

(New or amended definitions are in red. Language in underline or ~~strikethrough~~ has been added since the 4/15/19 City Council meeting. Explanatory notes, in *italics*, are provided for context and will not be included in the adopted code.)

CHAPTER 14.01 PURPOSE AND DEFINITIONS

14.01.010 Purpose

The several purposes of this ordinance are: To implement the Comprehensive Plan; to encourage the most appropriate use of the land; to conserve and stabilize the value of property; to aid in the rendering of fire and police protection; to provide adequate open spaces for light and air; to lessen the congestion on streets; to allow for orderly growth in the city; to prevent undue concentration of population; to facilitate adequate provisions for community utilities and facilities such as water, sewerage, electrical distribution systems, transportation, schools, parks, and other public requirements; and, in general, to promote public health, safety, convenience, and general welfare. The standards and conditions contained herein have been reviewed and deemed consistent with Comprehensive Plan policies.

14.01.020 Definitions

As used in this ordinance, the masculine includes the feminine and neuter, and the singular includes the plural. The following words and phrases, unless the context otherwise requires, shall mean:

Accessory Dwelling Unit. An interior, attached, or detached residential structure that is used in connection with or that is accessory to a single-family dwelling.

Accessory Structure or Use. A structure or use incidental and subordinate to the primary use of the property and which is located on the same lot or parcel as the primary use or is on a contiguous lot or parcel under the same ownership. Where an accessory building is attached to the main building in a substantial manner, as by a wall or roof, such accessory building shall be considered part of the main building.

Adult Recreation Facility. A facility or that portion of a facility that may have any uses allowed in family recreation facilities. In addition, card rooms, taverns, and bars are also adult recreation facilities. Social gambling, as defined by Oregon law and city ordinance, may occur. Alcoholic beverages may be sold and consumed.

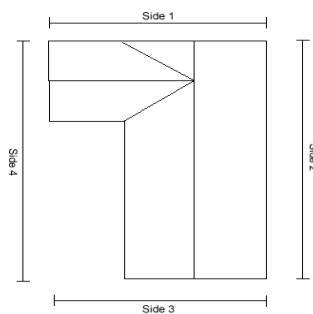
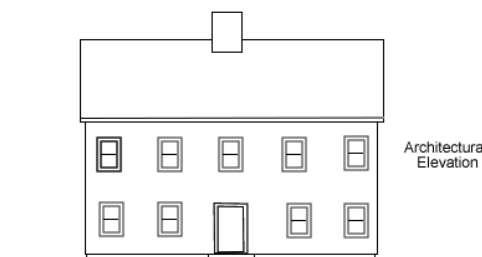
Alley. A narrow street 25 feet or less through a block primarily for vehicular service access to the back or side of properties

otherwise abutting on another street. Frontage on said alley shall not be construed as satisfying the requirements of this Ordinance related to frontage on a dedicated street.

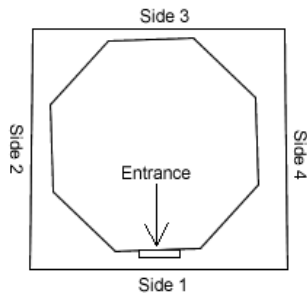
Apartment House. A residential structure having multiple residential living units where more than 50 percent of the units are rented for not less than 30 days at a time.

Applicant. A person who applies for a land use action or building permit. An applicant can be the owner of the property or someone who is representing the owner, such as a builder, developer, optional purchaser, consultant, or architect.

Architectural Elevation.*** A scale drawing of the four sides of a building, one each for the front, two sides and rear, from grade to the highest point of the building. The four sides shall show the entire perimeter of the building and shall be centered on each side. The four sides shall be at 90 degrees to each adjacent side.



For a building with many sides or a non-rectangular shape, a rectangle shall be drawn around the outside of the building. Side 1 shall be centered on the entry to the building and each of the other three sides shall be 90 degrees to the adjacent side. Architectural elevations for use in the building height calculation shall be drawn for each side of the rectangle.



