

ARTICLE 21 – CONSTRUCTION AND DEFINITIONS

SECTION 2101 CONSTRUCTION

The following rules of construction shall apply unless inconsistent with the plain meaning of the context of this ordinance.

- A. TENSE: Words used in the present tense include the future tense.
- B. NUMBER: Words used in the singular include the plural, and words used in the plural include the singular.
- C. SHALL and MAY: The word “shall” is mandatory; the word “may” is permissive.
- D. GENDER: The masculine shall include the feminine and neuter.
- E. HEADINGS: In the event that there is any conflict or inconsistency between the heading of an Article, Section or paragraph of this ordinance and the context thereof, the said heading shall not be deemed to affect the scope, meaning or intent of such context.

SECTION 2102 GENERAL TERMINOLOGY

The word “City” shall mean the City of Isleton, California. The words “City Council” and “Council” shall mean the City Council of the City of Isleton. The words “Planning Commission” and “Commission” shall mean the Planning Commission of the City of Isleton. The words “Planning Department” and “Department” shall mean the Planning Department of the City of Isleton. The words “City Planner” and “Planner” shall mean the City Planner of the City of Isleton. The words “City Clerk” and “City Engineer” shall mean the City Clerk and City Engineer of the City of Isleton. The words “Director of Public Works” shall mean the Director of Public Works of the City of Isleton. The words “Building Official” and “Building Inspector” shall mean the Building Official of the City of Isleton. The words “Architectural Design Review Committee” and “Committee” shall mean the Architectural Design Review Committee of the City of Isleton.

SECTION 2103 DEFINITIONS

For the purpose of this ordinance, certain words and terms used herein are defined as follows:

ACCESSORY BUILDING: A building or structure which is subordinate to, and the use of which is customarily incidental to that of the main building, structure or use on the same site, including patio covers. Except in the case of garden structures, if any accessory building is attached to the main building by a common wall or a connecting roof, such accessory building shall be deemed to be a part of the main building.

ACCESSORY USE: A use incidental, related, appropriate and clearly subordinate to the main use of the site or building, which accessory use does not alter the principle use of the site.

ALLEYS: Alleys are intended to provide secondary access to abutting properties and to accommodate certain utility lines and refuse disposal services. They are most often located to the rear of properties and occasionally provide side access to parcels. The only alleys within town are those located between Second and Third Street in the two block area between Jackson Boulevard and “B” Street.

ALTER: To make any change in the supporting or load-bearing members of a building, such as bearing walls, columns, beams girders or floor joists.

ANIMAL HOSPITAL: A place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. Use as a kennel shall be limited to short time boarding and shall be only incidental to such hospital use, and within an enclosed soundproof structure.

ARCADE: Any establishment operating or exhibiting more than five (5) amusement devices. An amusement device is a machine operated for the purpose of gaming as a contest of skill, or for amusement of any description, for which a fee is charged.

ARTERIAL STREETS: Arterial streets provide the principal network for traffic flow within the community. They connect areas of major traffic generation within the urban area, and with State Route 160 and important County Roads. Within the City limits, State Route 160 is designated as an Arterial. Arterial streets function primarily as carriers of cross-town traffic. They also provide for the collection and distribution of traffic to and from collector streets which serve residential, commercial and industrial areas. Arterial streets also provide indirect as well as direct access to abutting properties. Indirect access may be preferred in newly developing areas by backing parcels onto the arterial street with ornamental wall construction and landscaping and by broad spacing between intersecting streets.

AUTOMOBILE WRECKING YARD: A site or portions of a site on which the dismantling or wrecking of used vehicles or the storage, sale or dumping of dismantled or wrecked vehicles or their parts is conducted. The presence on a site of three (3) or more motor vehicles which have not been capable of operating under their own power for fifteen (15) days or more, or, in the case of vehicles not self-propelled, which have not been towable or from which parts have been removed for reuse or sales, shall constitute prima facie evidence of a motor vehicle wrecking yard.

BILLBOARD: Shall mean the same as “outdoor advertising structure.”

BLOCK: The properties abutting on one (1) side of a street and lying between two (2) nearest intersecting or intercepting street, unsubdivided land or watercourse.

BOARDING HOUSE: A building where lodging and meals are provided for compensation for five (5) but not more than fifteen (15) persons, not including rest homes.

BREEZEWAY: A roofed passageway, open on at least two (2) sides, connecting the main structure on a site with another main structure or accessory use on the same site.

