

<u>Article 30: Definitions</u> .....	30-1
<u>30.010 Applicability</u> .....	30-1
<u>30.020 Definitions</u> .....	30-1

**Article 30: Definitions**

**30.010 Applicability**

As used in this Code, the words and phrases contained in this Article shall have the following meanings:

**30.020 Definitions**

Abut: Contiguous to, as shown in Concept Sketch 30-Adjacent and Abutting. For example, two lots with a common property line or common property corner. However, "abut" does not apply to buildings, uses or properties separated by public right-of-way. See also "adjacent."

Access: The place, means or way by which pedestrian or vehicles shall have ingress and/or egress to a property or parking space.

- (1) Primary: Provides the principal means of access to off-street parking areas and serves the general circulation needs of the property and development.
- (2) Secondary: Provides incidental access to the property. Service drives are typical of secondary access facilities.

Access Control Line: A line or narrow strip of land that is recorded on a plat or other legal document across which vehicular and other specified types of access are prohibited.

Access Management: Measures regulating access to streets, road and highways from public roads and private driveways. Measures may include but are not limited to restrictions on the siting of interchanges, restrictions on the type and amount of access to roadways, and use of physical controls, such as signals and channelization including raised medians, to reduce impacts of approach road traffic on the mail facility.

Accessory Buildings: A building of less than 1,000 sq. ft. the use of which is subordinate to and consistent with the principal use of the property.

**Accessory Dwelling Unit (ADU):**

- (1) A second dwelling unit created on a lot with a primary single-family detached house. The second unit is created auxiliary to, and is always smaller than the primary house. The ADU includes its own independent living facilities including provision for sleeping, cooking, and sanitation, and is designed for residential occupancy, independent of the primary dwelling unit. The unit may have a separate exterior entrance or an entrance to an internal common area accessible to the outside.

or

- (2) A dwelling unit attached to a commercial building and on the same lot as a commercial use in a commercial zone, which is incidental, appropriate, and subordinate to the principal use.

Accessory Use: A use incidental, appropriate and subordinate to the principal use. See also "Principal Use."

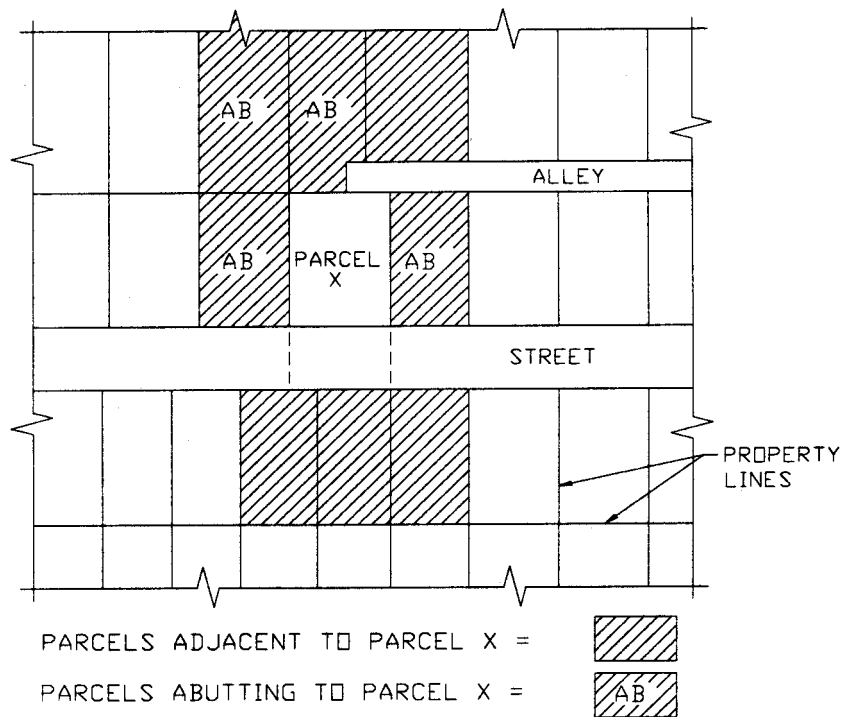
Industrial accessory uses may include uses such as:

- On-site food service: primarily, but not exclusively, for employees of the business or businesses on the subject property, provided there is no separate dedicated building, outdoor advertising, or drive-through;
- On-site day-care: primarily, but not exclusively, for employees of the business or businesses on the subject property, provided there is no separate dedicated building or outdoor advertising;
- Other uses not permitted as principal uses in subject industrial zones, provided they are principally for the convenience of the on-site industrial use and employees, provided they do not function as a separate principal use, and provided there is no separate dedicated building or outdoor advertising.

Access Way: An unobstructed way of specified width containing a drive or roadway which provides vehicular access and connects to a public street.

Active Solar Energy System: See "Solar Energy System, Active."

Adjacent: Contiguous to a property boundary at a property line or property corner, or contiguous to a property line or corner as extended across an abutting right-of-way for an alley or street, as shown in Concept Sketch 30-Adjacent and Abutting.



**Concept Sketch 30 - Adjacent and Abutting**

Adjoin: Same as adjacent.

Adult Business: Any person, group, firm, business, or organization (except non-profit corporations which are not open to the general public) which prohibits admission to its entire premises at all times to any persons younger than 21 years of age.

Adult Use: A use of whatever character, conducted on the premises of an adult business, which use is conducted in the area in which any persons under 21 years of age are prohibited.

Agriculture: The cultivation of crops, and animal husbandry. Agricultural uses are of three types:

- (1) Intensive: Truck gardening and field crops; customary agricultural buildings, including plant nurseries and greenhouses; roadside stands only for display and sale of products raised on the premises; animals, including: public stables, kennels, and riding academies.
- (2) Non-Intensive: Gardening; accessory gardening buildings less than 1,000 square feet, including plant greenhouses for plant propagation; and including the keeping of animals as provided by Section 14.900 et seq.
- (3) Prohibited: Feed lots, Slaughter of animals.

Alley: A public way not over 30 feet wide providing a secondary means of access to private property.

Alter, Alterations: A change, addition or modification in construction or use of a building or structure.

Ambulance or Paramedic Service: A service for transporting the injured or sick or for providing emergency medical services before or during transportation to a hospital or clinic.

Amendment: A change in the text of the Code, or a change in the zone boundaries or district boundaries upon the zoning map or special district maps, or a change in the Comprehensive Plan text, Land Use Map or Urban Growth Boundary.

Apartment House: See "Dwelling, Multi-."

