

Exhibit A

Sec. 15.02.010. Definitions.

For the purpose of this code, certain numbers, abbreviations, terms, and words shall be used, interpreted, and defined as set forth herein. Words not defined herein shall have a meaning consistent with Webster's New Collegiate Dictionary, latest edition. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense; words used in the plural number include the singular; the word "herein" means "in these regulations"; the word "regulations" means "these regulations"; "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied". A "person" includes a group of people, a corporation, a partnership, a limited liability company, an incorporated association of persons, such as a club.

Access. The provision of vehicular and/or pedestrian ingress and egress to building lots, structures or facilities.

Accessory building, occupied. A building on the same lot as the principal building and that is:

1. Clearly incidental to, and customarily associated with such principal building;
2. Operated and maintained for the benefit of the principal use; and
3. A dwelling unit.

Accessory building, unoccupied. A building on the same lot as the principal building and that is:

1. Clearly incidental to, and customarily associated with such principal building;
2. Operated and maintained for the benefit of the principal use; and
3. Not a dwelling unit.

Accessory use or building. A subordinate use or building customarily incidental to and located upon the same lot occupied by the main use or building.

Administrative law judge. Person designated as the appeal authority to hear and decide appeals and variances pertaining to land use.

Adult/sexually oriented business. Adult/sexually oriented business means any or all of the following or any portions of the following: Adult book store, adult video store, adult novelty store, adult motion picture theater, and adult theater.

Affected entity. A county, municipality, ~~independent~~ special district, ~~special service district~~ under ~~Utah~~ Title ~~17A~~ **17D**, Chapter ~~2~~ **1**, ~~Special Service District Act, Independent Special Districts, local district under Utah Title 17B, Chapter 2, Local Districts,~~ school district, interlocal cooperation entity established under ~~Utah~~ Title **11**, Chapter **13**, Interlocal Cooperation Act, specified public utility, ~~property owner, property owners association,~~ or the ~~Utah~~ Department of Transportation, if:

1. The entity's services or facilities are likely to require expansion or significant modification because of an intended use of land-;

2. **The entity has filed with the municipality a copy of the entity's general or long-range plan;**
or
3. ~~The entity's boundaries or facilities are within one mile of land which is the subject of a general plan amendment or land use ordinance change.~~ **The entity has filed with the municipality a request for notice during the same calendar year and before the municipality provides notice to an affected entity in compliance with a requirement imposed under Title 10, Chapter 9a of the Utah Code.**

Agriculture. The tilling of soil, raising of crops and animals, grazing, horticulture, gardening and other similar uses for private or commercial purposes.

Agricultural industry or business. An industry or business involving agricultural products in manufacturing, packaging, treatment, sales, or storage, including but not limited to food packaging or processing plants, and similar uses as determined by the planning commission with a conditional use permit. This definition does not include hog farms, commercial poultry businesses or rendering facilities.

Agricultural tourism. An agricultural accessory use that can provide a means of diversifying a farm's income through broadening its offerings and adding value to its products. They provide agriculturally related, and in some instances, non-agriculturally related products and activities that attract members of the public to the farm for retail, educational, recreational, and/or general tourism purposes. Educational and recreational agri-tourism activities/uses may include but not be limited to, educational activities, entertainment opportunities, and/or outdoor recreation (e.g., farm tours, farm/cooking/ecological classes, corn mazes, and special occasions including weddings and family reunions, special events including harvest festivals and musical events, U-pick operations, agriculturally related competitions, and other similar events). Consumer-direct sales of farm products may include but not be limited to, open-air or farmers markets, on-farm produce stands, and value-added product processing and packaging and retail sales facilities (e.g., process pumpkins grown on-premises, into pumpkin pies).

All-weather road. Road that is hard-packed and graded and/or graveled road or road of equivalent materials that is passable by vehicles under both wet and dry weather conditions.

Alterations, structural. Any change in the supporting members of a building such as bearing walls, columns, beams, or girders.

Animal waste. The excrement and discharge from an animal, or animal carcasses, or tissues.

