
APPENDIX A – GLOSSARY TERMS AND DEFINITIONS

SECTION A GENERAL:

1. For the purposes of this ordinance, certain terms, phrases, words and their derivatives shall be construed as specified in this article. Words used in the singular include the plural, and the plural shall include the singular. The word "shall" is mandatory and the word "may" is permissive.
2. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. *Webster's New World Dictionary of American English, copyright 1991*, shall be considered as providing ordinarily accepted meanings.

SECTION B DEFINITIONS:

ABUTS / ABUTTING is immediately next to.

ACCESS / ACCESSWAY is the means by which pedestrians and vehicles shall have safe, adequate and usable ingress and egress to a property or use as required by applicable codes and ordinances.

ACCESSORY BUILDING is an incidental subordinate building, not used as living quarters, customarily incidental to and located on the same parcel occupied by the principal use or building. Accessory buildings must meet side, rear and front setbacks and shall comply with the applicable chapters of this Ordinance.

ACCESSORY LIVING QUARTERS is attached or detached quarters, containing a combination of amenities commonly associated with living including kitchen facilities, a defined area with a closet and containing a bathroom with a tub and/or shower. Accessory living quarters, as allowed in the Zoning Ordinance, Chapter 2 Residential Zone, must meet side, rear and front setbacks and shall comply with the following:

- a. Both the principal residence and accessory living quarters, shall be served by common single electric and water meters (if applicable).
- b. Both the principal residence and the accessory living quarters shall be served by a single common driveway.
- c. The maximum gross floor area for accessory living quarters (including garage and/or covered carport) shall not exceed fifty percent (50%) of the gross floor area of the principal residence (including garage and/or covered carport).

- d. One (1) accessory living quarter per lot is allowed.

ACCESSORY USE is a use conducted on the same parcel as the principal use of the structure to which it is related; a use which is clearly incidental to, and customarily found in connection with such principal use.

ADJACENT is being near or close to but no necessarily having a common line.

ADULT USES shall include the following:

- a. Adult Bookstore:
 - (1) Having as a substantial portion of its stock in trade, books, magazines and other periodicals depicting, describing, or relating to "specified sexual activities" or which are characterized by their emphasis on matter depicting, describing or relating to "specified anatomical areas".
 - (2) Having as a substantial portion of its stock in trade, books, magazines and other periodicals, and which excludes all minors from the premises or a section thereof.
- b. Adult Live Entertainment Establishment: An establishment which features topless or bottomless dancers, go-go dancers, exotic dancers, strippers or similar entertainers.
- c. Adult Theater: An enclosed building:
 - (1) Regularly used for presenting any film or plate negative, film or plate positive, film or tape designed to be projected on a screen for exhibition of films, glass slides or transparencies, either in negative or positive form, designed for exhibition by projection on a screen depicting, describing or relating to "specified sexual areas" or characterized by an emphasis on matter depicting, describing or relating to "specified anatomical areas".
 - (2) Used for presenting any film or plate negative, film or plate positive, film or tape designed to be projected on a screen for exhibition, or films, glass slides or transparencies, either in negative or positive form, designed for exhibition by projection on a screen and which regularly excludes all minors.

- d. **Adult Only Massage Establishment:** An establishment in which is carried on the business of providing any service or massage or body manipulation, including exercises and heat and light treatments of the body, and all forms and methods of therapy and that regularly excludes all minors.

ALLEY is a public thoroughfare which affords only a secondary means of vehicular access to abutting property and is not intended for general traffic circulation.

ALTERATION is any change, addition or modification in construction or use.

ALTERNATIVE ENERGY SYSTEMS: “Alternative Energy Systems” means wind fueled, thermal or solar fueled facilities for power generation or conservation.

ANEMOMETER: “Anemometer” means a device that measures the force and direction of the wind.

APPEAL PERIOD is the period commencing the day after the triggering event (e.g., ten (10) working days after a decision is made).

AREA: An area of a town that has a unique character identifiable as different from surrounding areas because of distinctive architecture, streets, geographic features, culture, landmarks, activities, or land uses.

ARS is the abbreviation for the Arizona Revised Statutes.

ART SHOW or **ART TOUR** means an event where the vendor is the creator of the artwork offered for sale.

ARTS AND CRAFTS are articles fashioned chiefly by hand, especially with manual or artistic skill.

ASSOCIATED FACILITY: “Associated Facility” means a land use whose principle purpose involves the distribution, processing, storage, handling, or other related and supporting activities necessary for an alternative energy system.

AUTOMOBILE PARKING SPACE is a space within a building or private/public parking lot, exclusive of driveways, ramps, columns, office and work areas, for the parking of an automobile.

AWNING is a shelter supported entirely from the exterior wall of a building.

BANNER SIGN is a temporary sign of fabric, plastic, paper or other light pliable material not enclosed in a rigid frame.

BASEMENT is as defined within the International Building Code (**IBC**).

BED AND BREAKFAST INN is a house or portion thereof, including accessory living quarters, where lodging and meals are provided for compensation. No more than five (5) guest rooms are allowed. The operator of the inn shall live on the premises.

BERM is a mound of earth used as a barrier, an aesthetic feature or for screening.

BOARD is the Town of Cave Creek Board of Adjustment.

BOARDING HOUSE is a building where, for compensation and by pre-arrangement for definite long-term periods, lodging and meals are provided for three or more persons, but not exceeding twenty (20) persons. A boarding house is not a community residence.

