

## CHAPTER 10

### GLOSSARY OF DEFINITIONS

**Section 1001** Interpretation and Meaning of Terms. Unless a contrary meaning is required by the context or is specifically prescribed, the following definitions shall be used in the interpretation and construction of these Regulations. Terms not herein defined shall have the meaning customarily assigned to them. In case there is further question as to the meaning of terms not herein defined, the definitions cited in the latest edition of *A Planners Dictionary* (American Planning Association, Publisher) shall apply. General terms not found in the aforementioned dictionary may refer to *Webster's New International Dictionary of the English Language* (G. and C. Merriam Company, Publisher). [rev. 12-13-2013]

**Accessory Building or Use:** An accessory building or use is one which:

- a) is subordinate to & serves the principal building or principal use;
- b) is subordinate in area, extent, or purpose to the principal building or principal use served;
- c) contributes to the comfort, convenience, or necessity of occupants of the principal building or principal use served; and
- d) is located on the same zoning lot as the principal building or principal use served, with the single exception of such accessory off-street parking facilities as are permitted to locate elsewhere than on the same zoning lot with the building or use served.
- e) The "box" from a truck, a shipping container or similar structure, shall not be construed as an accessory building. [eff. 3-28-2014; rev. 11-4-2020]

**Accessory Family Suite:** A secondary living unit within a single-family detached dwelling for use as a complete living facility with provisions within the accessory suite for cooking, eating, sanitation, and sleeping. An Accessory Family Suite shall be subordinate to the principal use of the property as a single-family dwelling. [eff. 12-17-2009; rev. 11-4-2020]

**Accessory Dwelling Unit:** A secondary living unit within an accessory structure for use as a complete living facility with provisions within the accessory family unit for cooking, eating and sleeping. Examples of an accessory family unit are complete living facilities within a detached garage or within a pole barn. [11-4-2020]

**Accountability:** The provision that a governmental agency is legally responsible for the welfare of the clientele of a group care home and as such can exercise control over the operator of such facilities in order to insure that the provisions of these Regulations are being met and that adequate operational and occupancy standards are being maintained.

**Acre:** A measure of land area. One (1) acre shall equal forty-three thousand, five hundred sixty (43,560) square feet.

**Adult Bookstore:** An establishment having as a substantial or significant portion of its stock-in-trade, books, magazines, or other periodicals which are distinguished or characterized by their emphasis on matter depicting or relating to specified sexual activities or specified anatomical areas as defined herein, or an establishment with a segment or section devoted to the sale or display of such material.

**Adult Entertainment Establishment:** Any establishment involved in the sale or service of products characterized by the exposure or presentation of specified anatomical areas as defined herein, or physical contact of live males or females, and which is characterized by salacious conduct appealing to prurient interest for the observation or participation in by patrons. Services or products included within the scope of adult entertainment establishments are photography, dancing, reading, massage, and/or similar functions which utilize activities as specified above; and such establishments include specifically adult bookstores, adult motion picture theaters, and adult mini-motion picture theaters, as defined herein.

**Adult Mini-Motion Picture Theater:** A facility with a capacity of less than fifty (50) persons, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas as defined herein, for observation by patrons therein.

**Adult Motion Picture Theater:** A facility with a capacity of fifty (50) or more persons, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas as defined herein, for observation by patrons therein.

**Agricultural Purposes:** See "Agriculture". [eff. 3-29-1990]

**Agricultural Related Processing and Marketing:** Those commercial activities which provide direct primary support to the farm community, including, but not limited to feed, fuel, agricultural chemicals, farm supply sales and repair, custom butcher shop, and animal health. Agricultural related processing and marketing shall not be construed to include farm markets as defined herein. [eff. 3-29-1990]

**Agricultural Use:** See "Agriculture".

**Agriculture:** Land used predominantly for agricultural operation by the owner or tenant. The use of land for agriculture includes dairying, farming, floriculture (flowers), apiculture (bees), horticulture (plants), ornamental horticulture (decorative plants), pasturage, viticulture (grapevines), aquaculture (fish), olericulture (edible plants), pomiculture (fruit) and animal and poultry husbandry. [rev. 12-13-2013]

**Airport:** A tract of land designated and set aside for the landing and take-off of commercial and/or non-commercial aircraft, for the discharge or receiving of cargo and/or passengers, or for the repair, fueling, or storage of aircraft; and which contains facilities for aircraft, including specifically a paved strip on which airplanes land and take-off. An airport shall not be construed to be a private landing field as defined herein.

**Alley:** A public or private right-of-way not more than thirty (30) feet wide that is primarily designed to serve as access to the rear or side of those properties whose principal frontage is on some other street. [rev. 12-13-2013]

**Animal Clinic or Hospital:** A place used by a licensed veterinarian for the purpose of treating animals. [11-4-2020]

**Assisted Living Facilities:** See "Nursing Homes". [rev. 12-13-2013]

**Apartment:** A portion of a building comprising a single dwelling unit consisting of a room or suite of rooms intended, designed, or used as a permanent residence by an individual or one (1) family.

**Balcony:** A platform enclosed by a railing or parapet and which is suspended or cantilevered from or supported solely by the principal structure. [rev. 12-13-2013]

**Banks and Financial Institutions:** A bank, commercial bank, savings and loan association, building and loan association, credit union, federal association, investment company, or similar business association, which is chartered under federal or state law. [rev. 12-13-2013]

**Bar or Tavern:** Any establishment, public or private, which provides alcoholic beverages for consideration as its primary function. Food may or may not be served on the premises and entertainment may or may not be provided as a secondary function.

**Basement:** That portion of a building that is partly or completely below grade. [rev. 12-13-2013]

**Bed and Breakfast Facilities:** Single-family dwellings offering room and board without individual kitchen facilities for up to five (5) persons who are transient. [eff. 4-4-1996]

**Beginning of Construction:** The incorporation of labor and material on a building site.

**Billboard:** See "Sign".

**Board of Zoning Appeals:** The Board of Zoning Appeals of Clark County, Ohio. Also referred to as the BZA.

**Breezeway:** A roofed structure, with or without enclosing walls. [eff. 4-4-1996]

**Building:** Any structure having a roof supported by walls, used or intended to be used for the shelter of persons or enclosure, of property. [rev. 11-4-2020]

**Building, Alteration of:** Any change or rearrangement in the supporting members (such as bearing walls, beams, columns, or girders) of a building, or any addition to a building, or movement of a building from one (1) location to another.

**Building, Enlargement of:** Any increase in the cubic content of a building.

**Building or Structure, Height of:** The vertical distance measured from the finished grade to the peak of the roof. [rev. 11-4-2020]

**Building, Principal:** The building housing the main use of the parcel on which it is located. In a Residential District, an Accessory Building shall not be the Principal Building. [rev. 11-4-2020]

**Building Line:** A line parallel to the street right-of-way line at any story level of a building and representing the minimum distance which all or any part of the building is set back from said right-of-way. [rev. 12-13-2013]

**Building Setback Line:** A line delineating the minimum allowable distance between the property line (front, side(s) or rear) and a building on a lot, within which no building or structure shall be placed except as otherwise provided. [rev. 12-13-2013]

**Buildings, Inspector of:** The Inspector of Buildings of Clark County, Ohio.

**Bulkhead:** A retaining wall or structure constructed along fill slopes in order to resist soil slippage and deter erosion.

**Business:** An occupation, enterprise, undertaking, or employment which engages in the purchase, sale barter, or exchange of foods, wares, merchandise, or services or where there is the maintenance or operation of an office or offices for the exhibition, sale, or offering of merchandise or services.

