

## CHAPTER 111 DEFINITIONS

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**111.001. Definitions, Generally.** Unless the context otherwise specifically requires, terms used in the UDC shall have the meanings set forth in this Chapter; provided, however:

- (a) Where chapter specific definitions are included in another chapter of the UDC, those definitions are the controlling definitions; and
- (b) Where a term is not defined within the UDC, the term shall have its ordinary accepted meaning within the context in which it is used. *Webster's Third New Int'l Dictionary* (unabridged ed. 2002) shall be the standard reference to ordinary accepted meanings. (Ord No. 31-13)

**111.005. “A” Definitions.**

- (a) **Abutting:** Touching along a boundary or point.
- (b) **Accessory building or structure:** A building or structure that is incidental and subordinate to, and dependent upon, the principal use on the same premises.
- (c) **Adjacent:** Near or close, but not necessarily contiguous with.
- (d) **Adjoin:** To abut.
- (e) **Adult day care home:** Day care for 5 or fewer adults provided in the home of the adult day care provider.
- (f) **Adult day care center:** Day care for adults in a non-residential structure.
- (g) **Alley:** A public way not less than 10 feet and not more than 20 feet in width that is primarily

used as a secondary means of motor vehicle access to abutting property.

**(h) Ambulance service facility:** A building used for the administrative offices of an ambulance service, the housing of emergency medical personnel, and the ordinary maintenance and repair of emergency vehicles and equipment.

**(i) Ambulance station:** A building, or a specific portion of a building or development, that is utilized for the housing of on-call emergency medical ambulance personnel.

**(j) Apartment:** A building that contains three or more dwelling units and which is designed, built, rented, leased, let or hired out to be occupied, or which is occupied as the home or residence of three or more families living independently of each other and doing their own cooking in the said building; or a building in condominium ownership containing three or more dwelling units.

**(k) Arcade:** A continuous covered arched passageway located parallel to a building, street, or open space, and open and accessible to the public.

**(l) Arterial street:** A major arterial street or minor arterial street. (Ord No. 31-13)

#### **111.010. “B” Definitions.**

**(a) Bed and breakfast:** A single family dwelling where short-term commercial lodging and a morning meal are provided to travelers for compensation.

**(b) Buildable width:** The distance along the street right-of-way, exclusive of side setbacks, wetlands, and riparian corridors, that is sufficiently deep to accommodate a lot depth of 70 feet and meet setback requirements. Where a development fronts on a street which is curved, the buildable width shall be measured radial to the curve.

**(c) Building:** Any structure used or intended for supporting or sheltering any use or occupancy.

**(d) Building articulation:** Design emphasis given to walls, roofs, windows, balconies, entries, and other architectural features to divide buildings into smaller identifiable pieces, reduce the appearance of building bulk and mass, provide visual interest, and introduce elements of scale.

**(e) Building Official:** The Administrator of the Building and Safety Division of the Department of Community Development of the City of Salem, Oregon, or the Building Official's designee.

**(f) Building offset:** A change in vertical planes along the exterior facade of a building used to divide the building into smaller identifiable pieces and reduce the appearance of building bulk and mass. An offset that does not continue the entire length of the building, and therefore, configured as a "bump out," counts as one building offset. Decks or covers over entryways do not count as building offsets.

**(g) Building offset interval:** The space between building offsets. (Ord No. 31-13)

#### **111.015. “C” Definitions.**

**(a) Canopy tree:** A deciduous shade tree planted primarily for its high crown of foliage.

**(b) Carport:** A permanent structure used for the parking or storage of vehicles which is unenclosed on two or more sides.

**(c) Central Salem Development Program (CSDP) Area:** That area of the city within the following boundaries: Beginning at the SE corner of 12<sup>th</sup> Street SE and Mission Street SE in Section 27 Township 7 South Range 3 West in Marion County, Oregon; Thence Northerly along the East line of 12<sup>th</sup> Street SE to its intersection with the East Right-of-Way line of the Southern Pacific Railroad; Thence continuing Northerly along said East line of Railroad to the North side of “D” Street NE; Thence Westerly along the North side of “D” Street NE to the West Side of Fifth Street NE; Thence Northerly along the West side of Fifth Street NE to the North side of Market Street NE; Thence Easterly along the North side of Market Street NE to an Alley running between Fifth Street NE and Church Street NE; Thence Northerly along Said Alley to the North side of Gaines Street NE; Thence Easterly along the North side of Gaines Street to the

West side of Church Street NE; Thence Northerly along the West Side of Church Street to the North line of an Alley running between Hood Street NE and Shipping Street NE; Thence Westerly along the North side of Said Alley to the East bank of the Willamette River; Thence Southerly along the East Bank of the Willamette River and Willamette Slough to the Westerly projection of the South line of Mission Street SE; Thence running Easterly along the South side of Mission Street SE to the Place of Beginning (see Figure 111-3).

**(d) Child or children:** A person under 13 years of age, or a person under 18 years of age who has special needs or disabilities and requires a level of care that is above normal for the child's age.