Assisted Living Facility. A facility licensed by or under the authority of the Department of Human Resources (DHR) per Oregon Administrative Rule 411-56-000, which provides or coordinates a range of services for elderly and disabled persons in a home-like environment. An assisted living facility is required to provide each resident with a separate living unit with a lockable door to guarantee their privacy, dignity, and independence.

Authorized Agent. A property management company or other entity or person who has been designated by the owner to act on their behalf. An authorized agent may or may not be the designated point of contact for complaints.

Automobile Service Station. A building or portion thereof and land used for dispensing automobile fuel, oil, and accessories. Automobile repairs may be made that do not produce an unreasonable or excessive amount of dust, odor, smoke, fumes, or noise. When the dispensing sale or offering for sale of motor fuels or oil is incidental to the conduct of a public garage, the premises shall be classified as a public garage.

Bed and Breakfast Facility. A short-term rental where the operator resides on the premises and meals are provided for a fee.

Bedroom. A habitable room that (a) is intended to be used primarily for sleeping purposes; (b) contains at least 70-square feet; and (c) is configured so as to take the need for a fire exit into account.

Boarding, Lodging, or Rooming House. A building or portion thereof containing a single dwelling unit where a group of four or more unrelated persons may live but not more than 20 unrelated persons. A boarding, lodging, or rooming house may be occupied and managed by a family in addition to the four to twenty unrelated persons. Where such a facility has a majority of the residents residing for 30 days or longer, it shall be considered a residential use and a boarding house. If the majority of such occupancy is for less than 30 continuous days, the facility shall be considered transient and the same as a hostel. Where such a facility is occupied by more than 20 unrelated persons, or where

such a facility has more than one kitchen, it shall be considered a hotel or motel.

Building. A structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.

Child Care Facility. A day care provider who regularly provides day care to 12 or fewer children under the age of 13 in the provider's home in the family living quarters.

City. The City of Newport, Oregon.

Commission. The City Planning Commission of the City of Newport, Oregon.

Community Development Director. The City of Newport Community Development Director/Planning Director or designate.

Conditional Use. A use that may be permitted depending upon the individual circumstances. A conditional use permit will not be issued or shall be so conditioned so that neither the public nor neighboring property owners are unduly affected in an adverse way.

Condominiums. A form of ownership where buildings are subdivided into individual units such that each owner only owns his own unit and the air space occupied by it. The portion of land upon which the building is situated, the surrounding grounds, party walls, corridors, and services other than those within independent units (such as electrical, water, gas, sewer, etc.) become joint responsibilities of all the owners as tenants in common.

Court. An open, unoccupied space on the same lot with the building or buildings and which is bounded on two or more sides by such building or buildings. An open, unoccupied space bounded by one "L" shaped building, which is not a court but a yard.

Court Apartments. Multiple dwellings arranged around two or three sides of a court opening upon a street.

Day Care Facility. Any facility that provides care, supervision, and guidance on a regular basis to more than 12 children under the age of 13 unaccompanied by a parent, guardian, or custodian during a part of the 24 hours of the day in a place other than the child's home, with or without compensation. A day care facility does not include any of the following:

- A. A facility providing care that is primarily educational, unless provided to a preschool child for more than four (4) hours a day. Such facilities shall be considered a school.
- B. A facility providing care that is primarily supervised training in a specific subject, including but not limited to dancing, drama, music, or religion. Such facilities shall be considered the same as a school.
- C. A facility providing care that is primarily an incident of group athletic or social activities sponsored by or under the supervision of an organized club or hobby group.
- D. A facility operated by a school district, signs subdivision of the State of Oregon, Lincoln County, the City of Newport, or another governmental agency.
- E. Day care facilities are subject to (1) the rules and regulations established by the State of Oregon Children's Services Division and (2) the following:
 - 1. Compliance with the requirements of [Section 14.33](#).
 - 2. The provision of off-street parking at one (1) space per staff member.
 - 3. A solid fence or hedge at least six (6) feet in height around the rear yard.

