

12-13-4: APPENDIX D; DEFINITIONS:

ACCESSORY DWELLING UNIT (ADU):	A second, subordinate dwelling unit for use as a complete, independent dwelling located on the same lot or parcel as the main dwelling and complying with all standards associated with such use as adopted by the city of Dover.
ACCESS, PRIMARY:	A driveway or other access point providing the main ingress and egress from abutting property to the adjacent street and generally the point from which an address is assigned.
ACCESSORY STRUCTURE, RESIDENTIAL:	Structures such as garages, tool or garden sheds, carports and other such structures that are incidental and customarily associated with dwellings and located on the same lot or parcel as the residence.
ADMINISTRATOR:	The City Mayor or designee, who may be typically known as the Planning and Zoning Administrator.
ANTENNA:	An apparatus, including wires, poles, rods, dishes, or other similar devices, designed to transmit or receive radio frequency (RF) signals for wireless communication, to be operated or operating from a fixed location pursuant to Federal Communications Commission (FCC) authorization, for the provision of personal wireless service and any commingled information services.
ANTENNA ARRAY:	Two or more devices used for the transmission or reception of radio frequency signals, microwave or other signals for commercial communications purposes.
BUILDING HEIGHT:	The vertical distance between predevelopment ground elevation and the highest point on the building or structure. The maximum building height shall be measured immediately adjacent to the building from a horizontal plane set by the highest structural point on the building to the highest predevelopment ground elevation on the uphill side of the building, excluding chimneys, vents and antennas.
CELL TOWER:	A free-standing structure that is attached to the ground, a rooftop, or other structure that is used for the installation and operation of wireless communication facilities, including monopoles, lattice towers, guy-wire supported towers, or other similar structures.
CO-HOST:	An agent, company or individual acting on behalf of short-term rental property owners or renters to assist with listings, bookings, property maintenance, or similar rental management tasks.
CO-LOCATION OR CO-LOCATE:	The addition or installation of new equipment to an eligible, pre-existing wireless communication structure or facility to allow service by a different provider than the original developer of the site so that a new support system is not required.
COMMUNICATION FACILITY, WIRELESS TELECOMMUNICATION FACILITY (WCF):	The collective components of an unstaffed facility and its support structures for the transmission and/or reception of radio frequency, microwave or other signals for commercial communication purposes, including towers, antennas, antenna arrays, equipment shelters, equipment cabinets, transmission cables, a support structure required to generate, transmit, or receive communication signals.
DAYCARE CENTER:	A place, home, building or location providing care, with or without instruction, for more than six (6) children not residing on the same premises.
DAYCARE, HOME:	A home providing care, with or without instruction, for six (6) or fewer children not residing on the same premises.
DWELLING UNIT:	One (1) or more rooms designated for, or used as a residence for, not more than one (1) family, including all necessary household employees of such family, and constituting a separate and independent housekeeping unit, with a single kitchen permanently installed. The term does not imply or include such type of occupation as a lodging or boarding house, club, hotel or group home.
FAMILY:	Two (2) or more people living together in a single domicile for an extended period of time.
FENCE:	An enclosure or barrier, such as wooden posts and rails, masonry, stone, wire, iron, or other such common fencing materials used as a boundary or enclosure for privacy, protection, or confinement, but not including hedges, shrubs, trees, or other natural growth.
GOOD NEIGHBOR POLICY:	A short-term rental operating policy that encourages occupants to respect the rights and expectations of a residential neighborhood and the local environment by informing them of local laws, subdivision rules, shoreline issues, no-wake zones, recycling programs, parking requirements, and general safety awareness and respect for the neighborhood.
GROUP HOME:	A place, home, building or location providing care for six (6) or more unrelated children as a member of the household for the purpose of providing substitute parental care.