Animal hospital/veterinary offices. An establishment where animals are medically treated or lodged by a licensed veterinarian.

Antenna. A transmitting or receiving device used in telecommunications that radiates or captures radio, television, or similar communication signals.

Appeal. A request for review of Kamas City's interpretation of any provision of an ordinance or a request for a variance.

Appeal authority. An administrative law judge, board, commission, agency, or other body designated by ordinance to decide an appeal of a decision of a land use application or a variance.

Applicant. The owner of the property that is the subject of the application, or the owner's authorized agent or representative.

Application. A form or checklist supplied by the city indicating the data and information necessary to process the applicant's proposed project(s).

Area of special flood hazard. The land in the floodplain within Kamas City subject to a one percent or greater chance of flooding in any given year.

Assembly facility. A facility where parts are put together to develop a final product.

Assisted living facility center. ~~A system of housing and limited care that is designed for those who need some assistance with daily activities, but do not require care in a nursing home.~~ A licensed residential facility that provides personal care and supportive services to residents who need help with daily living activities but do not require full-time medical care.

Athletic club/fitness center. An establishment providing facilities for physical development, exercise, sports, or recreation.

Auto, truck, RV, ATV, snowmobile sales and rental ~~and recreational vehicle sales and rental.~~ Sales and rental of both new and used motor vehicles, but not to include non-serviceable or junk vehicles.

Automotive repair establishment. An establishment primarily engaged in the repair or maintenance of motor vehicles, trailers, and similar large mechanical equipment.

Automotive salvage yards ~~are not included.~~ An individual or entity engaged in the business of acquiring or owning salvage automobiles for – (a) resale in their entirety or as spare parts; or (b) rebuilding, restoration, or crushing. They are prohibited.

Automotive service station. An establishment whose primary purpose is the retail sale of gasoline or other motor vehicle related fuel, oil, or lubricant. Secondary activities may include minor automotive repair, maintenance, or automatic car wash.

Awning. A roof-like cover that is supported entirely by the exterior wall of a building, used to provide weather protection, identity, or decoration. Consists of a lightweight frame with a covering that can be collapsible, retractable, or capable of being folded against the building's face. Must be at least 7 feet above a public walkway and meet setback requirements.

Balcony. A platform that projects from the wall of a building and is enclosed by a railing or parapet.

Bakery. A business or establishment where baked goods are prepared or sold.

Banking or financial service. A bank, credit union, savings and loan association, or other establishment with a primary purpose of receiving, lending, exchanging, or safeguarding money, or performing financial advisory service.

Bar, tavern, lounge, or club. An establishment intended primarily for the on-premise sale and consumption of alcoholic beverages, open either to the public or operated as a private club for members only.

Base flood. The flood having a one percent chance of being equaled or exceeded in any given year.

Basement. The lowest habitable story of a building, usually below ground level.

Bed and breakfast. ~~A short-term rental accommodation offered in an owner-occupied home for a period of ten days or less. A room cannot be rented to the same person(s) for more than ten~~

~~days in any given 30-day period.~~ A lodging establishment that provides overnight accommodations in an owner-occupied home, limited to six rooms or less.

Bond, public improvement. A one-year guarantee to the city that all public improvements have been installed to city specifications and will operate properly.

Bottling Plant. An industrial facility where drinks are put into bottles and sealed for sale to the public.

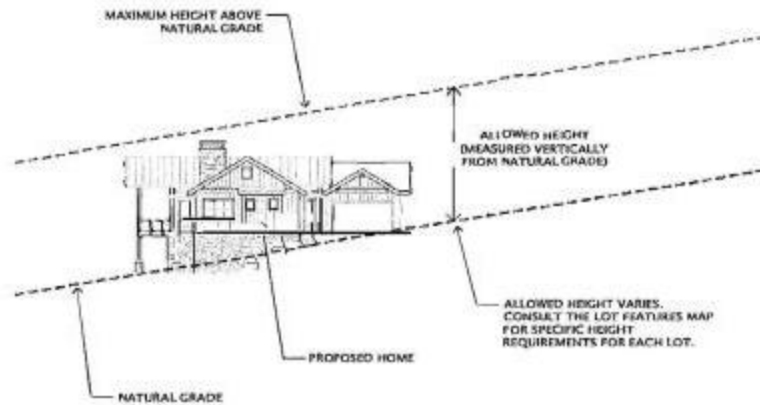
Bowling Alley. A commercial indoor recreational facility designed and equipped for the game of bowling, including lanes, scoring systems, and seating areas. It may also include food service and other indoor recreational activities that are clearly incidental to the primary bowling activity.