**(e) Child day care center:** A facility that provides day care for 17 or more children.

**(f) Child day care home:** Day care for 16 or fewer children provided in the home of the child day care provider.

**(g) City infrastructure:** Public infrastructure providing vehicular and pedestrian transportation, City utilities, and parks.

**(h) City utilities:** Public improvements providing water, wastewater, and stormwater facilities.

**(i) Collector street:** A street that allows traffic within an area or neighborhood to connect to an arterial street, and designated as such in the Salem Transportation System Plan. Collector streets shall have priority over local streets in the installation of any traffic control devices. Single family and duplex access onto collector streets may be limited according to Public Works Design Standards.

**(j) Columnar tree:** A tree species that is tall and cylindrical or tapering.

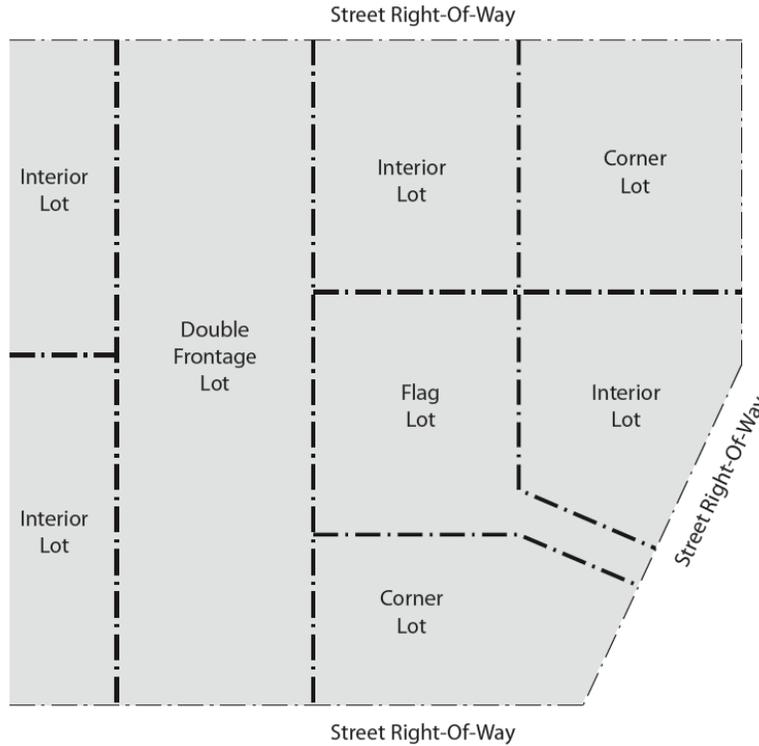
**(k) Common open space:** Open area intended for shared use and enjoyment in a development. Common open space includes landscaping, walkways, play areas, swimming pools, roof gardens, or other open areas which provide active or passive recreational or visual amenities for residents. Common open space does not include parking areas, streets, or other areas designed for motor vehicle circulation or storage.

**(l) Complex:** A group of buildings, structures, or other development that is functionally or conceptually integrated, regardless of the ownership of the development or underlying land, and regardless of whether located on one or more lots or parcels.

**(m) Contiguous:** Touching along a boundary or point. Unless otherwise provide under the UDC, any properties that are separated by public right-of-way shall not be considered contiguous.

**(n) Corner lot:** A lot abutting two or more intersecting streets, where the interior angle formed by the intersection of the streets does not exceed 135 degrees; or a lot having two or more adjacent front lot lines in which the interior angle formed by the extensions of the front lot lines in the direction which they take at their intersections with the side lot lines forms an angle of 135 degrees or less. In the event a street front lot line is a curve at its point of intersection with a side lot line, the tangent to the curve at that point shall be considered the direction of the front lot line (see Figure 111-1).