BUILDING: A permanently located structure, having a roof, for the housing or enclosure of persons, chattels or property of any kind. Mobile homes, travel trailers and other vehicles, even though permanently immobilized, shall not be deemed to be buildings.

BUILDING, MAIN: A building within which is conducted the principle use permitted on the lot or site as provided by this ordinance.

BUILDING SETBACK LINE: The minimum distance as prescribed by this ordinance between any property line and the closest point on the foundation or any supporting post or pillar of any building or structure related thereto.

CARPORT: An accessory structure or portion of a main structure open on two (2) or more sides designed for the storage of motor vehicles, without full enclosure.

CEMETERY: Land used or intended to be used for the burial of the dead, and dedicated for such purposes, including columbarium's, crematoriums, mausoleums and mortuaries, when operated in conjunction with and within the boundaries of such premises.

CLINIC: A place for the provision of group medical services.

CLUB: An association of persons for some common non-profit purposes, but not including groups organized primarily to render a service which is customarily carried on as a business.

COLLECTOR STREETS: Collector streets provide for traffic movement between Arterial and minor streets and for traffic movement within major activity centers. They also provide direct access to abutting properties.

COLLEGE: An education institution offering advanced instruction in any academic field beyond the secondary level, but not including trade schools or business colleges.

COLLEGE, TRADE: Shall mean the same as "school, trade".

COMMERCIAL OFFICE: Any administrative or clerical office maintained as a business and any office established by a public service over which this ordinance has jurisdiction.

COMMUNICATIONS EQUIPMENT BUILDING: A building housing electrical and mechanical equipment necessary for the conduct of a public communication business, with or without personnel.

CONVALESCENT HOME: Shall mean the same as "rest home".

DUMP: A place used for the disposal, abandonment or discarding by burial, incineration or by any other means of any garbage, sewage, trash, refuse, rubble, waste material, offal or dead animals.

DRIVE-IN RESTAURANT: An establishment which serves food or beverages to persons while seated in or on a motor vehicle, and/or which serves food or beverages for consumption off the premises.

DWELLING: A building or portion thereof, designed exclusively for residential purposes, including one-family, two-family, three-family and multiple dwellings; including mobile homes; not including hotels, apartment hotels, boarding and lodging houses, fraternity and sorority houses, rest homes, convalescent homes, nursing homes, child care nurseries, or house trailers even though permanently immobilized.

DWELLING, ONE-FAMILY: A detached building designed exclusively for occupancy by one family for residential purposes.

DWELLING, TWO-FAMILY: A building designed exclusively for occupancy for two families living independently of each other (e.g., duplex).

DWELLING, THREE-FAMILY: A building designed exclusively for occupancy by three families living independently of each other (e.g., triplex).

DWELLING, MULTI-FAMILY: A building designed exclusively for occupancy by four or more families living independently of each other (e.g., fourplex or apartment).

DWELLING UNIT: One (1) or more rooms and a kitchen designed for occupancy by one family for living and sleeping purposes.

EDUCATIONAL INSTITUTIONS: Public or other non-profit institutions conducting regular academic instruction at pre-school, kindergarten, elementary, secondary and collegiate levels, and including graduate schools, universities, non-profit research institutions and religious institutions. Such institutions must either: 1) offer general academic instruction equivalent to the standards prescribed by the State Board of Education, 2) confer degrees as a college or university of under-graduate or graduate standing, 3) conduct research or 4) give religious instruction. This definition does not include schools, academies or institutes, incorporated or otherwise, which operate for a profit, nor does it include commercial or trade schools.

ELECTRICAL DISTRIBUTION SUBSTATION: An assemblage of equipment which is part of a system for the distribution of electric power where electric energy is received at a sub transmission voltage and transformed to a lower voltage for distribution for general consumer use.

ELECTRICAL TRANSMISSION SUBSTATION: An assemblage of equipment which is part of a system for the transmission of electric power where electric energy is received at a very high voltage from its source of generation by means of a network of high voltage lines and where, by means of transformers, said high voltage is transformed to a low sub transmission voltage for purposes of supplying electric power to large individual consumers, interchange connections with other power producing agencies or electric distribution substations for transformation to still lower voltages for distribution to smaller individual users.

FAMILY: An individual, two (2) or more persons who are related by blood or marriage, or a group of not more than five (5) persons not necessarily related by blood or marriage, living together in a dwelling unit.

FENCE, OPEN: A fence, fifty percent (50%) or more of the vertical surface of which is open to the transmission of light, air and vision.

FENCE, SCREENED: A fence, ninety percent (90%) or more of the vertical surface of which is closed to the transmission of light, air and vision.

