

ARTICLE 15.

DEFINITIONS

SECTION 1501. GENERAL RULES

For the purpose of this Ordinance, certain terms and words are defined in this article. The following general rules apply in the use of definitions throughout this Ordinance.

- (a) The word person includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
- (b) The word shall is mandatory and the word may is permissive.
- (c) The word lot includes the words plot or parcel.
- (d) The word building includes the word structure.
- (e) The words used or occupied includes the words intended, designed or arranged to be used or occupied.
- (f) When not inconsistent with the context, the present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
- (g) All words and terms shall be interpreted according to their common usage unless otherwise defined.
- (h) Pertaining to land use, the standard system for identifying and coding land use activities in “Standard Land Use Coding Manual, U.S. Department of Transportation, Reprinted December 1969, Washington D.C.” shall be used as a reference for determining the use of land for the purposes of the Zoning Regulations.

SECTION 1502. DEFINED TERMS

For the purpose of this Ordinance, the following terms and words are hereby defined:

- 1. Access or Access Way: The place, means, or way by which pedestrians and vehicles shall have safe, adequate and usable ingress and egress to a property or use as required by this Ordinance.
- 2. Accessory Building: A building on the same lot with, and of a nature customarily incidental and subordinate to, the principal building. An accessory building attached to the main building attached to the main building shall maintain any yards required for a main building.

3. Accessory Use: A use of land, buildings or structures normally incidental to and subordinate to the principal use of a building, structure or lot.
4. Agriculture General: The practice of growing soil crops in the customary manner in the open on tracts of land comprising at least two (2) contiguous commercial acres, including such customary companion activities as the raising of farm poultry and farm animals, the storage and processing of soil crops, the production of eggs and dairy products, and the slaughter and processing of poultry and animals raised on the premises for use on the premises; provided, however, that farms exclusively engaged in production of special crops such as egg farms, chicken farms, hog ranches, truck farms, fur farms, dairy farms and cattle feeding farms shall not be considered to be practicing general agriculture.
5. Alcoholic Beverages: Any and all alcoholic beverages licensed and regulated by the Arizona Department of Liquor Licenses and Control. (Amended by Ord. 05-887, § 4, 2006)
6. Alley: A way dedicated and open to the public, which affords a secondary means of access to the back of side of properties otherwise abutting on a street.
7. Amendment: A change in the wording context, or substance of these regulations, and addition or deletion, or a change in the zoning district boundaries or classifications upon the official zoning map, which imposes any regulation not heretofore imposed or removes or modifies any such regulation theretofore imposed.
8. Barbed Wire: The twisted strands of fence wire with barbs at regular intervals to prevent passage. (Amended by Ord. 05-881, § 2, 2005)
9. Board: The Board of Adjustment of the City of Douglas.
10. Buildable Area: Any structure having a roof, including, but not limited to, tents, awnings, carports, ramadas, and mobile homes when occupied as living quarters. When any portion of a building is completely separated from every other part thereof and without connecting roof, such portions shall be considered a separate building.
11. Building Height: the vertical distance measured from grade to the highest point of the roof for flat roofs, to the deck line of a mansard roof, or to the average elevation between eaves and ridge for gable, hip and gambrel roofs.

12. Building Inspector: The individual designated by the City of Douglas as the person primarily responsible for the administration and enforcement of regulations contained in this Ordinance.
13. Camping Trailer: A recreational vehicle, on which is mounted a collapsible wall structure made of canvas, plastic or metal. The walls are collapsed during towing and can be raised when the vehicle becomes stationary for use as temporary living quarters.
14. Carport: An accessory building, attached or detached, from a principal building, having two (2) or more open sides, designed or used for the shelter or storage of self-propelled vehicles owned or operated by the occupants of the principal building. (Amended by Ord. 05-881 § 5, 2005)
15. City: The City of Douglas.
16. City Clerk: The City Clerk of the City of Douglas.
17. City Council: Shall mean the City Council of the City of Douglas.
18. Clinic: A building or part of a building in which ambulatory patients are provided diagnostic, therapeutic, or preventative medical, surgical, dental or optical treatment by a group of doctors acting jointly but not providing for over-night residence of patients.
19. Commercial Acre: An acre of thirty-five thousand (35,000) square feet, being the area left remaining after dedication of public rights-of-way from a full acre.
20. Commission: The City of Douglas Planning and Zoning Commission.
21. Common Area: An area designated to serve two (2) or more dwelling units or separate uses with convenient access to the area.
22. Condominium: An estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in air space in a residential, industrial or commercial building on such real property, such as apartment, office or store.
23. Corner Lot: A lot abutting on two (2) or more intersecting streets having an interior angle of intersection not exceeding one hundred thirty-five (135) degrees.
24. Council: The City Council of the City of Douglas.

