

4.1240 Overlay zone.

"Overlay zone" means a zone superimposed upon an underlying zone which establishes special requirements in addition to, or in lieu of, those of the underlying zone.

4.1250 Parking area.

"Parking area" means an area, other than a street or alley designated for use, or used, as temporary parking of vehicles-

4.1260 Parking space, off-street.

"Parking space, off-street" means a space designated for the temporary parking of a motor vehicle not on the right-of-way or alley but accessible from a street or alley.

4.1270 Party wall.

"Party wall" means any wall of a building or structure which is common to two or more buildings, and which has a minimum of one-hour fire-resistant construction as defined and regulated by the latest adopted Uniform Building Code.

4.1280 Paved parking space or surface.

"Paved parking space or surface" means an area covered by an impervious dust free surface of asphalt or concrete designed to specifications of the road and bridge superintendent.

4.1290 Personal and convenience services.

"Personal and convenience services" means businesses offering services such as barbershops, beauty shops, shoe repair, laundromats, laundry and dry cleaning pickup and delivery stations, and similar uses.

4.1300 Persons.

"Persons" means and includes any individual or group of individuals, corporations, partnerships, associations, or any other organized group of persons, including state and local governments and agencies thereof.

4.1310 Planning director.

"Planning director" means the director of the Gallatin County Planning Department and the person charged with the administration of this title.

4.1320 Property, personal.

"Personal property" means property, other than real property, consisting of things temporal and movable.

4.1330 Property, real.

"Real property" means property consisting of buildings and/or land.

4.1340 Recreational vehicle.

"Recreational vehicle" means a vehicular type portable structure without permanent foundation, which can be towed, hauled or driven primarily designed as temporary living accommodation for recreational, camping and travel use and including but not limited to travel trailers, truck campers, camping trailers and self-propelled motor homes ' less than eight feet in width and thirty-three feet in length.

4.1350 Recreational vehicle park.

"Recreational vehicle park" means a plot of ground upon which two or more sites are located, established or maintained for occupancy by the general public as temporary living quarters for travel, recreation or vacation purposes.

4.1360 Research laboratory.

"Research laboratory" means an establishment or facility for carrying on investigation in the natural, physical or social sciences, or engineering and development as an extension of investigation with the objective of creating end products.

4.1370 Restaurant.

"Restaurant" means any restaurant (except a drive-in restaurant or a convenience food restaurant as defined in this section), coffee shop, cafeteria, short-order cafe, luncheonette, sandwich stand, drugstore, and soda fountain serving food.

4.1380 Retail.

"Retail" means the sale of tangible personal property for any purpose other than for resale.

4.1390 Right-of-way.

A public way established or dedicated for public purposes by duly recorded plat, deed, grant, governmental authority or by operation of the law.

4.1400 School.

"School" means 1) any pre-primary, primary or grammar, public, parochial or private school, high school; 2) preparatory school or academy, public or founded, or owner or conducted by or under the sponsorship of a religious or charitable organization; 3) private preparatory school or academy furnishing courses of instruction substantially equivalent to the courses offered by public high schools for preparation of admission to college or universities which award B.A. or B.S. degrees; 4) junior college or university, public or founded or conducted by or under the sponsorship of a religious or charitable organization; or 5) private school when not conducted as a commercial enterprise for the profit of individual owners or stockholders.

4.1410 Screening.

"Screening" means a solid or nearly solid barrier (i.e., wall, fence, plantings) constructed or installed for the purpose of visual separation.

4.1420 Setback line.

"Setback line" means that line that is required minimum distance from the street right-of-way or public access easement line or any other lot line that establishes the area within which structures must be placed, as specified in this code.

4.1430 Sewer, public.

"Public sewer" means any sanitary sewer line owned and maintained by the city, whether or not installed by the city.

4.1440 Sewer system, community.

"Community sewer system" means any sanitary sewer system, whether treatment plant, septic tank or lagoon designed with a sewer collection system to be used by a legally constituted association of properly owners. The system may or may not be a public system.

4.1450 Sign.

Sign-related definitions can be found in Section 65, sign code, of this title.

4.1460 Site plan.

"Site plan" means a scale drawing showing the accurate location of all structures, streets, alleys, and parking areas existing and proposed on subject property or any other information as may be required by this title.

4.1465 Small Scale Broadcast Facility.

"Small Scale Broadcast Facility" means a facility, less than twenty feet (20') in height from the base to the highest point including attachments, designed and constructed specifically to support one or more antennae and may include a monopole, self supporting (lattice) tower, guy-wire supported tower, and other similar structures and/or a facility broadcasting in the electromagnetic spectrum with less than 1,000 watts Effective Radiated Power. When calculating the height of a facility other structures designed for other uses such as office buildings or water towers shall not be included in the calculation. This definition excludes private, receive only, antennae such as for the reception of television signals.

4.1470 Spa.

See definition of health and exercise establishments, section 4.810.

4.1475 Special exception.

A deviation from the physical standards of this regulation as applied to a specific piece of property located within the entryway corridor overlay district. Special exceptions may not be granted to permitted uses of property.

Amended Resolution 2001-09

4.1480 Stable, private.

"Private stable" means any building located on a lot which is designed, arranged, used or intended to be used for not more than four horses for the private use of the owner of the lot, but shall not exceed six thousand (6,000) square feet in area.

4.1485 Stealth or Camouflaged.

"Stealth" or "Camouflaged" means placement of a telecommunications facility in such a way that it may not be discerned as being separate from the principal use of a site. This may be accomplished through visual screening, use of color, or encasement of the facility within an existing structure such as a steeple. A stealth installation may also include the placement of a new structure to contain the facility so long as the new structure complies with the height, setback, and other requirements of the zoning code or is otherwise exempt from those requirements.

4.1490 Street.

"Street" means a right-of-way, other than an alley, dedicated or otherwise legally established for public use, usually affording the principal means of access to abutting property.

4.1500 Street, arterial.

"Arterial street" means a street so designated in the *Gallatin County Plan*.

4.1510 Street, collector.

"Collector street" means a street so designated in the *Gallatin County Plan*.

4.1520 Street, local.

"Local street" means a street designed to provide vehicular access to abutting properties and to discourage through traffic.

4.1530 Street frontage.

"Street frontage" means any property line separating a lot from a street; the front lot line.

4.1540 Street, public.

"Public street" means any street which has been dedicated or is otherwise publicly owned. Any street not a public street shall be deemed a private street.

4.1550 Structure.

"Structure" means anything constructed or erected which requires location on the ground.

4.1560 Structure, nonconforming.

"Nonconforming structure" means any structure which was legal prior to the effective date of the regulation codified in this section which fails to comply with the building location standards, and/or size requirements of the applicable zone of this title in which it is located.

4.1570 Structural alteration.

"Structural alteration" means any change in the supporting members of a building, such as bearing walls or partitions, columns, beams, or girders, or any change in the exterior walls or the roof.

4.1580 Subdivision or development construction yard.

"Subdivision or development construction yard" means a temporary office and/or vehicular and material storage yard.