

# Chapter 1

## General Provisions

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## CHAPTER 1 - GENERAL PROVISIONS

### **SECTION 1.01 TITLE**

This document shall be known and cited as the "Missoula County Zoning Regulations." These regulations accord with and exercise authority conferred by Montana Code Annotated Title 76, Chapter 2. The jurisdictional area, to which these regulations apply, is the unincorporated area of Missoula County.

### **SECTION 1.02 PURPOSES**

1. Promote the public health, safety, morals, and general welfare;
2. Secure safety from fire, panic, and other dangers;
3. Prevent overcrowding of land and undue concentrations of population;
4. Prevent waste and inefficiency in land use;
5. Encourage innovations in residential development and renewal so that the needs of the community for housing may be met by greater variety, type, and design of dwellings;
6. Provide open space for travel, light, air, and recreation;
7. Provide adequate land and space for the development of residential, commercial, and industrial uses, and encourage such development in locations calculated to benefit the area at large with reasonable consideration to the character of the area and its peculiar suitability for particular uses;
8. Facilitate adequate provisions for transportation, water, sewage, schools, parks, and other public services;
9. Stabilize and conserve the value of buildings and land;
10. Avoid excessive expenditure of public funds for public services; and,
11. Promote and guide development consistent with the goals and objectives of the Missoula County Growth Policy and of the laws of the State of Montana.

### **SECTION 1.03 RULES OF INTERPRETATION AND SEVERABILITY**

1. Rules of Interpretation  
The present tense includes the future tense. All words in the plural number include the singular number unless the natural construction of the wording indicates otherwise. The word "shall" is mandatory. The word "may" is permissive.
2. Severability  
The provisions of these regulations are severable. If a section, sentence, clause, or phrase of these regulations is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portion of these regulations.
3. Conflicting Provisions  
If a conflict exists between any provisions in these regulations, or with other lawfully adopted rules regulations or resolutions, or any other document referenced herein, the provision or regulation that is the more restrictive or particular shall prevail over that which is less restrictive or more general.
4. Text Versus Table, Illustration, Graphic Depiction or Caption

If a conflict exists between the provisions of the text of these regulations and any table, illustration, graphic depiction, or the captions for any section or subsection, the provisions of the text shall prevail.

### **SECTION 1.04 DEFINITIONS**

The following definitions apply to these regulations:

1. Accessory Building or Structure

A structure customarily used in conjunction with a permitted accessory use that is subordinate in area, function, or purpose to the principal use and building on the parcel.

2. Accessory Use

A use clearly incidental, customarily found with, and subordinate to the main use of the premises.

3. Agriculture

The use of land for growing, raising, or marketing of plants or animals to produce food, feed, or fiber commodities. Examples include, but are not limited to, cultivation and tillage of the soil; dairying; the raising of livestock, poultry, bees, fur-bearing animals, or biological control insects; and the growing and harvesting of fruits, vegetables, and sod, ornamental, nursery, and horticultural crops that are raised, grown, or produced for commercial purposes. This definition specifically excludes gardening for personal use, keeping of house pets, kenneling / boarding of animals, landscaping for aesthetic purposes, and residential, commercial, and industrial uses, including the commercial processing of agricultural products. This definition is not construed to exclude ancillary or accessory uses or improvements necessary or related to the function of a bona fide agricultural operation.

4. Agricultural Building

A structure designed and constructed for use in a bona fide agricultural operation to house farm implements, hay, grain, poultry, livestock, or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated, or packaged, nor shall it be a place used by the public for business or commercial uses.

5. Alteration

A change or rearrangement of the structural parts of existing facilities, or enlargement by extending the sides or increasing height or depth, or moving from one location to another.

6. Boarding (Rooming or Lodging) House

A building where meals and lodging are provided for compensation, for three (3) or more persons, not members of the operator's family, by prearrangement for definite periods of time.

7. Building

Any structure having a roof supported by columns or walls and used or intended for supporting or sheltering any use or occupancy.

