

# CHAPTER 13. DEFINITIONS

<b>13.1</b>	<b>GENERAL PROVISIONS.....</b>	<b>1</b>
13.1.1	Rules of Interpretation.....	1
	A) Multiple Definitions.....	1
	B) Conflicting Definitions.....	1
	C) Interpreting Words, Terms, and Phrases.....	2
	D) Approval Criteria and Impacts.....	2
<b>13.2</b>	<b>USE CLASSIFICATIONS.....</b>	<b>2</b>
13.2.1	General.....	2
	A) Purpose.....	2
	B) Applicability.....	2
	C) Procedure.....	3
	D) Developments with Multiple Principal Uses.....	3
	E) Structure of this Section.....	3
13.2.2	Resource Uses.....	3
	A) Agriculture.....	3
	B) Forestry.....	3
	C) Mineral and Aggregate.....	4
	D) Fish and Game.....	4
13.2.3	Residential Uses.....	4
	A) Household Living.....	4
	B) Group Living.....	4
13.2.4	Commercial/Office Uses.....	5
	A) Agricultural Sales and Services.....	5
	B) Animal Sales/Service.....	5
	C) Building Materials.....	5
	D) Day Care.....	5
	E) Eating and Drinking Establishments.....	5
	F) Financial Institutions.....	6
	G) Food and Beverage Sales.....	6
	H) Landscaping Sales/Service.....	6
	I) Medical Services.....	6
	J) Office.....	6
	K) Personal Service.....	7
	L) Recreation and Entertainment.....	7
	M) Retail Sales.....	7
	N) Service and Repair Businesses.....	8
	O) Vehicles and Equipment.....	8
	P) Visitor Accommodation.....	8
13.2.5	Industrial/Manufacturing Uses.....	8
	A) Equipment Storage and Repair.....	8
	B) Industrial Service.....	9
	C) Manufacturing and Production.....	9
	D) Warehouse and Freight Movement.....	9
13.2.6	Transportation Uses.....	10
	A) Aviation.....	10
	B) Public Transportation.....	10
	C) Transportation Facility.....	10
	D) Transportation Improvements.....	10
13.2.7	Utility/Solid Waste Uses.....	10
	A) Utility.....	10
	B) Waste-Related Use.....	11

13.2.8	Parks/Public/Quasi-Public Uses .....	11
	A) Parks and Recreation.....	11
	B) Public/Quasi-Public Uses.....	11
	C) Public Assembly.....	11
	D) Public Works.....	12
	E) Religious Assembly.....	12
	F) Safety Services.....	12
	G) Schools.....	12
<b>13.3</b>	<b>TERMS DEFINED .....</b>	<b>13</b>
<b>13.4</b>	<b>INDEX OF ABBREVIATIONS AND ACRONYMS .....</b>	<b>60</b>

## CHAPTER 13.<sup>1</sup> DEFINITIONS

---

### 13.1 GENERAL PROVISIONS

The definitions contained in this Chapter apply to the entire Ordinance unless otherwise specified. Words used in the masculine include the feminine. Words used in the present tense include the future, and the singular includes the plural. The word “shall” is mandatory and is contextually synonymous with “will” and “must.” Although Oregon Administrative Rules (OAR) Chapter 814, Division 23 separately define and distinguish between “manufactured home” and “mobile home” according to federal or state construction codes for such dwellings, the term “manufactured home” is considered synonymous with “mobile home” for land development regulatory purposes under this Ordinance unless otherwise specified within specific Ordinance provisions. Likewise, unless contextually necessary, the terms “street” and “road,” and “lot” and “parcel” are synonymous throughout this Ordinance.

Where terms or words are not defined in this Ordinance, the Jackson County Comprehensive Plan, building codes, or State or Federal land use law, they are construed to have their ordinary accepted meanings in the context of their use. The contemporary edition of *Webster’s Third New International Dictionary* (unabridged) (Merriam-Webster, Inc. Springfield MA 1986) as supplemented, is to be used as the source for these accepted meanings. Nothing in this Ordinance is meant to supersede definitions appearing in State or Federal land use law, which may also be directly applicable in land use decision-making.

#### 13.1.1 Rules of Interpretation

A) ***Multiple Definitions***

When terms, words or phrases are defined in more than one (1) way in this Chapter, or when terms, words or phrases are also defined within another Chapter of this Ordinance, the definition that is specifically associated with the Ordinance provision in question is the definition that applies to it. When two (2) or more definitions of the same term, word or phrase occur in this Ordinance only the most directly applicable definition applies. If appropriate, specific terms, words or phrases that are not defined in this Chapter but are otherwise defined in this Ordinance, the Comprehensive Plan, State or Federal land use law may be applied to general situations.

B) ***Conflicting Definitions***

When terms, words or phrases as defined in this Ordinance conflict with terms, words or phrases that are also defined in the Jackson County Comprehensive Plan, or applicable State or Federal land use law, the Comprehensive Plan or statutory definition supersedes any definition in this Ordinance. Multiple definitions may be applied simultaneously when words, terms, and phrases defined in this Ordinance do not conflict with definitions in the Jackson County Comprehensive Plan, or State and Federal land use law.

---

<sup>1</sup>Ordinance 2006-10, effective 2-18-07; Ordinance 2009-1, effective 8-16-2009; Ordinance 2010-9, effective 2-13-2011; Ordinance 2010-2a, effective 6-26-11; Ordinance 2012-2, effective 7-29-2012; Ordinance 2015-6, effective 7-26-2015, Ordinance 2016-3, effective 6-19-2016

C) ***Interpreting Words, Terms, and Phrases***

When a word, term or phrase is not defined, or where multiple definitions may apply to a situation, the Director is authorized to interpret or define such words, terms, and phrases. When such an interpretation involves discretion in resolving apparent definitional conflicts, the interpretation will be made in accordance with Section 3.9. In making any interpretation or definition, the Director may consult secondary sources related to the planning profession, such as *A Survey of Zoning Definitions - Planning Advisory Service Report Number 421*, edited by Tracy Burrows (American Planning Association Chicago, IL 1989); and *The Illustrated Book of Development Definitions* by Harvey S. Moskowitz and Carl G. Lindbloom (Center for Urban Policy Research, Rutgers University NJ 3<sup>rd</sup> edition 1987) for technical words, terms and phrases; or *Webster's Third New International Dictionary* (unabridged) (Merriam-Webster, Inc. Springfield MA 1986) as supplemented. Grammatical interpretation should be based on standardized American grammar as described in *The Gregg Reference Manual, Seventh Edition* (Glencoe/McGraw-Hill 1995).

D) ***Approval Criteria and Impacts***

Unless otherwise stated in the Jackson County Comprehensive Plan, or State or Federal law, the terms “*no adverse impact or effect*,” “*no greater adverse impact*,” “*compatible*,” “*will not interfere*,” and other similar terms contained in the approval criteria of this Ordinance are not intended to be construed to establish an absolute test of noninterference or adverse effects of any type whatsoever with adjacent uses resulting from a proposed land development or division action, nor are they construed to shift the burden of proof to the County. Such terms and phrases are intended to allow the County to consider and require mitigating measures that will minimize any potential incompatibility or adverse consequences of development in light of the purpose of the zoning district and the reasonable expectations of other people who own or use property for permitted uses in the area.

## 13.2 USE CLASSIFICATIONS

### 13.2.1 General

A) ***Purpose***

Use classifications organize land uses and activities into general “use categories” and specific “use types” based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residences, how goods or services are sold or delivered, and site conditions. The use classifications provide a systematic basis for assigning present and future land uses into appropriate zoning districts, listing uses having similar characteristics for illustrative purposes. Specific definitions of use types and general terms are found in Section 13.3.

B) ***Applicability***

The use classifications in this Section refer to uses allowed in the general use districts set forth in Chapter 5 of this Ordinance and uses allowed in the resource districts set forth in Chapter 4. This Section is intended to be used in conjunction with the use tables appearing in

Chapters 4 and 6. Where a specific definition is required for consistency with State law (e.g., golf course) the term has been appropriately referenced. In cases where State land use law or administrative rules (i.e., OAR 660) provide a specific definition or description of uses allowed in a zoning district, the statutory definitions and descriptions will be used to guide land use decision-making.

C) ***Procedure***

The Director may determine whether a proposed use is deemed to be within one (1) or more use classifications, or not within any use classification, in accordance with the provisions of Section 6.2.3.

D) ***Developments with Multiple Principal Uses***

When all principal uses of a development fall within one (1) use category, the entire development is assigned to that use category. When the principal uses of a development fall within different use categories, each principal use is classified in the applicable category and each use is subject to all applicable regulations for that category.

E) ***Structure of this Section***

1) ***Principal Use Characteristics***

The “Characteristics” subsection describes common characteristics of each use category. Principal uses are assigned to the category that most closely describes them. Also listed are examples of common accessory uses, which generally are allowed in conjunction with a principal use unless otherwise stated in this Ordinance.

2) ***Exclusion***

Uses that are not included in the Principal Use category are described in this subsection.

### 13.2.2 Resource Uses

A) ***Agriculture***

1) ***Characteristics; Accessory Uses***

Includes activities that primarily involve raising, producing, or keeping plants or animals, or cultivation and management of other natural resources. Accessory uses may include animal raising, barns, loafing sheds, storage of grain and other feed, feed preparation, and wholesale sales of products raised on-site.

B) ***Forestry***

1) ***Characteristics; Accessory Uses***

Includes activities that primarily involve management and harvest of timber, firewood and other forest products. Accessory uses may include truck scales, parking and storage for logging and firefighting equipment and areas used to store seedlings used in reforestation.

C) ***Mineral and Aggregate***

- 1) *Characteristics; Accessory Uses*  
Includes activities that primarily involve extraction of mineral and aggregate materials from below the subsoil of a site. On-site accessory uses and activities may include surface stockpiling of mined materials, processing and crushing, truck scales and office or caretaker's buildings necessary to conduct, or ensure the security of, on-site mining operations.
- 2) *Exclusion*  
Permanent concrete and asphalt batch plants are classified as Industrial/Manufacturing uses.

D) ***Fish and Game***

- 1) *Characteristics; Accessory Uses*  
Includes activities that primarily involve land management for purposes of retaining or restoring habitat for identified native species. Accessory uses and activities may include storage of feed, loafing sheds, fish ladders and in-water placement of natural materials.

**13.2.3 Residential Uses**

A) ***Household Living***

- 1) *Characteristics; Accessory Uses*  
Includes residential occupancy of a dwelling unit by a family. Tenancy is arranged on a month-to-month or longer basis. Common accessory uses include recreational and hobby activities, raising pets, gardens, personal storage buildings, and parking of the occupants' vehicles. Home Occupations, Home Businesses, Detached Living Space and Accessory Dwelling Units are accessory uses that are subject to additional regulations (See Section 6.4).
- 2) *Exclusion*  
Lodging in a dwelling unit where more than two-thirds (2/3) of the units are rented on a monthly or longer basis is considered a hotel or motel use and is classified as a "Visitor Accommodation."

B) ***Group Living***

- 1) *Characteristics; Accessory Uses*  
Includes residential occupancy of a structure by a group of people who do not meet the definition of a family. Tenancy is arranged on a monthly or longer basis, and the size of the group may be larger than a family. Generally, Group Living structures have a common eating area for residents. The residents may receive care, training, or treatment, and care givers may or may not also reside at the site. Accessory uses commonly include recreational facilities and vehicle parking for occupants and staff.

**13.2.4 Commercial/Office Uses**

- A) ***Agricultural Sales and Services***
- 1) *Characteristics; Accessory Uses*  
Includes retail sales of agricultural products, livestock, wood fuel, or farm equipment. Rental of agricultural supplies and equipment is included. Establishments may have indoor or outdoor storage areas. Accessory uses may include offices, parking, storage areas, and equipment maintenance and servicing.
- B) ***Animal Sales/Service***
- 1) *Characteristics; Accessory Uses*  
Involves the selling, boarding, or care of animals on a commercial basis.
- C) ***Building Materials***
- 1) *Characteristics; Accessory Uses*  
Includes retail and wholesale sales of lumber and building supplies, and rental of construction equipment. This classification includes tool and equipment sales or rental establishments. Establishments may have indoor or outdoor storage areas. Accessory uses may include offices, parking, storage areas, and equipment maintenance and servicing.
- D) ***Day Care***
- 1) *Characteristics; Accessory Uses*  
Includes uses that provide care, protection, and supervision for children or adults on a regular basis away from their primary residence for less than 24 hours per day. Accessory uses include offices, recreation areas, and parking.
  - 2) *Exclusion*  
Day Care does not include public or private schools or facilities accessory to a principal use at which children are cared for while parents or guardians are occupied on the premises or in the immediate vicinity by shopping, recreational or religious activities.
- E) ***Eating and Drinking Establishments***
- 1) *Characteristics; Accessory Uses*  
Includes businesses serving prepared food or beverages for consumption on or off the premises. Accessory uses may include food preparation areas, offices, and parking. Eating and drinking establishments may or may not have drive-through service, as permitted in the zoning district.
- F) ***Financial Institutions***
- 1) *Characteristics; Accessory Uses*  
Includes establishments that provide retail banking services, mortgage lending, and similar financial services to individuals and

businesses. This classification includes those institutions engaged in the on-site circulation of cash money and check-cashing facilities. Accessory uses may include automatic teller machines, offices, and parking. Financial Institutions may or may not have drive-through service, as permitted in the zoning district.

- 2) *Exclusion*  
Financial Institutions do not include bail bond brokers.

G) **Food and Beverage Sales**

- 1) *Characteristics; Accessory Uses*  
Includes retail sales of food and beverages for off-site preparation and consumption. Accessory uses may include offices, parking, and food preparation areas.
- 2) *Exclusion*  
Establishments at which 20% or more of the transactions are sales of prepared food for on-site or take-out consumption are classified as "Eating and Drinking Establishments."

H) **Landscaping Sales/Service**

- 1) *Characteristics; Accessory Uses*  
Commercial sale of plants and related lawn and garden materials, including decorative structures and materials, packaged fertilizer, decorative stone, and related materials. Accessory uses may include offices, outdoor storage yards, equipment storage buildings, and parking.

I) **Medical Services**

- 1) *Characteristics; Accessory Uses*  
Uses that provide medical or surgical care to patients and offer either in-patient or out-patient care. Accessory uses may include parking, offices, and storage areas.

J) **Office**

- 1) *Characteristics; Accessory Uses*  
Includes uses characterized by activities conducted in an office setting and generally focusing on business, government, professional, medical, insurance, or financial services. Accessory uses may include cafeterias, health facilities, employee childcare, parking, or other amenities primarily for the use of employees in the firm or building.
- 2) *Exclusion*  
Offices that are part of and located with a principal use in another category are considered accessory to the firm's primary activity. Headquarters offices, when in conjunction with or adjacent to a principal use in another category (e.g., manufacturing), are considered part of the other category.



K) **Personal Service**

1) *Characteristics; Accessory Uses*

Includes businesses that provide services directly to individuals that enhance or support physical well-being, household or hobby activities. Accessory uses may include offices, storage of goods, assembly or repackaging of goods for on-site sale, and parking.

L) **Recreation and Entertainment**

1) *Characteristics; Accessory Uses*

Includes uses that provide continuous indoor or outdoor recreation or entertainment activities. Accessory uses may include concessions, snack bars, parking, and maintenance facilities.

M) **Retail Sales**

1) *Characteristics; Accessory Uses*

Includes businesses that are involved in the sale, lease or rent of new or used products to the general public. No outdoor display is permitted unless specifically authorized by this Ordinance. Accessory uses may include offices, parking, storage of goods, and assembly, repackaging, or repair of goods for on-site sale.

2) *Exclusions*

- a) The sale of agricultural products and equipment is classified as "Agricultural Sales and Service."
- b) The sale of animals is classified as "Animal Sales/Service."
- c) The sale of food or beverages for consumption on the premises is classified as "Eating and Drinking Establishments."
- d) The sale of food or beverages for consumption off premises is classified as "Food and Beverage Sales."
- e) Lumber yards and other building material sales that sell to contractors as well as retail customers are classified under "Building Materials."
- f) Sales, rental, or leasing of consumer vehicles including passenger vehicles, motorcycles, light and medium trucks, recreational vehicles, and heavy trucks and equipment or manufactured housing units are classified as "Vehicles and Equipment."

N) **Service and Repair Businesses**

1) *Characteristics; Accessory Uses*

Includes establishments that provide product repair or services for consumer and business goods, excluding automotive equipment and heavy machinery. Accessory uses may include offices, storage of parts or other goods, manufacture or repackaging of goods for on-site sale, and parking.

2) *Exclusion*

Businesses whose primary activity is repair and service of motor vehicles, motorcycles, light and medium trucks, and industrial or agricultural vehicles and equipment, are classified either under Vehicles and Equipment (below), or under Industrial/Manufacturing Uses: Equipment Storage and Repair.

O) ***Vehicles and Equipment***

1) *Characteristics; Accessory Uses*

Includes a broad range of uses involving the sale and rental of motor vehicles and related equipment. Large parking areas and outdoor storage areas may be included with these uses. Accessory uses may include incidental repair and storage, maintenance facilities, offices, and sales of parts or tires.

2) *Exclusion*

a) "Heavy Machinery and Equipment Repair" is classified as an Industrial Use.

b) "Wrecking Yard (Salvage or Junk)" is classified as an Industrial Use.

P) ***Visitor Accommodation***

1) *Characteristics; Accessory Uses*

Includes facilities provide lodging where tenancy may be arranged for periods of less than 30 days. Accessory uses may include restaurants, offices, parking, and recreational uses, including swimming pools.

2) *Exclusion*

a) Lodging where the residents meet the definition of a family and where tenancy is arranged at a minimum on a month-to-month basis is classified as "Household Living."

b) Lodging where the residents do not meet the definition of a family and where tenancy is arranged at a minimum on a month-to-month basis is classified as "Group Living."

**13.2.5 Industrial/Manufacturing Uses**

A) ***Equipment Storage and Repair***

1) *Characteristics; Accessory Uses*

Includes uses involving indoor or outdoor storage and maintenance of vehicles and large industrial equipment. Large parking areas and outdoor storage areas may be included with these uses. Accessory uses may include indoor parts storage, offices, and equipment washing facilities.

B) ***Industrial Service***

1) *Characteristics; Accessory Uses*

Includes firms primarily engaged in the indoor repair or servicing of non-vehicular agricultural, industrial, business, or consumer

machinery, equipment, or products. Firms that service consumer goods do so by mainly providing centralized services for separate retail outlets or to individual businesses. Few customers, especially the general public, come to the site. Accessory activities may include offices, limited retail sales, parking and storage.

2) *Exclusion*

When major equipment, and materials are not stored at the site and fabrication or similar work is not carried out there, contractors and others who perform services off-site (e.g., building maintenance services) are included in the “Office” category under Commercial Uses.

C) ***Manufacturing and Production***

1) *Characteristics; Accessory Uses*

Includes firms involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, man-made, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Custom industry is included (i.e., establishments primarily engaged in the on-site production of goods by hand manufacturing involving the use of hand tools and small-scale equipment). Relatively few customers come to the manufacturing site and goods are generally not sold on site, although limited display of “sample” products may occur. Accessory activities may include offices, limited retail sales, cafeterias, parking, employee recreational facilities, warehouses, storage yards, repair facilities, and truck fleets.

2) *Exclusion*

Manufacturing of goods to be sold primarily on-site and to the general public are classified as Retail Sales and Services.

D) ***Warehouse and Freight Movement***

1) *Characteristics; Accessory Uses*

Includes firms that are involved in the storage or movement of goods for themselves, other businesses or individuals. Goods are generally delivered to other firms or the final consumer, except for occasional will call pickups. There is little on-site sales activity with the customer present. Accessory uses may include offices, truck fleet parking, and maintenance areas.

**13.2.6 Transportation Uses**

A) ***Aviation***

1) *Characteristics; Accessory Uses*

Includes facilities for the landing and takeoff of flying vehicles, including loading and unloading areas and passenger terminals for aircraft. Aviation facilities may be improved or unimproved.