**Campground:** An area of land providing space for or containing two (2) or more recreational vehicles, camping tents, or other similar temporary recreational structures, where they may be parked or erected for a continuous period of time not exceeding sixty (60) days, either free of charge or for a fee. Campgrounds shall include any building, structure, tent, vehicle, or enclosure, used or intended for use as part of the equipment of such campground, and providing sewer, water, electric, or other similar facilities required to permit occupancy of such recreational vehicles or camping tents.

Cemetery: Land used or intended to be used for the burial of human or animal remains or cremated remains and dedicated for cemetery purposes. [rev. 12-13-2013]

Certify: To attest with a signature or seal.

Churches and Similar Places of Worship: A building used principally for religious worship, but the word "church" shall not include or mean an undertaker's chapel or funeral building.

Clinic: A place used for the diagnosis and treatment of sick, ailing, infirm, and injured persons and animals and those who are in need of medical or surgical attention, but limited to outpatients only and not including the sale of drugs or medical supplies.

Combined Health District: The Clark County Combined Health District.

Commercial Establishment: See "Business".

Commercial Recreation: Any private, public or semi-public facility, equipment or program that satisfies public demand for activities and operates for profit. Commercial Recreation includes, but is not limited to, the following: amphitheatres, amusement game arcades, tennis or racquetball clubs, bowling alleys, billiard halls, country clubs, skating rinks, athletic facility, sports arena, race tracks, motocross and shooting range, golf course, golf driving range, putt putt, amusement park, race track, motor cross. Exception: an indoor motion picture theater shall be considered a business use. [11-4-2020]

Commercial Recreational, Indoor: are defined as recreational activities conducted within an enclosed building.

Commercial Recreational, Outdoor: are defined as recreational activities conducted outside of a building.

Commission, Planning: The Clark County Planning Commission of Clark County, Ohio. [rev. 12-13-2013]

Commission, Zoning: The Rural Zoning Commission of Clark County, Ohio.

Commissioners, County: The Board of Clark County Commissioners of Clark County, Ohio. [rev. 12-13-2013]

Community Facilities: Structures and uses intended to be of a cultural, educational, recreational, administrative, or service type which provides for areas of public purposes in higher density residential developments. [eff. 3-29-90]

Conditional Use: A use permitted within a district other than a principally permitted use, requiring application for a Conditional Use and approval by the Board of Zoning Appeals and subject to the limitations and conditions specified therein. Such limitations and conditions may be imposed to ensure that the particular use at the particular site on which such use is proposed to be located is compatible with other existing or permitted uses surrounding the site. [rev. 12-13-2013]

Conditioned Use: A use permitted within a district other than a conditionally permitted use, requiring compliance to requirements as specified in Chapter 7. [eff. 3-29-90]

Construction Services: Any of the activities commonly referred to as construction and shall include, without limiting thereby, excavating, interior remodeling, heating, plumbing and roofing. [rev. 11-4-2020]

County: Clark County, Ohio

County Recorder: The Recorder of Clark County, Ohio.

Cul-de-sac: That portion of a dead-end street which is located at the opposite end of a street from the outlet and is formed by a circle, the diameter of which is greater than the street right-of-way. The purpose of a cul-de-sac is to permit ease in reversing vehicular direction.

**Custom Butcher Shop:** A facility where live animals are slaughtered and prepared for distribution to meat markets or retail sales establishments such as grocery stores. [rev. 11-4-2020]

**Day-Care:** Care provided for any part of the twenty-four (24) hour day for children or adults by persons other than their parents or guardians, custodians or relatives by blood, marriage or adoption, in a place or residence other than their own home. Places of worship during religious services are not included. [eff. 3-29-1990; rev. 11-4-2020]

**Day-Care Centers:** Any place in which day care is provided with or without compensation at any place that is not the permanent residence of the licensee or administrator in which day care is provided in accordance with state regulations. [eff. 3-29-1990]

**Day-Care Home:** Any place in which ~~child~~ day care is provided in the permanent residence of the administrator in accordance with state regulations. [eff. 3-29-1990; rev. 11-4-2020]

**Deed Restriction:** A legal binding restriction on the use of a parcel(s) of land that is set forth in the deed to the property and recorded with the County Recorder's Office for public record. [rev. 12-13-2013]

**Demolition Disposal Facility:** Means a site that is used to bury concrete, cement, stone, rubble, glass, wallboard, framing and finishing lumber, wiring, insulation material, roofing material and the like which results from the razing of buildings for accumulation during remodeling or construction. Also brush which includes tree limbs, tree mulch, tree stumps and residue from maintaining trees and shrubbery, also grass and material accumulated from landscaping operations. However, notwithstanding the previously mentioned items, no material which is considered hazardous and/or toxic under any federal, state or local regulations, shall be permitted to be buried or placed in a demolition disposal facility. [eff. 3-29-1990]

**Density:** The number of dwelling units permitted per acre of land to be developed. [rev. 11-4-2020]

**Gross Density:** The number of dwelling units per acre of the total land to be developed, including public rights-of-way and open space. [rev. 11-4-2020]

**Net Density:** The number of dwelling units per acre of land to be developed excluding public rights-of-ways and open space. [rev. 11-4-2020]

**Detached:** Not connected in any manner by walls or other structural supports.

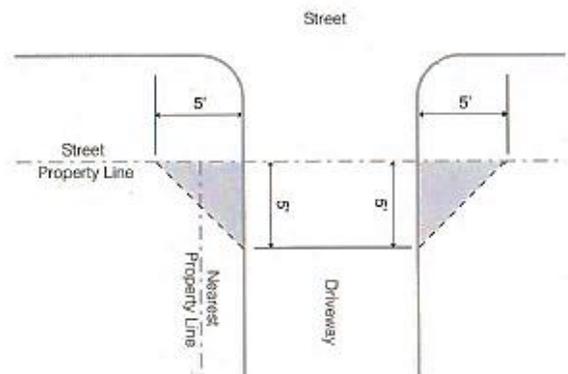
**Development Plan:** A plan showing uses and structures proposed for a parcel of land, as required by the regulations involved.

**Development Standards:** Standards controlling the size of structures and the relationships of structures and uses to each other and to open spaces and lot lines. Development standards include but are not limited to regulations controlling maximum height, minimum lot area, minimum lot frontage, minimum size of yards and setbacks, maximum lot coverage, and maximum density.

**Disabled Motor Vehicle:** Any vehicle not capable of providing its own motive power, or any vehicle unable to pass an Ohio State Highway Patrol safety inspection. [eff. 3-29-1990]

**District:** See "Zoning District".

**Driveway Visibility:** Nothing shall be constructed, placed, planted or allow to grow in such a manner as to impede vision from a driveway to a street as measured five feet along the street right-of-way and five feet along the edge of the driveway.



**Dwelling:** A unit providing complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation, but not including a tent, cabin, shed, hotel, or motel. [eff. 3-29-1990; rev. 11-4-2020]

**Dwelling, Attached:** The sharing of a common wall by two (2) or more dwelling units.

**Cluster Dwelling:** A single-family dwelling which is located on a lot having side yard dimensions which vary according to the width of the lot to be developed. Cluster dwellings may or may not be attached in some fashion by common walls without openings. Cluster dwellings are intended to allow for imaginative site planning and arrangement of buildings.

