

**106 DEFINITIONS**

**106-1** The definitions contained in this Code are used as follows:

106-1.1 Words used in present tense include the future tense, and the singular includes the plural, unless the context clearly indicates the contrary.

106-1.2 The term “shall” is always mandatory and the word “may” is permissive.

106-1.3 Any word or term not herein defined shall be used as defined by “Webster’s Third New International Dictionary”, copyright 1993, located in the Washington County Law Library.

106-1.4 Where words or terms are defined by ORS or OAR and are applicable to this Code, those definitions shall apply as defined herein. Where words or terms are further defined by OAR Chapter 660, Division 33 Agricultural Land, and are different from ORS, those definitions shall apply as defined in the OAR.

**106-3** Access The right to cross between public and private property, allowing pedestrians and vehicles to leave or enter property.

**106-5** Accessory Building or Structure A detached, subordinate structure, the use of which is customarily incidental to that of the dominant use of the main building, structure, or land and which is located on the same lot or parcel as the main building, structure or use (An Accessory Dwelling Unit is not considered an Accessory Building or Structure, see definition for Single Family Accessory Dwelling Unit, Section 106-194).

**106-7** Adult Bookstore An establishment having at least fifty (50) per cent of its merchandise items, books, magazines, other publications, films or video tapes which are for sale, rent or viewing on the premises and which are distinguished or characterized by their emphasis on matters depicting the specified sexual activities or specified anatomical areas defined herein.

**106-9** Adult Motion Picture Theater An establishment used primarily for the presentation of motion pictures or video tapes having as a dominant theme material distinguished or characterized by an emphasis on matters depicting specified sexual activities or specified anatomical areas as defined herein.

**106-10** Airport The strip of land used, or intended for use, for taking off and landing aircraft, together with all adjacent land and water area used, or intended for use, in connection with the aircraft landing or taking off from the strip of land, including but not limited to land used for existing airport uses.

Public Use Airports are open to the flying public considering performance and weight of the aircraft being used; facilities may or may not be attended or have services available.

Private Use Airports, as referenced in this Code, have restricted access, except for aircraft emergencies, based upon prior arrangements made with the airport sponsor. An example of a private use airport is a residential airstrip that is collectively owned, operated and utilized by adjacent residents.

Personal Use Airports, as reference in this Code, are restricted, except for aircraft emergencies, to use by the owner, and, on an infrequent and occasional basis, by his invited guests, and to commercial activities in connection with agricultural operations only. No aircraft may be based on a personal use airport other than those owned or controlled by the owner of the airport.

- 106-10.1 Aircraft Any contrivance used or designed for navigation of or flight in the air, but does not mean a one-person motorless glider which is launched from the earth's surface solely but the operator's power.
- 106-10.2 Airport Direct Impact Area The area located within 5,000 feet of an airport runway, excluding lands within the runway protection zone (RPZ) and approach surface.
- 106-10.3 Airport Elevation The highest point of an airport's usable runway, measured in feet above mean sea level.
- 106-10.4 Airport Imaginary Surfaces Imaginary areas in space or on the ground that are established in relation to the airport and its runways. Imaginary areas for private use airports are defined by the primary surface and approach surface. Imaginary areas for public use airports with instrument approaches are defined by the primary surface, runway protection zone (RPZ), approach surface, horizontal surface, conical surface and transitional surface.
- 106-10.5 Airport Noise Impact Boundary Areas located within 1,500 feet of an airport runway or within established noise contour boundaries exceeding 55 LDN.
- 106-10.6 Airport Sponsor The owner, manager, or other person or entity designated to represent the interests of an airport.
- 106-10.7 Approach Surface A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of the runway.
- A. For private use airports with only visual approaches, the inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of 450 feet for that end. The approach surface extends for a horizontal distance of 2,500 feet at a slope of 20 feet outward for each one foot upward.
- In the case of North Plains Gliderport, the approach surface is applied only to the eastern end of the runway and extends for a horizontal distance of 5,000 feet, at a slope increment of 40 feet outward for each one foot upward.
- B. For utility runways at public use airports having only visual approaches, the inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of 1,250 feet. The approach surface extends for a horizontal distance of 5,000 feet at a slope of 20 feet outward for each foot upward for all utility runways.
- 106-10.8 Conical Surface A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

- 106-10.9 Department of Aviation The Oregon Department of Aviation, formerly the Aeronautics Division of the Oregon Department of Transportation.
- 106-10.10 FAA The Federal Aviation Administration.
- 106-10.11 FAA's Technical Representative As used in this ordinance, the federal agency providing the FAA with expertise on wildlife and bird strike hazards as they relate to airports. This may include, but is not limited to, the USDA-APHIS-Wildlife Services.
- 106-10.12 Heliport An area of land, water, or structure designated for the landing and take-off of helicopters or other rotorcraft.
- 106-10.13 Horizontal Surface A horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of specified radii from the center of each end of the primary surface of each runway of each airport and connecting the adjacent arcs by lines tangent to those arcs. The radius of each arc is 5,000 feet for all runways designed as utility.
- 106-10.14 Obstruction Any structure or tree, plant or other object of natural growth that penetrates an imaginary surface.
- 106-10.15 Other than Utility Runway A runway that is constructed for and intended to be used by turbine-driven aircraft or by propeller-driven aircraft exceeding 12,500 pounds gross weight.
- 106-10.16 Primary Surface A surface longitudinally centered on a runway. The primary surface ends at each end of a runway. When a runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway. When a runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The width of the primary surface is 200 feet for private use runways, and 250 feet for utility runways having visual approaches.
- 106-10.17 Public Assembly Facility A permanent or temporary structure or facility, place or activity where concentrations of people gather in reasonably close quarters for purposes such as deliberation, education, worship, shopping, employment, entertainment, recreation, sporting events, or similar activities. Public assembly facilities include, but are not limited to, schools, churches, conference or convention facilities, employment and shopping centers, arenas, athletic fields, stadiums, clubhouses, museums, and similar facilities and places, but do not include parks, golf courses or similar facilities unless used in a manner where people are concentrated in reasonably close quarters. Public assembly facilities also do not include air shows, structures or uses approved by the FAA in an adopted airport master plan, or places where people congregate for short periods of time such as parking lots or bus stops.
- 106-10.18 Runway A defined area on an airport prepared for landing and takeoff of aircraft along its length.

106-10.19 Runway Protection Zone (RPZ) An area off the runway end used to enhance the protection of people and property on the ground. An RPZ is required for all runways at public use airports identified by the Department of Aviation. The RPZ is trapezoidal in shape and centered about the extended runway centerline. The inner width of the RPZ is the same as the width of the primary surface. The outer width of the RPZ is a function of the type of aircraft and specified approach visibility minimum associated with the runway end.

For the runway at Stark's Twin Oaks Airpark (exclusively serving small aircraft with visual only approach), the outer width of each RPZ is 450 feet. The RPZ extends from each end of the primary surface for a horizontal distance of 1,000 feet for utility runways of public use. (Note: RPZ dimensions are specified by airport type in OAR 660, Division 13, Exhibit 4.)

106-10.20 Significant As it relates to bird strike hazards, "significant" means a level of increased flight activity by birds across an approach surface or runway that is more than incidental or occasional, considering the existing ambient level of flight activity by birds in the vicinity.

