

## **CHAPTER 6 DEFINITIONS**

### **Section**

6.1-105	Meaning of Common Words
6.1-110	Meaning of Specific Words and Terms

## Section 6.1-100 Definitions

### 6.1-105 Meaning of Common Words

- A. All words used in the present tense include the future tense.
- B. All words in the plural include the singular, and all words used in the singular include the plural unless the context clearly indicates to the contrary.
- C. All words used in the masculine gender include the feminine gender.
- D. The word "shall" is mandatory and the word "may" is permissive.
- E. The word "structure" includes the word "building".
- F. The phrase "used for" includes the phrases "arranged for", "designed for", "intended for", and "occupied for".
- G. The words "land", "property", "site", "lot/parcel" and "premise" are used interchangeably unless the context clearly indicates to the contrary.
- H. The words "proposal", "application", and "request" are used interchangeably unless the context clearly indicates to the contrary.
- I. The word "lot" includes the word "parcel".
- J. Where words are not defined in this Section, the following sources shall be consulted: the Metro Plan, State statute, the Springfield Code and any dictionary of common usage, all of which will be interpreted by context.

### 6.1-110 Meaning Of Specific Words And Terms

**Abut.** To share a common lot/parcel/property line or zoning district boundary that may or may not be separated by a street or alley.

**Acceptable Site.** For purposes of siting wireless telecommunications systems facilities, any land planned and zoned Community Commercial, Booth-Kelly Mixed Use or Campus Industrial.

**Access.** The approved means by which vehicles have ingress and/or egress to an approved lot/parcel or development area.

**Accessory Dwelling Unit.** A secondary, self-contained dwelling that may be allowed only in conjunction with a detached single-family dwelling. An accessory dwelling unit is subordinate in size, location, and appearance to the primary detached single-family dwelling. An accessory dwelling unit generally has its own outside entrance and always has a separate kitchen, bathroom and sleeping area. An accessory dwelling may be located within, attached to or detached from the primary single-family dwelling.

**Accessory Structure.** A structure of secondary importance or function on a site. In general, the primary use of the site is not carried on in an accessory structure. Accessory structures are generally detached from the primary structure. If accessory structures are attached to the primary structure, their structural framework is independent or semi-independent from the primary structure. For example, a porch, deck or stairs that have their own footings or foundation are accessory structures even though they may be attached to the primary structure. A balcony that is supported totally by the framework of the primary structure is not considered an accessory structure. Agricultural structures, including, but not limited to, barns, silos, hay sheds, drying sheds and greenhouses, are exempt from the Specific Development Standards of the underlying zoning district when located on land two acres or larger or on any lot/parcel with a valid farm deferral tax classification from the Oregon State Department of Revenue. Notwithstanding this exemption, land use activities conducted on land with agricultural structures must otherwise conform to the list of permitted uses within the underlying zoning district (See also **Primary Structure; Extension, Architectural;** and **Incidental Equipment**).

**Accessway.** A dedicated easement or right-of-way intended to allow pedestrians and bicyclists convenient linkages, where no public street access exists, to streets, residential areas, neighborhood activity centers, industrial or commercial centers, transit facilities, parks, schools, open space, or trails and paths.

**Adjacent.** To share a common lot/parcel/property line or zoning district boundary that is separated by a street or alley.

**Administrative Office.** A building or portion of a building, in which persons are employed in the day-to-day management or direction of a single business or division of that business.

**Agriculture.** The cultivation of tree crops, plants, orchards, pasture, flower, berry and bush crops or the keeping, raising or breeding of livestock or poultry where permitted by the Springfield Municipal Code, 1997, and on any lot/parcel with a valid farm deferral tax classification from the Oregon State Department of Revenue. Agricultural structures, as defined elsewhere in this Code, also is defined as "Agriculture."

**Alley.** A service way providing means of public access to abutting property and not intended for general traffic circulation.

**Alter, Alteration.** A modification in use of a structure that may or may not involve construction. As used in Section 3.3-900, any construction, erection, remodeling, restoration, reconstruction, removal or exterior painting affecting the appearance or position of an Historic Landmark Site or Structure within or outside of a designated Historic District.

**Animal Clinic.** A business establishment in which veterinary services are provided to small domestic pets on an out-patient basis with no over night boarding allowed.

**Animal Hospital.** A place where animals are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the hospital use.

**Annexation Agreement.** A written agreement between the City and owners of land requesting annexation that states the terms, conditions and obligations of the parties to mitigate fiscal and service impacts to the City associated with the annexation and future development of the property. The agreement may be used to ensure annexation consistent with the Metro Plan.

**Antenna.** The specific device used to capture an incoming and/or transmit an outgoing radio-frequency signal. This definition includes omni-directional (whip) antennas; directional (panel) antennas; parabolic (microwave dish) antennas; and ancillary antennas (i.e., GPS). All other transmitting or receiving equipment not specifically described in this definition are regulated in conformity with the type of antenna which most closely resembles the equipment.

**Appeal.** A request for a review of a final decision by the Director, Planning Commission or City Council in accordance with applicable procedures, based on the standards of this Code.

**Applicant.** A person submitting an application; the owner of affected property, or the owner's duly authorized representative. The City Attorney may require proof of the sufficiency of the representative's authorization by the owner to act as applicant on the owner's behalf.

**Approval Authority.** The individual or public body which has jurisdiction for making a decision on an application under the provisions of this Code.

**Aquifer.** A geologic formation, group of formations, or part of a formation that is capable of storing and transmitting water in sufficient quantity to supply wells or springs.

**Attached WTS Facility.** An existing pole, tower or other structure capable of accommodating a WTS facility antenna, whether originally intended for the use or not.

**Backhaul Network.** The land lines that connect a WTS provider's radio signals to one or more cellular telephone switching offices and/or local or long distance providers, or the public switched telephone network.

**Base Flow.** The portion of a stream flow that is not run-off and results from seepage of water from the ground into a channel. The primary source of running water in a stream during dry weather.

**Bed and Breakfast Facility.** A structure designed for and occupied as a single-family dwelling, in which travelers are lodged for sleeping purposes for two weeks or less and a morning meal provided, and for which compensation is paid. A Bed and Breakfast Facility is not a hotel, motel, boarding house or rooming house.

**Berm.** A mound of earth used to deflect sound or used as a buffer in landscaping provisions to separate incompatible areas or to provide aesthetic enhancement in site design.

**Bicycle or Bike Lane.** A portion of a street that has been designated, by striping, signage and pavement markings, for the exclusive use of bicycles.

**Bicycle Parking Space.** A space for one standard bicycle within a lighted and secure bicycle rack, placed in a paved area.

**Bikeway.** Any street, path or way which in some manner is specifically designated for bicycle travel, regardless of whether the facilities are designated for the exclusive use of bicycles or are to be shared with other transportation modes.

**Block.** An area of land containing one or more lots/parcels surrounded by streets, railroad rights-of-way and/or un-subdivided acreage.

**Boarding House.** A building where lodging and meals are provided for more than two weeks for compensation. This definition excludes bed and breakfast facilities

**Bond, Performance or Security.** Collateral security for the performance of a specific action or duty imposed by the City.

**Buildable Area of a Lot/parcel.** The area of a lot/parcel enclosed within the setback boundaries, exclusive of easements.

**Building.** Any structure used or intended for sheltering any use or occupancy. As used in Section 3.3-400 Floodplain Overlay District, the terms "building" and "structure" are synonymous, and are framed, erected, constructed or placed to stand temporarily or permanently on a tract of land. This definition specifically includes a mobile home, manufactured home and any accessories, and gas or liquid storage tanks principally above ground.

**Building Board of Appeals.** A board appointed in accordance with Section 2.500 to 2.574 of the Springfield Municipal Code, 1997, to hear requests for alternate building methods/materials.

**Building Envelope.** That portion of a lot/parcel that has no development restrictions where the placement of driveways and structures can be established. The building envelope shall not include the area of any required setbacks, tree protection plans, conservation zones or other protected areas as authorized by a limited land use decision.

**Building Height.** The vertical distance above a reference datum measured to the highest point of the coping of a flat roof, to the decline of a mansard roof, or to the average height of the gables of a pitched or hipped roof. The maximum height of a stepped or terraced building is the maximum height of all segments of that building. The reference datum is, which either of the following of the two measurements that results in the greater building height (refer also to Figure 6.1-A:

- A. The reference datum is the lowest grade when the highest ground surface within a 5-foot horizontal distance of the exterior wall is not more than 10 feet above the lowest grade.
- B. The reference datum is 10 feet higher than the lowest grade when the ground surface described in A, above is 10 feet above the lowest grade.

**Building Official.** The person responsible for the administration and enforcement of the Building Safety Codes; the duly authorized representative of the Director responsible, in consultation with the City Engineer, for the interpretation of Section 3.3-400 Floodplain Overlay District.

**Building Permit.** Written permission issued by the Building Official that construction may commence in accordance with this Code and the Building Safety Codes.

**Building Safety Codes.** A book of codes including the Springfield Building Code Administrative Code, the Structural Specialty Code, the Mechanical Specialty Code, the Electrical Specialty Safety Code and the Plumbing Specialty Code.

**Burden of Proof.** The duty of producing evidence or establishing a given proposition in order to establish that the party seeking affirmative relief or action is entitled to relief or action by the applicable ordinances and statutes.

**Business Park.** A tract of land has been planned, developed and operated as a single or an integrated facility characterized by a variety of light industrial manufacturing uses, offices and related commercial uses, with special attention to circulation, parking, utility needs, aesthetics and compatibility (See also **Industrial Park**).

**Calendar Day.** Any day of the year, including official City holidays and weekends. If any effective date or deadline falls on a weekend or holiday, the date or deadline will be effective on the next City working day.

**Carport.** A roofed accessory structure providing parking space which is open on two or more sides.

**Cell.** A geographic area where a single radio transmission sending/receiving station (per provider) and the equipment necessary to connect these radio calls to land lines or other cells are located.