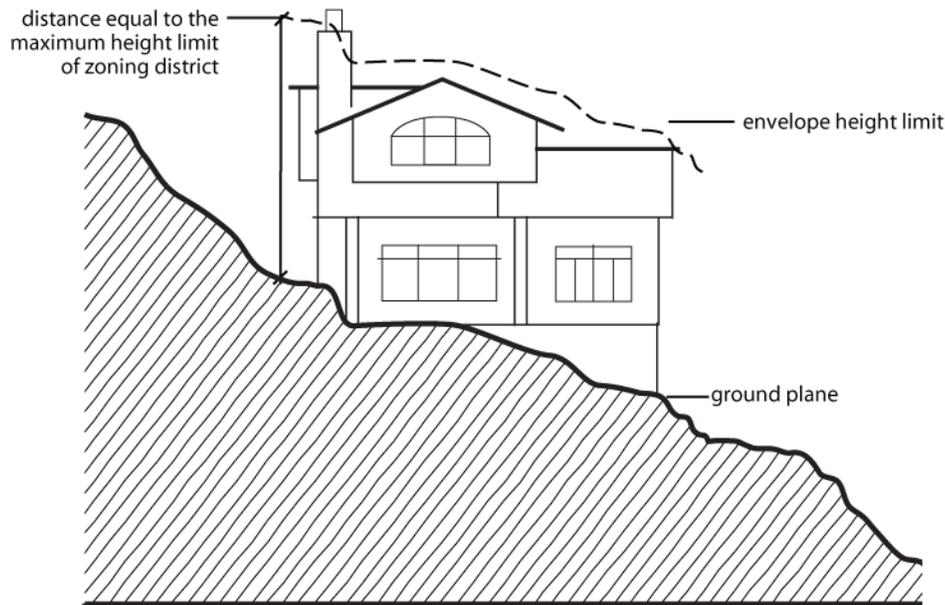
8. Building Envelope

An envelope measured as a given vertical distance established by a plane of the same topography parallel to existing grade.

9. Building Height

Building height is measured as a building envelope where the bottom portion of the building envelope is a plane that follows existing grade beneath the building and all projections of the

building’s roof, and the upper portion of the building envelope is an imaginary plane that parallels the existing grade plane a given vertical distance equal to the maximum height limit of the subject zoning district. All portions of buildings and structures must fit within the building envelope, excluding those building height exceptions allowed by Section 3.06 A.1.



10. Building, Main

The principal building for accommodating the primary use to which the premises are devoted.

11. Business or Commercial

- a. The purchase, sale, offering for sale, or other transaction involving the handling or disposition of any article, service, or commodity for livelihood, profit, management, or occupancy of an office building, offices, recreational, or amusement enterprises.
- b. The maintenance and use of buildings, offices, structures, or premises by professional and trades or persons rendering services.

12. Cluster or Open Space Development

A development with structures clustered so as to concentrate building sites in smaller areas while allowing other lands to remain undeveloped.

13. Community Residential Facility

- a. A community group home for developmentally, mentally, or severely disabled persons that does not provide skilled or intermediate nursing care; or,
- b. A youth foster home, a kinship foster home, a youth shelter care facility, a transitional living program, or youth group home as defined in Montana Code Annotated §52-2-602; or,
- c. A halfway house operated in accordance with regulations of the Department of Public Health and Human Services for the rehabilitation of alcoholics or drug dependent persons; or,
- d. A licensed adult foster family care home; or,
- e. An assisted living facility licensed under Montana Code Annotated §50-5-227.