106-10.21 Transitional Surface Those surfaces that extend upward and outward at 90 degree angles to the runway centerline and the runway centerline extended at a slope of seven (7) feet horizontally for each one (1) foot vertically from the sides of the primary and approach surfaces to the point of intersection with the horizontal and conical surfaces.

106-10.22 Utility Runway A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight or less.

106-10.23 Visual Runway A runway intended solely for the operation of aircraft using visual approach procedures, where no straight-in instrument approach procedures or instrument designations have been approved or planned, or are indicated on an FAA-approved airport layout plan or any other FAA planning document.

106-10.24 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 approved prior to the effective date of this ordinance.

**106-11** Alley A street or road primarily intended to provide secondary access to the rear or side of lots or buildings and not intended for normal through vehicular traffic.

**106-13** Alteration A change or modification in use of a structure or a parcel of land; or addition or modification in construction of a structure. Alterations to nonconforming uses or structures are governed by Section 440.

**106-15** And/or For the purposes of this Code "and/or" means, and something, or something, or any combination thereof.

**106-17** Appearance of Record One or more of the following: an oral statement made at the hearing sufficiently identifying the speaker; a written statement giving the name and address of the maker of the statement and introduced into the record prior to

or at the public hearing (A person's name and address on a petition introduced into the record constitutes an appearance of record); any signed comments submitted to the Planning Director for review during the comment period for Type II actions.

- 106-19**     Applicant The person in whose name a development proposal is pursued. For purposes of this Code, applicant includes any person authorized to represent the applicant.
- 106-21**     Average Daily Traffic (ADT) The average number of vehicles passing a specified point during a twenty-four (24) hour period, as specified for a particular use generator by the Institute of Transportation Engineers or as determined by other documented traffic engineering studies as approved by the Director.
- 106-22**     Base Flood See Regional Flood, Section 106-175.
- 106-23**     Basement That portion of a building which has less than one-half of its height measured from finished floor to finished ceiling above the average grade of the adjacent ground. This shall not be deemed a story unless the ceiling is six (6) feet or more above the grade.
- 106-25**     Board Unless otherwise specified, Board shall mean the Board of County Commissioners of Washington County.
- 106-27**     Building Any structure having a roof supported by columns or walls and used for housing or enclosure of persons, animals, chattels or property of any kind.
- 106-29**     Business Employment of one or more persons for the purpose of earning a livelihood.
- 106-31**     Canopy Tree Any plant material having the capability of growth that will produce vegetative canopy above a trunk not less than ten (10) feet high.
- 106-33**     Change in Use A change in tenant or activity occupying a parcel of land, a premise or structure, which creates a change in vehicular trip generation activities, as defined by the Institute of Transportation Engineers, which changes the parking classification as set forth in Section 413, or which changes the occupancy classification as defined by the Uniform Building Code.
- 106-34**     Commercial Activities in Conjunction with Farm Use Commercial activities are limited to providing products and services essential to the practice of commercial agriculture.

A commercial activity in conjunction with farm use includes, but is not limited to, processing facilities which convert harvested agricultural crops from their natural state into new products, i.e., drying, freezing, canning, etc. In addition, the preparation and storage of a product which includes significant amounts of agricultural crops not raised by the operator of the storage facility shall also be considered a commercial activity. The storage, sale and application of farm chemicals used in conjunction with the growing of farm crops necessary to serve nearby farm uses shall also be considered a commercial activity subject to meeting the following standards:

- A. The chemicals shall be limited to those used in conjunction with the growing of farm crops; chemicals used only for other uses, such as forest uses, cannot be stored, sold or applied; and
- B. The sale of farm chemicals shall be limited to quantities purchased by operators of commercial farm enterprises which contribute in a substantial way to the area's existing agricultural economy and help maintain agricultural processors and established farm markets.

- 106-35** Commercial Parking Facility A parking structure or surface parking lot operated for profit that has parking spaces that are not accessory to a primary use. This term does not include a park and ride lot.
- 106-36** Community Plans Plans which provide specific land use designations on property within the unincorporated urban area of the County and also provide detailed policy direction to guide development based upon community needs and desires. Previous Plans of Development are not included in this definition.
- 106-37** Compatible Capable of existing together in harmony; capable of orderly, efficient integration and operation with other elements in a system considering building orientation, privacy, lot size, buffering, access, and circulation.
- 106-39** Compliance Permit A permit required prior to occupying a site approved through Development Review. To receive a compliance permit, a developer shall construct or install the required improvements or shall provide the County with an approved assurance that all improvements will be carried out in accordance with the terms of the Development Review Approval.
- 106-41** Comprehensive Framework Plan (CFP) This document provides a framework of policies and strategies to be used as the basis for more specific planning activities, functional elements (e.g., transportation, housing, solid waste), Community Plans, regulatory ordinances and capital improvement programs. The CFP, together with the Resource Document, Community Development Code and these more specific plans comprise the County's Comprehensive Plan.
- 106-43** Comprehensive Plan A generalized coordinated land use map and policy statement of the County that interrelates all functional and natural systems and activities relating to the use of the land, including, but not limited to, the Comprehensive Framework Plan which includes the following components: the individual Community Plans, the Rural Natural Resource Plan, the Community Development Code, and the Transportation Plan.
- 106-44** Cultural Resource Any site, structure, object, district or building which demonstrates national, State or local historic, architectural, archaeological or cultural significance.

- 106-45**      Cubic Foot Per Acre Per Year The average annual increase in cubic foot volume of wood fiber per acre for fully stocked stands at the culmination of mean annual increment as reported by the USDA Natural Resource Conservation Service (NRCS) soil survey information, USDA Forest Service plant association guides, Oregon Department of Revenue western Oregon site class maps, or other information determined by the State Forester to be of comparable quality. Where such 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 as explained in the Oregon Department of Forestry's Technical Bulletin entitled "Land Use Planning Notes Number 3 dated April 1998" and be approved by the Oregon Department of Forestry.
- 106-46**      Cubic Foot Per Tract Per Year The average annual increase in cubic foot volume of wood fiber per tract for fully stocked stands at the culmination of mean annual increment as reported by the USDA Natural Resource Conservation Service (NRCS) soil survey information, USDA Forest Service plant association guides, Oregon Department of Revenue western Oregon site class maps, or other information determined by the State Forester to be of comparable quality. Where such 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 as explained in the Oregon Department of Forestry's Technical Bulletin entitled "Land Use Planning Notes Number 3 dated April 1998" and be approved by the Oregon Department of Forestry.
- 106-47**      Day Unless otherwise specifically stated, day shall mean calendar day (a 24 hour period of time).
- 106-48**      Day Care Facility A facility operated by an agency, organization or individual providing care for six or more children or adults during a part of the 24 hours of a day. A day care facility does not include:
- A. A nursery school (see Section 430-121);
  - B. A facility providing care that is primarily supervised training in a specific subject, including but not limited to dancing, drama, music or religion;
  - C. A facility operated by a school district, political subdivision of the State of Oregon or a governmental agency;
  - D. A residential facility licensed under ORS 443.400 to 443.445;
  - E. Baby-sitters; or
  - F. A family day care provider (see Section 430-53.2 and 53.6).
- 106-49**      Deed Restriction A covenant or contract constituting a burden on the use of private property for the benefit of property owners in the same subdivision, adjacent property owners, the public or Washington County, and designated to mitigate or protect against adverse impacts of a development or use to ensure compliance with a Comprehensive Plan.