**Certificate of Occupancy.** A document issued by the Building Official allowing the occupancy or use of a structure and demonstrating that the structure or use has been constructed in compliance with all applicable City codes and ordinances.

**Change of Use.** A change from one existing permitted to another permitted use in the applicable zoning district.

**Child Care.** A facility in which children, not of common parentage, between 6 weeks and 15 years of age, are given board, care or training apart from their parents or guardian with or without compensation within a 24 hour period.

**Child Care, Home.** A facility in which there are no more than 5 children. The operator of the Day Care Home shall reside at the residence.

**Child Care Group Home.** A facility in which there are 6 but no more than 12 children. The operator of the Day Care Group Home shall reside at the residence.

**Child Care Center.** A facility in which there are 13 or more children. The operator of the Day Care Center may or may not reside at the residence.

**Church.** Any use of land or buildings, primarily intended for the conducting of organized religious services, excluding bingo parlors, provided that soup kitchens, distribution centers, private schools, and emergency shelters may be approved as secondary uses by the Approval Authority.

**City.** The City of Springfield.

**City Council.** The Springfield Common Council.

**City Engineer.** An Oregon Registered Professional Engineer who is an officer of the City and is charged with the supervision and construction of public improvements and the enforcement of City ordinances as they relate to public improvements, or a duly authorized representative.

**City Recorder.** The Springfield Finance Director, or a duly authorized representative.

**City Surveyor.** An Oregon Registered Professional Land Surveyor who is charged with conducting surveys of City facilities and with the enforcement of certain City ordinances and State statutes as they relate to subdivision and partitioning of land.

**Clean Water Act (CWA).** A federal law established in 1972 to restore and maintain the chemical, and physical and biological integrity of water, including lakes, river aquifers and coastal areas.

**Clinic.** Single or multiple offices for medical practitioners which may include a dispensary in each building to handle merchandise customarily prescribed by medical practitioners in connection with their practices, with patients not being lodged over night.

**Cluster Subdivision.** A form of subdivision development that permits flexibility in dimensional requirements by reducing lot/parcel size, setback, street width and other developmental standards to allow a more flexible design than is permissible under the conventional subdivision process. This form of subdivision preserves open space and creates innovative residential designs that emphasize affordability and home ownership.

**Collocation.** Two or more WTS providers utilizing a structure or site specifically designed and/or approved for the multiple use, and including equipment shelters.

**Community Park.** A park, normally be between 15 and 100 acres in size, which provides a variety of moderate density use recreation and/or cultural opportunities and is centrally located for citizens of the community and immediate outlying areas.

**Conceptual Local Street Map.** A map maintained by the Public Works Director depicting existing and future street alignments. The map is intended to guide developers, property owners and City staff concerning the location of future streets. The map assists the Director in reviewing and approving new street alignments proposed in partition or subdivision proposals that are not specified in TransPlan, so that the streets are consistent with OAR Chapter 660-12 and the standards specified in this Code.

**Conditionally Suitable Site.** For purposes of siting wireless telecommunications systems facilities, any land planned and zoned Neighborhood Commercial, Major Retail Commercial, General Office, Low Density Residential, Medium Density Residential, High Density Residential and the Medical Services, Hillside Development, Willamette Greenway and Urbanizable Fringe Overlay Districts.

**Congregate Care Facility.** A building serving more than 15 elderly or infirm persons where daily meals are provided outside of each individual dwelling unit, on-site nursing facilities are available and the majority of residents do not own automobiles.

**Convenience Store.** A small grocery typically open extended hours.

**Corporate Headquarters.** A building or portion of a building in which persons are employed in the management or direction of a business consisting of one or more divisions or groups of companies. To be considered a corporate headquarters, the business shall meet the applicable employee threshold specified elsewhere in this Code. Businesses that do not meet the applicable employee threshold shall be considered an administrative office.

**Cul-de-sac.** A short local street which has one end open to traffic and is terminated by a vehicle turn around, the cul-de-sac bulb.

**Curb.** The raised concrete border along the edge of a street or paved area.

**Curb Cut.** The opening along the curb line at which point vehicles may enter and/or leave the public street.

**Cut.** A portion of land surface from which earth is removed by excavation; the depth below the original ground surface or excavated surface.

**DBH.** The diameter of a tree measured 4 1/2 feet above the ground at the base of the tree.

**Dance Hall.** Any place of business whose primary function is dancing.

**Dedication.** The transfer of property interests from private to public ownership for a public purpose.

**Delineation.** (From Oregon Health Department rules): The determination of the extent, orientation, and boundaries of a wellhead protection area using factors, for example: geology, aquifer characteristics, well pumping rates and time of travel.

**Demolition.** Razing, destroying, dismantling, defacing, or in any other manner causing partial or total ruin of an Historic Landmark Site or Structure within or outside of a designated Historic Landmark District.

**De Novo.** A hearing where new evidence may be provided, distinguished from a hearing based solely on an existing record.

**Density, Gross.** The number of dwelling units for each acre of land, including, but not limited to areas devoted to streets, parks, sidewalks and other public facilities.

**Density, Net.** The number of dwelling units for each acre of land in residential use, excluding, dedicated streets, parks, sidewalks and other public facilities.

**Designated Beneficial Use.** The purpose or benefit to be derived from a watercourse. For the Willamette and McKenzie Rivers and all other streams and tributaries, the following beneficial uses apply: Public domestic water supply, private domestic water supply, industrial water supply; irrigation, live stock watering, anadromous fish passage, salmonid fish rearing salmonid fish spawning, resident fish and aquatic life, wildlife, fishing, boating, water contact recreation aesthetic quality and hydro power (excluding the Willamette River).

**Detached WTS Facility.** A pole, tower or other structure designed and intended to support WTS facility antennas.

**Developable Acre.** 43,560 square feet of land that can be developed that includes common open space or recreational facilities reserved for the use of residents in a development, but excludes public property, including but not limited to, parks and dedicated streets. At the request of the developer, the Director may exclude portions of the site that cannot be developed due to physical constraints, including, but not limited to natural resources that are listed within a local inventory.

**Development.** Any human-made change to improved or unimproved real estate, including, but not limited to: a change in use; construction, installation or change of a structure; subdivision and partition; establishment or termination of a right of access; storage on the land; drilling and site alteration due to land surface mining, dredging, paving, excavation or clearing of trees and vegetation. Agricultural uses (including agricultural structures), when otherwise permitted by the underlying zoning district, are exempt from this definition unless agricultural structures are placed within adopted special flood hazard zones. As used in Section 3.3-400 Floodplain Overlay District, any human-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 located within the area of special flood hazard.

**Development Area.** The area subject to any application required by this Code.

**Development Approval.** Approval granted by the Director for a development which is in compliance with this Code and the Metro Plan and precedes the issuance of a Building Permit.

**Development, Phased.** A project that is developed incrementally, with each phase capable of functioning independently of the others.

**Development Review Committee.** City staff, representing each affected division and department of the City, and affected agencies and utility providers that meet on a regular basis to review land use requests and development proposals.

**Development Services Department.** The department responsible for the administration of this Code and the implementation of the Metro Plan within Springfield's Urban Growth Boundary.

**Direct Tributary to a Water Quality Limited Watercourse.** A direct tributary to a Water Quality Limited Watercourse (WQLW) is one that flows directly into a WQLW, excluding those watercourses that flow into the WQLW as a piped connection, where the pipe system extends more than 200 feet upstream of the connection point or is one that is a diversion from a WQLW and that discharges into either a WQLW or other direct tributary to a WQLW and where the water quality if the diverted flow at the discharge point has been degraded when compared with the water quality at the diversion point.

**Director.** The Development Services Director or the duly authorized representative who is responsible for the administration and interpretation of this Code.

**Discretionary Use.** Any use not permitted outright in a particular zoning district because of its potentially incompatible characteristics requiring review by the Planning Commission or Hearings Official to determine whether that use should be permitted, and if so, adding any conditions of approval necessary to ensure compatibility with adjacent uses.

**DNAPL.** Dense Non-Aqueous Phase Liquids. A group of hazardous materials that are denser-than-water (specific gravity greater than 1), have low solubility rate, and degrade slowly to other compounds that are even more of a health hazard. For the purpose of Springfield's drinking water protection, DNAPL chemicals are defined as "all chemicals displaying the characteristics of a DNAPL chemical or a material containing a substance considered a DNAPL chemical." A list of DNAPLs regulated within the Drinking Water Protection Overlay District shall be as adopted by SUB on November 10, 1999.

**Downtown Exception Area.** An area defined by the Willamette River on the west, 10th Street on the east, the alley between north B and north C Streets on the north, and a line north of the Southern Pacific Railroad tracks on the south.

**Downtown Planning Area.** The area under the jurisdiction of the Springfield Downtown Refinement Plan that includes Springfield's traditional Downtown area and the Booth-Kelly redevelopment area.

**Drainage Way.** A natural or constructed watercourse which has the specific function of transmitting stream water or storm run-off water from a point of high elevation to a point of low elevation which convey significant seasonal concentrations of water over the surface of the land.

**Dripline.** A roughly circular land area measured beneath a tree. The approximate center of the area is the trunk of the tree, and the radii are equal to the horizontal measures of the longest branches.

**Driveway.** A vehicular access that provides connection between a structure or parking area on private property and the public street system. "Driveway" may include a private easement to provide vehicular access to more than two or more properties.

**Driveway, Curb Return.** A driveway defined on both sides by a full height curb.

**Driveway, Joint Use.** A driveway serving two or more properties.

**Driveway, Standard Driveway.** A driveway created by depression of the street curb at its approach.

**Drop-Off Space.** A paved, clearly marked short-term (less than 20 minutes) parking space, generally within 50 feet of a main building entrance, separated from required parking for staff and long-term visitors.

**DSL.** The Oregon Department of State Lands.

**Dwelling.** A building, or portion thereof, which is used exclusively for human habitation.

**Dwelling, Attached Single Family.** A building designed or used exclusively for the occupancy of one family which is attached to one or more separately owned dwellings by common vertical walls. This definition includes but is not limited to zero lot/parcel line dwellings, townhouses and rowhouses.