Accessory uses include freight handling areas, concessions, offices, parking, maintenance, and fueling facilities.

2) *Exclusion*

Private airstrips or helicopter landing facilities that are accessory to another use are not considered primary Aviation uses. However, they are subject to all the regulations and approval criteria for airports or heliports.

B) **Public Transportation**

1) *Characteristics; Accessory Uses*

Includes facilities for the loading and unloading of passengers from motor coaches operating on a fixed route system. Passenger terminals, bus transfer stations and bus stops, which may be improved or unimproved, are included. Accessory uses may include concessions, offices, parking, maintenance, and fueling facilities.

C) **Transportation Facility**

1) *Characteristics; Accessory Uses*

Includes facilities for long and short term parking of motor vehicles not associated with a principal use. Accessory uses include bus stops, restrooms and attendant/information kiosks.

D) **Transportation Improvements**

1) *Characteristics; Accessory Uses*

Includes individual modal or multi-modal conveyances, which may be provided by a private entity or by a public agency. Accessory uses may include maintenance yards, stockpile sites, weigh stations, and rest areas.

**13.2.7 Utility/Solid Waste Uses**

A) **Utility**

1) *Characteristics; Accessory Uses*

Includes buildings or structures used or intended to be used by any public or private utility. This category includes public or private passageways, including easements, for the express purpose of transmitting or transporting electricity, gas, water, sewage, communication signals, or other similar services on a local level; and other in-line facilities needed for the operation of such facilities, such as gas regulating stations, pumping stations, power or communication substations, dams, reservoirs, and related power houses. Additionally, a utility facility means any energy device and/or system that generates energy from renewable energy resources including solar, hydro, wind, bio-fuels, wood, geothermal, or similar sources. Services may be publicly or privately provided. Accessory uses may include control, monitoring, data, or transmission equipment.

- 2) *Exclusion*  
Operations where employees or customers are generally present are classified under “Commercial: Office” or as a Public/Quasi-Public use.

**B) *Waste-Related Use***

- 1) *Characteristics; Accessory Uses*  
Includes uses that receive solid or liquid wastes from others for disposal on site or for transfer to another location, uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the composting of organic material or processing of scrap or waste material. Waste Related uses also include uses that receive hazardous wastes from others. Accessory uses may include recycling of materials, offices, and repackaging and transshipment of by-products.

**13.2.8 Parks/Public/Quasi-Public Uses**

**A) *Parks and Recreation***

- 1) *Characteristics; Accessory Uses*  
Includes uses of land focusing on natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, or public squares. Lands tend to have few structures. Accessory uses may include club houses, playgrounds, maintenance facilities, concessions, caretaker's quarters, and parking.

**B) *Public/Quasi-Public Uses***

- 1) *Characteristics; Accessory Uses*  
Includes a broad range of uses (e.g. libraries, museums, post offices) that may have operating characteristics or impacts similar to commercial retail, entertainment or light industrial uses. Accessory uses may include offices, meeting areas, inside storage, parking and loading docks.

**C) *Public Assembly***

- 1) *Characteristics; Accessory Uses*  
Includes spaces of a public or nonprofit nature for the periodic gathering of large numbers of people for specific events or shows (e.g. fairgrounds and stadiums). Activities may be of a spectator nature. Accessory uses may include offices, meeting areas, food preparation areas, concessions, parking, and maintenance facilities.

**D) *Public Works***

- 1) *Characteristics; Accessory Uses*  
Includes a broad range of activities that have operating characteristics or impacts similar to commercial office or light industrial uses. Accessory uses may include offices, meeting

areas, indoor and outdoor storage, parking, and maintenance facilities.

E) **Religious Assembly**

- 1) *Characteristics; Accessory Uses*  
Includes uses that primarily provide meeting areas for religious activities (e.g. churches, temples, synagogues, and mosques). Accessory uses include parking, "Sunday school" and child care facilities and seminaries. In non-resource zones, group living facilities such as convents and monasteries may be developed as an accessory use. (See ORS 215.441)
- 2) *Exclusion*  
Private K-12 religious schools and preschool facilities are classified under "Schools" and Commercial Use, "Day care", respectively.

F) **Safety Services**

- 1) *Characteristics; Accessory Uses*  
Includes activities that protect public safety and provide emergency response services. Such uses must often be located in or near the area where service is provided. Employees are regularly present on-site, often on an around the clock basis. Accessory uses include offices, parking, inside storage, food preparation, bathing and sleeping areas, and maintenance facilities.

G) **Schools**

- 1) *Characteristics; Accessory Uses*  
Includes institutions of higher learning, as well as public and private schools at the primary, elementary, junior high, or high school level that provide state mandated basic education. Secular commercial or business schools offering General Education Degree (GED) programs, or skills-specific post-secondary coursework leading to a certificate or degree are also included. Accessory uses may include play areas, cafeterias, recreational and sport facilities, auditoriums, outdoor training facilities, and before or after school day care.
- 2) *Exclusion*
  - a) Preschools are classified as "Day Care" under Commercial Uses.
  - b) Seminaries are classified under "Religious Assembly".

**13.3 TERMS DEFINED**

The definitions contained in this Section apply to terms used throughout this Ordinance. In some cases, more than one (1) definition may appear because a specific meaning is to be used in the context of a particular situation or implementation of a land use regulation. When a term is defined within a subset of a numbered term (e.g., "expansion" under AGGREGATE AND MINERAL RESOURCES) the subset definition is the one used in determinations relating to that numbered term.

- 1) ABUT/ADJOIN: To lie next to or in contact with, having a common border with or to touch along a border. See CONTIGUOUS OWNERSHIP.
- 2) ACCESS: A legally defined area available, and practical at the time of development, for motor vehicle ingress and egress to a lot or parcel. In determining practicality, the topography, drainage, potential for erosion, and other factors may be considered.
- 3) **ACCEPTED FARMING PRACTICE: A mode of operation that is common to farms of a similar nature, necessary for the operation of such farms to obtain a profit in money, and customarily utilized in conjunction with farm use. As applied to composting operations on high-value farmland, "accepted farming practice" includes composting operations that either 1) compost only materials produced on the subject tract, or 2) compost materials brought from off-site and processed alone or in conjunction with materials generated on the subject tract, and use all on-site generated compost for on-farm production in conjunction with, and auxiliary to, the farm use on the subject tract.**
- 34) ACCESSORY BUILDING/STRUCTURE: A building or structure that is detached from but located on the same lot or parcel as the principal use or building, the use of which is incidental and accessory to that of the principal building, structure or use. See USE, ACCESSORY; USE, PRINCIPAL
- 45) ACCREDITED ASSESSOR, (SB 360): An individual certified by the Oregon Department of Forestry to: evaluate property; develop a plan to comply with the administrative rules for wildland fire suppression or prevention; complete a certification form and return it to the Oregon Department of Forestry.
- 56) ADJACENT: Not distant, nearby.
- 67) AGGREGATE AND MINERAL RESOURCES:
  - a) Aggregate resources: are naturally occurring concentrations of stone, rock, sand gravel, decomposed granite, limestone, pumice, cinders, and other naturally occurring solid materials commonly used in road building or other construction.
  - b) Conflicting use is a use or activity that is subject to land use regulations and that would interfere with, or be adversely affected by, mining or processing activities at a significant mineral or aggregate resource site (as specified in subsection (5)(b) and section (7) of OAR 660-023-0180).
  - c) Extraction area: The area of identified significant mineral and aggregate reserves in which extraction and processing of the resource is permitted.
  - d) Mineral resources: Those materials and substances described in ORS 517.750(7) but excluding materials and substances described as "aggregate resources".
  - e) Mining: **Mining includes all or any part of the process of mining by the removal of overburden and the extraction of natural mineral deposits thereby exposed by any method including open-pit mining operations, auger mining operations, processing, surface impacts of underground mining, production of surface mining refuse, and the construction of adjacent or off-site borrow pits except those constructed for use as access roads.** ~~The extraction of~~

~~sand, gravel, clay, rock, or other similar mineral deposits.~~ Mining does not include: (1) excavations conducted by a landowner or tenant on the landowner or tenant's property for the primary purpose of constructing or maintaining access roads; (2) excavation or grading conducted in the process of farm or cemetery operations, **on-site road construction, or other on-site construction or nonsurface impacts of underground mines**; (3) excavation or grading conducted within a road right-of-way or other easement for the primary purpose of road construction, reconstruction or maintenance; or, (4) removal, for compensation, of materials resulting from on-site construction for which a development permit and a construction time schedule have been approved by the County.

- f) Processing: The extraction, washing, crushing, milling, screening, handling, and conveying of mineral and aggregate resources, and the batching and blending of such resources into asphalt and portland cement.
  - g) Significant Aggregate Resource: Aggregate or stone materials commonly used in construction purposes which:
    - (i) Meet Oregon Department of Transportation specifications for construction grade material or meet city, County, state, or federal specifications for structural fill material. Oregon Department of Transportation quality specifications for aggregate include: (1) the Los Angeles Rattler test for abrasion (AASHTO T96, OSHD TM 211C loss of not more than 30% by weight); (2) the Oregon Air Degradation test (OSHD TM 208C loss of not more than 20% by weight); and, (3) the Sodium Sulfate Soundness test (OSHD TM 206C not more than 12% by weight); and,
    - (ii) Are located within an ownership or long-term lease containing reserves in excess of 500,000 tons (this standard is not absolute; the County may consider the significance of a site based on unique circumstances even though the volume threshold may not be met); or,
    - (iii) Are located on property owned by, or under long-term lease to a city, county, or state jurisdiction for the primary purpose of excavating aggregate or stone materials for road maintenance and road construction.
  - h) Significant Mineral Resource: Metallic and non-metallic minerals, other than aggregate, commonly used in construction, that have been determined to be significant based upon an analysis and findings that the resource represents a marketable and valuable resource.
- ~~78~~) AGGRIEVED PARTY: Any person(s) or entity(ies) who can demonstrate that their property will be injured by a land use decision of the County; or anyone requiring notice pursuant to this Ordinance.
- ~~89~~) AGRICULTURE, AGRICULTURE USE: The use of the land for crop and tree farming; the raising of livestock, poultry, fur-bearing animals, or honeybees; the tilling of the soil; the raising of field and tree crops including agriculture, horticulture, floriculture, silviculture, viticulture, nurseries and greenhouses, and the necessary uses for storing produce that is incidental to that of normal agricultural activity. Agriculture includes the preparation and storage of the products raised on such land for human use and animal use, and disposal by



marketing or otherwise. Agriculture use shall not include auction yards, slaughter houses, or rendering plants. When located outside of a commercial or industrial zone, a plant nursery or greenhouse involving wholesale or commercial sales is an agricultural use only if the products offered for sale are produced by the farm use of the property as defined by this Ordinance and ORS 215.203.

- a) Agricultural Produce Stand (farm stand): A facility for the marketing of produce grown on the subject parcel or other farm operations in the local agricultural area.
- b) Commercial Agricultural Enterprise: Farm operations that will contribute in a substantial way to the area's existing agricultural economy and help maintain agricultural processors and established farm products. When determining whether a farm is part of the commercial agricultural enterprise, not only what is produced, but how much and how it is marketed shall be considered. These are important factors because of the intent of Goal 3 to maintain the agricultural economy of the state. (~~See~~ OAR 660-033-0020(2))
- c) Exempt Agricultural Building: A structure located on a farm outside any floodplain and used in the operation of such farm for the storage, maintenance or repair of farm machinery and equipment or for the raising, harvesting, and selling of crops or in the feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur bearing animals or honeybees or for dairying and sale of dairy products or any other agricultural or horticultural use or animal husbandry or any combination thereof including the preparation and storage of products raised on such farms for man's use and animal use and disposal by marketing or otherwise. See the *BUILDING CODE*.
- d) Horse Boarding/Riding Facilities: A facility for the boarding, care, and exercise of horses and related equestrian activities including facilities for instruction in horseback riding, and horse training including rings, stables and exercise areas. Periodic horse shows, when not the primary purpose of the facility, are an incidental use.
- e) Intensive Agriculture: The use of parcels or tracts to actively grow specified perennials as demonstrated by the most recent aerial photography of the Agricultural Stabilization and Conservation Service of the U.S. Department of Agriculture or Jackson County 2001 aerials. "Specified perennials" means perennials grown for market or research purposes including, but not limited to, nursery stock, berries, fruits, nuts, Christmas trees, or vineyards, but not including seed crops, hay, pasture, or alfalfa.

**910)** AIRPORT/HELIPORT: The strip of land used for taking off and landing aircraft, together with all adjacent land and airspace used in connection with the aircraft landing or taking off from the strip of land, including but not limited to any appurtenant areas which are used or intended for use for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon. (~~See~~ ORS 836.005)

- a) Aircraft: Helicopters, other rotorcraft and airplanes, but not hot air balloons or ultra-lights. (~~See~~ OAR 660-013-0020)
- b) Airport Imaginary Surfaces: Surfaces established with relation to airport runways and heliports in order to preserve and protect airspace for the take-off, flight pattern and descent of aircraft. Buildings, structures and other obstructions are generally prohibited

from extending above the imaginary surfaces. Imaginary surfaces include the primary surface, approach surface, conical surface (concern overlay), horizontal surface and transitional surface. The airspace boundaries to use are those indicated on the most recent airport Master Plan and/or the most recent Oregon Department of Aviation specifications. (~~See~~ OAR 738.070.0120 and 0130)

- c) Airspace Obstruction: Any structure, tree, land mass, smoke or steam, or use of land which penetrates the protected airspace of an airport. (~~See~~ OAR 738.070.0100, 0120, ORS 836.005)
  - d) Airstrip: The strip of land used for taking off and landing of aircraft other than helicopters.
  - e) Concern Overlay: The overlay affects land uses which occur within the area defined by an airport's conical surface, not including lands within the runway protection zone and approach surface, which are more strictly regulated. (~~See~~ OAR 738.070.120(1), (a), (A), (B))
  - f) Helipad: The surface used for taking off and landing of helicopters.
  - g) Runway Protection Zone (RPZ): An area off the runway end used to enhance the protection of people and property on the ground. The RPZ is trapezoidal in shape and centered about the extended runway centerline. The RPZ extends from each end of the primary surface for a horizontal distance of: (1) 1,000 feet for utility runways; (2) 1,700 feet for other than utility runways having non-precision instrument approaches; (3) 2,500 feet for precision instrument runways. The RPZ is defined on the airport's Master Plan.
  - h) Sponsor: The owner, manager, or other person or entity designated to represent the interests of an airport. (~~See~~ OAR 660-013-0020)
  - i) Water Impoundment: Includes wastewater treatment settling ponds, surface mining ponds, detention and retention ponds, artificial lakes and ponds, and similar water features. A new water impoundment includes an expansion of an existing water impoundment except where such expansion was previously authorized by land use action. (~~See~~ ORS 836.623)
- 4011)** ALTER/ALTERATION: To make different without changing into something else. For purposes of decisions made regarding nonconformities, "alteration" means a change in use, structure, or physical improvements of no greater adverse impact to the surrounding areas. (~~See~~ ORS 215.130) See MODIFY.
- 4412)** ALL-WEATHER SURFACE: A solid base rock of six (6)-inch shale, with crushed rock surface, or a concrete or asphalt surface
- 4213)** AMUSEMENT ESTABLISHMENT: Any amusement enterprise in an indoor or outdoor setting, offering entertainment or games of skill to the general public, for a fee, charge or donation. This term includes, but is not limited to, archery range, bowling alley, driving range, a miniature golf course, motorized vehicle course or race tracks, movie theater, laser tag and paint ball facilities, or pool hall. (*Amended by Ordinance 2004-12, effective 2-6-2005*)
- 4314)** ANIMAL CLINIC/HOSPITAL, LARGE: A facility with or without outside runs for diagnosis, treatment, or hospitalization of large and exotic animals and livestock including, but not limited to cows, horses, ostrich, and llama. The use may also offer care for small animals as an incidental component of the practice, provided it does not include boarding of animals other than those being treated.
- 4415)** ANIMAL CLINIC/HOSPITAL, SMALL: A facility with or without outside runs for

diagnosis, treatment, or hospitalization of small animals including, but not limited to dogs, cats, and birds. Use as a kennel is limited to short-time boarding and may be offered only as an incidental component of the hospital use.

- ~~45~~**16**) APPLIANCE REPAIR/INCIDENTAL SALES: An establishment primarily engaged in the repair of household appliances, with incidental sales of new and used appliances.
- ~~46~~**17**) APPLICANT: The person or entity who applies for a land use permit, including person(s) holding legal and/or equitable title to the property; their designee, successors or assigns; their authorized agent; or a condemner who has been granted immediate possession by a court of competent jurisdiction. A public agency may also be an applicant when the land use approval sought involves land or infrastructure for which the agency is responsible. The rights and responsibilities of a land use approval are jointly and severally vested in the applicant and person(s) holding legal and/or equitable title to the property and their successors or assigns.
- ~~47~~**18**) AUCTION SERVICE: An indoor establishment where goods, not including livestock, are sold by auction. See STOCK AUCTION YARD.
- ~~48~~**19**) BARBER/BEAUTY SHOP: A facility, licensed by the state, where hair cutting, hairdressing, shaving, trimming beards, facials, manicures, and/or related services are performed.
- ~~49~~**20**) BASE COURSE: A course of specified aggregate material of planned thickness placed upon the subgrades.
- ~~20~~**21**) BATCH PLANT: An apparatus used in the mixing of asphalt or cement products, including any auxiliary apparatus used in such mixing process. Batch plants may be sited as either permanent or temporary facilities.
- ~~21~~**22**) BEST MANAGEMENT PRACTICES: Conservation practices or systems incorporating management measures that: (1) control soil loss and reduce water-quality degradation caused by nutrients, animal waste, toxins, and sediment; (2) minimize adverse impacts to surface water and groundwater flow, circulation patterns, and to the chemical, physical, and biological characteristics of wetlands; and (3) ensure safe use and storage of fertilizers/pesticides.
- ~~22~~**23**) BICYCLE PATH: A path that is physically separated from the roadway and designed exclusively for non-motorized traffic.
- ~~23~~**24**) BICYCLE REPAIR/INCIDENTAL SALES: An establishment primarily engaged in the repair of bicycles, with incidental sales of new and used bicycles, scooters, accessories, riding gear, and the like.
- ~~24~~**25**) BIKEWAY: Facilities with rights-of-way for bicycle use, with cross flows by motorists minimized.
- 26**) BIOFUEL: **Liquid, gaseous or solid fuels, derived from biomass, that have been converted into a processed fuel ready for use as energy by a biofuel producer's customers or for direct biomass energy use at the biofuel producer's site.**

- ~~25~~**27**) BIOSWALE: A vegetative area that removes pollutants from storm water runoff as it flows through.
- ~~26~~**28**) BLOCK: A unit of land bounded by streets or by a combination of streets and public land, railroad rights-of-way, waterways, or any other barrier to the continuity of development.
- ~~27~~**29**) BODY AND FENDER SHOP: General repair, rebuilding, or reconditioning of engines, motor vehicles or trailers, including body work, framework, welding, and major painting service. The use does not include salvage, junk, or wrecking yards.
- ~~28~~**30**) BOUNDARY LINE AGREEMENT: A contractual agreement between two (2) abutting property owners establishing a surveyable common property boundary where no recorded surveyable boundary exists.
- ~~29~~**31**) BUILDABLE: A lot or parcel where a building site can be physically located to meet all minimum setback requirements for structures, wells and on-site septic disposal systems, including septic system repair areas, if required.
- ~~30~~**32**) BUILDABLE LANDS: Vacant and developed land likely to be redeveloped in urban and urbanizable areas that are suitable, available and necessary for residential uses. (~~See~~ ORS 197.295)
- ~~31~~**33**) BUILDING: A structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind, but not including swimming pools, fences, and patios. See STRUCTURE and Section 7.1.2 for the alternate definition applicable to floodplain areas.
- ~~32~~**34**) BUILDING ENVELOPE: The land area specified on an approved development plan within which a primary structure will be located. Or in the case of an existing primary structure, the land area within 50 feet the existing structure, unless otherwise specified on an approved development plan.
- ~~33~~**35**) BUILDING FLOOR AREA: The maximum horizontal area of a building at the finished floor line(s), including any storage areas.
- ~~34~~**36**) BUILDING HEIGHT: The vertical distance from the natural grade to the highest point of the coping of a flat roof, the deck line of a mansard roof, or the average height of the highest gable of a pitch or hip roof.
- ~~35~~**37**) BUILDING MATERIALS/LUMBERYARD: A facility for stocking and selling new or used lumber, building materials, and related hardware and supplies. Establishments which exclusively sell paint and hardware are classified as "retail sales."
- ~~36~~**38**) BUSINESS OR PROFESSIONAL OFFICE: An office of a professional providing a service to the public, including but not limited to: medical or dental offices; architectural, engineering or surveying offices; certified public accountant or tax preparer's office; realty or insurance office; or, business or computer consulting office.
- ~~37~~**39**) CABINET, CARPENTRY AND WOODWORK SHOP: A shop for the repair or creation of individual items of furniture and wooden home furnishings on a custom basis; not a factory, planing mill, or similar woodworking plant.