BUFFER is a structure or landscaping element which is at least six feet (6') high and which is able to obscure a minimum of fifty percent (50%) of see-through visibility.

BUILDABLE AREA is the area of a lot in which roofed structures are allowed to be located. The buildable area shall be located within the associated development envelope and is contained within the minimum required yard setbacks as determined by the applicable zone.

BUILDING means a permanent structure that is secured in its location and that is fully enclosed with fixed walls and a fixed roof.

BUILDING HEIGHT is the vertical distance above the original natural grade measured to the highest point of the roof of the building. The height of a stepped or terraced building is the maximum height of any segment of the building.

BUILDING LINE is the perimeter of that portion of a building or structure nearest a property line, but excluding open steps, terraces, cornices and other ornamental features projecting from the walls of the building or structure.

BUILDING OFFICIAL is the person, or designee who administers the building/construction codes as adopted by the Town.

BUILDING VALUATION is the appraised value determined by the Building Official and based on the building valuation data published by the International Conference of Building Officials.

CACTUS, MAJOR is any cactus more than six feet (6 ft) in height.

CANOPY is a roofed structure constructed of fabric or other material supported by the building or by support extending to the ground directly under the canopy, placed to extend outward from the building and providing a protective shield for doors, windows and other openings.

CARPORT is a roofed structure open on at least two (2) sides and used for the storage of private or pleasure type vehicles.

CASITA: See Accessory Living Quarters.

CHARGE CONTROLLER: “Charge Controller” means an electronic device which regulates the voltage applied to the battery system from solar panels.

COMMERCIAL RETAIL SALES AND SERVICES are establishments, which engage in the sale, rental or leasing of general retail goods and accessory services.

COMMISSION is the Town of Cave Creek Planning Commission.

COMMUNITY PARK: A site with full public access intended to provide recreation opportunities beyond those supplied by neighborhood parks.

COMMUNITY RESIDENCES: Except as required by state law, a community residence is a residential living arrangement for five to ten unrelated individuals (or more if a “Disability Accommodation Permit” is granted) with disabilities living as a single functional family in a single dwelling unit who are in need of the mutual support furnished by other residents of the community residence as well as any support services provided by any staff of the community residence. Residents may be self-governing or supervised by a sponsoring entity or its staff, which provides habilitative or rehabilitative services related to the residents’ disabilities. A community residence seeks to emulate a biological family to foster normalization of its residents and integrate them into the surrounding community. Its primary purpose is to provide shelter in a family-like environment. Medical treatment is incidental as in any home. Supportive inter-relationships between residents are an essential component.

Except as required by State law, a community residence may house more than ten individuals only if granted a “Disability Accommodation Permit” to do so.

A community residence shall be considered a residential use of property for purposes of all town codes. The term “community residence” does not include any other group living arrangement for unrelated individuals who are not disabled nor any shelter or halfway house, rooming house, boarding house, transient occupancy, or other use as defined in this Code. Community residences include, but are not limited to, those residences that comport with this definition that are licensed by the Arizona Department of Health Services, including but not limited to adult care homes, elder care homes, child care homes, and sober living homes; certified by the Arizona Recovery Housing Association; or awarded an Oxford House Charter.

To implement this Code, an application that the Town of Cave Creek designates shall be completed in full and submitted to the Zoning Administrator prior to occupancy of an existing structure or construction of the proposed community residence to determine whether the proposed community residence is a permitted use, or requires a Disability Accommodation Permit, and to determine the maximum number of occupants allowed under the town code provisions that apply to all residential uses. The operator or owner of a community residence shall provide to the zoning administrator a copy of its renewed license, certification, or Oxford House Charter within ten business days of the annual anniversary of being granted zoning approval.

COMMUNITY SIGNS are the “Town of Cave Creek Welcome Signs” and the integrated public service club(s) sign.

COMPREHENSIVE SIGN PROGRAM – TECHNICAL DESIGN GUIDELINE #6 is the Technical advisory supplement to this Ordinance that provides complete information and requirements as they relate to multi-tenant commercial development projects within the Town of Cave Creek.

CONSERVATION: The preservation, management, and care of natural and cultural resources.

CORDONING is the act of surrounding an area to control access to it. The term is used within the contexts of this Ordinance to establish the disturbance limits of a lot or parcel as depicted on an approved site plan. Acceptable methods of cordoning include but are not limited to: quarter-inch ($\frac{1}{4}$ ”) yellow poly-cord rope tied or fastened to stakes or rebar, four (4) foot tall orange mesh construction barrier fencing or temporary chain-link construction panel fencing.

CORNER LOT is a lot abutting on two (2) intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed one hundred thirty-five degrees (135°).

CORRAL is a fenced area for the confinement of large ranch animals.

COUNCIL is the Town of Cave Creek Town Council.

CVG is the abbreviation for coverage.

DENSITY is the number of dwelling units, which are allowed on an area of land.

DEVELOPER is the owner or individual authorized by the owner to obtain permits under this ordinance.

DEVELOPMENT ENVELOPE: The delineated boundary inside a property's limits in which all development and disturbance of ground must be contained.

DEVELOPMENT SIGN is a temporary sign providing information about a future development or current construction on a parcel and the parties involved in the project. A development sign may be placed upon a parcel at the time of Building Permit submittal and shall be removed prior to the issuance of a Certificate of Occupancy (**C of O**) by the Town.