14. Conditional Use  
A use which is specifically listed as a conditional use for a district and which meets the intent of the district when specified design standards and conditions are met.
15. Condominium and Townhome Exemption Development (C-TED)  
A development containing one or more units that are owned subject to an arrangement under which persons own their own units, and in the case of a townhome hold separate title to the land beneath their units, but under which they may jointly own the common area and facilities in accordance with MCA §70-23-102 (The Unit Ownership Act) and MCA §76-3-203.
16. Conforming Use  
Any use allowed by the regulations of the district as a permitted use, conditional use, or special exception.
17. Conservation Easement  
An easement or restriction, running with the land and assignable, whereby an owner of land voluntarily relinquishes to the holder of such easement or restriction any or all rights to construct improvements upon the land or to substantially alter the natural character of the land or to permit the construction of improvements upon the land or the substantial alteration of the natural character of the land, except as this right is expressly reserved in the instruments evidencing the easement or restriction.
18. Courtyard  
A common area landscaped outdoor living space surrounded by walls, fences, or structures.
19. Curb Cut  
A cut in the curb to allow for the passage of vehicles.
20. Cut and Fill  
The excavating of material in one place and depositing of it as fill in an adjacent place.
21. Day Care or Child Care  
Care for children provided by an adult, other than a parent of the children or other person living with the children as a parent, on a regular or irregular basis, as applicable, for daily periods of less than 24 hours, whether that care is for daytime or nighttime hours.
22. Day-Care Center  
An out-of-home place in which day care is provided to thirteen (13) or more children on a regular or irregular basis. This term does not include a place where day care is provided if a parent of a child for whom day care is provided remains on the premises.
23. Day-Care Home  
A family day-care home in a private residence in which day care is provided to three (3) to six (6) children on a regular basis or a group day-care home in a private residence in which day care is provided to seven (7) to twelve (12) children on a regular basis.
24. Drainage  
A general term applied to the removal of surface or subsurface water from a given area either by gravity or by pumping.
25. Drainage System  
The surface and subsurface system for the removal of water from the land, including both the natural elements of streams, marches, swales, and ponds, whether of an intermittent or continuous nature,

and the manufactured elements which includes culverts, ditches, channels, retention facilities, and the storm sewer system.

- 26. Density  
The number of dwelling units per acre measured as gross area inclusive of rights-of-way, parks, and open space.
- 27. District  
An area of the county in which regulations governing the area, height, and use of the land and buildings are the same.
- 28. Dog Kennel  
Any establishment wherein or whereon five (5) or more dogs are kept for the purpose of boarding, breeding, or sale or for sporting or commercial purposes. Veterinary hospitals, grooming parlors and pet shops are to be excluded from this definition.
- 29. Drinking Establishment  
A building where any amount of alcoholic beverages is sold and consumed on the premises, whether or not such sales are incidental to or accessory to its principal business.
- 30. Drive-in Restaurant  
Any building in which food and drink are prepared for service to customers outside such building, or occupying vehicles outside such building, including self-service restaurants for "take-out" food.
- 31. Dwelling or Dwelling Unit  
A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. The intent is to be consistent with the building code. The presence of the following are indicators of a dwelling unit: counters, stove, refrigerator, sink, 220V electrical outlet, and bathroom including bathing facilities. In addition, the unit shall have independent access and no access from another dwelling unit (this list is not exhaustive). One of the indicators on its own is not proof of a dwelling unit.
- 32. Dwellings, Types of
  - a. Dwelling, single-family – a detached building designed for occupancy by one (1) family. Unless expressly stated otherwise, this definition includes a manufactured home and a mobile home.
  - b. Dwelling, two-family – a building designed for occupancy by two (2) families living independently of each other.
  - c. Dwelling, multiple-family – a building designed for occupancy by three (3) or more families living independently of each other, which may have a common building entrance and hallway to each dwelling unit. The term includes attached townhouses and apartments.
- 33. Erosion  
The process by which the soil and rock components of the earth’s crust are worn away and removed from one place to another by natural forces such as water, wind, ice, and gravity.
- 34. Existing Grade  
The grade of a site prior to building construction and after road and utility construction.
- 35. Family  
One (1) or more persons living, sleeping, and usually cooking and eating on the premises as a single housekeeping unit.