**Detached Dwelling:** A dwelling unit having no wall in common with another dwelling unit.

**Semi-Detached Dwelling:** The partial sharing of a common wall by two (2) or more dwelling units.

**Single-Family Dwelling:** A detached building designed for or occupied exclusively for residence purposes by one (1) family or housekeeping unit.

**Two-Family Dwelling:** A building designed for or occupied exclusively by two (2) families or housekeeping units living independently of each other.

**Three-Family Dwelling:** A building designed for or occupied exclusively by three (3) families or housekeeping units living independently of each other.

**Four-Family Dwelling:** A building designed for or occupied exclusively by four (4) families or housekeeping units living independently of each other.

**Multiple-Family Dwelling:** A building(s) designed for or occupied by four (4) or more families or housekeeping units living independently of each other. [rev. 11-4-2020]

**Dwelling, Zero Lot Line:** A single-family dwelling which is located on a lot having side yard dimensions which vary according to the width of the lot to be developed, and which dimension may be reduced to zero (0) feet on one (1) side of the dwelling subject to regulations contained herein. Zero lot line dwellings are intended to allow for imaginative site planning and arrangement of buildings.

**Earth Berm:** A low, usually linear, mound of earth covered with grass or other landscape materials used to define, screen, protect, and/or enhance the appearance of a particular space or area of land.

**Easement:** Authorization of a designated area of land by a property owner for the use by another, and for a specified purpose for which a limited right of use has been or is to be granted for a public or private purpose and within which the owner of the property shall not erect any permanent structures. [eff. 12-13-2013]

**Eating and Drinking Place:** See "Restaurant".

**Enclosed Building:** Any permanent structure having a roof supported by columns and walls which are opaque.

**Essential Services:** The erection, construction, alteration, or maintenance, by public utilities or county or other governmental agencies, of underground or overhead gas, electrical, steam, or water transmission or distribution systems or collection, communication, supply, or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such public

utilities or county or other governmental agencies or for the public health or safety or general welfare, but not including buildings.

**Family:** A person or group of persons occupying and living as a single housekeeping unit, whether or not related to each other by birth, marriage or adoption as distinguished from a group occupying a motel or hotel, fraternity or sorority house, or other types of contractual living quarters. [rev. 12-13-2013]

**Farm:** An area which is used for the growing of the usual farm products, such as grain, fruit and vegetables, and their packing or storage within the area, as well as used for the raising and breeding of farm animals and poultry, including but not limited to cattle, sheep, horses, and swine, but not constituting a commercial feed lot as defined herein. The necessary accessory uses shall be secondary to that of the normal farming activities.

**Farm Labor Housing:** Living accommodations for those employed, year round or seasonal, to perform agricultural related operations. Said housing shall only be used by those employed on the farm upon which the housing is located. [11-4-2020]

**Farm Market:** A building or structure designed or used or intended to be used for the display and/or sale of produce, raised on farms owned or operated by the farm market operator. [eff. 3-29-1990]

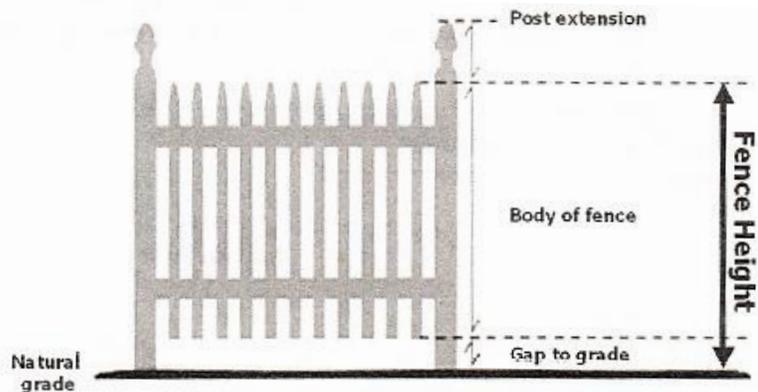
**Feed Lot:** The operation or maintenance of a commercial stockyard or feed yard. [eff. 3-29-1990]

**Fence:** A barrier constructed of materials other than evergreen shrubbery erected for purposes of protection, confinement, enclosure, or privacy.

**Privacy Fence:** A fence erected or constructed with the intention of blocking views into the property from the outside.

**Security Fence:** A fence erected or constructed to serve as a barrier to persons, animals, or vehicles entering the property.

**Fence, Height:** The height of a fence shall be measured from the ground where the fence is located to the top body of the fence, excluding any post extension. Any post extension shall not exceed one (1) foot. [rev. 11-4-2020]



**Finished Grade:** The final elevation of the ground surface abutting a building or other structure after man-made alterations such as; construction of required parking areas or driveways, and after the planting of lawn and shrubbery or other required improvements have been made on the ground surface. [rev. 12-13-2013]

**Floodplain:** Any land susceptible to being inundated by flood waters from any source. [rev. 12-13-2013]

**Floor Area:** The total horizontal area of all floors finished as usable area including roofed porches and roofed terraces. Measurements of floor area shall be taken to the outside of the exterior walls. Floor area shall not include: cellar or basement space; elevator or stair bulkheads; attic space; breezeways, patios, or open porches; uncovered stairs or steps; garages.

**Frontage:** The contiguous linear or curvilinear extent of a lot measured along the street right-of-way from the intersection of the one side lot line to the intersection of the other side lot line. The measurement of the lot frontage shall not include irregularities in the street line and, in the case of a corner lot, shall extend to the point of intersection of the side line of the right-of-way. If a lot has frontage on more than one (1) street, frontage on one (1) street only may be used to satisfy the minimum lot frontage. [rev. 12-13-2013]

**Garage:** A structure used primarily but not exclusively for the parking and storage of motor vehicles. [rev. 12-13-2013]

**Garage Sale:** All general sales, open to the public, conducted from or on residential premises in any residential zone, as defined in the zoning code, for the purpose of disposing of personal property, including but not limited to all sales entitled "garage," "lawn," "yard," "porch," "attic," "backyard," "patio," "rummage," "moving," or "estate" sale. [rev. 12-13-2013]

**Group Care Home:** A facility housing six (6) or more individuals on a twenty-four (24) hour basis who, because of age, mental, or physical disability or other reasons, must live in a supervised environment but are capable of responding to an emergency situation without personal assistance. [eff. 4-4-1996]

**Handicapped Person:** Means any person subject to a physiological impairment regardless of its cause, nature, or extent, and includes all such persons whether ambulatory or confined to a wheelchair. [eff. 4-4-1996]

**Hedge:** A linear massing of closely-spaced shrubs which combine to form a relatively solid vegetative wall.

**Home Occupation:** An accessory use which is an activity, profession, occupation, service, craft, or revenue-enhancing hobby which is clearly incidental and subordinate to the use of the premises as a dwelling. Retail sales are not allowed with home occupations. An Internet Based Business is not considered a Home Occupation. [rev. 11-4-2020]

**Major Home Occupation:** Is conducted within the dwelling or in an accessory structure on the same parcel as the dwelling, without any significant adverse effect upon the surrounding neighborhood. [11-4-2020]

**Minor Home Occupation:** Is conducted entirely within the dwelling unit without any significant adverse effect upon the surrounding neighborhood. [11-4-2020]

**Homeowners' Association:** A private, non-profit corporation of homeowners established by a developer with local government approval, whose purpose it is to own, operate, and maintain various common properties, including but not limited to open space, private streets, and recreation facilities. Title to common property is held by the corporation.

**Hospital:** An establishment with a formal organization of physicians, with permanent beds where both sick and accident patients may remain in excess of twenty-four (24) hours, which provides facilities for both medical and surgical diagnosis and treatment, with at least one (1) operating room where major surgery is performed. Such establishment must be certified by the State Department of Health and be accredited by the Joint Commission of Accreditation of Hospitals.