DEVELOPMENT SITE is the total contiguous area of property owned by a developer.

DIRECTIONAL SIGNS are signs not containing identification or advertising copy, but pertinent information to assist the flow of traffic.

DIRECTORY SIGN is a sign listing the names, uses, and/or locations of the various businesses or activities conducted within a building or group of buildings, but not for the purpose of advertising products, goods, or services.

DISABILITY is a physical or mental impairment that substantially limits one or more of an individual's major life activities, impairs an individual's ability to live independently, having a record of such an impairment, or being regarded as having such an impairment. People with disabilities do not include individuals who are currently using alcohol, illegal drugs, or using legal drugs to which they are addicted nor individuals who constitute a direct threat to the health and safety of others.

DISTURBED AREA is that area of natural ground, including the area occupied by the lot coverage, that has been or is proposed to be altered through grading, cut and fill, removal of natural vegetation, placement of material, trenching or by any means that causes a change in the undisturbed natural surface of the land or natural vegetation. Undeveloped disturbed areas may be reclaimed if they are restored to their natural contours, vegetation and colors to the satisfaction of the Zoning Administrator. Disturbance caused within a recorded ingress/egress or public utility easement crossing a lot, tract or parcel, so as to provide service to an adjacent property, shall not count towards the disturbance area calculation for the property encumbered by the subject easement.

DOMESTIC MICROBREWERY is a place where a person engages in the business of manufacturing or producing at least ten thousand gallons (10,000 gal.) but less than three hundred ten thousand gallons (310,000 gal.) of beer annually.

DU is the abbreviation for Dwelling Unit.

DWELLING UNIT is any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and sanitation, as required by this ordinance, for not more than one (1) family, or a community residence.

EASEMENT is a right to cross or otherwise use someone else's land for a specified purpose.

EYE ILLUMINANCE is the luminance level (lux/footcandle) measured at the eye in a plane perpendicular to the line-of-sight when measured from a point sixty six inches (66") above grade.

FACTORY-BUILT BUILDING is a structure, which is assembled at a factory. Town approved Factory-Built Buildings shall be built to the Internal Building Code (**I.B.C.**). Manufactured/mobile homes or recreational vehicles are not classified as factory-built buildings.

FAMILY is an individual or two or more individuals related by blood, marriage or adoption, or a group of no more than four (4) unrelated individuals, living together as a single housekeeping unit. A family includes a couple in a domestic relationship including the biological, adopted and foster children of either partner.

FASCIA SIGN is a sign permanently affixed to a horizontal piece covering the joint between the top of a building wall and the projecting eaves of a roof.

FAUNA: The animals or animal life of a particular place or time.

FIFTEEN GALLON TREE is a tree in a container with a capacity of fifteen gallons (15 gal.).

FLAG: A flag is made of cloth, vinyl or similar pliant material attached on one side to a flagpole and is designed to flow in the wind.

FLOODPLAIN: The relatively level land area on at least one side of a continuous elevated landform, regularly subject to flooding. That part of the floodplain subject to a one- percent chance of flooding in any given year is designated as an "area of special flood hazard" by the Federal Insurance Administration.

FLORA: The plants or plant life of a particular place or time.

FOOTCANDLE - (FC) is a unit of luminance equal to one (1) lm/ft² (lumen / sq. ft.) or 10.76 lx (lux) or the same as one international candle on a surface one foot (1') away. A unit equivalent to the illumination produced by a source of one candle at a distance of one foot (1').

FOSSIL FUEL LIGHT is the light produced directly or indirectly by the combustion of natural gas or other utility-type fossil fuels.

FREESTANDING SIGN is a sign which is erected on its own self-supporting permanent structure, detached from any supporting elements of a building.

FRONT LOT LINE is the boundary of a lot that separates the lot from the street or easement through which access is provided, or as determined by the Zoning Administrator in cases of unique topography or unique lot configuration. In the case of a corner lot, the front lot line is the shorter of the two lot lines separating the lot from the street except that where these lot lines are equal or within fifteen feet (15') of being equal, either lot line may be designated the front lot line.

FRONT YARD is a yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a parallel line passing through the nearest point of the principal structure.

FRONTAGE is the width of a lot or parcel abutting a public right of way measured at the front property line or access easement or as determined by the Zoning Administrator in cases of unique topography or unique lot configuration where there is no abutting public right-of-way.

FULL CUT-OFF LIGHT FIXTURE means the fixture shall be shielded so that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.

FULLY SHIELDED LIGHT FIXTURE means that the bulb (light source) is not clearly visible when viewed from an adjacent property or street.

GARAGE, PRIVATE is an accessory building or portion of a principal building designed or used for the parking or temporary storage of motor vehicles of occupants in the building to which such garage is accessory.

GRADE (Adjacent Ground Elevation) is the lowest point of elevation of the existing surface of the ground, within the area between the building and a line five feet (5') from the building.

GRADING is any excavating or filling to level land or create a slope or combination thereof.

GRADING & DRAINAGE – TECHNICAL DESIGN GUIDELINE #1 is the Technical advisory supplement to this Ordinance that provides complete information and requirements as they relate to Grading & Drainage within the Town of Cave Creek.

GROSS ACREAGE is the overall total area of a parcel in fee title.