25. Drive-through Window: A window or other physical feature to the licensed premises that allows a customer to purchase alcoholic beverages without leaving the customer's vehicle. (Amended by Ord. 05-887, § 4, 2006)
26. Dwelling: Any building or portion thereof, which is designed or used exclusively for residential purposes.
27. Dwelling, Multi-Household: A residence designed for occupancy by two (2) or more households, with separate housekeeping and cooking facilities for each.
28. Dwelling, Single-Household: A detached residence designed for occupancy by one (1) household only.
29. Dwelling Unit: One (1) or more rooms designed for occupancy by one (1) household for living purposes and having its own cooking and sanitary facilities.
30. Double Frontage Lot: A lot abutting on two (2) non-intersecting streets.
31. Efficiency Unit: A dwelling unit having not more than one (1) room in addition to kitchen and bath.
32. Factory-Built Dwelling: A dwelling unit or habitable room thereof which is either wholly or in substantial part manufactured at an off-site location to be assembled on site, except that it does not include a mobile home or recreational vehicle as defined herein.
33. Family: An individual; or two (2) or more persons related by blood, marriage or adoption; or, a group of no more than five (5) unrelated persons living together as a single housekeeping unit in a dwelling unit.
34. Floor Area: the sum of the gross horizontal areas of every floor of all buildings on the lot measured from the exterior faces of the exterior walls or from the center line of walls separating the buildings including basement floor area, elevator shaft and stairwells at each floor, floor spaced used for mechanical equipment, penthouse, attic space whether or not a floor has been actually laid and having headroom of seven (7) feet or more, interior balconies and mezzanines, and roofed porches, but not including any space devoted to parking, or to loading and unloading.
35. Front Lot Line: For interior lots, the lot line abutting on a street; for corner lots, the shorter lot line abutting on a street. When corner lot or double frontage lot has nearly equal frontage lot line shall be at a discretion of the lot owner.

36. Front Yard: A yard extending across the full width of the lot, and having a depth equal to the horizontal distance between the nearest point of the main building and the front lot line, measured at right angles to the front lot line.
37. Frontage: All property on one (1) side of a street between two (2) intersections streets (crossing or terminating) measured along the line of the street, or, if the is dead end, then all of the property abutting on one (1) side between an intersecting street and the dead end of the street including property fronting on a cul-de-sac.
38. Garage: An accessory building or portion of the principal building designed or used or the shelter or storage of self-propelled vehicles owned or operated by the occupants of the principal building.
39. Grade: The Average Elevation of the finished ground surface adjacent to the exterior wall of a building or to the base of a structure.
40. Guest House: An attached or detached accessory building used as a temporary dwelling for guests of the occupants of the main building, and which is never rented or offered for rent. A guest house providing cooking facilities shall be considered a dwelling unit.
41. Guest Room: A room which is designed to be occupied by one (1) or more guests for sleeping purposes, and having no kitchen facilities and not including dormitories for sleeping.
42. Home Occupation: An accessory and incidental use of a swelling consisting of an activity carried on by the occupant of the dwelling as a secondary use. "See Section 324."
43. Hospital: A building in which lodging is provided and offered to the public for compensation and which is open to transient guests.
44. Hotel: A building, or group or buildings, which sick or injured patients are given medical or surgical treatment or care; including over-night residence.
45. Household: An individual; or two (2) or more person related by blood, marriage, or adoption; or, a group of not more than four (4) unrelated person living together as a single house-keeping unit in a dwelling unit.
46. Interior Lot: A lot having but one (1) side abutting on a street.