- 3840)** CAMPGROUND: Generally, an area of land or water that provides facilities for temporary overnight use by tents, yurts, recreational vehicles, or other types of shelter suitable and intended for use in a temporary or seasonal manner. Accessory uses may include, but are not limited to, bathing and sanitation facilities, picnic shelters, play areas and structures, and other amenities or support facilities intended for the use of visitors and employees. Campgrounds in forest zones are regulated under OAR 660-006-0025 (4)(e) and (5). Campgrounds in Exclusive Farm Use zones are regulated under ORS 215.283 (2).
- 3941)** CAMPING/RECREATIONAL VEHICLE: A vehicular-type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle.
- 4042)** CANNABINOID: Any of the chemical compounds that are the active constituents of marijuana.
- 4143)** CANNABINOID CONCENTRATE: A substance obtained by separating cannabinoids from marijuana by a mechanical extraction process; a chemical extraction process using a nonhydrocarbon-based or other solvent, such as water, vegetable glycerin, vegetable oils, animal fats, isopropyl alcohol, or ethanol; a chemical extraction process using the hydrocarbon-based solvent carbon dioxide, provided that the process does not involve the use of high heat or pressure; or any other process identified by the Oregon Liquor Control Commission, in consultation with the Oregon Health Authority, by rule.
- 4244)** CANNABINOID EDIBLE: Food or potable liquid into which a cannabinoid concentrate, cannabinoid extract, or dried marijuana leaves or flowers have been incorporated.
- 4345)** CANNABINOID EXTRACT: A substance obtained by separating cannabinoids from marijuana by a chemical extraction process using a hydrocarbon-based solvent, such as butane, hexane or propane; a chemical extraction process using the hydrocarbon-based solvent carbon dioxide, if the process uses high heat or pressure; or any other process identified by the Oregon Liquor Control Commission, in consultation with the Oregon Health Authority, by rule.
- 4446)** CANNABINOID PRODUCT: A cannabinoid edible and any other product intended for human consumption or use, including a product intended to be applied to the skin or hair, that contains cannabinoids or dried marijuana leaves or flowers. Cannabinoid product does not include usable marijuana by itself, a cannabinoid concentrate by itself, a cannabinoid extract by itself, or industrial hemp as defined in Oregon Revised Statutes 571.300.
- 4547)** CEMETERY: A place used for internment of human or animal remains or cremated remains, including a burial park for earth internments, a mausoleum for vault or crypt internments, or a combination thereof. See MORTUARY
- 4648)** CHURCH: See RELIGIOUS ASSEMBLY/HOUSE OF WORSHIP
- 4749)** CLUSTER DEVELOPMENT: A subdivision in which lot sizes are reduced below those normally required in the zoning district and that concentrates buildings in specific areas in order to provide permanent open space, preserve historically or environmentally sensitive features, or to mitigate for hazardous site conditions



(e.g., steep slopes, wildfire hazard areas). The County may authorize such development by permitting smaller lot sizes when a specified portion of the land is kept in permanent open space to provide natural habitat or open space uses through public or private dedication.

- 4850)** COMMERCIAL ACTIVITIES IN CONJUNCTION WITH FARM USE: For-profit accessory uses and activities conducted for the primary purpose of maintaining a “commercial agricultural enterprise” as defined in OAR 660-033-0020. See Sections 4.2.7, 6.3.3 and 6.4.4
- 4951)** COMMERCIAL USE: The retail sale of products or services, including offices. Not including factories, warehouses, freight terminals or wholesale distribution centers. (See OAR 660-022-0010)
- 5052)** COMMUNITY CENTER/TOWN HALL/GRANGE: A facility owned and operated by a governmental agency or a nonprofit community organization for the purpose of public assembly, provided that no permanent for-profit commercial eating or drinking facilities open to the general public are operated on the premises.
- 5153)** COMMUNITY COMMERCIAL KITCHEN: A public facility with a kitchen approved by the State for commercial use to prepare locally grown produce for sale (e.g., canned goods, jams, jellies, etc.).
- 5254)** CONDITIONAL USE: An activity that may be suitable only in specific locations, or if the site is regulated in a particular manner. See Type 3 land use permits in Section 3.1.4
- 5355)** CONFLICTING USE: A land use or other activity reasonably and customarily subject to land use regulations that could adversely affect a significant Goal 5 resource (except as in OAR 660-023-0180, (1), (b)). (See OAR 660-023-0010)
- 5456)** CONNECTIVITY: In transportation planning, the principal of connecting local streets to each other, collectors and arterials for purposes of increasing options available to move through an area for motorists, bicyclists and pedestrians.
- 5557)** CONSOLIDATION: The act of aggregating two (2) or more tax lots or tracts of land into one (1) or more parcels.
- 5658)** CONSTRUCTION SITE: A site on which alteration, demolition, erection fabrication, installation, or removal of any structure, facility, or addition thereto, occurs including all related activities, but not restricted to, clearing of land, earth moving, blasting and landscaping.
- 59)** **CONTIGUOUS: Connected in such a manner as to form a single block of land.**
- 5760)** CONTIGUOUS OWNERSHIP: Lots or parcels in a single ownership that have a common boundary and that are connected in a manner that forms a single block of land. Lots or parcels are not contiguous in any zone if their common boundary is the Rogue River or Interstate Five (I-5). (See OAR 660-033-0020)
- 5861)** CONVENTION/EXHIBIT HALL: A facility designed to accommodate 500 or more persons and used for conventions, conferences, seminars, product displays, recreation activities, and entertainment functions.

- 5962) COUNTRY CLUB: A for-profit organization and its premises catering exclusively to members and their guests for social, intellectual, recreational, or athletic purposes.
- 6063) CREATION DATE: The recordation date of a document that creates a lot(s) or parcel(s), or the date of execution of an unrecorded land sale contract, deed or other instrument intended to create new lots or parcels. A lawfully created lot or parcel remains discrete unless the lot or parcel lines are vacated, or the lot or parcel is further divided as provided by law. (ORS 92.017) In addition, in resource zones, when a lot, parcel or tract is reconfigured pursuant to applicable law after November 4, 1993, the effect of which is to qualify a lot, parcel or tract for the siting of a dwelling, the date of the reconfiguration is the date of creation or existence. Reconfigured means any change in the boundary of the lot, parcel, or tract. (See OAR 660-006-0005 & 033-0020) See LAWFULLY CREATED PARCEL
- 6164) CUBIC FOOT PER ACRE: The average annual increase in cubic foot volume of wood fiber per acre for fully stocked standards the culmination of mean annual increment as reported by the USDA NRCS. Where NRCS data are not available or are shown to be inaccurate, an alternative method for determining productivity may be used. An alternative method must provide equivalent data and be approved by the Dept. of Forestry. (See OAR 660-006-0005 & 660-006-0010)
- 6265) DAY: Unless otherwise specified by this ordinance or statute, all references to days shall mean calendar days.
- 6366) DAY CARE: A use that provides care, protection, and supervision for children or adults on a regular basis away from their primary residence for less than 24 hours per day. Day care uses are regulated by ORS 657A. Accessory uses include offices, recreation areas, and parking. Day care does not include public or private schools. See also GROUP LIVING.
- a) Adult day care/in-home child care: A community-based group program designed to meet the needs of functionally or cognitively impaired adults through an individual plan of care. A structured, comprehensive program that provides a variety of health, social and related support services in a protective setting during part of a day but for less than 24 hours. (See ORS 410.495(3))
- b) Child care center: Any facility licensed by the state that provides child care outside the providers home either as a for-profit or non-profit operation. (See ORS 657A.440)
- 6467) DECISION, FINAL: A local land use decision is final once all time frames for local appeal have expired, whether or not an appeal to LUBA or the Oregon Court of Appeals has been filed. For purposes of development permitting, the date the decision is mailed to the parties, which date is set forth in the decision, is the date of the final decision of the County. If a final land use decision is appealed and subsequently remanded to the County for reconsideration, the reconsidered local decision becomes final on the date notice of the decision is mailed to the parties.
- 6568) DEFERRED IMPROVEMENT AGREEMENT: A written agreement recorded with the County Clerk in which the property owner agrees to make road improvements or to contribute a fair share toward road improvements at a later date. This agreement may take the form of an irrevocable consent to participate in a Local Improvement District (LID) or may be a contract between the property owners, their successors or assigns, and the County through the Board of Commissioners.

- 6669)** DENSITY: A measure of dwellings or people per specified area (e.g., dwelling units per acre). Density can be expressed in either gross or net terms, to wit:
- a) Gross: The numerical value obtained by dividing the total number of dwelling units, employees, etc. in a development by the gross area of the tract or parcel of land (in acres) or gross area of a building (in square feet).
  - b) Net: The numerical value obtained by dividing the total number of dwelling units in a development by the area of the tract or parcel of land (in acres) dedicated to the development, including common open space and associated recreational facilities within the area, private streets or roads, drainage-ways, and the like. Net density calculations exclude rights-of-way of publicly dedicated streets, areas that cannot be developed because of environmental constraints, and areas reserved for the exclusive use of non-residential components of a project.
- 6770)** DESTINATION RESORT: A self-contained development that provides for visitor-oriented accommodations and developed recreational facilities in a setting with high natural amenities, as provided for in ORS 197.435-467 and Statewide Planning Goal 8, and as approved under Section 6.3.8 of this Ordinance.
- 6871)** DETACHED LIVING SPACE: One (1) or more rooms designed for occupancy by one (1) or more persons either as a separate building or within a lawfully established accessory building that is not a dwelling. Structures may be plumbed, but may not contain permanent provisions that would constitute a separate dwelling unit, and must meet requirements of the most recent edition of the State of Oregon building code. See Section 6.4.4(B).
- 6972)** DEVELOPER: An individual or business that prepares land for development.
- 7073)** 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 or storage of equipment or materials.
- 7174)** DEVELOPMENT, INITIATE: Development is initiated when conditions necessary to obtain a development permit to commence a project or use approved through a land use application are met and any building or sanitation permits necessary to begin construction are obtained or, if construction is not required, that any conditions of approval have been satisfied and the use has begun. Once a land use approval has expired, any building or sanitation permits previously issued in reliance on the land use decision must be perfected to retain the right to proceed. Any activity on the property, including construction that could be legally undertaken without first obtaining the land use approval at issue does not initiate development.
- 7275)** DEVELOPMENT PERMIT: Written authorization from the County to proceed with development through issuance of building or sanitation permits. See LAND USE PERMIT
- 7376)** DIVIDE: To separate land into two (2) or more lots or parcels for the purpose of transferring a substantial interest in land. See PARTITION LAND and SUBDIVISION.
- 7477)** DRINKING ESTABLISHMENT: An establishment, the primary activity of which is



the sale and consumption on the premises of beer, wine, or other liquors, and where food service, if any, is secondary to the sale of beer, wine, or other liquors.

**7578)** DRIVE-THROUGH: Service from a building to persons in vehicles or pedestrians through an outdoor service window.

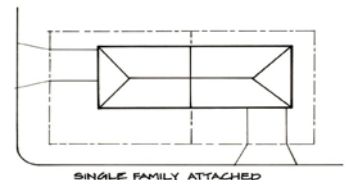
**7679)** DRIVEWAY: Practical, physical access that serves a single lawfully established unit of land or tract of land from: (1) a publicly maintained road or street; (2) a County approved private road; or, (3) a private access easement. Access to a single parcel or tract that traverses other private property may be considered a driveway when the parcel served has been granted an exclusive right of access easement, and no other parcel, including the parcel(s) the access traverses, uses it. See also ROAD.

**7780)** DWELLING: A building, combination of buildings, or portions thereof, designed or used for human occupancy for residential purposes. See Sections 4.2.6 and 4.3.6 for additional standards applicable to dwellings in resource zones.

- a) Accessory dwelling: Accessory use to an existing single family dwelling. See Chapter 6.
- b) Co-Housing: A collection of dwellings in which each dwelling unit is individually owned, but some facilities and resources are shared by all individuals and families within the co-housing community. Such development is subject to the density provisions of the zoning district.
- c) Dwelling unit: A single unit containing no more than one (1) kitchen, and providing complete independent living facilities for one (1) or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.
- d) Multi-family: Attached housing where all dwelling units are located on the same lot or parcel. Multi-family may be owner occupied or rental housing.
- e) Rectory (parsonage): A place of residence for the pastor of a church.
- f) Single-family: A building, either detached or attached, designed or used for residential purposes by not more than one (1) family. A manufactured dwelling is considered a single-family dwelling.
- g) Single family (attached): Common-wall dwellings or rowhouses where each dwelling unit occupies a separate lot or parcel. (See OAR 660-007 & 008-0005)
- h) Single family (detached): A dwelling unit that is free standing and physically separate from other dwelling units.

**7881)** EASEMENT: The right of a person, government agency, or public utility company to use public or private land owned by another for a specific purpose.

**7982)** EATING ESTABLISHMENT: A for profit business serving prepared food and non-alcoholic beverages for consumption on or off the premises.



**8083)** ENERGY FACILITY, SMALL SCALE: Energy production facilities that are incidental and subordinate to a principal use established on a property. These systems include, but are not limited to, solar, wind, hydrologic, and biomass systems.

**8184)** ENGINEER, (LICENSED, PROFESSIONAL, OR REGISTERED): A person who is registered in the State of Oregon and holds a valid certificate to practice

engineering in Oregon as provided under ORS 672.002 to 672.325.

- 8285) ENGINEERING GEOLOGIST:** Any Oregon Registered Geologist who is certified in the specialty of Engineering Geology. (~~See~~ ORS 672.505 to 672.705)
- 8386) ENGINEERING GEOLOGY REPORT:** A report prepared by an Oregon Engineering Geologist. An engineering geology report must provide a detailed description of the geology of the site, professional conclusions and recommendations regarding the effect of geological conditions on the proposed development, and opinions and recommendations covering the adequacy of the site to be developed. An engineering geology report must be prepared in accordance with the Guidelines for Preparing Engineering Geology Reports in Oregon adopted by the Oregon State Board of Geologist Examiners. The engineering geology report may incorporated into or included as an appendix to the geotechnical report.
- 8487) ESEE CONSEQUENCES:** In the Goal 5 context, the positive and negative economic, social, environmental, and energy (ESEE) consequences that could result from a decision to allow, limit, or prohibit a conflicting use. An ESEE analysis is the process by which recognition of the ESEE consequences influences the decision to limit or not limit conflicting uses.
- 8588) EQUIPMENT, HEAVY:** Farm, forestry, or construction machinery weighing in excess of 10,000 pounds.
- 8689) EXCEPTION:** A decision to exclude certain land from the requirements of one (1) or more applicable statewide planning goals in accordance with the process specified in Goal 2, Part II, Exceptions. (~~See~~ OAR 660-004-0000)
- 8790) EXPANSION:** A change in use, structure, or physical improvements that increase impacts on the surrounding area.
- 91) FACILITY FOR THE PROCESSING OF FARM PRODUCTS: A facility for:**
- a) Processing farm crops, including the production of biofuel, if at least one-quarter of the farm crops come from the farm operation containing the facility; or**
  - b) Slaughtering, processing or selling poultry or poultry products from the farm operation containing the facility and consistent with the licensing exemption for a person under ORS 603.038(2).**
- 8892) FAIRGROUNDS OR RODEO GROUNDS:** An area where a fair, circus, or exhibition is held, or a facility for public rodeo performance that may feature bronco riding, calf roping, steer wrestling, Brahma bull riding, and other similar activities.
- 8993) FAMILY:** An individual, two (2) or more persons related by blood, marriage, or law; or a group of not more than any five (5) unrelated persons living together in a dwelling unit; or a combination of related and unrelated persons where the total number of unrelated persons does not exceed five (5). Servants having common housekeeping facilities with a family consisting of an individual, or two (2) or more persons related by blood, marriage, or law are a part of the family for purposes of this Ordinance.
- 9094) FARMLAND, HIGH VALUE:**

- a) Land in a tract composed predominantly of soils that are:
  - (i) Irrigated and classified prime, unique, Class I or II; or
  - (ii) Not irrigated and classified prime, unique, Class I or II.
- b) In addition to that land described above, high-value farmland includes tracts growing specified perennials as demonstrated by the most recent aerial photography of the Agricultural Stabilization and Conservation Service of the U.S. Department of Agriculture taken prior to November 4, 1993. "Specified perennials" means perennials grown for market or research purposes including, but not limited to, nursery stock, berries, fruits, nuts, Christmas trees, or vineyards, but not including seed crops, hay, pasture, or alfalfa. ~~(See [OAR 660-033-0020(8)(a)-(b)] and (f)-(h))~~

**95) FARM OPERATOR: A person who operates a farm, doing the work and making the day-to-day decisions about such things as planting, harvesting, feeding and marketing.**

~~94~~**96) FARM/RANCH OPERATION**: All lots or parcels of land in the same ownership (contiguous or non-contiguous) that are used as a unit by the farm or ranch operator for farm uses defined in ORS 215.203. ~~(See [OAR 660-033-0135(11)(b)])~~

~~92~~**97) FARM USE**: The current employment of land for the primary purpose of obtaining a profit in money by raising, harvesting, and selling crops or by the feeding, breeding, management, and sale of, or the produce of, livestock, poultry, fur-bearing animals or honeybees, or for dairying and the sale of dairy products, or any other agricultural or horticultural use, or animal husbandry or any combination thereof. Farm use includes the preparation, storage and disposal by marketing or otherwise of the products raised on such land for human use or animal use. Farm Use also includes the current employment of land for the primary purpose of obtaining a profit in money by stabling or training equines including but not limited to providing riding lessons, training clinics and schooling shows. Farm use also includes the propagation, cultivation, maintenance and harvesting of aquatic bird and animal species that are under the jurisdiction of the State Fish and Wildlife Commission to the extent allowed by the rules adopted by the Commission. Farm use includes the on-site construction and maintenance of equipment and facilities used for the activities described in this subsection. Farm use does not include the use of land subject to the provisions of ORS Chapter 321, except land used exclusively for growing cultured Christmas trees as defined in ORS 215.203 (3), or land described in ORS 321.267(3), (4)(e) or 321.415 (5). ~~(See ORS 215.203 (2)(a))~~

~~93~~**98) FARM EQUIPMENT**:

- a) Repair: Outdoor storage areas and/or buildings primarily used in the repair or servicing of farm tools and implements.
- b) Sales: Outdoor storage areas and/or buildings primarily used in the sale or rental of farm tools and implements, feed, grain, tack, animal care products, and farm supplies.
- c) Storage: Outdoor storage areas and/or buildings primarily used in the long-term storage of farm tools and implements.

~~94~~**99) FARM WORKER**: See GROUP LIVING

~~95~~**100) FARMING PRACTICES, ACCEPTED**: The mode of operation that is

common to farms of a similar nature, necessary for operation of such farms to obtain gross farm income, and customarily used in conjunction with farm use.