Building. Any structure, whether temporary or permanent, having walls, a roof, and used or built for the shelter or enclosure of persons, animals, possessions, or property.

Building area. The portion of a lot that is within the envelope formed by the required yards or setbacks, within which a structure can be located.

Building Height. ~~The vertical distance from the average finished grade surface at the building wall to the highest point of the roof. Chimneys, flagpoles, church towers and other similar structures not used for human occupancy may be allowed on a case-by-case basis with a conditional use permit.~~ The greatest distance measured from any point on a proposed or existing roof or eave (but excluding chimneys, pipes, HVACs, etc.) to the natural grade located directly below said point of the roof or eaves. Within any building footprint, height shall be measured vertically from any point on a proposed or existing roof to the natural grade directly below said point on a proposed or existing roof.

The height of buildings shall be measured using the graphic below. The intent of the height guideline is to present a human-scaled roofscape, one which steps with the contours of the terrain and recalls the natural setting.



Submitted plans shall include:

- Roof ridgeline plan
 - Existing topography shown below the roof areas
 - Multiple spot locations shown on the roof plan stating roof elevation, natural grade elevation, and the differences in feet, rounded to the nearest 3" (0.25') from the roof elevation. The spot locations on the roof shall include roof peak ends, several in the center of the roof, and the maximum height points.
- In the field, elevations shall be taken before the final roofing materials are installed.

Building inspector. Kamas City official who is designated to inspect new and existing buildings under construction and upon completion to ensure they comply with building codes.

Building pad. The building pad denotes that area in which the proposed new structure(s) must be located.

Business. A legally recognized organization designed to provide goods and/or services to consumers.

Cabinet shop. A facility where furniture, cabinetry, or similar wood products are manufactured, assembled, or finished using woodworking techniques.

Canopy. ~~A roof or awning constructed of fabric or other material and extending outward from a building to provide a protective shield for doors, windows, or other openings.~~ A roofed structure supported by posts, columns, or other supports extending to the ground, used to provide weather protection, identity, or decoration, not completely enclosed by walls. Can be freestanding or attached to a building on one or more sides. Excludes carports and must meet setback requirements.

Car wash. A building or premise equipped for washing, cleaning, or detailing of cars and other motor vehicles, whether automatic, self-service, or manual.

Carport. A private garage not completely enclosed by walls or doors. For the purpose of this ordinance, a carport shall be subject to all regulations prescribed for a private garage.

Cemetery. Land or buildings used for the burial or interment of the human dead but not including facilities for embalming.

Chief executive officer. The Mayor of Kamas City.

Child care, centered based. ~~Child care as provided in a nonresidential setting and while children have regular schedules of care, as per current state code.~~ A facility where care and supervision is provided for four or more children for less than 24 hours a day and for indirect compensation in place of care ordinarily provided in their home.

Child care, home based. Continuous care and supervision of ~~five or more qualifying~~ children in lieu of parental care, as per current state code.

Church. A building set apart primarily for the purpose of worship in which religious services are held and with which clergy ~~or a religious leader~~ is associated. ~~the~~ The main body of which is kept for that use and not put to any other use inconsistent with its primary purpose. ~~and which is~~ The building must qualify as tax exempt under ~~the law of the State of Utah law.~~

Cinema, indoor. An enclosed building used primarily for the presentation of ~~motion pictures~~ a recorded film shown on a screen in a controlled environment for public entertainment.

