



**CITY OF LEBANON**  
*It's easier from here.*

**Lebanon Municipal Code Title 16: Development Code**

**Article Seven: Definitions**

**Chapter 16.32: Glossary (Definitions)**

**Table of Contents**

16.32.010 Meaning of Common Words .....	1
16.32.020 Meaning of Specific Words and Terms.....	2
16.32.030 Aviation Related Terminology and Definitions.....	35
16.32.040 Flood Plain Overlay Zone Terminology and Definitions .....	38
16.32.050 Wireless Communications Terminology and Definitions .....	41
16.32.060 Signage Terminology and Definitions.....	42
16.32.070 Historic Preservation Terminology and Definitions.....	45

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CITIZEN SERVICES & DEVELOPMENT CENTER

## **16.32.10 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" unless the context clearly indicates to the contrary.
- J.** Where words are not defined in this Code, the following sources shall be consulted: State statute, and any dictionary of common usage, all of which shall be interpreted by context.
- K.** General definitions are contained in Section 16.32.020.
- L.** Special technical definitions, such as those used by the State department of Aviation or the Federal Emergency Management Agency (FEMA) are found in Sections 16.32.030 to 16.32.070.

## 16.32.020 Meaning of Specific Words and Terms

### A

**ABUT OR ABUTTING:** Contiguous or adjoining for a minimum of ten feet. It shall include the terms adjacent, adjoining and contiguous. For example, two lots with a common property line are considered to be abutting.

**ACCESS EASEMENT:** An easement recorded for the purpose of providing vehicle, bicycle, and/or pedestrian access from a public street to a parcel across intervening property under separate ownership from the parcel being provided access.

**ACCESS MANAGEMENT:** The control of street (or highway) access for the purpose of improving the efficiency, safety and/or operation of the roadway for vehicles; may include prohibiting, closing, or limiting direct vehicle access to a roadway from abutting properties, either with physical barriers (curbs, medians, etc.) or by land dedication or easement.

**ACCESS:** The way or means by which pedestrians, bicycles and motor vehicles enter (ingress) and leave (egress) property.

**ACCESSIBLE:** Approachable and useable by people with disabilities. Complies with the Americans With Disabilities Act.

**ACCESSORY DWELLING:** A complete separate residential unit, including facilities for cooking and sanitation, provided either as a separate structure on the same lot or as part of a primary single-family residence.

**ACCESSORY STRUCTURE OR ACCESSORY USE:** A structure or use incidental, appropriate and subordinate to the main use of property and located on the same lot as the main use. 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.

**ACCESSWAY:** 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. Accessways generally include a walkway and additional land on either side of the walkway, often in the form of an easement or right-of-way, to provide clearance and separation between the walkway and adjacent uses. Accessways through parking lots are generally physically separated from adjacent vehicle parking or parallel vehicle traffic by curbs or similar devices and include landscaping, trees and lighting. Where accessways cross driveways, they are generally raised, paved or marked in a manner that provides convenient access for pedestrians.

**ACKNOWLEDGEMENT:** An LCDC order that certifies that a comprehensive plan and land use regulations, land use regulation or plan or regulation amendment complies with the statewide planning goals.

**ACTIVE SOLAR ENERGY SYSTEM:** A solar energy system that requires external mechanical power to move the collected heat.

**ADEQUACY (OF UTILITY AND INFRASTRUCTURE FACILITIES):** Based on the standards established in the City's adopted Master Facility Plans (e.g., Storm Water and Drainage, Parks, Transportation System Plan).

**ADJACENT:** Abutting or located directly across a street right-of-way. To share a common lot/parcel/property line or zoning boundary that is separated by a street or alley.

**ADJUSTMENT:** A "minor" (Class 1 or 2) "Variance" (see Variance).

**ADMINISTRATIVE:** See Decision (Type of).

**ADULT ENTERTAINMENT (BUSINESS):** A term intended to cover a broad range of activities characterized by live, closed circuit, digital, or reproduced material which has an emphasis on nudity and/or sexual activity. Adult entertainment businesses limit their patrons to persons at least 18 years of age. The term "adult entertainment business" also includes the full range of adult motion picture or video theaters and related businesses, such as adult bookstores, adult theaters, adult massage parlors, adult lotion studios, adult arcades, adult cabarets, adult paraphernalia shops, and other establishments which make up a substantial or significant portion of the establishment's activities or merchandise and constitute a continuing course of conduct of exhibiting specified sexual activities and/or nudity in a manner which appeals to a prurient interest. The term "adult entertainment business" also includes other uses similar to the uses mentioned above, presenting material for patrons to view (live, closed circuit, or reproductions), providing massage or lotion studios for the purpose of fondling or other erotic touching of specified anatomical areas and/or purchase or rent of merchandise which emphasizes nudity and/or specified sexual activity in a manner which appeals to a prurient interest, and limiting entrance to patrons who are over 18 years of age. **Related terms include:** (1) Nudity or Nude: Being devoid of an opaque material covering the human genitals, pubic region, buttocks, and female breasts below a point immediately above the top of the areola and where such opaque material does not simulate the organ covered. (2) Specified Sexual Activities: Real or simulated acts of sexual intercourse, human/animal sexual intercourse, masturbation, sadomasochistic abuse, sodomy or the exhibition of human organs in a stimulated state, or the characterization thereof in a printed or visual form, or fondling or other erotic touching of human genitals, pubic region, buttocks, or female breasts. (3) Substantial or Significant Portion: More than 10 percent of the total cost of the inventory of merchandise for sale in the establishment, whether at wholesale or retail, or more than 10 percent of the establishment's gross sales per month, whether wholesale or retail, or more than 10 percent of a film or video or live performance.

**ADULT FOSTER HOME:** Any family home or facility in which residential care is provided for five or fewer adults who are not related to the provider by blood or marriage. "Residential Care" and "Provider" shall have the meaning for "residential home" provided in State law. All homes must be licensed by the State of Oregon.

**ADVERSE IMPACT:** Negative effect of development that can be measured (e.g., noise, air pollution, vibration, dust, etc.).

**ADVERSE PROJECT IMPACTS:** Adverse project impacts represent nuisance characteristics or effects that might potentially be detrimental to the health, safety, and general welfare of local residents, the neighborhood, the community and natural environment. Adverse project impacts might include, but not be limited to: operating and/or traffic noise, vibration, glare, heat, electromagnetic interference, smoke, waterborne contaminants, airborne particulates, or atmospheric contaminants (e.g., hazardous or toxic levels of airborne substances or chemicals). Determinations may be based on degradation of such measures as service levels, volumes/capacities (e.g., pre- versus post-development runoff rates) in City's adopted Master Plans. (Also see "Negative Impacts.")

**AFFECTED LOCAL GOVERNMENT:** A city, county or metropolitan service district that is directly affected by a proposed transportation facility or improvement.

**AFFORDABLE HOUSING:** Means housing affordable to a percentage of the population earning a specified level of income and spending no more than a certain percent of their income on housing expenses. As defined by the US Housing and Urban Development Department (HUD), a household should pay no more than 30% of its gross monthly income for housing. *Affordable Housing* is housing that requires no more than 30% of the monthly income of a household that has income at or below 80% of the area median. *Affordable Housing* thus means housing (including necessary and essential utilities) for which persons or families pay 30 % or less of their gross income.

**AGRICULTURE:** The cultivation of tree crops, plants, orchards, pasture, flower, berry and bush crops or the keeping, raising or breeding of livestock or poultry.

**ALLEY:** See Streets.

**ALTERATION:** Any change, addition or modification in construction or occupancy.

**ALTERNATIVE MODES:** Alternative methods of travel to the automobile, including public transportation (light rail, bus and other forms of public transportation), bicycles and walking.

**AMBIENT:** Something that surrounds, as in the level of light, dust or noise.

**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.

**ANNEX:** To incorporate a land area into an existing district or municipality, with a resulting change in the boundaries of the annexing jurisdiction.

**ANNEXATION:** The process by which cities extend their municipal services, regulations, voting privileges, and taxing authority to new territory.

**APPEAL:** A request for a review of a final decision by the Planning Official, Planning Commission or City Council in accordance with applicable procedures based on the standards of this Code and State law.

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

**APPROVAL AUTHORITY:** The individual or public body that has jurisdiction for making a determination under the provisions of this Code. (Also see Review Authority.)

**ARTERIAL STREETS:** See Streets.

**ASSISTED LIVING FACILITY (ALF):** A special combination of housing, supportive services, personalized assistance, and health care designed to respond to the individual needs of those who need help with activities of daily living. An ALF is a facility with a central or private kitchen, dining, recreational, and other facilities, with separate bedrooms or living quarters, where the emphasis of the facility remains residential.

**AUTOMOBILE WRECKING YARD:** An area used for the dismantling, and/or wrecking of used motor vehicles, machinery or trailers, or the storage or sale of dismantled, obsolete or wrecked motor vehicles, machinery or trailers, or their parts, or the storage of motor vehicles unable to be moved under the power of the vehicle.

## **B**

**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 and a morning meal provided, and for which compensation of any kind is paid. A Bed and Breakfast Facility is not a hotel, motel, boarding house or rooming house.

**BERM:** A small rise, mound of earth, or hill in a landscape that is intended to deflect sound, buffer or visually screen certain developments, such as parking areas, or separate incompatible areas, or to provide aesthetic enhancement in site design.

**BICYCLE FACILITIES:** A general term denoting improvements and provisions made to accommodate or encourage bicycling, including parking facilities and all bikeways.

**BICYCLE OR BIKE LANE:** A portion of the roadway that had been designated by striping, signing and pavement markings for the preferential or 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 road, street, path or way that in some manner is specifically designated for bicycle travel, regardless of whether such facilities are designated for the exclusive use of bicycles or are to be shared with other transportation modes.

- BLOCK:** A parcel of land or group of lots bounded by intersecting streets, railroad rights of way and/or un-divided acreage.
- BOARDING HOUSE:** A building where lodging and meals are provided for compensation. This definition excludes bed and breakfast facilities
- BOLLARD:** A post of metal, wood or masonry that is used to separate or direct traffic (vehicles, pedestrians and/or bicycles). Bollards are usually decorative, and may contain sidewalk or pathway lighting.
- BOND, PERFORMANCE OR SECURITY:** Collateral security for the performance of a specific action or duty imposed by the City.
- BOULEVARD:** A street with broad open space areas; typically with planted medians.
- BUFFER, URBAN:** An area designed to provide attractive space or distance, obstruct undesirable views, serve as an acoustic barrier, or generally acts to soften or mitigate the effects of one land use on the other.
- BUILDING & CONSTRUCTION CODES:** The current State of Oregon, Building and Construction Codes and Standards, including provisions for Plumbing, Mechanical, and Electrical Specialty Codes and their referenced Standards, as well as other standards contained in the Lebanon Development Code and Lebanon Municipal Code.
- BUILDING:** Any structure used or intended for supporting or sheltering any use or occupancy.
- BUILDING ELEVATION:** A building face, or scaled drawing of the same, from grade to roof ridgeline.
- BUILDING ENVELOPE:** That portion of a lot or parcel in which the placement of 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 land use decision or limited land use decision.
- BUILDING FOOTPRINT:** The outline of a building, as measured around its foundation.
- BUILDING HEIGHT:** As per the International Building Code adopted by the State of Oregon, the height of a building is the vertical distance from grade plane to the average height of the highest roof surface. A grade plane is a reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six feet from the building, between the building and a point six feet from the building.
- BUILDABLE LANDS:** Lands in the Urban Growth Boundary that are capable of supporting new development or redevelopment.
- BUILDING LINE:** A line on a plat or map indicating the limit beyond which buildings or structures may not be erected.
- BUILDING MASS:** The aggregate size of a building, or the total height, width, and depth of all its parts.
- BUILDING, MAXIMUM HEIGHT:** The highest allowable building height (see Building Height).
- BUILDING OFFICIAL:** The person who is responsible for the administration and enforcement of the Building and Construction Codes.
- BUILDING PAD:** A vacant building site on a lot with other building sites.
- BUILDING PERMIT:** Written permission issued by the Building Official that construction may commence in accordance with this Code and the Building Safety Codes.
- BUILDING SCALE:** The dimensional relationship of a building and its component parts to other buildings.
- BUILDABLE AREA OF A LOT:** The area of a lot enclosed within the setback boundaries, exclusive of easements.
- BUILD OUT:** Development of land to its full potential or theoretical capacity as permitted under current or proposed planning or zoning designations.

**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 Code provisions and statutes. For example, the burden of proof is on the applicant to demonstrate that the land use application meets the applicable criteria.

**BUS:** A motor vehicle designed for carrying 15 or more passengers, exclusive of the driver, and used for the transportation of persons.

## **C**

**CALENDAR DAY:** Any day of the year, including official City holidays and weekends.

**CAPACITY:** Maximum holding or service ability, as used for transportation, utilities, parks and other public facilities.

**CAPITAL IMPROVEMENT PROGRAM:** A City adopted schedule showing when permanent City infrastructure and facility improvements such as streets, sewers, water facilities, storm drainage, parks, or buildings will be constructed and how they will be financed. Usually lists projects five budget years in advance and is updated periodically.

**CAPITAL IMPROVEMENTS PROJECTS (IN CITY OF LEBANON):** “Capital Improvements Projects” are City initiated and funded City infrastructure extensions and enhancements, and/or improvements to facilities.

**CARPORT:** A roofed accessory structure providing parking space that is open on 2 or more sides.

**CENTERLINE RADIUS:** The radius of a centerline of a street right-of-way.

**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 an existing permitted to another permitted use in the applicable land use zone.