- 96101)**      FARMER'S MARKET: An open air market where the majority of items offered for retail sale are locally produced fresh agricultural products available directly to the consumer as a community activity.
- 97102)**      FEED AND SEED STORE, RETAIL (no mill): Facility for the sale of grain, prepared feed, and forage for pets, livestock, and fowl, but not involving the grinding, mixing, or commercial compounding of such items.
- 98103)**      FINANCIAL INSTITUTION: Establishments that provide retail banking services, mortgage lending, and similar financial services to individuals and businesses (banks, credit unions, etc.). This classification includes those institutions engaged in the on-site circulation of cash money (e.g., check cashing centers). Automatic teller machines, offices, parking, and drive-through services are accessory uses. Does not include bail bond brokers.
- 99104)**      FIREARMS TRAINING FACILITY: An outdoor or indoor facility that provides training courses and issues certifications required: for law enforcement personnel, by the State Department of Fish and Wildlife, or by nationally recognized programs that promote shooting matches, target shooting and safety. Any firearms training facility in existence on September 9, 1995 is allowed to continue operating until such time as the facility is no longer used as a firearms training facility. (~~See~~ ORS 197.770)
- 400105)**      FIREWOOD, PROCESSING: Cutting, trimming, or splitting harvested timber for use as fuel. May include a temporary portable facility for processing forest products.
- 401106)**      FIREWOOD, RETAIL SALES: The sale of firewood that has been cut and processed off-site.
- 402107)**      FISH HATCHERY/ FISH CULTURE/ GAME OR REFUGE MANAGEMENT:  
A facility for hatching eggs, breeding animals or fish, or land management activities in areas maintained primarily for the purpose of retaining/enhancing wildlife habitat.
- 403108)**      FLAGPOLE: That part of a lot or parcel that is thinner than and connects the main area of the lot or parcel to a road for purposes of access. The flagpole is considered part of the total acreage of the lot or parcel. See LOT, FLAG
- 404109)**      FLEA MARKET: An occasional or periodic market held inside a building or other enclosure where goods are offered for sale to the general public by individual sellers. Open air display of sample items offered for sale inside the market is an incidental use.
- 405110)**      FLOOD OR FLOODING: A general and temporary condition of partial or complete inundation of normally dry land areas from: (1) The overflow of inland waters; and/or, (2) The unusual and rapid accumulation or runoff of surface waters from any source.
- a)      Accessory Structure: A structure on the same or adjacent parcel as a

- principal structure, the use of which is incidental and subordinate to the principal structure.
- b) Addition: An improvement that increases the square footage of a structure.
  - c) Adequate opening(s) (Fences): The openings in the fence that allow flood waters to pass without creating a backwater condition.
  - d) Annual period of flood risk: Late October to May.
  - e) Area of shallow flooding: A designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet, and/or where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.
  - f) Area of Special Flood Hazard: The land in the floodplain within a community subject to a 1% or greater chance of flooding in any given year. Also referred to as the 100-year floodplain. Designation on maps always includes the letter A. Also known as the Special Flood Hazard Area (SFHA).
  - g) Bankfull stage: The stage or elevation at which water overflows the natural banks of streams or other waters of this state and begins to inundate the upland. In the absence of physical evidence, the two (2)-year recurrence interval flood elevation may be used to approximate the bankfull stage (top of bank). (OAR 141-085-0010(2) & 660-023-0090)
  - h) Base flood: The flood having a one percent (1%) chance of being equaled or exceeded in any given year, i.e., the 100-year flood.
  - i) Base flood elevation (BFE): The water surface elevation during the base flood in relation to a specified datum. The Base Flood Elevation (BFE) is depicted on the FIRM to the nearest foot and in the FIS to the nearest 0.1 foot.
  - j) Basement: The portion of a structure with its floor subgrade (below ground level) on all sides.
  - k) Below-grade Crawlspace: An enclosed area below the base flood elevation in which the interior grade is not more than two (2) feet below the lowest adjacent exterior grade and the height, measured from the interior grade of the crawlspace to the top of the crawlspace foundation, does not exceed four (4) feet at any point.
  - l) Building: See "Structure".
  - m) Critical facility:
    - (i) Hospitals and other medical facilities having surgery and emergency treatment areas;
    - (ii) Fire and police stations;
    - (iii) Tanks or other structures containing, housing or supporting water or fire-suppression materials or equipment required for the protection of essential or critical or hazardous facilities or special occupancy structures;
    - (iv) Emergency vehicle shelters and garages;
    - (v) Structures and equipment in emergency-preparedness centers;
    - (vi) Standby power generating equipment for critical facilities; and
    - (vii) Structures and equipment in government communication centers and other facilities required for emergency response.
  - n) Datum: The vertical datum is a base measurement point (or set of points) from which all elevations are determined. Historically, that common set of points has been the National Geodetic Vertical Datum of 1929 (NAVD29). The vertical datum currently adopted by the federal government as a basis for measuring heights is the North American Vertical Datum of 1988 (NAVD88).

- o) 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 or storage of equipment or materials located within the area of special flood hazard.  
Development does not include<sup>2</sup>:
  - (i) Signs, markers, aids, etc. placed by a public agency to serve the public.
- p) Digital FIRM (DFIRM): Digital Flood Insurance Rate Map. It depicts flood risk and zones and flood risk information. The DFIRM presents the flood risk information in a format suitable for electronic mapping applications.
- q) Encroachment: The advancement or infringement of uses, fill, excavation, buildings, permanent structures or other development into a floodway which may impede or alter the flow capacity of the floodplain.
- r) Elevated building: A non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.
- s) Existing building or structure: a structure for which the “start of construction commenced before April 1, 1982.”
- t) Federal Emergency Management Agency (FEMA): The agency with the overall responsibility for administering the National Flood Insurance Program (NFIP).
- u) Flood Insurance Rate Map (FIRM): An official map of a community, issued by the Federal Insurance Administration, delineating the areas of special flood hazard and/or risk premium zones applicable to the community.
- v) Flood Insurance Study: The official report by the Federal Insurance Administration evaluating flood hazards and containing flood profiles, floodway boundaries and water surface elevations of the base flood.
- w) Floodproofing: Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
- x) Floodway: The channel of a river or other watercourse and those portions of the floodplain adjoining the channel required to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
- y) Floodway fringe: That area of the floodplain lying outside of the floodway, but still subject to inundation by waters of a base flood.
- z) Highest adjacent grade (HAG): The highest natural elevation of the ground surface prior to construction, adjacent to the proposed walls of a structure. Refer to the Elevations Certificate, FEMA Form 81-31, for more HAG information.
- aa) Historic structure: Any historic structure listed on the *Jackson County Register of Historic Landmarks* or the *National Register of Historic Places*.
- bb) Letter of Map Change (LOMC): An official FEMA determination, by letter, to amend or revise effective Flood Insurance Rate Maps and Flood Insurance Studies. LOMCs are issued in the following categories:
  - (i) Letter of Map Amendment (LOMA)  
A revision based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and

---

<sup>2</sup> Work exempt from Oregon Residential Specialty Code requires a Floodplain Development Permit unless specifically exempted by definition in this ordinance.

- establishes that a specific property is not located in a special flood hazard area;
- (ii) Letter of Map Revision (LOMR)  
A revision based on technical data showing, usually due to manmade changes, changes to flood zones, flood elevations, or floodplain and floodway delineations. One common type of LOMR, a LOMR-F, is a determination that a structure of parcel has been elevated by fill above the Base Flood Elevation and is excluded from the special flood hazard area;
  - (iii) Conditional Letter of Map Revision (CLOMR)  
A formal review and comment by FEMA as to whether a proposed project complies with the minimum National Flood Insurance Program floodplain management criteria. A CLOMR does NOT amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, or Flood Insurance Studies.
- cc) Lowest floor: The lowest floor of the lowest enclosed area (including basement). This includes any interior finishes, all floor framing, wood floor joist systems, beams, girders, or ducts. An unfinished or flood resistant enclosure used solely for parking of vehicles, building access, or storage, in an area other than a basement, is not considered a structure's lowest floor provided that the enclosed area is built and maintained in accordance with the applicable design requirements of the Specialty Codes and this ordinance. The lowest floor of a manufactured dwelling is the bottom of the longitudinal chassis frame beam in A zones.
  - dd) Manufactured dwelling or manufactured home: A structure, transportable in one or more sections, built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The terms "Manufactured Dwelling" and "Manufactured Home" do not include a "Recreational Vehicle."
  - ee) Mean sea level: For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or North American Vertical Datum (NAVD) of 1988 or other datum, to which Base Flood Elevations shown on a community's FIRM are referenced.
  - ff) New construction: A structure for which the "start of construction" commenced after April 1, 1982, and includes subsequent substantial improvements to the structure.
  - gg) Nonresidential building: A building used for commercial, industrial, or other accessory uses. A building which is not used as a dwelling.
  - hh) Priority Persistent Pollutant: A substance that is toxic and either persists in the environment or accumulates in the tissues of humans, fish, wildlife or plants. Oregon DEQ has developed a Priority Persistent Pollutant List that meets this definition.
  - ii) Reasonably safe from flooding: Base flood waters will not inundate the land or damage structures and that any subsurface waters related to the base flood will not damage existing or proposed buildings.
  - jj) Recreational vehicle: A vehicle which is:
    - (i) Built on a single chassis;
    - (ii) 400 square feet or less when measured at the largest horizontal projection;
    - (iii) Designed to be self-propelled or permanently towed by a light duty truck, and;
    - (iv) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

- kk) Rehabilitation & Reconstruction: An improvement to an existing structure which does not affect the external dimensions of the structure.
- ll) Start of construction: Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home or manufactured dwelling on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
- mm) Structure: A walled and roofed building, a manufactured dwelling, a modular or temporary building, or a gas or liquid storage tank that is principally above ground.
- nn) Substantial damage: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of its market value before the damage occurred.
- oo) Substantial improvement: Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage,” regardless of the actual repair work performed. The market value of the structure should be:
  - (i) The appraised real market value of the structure prior to the start of the initial repair or improvement, or
  - (ii) In the case of damage, the appraised real market value of the structure prior to the damage occurring.

The term does not include either:

  - (i) A project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications, which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or
  - (ii) Alteration of a Historic Structure, provided that the alteration will not preclude the structure's continued designation as a Historic Structure.

For this definition, the value of improvements, modifications, additions and reconstruction of an existing building will be counted cumulatively for a period of ten (10) years.
- pp) Variance: A grant of relief from the floodplain requirements of this ordinance.
- qq) Water dependent use: A facility that cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of



- cargo or passengers, shipbuilding, or ship repair facilities. The term does not include long-term storage, manufacture, sales, or service facilities.
- rr) Water surface elevation: The height, in relation to a specific datum, of floods of various magnitudes and frequencies in the flood plains of riverine areas.
- 406111) FLOOR AREA RATIO (FAR): The total horizontal floor area of all buildings on a lot or parcel divided by the area of the lot or parcel.
- 407112) FOODS/SUNDRIES, CONVENIENCE: Any retail establishment with a floor area of less than 3,000 square feet offering for sale a limited line of groceries and household items for the convenience of the neighborhood.
- 408113) FOREST LABOR CAMP (temporary): An area of land that provides temporary living facilities for workers employed for forest management, forestry operations, or fire suppression purposes. Portable or pre-existing sanitation, bathing and cooking facilities may be provided in conjunction with temporary living facilities, which may include tents, yurts, recreational vehicles or other types of shelter suitable and intended for use in a temporary or seasonal manner. Forest labor camps may be used throughout the term of an operation or activity (e.g., forest fire) and must cease once the operation or activity is concluded.
- 409114) FORESTRY OPERATIONS: **Any commercial activity relating to the growing or harvesting of any forest tree species as defined in ORS 527.620(6).**~~The use of land for the raising and harvesting of timber, pulp woods, and other forestry products for commercial purposes, including the temporary operation of a sawmill and/or chipper to process the timber cut from that parcel or contiguous parcels.~~
- 410115) GARAGE: A permanently constructed attached or detached accessory structure, designed primarily for storage of personal use motor vehicles.
- 411116) GENERAL MERCHANDISE/CLOTHING STORE: A use devoted exclusively to the retail sale of a commodity or commodities.
- 412117) GEOLOGICAL ASSESSMENT: An assessment prepared by an Oregon Engineering Geologist or Oregon registered professional engineer, who by training, education, and experience, is qualified in the practice geologic or soils engineering practices. The assessment shall detail the surface and subsurface conditions of a site, delineating areas of a property that may be subject to specific geologic hazards, and furnish professional analysis of information to assess the suitability of the site for development. The geologic assessment may be incorporated into or included as an appendix to the geotechnical report.
- 413118) GEOTECHNICAL ENGINEER: A professional Engineer registered in the State of Oregon , who by training, education, and experience, is qualified in the practice of geotechnical or soils engineering practices.
- 414119) GEOTECHNICAL REPORT: A report prepared by an Oregon Geotechnical Engineer evaluating the site conditions and recommending design measures necessary to reduce the risks associated with development and to facilitate a safe and stable development. A geological assessment or engineering geology report may be incorporated into or included as an appendix to the geotechnical report.

- 415120) GIFT/ANTIQUA/SPECIALTY SHOP: An establishment offering for sale articles such as glass, china, furniture, or similar furnishing and decorations, which have a value and significance as a result of age, design, or sentiment.
- 416121) GOAL 5 PROCESS: A several step process specified by Oregon Administrative Rule intended to: identify resource sites; assess the significance of each resource site; identify uses that may conflict with the protection of significant resource sites; develop a program to protect the significant resource, as guided by an analysis of the ESEE consequences of limiting or not limiting conflicting uses; and to implement that program. (See OAR 660-023-0000)
- 417122) GOLF COURSE: An area of land with highly maintained natural turf laid out for the game of golf. In an EFU zone, a golf course must include a series of nine (9) or more holes, each including a tee, a fairway, a putting green, and often one (1) or more natural or artificial hazards. [See OAR 660-033-0130(20)]
- 418123) GROCERY STORE: Food market, or combination food market and department store with 3,000 square feet or more of gross floor area. Establishments where a majority of the transactions are sales of prepared food for on-site or take-out consumption are classified as a commercial "eating and drinking establishment."
- 419124) GROUNDWATER: Any water, except capillary moisture, beneath the land surface or beneath the bed of any stream, lake, reservoir, or other body of surface water within the boundaries of this State, whatever may be the geological formation or structure in which such water stands, flows, percolates, or otherwise moves. (See ORS 537.515)
- 420125) GROUP LIVING: The residential occupancy of a structure by a group of unrelated people who do not meet the definition of a family. Tenancy is arranged on a monthly or longer basis, and the size of the group may be larger than a family. Generally, group living structures have a common eating area for residents. The residents may receive care, training, or treatment, and caregivers may or may not also reside at the site. Accessory uses commonly include recreational facilities and vehicle parking for occupants and staff. See also DAYCARE.
- a) Convent/monastery: The dwellings of a religious order or congregation. New convents/monasteries must comply with the density provisions of the zoning district.
  - b) Farm worker housing: **Housing limited to occupancy by farmworkers and their immediate families, no dwelling unit of which is occupied by a relative of the owner or operator of the farmworker housing.** ~~Residences for individuals or families participating in the harvesting of agricultural crops.~~ (See ORS 315.164)
  - c) Nursing/convalescent home: Facility providing care, rehabilitation services, and minor treatment for more than five (5) persons under the direction of a physician, licensed by the state. May furnish basic provisions of food and laundry. Term includes rest home, home for the aged, and sanitarium.
  - d) Residential facility: A residential care, residential training, or residential treatment facility, as those terms are defined in ORS 443.400, licensed or registered under ORS 443.400 to 443.460 or licensed under ORS 418.205 to 418.327 by the Department of Human Services that provides residential care alone or in conjunction with treatment or training or a combination

thereof for six (6) to 15 individuals who need not be related. Staff persons required to meet licensing requirements are not counted in the number of facility residents, and need not be related to each other or to any resident of the facility. (~~See~~ ORS 197.660)

- e) Residential home: A residential treatment or training, or an adult foster home licensed by or under the authority of the State (ORS 443.400, to 443.825), a residential facility registered under ORS 443.480 to 443.500, or an adult foster home licensed under 443.705 to 443.825 that provides residential care alone or in conjunction with treatment or training or a combination thereof for five (5) or fewer individuals who need not be related. Staff persons required to meet licensing requirements are not counted in the number of facility residents, and need not be related to each other or to any resident of the residential home. (~~See~~ ORS 197.660)
  - f) Substance abuse rehabilitation: An establishment offering resident or out-patient treatment for substance abuse patients.
- 424126) GUEST RANCH: Vacation resort offering activities that are typical of ranching and offering sleeping and eating accommodations in conjunction with existing ranching operations.
- 422127) GUN REPAIR: An establishment primarily engaged in the repair and modification of firearms.
- 423128) HABITABLE: A house or a space in a lawfully established building for living, sleeping, eating or cooking, and in the case of a dwelling meets the definition of a dwelling established in Section 4.2.6(1) of the LDO.
- 424129) HARDWARE STORE: A facility primarily engaged in the retail sale of various basic hardware items such as tools, builders' hardware, plumbing and electrical supplies, paint, glass, house wares and household appliances, garden supplies and cutlery.
- 425130) HIGH VALUE FARM LAND (HVFL): See FARMLAND, HIGH VALUE
- 426131) HISTORIC LANDMARK: Any historic resource, including its site or a geographic area, listed on the *Jackson County Register of Historic Landmarks*, the *National Register of Historic Places*, or as otherwise described in Section 7.1.1 (F) ASC 90-4.
- a) Preservation, historic: The act or process of applying measures to sustain the existing form, integrity, and material of an historic building, structure, or object, and the existing form and vegetation cover of a site. It may include initial stabilization work, where necessary, as well as ongoing maintenance of the historic building materials.
  - b) Renovation/Rehabilitation: The act or process of returning a property to a state of utility through repair or alteration, which makes possible an efficient, contemporary use, while preserving those portions or features of the property which are significant to its historical, architectural, and cultural values.
  - c) Resource, historic: A district, site, building, structure, object, or natural feature significant in American history, prehistory, architecture, archeology, and culture. It may be of value to the nation as a whole, or solely to the community in which it is located.

- ~~427~~**132**) HOME BUSINESS: The most intensive type of home occupation, which allows up to five (5) non-resident employees. See Section 6.4.4, (D).
- ~~428~~**133**) HOME OCCUPATION: A limited business, accessory to a residential use, allowed in noncommercial zones. The purpose of a home occupation is to make a profit in money. See Section 6.4.4, (C).
- ~~429~~**134**) HOTEL OR MOTEL: An establishment offering six (6) or more guest rooms or units on a temporary basis, furnishing customary hotel services such as linen, maid service, and the use and upkeep of furniture. This term does not include Bed and Breakfast facilities as set forth in Section 6.4.4 (D)(5).
- ~~430~~**135**) IMPACT, ADVERSE: A negative consequence to the physical, social, or economic environment resulting from an action or project.
- ~~431~~**136**) IMPACT AREA: A geographic area within which conflicting uses could adversely affect a significant Goal 5 resource. An impact area is used as an area of conflicting use analysis in Goal 5 review, with consideration for impacts to the identified resource and to the other existing or approved uses therein. (~~See~~ OAR 660-023-0010)
- ~~432~~**137**) INDUSTRIAL PARK: A planned, coordinated development on a tract or parcel of land with two (2) or more separate industrial buildings, which are designed, constructed, and managed on an integrated and coordinated basis. Special attention is given to on-site vehicular circulation, parking, utility needs, building design, orientation, and open space in permitting industrial parks.
- ~~433~~**138**) INDUSTRIAL SERVICE, HIGH IMPACT: A use engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage of or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.
- ~~434~~**139**) INDUSTRIAL SERVICE, LOW IMPACT: Research and development activities, the manufacturing compounding, processing, packaging, storage, assembly, and/or treatment of finished or semi-finished products from previously prepared materials, which activities are conducted wholly within an enclosed building. Finished or semi-finished products may be temporarily stored outdoors pending shipment.
- ~~435~~**140**) INDUSTRIAL USE: The use of land for the manufacture, processing, storage, or wholesale distribution of products, goods or materials (not including commercial uses). (~~See~~ OAR 660-022-0010)
- ~~436~~**141**) IRRIGATED LAND: Cropland watered by an artificial or controlled means, such as sprinklers, furrows, ditches, or spreader dikes. An area or tract is "irrigated" if it is currently watered, or has established rights to use water for irrigation, including lands that receive water for irrigation from a water or irrigation district or other provider. For development review purposes, a parcel or tract within a water or irrigation district that was once irrigated continues to be considered "irrigated" even if the irrigation water was removed or transferred to another tract. [~~See~~ OAR 660-033-0020(9)]
- ~~437~~**142**) KENNEL: A place of business or a facility (not including an animal

clinic/hospital) in which dogs and/or cats are given training, boarded, or groomed for profit or compensation; or which is maintained by public or private funds to serve as a temporary shelter for holding lost, strayed, surrendered, or abandoned dogs and cats until disposition by redemption, adoption, or euthanasia is made.