GROSS FLOOR AREA is the sum of the horizontal areas of floors or a building measured from the exterior face of exterior walls or, if appropriate, from the center line of dividing walls. This includes courts and decks or porches when covered by a roof.

GROUND MOUNTED: A sign which extends from the ground or has support which places the bottom of the sign less than two feet (2 ft.) from the ground.

GROUP DAY CARE is an establishment for the care and/or instruction, whether or not for compensation, of seven (7) or more individuals at any one time. Child nurseries and preschool facilities are included in this definition.

GRUBBING is the clearing of a majority of the vegetative matter within a certain area.

GUEST HOME / GUEST HOUSE: See Accessory Living Quarters.

HELISTOPS are areas on a roof or on the ground where helicopters or other steep-gradient aircraft land or hover for the purpose of picking up or dispersing passengers or cargo, but not including fueling service, maintenance or overhaul.

HILLSIDE DEVELOPMENT AREA are those portions of lots, tracts or parcels with a natural desert terrain that has a slope of fifteen (15%) or greater (see Exhibit A-2 – Slope Measurement Criteria).

HOTEL or **MOTEL** is a facility containing three (3) or more guest rooms offering accommodations to the general public which provides continuous on-site management.

I.B.C. is the abbreviation for the International Building Code.

IESNA is the Illuminating Engineering Society of North America.

INDOOR means located entirely within a building.

INFRASTRUCTURE: Services and facilities, such as sewage-disposal systems, water-supply systems, other utility systems, and roads.

INSTALLED is the initial installation of outdoor light fixtures as defined herein, on or after the effective date of this chapter.

KENNEL means an enclosed controlled area inaccessible to other animals, in which a person keeps harbors or maintains five (5) or more dogs under controlled conditions for commercial purposes.

KITCHEN is any room or portion of a room within a building designed and intended to be used for the cooking or preparation of food.

LANDSCAPING is the finishing and adornment of unpaved yard areas. Materials and treatment generally include naturally growing elements such as cacti, grass, trees, shrubs and flowers. This treatment may also include the use of logs, rocks, gravel and the contouring of the earth.

LANDSCAPE – TECHNICAL DESIGN GUIDELINE #4 is the Technical advisory supplement to this Ordinance that provides complete information and requirements as they relate to Landscaping within the Town of Cave Creek.

LAND USE: The occupation or utilization of land or water area for any human activity or any purpose defined in the General Plan.

LEGAL ACCESS is defined as a continuous easement and/or dedicated right-of-way (adjoining the subject property) with a minimum width of twenty (20) feet throughout the length of the access to public right-of-way.

LIVERY is an operation, sometimes known as a "dude string," where animals are available for rent on an hourly or daily basis to the public for use off the premises.

LOADING SPACE is a permanently maintained space on the same lot as the principal building, accessible to a street or alley and not less than ten feet (10') in width, twenty feet (20') in length, and fourteen feet (14') in height.

LONG TERM is a time period of thirty (30) days or a month or more, whichever is greater.

LOT is any lot, parcel, or combination thereof, shown on a recorded plat or recorded by a metes and bounds description.

LOT AREA is the area of a horizontal plane within the lot lines of a lot, including easement.

LOT COVERAGE is the percentage of the area of a lot which is occupied by all buildings or other covered structures using the roof outline for all dimensions.

LOT LINE is any line bounding a lot.

LOT OF RECORD is a lot which is part of a subdivision, the plat of which has been recorded in the office of the County Recorder of Maricopa County, or a lot, parcel or tract of land, the deed of which was recorded in the office of the County Recorder of Maricopa County.

LOT WIDTH is, for rectangular lots having side lot lines not parallel and for lots outside the curve of a street, the distance between side lot lines measured at the required minimum front yard line on a parallel line to the street or street chord. For lots inside the curve of a street, lot width is the distance between side lot lines measured thirty feet (30') behind the required minimum front yard line on a line parallel to the street or street chord (see Exhibit A-1 – Defining Lot Width).

LUMINAIRE (LIGHT FIXTURE) means a complete lighting unit consisting of a lamp or lamps and ballast(s) (when applicable) together with the parts designed to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply for:

- a. Buildings, structures, and architectural features.
- b. Recreational areas.
- c. Parking lot lighting.
- d. Landscape lighting.
- e. Signage (advertising or others).
- f. Street lighting.
- g. Building overhangs and open canopies.
- h. Product display area lighting.
- i. Walkways
- j. Arenas, stables and corrals.

MANUFACTURED/MOBILE HOME is a vehicle, other than a motor vehicle, greater than three hundred twenty square feet (320 sq. ft.) in gross floor area, designed with attached axles and wheels, which may be used for permanent or semi-permanent housing or human occupancy, and which is designed to be drawn by a motor vehicle. The term also shall include any vehicle meeting the above description, which is used for an office, a classroom, a laboratory, a manufacturing plant, a retail sales facility or other use. Manufactured/Mobile Homes are built to U.S. Department of Housing and Urban Development (**H.U.D.**) Codes.

MEZZANINE as per the definition contained within the International Building Code (**IBC**).

MODULAR BUILDING is a structure in which sections or components are produced at a factory for assembly on-site. Town approved Modular Buildings shall be built to the International Building Code (**I.B.C.**).