Design Guidelines. The discretionary design oriented approval criteria with which a project is required to be in compliance. The design guidelines are applicable for applications that do not meet the design standards.

Design Review. The process of applying design guidelines and/or design standards

Design Standards. Clear and objective design oriented approval criteria with which a project must demonstrate compliance. If a project does not meet the design standards, then the project is reviewed under the design guidelines.

Dwelling, Duplex; or Dwelling, Two-Family. A detached building containing two dwelling units.

Dwelling, Triplex; or Dwelling, Three-Family. A detached building containing three dwelling units.

Dwelling, Fourplex; or Dwelling, Four-Family. A detached building containing four dwelling units.

Dwelling, Multi-Family. A building containing five or more dwelling units.

Dwelling, Single-Family. A detached building containing one dwelling unit.

Dwelling Unit. A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Family. An individual or two or more persons related by blood, marriage, adoption, or legal guardianship, or not more than five persons not related by blood, marriage, or adoption living together in a dwelling unit. A family is also five or fewer physically or mentally handicapped persons living as a single housekeeping unit in a dwelling.

Family Recreation Facility. A facility designed for active indoor recreation, including a billiard parlor, dance hall, bowling alley, skating rink, teen club or youth center, arcade, indoor swimming pool, indoor tennis court, miniature golf course, and similar uses. No alcoholic beverages may be consumed or sold, nor may gambling occur in a family recreation facility. A supervisory employee must be present at all times, and public restrooms must be provided.

Footprint. The total square footage of the area within the perimeter of the building as measured around the foundation of a building.

Garage, Private. An accessory building detached or part of the main building including a carport which is intended for and used for storing the privately owned motor vehicles, boats, and trailers of the persons resident upon the premises and in which no business, service, or industry related to motor vehicles is carried on.

Garage, Public. A "public or commercial garage" is a building or part of a building or space used for business or commercial purposes used principally for the repair, equipping, and care of motor vehicles and where such vehicles may be parked or stored.

Geologic Hazards. A geologic condition that is a potential danger to life and property which includes but is not limited to earthquakes, landslides, erosion, expansive soils, fault displacement, and subsidence.

Grade. The average of the finished exterior ground level at the corners of each architectural elevation of the building. In case an

architectural elevation is parallel to and within five feet of a sidewalk or on top of a retaining structure, the grade for that one architectural elevation shall be measured at the sidewalk or base of the retaining structure.

Gross Floor Area. The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

Height of Building. The vertical distance from the "grade" to the highest point of the roof.

Home share. A short-term rental, other than a bed and breakfast facility, where a portion of a dwelling unit is rented while the homeowner is present. For the purposes of this definition, "present" means the homeowner is staying in the dwelling overnight for the duration of the rental.

Home Occupation. An accessory use of a dwelling unit for gainful employment involving provision or sale of goods and/or services and the creation of handicrafts and artwork and is incidental to the primary use of the building or residence.

Hospital. An establishment which provides sleeping and eating facilities to persons receiving medical, obstetrical, or surgical care and nursing service on a continuous basis.

Hostel. A single building containing a single dwelling unit where four or more (but not more than 20) unrelated individuals may live for not more than 30 continuous days. A hostel may be occupied and managed by a family in addition to the 4-20 persons renting facilities. If there are more than 20 persons at maximum occupancy, such a facility shall be considered a hotel or motel for the purposes of this Ordinance except for parking requirements. Hostels shall meet the requirements of the Uniform Building Code for maximum occupancy.

Hotel (transient). A building in which lodging is provided for guests for compensation and contains a common entrance and where lodging rooms do not have an entrance opening directly to the outdoors (except for emergencies), with or without cooking facilities, and where 50 percent or more of the lodging rooms are for rent to guests for a continuous period of less than 30 days. ~~A bed and breakfast facility or a vacation rental conducted in~~ Short-term rental use of a single family dwelling or individual dwelling unit is not a hotel use.*

Explanatory note: This revision cross references to the new short-term rental definition.