**FIGURE 111-1  
LOT TYPES**



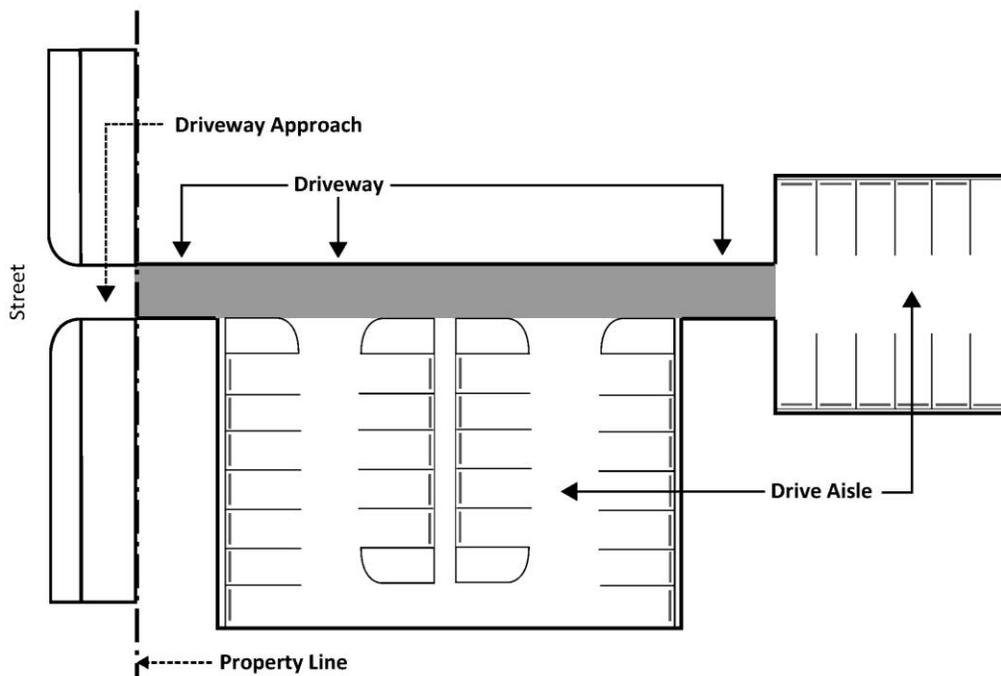
- (o) Cottage housing: A development consisting of at least two or more attached and/or detached dwelling units on one lot as a legal nonconforming use as of May 15, 1979.
- (p) Court apartment: A dwelling unit which is one of three or more dwelling units contained in two or more buildings on the same lot.
- (q) Crime Prevention Through Environmental Design: Specific measures taken to enhance the safety of residents and minimize the potential for crime through the physical design of a development.
- (r) Cul-de-sac: A dead end street having a turnaround area at the dead end.
- (s) Curb line: The line indicating the edge of the vehicular roadway within the overall right-of-way. (Ord No. 31-13)

**111.020. “D” Definitions.**

- (a) dbh: The diameter of a tree measured in inches at a height of 4.5 feet above grade. When a fork in the trunk occurs at or above 4.5 feet, the dbh is the smallest diameter at 4.5 feet or below. When the fork occurs below 4.5 feet, or the tree splits into multiple stems at ground level, each stem is considered a separate tree trunk and is measured accordingly. Dbh is also known as diameter at breast height.
- (b) Dead-end street: A street which terminates without a turnaround area and is intended to continue through at some future time.
- (c) Development: To construct or alter a structure, to make alterations or improvements to the land or to make a change in use or appearance of land, to divide or reconfigure land, or to create, alter, or terminate a right of access. Development does not include:
  - (1) Maintenance and repair, usual and necessary for the continuance of an existing use;
  - (2) Reasonable emergency procedures necessary for the safety or operation of property; or

- (3) Interior or exterior remodeling that does not increase the square footage or height of a structure, or substantially alter the appearance of a structure.
- (d) Development site: An individual lot or multiple contiguous lots accommodating a single development or a complex.
- (e) Director: The City Manager, or the department head charged by the City Manager with the implementation and enforcement of the UDC, or that department head's designee.
- (f) Double frontage lot: A lot that has frontage on two streets that do not intersect at the lot's boundaries (see Figure 111-1).
- (g) Downhill lot: A hillside lot which slopes downhill from the front lot line.
- (h) Downtown Parking District: That certain district, established under SRC Chapter 7, which provides for the financing and administration of programs for economic promotion and public parking for motor vehicles in the Central Business District of the City of Salem (see Figure 111-4).
- (i) Drive-through: A facility where goods or services are provided to a patron of a business while in their motor vehicle, and typically including queuing lanes leading to drive-up service windows or service areas. A drive-through does not include Motor Vehicle Services, as set forth in SRC 400.055(b).
- (j) Driveway: An area providing vehicular access to a site that begins at the property line and extends into the site; or an area providing vehicular circulation between parking areas on a site (see Figure 111-2). A driveway does not include maneuvering areas or drive aisles within parking areas.

**FIGURE 111-2  
DRIVEWAY**



- (k) Duplex: A building that contains two dwelling units.
- (l) Dwelling: A building, or portion thereof, which contains one or two dwelling units.
- (m) Dwelling unit: A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. (Ord No. 31-13)

**111.025. "E" Definitions.**

- (a) Employees: All persons, including proprietors, performing work on a premises for compensation. For purposes of SRC Chapter 806, employees include all persons, including proprietors, performing work on a premises for compensation during the largest shift at peak season.
- (b) Excavation: Any act by which earth, sand, gravel, rock, or any similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated, or bulldozed, including the conditions resulting therefrom.
- (c) Existing wildlife rehabilitation facility: Any building, structure, or land which is occupied or being used by a wildlife rehabilitator who is licensed by the Oregon Department of Fish and Wildlife and actively engaged in wildlife rehabilitation as of July 14, 1994. (Ord No. 31-13)