- 106-51** Demolish To raze, destroy, dismantle, deface or in any other manner cause partial or total ruin of a structure or resource.
- 106-53** De Novo Hearing A new hearing conducted in a similar manner to an initial hearing. The record, findings, and conclusions below may be disregarded. A limited de novo hearing is one in which the Review Authority hears specific issues in the same manner as an initial hearing. The other issues are reviewed based on the record of the prior Review Authority.
- 106-55** Density The intensity of residential land uses per acre, stated as the number of dwelling units per gross acre.
- 106-57** Development Any man-made change to improved or unimproved real estate, including but not limited to construction, installation or change of land or a building or other structure, change in use of a building or structure, land division, establishment, or termination of right of access, storage on the land, tree cutting, drilling, and site alteration such as that due to land surface mining, dredging, grading, construction of earthen berms, paving, improvements for use as parking, excavation or clearing.
- 106-58** Development Permit The Director's or Hearings Officer's written approval shall be the Development Permit for any Type I, Type II, or Type III decisions. A "permit" issued by the building official authorizing performance of a specified activity is a Type I development permit.
- 106-59** Development Review The process of reviewing a proposed development action for conformance with this Code and the applicable standards and requirements of the Comprehensive Plan as specified by this Code. Development review may be processed through a two step process consisting of a preliminary review and a final review. Final review shall be through a Type I procedure, unless otherwise specified by the Review Authority in the preliminary approval.
- 106-60** Development Site A lot or parcel or combination of lots or parcels upon which any development, as defined by Section 106-57, occurs.
- 106-61** Dimensional Standard
- A. A numerical measurement for a distance or area standard of this Code, such as a setback, lot depth or width, building height, lot area, sign area; or
  - B. A percentage of a distance or area measurement of this Code, such as maximum lot coverage or minimum required area for landscaping.
- 106-62** Director The person appointed by the Board of County Commissioners who is given the responsibility for administering this Code, or a designated representative appointed by the Director.
- 106-63** Drainage Hazard Area Those areas subject to flooding as the result of a twenty-five (25) year storm based upon the Intensity-Duration-Frequency curve of the Columbia Region Association of Government Drainage Plan.

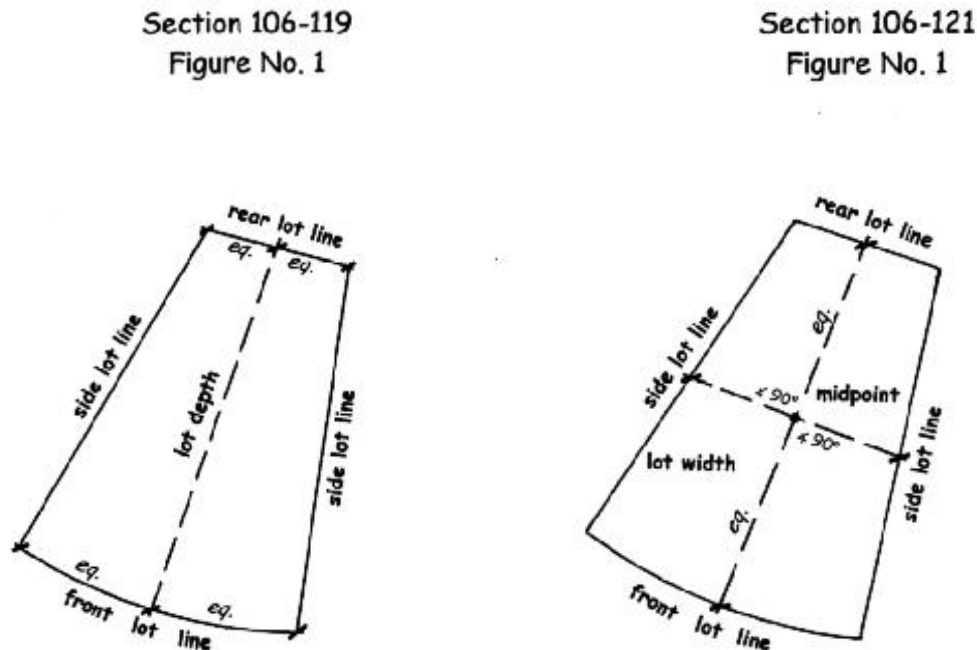
- 106-64**      Drainage Master Plan A comprehensive, basin-wide plan for the provision of the major elements of a storm water drainage system including pipes, culverts, ditches, detention ponds and natural water courses to accommodate the ultimate level of development provided by the Comprehensive Framework Plan, which includes the Rural/Natural Resource Plan and Community Plans.
- 106-65**      Drainageway The normal stream or drainage channel needed to convey the waters of a twenty-five (25) year storm.
- 106-67**      Drainage Right-of-Way or Easement The lands dedicated or granted by easement to the public for the installation of storm water sewers, detention or retention basins or drainage ditches, or for preservation of a natural or man-made stream or water course which provides for the flow or temporary storage of water therein to safeguard the public against flood damage.
- 106-69**      Dwelling A building (not including a tent or teepee) or portion thereof intended for residential occupancy, but not including hotels, motels or boarding houses.
- 106-69.1      Dwelling Unit A single unit providing complete, independent living facilities for one or more persons which generally includes permanent provisions for living, sleeping, eating, cooking and sanitation.
- 106-69.2      Dwelling Unit (Attached) Two or more dwelling units with a common building wall or ceiling on individual lots or on a single lot, including "Residential Facility" as defined in ORS 197.660.
- A. A duplex is a structure that contains two primary dwelling units. The units shall share either a common building wall or a common floor/ceiling. The land underneath the units may or may not be divided into individual lots. The common building wall shall be shared for at least fifty (50) percent of the length of the side or rear of the unit. When the two units are attached by a common building wall between attached garages, the common garage building wall shall be shared the entire length of the garages.
  - B. A single family attached dwelling unit is an attached unit that shares one (1) or more common building walls with two (2) or more dwelling units and has access from the ground floor. A single family attached unit does not share a common floor/ceiling with another dwelling unit. The common building wall must be shared for at least fifty (50) percent of the length of the side or rear of the unit. When single family attached dwellings are attached by a common building wall between attached garages, the common building wall shall be shared the entire length of the garages. The land underneath the units may or may not be divided into individual lots. A single family attached unit is also known as a rowhouse or townhouse; and
  - C. A multi-family dwelling structure contains three (3) or more dwelling units that share a common floor/ceiling with one (1) or more units. The units may also share common building walls. The land underneath the structure is not divided into separate lots. Multi-dwelling structures include structures commonly known as garden apartments, apartments, and condominiums.