**CHILD CARE CENTER, FAMILY CHILD CARE:** Facilities that provide care and supervision of minor children for periods of less than 24 hours. “Family child care providers” provide care for not more than 12 children in a home.

**CITY:** The City of Lebanon, Oregon.

**CITY COUNCIL:** The City Council of the City of Lebanon, Oregon.

**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 Codes and ordinances as they relate to public improvements or a duly authorized representative.

**CITY STREET:** Any street located within the City or City and county, except a freeway, state highway, or county highway. Within Lebanon, City streets are those for which the City assumes responsibility for maintenance.

**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.

**CLEAR VISION AREA (VISION CLEARANCE AREA, CORNER VISION):** Normally a triangular-shaped area at an intersection of two streets or a street and a railroad, or alley, or driveway that shall contain no visual obstacles (e.g., trees, plants, fences, walls, structures) that would block vision of intersecting traffic for a safe distance.

**CLINIC:** Single or multiple offices for medical practitioners that 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.

**CLUB:** A facility owned or operated for a social, educational, or recreational purpose, to which membership is required for participation and that is neither operated primarily for profit nor to render a service that is customarily carried on by a business.

**CLUSTER:** A grouping of development. Specifically, the locations of structures on a given site in one area leaving the remainder of the land in open space.

**COLLECTOR STREETS:** See Streets.

**COMMERCIAL USES:** Activities within land areas that are predominantly connected with the sale, rental and distribution of products or performance of services.

**COMMITTED TRANSPORTATION FACILITIES:** Those proposed transportation facilities and improvements that are consistent with the acknowledged Transportation System Plan (TSP) and have approved funding for construction in a public facilities plan or a State transportation plan.

**COMMON AREA:** Land commonly owned to include open space, landscaping or recreation facilities (e.g., land owned by a homeowners association).

**COMMUNITY CENTER:** A facility owned and operated by a governmental agency or a non-profit community organization that is open to any resident of the neighborhood in which the facility is located or to any resident of the City or surrounding area, provided that the primary purpose of the facility is for assembly, and provided further that no permanent or temporary commercial eating or drinking facilities are operated on the premises.

**COMMUNITY PARK:** A park that 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.

**COMPREHENSIVE PLAN MAP:** An acknowledged map that identifies all development opportunity designations or areas within the Urban Growth Boundary. The urban zoning assignments upon annexation correspond with and are identified by the Designated Comprehensive Plan Map districts.

**COMPREHENSIVE PLAN:** A document with general, coordinated text, policies, coordinated land use map and policy statements of the governing body of a local government that interrelates all functional and natural systems and activities relating to the use of lands, including but not limited to sewer and water systems, transportation systems, educational facilities, recreational facilities, and natural resources and air and water quality management programs.

**CONDITIONAL USE:** A Conditional Use is a use of land or a structure that is normally appropriate in the district where it is permitted, but due to the specifics of the use could cause a potential nuisance, health, or safety problem.

**CONDOMINIUMS:** Residential development utilizing zero lot lines, individual ownership of units and common ownership of open space and other facilities, and that are regulated in part, by state law.

**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.

**CONNECTIVITY:** The degree to which the transportation facilities for vehicles, bicycles, and pedestrians in a given area are interconnected.

**CONSERVATION EASEMENT:** An easement that limits or prohibits development in a specific area in order to protect identified special features and natural areas, such as wetlands, woodlands, significant trees, floodplains, wildlife habitat, and similar resources.

**CONTIGUOUS:** See abutting.

**CONVENIENCE STORE:** A small retail establishment, usually located within or associated with another use, that offers for sale convenience goods, such as prepackaged food items, tobacco, periodicals, and other household goods. A convenience store generally has less than 5,000 square feet of gross floor area. Such stores may have on-site service of food or drink for immediate consumption, carry for sale general food items as well as medicines, cosmetics, and limited beer and wine items. Hours of operation of such stores may also be extended over other types of food stores.

**CORNER RADIUS:** The radius of a street corner, as measured around the curb or edge of pavement.

**CORNICE:** The projecting horizontal element that tops a wall or flat roof.



**COTTAGE:** A small house that may be used as an accessory dwelling, or part of a cluster of similar sized homes.

**COURTYARD:** A court or enclosure adjacent to a building, that usually provides amenities such as gardens, planters, seating, or art.

**CRITERIA (PLURAL)/CRITERION (SINGULAR):** A standard or standards on which a judgment or decision regarding a land use application (for example) may be based. Such Criteria may also be referred to as Decision Criteria. Approval or denial of a land use application will include a brief statement (Findings) that explains the criteria considered relevant to the decision, states the facts relied upon in rendering the decision and explains the justification for the decision based on the criteria, standards and facts set forth. Also see Standards.

**CUL-DE-SAC:** A short local street that has one end open to traffic and is terminated by a vehicle turn around, the cul-de-sac bulb.

**CURB CUT:** The opening along the curb line (e.g., driveway opening) at which point vehicles may enter and/or leave the public street.

**CURB:** The raised concrete border along the edge of a roadway or paved area.

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

## **D**

**DANCE HALL:** Any place of business whose primary function is dancing.

**DAY CARE CENTER:** A facility in which there are 13 or more children in which the operator of the Center may or may not reside at the residence.

**DAY CARE, GROUP HOME:** A facility in which there are 6 but no more than 12 children in which the operator of the Home resides at the residence

**DAY CARE, HOME:** A facility in which there are no more than 5 children in which the operator of the Home resides at the residence.

**DAY 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.

**DAY NURSERY:** Any institution, establishment or place, including nursery schools or private kindergartens, in which are commonly received at one time for less than 24 hours per day, 6 or more non-resident children under the age 6 years for the purpose of being given care, supervision or training apart from a parent or legal guardian.

**dB (DECIBEL):** A sound measurement unit used to express the relative intensity of a sound.

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

**DE NOVO:** A hearing where new issues and evidence may be provided, distinguished from a hearing based solely on an existing record.

**DECISION CRITERIA:** See Criteria.

**DECISIONS, TYPES OF:**

- (1) **ADMINISTRATIVE:** A discretionary action or permit decision made without a public hearing, but requiring public notification and an opportunity for appeal. Includes limited land use decisions.
- (2) **DISCRETIONARY DECISION:** An action taken by a governmental agency that calls for the exercise of judgment in deciding whether to approve and/or how to carry out a project.
- (3) **LAND USE DECISION:**
  - (a) Includes: A final decision or determination made by a local government or special district that concerns the adoption, amendment or application of: (i) The statewide land use planning goals; (ii) A comprehensive plan provision; or (iii) A land use regulation.

(b) Does **not** include a City decision: (i) Made under land use standards that do not require interpretation or the exercise of policy or legal judgment; (ii) approves or denies a building permit according to clear and objective land use standards; (iii) Is a limited land use decision; or (iv) determines final engineering design, construction, operation, maintenance, repair or preservation of a transportation facility that is otherwise authorized by and consistent with the comprehensive plan and land use regulations; or (v) a decision by a school district to close a school.

(4) **LEGISLATIVE DECISION:** A decision made by City elected officials based on policy considerations and the official's perception of the best course of action. No evidence must be present in the record to support the decision and specific findings of fact based on the record are not required. Legislative decisions typically occur when the City is adopting an ordinance or resolution, or establishing a basic principle or policies, such as during adoption of a comprehensive plan.

(5) **LIMITED LAND USE DECISION:** A final decision or determination made by the City pertaining to a site within the urban growth boundary that concerns: (a) the approval or denial of a subdivision or partition, or (b) the approval or denial of an application based on discretionary standards designed to regulate the physical characteristics of a use permitted outright, including but not limited to site review and design review.

(6) **MINISTERIAL DECISION:** A routine governmental action or decision that involves little or no discretion. Ministerial decisions are not land use decisions.

(7) **QUASI-JUDICIAL DECISION:** A decision by the Planning Commission or City Council that requires notice and a public hearing and requires the City to apply specific criteria in the development code and the comprehensive plan to a land use application. A quasi-judicial decision must be based on substantial evidence in the record.

**DEDICATION:** The turning over by an owner or developer of an interest in private real property for public use, and the acceptance of land for such use by the governmental agency having jurisdiction over the public function for which it will be used.

**DEMAND MANAGEMENT (TRANSPORTATION):** Actions that are designed to change travel behavior in order to improve performance of transportation facilities and to reduce need for additional road capacity. Methods may include but are not limited to the use of alternative modes, ride-sharing and vanpool programs, and trip-reduction ordinances.

**DENSITY BONUS:** The allocation of development rights that allow a parcel to accommodate additional square footage or additional residential units beyond the maximum for which the parcel is planned or zoned.

**DENSITY(IES):** A measurement of the number of dwelling units in relationship to a specified amount of land. As used in this Code, density does not include land devoted to street right-of-way.

**DENSITY, GROSS:** Refers to the number of dwelling units for each acre of land, including areas devoted to streets, parks, sidewalks, and other public rights-of-way.

**DENSITY, NET:** The number of dwelling units per buildable area of land, excluding land used for public improvements.

**DEVELOP:** To bring about growth or availability; to construct or alter a structure, to conduct a mining operation, to make a physical change in the use or the appearance of land, to divide land into parcels, or to create or terminate rights to access.

**DEVELOPABLE:** Buildable land, as identified by the City's Comprehensive Plan. Includes both vacant land and land likely to be redeveloped.

**DEVELOPMENT AREA:** The area subject to any application required by this Code.

**DEVELOPMENT (ACTIVITY):** The act, process or result of developing. Development includes such actions as the division of land, the installation of sewer and water lines, the construction of sidewalks and streets, the cutting of trees, the building of structures.

- DEVELOPMENT, PHASED:** A development project that is developed incrementally, each phase capable of functioning independently of the others.
- DEVELOPMENT (RESULTS):** All improvements on a site, including buildings, other structures, parking and loading areas, landscaping, paved or graveled areas, grading, and areas devoted to exterior display, storage, or activities. Development includes improved open areas such as plazas and walkways, but does not include natural geologic forms or landscapes.
- DEVELOPMENT REVIEW TEAM (DRT):** City staff (and other participating agency staff, e.g., Lebanon Fire District), representing each affected division and department of the City, and affected agencies that meet on a regular basis to review land use requests and development proposals.
- DISCRETIONARY:** Describes a permit action or decision that involves the use of judgment or discretion.
- DOWNTOWN:** An area of the City that includes the Central Business Commercial District, south of Rose Street, north of Oak Street, primarily east of or adjacent to 4<sup>th</sup> Street, and primarily west of or adjacent to Park Street.
- DRAINAGEWAY (or OPEN CHANNEL WATERWAYS or WATERWAY):** The bed and banks of a waterway used to discharge surface waters from a given area. It also includes adjacent areas necessary to preserve and maintain the drainage function. A drainageway may be a natural or constructed watercourse that 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 that convey significant seasonal concentrations of water over the surface of the land.
- DRIPLINE:** A roughly circular land area measured beneath a tree or shrub. 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 (canopy or leaf and branch spread).
- DRIVE LANE/TRAVEL LANE:** An improved (e.g., paved) driving surface for one-line of vehicles.
- DRIVEWAY:** Areas that provide vehicular access to a site, except for public and private streets.
- DRIVEWAY APRON/APPROACH:** The edge of a driveway where it abuts a public way; usually constructed of concrete.
- 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:** An access for vehicles.
- DROP-OFF SPACE:** A paved, clearly marked short-term (less than 20 minutes) parking space, generally within 50 feet of a main entrance, separated from required parking for staff and long-term visitors.
- DROUGHT-TOLERANT/DROUGHT-RESISTANT PLANTS:** In general, these plants have leaves which are small, thick, glossy, silver-grey or fuzzy - all characteristics that help them save water.
- DSL:** Department of State Lands.
- DUPLEX:** Two attached dwelling units on one Lot or Parcel. Dwelling units may be attached or stacked.
- DWELLING:** Any room or group of rooms located in a residential building forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking, eating and sanitation of one family, not including motel or hotel units. The installation of an additional gas, electric or water meter or separate sewer service is evidence of establishment of an additional dwelling unit. Except for manufactured dwellings as defined in ORS 446.003, all dwelling units shall be constructed to conform to the Oregon Structural Specialty Code, the Low-Rise Residential Dwelling Code, or the Small Home Specialty Code.
- DWELLING, ACCESSORY:** A complete separate residential unit, including facilities for cooking and sanitation, provided either as separate structure on the same lot or as part of a primary single-family residence. The dwelling may be interior, attached or detached residential structure that is used in connection with, or that is accessory to, a single-family dwelling.
- DWELLING, CONDOMINIUM:** A type of residential development offering individual ownership of dwellings and common ownership of open spaces and other facilities.

**DWELLING, MULTI-FAMILY:** A building or portion thereof designed for occupancy by 3 or more families living independently of each other, with the number of families in residence not exceeding the number of dwelling units provided.

**DWELLING, PRIMARY:** A single-family dwelling on a Lot or Parcel, which is identified as the primary residence to base size requirements for accessory dwelling units.

**DWELLING, SINGLE-FAMILY (ATTACHED):** A single-family dwelling on its own Lot or Parcel, attached by a common wall to another single-family dwelling on another Lot or Parcel.

**DWELLING, SINGLE-FAMILY (DETACHED):** A detached building, or manufactured dwelling, other than a mobile home or trailer house, designed for and occupied by not more than one family, that is not attached to any other dwelling and is surrounded by open space and yards, and is the only primary dwelling unit on the Lot or Parcel, or a part of a Cottage Cluster.