Household Pet: A domesticated animal kept for pleasure rather than utility. [eff. 4-4-1996]

Housekeeping Unit: One (1) or more persons whether or not related to each other living in a dwelling unit.

Identification: That by which a person, thing, product, etc., can be identified or recognized – and those specific symbols, traits, trademarks, characteristics, etc., which provide such recognition.

In the Open: Not located in an enclosed building.

Incidental Camping: The use of tents, travel trailers, recreational vehicles or other mobile camping equipment for camping and other recreational purposes incidental to the principal use of a site. [11-4-2020]

Industrial, Heavy: Development accommodating a broad range of intensity of industrial development and related uses, whose operation occurs inside and outside a building(s), and has a greater external and physical impact on the immediate area beyond the I-2 district boundary. [11-4-2020]

Industrial, Light: Development involving manufacturing, production, warehouse/distribution, wholesaling and related uses whose operation is conducted within a building(s). The external and physical impacts of the uses are restricted to the boundary of the I-1 District. [11-4-2020]

Industry: Storage, repair, manufacture, preparation, or treatment of any article, substance, or commodity.

Institution (Higher Learning): Any public, private, parochial, charitable, or nonprofit school, junior college, or university, other than trade or business schools, including instructional and recreational uses, with or without living quarters, dining rooms, restaurants, heating plants, and other incidental facilities for students, teachers and employees. [rev. 12-13-2013]

Internet Based Business: A business activity of selling products handled through the internet. When conducted within a dwelling, said business is not considered a Home Occupation Use, and, shall not maintain inventory within the dwelling or on the lot where the dwelling is located. [rev. 11-4-2020]

Junkyard: A place or structure where waste, discarded, or salvaged materials are bought, sold, exchanged, baled, packed, disassembled, handled, or stored, or any combination thereof, including auto wrecking yards, house wrecking yards, used lumber yards, and places or yards for storage of salvaged house wrecking and structural steel materials and equipment; but not including used cars in operable condition, or salvaged materials incidental to manufacturing operations, and not including such places where such uses are conducted entirely within a completely enclosed building or structure. [eff. 3-29-1990]

Kennel: A building or structure, which may also include outdoor pens and runs, that is used for boarding or housing, for the breeding and the sale of dogs, cats, or other household pets in return for a fee or other consideration. [rev. 12-13-2013]

**Land Use Plan:** The long-range plan for the desirable use of land area of Clark County as officially adopted and as amended from time to time by the County Planning Commission. The purpose of such plan is, among other things, to serve as a guide in the zoning and progressive changes in the zoning of land to meet changing community needs, in the subdivision and use of undeveloped land, and in the acquisition of rights-of-way or sites for such public purposes as streets, parks, schools, and public buildings.

**Landscaping:** Landscaping shall consist of any of the following or combination thereof: materials such as but not limited to grass, hardy ground covers, shrubs, vines, hedges, and trees; and non-living durable material commonly utilized in landscaping, such as but not limited to rocks, pebbles, sand, walls, and fences, but not including paving as a principal design element.

**Livable Area:** That totally enclosed space within the principal structure having an average ceiling height of a minimum of four (4) feet above the finished grade.

**Livable Floor Area:** The livable floor area in square feet of existing or proposed buildings or structures or additions thereto shall be computed by multiplying the outside horizontal dimensions with each floor of the livable area. Porches, carports, and similar structures shall not be considered in computing the total livable area.

**Loading/Unloading Space:** An off-street space or berth on the same lot with a building or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, alley, or other appropriate means of access.

**Lot** (aka parcel of tract): [eff. 11-6-2008]

- a) A parcel of land defined by metes and bounds or boundary lines in a recorded deed or on a recorded plat, fronting on a legally dedicated public thoroughfare. In determining lot area, no part thereof within the limits of the proposed thoroughfare rights-of-way shall be included.
- b) A parcel as contained on the official tax maps maintained in the Clark County Auditor's Office and is often referenced by a Permanent Parcel Number.

**Corner Lot:** A lot abutting upon two (2) or more roads or streets at their intersection or upon two (2) parts of the same road or street and in either case forming an interior angle of less than one hundred thirty-five (135) degrees.

**Double Frontage Lot:** A lot having frontage on two (2) non-intersecting streets.

**Interior Lot:** A lot other than a corner lot with only one (1) frontage on a street.

**Non-Conforming Lot:** A lot or parcel of land that was of record and lawfully established and maintained but which, because of the enactment of this [code], no longer conforms to the land-use standards or use regulations of the zoning district in which it is located. [rev: 12-13-2013]

**Lot, Zoning:** A parcel of land abutting a dedicated street, occupied or intended to be occupied by a principally permitted or conditionally permitted use and/or accessory use or a principal or accessory building, as a unit, together with such open spaces as are required by these Zoning Regulations and it may or may not coincide with a lot of record.

**Lot Area:** The computed area contained within the lot lines, excluding rights-of-way, measured in square feet or acres.

**Lot Coverage:** That percentage of a lot which, when viewed directly from above, would be covered by a structure or structures, or any part thereof, excluding projecting roof eaves, cornices, balconies, canopies, bay windows, fire escapes, patios, open porches, chimneys, outside stairs and landing, and similar structures.

**Lot Depth:** The mean horizontal distance between the front and the rear lot lines.

**Lot Lines:** The property lines bounding a lot.

**Front Lot Line:** The line separating a lot from a street right-of-way.

**Rear Lot Line:** The lot line opposite and most distant from the front lot line.

**Side Lot Line:** Any lot line other than front or rear lot line. A side lot line separating a lot from a street is called a side street lot line. A side lot line separating a lot from another lot or lots is called an interior side lot line.

**Lot Line, Street or Alley:** A lot line separating a lot from a street or alley.

**Lot Split:** The division of any parcel of land so as to create two (2) parcels or lots, either of which is less than five (5) acres in size, for the immediate or future purpose of transfer of ownership.

**Lot Width:** The mean width of the lot measured at right angles to its depth.

**Manufactured Farm Home:** A structure transportable in one (1) or more sections, which, in the traveling mode, is eight (8) feet or more in width or forty (40) feet or more in length or, when erected on side, is three hundred and twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling without a permanent foundation and without conversion to real estate. For the purpose of these provisions, a manufactured home shall be considered a manufactured farm home with a certification from HUD. [eff. 3-29-1990]

**Manufactured Home:** Means a building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with the Ohio Manufactured Homes Commission. [eff. 9-3-2001; rev. 12-13-2013]

**Manufactured Home Park:** A tract of land under unified control containing five (5) or more acres of land or existing nonconforming lots divided into three (3) or more lots for the accommodation of occupied manufactured mobile homes used for single-family dwelling purposes, and including any roadway, building, structure, or utility used or intended for use as part of the facilities of such parks. [eff. 3-29-1990]

**Manufacturing:** A production or industrial process, including food processing, which combines one or more raw materials or components into a product, or which changes the nature of the materials entering the process.

**Manufacturing Retail Outlet:** An accessory use to a principally permitted manufacturing use where goods produced on the premises of the manufacturing establishment are offered for sale directly to consumers. The manufacturing retail outlet shall not occupy greater than twenty-five (25) percent of the total floor area of the manufacturing establishment.

**Maximum Lot Coverage:** The greatest percentage of the total zoning lot which may be occupied by principal and accessory buildings or structures.