Civic club Club. A building ~~or use, other than a church or school, operated by a nonprofit association or organization~~ for a social, fraternal, political, civic, or philanthropic purpose. ~~which may~~ May include a meeting hall ~~and with~~ cooking and dining facilities for a large groups, but shall not provide overnight lodging.

Clear vision area. An area outlined by the sight distance triangle where solid fencing or natural vegetation is restricted to a height of four feet and where all structures or other items that would obstruct vision are prohibited.

Clear vision restriction. Any fencing within the 25-foot front setback is restricted to a height of four feet.

Co-location. The location of a telecommunication facility on an existing structure, tower, or building in a manner that precludes the need for that telecommunications facility to be located on a freestanding structure of its own.

Community garden. ~~A piece of land that is cultivated by a group of people usually in individual plots. The gardeners are responsible for their own plots and the produce belongs to them.~~ A plot of land where a group of people collectively cultivate and maintain plants such as fruits, vegetables, and flowers, rather than a single individual or family.

Complete application. A submission, which includes all ~~required~~ information and supporting documents ~~requested~~ on the appropriate form, and full payment of all applicable fees.

Conditional use. A land use that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas of a zone district, or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

Condominium. ~~A single unit within a building or structure that can be owned and conveyed separately from other units, together with the undivided interest in common with other units in the common areas and facilities of the building, structure, and property, where the unit is owned and conveyed separately from the underlying lot.~~ The ownership of a single unit in a

multi-unit project or structure together with an undivided interest in common, in the common areas and facilities of the property.

Condominium plat. A plat prepared for the recordation of a condominium project that complies with the Utah Condominium Ownership Act and the city's subdivision ordinance.

Condominium project. A plan or project ~~for the development of~~ whereby two or more ~~condominiums~~ units, whether contained in existing or proposed apartments, commercial or industrial buildings or structures, or otherwise, are separately offered or proposed to be offered for sale.

Conservation easement. An easement granted for the purpose of preserving, restoring, enhancing, protecting, or sustaining ~~designed to restore, enhance, protect, and sustain~~ the quality and quantity of ~~ecosystems and~~ natural resources, open space, wildlife habitat, or other ecological features.

Conservation subdivision. ~~The subdivision of land that results in the protection of land of conservation value (i.e. agricultural, natural, or historical resources).~~ A planned residential development that clusters homes on smaller lots to permanently protect a large portion (50% or more) of the land as undivided, common open space for recreation, agriculture, wildlife, or natural/historical resource preservation.

Construction services. ~~Commercial activity in the clearing, dredging, excavating, and grading of land and other activity associated with buildings, structures, or other types of real property such as bridges, dams, or roads.~~ Commercial activity involving physical and related activities required to build, renovate, or maintain structures and infrastructure.

Constitutional taking. Final action by the city to physically take or exact private real property that requires compensation to the owner because of the mandates of the Fifth or Fourteenth Amendments to the Constitution of the United States, or Article I, Section 22, of the Utah Constitution.

Context map. A map based on data from already published sources such as aerial photographs, USGS topographical maps, FEMA floodplain maps, etc. reproduced to show location of natural features and development patterns within the area of a development site.

Convenience goods sales and services. Stores or shops intended for retail sales of convenience goods or performance of convenience services. Goods and services regarded as convenience are those generally needed for daily home consumption and for which locations near residential neighborhoods are considered desirable.

Corporate, professional, business offices and financial institutions. ~~A centralized location where a company's management and staff work. Professional offices are the offices of licensed professionals and where business is conducted. Financial institutions handle financial transactions such as banks, credit unions, insurance and investment companies and mortgage and loan offices.~~ A formal commercial location where a company's management and staff conduct business operations.

Council. The duly elected members ~~Members~~ of the Kamas City Council ~~of Kamas~~.

County. The unincorporated area of Summit County.

Coverage. Lot area covered by a building or other impervious surfaces ~~such as~~ including, but not limited to parking areas, driveways or sidewalks.

Creamery. A building ~~specific to an Agri-tourism operation~~ where milk and cream are processed for the production of ~~milk dairy~~ products for the purpose of commercial sales.