FRONTAGE: The property line of a site abutting on a street, other than the side line of a corner lot.

GARAGE, PRIVATE: A detached accessory building or a portion of a main building on the same lot as a dwelling for the housing of vehicles of the occupants of the dwelling, including carports.

GARAGE, REPAIR: A structure or part thereof, other than a private garage, where motor vehicles are repaired or painted.

GARDEN STRUCTURE: An arbor, deck, fountain, lath house, pergola, raised planting bed, trellis or other similar structure intended specifically to enhance the appearance of the garden or which has a function relating to the use of outdoor space, but not including a house, garage, carport or storage building.

GUEST HOUSE: Living or sleeping quarters within an accessory building for the sole use of occupants of the premises, guests of such occupants or persons employed on the premises. Such quarters shall have not kitchen facilities and shall not be rented.

HAZARDOUS WASTE: Any waste, or combination of wastes as specified in Title 22 of the California Code of Regulations, which because of its quantity, concentration, physical, chemical or infectious characteristics may either cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating irreversible illness, or pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed or, or otherwise managed.

HOME OCCUPATION: The conduct of an art or profession, the offering of a service or the conduct of a business, or the handcraft manufacture of products within a swelling in a residential district, which use is clearly incidental and secondary to the use of the structure for dwelling purposes and which does not change the character thereof, in accordance with the regulations prescribed in Article 14.

HOMEOWNER'S ASSOCIATION: A community association composed of individual owners of a development which is created for the purpose of holding title to, managing and maintaining the common property, and enforcing certain covenants and restrictions for the overall benefit of its members.

HOTEL: A building in which there are six (6) or more guest rooms where lodging with or without meals is provided for compensation, usually on a transient basis. "Hotel" shall not be construed to include motel, trailer court, sanitarium, hospital or other institutional building, or jail or other building where persons are housed under restraint.

JUNKYARD: A site or portion of a site on which waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled or handled, including used furniture and household equipment yards, house wrecking yards, used lumber yards and similar storage yards, excepting a site on which uses are conducted within a completely enclosed structure and excepting motor vehicle wrecking yards as defined in this section. An establishment for the sale, purchase or storage of used cars, farm equipment or salvaged machinery in operable condition and the processing of used or salvaged materials as part of a manufacturing operation shall not be deemed a junkyard.

KENNEL: Any lot or premises on which four (4) or more dogs and/or cats at least four (4) months of age are kept, boarded or trained, whether in special buildings or runways or not.

KITCHEN: Any room used or intended or designed to be used for cooking or the preparation of food.

LODGE: An order or society of persons organized for some common non-profit purpose, but not including groups organized primarily to render a service which is customarily carried on as a business.

LODGING HOUSE: A dwelling in which lodging or lodging and meals are provided for compensation for more than five (5) but not more than fifteen (15) persons other than members of the resident family, excepting a nursing home as defined in this Section.

LOT: A single parcel of land for which a legal description is filed of record, or the boundaries of which are shown on a subdivision map, or record of survey map filed in the office of the Sacramento County Recorder. The term "lot" shall include a part of a single parcel of land when such part is used as though a separate lot for all of the purposes and under all of the requirements of this ordinance. The term "lot" shall include two (2) or more abutting lots when combined and used as though a single lot.

LOT AREA: The total horizontal area within the lot lines of a lot.

LOT, CORNER: A lot situated at the intersection of two (2) or more streets which have an angle of intersection or not more than one hundred thirty five degrees (135°).

LOT, COVERAGE: That portion of a lot or building site which is occupied by any building or structure, excepting paved areas, walks and swimming pools, regardless of whether said building or structure is intended for human occupancy.

LOT DEPTH: The depth of a lot shall be the horizontal length of a straight line connecting the midpoints of the front and rear lot lines.

LOT, DOUBLE FRONTAGE: An interior lot having frontage on and with access on two (2) parallel or approximately parallel streets.

LOT, INTERIOR: A lot other than a corner lot or reverse corner lot.

LOT, KEY: The first lot to the rear of a reversed corner lot, whether or not separated by an alley.

LOT LINE, FRONT: In the case of an interior lot, a line separating the lot from the street. In the case of a corner lot, the line separating the narrowest street frontage of the lot from the street.

LOT LINE, REAR: A lot line which is opposite and most distant from the front lot line, or, in the case of an irregular triangular or gore-shaped lot, a line 10 feet in length within the lot parallel to and at a maximum distance from the front lot line.