**Meat Market:** A retail store supplying meat and poultry products where meat and fish processing is limited to making cuts of meat from pre-processed carcasses. [11-4-2020]

**Medical Clinic:** A place used for the diagnosis and treatment of sick, ailing, infirm, and injured persons and those who are in need of medical or surgical attention, but limited to outpatients only and not including the sale of drugs or medical supplies. [rev. 11-4-2020]

**Modular Home:** A factory-built home, other than a manufactured home, that complies with applicable building code requirements placed on a permanent foundation, and not designed to be moved once installed on parcel. [11-4-2020]

**Motel or Hotel:** A series of attached, semi-detached, or detached sleeping or living units, for the accommodation primarily of automobile transient guests, having convenient access to off-street parking spaces, for the exclusive use of the guests or occupants and including also such accessory commercial uses operated primarily for the convenience of guests and subject to such restrictions as may be specified in the district where located.

**Motor Home:** A self-propelled recreational vehicle constructed with permanently installed facilities for cold storage, for cooking and consuming of food, and for sleeping.

**Motor Vehicle Fuel Only Station:** The storing and dispensing of fuel for motorized vehicles is the primary use, and may include as a secondary use the retail sale of convenience items or service. [rev. 11-4-2020]

**Motor Vehicle Fuel, Service and/or Repair:** The storing and dispensing of fuel for motorized vehicles and providing for vehicle repair and maintenance are the primary uses. May include as a secondary use the retail sale of convenience items or service. [rev. 11-4-2020]

**Motor Vehicle Body Shop and/or Repair:** Any structure or use intended for collision service, repair or painting of motor vehicles. [eff. 3-29-1990; rev. 11-4-2020]

**Motor Vehicle Wrecking Yard:** The dismantling or wrecking of used motor vehicles, mobile homes, trailers, or the storage, sale or dumping of dismantled, obsolete or wrecked vehicles or their parts. [eff. 3-29-1990; rev. 12-13-2013; rev. 11-4-2020]

**Motorized Vehicle Pick-Up Facility:** A place where customers may pick up a motorized vehicle under a pre-approved rental agreement or purchase agreement.

**Motorized Vehicle Rental Establishment:** The rental under a pre-approved agreement of a motorized vehicle.

**Nonconforming Use of Land and Buildings:** The lawful use of any dwelling, building, or storage and of any land or premises, as existing and lawful at the time of enactment of a zoning regulation or amendment thereto, may be continued, although such use does not conform with the provisions of such regulation or amendment. If any such nonconforming use is discontinued for two (2) years or more, any future use of said land or building shall be in conformity with the current zoning regulations. [eff. 4-4-1996]

**Non-Conformities:** A building, structure, premises, or use thereof, legally existing and/or used at the time of adoption of these Regulations or any amendment thereto, which does not conform with the use regulations of the district in which it is located.

**Nursing Homes, Convalescent Homes and Assisted Living Facilities:** A facility housing three (3) or more individuals when those individuals are not capable of responding in an emergency situation without personal assistance. [eff. 4-4-1996; rev. 12-13-2013]

**Open Space:** An area used or intended for use as passive activity such as a park, wildlife area or wetlands, or other undeveloped areas that should remain undeveloped due to their unique characteristics or geological features. A detention pond/basin is not considered an open space. [eff. 4-4-1996; rev. 11-4-2020]

**Original Tract:** A contiguous quantity of land held in common ownership which has not been platted by the existing owner or owners since the enactment of these Regulations.

Outside Storage: The keeping in an unroofed area any material, merchandise or vehicle, which is oriented to receiving, holding and/or shipping for a business, on a parcel for more than twenty-four (24) hours. Such a use, in which any activity beyond loading and parking is located outdoors, is considered an outdoor storage use. [11-4-2020]

Parcel: An individual lot held under common ownership – (see Lot).

Parking Area, Off-Street: Any open area other than a street or other public right-of-way used for the temporary parking of automobiles and available to the public whether for a fee, free, or an accommodation for clients or customers. All off-street parking areas shall conform to the design standards presented in these Regulations. [rev. 12-13-2013]

Parking Area, Private: An open area, or garage for the parking of motor vehicles belonging to, or restricted for the use or enjoyment of particular persons. [rev. 12-13-2013]

Parking Area, Public: An open area other than a street or public way, used for the parking of automobiles and available to the public whether for a fee, free, or as an accommodation for clients or customers.

Parking Space: An off-street space, either within a structure or in the open, available for the parking of one (1) motor vehicle, and having a minimum area as noted in these Regulations, exclusive of passageways and driveways appurtenant thereto, and giving access thereto, and having direct access to a street or alley.

Patio: An uncovered area permanently surfaced or constructed as a single, solid slab and usually raised slightly above the lawn surface, the use of which is customarily incidental to that of the main use of the land and which is located on the same lot with the main building or use.

Performance Standards: Criteria established to control dust, smoke, fire and explosive hazards, glare, heat, noise, odor, toxic and noxious matter, vibrations, and other conditions created by or inherent in uses of land or buildings.

Permitted Use: A use which is specifically authorized by these Zoning Regulations in a particular zoning district.

Person: A corporation, firm, partnership, association, organization, or any other group acting as a unit, as well as a natural person.

Planned Development (PD): Land under unified control, planned and developed as a whole in a single development operation or a definitely programmed series of development operations including all lands and buildings. Planned Developments are designed and developed subject to the provisions of these Regulations. [eff. 3-25-2003]

Porch: An entrance or structure attached to the outside of an outer wall of a building, one (1) or two (2) stories in height, with integral foundations, which is open on three (3) sides, and which may have railings and banisters or a parapet, and which is roofed.

Porch, Open: A porch without a roof and sometimes without railings.

Portable On Demand Storage (PODS): The use of PODS, or other similar units, shall be permitted in any zoning district only for the purpose of loading or unloading in association with moving in or out of a building. PODS shall be parked on property for a period not to exceed seven (7) consecutive days, shall not be parked on public right-of-way or private streets, and shall only be placed in the driveway, aisle or access drive. No Zoning Certificate shall be required, but the aforementioned conditions shall apply. [eff. 12-13-2013]

**Private Garage:** A garage for four (4) or less passenger motor vehicles without provisions for repairing or servicing such vehicles for profit; see automotive repair garage. [eff. 3-29-1990]

**Private Landing Field:** A landing field restricted to having only one runway made of man-made surface (asphalt, concrete, or a mixture of both) or a natural surface (grass or dirt) in connection with permitted uses of land and in accordance with Federal Aviation Regulations. Except for aircraft emergencies, said landing field is used privately by the owner and, on an infrequent and occasional basis, by invited guests. [rev. 12-13-2013]

**Private or Public Outdoor Recreation Area:** Any privately or publicly owned and operated recreation facility or area which is not located within an enclosed building or structure, such as a golf course, tennis courts, ball fields, swimming pools, driving ranges, race tracks, amusement parks, stadiums, motor cross or snowmobile circuits, or campgrounds.

**Professional Office:** Any building or structure, the use of which is limited to providing professional services such as doctors, lawyers, accountants, architects, engineers, photographers, city planners, government and public service agencies and utilities, and similar professions.

**Public Facilities:** Any facility, including but not limited to, buildings, property, recreation areas and roads, which are leased or otherwise operated or funded by a governmental body or public entity. These uses shall be permitted in any zoning district provided they comply with the least restrictive setback of said zoning district for a principal permitted use. [rev. 12-13-2013]

**Public Use:** Uses including public parking, schools, and administrative, cultural, and service buildings, but not including public land or buildings devoted solely to the storage and maintenance of equipment and materials.