- 438143)** KITCHEN: Any room, all or any part of which is designed, built, equipped, used or intended to be used for cooking food. Typically, kitchens contain a sink (excluding bar sinks), combined with a range, stove, or microwave. The size and location of counter and cabinet space (which would allow food storage), space designed to accommodate a refrigerator, location of electrical outlets in excess of those normally used for general household purposes, and separation of a plumbed area from the main living space so as to form a room not suitable for a bathroom are also determinative of whether a space is considered a kitchen for purposes of this Ordinance.
- 439144)** LAND DIVISION: The act or process of dividing land, or a tract that has been divided.
- 440145)** LANDLOCKED PARCEL: A parcel without lawful access to a road.
- 441146)** LANDSCAPE CONTRACTING: A business principally engaged in the decorative and functional alteration, planting, and maintenance of grounds. Such businesses may engage in the installation and construction of underground improvements (e.g., drainage facilities) as necessary to support or sustain the landscaped surface of the ground. Accessory uses may include offices, outdoor storage yards, equipment storage buildings and parking.
- 442147)** LAND USE DECISION: A final decision/determination that concerns the adoption, amendment or application of: **(1)** the Goals; **(2)** a Comprehensive Plan provision; **(3)** an existing or new land use regulation; or **(4)** a decision of the Planning Commission made under ORS 433.763. (~~See~~ ORS 197.015)
- 443148)** LAND USE PERMIT: A development authorization issued in compliance with the provisions of this Ordinance, including permits issued by the County certifying a proposed development meets local or State land use standards and criteria. Permits may be time limited and include conditions that apply to future development or use of the land, regardless of ownership changes. Advisory statements issued in compliance with ORS 197.180 (e.g., land use compatibility statements) or at the request of a citizen (e.g., zoning information sheet) are not land use permits. See DEVELOPMENT PERMIT, PERMIT (~~See~~ ORS 215.402)
- 444149)** LAUNDROMAT/DRY CLEANER, SMALL: A self-service fabric cleaning establishment, or an establishment for the drop-off and pick-up of laundry that does not dry clean on the premises, or an establishment for the custom cleaning of individual garments, fabrics, rugs, draperies or other similar items that is not a bulk or commercial type plant.
- 445150)** LAUNDRY/DRY CLEANER, PLANT: A plant for dry or wet cleaning garments, fabrics, rugs, draperies, or other similar items on a commercial or bulk basis.
- 446151)** LAWFULLY CREATED/ESTABLISHED: Any building, structure, use, lot or parcel that complied with land use laws and local standards, if any, in effect at the time of its creation or establishment, whether or not it could be

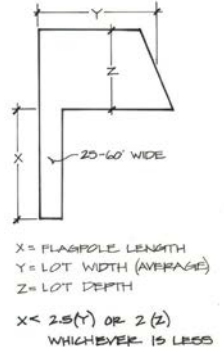


created/established under this Ordinance.

- ~~147~~**152)**     LAWFULLY ESTABLISHED UNIT OF LAND: A lot or parcel created pursuant to ORS 92.010 to 92.190; or a unit of land created (1) in compliance with all applicable planning, zoning and subdivision or partition ordinances and regulations, or (2) by deed or land sales contract, if there were no applicable planning, zoning or subdivision or partition ordinances or regulations. “Lawfully established unit of land” does not mean a unit of land created solely to establish a separate tax account. When multiple descriptions of non-contiguous parcels are included on a single deed instrument properly recorded prior to the date of enactment of this Ordinance, all parcels so described are considered lawfully established separate parcels, provided that they complied with any dimensional standards in effect at the time of execution of the deed. Similarly, when a deed instrument properly recorded prior to September 1, 1973 includes multiple parcel descriptions, all parcels so described are considered lawfully established separate parcels, regardless of their contiguity.
- ~~148~~**153)**     LIBRARY: A public facility primarily for the use of literary, musical, artistic, or reference materials. Accessory uses may include parking, offices and limited retail sales associated with the primary use.
- ~~149~~**154)**     LIMITED LAND USE DECISION: A final decision/determination relating to land within an Urban Growth Boundary that concerns; (1) a subdivision/partition; or (2) a decision based on discretionary standards that regulate the physical characteristics of a Type 1 permitted use, including site and design review. (See ORS 197.015)
- 155)**     **LIVING HISTORY MUSEUM: A facility designed to depict and interpret everyday life and culture of some specific historic period using authentic buildings, tools, equipment and people to simulate past activities and events.**
- ~~150~~**156)**     LIVING SPACE, DETACHED: One or more rooms designed for occupancy by one (1) or more persons in a lawfully established accessory building that is not a dwelling. Structures may be plumbed but may not contain permanent provisions that would constitute a separate dwelling unit, and must meet requirements in the most recent edition of the State of Oregon building code.
- ~~154~~**157)**     LONG-TERM ROAD ACCESS USE PERMIT/AGREEMENT: A use permit granted by the government agency with jurisdiction over the road to permit access for development purposes.
- ~~152~~**158)**     LOT: A unit of land created by a subdivision. Except in relation to land division, “lot” is generally synonymous with “parcel” for purposes of development regulation. See DIVIDE, PARCEL, PARTITION LAND and TAX LOT.
- a)     Area: The total area of a lot or parcel within the lot boundary lines, measured in a horizontal plane.
  - b)     Corner: A lot or parcel abutting two (2) roads at their intersection, or on a single road at its right angle turn.
  - c)     Depth: The average horizontal distance between the front lot line and the most distant rear lot line.
  - d)     Double frontage: A term used to describe a lot or parcel which has road frontage at each end. Corner lots are not considered to have double frontage unless they front roads on three (3) sides. Alley access is not considered “frontage” in this context.

- e) Width: The diameter of the biggest circle that can fit entirely inside the lot boundary lines.

453159) LOT, FLAG: A lot or parcel that has the bulk of its area set back some distance from a road or street and that is connected to the road or street via a thin strip of land (i.e., the “panhandle” or “flagpole”). See FLAGPOLE



454160) LOT/PROPERTY LINE: The property line bounding a lot or parcel. A boundary line dividing one (1) parcel from another or dividing a parcel from a street, alley or road. As used in this subsection, lot and parcel are synonymous. See YARD.

- a) Front: On a lot with no more than one (1) property line abutting a street or road, the lot line abutting the street or road; or in the case of a flag lot or landlocked parcel, the interior lot line most parallel to and nearest the street or road from which access is obtained. On a corner lot, the shorter lot line abutting a street or road; or, on a double frontage lot, the lot line abutting the street providing the primary access to the lot or parcel.
- b) Rear: A property line which is opposite and most distant from the front lot line. In the case of an irregular, triangular, or other shaped lot, an imaginary line at least 10 feet in length located within the lot that is parallel to, and at a maximum distance from, the front lot line.
- c) Side: Any property line that is not a front or rear lot line.

455161) MACHINE SHOP: Facility in which material is processed by machining, cutting, grinding, welding, or similar processing. Term includes blacksmith shop, electric motor repair, small engine repair, welding shop and gun shop. See GUN REPAIR.

456162) MACHINERY/EQUIPMENT REPAIR, HEAVY: A facility for repairing equipment and selling and/or servicing heavy machinery. Material is processed by machining, cutting, grinding, welding, or similar processing. The use includes blacksmith shops and engine and motor repair shops.

457163) MANUFACTURED DWELLING/MOBILE HOME: A structure or vehicle designed for use as a dwelling that is fabricated on a permanent chassis that is transportable in one (1) or more sections; is designed to be used with or without a permanent foundation when connected to the required facilities: sleeping, living, eating, cooking, and plumbing. Mobile homes for purposes of this Ordinance are those which were constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of the Oregon mobile home law in effect at the time of construction. The term “mobile home” does not include “camping vehicle,” “travel trailer,” “park trailer,” “tip-out” and any other similar vehicle which is not intended, designed, or constructed to be used as a permanent residence. See DWELLING

458164) MANUFACTURED DWELLING PARK/MOBILE HOME PARK: Any place where four (4) or more such homes are located within 500 feet of each other on a lot, tract, or parcel of land under the same ownership, the primary purpose of which is: (1) to rent or lease space for manufactured dwellings for a charge or fee paid; (2) to be paid for the rental, lease, or use of facilities for manufactured dwellings; or (3) to offer space free for location of manufactured dwellings in connection with

securing the trade or patronage of such person, but not including those used exclusively for farm labor or recreational camps. For floodplain management purposes, any parcel or contiguous parcels of land divided into two (2) or more mobile home lots for rent or sale is subject to the requirements of Section 7.1.2.

- 459165)** MANUFACTURED DWELLING/MOBILE HOME/RV SALES/RENTAL: Sale or rental of manufactured homes for occupation off-site, including incidental storage and incidental maintenance.
- 460166)** MANUFACTURING/PRODUCTION, HIGH IMPACT: The manufacture or compounding process of raw materials. These activities or processes may necessitate the storage of large volumes of highly flammable, toxic matter, or explosive materials used in the manufacturing process, and may involve outdoor storage and operations. These activities may impact adjacent properties by creating noise, odor, vibration, dust, or hazards. Examples include, but are not limited to: lumber, plywood and hardboard manufacturing; rolling, drawing, or extruding of metals; and log decking, storage, and pond storage.
- 461167)** MANUFACTURING/PRODUCTION, LOW IMPACT: The manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment and packaging of such products, and incidental storage, sales, and distribution of such products, but excluding basic industrial processing and custom manufacturing. Examples include, but are not limited to: manufacture of electric, electronic, or optical instruments or devices; manufacture and assembly of artificial limbs, dentures, hearing aids, and surgical instruments; manufacture, processing, and packing of food products, cosmetics, and pharmaceuticals; and manufacture and fabrication of components, jewelry, clothing, trimming decorations and any similar item.
- 462168)** MARIJUANA: The plant Cannabis family Cannabaceae, any part of the plant Cannabis family Cannabaceae, and the seeds of the plant Cannabis family Cannabaceae. Marijuana does not include industrial hemp as defined in Oregon Revised Statutes 571.300.
- 463169)** MARIJUANA ITEMS: Marijuana, cannabinoid products, cannabinoid concentrates, and cannabinoid extracts.
- 464170)** MARIJUANA LICENSEE: Any person holding a license issued by the Oregon Liquor Control Commission to produce, process, wholesale, and/or retail marijuana or any person registered by the Oregon Health Authority to produce, process and/or dispense marijuana.
- 465171)** MARIJUANA PROCESSING: The processing, compounding, or conversion of marijuana into cannabinoid products, cannabinoid concentrates, or cannabinoid extracts, provided that the marijuana processor is licensed by the Oregon Liquor Control Commission or registered with the Oregon Health Authority.
- 466172)** MARIJUANA PRODUCTION: The manufacture, planting, cultivation, growing, trimming, harvesting, or drying of marijuana, provided that the marijuana producer is licensed by the Oregon Liquor Control Commission, or registered with the Oregon Health Authority and a “person designated to produce marijuana by a registry identification cardholder.”
- 467173)** MARIJUANA RETAILING/MEDICAL MARIJUANA FACILITIES: The sale



of marijuana items to a consumer, provided that the marijuana retailer is licensed by the Oregon Liquor Control Commission or registered with the Oregon Health Authority.

- 468174) MARIJUANA WHOLESALING: The purchase of marijuana items for resale to a person other than a consumer, provided that the marijuana wholesaler is licensed by the Oregon Liquor Control Commission.
- 469175) MARINA: A dock or basin providing secure moorings for motorboats, sailboats, and/or yachts and offering fuel, food, marine supplies, and marine repairs.
- 470176) MEDICAL MARIJUANA: Marijuana subject to regulations pursuant to the Oregon Revised Statutes and Oregon Administrative Rules, Chapter 333, Division 8, Medical Marijuana.
- 474177) MEDICAL MARIJUANA FACILITY: Any facility registered by the Oregon Health Authority pursuant to the Oregon Revised Statutes, and applicable Oregon Administrative Rules, Chapter 333, Division 8.
- 472178) MEDICAL SERVICES: Uses that provide medical or surgical care to patients and offer either in-patient or out-patient care.
- a) Emergency Medical Center: A first-aid station or headquarters for an ambulance service that offers emergency outpatient treatment only.
  - b) Hospital: An institution licensed by the state health department providing primary health services and medical or surgical care to persons, primarily in-patients, suffering from illness, disease, or injury and including as an integral part of the institution related uses such as laboratories, out-patient or training facilities.
  - c) Medical/Dental/Optical Clinic: A facility for examining, consulting with, and treating patients, including offices, laboratories, and out-patient facilities, but not including hospital beds for overnight care or treatment.
- 473179) MINI-WAREHOUSE: An area or areas located within an enclosed building that provides separate storage areas for rent for individual or business uses. The storage areas are designed to allow private access by the tenant for storing or removing personal property. Accessory uses may include living quarters for a resident manager or security, and leasing office. These uses are also called self-service storage.
- 474180) MOBILE FOOD VENDORS: Any trailer, vehicle or wagon used for the preparation of, processing, or converting food for immediate consumption as a drive-through, or walk-up service that will remain on any one (1) site or parcel for less than a continuous 24 hours. The mobile food vendor vehicle, trailer, or wagon must be fully licensed and ready for highway use. The mobile food vendor, vehicle or wagon is considered ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.
- 475181) MODIFY/MODIFICATION: Making a limited change in something without altering its primary purpose.
- 476182) MORTUARY: A facility where dead bodies are prepared and stored prior

to burial or cremation and where funeral services may be conducted. A caretaker's residence may be an accessory use. See CEMETERY

**477183)**      MOTOR VEHICLE:

- a) Impound facility: A facility that provides temporary outdoor or indoor storage for motor vehicles to be claimed by titleholders or their agents. No vehicle may be stored for more than 45 days and must remain licensed at all times.
- b) Sales/rental: Sale or rental of all-terrain vehicles, automobiles, motorcycles, snowmobiles, trucks, trailers, boats, and similar equipment, including incidental storage and incidental maintenance.
- c) Service/repair: The use of a site for the repair of automobiles, commercial and noncommercial trucks, motorcycles, motor homes, recreational vehicles, or boats, including the sale, installation, and servicing of equipment and parts. The use includes muffler shops, auto repair garages, tire sales and installation, wheel and brake shops, and similar repair and service activities, but does not include body or fender shops, dismantling, or salvage.
- d) Storage: Rental of storage space or stalls for cars, boats, motorcycles, snowmobiles, travel trailers, and personal or business articles within enclosed buildings. See MINI-WAREHOUSE
- e) Washing/detailing: A facility for the washing, steam cleaning, and detailing of passenger automobiles and non-commercial trucks, including a self-service operation. When installed and operated in conjunction with another use, including a service station, only equipment installed solely for the purpose of washing and cleaning of automobiles is permitted.

**478184)**      MUSEUM: A building having public significance by reason of its architecture or former use or occupancy, or a building serving as a repository for a collection of natural, scientific or literary curiosities or objects of interest, or works of art, and arranged, intended, and designed to be used by members of the public for viewing. Accessory uses may include parking, offices, and limited accessory retail sales associated with the primary use.

**479185)**      NATURAL GRADE/SLOPE: The grade or elevation of the ground surface that exists or existed prior to man-made alterations such as grading, grubbing, filling, or excavation.

**480186)**      NONCONFORMING: Something that was established (lawfully or otherwise) prior to adoption of a zoning regulation that would now prevent it. A building, structure, lot, parcel or use may be rendered nonconforming by subsequent adoption of zoning regulations. See CHAPTER 11 "NONCONFORMITIES"

**481187)**      NONRESOURCE LAND: Land not subject to the statewide goals listed in OAR 660-004-0010, (1), (a - f), except subsection (c). Generally, lands that are not subject to statewide planning goals 3 (Agriculture) or 4 (Forest), or for which an exception to those goals has been taken are included. Goal 5 (Open Spaces, Scenic and Historic Areas, and Natural Resources) is however applicable. See RESOURCE LAND (*See OAR 660-004-0005*)

**482188)**      OFFICE USE, COMMERCIAL: Uses characterized by activities conducted in an office setting and generally focused on the affairs of a business, profession,

service industry or government. Office uses may include limited incidental sales of goods related to the business or profession. If goods or merchandise sold, either from the premises or for delivery off site, constitutes more than 20% of gross business revenue, the use is classified as a retail establishment. See PERSONAL SERVICE/SERVICE RETAIL.

**189) OUTDOOR MASS GATHERING: A gathering, as defined by ORS 433.735, that is an actual or reasonably anticipated assembly of more than 3,000 (more than 500) persons which continues or can reasonably be expected to continue for more than 24 consecutive hours but less than 120 hours within any three-month period and which is held primarily in open spaces and not in any permanent structure. Any decision for a permit to hold an outdoor mass gathering as defined by statute is not a land use decision and is appealable to circuit court. Outdoor mass gatherings do not include agri-tourism events and activities as provided for by ORS 215.283(4).**

**183190) OUTDOOR STORAGE AREA**: The keeping of personal or business property, or motor vehicles off a right-of-way in an open parking space or any other area outside of a building for a period of time exceeding 72 consecutive hours.

**184191) OWNER/LANDOWNER**: A person(s), partnership, or corporation possessing fee title to a tract of land, or shown as owner of record on the latest tax rolls or deed records of the County, or an entity purchasing a parcel of property under written contract.

**185192) PARCEL**: A single unit of land created by: (1) a partition of land as defined in ORS 92.010 in compliance with all land use standards then applicable; (2) deed or land sales contract, if there were no applicable land use or partitioning regulations then in effect; or (3) validation of an unlawfully established unit of land under Section 10.2.1(C) of this Ordinance. The term parcel does not include a unit of land created solely to establish a separate tax account. (See ORS 92.010, 92.176 and 215.010) See DIVIDE, LOT, PARTITION LAND, TAX LOT, and Chapters 3 and 10 of this Ordinance.

**186193) PARK-AND-RIDE LOT**: A facility designed for parking the personal vehicles of persons traveling to and from work using carpools, vanpools, buspools, or mass transit.

**187194) PARKING AREA, COMMERCIAL**: The temporary storage of vehicles on an hourly, daily or monthly basis not associated with a specific use, even if the operator leases the facility from the principal use or charges a fee to the individuals who park in the facility. A facility that provides both accessory parking for a specific use and regular fee parking for people not connected to the use is also classified as a “commercial parking area.”