Appeal: A request that a final decision by the Director, Hearings Officer, Planning Commission or City Council be considered by a higher authority, either on the basis of a de novo hearing or with the inclusion of evidence in addition to the evidence considered by the maker of the initial decision.

Applicant: The owner of affected property, or such owner's duly authorized representative. The City Attorney may ascertain the sufficiency of the representative's alleged authorization by the owner to act as applicant on the owner's behalf.

Application: For purposes of this Code, application is defined as materials submitted, or required to be submitted under this Code.

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

Area of Special Flood Hazard: 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 letter A or V.

Arterial Street: A major street which functions primarily to move large amounts of traffic and is identified as an arterial street on the official street map.

Athletic Clubs: Recreation facilities containing one or more athletic activities which are primarily indoor in character.

Auto Service Station: Provision of fuel for any motor vehicles, together with performance of associated services for motor vehicles when performed as an accessory use.

Bankfull Stage: The stage or elevation at which water overflows the natural banks of streams or other waters and begins to inundate the upland. In the absence of physical evidence, the two-year recurrence interval flood elevation may be used to approximate the bankfull stage.

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

Basement: A space wholly or partly underground and having more than one-half of its height, measured from its floor to its ceiling, below the average adjoining finished grade.

Basic Needs Facility or Site: This land use type is to permit the provision of goods and services to meet the basic needs of unhoused persons or other persons needing assistance. Goods and services which may be provided include, but are not limited to, food, health care, clothing, warming center, housing technical assistance, and other supportive services. The target population for these goods and services is primarily unhoused persons and those at-risk of becoming unhoused. Others in need of assistance, such as travelers and migrants, may also be served. Goods and services will be provided by non-profit agencies, charitable organizations, and governmental agencies. Goods and services may be provided from buildings or open sites and may be year-round or seasonal. This land use type does not include shelter or housing.

Beds or Banks: The physical container of the waters of this state lying below bankfull stage.

Bed and Breakfast Inn: A use providing temporary overnight lodging and a morning meal (breakfast), for which monetary compensation is paid and received. Bed and Breakfast does not include other similar service uses, such as eating and drinking establishments, religious services, clothing sales or distribution outlets, health or limited care for needy individuals, boarding homes, group quarters, transient quarters, or rescue missions.

Berm: A man-made mound or small hill or earth used to deflect sound or used as a buffer in landscaping provisions to separate incompatible areas or to provide aesthetic enhancement in site design.

Bicycle Parking Facilities: Space and improvements dedicated exclusively for use of securing bicycles. They include, but are not limited to: marked spaces, structures including lockers, racks and enclosures, and areas providing maneuvering space for access to parking spaces and improvements.

Bikeway: A paved facility provided for use by cyclists. There are four types of bikeways:

Shared Roadway: A type of bikeway where motorists and cyclists occupy the same roadway area.

Shoulder Bikeways: A bikeway which accommodates cyclists on paved roadway shoulder.

Bike Lanes: A section of the roadway designated for exclusive bicycle use.

Bike Paths: Bike lanes constructed entirely separate from the roadway, alone or in conjunction with pedestrian ways.

Block: An area of land containing one or more lots or parcels surrounded by streets, railroad rights-of-way, un-subdivided acreage or a combination thereof.

Board: Josephine County Board of County Commissioners.

Bond: Any form of security, including a cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the City.

Buffer, Buffering: A landscaped area which provides a separation between potentially conflicting zoning districts, when developed as provided in Section 23.034, Type D.

Building: Any structure used or intended for supporting or sheltering any use or occupancy.

Building Envelope: That portion of a lot or development site exclusive of the areas required for front, side, and rear yards and other required open spaces and easements, and which is available for siting and constructing a building or buildings.

Building Line: A line on a plat indicating the limit beyond which buildings or structures may not be erected, or the minimum distance as prescribed by this Code between the front property line abutting a street and the closest point of the foundation of any building or structure related thereto.

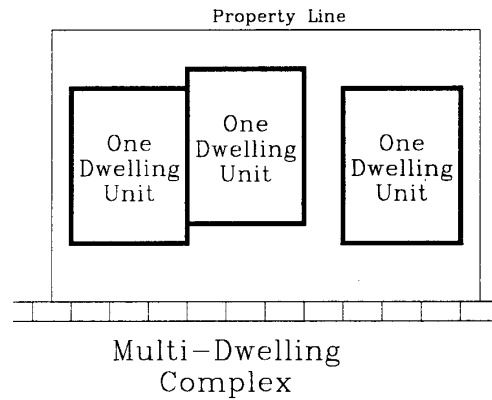
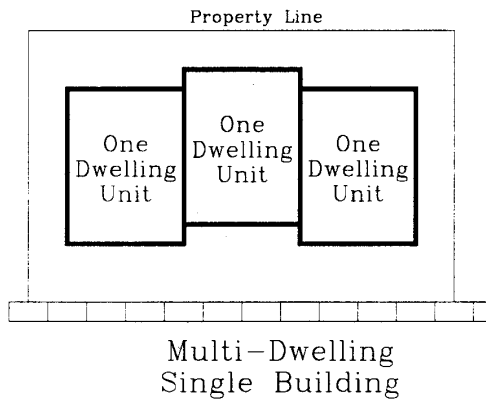
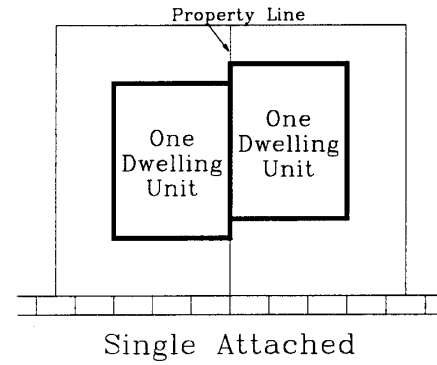
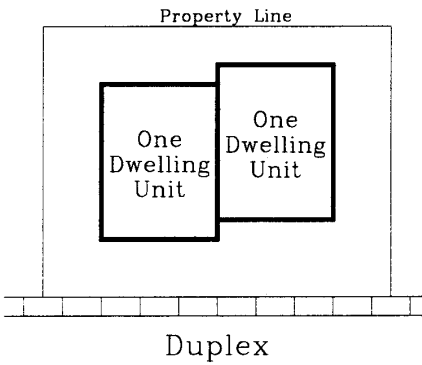
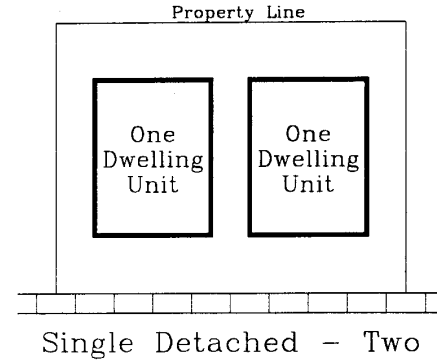
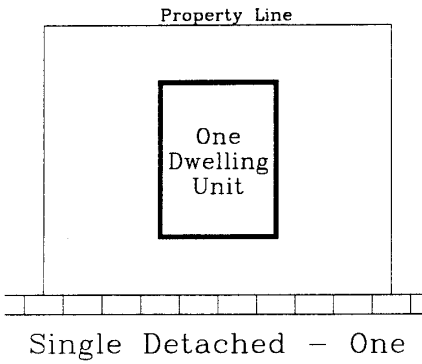
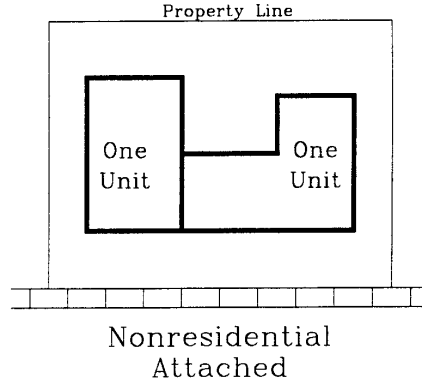
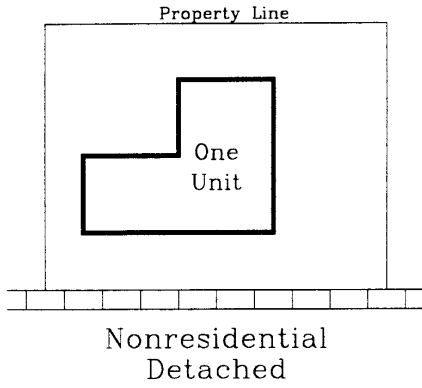
Building Types: The description of buildings according to their placement and arrangement on a site or sites as follows:

- (1) Nonresidential - That group of building types comprising the following:
  - (a) Detached: A single main building, freestanding and structurally separated from other buildings. (See Concept Sketch 30-Building Types.)
  - (b) Attached: Two or more main buildings placed side-by-side so that some structural parts are touching one another, located on a lot or development site or portion thereof. (See Code Concept Sketch 30-Building Types.)
- (2) Residential - That group of building types comprising the following:
  - (a) Single Detached-One: One dwelling unit, freestanding and structurally separated from any other dwelling unit or buildings,

located on a lot or development site. (See Concept Sketch 30-Building Types.)

- (b) Single Detached-Two: Two dwelling units located on the same lot that are not attached in any manner. (See Concept Sketch 30-Building Types.)
  - (c) Duplex: Two dwelling units placed so that some structural parts are in common and are located on a single lot or development site. (See Concept Sketch 30-Building Types.)
  - (d) Single Attached: Two or more dwelling units attached side-by-side with some structural parts in common at a common property line. (See Concept Sketch 30-Building Types.)
  - (e) Multi-Dwelling: A structure or complex of structures containing at least three dwelling units in any vertical or horizontal arrangement, located on a lot or development site. (See Concept Sketch 30-Building Types.)
  - (f) Cottage Development: A grouping of four to twelve small, single family dwelling units clustered around a common open space area and developed with a coherent plan for the entire site. Cottage units may have other shared amenities. The shared common area and coordinated design may allow densities that are somewhat higher than typical in single family neighborhoods possible while minimizing impacts on adjacent residential areas.
- (3) The following commonly used terms are not considered building types for purposes of this Code:
- (a) Condominium
  - (b) Townhouse
  - (c) Apartment





**Concept Sketch 30 - Building Types**

Building Official: The City Building Official.

Building, Principal: A building within which is conducted a principal use permitted on a lot.

Calendar Year: The period of time from January 1 to December 31 inclusive.

Carport: A structure consisting of a roof with its supports and which is entirely open on two or more sides and is used for sheltering a motor vehicle.

Cemetery: Land use or intended to be used for the burial of the dead and dedicated for cemetery purposes, and which may include columbaria, crematories, mausoleums and mortuaries.

City Engineer: The City Engineer of the City of Grants Pass or his designee.

City Manager: See "Manager."

City Surveyor: An individual appointed to the office of Grants Pass City Surveyor who is responsible for performing the duties of such office in lieu of the County Surveyor as described by law.

Clearance: The highest point of the grade below a sign to the lowermost point of the sign.

Clinic: A building for the diagnosis and treatment of human patients, for periods not exceeding 24 hours, by a health care provider licensed by the State of Oregon, including doctors, dentists, surgeons, chiropractors, physical therapists, psychologists, and health counselors.

Code: Shall mean the City of Grants Pass Development Code.

Co-dominant: Trees with crowns forming the general level of the crown cover and receiving full light from above but comparatively little from the sides; usually with medium-sized crowns more or less crowded on the sides.

Collector Street: A major street which transports traffic from local streets to the arterial street system and is identified as such on the official street map.

Commercial: See "Trade Retail."

Compatible: To be used in determining the suitability of land uses within a zone and is not intended as an absolute term meaning no interference or adverse impacts of any type with adjacent uses. Compatible may include being made compatible through screening, fencing, traffic pattern and site plan design, restriction of building openings, building design, building setbacks or other design solutions.

Comprehensive Land Use Plan/Comprehensive Plan: An official document which establishes the future land use pattern and land use goals and policies for the City.

Condominiums: A type of residential development offering individual ownership of units and common ownership of open spaces and other facilities and regulated, in part, by State Law (ORS Chapter 100).

Council: The Grants Pass Council.

County Recorder: The Josephine County Clerk.

County Surveyor: An individual appointed or elected to the office of Josephine County Surveyor and who is responsible for performing the duties of such office as described by law.

Courtyard: A landscape area enclosed by two or more walls.

Coverage, Building: That percentage of the total lot area covered by buildings.

Criteria: General rules or tests on which a judgment or decision can be based.

Crown: Live branches and foliage of individual trees that results in shading beneath.

Cul-de-sac: A short street which has one end open to traffic and is terminated by a vehicle turn-around.

Cul-de-sac Bulb: The circular radius at the end of a cul-de-sac.

Cultural Exhibits: Museum-like preservation and exhibition of objects in one or more of the arts and sciences, gallery exhibition of works of art. Specifically excluded from this category are exhibitions where items displayed are available for retail sale (see "Trade, Retail.")

Day(s): Shall mean calendar days, unless working days are specified, which shall mean Monday through Friday, exclusive of official City holidays.