**Dwelling, Condominium.** A type of residential development offering individual ownership of dwellings and common ownership of open spaces and other facilities, that is regulated in part by State Law (ORS 100.005 et seq.).

**Dwelling, Detached Single-Family.** A building designed or used exclusively for the occupancy of one family which is not attached to any other dwelling and is surrounded by open space and yards.

**Dwelling, Duplex.** A single building designed or used exclusively for the occupancy of two families living independently of each other, sharing a common roof, wall or foundation at the garages, carports, and/or living areas.

**Dwelling, Multi-Family.** A building containing three or more dwelling units designed or used exclusively for the occupancy of three or more families living independently of each other and separated by common vertical walls. A Congregate Care Facility is not a Multi-Family dwelling unit for the purposes of determining dwelling unit density.

**Dwelling Unit.** One or more habitable rooms which are occupied, intended or designed to be occupied by one family with housekeeping facilities for living, sleeping, cooking and eating.

**Easement.** An interest in property owned by another that entitles its holder to a specific limited use or enjoyment of that property.

**Elevation.** The term is based on context and is either: a vertical distance above or below a fixed reference level; or a flat scale drawing of the front, rear or side of a building.

**Emergency Shelter.** The use of a church, school, motel, hotel, or other approved structure for housing the homeless on a short term basis due to a natural disaster or other reason.

**Endangered Species Act (ESA).** A federal law established in 1973 that provides significant protection for various species of fish, wildlife and plants facing extinction that are listed as needing protection.

**Engineer.** A Registered Professional Engineer, licensed by the State of Oregon to practice in a specific branch of engineering.

**Engineering Design Standards and Procedures Manual.** A document containing design standards and procedures prepared by the Public Works Department and adopted by resolution of the City Council. These standards and procedures are applicable to public and private improvements and allow City staff to provide certainty to developers and consultants to ensure safe, efficient, and cost effective transportation, sanitary sewer, and stormwater management system projects within the City and its Urban Growth Boundary.

**Equipment Shelters.** For purposes of siting wireless telecommunications systems facilities, the buildings, structures, cabinets or vaults used to house and protect the equipment necessary to connect/relay radio signals from cell site to cell site and to land line systems. Associated equipment, for example, air conditioning or emergency generators is considered appropriate within this definition.

**Excavation.** The mechanical removal of earth material.

**Exempt Tree or Vegetation.** The full height and breadth of vegetation that the Director has identified as "solar friendly" as specified in this Code; and any vegetation listed on a plat map, a document recorded with the plat, or a solar access guarantee as exempt.

**Ex Parte, Communication.** A communication made at the instance of, or for the benefit of one party without notice to, contest by, or at least without an opportunity to be heard being given to other parties who will be bound or directly affected by the communication.

**Ex Parte, Proceeding.** An action taken at the instance or benefit of one side only without notice to, contest by, or without the opportunity to be heard by other parties who will be bound or directly affected by the proceeding.

**Extension, Floor Area.** An increase in the amount of floor area within an existing building.

**Extension, Architectural.** Architectural appendages, including but not limited to, cornices, eave overhangs, porches and balconies extending beyond an exterior wall of a building (See also **Accessory Structure**).

**Exterior.** Any portion of the outside of an Historic Landmark Site or Structure or any addition thereto which can be seen from a public place.

**FCC.** The Federal Communications Commission; the federal agency that regulates interstate and international communications by radio, television, wire, satellite and cable.

**Family.** Two or more persons related by blood, legal adoption, guardianship or marriage living together; or unless modified by the Federal Fair Housing Law as it relates to handicapped persons, a group of not more than 5 persons who need not be related (as above) living together in a dwelling unit

**Fell.** To remove or cut a tree or the intentional use of any procedure, the natural result of which is to cause the death or substantial destruction of the tree. Fell does not include normal trimming, pruning or topping of trees.

**Fence.** A structure which serves as an enclosure, barrier or screen that is not part of a building.

**Fence, Sight Obscuring.** A fence which substantially screens an area or object including, but not limited to: solid wood or metal fences or wood slatted cyclone fences, however a slatted cyclone fence shall not be used to screen wrecking or salvage yards.

**Fill.** Sand, gravel, earth or other approved materials of any composition placed or deposited on the earth's surface by humans.

**Final Map.** The finished drawing of the survey of a property line adjustment containing information necessary to comply with this Code and requirements resulting from review of the Preliminary Plan.

**Final Site Plan.** The plan containing information necessary to comply with this Code and requirements resulting from review of the Preliminary Site Plan to which all construction improvements must conform.

**Final Survey.** The recorded survey of a property line adjustment containing information necessary to comply with this Code and any conditions of approval resulting from review of the Preliminary Survey.

**Finance Department.** The Springfield Finance Department.

**Finding.** A written statement of facts, reasoning in support of conclusions, and determinations based on the evidence presented in relation to adopted criteria that are accepted by the Approval Authority in support of a decision.

**Flood/Flooding.** A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters and/or the unusual and rapid accumulation of run-off of surface waters from any source.

**Flood, Base.** The flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the "100 year flood." Designation on maps always includes the letters A or V.

**Flood Hazard, Area Of Special.** The land in the floodplain subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V.

**Flood Insurance Rate Map (FIRM).** The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the applicable risk premium zones.

**Flood Insurance Study.** The official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood.

**Flooding, Area of Shallow.** A designated AO or AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and intermediate; and, velocity flow may be evident. AO is characterized as sheet flow and AH indicates ponding.

**Floodway.** The channel of a river or other watercourse and the adjacent land areas that is reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

**Foster Home.** Any dwelling or facility maintained and operated for the boarding and housing of more than 5 children who are not related by blood or marriage to the owner/operator of the dwelling or facility.

**Fraternal Organization.** A group of people formally organized for a common interest, usually cultural, religious or entertainment, with regular meetings, rituals and formal written membership requirements.

**Future Development Plan.** A line drawing (required for some land division proposals, or building permits in the City's urbanizable area) that includes the following information: the location of future right-of-way dedications based on TransPlan, the Local Street Plan or block length and lot/parcel size standards of the SDC; a re-division plan at minimum urban density based on the existing Metro Plan designation of the property for any lot/parcel that is large enough to further divide; and the location of hillsides, riparian areas drainage ways, jurisdictional wetlands and wooded areas showing how future development will address preservation, protection or removal.

**Garage.** A completely enclosed accessory building or portion of a main building intended for the parking of motor vehicles.

**Garage, Repair.** A building used for the repair of motor vehicles, including body and fender work, painting, or engine and transmission overhaul.

**Grade.** The degree of rise or descent of a sloping surface.

**Grade, Average Finished.** The average finished ground level at the midpoint of all walls of a building. Where walls are parallel to and within 5 feet of a sidewalk, alley or public way, the ground level is measured at the elevation of the sidewalk, alley or public way.

**Grade, Finished.** The elevation of the surface of excavation or fill placement.

**Grading.** Any stripping, cutting, filling, stockpiling of earth or land, including the land in its cut or filled condition.

**Gross Acre/Gross Acreage.** A measurement of land that occurs before public streets or other areas reserved for public use are deducted from that land.

**Gross Floor Area.** The total floor area of a building including areas used exclusively for the service of a building; for example: mechanical equipment spaces and shafts; elevators; stairways; escalators and ramps; public restrooms; and enclosed loading docks or ramps.

**Ground Cover.** Grasses or nursery plants cultivated to keep soil from being blown or washed away.

**Group Care Home.** Any dwelling or facility maintained and operated exclusively for the care, boarding, housing and rehabilitation of more than 15 unrelated persons who are ill, physically or mentally disabled, and/or elderly, the majority of whom generally do not drive an automobile. This definition includes but is not limited to homes for the aged, nursing homes and congregate care facilities.

**Halfway House.** Any dwelling or facility for the care, boarding and housing of more than 5 unrelated persons who have been released from institutional care or who are placed in lieu of institutional care, i.e., work release programs.

**Hazardous Materials.** Those chemicals or substances which are physical or health hazards as defined and classified in the most recently adopted or amended Fire Code by the City, whether the materials are in usable or waste condition.

**Hazardous Waste.** Consistent with the Federal Resource Conservation and Recovery Act, a waste or a combination of wastes, which because of its quantity, concentration, or physical, chemical or infectious characteristics may cause or significantly contribute to an increase in serious irreversible illness or pose a substantial present or potential hazard to human health, safety, welfare or to the environment when improperly treated, stored, transported, used or disposed of, or otherwise managed, however, not to include solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under the Federal Water Pollution Control Act of 1967 as amended, or source, special nuclear, or by product material as defined by the Atomic Energy Act of 1954.

**Hearings Official.** An individual employed by the City to hear Type III applications for Land Use Decisions in the City's urbanizable area.

**Heliport.** An area, either at ground level or elevated on a structure, licensed or approved for the loading and takeoff of helicopters, and including auxiliary facilities, for example: parking, waiting room, fueling and maintenance equipment.

**Helistop.** A heliport, but without auxiliary facilities, for example: parking, waiting room, fueling and maintenance equipment.

**High Impact Facility.** A public or semi-public facility which serves development and which requires pre-planning or discretionary approval and special design features to mitigate land use conflicts, including, but not limited to: visual, olfactory or auditory impacts.

**Highway Ready.** Reference to a recreational vehicle that is on wheels or a jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

**Hillside Area.** Any area in which the average slope exceeds 15 percent.

**Historic Commission.** The Springfield Historic Commission.

**Historic Site.** A structure or place of historic and cultural significance and designated accordingly by the City, State or Federal Government.

**Historic Landmark District.** A geographic area designated in accordance with this Code which includes Historic Landmark Sites or Structures.

**Historic Landmark Inventory.** A list of sites or structures which have been designated "Historic Landmark" in accordance with this Code.