HABITABLE LIVING SPACE:	An area within a residential building used for living, sleeping, eating or cooking purposes. Those areas not considered to meet this definition include garages, decks, covered porches and utility spaces.
HOME OCCUPATION:	A business, profession, occupation or trade conducted for gain or support entirely within a residential building or accessory residential structure, which is incidental and secondary to the principal residential use meeting all requirements and standards of the City of Dover.
IMPERVIOUS SURFACE:	Any structure, surface or improvement that reduces and/or prevents absorption of stormwater into land. Common "impervious surfaces" include, but are not limited to, rooftops, walkways, patios, driveways, parking lots, concrete or asphalt paving, gravel roads, packed earthen materials and oiled, macadam or other surfaces that impede the natural infiltration of stormwater. Open, uncovered retention or detention facilities are not considered to be impervious surfaces for the purposes of this title.
JUNK:	Includes, but is not limited to, manufactured goods, appliances, fixtures, scrap metal, salvaged building materials, agricultural or yard wastes, plastics, garbage, furniture, rags, clothing and accessories, paper, or paper products, glass, machinery or vehicle parts, inoperable or unlicensed vehicles, construction wastes, or any other personal property, whether of value or valueless, that is demolished, discarded, dismantled or partially dismantled, dilapidated, or deteriorated so that it cannot be used for its original intended use.
JUNK YARD:	An area, structure, building, or enclosure where junk is accumulated or stored, placed in transit, baled, packaged, sold, or exchanged.
KITCHEN:	Any room principally used, intended, or designed to be used for cooking or the preparation of food. The presence of a range or oven, or utility connections suitable for servicing a range or oven, shall normally be considered as establishing a kitchen.
LARGE SCALE DEVELOPMENT:	Any subdivision or land use change, or group of subdivisions or land use changes created from the same parcel or adjacent parcels under the same ownership, that includes more than one hundred (100) proposed dwelling units or that potentially generates more than one thousand (1,000) automobile trips per day at peak occupancy.
LOT COVERAGE:	The percentage which the aggregate building area of all buildings on the lot bears to the area of the lot (a ratio of total building area to total lot area).
MINIMUM FUNCTIONAL HEIGHT:	Minimum height necessary for a WCF to function satisfactorily.
NONCONFORMING STRUCTURE:	A structure or building, or portion thereof, which was lawfully erected or altered and maintained at the time this title was adopted, but which because of the applications of this title to it, no longer conforms to the use, height or area regulations of the zone in which it is located.
NONCONFORMING USE:	A use which was lawfully established and maintained at the time this title was adopted, but which, because of the application of this title to it no longer conforms to the use regulations of the zone in which it is located.
OWNER OCCUPANCY:	A property owner, as reflected in title records, who makes his or her legal residence at a site, as evidenced by voter registration, vehicle registration or similar means.
PARK:	A public or privately owned area of land, with or without buildings, intended for outdoor active or passive recreation, scenic areas, natural areas, open space, community gardens, or similar facilities intended for public use.
PARKS AND RECREATION FACILITIES, HIGH-INTENSITY:	Site development for a park or recreational development that does not meet the standards and definitions of a low-intensity park or recreation facility and may cause significant impacts to neighborhoods by the development of structures to accommodate park or recreation facilities that are not minor accessory structures.
PARKS AND RECREATION FACILITIES, LOW-INTENSITY:	Site development for recreational activities or park that generally causes little or no modifications to the land other than for pedestrian or bicycle pathways and the associated parking areas, and creates minimal noise and traffic. Low-intensity park uses may include the following: pathways and trails of various surface materials, boat launches for non-motorized boats, minor accessory structures such as bathrooms, picnic tables, benches, gazebos, storage sheds, trail displays, trail signage and other accessory structures that do not significantly alter the land. Low-intensity forms of recreation or park development generally include: hiking, horseback riding, walking, picnicking, bicycling, birdwatching, small outdoor courts without bleachers or spectator seating, cross-country skiing, non-motorized water sports, and similar recreational activities and parks in natural settings with limited impacts to surrounding neighborhoods due to noise, lights, or glare.