36. Feed Lot  
An animal enclosure where the land is not grazed or cropped annually, either a secondary or an accessory use to an agricultural operation or a primary use, as in commercial feed lot.
37. Fence  
A wall, enclosure, or barrier intended for enclosing a space or separating parcels of land and which do not otherwise structurally function as a retaining wall or as an integral structural part of a building as defined by the International Building Code (IBC) and the International Residential Code (IRC).
38. Finished Grade  
The grade of a site after building construction, inclusive of any retaining walls, built up grade or other changes to existing grade.
39. Floodplain  
The area generally adjoining a stream that would be covered by floodwater of a base flood including areas designated as A, AE, AH, AO, Floodway and Shaded Zone X by FEMA.
40. Floor Area  
The sum of the areas of the several occupied floors of a building, measured from the exterior walls or from the center line of walls separating buildings, excluding such features as covered walkways, covered open areas, porches, pipe trenches, exterior terraces, or steps, and chimney roof overhangs.
41. Foundation, permanent  
Permanent foundation as it applies to a manufactured or mobile home means concrete, concrete block, or wood pier, any of which rests on embedded concrete or concrete block footings. Foundation for this purpose does not include mud sill, pier, and post, wood blocks, concrete block, or other types of temporary support, any of which rests on the ground.
42. Governing Body  
The Board of Commissioners of Missoula County, Montana.
43. Growth Policy  
A comprehensive development plan, master plan, or comprehensive plan as defined in Montana Code Annotated §76-1-103 and §76-1-601, or any plan such as a plan of land use, zoning, thoroughfares, sanitation, recreation, or other related matters, or any part of such plan.
44. Guest Ranch  
A facility that satisfies the definition of guest ranch at Montana Code Annotated §50-51-102(5).
45. Health-Authority  
Department of Environmental Quality and/or the Missoula City/County Health Department.
46. Hillside Land  
A slope with a grade over ten percent (10%).
47. Home Occupation  
An accessory use of a dwelling unit or a residential accessory structure for business or commercial purposes. Home occupations are subjects to the standards in Chapter 4, Section 4.03 F.
48. Impervious Surface  
Any surface which either prevents or retards the entry of water into the soil profile, (the area from ground surface to parent material), as under natural conditions prior to development, and/or a surface area which causes water to run off the surface in greater quantities or at an increased rate of

flow from the flow present under natural conditions prior to development. Surfaces which impede the natural infiltration of surface and storm water runoff are impervious. Drainage swales are not considered impervious under this definition.

49. Industry or Industrial

The manufacture, storage, extraction, fabrication, processing, reduction, destruction, conversion, or wholesaling of any article, substance or commodity or any treatment thereof in such a manner as to change the form, character, or appearance thereof.

50. Jurisdictional Area

The unincorporated area of Missoula County.

51. Landslide

The downhill mass movement of soil, rock, or snow resulting from failure of that material under stress.

52. Long-Term Care Facility

A facility or part of a facility licensed by the State Department of Public Health and Human Services that provides skilled nursing care, residential care, intermediate nursing care, or intermediate developmental disability care to a total of two (2) or more individuals or that provides personal care. This term does not include facilities that meet the definition of a community residential facility.

53. Lot or Tract of Record

An individual parcel of land, irrespective of ownership, that can be identified by legal description, independent of any other parcel of land, using documents on file in the records of the County Clerk and Recorder's Office.

54. Lot Measurements

- a. Lot Area – the area exclusive of street, highway, alley, road, or other rights-of-way. Lot area includes easement area.
- b. Lot Depth – the mean distance of a line drawn from the front lot line and extending to the rear lot line.
- c. Lot Frontage – the length of a line measured at the front lot line.
- d. Lot Width – the length of a line measured at the building setback line and parallel to the front lot line.

55. Lot Types

- a. Corner Lot – a lot located at the intersection of two (2) streets.
- b. Interior Lot – a lot with frontage on only one (1) street.
- c. Through Lot – a lot whose front and rear lot lines both abut on a street other than an alley.

