, pergolas, canopies, awnings and recessed doorways.

PARTY: Means the defendant or the County.

PERMIT: A document issued by Gila County, Arizona, granting permission to perform an act or service which is regulated by the County.

PLANNING COMMISSION: Shall mean the Planning and Zoning Commission of Gila County, Arizona.

PORCH, OPEN: A porch in which any portion extending into a front or side yard shall have no enclosure by walls, screens, lattice or other material higher than fifty four (54) inches above the natural grade line

adjacent thereto, which porch is to be used solely for ingress and egress, and not for occupancy as a sleeping porch or wash room.

PRE-FABRICATED HOME: (See DWELLING, PRE-FABRICATED)

PRELIMINARY PLAT: That portion of a preliminary plan or any separate drawing of a parcel of land intended for subdivision and approval of the Planning Commission, that conforms with the requirements of the subdivision regulations and is prepared in accordance with Section 18-12.C.1 and Section 18-12.C.2 of these regulations.

PRIVATE GARAGE: (See GARAGE, PRIVATE)

PRIVATE STREET: A roadway that is in private ownership and that is used for vehicular travel by the owner and those persons who have expressed or implied permission from the owner but not by other persons.

PRIVATE USE: (See USE, PRIVATE)

PROFESSIONAL USE: (See USE, PROFESSIONAL)

PROPERTY LINES: Those lines outlining the boundaries of properties or lots for the purpose of description in sale, lease, building development, or other separate use of property.

PUBLIC GARAGE: (See GARAGE, PUBLIC)

RADIAL: A line forming right angles with the tangent of any given arc.

RECREATIONAL VEHICLE:

- A. A vehicular type unit which is; A portable camping trailer mounted on wheels and constructed with collapsible partial sidewalls which fold for towing by another vehicle and unfold for camping. A motor home designed to provide temporary living quarters for recreational, camping or travel use and built on or permanently attached to a self-propelled motor vehicle chassis cab or van that is an integral part of the completed vehicle.
- B. A park trailer (park model) built on a single chassis, mounted on wheels and designed to be connected to utilities necessary for operation of installed fixtures and appliances and has a gross trailer area of not less than three hundred twenty square feet and not more than four hundred square feet when it is set up, except that it does not include fifth wheel trailers.
- C. A travel trailer mounted on wheels, designed to provide temporary living quarters for recreational, camping or travel use, of a size or weight that may or may not require special highway movement permits when towed by a motorized vehicle and has a trailer area of less than three hundred twenty square feet. This subdivision includes fifth wheel trailers.
- D. If a unit requires a size or weight permit, it shall be manufactured to the standards for park trailers in A 199.5 of the American National Standards Institute Code. A portable truck camper

constructed to provide temporary living quarters for recreational, travel or camping use and consisting of a roof, floor and sides designed to be loaded onto and unloaded from the bed of a pickup truck.

RECREATIONAL VEHICLE PARK: A plot of ground upon which two or more spaces with the required utilities and improvements are located and maintained for occupancy by recreational vehicles as temporary living quarters for recreational and vacation purposes.

RESIDENTIAL USE: (See USE, RESIDENTIAL)

RESTAURANT: An establishment other than a boarding house, where meals which are prepared therein may be procured by the public.

REST HOME: Same as Hospital.

RIGHT-OF-WAY: Any land which by deed, conveyance, dedication, process of law or other means is dedicated to Gila County for street, highway, alley public utility, or pedestrian walkway purposes.

ROAD, ROADWAY, OR STREET: That area, whether public or private, between right-of-way or easement lines, dedicated, reserved, or provided for purposes of vehicular and pedestrian traffic and other uses consistent therewith.

SCHOOL: A place of general instruction having accredited instruction acceptable to the educational authorities.

SCHOOL, NURSERY: An institution for the day time care of children of pre-school age. Even though some instruction may be offered in connection with such care, the institution shall not be considered a "school" within the meaning of this ordinance.

SCREENING ELEMENT: Any landscaping or structure used to conceal or reduce the negative visual and/or audio impacts of certain land uses or activities from streets or adjacent development. The height of a screening device is measured from the highest finished grade abutting the element to be screened.