**Historic Landmark Site or Structure.** A building, structure, object, site or geographic area, within the city limits and the City's urbanizable areas, within or outside of a designated Historic Landmark District, which has been listed on the Historic Landmark Inventory.

**Homeowners Association.** A non-profit association governed by a declaration of protective restrictions, conditions, covenants, and charges made by the developer through which each lot/parcel owner or other described land area owner of a development is automatically subject. The purpose of the homeowner's association is to provide reasonable rules and regulations to enforce the covenants and restrictions and to keep, control, and maintain the common properties within the development. The association also provides for the assessment procedure to assure necessary funds. If the property is to be developed in phases, all phases shall belong to the same association. The City Attorney shall review drafts of the declaration prior to Final Plat approval.

**Hospital.** An institution devoted primarily to the provision of healing, curing and nursing care, which maintains and operates facilities for the diagnosis, treatment and care of two or more non-related individuals suffering from illness, injury or deformity.

**Hotel/Motel.** Any building or group of buildings used for transient residential purposes containing guest rooms used for sleeping purposes. No more than 50 percent of the rooms may contain kitchen facilities.

**Impervious Surface.** Any surface that either prevents or retards the entry of water into soil. Common impervious surfaces include, but are not limited to, rooftops, walkways, patios, driveways, parking lots and/or storage areas, concrete or asphalt paving, gravel surfaces with compacted subgrade, packed earthen materials and oiled macadam or other surfaces that

similarly impede the natural infiltration of stormwater. Open, uncovered retention/detention facilities shall not be considered impervious surfaces.

**Improvement Agreement.** A written agreement, executed by the property owner in consideration for the City deferring the construction of public improvements required for the development.

**Incidental Equipment.** Rooftop or pole mounted structures that cast insubstantial shadows or have minimal visual impact, including, but not limited to: antennas, chimneys and flagpoles, but excluding solar collectors and satellite dishes (See also **Accessory Structure**)

**Increase In Impact/Increased Impact.** This definition includes, but is not limited to, additional traffic or noise generation, additional run-off or increase in impervious surface, additional shadow casting or diminished views, additional air or water borne pollution, additional hours of operation, or an increase in the risk of fire or structural hazard as the result of development.

**Industrial Park.** A tract of land that has been planned, developed and operated as an integrated facility for a number of individual industrial and secondary uses, with special attention to circulation, parking, utility needs, aesthetics and compatibility (See also **Business Park**).

**Invasive Plants.** Non-native plants that spread quickly, are highly competitive and difficult to control or eliminate. Introduced intentionally or accidentally through human actions and spread by seed, by birds, by wind, or vegetatively, these exotic plants can destroy native plants, choke waterways, degrade recreational areas and necessitate costly maintenance. The Invasive Plants List is a listing of plants that the City considers undesirable for use in landscaping within its jurisdiction.

**Inventoried Natural Resource.** Any scenic areas, water areas, vegetation, wildlife and wildlife habitat that appears in an adopted Metro Plan Inventory.

**Joint Use Access Agreement.** A legally binding agreement between two or more property owners describing the rights and responsibilities of each owner regarding the use of a shared access to a public street.

**Kennel.** Any premises on which three or more dogs over the age of 6 months are housed, groomed, boarded, trained or sold for compensation.

**Land and Drainage Alteration Permit (LDAP).** A City permit for any fill, grading and excavation that is required before any site preparation work can begin.

**Landscape Architect.** A person registered with the State of Oregon to practice Landscape Architecture.

**Landscaping.** The term "landscaping" includes, but is not limited to vegetative ground cover, grass, shrubs, trees, flowers and garden areas, ornamental concrete or stonework areas, permanent outdoor furniture and permanent irrigation. "Landscaping" also includes retention or reintroduction of native vegetation.

**Land Use Decision.** A final decision or determination made by the Planning Commission, Hearings Official or City Council that concerns the adoption, amendment or application of the Statewide Planning Goals; a Metro Plan or refinement plan provision; a land use regulation; or

new land use regulation. This definition does not include a decision which: does not require interpretation or the exercise of factual, policy or legal judgment; approves, approves with conditions or denies a subdivision or partition; or approves or denies a building permit.

**Lattice Tower.** For purposes of siting wireless telecommunications systems facilities, a WTS support structure which consists of metal crossed strips or bars and which supports antennas and related equipment for one or more WTS provider.

**Light Industrial Manufacturing.** The secondary processing of previously prepared materials into components or the assembly of components into finished products. In the Campus Industrial District this use is divided into categories as follows based upon the number of employees at occupancy: large-scale means 50 or more employees; medium-scale means 20-49 employees; small scale means fewer than 20 employees per business. These thresholds are applicable at the time of new development. In the case of redevelopment, the Director may reduce these thresholds if the applicant submits a business plan stating that the threshold can be met by a date certain.

**Listed Species.** The Endangered Species Act provides for listing plant and animal species into the following categories: Listed Endangered Species and Listed Threatened Species. An endangered species is an animal or plant listed by regulation as being in danger of extinction. A threatened species is any animal or plant that is likely to become endangered within the foreseeable future.

**Loading Space.** An off street space or berth serving a business for the temporary parking of commercial vehicles while loading or unloading, while not block driveway aisles and having an appropriate means of ingress and egress.

**Lot.** A portion of land shown as part of a recorded subdivision or any area of land described by metes and bounds in a recorded deed, record of survey or other appropriate document, recorded in the office of the County Recorder that complies with the provisions of the State of Oregon and this Code. Unless specifically exempted, land that is divided or re-configured without having been approved in accordance with this Code shall not be deemed a buildable lot.

**Lot/Parcel, Corner.** A lot/parcel abutting two or more streets at their intersection, in which the interior angle formed by the extensions of the street lines is 135 degrees or less. In the event that any street line is a curve at its point of intersection with a lot/parcel line other than a street line, the tangent of the curve at the point is considered the direction of the street line.

**Lot/Parcel Depth.** The distance from the midpoint of the front lot/parcel line to the midpoint of the rear lot/parcel line.

**Lot/Parcel Dimension, North-South.** The length of a line beginning at the midpoint of the northern lot/parcel line and extending in a southerly direction perpendicular to the northern lot/parcel line until it reaches a property boundary.

**Lot/Parcel Frontage.** That portion of a lot/parcel which abuts a street. For the purpose of determining yard requirements, all sides of a lot/parcel abutting a street is considered frontage.

**Lot/Parcel, Interior.** A lot/parcel other than a corner lot/parcel and having frontage on only one street.

**Lot/Parcel Line.** A line of record bounding a lot/parcel which divides one lot/parcel from another or from a public or private street or any other public space.

**Lot/Parcel Line, Front.** The lot/parcel line abutting a street right-of-way. Where more than one lot/parcel line abuts street right-of-way, the property address shall determine the front lot/parcel line. For purposes of the solar access standards, it is the lot/parcel line abutting a street. For corner lots/parcels, the front lot/parcel line is that with the narrowest frontage. When the lot/parcel line abutting a street is curved, the front lot/parcel line is the chord or straight line connecting the ends of the curve. For a panhandle lot/parcel, the front lot/parcel line is the lot/parcel line that is most parallel to and closest to the street, excluding the handle portion of the lot/parcel.

**Lot/parcel Line, Northern.** The lot/parcel line that is the smallest angle from a line drawn true east-west and intersecting the northernmost point of the lot/parcel, excluding the handle portion of a panhandle lot/parcel. If the north line adjoins an un-developable area other than a required yard area, the northern lot/parcel line is at the north edge of the un-developable area. If two lot/parcel lines have an identical angle relative to a line drawn true east-west, then the northern lot/parcel line is a line 10 feet in length within the lot/parcel parallel with and at a maximum distance from the front lot/parcel line.

**Lot/Parcel Line, Rear.** The lot/parcel line which is opposite and most distant from the front lot/parcel line. For a triangular shaped lot/parcel, the "rear lot/parcel line" is a line 10 feet in length entirely within the lot/parcel, connecting the side lot/parcel lines, which is parallel to the front lot/parcel line or parallel to the chord of a curved front lot/parcel line.

**Lot/Parcel Line, Side.** Any lot/parcel line other than a front or rear lot/parcel line.

**Lot/Parcel, Minimum Area Of.** The smallest lot/parcel area established by this Code on which a use or structure may be located in a particular district.

**Lot/parcel, Panhandle.** A lot/parcel which has access to a public right-of-way by means of a narrow strip of land, commonly known as the "panhandle" or "handle".

**Lot/Parcel, Pan Portion.** The portion of a panhandle lot/parcel, exclusive of the handle, on which a structure may be placed.

**Lot/Parcel, Through.** A lot/parcel which fronts upon two streets which do not intersect at the boundaries of the lot/parcel.

**Lot/Parcel Width.** The horizontal distance between the midpoints of the side lot/parcel lines. The handle of a panhandle lot/parcel is not included when computing lot/parcel width.

**Lowest Floor.** The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that the enclosure is not built to render the structure in violation of the applicable non-elevation design requirements.

**Low Impact Facility.** Any public or semi-public facility that has minimal olfactory, visual or auditory impacts which is permitted subject to the design standards of this Code.

**Maintain.** To continue in existence; to preserve and care for a development area so that it remains attractive and functional in accordance with the provisions of this Code.

**Maintenance Inspection.** A site inspection that identifies precisely what must be done to a development previously approved by the City in order to comply with standards and conditions in effect when the development was originally approved.