MULTI-FAMILY DWELLING is a building or portion thereof designed for occupancy by two or more families living independently in which they may or may not share common entrances and/or other spaces.

NATIVE HABITAT CORRIDOR is a twelve foot (12') strip of land extending inward from the boundaries of parcels located within a Desert Rural (**DR**) zone. The Native Habitat Corridor (**NHC**) shall be maintained in its natural state.

NATURAL BUFFER AREA is that portion of a lot or parcel which lies outside of the buildable area and/or allowed area of disturbance that must remain in its natural state.

NATURAL STATE is undisturbed terrain containing original native desert vegetation.

NATURAL WATERWAYS are those areas, varying in width along streams, creeks, springs, gullies or washes, which are natural drainage channels as determined and identified by the jurisdictional authority.

NET FLOOR AREA is the gross floor area exclusive of vents, shafts, courts, elevators, exterior stairways, exterior walls and similar facilities.

NONCONFORMING BUILDING is a building or structure or portion thereof lawfully existing at the time this Ordinance became effective, which does not now conform to the regulations of the zone in which it is located.

NONCONFORMING LOT is a lot lawfully existing at the time this Ordinance became effective but which would not now be in conformance.

NONCONFORMING SIGN (LEGAL): A legal nonconforming sign shall mean a permanent sign that lawfully existed at the time of the enactment of this Ordinance but does not now conform to the regulations set forth within this Ordinance and otherwise complies with Chapter 11 of this Ordinance.

NONCONFORMING USE is a use, which lawfully occupied a building or land at the time this Ordinance became effective and which has been lawfully continued, but does not now conform to the use regulations of the zone in which it is located.

NORMAL MAINTENANCE AND REPAIR: “Normal Maintenance and Repair” means the usual act to prevent a decline, lapse, or cessation from a lawfully established condition. “Normal Repair” means to restore a system to a state comparable to its original condition within a reasonable period after decay or partial destruction.

ON-SITE PLAY AREA is an amenity provided within the subject development for the benefit of its residents and guests. An On-Site Play Area may consist of one or more of the following amenities but not limited to: outdoor amenities such as a playground, pool, spa, picnic/barbeque ramada(s), sport court, or indoor amenities such as a clubhouse, game room, exercise room, media room or pool house.

OPEN SPACE: Any parcel or area of land or water that is improved or unimproved, and devoted to an open space use for the purposes of (1) the preservation of natural resources, (2) outdoor recreation, or (3) public health and safety. Open Spaces include functional open space, retention/detention areas and floodways and floodplains. Open space may be publicly or privately owned and maintained.

OUTSIDE DISPLAY are materials and items for sale in conjunction with a retail business that are displayed outside or underneath a canopy for an indefinite period of time and which are not stored within a building. This does not include outside vending machines or architectural props or decorations. It does include up to six (6) bales of hay, alfalfa and other baled items.

OUTSIDE STORAGE are materials and items for sale in conjunction with a retail business that are stored outside or underneath a canopy structure for an indefinite period of time and which are not stored within a building. This does not include outside vending machines or architectural props or decorations.

PARAPET SIGN is a sign attached to that portion of a building's exterior wall which projects above the plate line of the building.

PARKING AREA is an open area, other than a street or driveway, used for the parking of motor vehicles.

PARKS: Open space lands whose primary purpose is recreation, or passive enjoyment by the public.

PEAK is the pointed top of a mountain or ridge

PENNANT: A narrow, tapering sign made of fabric, plastic, paper or other light pliable material not enclosed in a rigid frame.

PET RESORT is a place used to temporarily house pets and that provides an array of amenities.

PETS are dogs, cats, rabbits, birds, etc., weighing less than one hundred fifty pounds (150 lbs.), for companionship and enjoyment use only (not kept for business purposes).

PHYSICAL ACCESS is defined as the path of travel from a public right-of-way to a property that would least disturb the natural environment, as determined through engineering analysis.

PLANNING AREA: The area directly addressed by the General Plan. A town's planning area typically encompasses the existing town limits, and potentially annexable land which will ultimately form the town limits at build out, and to which the town will provide services.

PLANT LIST: For a list of approved / prohibited plants, please see the Town's Design Guideline #4 – Landscaping.

PLANT NURSERY is an establishment where cacti, trees, shrubs, flowers and other plants are grown on or maintained on the premises and are offered for sale to the public.

PORTABLE SIGN is a temporary sign not affixed to a structure or ground mounted on a site. It rests on the ground and consists of two sign faces.

PRIMARY FACE OF BUILDING is the wall of a building fronting on a street or right of way, excluding any appurtenances such as projecting fins, columns, pilasters, canopies, marquees, showcases or decorations.

PRINCIPAL BUILDING is a building in which the principal use of the site is conducted.

PRINCIPAL USE is the main use of land or a building as defined within a particular zone as outlined within this Ordinance.

PRIVATE AREA is those portions of the buildable area that are shielded from view from adjacent properties, streets, or public spaces because they are hidden behind walls or structures. Private Areas also include "common areas" for commercial, multiple residences, and single residence zones provided these areas are not visible from adjacent properties, streets, or public spaces because they are hidden behind walls or structures.

PUBLIC STREET is any thoroughfare or public way, which has been dedicated or deeded to the public for public use.

PUBLIC WAY is any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

QUASI-PUBLIC is essentially public (as in services rendered) although under private ownership or control.