**Public Recreation:** An area used by the general public and operated not for profit for active recreational purpose such as baseball, football, riding or walking trails, soccer, tennis. [11-4-2020]

**Public Utility:** Any building, power plant, substation, water treatment plant, pumping station, sewage treatment and disposal plant, or other similar public structure, including the furnishing of electrical, gas, telephone, water, and sewerage services.

**Reconstruction:** See "Substantial Improvement".

**Recycling Collection Center:** An officially designated place for the drop off and temporary holding of acceptable household-only recyclable items. May also include a collection point for used clothing. [11-4-2020]

**Recycling Transfer Station:** A place where recyclable items are prepared and bundled prior to shipment to others who use said materials to manufacture new products. A recycling collection center may be included as a recycling transfer center. [11-4-2020]

**Replacement Cost:** The current construction cost for replacement of an existing building, structure, or portion thereof that is not necessarily an exact duplicate of the subject property, but serves the same function as the original. [rev. 12-13-2013]

**Research & Development Facility:** Where applied and developmental research is conducted and includes product design, manufacturing, evaluation and market testing all of which are an integral part of the facility. Not included in this term is the mass manufacturing, sales and/or distribution of products produced at the facility. [11-4-2020]

**Resource and Mineral Extraction:** Any mining, quarrying, excavating process, storing, separating, cleaning, or marketing of any mineral natural resource.

**Restaurant, Carry-Out:** An establishment whose primary business is where food, beverages or desserts are served in disposable containers or wrappers from a serving counter for consumption off the premises. The establishment may deliver food to the customer, or the customer may pick food up. [rev. 12-13-2013]

**Restaurant, Drive-In:** An establishment with adjoining parking area used for the purpose of serving food, beverages, ice cream, and similar confections to the public normally for consumption outside the confines of the principal permitted building, or in motor vehicles parked upon the premises. [rev. 12-13-2013]

**Restaurant, Fast Food:** An establishment whose primary business is serving food, beverages, ice cream, and similar confections to the public at a walk-up counter and then taken to a table for consumption, or by means of a window designed to accommodate motor vehicles for consumption on or off the premises. [rev. 12-13-2013]

**Restaurant, Sit-Down:** An establishment whose primary business is serving food, beverages or desserts to the public from a printed menu and served in or on dinnerware, to be consumed on the premises primarily inside the building at tables, booths, or counters but may also have a patio area outside on the premises. A cafeteria style establishment may also be described as the same. [rev. 12-13-2013]

**Retail Establishment:** Any business normally found in a business district, where goods or services are offered for sale in small quantities directly to consumers.

**Retail Establishment, Drive-Through:** A retail business which is laid out, equipped, maintained, advertised, or held out to the public as a place where a limited variety of primarily ready-to-consume foods, beverages, and household or party supplies are offered directly to customers in motor vehicles. Drive-through retail establishments are arranged so that customers may drive through the establishment and be served without leaving their vehicles, and as such, goods sold on the premises shall not be consumed thereupon.

**Retaining Wall:** A bulkhead or structure constructed along fill slopes in order to resist soil slippage and deter erosion.

**Right-of-Way:** A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting, and drainage facilities, and may include special features (required by the topography or treatment) such as grade separation, landscaped areas, viaducts, and bridges.

**Right-of-Way, Proposed:** A right-of-way that is proposed for acquisition in order to implement the Official Thoroughfare Plan of Clark County, together with all amendments thereto subsequently adopted.

**Rip-Rap:** An assemblage of broken or crushed stones erected in water, along stream banks, or on fill slopes in order to strengthen the slope, resist slippage, and deter erosion. The stones shall be reinforced and/or sufficiently anchored to hold them in place.

**Rural Farm Housing:** The principal residence on a farm.

**Rural Non-Farm Housing:** A single-family dwelling located in an Agricultural district that is not a principal dwelling on a farm, and that is located on a lot that has been split from a larger tract of land (a "lot split").

**Sanitary Landfill:** Any site, location, tract of land, installation or building used for incineration, composting, sanitary land filling, or other methods of disposal of solid wastes (including a captive landfill) for which a permit to install has been obtained from OEPA. [eff. 6-1-2000]

**School, Primary** (Elementary) or **Secondary** (Junior High and Senior High): A public, private, or parochial school offering instruction at a level in the branches of learning and study required to be taught in schools within the State of Ohio. [rev. 12-13-2013]

**Screening:** To provide privacy of adjoining uses, including masonry walls, solid preservatively treated wood, chain link with solid slats, or landscaped with grass and closely planted shrubs or other evergreen plants. [eff. 4-4-1996]

**Service Establishment** (Professional and/or Personal): Any establishment whose primary activity is the provision of assistance, as opposed to products, to individuals, business, industry, government, and other enterprises. [rev. 12-13-2013]

**Self-Storage:** A building(s) divided into separate, individual units and rented to individuals to meet their temporary self-storage needs. [11-4-2020]

**Setback:** The minimum distance at which a building may be constructed from a lot line.

**Sewerage System, Off-Site:** Any wastewater disposal system, such as a septic tank or similar installation which uses an aerobic bacteriological processor equally satisfactory process for the elimination and safe disposal of sewage for a single development, and which is not located on a lot that is to be served by the system. Off-site sewerage systems are subject to approval by the Clark County Health Department.

**Sewerage System, Public:** An approved sewerage disposal system which provides a collection network and disposal system and central sewage treatment facility for a single development, community, or region.

**Shrub:** A woody plant that usually remains low and produces shoots or trunks from the base; it is not usually tree-like or single-stemmed.

**Sidewalk:** That portion of the road right-of-way outside the roadway, which is improved for the use of pedestrian traffic.

**Sign or Billboard:** Any writing, name, identification, description, display, flag, emblem, insignia, or graphic representation which is contained on a structure or part thereof, or is attached to or painted on a building or structure; said sign being used to advertise direct attention to or announce an object, place, product, person, activity, organization, or business. This definition shall not include any flag, pennant, or insignia of any nation, state, city, or other political units, as well as any sign, board, or surface used to display or announce official notice of such political units.

**Building Mounted Sign:** A sign which is affixed to or painted on any exterior wall of a building or structure. [rev. 12-13-2013]

**Free Standing Sign:** A sign that is attached to, erected on, or supported by some structure (such as a pole, mast, frame, or other structure) that is not itself an integral part of or attached to a building or other structure whose principal function is something other than the support of a sign. [rev. 12-13-2013]

**Ground Sign:** A sign erected on a free standing frame, mast, or pole anchored in the ground and not attached to any building. [rev. 12-13-2013]

**Monument Sign:** a ground sign permanently affixed to the ground at its base, supported entirely by a base structure, and not mounted on a pole, having the appearance of materials such as brick, stucco, stonework, textured wood, tile or textured concrete. [11-4-2020]

**Political Sign:** A sign announcing or supporting the candidates or issues in connection with any national, state, or local election. [rev. 12-13-2013]

**Portable Sign:** A sign designated or intended to be moved easily that is not permanently embedded in the ground or affixed to a building or other structure. [rev. 12-13-2013]

**Sign, Area:** The entire area within a single, continuous perimeter enclosing the extreme limits of writing, representation, emblem, or any figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed. The area of a sign having more than one (1) display surface shall be computed as the total of the exposed exterior display surface area.

**Sign, Face:** The surface of the sign upon, against, or through which the message of the sign is exhibited.

**Similar Use or Establishment:** A use not specifically listed but similar to any of the permitted building or use classifications of any district.