**Major Electrical Transmission Line.** An electrical transmission line which carries 115 KV or more of electricity.

**Mall.** A shopping center where stores front on both sides of a pedestrian way which may be enclosed or open.

**Manufactured Dwelling.**

- A.** Residential Trailer: a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, is being used for residential purposes and was constructed before January 1, 1962.
- B.** 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 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.
- C.** 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 was constructed on or after June 15, 1976 in accordance with federal safety standards regulations in effect at the time of construction. In addition, manufactured homes sited within the jurisdictional boundaries of Springfield shall be of either Type 1 or Type 2 classification and shall comply with the following standards:
  - 1.** Type 1 Manufactured Home
    - a.** Multi-sectional configuration enclosing a minimum floor area of 1,000 square feet
    - b.** Siding and roofing materials similar to the materials used in residential dwellings in the community or which are comparable to the predominant materials used on surrounding dwellings
    - c.** Minimum roof pitch of 3 feet vertical in 12 feet of width
    - d.** Thermal efficiency equivalent to the Oregon 1 and 2 Family Dwelling Specialty Code excluding units built prior to the effective date of this Ordinance (5-1-94). These units shall meet or exceed the HUD energy standards that were in effect at the time of construction
  - 2.** Type 2 Manufactured Home
    - a.** Single-wide unit of not less than 12 feet wide enclosing a minimum floor area of 500 square feet

- b. Siding and roofing materials similar to the materials used in residential dwellings in the community or which are comparable to the predominant materials used on surrounding dwellings minimum roof pitch of 2 feet vertical in 12 feet of width
- c. Thermal efficiency equivalent to the Oregon 1 and 2 Family Dwelling Specialty Code excluding units built prior to May 1, 1994. These units shall meet or exceed the HUD energy standards that were in effect at the time of construction

**Note:** Multi-sectional units placed on lots/parcels eligible for Type 2 units shall comply with all of the standards of a Type I manufactured home

- D. **Manufactured Dwelling Park:** any place where four or more manufactured dwellings are located within 500 feet of one another on a lot/parcel or tract under the same ownership, the primary purpose of which is to rent space to any person for a charge or fee paid or to be paid for the rental use of facilities or to offer space free in connection with securing the trade or patronage of the person. Manufactured dwelling park does not include a lot located within an approved subdivision being rented or leased for occupancy by no more than one mobile home per lot if the subdivision was approved by local government unit having jurisdiction under an ordinance adopted pursuant to ORS 92.010 to 92.190.

**Manufactured Dwelling Pad.** A paved space in a manufactured dwelling park for the placement of a manufactured dwelling that includes utility connections.

**Manufactured Dwelling Space.** Any portion of a manufactured dwelling park which is designated or used for occupancy of one manufactured dwelling, including its accessory structures and its outdoor living areas, but exclusive of space provided for the common use of tenants for example, roadways and guest parking.

**Manufactured Dwelling Space Line.** A line within a manufactured dwelling park which establishes setback distances from streets, accessory buildings or structures and other manufactured dwellings.

**Market Area.** The geographic area from which a particular use can reasonably expect to attract customers.

**Metro Plan/Eugene-Springfield Metropolitan Area General Plan.** The general land use plan and policies for the Eugene/Springfield metropolitan area including any subordinate refinement plan or functional plan. The controlling land use document for urban, urbanizable and rural land under the jurisdiction of the Metro Plan.

**Minerals.** Includes soil, coal, stone, crushed hard rock quarry products, metallic ore and any other solid material or substance excavated for commercial, industrial or construction use from natural deposits. "Minerals" do not include loam, sand, gravel or other aggregate materials created and/or deposited by water movement

**Minimum Level of Key Urban Services.** The minimum level of facilities and services that are provided to an area in an orderly and efficient manner to allow urban development to occur. They consist of sanitary sewers; solid waste management; water service; fire protection; police protection; parks and recreation programs; electric service; land use controls; communications

facilities; public schools on a district-wide basis; and paved streets with adequate provision for storm-water run-off and pedestrian travel.

**Mining Spoils.** All waste materials, solid, rock, mineral, liquid, vegetation and other materials resulting from or displaced by quarry and mining extraction operations within the operating permit area, including all waste materials deposited in or upon lands within the operating permit area.

**Mini-Warehouse.** A building or group of buildings in a controlled-access and fenced compound that contains varying sizes of individual, compartmentalized, and controlled-access stalls or lockers for the storage of a customer's goods or wares. No sales, service, or repair activities other than the rental of storage units are permitted on the premises.

**Modification.** A request to change a final approval of any development proposal.

**Modular Home.** (See also **Prefabricated Structure**).

**Monopole.** For purposes of siting wireless telecommunications systems facilities, a WTS support structure which consists of a single tapered steel pole and which supports antennas and related equipment for one or more WTS provider.

**National Register of Historic Places.** The official list, established by the National Historic Preservation Act, of sites, districts, buildings, structures and objects significant in the nation's history or whose artistic or architectural value is recognized.

**Native Plants, Native Vegetation.** Plant species that are indigenous to a local area and adaptable to the local climate, soils and hydrology as distinguished from plant species that have been deliberately or accidentally imported or introduced from other areas by humans or human activities.

**Natural Resources.** These include, but are not limited to water and geologic features, significant natural vegetation, wildlife habitats and archaeological and scenic resources as inventoried in the working papers of the Metro Plan.

**Neighboring.** The area in the immediate vicinity of a proposed development that would be materially affected by a proposal.

**Neighborhood Park.** A park, traditionally from 5 acres to 15 acres in size, which provides easily accessible recreation areas serving neighborhood citizens and providing high density active or passive use.

**Noise Attenuating Barrier.** A structural barrier designed and constructed with the primary function of containing sound within a specific use area.

**Noise Sensitive Property.** Real property normally used for sleeping, or normally used for schools, churches, hospitals or public libraries, excluding industrially related residential uses, i.e., night watchman quarters.

**Non-Commercial Agricultural Uses.** The raising of crops, plants or farm animals on property where allowed by this Code for the sole use of the owners or tenants of that property and not for wholesale or retail sale.

**Non-Exempt Tree or Vegetation.** Vegetation that is not exempt from the solar access regulations.

**Notice.** The announcement of a decision of the Director by mail to adjacent property owners/occupants within 300 feet of the subject property indicating the nature of the decision and the method of appeal; the announcement of a public hearing by mail to property owners/occupants within 300 feet of the subject property and advertisement in a newspaper of general circulation in the area, indicating the time, place and nature of the public hearing in compliance with ORS 197.762.

**NPDES.** National Pollutant Discharge Elimination System.

**OAR.** Oregon Administrative Rule.

**Official Zoning Maps.** Maps delineating the boundaries of the various zoning districts within the city limits and the City's urbanizable area that are adopted by ordinance and maintained by the Development Services Department.

**Occupancy, Certificate Of.** A required certificate allowing occupancy of a structure or development area after it has been determined that the requirements of this Code and other applicable Codes have been met. No structure or development area may be occupied without having first received a Certificate of Occupancy.

**Open Space.** Land or water essentially unimproved and set aside, dedicated, designed or reserved for public use or enjoyment, or for the use and enjoyment of owners and occupants of land abutting or neighboring the open space.

**Open Space, Common.** Land normally within or related to a development, not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents of the development and may include recreational and other accessory structures and improvements in accordance with this Code.

**Open Space, Private.** Areas intended for the private use of an individual dwelling unit, normally including patios and landscaped areas; not to include off street parking, maneuvering, loading or delivery areas, and designed for outdoor living and recreation.

**Open Space, Public.** Areas intended for public use, either privately owned and maintained or dedicated to the City, normally including swimming pools, recreation courts, patios, open landscaped areas, and greenbelts with pedestrian, equestrian, and bicycle trails, not to include off street parking or loading areas or driveways, and designed for outdoor living and recreation or the retention of an area in its natural state.

**ORS.** Oregon Revised Statutes.

**Outdoor Storage.** The keeping in an unroofed area of any goods, junk, material, merchandise or vehicles for more than 24 hours.

**Outdoor Storage Area.** A primary use that occurs on property for the purpose of outdoor storage of vehicles, equipment or materials including, but not limited to: vehicle, equipment and boat sales or rental lots; commercial storage lots; mobile/manufactured home, camper and RV sales lots; fleet parking lots; and lumber, gardening, fuel and other similar building material yards.

**Outdoor Storage Yard.** A secondary use that occurs on any property for the purpose of the outdoor storage of associated materials and equipment, other than wrecking yards.

**Outfall.** The point of discharge from a river, pipe, drain or other device to a receiving watercourse.

**Overburden.** The soil, rock and similar materials that lie above natural deposits or minerals.

**Owner.** An individual, firm, association, syndicate, partnership or corporation having proprietary interest to seek development of land.

**Parcel.** This term includes a unit of land created by partitioning land as defined in ORS 92.010 that is in compliance with this Code and in the case of Property Line Adjustments, properties created by deed or land sales contract, if there were no applicable planning, zoning, or partitioning ordinances or regulations. A Parcel does not include a unit of land created solely to establish a separate tax account.

**Parking.** The temporary storage of operational motor vehicles that are not for sale, lease or rent and which are intended to be used for customers and employees of a business and industry or residents and visitors in a residential development.

**Parking Bay.** An extension of the width of a street that allows for the parking of motor vehicles, usually associated with hillside development.

**Parking Lot.** An off-street area with a permanently maintained paved surface, for the parking of motor vehicles.

**Parking Space.** A permanently maintained paved surface with proper access for one standard size or compact automobile.

**Parking Space, Disabled.** A parking space that is reserved for use by disabled persons who hold the appropriate permit issued by the Oregon Department of Motor Vehicles and/or the Springfield Police Department.

**Parking Space, Off-Street.** An approved space for the parking of a motor vehicle which is not located on a dedicated street right-of-way.

**Partition Land.** The division of land into two or three parcels within a calendar year, but does not include:

- A.** A division of land resulting from a lien foreclosure, foreclosure of a recorded contract for the sale of real property or the creation of cemetery lots.
- B.** An adjustment of a property line by the relocation of boundaries where an additional unit of land is not created and where the existing unit of land reduced in size by the adjustment is not in conflict with any applicable ordinance; or
- C.** 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 provided that the road or right-of-way complies with the applicable comprehensive plan and ORS 215.213(2)(q) to (s) and 215.283(2)(q) to (s). However, any property divided by the sale or grant of property for

state highway, county road, city street or other right-of-way purposes shall continue to be considered a single unit of land until the property is further subdivided or partitioned;

- D. The division of land resulting from the recording of a subdivision or condominium plat; or
- E. 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. The property line adjustment shall be approved or disapproved by the applicable local government. If the property line adjustment is approved, it shall be recorded in the deed records of the county where the property is located.