~~188) PARKS/RECREATION AREAS: Uses of land focusing on natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, or public squares. Lands tend to have few structures. Accessory uses may include club houses, playgrounds, maintenance facilities, concessions, caretaker's quarters, and parking. See AMUSEMENT ESTABLISHMENT~~

- 195) PARK, PRIVATE: Land that is used for low impact, casual recreational uses such as picnicking, boating, fishing, swimming, camping, and hiking or nature-oriented recreation uses such as viewing and studying nature and wildlife habitat, and may include play areas and accessory facilities that support the activities listed above, but does not include tracks for motorized vehicles or the discharge of firearms.**
- 196) PARK, PUBLIC: A public area intended for open space and outdoor recreation use that is owned and managed by a city, county, regional government, state or federal agency, or park district and that may be designated as a public park in the applicable comprehensive plan and zoning ordinance.**
- 489197) PARTITION LAND: To divide land to create two (2) or three (3) parcels within a calendar year, not including: (1) a division of land resulting from lien foreclosure, foreclosure of a recorded contract for the sale of real property; or the creation of cemetery lots; (2) the division of land resulting from the recording of a subdivision or condominium plat; (3) a sale or grant by a person to a public agency or public body for state highway, county road, city street or other right-of-way purposes. Any property divided by the sale or grant of property for state highway, county road, city street or other right-of-way purposes continues to be considered a single unit of land until such time as a subdivision or partition is approved by the County; (4) a sale or grant by a public agency or public body of excess property resulting from the acquisition of land by the state, a political subdivision or special district for highways, county roads, city streets or other right-of-way purposes when the sale or grant is part of a property line adjustment incorporating the excess right-of-way into adjacent property; (5) adjustment as defined in this Section in compliance with Section 3.4; (6) the surveying or deed description of a tract of land in order to define a mining claim or to describe agricultural or forestry or aggregate tracts for resource use; (7) issuance of a mining patent or other lot created by the federal government; or (8) the creation of two (2) or more tracts or parcels of land by description in a single deed unless it is determined by the Director that said tracts or parcels of land were conveyed in fee separately prior to September 1, 1973, and provided that the tracts or parcels are identical to those separately conveyed prior to September 1, 1973. See also Section 3.3.1(B) [~~See~~ ORS 92.010(9)]**
- 490198) PAVEMENT/PAVE/PAVING: Asphaltic concrete or concrete road surfacing applied to achieve a smooth, reasonably dust-free surface.**
- 494199) PAWN SHOP/SECOND HAND STORE: A facility for the sale of second hand or used household or commercial items. No outside display is permitted. A facility for the sale of recycled building materials is not a second hand store. See BUILDING MATERIALS/LUMBERYARD**
- 492200) PERMIT: Any approval granted as the result of a Type 1 ministerial review as described in Section 3.1.2 and any approval granted as the result of a Type 2, Type 3 or Type 4 discretionary review as described in Sections 3.1.3, 3.1.4 and 3.1.5, respectively. Only Type 2, Type 3 and Type 4 approvals are land use decisions within the meaning of ORS 215.402. This distinction governs regardless of the terms used elsewhere in this Ordinance to describe any given approval. (~~See~~ ORS 215.402)**
- 493201) PERSONAL SERVICE/SERVICE RETAIL: An establishment or place of business primarily engaged in the provision of frequent or recurrent services to**

individuals on site, who may receive services by appointment or as walk-in customers. Such uses include but are not limited to: photocopy and blueprint service, beauty/barber shops, seamstress/tailor shops, massage/day spas. Sale of goods related to the services offered is an accessory use and may not exceed 20% of the establishment's gross revenue when the zoning district in which the use is located does not also allow retail commercial (i.e., shops/stores). Business services such as accounting, legal services and advertising are not included but are instead classified as office uses. See OFFICE USE, COMMERCIAL

- 194**202**) PET SHOP: An establishment or facility for the display and sale of small animals, fish, and birds as pets, but not involving commercial boarding, grooming or medical treatment of any animal, fish, or bird.
- 195**203**) PLAN, TENTATIVE: A diagram or drawing of a proposed land partition or subdivision illustrating the proposed layout of lots, location of roads, easements and common areas, which is submitted as part of an application for a land division. The term "preliminary map" may be used to refer to maps prepared for discussion purposes and are not "tentative plans" required by this Ordinance. See PLAT, FINAL
- 196**204**) PLANNED COMMUNITY: A large scale development with the following essential features: a definable boundary; a consistent, but not necessarily uniform, character; overall control during the development process by a single development entity; privately held, in-common ownership of recreational amenities; and enforcement of deed declarations, conditions, and restrictions (CC&Rs) by a community/homeowners association.
- 197**205**) PLANNED UNIT DEVELOPMENT (PUD): A residential, commercial, industrial, or mixed use development consisting of units grouped in a fashion not customarily allowed by zoning or subdivision regulations, and providing for variety and diversification in the relationship between buildings and open spaces. Uses within planned unit developments are integrated with each other and the site ■ creating areas for open space and preservation of natural features along with mixtures of housing types and land uses.
- 198**206**) PLANT NURSERY: Land used for growing, storage, and sale of garden plants, shrubs, trees, or vines for resale, including incidental retail sales conducted from within a building that do not exceed 20% of the combined wholesale and retail sales volume during any year. Examples of incidental items offered for sale include decorative structures/materials, packaged fertilizer, decorative stone and related materials.
- 199**207**) PLAT, FINAL: A final map and other writing containing all the descriptions, locations, specifications, provisions and information concerning a land division, or a parcel approved by a County decision pursuant to Section 10.2.1(C) or (D), that has been prepared for recordation. [~~See~~ ORS 92.010 (9) and (18) and 92.176(5)]
- 200**208**) PLOT PLAN: A diagram or drawing prepared to scale that illustrates the placement, location and dimensional relationship between existing and proposed structural improvements, septic systems and wells on a plot of land.
- 201**209**) PLAYGROUND: An area developed for active play and recreation owned or operated by a private entity, public agency, or school district, and available to the general public. Playgrounds may include restroom and other support facilities.



- 202210)** POST ACKNOWLEDGMENT PLAN AMENDMENT (PAPA): The term encompasses actions taken in accordance with ORS 197.610 through 197.625, including amendments to an acknowledged comprehensive plan or land use regulation and the adoption of any new plan or land use regulation.
- 203211)** POST OFFICE SUBSTATION: A commercial or public use that houses service windows for mailing packages and letters, post office boxes, offices, vehicle storage areas, and sorting and distribution facilities for mail.
- 204212)** PREEXISTING: Something that was lawfully established prior to adoption of current zoning regulations and which could be permitted under those regulations if applied for under current regulations. A building, structure, lot, parcel or use may be preexisting. See Section 1.7.5.
- 213)** PREPARATION: As it applies to the definition of “Farm use” in ORS 215.203, preparation includes but is not limited to the cleaning, treatment, sorting or packaging of farm products or by-products.
- 214)** PRIMARY PROCESS OF FOREST PRODUCTS: The primary processing of a forest product, as used in this Section 4.3, means the use of a portable chipper or stud mill or other similar methods of initial treatment of a forest product in order to enable its shipment to market. Forest products as used in this Section means timber grown upon a tract where the primary processing facility is located.
- 215)** PROCESSING AREA: The floor area of a building dedicated to farm product processing. “Processing area” does not include the floor area designated for preparation, storage, or other farm use.
- 205216)** PROPANE GAS/FUEL OIL DISTRIBUTOR: An establishment for the sale and distribution of fuel oil and gases, including propane.
- 206217)** PROPERTY LINE: The division line between two (2) units of land. (~~See ORS 92.010~~) See LOT/PROPERTY LINE
- 207218)** PROPERTY LINE ADJUSTMENT: The relocation or elimination of all or a portion of a common property line between abutting lots or parcels that does not create an additional lot or parcel. (~~See ORS 92.010~~) See BOUNDARY LINE AGREEMENT, PARTITION LAND.
- 208219)** PUBLIC: As used in this Ordinance, the term “public” means owned and operated by a governmental or tax supported entity or a private entity that provides a utility service available to the general public. See QUASI-PUBLIC USE/FACILITY
- 209220)** PUBLIC ASSEMBLY: A structure or outdoor facility where concentrations of people gather for purposes such as deliberation, education, worship, shopping, business, entertainment, amusement, sporting events, or similar activities excluding air shows. Does not include places where people congregate for short periods of time such as parking lots, bus stops, or uses approved by the FAA in an adopted airport master plan. Accessory uses may include offices, meeting areas, food preparation areas, concessions, parking and maintenance facilities. Banquet halls that are part of hotels or restaurants are accessory to those uses; theaters or other recreation/entertainment uses conducted on a continuous basis are

classified as commercial uses. (~~See~~ OAR 660-013-0020)

- 210221)** PUBLIC BODY: Any city, county, school district, special district, or other political subdivision or municipal or public corporation and any state or federal agency.
- 211222)** PUBLIC TRANSPORTATION STOP: Improvements and facilities at selected points along transit routes for passenger pickup, drop off, and waiting. Facilities and improvements may include shelters, benches, signs, structures, and other improvements to provide security, protection from the weather, and access to nearby services
- 212223)** PUBLIC TRANSPORTATION, TERMINAL AND STATION: Passenger terminals for regional bus and rail service, and bus and rail service stations for subregional service (e.g., mass transit transfer points and park-and-ride facilities). Includes freight handling areas, concessions, offices, parking, maintenance and fueling facilities.
- 213224)** PUBLIC USE/FACILITY: Institutional, academic, governmental, and community service uses publically owned and operated, or operated by nonprofit organizations within publically owned buildings. Regardless of ownership, hospitals and cemeteries are public uses. See QUASI-PUBLIC USE/FACILITY
- 214225)** PUBLIC WORKS/BUILDINGS/FACILITIES: Buildings and uses of a public works, public service, or public utility nature, but only including equipment storage or repair yards, warehouses, or related activities when fully conducted within an enclosed building.
- 215226)** QUASI-PUBLIC USE/FACILITY: A use conducted by, or a facility or structure owned or operated by a nonprofit, religious, or charitable institution that provides community service, cultural, educational, recreational, religious, or similar types of public services. See PUBLIC USE/FACILITY
- 216227)** RACING FACILITY, COMMERCIAL MOTORIZED: Facility for motorized races, including, but not limited to, closed course, straight-away, and/or acceleration runs. Drag strip, go-cart tracks and motor cross tracks are included.
- 217228)** RECREATION/SPORTS CLUB, PRIVATE: A building, park, or recreation area, the use of which is restricted to private membership such as by a church, neighborhood association, fraternal or social organization, and which may contain athletic and other facilities normally provided in a public park or playground.
- 218229)** RECREATION/SPORTS CLUB, PUBLIC: A recreation center or sports club for use by the general public, including indoor and outdoor facilities. Recreation or sports clubs that are restricted to private membership are classified as a commercial use (recreation and entertainment).
- 219230)** RECREATIONAL VEHICLE: See CAMPING/RECREATIONAL VEHICLE
- 220231)** RECREATIONAL VEHICLE PARK OR CAMPGROUND: See CAMPGROUND
- 221232)** REGISTERED GEOLOGIST: A person who is registered as a geologist in Oregon under the provisions of ORS 672.505 to 672.705.

**222233)** RELIGIOUS ASSEMBLY/HOUSE OF WORSHIP: Uses include meeting areas for religious activities, Sunday school facilities, parking, and related incidental uses. The term includes but is not limited to churches, temples, synagogues, mosques. K-12 church affiliated schools, work-week day care facilities, and caretaker's or pastor's housing are not allowed as incidental or accessory uses, but instead require separate land use permits when sited in association with a religious assembly use.

**223234)** REMAND: As used in this Ordinance, remand refers to actions by the Land Use Board of Appeals or State court that directs the County to reconsider a final land use decision. (~~See~~ ORS 197.835)

**224235)** RENTAL FACILITIES/EQUIPMENT RENTALS: An establishment primarily engaged in the rental of tools, automobiles, trucks, tractors, construction equipment, agricultural implements, and similar industrial equipment. Includes the incidental storage, maintenance, and servicing of rental equipment.

**225236)** REPLAT: The act of platting lots, parcels and easements in a recorded subdivision or partition plat to achieve a reconfiguration of the existing subdivision or partition plat, or to increase or decrease the number of lots or parcels. Neither a property line adjustment between two (2) lots on a recorded plat nor a partition of an existing lot are replats. See PLAN, TENTATIVE (~~See~~ ORS 92.010)

**226237)** RESOURCE LAND: Any farm or forest land subject to the statewide goals in OAR 660-004-0010, (1), (a - f) except subsection (c). Uses on resource lands are described in Chapter 4 of this Ordinance. (~~See~~ OAR 660-004-0005)

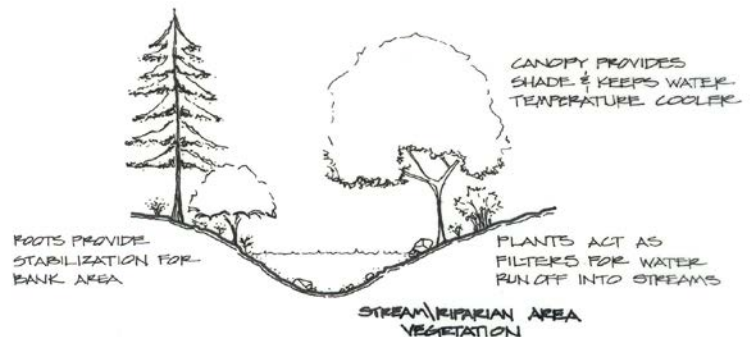
**227238)** RESTAURANT, LIMITED SERVICE: A restaurant serving only nonperishable beverages and individually portioned prepackaged foods prepared from an approved source by a commercial processor. (~~See~~ ORS 624.010)

**228239)** RIGHT-OF-WAY: A strip of land occupied or intended to be occupied by a road, street, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm water main, street trees, or other special use designed and intended to benefit the public.

**229240)** RIPARIAN: Of, pertaining to, or situated on the edge of the bank of a river or other body of water.

**230241)** RIPARIAN AREA: The area adjacent to a river, lake, or stream consisting of the area of transition from an aquatic ecosystem to a terrestrial ecosystem. (~~See~~ OAR 660-023-0090)

**231242)** RIPRAP: A layer, facing, or protective mound of rubble (e.g., broken concrete) or stones randomly placed to prevent erosion, scour, or sloughing of a structure or embankment; also the stone used for this purpose.



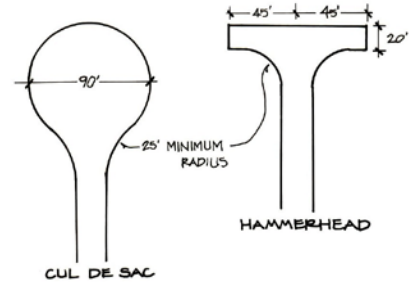


~~232~~243) **ROADS:** An improved thoroughfare created to accommodate vehicular transportation, but not including bicycle paths or driveways. See also DRIVEWAY

A) **General Terms**

1) **Cul-de-sac:** A local or limited use local road having only one outlet with a turnaround at the opposite end, and which is not intended to be extended or continued.

2) **Hammerhead Turnaround:** A “T” or “L” shaped dead-end street that allows for vehicles to reverse directions without using private property. Hammerhead turnarounds are often coupled with partial street improvements where a cul-de-sac would have been required if the entire street was initially developed.



3) **Partial Street:** A portion of the width of a street, usually along the edge of a subdivision, where the remaining portion of the street has been, or could later be, provided by another adjacent development.

4) **Street:** For purposes of this Ordinance, road and street are synonymous unless the context requires otherwise. A street is any vehicular way that: (1) is an existing municipal roadway; or, (2) is shown on a subdivision or partition plat approved pursuant to law. A street may be either dedicated for public or private use. A “local street” is a small-scale, low-speed thoroughfare designed primarily to provide access to commercial, residential and light industrial developments to higher level roads or streets (e.g., collectors, arterials). A street is urban in character with raised curbs, closed drainage, wide sidewalks, parallel parking, trees planted along the right-of-way, and buildings aligned on short setbacks.

5) **Street Plug/Reserve Strip:** A recorded instrument or physical strip of land that is used to control or prevent access to a public road.

6) **Stubbed Road:** A road having only one outlet, but which, unlike a cul-de-sac, is intended to be extended or continued.

7) **Through Road/Street:** A street that connects to another street in order to ultimately connect to a higher order transportation facility (e.g., arterial).

B) **Public Road Terms**

1) **Arterial:** Roads designed to move traffic as efficiently as possible. Direct access from adjoining properties is restricted and may be prohibited entirely. Arterials often have more than two (2) traffic lanes, no on-street parking, higher speed limits, and are controlled with traffic lights rather than stop signs.

2) **Bureau of Land Management Road:** A federally owned easement or public right-of-way maintained by the Bureau of Land Management (BLM). The primary purpose of a BLM road is to provide access to federally owned land for resource management or recreational purposes.

3) **Collector Road:** Roads designed to collect traffic from local streets and funnel it onto arterial roads, where it can move rapidly and efficiently to its destination. Collectors provide some access, but are primarily intended to move traffic. Collectors are usually wider than local roads or streets, have a

moderate speed limits and may not provide on-street parking.

4) County Road: A public road under the jurisdiction of and maintained by a county that has been designated as a county road under ORS 368.016.

5) Dedicated Way: A form of local access road dedicated to the public for residential purposes but not maintained by the County or any other public entity. At the time of creation, dedicated ways were shown on a map or plat approved by the County, and recorded in the records of Jackson County.

6) Frontage Road: A road parallel and adjacent to an arterial or other limited access road or a railroad right-of-way, which is designed and developed expressly to provide access to abutting properties in lieu of access being taken from the higher order transportation facility.

7) Local Access Road: A public roadway designed to provide access to adjoining properties and move local traffic onto collectors. Such roads usually have only two (2) lanes, and lower speed limits. A local access road is dedicated to the public for access but is not part of a public maintenance or improvement program and is not maintained by the County or any other public entity.

8) Principal Arterial: A road which provides for through traffic between major centers of activity in urban, suburban, and rural areas.

9) Public Road: A road over which the public has a right of use that is a matter of public record. (~~See~~ ORS 368.001)

10) State Highway: A public road under the jurisdiction of the State of Oregon. Most State highways are also maintained by the State in their entirety.

11) U. S. Forest Service Road: A Federally owned easement or right-of-way maintained by the Forest Service, the primary purpose of which is to provide access to Federally owned land.

C) ***Private Road Terms***

1) Private Access Easement: A private accessway, either existing or newly created, which serves two (2) or more EXISTING lawfully established units of land.

2) Prescriptive Easement: A right of access acquired through the uninterrupted use of another's land. A court order is required to establish a legally binding prescriptive access easement.

3) Private Road: A County approved private accessway, either required through a land division process or requested through a private road review, which serves two (2) to twenty-five (25) lots or parcels. A private road remains part of the property acreage it crosses and is considered that portion of the lot or parcel used for access purposes as described by an easement. Private roads are not maintained by the County, nor will the County contract for their maintenance.

4) Way of Necessity (gateway road): An accessway from a public road to land that would otherwise have no access, or a landlocked parcel. An official action of the courts is required to establish an easement granting a way of necessity through public or private property.