47. Junkyard: A place where scrap, waste, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled, or handled or stored, including auto grave yards and yards for the storage of salvaged house wrecking and structural steel material and equipment.
48. Key Lot: An interior lot, one (1) side of which is contiguous with the rear line of a corner lot.
49. Landscaping: The application or use of some combination of planted trees, shrubs, vines, ground cover, flowers or lawns. In addition, the combinations may include rocks, and such structural features as fountains, pools, art works, screens, walls, fences, or benches.
50. Loading and Unloading Space: A permanently maintained space on the same lot as the principal building accessible to a street or alley provided for the standing, loading and unloading of vehicles entirely outside the right-of-way of a public street or alley.
51. Lot: A legally created piece or parcel of land separated from every other piece or parcel by description, as in a subdivision or on a record survey map, or by metes and bounds, for purposes of sale, lease, or separate use.
52. Lot Area: The area of a horizontal plane within the lot lines of a lot.
53. Lot Coverage: The percentage of the area of a lot which is occupied by all buildings or other covered structures.
54. Lot Depth: The distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
55. Lot Line: A line bounding a lot.
56. Lot of Record: A lot which is part of a subdivision plat recorded in the Cochise County Recorder's Office prior to the effective date of this Code, or, a lot or parcel described by metes and bounds and having its description recorded in the Cochise County Recorder's Office prior to the effective date of this Code.
57. Lot Width: The distance between side lot line measured across the rear of the required front yard, parallel to the street or street chord.
58. Main Building: A building, or a group of buildings within is conducted the principal use of the lot on which the building is situated.

59. Minimum Lot Width: In the case of a rectangular lot or a lot abutting on the outside of a street curve, the distance between side lot lines measured at the minimum front set-back line on a line parallel to the street or street chord; in the case of a lot abutting on the inside of a street curve, the distance between side lot lines measured at the rear line of the dwelling, or when there is no dwelling, thirty (30) feet behind the minimum front setback line, parallel to the street or street chord.
60. Mobile Home: A unit or structure designed and constructed in such a manner as to permit permanent occupancy as a dwelling unit, originally designed and constructed to be towed on its own chassis, normally comprised of frame and wells, and usually located without a permanent foundation and connected to utilities with flexible connections. A mobile home unit or dwelling may contain parts that may be folded, collapsed or telescoped when being towed, or two or more separately towable components designed to be joined into one integral unit. Said definition shall no include travel trailers, motor homes, pick-up coaches, camping trailers, or other recreational vehicles.
61. Mobile Home Lot: A portion of a mobile home subdivision used or intended to be used for locating one (1) mobile home, including the land covered by the mobile home, adjacent open spaces and attached or detached accessory building or structures.
62. Mobile Home Park: A lot, parcel, or tract of land having as its principal use the rental of space for occupancy by mobile homes, including any accessory buildings, structures or uses customarily incidental thereto.
63. Mobile Home Space: A plot of ground within a mobile home park designed for the accommodation of one (1) mobile home together with its accessory structures.
64. Mobile Home Subdivision: A subdivision comprising mobile home lots platted for lease or sale to the public, and restricted to such use by covenant or deed restrictions.
65. Motel: Any building or group of buildings containing guest rooms or dwelling units, some or all of which have a separate entrance leading directly from the outside of the building with garage or parking space located on the lot and designed, used, or intended wholly or in part for the accommodation of automobile transients.
66. Motor Home: A self-propelled and self-contained recreational vehicle specifically designed for travel and/or temporary living. Construction is such that the van and motor chassis cannot be separated.