LOT LINE, SIDE: Any lot boundary line not a front lot line or a rear lot line.

LOT, REVERSED CORNER: A corner lot, the street side of which is substantially a continuation of the front lot line of the lot upon which it rears.

LOT, WIDTH: The average horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.

MEDICAL BUILDING: Clinics or offices for doctors, dentists, oculists, chiropractors, osteopaths, chiropodists or similar practitioners of the healing arts; including accessory laboratories and a prescription pharmacy, but not including offices for veterinarians.

MINOR STREETS: Minor streets provide for direct access to abutting properties and for very localized traffic movements within residential, commercial and industrial areas.

MOBILE HOME: A structure or structure having multiple sections equaling or exceeding exterior dimensions or eight (8) feet in width and forty (40) feet in length, having a chassis and designed to be movable, with kitchen, bathroom and living facilities, designed for use as a single-family dwelling when connected to appropriate utility lines, with or without a permanent foundation.

MOBILEHOME PARKS: Any parcel or contiguous parcels of land under single ownership designed or intended to be used to accommodate mobile homes on a permanent or semi-permanent basis, in accordance with the provisions of Article 14.

MOTEL: A building or group of buildings containing individual sleeping or living units, designed primarily for use by automobile tourists or transients, where a majority of such units open individually and directly to the outside. An establishment shall be considered a motel, in any case, when required by the Health and Safety Code of the State of California, to obtain the name and address of the guests and a description of their vehicle and its license. The term "motel" shall include tourist court, auto court and motor lodge.

MOTOR VEHICLE WRECKING YARD: See "automobile wrecking yard".

NON-CONFORMING BUILDING: A building or portion thereof lawfully existing at the time of the adoption of this ordinance, or amendments thereto, and which does not conform to the applicable regulations of such amendments or a subsequent amendment.

NURSING SCHOOL: A school or the use of a site or a portion of a site for an organized program devoted to the education or day care of five (5) or more pre-elementary school age children, including those residents on the site.

NURSING HOME: A structure operated as a lodging house in which nursing, dietary and other personal services are rendered to convalescents, not including persons suffering from contagious diseases, and in which surgery is not performed and primary treatment, such as customarily is given in hospitals and sanitariums, is not provided. A convalescent home shall be deemed a nursing home.

OFF-STREET LOADING FACILITIES: A site or a portion of a site devoted to the loading or unloading of motor vehicles or trailers, including loading berths, aisles, access drives and landscaped areas.

OFF-STREET PARKING FACILITIES: A site or a portion of a site devoted to the off-street parking of motor vehicles including parking spaces, aisles, access drives and landscaped areas.

OUTDOOR ADVERTISING STRUCTURE: Any structure of any kind or character erected or maintained for outdoor advertising purposes, upon which any outdoor advertising sign may be placed, located on a site other than the site on which the advertised use is located or on which the advertised product is produced.

PARKING DISTRICT: A government parking district maintained by the federal, state, county or city government, or special district.

PUBLIC UTILITY SERVICE YARD: A site or portion of a site on which a public utility company may store, house and/or service equipment such as service trucks and other trucks and trailers, pumps, spools of wire, pipe, conduit, transformers, cross-arms, utility poles, or any other material, tool or supply necessary for the normal maintenance of the utility facilities.

RECREATION VEHICLE: A motor home, travel trailer, truck camper or camping trailer, with or without motive power, designed for recreational human habitation.

RESIDENCE: A structure containing a dwelling unit designed for occupancy or occupied by one family or more.

RESTAURANT: An establishment which serves food or beverages primarily to persons seated within the building. This includes cafes and tea rooms and outdoor cafes.

REST HOMES OR HOMES FOR THE AGED: An establishment or home intended primarily for the care and nursing of invalids and aged persons; excluding cases of communicable diseases and surgical or obstetrical operations. The term shall not include nursing home.

ROOMING HOUSE- Same as Boarding except no meals.

SCHOOL, ELEMENTARY, JUNIOR HIGH OR HIGH: Public and other non-profit institutions conducting regular academic instruction at kindergarten, elementary and secondary levels. Such institutions shall offer general academic instructions equivalent to the standards prescribed by the State Board of Education.

SCHOOL, PRIVATE OR PAROCHIAL: An institution conducting regular academic instructions at kindergarten, elementary or secondary levels, operated by a non-governmental organization.

SCHOOL, TRADE: Schools offering preponderant instruction in the technical, commercial or trade skills, such as real estate schools, business colleges, electronics schools, automotive and aircraft technicians schools and similar commercial establishments operated by a non-governmental organization.