SELF-HELP LAUNDRY: (See LAUNDRY, SELF-HELP)

SEXUALLY ORIENTED BUSINESS DEFINITIONS For the purpose of this section, the following definitions apply unless the context clearly indicates otherwise.

1. **Adult Arcade** means any place to which the public is permitted or invited and in which coin-operated or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image producing devices are regularly maintained to show images that are characterized by the depiction or description of specific sexual activities or specific anatomical areas to persons in booths or viewing rooms.

2. **Adult Bookstore** or **Adult Video Store** or **Adult Novelty Store** means a commercial establishment that offers for sale or rent or for any form of consideration any one or more of the following:
 - a. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, videocassettes, compact discs, video reproductions or slides or other visual representations that depict or describe specific sexual activities or specific anatomical areas; or
 - b. instruments, devices or paraphernalia that are designed for use in connection with specific sexual activities.

3. **Adult Cabaret** includes any nightclub, bar, restaurant or other similar commercial establishment, whether or not alcoholic beverages are served, that features:
 - a. Persons who appear in a state of nudity or who are seminude.
 - b. Live performances that are characterized by the exposure of specific anatomical areas or specific sexual activities.
 - c. Films, motion pictures, videocassettes, slides or other photographic reproductions that are characterized by the depiction or description of specific sexual activities or specific anatomical areas.

NOTE: Nothing in the definition of Adult Cabaret shall be construed to apply to the presentation, showing, or performance of any play, drama, or ballet in any theater, concert hall, fine arts academy, school, institution of higher education, or other similar establishment as a form of expression of opinion or communication of ideas or information, as differentiated from the promotion or exploitation of nudity for the purpose of advancing the economic welfare of a commercial or business enterprise.

4. **Adult Live Entertainment Establishment** means an establishment that features:
 - a. Persons who appear in a state of nudity or semi-nudity; or
 - b. Live performances that are characterized by the exposure of specific anatomical areas or specific sexual activities.

- A. **Adult Motel** means a hotel, motel or similar commercial establishment that:
 - a. Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions that are characterized by the depiction or description of specified sexual activities or specified anatomical areas; and advertises the availability of this adult type of photographic reproductions; or
 - b. offers a sleeping room for rent for a period of time that is less than ten hours; or
 - c. allows a tenant or occupant of a sleeping room to sub rent the room for a period of time that is less than ten hours.

6. **Adult Motion Picture Theater** means a commercial establishment in which for any form of consideration films, computer simulations, motion pictures, videocassettes, slides or other similar photographic reproductions that are characterized by the depiction or description of specific sexual activities or specific anatomical areas are regularly shown.

NOTE: Nothing in the definition of Adult Motion Picture Theater shall be construed to apply to the presentation, showing or performance of any play, drama or ballet in any theater, concert hall, fine arts academy, school, institution of higher learning or other similar establishment as a form of expression of opinion or communication of ideas or information, as differentiated from the promotion or exploitation of nudity for the purposes of advancing the economic welfare of a commercial or business enterprise.

7. **Adult Service** means dancing, serving food or beverages, modeling, posing, wrestling, singing, reading, talking, listening or other performances or activities conducted for any consideration in a Sexually Oriented Business by a person who is nude or seminude during all or part of the time that the person is providing the service.
8. **Adult Service Provider** or **Erotic Entertainer** means any person who provides an adult service.
9. **Adult Theater** means a theater, concert hall, auditorium or similar commercial establishment that regularly features persons who appear in a state of nudity or semi-nudity who engage in live performances that are characterized by the exposure of specific anatomical areas or specific sexual activities.
10. **Adult Video Facility** means a commercial establishment where, for any consideration, films, motion pictures, video cassette projections, slides or other visual media characterized by depiction of specific sexual activities or specific anatomical areas are shown in the regular course of business as a principal business purpose of the establishment. Adult Video Facility does not include a theater where all viewing occurs in a common area with seating for fifty (50) or more persons. This definition does include Adult Arcades.
11. **Discernibly Turgid State** means the state of being visibly swollen, bloated, inflated or distended.
12. **Director** means director of Gila County Community Development or the Director's designee.
13. **Dual Purpose Business** means a commercial establishment that devotes at least ten percent (10%) of its interior sales or display space to the sale or rental, for any form of consideration, of any one or more of the following:
 - a. Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, digital video discs, slides, or other visual

representations which are characterized by their emphasis upon the exhibition or description of specified sexual activities or specific anatomical areas;