- 106-69.3 Dwelling Unit (Detached)
- A. Inside the UGB, a single dwelling unit, excluding a manufactured dwelling, which is not attached to any other dwelling unit, on a lot or parcel.
  - B. Outside the UGB, a single dwelling unit, including a manufactured dwelling, which is not attached to any other dwelling unit, on a lot or parcel.
- 106-71 Easement A right held by a person, or the public, to use the land of another.
- 106-71.1 Easement for Public Travel An area that is reserved for the physical placement of a transportation facility, such as, but not limited to a sidewalk, accessway, greenway, private street, or private drive. When an easement is reserved for multiple uses, such as a sidewalk and a public utility easement, the easement for public travel shall be only that area within the easement reserved for public travel.
- 106-73 Eating and Drinking Establishment Any establishment which is required to have an Oregon State Health Division Restaurant license or Oregon State Liquor License.
- 106-75 Effective Vehicular Barrier A fence or barrier consisting of wood, metal, masonry, boulders, earth berms or natural features arranged in such a way as to provide an effective barrier for vehicular traffic.
- 106-77 Elderly Household One (1) or two (2) person households headed by a person sixty-two (62) years of age or older.
- 106-78 Family Day-Care Provider A day-care (child care) provider who regularly provides day care in the provider's home in the family living quarters to fewer than sixteen (16) children (or as specified otherwise by ORS 657A.280), including children of the provider, regardless of full-time or part-time status.
- 106-79 Farm Use As defined by Oregon Revised Statutes
- 106-81 Fence (Sight Obscuring) A fence consisting of wood, metal, masonry, landscaped berm or natural feature arranged in such a way as to obstruct vision at the time of installation.
- 106-83 Flood Plain The flood-hazard area adjoining a stream or drainageway feature that is subject to inundation by a regional flood including the floodway and floodway fringe.
- 106-85 Floodway The channel of a river or other watercourse and the adjacent land areas as designated on the adopted maps that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
- 106-87 Floodway Fringe The area of the flood plain, lying outside the floodway, which does not contribute appreciably to the passage of flood water, but serves as a retention area.

- 106-88**      Food Market A retail establishment (e.g., grocery store) which sells to the public staple foodstuffs (e.g., flour, cereal, canned foods); beverages; meats; and other foods (e.g., fruit, vegetables, dairy products, baked goods, and deli foods); incidental household supplies used in or around the home (e.g., cleaning items, paper napkins, matches); and personal items used in the home (e.g., magazines, health and beauty aids, school supplies, greeting cards). Food markets may provide accessory deli seating. The sale of other non-foodstuffs (e.g., floral items, pharmaceuticals), or the provision of financial or personal services (e.g., video rental, photographic reproduction), are permitted provided the combined maximum floor area devoted to these uses does not exceed twenty (20) percent of the building floor area devoted to retail sales (e.g., does not include storage areas).
- 106-89**      Forest Lands As defined by the Statewide Planning Goals and the Forest Practices Act (ORS 527.610-730 and 527.990).
- 106-91**      Forest Uses As defined by the Statewide Planning Goals and the Forest Practices Act (ORS 527.610-730 and 527.990).
- 106-93**      Frontage The portion of a lot or parcel which abuts a street or road.
- 106-95**      Ground Cover Any low shrubs, grasses or herbaceous plants planted so as to have the capability to completely cover the ground.
- 106-97**      Ground Level (Existing) The contour of the ground surface before grading.
- 106-99**      Hearing Below The prior hearing.
- 106-101**      Height The highest point of a structure or tree, plant or other object of natural growth, measured from mean sea level.
- 106-101.1**      Height (Maximum Building Height) The vertical distance measured from the adjoining curb level to the highest point of the roof surface of a flat roof, to the deck line of a mansard roof, and to the mean height level between the eaves and edge of a gable, hip or gambrel roof; provided however, that where buildings are set back more than the required setback from the street line the height of the building shall be measured from the building grade. The building grade shall be the average of the finished ground level at the center of the walls of a building.
- 106-103**      Industrial The use of land or structures to treat, process or manufacture materials into products.
- 106-105**      Industrial Park Any planned industrial development which occurs on a single lot or parcel or contiguous lots or parcels designed as a coordinated environment for a variety of industrial and industrially related activities, having a master development plan, approved through a planned development procedure, that ensures internal compatibility as well as compatibility with adjacent uses which occur on a parcel or contiguous parcels under single ownership or development control.
- 106-107**      Land Division The division of a lot or parcel into two or more new lots or parcels through a partition or subdivision.

- 106-109** Lot A unit of land that is created by a subdivision of land. Lot includes parcel unless the context provides otherwise.
- 106-111** Lot Area (Lot Size) The total area within the boundaries of a lot or parcel, except as may be provided in Article III.
- 106-113** Lot Line The lines bounding a lot as defined herein.
- 106-113.1 Front Lot Line For interior lots, a line separating the lot from the street right-of-way. For corner lots, the line separating the narrowest frontage from the street right-of-way.
- 106-113.2 Rear Lot Line The line which divides one lot from another opposite from the front lot line. For irregular or triangular lots, the rear lot line shall be a line ten (10) feet in length, within the lot, parallel to and at the maximum distance from the front lot line. A four-sided irregular lot is one in which a side lot line and the rear lot line form an interior angle of at least 135 degrees.
- 106-113.3 Side Lot Line For interior lots, the line separating one lot from the abutting lot(s) fronting on the same street. For corner lots, a line separating the longest frontage of the lot from the street.
- 106-115** Lot of Record (Rural - in the AF-10, AF-5, RR-5, R-COM, R-IND and MAE Districts. This definition does not apply in the EFU, EFC, or AF-20 Districts.)
- Any lot or parcel lawfully created by a subdivision plat of record in the Ex Officio County Clerk's Office, or by deed or sales contract and of record in the Deed or Miscellaneous Records of Washington County, which is eligible to receive a building permit for any use permitted, if such permit would have issued but for the minimum lot size provisions of the district, regardless of whether or not contiguous tax lots are in the same ownership. Each tax lot lawfully created by a deed or sales contract prior to the effective date that the District is applicable to the subject property, shall be deemed a lot of record. When a tax lot consists of two (2) or more noncontiguous lots or parcels created as a result of a lawful partition by deed or sales contract prior to the effective date that the district is applicable to the subject property, each noncontiguous lot or parcel shall be considered a lot of record. A lot of record does not authorize development of a lot or parcel which does not comply with the requirements of a "parcel" as defined by Section 106-151.
- 106-117** Lot of Record (Applicable to all the urban districts) Any lot or parcel created by a lawful sales contract or deed and of record prior to March 26, 1984, the effective date of this Code. Two or more such lots or parcels which are contiguous and under identical ownership of record on the effective date of this Code shall be deemed separate lots of record only if the creation of the lot(s) or parcel(s) was approved by the County under a County Partitioning or Subdivision Ordinance. A lot of record does not authorize development of a lot or parcel which does not comply with the requirements of a "parcel" as defined by Section 106-151.

**106-119** Lot Depth The perpendicular distance measured from the midpoint of the front lot line to the midpoint of the opposite lot line. See Figure No. 1.



**106-121** Lot Width The horizontal distance between the side lot lines measured at right angles to the lot depth at a point midway between the front and rear lot lines. See Figure No. 1.

**106-123** Manufacturing The processing or converting of raw, unfinished, or finished materials or products or any combination thereof into an article or substance of different character, or for use for a different character or purpose.