Day Care: Care, supervision and guidance on a regular basis provided to five or more persons during part of the day, under appropriate local and State licensing. Day care is of two types:

- (1) Family: Day care provided for fewer than 13 children (under 13 years of age), including children of the provider, in the living area of the provider's home, regardless of full-time or part-time status, which meets the requirements of ORS 418.805 through 418.885.
- (2) Group: Day care provided in a place other than the recipient's home, excluding Family Day Care.

Dedication: The designation of land by its owner for any general or public use.

De Novo: A new hearing, usually without consideration of any previous hearing testimony.

Density: The number of residential dwelling units per acre of land.

Destination Resort: As defined in Goal 8, Recreational Needs, Oregon's Statewide Planning Goals, as may be amended from time to time (OAR 660, Division 15).

Development: Any man-made change to improved or unimproved real estate, including but not limited to construction, installation or change of a building or other structure, land division and partition, establishment or termination of a right of access, storage on the land, drilling and site alteration such as that due to land surface mining, dredging, paving, excavation or clearing.

Development, Existing: Development existing or authorized by City permit at the time of application for a Solar Access Permit.

Development Permit: A permit issued by the Director for a development which is in compliance with this Code and the Comprehensive Plan.

Development Plan: Any plan adopted by the City Council for the guidance of growth and improvement of the City. The Council may make adjustments in any such plan from time to time to meet unanticipated problems and conditions affecting landowners or the public.

Development Site: A tract of land either undivided or consisting of two or more contiguous lots of record which, on the effective date of this Ordinance or subsequently, came under single or common ownership and continued to be so owned at the time a Development Permit was applied for.

Director: Director of the City Community Development Department, or his/her designee.

District: A portion of territory of the Urban Growth Boundary within which certain uniform regulations and requirements of this Code apply.

Dividing Land: See "Land Division."

Dominant Tree: Trees with crowns extending above the general level of the crown cover and receiving full light from above and partially from the side; larger than the average trees occupying the site and with crowns well developed.

Drainageway: A natural or manmade watercourse which has the specific function of transmitting natural stream water or storm runoff water from a point of higher elevation to a point of lower elevation and which conveys significant seasonal concentrations of water over the surface of the land.

Driveway: The driving surface that provides access internal to a lot or parcel, which has access to the public or private street that constitutes frontage. A driveway does

not constitute frontage. A driveway services only one lot or parcel, except where there are provisions for shared driveways and cross access easements. See definition of "Streets, Private."

Duplexes: A building under single or common ownership designed or used exclusively for the occupancy of two families living independently of each other and having separate housekeeping facilities for each family. See also "Building Type."

Dwelling, Multi-: A building under single or common ownership designed and used for occupancy by three or more families, all living independently of each other, and having separate housekeeping facilities for each family. See also "Building Type."

Dwelling, Single Family: A building designed or used exclusively for the occupancy of one family and having housekeeping facilities for only one family, and if attached, under separate ownership from any attached dwelling. See also "Building Type."

Dwelling Unit, Existing Residential: A residential dwelling unit that is currently certified for occupancy, that was constructed as a new residential dwelling unit in accordance with the standards in effect at the time of its construction.

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

Easement: A recorded interest in land owned by another that entitles its holder to a specific limited use or enjoyment.

Eating/Drinking Establishments: Uses providing facilities for consumption of prepared food and/or licensed beverages.

Elevation, Average: The average of the lot elevation on the northerly side of a structure and the lot elevation on the southerly side of a structure.

Employees: All persons, including proprietors, working on the premises during the largest shift at peak season.

Family: Any of the following:

- (1) An individual or group of persons not to exceed fifteen in number, related by blood, marriage or adoption;
- (2) An individual or group of disabled persons, not to exceed fifteen in number.
- (3) An individual or a group of not more than five persons (excluding servants) who need not be related by blood, marriage or adoption, living together in a dwelling unit.

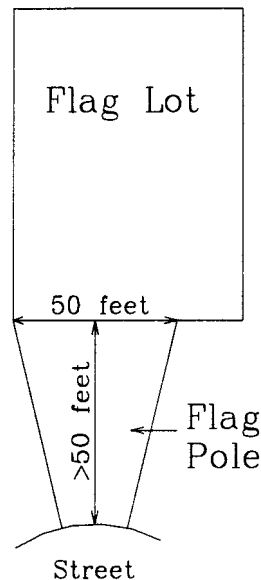
Fee in Lieu Agreement: Replaces the Deferred Development Agreement. The agreement obligates the property owner to pay a one-time assessed fee for those public improvements associated with the property's street frontage. The assessed fee for public improvements is based on the street classification fronting the property. The agreement is duly recorded, remains with the property and guarantees the property owner(s) one-time assessed fee for those public improvements specified in the agreement are paid in full.

Fenestration: The arrangement or design of windows and doors in a building.

Final Action: A final determination made by the review body and accompanied by adopted findings, if required, and signed by the review body or its designee. See also "Oral Action" and "Findings."

Findings: Written statements of fact, conclusions and determinations based on the evidence presented in relation to the Decision Approval Criteria and accepted by the review body in support of a decision.

Flag Lot: A lot that has frontage on and primary access to a street by means of a flag pole (See Concept Sketch 30 - Flag Lot and Flag Pole).



**Concept Sketch 30 - Flag Lot and Flag Pole**

Flag Pole: That portion of a lot that is a narrow strip of land to provide primary frontage and access to the main body of the lot. A flag pole has a width at all points that is less than 50 feet or the width of the lot, whichever is less. The width of the flag pole at any point is less than the depth of the flag pole from the street right-of-way to that point (See Concept Sketch 30 - Flag Lot and Flag Pole).

Flood: Any high stream flow which overtops the natural or artificial bank of any part of a stream or river that covers land not usually under water. The Intermediate Regional or Base Flood (often referred to as the 100-year flood) is a flood with a one percent chance of occurrence in any given year. This flood is mapped by the Army Corps of Engineers and is used by the Federal Emergency Management Agency and the City of Grants Pass for purposes of regulating development within flood boundaries.

Flood Fringe: The area bordering the floodway and within the floodplain and which acts as a reservoir of flood waters.

Flood Insurance Rate Map (FIRM): The official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

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

Floodplain: The combined area of the floodway and flood fringe as defined herein.

Floodway: The minimum area necessary for the passage of floodwaters, including the channel and adjacent land areas which must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation more than one foot; or any area designated as a floodway on the Floodway Map, whichever is more restrictive.

Flood Area: The gross area, under roof, of all of the floors of a building, measured from the interior of exterior walls, excluding only space devoted to off-street parking or loading.