Hotel (non-transient). A building in which lodging is provided for guests for compensation and contains a common entrance and where lodging rooms do not have an entrance opening directly to the outdoors (except for emergencies), where cooking facilities are provided within individual lodging rooms, or for groups of lodging rooms, and where 50 percent or more of the lodging rooms are offered for rent to guests for a continuous period of 30 days or longer. ~~A bed and breakfast facility or a vacation rental conducted in~~ **Short-term rental use of** a single family dwelling or individual dwelling unit is not a hotel use.*

Explanatory note: This revision cross references to the new short-term rental definition.

Junk Yard. Any property used by a business that deals in buying and selling old motor vehicles, old motor vehicle parts, abandoned automobiles, or machinery or parts thereof, or appliances or parts thereof, or iron, paper, or waste of discarded material.

Kennel. A lot or building in which four or more dogs, cats, or animals at least four months of age are kept. Any building containing more than one dwelling unit shall be considered a lot or building for the purposes of this item.

Land Use Action. The procedure by which the City of Newport makes a land use decision.

Land Use Decision. In general, a final decision or determination that concerns the adoption, amendment, or application of the statewide planning goals, a comprehensive plan provision, or a land use regulation. Specifically, a city decision as defined by ORS 197.015(10).

Laundromat. An establishment providing washing, drying, or dry cleaning machines on the premises for rental use to the general public for family laundering or dry cleaning purposes.

Loading Space. An off-street space within a building or on the same lot with a building for the temporary parking of a commercial vehicle or truck while loading or unloading

Lot. A parcel or tract of land which is occupied or may be occupied by a structure or a use, together with yards and other open space.

Lot Area. The total horizontal area within the lot lines of a lot.

Lot Corner. A lot at least two adjacent sides of which but streets other than alleys, provided the angle of intersection of the adjacent streets does not exceed 135 degrees.

Lot, Corner, Reversed. A corner lot, the side street line of which is substantially a continuation of the front line of the first lot to its rear where the lot to the rear is of the prevailing yard pattern.

Lot Frontage. The front of a lot is the portion nearest the street. In no case shall the frontage (or front lot line) be less than 25 feet.

Lot, Interior. A lot other than a corner lot.

Lot, Through. A lot having frontage on two parallel or approximate parallel streets other than alleys.

Lot Line. The property line abounding a lot. Where the lot line extends below ordinary high tide, ORS 390.615 shall apply. Where the lot line extends below ordinary high water, ORS 274.025 shall apply.

Lot Line, Front. In the case of an interior lot, a straight line joining the foremost points of the side lot lines. The foremost points of the side lot, in the case of rounded property corners at street intersections, shall be assumed to be the point at which the side and front lot lines would have met without such rounding, and, in the case of a corner lot, all sides of a lot adjacent to streets other than alleys shall be considered frontage.

Lot Line, Rear. In the case of an interior lot, a straight line joining the rearmost points of the side lot lines, and in the case of an irregular, triangular, or other shaped lot, a line 10 feet in length within the lot, parallel to and at the maximum distance from the front lot line, and in the case of through lots, there will be no rear lot line. All corner lots shall have at least a 10 foot rear yard.

Lot Line, Side. Any lot line not a front or rear lot line.

Lot Measurements.

- A. **Depth** of a lot is the mean horizontal distance between the front lot line and rear lot line of a lot. In the case of a corner lot, the lot depth is the greater of the mean horizontal distances between front lot lines and the respective lot lines opposite each other.
- B. **Width** of a lot is the mean horizontal distance between side lot lines (of side and front lot lines for corner lots) perpendicular to the lot depth.

Lumber and Other Building Materials Dealer. Establishment engaged in selling lumber and a general line of building materials to the general public (see State Industrial Code 5211).