56. Manufactured Home

A single-family dwelling, built off-site in a factory on or after January 1, 1990, that is placed on a permanent foundation, is at least one thousand (1,000) square feet in size, has a pitched roof and siding and roofing materials that are customarily, as defined by local regulations, used on site-built homes, and is in compliance with the applicable prevailing standards of HUD at the time of its production. The term "Manufactured Home" does not include a mobile home as defined below or house trailer as defined in Montana Code Annotated §15-1-101. (Ref. Montana Code Annotated §76-2-202(6)).

57. Mini-warehouse

A building and premises whose divisions are separately rented or leased for the sole purpose of storage, and which does not include residential accessory buildings.

- a. Residential Mini-warehouse – A mini-warehouse where storage is restricted to storage of household goods, recreation vehicles and similar items.
- b. Commercial Mini-warehouse – A mini-warehouse where storage is restricted to household items, recreation vehicles and those goods and equipment used by activities permitted in the applicable commercial zone.
- c. Industrial Mini-warehouse – A mini-warehouse where the type of storage is not restricted, other than by applicable safety standards.

58. Mobile Home

A factory assembled structure equipped with necessary service connections, made so as to be readily movable as a unit on its own running gear, and designed to be used as a dwelling unit without a permanent foundation. The term "mobile home" includes forms of housing known as "trailers," "house trailers," or "trailer coaches" exceeding eight (8) feet in width or forty five (45) feet in length, designed to be moved from one place to another by an independent power connected to them, or any trailer, house trailer, or trailer coach up to eight (8) feet in width or forty five (45) feet in length used as a principal residence. Mobile homes constructed after to June 15, 1976, are presumed to be constructed to HUD (Housing and Urban Development) building safety standards.

59. Mobile Home Park

A tract of land providing two (2) or more mobile home lots for lease or rent to the general public.

60. Neighborhood Plan or Regional Plan

A plan for a geographic area within the boundaries of the jurisdictional area that addresses one or more of the elements of the growth policy in more detail.

61. Nonconforming Use

A use of land which was a lawful use at the time these regulations were adopted, but which use because of such adoption, or subsequent changes in zoning district boundaries or regulations, does not conform to the regulations of the district in which the use exists.

62. Offset

The horizontal distance measured between vertical surfaces of adjacent building elements.

63. Open Porch or Deck

An open porch or deck has a roof projecting from the exterior wall of a building and have at least fifty percent (50%) of the total area of the vertical plane forming its perimeter unobstructed in any manner.

64. Open Space Land

Any land which is provided or preserved for: (a) park or recreational purposes; (b) conservation of land or other natural resources; or (c) historic or scenic purposes.

65. Outcrop

That part of a rock formation which is exposed at the earth's surface.

66. Overall Development Plan

The master plan of a project designed to be developed in stages.

67. Parking  
Space reserved for the parking of motor vehicles.
68. Permitted Use  
A use which is specifically listed as a permitted use for a district and which meets the intent of the district without additional conditions or special review and approval being required.
69. Person  
A firm, association, organization, partnership, trust, company, or corporation as well as an individual.
70. Personal Service  
A retail establishment or facility which provides the following services:  
a. Cleaning, maintenance or repair of clothing or footwear; and,  
b. Maintenance or improvement of the customer's physical appearance.
71. Planned Unit Development (PUD)  
A land development project consisting of residential clusters, industrial parks, shopping centers, or office building parks, or combination thereof that compose a planned mixture of land uses built in a prearranged relationship to each other and having open space and community facilities in a common ownership or use.
72. Planned Variation  
The modification of specific space and bulk requirements in accordance with the provisions of these regulations to permit innovative approaches to housing and environmental design.
73. Planning Board  
The Missoula Consolidated Planning Board formed in accordance with Montana Code Annotated Title 76, Chapter 1, and pursuant to Section 2 of the Interlocal Agreement between the City and County of Missoula to Cooperate in the Provision of Planning Services to the Residents of Missoula.
74. Planning Office  
The Missoula County Community and Planning Services Department.
75. Private Open Space  
A parcel of land or of floor area of a structure designed and intended for the private, passive, or active recreational use of each individual dwelling unit in a PUD.
76. Professional  
A service rendered by attorneys, certified public accountants, public accountants, chiropractors, dentists, osteopaths, doctors of medicine, chiropodists, architects, veterinarians optometrists, nurses, pharmacists, physical therapists and professional engineers. This definition also includes any occupation which is an office-oriented service requiring a State license under Montana Code Annotated Title 37, such as surveyors and realtors, but does not include personal services.
77. Public and Quasi-Public Uses  
Any building or use constructed and owned by a governmental, tax-supported, religious, welfare, or charitable organization or institution, such as schools, churches, community buildings, and cemeteries.