**111.030. "F" Definitions.**

- (a) Facade: The vertical plane of one exterior side of a building.
- (b) Family:
  - (1) An individual;
  - (2) Two or more persons related by blood, marriage, domestic partnership, legal adoption, or guardianship;
  - (3) Two or more persons with disabilities, as defined in the Fair Housing Amendments Act of 1988, who need not be related by blood, marriage, domestic partnership, legal adoption, or guardianship living together in a dwelling unit; or
  - (4) A group of not more than five persons who need not be related by blood, marriage, legal adoption, or guardianship living together in a dwelling unit.
- (c) Fence: An unroofed structure used as an enclosure, barrier, or restriction to light, sight, air, or passage.
- (d) Fill or backfill: A deposit of earth or other natural or manmade material placed by artificial means.
- (e) Finished grade: The final grade upon completion of excavation, fill, or paving.
- (f) Flag lot: A lot that is set back from the street at the rear or at the side of another lot, with vehicular access to the street provided by a flag lot accessway (see Figure 111-1).
- (g) Flag lot accessway: A portion of a lot that provides legal access from a street to one or more flag lots. An accessway may be through fee-simple ownership as part of a flag lot or by an access easement with associated reciprocal and irrevocable access rights for all lots using the accessway.
- (h) Floor area: The area within the exterior walls of a building or structure, or portion thereof, exclusive of vent shafts and courts. The floor area of an unenclosed building or structure, or portion thereof, is the usable area under the horizontal projection of the roof or floor above.
- (i) Floor area ratio (FAR): A measure of the intensity of a development, expressed as a ratio of total building floor area to total lot area.
- (j) Frontage: That portion of real property which abuts a street, whether or not access to the property is accorded thereby, and whether or not a building or structure faces the street. In context, when coupled with the term "alley," "frontage" has the same meaning with respect to an abutting alley. (Ord No. 31-13)

**111.035. “G” Definitions.**

- (a) Garage: A building or portion thereof used for the parking or storage of vehicles.
- (b) Grade: The lowest point of elevation of the ground or paved surface excluding stairwells and area wells at the point's contact with a building's foundation, a property line, or a street, depending upon the context.
- (c) Grading: The act of excavating and filling.
- (d) Guest house: An accessory building maintained for the purpose of providing temporary and gratuitous living accommodations, but dependent upon the main dwelling for cooking or bathroom facilities, or both.
- (e) Guest room: Any room or rooms used or intended to be used by a guest for sleeping purposes. (Ord No. 31-13)

**111.040. “H” Definitions.**

- (a) Habitable space: Space within a structure for living, sleeping, eating, or cooking. Bathrooms, closets, halls, storage or utility space, and similar areas are not considered habitable space.
- (b) Hillside lot: A lot having an average cross slope of 15 percent or more and that is residentially zoned or developed for uses falling under Household Living.
- (c) Household pet: A domesticated animal that is kept in the home for pleasure rather than for a commercial purpose such as breeding, boarding, grooming, or medical care. Common household pets include cats, dogs, hamsters, gerbils, guinea pigs, canaries, parakeets, parrots, turtles, lizards, and tropical fish. (Ord No. 31-13)

**111.045. “I” Definitions.**

- (a) Infill lot: A residential flag lot created by the partition of land after February 8, 2006.
- (b) Interior lot: Any lot, other than a corner lot or double frontage lot (see Figure 111-1).
- (c) Interior lot line: A lot line that is not adjacent to a street. (Ord No. 31-13)

**111.050.** (Reserved for “J” Definitions)

**111.055.** (Reserved for “K” Definitions)

**111.060. “L” Definitions.**

- (a) Land division: The act of dividing land to create lots or parcels. A property line adjustment is not a land division.
- (b) Land use action: The City’s process of reviewing an application for a land use or limited land use decision.
- (c) Livestock:
  - (1) One or more members of any species of cattle, swine, sheep, goat, horse or other equine, llama, alpaca or related ruminant, or poultry, excluding chickens, regardless of the purpose for which they may be kept; and
  - (2) Any species of rabbit, bee, fur-bearing animal, or chicken kept for sale, for sale of by-products, for livestock increase, or for value increase.
- (d) Loading space: An off-street space for the parking of a vehicle while loading or unloading.
- (e) Local street: A street not designated as a collector, minor arterial, major arterial, or parkway in the Salem Transportation System Plan. A local street primarily serves to provide direct access to abutting land and offers the lowest level of traffic mobility.
- (f) Lot: A single unit of land that is created by a subdivision of land. Except where otherwise stated, the term “lot” includes the term “parcel.”

(g) Lot line: One of the property lines forming the exterior boundaries of a lot. (Ord No. 31-13)

**111.065. “M” Definitions.**

(a) Major arterial: A street for moving large volumes of intra-city and regional traffic, and designated as such in the Salem Transportation System Plan. A fully improved major arterial serves as the main radial, and provides peripheral routes through the City. The ultimate cross-sectional width of a major-arterial is multi-lane, as shown in the Salem Transportation System Plan.

(b) Marijuana: The plant Cannabis family Cannabaceae, any part of the plant Cannabis family Cannabaceae and the seeds of the plant Cannabis family Cannabaceae. “Marijuana” does not include industrial hemp, as defined in ORS 571.300.

(c) Marijuana Production: The commercial manufacture, planting, cultivation, growing, or harvesting of marijuana for wholesale or retail trade. The manufacture, planting, cultivation, growing or harvesting of marijuana for personal use, or as a state registered medical marijuana grower for up to four state registered patients, as allowed by state law is not included in this definition.