Forestry: Any commercial activity relating to the growing or harvesting of forest tree species, including, but not limited to:

- (a) Reforestation;
- (b) Construction and maintenance of roads specifically for the growing or harvesting of forest tree species;
- (c) Harvesting of forest tree species;
- (d) Application of chemicals as part of growing or harvesting forest tree species; and
- (e) Disposal of slash.

Forestry: Individual or stand culture; pest management, thinning, fertilization, chemical applications, pruning or other at an individual tree or stand level.

Frontage: That portion of a property which abuts a street right-of-way.

Functional Classification: The description of streets by the relative importance of the movement and access functions. See "Streets" for specific descriptions of each street classification.

Future Street Plan: An approved street plan indicating the location of future streets within undeveloped or partially developed portions of the Urban Growth Boundary.

Garage, Private Parking: A structure having one or more tiers of height used for the parking of automobiles for the tenants, employees or owners of the property for which the parking spaces contained in or on said garage are required by this Code and which are not open for use by the general public.

Garage, Public Parking: A publicly or privately owned structure having one or more tiers of height, used for the parking of automobiles and open for use by the general public, either free or for remuneration. Public parking garages may include parking spaces for customers, patrons or clients which are required by this Code, provided said parking spaces are clearly identified as free parking space(s) for the building or use.

Garage, Repair: A building used for the care and repair of motor vehicles, including major and minor work such as body and fender work or engine and transmission overhaul, and incidental storage or parking of vehicles.

Goals: Statements identified as such in the Comprehensive Plan.

Governmental Bodies: Shall mean City, County, State and Federal Boards, Councils, Commissions and Agencies and the like. See also "Review Bodies."

Government Buildings: All buildings and structures defined in ORS 446.210 through 446.280 used by the public which are constructed, purchased, leased or rented in whole or part by the use of State, County or Municipal funds, or the funds of any political subdivision of the State; and to the extent not required otherwise by federal law or regulations or not beyond the power of the State to regulate, all buildings and structures used by the public which are constructed, purchased, leased or rented in whole or in part by the use of federal funds.

Grade, Finish: The final grade of paving, sidewalk or landscaped area at any given point upon completion of construction.

Group Care Home: Facilities licensed by the State of Oregon and the appropriate governing bodies providing convalescent or chronic care for periods exceeding 24 hours for elderly or physically dependent persons, or providing care and training on a daily basis for physically or mentally handicapped persons, for sixteen or more persons not related by blood, marriage or adoption to the administrator of such care and training.



Group Quarters: The residential occupancy of living units by groups of more than five persons who are not all related by blood, marriage or adoption, and where the communal kitchen and/or dining facilities are provided.

Habitable Floor: Any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a "habitable floor."

Half Street: Half of the width of a street, usually along the side of a subdivision where the remaining portion of the street could be provided in another subdivision.

Handcrafted Manufacturing: Merchandise produced using non-power equipment and tools, except for low-impacting household appliances, such as sewing machines, jigsaws, small drills and sanders. In no case can the equipment and/or material used in production result in noise, vibration or air or water quality impact in excess of locally adopted standards.

Hearings Officer: A contracted individual empowered with certain decision-making authority by this Code.

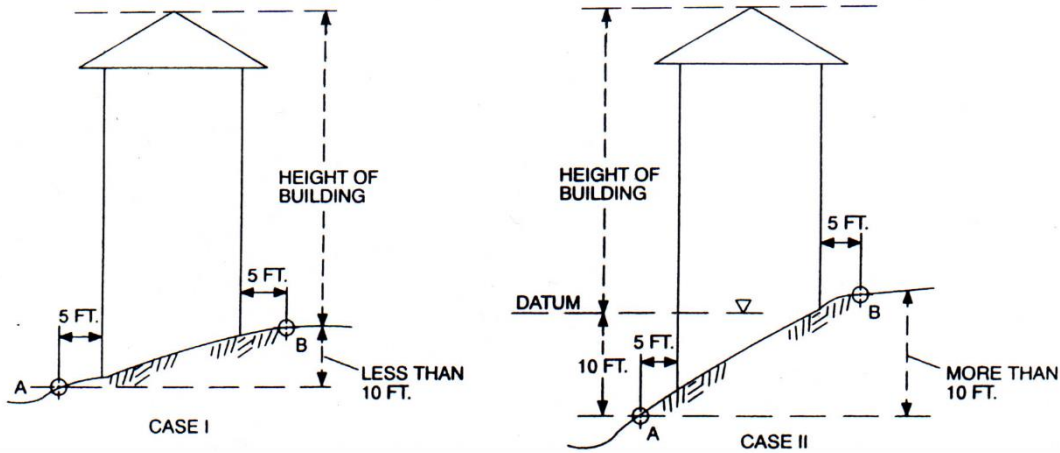
Height of Building: The vertical distance above a reference datum measured to the highest point of the roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building.

- (1) The elevation of the highest adjoining sidewalk or ground surface within a 5-foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above lowest grade.

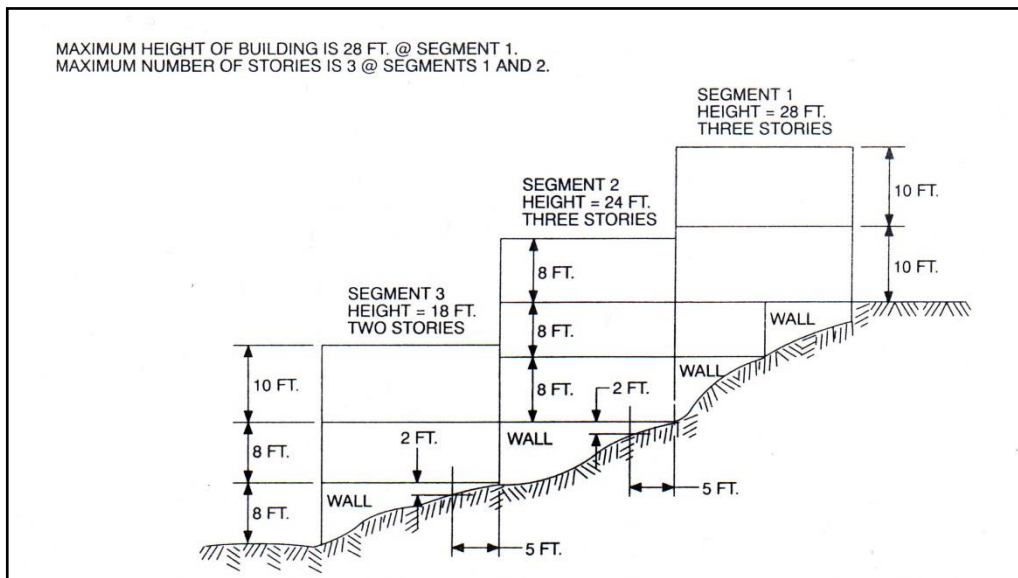
When a building has a covered porch, covered deck, or other unenclosed covered space without an exterior wall, the outermost point of the unenclosed space shall be considered an exterior wall.