**106-129** Mitigation Reducing the impacts of a proposed development and/or offsetting the loss of habitat values resulting from development. In fish, wildlife, and big game range areas, mitigation may include, but is not necessarily limited to, requiring: 1) clustering of structures near each other and roads, controlling location of structures on a parcel to avoid habitat conflicts, minimizing extent of road construction to that required for the proposed use; and, 2) replacing unavoidable loss of values by reestablishing resources for those lost, such as: forage for food production, escape or thermal shelter. In other areas of significant wildlife value, such as wetlands, riparian vegetation and special bird nesting sites, maintenance and enhancement of remaining habitat, setbacks and restoration of damage and avoiding damage would be appropriate.

- 106-131**     Manufactured Dwelling
- 106-131.1    Residential Trailer A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed before January 1, 1962.
- 106-131.2    Mobile Home A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.
- 106-131.3    Manufactured Home A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards regulations in effect at the time of construction.
- 106-131.4    Does not mean any building or structure subject to the structural specialty code adopted pursuant to ORS 455.100 to 455.450, any unit identified as a recreational vehicle by the manufacturer or a modular home.
- 106-133**     Manufactured Dwelling Park A lot or parcel of land under single ownership on which two (2) or more manufactured dwellings are occupied as residences. The manufactured dwelling sites usually are rented or leased.
- 106-135**     Manufactured Dwelling Subdivision A subdivision designed and approved for the sale of lots on which to place manufactured dwellings.
- 106-137**     Manufactured Dwelling Space A plot of land within a manufactured dwelling park designed to accommodate one (1) manufactured dwelling.
- 106-139**     Noise Sensitive Use A structure or use normally used for sleeping, or normally used as a school, church, hospital or public library. Structures or property used in industrial or agricultural activities are not “noise sensitive” unless they meet the above criteria in more than an incidental manner.
- 106-141**     Nonconforming Use A structure or use of land which does not conform to the provisions of this Code or Comprehensive Plan lawfully in existence on the effective date of enactment or amendment of this Code or Comprehensive Plan.
- 106-143**     Office A room or building in which a person transacts business, a profession or similar activities. Such activities normally include administration, bookkeeping, record keeping, sales meetings and preparation for or follow-up after a sale, correspondence or other similar activities. Products or merchandise are not to be stored or manufactured in an office, although mail, telephone and incidental walk-in sales may be made in an office.

- 106-145**     Occupancy Permit (Certificate of Occupancy) The permit provided in the Uniform Building Code which must be issued prior to occupying a building or structure or portion thereof. For the purposes of this Code, “occupancy permit” includes the final inspection approval for those buildings or structures not required to obtain an occupancy permit by the Uniform Building Code.
- 106-147**     Overlay District A supplementary district placing special restrictions or allowing special uses of land beyond those required or allowed in the Primary District.
- 106-149**     Owner The legal owner(s) of record as shown on the tax roles of the County, or where there is a recorded land sales contract in force, the purchaser thereunder.
- 106-151**     Parcel As defined by Oregon Revised Statutes 215.
- 106-152**     Partition As defined by Oregon Revised Statutes 215.
- 106-153**     Partition Land As defined by Oregon Revised Statutes 92.
- 106-155**     Pedestrian Way A publicly owned or dedicated and accepted way designated for public use by pedestrian traffic.
- 106-157**     Performance Contract A contract between the owner and the County for installation or construction of improvements and the security given in addition thereto prior to final plat approval to insure such construction or installation, all in accordance with Articles V and VI.
- 106-159**     Person An individual, firm, partnership, corporation, company, association, syndicate, organization, or any legal entity, and including a trustee, a receiver, assignee, or other similar representative thereof.
- 106-161**     Planned Development An integrated, coordinated development of land, normally involving increased flexibility in use and design standards, with special incentives or restrictions on development.
- 106-163**     Planning or Development Action An action by the County that concerns the adoption, amendment, or application of the Comprehensive Plan or this Code.
- 106-165**     Plat Includes a final map and other writing containing all the descriptions, locations, specifications, dedications, provisions and information concerning a subdivision, partition or replat.
- 106-167**     Preliminary Plat Means a map and plan of a proposed subdivision, in the form required by Article VI.
- 106-169**     Primary District A land use district as designated on the Community Plan Map, (i.e., R-5, R-6, R-9, R-15, R-24, R-25+, TO:R9-12, TO:R12-18, TO:R18-24, TO:R24-40, TO:R40-80, TO:R80-120, FD-20, FD-10, NC, OC, CBD, GC, IND, INS, TO:RC, TO:BUS, TO:EMP, EFU, EFC, AF-20, AF-10, AF-5, RR-5, R-COM, R-IND, MAE).
- 106-171**     Primary Use The main use to which the premises are devoted and the principal purpose for which the premises exist.

- 106-172** Property Line Adjustment The relocation of a common property line between two abutting properties.
- 106-173** Quorum The minimum number of members of a body who must be present for the valid transaction of business. In all cases, except the Land Use Ordinance Advisory Commission, a quorum shall consist of a majority of the active members. For purposes of opening a meeting or hearing and continuing the matter to a time and date certain, a majority of those members in attendance shall constitute a quorum.
- 106-174** Terms Relating to Receiving and Transmitting Antennas, Communication and Broadcast Towers
- 106-174.1 Antenna A device for transmitting or receiving radio frequency (RF) signals or electromagnetic radiation, such as digital and analog signals, radio frequencies, broadcast signals, such as television and radio signals, and other communication signals. Antennas are typically mounted on a supporting tower, pole or mast, building or other suitable structure. Types of antennas include directional antennas, such as panel antennas, microwave dishes, and omni-direction antennas, such as whip antennas, but not domestic satellite dishes. Additionally, some antennas operate as both transmitting and receiving devices.
- 106-174.2 Base (or Primary Station) The primary sending and receiving site in a wireless service provider's telecommunication network and generally consisting of one or more antennas mounted on a communication tower.
- 106-174.3 Broadcast Tower A tower, pole, or mast whose primary purpose is to elevate an antenna above the surrounding terrain or structures for the transmission of radio or television signals. The actual broadcast tower itself may also function as the antenna, (i.e., for AM broadcast radio) if part of the apparatus is necessary to produce a clear signal or message within the licensee's operating range, as allowed by the Federal Communications Commission. Broadcast towers are often sited within a non-staffed broadcast facility for the transmission of radio or television signals.
- 106-174.4 Communication Tower A tower, pole, or mast whose primary purpose is to elevate an antenna above the surrounding terrain or structures for the transmission and/or receiving of radio frequency (RF) signals or electromagnetic radiation to provide wireless telecommunication service, including wireless Internet service.. Communication towers are often sited within a non-staffed wireless telecommunication facility for the transmission of radio frequency (RF) signals. Said facility usually consists of an equipment shelter, cabinet or other enclosed structure housing electronic equipment, a communication tower, and antennas, including repeaters and microcells, or other transmission and reception devices used to provide cellular, specialized mobile radio and personal communication services (PCS) services.
- 106-174.5 Equipment Shelter An enclosed structure or cabinet usually placed at or near the base of the communication tower within which are housed electrical and other equipment necessary for the operation of the facility. Cables connect the shelters to the antenna(s).