**Partition Plat.** A final map and other writing containing all the descriptions, locations, specifications provisions and information concerning a major or minor partition.

**Party.** The following persons or entities are defined as parties:

- A. The applicant and all owners or contract purchasers of record, as shown in the files in the Lane County Department of Assessment and Taxation, of the property which is the subject of the application.
- B. Any person who makes an appearance and/or submits testimony to the Approval Authority.

**Pedestrian Trail.** A surfaced path that is designed and reserved for the exclusive use of pedestrian travel.

**Pedestrian Way.** A paved right-of-way through a block to facilitate pedestrian access to adjacent streets and properties.

**Permanent Irrigation System.** An approved water piping system installed underground for the purpose of irrigating all portions of landscaped areas.

**Person.** An individual, corporation, governmental agency, business trust, estate, partnership, association, or any other legal entity.

**Petition For Improvement.** A petition submitted for construction and improvements as required by this Code.

**Physical Features.** These features include, but are not limited to significant clusters of trees and shrubs, watercourses shown on the Water Quality Limited Watercourse Map and their riparian areas, wetlands and rock outcroppings.

**Pipeline.** A line of pipe with pumps, valves and control devices for conveying liquid, gasses or finely divided solids.

**Plan District.** A planning tool that addresses concerns unique to an area when other zoning tools cannot achieve the desired results. An area may be unique based on natural, economic or historic attributes; be subject to problems from rapid transition in land use; or contain public facilities that require specific land use regulations for their efficient operation. Plan Districts

provide a means to modify zoning regulations for specific areas defined in special plans or studies. Each Plan District has its own nontransferable regulations. This contrasts with base zone and overlay zone provisions, which are intended to be applicable in more than one area. However, Plan Districts are not intended for small areas or individual properties.

**Planning Commission.** The Springfield Planning Commission.

**Planted.** Landscaping with living plant materials consistent with Section 4.4-100.

**Plat.** A map, containing all the descriptions, locations, specifications, dedications, provisions or other information concerning a subdivision, partition or replat of either.

**Plot Plan.** A rough sketch map of a site plan or land division of sufficient accuracy to be used for the purpose of the identification of issues and development impacts.

**Prefabricated Dwelling.** A building or structural unit that has been in whole or substantial part manufactured at an off-site location to be wholly or partially assembled on-site, but does not include a mobile home, trailer or recreational vehicle. Prefabricated structures are regulated under the State of Oregon Structural Specialty Code.

**Preferred Site.** For purposes of siting wireless telecommunications systems facilities, any land planned and zoned Special Heavy Industrial, Heavy Industrial, Light Medium Industrial, Quarry and Mine Operations or Public Land and Open Space.

**Preliminary Approval.** The approval prior to Final Approval, after specific elements of a development or Site Plan have been approved by the Approval Authority and agreed to by the applicant.

**Preliminary Plan.** A clearly legible drawing of the proposed lay out of the lots/parcels involved in a property line adjustment which shall furnish a basis for the Approval Authority to approve or disapprove the application.

**Primary Structure.** A structure of chief importance or function on a site. In general, the primary use is carried out in a primary structure. However, in the Low Density Residential District (unless specified elsewhere in this Code), a site may have more than one primary structure. The difference between primary and accessory structure is determined by comparing the size, placement, similarity of design, use of common building materials and the orientation of the structures on the site (See also **Accessory Structure** and **Accessory Dwelling Unit**).

**Private Elementary/Middle Schools.** A facility operated by a person or private agency offering education in kindergarten and/or grades 1-8 or any part thereof not as defined in ORS 345.505 et. seq.

**Private Park.** A park available for public use owned by a non-public agency or private individual.

**Properly Functioning Condition.** The state of the physical, chemical, and biological aspects of watershed ecosystems that will sustain healthy salmonid populations. Properly functioning condition generally defines a range of values for several measurable criteria rather than specific, absolute values including, but not limited to hydraulic run-off, transport, channel migration, native vegetation succession.

**Property Line Adjustment.** The relocation of a common property line between two abutting properties.

**Public Facilities Plan.** A Refinement Plan of the Metro Plan addressing sanitary and storm sewers, water distribution systems and transportation. The transportation element is addressed through the TransPlan.

**Public Hearing.** A meeting announced and advertised in advance that is open to the public, with the public given an opportunity to provide testimony.

**Public Utility Facility.** Structures, facilities and equipment necessary to serve development by a government, public utility, utility cooperative, or private company.

- A.** Low Impact: Telephone and cable telephone lines, poles, junction boxes, exchanges and repeater stations; electric power distribution lines (less than 69 KV) and poles; sanitary sewer pipe lines, pumps or lift stations; storm sewer pipe lines, ditches and other storm-water management or water quality ponds, wetland, or swales; gas distribution pipe lines; water pipe lines, valves, well fields, pump stations and attendant facilities; water reservoirs and water storage tanks less than 300,000 gallons or 30 feet in height, and water treatment facilities, including filtration plants, less than 2.5 million gallon capacity per day.
- B.** High Impact: Electric power transmission lines (greater than 69 KV), poles and substations; gas pipe line valve stations; sanitary sewer treatment plants or effluent ponds; water reservoirs and water storage tanks greater than 300,000 gallons or 30 feet in height; water treatment facilities, including filtration plants greater than 2.5 million gallon capacity per day; fire/ambulance stations.

**Public Works Director.** The Director of Public Works or a duly authorized representative. The City Engineer, the Environmental Services Manager and the Transportation Manager routinely serve as representatives of the Public Works Director.

**Quarry and Mining Operator.** Any individual, public or private corporation, political subdivision, agency, board or department of this State, any municipality, partnership, association, firm, trust, estate or any other legal entity whatsoever that is engaged in quarry and extraction operations.

**Quarry and Mining Owner.** The person possessing legal rights to the mineral deposit being mined.

**Quarry and Mining Extraction Operation.** All or any part of the process of removing mineral deposits exposed by any method, including open-pit mining operations, auger mining operations, shaft mining, the construction of borrow pits, processing of extracted minerals and exploration activities. Expansion of a quarry and mining extraction operation is the enlargement of the operation requiring the modification of the Reclamation Permit specified under ORS 517.790. Quarry mining and extraction operation does not include normal road maintenance and stabilization of hillsides.

**Reclamation.** The employment of procedures in a quarry and mining extraction operation designed to minimize as much as practicable the impact the operations have on the environment, and to provide for the rehabilitation of land effected by the operations. Reclamation includes the rehabilitation of plant cover, soil stabilization, water resource protection and other measures appropriate to the subsequent beneficial use of the mined and reclaimed lands.

**Reclamation Permit.** Permission to operate a quarry and mining extraction operation (to include a plan for reclamation) granted to an operator by the State Department of Geology and Mineral Industries under the requirements of ORS 517.790, upon referral, review and approval by the Director.

**Recreation Center, Community.** A public, indoor facility providing for a variety of recreation/leisure-related activities, for example: swimming, meetings, court sports, arts and crafts, dancing, banquets, parties, games, day-care, classes/instruction, performances, fitness/exercise, and social referral services.

**Recreational Vehicle (RV).** A vacation trailer or other unit, with or without motive power, which is designed for human occupancy and to be used temporarily for recreational, seasonal or emergency purposes and has a gross floor space of less than 400 square feet. The term includes camping trailers, camping vehicles, motor homes, park trailers, bus conversions, van conversions, tent trailers, travel trailers, truck campers and any vehicle converted for use or partial use as a recreational vehicle. The unit shall be identified as a recreational vehicle by the manufacturer or converter.

**Redevelopment.** Development that requires demolition or removal of existing structures or impervious surfaces at a site and replacement with new construction. Maintenance activities such as repavement are not considered redevelopment.

**Refinement Plan Diagram.** A map contained in a Refinement Plan showing plan designations that are more specific than shown on the Metro Plan Diagram.

**Regional Headquarters.** A building or portion of a building in which persons are employed in the regional management or direction of a business consisting of a number of divisions or a regional subsidiary of a corporate headquarters. The divisions can be either geographical or located within one building. To be considered a regional headquarters, the business shall meet the applicable employee threshold specified elsewhere in this Code. Businesses that do not meet the applicable employee threshold is considered an administrative office.

**Regional Park.** A large area of natural quality for outdoor recreation for example, swimming, boating, camping and picnicking, and for wildlife habitat and natural resource conservation. Generally comprising 100 acres or more, where 80 percent of the land is reserved for natural open space and 20 percent is used for recreation development.

**Registered Geologist.** A person who is registered as a geologist by the State of Oregon.

**Replat.** The act of platting the 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 in the subdivision.

**Relocation.** A shift or rotation of a common boundary between two abutting lots or parcels.

**Research and Development.** The study, testing, analysis, and development of products, processes, or services, including the manufacturing of products. This use is divided into categories as follows based upon the number of employees at occupancy: large-scale means 50 or more employees; medium-scale means 20-49 employees; small scale means fewer than 20 employees per business. These thresholds are applicable at the time of new development. In the

case of redevelopment, the Director may reduce the at occupancy threshold if the applicant submits a business plan stating that the threshold can be met by a date certain.

**Reserve Strip.** A strip of property, usually one foot wide, controlling access to a street.

**Residential Facility.** A home licensed by or under the authority of the Department of Human Resources under ORS 443.400 to 443.460 which provides residential care alone or in conjunction with treatment or training or a combination thereof for 6 to 15 individuals who need not be related. Staff persons required to meet Department of Human Resources 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 facility. This definition includes the following: residential facilities, residential care facilities, residential treatment facilities and residential training facilities

**Residential Home.** A home licensed by or under the authority of the Department of Human Resources under ORS 443.400 to 443.825 which provides residential care alone or in conjunction with treatment or training or a combination thereof for 5 or fewer individuals who need not be related. Staff persons required to meet Department of Human Resources licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any other resident of the residential home. This definition includes residential treatment homes, residential training homes and adult foster homes.