- b. instruments, devices, or paraphernalia which are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of themselves or others; and which does not meet the definition of Adult Bookstore, Adult Novelty Store or Adult Video Store set forth above. Floor space shall be measured by dividing the floor space where patrons or customers of the establishment are permitted where the primary sales or displays are of materials described above by the total floor space where patrons or customers of the establishment are permitted regardless of the materials.
14. **Employee** means a person who works or performs any service on the premises of a sexually oriented business on a full-time, part-time or contract basis, whether or not the person is denominated an Employee, independent contractor, agent, or otherwise, and whether or not the person is paid a salary, wage or other compensation by the operator of the business. This does not include a person exclusively on the premises for repair or maintenance of the premises or equipment on the premises, or for the delivery of goods to the premises, nor an attorney, accountant or other person whose primary function is to provide professional advice and assistance to the licensee.
 15. **Enterprise** means a corporation, association, labor union or other legal entity, as provided in A.R.S. 13-105.
 16. **Escort** means a person who for consideration agrees or offers to act as a companion, guide or date for another person or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.
 17. **Escort Agency** means a person or business association that furnishes, offers to furnish or advertises the furnishing of escorts as one of its primary business purposes for any fee, tip or other consideration.
 18. **Establish or Establishment** means and includes any of the following:
 - a. The opening or commencement of any sexually oriented business as a new business; or
 - b. the conversion of an existing business, whether or not a sexually oriented business, to any sexually oriented business; or
 - c. the addition of any sexually oriented business to any other existing sexually oriented business.
 19. **Exotic Dancer** means a male or female dancer that performs seminude or nude for compensation.
 20. **Exotic Dance Service** means any business or person who provides Exotic Dancers to perform at a private residence, business, or other location (other than an Adult Cabaret).

21. **Explicit Sexual Material** means any drawing, photograph, film negative, motion picture, figure, object, novelty device, recording, transcription or any book, leaflet, pamphlet, magazine, booklet or other item, the cover or contents of which depicts human genitalia or depicts or verbally describes nudity, sexual activity, sexual conduct, sexual excitement or sadomasochistic abuse in a way which is harmful to minors. Explicit sexual material does not include any depiction or description which, taken in context, possesses serious educational value for minors or which possesses serious literary, artistic, political or scientific value.
22. **Licensee** means a person in whose name a license to operate a sexually oriented business has been issued, as well as the individual or individuals listed as an applicant on the application for a sexually oriented business license. In case of an employee, it shall mean the person in whose name the sexually oriented business employee license has been issued.
23. **Massage Establishment** means an establishment in which a person, firm, association or corporation engages in or permits massage activities, including any method of pressure on, friction against, stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating of external soft parts of the body with the hands or with the aid of any mechanical apparatus or electrical apparatus or appliance. This paragraph does not apply to:
- a. Persons authorized by the laws of this state to practice medicine, osteopathy, chiropractic, podiatry, or naturopathy;
 - b. registered nurses, licensed practical nurses or technicians when acting under the supervision of a licensed physician or osteopath;
 - c. persons employed or acting as trainers for any bona fide amateur, semi-professional or athlete or athletic team;
 - d. persons authorized by the laws of this state as barbers or cosmetologists, provided their activity is limited to the head, face, or neck.
24. **Nude Model Studio** means a place where a person who appears seminude, in a state of nudity, or who displays specific anatomical areas and is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration. Nude Model Studio shall not include a proprietary school licensed by the State of Arizona or a college, junior college or university supported entirely or in part by public taxation; a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or in a structure:
- a. That has no sign visible from the exterior of the structure and no other advertising that indicates a nude or seminude person is available for viewing; and
 - b. where in order to participate in a class a student must enroll at least three days in advance of the class; and
 - c. where no more than one nude or seminude model is on the premises at any one time.
25. **Nude, Nudity or State of Nudity** means any of the following:

- a. The appearance of a human anus, genitals or female breast below a point immediately above the top of the areola; or
 - b. a state of dress that fails to opaquely cover a human anus, genitals or female breast below a point immediately above the top of the areola or the showing of the covered male genitals in a discernibly turgid state.
26. **Operate or Cause to Operate** means to cause to function or to put or keep in a state of doing business. Operator means any persons on the premises of a sexually oriented business who is authorized to exercise operational control of the business or who causes to function or who puts or keeps in operation the business. A person may be found to be operating or causing to be operated a sexually oriented business whether or not that person is an owner, part owner, or licensee of the business.
27. **Patron** means a person invited or permitted to enter and remain upon the premises of a sexually oriented business, whether or not for consideration.
28. **Person** means an individual, firm, organization, business trust, limited liability company, joint venture company, proprietorship, partnership, corporation, association, or other legal entity.
29. **Public Display** means the placing of material on or in a billboard, viewing screen, theater marquee, newsstand, display rack, vending machine, window, showcase, display case or similar place so that material within the definition of Explicit Sexual Material is easily visible or readily accessible from a public thoroughfare, from the property of others, or in any place where minors are invited as part of the general public.
30. **Regularly Features or Regularly Shown** means a consistent or substantial course of conduct, such that the films or performances exhibited constitute a substantial portion of the films or performances offered as a part of the ongoing business.
31. **Seminude or Semi-Nudity or In a Seminude State** means a state of dress in which opaque clothing covers no more than the genitals, pubic region and female breast below a point immediately above the top of the areola, as well as portions of the body that are covered by supporting straps or devices.
32. **Sexual Encounter Center** means a business or commercial enterprise that, as one of its principal business purposes, offers for any form of consideration the following:
- a. Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
 - b. activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or is seminude.
32. **Sexually Oriented Business** means an Adult Arcade, Adult Bookstore, Adult Video Store, Adult Novelty Store, Adult Cabaret, Adult Live Entertainment Establishment, Adult Motel,

Adult Motion Picture Theater, Adult Theater, Adult Video Facility, Dual Purpose Business, Escort Agency, Exotic Dance Service, Massage Establishment that offers or provides Adult Service, Nude Model Studio, Sexual Encounter Center or any business or facility that offers or provides an Adult Service.

NOTE: A commercial establishment may have other business purposes that do not meet the definition of a Sexually Oriented Business but such other business purposes will not serve to exempt such commercial establishment from being categorized as a Sexually Oriented Business so long as one of its principal business purposes qualifies as such.

33. **Specific Anatomical Areas** means any of the following:

- a. A human anus, genitals, pubic region or a female breast below a point immediately above the top of the areola that is less than completely and opaquely covered.
- b. Male genitals in a discernibly turgid state, even if completely and opaquely covered.

34. **Specific Sexual Activities** means and includes any of the following:

- a. Fondling or other erotic touching of the human genitals, pubic region, buttocks, anus or female breast.
- b. Sex acts, normal or perverted, actual or simulated, including acts of human masturbation, sexual intercourse, oral copulation or sodomy.
- c. Urinary or excretory functions as part of or in connection with any of the activities set forth in (a) or (b) above.

35. **Video** includes image reproduction and display by videotape or any other medium, such as digital video disk or compact disk that produces moving or still images on a screen, wall, or other similar display.

36. **Viewing Room** means the room, booth, or area where a patron of sexually oriented business would ordinarily be positioned while watching a film, videocassette, or other video or visual production or reproduction.

SIDEWALK: That paved portion of the right-of-way designed and intended for the movement of and use of pedestrian traffic, which lies between the curb lines or lateral lines of the road bed and the boundary line of said right-of-way.

SIGN: A display for the purpose of making anything known and visible beyond the boundaries of the property on which same is located.

SIGN, OFF-SITE: A sign advertising a business, place, activity, goods, services or products on a different property than where the sign is located.

SIGN, ON-SITE: A sign advertising a business, place, activity, goods, services or products on the same property which the sign is located.

SLEEPING ROOM: A room other than a guest room, in which cooking facilities are provided.

STORM SEWER: A constructed conduit necessary, useful, or convenient for the collection and conveyance of surface waters to a drainage course.

STORY: That portion of a building included between the surface of any floor and the surface of the next floor above it, or, if there is no floor above it, then the space between the floor and the ceiling next above it. A basement, the ceiling of which is less than 4'6" above the grade level shall not be considered a floor. A mezzanine floor shall be considered a story if it exceeds an area of forty percent (40%) of the area of the floor next below it.