RANCH ANIMALS are animals, other than household pets, that are kept and maintained for production and sale, family food production, education or recreation. Ranch animals are classified as large animals (this category includes, but is not limited to, horses, burros, donkeys and mules, bovine, and ostriches); medium animals (e.g., sheep, goats, llamas, miniature horses and pot-bellied pigs); and small animals (e.g., rabbits, chinchillas, chickens, pheasants, geese, ducks, and pigeons). Swine are not considered ranch animals by the Town and are not allowed.

RANCH, COMMERCIAL is an area of not less than five (5) contiguous acres which may be open to the general public and may be used for: all allowed private ranch uses; polo fields; riding arenas used for scheduled public or club events or activities such as barrel racing, bull riding, cutting, gymkhanas, roping, team penning or other rodeo related activities. Commercial ranch uses do not include: dairies, liveries, and the retail sale of hay, feed or tack, or livestock auctions. Swine, except for potbellied pigs kept as household pets, are not allowed.

RANCH, PRIVATE is an area of not less than two (2) contiguous acres, used for the keeping of ranch animals, along with the necessary accessory uses. A private ranch is permitted five (5) large and ten (10) medium ranch animals per acre up to five (5) acres. Thereafter, an additional two (2) large and four (4) medium ranch animals are allowed for each acre. A private ranch is allowed up to twenty (20) small ranch animals per acre with the exception of pets. Allowed ranch uses include: boarding; breeding; equine training; equine lessons; and the sale of ranch animals; 4H and other youth-related activities are permitted. Allowed private ranch uses do not include: dairies; liveries; the retail sale of hay, feed or tack; or equine activities open to the general public.

REAR LOT LINE is the boundary of a lot, which is most distant from, and is or is most nearly, parallel to the front lot line. In the absence of a rear lot line, as in the case of a triangular shaped lot, the rear lot line may be considered as a line within the lot, parallel to and at a maximum distance from the front lot line, having a length of not less than ten feet (10').

REAR YARD is a yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and a parallel line passing through the nearest point of the principal structure.

RECREATIONAL VEHICLE is a vehicular unit, other than a manufactured/mobile home, whose gross floor area is less than three hundred twenty square feet (320 sq. ft.), which is designed as a temporary dwelling for travel, recreational and vacation use, and which is either self propelled, mounted on, or pulled by another vehicle. Examples include, but are not limited to, a travel trailer, camping trailer, truck camper, motor home, fifth wheel trailer or van.

REGIONAL: Pertaining to activities or economies at a scale greater than that of a single jurisdiction, and affecting a broad geographic area.

REGULATORY SIGN. Describes a range of signs that are used to indicate or reinforce traffic laws, regulations or requirements which apply either at all times or at specific times or places upon a street or highway or signs in general that regulate public behavior in places open to the public.

RENOVATION is interior or exterior remodeling of a structure, other than ordinary repair.

REQUIRED YARD is the minimum open space required for front, rear or side yards (see Buildable Area).

REVEGETATION is the restoration of disturbed or damaged land in accordance with Town of Cave Creek requirements.

RETAINING WALL is a wall or terraced combination of walls used to retain earth but not supporting a wall of a structure.

RIDGE OR RIDGELINE is a relatively narrow landform that is prominent because of the steep angle at which it rises; an elongated crest, or series of crests, with or without individual peaks, significantly higher than the adjoining ground.

SETBACK is the minimum required distance between the property line and the building line. Recorded easements are included within the required distance except where the easement is greater than the minimum required distance.

SHORT TERM is a time period of 29 days or one month, whichever is shorter.

SIDE YARD is a yard that falls between the building line of the principal structure and a side lot line.

SIGN is any object, display, structure, or devise (including but not limited to letters, words, numerals, figures, symbols, pictures, outline, character, color, illumination, trademark, logo, or any part or combination) visible from a public place and which is affixed directly or indirectly upon a building, vehicle, structure or land used for visual communication which is intended to attract the attention of the public by providing identification, advertising or directional information for a specific business, service, product, person, organization, place or building and is visible from the public rights-of-way.

The term “sign” shall also mean and include any display of one or more of the following: single or multiple colored bands, stripes, patterns, outlines or delineations.

The term “sign” shall not include any flags, window displays, athletic score boards or the official announcement or signs of government.

SINGLE FAMILY DWELLING is a detached dwelling unit with kitchen and sleeping facilities, designed for occupancy by one (1) family.

SITE PLAN, MAJOR AMENDMENTS are those amendments involving the expansion of twenty five percent (25%) or more of the roofed area, or other significant modifications to the most recently approved site plan. Major amendments are processed in the same manner as the original site plan application.

SITE PLAN, MINOR AMENDMENTS are those amendments involving the expansion of less than twenty five percent (25%) of the roofed area of the most recently approved site plan. Minor amendments for the expansion of roofed areas located within the recognized side and rear yards of the principle structure may be authorized at the discretion of the zoning administrator. All other minor amendments are processed in the same manner as the original site plan application.

SOLAR COLLECTOR: “Solar Collector” means a device for capturing solar energy. It may be attached or detached to the building to which it is supplying energy and includes the mounting for the device.

SOLAR ENERGY SYSTEM: “Solar Energy System” means any devise or combination of devices or elements which rely on direct sunlight as an energy source, including but not limited to any substance or device which collects, stores or distributes solar energy for use in the heating or cooling of a structure or building, the heating or pumping of water, and the generation of electricity.