**DWELLING UNIT:** A living facility (one or more habitable rooms) that includes provisions for sleeping, eating, cooking and sanitation, as required by the Uniform Building Code, for not more than one family, or a congregate residence for 10 or less persons

## **E**

**EASEMENT:** A right to use a specific area of real property for a particular use that is granted by the owner of the property to the public or to specific persons, firms, and corporations.

**EFFICIENT:** Urban land management and/or development activities that can be supported or accommodated by the land base and existing, and/or proposed facility and services currently or planned to serve the site.

**EFFLUENT:** Any waste discharge (air, water, sewage) resulting from industrial processing and or treatment.

**ELEVATION (OF A BUILDING):** A building face, or scaled drawing of the same, from grade to roof ridgeline.

**ELEVATION:** The term is based on context and is either: **(1)** A vertical distance above or below a fixed reference level; or **(2)** 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 displaced persons due to a natural disaster or other reason on a short term basis.

**ENERGY EFFICIENCY:** Achieving the desired result (i.e., utilization of energy) with a minimum of effort, expense or waste.

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

**ENVIRONMENTALLY SENSITIVE AREAS:** See "Sensitive Lands".

**ESTABLISHED RESIDENTIAL AREA:** An area within a residential zone that was platted prior to the effective date of this Code.

**EVIDENCE:** Application materials, plans, data, testimony and other factual information used to demonstrate compliance or non-compliance with a Code standard or criterion.

**EX PARTE, CONTACT OR COMMUNICATION:** A communication made to the decision maker 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.

**EXCAVATION:** The mechanical removal of earth material.

**EXTENSION OR PROJECTION, (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).

**EXTENSION, FLOOR AREA:** An increase in the amount of floor area within an existing building.

**EYE-LEVEL:** A height of six feet above ground level.

## **F**

**FAMILY:** (1) Two or more persons related by birth, marriage or adoption. (2) Two or more persons related by blood, legal adoption, guardianship or marriage living together; or (3) Except as may be 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.

**FAMILY DAY CARE:** See "Child Care Center".

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

**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. Felling does not include normal trimming, pruning or topping of trees.

**FEMA:** Federal Emergency Management Agency.

**FENCE:** An accessory structure that serves as an enclosure, barrier or screen that is not part of a building.

**FENCE, SIGHT-OBSCURING:** A fence that substantially screens an area or object including but not limited to solid wood or metal fences or wood slatted cyclone fences. Such a fence may be a continuous fence, wall, evergreen planting or combination thereof, constructed and/or planted so as to effectively screen the particular use from view.

**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 that will contain information necessary to comply with this Code and requirements resulting from review of the Preliminary Plan.

**FINAL SITE PLAN:** The site plan to which all construction improvements must conform.

**FINAL SURVEY:** The recorded survey of a property line adjustment that contains information necessary to comply with this Code and any conditions of approval resulting from review of the Preliminary Survey.

**FINDING:** A statement of fact or a conclusion reached after the examination or investigation of the facts.

**FINDINGS (IN A STAFF REPORT OR NOTICE OF DECISION):** 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 Review Authority in support of a decision.

**FLAG LOT:** A lot or parcel that has access to a road, street or easement, by means of a narrow strip of lot or easement (often referred to as the "flag pole" or "pan handle").

**FLOOR AREA:** The area included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts and courts. The floor area of a building or portion thereof, not provided with surrounding exterior walls, shall be the useable area under the vertical projection of the roof or floor above.

**FORESTRY:** The cutting and storing of forest products, the operation of portable sawmills and planers, the production of maple syrup and sugar. Any commercial activity relating to the growing and harvesting of forest tree species. The use of land for the raising and harvesting of timber, pulp woods, and other forestry products for commercial purposes, including the temporary operation of a sawmill and/or chipper to process the timber cut from that parcel or contiguous parcels. Excluded from this definition is the cutting of timber associated with land development approved by the City.

**Related terms:** (1) **Timber** -- Any wood for which any useful articles may be made or that may be used to the advantage in any class of manufacture or construction. Trees of any species maintained for eventual harvest for forest product purposes, whether planted or of a natural growth, standing or down, on privately or publicly owned land, including Christmas trees but excluding nursery stock. (2) **Timber Growing** -- The growing of trees for the production of timber. (3) **Timber Harvesting** -- The cutting and removal of trees from their growing site, and the attendant operation of cutting and skidding machinery but not the construction or creation of roads. Timber harvesting does not include the clearing of land for construction approved under this Code. The commercial cutting of timber.

**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.

**FRONTAGE STREET OR ROAD:** A minor street that parallels an arterial street in order to provide access to abutting properties and minimize direct access onto the arterial.

**FRONTAGE:** The dimension of a property line abutting a public or private street.

**FUNCTIONAL CLASSIFICATION:** The classification given to streets in the Lebanon Transportation System Plan (TSP) and Comprehensive Plan.

**FUTURE DEVELOPMENT PLAN:** A line drawing (that may be required for some land development or division proposals, or building permits in the City's UGB) that include the following information: the location of future right-of-way dedications based on the TSP and/or CIP, the local street plan or block length and lot size standards of the SDC; a re-division plan at minimum urban density based on the existing zone designation of the property for any lot 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.

## **G**

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

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

**GEOTECHNICAL EXPERT:** A civil engineering geologist or a geotechnical engineer certified by the state of Oregon.

**GOAL (STATEWIDE PLANNING):** The mandatory state-wide planning standards adopted by LCDDC pursuant to ORS Chapters 195, 196 and 197. A general, long term aim or end toward that programs or activities are ultimately directed.

**GRADE (GROUND LEVEL):** The average elevation of the finished ground level at the centers of all walls of a building, except that if a wall is parallel to and within 5 feet of a sidewalk, the sidewalk elevation nearest the center of the wall shall constitute the ground level.

**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 shall be measured at the elevation of the sidewalk, alley or public way.

**GRADE, FINISHED:** The elevation of the surface of excavation or fill placement.

**GRADE:** The degree of rise or descent of a sloping surface.

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

**GROCERY STORE:** Stores where most of the floor area is devoted to the sale of food products for home preparation and consumption, and typically also offer other home care and personal care products. Groceries are substantially larger and carry a broader range of merchandise than convenience stores. A grocery store occupies at least 5,000 square feet but not more than 25,000 square feet of gross floor area.

**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; such as: mechanical equipment spaces and shafts; elevators; stairways; escalators and ramps; public restrooms; and enclosed loading docks or ramps.

**GROUND COVER:** A plant material or non-plant material (e.g., mulch, bark chips/dust) that is used to cover bare ground.

**GROUNDWATER:** Water under the earth's surface, often confined to aquifers, capable of supplying wells and springs.

**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.

## **H**

**HABITAT:** Any area where there is naturally occurring food and cover for wildlife.

**HAMMERHEAD TURNAROUND:** A "T" or "L" shaped dead-end street that allows for vehicles to turn around.

**HARDSCAPE:** Non-plant landscape materials, including pathways, decorative pavers, benches, drinking fountains, arbors, pergolas, playgrounds, plazas, and similar amenities.

**HARDSHIP:** See adverse project impacts.

**HAZARDOUS MATERIALS:** (1) Materials described as hazardous by Oregon Department of Environmental Quality. (2) Any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. The term includes, but is not limited to, hazardous substances and hazardous wastes. Also see adopted Fire Code.

**HAZARDOUS WASTE:** Consistent with the Federal Resource Conservation and Recovery Act, a waste or a combination of wastes, that 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 that are point sources subject to permits under the Federal Water Pollution Control Act of 1967 as amended.

**HEARINGS AUTHORITY (OR BODY):** Either the Planning Commission or City Council as applicable for the given land use action.

**HOME OCCUPATION:** A lawful occupation carried on in a dwelling by a resident of the dwelling, where the occupation is secondary to the main use of the property as a residence. Generally Home Occupations are small commercial ventures that could not necessarily be sustained if it were necessary to lease commercial quarters or that, by the nature of the venture, are appropriate in scale and impact to be operated within a residence.

**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 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.

**HOSPITAL:** An institution devoted primarily to the provision of healing, curing and nursing care that 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.

**HUMAN-SCALE DESIGN/DEVELOPMENT:** Site and building design elements that are dimensionally related to pedestrians, such as: small building spaces with individual entrances (e.g., as is typical of downtowns and main street developments); larger buildings that have articulation and detailing to break up large masses; narrower streets with tree canopies; smaller parking areas or parking areas broken up into small components with landscaping; and pedestrian amenities, such as sidewalks, plazas, outdoor seating, lighting, weather protection (e.g., awnings or canopies), and similar features. These features are all generally smaller in scale than those that are primarily intended to accommodate automobile traffic.

## I

**IMPACTS, SIGNIFICANT, SUBSTANTIAL, OR MAJOR:** **(1) Transportation Impacts:** According to the State's Transportation Planning Rule (TPR), an impact to a transportation facility is deemed *significant* (or *substantial* or *major*) if the level of the service of the facility is degraded in a measurable manner (e.g., for a traffic facility an adverse change in LOS or V/C ratio). **(2) General Land Use Impacts:** The impacts of a development may be said to be *significant* (or *substantial* or *major*) impacts if more than the immediate neighborhood is affected. **(3) Impacts to Systems (e.g., Public Utilities):** An impact to a system is deemed *significant* (or *substantial* or *major*) if it is reasonably determined to result in the need for system improvement, the cost of which will significantly exceed the sum of the development impact fees to be generated from the project of the sum agreed to be paid pursuant to a development agreement, or result in the need for system improvements that are not identified in the Capital Improvements Plan.

**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 between a property owner and the City in which the City agrees to defer the construction of public improvements required for the development in return for specific commitments from the owner.

**INCIDENTAL AND SUBORDINATE TO:** A use or portion of a development that is secondary to, and less apparent, than the primary use or other portion of 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:** Increased impacts include 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.

**INFILL:** The use of vacant or under-developed parcels of land within existing developed residential areas.

**INVASIVE PLANTS:** Non-native plants that spread quickly, are highly competitive and difficult to control or eliminate. Invasive plants are listed in Chapter 8.13 of the Lebanon Municipal Code.

## J

**JOINT USE (OR SHARED) ACCESS AGREEMENT:** A agreement between two or more property owners that describes the rights and responsibilities of each owner regarding the use of a shared access to a public street.

**JUNK YARD:** An area where a person is engaged in breaking up, dismantling, sorting, storing, distributing, buying, selling, packing or bailing any scrap, waste material, junk or used equipment or machinery of any nature.



## **K**

**KENNEL:** Any premises on which 3 or more dogs over the age of 6 months are housed, groomed, boarded, trained or sold for compensation.

## **L**

**LAND DIVISION:** The process of dividing land to create parcels or lots.

**LAND USE:** The main activity that occurs on a piece of land, or the structure in which the activity occurs (e.g., residential, commercial, mixed use, industrial, open space, recreation, street rights-of-way, vacant, etc.).

**LAND USE DECISION:** See Decisions (Type of).

**LAND USE REGULATION:** A local development code (or zoning ordinance or regulation, or land division ordinance) that establishes standards (regulations) for implementing the comprehensive plan.

**LANDSCAPE ARCHITECT:** A person registered with the State of Oregon to practice Landscape Architecture.

**LANDSCAPING:** Any combination of living plants such as trees, shrubs, plants, vegetative ground cover or turf grasses, and may include structural features such as walkways, fences, benches, plazas, works of art, reflective pools, fountains or the like. Landscaping also includes irrigation systems, mulches, topsoil, and revegetation or the preservation, protection and replacement of existing trees.

**LANE, MID-BLOCK LANE:** A narrow, limited use roadway facility usually used to access a limited number of dwelling units. Similar to an alley in design.

**LATERALS:** The sewer lines that connect users to sewer mains.

**LEGISLATIVE:** See Decisions (Type of).

**LEVEL OF SERVICE (LOS):** A Measure of Transportation Carrying Capacity-- An indicator of the extent or degree of service provided by or proposed to be provided by a facility based on and related to the operational characteristics of the facility See "**Volume to Capacity Ratio (v/c)**" for the current standard used in Oregon to measure a street's carrying capacity.

**LIMITED LAND USE DECISION:** See Decisions (Type of).

**LIVESTOCK:** Domestic animal types customarily raised or kept on farms.

**LOADING SPACE:** An off street space or berth serving a development area for the temporary parking of commercial vehicles while loading or unloading, that does not block driveway aisles and has appropriate means of ingress and egress.

**LOCAL IMPROVEMENT DISTRICT (LID):** A district formed for the purpose of carrying out local improvements (paving of streets, construction of storm sewers, development of a park, etc.).

**LOCAL STREET:** See Streets.

**LOS:** See Level of Service.

**LOT:** A unit of land that is created by subdivision.

**LOT AREA:** The total surface area (measured horizontally) within the lot lines of a lot exclusive of public and private streets and easements of access to other property.

**LOT, CORNER:** A lot at least two adjacent sides of which abut streets other than alleys, provided the angle of intersection of the adjacent streets does not exceed 135 degrees.

**LOT COVERAGE:** The area of a lot covered by a building or buildings expressed as a percentage of the total lot area.

**LOT DEPTH:** The distance from the midpoint of the front lot line to the midpoint of the rear lot line.

**LOT FRONTAGE:** That portion of a lot that abuts a street. For the purpose of determining yard requirements, all sides of a lot abutting a street shall be considered frontage.

**LOT, INTERIOR:** A lot other than a corner lot and having frontage on only one street.

**LOT, MINIMUM AREA OF:** The smallest lot area on which a use or structure may be located in a particular district.

**LOT LINE:** A line of record bounding a lot that divides one lot from another or from a public or private street or any other public space.