Cul-de-sac. A minor street having an open end and being terminated at the other end by a vehicle turnaround.

Culinary water authority. The department, agency, or public entity with responsibility to review and approve the feasibility of the culinary water system and sources.

~~**Cultural, civic services.** A building primarily used for the public, nonprofit display of art, historic or cultural artifacts.~~

Design guidelines. Documentation that is submitted with an application that identifies the requirements and standards for residential densities, building height, bulk and setback requirements by land use type, signage, landscaping, parking, open space and site plan review procedures.

Developed activity center. Any area of land within the agricultural tourism zone that is not considered as part of the "greenbelt" shall be considered part of the developed activity center.

Development. Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

Development plan. A map or maps that are submitted with an application that identifies general land use designations, transportation plans, open space, and community facilities.

Development site. A tract, lot or parcel of land intended to be used as a commercial, public, quasi-public, utility or other building site.

Development review committee. A committee comprised of the city planner, city engineer, building inspector, public works director, ~~etc.~~ and other designated officials to review specific types of development and ensure compliance with all land use regulations and requirements.

Disability. A physical or mental impairment that substantially limits one or more of a person's major life activities.

~~**Disabled care.** Care for individuals with physical, mental, or emotional conditions lasting six months or more, who have difficulty doing activities such as dressing, bathing or getting around inside the home.~~ Assistance provided to individuals with physical, mental, or emotional conditions lasting six months or more, who experience difficulty performing activities of daily living, such as dressing, bathing, or moving within the home.

District. A designated portion ~~of the area~~ of Kamas City shown on ~~a~~ the official zoning map and ~~given a~~ assigned a specific zone classification ~~as set forth~~ in accordance with this ordinance.

Dry-cleaning establishment. An establishment for the cleaning or dyeing of fabrics ~~using chemical solvents instead of water.~~

Dwelling, multi-family. A building arranged or designed to be occupied by ~~up to four families living independently of each other in separate, but attached dwellings.~~ two or more families living independently of each other in separate, but attached dwellings. Limited to four families.

Dwelling, *single-family unit*. one or more rooms in a dwelling designed and used for living and sleeping purposes, and having a kitchen and a bathroom. **Single family dwelling units include modular, manufactured and mobile homes that comply with applicable building codes.**

Easement. A negotiated interest in the land of another which allows the easement holder specified uses or rights without actual ownership of the land.

Elderly care. A long-term care facility **providing housing and assistance for the elderly individuals.** The term does not include a health care facility.

Elderly person. A person who desires or needs to live with other elderly persons in a group setting, who may or may not be capable of living independently.

Enforcement authority. The person or persons responsibility for the enforcement of, or compliance to land use regulations.

Equine facility/public stables. ~~A facility created and maintained for the purpose of accommodating or training horses which may include commercial operations such as horse boarding, riding lessons, etc.~~ A facility established and maintained for the care, accommodation, or training of horses, which may include commercial activities such as horse boarding, riding lessons, or similar equine-related services.

Equipment rental, *heavy*. A facility for the rent or lease of vehicles or equipment ~~in excess of one ton~~ used in farming, construction, or other related services.

~~**Equipment rental, *light*.** A facility for the rent or lease of tools and small equipment.~~

Escrow. A deposit of cash with the city or an approved, alternate security in lieu of cash held to ensure a guarantee.

Exaction. Act of demanding or levying by force or authority.

Existing resources and site analysis map. A document showing the location of noteworthy natural and cultural features including note-worthy trees, geological formations, significant view corridors into the property from public roads or highways, etc.

Exotic animals. Rare or unusual animals, or an animal, not commonly thought of as a pet, kept within a human household. Rodents, reptiles, and amphibians are considered exotic animals. Exotic animals entering Utah ~~shall~~ **must** be accompanied by an official certificate of veterinary inspection (health certificate).

Family. An individual, ~~or~~ two or more persons related by blood, marriage or adoption; or a group of ~~not~~ **no** more than four persons who are not related, ~~occupying living together in~~ the same dwelling unit on a continuous basis.