**Site Plan:** See "Development Plan".

**Slaughterhouse:** The butchering of livestock for market, not to be considered custom butcher shop. [eff. 3-29-1990]

**Solar Collector:** Any device or combination of devices or other elements which relies upon direct solar radiation and that is employed in the collection of solar radiation for one (1) or more of the following purposes:

- a) Heating and/or cooling of a building or structure;
- b) Heating of water;
- c) Use in industrial, commercial, or agricultural processes; or
- d) The generation of electricity.

**Specified Anatomical Areas:** Less than completely and opaquely covered human genitals, pubic region, buttock, or female breasts below a point immediately above the top of the areola; human male genitals in a discernible turgid state, even if completely and opaquely covered.

**Specified Sexual Activities:** Human genitals in a state of sexual stimulation or arousal; acts, whether real or simulated, of human masturbation, sexual intercourse, sodomy, cunnilingus, or fellatio; fondling or other erotic touching of human genitals, pubic regions, buttock, or female breasts.

**Store:** As used in these Regulations, "store" shall mean to put away, reserve, or park for future use. "Storage" shall mean the act of storing, the state of being stored, or a building or place for storing goods.

**Story:** That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, or if there is no floor above, the portion between the floor and the ceiling above; also any portion of a building used for human occupancy between the topmost floor and the roof. A basement shall not be counted as story unless more than one-half (1/2) of the basement height is above grade level at the front of the building.

**First Story:** The lowest story or the ground story of any building, the floor of which is not more than four (4) feet below the average contact ground level at the exterior walls of the building; except that any basement or cellar used for residence purposes shall be deemed the first story.

**Street:** A public right-of-way fifty (50) feet or more in width which provides a public means of access to abutting property, or any such right-of-way more than thirty (30) feet and less than fifty (50) feet in width provided it existed prior to the enactment of these Regulations. Street shall include avenue, drive, circle, road, parkway, boulevard, highway, thoroughfare, or any other similar term.

**Structure:** An assembly of materials for non-habitable use, including but not limited to: antennas, overhead transmission lines, tents, platforms, stages, observation towers, radio and television and telephone towers, water storage tanks, trestles, piers, open sheds, smokestacks, steeples, display signs, and the like, which shall be construed to mean the whole or parts thereof.

**Structural Alteration:** Any change, other than incidental repairs, in the supporting members of a building, such as bearing walls, columns, beams, or girders.

**Subdivision Regulations:** The regulations pertaining to the division of parcels of land within Clark County into smaller buildable sites, blocks, streets, open spaces, and public areas, as officially adopted and as amended from time to time by the County Planning Commission. The purpose of such regulations is, among other things, to provide an adequate urban pattern by allocating sufficient and convenient open areas for traffic, utilities, recreation, light, air, and the avoidance of congestion of population.

**Substantial Improvement:** Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds sixty (60) percent of the market value of the structure either, 1) before the improvement or repair is started, or 2) 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 1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or 2) any alteration of a structure listed on the National Register of Historic Places, or a State Inventory of Historic Places.

**Swimming Pool:** Any pool, pond, or open tank above or below grade level and not located within a wholly enclosed building, and containing or normally capable of containing at any point, water to a depth of greater than twenty-four (24) inches deep or having a surface area greater than two-hundred fifty (250) square feet. [eff. 3-29-1990]

**Temporary Use:** A use established for a fixed period of time, with the intent to discontinue such use upon the expiration of such time unless permission to conduct the use is renewed for any non-permanent or intermittent use of land, building, or structure which is permitted by these Regulations. The established time will be determined by the Zoning Inspector.

[rev. 12-13-2013; rev. 11-4-2020]

**Thoroughfare, Controlled or Limited Access:** A thoroughfare on the interstate highway system, or any other thoroughfare which is so designed as to carry large volumes of through traffic and preclude traffic flow interruptions normally resulting from turning and stopped traffic. Controlled or limited access thoroughfares have no grade crossings and utilize exit and entrance ramps, bridges, merge and exit lanes, and other design features to accomplish unimpeded traffic flow, and are not intended to provide direct access to abutting property. Controlled or limited access thoroughfares shall not be construed as providing lot frontage as required by these Regulations.

Thoroughfare, Major or Secondary: An officially designated Federal or state numbered highway or county or other road designated as a major thoroughfare on the Official Thoroughfare Plan of Clark County, or a county or other road designated as a secondary thoroughfare on said Plan, respectively.

Thoroughfare Plan: The Official Thoroughfare Plan of, and as adopted by, the Clark County Planning Commission, establishing the location and official right-of-way widths of principal highways and streets in the County, on file in the office of the County Recorder and the County Planning Commission, together with all amendments thereto subsequently adopted.

Tiny House: A dwelling typically sized under 400 sq. ft.; some are built on foundations, others on trailers. A Tiny House on wheels (built on a trailer) shall be considered a recreational vehicle and can only be parked in campgrounds. A Tiny House on a foundation shall be considered an Accessory Dwelling Unit and must be connected to electric and an approved method of sewage disposal and water supply. [11-4-2020]

Tract: See "Parcel".

Traffic Visibility: On a corner lot, nothing shall be constructed, placed, planted or allow to grow in such a manner as to impede vision between a height of two and one-half (2½) feet and ten (10) feet above the center line grades of the intersecting streets in the area bounded by the street lines of such corner lot and a line joining points along said street lines fifty (50) feet from the point of the intersection. [eff. 12-13-2013]

Trailer: Any vehicle or structure constructed in such a manner as to permit occupancy thereof as sleeping quarters or the conduct of any business, trade, or occupation, or use as a selling or advertising device, or use for storage or conveyance for tools, equipment, or machinery, and so designed that it is or may be mounted on wheels and used as a conveyance on highways and streets, propelled or drawn by other motor power.

Trailer, Construction: A large trailer which is used for the storage and conveyance of tools, machinery, or equipment on, to, or from a construction site and which may be left on the site for the duration of construction as provided by these Regulations.

Trailer, Tent-Type Fold Out Camping: Any non-self-propelled recreational vehicle intended to be used, when stationary, as temporary shelter with living and sleeping facilities.

Trailer, Travel: A non-self-propelled recreational vehicle not exceeding an overall length of thirty (30) feet, exclusive of bumper and tongue or coupling.

Trailer, Utility: A small trailer designed to be towed by a motor vehicle and used primarily for the transportation of commercial or personal goods and/or wares.

Transient: A person, who is usually a boarder, whose stay at a facility is less than thirty (30) days. [eff. 4-4-1996]

Transmission/Receiving Tower, Radio or Television or Telecommunication: Any tower-like structure used principally by commercial, non-profit, or public broadcast and telecommunications organizations to transmit or receive communication waves of varying frequencies. Such structures shall not be permitted for private use.

Tree: Any self-supporting woody plant which usually produces one (1) main trunk, and a more or less distinct and elevated head with many branches.

Truck Stop, aka Truck Plaza: a commercial/industrial use of property for the refueling, maintenance and/or servicing of large commercial vehicles carrying large loads and which may, or may not, have service activities for such vehicles and their drivers. These activities or services may include, but are not limited to, dispensing motor fuels and petroleum products directly into motor vehicles, restaurants or cafes, overnight accommodations, showers or laundry facilities, truck services, including repair services, and overnight truck parking. [11-4-2020]

Use: The activity conducted on or in a particular parcel of land or structure.