**233244)** RURAL COMMUNITY: An unincorporated community primarily composed of permanent residential dwellings, which includes at least two (2) other uses that provide commercial, industrial, or public services (e.g., schools, churches, grange halls, post offices) to the community, the surrounding rural area, or to persons traveling through the area. (~~See~~ OAR 660-022-0010)

- 234245)** RURAL LAND: Those areas outside Urban Growth Boundaries or Urban Unincorporated Communities that are not suitable, necessary or intended for urban use and that are: agricultural, forest or open space lands; or, other lands suitable for sparse settlement, small farms or acreage home sites with no or hardly any public services.
- 235246)** RURAL SERVICE CENTER: An unincorporated community comprised primarily of commercial or industrial uses that provide goods and services to the surrounding rural area or to persons traveling through the area that also includes some permanent residential dwellings. (~~See~~ OAR 660-022-0010)
- 236247)** SAFE HARBOR: An optional course of action that satisfies certain Goal 5 requirements under a standard process. Safe harbor requirements in lieu of addressing specific requirements in the standard Goal 5 process (e.g., identify significant riparian corridors using safe harbor criteria in OAR 660-023-0090, (5) rather than requirements for determining significance in OAR 660-023-0030, (4), or, adopt a wetlands ordinance meeting OAR 660-023-0100, (4), (b) in lieu of an ESEE process in OAR 660-023-0040). (~~See~~ OAR 660-023-0020)
- 237248)** SAFETY SERVICE: Publicly owned uses that protect public safety and provide emergency response services such as, but not limited to, fire stations, police stations, and emergency medical and ambulance service. Safety services often need to be located in or near the area where the service is provided and employees are regularly present on-site on a 24-hour basis.
- 238249)** SANITARY SERVICE INSTALLER: A business that installs or repairs subsurface sewage disposal systems.
- 239250)** SCHOOLS: Public and private schools at the primary, elementary, junior high, or high school (K-12) level that provide state mandated basic education, and institutions of higher learning. Secular commercial or business schools offering General Education Degree (GED) programs, or skills-specific post-secondary coursework leading to a certificate or degree are also included. Accessory uses include play areas, cafeterias, recreational and sport facilities, auditoriums, and before- or after-school day care. Preschools are classified as commercial day care. See STUDIO
- a) College/University: An institution other than a business or trade school that provides full-time or part-time education beyond high school.
- b) Commercial/Business: A business enterprise offering instruction and training in a service, or trade such as barber, beauty, machinery operation, real estate, secretarial, welding, and other similar trades.
- c) Kindergarten: Public or private school or class for children usually from four (4) to six (6) years old.
- d) Satellite Campus: An area of land making up the grounds of a college or university that is not physically contiguous to the main campus.
- 240251)** SEMINARY: A religious institution for the training of candidates for the priesthood, ministry, rabbinate or similar callings.
- 241252)** SENSITIVE FISH AND/OR WILDLIFE HABITAT: Areas identified as important to the survival of a plant or animal species, or group of species.
- 242253)** SERIES PARTITION: Multiple partitions of a single tract of land resulting in

the creation of four (4) or more parcels over a period of more than one (1) calendar year. (~~See~~ ORS 92.305)

- 243254)** SERVICE STATION: Commercial facility that offers petroleum products and limited vehicle repair service to the public, and including as an accessory use the sale and installation of lubricants, tires, batteries, and similar vehicle accessories, and prepared food and beverages for off-site consumption. Body and fender work or repair of heavy trucks or vehicles are excluded.
- 244255)** SETBACK: The distance from a right-of-way or easement boundary of a public or private road or other easement, or the distance from a lot line to the nearest point of a structure. See LOT, ROAD and Section 8.5
- 245256)** SEWERAGE FACILITY OR SEWAGE FACILITY: The sewers, drains, treatment and disposal works, and other facilities useful or necessary in the collection, treatment, or disposal of sewage, industrial waste, or other wastes.
- 246257)** SEWERAGE FACILITY, COMMUNITY: A sewerage facility, whether publicly or privately owned, which serves more than one parcel, and serves a predetermined level of development within a specific geographic area.
- 247258)** SEWERAGE FACILITY, INDIVIDUAL: A privately owned sewerage facility serving a single parcel for the purpose of disposal of domestic waste products.
- 248259)** SEWERAGE FACILITY, PUBLIC: A sewerage facility which serves two (2) or more uses for the purpose of disposal of sewage, and is provided for or is available for public use.
- 249260)** SEWER SYSTEM: A system that serves more than one (1) lot or parcel, or more than one (1) condominium unit, or more than one (1) unit within a planned unit development, and includes pipelines or conduits, pump stations, force mains, and all other structures, devices, appurtenances and facilities used for treating or disposing of sewage or for collecting or conducting sewage to an ultimate point for treatment and disposal. Does not include a system provided solely for collection, transfer and/or disposal of storm water runoff, or animal waste from a farm use as defined in ORS 215.303. [~~See~~ OAR 660-011-0060(1)(f)]
- 250261)** SEWER SYSTEM, COMMUNITY: A sewage disposal system for at least 15 permanent dwelling units, including manufactured homes, within an unincorporated community. (~~See~~ OAR 660-022-0010)
- 251262)** SHOOTING RANGE: The use of a structure or land for archery and/or the discharging of firearms for the purposes of target practice or temporary competitions.
- 252263)** SIGN AREA AND USE: Any sign, display, message, emblem, device, figure, painting, drawing, placard, poster, billboard or other thing that is designed, used or intended for advertising purposes or to inform or attract the attention of the public. The term includes the sign structure, display surface and all other component parts of a sign. When the dimensions of a sign are specified, the term includes panels and frames on all visible sides. (~~See~~ ORS 377.710)
- a) Billboard/Outdoor Advertising sign: Typically, these signs direct attention

to a business commodity, or other activity which is sold, offered or conducted elsewhere than the premises upon which the sign is located. Outdoor advertising signs may also include display of ideas, opinions or information of any nature meant for review by the public. SEE DIRECTIONAL SIGN

- b) Banner sign: A temporary sign having characters, letters or illustrations applied to cloth, paper or fabric of any kind, with only such non-rigid material for backing. Banner signs are non-structural and do not require building permits. See TEMPORARY SIGN
- c) Building sign: A sign affixed to an exterior wall of a building, including but not limited to signs mounted flush with or projecting from a building wall, murals, awnings, or other architectural features that contain messages.
- d) Directional: A sign with the primary purpose of providing directional information to: a business or activity; publicly or privately owned natural phenomena; or historic, cultural, scientific, educational and religious sites; or areas of natural scenic beauty; or areas naturally suited for outdoor recreation of interest to the traveling public.
- e) Double Face: A sign with multiple display surfaces mounted on a single structure with display surfaces visible to traffic from opposite directions of travel.
- f) Free-Standing: A sign that is not affixed to a building or other structure, including pole-mounted signs and monument signs mounted in the ground.
- g) Identification (business): A sign that identifies a business and displays only information necessary to adequately describe the business and the direction and distance to it.
- h) Marquee: A permanent, roofed, unenclosed structure projecting over an entrance to a building and not separately attached to the ground surface.
- i) Off-premise sign: A sign that provides directions to a business, commodity, industry, or other activity which is sold, offered, or conducted elsewhere than on the premises upon which the sign is located. See BILLBOARD/ADVERTISING.
- j) On-premise sign: A sign that directs attention to a business, commodity, industry, or other activity which is sold, offered, or conducted on the premises upon which the sign is located.
- k) Temporary Sign: A non-illuminated sign without permanent footings, but which is securely attached to an adequate anchorage. Temporary signs larger than 12 square feet must be converted to a permanent sign once emplaced for more than six (6) months. See BANNER SIGN

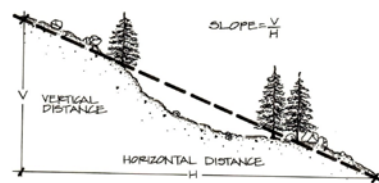
**253264)** SIGNIFICANT OUTBUILDING: An accessory building valued at 20% or more of the value of the primary structure on a property, or any accessory building over 400 square feet in size. For purposes of determining percentage of market value of the primary structure, the most current value as shown in the County Assessor's records or an independent Member of Appraisal Institute (MAI) certified appraisal is used.

**254265)** SIMILAR USE: A use that has the same characteristics as the specifically cited use in terms of: trip generation and type of traffic, parking and circulation, lighting and noise impacts, public service and utility demands, environmental impacts, physical space needs, and clientele.

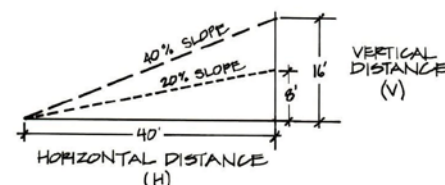
**255266)** SITING STANDARD: A clear and objective land use regulation that directs the physical location of a new or replacement building or structure on a parcel. See CHAPTER 8.



**256267)** SLOPE: The inclination of the natural earth's surface expressed as a ratio of the horizontal (H) distance to vertical (V) distance. Slopes are expressed as a percentage. The percentage of slope refers to a given rise in elevation over a given run in distance, multiplied by 100 ( $V/H \times 100$ ). For example, a 40% slope is a 40-foot rise in elevation over a distance of 100 feet ( $40/100 \times 100$ ). A 100% slope equals a 45 degree angle.



**257268)** SLOPE EASEMENT: An area adjoining a road that is affected by a road fill or cut, but is not within the road easement or right-of-way.



**258269)** SOIL ASSESSMENT: An assessment prepared by an Oregon registered professional engineer or engineering geologist, who is qualified to evaluate soils for development suitability. The assessment shall include, but is not limited to, the soil's class of shrink-swell potential and furnish professional analysis of the information to assess the suitability of the site for development. The assessment shall also recommend design measures necessary to reduce the risks associated with development and to facilitate a safe and stable development.

$$\text{SLOPE} = \frac{\Delta V}{\Delta H}$$

**259270)** SOIL, EXPANSIVE: Soils with a moderate to severe degree of shrink-swell potential, as identified in *Table 9, Building Site Development*, of the NRCS *Soil Survey of Jackson County Area, Oregon*, issued August, 1993.

**260271)** SOIL, SHRINK-SWELL POTENTIAL: The potential for volume change in a soil with a loss or gain in moisture. Shrink-swell classes are based on the change in length of an unconfined clod as moisture content is increased from air-dry to field capacity. The change is based on the soil fraction less than two (2) millimeters in diameter. *Table 14, Physical and Chemical Properties, Soil Survey of Jackson County, Oregon* issued August, 1993, identify the classes of shrink-swell potential. The classes are *low*, a change of less than 3%; *moderate*, 3% to 6%; and *high*, more than 6%. *Very high*, more than 9%, is sometimes used. If shrink-swell is rated moderate to very high, shrinking and swelling can cause damage to buildings, roads, and other structures. *Table 9, Building Site Development*, of the above referenced soil study, shows the degree of soil limitation for development. A moderate degree of shrink-swell potential are those soils with properties or conditions not favorable to structures, residential and commercial, and special design or maintenance is needed to overcome or minimize the limitations. A severe degree of shrink-swell potential are those soils with properties or features so unfavorable or difficult to overcome that special design or maintenance is required. Soils identified as having a severe-moderate limitation will be considered as having a severe limitation to buildings.

**261272)** SOLAR ORIENTATION: The layout and design of parcels and siting of a structure on building lots in order to take advantage of solar insulation for use of the sun as an energy source.

**262273)** START OF CONSTRUCTION: Following issuance of a building permit, the first placement or permanent construction of a building or structure on a site, such as the pouring of slabs or footings, the installation of piles, the installation of columns or any work beyond the stage of excavation; or the placement of a mobile

home on a temporary or permanent foundation. Installation of a septic system that will serve a permanent use is included in this term. Start of construction does not include: land preparation, such as clearing, grading, and filling; installation of streets, roads or walkways; excavation for a basement, footings, piers or foundations, or the erection of temporary forms. See DEVELOPMENT, INITIATE

- 263274)**     **STEEP SLOPE:** Slopes greater than 20%.
- 264275)**     **STOCK AUCTION YARD:** Facility for public sale to the highest bidder of animals, including but not limited to, horses, cows, and sheep. Term does not include slaughtering, rendering, or tannery operations.
- 265276)**     **STREAM:** A channel such as a river or creek that carries flowing surface water, including perennial streams and intermittent streams with defined channels, and excluding man-made irrigation and drainage channels. (~~See~~ OAR 660-023-0090)
- a)     **Bankfull stage (top of bank):** The stage or elevation at which water overflows the natural banks of streams or other waters of the State and begins to inundate the upland. In the absence of physical evidence, the two (2)-year recurrence interval flood elevation may be used to approximate the bankfull stage. (~~See~~ OAR 141-085-0010(2) & 660-023-0090)
  - b)     **Class 1:** Waters that are valuable for domestic use, are important for angling or other recreation, or are used by significant numbers of fish for spawning, rearing, or migration routes as identified by the State of Oregon. Stream flows may be perennial or intermittent.
  - c)     **Class 2:** Any headwater streams or minor drainages that generally have limited or no direct value for angling or other recreation as identified by the State. They are used by few, if any, fish for spawning or rearing. Their principal value is their influence on water quality or quantity downstream in Class I waters. Stream flows may be perennial or intermittent.
  - d)     **Fish-bearing:** Watercourses where fish eggs are deposited and fertilized, where gravel emergence occurs and where at least some juvenile development occurs. Fish-bearing streams may be intermittent (e.g., seasonal) or perennial.
- 266277)**     **STREET TREES:** Any tree located within a street right-of-way or private street easement that is listed in the User's Guide as appropriate for use along streets.
- 267278)**     **STRUCTURAL ALTERATION:** Any change in the supporting members of a structure, such as the foundation, bearing walls, columns, beams, girders, floor or ceiling joists, or rafters.
- 268279)**     **STRUCTURE:** A building or other major improvement that is built, constructed, or installed, not including minor improvements such as fences, utility poles, flagpoles, or irrigation system components that are not customarily regulated through zoning ordinances. For land use regulatory purposes, the term structure also includes gas or liquid storage tanks and anything of substantial value that requires permanent location on the ground. Swimming pools, fences, uncovered patios, tents, vehicles and travel trailers are not however considered structures. A permanent structure is built of materials in a manner that would commonly be expected to remain useful for a substantial period of time. A temporary structure is built of materials in a manner that would commonly be expected to have relatively short useful life, or is built for a purpose that would be

expected to be relatively short-term in duration. (See OAR 660-023-0090 or Section 7.1.2 for alternate definition applicable to floodplain areas).

- 269280)** STUDIO - ART/ DANCE/ MUSIC/ SKILLS: The instructing, coaching, or counseling in art, music, ceramics, drama, photography, speech, dance, martial arts, gymnastics or similar personal skills or arts. A facility where custom, artistic or decorative objects such as leather goods, jewelry, oven-fired nonmetallic mineral products, or carved, three-dimensional works of art are created.
- 270281)** STUDIO - BROADCAST/RECORDING: A facility for broadcasting live or pre-recorded programs by radio or television; or for recording performances on records, tapes, video tapes, or other suitable recording media. Activities necessary for recording programming and receiving radio or television signals are included but the facility may not engage in manufacture of consumer products.
- 274282)** SUBDIVIDE LAND: To divide an area, parcel, or tract of land to create four (4) or more lots within a calendar year. See DIVIDE (~~See~~ ORS 92.101)
- 272283)** SUBDIVISION: The act of dividing land into four (4) or more lots or parcels within a calendar year, or an area or a tract of land subdivided as defined above. (~~See~~ ORS 92.010)
- 273284)** SUBGRADE: That portion of the graded roadbed upon which the base, surfacing, or pavement is to be placed.
- 274285)** SUBSTANTIAL CONFORMANCE: The situation when a development that was approved through a permit or tentative plan complies with or meets the objectives, standards, guidelines, and conditions for that permit or tentative plan.
- 275286)** SUBSTANTIAL DAMAGE: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.
- 276287)** SUBSTANTIAL IMPROVEMENT: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure either: before the improvement or repair is started; or, if damaged, the value of the structure to be restored prior to being damaged. For purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not the alteration affects the external dimensions of the structure. For purposes of determining percentage of market value of the structure, the most current value as shown in the Assessor's records or an independent Member of Appraisal Institute (MAI) certified appraisal is used. The term does not, however, include: any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and that are the minimum necessary to assure safe living conditions; or, any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure. See START OF CONSTRUCTION
- 277288)** SUBSTANTIAL MODIFICATION: A change or alteration that significantly alters the impacts or character of a structure, development, or activity. See



## SIMILAR USE

- 278289)** SWIMMING POOL, PRIVATE: A swimming pool, constructed for the exclusive use of the residents and guests of single-family or multiple-family dwellings.
- 279290)** TANNING SALON: A business that uses artificial lighting systems to produce a tan on an individual's body. This use excludes spas, gymnasiums, athletic and health clubs.
- 280291)** TAX LOT: A unit of land created by the County Assessor for the purpose of taxation or at a property owner's request. See DIVIDE, LAWFULLY ESTABLISHED UNIT OF LAND, PARCEL, and Chapters 3 and 10.
- 281292)** TELEPHONE EXCHANGE, SWITCHING AND TRANSMITTING EQUIPMENT: Unattended switching or transmitting telephone service, but not including business office facilities, storage or repair shops or yards.
- 282293)** TEMPORARY: Temporary means 30 days or less in any 12-month period, unless otherwise specified by a provision of this Ordinance.
- 283294)** TEMPORARY FIELD OR CONSTRUCTION OFFICE: Office and temporary material storage facilities employed in connection with development of property. This use may be permitted for a specified period of time in accordance with a permit issued by the Building Official.
- 284295)** TEMPORARY MEDICAL HARDSHIP: Use of a mobile home, manufactured dwelling, or converted frame structure which is used as an additional dwelling on the same parcel for an infirm or disabled person who requires care according to certifications by Oregon licensed medical doctors or a responsible state licensed medical agency, or for the person providing that care. A recreational vehicle (RV) may be used during the term of a temporary medical hardship.
- 285296)** TENT/TEPEE: A fabric shelter supported by poles or rope, which is designed for human occupancy and to be used temporarily for recreational or emergency purposes, but not for permanent residential, commercial or industrial purposes. See YURT
- 286297)** THEATER: A structure used for showing motion pictures, or for dramatic, dance, musical, or other live performances.
- 287298)** TIME COMPUTATION: Time deadlines in this Ordinance are computed by excluding the first day and including the last day. If the last day is Saturday, Sunday, or other state legal holiday, the time frame is computed to extend to the next working day. See DECISION, FINAL (~~See~~ *OAR 661-010-0075*)
- 288299)** TOP COURSE: A course of specified aggregate material of planned thickness placed immediately below the pavement or surface.
- 289300)** TRACT: One (1) or more contiguous lots or parcels in the same ownership. [~~See~~ *OAR 660-033-0020, and ORS 215.010, (2)*]
- 290301)** TRANSMISSION FACILITY: Any facility constructed across contiguous zoning districts for the purpose of transmitting or transporting in any form; energy resources, telecommunications, persons, or goods (e.g., highways, railroads, gas

and petroleum product pipelines, waterways, and electric power transmission lines). In particular, the following specifically-defined types of facilities are included: electric power transmission facilities carrying 115 KV or greater; gas pipelines carrying 300 psi capacity or greater; and new highway construction or improvements to existing highways that result in an increased traffic volume of 5,000 vehicles/day. Underground water pipelines, sewer trunk lines, and cable television facilities are not included. This definition also does not apply to facilities that have a primary purpose of providing direct service to end users within the zoning district or districts within which the facilities are located. See ROAD

**291302)** TRANSMISSION (TELECOMMUNICATIONS) TOWER: Structures supporting antennas for transmitting or receiving any portion of the radio spectrum, but excluding noncommercial installations for home use of radio or television.

- a) Building mounted towers: Any building-mounted pole, spire, structure, or combination thereof, including supporting lines, cables, wires, braces, or masts, intended primarily for the purpose of mounting a telecommunications antenna or similar apparatus above ground.
- b) Co-location: Attachment of additional antenna or other receiver or transmitter to an existing monopole or transmission tower.
- c) Concealed towers (stealth): Artificial trees, clock towers, and similar nontraditional structures that are compatible with the existing setting or structures and camouflage or partially conceal the presence of antennas or towers. This includes any antenna or array attached as part of the design of the structure.
- d) Freestanding towers: Any ground-mounted pole, spire, structure, or combination thereof, including supporting lines, cables, wires, braces, or masts, intended primarily for the purpose of mounting a telecommunications antenna or similar apparatus above ground level.

**292303)** TRANSPORTATION IMPROVEMENTS: Individual modal or multi-modal conveyances and terminals that may be provided by a private entity or by a local, regional, state, or federal government (e.g., highways, bridges, culverts, streets, roads and pedestrian accessways). Accessory uses include maintenance yards, stockpile sites, weigh stations, or rest areas.

**293304)** TREE SPECIES, COMMERCIAL: Trees recognized under rules adopted under ORS 527.715 for commercial production. (~~See~~ OAR 660-006-0027(5)(b))

**294305)** TREE TOPPING/SEVERE PRUNING: The severing of the trunk or cutting back of the trunk or a limb to a stub larger than three (3) inches in diameter, or the cutting back of the tree's crown to such a degree as to remove the normal canopy and disfigure the tree.

**295306)** TRUCK TERMINAL/FREIGHT FORWARDING FACILITY: An area and building where buses, trucks and cargo are stored, where loading and unloading is carried on regularly, and where minor maintenance of these types of vehicles is performed.