SOLAR POWER GENERATOR: “Solar Power Generator” means the use of solar panels to convert sunlight directly or indirectly into electricity. Solar power generators consist of solar panels, charge controllers, inverters, working fluid system, and storage batteries.

SOLAR SUNSPACE, ATTACHED: “Solar Sunspace, Attached” means a glazed extension to a building which acts as a solar energy collection device. Through direct radiation, natural convection or mechanical means, the energy is conveyed to a heat storage medium and reduces the building’s consumption of conventional energy.

SPECIAL EVENT: See Town Code, as defined in Chapter 114 – Special Event Permits.

SPECIAL EVENT PERMIT: See Town Code, as defined in Chapter 114 – Special Event Permits.

SPECIFIED SEXUAL ACTIVITIES are:

- a. Human genitals in a state of sexual stimulation or arousal;
- b. Acts of human masturbation, sexual intercourse, or sodomy;
- c. Fondling or other erotic touching of human genitals, pubic region, buttock, or breasts.

SPECIFIED ANATOMICAL AREAS are:

- a. Less than completely and opaquely covered:
- b. Human genitals, pubic region,
- c. Buttock, and
- d. Breast below a point immediately above the top of the areola; and
- e. Human male genitals in a discernibly turgid state even if completely and opaquely covered.

SPECIMEN NATIVE PLANT is a non-introduced indigenous plant that has been part of the ecosystem for at least 100 years.

SPILL LIGHT is the amount of light that illuminates beyond the range or primary area that the fixture is intended to light.

STANCHION is an upright bar, post, or support.

STANDARD is a structure built for or serving as a base or support.

STORY as per the definition contained within the International Building Code (IBC).

STRATEGIES: Strategies are specific actions that identify what will be accomplished, by whom, when, and how. If the goal sets a general direction for action, the strategy specifies exactly how to get there.

STRUCTURAL ALTERATION is any change in the supporting members of a building, such as bearing walls, columns, beams or girders, or any complete rebuilding of the roof or exterior walls.

STRUCTURE is that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, which requires location on the ground or is attached to something having location on the ground.

SUBDIVISION is improved or unimproved land or lands divided for the purpose of financing, sale or lease, whether immediate or future, into four (4) or more lots, tracts or parcels of land, or, if a new street is involved, any such property which is divided into two or more lots, tracts or parcels of land, or, any such property, the boundaries of which have been fixed by a recorded plat, which is divided into more than two (2) parts. Subdivision also includes any condominium, cooperative, community apartment, townhouse or similar project containing four (4) or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon, but excludes any project operated, managed or owned by a public improvement district. (amended by Ord. 2018-03)

SWIMMING POOL is any structure intended for swimming, diving or recreational bathing which contains water 18 inches or more in depth at any point, including temporary, portable or permanent swimming pools, whether located indoors, outdoors, in ground, on grade or above grade but not including hot tubs or spas.

THEATER is a building used primarily for the presentation of live stage productions, performances or motion pictures.

THERMAL ENERGY SYSTEM: “Thermal Energy System” means an alternative energy system that utilizes heat transfer or heat exchange systems.

THROUGH LOT is a lot having a pair of opposite lot lines abutting two (2) streets, and which is not a corner lot. On such a lot, both lot lines are front lot lines, except that, where a non-access easement has been established, the front lot line shall be considered as that lot line most distant from the lot line containing the non-access easement.

TRACTOR TRAILER RIG is a semi or full trailer exceeding 28-feet in length or truck-tractor or any combination thereof, or any truck exceeding 26,000 lbs. in gross vehicle weight rating (GVWR).

TRAILHEAD: The beginning-point of a trail including parking, trail information, rubbish containers, water and sanitary facilities.

TRAILS AND PATHWAYS: Trails and pathways including on-street bicycle lanes, off-street bicycle trails; pedestrian and equestrian paths and trails; are multiple use non-motorized easements, trailheads, and staging areas within the Town of Cave Creek's jurisdiction.

Trails and pathways may be located within the Town's rights-of-way or can be dedicated to the Town from private property owners. The trails and pathways within the Town provide safe alternative non-motorized transportation access and connectivity to recreation and Town Core areas.

TRAILS - TECHNICAL DESIGN GUIDELINE #5 is the Technical advisory supplement to this Ordinance that provides complete information and requirements as they relate to Trails within the Town of Cave Creek.

TRANSITIONAL AREA is that part of the buildable area which lies between the Natural Buffer Area and a wall or improvement and which is visible from adjacent properties, streets, or public spaces.

TRANSPORTATION – TECHNICAL DESIGN GUIDELINE #2 is the Technical advisory supplement to this Ordinance that provides complete information and requirements as they relate to Transportation within the Town of Cave Creek.

TREE, MAJOR is any tree greater than two inches in caliper.

USE is the activity occurring on a parcel for which land or a building is arranged, designed or intended, or for which land or a building is or may be occupied.

UTILITIES – TECHNICAL DESIGN GUIDELINE #3 is the Technical advisory supplement to this Ordinance that provides complete information and requirements as they relate to Utilities within the Town of Cave Creek.

VENDOR means an individual, group, institution, business or company that rents, leases or occupies a booth, tent or other temporary structure at a Special Event for the purpose of selling products made by the vendor or bought by the vendor and resold at the Special Event.