**LOT LINE, FRONT:** The lot line separating the lot from a street other than an alley, and in the case of a corner lot. Either lot line may be designated as the front lot line.

**LOT LINE, REAR:** The lot line that is opposite and most distant from the front lot line. For a triangular shaped lot, the "rear lot line" shall be a line 10 feet in length entirely within the lot, connecting the side lot lines, that is parallel to the front lot line or parallel to the chord of a curved front lot line.

**LOT LINE, SIDE:** Any lot line not a front or rear lot line.

**LOT, PAN PORTION:** The portion of a panhandle lot, exclusive of the panhandle, on which a structure may be placed.

**LOT, PANHANDLE:** A lot that has access to a public right of way by means of a narrow strip of land, commonly known as the "panhandle".

**LOT, THROUGH:** A lot with frontage on 2 streets that are approximately parallel and do not intersect at the boundaries of the lot.

**LOT WIDTH:** The average horizontal distance between the midpoints of side lot lines, ordinarily measured parallel to the front lot line. The "handle" of a panhandle lot is not included when computing lot 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 such enclosure is not built to render the structure in violation of the applicable non-elevation design requirements.

## **M**

**MAIN/PRIMARY ENTRY/ENTRANCE:** A main entrance is the entrance, or entrances, to a building that most pedestrians are expected to use. Generally, smaller buildings have one main entrance. Main entrances may also be the widest entrance of those provided for use by pedestrians. In multi-tenant buildings, main entrances open directly into the building's lobby or principal interior ground level circulation space. When a multi-tenant building does not have a lobby or common interior circulation space, each tenant's outside entrance is a main entrance. Buildings may also have main entrances opening directly into a reception or sales areas, a courtyard, or plaza.

**MAJOR: See IMPACTS.**

**MAJOR ELECTRICAL TRANSMISSION LINE:** An electrical transmission line that carries 115 KV or more of electricity.

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

**MANEUVERING AREA/AISLE:** The driving area in a parking lot where motor vehicles are able to turn around and access parking spaces.

**MANUFACTURED DWELLING:** Includes residential trailers, mobile homes, and manufactured homes. **(1)** Residential Trailer: a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, is being used for residential purposes and was constructed before January 1, 1962. **(2)** Mobile Home: a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy that is being used for residential purposes and 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. **(3)** Manufactured Home: a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy that is being used for residential purposes and was constructed on or after June 15, 1976 in accordance with federal safety standards regulations in effect at the time of construction.

- 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 that 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 such as roadways and guest parking.
- MANUFACTURED DWELLING SPACE LINE:** A line within a manufactured dwelling park that establishes setback distances from streets, accessory buildings or structures and other manufactured dwellings.
- MANUFACTURED HOME CONSTRUCTION STANDARDS:** A single-family dwelling or structure with a Department of Housing and Urban Development (HUD) label certifying that the structure is constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 (current as most recent amendments) [State Law].
- MANUFACTURED HOME PARK:** A place where four or more manufactured dwellings are located within 500 feet of one another on a lot, tract or parcel of land 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 such person. "Manufactured dwelling park" does not include a lot or lots 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 the City.
- MIDDLE HOUSING:** Means a duplex.
- 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.
- MINISTERIAL:** See Decisions (Type of).
- 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 and limited solely to the storage of a customer's goods or wares.
- MITIGATION:** To avoid, rectify, repair, or compensate for negative impacts that result from other actions, such as land use development. To moderate (a quality or condition, such as adverse project impacts)) in force or intensity; or alleviate. To lessen the seriousness, severity or extent of a negative situation or condition, or to lessen or minimize the severity of hazardous conditions.
- MIXED-USE DEVELOPMENT:** Mixed use is the co-location of various types of uses within a single building, complex or site. For example, Mixed Use Development may include residential with commercial, or with public or institutional uses, or multi-family with single family dwellings. Mixed Use Development may be "vertical" (e.g., housing above ground floor commercial), and/or "horizontal" (housing in one or more buildings, and commercial or other uses in other buildings on a site, or multi-family dwellings and single family dwellings on a site), or both vertical and horizontal mixed use on a mixed use site.
- 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.
- MOBILE HOME PARK:** A lot upon which 2 or more mobile homes or trailer houses occupied for living or sleeping purposes are located, regardless of whether a charge is made for such accommodation. "Mobile home park" does not include a lot or lots 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 the City
- MODIFICATION:** (1) A request to change a final approval of any development proposal. (2) An adjustment to any quantitative standard of this Code.

**MOVIE THEATER, THEATER:** A structure or part of a structure devoted to showing motion pictures; or, for dramatic, dance, musical, or other live performances. The facility may include one or more auditoriums, a lobby and may serve refreshments, including meals.

**MULTI-FAMILY HOUSING:** Multi-family housing means housing that provides more than 3 dwellings on an individual lot (e.g., multi-plexes, apartments, condominiums, etc.).

**MULTI-MODAL:** Transportation facilities or programs designed to serve many or all methods of travel, including all forms of motor vehicles, public transportation, bicycles and walking.

## **N**

**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 HAZARDS:** Natural hazards include floods, landslides, earthquakes, winter storms, high velocity wind storms, wildland fires. Natural hazards pose risks or threats to people and the built environment.

**NATURAL HAZARDS AREAS:** Natural hazard areas include but are not limited to steep slopes, areas with unstable soils, areas prone to landslides, and flood areas.

**NATURAL RESOURCE AREAS/NATURAL RESOURCES:** See Sensitive Lands.

**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.

**NEEDED HOUSING:** Housing types determined to meet the need shown for housing within an urban growth boundary at particular price ranges and rent levels. "Needed housing" also means: **(a)** Housing that includes, but is not limited to, attached and detached single-family housing and multiple housing for both owner and renter occupancy; **(b)** Government assisted housing; **(c)** Mobile home or manufactured dwelling parks; and **(d)** Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated dwelling subdivisions.

**NEGATIVE IMPACTS (ON PUBLIC UTILITIES AND INFRASTRUCTURE):** Determinations are based on degradation (e.g., pre- versus post-development rates/conditions) of such measures as service levels, volumes/capacities in the City's adopted Master Plans. Negative Impacts may include threats to the health, welfare, and safety of a neighborhood and/or the community as a whole. (Also see Adverse Project Impacts.)

**NEIGHBORHOOD:** **(1)** A geographic area lived in by neighbors and usually having distinguishing character. **(2)** An area made up of one or more subdivisions or housing developments with geographic features or manmade features such as major roads or rail lines that provide distinctive boundaries to the area.

**NEIGHBORHOOD COLLECTOR (STREET):** See Streets.

**NEIGHBORHOOD COMMERCIAL:** Small neighborhood shopping clusters that serve the frequent recurring needs for residents; typical uses might include a grocery store, delicatessen, meat market or bakery, barber shop and beauty shop, drug, sundry, hobby and gift store, laundromat, coffee shop.

**NEIGHBORHOOD PARK:** A park that provides easily accessible recreation areas serving neighborhood citizens and providing high density active or passive use.

**NEIGHBORHOOD-SCALE DESIGN:** Site and building design elements that are dimensionally related to housing and pedestrians, such as narrower streets with tree canopies, smaller parking areas, lower building heights (as compared to downtown areas) and similar neighborhood characteristics. These features are generally smaller in scale than those that are primarily intended to accommodate automobile traffic.

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

**NET FLOOR AREA:** The portion of a building designated for the primary use. Net Floor Area does not include any space within a building used for such secondary uses as off-street parking, loading, or service functions not primary to the use. For example, in a restaurant, Net Floor Area is the area for public use (e.g., dining area, but not the kitchen).

**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, excepting industrially related residential uses (e.g., night watchman quarters).

**NON-COMMERCIAL AGRICULTURAL USES:** The raising of crops, plants or farm animals on property for the sole use of the owners or tenants of that property and not for wholesale or retail sale.

**NONCONFORMING STRUCTURE OR LOT:** A lawfully existing structure or lot at the time this Code or any amendment thereto becomes effective that does not conform to the dimensional or similar standards of the zone in which it is located.

**NONCONFORMING USE:** A lawfully existing use at the time this Code or any amendment thereto becomes effective that does not conform to the use requirements of the zone in which it is located.

**NON-NATIVE INVASIVE/NOXIOUS PLANTS:** Non-native plants that spread quickly, are highly competitive and difficult to control or eliminate. (See Invasive Plants.)

**NOTICE (WRITTEN NOTICE OF A PUBLIC EVENT):** Examples of notice include the following: **(1)** The announcement of a decision of the City by mail to adjacent property owners/occupants within a required distance of a subject property indicating the nature of the decision and the method of appeal; the announcement of **(2)** any impending land use request requiring an administrative review, or **(3)** the announcement of a public hearing by mail to property owners/occupants within a required distance 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 State Law.

**NURSING HOME:** A home, place or institution that operates and maintains, facilities providing convalescent or chronic care, or both, for a period exceeding 24 hours for 2 or more ill or infirm patients not related to the nursing home administrator by blood or marriage.

## O

**OAR:** Oregon Administrative Rule(s).

**OCCUPANCY, CERTIFICATE OF:** A 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.

**ODOT:** The Oregon Department of Transportation.

**OERS:** Oregon Emergency Response System.

**OFF-STREET PARKING:** Off-street areas designed, used, required or intended to be used for the parking of motor vehicles.

**ON-STREET PARKING:** Parking in the street right-of-way, typically in parking lanes or bays. Parking may be “parallel” or “angled” in relation to the edge of the right-of-way or curb.

**OPEN SPACE:** Land within a development that has been designed for common use within a development, or dedicated to the public specifically for the purpose of providing places for active or passive recreation, conservation or other open space uses. Open Space can be either 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 such open space.

**OPEN SPACE, COMMON:** Land normally within or related to a development, not individually owned or dedicated for public use, that 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.

**ORDERLY:** An established, objective, and routine method, application or activity.

**ORIENTATION:** To cause to face toward a particular point of reference (e.g., "A building oriented to the street").

**ORS:** Oregon Revised Statute(s).

**OUTDOOR COMMERCIAL USE:** A use supporting a commercial activity that provides goods or services, either wholesale or retail, where the amount of site area used for outdoor storage of materials or display of merchandise exceeds the total floor area of all buildings on the site. Examples of outdoor commercial uses include automobile sales or services, nurseries, lumberyards and equipment rental businesses.

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

**OUTDOOR STORAGE AREA:** An area dedicated to the outdoor storage of vehicles, equipment or materials as a primary use, 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.

**OUTRIGHT PERMITTED LAND USES:** See Permitted Outright Land Uses.

**OVERLAY ZONE:** A special zone that is applied "over" or in addition to a base zone. Properties with an overlay zone become subject to the requirement of both the base zone and the overlay zone.

**OVERSIZING:** Construction of improvements in public utilities (e.g., waterlines, sewer lines) greater in capacity than required to serve a proposed development.

**OWNER:** Any person, agent, firm or corporation having a legal or equitable interest in the property.

## **P**

**PARCEL:** A unit of land created by partitioning land. A Parcel does not include a unit of land created solely to establish a separate tax account.

**PARK:** Open space land on which the primary purpose is managed for recreational uses.

**PARKING:** The temporary storage of operational motor vehicles that are not for sale, lease or rent and that 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 PERIMETER:** The boundary of a parking lot area that usually contains a landscaped buffer area.

- PARKING LOT:** An off-street area with a permanently maintained paved surface, for the parking of motor vehicles.
- PARKING SPACES, DISABLED:** A parking space that is reserved for use by disabled persons who hold an appropriate permit.
- PARKING SPACES, OFF-STREET:** An approved space for the parking of a motor vehicle that is not located on a dedicated street right-of-way.
- PARKING SPACES, ON-STREET:** An approved space for the parking of a motor vehicle that is located on a dedicated street right-of-way.
- PARKING SPACE:** A permanently maintained paved surface with proper access for one standard size or compact automobile. Parking spaces may include on and off street spaces designated for automobile or bicycle parking in areas planned for industrial, commercial, institutional or public uses. The following are not considered parking spaces: park and ride lots, handicapped parking, and parking spaces for carpools and vanpools.
- PARKWAY:** Parkways are complete routes or segments of two-lane and multi-lane highways and planned multi-lane highways that provide for safe and efficient moderate to high speed and high volume traffic movements. Their primary function is to provide for interurban travel and connections to major destinations with minimal interruptions. Pedestrian facilities and bikeways are separated from the roadway.
- PARTITION LAND:** The division of land into 2 or 3 parcels within a calendar year. "Partition land" does not include: **(1)** 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. **(2)** 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 Code or ordinance; or **(3)** A sale or grant by a person to a public agency or public body for state highway, county road, City street or other right of ways purposes provided that such road or right of way complies with the applicable comprehensive plan. 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 such time as the property is further subdivided or partitioned; **(4)** The division of land resulting from the recording of a subdivision or condominium plat; or **(5)** 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.
- PARTITION PLAT:** A final map and other writing containing all the descriptions, locations, specifications provisions and information concerning a partition.
- PARTY:** The following persons or entities are defined as parties: **(1)** The applicant for a land use decision and all owners or contract purchasers of record, as shown in the files in the Linn County Department of Assessment and Taxation, of the property that is the subject of the application, and **(2)** Any person who appears before the Approval Authority or participates in the land use decision.
- PASSIVE SOLAR ENERGY SYSTEM:** A solar energy system that uses natural and architectural components to collect and store solar energy without using any external mechanical power.
- PATHWAY:** Usually though not exclusively a hard surfaced area intended and suitable for use by pedestrians, including sidewalks and surfaced portions of accessways. (Also see Accessway.)
- PEDESTRIAN AMENITY(IES):** Pedestrian amenities serve as informal gathering places for socializing, resting, and enjoyment of a specific sections of the City's (e.g., the *Main Street Downtown area*) and contribute to a pedestrian friendly district. Such amenities might include: a plaza, courtyard, square or extra-wide sidewalk next to a building entrance; sitting space (i.e., dining area, benches or ledges between a building entrance and sidewalk; building canopy, awning, pergola, or similar weather protection).