**296307)** UNINCORPORATED COMMUNITY: An unincorporated settlement outside the UGB of any city and composed primarily of land that has been identified as subject to a Goal 3 or 4 exception (or both). Unincorporated communities may be identified by the County (as urban or rural communities, service centers, rural centers, or resort communities), or listed in the DLCD 1-30-97 *Survey of Oregon's*

- ~~297~~**308**) URBAN CONTAINMENT BOUNDARY (UCB): A site specific line appearing on the Official Comprehensive Plan and Zoning Maps of Jackson County that encompasses unincorporated urban and urbanizable lands that: have been determined to be suitable for infill development but not outward expansion; and are or can be economically served with basic urban level facilities and services within the parameters of the policies of the Jackson County Comprehensive Plan.
- ~~298~~**309**) URBAN FRINGE: Rural residential land within one (1) mile of the urban growth boundary for the cities of Ashland, Central Point, and Medford. [~~See~~ OAR 660-004-0040 (8)(a)]
- ~~299~~**310**) URBAN GROWTH BOUNDARY (UGB): A site specific line appearing on the Official Comprehensive Plan and Zoning maps of Jackson County and on each incorporated city Plan and Zoning map that identifies and encompasses urban and urbanizable lands within or adjacent to each incorporated city in the County.
- ~~300~~**311**) URBAN LAND: Those places within or adjacent to an incorporated city that have or are planned to provide municipal levels of public facilities and services, and which may contain concentrations of persons who generally reside and work in the area.
- ~~301~~**312**) URBANIZABLE LAND: Those lands within an adopted UGB that are identified and determined to be necessary and suitable for future urban uses by virtue of being (or planned to be) served by urban services and facilities, and their identification as areas needed for future expansion of an existing urban area.
- ~~302~~**313**) URBAN SERVICE: Sanitary sewers, water, municipal fire protection, parks, open space, recreation, streets, roads, and mass transit. (~~See~~ ORS 195.065)
- ~~303~~**314**) URBAN UNINCORPORATED COMMUNITY: An unincorporated community that includes a minimum of 150 permanent residential dwelling units, a mixture of land uses (i.e., three (3) or more public, commercial or industrial uses), and that has community sewer and water service available to residents and businesses. See UNINCORPORATED COMMUNITY (~~See~~ OAR 660-022-0010)
- ~~304~~**315**) USE: The purpose for which land, accessways, buildings or structures are designed, arranged, or intended, or for which a building or structure is occupied or maintained, whether on a permanent or temporary basis.
- ~~305~~**316**) USE, ACCESSORY: A use, building or structure that is; (1) customarily incidental and subordinate to the principal use of a lot or the main building or structure thereon, (2) subordinate in extent, area and purpose to the principal use, and (3) located on the same lot as the principal use, building or structure. A use that constitutes, in effect, conversion to a use not permitted in the district is not an accessory use. See ACCESSORY BUILDING/STRUCTURE
- ~~306~~**317**) USE, PRINCIPAL: The primary use and chief purpose of land, buildings or structures.
- ~~307~~**318**) UTILITIES, LOCAL: The electric power, telephone, gas, water, sewer drainage lines, and those in-line facilities such as gas regulating stations and water pumping stations customarily associated with service provision to adjacent neighborhoods, commercial and industrial areas.

**308319)** UTILITY FACILITY: Those necessary appurtenances including related right-of-ways and easements for the transmission of electric power, gas, water, sewerage, communication signals, telephone and any in-line facilities needed for the operation of such facilities (e.g., gas regulating stations, pumping stations, power or communication substations, dams, reservoirs, and related power houses). Additionally, a utility facility means any energy device or system that generates energy from renewable energy resources including solar, hydro, wind, bio-fuels, wood, geothermal, or similar sources. A utility facility must include equipment or apparatus, standing alone or as part of a structure, that is used or intended to be used by a public or private utility. The equipment need not be extensive or complex; however, at a minimum the facility must include some equipment or apparatus that performs the relevant production, transmission or similar function or service. (174 Or App at 343-45 "Sabroso") ~~(See—ORS 215.283(1)(c)(d)(1997))~~

**309320)** UTILITY FACILITY, MAJOR: A service of a regional nature that normally entails the construction of new buildings or structures, and that typically requires frequent monitoring or maintenance by employees of the utility provider. Examples include water works, reservoirs, power or heating plants, and steam generating plants.

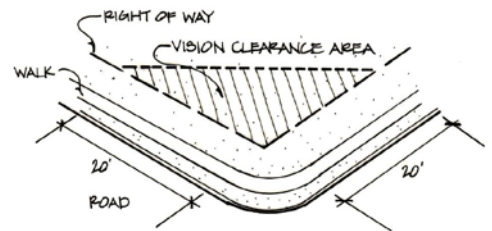
**310321)** UTILITY FACILITY, MINOR: A service that is necessary to support development within the immediate vicinity and that involves only minor structures. Employees typically are not regularly needed at the site. Examples include electric transformer stations, gas regulator stations, telephone exchange buildings, and well, water, and sewer pumping stations.

**311322)** VIEWSHED: The area observable from a defined geographic location.

**312323)** VIOLATION: A development action or land division by any person or entity that is prohibited or prevented by the Jackson County Comprehensive Plan, Land Development Ordinance or other applicable State or County law; or the failure of any person or entity to act as required by a specific County development approval (e.g., conditions of approval) or other State or County permit.

**313324)** VISION CLEARANCE AREA:

A triangular area at the intersection of two (2) streets, or of a street and a driveway or railroad property line, two (2) sides of which are 20-foot lines measured from the corner intersection. The third side of the triangle is a line across the corner of the lot joining the ends of the two (2) 20-foot sides. Where the lines at the intersections have rounded corners, the lines are extended in a straight line to a point of intersection. The vision clearance area is measured from the face of the curb and extends at right angles the designated distance in both directions along the intersection. Where there is no curb, the vision clearance area is measured from the edge of the pavement and extends at right angles for the appropriate distance in both directions along the intersection.



**314325)** WALKWAY: Any road, path, or way that in some manner is specifically designated as being open to pedestrian travel.

**315326)**     WAREHOUSE, FOOD STORAGE: A building designed and used for storage of foodstuffs, either in packaging or as bulk items. Food storage warehouses commonly include refrigeration, packaging, and loading facilities, but do not include food processing or cooking facilities, either for private use or retail sale. See WHOLESale ESTABLISHMENT

**316327)**     WASTE RELATED USES:

- a)     Compost: The controlled biological decomposition of organic material or the product resulting from such a process. (*See-ORS 459.005*)
- b)     Composting Plant: A facility where organic matter derived primarily from off-site is processed by composting or is processed for commercial purposes.
- c)     Hazardous waste/material: Discarded, useless, or unwanted materials or residues in solid, liquid, or gaseous state and their empty containers that are classified as hazardous pursuant to ORS 459.410, OAR 340-63-100 to 135.
- d)     Incinerator: A combustion device specifically designed for the reduction, by burning, of solid, semisolid or liquid combustible waste. See *Codified Ordinance Ch. 1864*
- e)     Land disposal site: A disposal site in which the method of disposing of solid waste is by landfill, dump, pit, pond or lagoon. (*See-ORS 459.005*)
- f)     Landfill: A facility for the disposal of solid waste involving the placement of solid waste on or beneath the land surface. (*See-ORS 459.005*)
- g)     Putrescible material: Organic material that may decompose into foul-smelling or otherwise offensive products. See *Codified Ordinance Ch. 1864*
- h)     Recycling dropbox: An enclosed and covered container for the depositing and temporary storage of recyclable materials, including but not limited to paper, glass, metal cans, or other recoverable material.
- i)     Recycling depot: A center, depot, drop box, or other place for receiving source separated recyclable materials with or without compensation. The term does not include salvage, junk, or auto wrecking yards. See *Codified Ordinance Ch. 1864*
- j)     Recycling plant: A facility that is not a wrecking, junk, or salvage yard, and in which recoverable resources, such as newspapers, magazines, books, and other paper products; glass, and metal cans are recycled, reprocessed, and treated to return such products to a condition in which they may again be used.
- k)     Sanitary landfill: A disposal site operated by means of compacting and covering nonhazardous and non-medical farm, residential, institutional, commercial, or industrial waste at least once each operating day.
- l)     Slaughterhouse: A facility for the slaughtering and processing of animals and the refining of their byproducts, including associated feedlots and storage of animal products and waste that results from the slaughtering process.
- m)     Solid waste: All useless or discarded putrescible and non-putrescible materials, including but not limited to garbage rubbish, refuse, ashes, paper and cardboard, sewage sludge, septic tank and cesspool pumpings or other sludge, useless or discarded commercial, industrial, demolition and construction materials, discarded or abandoned vehicles or parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semisolid materials, dead animals and infectious waste as defined in ORS 459.386. The term does not include: hazardous waste as defined in ORS 466.005; or materials used for fertilizer or for other productive purposes. (*See-ORS 459.005*)



- n) Solid waste disposal site: Land and facilities used to dispose of or process solid wastes. Energy recovery, material recovery and recycling from solid waste is included. Examples of disposal sites are dumps, landfills, sludge lagoons, sludge treatment facilities, septic tank pumping or cesspool cleaning service disposal sites, energy recovery facilities, incinerators for solid waste delivered by the public or by a collection service, composting plants and land and facilities previously used for solid waste disposal at a land disposal site. The term does not include a facility authorized by a permit issued under ORS 466.005 to 466.385 to store, treat or dispose of both hazardous waste and solid waste; a facility subject to the permit requirements of ORS 468B.050 or 468B.053; a site which is used by the owner or person in control of the premises to dispose of soil, rock, concrete or other similar non-decomposable material, unless the site is used by the public either directly or through a collection service; or a site operated by a wrecker issued a certificate under ORS 822.110. (~~See~~ ORS 459)
- o) Solid Waste Transfer station: A fixed or mobile facility other than a collection vehicle where solid waste is deposited temporarily after being removed from the site of generation but before being transported to a final disposal site. (~~See~~ ORS 459.005)

~~317~~**328**) WATER AREA: The area which collects water between the banks of a lake, pond, river, perennial or fish-bearing intermittent stream, excluding man-made farm ponds. (~~See~~ OAR 660-023-0090)

~~318~~**329**) WATER, RECLAIMED: Treated effluent from a sewage treatment system which, as a result of treatment, is suitable for a direct beneficial purpose (e.g., irrigation) or a controlled use that could not otherwise occur. (~~See~~ OAR 340-055-0010)

~~319~~**330**) WATER SYSTEM, COMMUNITY: A system that distributes potable water through pipes to at least 15 permanent dwelling units within an unincorporated community. (~~See~~ OAR 660-022-0010)

~~320~~**331**) WATER SYSTEM, PUBLIC: A system supplying water for human consumption through four (4) or more service connections, or a system supplying water to a public or commercial establishment that operates a total of at least 60 days per year and that is used by 10 or more individuals per day. The term includes any domestic water supply source and associated distribution system other than a municipal water supply system or public utility water supply system where water is provided for or is available for public consumption, including, but not limited to, a school, farm labor camp, industrial establishment, recreational facility, restaurant, motel, group care home, or planned unit or cluster development. (~~See~~ OAR 660-023-0140)

~~321~~**332**) WELL: Any artificial opening or artificially altered natural opening, however made, by which ground water is sought or through which ground water flows under natural pressure, or is artificially withdrawn or injected for beneficial consumptive purposes. This definition does not include natural artesian springs, or wells drilled for the purpose of exploration, production or monitoring of oil, gas, or geothermal resources.

- a) Agricultural/stock well: A well used, or intended to be used, to supply water for agricultural irrigation and/or stock use only.
- b) Domestic well: A well used to serve three (3) or fewer dwelling units for the purpose of supplying water intended for human sanitation, consumption or any other household purposes, including non-commercial stock watering

- and irrigation of up to one-half (.) acre per dwelling, and which is not used as or part of a public water supply.
- c) Flow test: A procedure for pumping water from a well for a specified period of time to establish well yield and/or basic ground water quantity information.
  - d) Major flow test (12-hour flow test): The procedure used to determine well yield during which a new or deepened well is continuously pumped for a minimum of 12 hours while noting the effect on static water levels in the subject well and any existing wells within 500 feet of the subject well.
  - e) Minor flow test (4-hour flow test): The procedure used to determine well yield during which a new or deepened well is continuously pumped for a minimum of four (4) hours while noting the effect on static water levels in the subject well.
- 322333)** WETLANDS: Those areas that are inundated or saturated by surface or groundwater at a frequency and duration that are sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. (~~See~~ ORS 197.015, OAR 660-023-0100)
- 323334)** WHOLESALE ESTABLISHMENT: A business primarily engaged in selling or distributing merchandise to retailers, industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies. The use emphasizes on-site sales or order-taking and often includes indoor and outdoor display areas. Products may be picked up on-site or delivered to the customer. The business may or may not be open to the general public, but sales to the general public are limited to less than 30% of gross receipts.
- 324335)** WILDLIFE: Wild mammals, birds, reptiles, and amphibians.
- 325336)** WILDLIFE HABITAT: An area upon which wildlife depends in order to meet their requirements for food, water, shelter and reproduction. (e.g., migration corridors, big game winter range, nesting and roosting sites). (~~See~~ OAR 660-023-0010)
- 326337)** WINERY: A facility for the preparation, processing, marketing, and distribution of wines. The use may include a tasting room for the purpose of marketing the winery's products but not those of other wineries, along with incidental food service and sales areas. In the Exclusive Farm Use zone, uses may include wine tours, wine tasting, wine clubs and similar activities conducted for the primary purpose of promoting wine produced in conjunction with the winery or other wineries as in the case where a winery produces at least 150,000 gallons of wine. See WINE SHOP (~~See~~ ORS 215.452)
- 327338)** WINE SHOP: A retail establishment that sells wines, brandies and cordials, wine making equipment and items related to wine consumption as its primary merchandise. The use may include a tasting room, incidental food sales and a dining area that does not exceed 25% of the total area devoted to merchandise display. Incidental uses may include periodic wine tasting events, wine appreciation and culinary classes. See WINERY
- 328339)** WRECKING YARD: Any establishment maintained, used, or operated for storing, keeping, selling, dismantling, shredding, compressing, or salvaging scrap or discarded ferrous material or equipment. Scrap or discarded material includes, but is not limited to; inoperable, wrecked, scrapped, ruined, or discarded

automobiles, trucks, trailers, and parts thereof, machinery, structural steel, equipment, and appliances. The term also includes junk, salvage, or scrap metal yards. See WASTE-RELATED USES

**329340)** XERISCAPING: Landscape maintenance principles that promote good horticultural practices and efficient use of water; water conserving, drought-tolerant landscaping.

**330341)** YARD: See LOT LINE

- a) Front: The yard between side lot lines measured from the front lot line to the nearest point of a building or other structure.
- b) Rear: The yard between side lot lines measured from the rear lot line to the nearest point of a building or other structure.
- c) Required: Open space on a lot, which is unobstructed by buildings from the ground upward, except as otherwise allowed by this Ordinance.
- d) Side: A yard between the front and rear yards, measured horizontally and at right angles from the side lot line to the nearest point of a building or other structure.

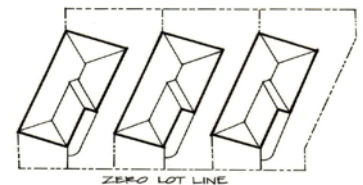
**331342)** YOUTH CAMP: A facility (owned or leased) operated by a state or local government, or a nonprofit corporation as defined under ORS 65.001, to provide an outdoor recreational and educational experience primarily for the benefit of persons 21 years of age and younger. Youth camps do not include any manner of juvenile detention center or facility. (See OAR 660-006-0031)

**332343)** YURT: A round domed shelter of cloth or canvas on a collapsible frame with no plumbing, sewage disposal hook-up or internal cooking appliance. (See ORS 215.283(2)(c); OAR 660-033-0130(19) (c) See TENT/TEPEE

**333344)** ZERO LOT LINE

SUBDIVISION:

A single family detached residential subdivision where each dwelling unit is placed on its lot in such a manner that one (1) exterior wall is located on a side yard lot line, thus creating a setback of zero (0) feet on one side.



### 13.4 INDEX OF ABBREVIATIONS AND ACRONYMS

This section includes abbreviations and acronyms that may appear in this Ordinance, the Jackson County Comprehensive Plan, or State and Federal laws. It should be noted that the abbreviations and acronyms that appear below are provided to assist users of this Ordinance, and their meaning when they appear may be context dependent.

- 1) AQMA: Air Quality Management Area
- 2) ASC: Area of Special Concern
- 3) BCVSA: Bear Creek Valley Sanitary Authority (now Rogue Valley Sanitary Services, (RVSS))



- 4) BLM: Bureau of Land Management
- 5) BoC: Board of Commissioners
- 6) CAC: Citizens Advisory Committee
- 7) CRS: Community Rating System for National Flood Insurance Program
- 8) CUP: Conditional Use Permit
- 9) DEQ: Department of Environmental Quality
- 10) DLCD: Department of Land Conservation and Development
- 11) DOGAMI: Department of Geology and Mineral Industries
- 12) DSL: Division of State Lands
- 13) EPA: Environmental Protection Agency
- 14) ESEE: Economic, Social, Environmental and Energy. Positive and negative consequences that could result from a decision to allow, limit or prohibit a conflicting use. (See OAR 660-016-0005 & 660-023-0010)
- 15) FAA: Federal Aviation Administration.
- 16) FAR: Floor Area Ratio
- 17) FCC: Federal Communication Commission
- 18) FBFM: Flood Boundary and Floodway Maps
- 19) FEMA: Federal Emergency Management Agency
- 20) FIRM: Flood Insurance Rate Map
- 21) GIS: Geographic Information System
- 22) HVFL: High Value Farm Land
- 23) JCPC: Jackson County Planning Commission
- 24) JCPP: Jackson County Public Park
- 25) LCDC: Land Conservation and Development Commission
- 26) LDO: Land Development Ordinance of Jackson County
- 27) LID: Local Improvement District
- 28) LOD: Limits of Disturbance
- 29) LOMA: Letter of Map Amendment reviewed by FEMA
- 30) LOMR: Letter of Map Revision reviewed by FEMA

- 31) LUBA: Land Use Board of Appeals
- 32) MPO: Metropolitan Planning Organization
- 33) NFIP: National Flood Insurance Program
- 34) NRCS: USDA Natural Resource Conservation Service, formerly the Soil Conservation Service. (See OAR 660-006-0005)
- 35) OAR: Oregon Administrative Rule
- 36) ODF: Oregon Department of Forestry
- 37) ODFW: Oregon Department of Fish and Wildlife
- 38) ODOT: Oregon Department of Transportation
- 39) ORS: Oregon Revised Statute
- 40) PAPA: Post Acknowledgment Plan Amendment. Actions in accordance with ORS 197.610-625, including amendments to an acknowledged Comprehensive Plan or land use regulation and the adoption of any new plan or land use regulation. Does not include periodic review actions in accordance with ORS 197.628-650. (See OAR 660-023-0010)
- 41) PUD: Planned Unit Development
- 42) RPS: Regional Problem Solving
- 43) RPZ: Runway Protection Zone
- 44) RVCOG: Rogue Valley Council of Governments
- 45) RVSS: Rogue Valley Sewer Services (aka, BCVSA)
- 46) RVTD: Rogue Valley Transit District
- 47) SDC: Systems Development Charge
- 48) TAC: Technical Advisory Committee
- 49) TPR: Transportation Planning Rule
- 50) TSP: Transportation System Plan
- 51) UCB: Urban Containment Boundary
- 52) UGB: Urban Growth Boundary
- 53) UGBMA: Urban Growth Boundary Management Agreement
- 54) USDA: United States Department of Agriculture
- 55) USFS: United States Forest Service

- 56) USGS: United States Geological Survey
- 57) UUCB: Urban Unincorporated Community Boundary
- 58) WCPC: White City Planning Commission
- 59) WCUUC: White City Urban Unincorporated Community