- (2) An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in Item 1 is more than 10 feet above lowest grade.

The height of a stepped or terraced building is the maximum height of any segment of the building.



HEIGHT OF BUILDING



TERRACED BUILDING

Helipad, Medical: A landing and takeoff place for a helicopter for emergency medical services, such as patient transport.

Homeowners Association: An incorporated, non-profit organization operating under recorded land agreements through which each lot owner of a Planned Unit Development or other described land area is automatically subject to a charge for a proportionate share of maintaining a common property.

Home Occupation: An accessory use of a dwelling unit for gainful employment involving the manufacture, provision, or sale of goods and/or services. The primary use of the dwelling unit is residential.

Hospitals: Institutions devoted primarily to the rendering of healing, curing and/or nursing care which maintain and operate facilities for the diagnosis, treatment and care of two or more non-related individuals suffering from illness, injury or deformity, or where other healing curing and/or nursing care is rendered over a period exceeding 24 hours.

Hospital, Small Animal: See Veterinary Clinic.

Hotel (Motel, Motor Hotel, Tourist Court): A building or group of buildings used for transient residential purposes containing rental units which are used, rented or hired out for sleeping purposes.

Indoor Recreation Area: A room or rooms within an enclosed building which is designed and used for recreational purposes by the public and/or occupants of a residential development. Activities provided for within an indoor recreation area many include, but are not limited to, the following: indoor swimming pools, saunas, gymnasiums, exercising rooms, dance floors, tennis or handball courts, and games such as pool, ping- pong, shuffleboard, etc.

Industrial: The on-site production of goods excluding agriculture. Industrial uses are one of three types:

- (1) Indoor: Those light industrial uses that can be accomplished within a wholly enclosed building, that require no outside production and little or no outside storage of materials. Indoor Industrial uses refer to industrial production of previously processed or prepared materials, as follows:
  - (a) Production, processing, assembling, packaging or treatment of food products from previously processed materials; or
  - (b) Production, processing, assembling and packaging of finished products from previously prepared materials; or
  - (c) Manufacturing and assembly of electronic instruments and equipment and electrical devices.
- (2) Outdoor: Those heavier industrial uses that require open air production, processing and storage of materials. Outdoor Industrial uses refer to:
  - (a) The manufacturing, processing or assembling of semi-finished or finished products from raw materials.
  - (b) The retail or wholesale trade in bulk of hazardous materials.
- (3) Prohibited: Those industrial uses within the City of Grants Pass, as follows:
  - (a) Manufacturing of explosives.

Intensity of Use: See "Land Intensity of Use."

Intermediate Tree: Trees shorter than those in the Codominant and Dominant classes but with crowns extending into the crown cover formed by codominant and dominant trees; receiving little direct light from above and none from the sides, usually considerably crowded on the sides.

Irrigation System: Method of supplying water which can be manually or mechanically-controlled to a needed area.

Itinerant Use: (Repealed per Ord 5564) See Chapter 4 of the Municipal Code.

Kennels: A lot or premises on which three or more adult dogs are kept, whether by the owners of the dogs or by persons providing facilities and care, whether or not for compensation. An adult dog is one that has reached the age of six months.

Kitchen: Any room used or intended or designed to be used for preparation of food and storage of food, including any room having a sink, and either a 3/4-inch gas opening or provision for a range or stove.

Laboratory, Medical: A laboratory that provides the processing and/or manufacture of medical products on an individual basis from another medical source, usually a health care provider. This includes, but is not limited to, a dental, blood, foot, radiology, and pharmaceutical laboratories.

Land, Intensity of Use: Relative measure of development impact defined by such characteristics as the number of dwelling units per acre, amount of traffic generated and amount of site coverage.

Land, Parcel of: Any quantity of land capable of being described with such definiteness that its location and boundaries may be established, which is designated by its owner or developer as land to be used or developed as a unit, or which has been used or developed as a unit.

Landscaping: Includes ground cover, trees, grass, bushes, shrubs, flowers and garden areas and any arrangement of fountains, patios, decks, street furniture and ornamental concrete or stonework areas.

Landscape Coverage: The degree to which living plant materials cover any given landscaped area, as measured no higher than six inches from the finish grade of the landscaped area.

Library: Collection of books, manuscripts, periodicals, and other media, etc., for study or reading, on-site or available for check out and circulation. A library may house meeting space as a secondary function. Specifically excluded from this category are exhibitions where items displayed are available for retail sale (see “Trade,” “Retail.”)

(1) Main branch. When there is one library in the library system, it shall be considered the main branch. When there is more than one library in the library system, the principal library, typically the largest facility which serves as a hub for

other libraries in the system, shall be considered the main branch. Administrative functions for the library system are typically housed in the main branch rather than neighborhood branches.

- (2) Neighborhood branch. When there is more than one library in the library system, a secondary library, typically a smaller facility, which acts as a satellite facility and serves a smaller neighborhood area, shall be considered a neighborhood branch.

Living ground cover: Any variety of low-growing, trailing, non-invasive plants used to cover the ground to provide protection of the soil from erosion, drought, and weeds.

Loading Space: An off-street space or berth on the same lot with a main building or contiguous to a group of buildings for the temporary parking of commercial vehicles while loading or unloading.

Lodge: A lodge, club or fraternal organization, except those carried on as a business for a profit, and excepting Group Care and Group Quarters uses.

Lot: Either a discrete unit of land for planning, zoning, use, and development purposes, or subdivision lot, as the context dictates.

Lot Area: The total horizontal area within the lot lines of a lot.

Lot, Authorized: A lot which is recognized by the City of Grants Pass as a discrete unit of land for planning, zoning, use, and development purposes.

Lot, Corner: A lot situated at the intersection of two intersecting streets, where the interior angle of such intersection does not exceed 135 degrees.

Lot Coverage: The percent of a development site area covered by the vertical projection of any structures or buildings.

Lot Depth: The average minimum horizontal distance between the rear lot line and the front lot line, unless,

- (1) the rear lot line is enclosed within a floodway, required stream setback, or similar area not to be used for building and the applicant chooses to designate the setback or floodway line to be the rear lot line; or
- (2) the lot is a flag lot, in which case the lot depth shall be the average minimum horizontal distance between the two lot lines most distant from one another.