(d) Manufactured dwelling: A residential trailer, mobile home, or manufactured home. A manufactured dwelling does not include any building or structure constructed to conform to the Oregon Structural Specialty Code or the One and Two Family Dwelling code adopted pursuant to ORS 455.100 to 455.450 and 455.610 to 455.630, or any unit identified as a recreational vehicle by the manufacturer.

(e) Manufactured dwelling park: Any place where four or more manufactured dwellings are located on a development site and intended for residential use. Manufactured dwelling park does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one manufactured dwelling per lot if the subdivision was approved pursuant to SRC Chapter 205.

(f) Manufactured home: A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes, and that was constructed after June 15, 1976 and in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction.

(g) Minor arterial: A street providing primarily intra-area and inter-neighborhood access, and designated as such in the Salem Transportation System Plan. A fully improved minor arterial has a minimum of two travel lanes with left-turn pockets and center left-turn lanes.

(h) 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, that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction. (Ord No. 31-13; Ord 22-15)

**111.070. “N” Definitions.**

(a) Native vegetation: Plant species which are indigenous to Oregon and appropriate to local site conditions such as hydrology, soils, light availability, and slope aspect.

(b) Natural grade: The grade of the land in an undisturbed state.

(c) Neighborhood: A localized area within the City with a development pattern that provides infrastructure and services which meets the needs of persons residing or working in the area. A neighborhood encompasses a larger area than vicinity.

(d) Neighborhood association: A neighborhood organization that is officially recognized as provided in SRC Chapter 64.

(e) Nightclub: An establishment open at night that provides music and space for dancing, and

usually serves alcohol.

(f) Nuisance vegetation: Native and non-native plant species with a tendency to dominate plant communities, or which are considered harmful to humans, and which are designated as nuisance vegetation in the tree and vegetation technical manual. (Ord No. 31-13)

**111.075. “O” Definitions.**

(a) Office complex: A group of businesses falling primarily under the Business and Professional Services use category that form a centralized unit and that have a joint parking area available for use by patrons of any single business.

(b) Off-street parking area: An area of a development site used for short-term off-street parking of vehicles. An off-street parking area includes aisles and maneuvering areas within the parking area.

(c) Open space: Land designated to preserve community livability, significant plant materials, and natural resources.

(d) Owner: The owner of record of real property as shown on the latest tax rolls or deed records of the county, and includes a person who furnishes evidence that the person is purchasing property under a written recorded or unrecorded land sale contract. (Ord No. 31-13)

**111.080. “P” Definitions.**

(a) Parcel: A single unit of land that is created by a partition of land.

(b) Parking space: A designated space in a parking area for the parking of one motor vehicle.

(c) Parking structure: A structure, or portion thereof, that provides two or more levels of parking.

(d) Parkway: A street for moving large volumes of both intra-city traffic and regional traffic at higher speeds, and designated as such in the Salem Transportation System Plan. A fully improved parkway is a divided highway with a minimum of four travel lanes and extremely limited access.

(e) Partition: Dividing land to create not more than three parcels of land within a calendar year, but does not include:

(1) Dividing land as a result of a lien foreclosure, foreclosure of a recorded contract for the sale of real property, or the creation of cemetery lots;

(2) A property line adjustment;

(3) Dividing land as a result of the recording of a subdivision or condominium plat;

(4) Selling or granting by a person to a public agency or public body of property for state highway, county road, city street or other right of way purposes if the road or right of way complies with the applicable comprehensive plan and ORS 215.213 (2)(p) to (r) and 215.283 (2)(q) to (s). However, any property sold or granted for state highway, county road, city street or other right of way purposes shall continue to be considered a single unit of land until the property is further subdivided or partitioned; or

(5) Selling or granting by a public agency or public body of excess property resulting from the acquisition of land by the state, a political subdivision, or special district for highways, county roads, city streets, or other right of way purposes when the sale or grant is part of a property line adjustment incorporating the excess right of way into adjacent property. The property line adjustment shall be approved or disapproved by the applicable local government. If the property line adjustment is approved, it shall be recorded in the deed records of the county where the property is located.

(f) Pedestrian connection: A continuous, unobstructed, and reasonably direct route between two

points that is intended and suitable for pedestrian use.

**(g) Pedestrian pathway:** Any sidewalk, footpath, or trail which provides on-site pedestrian access and circulation.

**(h) 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.

**(i) Planning Administrator:** The Administrator of the Planning Division, Department of Community Development of the City of Salem, Oregon, or the Planning Administrator's designee.

**(j) Plaza:** An area generally open to the public on a controlled basis, and usually adjoining and connecting directly to a sidewalk, pedestrian walkway, transit stop, or building entrance, that provides a place for individuals to sit, stand, or rest. Plazas typically include low walls or planters and landscaping to create a semi-enclosed space and to buffer and separate the plaza from adjoining parking lots and vehicle maneuvering areas. Plazas also typically include amenities such as seating, art, and fountains.

**(k) Primary building entrance:** The principal pedestrian entrance into a building. A building may have more than one primary building entrance. A primary building entrance does not include a service or employee-only entrance.