**PEDESTRIAN CONNECTION:** A continuous, unobstructed, reasonably direct route between two points that is intended and suitable for pedestrian use. Pedestrian connections include but are not limited to sidewalks, walkways, accessways, stairways and pedestrian bridges. On developed parcels, pedestrian connections are generally hard surfaced. In parks and natural areas, pedestrian connections may be soft-surfaced pathways. On undeveloped parcels and parcels intended for redevelopment, pedestrian connections may also include rights of way or easements for future pedestrian improvements.

**PEDESTRIAN FACILITY:** An improvement provided for the benefit of pedestrian travel, including walkways, sidewalks, crosswalks, median refuges, signs, signals, illumination and benches.

**PEDESTRIAN SCALE:** Site and building design elements that are dimensionally less than those intended to accommodate automobile traffic, flow and buffering. Examples include ornamental lighting of limited height; bricks, pavers or other modules of paving with small dimensions; a variety of planting and landscaping materials; arcades or awnings that reduce the height of walls; and signage and signpost details that can only be perceived from a short distance.

**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.

**PERFORMANCE STANDARD:** A land development regulation technique in which development standards are based upon established criteria related to the effect of the development on the land or on abutting properties. This technique measures the throughput (or externalities) generated by a development to determine if the outcomes of activity in question are in compliance with the established criteria.

**PERMANENT IRRIGATION SYSTEM:** An approved water piping system installed underground for the purpose of irrigating all portions of planted areas.

**PERMITTED OUTRIGHT OR OUTRIGHT PERMITTED LAND USES:** A Permitted Outright or Outright Permitted (OP) Land Use is a use for which a Building Permit is issued after a Site Review determines that all setbacks and other lot and building site requirements are satisfied.

**PERSON:** The state or a public or private corporation, local government unit, public agency, individual, partnership, association, firm, trust, estate or any other legal entity.

**PHYSICAL FEATURES:** These features include, but are not limited to significant clusters of trees and shrubs, watercourses shown on the Zoning Map and their riparian areas, wetlands and rock outcroppings.

**PLAN:** An adopted document used to focus long-range planning for either specific areas or the entirety of the Urban Growth Boundary. Examples of plans include the Comprehensive Plan, facility plans, master plans, and specific area plans.

**PLANNED:** A future project, event, or land area use that has been anticipated and prepared for, usually with a site plan, a land use plan and/or the Capital Improvement Program and Budget.

**PLANNING AREA:** An area of coordinated planning management outside the Lebanon Urban Growth Boundary as defined by the City of Lebanon/Linn County Urban Growth Management Agreement (UGMA).

**PLANNING COMMISSION:** The Planning Commission of the City of Lebanon, Oregon.

**PLANNING OFFICIAL:** An employee of the City of Lebanon appointed by the City Council (the City Administrator or his/her designee) with duties and authority as designated by the Council including the enforcement of the provisions of the Lebanon Development Code.

**PLANNING PERIOD:** The twenty-year period beginning with the date of adoption of a TSP.

**PLANTER STRIP, TREE CUTOUT:** A landscape area for street trees and other plantings within the public right-of-way, usually between the street and a sidewalk.

**PLAT:** A map of a partition or subdivision, prepared as specified in State Law, and recorded with the Linn County Assessor's Office.



**PLAZA:** A public square or extra-wide sidewalk (e.g., as on a street corner) that allows for special events, outdoor seating, sidewalk sales, and similar pedestrian activity.

**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.

**POCKET PARK:** A small park, usually less than one-half acre.

**POLICY:** A statement of the way in which programs and activities are conducted to achieve an identified goal. A general direction set by the City, in order to meet its goals through implementation measures or action programs.

**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.

**PRELIMINARY APPROVAL:** The approval prior to final approval, after specific elements of a development or site plan have been reviewed for compliance with the applicable land use regulations by the approval authority.

**PRELIMINARY DESIGN:** An engineering design that specifies in detail the location and alignment of a development, such as a planned transportation facility or improvement.

**PRIMARY:** The largest or most substantial element or use on the property, as in “primary” use: residence, entrance, etc.

**PRIMARY STRUCTURE:** A structure of chief importance or function on a site. In general, the primary use is carried out in a primary structure. (See also Accessory Structure.)

**PRIVATE PARK:** A park available for public use owned by a non-public agency or private individual.

**PROFESSIONAL OFFICE:** An office occupied by doctors, dentists, accountants, attorneys, optometrists, architects, professional engineers or surveyors or persons engaged in similar occupations.

**PROPERTY LINE ADJUSTMENT:** The relocation or elimination of a common boundary line between two lots or parcels.

**PUBLIC FACILITIES (UTILITIES):** Public facilities include Transportation (e.g., streets, roads, alleys, parking lots), Public Use Areas, Sanitary Sewer, Water Service, Storm Drainage, Utilities, and Easements.

**PUBLIC FACILITIES:** Institutional, academic, governmental and community service uses, publicly owned and/or operated, by public nonprofit organizations.

**PUBLIC HEARING:** A meeting announced and advertised in advance and open to the public, with the public given an opportunity to provide testimony.

**PUBLIC IMPROVEMENTS:** Development of public facilities.

**PUBLIC IMPROVEMENT STANDARDS:** A manual of 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.

**PUBLIC STREET:** A public right-of-way in public ownership.

**PUBLIC WORKS DIRECTOR:** The Director of Public Works or an authorized representative.

## Q

**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. Quarry mining and extraction operation does not include normal road maintenance and stabilization of hillsides.

**QUARRY AND MINING OPERATOR:** A individual, public or private corporation, political subdivision, agency, board or department of this State, or a 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.

**QUASI-JUDICIAL:** See Decisions (Type of).

## R

**REASONABLY DIRECT:** A route that does not deviate unnecessarily from a straight line or a route that does not involve significant out-of-direction travel for likely users.

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

**RECREATIONAL TRAILS:** Recreational trails are trails designed to provide walking, bicycling and other non-motorized means of linking various parts of the community.

**RECREATIONAL VEHICLE (RV):** A vacation trailer or other unit, with or without motive power, that 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.

**REDEVELOPABLE LAND:** Land on which development has already occurred but, due to present or expected market forces, there exists the strong likelihood that existing development will be converted to more intensive uses during the planning period.

**REDEVELOPMENT:** A process used in developed areas to rehabilitate and infill underused areas more efficiently and/or replace blighted areas by changing the types of uses, intensities or densities of the land uses, usually to achieve an economically higher and better use of the land. Maintenance activities such as repavement are not considered redevelopment.

**REDEVELOPMENT, SIGNIFICANT OR MAJOR:** Involves alterations and changes exceeding 50% of the existing development on a site over any five consecutive years.

**REFINEMENT PLAN (TRANSPORTATION):** An amendment to the transportation system plan, that resolves, at a systems level, determinations on function, mode or general location that were deferred during transportation system planning because detailed information needed to make those determinations could not reasonably be obtained during that process.

**REFINEMENT PLAN (or Neighborhood Refinement Plan):** A development plan for a designated geographic area that provides more detail on future street and utility locations, and may include additional standards for uses. An example is the 2003 Russell Drive Neighborhood Refinement Plan.

**REGISTERED GEOLOGIST:** A person who is registered as a geologist by the State of Oregon.

**REGISTERED GEOTECHNICAL ENGINEER, CIVIL ENGINEERING GEOLOGIST OR A GEOTECHNICAL EXPERT:** A person who is registered and certified by the state of Oregon in the field of civil engineering geology and/or geotechnical engineering.

**RELEVANT TESTIMONY:** “Relevant testimony” is testimony that addresses criteria applicable to the land use action in question.

**RELIGIOUS FACILITY:** A place of worship or religious assembly with related facilities, such as the following in any combination: parsonage, rectory, convent, monastery, meeting hall, offices for administration of the institution.

**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.

**RESERVE STRIP:** A strip of property, usually one foot in width, controlling access to a street.

**RESIDENCE:** See “Dwelling”.

**RESIDENTIAL FACILITY:** A home licensed by or under the authority of the Oregon Department of Human Resources that 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 Oregon Department of Human Resources that 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.

**RESIDENTIAL, MULTIPLE FAMILY:** See Dwelling, Multi-Family.

**RESIDENTIAL, SINGLE FAMILY:** See Dwelling, Single-Family (Attached & Detached).

**RESIDENTIAL USE:** Activities within land areas used predominantly for housing.

**RETAIL:** Activities that include the sale, lease or rent of new or used products to the general public or the provisions of product repair or services for consumer and business goods. Retail trade may include wholesale trade, but only as a secondary use. Hotels or motels, restaurants or firms involved in the provisions of personal services or office space are not considered retail uses.

**RETAINING WALL:** An engineered structure constructed to hold back or support an earthen bank.

**REVIEW AUTHORITY:** The City Staff (e.g., Planning Official) or City body (e.g., Lebanon Planning Commission, Lebanon Historic Landmark Commission, Lebanon City Council) that has the jurisdiction to review and make a decision on a land use request or application. (Also see Approval Authority.)

**RIDGE LINE (BUILDING):** The top of a roof at its highest elevation.

**RIGHT-OF-WAY:** Land that is owned in fee simple by the public, usually for transportation facilities. A strip of land acquired by purchase, reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary/storm sewer and other similar facilities.

**RIPARIAN AREA:** The water influenced area adjacent to a river, lake or stream consisting of the area of transition from a hydric ecosystem to a terrestrial ecosystem where the presence of water directly influences the soil-vegetation complex and the soil-vegetation complex directly influences the water body. It can be identified primarily by a combination of geomorphologic and ecologic characteristics. A riparian area may be located adjacent to a lake, reservoir, estuary, spring, bog, wet meadow, slough, or ephemeral, intermittent or perennial stream

**ROADS:** Streets, roads and highways.

**ROADWAY:** The portion of a street right of way used for vehicular traffic.

- ROOF PITCH:** The slope of a roof, usually described as ratio (e.g., 1 foot of rise per 2 feet of horizontal distance).
- ROOMING HOUSE:** A building or portion thereof where lodging, but not meals, is provided for more than 2 weeks for compensation. This definition excludes bed and breakfast facilities.
- RUNOFF:** That portion of rain or snow that does not percolate into the ground and is instead discharged into streams and/or other conveyance systems.

## S

- 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.
- SANITARY SEWER FACILITIES (SEWERAGE):** The structure or systems designed for the collection, transmission, treatment, or disposal of sewage, and this includes trunk mains, interceptors, treatment plants and disposal systems.
- SCREEN:** A visual barrier obscuring an abutting or neighboring structure or use by fencing, walls, berms or densely planted vegetation.
- SCREENING:** A method of blocking or reducing that that is unsightly or offensive through the use of plant materials, berms, fences and/or walls, or a combination thereof.
- SDCs (SYSTEM DEVELOPMENT CHARGES):** System development charge means a reimbursement fee, an improvement fee or a combination thereof assessed or collected at the time of increased usage of a capital improvement, at the time of issuance of a development permit or building permit, or at the time of connection to the capital improvement. System development charge includes that portion of a sewer or water system connection charge that is greater than the amount necessary to reimburse the City for its average cost of inspecting and installing connections with water and sewer facilities. System development charge does not include fees assessed or collected as part of a local improvement district or a charge in lieu of a local improvement district (LID) assessment, or the cost of complying with requirements or conditions imposed by a land use decision. (See also LMC 13.12.030)
- SEISMIC:** Caused by or subject to earthquakes or earth vibrations.
- SENIOR HOUSING:** Housing designated and/or managed for persons generally over the age of 55.
- SENSITIVE LANDS:** Wetlands, significant trees, steep slopes, flood plains and other natural resource areas designated for protection or conservation by the Comprehensive Plan.
- SERVICE STATION, AUTOMOBILE:** A place or station designed and used primarily for the supply of motor fuel, oil, lubrication and accessories to motor vehicles, but excluding major repair and overhauling. Such a facility may provide minor repair and service when conducted entirely within an enclosed building, and may include incidental services. "Minor repair and service", as used in this definition, shall be understood to exclude activities such as painting, body-work, steam cleaning, tire recapping and engine overhaul.
- SETBACK (REQUIRED):** The required minimum distance between a property line and a building, or other feature, in which development is restricted (e.g., buildings, fence height and placement).
- SHADOW PROJECTION:** The shadow projected by an object on December 21<sup>st</sup> at 44 degrees north latitude between the hours of 10 A.M. and 2 P.M.
- SHARED DRIVEWAY:** When land uses on two or more lots or parcels share one driveway. An easement or tract (owned in common) may be created for this purpose.
- SHARED PARKING:** Parking facilities requirements for two or more uses, structures, or parcels of land that may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature), and provided that the right of joint use is evidenced by a deed, lease, contract, or similar written instrument establishing the joint use.