Farm animals/~~livestock~~. Animals other than household pets **or exotic animals**, that may, where permitted, be kept and maintained on private property ~~(not to include exotic animals).~~

Fence. A structure constructed for reasons of privacy, security, or aesthetics that is located in such a manner as to separate or divide areas, ~~including~~. **Fences may include** hedges and masonry walls and may or may not be sight obscuring or opaque.

Fence, electric. A fence wired with low voltage (12 volt max) electricity **for the purpose of containment, security, or other approved uses.**

Fence, razor. A fence with ~~razor coil, cable or tooth wire along certain portions~~ sharp blade-like edges made of metal wrapped around a high tensile wire core.

Fence, wildlife. Open fencing allowed at a height six feet or higher when a need is shown to protect animals from entering or leaving an area.

Final action. ~~The final vote or the approved, written decision on a matter.~~ The conclusive, definitive step such as a vote/decision that ends a process of resolving issues by a governing body marking the end of deliberation.

Final completion. The culinary water, sewer, and storm water, must be installed and tested as a complete system. All road base, asphalt roads, curb, gutter, sidewalks and/or trails, must be installed. All street lights, street signs, roadway striping, landscaping and public utilities, must be installed. The entire development or phase of the development shall be complete and functioning as shown on the construction plans and as determined by the city engineer.

Final plat. ~~A recordable subdivision or plan.~~ A formal accurately surveyed map of a land division recorded in the county recorder's office.

Financial institutions. Establishments that engage in the handling of financial transactions such as banks, credit unions, insurance, and investment companies; and mortgage and loan offices.

Finished grade (Grade). The final elevation and contour of the ground surface after all construction and landscaping is complete.

Fireworks sales/stands. The temporary display and sale of legally allowed fireworks. This use requires a Kamas City business license and a temporary permit issued from the South Summit Fire District.

Flag/panhandle lot. A lot of record ~~created prior to December 2004 with street access, but without street frontage.~~ with a long narrow strip (the handle) connecting and providing access to a larger buildable lot (the pan) to a public street.

Flood/Flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from the unusual and rapid accumulation or run-off of surface waters from any source.

Floodway. The channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floodplain or flood-prone area. Any land area susceptible to being inundated by water from any source (see definition of flooding).

Floor area, gross. The area of a building, including all enclosed areas. Gross floor area does not include unenclosed porches, balconies, patios and decks, vent shafts, courtyards or garages, up to a maximum floor area of 600 square feet.

Floor area, net leasable space. Gross floor area of a building excluding common hallways, mechanical and storage areas, and restrooms.

Fractional numbers or measurements. In determining compliance with any requirement, whenever a fraction of a number or a unit is one-half or greater ~~more~~, and whenever a fraction of a number or unit resulting from a computation is one-half or greater ~~more~~, said fraction

shall be rounded up and considered as a whole number or a unit; where the fraction is less than one-half, said fraction shall not be included in determining requirements and the number shall be rounded down. This general definition is subject to the following exceptions:

1. ***Specific regulations:*** Whenever a requirement specifically provides for fractional numbers or measurements, such specific provision shall control.
2. ***Minimum-standards requirements:*** Whenever a requirement provides for a minimum number, size, measurement, or other standard, ~~a person may not avoid such minimum standard by rounding.~~ rounding shall not be used to reduce or avoid compliance with the minimum requirement.
3. ***Computation of parking requirements:*** When measurements determining the number of required parking spaces result in a fractional or partial parking space, the number of required spaces shall be rounded up to the next whole number.

Furniture sales, new and used. A retail store that sells furniture and related accessories.

Frontage. The length of the property line of the lot fronting on one side of a street.

Garage. An accessory building or portion of a main building for the parking or temporary storage of ~~automobiles~~ motor vehicles.

Gated community. A subdivision or residential area where primary access is regulated through a gated entry point.

General plan. A comprehensive plan for Kamas City, prepared and adopted by the ~~p~~Planning ~~e~~Commission and ~~e~~City ~~e~~Council, pursuant to state law, and including land use planning and development goals, objectives and policies.