78. Public Improvement  
Any structure or facility constructed to serve the residents of a subdivision or the general public, such as parks, streets or roads, sidewalks, curbs and gutters, street lighting, water supply, sewage disposal, drainage, and utility systems.
79. Public Utility  
A public utility shall include any enterprise, both public and private, providing heat, light, power, water, sewer, telecommunication service, street-railway service, and audio visual and data link communications.
80. Recreational Camping Vehicles  
A vehicle designed to be towed or a motorized home or pickup coach designed and constructed for human habitation, which can be operated independently or with utility connections and which is used as a temporary vacation dwelling.
81. Recreation Vehicles  
Boats and boat trailers; detached camper units (designed to be mounted on pick-ups and trucks); travel trailers thirty-two (32) feet or less in length; motorized dwellings integrally mounted on a chassis having a length of twenty (20) feet or more, including converted busses; tent trailers; and cases, boxes, or trailers used for the purpose of transporting recreation equipment, whether occupied by such equipment or not.
82. Recreational Vehicle Park  
A place used for public camping where persons can rent space to park individual recreational camping vehicles or automobiles for transient dwelling purposes.
83. Right-of-way  
A strip or parcel of land dedicated in fee or acquired for use as a public way.
84. Runoff  
The part of precipitation that flows off the land without filtering into the soil or being absorbed into plant material.
85. Seasonal Commercial Use  
A seasonal commercial use of property is authorized in any zone which allows the same activity as a permanent use, operates no more than thirty (30) consecutive days and no more than ninety (90) days in one (1) year, complies with the requirements of the zoning district in which the seasonal commercial use is located, and may or may not require a building permit.
86. Sediment  
Solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, or gravity as a product of erosion.
87. Sedimentation  
The process of depositing materials from a liquid, especially in bodies of water.
88. Service Station  
Land including the structures thereon used for the sale of gasoline or other motor fuels, oils, lubricants and auto accessories, and washing, lubricating, and minor servicing and repairs.
89. Slope  
The inclination of the surface of the land from the horizontal prior to development.

90. Setback  
An open, unobstructed area that is required by these regulations to be provided from the furthestmost projection of a structure to the property line, street right-of-way, or the edge of any road easement of the parcel on which the structure is located.
91. Solar Panels  
Devices containing photovoltaic cells that convert sunlight into direct current electricity or that use thermal energy from sunlight to heat water.
92. Special Exception  
A use which is specifically listed as a special exception for a district and which meets the intent of the district when design standards and conditions are met, after special review and approval of the Board of Adjustment, which will make it consistent with and compatible to other existing and conforming uses within the district.
93. Street Types
- a. Alley - A street or road used primarily for vehicular access to the rear of a lot which abuts on or is serviced by public roads.
  - b. Arterial - A street or road, moving relatively large volumes of traffic in two (2) or four (4) lanes, having the primary function of moving through traffic and the secondary function of providing access to adjacent land.
  - c. Collector - A street or road generally with two (2) traffic lanes and two (2) parking lanes serving the equally important functions of moving through traffic and providing access to adjacent land.
  - d. Local Street - A street or road with two (2) traffic lanes and one (1) or two (2) parking lanes having a primary function of providing access to adjacent property and the secondary function of moving through traffic.
  - e. Cul-de-sac - A street or road which terminates in a vehicular turnaround area.
  - f. Frontage Access (Service Road) - A local or collector street or road usually parallel and adjacent to an arterial or major collector street which provides access to arterials or collectors.
94. Structure  
Anything constructed or erected, that requires location on the ground, or attached to something having a location on the ground, including but not limited to buildings, signs, billboards, and poster panels, but excluding fences and retaining walls.
95. Tax Increment Finance District  
Tax increment financing (TIF) districts are legally described areas established by Missoula County, in accordance with state law, where it has been determined there is a lack of public infrastructure to support and retain value-adding economic development, and that it is in the best interest of citizens of Missoula County to invest TIF funds in support of value-adding economic development.
96. Technology-based operation  
Businesses or organizations engaged in operations that through the practical application of science to commerce and industry includes, but is not limited to, elements of the following:
- a. The tools and machines that help solve problems;
  - b. The techniques and knowledge that includes methods, materials, tools, and processes for solving a problem (such as building technology or medical technology);