- 106-174.6 Federal Aviation Administration (FAA) The FAA, a division of the United States Department of Transportation, was established by the Federal Aviation Act of 1958, and is primarily responsible for the advancement, safety and regulation of civil aviation.
- 106-174.7 Federal Communications Commission (FCC) The FCC is an independent government agency that was established by the Communications Act of 1934 and is charged with regulating interstate and international communications by radio, television, wire, satellite and cable.
- 106-174.8 Microcell A low power facility used to provide increased capacity to wireless telecommunications demand areas or provide infill coverage in areas of weak reception, including a separate transmitting and receiving station serving the facility. (See also "Repeater")
- 106-174.9 Non-Residential Districts: FD-20, FD-10, NC, OC, CBD, GC, IND, INS, SID, TO:RC, TO:EMP, TO:BUS, EFU, EFC, AF-20, R-COM, R-IND and MAE Land Use Districts.
- 106-174.10 Oregon Department of Aviation (ODA) The state agency that is responsible for developing aviation as an integral part of Oregon's transportation network; creating and implementing strategies to protect and improve Oregon's aviation system; encouraging aviation-related economic development; supporting aviation safety and education; and increasing commercial air service and general aviation in Oregon.
- 106-174.11 Radio Frequency Emission Electromagnetic radiation that is of low photon energy unable to cause ionization and is generated by a transmitting antenna.
- 106-174.12 Radio Frequency Engineer An engineer specializing in electrical or microwave engineering, licensed in the state of Oregon, with a degree in engineering, and experience to perform and certify radio frequency radiation measurements.
- 106-174.13 Receiving Antenna A device that only receives nonionizing electromagnetic energy and does not emit radio frequency energy.
- 106-174.14 Repeater A small receiver/relay transmitter and antenna of relatively low power output designed to provide service to areas which are not able to receive adequate coverage directly from the base or primary station.
- 106-174.15 Replacement Tower A new communication or broadcast tower capable of supporting co-located antennas that is intended to replace an existing tower that is not capable of supporting co-located antennas. A replacement tower has the same height and base diameter, and same site improvements as the existing tower.
- 106-174.16 Residential Districts: R-5, R-6, R-9, R-15, R-24, R-25+, TO:R9-12, TO:R12-18, TO:R18-24, TO:R24-40, TO:R40-80, TO:R80-120, AF-5, AF-10 and RR-5 Land Use Districts.
- 106-174.17 Site A parcel or portion of, which is owned or leased by one or more broadcast or wireless telecommunications providers and upon which a broadcast or communication tower and required site improvements, including landscaping, are

located. With the exception of site access, these sites are usually fenced off from the remainder of the parcel.

- 106-174.18 Speculation or "Spec" Tower A tower for the purpose of providing location mounts for future antennas without a binding contractual commitment by a service provider to locate an antenna upon the tower at time of the original application submittal.
- 106-174.19 Stealth Design The design of new antennas or towers in a manner that camouflages, conceals, or disguises the facilities as described in Sections 430-109.3 and 430-109.6. The direct results of applying "stealth" technology are broadcast and communication towers designed in an aesthetically pleasing and acceptable manner typically. "Stealth" facilities are generally not easily discernible or easily noticeable.
- 106-174.20 Telecommunication Facility All equipment, including antennas for the transmitting and/or receiving of radio frequency signals or electromagnetic radiation (i.e., wireless telecommunication service and wireless Internet/'Wi-Fi'), broadcast signals (i.e., radio and television), and other communication signals, tower, accessory equipment, and improvements, such as landscaping, fencing and parking areas, located on the site.
- 106-174.21 Telecom Hotel A building or structure designed to warehouse telecommunications equipment, including utility hookups and connections to fiber-optic networks. Telecom hotels generally require thousands to hundreds of thousands of square feet, but relatively few employees.
- 106-174.22 "Top-Hat" Antenna Array A horizontal platform or enclosed framework of metal supports attached to a communication tower, or other building or structure, that is generally triangular or square in shape on which antennas are mounted. This type of antenna array is used to facilitate the transmission or reception of an omnidirectional or 360-degree signal.
- 106-174.23 Tower (e.g., broadcast and communication) types include:
- A. "Guyed tower" A tower that is permanently connected to the ground by cables (guy wires).
  - B. "Lattice tower" A self-supporting multiple-leg tower comprised of an open framework of either structural steel or diagonal cables or a combination thereof.
  - C. "Monopole" A self-supporting, single, upright pole and requiring no guy wires or diagonal cables to stabilize the structure. Monopoles are typically constructed of wood or steel.
- 106-174.24 Transmitting Antenna A device that emits and may receive nonionizing electromagnetic energy.
- 106-174.25 Uses Accessory to an Antenna A use that is customarily incidental to a receiving or transmitting antenna and is generally situated on the same property as the antenna, such as an equipment shelter.

- 106-174.26 Visually Subordinate The relative visibility of a broadcast or communication tower where the tower does not noticeably contrast with the surrounding built or natural landscape. Visibly subordinate towers may be partially visible, but not visually dominate in relation to their immediate surroundings.
- 106-175** Recreational Vehicle Any vehicular type portable structure without permanent foundation, which can be towed, hauled or driven and is primarily designed for human occupancy and to serve as temporary living accommodations for recreational, camping, travel or emergency purposes. Pursuant to OAR 918.525.0005(35), recreational vehicles include camping trailers, camping vehicles, motor homes, park model trailers, bus conversions, van conversions, tent trailers, travel trailers, truck campers, combination vehicles which include a recreational use and any vehicle converted for partial use as a recreational vehicle. Recreational vehicle does not include a special use vehicle which is capable of providing eating or sleeping facilities unless the vehicle also is equipped with a holding tank, and liquid petroleum gas or a 110 to 240 volt electrical system used in conjunction with the eating or sleeping facilities.
- 106-175.1 Park Model Recreational Unit, or Park Model Trailer A recreational vehicle built on a single chassis, mounted on wheels, and designed to facilitate movement from time to time but not intended to be towed on a regular basis. Designed to provide recreational seasonal or temporary living quarters which may be connected to utilities necessary for the operation of installed fixtures and appliances. Pursuant to OAR 918.525, park model units greater than 320 square feet when in set-up mode may be dual labeled by the manufacturer as both a park trailer recreational vehicle and a manufactured home.
- 106-176** Regional Flood (Base Flood) Inundation during periods of higher than normal stream or drainage flow that has a one (1) percent chance of occurrence in any single year (100 year flood).
- 106-177** Regional Shopping Center A planned commercial center intended as a coordinated environment to serve shoppers at a regional level, developed with a comprehensive development plan for a parcel or adjacent parcels of land under single ownership or development control. A regional shopping center includes two or more major department stores which serve as anchor tenants and a variety of office, commercial, retail and related activities generally sharing common parking facilities. A major department store has over 50,000 square feet of floor area. A junior department store has less than 50,000 square feet.
- 106-179** Residential Home A residential treatment or training or an adult foster home licensed by or under the authority of the Department of Human Services, as defined in ORS 443.400, under ORS 443.400 to 443.825, a residential facility registered under ORS 443.480 to 443.500 or an adult foster home licensed under ORS 443.705 to 443.825 which provides residential care alone or in conjunction with treatment or training or a combination thereof for five or fewer individuals who need not be related. Staff persons required to meet licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential home.
- 106-181** Review Authority Any person or body empowered pursuant to this Code to review development proposals and grant an approval or denial.