SERVICE STATION: An occupancy engaged in the retail sales of gasoline, diesel or liquefied petroleum gas fuels, oil, tires, batteries and new accessories and which provides for the servicing of motor vehicles and operations, incidental thereto, including: automobile washing, incidental waxing and polishing, tire changing and repairing (but not including recapping), battery service, charging and replacement (but not including repair or rebuilding), radiator cleaning, flushing and repair, installation of minor accessories, lubrication of motor vehicles, rental of utility trailers, the testing, adjustment and replacement of motor parts and accessories.

SIGN: Any letter or symbol made of cloth, metal, paint, paper, wood or other material of any kind whatsoever, placed for advertising, identification or other similar purposes, on the ground or on any wall, post, fence, building, structure, vehicle or any place whatsoever. The term “placed” shall include constructing, erecting, posting, painting, printing, tacking, nailing, bluing, sticking, carving or otherwise fastening, affixing or making visible in any manner whatsoever.

SITE: A parcel of land, subdivided or unsubdivided, occupied or to be occupied by a use or structure.

SITE AREA: The total horizontal area included within the property lines of a site.

SITE DEPTH: The average horizontal distance between the front and rear property lines of a site measured along a line midway between side property lines.

SITE WIDTH: The average horizontal distance between the side property lines of a site measured at right angles to the depth at a point midway between the front and rear property lines.

STABLE: A detached accessory structure including, but not limited to, a corral or paddock for the keeping of one (1) or more horses owned by the occupants of the premises and which are not kept for remuneration, hire or sale.

STABLE, COMMERCIAL: A structure including, but not limited to, a corral or paddock for the keeping of horses for remuneration, hire or sale.

STATE HIGHWAY: State Route 160.

STREET: A public or private way permanently dedicated or reserved as a primary means of access to abutting property.

STREET LINE: The boundary line between street rights-of-way and abutting property.

STRUCTURE: Anything constructed or erected which requires a fixed location on the ground, including a building or sign pole or standard, but not including a fence or wall used as a fence, a patio, walk, driveway or raised planting bed.

STRUCTURE, MAIN: A structure housing the principle use of a site or functioning as the principle use.

STUCTURAL ALTERATION: Any change in the supporting members of a building, such as foundations, bearing walls, columns, beams, floor or roof joists, girders or rafters, or any change in the exterior dimensions of a building, excepting those changes which may result from providing minor repairs and building maintenance.

TRAILER SALES LOT: An open area where trailers are sold leased or rented and where no repairs, repainting or remodeling are done.

TRAILER, UTILITY: A vehicle without motive power designed and constructed to travel on the public thoroughfares in accordance with the provisions of the State Vehicle Code, and to be used only for carrying property.

TRAVEL TRAILER: A vehicle with or without motive power, designed and constructed to travel on the public thoroughfares in accordance with provisions of the State Vehicle Code, designed for human habitation, with no footing or foundation other than wheels and temporary stabilizing units, with exterior dimensions less than eight (8) feet in width and less than forty (40) feet in length. The terms “camper” and “motor home” are included within the meaning of the term “travel trailer”.

TRAVEL TRAILER PARKS: A parcel, or contiguous parcels of land under single ownership, designed or intended to be used to accommodate travel trailers on a transient basis (one month continuous occupancy of less).

USE: The purpose for which a site or structure is arranged, designed, intended, constructed, moved, erected, altered or enlarged or for which either a site or structure is or may be occupied or maintained.

USE, PERMITTED: A use which is listed as a permitted use in any given district in this ordinance. Permitted uses need not meet special requirements as a condition precedent to be allowed to establish in a given district, except as required by the provisions of Articles 14 and 16.

USE, CONDITIONAL: A use which is listed as a conditional use in any given district in this ordinance. Conditional uses may be required to meet certain requirements as a condition precedent to the granting of a use permit which will allow the establishing of a conditional use in any given district.

WETLAND: An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

YARD: Open and unoccupied space on a lot.

YARD, FRONT: A yard, the depth of which is the minimum required horizontal distance between the front lot line and the line parallel thereto on the lot, which yard extends across the full width of the lot.

YARD, REAR: A yard, the depth of which is the minimum required horizontal distance between the rear lot line and a line parallel thereto on the lot, which yard extends across the full width of the lot.

YARD, SIDE: A yard, the width of which is the minimum required horizontal distance between the side lot line and a line parallel thereto on the lot, not including any portion of a required front yard or required rear yard.