Lot, Interior: A lot other than a corner lot and having frontage on only one street.

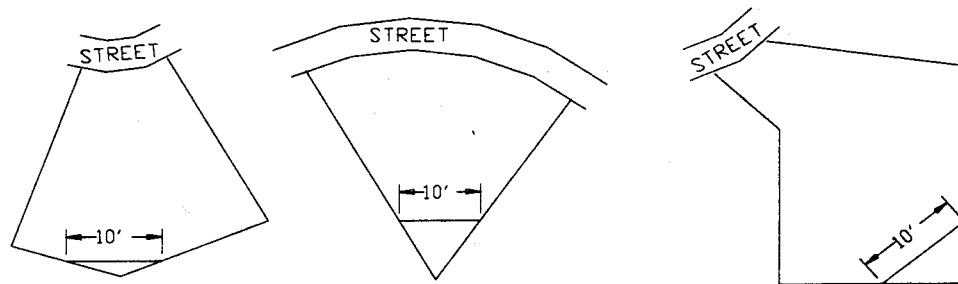
Lot Line: The property line bounding a lot.

Lot Line, Exterior: Any Side or Rear Lot Line abutting a street or alley.

Lot Line, Front: A property line which abuts the street. Where two or more property lines abut a street, one shall be the Front Lot Line and all others shall be Exterior Side or Exterior Rear Lot lines, as appropriate. The choice of Front Lot line shall be the applicant's.

Lot Line, Rear: The record lot line or lines most distant from and generally opposite the front lot line, except that in the case of a triangular lot or lot with more than four sides, it shall mean a straight line 10 feet in length which is a) parallel to the front lot line or its chord and b) intersects the other lot lines at points most distant from the lot line. (See Concept Sketch 30-Rear Lot Line.)

Lot Line, Side: Any lot boundary not a front or rear lot line.



**Concept Sketch 30 - Rear Lot Line**

Lot, Net Width: For use in determining landscaping requirements based on frontage. The recorded width of the lot less the width of the driveway approach.

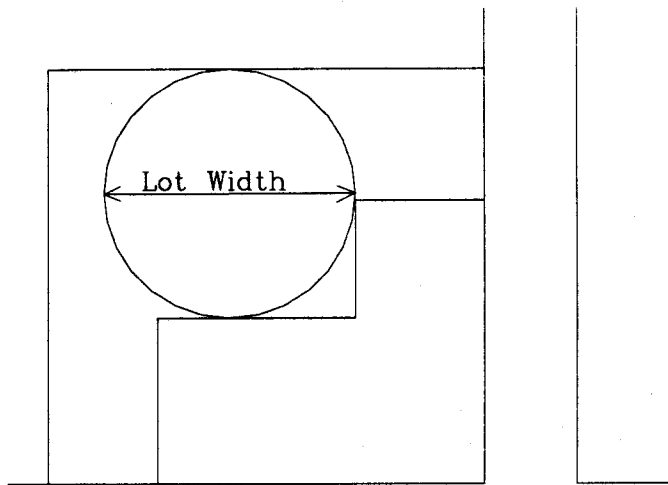
Lot of Record: See "Lot, Authorized."

Lot, Tax: A unit of land that has been assigned a lot number by the Josephine County Assessor, that may or may not be an authorized lot.

Lot, Through: A lot of record which has both a front and rear lot line abutting a street.

Lot, Unauthorized: A lot which is not recognized by the City of Grants Pass as a discrete unit of land for planning, zoning, use, and development purposes.

Lot Width: The diameter of the largest circle that can be inscribed within the property lines of a lot (See Concept Sketch 30 - Lot Width).



### **Concept Sketch 30 - 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 so as to render the structure in violation of the applicable non-elevation design requirements of this Code.

Maintenance: See Repair/Maintenance.

Major Zone District: The primary zone designation of property within the City such as R-1, GC or BP.

Makerspace/Innovation Hub: A community center or shared facilities that provide technology, manufacturing equipment and educational opportunities to the public, typically funded by membership fees or through affiliations with external organizations such as universities, for-profit companies, non-profit organizations and libraries.

Manager: The City Manager of the City of Grants Pass or his designee.

Manufactured Dwelling: A residential trailer, mobile home, or manufactured home.

Manufactured Dwelling Park: Any 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 or lease space or keep space for rent or lease to any person for a charge or fee paid or to be paid for the rental or lease or 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 a subdivision which are being rented or leased for occupancy by no more than one manufactured dwelling per lot.

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

Manufactured Home Space or Lot: A plot of ground within a manufactured dwelling park designed for the accommodation of one manufactured home, its accessory structures, parking spaces and required yard areas.

Manufactured Housing Park: A manufactured dwelling park.

Marijuana: (a) Marijuana means the plant Cannabis family Cannabaceae, any part of the plant Cannabis family Cannabaceae and the seeds of the plant Cannabis family Cannabaceae; (b) "Marijuana" does not include industrial hemp as defined in ORS 571.300.

Marijuana Business: "Marijuana Business" shall mean any of the following:

1. Marijuana processing sites; or
2. Marijuana dispensaries; or
3. Marijuana producers; or
4. Marijuana processors; or
5. Marijuana wholesalers; or
6. Marijuana retailers.

Medical Office: A business office directly associated with a licensed health care provider or providers for activities directly related to the health care, such as supplying, billing, and record keeping, but not providing diagnosis or treatment of patients.

Mobile Home. A structure constructed for movement on the public highways that has sleeping cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.

Mobile Home Park: A manufactured dwelling park.

Modular Home: A factory-fabricated transportable building designed to meet the Uniform Building Code, to be used by itself or incorporated with similar structures or units at a building site into a modular structure. The term is intended to apply to major assemblies and does not include buildings constructed at a site from prefabricated parcels, trusses and other prefabricated supplements. A "Modular Home" is not considered a "Manufactured Home."

Mortuary: Mortuaries, crematories, and funeral and interment enterprises, where human bodies are kept prior to cremation or interment.



Motel, Tourist Court: See "Hotel".

Motor Vehicle and Trailer Sales Area: A lot used for display, sale or rental of new or used motor vehicles or trailers.