- 106-183** Right-of-Way The area between the platted boundary lines of a street or public easement. Where not platted, the boundary lines of the street or public easement.
- 106-185** Riparian Corridor (Water Areas and Wetlands) This term shall have one of the following two meanings:
- (1) For areas that have not been the subject of a Goal 5 analysis completed and a program decision adopted pursuant to OAR 660, Division 23 (effective September 1, 1996), riparian corridor shall mean the area, adjacent to a water area, which is characterized by moisture-dependent vegetation, compared with vegetation on the surrounding upland, as determined by a qualified botanist or plant ecologist, or in no case less than a ground distance of twenty-five (25) feet on either side of the channel. Where, in its existing condition, a wetland or watercourse has no discernible channel which conveys surface water runoff, the riparian zone shall be measured from the center of the topographic trough, depression or canyon in which it is located.
  - (2) For areas that have been the subject of a Goal 5 analysis completed and a program decision adopted pursuant to OAR 660, Division 23 (effective September 1, 1996), riparian corridor shall mean a Goal 5 resource that includes the water areas, fish habitat, adjacent riparian areas, and wetlands within the riparian area boundary, or the definition of the term used in OAR 660, Division 23. The boundary of a riparian corridor having this meaning shall be defined pursuant to OAR 660-23-090.
- 106-187** Roadway The portion or portions of a street right-of-way developed for vehicular traffic.
- 106-189** Rural Area The land area located in Washington County which is outside an acknowledged Urban Growth Boundary.
- 106-190** School, Commercial A facility where instruction is given to students in arts, crafts, or trades operated as a commercial enterprise as distinguished from public or private schools endowed and/or supported by taxation.
- 106-191** School, Nursery (Preschool) A school offering instruction or guided activity to preschool children for four (4) hours or less during a day. A facility providing care to preschool children for more than four (4) hours during a day is a day care facility (see Section 430-53.2).
- 106-192** Site Grading or Clearing Any site grading, excavation, fill, dredging or clearing except those excluded by Sections 201-1 and 410 or 407-3.2.

- 106-193**     Sign A name, identification, description, display or illustration, which is affixed to, painted or represented directly or indirectly upon a building, or other outdoor surface which directs attention to an object, product, place, activity, person, institution, organization or business and where sign area means the space enclosed within the extreme edges of the sign for each face, not including the supporting structure or where attached directly to a building wall or surface, the outline enclosing all the characters of the word. Signs located completely within an enclosed building, and not exposed to view from a street, shall not be considered a sign. Each display surface of a sign shall be considered to be a sign.
- 106-193.1    Electric Any sign containing electric wiring. This does not include signs illuminated by an exterior floodlight source.
- 106-193.2    Incidental A sign identifying or advertising associated goods, products, services or facilities available on the premises. Such incidental signs include, but are not limited to, trading stamps, credit cards accepted, brand names, price signs or services rendered.
- 106-193.3    Flashing Any illumined sign on which the artificial light is not maintained stationary or constant in intensity and color at all times when such sign is in use. For the purpose of this Code any moving, illuminated sign shall be considered a flashing sign.
- 106-193.4    Freestanding A sign erected and maintained on a freestanding frame, mast or pole not attached to any building, and not including ground mounted signs.
- 106-193.5    Ground Mounted A sign which extends from the ground, or has support which places the bottom of the sign less than two (2) feet from the ground.
- 106-193.6    Integral A sign that is embedded, extruded or carved into the material of a building façade. A sign made of bronze, brushed stainless steel or aluminum, or similar material attached to the building façade. There are no restrictions on sign orientation including whether it is freeway-oriented. Integral sign shall not exceed seventy-two (72) square feet per façade. Integral signs may be illuminated externally but shall not be illuminated internally.
- 106-193.7    Marquee A canopy or covering structure bearing a signboard or copy projecting from and attached to a building.
- 106-193.8    Outdoor Advertising A sign which advertises goods, products or services which are not sold, manufactured or distributed on or from the premises or facilities on which the sign is located.
- 106-193.9    Projecting A sign, other than a wall sign, which projects from and is supported by a wall of a building or structure.
- 106-193.10   Roof A sign located on or above the roof of any building, not including false mansard roof, canopy, or other fascia.
- 106-193.11   Temporary A banner, pennant, poster or advertising display constructed of cloth, canvas, plastic sheet, cardboard, wallboard, plywood or other like materials and intended to be displayed for a limited period of time.

- 106-193.12 Flat Wall (Façade-Mounted) A sign affixed directly to or painted on or otherwise inscribed on an exterior wall and confined within the limits thereof of any building and which projects from that surface less than twelve (12) inches at all points.
- 106-194** Single Family Accessory Dwelling Unit A second dwelling unit which occupies the same lot with a detached single family dwelling unit and that is subordinate to the primary dwelling. The accessory dwelling unit may be located within, attached to, or detached from the primary detached single family dwelling unit. The accessory unit functions as a complete, independent living facility with provisions within the unit for a separate kitchen, bathroom and sleeping area.
- 106-195** Solid Waste
- 106-195.1 Mixed Solid Waste Means solid waste that contains recoverable or recyclable materials, and materials that are not capable of being recycled or recovered for further use.
- 106-195.2 Source Separated Recyclables Means, at a minimum, recyclable materials designated "principle recyclable materials" by the State Environmental Quality Commission under ORS 459A.025, with the exception of yard debris. Currently these materials include newspaper, ferrous and non-ferrous scrap metal, used motor oil, corrugated cardboard, office paper, and tin cans (OAR 340-60-030).
- 106-195.3 Residual Mixed Solid Waste Means useless or discarded material commonly disposed of by residential and non-residential generators after some level of source separation and recycling has occurred.
- 106-195.4 Storage area Means the space necessary to store mixed solid waste and source separated recyclables that accumulate between collection days.
- 106-196** Specified Anatomical Areas Uncovered or less than opaquely covered, post-pubertal human genitals, pubic areas, post-pubertal human female breast below a point immediately above the top of the areola, or the covered human male genitals in a discernibly turgid state.
- 106-197** Specified Sexual Activities Human genitals in a state of sexual stimulation or arousal, acts of masturbation, sexual intercourse, sodomy, flagellation, torture or bondage either real or simulated.
- 106-198** Stormwater Facilities
- 106-198.1 Vegetated Stormwater Facilities are on-site: swales, ponds, inverted planting areas, detention facilities, and other water quality and/or quantity facilities where the land surface of the facility is covered with native vegetation.
- 106-199** Story That portion of a building included between a floor and the ceiling next above it, exclusive of a basement.
- 106-201** Street Plug or Reserve Strip A strip of land located between a subdivision and other property and not dedicated to public use, but conveyed to the County for the purpose of giving the County control over development of adjacent property.