STREET: A public passageway which affords a principal means of access to abutting property.

STRUCTURE: Anything built or installed by arranging parts together, such as buildings, tanks, fences, signs, pools, towers, etc.

SUBDIVIDER: Any individual, firm, association, syndicate, co-partnership, corporation, trust or any other legal entity commencing proceedings under these regulations, to effect a subdivision of land hereunder.

SUBDIVISION: Means a subdivision as defined in Sec. 32-2101, subparagraph 54 of Arizona Revised Statutes.

SUMMONS: Is a legal notice requiring an individual to appear at a designated place, time and date.

TIME SHARE PROJECT: A project in which a purchaser receives the right in perpetuity, for life or for a term of years to the recurrent, exclusive use of occupancy of a lot, parcel, unit or segment of real property, annually or on some other periodic basis, for a period to time that has been or will be allotted from the use or occupancy periods into which the project has been divided.

TOURIST COURT: (See MOTEL)

TOWNHOUSE DEVELOPMENT: A subdivision consisting of single dwellings constructed as part of a series of dwellings, all of which are either attached to the adjacent dwelling or dwellings by party walls, or are located immediately adjacent thereto with no visible separation between walls or roofs.

TRADITIONAL NEIGHBORHOOD: A compact, mixed use neighborhood where residential, commercial, office and civic buildings are within close proximity to each other.

TRAILER: A structure standing on wheels, towed or hauled by another vehicle and used for short-term human occupancy, carrying materials, goods or objects, or as a temporary office.

TRAILER PARK: (See MOBILE HOME DEVELOPMENT, MOBILE HOME PARK, RECREATIONAL VEHICLE PARK)

TRAVEL TRAILER: (See RECREATIONAL VEHICLE)

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

USE, ACCESSORY: A use incidental to the principal use on the same lot.

USE, NONCONFORMING: A use or activity which was lawful prior to adoption, revision or amendment of the Zoning Ordinance, but which fails, by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning district.

USE PERMIT: Shall be a permit issued by the Planning Director for the development or use of any property which is subject to a Use Permit. Such permit shall set forth by incorporation or reference all stipulations and limitations of the use of said property, as well as the time period for which such permit shall be issued. (THIS IS NOT A CONDITIONAL USE PERMIT)

USE, PERMITTED: A use in a District which is allowed therein by reason of being listed among the "Permitted Uses" in the District.

USE, PRIVATE: A use restricted to the occupants of a lot or building, together with their guests, where compensation is not received, and where no commercial activity is associated with the same.

USE, PROFESSIONAL: The rendering of services of a professional nature by: (1) members of the professions licensed by competent authority; (2) teachers in a school of general instruction; (3) artists practicing the fine arts; (4) consultants recognized by organizations of licensed professions.

USE, PUBLIC: A use which is open to all, generally not for compensation, and which is not restricted to those dwellings on the same lot with the public use or public building.

USE, RESIDENTIAL: Shall be deemed to include single and multiple dwellings, hotels, motels and trailer parks.

UTILITY EQUIPMENT: Hardscape devices which are installed vertically into/onto the property and visible from the corridor for the purpose of power transmission, lighting, or communication.

WILD OR EXOTIC ANIMALS: Animals other than Household Pets or Domestic Farm Animals not commonly domesticated and normally requiring confinement or special handling to avoid injury to human beings.

WRECKING YARD: (See JUNK YARD)

XERISCAPE: A water-efficient landscaping technique, utilizing unthirsty native or drought tolerant exotic plants.

YARD: An area of uniform width behind which the exterior walls of any main building must be established. Such yard is measured as the minimum horizontal distance from a lot line or an existing or projected right-of-way line. A yard shall be unobstructed by structures, except where otherwise permitted under the terms of this ordinance.

YARD, FRONT: A yard abutting the front lot line.

YARD, REAR: A yard abutting the rear lot line.

YARD, SIDE: A yard abutting that portion of a side lot line lying between the front and rear yards.

ZONING DISTRICT: A zoned area in which the same zoning regulations apply throughout.

ZONING REGULATIONS: Shall mean the Planning and Zoning Regulations, Gila County, Arizona.