Governing body. The Kamas City Council.

~~***Grade.*** The elevation of the existing surface of the land prior to commencement of construction of any improvements proposed or any previous site disturbance.~~

Greenbelt Act. Otherwise known as the Utah Farmland Act or FAA allows qualifying agricultural property to be assessed and taxed based upon its productive capability instead of the prevailing market value. Must be at least five contiguous acres of land.

Grocery store. A grocery store is a retail store that primarily sells food and other related goods.

Gross acreage. The total area of the development, including all rights-of-way and other areas devoted to nonresidential or public uses.

~~***Group facility home.*** A profit or non-profit boarding home for the sheltered care of persons with special needs, which, in addition to providing food and shelter may also provide some combination of personal care, social, or counseling services, and transportation.~~ A residential setting where individuals live together in a home-like environment with supervision or support rather than independent living. It is usually licensed or certified and serves people who need assistance or supervision because of disability, age, or special care needs.

Handicapped person. A person who has a severe, chronic disability that is attributable to mental or physical impairments, that is likely to continue indefinitely, and that results in a substantial functional limitation.

Hardware/lawn and garden store. An establishment that sells goods for home improvement, maintenance, and garden-related goods. Including, but not limited to ~~including,~~ fasteners, building materials, hand tools, power tools, keys, locks, hinges, chains, plumbing supplies, electrical supplies, cleaning products, housewares, tools, paints, ~~etc.~~ and related items.

Health ~~care~~ center (~~convalescent center~~). ~~A publicly or privately operated facility, other than a hospital, intended for the long-term, in-patient care of human illness or infirmity, including the elderly and developmentally disabled, normally employing the services of skilled and licensed practitioners.~~ A facility that provides medical, preventive, diagnostic, or therapeutic services to patients.

Health department. The Utah State Division of Environmental Health or local health agency having jurisdiction.

Heavy/farm equipment sales. The sale of vehicles ~~Vehicles~~ or equipment in excess of one ton used in farming, construction, or other related services.

~~**Height, building.** The vertical distance from center of access road or average natural grade of home site at the building wall to the highest point of the roof. Chimney, flagpoles, church towers and other similar structures not used for human occupancy may be allowed on a case by case basis with a conditional use permit.~~

Home occupation. An occupation, profession, activity, or use that is clearly a secondary use of a residential dwelling unit and which does not alter the exterior of the property or affect the residential character of the neighborhood.

Hospital. ~~An institution designed for the diagnosis, treatment, and care of human illness or infirmity and providing health services, primarily for in-patients, and including as related facilities, laboratories, out-patient departments, training facilities, and staff offices.~~ A licensed health care institution that provides medical and surgical care to patients, including diagnosis, treatment, continuous nursing services, and other related facilities, and that may admit patients for inpatient care. Offers 24 hour care.

Hotel/motel. A building designed for occupancy ~~or occupied~~ as a temporary abiding place of individuals who are lodged, with or without meals.

Household pets. Animals or birds ordinarily permitted in the house and kept for company or pleasure, ~~but not including a sufficient number of dogs to constitute a kennel (maximum of three).~~ The maximum number of household pets must not exceed three.

Impervious materials. Matter that is impenetrable by moisture.

Inaction. An application is inactive and subject to denial on the basis of inactivity if **any of the following occur**, through the act or omission solely of the applicant and not the city:

1. More than six months have ~~passed~~ **elapsed** since a request for additional information was made by the city without a documented response from the applicant.;
2. Upon notice the applicant is more than 60 days in default of the payment of any fee assessed by resolution, or has not paid the fee under protest.;

3. The applicant has stated his/her intent to abandon the project-;
4. The application appears to have been filed in bad faith for the purpose of attempting to vest rights prior to a zoning change, without actual intent to construct the project applied for; or
5. Any conditional use permit, if not put into effect within one year shall be null and void.

The applicant will need to submit a new application following the six months of inactivity.

Natural Grade. The elevation of the existing surface prior to commencement of construction of any improvements proposed or any previous site disturbance.