- c. A culture-forming activity (such as manufacturing technology, infrastructure technology, or space-travel technology); and,
  - d. The application of resources to solve a problem (such as knowledge, skills, processes, techniques, tools, and raw materials).
97. Temporary Use  
The use of property conducted from an area or structure (e.g, parking lots, lawns, trucks, tents, or other temporary structures) that does not require a building permit and that may or may not comply with the use or space and bulk requirements of the zoning district in which the temporary use is located.
98. Topography  
General term to include characteristics of the ground surface such as plains, hills, mountains, degree of relief, steepness of slope, and other physiographic features.
99. Transient Lodging  
A building open to transient guests, in which lodging is provided with or without meals, such as a hotel and a motel.
100. Urban Service Area  
An area considered appropriate for urban growth as described and mapped in the Missoula County Growth Policy.
101. Variance  
A relaxation of specific provisions of these regulations when a literal enforcement of these regulations would result in unnecessary or undue hardship.
102. Vicinity Sketch  
A map at a scale suitable to locate the proposed development, showing the boundary lines of all adjacent properties and streets and other information necessary to determine the general location of the proposed development.
103. Wall Element  
Any individual wall or continuous element of a building on a single continuous plane.
104. Watercourse  
Any depression two (2) feet or more below the surrounding land serving to give direction to a current of water at least nine (9) months of the year, having a bed and well defined banks; provided that, upon order of the Department of Natural Resources and Conservation, it shall also include any particular depression which would not otherwise be within this definition, except that it shall not include irrigation ditch or canal.
105. Wrecking Yard or Junk Yard  
A place where junk, waste, discarded, or salvageable materials are bought, sold, exchanged, stored, bailed, packed, disassembled, or handled, including automobile wrecking yards, house wrecking, and structural steel materials and equipment but not including the purchase or storage of used furniture and household equipment, used cars in inoperable condition, or used or salvageable materials as part of a manufacturing operation.
106. Yard  
The actual (as opposed to required) horizontal distance that exists between a principal structure and a property line.

**107. Yard Types**

- a. Front – The yard that exists between a principal structure and the front property line of the parcel on which the structure is located, extending along the full length of the front property line between the side property lines.
- b. For corner lots, a primary front yard is one that fronts onto a street that is parallel to any alley serving this corner lot. When no alley exists, a corner lot’s primary front yard is adjacent to the street of longer length, or onto that street determined to have a higher functional classification (by surrounding neighborhood prevailing uses and traffic patterns) by the Public Works Department.
- c. Rear – The yard that exists between a principal structure and the rear property line of the parcel on which the structure is located, extending along the full length of the rear property line between the side property lines.
- d. Side – The yard that exists between a principal structure and the side property line of the parcel on which the structure is located, extending along a side property line, excluding those areas as defined as a front or rear yard.

**108. Zoning Officer**

The Chief Planning Officer of the Planning Office or an authorized representative designated by the Chief Planning Officer.

