

CHAPTER 5 - DEFINITIONS

For the purposes of implementing the Gualala Town Plan, the following definitions shall apply:

Access: The permission, ability and means for the public to enter and pass to and from property.

Access, Blufftop: A public accessway which runs along the bluff edge of a property.

Access, Coastal: Public rights-of-way to and along the sea.

Access, Lateral: Public accessway for public access and use along the shoreline.

Access, Vertical: Public accessway which extends from the first public road to the shoreline, a bluff edge for public viewing, or to a lateral accessway.

Affordable housing units: Any housing unit or combination of units developed through action of a private, public or nonprofit party, or a combination thereof, which results in the production of housing unit(s) that are capable of being purchased or rented by household(s) with very low, lower or moderate income (as defined by the State Department of Housing and Community Development) based on payment of not more than 30 percent of the gross monthly income, including rent or mortgage, taxes and insurance, when the unit's affordability is protected for an established amount of time.

Building: Any structure having a roof, which is constructed in a permanent position upon the ground and is designed and intended to be used for the shelter or enclosure of persons, animals or property. This definition does not include any type of recreational vehicle, boat, or tent.

Building Height: The vertical distance from the average ground level of the building to the highest point of the roof ridge or parapet wall.

Conditional Use: A use which may be allowed on a conditional and discretionary basis, subject to securing a conditional use permit and also subject to applicable provisions of the Gualala Town Plan, and which is a development that is appealable to the Coastal Commission.

Coastal Development Permit: A permit which may be granted by the appropriate Mendocino County authority, or the Coastal Commission on appeal, for any development within the coastal zone which is not exempt or categorically excluded from the Coastal Development Permit requirement. Special conditions may be imposed in the permitting process to ensure compliance with the policies of the Coastal Element.

Density: The number of dwelling units per acre or square feet, calculated as the total number of dwelling units divided by the total lot area within the boundaries of the lot.

Development Fees: Fees levied on new development to cover the cost of infrastructure or facilities necessitated by that development. The purpose of the fee must relate directly to the need created by the development and its amount must be proportional to the cost of the service or improvement.

Feasible: Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

Floor-Area Ratio: The ratio (usually expressed as a percentage) of the total floor area within all buildings and structures on a lot to the total area of the lot.

Frontage: That portion of a property line which abuts a legally accessible street right-of-way.

Inclusionary zoning: Zoning measures that mandate the construction of affordable housing or payment of in-lieu fees in accordance with a prescribed formula.

Land Use Plan: The relevant portion of a local government's general plan or local coastal element which provides policies indicating the kinds, location, and intensity of land uses, the applicable resource protection and development policies, and where necessary, a listing of implementing actions.

Lot Coverage: Percentage of gross lot area covered by all buildings and structures on a lot, including decks, and porches, whether covered or uncovered, and all other projections except eaves.

Parking area: An open area, other than a street or alley, that contains one (1) or more parking space.

Principal Permitted Use (PPU): The use type for each land use classification as designated by the Gualala Town Plan and implementing ordinances that is considered the primary use type for purposes of appeals to the Coastal Commission.

Residential use: A residential dwelling unit occupied by the owner(s) as his/her principal place of residence; or, occupied by long term tenant(s) as his/her principal place of residence.

Second Residential Unit: Either a detached or attached dwelling unit which provides complete independent living facilities for one (1) or more persons. It shall include permanent provisions for living, sleeping, eating, cooking and sanitation on the same parcel or parcels as the primary unit is situated.

Sensitive Coastal Resource Areas: Those identifiable and geographically bounded land and water areas within the coastal zone of vital interest and sensitivity. "Sensitive coastal resource areas" include the following:

- (a) Special marine and land habitat areas, wetlands, lagoons, and estuaries as mapped and designated in Part 4 of the coastal plan.
- (b) Areas possessing significant recreational value.
- (c) Highly scenic areas.
- (d) Archaeological sites referenced in the California Coastline and Recreation Plan or as designated by the State Historic Preservation Officer.
- (e) Special communities or neighborhoods which are significant visitor destination areas.
- (f) Areas that provide existing coastal housing or recreational opportunities for low- and moderate-income persons.
- (g) Areas where divisions of land could substantially impair or restrict coastal access.

Setback: A required, specified distance between a building or structure and a lot line or lines, measured perpendicular to the lot line in a horizontal plane extending across the complete length of said lot line or lines.

Urban/rural boundary: Defines the areas to which the Coastal Act's rural land division policy would apply as defined by Section 30250(a) of the Coastal Act and the Coastal Element of the Mendocino County General Plan.

Usable Activity Space: Area within a development which is set aside for out-of-doors recreational use by the residents and their visitors.

Use Permit: A permit which may be granted by the appropriate Mendocino County authority to provide for the accommodation of land uses with special site or design requirements, operation characteristics, or potential diverse effects on surroundings, which are not permitted by right, but which may be approved upon completion of a review process and, where necessary, the imposition of special conditions of approval by the permit granting authority.

Variance: A departure from the specific requirements, excluding uses, of the Zoning Code which may be granted by the appropriate Mendocino County authority when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the requirements of the Zoning Code deprives such property of privileges enjoyed by other property in the vicinity under identical zoning classification. Any variance granted shall be subject to such conditions as will assure that the authorized adjustment shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.

View corridors: A substantial and unobstructed view of the coastline or ocean from publicly accessible vantage point(s).

Vacation home rental: A single family residential dwelling unit intended for single family occupancy designed to be let or hired as an entire unit for occupancy by transient guests for compensation or profit; not a Visitor Accommodation and Services facility, as defined in Division II of the Mendocino County Code.