- SHARED-USE PATHWAY:** Pathways for both pedestrians and bicycles.
- SHELTER HOME:** Any dwelling or facility maintained and operated to provide temporary housing for homeless, 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:** A walkway constructed of concrete or other durable surface, and designed for pedestrian use. A sidewalk is usually separated from the roadway by a curb or landscaping strip,
- SIGN:** See Signage section of Glossary.
- SIGNIFICANT VEGETATION:** Individual trees that have a minimum caliper of 12 inches for deciduous trees, and 18 inches for evergreens (at 4 1/2 feet above grade).
- SITE:** A lot, parcel or tract that is the subject of a permit application under this Code. A “site” may include lots, parcels or tracts that are contiguous and in diverse ownership where development is to be performed as part of a unit, subdivision, or project.
- SITE AREA:** The total square footage or acreage of a lot, parcel or tract proposed for a development, excluding existing or required rights-of-way.
- SITE PLAN:** The development plan for a development area that meets the standards of this Code.
- SITE PLAN REVIEW, SITE REVIEW, SITE DESIGN REVIEW, DEVELOPMENT REVIEW:** A planning review process conducted by the Planning Official, Planning Commission or City Council to assure that a proposed development of land is **(1)** in conformance with applicable land use requirements, and **(2)** designed in a manner that provides both high levels of design and environmental compatibility, and that **(3)** the proposed development will not be detrimental to the public health, safety and general welfare or to adjacent properties.
- SITE PLAN REVIEW (ENGINEERING):** A City Engineering Services Division review of engineered site plans to determine compliance with all conditions of approval and applicable public improvement standards (see Public Improvement Standards).
- SLOPE:** Land gradient described as the vertical rise divided by the horizontal run, and expressed in percent.
- SOLAR COLLECTOR:** A device or combination of devices, structure or part of a device or structure that transforms direct solar energy into chemical, thermal, or electrical energy and that contributes significantly to a structure’s energy supply.
- SOLAR EASEMENT:** A private or public agreement that protects the solar access of an actual or proposed solar collector or structure or that limits the obstruction of the solar access.
- SOLAR ENERGY SYSTEM:** Any device, structure, mechanism or series of mechanisms that uses solar radiation as a source for heating, cooling, or electrical energy.
- SOLAR FEATURE:** A device or combination of devices or elements that does or will use direct sunlight as a source of energy for such purposes as 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 Code (for example, an unheated garage).
- SOLAR SETBACK:** The distance from the northern lot line to the shade point, measured from the mid-point of the northern lot line and extending in a southerly direction.
- SOLAR OR SOUTH-FACING:** True south or 20 degrees east of magnetic south.
- SPECIFIC AREA PLAN:** A Specific Area Plan describes in more detail the type of development planned for a specific area than is typically found in a comprehensive plan, zone map, or public facilities plan.

The area covered by a specific plan can include multiple parcels and landowners, or a single large parcel. All land use applications for property within the specific plan area are required to comply with the plan district policies and regulations.

**STANDARD TRANSPORTATION IMPROVEMENTS:** (1) Normal operation, maintenance, repair, and preservation activities of existing transportation facilities. (2) Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the right-of-way; projects specifically identified in the Transportation System Plan as not requiring further land use regulation. (3) Landscaping as part of a transportation facility. (4) Emergency measures necessary for the safety and protection of property. (5) Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan. (6) Construction of a street or road as part of an approved subdivision or land partition approved consistent with the applicable Development Code provisions. (7) Other related improvements as determined by the City Engineer.

**STANDARD:** A criterion that defines the meaning of a policy by providing a way to measure its attainment. "Standard" includes but is not limited to (1) requirements in the Development Code that govern building and development, such as site-design regulations, including lot area, height limit, frontage, and landscaping; and, (2) a rule or measure establishing a level of quality or quantity that must be complied with or satisfied, such as the number of acres of park land per 1,000 population that the community will attempt to acquire and improve, or the intersection level of service (LOS) that the transportation standards require. Also see Criteria.

**START OF CONSTRUCTION:** Means the date of the actual start of construction, repair, reconstruction, placement, or other improvement, provided the activity was within 180 days of the date the building permit was issued. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footing, piers, or foundation, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

**STATE:** The State of Oregon.

**STEEP SLOPES:** Slopes of equal to or greater than 15 percent.

**STORMWATER FACILITY:** A detention and/or retention pond, swale, or other surface water feature or constructed facility that provides storage during high-rainfall events and/or water quality treatment.

**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.

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

**STREET/ROAD:** A public or private way for travel by vehicles, bicycles and pedestrians, as per City codes. Any roadway and associated right of way that provides access to one or more lots and that is a part of the City-wide street system.

**STREET ACCESS:** See "Access," "Access Easement," and Access Management."

**STREET CONNECTIVITY:** The number of street connections within a specific geographic area.

**STREET FURNITURE/FURNISHINGS:** Benches, lighting, bicycle racks, drinking fountains, mailboxes, kiosks, and similar pedestrian amenities located within a street right-of-way.

**STREET STUB:** A temporary street ending where the street is intended to be extended through adjacent property in the future, as those properties develop. Not a permanent street-end or dead-end street.

**STREET TREE:** A tree planted in a planter strip or tree cutout.

**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.

**STREETS (FUNCTIONAL CLASSIFICATIONS):**

(1) **ALLEY:** A service way providing means of public access to abutting property and not intended for general traffic circulation.

(2) **ARTERIAL STREETS:** The primary functions of these facilities are to: (a) serve local and through traffic as it enters and leaves the urban area; (b) connect Lebanon with other urban centers and regions; and, (c) provide connections to major activity centers within the UGB. Emphasis should be on traffic flow, pedestrian and bicycle movements.

(3) **COLLECTOR STREETS:** The primary function of collector streets is to provide connections between neighborhoods/major activity centers and the arterial street system. Some degree of access is provided to adjacent properties, while maintaining circulation and mobility for all users. Collector Streets include the following subcategories: (a) Service Collectors carry lower traffic volumes at slower speeds than major and minor arterials. (b) Neighborhood Collector Streets; Similar in function to collectors, however land use along its route is generally residential in nature. The intensity of development at intersections along its route is also generally less intense than might occur for standard collectors. (c) Collector streets within residentially zoned areas should be two-lane collectors. and (d) collector streets within industrially or commercially zoned properties should be two-lane collectors constructed with a center turn lane.

(4) **LOCAL STREET:** Local streets have the primary function of providing access to adjacent land. Service to through-traffic movement on local streets is deliberately discouraged by design. Residential local streets serve a traffic function as well as being important to neighborhood identity.

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

**STRUCTURAL ALTERATION:** Any change to the supporting members of a structure including foundations, bearing walls or partitions, columns, beams, girders, or structural change in the roof or in the exterior walls.

**STRUCTURE:** Anything that is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

**SUBDIVIDE LAND:** To divide lot or parcel into 4 or more lots in a calendar year.

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

**SUBDIVISION:** The process of dividing land into four or more lots within a single calendar year.

**SUPERMARKET:** Stores where most of the floor area is devoted to the sale of food products for home preparation and consumption, and typically also offer other home care and personal care products. Supermarkets are substantially larger and carry a broader range of merchandise than grocery stores. A supermarket occupies more than 25,000 square feet of gross floor area.

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

**SURVEYOR:** A registered professional land surveyor licensed in the State of Oregon.

**SWALE:** A type of storm water facility. Usually a broad, shallow depression with plants that filter and process contaminants.

## **T**

**TENTATIVE PLAN:** A clearly legible drawing of the parcels or lots and other elements of a partition or subdivision that furnishes the basis for the approval authority to approve or disapprove the general layout of the development.

**TERRACE:** A porch or promenade supported by columns, or a flat roof or other platform on a building.

**TIMBER, TIMBER GROWING, TIMBER HARVESTING:** See Forestry.

**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: (1) A berm or other break in slope from the watercourse bank to a flat valley bottom, terrace or bench; (2) A change in vegetation from bare surfaces or annual water-tolerant species to perennial water tolerant or upland species; and (3) A change in the size distribution of surface sediments (e.g., gravel to fine sand).

**TOPOGRAPHICAL CONSTRAINT:** Where existing slopes prevent conformance with a Code standard, or conventional development standard.

**TPR:** State of Oregon's Transportation Planning Rule.

**TRACT, PRIVATE/PUBLIC:** One or more contiguous lots or parcels in the same ownership that is set aside in a separate area for dedication to the public, a homeowner's association, or other entity (e.g., open space, recreation facilities, sensitive lands, etc.).

**TRAFFIC IMPACT ANALYSIS:** Traffic Impact Analyses are studies of transportation related development (including off-street parking and loading) that take into account the impacts upon the transportation system, including the street grid, access, access management, circulation, and transportation improvements. These studies may include the following: **(1)** An analysis of the effect of traffic generated by a development on the capacity, operations, and safety of the public street and highway system. **(2)** An analytical and informational document professionally prepared by a licensed professional traffic engineer or civil engineer in connection with a specific proposed land use application that forecasts, describes, and suggests ways of off-setting the traffic effects of the proposed new activities within a geographic area. **(3)** A study or analysis of how any use, plan or development will affect traffic in a surrounding area. **(4)** A study that assesses the impacts of a proposed development on the existing and future multi-modal transportation network. A traffic impact analysis includes recommendations for mitigation measures to address the anticipated impacts as well as analysis of the adequacy of the development's planned access points. See also "Traffic Impact Study."

**TRAFFIC IMPACT MITIGATION MEASURE:** Any measure or improvement taken by or required of the developer in order to lessen, abate, or reduce the traffic impact of the development on the public street and highway system.

**TRAFFIC IMPACT STUDY:** An analysis of the effects of a proposed development on the transportation system, and of traffic impacts on neighboring properties. See also "Traffic Impact Analysis."

**TRAFFIC IMPACT:** An adverse traffic impact as represented by an increase in congestion, worsening of level of service, or reductions in safety and efficiency.

**TRAFFIC MODEL:** A mathematical representation of traffic movement within an area or region based on observed relationships between the kind and intensity of development in specific areas.

**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.



**TRANSPORTATION FACILITIES:** As identified in State Law such as the TPR, any physical facility that moves or assist in the movement of people or goods including facilities (e.g., streets, sidewalks, pathways, bike lanes, airports, transit stations and bus stops, etc.), but excluding electricity, sewage and water systems.

**TRANSPORTATION MODE:** Streets, sidewalks, pathways, bike lanes, airports, transit stations and bus stops, etc.; the method of transportation (e.g., automobile, bus, walking, bicycling, etc.)

**TRANSPORTATION NEEDS:** Estimates of the movement of people and goods consistent with acknowledged comprehensive plan and the requirements of this rule. Needs are typically based on projections of future travel demand resulting from a continuation of current trends as modified by policy objectives, including those expressed in Goal 12 and the TPR, especially those for avoiding principal reliance on any one mode of transportation.

**TRANSPORTATION PROJECT DEVELOPMENT:** Implementing the transportation system plan (TSP) by determining the precise location, alignment, and preliminary design of improvements included in the TSP based on site-specific engineering and environmental studies.

**TRANSPORTATION SYSTEM MANAGEMENT MEASURES:** Techniques for increasing the efficiency, safety, capacity or level of service of a transportation facility without increasing its size. Examples include, but are not limited to, traffic signal improvements, traffic control devices including installing medians and parking removal, channelization, access management, ramp metering, and restriping of high occupancy vehicle (HOV) lanes.

**TRANSPORTATION SYSTEM PLAN (TSP):** A plan for one or more transportation facilities that are planned, developed, operated and maintained in a coordinated manner to supply continuity of movement between modes, and within and between geographic and jurisdictional areas.

**TRIPLEX:** A building with three attached housing units on one lot or parcel.

**TRUCK ROUTE:** A path of circulation designated for all vehicles exceeding set weight or axle limits.

**TSP:** City of Lebanon's Transportation System Plan.

## **U**

**UNBUILDABLE:** Land that because of natural conditions, location, or shape is unsuitable for urban development.

**UNDERDEVELOPED:** Land that is not developed to its full potential.

**URBAN AREA:** Lands within the City boundary.

**URBAN GROWTH AREA (UGA):** The UGA is that area within the Urban Growth Boundary (UGB) and outside City limits.

**URBAN GROWTH BOUNDARY (UGB):** A line that circumscribes the Urban Growth Area and the City Limits.

**URBAN LAND:** Land that is located within an incorporated City.

**URBANIZABLE LAND:** Urbanizable lands are those lands within the urban growth boundary, and have thus been identified and (a) determined to be necessary and suitable for future urban uses, (b) can be served by urban services and facilities, and (c) are needed for the expansion of the City Limits.

**USE:** The purpose for which land or a structure is designed, arranged or intended, or for which it is occupied and maintained.

**USE CATEGORY:** A grouping of land uses that 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 that was lawful at the time it was established but that currently does not comply with existing standards or provisions of this Code.

**USE, PERMITTED:** Any use allowed in a land use zone and subject to the restrictions applicable to that land use zone.

**USE, PRIMARY:** The principal use approved in accordance with this Code.

**USE, RE-USE:** Any change in use, tenancy or occupancy of a building.

**USE, SECONDARY:** Any approved use of land or a structure that is incidental and subordinate to the primary use, and located on the same development area as the primary use.

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

**UTILITY PROVIDER:** Any agency or private company that provides the public with electricity, gas, heat, steam, communications, rail transportation, water, sewage collection, or other similar service.

**UTILITY SUBSTATIONS OR STRUCTURES:** Any aboveground structure, except an antenna or utility pole and associated appurtenances, that a provider constructs, erects, or places on a site, and is attached or affixed to something having a permanent location on or under the ground which is used to provide its services to customers.

## V

**VACANT LAND:** Land identified as undeveloped land.

**VACANT:** Lands or buildings that are not actively used for any purpose.

**VACATE PLAT/STREET:** To abandon a subdivision or street right-of-way. For example, *vacation* of a public right-of-way that is not needed or cannot be used for a street or other public purpose. A plat may be vacated, returning the property to an undivided condition.