**(l) Private open space:** A semi-enclosed area which is intended for use by the occupants of an individual dwelling unit. Private open space may include porches, patios, balconies, terraces, roof top gardens, verandas, and decks.

**(m) Property line:** The boundary line between two units of land.

**(n) Public right-of-way or right-of-way:** The present and future streets, roadways, alleys, public highways, avenues, and pedestrian ways in the City, which may be held by the City in fee, easement, or dedication.

**(o) Public utilities:** Privately owned improvements providing the following services: natural gas; electricity; telephone, internet, and other electronic data or communication services; and cable television.

**(p) Public Works Director:** The Director of the Department of Public Works of the City of Salem, or such director's designee. (Ord No. 31-13)

**111.085.** (Reserved for "Q" Definitions)

**111.090. "R" Definitions.**

**(a) Recreational vehicle:**

**(1)** A vehicle, with or without motive power, that is designed for sport or recreational use, or human occupancy on an intermittent basis, such as motor homes, off-road vehicles, dune buggies, boats, snowmobiles, and other similar vehicles; or

**(2)** A portable vehicular structure designed for sport or recreation use, or for human occupancy on an intermittent basis, that is capable of being towed or transported on the highway by a motor vehicle, such as travel trailers, fifth-wheel trailers, campers, and other similar portable vehicular structures.

**(b) Recycling depot:** A building, or portion thereof, not more than 1,000 square feet in floor area used for the collection, sorting, and temporary storage of waste and discarded materials which may be reprocessed elsewhere into usable raw materials. Recycling depot does not include a structure maintained solely to provide shelter for no more than three types of recyclable material, such as paper, tin cans, and bottles, deposited by members of the public and collected at regular intervals for further transfer or processing elsewhere.

(c) Residential Facility: As defined under ORS 197.660, a residential care, residential training, or residential treatment facility, as those terms are defined in ORS 443.400, 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 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.

(d) Residential Home: As defined under ORS 197.660, a residential treatment or training home, as defined in ORS 443.400, a residential facility registered under ORS 443.480 to 443.500, or an adult foster home licensed under ORS 443.705 to 443.825 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 licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential home.

(e) Residential trailer: A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes, and that was constructed before January 1, 1962.

(f) Riparian corridor: The area adjacent to a waterway, consisting of the area of transition from an aquatic ecosystem to a terrestrial ecosystem. The riparian corridor boundary is measured:

(1) Fifty feet horizontally from the top of bank on each side of a waterway with less than 1,000 cubic feet per second average annual stream flow; and

(2) Seventy five feet horizontally from the top of bank on each side of a waterway with 1,000 or more cubic feet per second average annual stream flow (Willamette River).

(g) Riparian restoration: Actions undertaken to improve degraded, or recover lost, ecological or habitat functions in the area adjacent to a waterway in the zone of transition from an aquatic ecosystem to a terrestrial ecosystem, determined by the City to provide net ecological benefits, not reduce the stream's capacity to convey flood flows in a flood plain or flood way, nor pose an impediment to fish passage.

(h) R-VIS: The percentage of light in the visible spectrum, 380 to 780 nanometers, that is reflected from the glass surface. R-VIS is also known as visible light reflectance. (Ord No. 31-13)

#### **111.095. "S" Definitions.**

(a) Scrap and waste materials dealers: Establishments primarily engaged in the assembling, breaking up, sorting, and wholesale distribution of scrap and waste materials.

(b) Screening: A method of blocking or obscuring view of an area through the use of fencing, walls, berms, densely planted vegetation, or a combination thereof.

(c) Setback: The distance between a building, accessory structure, vehicle use area, or other structure or area and a property line, special setback line, flag lot accessway, easement, or other specified point.

(d) Shopping center: A group of businesses falling primarily under primarily the Retail Sales and Service use category that form a centralized unit and that have a joint parking area available for use by patrons of any single business.

(e) Single family dwelling: A detached freestanding dwelling unit located on its own lot.

(f) Solid waste disposal site: Land used for disposal of solid waste, including lumber; tile; bricks; concrete rubble; siding; roofing; asphalt; structural metal work; plaster and gypsum board; mortar stones; concrete blocks; pipe; plumbing fixtures; electrical wiring and fixtures; and shredded or split tires. A solid waste disposal site does not include land used for the disposal of leaves, prunings, and grass clippings; household appliances; machinery; motor vehicles and parts, other than shredded or split tires; or any putrescible substance. Solid waste disposal sites do not involve the collection or storage of items for sale or reuse in any form.

(g) Solid waste transfer station: A fixed or mobile facility normally used as an adjunct of a solid waste collection system or resource recovery system between a collection route and a disposal site, including, but not limited to, a large hopper, railroad gondola, or barge. See ORS 459 and OAR Chapter 340.

(h) Story: The horizontal division of a building, making up the area between two adjacent levels, but excluding that portion of the building that comprises the horizontal division that is the roof, unless that area includes living space.