WALL SIGN is a sign fastened to or painted on the exterior wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign.

WASH (MAJOR) is defined as the area that has been designated a Federal Floodplain by the Federal Emergency Management Agency (**FEMA**) or any wash having a 100-year peak flow of 50 cubic feet per second (50 cfs) or greater.

WASH (MINOR) is defined as a wash or constructed drainage feature having a 100-year peak flow of less than 50 cubic feet per second (50 cfs).

WIND TURBINE: “Wind Turbine” means a machine with turbine apparatus (rotor blades, nacelle and tower) capable of producing electricity by converting the kinetic energy of wind into rotational, mechanical and electrical energy.

WIND TURBINE FARMS: “Wind Turbine Farms” means two or more wind turbines on one parcel.

WIND TURBINE HEIGHT: “Wind Turbine Height” means the distance measured from original natural grade to the center of the hub.

WILDLIFE: Animals existing in their natural habitat.

YARD is an open, unoccupied space on a lot, other than a court, which is unobstructed from the ground upward by buildings or structures except as otherwise provided in this ordinance.

ZONING: The division of a town or county by legislative regulations into areas, or zones, which specify allowable uses and required development standards for real property within these areas; a program that implements policies of the General Plan.

ZONING CLEARANCE is the verification by the Zoning Administrator indicating that a proposed building, structure or use meets all the requirements of this ordinance.

ZONING ADMINISTRATOR is designated by the Town Manager and is charged with the responsibility of administering and enforcing the Town of Cave Creek Zoning Ordinance.

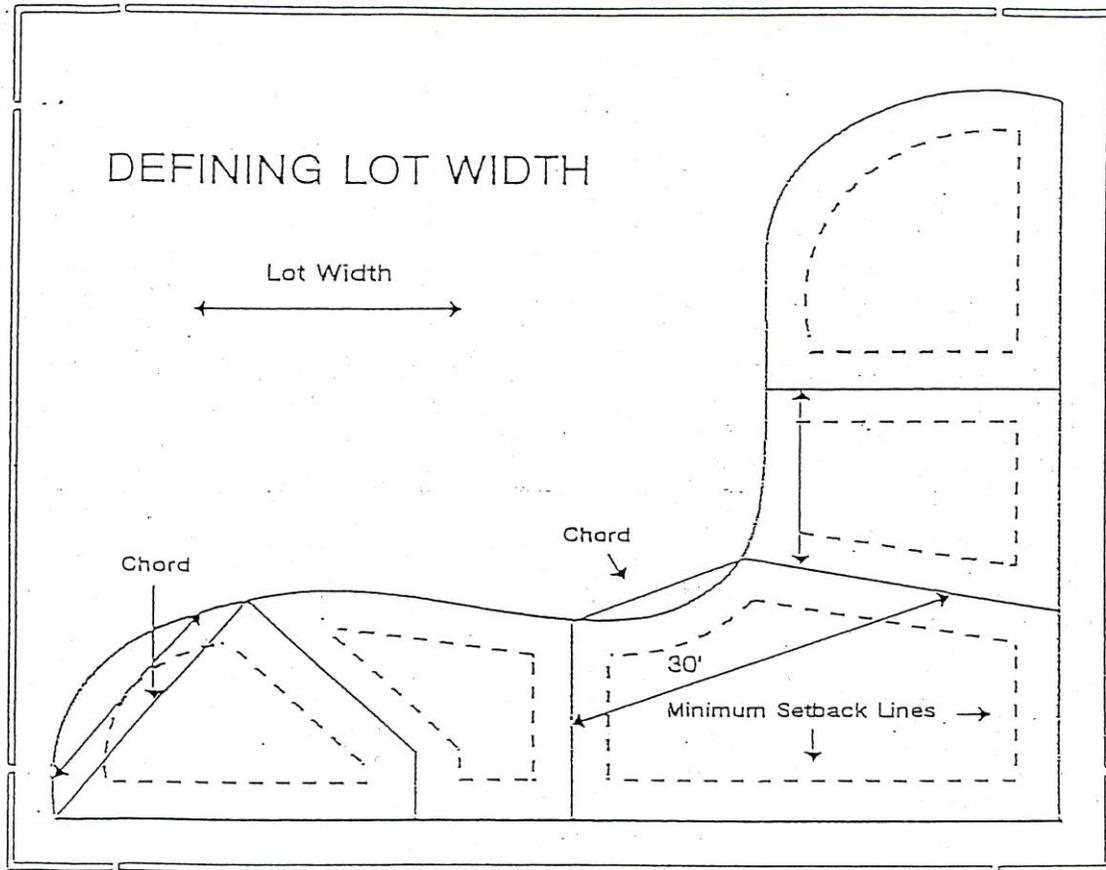
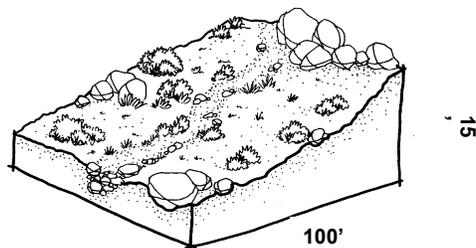


EXHIBIT A-1 – Defining Lot Width



Rise (in feet) / 100' = % of Slope

EXHIBIT A-2 – Slope Measurement Criteria