RESIDENTIAL LODGING:	A single-family residence, occupied year-round, which provides sleeping rooms for the lodging of transient guests for a fee, and which includes the serving of or facilities for the preparation of meals for overnight guests. The term shall not include bed and breakfasts of five (5) or fewer bedrooms.
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SETBACK:	The minimum distance required between a structure's greatest architectural projections and the property line or other point of measurement established by this title.
SHORT-TERM RENTAL:	The rental of one or more dwelling units for a term less than thirty (30) days, whether or not funds, goods or services are exchanged for the use. The term shall include vacation rental, Air BnBs, home sharing, co-hosted rentals, bed and breakfast facilities of five (5) or fewer bedrooms, and any other occupancy subject to the standards established by section 12-7-4 of this title. The term shall not include on-going, month-to-month rental tenancy granted to the same occupant. Short-term rental shall not include any retail, restaurant, banquet space, event center, or other similar uses.
SHORT-TERM RENTAL OCCUPANT:	Any person or persons who occupy, rent, possess or are entitled to occupy a short-term rental by a rental agreement, contract, or other authorization. The term shall not include children age two (2) and younger.
SIGN:	Any object or structure used to identify, advertise or in any way attract or direct attention to any use, building or person by any means, including, but not limited to, the use of lettering, words, pictures, and other graphic depictions or symbols.
Construction Signs:	Ground or wall signs that identify a building's planned use while under construction.
Ground Signs:	Freestanding signs not exceeding six feet (6') in height above grade.
Home Occupation Signs:	Which identify a business which operates out of a home and in compliance with the standards of this title.
STREET, FLANKING:	A public or private right-of-way abutting the side of a parcel, lot or development site that does not provide primary access.
STRUCTURE:	An object constructed or erected which requires location on the ground or is attached to something having a location on the ground, including towers, smokestacks, overhead transmission lines, but not including fences or walls used for fences not exceeding seven feet (7') in height when measured from predevelopment elevations.
STRUCTURE, ATTACHED:	A structure that has at least one wall in common with another building.
STRUCTURE, DETACHED:	Freestanding and structurally separated from other buildings.
TOWER, CELLULAR, WIRELESS:	Any structure built or placed for the sole or primary purpose of supporting a wireless facility, such as a self-supporting tower/monopole; a lattice tower, or guyed-wire tower.
USE, PERMITTED:	An activity or use so designated in any given zone, and which may occur without special action by the City Council, which may or may not need authorization by the City, subject to the provisions of the zone in which it is located.
USE, SPECIAL:	A use listed among those designated in any given zone but which may be permitted to locate only after review by the Planning and Zoning Commission and the City Council.
VARIANCE:	A modification of the requirements of this title as to the lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, height of buildings, or other title provisions affecting the size or shape of a structure or the placement of the structure upon lots.
WALL:	An upright structural feature of building material, such as masonry, wood, or plaster, serving to enclose, divide, or protect an area, especially a vertical construction forming an inner partition or exterior siding of a building.
WATER MARK, NATURAL, ORDINARY AND ARTIFICIAL:	The natural or ordinary high water mark is an elevation at which water impresses a line on the shore by covering it for sufficient time to deprive soil of its vegetation and destroy its value for agricultural purposes. The artificial water mark is created by manmade dams or controls and similarly impresses a new vegetation line on the shore.
YARD:	An open space, on a lot or parcel, unoccupied and unobstructed from the ground upward, except as otherwise provided in this title.
YARD, FLANKING STREET:	An open unoccupied space on the same lot or parcel as the structure that is at a street intersection on the side that does not provide primary access.

YARD, FRONT:	An unoccupied space extending across the full width of a parcel or lot that abuts a street or access easement that is the primary access for the property. Property fronting on parallel streets shall be deemed to have two (2) front yards. The city may designate the front yard for properties located on intersecting streets or irregular-shaped lots or parcels, with consideration given to such factors as the primary access, the orientation of the building entrance, and addressing. Property on intersecting streets shall have one front yard and a flanking street yard.
YARD, REAR:	An open, unoccupied space on the same lot or parcel as the structure that is most opposite the front yard. Triangular lots shall be deemed to have no rear yard.
YARD, SIDE:	An open, unoccupied space on the same lot or parcel as the structure that is generally perpendicular to the front and rear yards. Any yard not defined as front or rear shall be considered a side yard. Triangular-shaped properties shall have one front yard and two side yards.
ZONING PERMIT:	A permit that requires approval by the Administrator or the City Council, including, but not limited to, building permits, administrative reviews, site plans and/or home occupations, as applicable.

(Ord. 146, 9-22-2016; amd. Ord. 151, 8-17-2017; Ord. 158, 12-13-2018; Ord. 165, 10-10-2019; Ord. 178, 6-9-2022; Ord. 180, 11-15-2022; Ord. 184, 7-10-2023; Ord. 185, 7-10-2023)