(i) Stream enhancement: means to modify the stream channel width, length, depth, alignment, location, profile, bank shape, or in-stream structures for the purpose of improving ecological or habitat functions determined by the City to be degraded or lost in the immediate project area, specific stream corridor, or watershed.

(j) Street: A public or private way that is created to provide ingress or egress to one or more lots, parcels, areas, or tracts of land, excluding a private way that is created to provide ingress or egress to land in conjunction with the use of the land for forestry, mining, or agricultural purposes. "Street" includes "highway," "thoroughfare," "parkway," "throughway," "road," "avenue," "boulevard," "lane," "court," "place," "loop," "drive," "circle," and other such terms. The term "street" does not include alleys or flag lot accessways.

(k) Street tree: A tree planted in proximity to a street in order to provide canopy over the street, to provide shade, and soften the street environment.

(l) Structural alteration: Any alteration, addition, or removal of any structural member of a building, other than a minor alteration. As used in this subsection:

(1) Minor alteration means the alteration, replacement, or repair of a structural member so as not to alter structural integrity or the manner in which structural integrity was achieved before the alteration, replacement, or repair;

(2) Structural integrity means the capacity of the building and its component parts, other than non-bearing walls, fixtures, electrical systems, plumbing systems, mechanical systems, openings, and ornamental appendages, to withstand the forces, stresses, and loads which are contemplated in the Oregon Structural Specialty Code for the type of construction involved; and

(3) Structural member means any component part of a building which contributes to structural integrity.

(m) Structure: That which 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; any of which is an addition to or fixture on real property. Such term does not include paving, or mobile homes.

(n) Subject property: The real property that is the subject of any land use proceeding. For notification purposes, subject property includes not only the real property that is the subject of the land use proceeding for which notice is required, but also any contiguous property in which the applicant or owner holds a legal or equitable interest. (Ord No. 31-13)

#### **111.100. "T" Definitions.**

(a) Temporary: Unless otherwise provided under the UDC, a limited duration more than two hours but less than six months, and which does not involve the construction or alteration of any permanent structure.

(b) Townhouse: A dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on its own lot and shares a common side wall or walls with the adjacent units. A townhouse is also called a rowhouse.

(c) Turnaround area: A paved area of a sufficient size and configuration that a motor vehicle having a curb-to-curb turning radius of 30 feet or less may maneuver around to head in the opposite direction without having to move in reverse more than once.

(d) T-VIS: The percentage of light in the visible spectrum, 380 to 780 nanometers, that is transmitted through the glass. T-VIS is also known as visible light transmittance. (Ord No. 31-13)

**111.105. “U” Definitions.**

(a) Unit of land: A lot, parcel, or other tract of land described by a metes and bounds, which is lawfully established and which has been recorded. A lot, parcel, or tract is “lawfully established” only if:

(1) The lot or parcel was created in compliance with all applicable legal requirements for a land division in effect at the time it was created; or

(2) The lot, parcel, or tract has been validated pursuant to SRC 205.060.

(b) Uphill lot: A hillside lot which slopes uphill from the front lot line.

(c) Use standard: Any standard or condition imposed by the UDC, or a decision in a land use action, which regulates, restricts, prohibits, or allows the conduct of a use. A use standard does not include a development standard.

(d) Utility or utilities: Water; wastewater; stormwater facilities; natural gas; electricity; telephone, internet, and other electronic data or communication services; and cable television. As the context requires, the term “utility” or “utilities” may include City utilities or public utilities. (Ord No. 31-13)

**111.110. “V” Definitions.**

(a) Vehicle display area: An area of a development site where motor vehicles, recreational vehicles, trailers, boats, or other vehicles are displayed for sale or lease.

(b) Vehicle storage area: An area of a development site used for the storage of motor vehicles, utility trailers, recreational vehicles, boats, aircraft, or other vehicles.

(c) Vehicle use area: An area of a development site used for parking, storage, display, loading, maneuvering, access, or circulation of vehicles. A vehicle use area includes off-street parking areas, vehicle storage areas, vehicle display areas, loading areas, driveways, and drive-through lanes.

(d) Vertical window: A window with a vertical dimension greater than its horizontal dimension.

(e) Vicinity: Land that is surrounding, near, or within close proximity of a particular place. Vicinity is smaller in size than a neighborhood.

(f) Vision clearance area: The area adjacent to the intersection of a street, alley, flag lot accessway, or driveway where an unobstructed clear field of vision is required to ensure safe visibility for vehicular, bicycle, and pedestrian traffic. (Ord No. 31-13)

**111.115. “W” Definitions.**

(a) Wetland: An area inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

(b) Wetland restoration: To restore former wetlands, create new wetlands, or enhance existing wetlands for the purpose of improving ecological or habitat functions. Restoration means to reestablish wetland hydrology to a former wetland. Creation means to successfully convert an area that has never been a wetland to wetland conditions. Enhancement means the alteration and/or active management of degraded wetlands for the sustainable recovery or improvement of

lost or degraded wetland functions and values.

(c) **Wildlife:** Any animal defined as wildlife under ORS Chapter 496.