Lumber Yard. A place of storage in connection with the wholesaling of lumber by a manufacturer such as a planing mill, a sawmill, or a producer of mill work (see S.I.C. 2411, 2421, 2426, 2429, and 2431).

Manufactured Dwelling. A manufactured home, mobile home, or residential trailer.

Manufactured Dwelling Park. Any place where four or more manufactured dwellings are located on a lot or parcel of land the primary purpose of which is to rent space and related facilities for a charge or fee or to offer space for free in connection with securing the trade or patronage of a person.

Manufactured Home. A structure constructed after June 15, 1976, for movement on the public highways that has sleeping, cooking, and plumbing facilities; that is intended for human occupancy; that is being used for residential purposes; and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction.

Mini-Storage. Individual small warehouse units.

Ministerial Action. A decision that does not require interpretation or the exercise of policy or legal judgment in evaluating approval standards. The review of a ministerial action requires no notice to any party other than the applicant and agencies that the Community Development Director, or designee, determines may be affected by the decision. A ministerial action does not result in a land use decision, as defined in ORS 197.015(10).

Mobile Home. A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities; that is intended for human occupancy; that is being used for residential purposes; and that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law at the time of construction.

Motel (transient). A building or group of buildings in which lodging is provided for guests for compensation, containing lodging rooms with separate entrances from the building exterior, with or without cooking facilities, and where 50 percent or more of the lodging rooms are for rent to guests for a continuous period of less than 30 days. ~~A bed and breakfast facility or a vacation rental conducted in~~ Short-term rental use of a single family dwelling or individual dwelling unit is not a motel use.*

Explanatory note: This revision cross references to the new short-term rental definition.

Motel (non-transient). A building or group of buildings in which lodging is provided for guests for compensation, containing lodging rooms with separate entrances from the building exterior, where cooking facilities are provided within individual lodging rooms, or for groups of lodging rooms, offered for rent to guests for a continuous period of 30 days or longer. ~~A bed and breakfast facility or a vacation rental conducted in~~ Short-term rental use of a single family dwelling or individual dwelling unit is not a motel use.*

Explanatory note: This revision cross references to the new short-term rental definition.

Nonconforming Lot. A lot legally existing on the effective date of this Ordinance that does not meet the minimum area requirement of the district in which the lot is located.

Nonconforming Structure or Use. A legally established structure or use in existence at the time of enactment or amendment of the Zoning Code but not presently in compliance with the regulations of the zoning district in which it is located. A use approved under criteria that have been modified or are no longer in effect is considered nonconforming.

Nursing Home. A nursing home provides 24 hour direct medical, nursing, and other health services. Registered nurses, licensed practical nurses, and nurses' aides provide services prescribed by resident(s) physician(s). A nursing home is for those persons who need health supervision but not hospitalization. The emphasis of this use is on nursing care, but convalescent, restorative physical, occupational, speech, and respiratory therapies are also provided. The level of care may also include specialized nursing services such as specialized nutrition, rehabilitation services and monitoring of unstable conditions. The term nursing home is also synonymous with the terms nursing facility and skilled nursing facility.

Open Porch. A roofed, open structure projecting from the outside wall of a building without window sash or any other form of permanent enclosure.

Owner. Means the natural person(s) or legal entity that owns and holds legal or equitable title to the property.

Parking Lot, Public. An open, off-street area used for the temporary parking of more than three automobiles and available

for public use, with or without charge, or as an accommodation for clients and customers.

Person. Every natural person, firm partnership, association, or corporation.

Planned Development. The development of an area of land as a single entity for a number of dwelling units or a number of uses, according to a plan which does not correspond in lot size, bulk or type of dwelling, density, lot coverage, or required open space to the regulations otherwise required by the ordinance.

Primary Structure or Use. A structure or use of chief importance or function on a site. A site may have more than one primary structure or use.

Public Facilities. Sanitary sewer, water, streets (including sidewalks), storm water, and electricity.