Use By Right: A principal permitted use in a particular zoning district which is permitted in that district as a legal right under the terms of these Regulations.

Variance: A modification of the literal provisions of these Regulations granted when strict enforcement of these Regulations would cause undue hardship owing to circumstances unique to the individual property on which the variance is granted.

Vehicle: All automobiles, trucks, motorcycles, trailers, truck campers, recreational vehicles, buses, and boats.

Commercial Vehicle: A self-propelled vehicle used to transport persons or goods associated with a business, said vehicle registered to an individual, company or corporation. [11-4-2020]

Commercial – Heavy Duty Vehicle: A multi-axle (3 or more axles) commercial vehicle. See 807.04 for example of heavy duty commercial vehicles. [11-4-2020]

Commercial – Light Duty Vehicle: A 2-axle commercial vehicle. See 807.04 for example of light duty commercial vehicles. [11-4-2020]

Farm Vehicle: All types of equipment/machinery used for agriculture. [11-4-2020]

Motor Vehicle: Anything on wheels propelled or drawn by power other than muscular power.

Recreational Vehicle: A vehicle with or without motive power, which is designed for sport or recreational use, or which is designed for human occupancy on an intermittent or temporary basis. Recreational vehicles include motor homes, tent-type fold out camping trailers, tiny house, travel trailers, and truck campers. [rev. 11-4-2020]

Accessory Recreational Vehicle: Vehicles designed for off-road use such as off-road vehicles, dune buggies, and boats. [11-4-2020]

Videogame, Pinball, and Other Amusement Game Arcades: Any business location in which there are four (4) or more coin-operated amusement devices, coin-operated games of skill, or any combination thereof available for use by the public and/or invitees. Shall not be construed so as to include bingo games nor shall it be construed so as to include gambling devices or any other devices prohibited by law. [eff. 12-13-2013]

Wall: A boundary enclosure or separating barrier which is usually opaque.

Common Wall: A wall containing no opening which extends from the elevation of building footings to the elevation of the outer surface of the roof or higher, and which separates contiguous buildings but is in joint use for each building.

Warehouse: A building or structure which use is limited to the storage of equipment or material.

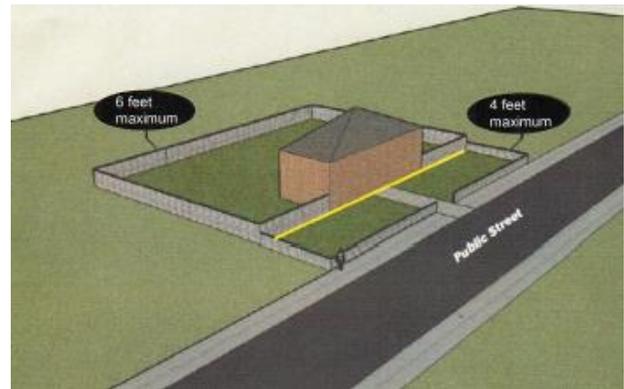
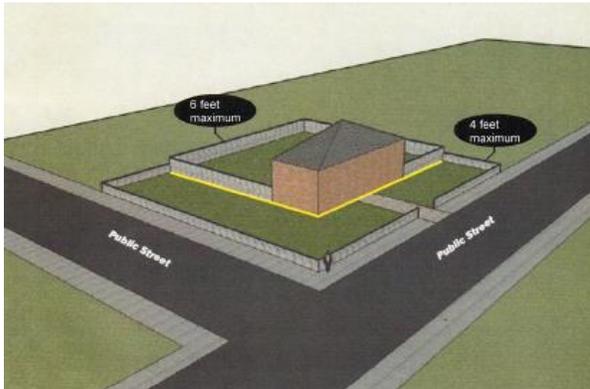
Water System, Off-Site: See "Water System, Public".

**Water System, Public:** An approved water supply system which provides a distribution system and water treatment facility for a single development, community, or region.

**Wholesale Establishment:** an establishment that engages in the sale of goods, merchandise, and commodities for resale by the purchaser.

**Yard:** A space on the same lot with a main building, open, unoccupied, and unobstructed by buildings or structures from the ground to the sky, except as otherwise provided in these Regulations.

**Front Yard:** A yard extending across the full width of the lot, the depth of which shall be the least perpendicular distance between the front lot line and the front of the principal building. [rev. 11-4-2020]



**Front Yard, (Least Depth):** The shortest distance, measured horizontally between any part of a building and the right-of-way line of the existing street on which the lot fronts, i.e. the front lot line; provided, however, that if the proposed location of the right-of-way line of such street as established on the Official Thoroughfare Plan differs from that of the existing street, then the required front yard least depth shall be measured from the right-of-way line of such street as designated on the Official Thoroughfare Plan.

**Side Yard:** A yard between the main building and the side lot line, extending from the front yard or front lot line where no front yard is required, to the rear yard. The width of the required side yard shall be measured horizontally and perpendicularly from the nearest point of the side lot line toward the nearest part of the main building. Where a side lot line abuts an alley, one-half (1/2) of the alley width may be counted toward the side yard requirement.

**Side Yard, (Least Width):** The shortest distance, measured horizontally, between any part of a building, other than such parts herein excepted, and the nearest side lot line.

**Side Yard, (Least Width, How Measured):** Such width shall be measured from the nearest side lot line and, in case the nearest side lot line is a side street lot line, from the right-of-way line of the existing street; provided, however, that if the proposed location of the right-of-way line of such street as established on the Official Thoroughfare Plan differs from that of the existing street, then the required side yard least width shall be measured from the right-of-way of such street as designated on the Official Thoroughfare Plan.

**Rear Yard:** A yard extending the full width of the lot between the rear-most main building and the rear lot line, the depth of which shall be the least distance between the rear lot line and the rear of such main building. Where a rear lot line abuts an alley, one-half (1/2) of the alley width may be considered as part of the rear yard.

Rear Yard, (Least Depth): An open space extending the full width of the lot between a building and the rear lot line, unoccupied and unobstructed from the ground upward except as herein specified.

Zoning Certificate: A document issued by the Zoning Inspector authorizing buildings, structures, or uses consistent with the terms of these Regulations and for the purpose of carrying out and enforcing its provisions. [rev. 11-4-2020]

Zoning District: A portion of the unincorporated area of Clark County of which certain uniform regulations governing the use, height, area, and intensity of use of buildings and land and open spaces are herein established. The term "A" District shall mean any A-1 District; the term "R" District shall mean any R-1, R-2, R-2A, R-2B, R-3, R-4 or R-MHP District; the term "B" District shall mean any B-1, B-2, B-3, or B-4 District; the term "O" District shall mean any O-1 or O-2 District; the term "I" District shall mean any I-1 or I-2 District, and the term "MU" shall mean any MU-1 or MU-2 District. [eff. 3-29-1990; rev. 11-4-2020]

Zoning District, Overlay: A zoning district mapped as an overlay to a use district and which modifies or supplements the regulations of that district in recognition of the distinguishing circumstances such as historic preservation, wellhead protection, floodplain and airport zoning while maintaining the character and purposes of that district over which it is superimposed. [rev. 12-13-2013]

Zoning Inspector: The officer or his/her authorized representative, appointed by the Board of County Commissioners, charged with the interpretation, administration, and enforcement of these Regulations. [rev. 12-13-2013; rev. 11-4-2020]

Zoning Map: The Zoning Map or Maps of Clark County, together with all amendments subsequently adopted.

Zoning Regulations or These Regulations: This document in its entirety, and subsequent amendments, and all maps, figures, drawings, and any other clarifications appurtenant.