67. Multi-Family Residence: A building, or group of attached or detached buildings, containing three (3) or more dwelling units.
68. Net Land Area, Net Site Area: the area left remaining to a lot or parcel after dedication of street and alley rights-of-way.
69. Non-Conforming Lot: A lot of record or parcel of land having less area, frontage or dimensions than required by the regulations of this Ordinance, as amended.
70. Non-Conforming Structure: A building, structure or portion thereof which was lawful when established but which does not conform to the regulations of this Ordinance, as amended.
71. Non-Conforming Use: The continued use of a building, structure or lot for the purpose for which it was lawfully established or used prior to the effective date of this Ordinance, but which use fails to conform to the regulations of this Ordinance as amended.
72. Nursery School: A public or private school of kindergarten providing day care and education to five (5) or more children, six (6) years old or under.
73. Parking Lot: An area used or intended to be used for the off-street parking of motor vehicles, including parking spaces, access drives and maneuvering aisles.
74. Parking Space: A permanently surfaced area, enclosed, unenclosed, having an area which will accommodate a motor vehicle.
75. Permitted Use: A use specifically permitted or a use analogous to those specifically permitted.
76. Pick-up Camper: Any pick-up truck on which is mounted temporarily or permanently a moderate-sized special body or shell for recreational camping. For the purpose of this ordinance, pick-up campers shall be considered in the same category as passenger vehicles such as station-wagons.
77. Planned Development: A development of land under unified control, planned and intended to be developed as a whole: (a) in a single development operations, including all lands and buildings; (b) according to comprehensive and detailed plans which include not only streets, utilities, lots, or buildings sites and the like, but also site plans, floor plans, and elevations for all buildings as intended to be located, constructed, used, and related to each other, and detailed plans for other uses and improvements on the land as related to the buildings; and (c) with a

- program for provision, operation, and maintenance of such area, improvements, facilities, and services as will be for common use by some or all of the occupants of the development but will not be provided, operated, or maintained at general public expense.
78. Planning and Zoning Commission: The Planning and Zoning Commission of the City of Douglas.
 79. Principal Use: The main purpose for which a building, structure or lot is used, or for which it is designed, arranged or intended to be occupied or used.
 80. Private Garage: An enclosed accessory building, attached or detached, used for storage of motor vehicles used by occupants of the main building and providing no public shop or service in connection therewith.
 81. Prohibited Use: A use not specifically permitted or a use analogous to those not specifically permitted.
 82. Public Garage: An enclosed building used for parking, storage, repair, rental, sales, or service of motor vehicles.
 83. Public Utility: Any person, firm, corporation, municipality, board duly authorized to furnish to the public under state or municipal regulations, electricity, gas, steam, communication, water, drainage, flood control, irrigation, garbage or trash disposal, or sewage disposal.
 84. Railroad: Land and other property used for general railroad purposes, including mainline and switching trackage, repair shops, stations, communications equipment, roundhouses and storage facilities, but not to include railroad equipment (miniature or otherwise) operated by its owner as a hobby or as part of the equipment of an amusement resort.
 85. Razor Ribbon Wire: A sharpened-edge wire used for fences and barriers.
 86. Rear Lot Line: The lot line opposite and farthest from the front lot line. For a pointed or irregular lot, the rear lot line shall be an imaginary line, parallel to and farthest from the front line, not less than ten (10) feet long and wholly within the lot.
 87. Rear Yard: A yard extending across the full width of a lot, and having a depth equal to the horizontal distance between the nearest point of the main building and the rear lot line, measured at right angles to the rear lot line.

88. Recreational Vehicle: A movable or portable dwelling unit built on a chassis, designed primarily for temporary living quarters for recreational or travel use, which either has its own motive power or is mounted on or drawn by another vehicle.
89. Rooming House: A building or structure other than a hotel where, for compensation and by pre-arrangement for definite periods of time, lodging is provided for two (2) or more individuals who are not members of a resident family.
90. Rowhouse, Townhouse: A single dwelling unit arranged side-by-side with other such units in a multi-family residence, completely independent of all other such units in the building by reason of separation therefrom by unpierced party walls.
91. School: A public or private building, or group of buildings, used for purposes of primary or secondary education, meeting all requirements of the compulsory education laws of the State of Arizona.
92. Servant's Quarters: An attached or detached building or part thereof permanently occupied by person employed on the premises.
93. Services Station: A space, building, structure, or part thereof, arranged or designed to be use for retail sales or supply of motor fuels, lubricants, tires and incidental maintenance and repair items, and facilities for minor repair and servicing of motor vehicles, but excluding high-speed washing, body repair bumping or painting, auto or trailer rental and general sales of auto parts or other merchandise.
94. Setback: The minimum horizontal distance between a lot line and the nearest point of a building, structure, or use located on the lot.
95. Side Lot Line: Any lot line other than a front or rear lot line; in the case of a corner lot, the lot line abutting the side street is termed an "exterior side lot line;" all other side lot lines are termed "interior side lot lines."
96. Side Yard: A yard extending form the front yard to the rear yard between a side lot line and the main building and having a width equal to the horizontal distance between the nearest point of the main building and side lot line, measured at right angles to the side lot line.
97. Sign: Any device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public, but excluding any flag, badge, or insignia of any government or government agency, and any official traffic control device: however, a sign shall include any notice posted according to law, any letter, numeral figure, emblem,