Recreational Vehicle (RV). A vehicle with or without motive power that is designed for human occupancy and to be used temporarily for recreational, seasonal, or emergency purposes and has a gross floor space of not more than 400 square feet in the setup mode.

Recreational Vehicle Park. A place where two or more recreational vehicles are located on a lot or parcel of land, the primary purpose of which is to rent space and related facilities for a charge or fee or to offer space for free in connection with securing the trade or patronage of a person.

Recreational Vehicle Storage. Storage for more than two recreational vehicles. No occupancy allowed.

Residential Care Home. A residential facility, as defined in ORS 443.400, which provides residential care and/or treatment to five or fewer individuals, excluding caregivers, with mental or other developmental disabilities; mental, emotional, or behavioral disturbances; or alcohol or drug dependence. This definition includes the state definitions of “residential training home” and “residential treatment home.”

Residential Facility. A facility licensed by or under the authority of the Department of Human Services (DHS) as defined in ORS 443.400, which provides residential care alone or in conjunction with treatment or training or a combination thereof for six to fifteen individuals who need not be related. Required staff persons shall not be counted in the number of facility residents. This definition includes the state definitions of “residential care facility,” “residential training facility,” and “residential treatment facility.”

Residential Trailer. A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities; that is intended for human occupancy; that is being used for residential purposes; and that was constructed before January 1, 1962.

Residential Unit. See definition of Dwelling Unit.

Sale or Transfer. Means any change of ownership during the period of time that a license is valid, whether or not there is consideration, except:

1. A change of ownership in real property where title is transferred pursuant to a declaration of right of survivorship as recognized in ORS 93.180.
2. A transfer of ownership in real property to a trust, a limited liability company, a corporation, a partnership, a limited partnership, a limited liability partnership, or other similar entity so long as the conveyance does not result in any new individuals possessing titled or equitable interest in the property.
3. A transfer of ownership between titled interest holders.
4. A transfer of ownership between, or to include, spouses or domestic partners, or children.

Examples: The following scenarios serve as examples of some, but not all, of the types of transactions that will or will not constitute a sale or transfer as defined in this chapter:

- Title is held by a married couple or domestic partnership at the time the license is obtained. Partner dies and survivor retains license? This would not constitute a sale or transfer (Exception 1).
- An individual owns a parcel subject to a declaration of right-of-survivorship to their children at the time a license is obtained. The individual dies and title is transferred pursuant to that provision? This would not constitute a sale or transfer (Exception 1).
- Married couple possesses title to property at time license is obtained. They later elect to convey property into an irrevocable trust and retain a life estate in the deed? This would not constitute a sale or transfer (Exception 2).

- A corporation consisting of three shareholders owns a parcel at the time a license is obtained. They later convert the corporation to a limited liability company controlled by two of the original three shareholders? This would not constitute a sale or transfer (Exceptions 2. and 3).
- A limited liability company is formed with four individuals possessing ownership interest at the time a license is obtained. A fifth person later obtains an ownership interest in the company? This would constitute a sale or transfer.
- Four tenants in common own a parcel at time license is obtained. An owner sells their 1/4 interest to one of the other existing owners? This would not constitute a sale or transfer (Exception 3.) Alternatively, what if they sell their 1/4 interest to a new person? That would constitute a sale or transfer.
- Title is held by a married couple at time license is obtained. They later acquire a home equity line of credit to repair the home, which lender secures with a deed of trust. Lender subsequently forecloses after a default under the term(s) of the security agreementthe couple fall on hard times? The instrument the lender uses to obtain possessory interest is a sale or transfer.
- Two married couples possess ownership interest in an LLC at the time a license is obtained. One of the couple's divorces and one of the partners drops off the title. Remaining partner remarries and the new spouse is added to the LLC? This is not a sale or transfer (Exception 4).
- Property is held by an individual at time license is obtained. The individual dies and children inherit property (no right of survivorship)? This would not constitute a sale or transfer (Exception 4).
- An individual possesses title to the property at the time a license is obtained. He/she later adds their domestic partner to the title to the property? This would not constitute a sale or transfer (Exception 4).