**Retail Sales.** Establishments engaged in selling goods or services to the general public for personal or household consumption. Retail trade may include wholesale trade, but only as a secondary use.

**Retaining Wall.** An engineered structure constructed to hold back or support an earthen bank.

**Right-of-Way.** Land acquired by purchase, reservation, dedication, forced dedication, prescription or condemnation intended to be occupied by a street, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary/storm sewer and other similar facilities.

**Riparian Area.** A zone of transition from an aquatic to a terrestrial system, dependent upon surface or subsurface water, that reveals through the zones existing or potential soil-vegetation complex the influence of the surface or sub-surface water. A riparian area may be located adjacent to a lake, reservoir, estuary, spring, bog, wet meadow, slough, or ephemeral, intermittent or perennial stream. Riparian areas protected under this Code are limited to those along watercourses shown on the Water Quality Limited Watercourse Map.

**Riparian Area Functions.** These functions include, but are not limited to: maintaining temperature; maintaining channel stability; providing flood storage; providing groundwater recharge; removing sediments; reducing contaminants for example: excess nutrients; oils and grease; metals; and fecal coliform; moderating stormwater flows; and providing fish and wildlife habitat. Degraded riparian function means that one or more of the functions listed above are at risk.

**Roadway.** The portion of a street right-of-way used for vehicular traffic.

**Rooming House.** A building or portion thereof where lodging, but not meals, is provided for more than two weeks for compensation. This definition excludes bed and breakfast facilities.

**Run-Off.** Water that flows across the land surface rather than being absorbed.

**Safe Drinking Water Act (SDWA).** A federal law established in 1974, to protect drinking water and its sources (rivers, lakes, reservoirs, springs and ground water) and sets standards for drinking water quality and oversees the states, localities, and water suppliers who implement those standards.

**Screen.** A visual barrier obscuring an abutting or neighboring structure or use by fencing, walls, berms or densely planted vegetation.

**Service Station.** An establishment selling fuel and oil for vehicles which may include the following additional services: selling, servicing and installing tires, batteries, accessories and related products; furnishing minor repair and service when conducted entirely within an enclosed building, and at which incidental services are conducted. "Minor repair and service", as used in this definition, is understood to exclude activities such as: painting, body-work, steam cleaning, tire recapping and engine overhaul.

**Setback.** An area where buildings and certain structures cannot be constructed, measured from the property line. A setback may be referred to as "front yard", "interior side yard", "street side yard" or rear yard". This definition does not include solar setback.

**Shade Point.** The part of a building or non-exempt tree that casts the longest shadow onto the adjacent northern lots/parcels when the sun is at an altitude of 22.6 degrees and an azimuth ranging from 30 degrees east and west of true south; excluding a shadow caused by a narrow object, including, but not limited to: a mast or whip antenna, a dish antenna with a diameter of three feet or less, a chimney, utility pole, or wire. The height of the shade point is measured from the shade point to either the average elevation at the front lot/parcel line or the elevation at the midpoint of the front lot/parcel line. If the shade point is located at the north end of the ridgeline of a building oriented within 45 degrees of the true north-south line, the shade point computed according to the previous sentence may be reduced by three feet. If a structure has a roof oriented within 45 degrees of the true east-west line with a pitch that is flatter than 5 feet (vertical) in 12 feet (horizontal), the shade point will be the eave of the roof. If the a roof has a pitch that is 5 feet in 12 feet or steeper, the shade point will be the peak of the roof.

**Shadow Pattern.** A graphic representation of an area that would be shaded by the shade point of a building or vegetation when the sun is at an altitude of 22.6 degrees and an azimuth ranging between 30 degrees east and west of true south.

**Shared Use Path.** A bikeway physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right-of-way or within an independent right-of-way. Shared use paths may also be used by pedestrians, skaters, wheelchair users, joggers, and other non-motorized users.

**Shelter Home.** Any dwelling or facility maintained and operated for the boarding and housing of more than 5 abused or battered persons who are not related by blood or marriage to the owner/operator of the dwelling or facility.

**Shopping Center.** A group of commercial establishments planned, developed and managed as a unit with off-street parking and circulation provided on the property.

**Sidewalk.** The portion of a street or highway right-of-way designated for preferential or exclusive use by pedestrians.

**Site Plan.** The development plan for a development area that meets the standards of this Code.

**Slope.** An inclined ground surface, the inclination of which is expressed as percent of horizontal distance to vertical distance.

**Small Engine Repair.** Maintenance and repair of household and non-automotive engines less than 100 cc's.

**Solar Access.** Unobstructed exposure to direct sunlight, excluding limited obstruction as expressly permitted by this Code.

**Solar Access Height Limit.** A series of contour lines establishing the maximum permitted height for non-exempt vegetation on lots/parcels affected by a Solar Access Guarantee.

**Solar Access Guarantee.** A document issued by the city that describes the maximum height that non-exempt vegetation is allowed to grow on lots/parcels to which a solar access permit applies.

**Solar Feature.** A device or combination of devices or elements that does or will use direct sunlight as a source of energy for heating or cooling of a building, heating or pumping of water, and generating electricity. Examples of a solar feature include a window oriented to within 45 degrees east and west of true south, a solar greenhouse, or a solar hot water heater. A solar feature may be used for purposes in addition to collecting solar energy, including, but not limited to: serving as a structural member or part of a roof, wall or window. A south-facing wall enclosing an unheated area, and without windows and without other features that use solar energy is not a solar feature for the purposes of this ordinance (for example, an unheated garage).

**Solar Setback.** The distance from the northern lot/parcel line to the shade point, measured from the mid-point of the northern lot/parcel line and extending in a southerly direction.

**South or South-Facing.** True south or 20 degrees east of magnetic south.

**Springfield Municipal Code.** Springfield Municipal Code, 1997 and any amendment thereto.

**Standard.** A measure of physical attributes and/or policy conformance which shall be satisfied in order to allow a proposed land use or development to be established or modified.

**Standard Construction Specifications.** Standards governing the construction of all public improvements within the City, adopted by the Council, dated 1981, and as may be amended.

**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, for example, 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 on a foundation. Permanent construction does not include land preparation, including clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footing, piers, or foundation, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, for example garages or sheds not occupied as dwelling units or not part of the main structure.

**State.** The State of Oregon.

**Stealth Design.** A variety of techniques used to disguise or mitigate the visual presence of WTS support structures, including, but not limited to screening by mature trees (75 percent or more of pole beneath tree canopy), mimicking common features of the urban landscape (including, but not limited to: light poles, church steeples and trees), painting antennas to match the color of supporting building walls, or roof mounting behind parapets.

**Stormwater.** Water derived from a storm event or conveyed through a storm sewer water management system.

**Storm Water Best Management Practices (BMPs).**

- A.** Nonstructural. Strategies implemented to control stormwater run-off that focus on pollution prevention, including, but not limited to: alternative site design, zoning and ordinances, education and good housekeeping measures.
- B.** Structural. Engineered devices implemented to control, treat or prevent stormwater run-off pollution.

**Stormwater Management System.** The structures, facilities, and practices utilized by the City and/or a development to control and manage the quantity and quality of groundwater discharges and surface water run-off, including stormwater run-off, non-storm generated run-off and floodwaters.

**Street.** Any roadway and associated right-of-way that provides access to one or more lots/parcels and that is a part of the city-wide street system.

**Street, Improved.** A street that includes a fully paved surface, curb, gutter, storm drainage, sidewalk, street trees (where applicable) and street lighting, all constructed to City standards.

**Street, Private.** Any roadway and associated land that is functionally similar to a public street, constructed to City standards, but not dedicated to the City.

**Street, Unimproved.** A street that lacks any of the features of an improved street.

**Strip Commercial.** Commercial development set in a linear pattern along one or both sides of a street.

**Structure.** Anything constructed or built, any edifice or building or any kind or any piece of work artificially built up or composed of parts joined together in some definite manner. As used in Section 3.3-400 Floodplain Overlay District, a walled or roofed building including a gas or liquid storage tank that is principally above ground.

**Subdivide Land.** To divide an area or tract of land into four or more lots when the area or tract of land exists as a unit or contiguous units of land under single ownership at the time of subdivision.

**Subdivision.** Either an act of subdividing land, or an area or tract of land subdivided as defined in this Section.

**Subdivision Plat.** A final map and other writing containing all the descriptions, locations, dedications, provisions and information concerning a subdivision.

**Sunchart.** A photograph, or a scaled drawing prepared or certified by a licensed or certified architect, landscape architect, engineer, planner or utility solar technician, showing the positions of the sun during different hours of the day and months of the year, and the southern skyline. A sunchart uses as coordinates a grid of the sun's altitudes in 10 degree increments and solar azimuths in 15 degree increments.

**Survey.** The location of the legal boundaries of an area and the division of that area into lots or parcels, streets and other features with all necessary corners or dividing lines marked or monumented, prepared by a surveyor in accordance with State law.