**VARIANCE:** An approved request to lessen or otherwise modify certain requirements of this Code. A “major” (Class 3) “Variance” (see Adjustments).

**VISION CLEARANCE AREA:** See Clear Vision Area.

**VOLUME TO CAPACITY RATIO (V/C):** For transportation, a standard of a street’s carrying capacity, measured for the peak traffic hour. The V/C ratio is calculated by the peak hour traffic volume (vehicles/hour) on a section of highway divided by the maximum volume that the highway section can handle.

## W

**WALKWAY:** See Accessway.

**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.

**WETLAND:** Wetlands are areas inundated or saturated by surface or ground water at a frequency and duration that are sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions (State Law).

**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, such individuals or companies. 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 such sales are made from the premises. Wholesale trade by brokerage only, with no display or storage of merchandise on the premises, is a Business Office use.

**WORKING DAY:** Monday through Friday, exclusive of official City holidays.

**WRECKING YARD/SALVAGE YARD:** Any lot or structure used for the storage, dismantling or sale of inoperable motor vehicles, trailers, machinery and/or building materials or parts.

## X

## Y

**YARD (REQUIRED):** An open space defined by required setbacks (i.e., between the setback line and respective property line) on a lot that is unobstructed from the ground upward, except as otherwise provided in this Code.

**YARD (FRONT):** A yard between side lot lines, measured horizontally at right angles from the front lot line.

**YARD (REAR):** A yard between side lot lines, measured horizontally at right angles from the rear lot line.

**YARD (SIDE):** A yard between the front and rear yard, measured horizontally at right angles from the side lot line.

**YARD (STREET SIDE):** A yard adjacent to a street between the front yard and rear lot line, measured horizontally at right angles from the street side lot line.

## Z

**ZERO-LOT LINE DWELLING:** A single family detached house, or attached or stacked duplex, with one side yard setback equal to "0" feet. May or may not include a wall attached to adjacent home(s).

**ZONE:** A district or section of the City in which certain land uses are permitted and others are prohibited by the provisions of this Code.

**ZONING:** In general, the demarcation of an area by ordinance or Code (text and map) into zones and the establishment of regulations to govern the uses within those zones (commercial, industrial, residential, type of residential) and the location, bulk, height, shape, use, and coverage of structures within each zone.

**ZONING MAP:** Official Map delineating the boundaries of the various land use zones within the City limits that are adopted and maintained by the City. The Zoning Map implements the Lebanon Comprehensive Plan Map when land in the UGB is annexed into the City Limits. The Land Use Zones are established in both the Comprehensive Plan and in this Code.

## 16.32.030 Aviation Related Terminology and Definitions

*Definitions Based on State's Model Ordinance*

**(See Chapter 16.11, Section 16.11.020)**

**Aircraft:** Helicopters and airplanes, but not hot air balloons or ultralights. (FAR Part 30 governs Balloons, and ultralights by FAR Part 103. Ultralights are basically unregulated by the FAA.)

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

**Airport Direct Impact Area:** The area located within 5,000 feet of an airport runway, excluding lands within the runway protection zone and approach surface.

**Airport Elevation:** The highest point of an airport's usable runway, measured in feet above mean sea level.

**Airport Imaginary Surfaces:** Imaginary areas in space and on the ground that are established in relation to the airport and its runways. For the Lebanon airport, the imaginary surfaces are defined as the primary surface, runway protection zone, approach surface, horizontal surface, conical surface and transitional surface.

**Airport Noise Criterion:** The State criterion for airport noise is an Average Day-Night Sound Level (Ldn) of 55 decibels (dBA).

**Airport Noise Impact Boundary:** Areas located within 1,500 feet of an airport runway or within established noise contour boundaries exceeding 55 Ldn.

**Airport Control Zone ("AC" Zone) and Airport Safety Zone (AS) :** The City's AC Zone and AS Zone place additional land use conditions on land impacted by the airport while retaining the existing underlying zone. The AC and AS Zones are thus "overlay zones." The Airport Use Zone and Noise Impact Boundary comprise the AC Zone; the airport's "imaginary" zones (i.e., imaginary surfaces, and direct impact area) comprise the AS Zone. Use limitations may apply to these two airport overlay zones and any subcomponents.

**Airport Secondary Impact Area:** The area located between 5,000 and 10,000 feet from an airport runway.

**Airport Sponsor:** The owner, manager, or other person or entity designated to represent the interests of an airport.

**Airport Uses:** Those uses described in OAR 660-013-0100 and 660-013-0110.

**Airport Use Zone:** The Airport Use Zone of the Lebanon Airport is identical to the property line of the Airport (see "Use Zone" for details)

**Approach Surface:** A surface beginning at the end of the primary surface (200' beyond the end of the paved runway) that is longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface.

- (1) The inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of:
  - (a) 1,250 feet for a utility runway; or
  - (b) 1,500 feet for a runway other than utility runway.
- (2) The approach surface extends for a horizontal distance of 5,000 feet at a slope of 20 feet outward for each foot upward.
- (3) The outer width of an approach surface will be that width prescribed in this subsection for the most precise approach existing or planned for that runway end.

**Average Day-Night Sound Level (Ldn):** Average day-night sound level is the FAA standard measure for determining the cumulative exposure of individuals to noise. Ldn is the equivalent of noise levels produced by aircraft operations during a 24-hour period, with a ten-decibel penalty applied to the level measured during nighttime hours (10:00 p.m. to 7:00 am).

**Conical Surface:** An element of the airport imaginary surfaces that extends outward and upward from the periphery of the horizontal surface at a slope of 20:1 for a horizontal distance of 4,000 feet and a vertical height of 350 feet above the airport elevation.

**Department of Aviation:** The Oregon Department of Aviation.

**FAA:** Federal Aviation Administration.

**FAA's Technical Representative:** As used in this Code, the federal agency providing the FAA with expertise on wildlife and bird strike hazards as they relate to airports. This may include, but is not limited to, the USDA-APHIS-Wildlife Services.

**FAR:** "Federal Aviation Regulation." A regulation issued by the FAA.

**FAR Part 77:** Regulation, Part 77, "Objects Affecting Navigable Airspace," establishes standards for determining obstructions to navigable airspace.

**Height:** The highest point of a structure or tree, plant or other object of natural growth, measured from mean sea level.

**Horizontal Surface:** A horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of specified radii from the center of each end of the primary surface of each runway of each airport and connecting the adjacent arcs by lines tangent to those arcs. The radius of each arc is 5,000 feet for all runways designated as utility.

**Obstruction:** Any structure or tree, plant or other object of natural growth that penetrates an imaginary surface.

**Other than Utility Runway:** A runway that is constructed for and intended to be used by turbine-driven aircraft or by propeller-driven aircraft exceeding 12,500 pounds gross weight.

**Primary Surface:** A surface longitudinally centered on a runway. When a runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway. When a runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The width of the primary surface is:

- 250 feet for utility runways with only visual approaches,
- 500 feet for utility runways having non-precision instrument approaches,

**Public Assembly Facility:** A permanent or temporary structure or facility, place or activity where concentrations of people gather in reasonably close quarters for purposes such as deliberation, education, worship, shopping, employment, entertainment, recreation, sporting events, or similar activities. Public assembly facilities include, but are not limited to, schools, churches, conference or convention facilities, employment and shopping centers, arenas, athletic fields, stadiums, clubhouses, museums, and similar facilities and places, but do not include parks, golf courses or similar facilities unless used in a manner where people are concentrated in reasonably close quarters. Public assembly facilities also do not include air shows, structures or uses approved by the FAA in an adopted airport master plan, or places where people congregate for short periods of time such as parking lots or bus stops.

**Runway:** A defined area on an airport prepared for landing and takeoff of aircraft along its length.

**Runway Protection Zone (RPZ) :** An area that begins at the end of the primary surface (200' off each end of the runway) and is used to enhance the protection of people and property on the ground. The RPZ is trapezoidal in shape and centered about the extended runway centerline. The inner width of the RPZ is the same as the width of the primary surface. The outer width of the RPZ is a function of the type of aircraft and specified approach visibility minimum associated with the runway end. The RPZ extends from each end of the primary surface for a horizontal distance of 1,000 feet. [NOTE: the outer width of the RPZ is specified by airport type in OAR 660, Division 13, Exhibit 4]

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

**Structure:** Any constructed or erected object, that requires a location on the ground or is attached to something located on the ground. Structures include but are not limited to buildings, decks, fences, signs, towers, cranes, flagpoles, antennas, smokestacks, earth formations and overhead transmission lines. Structures do not include paved areas.

**Transitional Surface:** Those surfaces that extend upward and outward at 90 degree angles to the runway centerline and the runway centerline extended at a slope of seven (7) feet horizontally for each foot vertically from the sides of the primary and approach surfaces to the point of intersection with the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, that project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at a 90 degree angle to the extended runway centerline.

**Use Zone (Airport):** The parameters of the Use Zone of the Lebanon Airport are identical to the property line of the Airport. The function of this zone is to set a side an area in which many aeronautic related activities are permitted as outright uses, and others are permitted as conditional uses.

**Utility Runway:** A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 maximum gross weight and less.

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

**Water Impoundment:** Includes wastewater treatment settling ponds, surface mining ponds, detention and retention ponds, artificial lakes and ponds, and similar water features. A new water impoundment includes an expansion of an existing water impoundment except where such expansion was previously authorized by land use action approved prior to the effective date of this Code.

## 16.32.040 Flood Plain Overlay Zone Terminology and Definitions

(See Chapter 16.11, Section 16.11.070)

Technical Definitions of "Uncommon" words or phrases used in Section 16.11.070. See Federal Emergency Management Agency (FEMA) for further details.

**Appeal (for Flood Plain issues):** "Appeal" means a request for a review of the City Administrator or his/her designates interpretation of any provisions of the codified in this Chapter or a request for a variance. Planning Official and Planning Commission decisions can be appealed pursuant to the procedures described in Chapter 16.20 of this Code.

**Area of Special Flood Hazard:** "Area of special flood hazard" means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V.

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

**Basement:** "Basement" means any area of the building having its floor subgrade (below ground level) on all sides.

**Below-Grade Crawl Space:** "Below-Grade Crawl Space" means an enclosed area below the base flood elevation in which the interior grade is not more than two feet below the lowest adjacent exterior grade and the height, measured from the interior grade of the crawlspace to the top of the crawlspace foundation, does not exceed 4 feet at any point.

**Critical Facility:** "Critical Facility" means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to schools, nursing homes, hospitals police, fire and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste.

**Development:** "Development" means a man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.

**Elevated Building:** "Elevated Building" means for insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.

**Existing Manufactured Home Park or Subdivision:** "Existing Manufactured Home Park or Subdivision" means a manufactured home park subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the adopted floodplain management regulations.

**Flood or Flooding:** "Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from: **[a.]** The overflow of inland or tidal waters; and/or **[b.]** the unusual and rapid accumulation of runoff of surface waters from any source.

**Flood insurance Rate Map (FIRM):** "Flood insurance rate map (FIRM)" means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

**Flood Insurance Study:** "Flood insurance study" means 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.

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

**Lowest Floor:** “Lowest floor” means 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 such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Code (see Section 16.11.070.N.2 of this code).

**Manufactured Home:** “Manufactured home” means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term “manufactured home” also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than one hundred eighty consecutive days.

**Manufactured Home Park or Subdivision:** “Manufactured home park or subdivision” means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**New Construction:** “New construction” means structures for which the start of construction commenced on or after the effective date of this Code.

**Recreational Vehicle:** “Recreational vehicle” means a vehicle which is: **[a.]** Built on a single chassis; **[b.]** Four hundred square feet or less when measured at the largest horizontal projection; **[c.]** Designed to be self-propelled or permanently towable by a light duty truck; and **[d.]** Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

**Start of Construction:** “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 one hundred eighty days of the permit date. The “actual start” means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavations for a basement, footings, piers or foundation, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, as that term is defined hereafter, the “actual start of construction” means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**Structure:** “Structure” means a walled and roofed building including a gas or liquid storage tank that is principally above ground.

**Substantial Damage:** “Substantial damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty percent of the market value of the structure before the damage occurred.

**Substantial Improvement:** **[a.]** “Substantial improvement” means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either: **(1)** Before the improvement or repair is started; or **(2)** If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not alteration affects the external dimensions of the structure. **[b.]** The term does not, however, include either: **(1)** Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum (comply with existing state or local health, sanitary or safety code specifications which are solely) necessary to assure safe living conditions; or **(2)** Any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places.

**Variance:** “Variance” means a grant of relief from the requirements of the provisions codified in this Chapter that permits construction in a manner that would otherwise be prohibited by this Code.

**Water Dependent:** “Water Dependent” means a structure for commerce or industry which cannot exist



in any other location and is dependent on the water by reason of the intrinsic nature of its operations.

## 16.32.050 Wireless Communications Terminology and Definitions

The following terminology and definitions apply to terms used in Chapter 16.17.

**Antenna:** “Antenna” for Wireless Communications means a specific device used to receive or capture incoming and/or to transmit outgoing communications transmitted from, or to be received by, other antennas. Antennas regulated by this chapter include omni-directional (or “whip”) antennas, directional (or “panel”) antennas, parabolic (or “dish”) antennas, and any other devices designed for the reception and/or transmission of radio-frequency (RF) signals or other communication technologies, except as otherwise limited in this Chapter.

**Attached Wireless Communications Facility:** “Attached Wireless Communications Facility” means a wireless communications facility that is affixed to an existing structure, other than a Wireless Communications Tower.