Explanatory note: At its April 15, 2019 meeting, the Council asked that an exemption be made for sales or transfers to children.

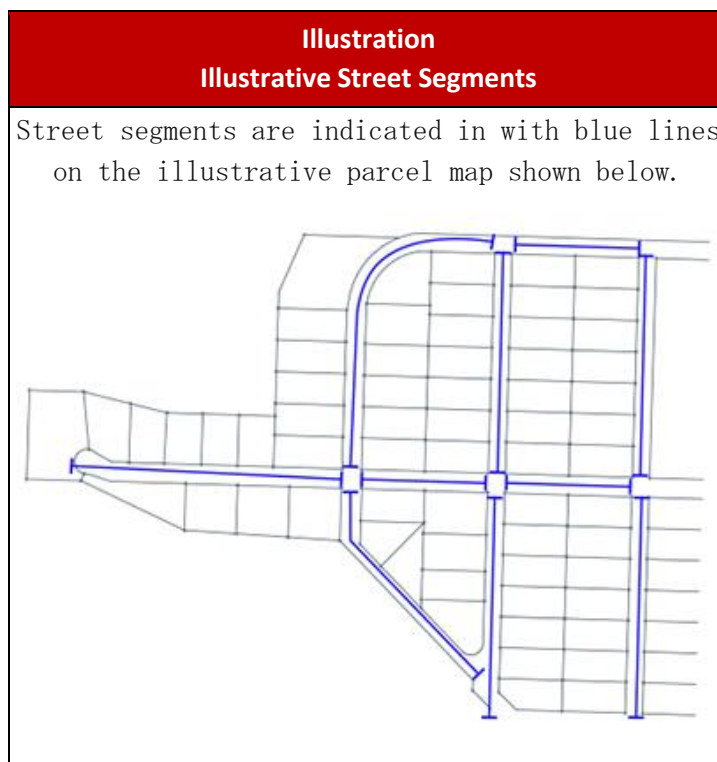
Setback. The minimum distance required between a specified object, such as a building and another point. Typically, a setback

refers to the minimum distance from a building to a specified property line to provide a required yard.

Short-Term Rental. A dwelling unit, or portion thereof, that is rented to any person for a period of less than thirty (30) consecutive nights.

Street. The term is defined in [Section 13.05.005\(J\)](#) of the Newport Subdivision Ordinance.

Street Segment. A portion of a local or collector street which is located between two intersections, or between an intersection and the end of a cul-de-sac or dead-end. *See Illustration: Illustrative Street Segments, below.*



Structural Alteration. Any change to the supporting members of a building including foundation, bearing walls or partitions, columns, beams or girders, or any structural change in the roof.

Structure. That which is built or constructed. An edifice or building or any kind of any piece of work artificially built up or composed of parts joined together in some manner and which require location on the ground or which is attached to something having a location on the ground.

Substantial Improvement. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure either:

- A. before the improvement or repair is started; or
- B. If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either of the following:
 - 1. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications that are solely necessary to assure safe living conditions; or
 - 2. Any alteration of a structure listed on the National Register of Historic Places or the State Inventory of Historic Places.

Temporary Structures. Trailers, mobile homes, prefabricated buildings, or other structures that can readily be moved or which are not attached in a permanent manner to a permanent foundation and are used for residential or business purposes.

Temporary Vending Carts. A trailer or other vehicle that does not exceed 16 feet in length, has functional wheels, an axle for towing, is not attached in a permanent manner to a permanent foundation and is self-contained for sanitary sewer. A temporary vending cart may be mobile (i.e. does not remain stationary for longer than a few hours), or remain stationary, as permitted by Section 14.08.050.

Terrace. An open porch without a permanent roof and not over 30 inches in height (not requiring a railing according to the Uniform Building Code).