(d) **Wildlife rehabilitation:** The restoration of injured, sick, or immature wildlife, except cougars, wolves, and bears, that are native to Oregon to a condition where they are capable of being released into the wild or, if incapable of survival on their own, retained for educational purposes or transferred to an organization, educational institution, museum, publicly funded zoo, or other facility as determined by the Oregon Department of Fish and Wildlife.

(e) **Wildlife rehabilitator:** An individual who is licensed as a Wildlife Rehabilitator by the Oregon Department of Fish and Wildlife and actively engaged in wildlife rehabilitation.

(f) **Wildlife rehabilitation facility:** Any building, structure, or land being used for the purpose of wildlife rehabilitation. (Ord No. 31-13)

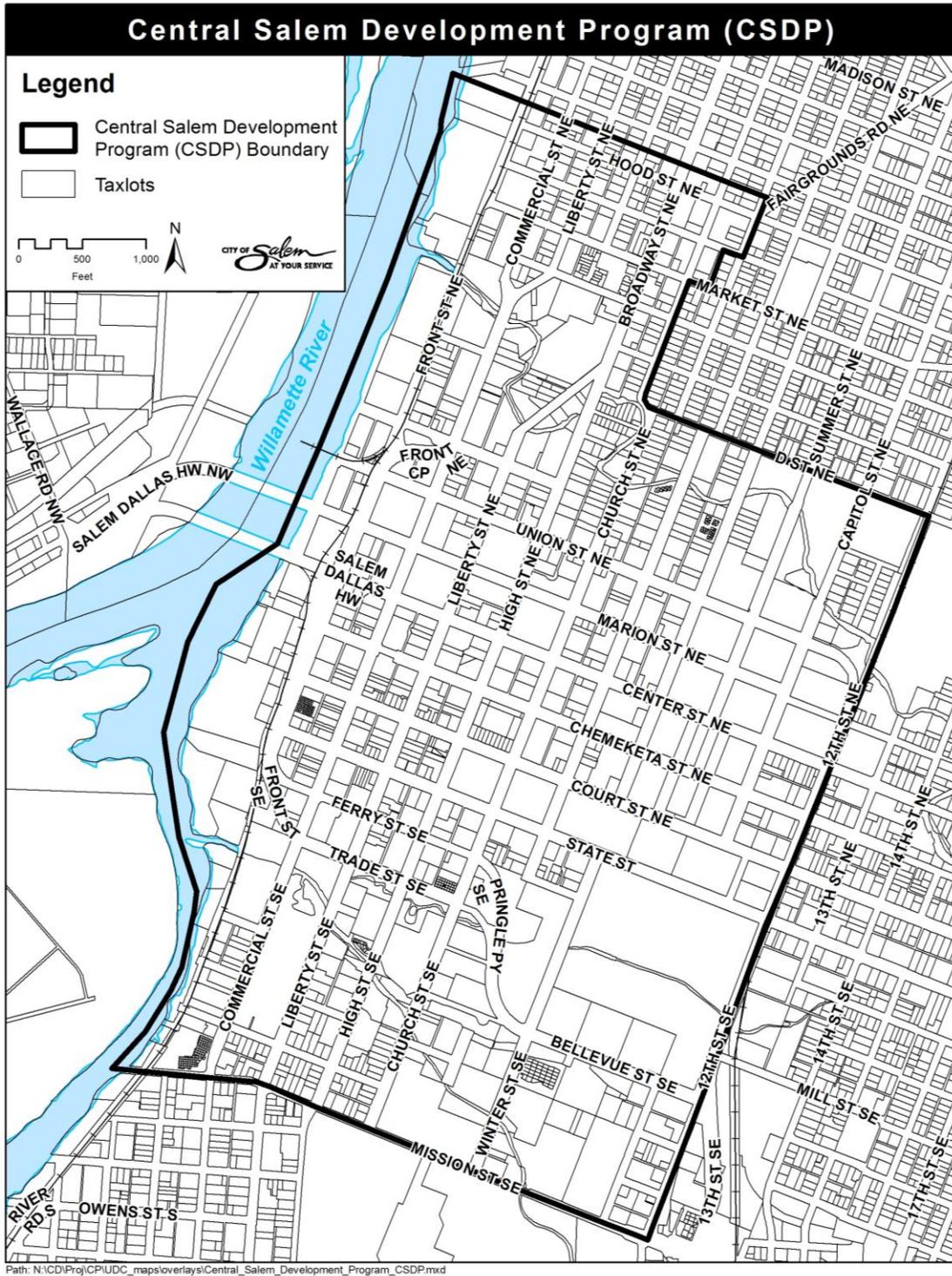
**111.120.** (Reserved for “X” Definitions)

**111.125.** (Reserved for “Y” Definitions)

**111.130. “Z” Definitions.**

(a) **Zero side yard dwelling:** A detached dwelling unit located on its own lot and constructed contiguous to one, but not both, interior side lot lines. (Ord No. 31-13)

**FIGURE 111-3  
CENTRAL SALEM DEVELOPMENT PROGRAM AREA**



**FIGURE 111-4  
DOWNTOWN PARKING DISTRICT**