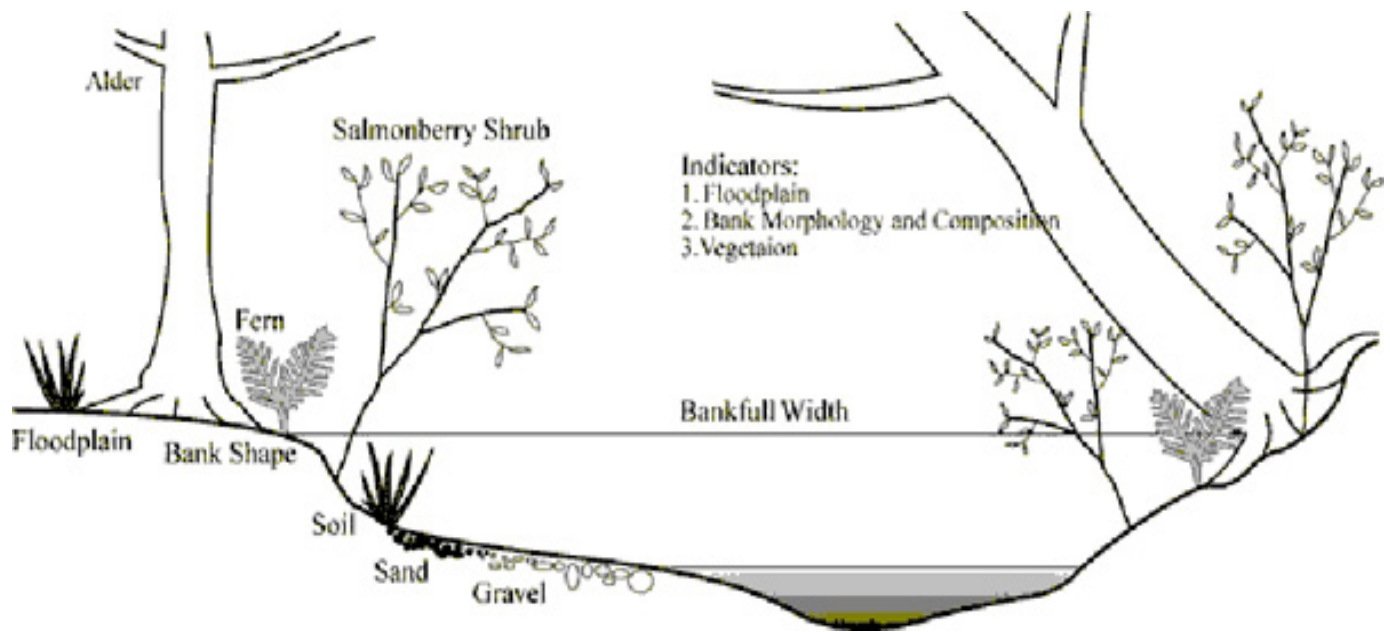
**Surveyor.** A registered professional land surveyor in the State of Oregon.

**Tentative Plan.** A clearly legible drawing of the lots or parcels and other elements of a partition or subdivision which shall furnish a basis for the approval authority to approve or disapprove the general layout of the development.

**Time of Travel Zone (TOTZ).** The area mapped pursuant to Oregon Health Division Delineation Certification #002R which identifies the time it takes ground water to flow to a given well or wellhead.

**Top of Bank.** For a given watercourse, the top of bank is the same as the "bankfull stage". The "bankfull stage" is defined as 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. The ground elevations on both sides of the watercourse are examined and the lower grade break elevation; the elevation where water would leave the channel in a particular reach is used. The elevation of the lower bank controls the bank full elevation for a watercourse reach. The edge of the bankfull watercourse typically corresponds to the start of the floodplain. The start of the floodplain is often characterized by:

- A berm or other break in slope from the watercourse bank to a flat valley bottom, terrace or bench;
- A change in vegetation from bare surfaces or annual water-tolerant species to perennial water-tolerant or upland species; and
- A change in the size distribution of surface sediments (e.g., gravel to fine sand) (Figure 6.1-B).



**Figure 1.** Indicators for determining bankfull width.

In the absence of physical evidence, the 2-year recurrence interval flood elevation may be used to approximate the bankfull stage.

**Traffic Impact Study.** An analysis of the effects of a proposed development on the transportation system, and of traffic impacts on neighboring properties.

**Traffic Study.** A limited analysis of the operational aspects and traffic safety issues of a particular development area, including, but not limited to: on-site traffic circulation and access design and operation.

**Urban Growth Boundary.** A site-specific line that separates urban or urbanizable land from rural land and which appears on the Metro Plan Diagram.

**Urban Land.** Land which is located within an incorporated City.

**Urbanizable Land.** All land outside the City limits but inside the Urban Growth boundary.

**Use.** The purpose for which land and structures are arranged, designed, intended, occupied or maintained. Any activity taking place on land or in or on structures.

**Use Category.** A grouping of land uses which have similar operating characteristics and land use impacts.

**Use, Non-Conforming.** The use of land or structures, or the size, height, location or number of structure, formerly permitted or otherwise lawful, but which currently does not comply with existing standards or provisions of this Code.

**Use, Permitted.** Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.

**Use, Primary.** The principal use approved in accordance with this Code which usually occupies greater than 50 percent of the gross floor area of a building or greater than 50 percent of a development area. Tree removal and timber harvesting are not primary uses within the Urban Growth Boundary.

**Use, Re-Use.** Any change in use, tenancy or occupancy of a building.

**Use, Secondary.** Any approved use of land or a structure which is incidental and subordinate to the primary use, and located on the same development area as the primary use. However, where an employee standard may be permitted for warehousing in the CI District, no secondary use shall occupy more than 50 percent of the gross floor or development area occupied by the primary use. Secondary uses shall not occur in the absence of primary uses.

**Use, Special.** Any use of land or a structure which due to its operating characteristics or land use impact is permitted under prescribed conditions in the applicable zoning district.

**Use, Temporary.** A use established for a fixed period of time that does not involve the construction or alteration of any permanent structure.

**Use, Water Dependent.** A use that requires access to the Willamette River for water-borne transportation, recreation, energy production, or source of water.

**Use, Water Related.** A use that is not directly dependent upon access to the Willamette River, but which clearly benefits from the access.

**Utility Provider.** Any agency or private company which provides the public with electricity, gas, heat, steam, communications, rail transportation, water, sewage collection, or other similar service.

**Variance.** An exception to a requirement of this Code. This definition does not include use variances; a variance cannot be used in lieu of a zone change.

**Vision Clearance Area.** A triangular shaped portion of land established at street intersections in which nothing over 2 1/2 feet is erected, placed, planted or allowed to grow to obstruct the sight distance of motorists entering or leaving the intersection, unless specifically exempted by this Code.

**Warehousing.** The storage of finished and unfinished products and materials within an entirely enclosed building. This use may include facilities for regional wholesale distribution, if permitted by the applicable zoning district.

**Watercourse.** Rivers, streams, sloughs, drainages including intermittent stream and seeps, ponds, lakes, aquifers, wetlands and other waters of the state. This definition also includes any channel in which a flow of water occurs, either continuously or intermittently, and if the latter with some degree of regularity. Watercourses may be either natural or artificial. Specific watercourses that are protected by this Code are those shown on the water quality Limited Watercourse Map.

**Water Quality Limited Watercourses (WQLW).** Those watercourses within the City and its urbanizing area that are specified on the WQLW Map.

**Waters of the State.** These waters include lakes, bays, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Pacific Ocean within the territorial limits of the State of Oregon, and all other bodies of surface or underground waters, natural or artificial, inland or coastal, fresh or salt, public or private (excluding those private waters which do not combine or effect a junction with natural surface or underground waters), which are wholly or potentially within or bordering the state or within its jurisdiction.

**Wellhead Protection.** Implementation of strategies within a wellhead protection area to minimize the potential impact of containment sources on the quality of groundwater used as a drinking water source by a public water system.

**Wellhead Protection Area.** A Drinking Water Protection Area for a groundwater-supplied drinking water source.

**Wellness Center.** A facility, owned by a public agency, operated by a public or non-public agency or private individual or firm, offering wellness-related health services and/or treatment to the public, including but not limited to, diabetes and health education classes, physical, speech and occupational therapy, and fitness and nutrition services, but excluding alcohol and drug rehabilitation facilities other than prevention education.

**Wetlands.** Areas inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances to support, a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions. Wetlands include swamps, marshes, bogs, and similar areas excluding those constructed as water quality or quantity control facilities.

**Wheel Stop.** A permanent and secured device in each parking stall which blocks the front wheels of a vehicle.

**Wholesale Trade.** Establishments or places of business primarily engaged in selling merchandise to retailers; to 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, the individuals or companies. Wholesale trade may include retail trade as a secondary use when wholesale trade is the primary use. Wholesale trade does not include storage and sale of bulk fuel oil, bulk fuel, explosives or other hazardous material, or live animal sales other than small domestic pets when the sales are made from the premises. Wholesale trade by brokerage only, with no display or storage of merchandise on the premises, is considered a Business Office use.

**Windthrow.** Trees felled by wind.

**Wireless Telecommunications Facilities.** The site, structures, equipment and appurtenances used to transmit, receive, distribute, provide or offer wireless telecommunications services. This includes, but is not limited to antennas, poles, towers, cables, wires, conduits, ducts, pedestals, vaults, buildings, electronics and switching equipment.

**Wireless Telecommunications Systems (WTS).** The sending and receiving of radio frequency transmissions and the connection and/or relaying of these signals to land lines and

other sending and receiving stations (cell sites), and including cellular radiotelephone, personal communications services, enhanced/specialized mobile radio, and commercial paging services.

**Wooded Lot/parcel.** A lot/parcel or parcel 10,000 square feet or larger, above 670 feet in elevation, which contains more than 5 trees eight inches or greater dbh.

**Working Day.** Monday through Friday, exclusive of official City holidays.

**Wrecking Yard/Salvage Yard.** Any lot/parcel or structure used for the storage, dismantling or sale of inoperable motor vehicles, trailers, machinery and/or building materials or parts.

**Yard.** (for purposes of establishing building setback)

- A. Front yard:** The first 10 feet of land paralleling street right-of-way used for address purposes.
- B. Side yard:** The first 5 feet of land paralleling property boundaries intersecting the front yard property boundary.
- C. Rear yard:** The first 10 feet of land paralleling the property boundary most distant from and paralleling the front yard property boundary.
- D. Through-lot/parcel rear yard:** The first 10 feet of land paralleling street right-of-way this is parallel to and most distant from the front yard property boundary used for address purposes.
- E. Street side yard:** The first 10 feet of land paralleling street right-of-way, which intersects the front yard property boundary.

**Youth Hostel.** Any building designed or intended to provide temporary accommodations for traveling young people.

**Zoning District.** A specifically delineated area or district within the Urban Growth Boundary that implements the Metro Plan within which the use of land is regulated and development standards are applied.