Town House. Buildings that are subdivided into individual units such that each owner owns his own unit and also has entitlement to the parcel of land upon which his unit is located.

Tourist. A person or group of people who are traveling for pleasure or are of a transient nature.

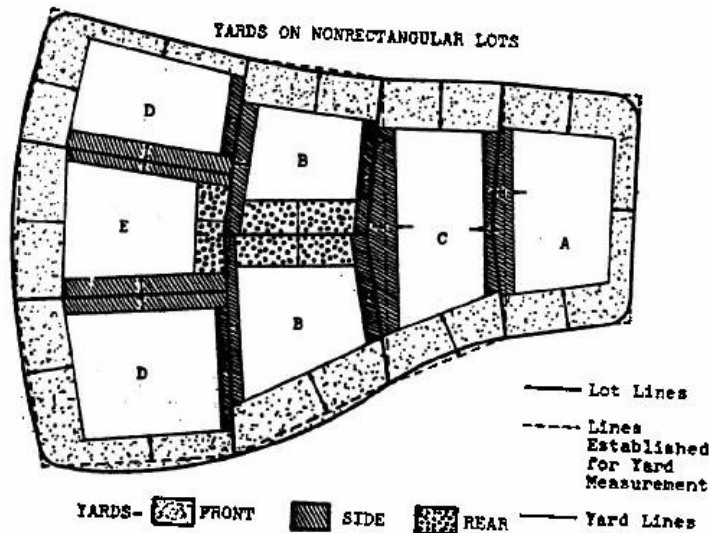
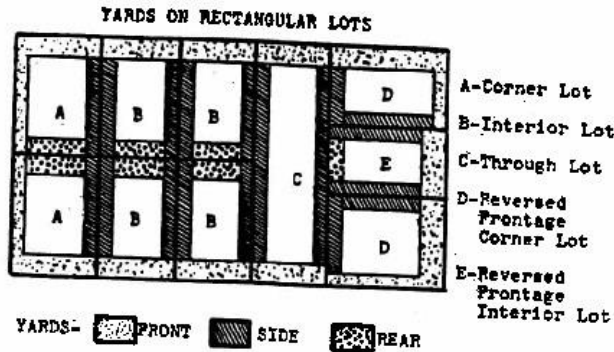
Use. The purpose for which land or a structure is designed, arranged, or intended, or for which it is occupied or maintained.

Vacation Rental. A short term rental where the entire dwelling unit is rented.

Wetlands. Wetlands are those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Yard. An open space on a lot which is unobstructed by any building from the ground upward, except as otherwise provided in this ordinance. Yard depth is always measured horizontally and perpendicular to the respective lot line.

Yard, Front. A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel thereto on the lots. In the case of corner lots, front yards shall be required as shown in Illustration A and in Table A.



Yard, Rear. A yard extending across the width of the lot between the inner side yard lines, the depth of which is the minimum

horizontal distance between the rear lot line and a line parallel thereto on the lot. In the case of through lots and reversed frontage corner lots, there will be no rear yard. In the case of corner lots with normal frontage, the rear yard shall extend from the inner side yard line of the side yard adjacent to the interior lot to the rear line of the lesser depth second front yard.

Yard, Side. A yard extending from the rear line of the required front yard to the rear lot line, the depth of which is the minimum horizontal distance between the side lot line and a line parallel thereto on the lot. In the case of through lots, side yards shall extend from the rear lines of the front yards required. In the case of corner lots with normal frontage, there will be only one side yard adjacent to the interior lot. In the case of corner lots with reversed frontage, the yards remaining after the normal front yard and lesser depth second front yard have been established shall be considered to be side yards. The accompanying Illustration A indicates the location of yards on rectangular and non-rectangular lots.

*(*Amended by Ordinance No. 2142 (11-14-18).)
(Chapter 14.01 was enacted by Ordinance No. 2125, adopted on December 4, 2017:
effective January 3, 2018.)*

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