**Co-Location:** “Co-Location” means a wireless communications facility comprised of a single communications tower or building supporting one or more antennas, dishes, or similar devices owned or used by more than one provider.

**Lattice Tower:** “Lattice Tower” means a support structure constructed of vertical metal struts and cross braces forming a triangular or square structure which often tapers from the foundation to the top.

**Monopole:** “Monopole” means a support structure constructed of a single, self-supporting hollow tube securely anchored to a foundation.

**Provider:** “Provider” means a company, which may or may not hold a Federal Communications Commission (FCC) license, that is in business to provide wireless communications services.

**Wireless Communications:** “Wireless Communications” means the transmission, via radio frequency electromagnetic waves, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received.

**Wireless Communications Accessory Structure/Equipment:** “Wireless Communications Accessory Structure/Equipment” means equipment shelters or radio equipment necessary for the operation of wireless communications in addition to the antenna and tower.

**Wireless Communications Facility (WCF):** “Wireless Communications Facility (WCF)” means a facility consisting of the equipment and structures involved in receiving and or transmitting communications or radio signals.

**Wireless Communications Equipment Shelter:** “Wireless Communications Equipment Shelter” means the structure in which the electronic radio equipment, electronic equipment, relay equipment and other supporting equipment for a wireless communications facility is housed.

**Wireless Communications Tower (WCT) / Support Facility:** “Wireless Communications Tower (WCT) / Support Facility” means a structure intended to support equipment used to transmit and/or receive communications signals including monopoles, guyed and lattice towers, but not excluding any other approved structure.

**Visual Compatibility Characteristics:** “Visual Compatibility Characteristics” means characteristics that minimize the visual impact of a tower or antennas.

## 16.32.060 Signage Terminology and Definitions

The following terminology and definitions apply to terms used in Chapter 16.18.

**“Area”** or **“area of a sign”** means the area to and within an established sign edge, frame, or perimeter which encloses the limits of any writing, representation, emblem, figure or character. The area of a sign having no such perimeter, or the area of a sign having an irregular shape, shall be computed by enclosing the surface area within a polygon. Where a sign is of a three-dimensional or round or irregular shape, the largest cross section shall be used, as though it were a flat surface, to determine sign area.

**“Awning or Canopy”** means either a permanent or retractable structural extension off or of a building, sometimes intended for the purpose of pedestrian cover.

**“Building Official”** is the officer or other designated authority charged with the administration and enforcement of this code or his/her duly authorized representative.

**“Building Face”** means the single wall surface of a building facing a given direction.

**“Changing Image Sign”** A sign designed to accommodate routine changes of copy. Images or patterns of lights. Such signs include, but are not limited to, electronic signs incorporating LED, LCD, plasma, or projected light displays; and, mechanical or manual changeable copy signs.

**“Clearance”** is measured from the highest point of the grade below the sign to the lowermost point of the sign.

**“Commercial zones”** means the Z-CCM, Z-HCM and Z-NCM zones, as defined in this Code (see LDC Chapter 16.08).

**“Display surface”** means the area made available by the sign structure for the purpose of displaying the message.

**“Flag”** means flags of nations, an organization of nations, states and cities, fraternal, religious, military, veteran and civic organizations.

**“Frontage”** means the length of the property line of any one premise along each public street it borders. Each portion of the premises abutting a separate street shall be considered as a separate frontage.

**“Height”** is measured from the highest point of the grade below the sign to the topmost point of the sign.

**“Historical Markers”** are signs installed or maintained by public authority or by a recognized historical society or organization identifying sites, buildings, districts, or structures of recognized historical value.

**“Industrial zone”** is the Z-IND zone as defined in this Code (see LDC Chapter 16.09).

**“Install”** means to build, construct, attach, place, suspend, or affix and shall also include the painting of wall signs.

**“Maintain”** means to allow a sign, sign structure, or part thereof to continue; or to repair or refurbish a sign, sign structure, or part thereof.

**“Marquee”** means a permanent roof-like structure attached to and supported by a building and projected there from.

**“Mixed Use Zone”** means the Z-MU Zone that possess potential for several types of land use or combinations of different land uses. The intent of this designation is to achieve an environment in which different land uses can co-exist. Mixed Development lands are open to all types of development including residential, commercial, and light (Class I and II Impacts) industrial land uses (see LDC Chapter 16.06).

**“Murals”** are coverings of the surface area of a wall with paint or other artistic medium, that creates a pictorial or abstract design and usually without advertising or commercial symbolism - such as logos or trademarks - or any representation of a product or business, except to identify the artist.

- “Parapet or parapet wall”** means that part of any exterior wall which extends above the eave of the roof.
- “Permittee”** means a person who has applied for a City of Lebanon Sign Application to allow placement or installation of a sign covered by this Code.
- “Premises”** means a tract of land occupied, by a building or unit or group of buildings and its accessory buildings. If more than one business activity is located on the tract of land, each separate business shall be considered as separate premises.
- “Projection”** means the distance by which a sign extends from its supporting structure.
- “Residential zones”** means the Z-RL, Z-RM, and Z-RH residential zones as defined in this Code (see LDC Chapter 16.05).
- “Roof line”** means either the eave of the roof or the top of the parapet, at the exterior wall. In the event that the structure lacks a parapet or cave, the “roof line” shall mean a profile of the roof of the structure.
- “Sign”** means any device or medium affixed to the property (including its structure, lighting, materials, and component parts) which by reason of its form, color, wording, logo, design, and/or illumination visually communicates, identifies, advertises, informs, announces, or attracts attention to the subject thereof (i.e., advertises or promotes any specific business, interest or cause). For the purposes of this code, street address information shall not be considered a sign.
- “Sign, Awning, Canopy, or Marquee sign”** means a sign which is painted onto, attached, or affixed to the surface of an awning or Marquee, or is suspended underneath an awning or Marquee. For purposes of calculating sign area, the entire exposed face of the canopy or awning or Marquee shall be designated the sign area. Canopy, awning and Marquee signs shall be considered to be wall signs for purposes of determining size allowances.
- “Sign, Banner”** means a sign of lightweight fabric or similar material that can be mounted both on a permanent or temporary basis. Flags as defined by this Chapter.
- “Sign, Changing (automatic)”** means an electronically or electrically controlled sign such as; public service, time, temperature and date sign, message center, or reader board, where different copy changes are shown on the same lamp bank.
- “Sign, Daily Display”** (known also as Sandwich board) means a non-permanent sign normally associated with business activity which is placed out-of-doors during business hours for display and returned indoors off-hours. Daily display signs may be constructed in a sandwich board (A-frame) style, mounted on a single pedestal or other similar construction, and are intended to be unlit and easily moved. These signs are not lighted.
- “Sign, Externally Illuminated”** means a sign illuminated by an exterior light source or luminous tubing which is primarily designed to illuminate only the sign.
- “Sign, Fence”** means a sign attached or painted to the side of a fence on a permanent basis.
- “Sign, Fin”** means a sign which is supported by a pole or poles and partly by a building.
- “Sign, Flashing”** means any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source. Automatic changing signs such as public service, time, temperature, and date signs or electronically controlled message centers are classed as “changing signs”, not “flashing signs”.
- “Sign, Free-standing”** means a sign wholly supported by a sign structure in the ground. Free-standing signs include pole signs and monument signs.
- “Sign, Internally illuminated”** means a sign which is wholly or partially illuminated by an internal light source from which source light passes through the display surface to the exterior of the sign.
- “Sign, Monument”** means a low profile freestanding sign which has a solid base at ground level that is equal to or greater than the width of the sign face, and which has no separation between the base and the sign.

- “Sign, Nonconforming”** means a sign in existence or under construction on the effective date of this Code that does not conform to the provisions of this Code, but which was or is being constructed, installed, or maintained in compliance with regulations in effect at the time the sign was constructed or installed.
- “Sign, Notice”** means a sign posted by either a public agency or private individuals intended to convey information of a legal nature pertaining to specific properties. Examples of notice signs include building permits, no trespassing notices, public hearing notices, and similar signs.
- “Sign, Pennant”** means a shaped, lightweight sign, made of plastic, fabric, or other material (whether or not containing a message of any kind) suspended from a rope, wire, or string, usually in a series, and designed to move in the wind.
- “Sign, Pole”** means a free standing sign connected to the ground by one or more supports, where any portion of the lower edge of the sign device is separated vertically from the ground by air.
- “Sign, Portable”** means a sign which is not permanently attached to the ground or other permanent structure and is intended to be transported to a site for purposes of display. A portable sign may or may not be mounted on wheels and may or may not include flashing or moving lights and removable lettering or display surface. Portable signs are not daily display signs.
- “Sign, Projecting”** means and includes any sign which is attached to a building and extends more than 12 inches beyond the line of the building or more than 12 inches beyond the surface of that portion of the building to which it is attached.
- “Sign, Roof”** means a sign or any portion of which is displayed above the roof line.
- “Sign, Sidewalk Banner”** means a daily display sign consisting of a pole with a horizontal arm, or arms, and designed to hold one or two vertical banners.
- “Sign, Temporary”** means any sign, regardless of construction materials, which is not permanently mounted and is intended to be displayed on an irregular basis for a limited period of time and does not require a building permit to be placed or installed.
- “Sign, Time, Date and Temperature”** means a sign providing only time, date and/or temperature information. May be a component of a larger sign.
- “Sign, Under-marquee”** means a sign which is installed or maintained under, and supported or partially supported by, a marquee.
- “Sign, Unsafe”** means any sign determined to be a safety hazard to the public by the Building Official or duly authorized representative.
- “Sign, Wall-Mounted”** means any sign, attached to, or installed against the wall of a building. Wall-mounted signs may not project more than 12 inches from the wall to which they are attached.
- “Sign, Wall-Painted”** means a sign painted directly onto a wall of a building which is located in a commercial or industrial zone.
- “Sign, Window”** means a sign, pictures, symbols, neon tubing, or combination thereof, designed to communicate information that is placed on or within a window and directed towards the outside of the window.
- “Structural alteration”** means any change in a sign or sign structure other than advertising message or normal maintenance.
- “Temporary”** means for a limited duration of time usually not to exceed 90 days, unless otherwise modified by provisions of this Chapter.
- “Wall Sign”** means a sign attached to, erected against or painted on a wall of a building or structure, with the exposed face of the sign in a plane approximately parallel to the face of said wall and not projecting more than 12 inches. Wall signs can be a *wall-mounted sign* or a *wall-painted sign*.
- “Written message”** means the lettering, wording, numbers, and/or other symbols on a sign intended to convey a message. Written message does not include notation of the sign identity the sign installer or artist, provided such identification is less than one (1) square foot in area.

## 16.32.070 Historic Preservation Terminology and Definitions

The following terminology and definitions apply to terms used in Chapter 16.31.

**Alteration:** An addition, removal, or reconfiguration that significantly changes the character of a historic resource, including new construction in historic districts.

**Demolition:** The razing, destruction, or dismantling of a resource to the degree that its historic character is substantially obliterated.

**Designated Landmark:** A property officially recognized by the City of Lebanon as important in its history. Such properties will be recorded in the *Lebanon Historic Register*.

**Extraordinary Historic Importance:** The quality of historic significance achieved outside the usual norms of age, association, or rarity.

**Historic Context Statement (City of Lebanon):** The *City of Lebanon Historic Context Statement* was created in 1994 by the City of Lebanon with assistance from a number of volunteers from the local community. The *Historic Context Statement* provides a thorough documentation of the various historic stages of development within the expanding City Limits of Lebanon. The contextual information in this document addresses the following:

- Identifying the historical themes, events, designs, and associated individuals that have played an important role in the development of the area;
- Describing the types and characteristics of historic buildings, structures, objects and districts associated with the identified themes, events, designs, and individuals;
- Discussing the potential distribution of these buildings, objects, structures, and districts on the landscape;
- Establishing evaluation standards to use in determining how well existing buildings, structures, objects, and districts represent or illustrate the identified themes, events, designs, and individuals; and
- Identifying priorities and treatment strategies to help preserve those buildings, structures, objects, and districts evaluated as representing and/or illustrating community history.

**Historic Integrity:** The quality of wholeness of historic location, design, setting, materials, workmanship, feeling, and/or association of a resource, as opposed to its physical condition.

**Historic Resource:** A building, structure, object, site, or district that meets the significance and integrity criteria for designation as a landmark. Resource types are further described as:

- **Building.** A construction made for purposes of shelter or habitation (e.g., house, barn, store, theater, train station, garage, school, etc.).
- **Structure.** A construction made for functions other than shelter or habitation (e.g., bridge, windmill, dam, highway, boat, kiln, etc.).
- **Object.** A construction that is primarily artistic or commemorative in nature and not normally movable or part of a building or structure (e.g., statue, fountain, milepost, monument, sign, etc).
- **Site.** The location of a significant event, use, or occupation that may include associated standing, ruined, or underground features (e.g., battlefield, shipwreck, campsite, cemetery, natural feature, garden, food-gathering area, etc.).

**District.** A geographically defined area possessing a significant concentration of buildings, structures, objects, and/or sites that are unified historically by plan or physical development (e. g. downtown, residential neighborhood, military reservation, ranch complex, etc.).

**Historic Resources of Statewide Significance:** Buildings, structures, objects, sites, and districts that are listed on the National Register of Historic Places.

**Inventory of Historic Resources:** The record of information about resources potentially significant in the history of The City of Lebanon.

**Lebanon Historic Register:** The list of, and record of information about, properties officially recognized by The City of Lebanon as important in its history.

**Planning Official:** The City's Planning Official or designees.

**Relocation:** The removal of a resource from its historic context.