- 106-203**     Street Tree Any plant material located adjacent to a public street, having the capability of growth that will produce a vegetative canopy above a trunk not less than ten (10) feet high.
- 106-205**     Structure Anything which is built, erected or constructed and located on or under the ground, or attached to something fixed to the ground. Structures include, but are not limited to, buildings, towers, walls (includes retaining walls), fences more than six feet in height, billboards, and utilities. Structures do not include paved areas.
- 106-207**     Subdivide Land As defined by Oregon Revised Statutes 92.
- 106-209**     Subdivision As defined by Oregon Revised Statutes 92.
- 106-211**     Urban Unincorporated Area The land area located in Washington County which is within the acknowledged Urban Growth Boundaries and outside of city limits.
- 106-213**     Urban Growth Boundaries (UGB) The legally defined boundaries adopted by Washington County, Metro or appropriate incorporated cities, and acknowledged by LCDDC, which identify and separate urbanized land from rural and natural resource land.
- 106-214**     Vanpool/Carpool Two (2) or more people who share the use and/or cost of a van or car for transportation to and from a destination.
- 106-215**     Vegetated Corridor Lands that are located within the Clean Water Services boundary and are defined in the “Design and Construction Standards for Sanitary Sewer and Surface Water Management” or its successor. Vegetated corridors are generally preserved and maintained lands intended to protect the water quality functions of water quality sensitive areas.
- 106-216**     Warehouse A structure or part of a structure used for storing goods, wares or merchandise, whether for the owner or for others.
- 106-217**     Water Quality Sensitive Areas Lands that are located within the Clean Water Services boundary and are defined in the “Design and Construction Standards for Sanitary Sewer and Surface Water Management” or its successor. Water quality sensitive areas generally include, but are not limited to, existing or created wetlands, rivers, streams, springs and natural lakes.
- 106-218**     Wetlands Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.
- 106-219**     Working Day Days that the Department of Land Use and Transportation is open for business.
- 106-220**     Yard (Setback) An open space on a lot or parcel which is unoccupied or unobstructed by buildings or other structures from the ground upward, except by landscaping or vegetation or as provided in Section 418 or other sections of this Code. Required yards shall be measured from the property line, sidewalk, or easement for public travel, whichever is closest to the building line of the lot or

parcel a building will be constructed on, except as provided otherwise by the primary district.

106-220.1 Yard, Front A yard extending the full width of the lot, the depth of which is the minimum distance between the front lot line and a line parallel thereto at the nearest point of a building or structure.

106-220.2 Yard, Rear A yard extending across the full width of the lot between the rear of a building or structure and the nearest point of the rear lot line. In those instances where a dwelling's primary access (from a deck, patio, porch, or other similar treatment) to the lot's main outdoor yard area (does not include the front yard) is oriented to a side lot line and not the rear lot line, the primary district's rear and side yards shall be reversed (see Figures 1 and 2). Any additional screening and buffering setback required by Section 411 shall also be provided the length of the rear lot line.

Figure 1.

### Example of a Detached Single Family Dwelling

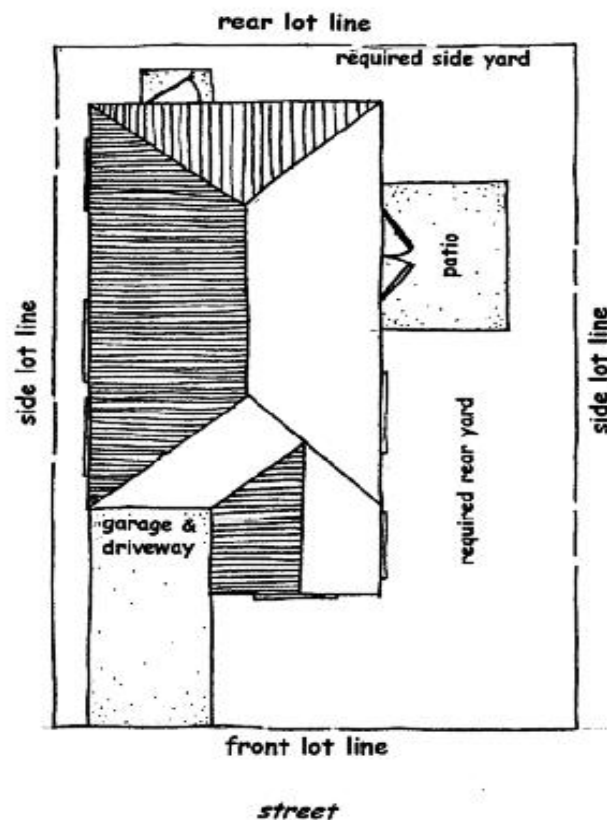
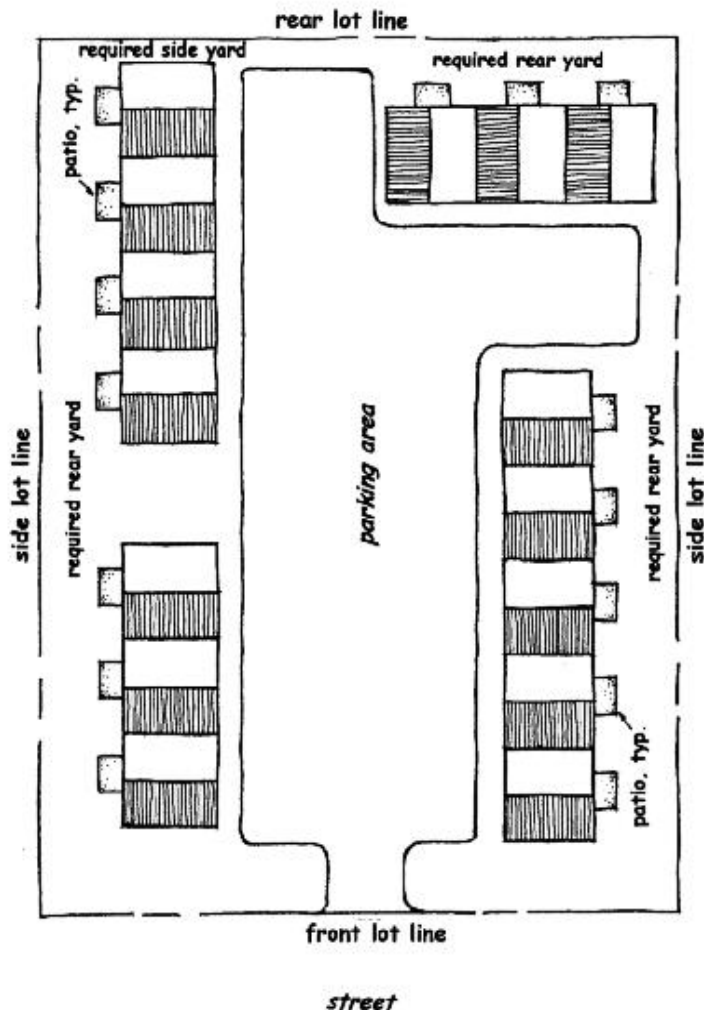


Figure 2.

### Example of a Multi-Family Development



106-220.3 Yard, Side A yard between a building or structure and the side lot line extending from the front yard to the rear yard. The width of the side yard shall be measured horizontally from the nearest point of the side lot line to the nearest part of the main building. In those instances where a dwelling's primary access (from a deck, patio, porch, other similar treatment) to the lot's main outdoor yard area (does not include the front yard) is oriented to a side lot line and not the rear lot line, the primary district's rear and side yards shall be reversed. (See Figures. 1 and 2 of Section 106-219.2 for an illustration.) Any additional screening and buffering setback required by Section 411 shall also be provided the length of the side lot line.

106-221 Zero-Lot-Line Attached or detached dwelling units which are constructed with zero side or rear setbacks.

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