picture, outlining, or beacon, whereby such display is made on, attached to, or is a part of a structure or natural object, which display is visible beyond the boundaries of the lot or parcel in, or over, which it is located.

98. Single-Family Residence: A detached building containing only one (1) dwelling unit.
99. Story: That portions of a building included between the surface of any floor and the surface of the next floor above, or if there is not floor above, the space between the top most floor and the roof having an usable floor area at least one-half that of the floor area of the floor immediately below. A basement shall be considered a story if its ceiling is more than five (5) feet above the grade of the perimeter of the building.
100. Street: A public or private easement of access, affording a principal means of vehicular access to abutting property.
101. Street Line: A right-of-way line of a street.
102. Structural Alteration: Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any complete rebuilding of the roof or exterior walls, or which expands the height or area thereof.
103. Structure: Anything constructed or erected with fixed location on the ground, or attached to something having a fixed location on the ground, including, but not limited to, buildings, stadiums, towers, swimming pools, walls, fences and billboards.
104. Trailer: A structure on which a boat, dune-buggy, other vehicles, or animal may be transported and which is towable by a passenger car, pick-up truck, or recreational.
105. Recreational Vehicle: A self propelled or towable constructed with vehicle serving as a housing unit and fully or partially equipped for the purpose of travel and/or temporary living.
106. Recreational Vehicle: Any lot, tract or parcel of land used or offered for use in whole or in part with or without change for parking of recreational vehicles or travel trailers used for sleeping or household purposes.
107. Recreational Vehicle: A plot of ground within a travel trailer park designed for the accommodation of one (1) travel trailer or recreational vehicle.

108. Usable Floor Area: The aggregate floor area of a building measured to the exterior walls on the first story, and including the floor area, similarly measured, of each additional story, and including the floor area, similarly measured, of each additional story which is connected to the first story by a fixed stairway, escalator, ramp or elevator, and the floor area of all accessory buildings, measured similarly but excluding that part of any floor area which is occupied by heating, ventilating, or other permanently installed equipment required for operation of the building, and by unenclosed porches, light shafts, public toilets.
109. Use: The purpose for which land or building is occupied or maintained, arranged, designed, or intended.
110. Variance: A relaxation or waiver of the of these regulations where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant a literal enforcement of these regulations would result in unnecessary and undue hardship.
111. Vehicle Parking: The temporary of a vehicle (passenger car, station wagon, pick-up truck, recreational vehicle) generally remaining in the same location for less than twenty-four (24) hours.
112. Vehicle Storage: The deliberate placement of a vehicle (passenger car, station wagon, pick-up truck, recreational vehicle) meant to remain in the same general location for a period in excess of thirty (30) days.
113. Veterinary Hospital/Clinic: A facility for treating the medical problems of animals that must be operated by a licensed veterinarian in accordance with State of Arizona regulation.
114. Wall: Any structure for screening purpose forming a physical barrier, which is so constructed that the vertical surface shall be closed solid, except for gates or other access ways.
115. Yard: An open space located between any portion of a building and the nearest lot line, or the nearest adjacent building or group of buildings.
116. Zoning District: That portion of the incorporated area of the City of Douglas in which the same zoning regulations apply.