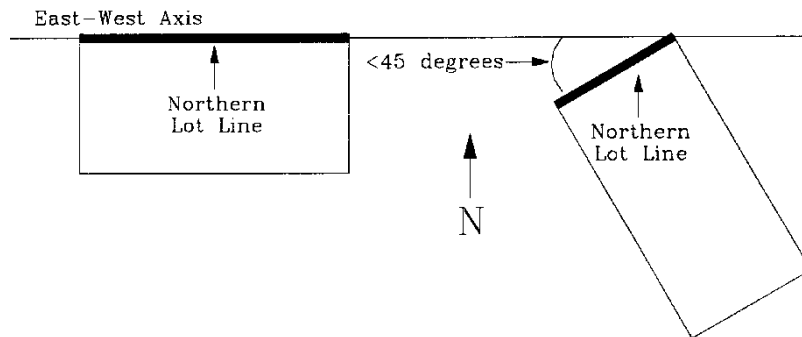
Non-Conforming Building: Any building which lawfully exists prior to the effective date of this Code but which, due to the requirements adopted herein, no longer complies with the height, yard, area and/or coverage regulations, off-street parking requirements or other provisions of this Title.

Non-Conforming Lot: A parcel of land which lawfully existed as a lot on the effective date of this Code, or which is legally created after the effective date of this Code, but which in either case does not conform to the lot area and/or lot dimension standards for the zone in which it is located.

Non-Conforming Use: Any use which lawfully existed on the effective date of this Code but which, due to the requirements adopted herein, no longer complies with the schedule of permitted uses.

Noon: Noon solar time, when the sun reaches its highest position in the sky on January 21.

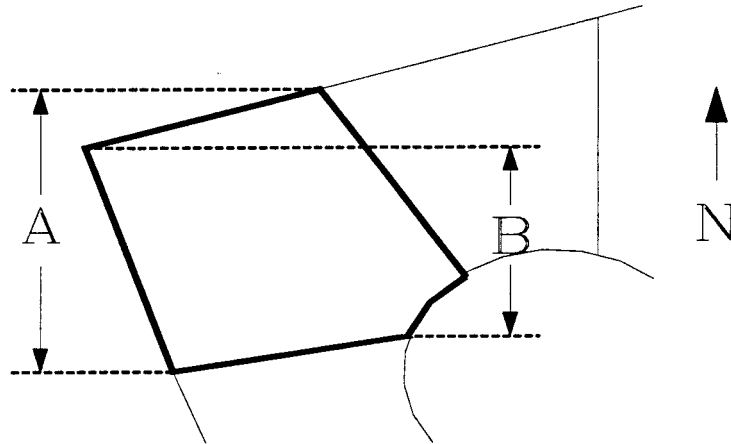
Northern Lot Line: A lot line or lines less than 45 degrees southeast or southwest of a line drawn east-west and intersecting the northernmost point of the lot, or, if no such line exists, the lot line the fewest degrees southeast or southwest of this east-west line. If the northern lot line adjoins an unbuildable area or areas (e.g. streets, alleys, public rights-of-way, parking lots, common areas) other than a required yard area, the northern lot line shall be northerly edge of the unbuildable area. (See Concept Sketch 30-Northern Lot Line.)



**Concept Sketch 30 - Northern Lot Line**

North-South Lot Dimension: A distance that represents the general length of the north-south axis of a lot. It is calculated as one-half the sum of the distances between: (A) the northernmost point on the northern lot line and the southernmost point of the southern lot line, and (B) the southernmost point on the northern lot line and the northernmost point on the southern lot line. The north-south lot dimensions

of flag lots shall be measured excluding the flag pole portion of the lot. (See Concept Sketch 30-North-South Lot Dimension.)



$$\text{North-South Lot Dimension} = (A+B)/2$$

### **Concept Sketch 30 - North-South Lot Dimension**

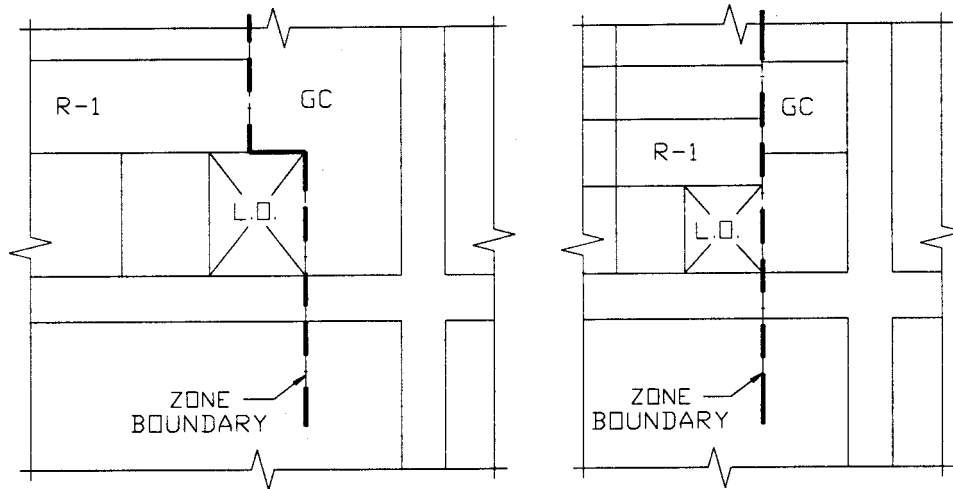
Nursing Home: See "Group Care Home."

Nuisance: A use, development or building on a parcel which is found to be dangerous, or a potential threat to the health, welfare and safety of the community, and which may be cited by the City Manager for civil action.

ODOT: Oregon Department of Transportation.

Offices: All offices maintained by business, professional and financial organizations and individuals for the performance of their business or profession, excepting repair/maintenance. Office uses are three types:

- (1) Professional: Office uses for the practice of a profession, including any office performing personal or business services, excepting repair/maintenance services. Professional office uses include medical and dental clinics, but do not include small animal clinics, and do not include laboratories not incidental to medical/dental office or clinic operation.
- (2) Business: Office uses provided for the conduct of business other than professional, excepting repair/maintenance services, and not involving retail or wholesale trade on the premises. See also "Trade, Wholesale."
- (3) Limited: Professional or Business Offices, but only when abutting GC or CBD Zoning Districts by either (a) an interior side lot line or (b) an interior side and interior rear lot line. (See Concept Sketch 30-Limited Office.)



**Concept Sketch 30 - Limited Office**

**Open Space, Recreational:** Area on a lot that is suitable for recreational use such as play, picnics, gardens, or sports. While recreational open space generally contains pervious surfaces, it may include impervious surfaces necessary to the recreational activity such as decks or sports courts. Recreational open spaces may be any of the following:

- (1) lawn or similar living ground cover that allows active recreational use. This does not include areas covered with decorative rock, landscaping bark, shrubs, or similar materials.
- (2) decks, patios, balconies, picnic areas, gazebos, or similar facilities that are designed solely for recreation.
- (3) active recreation facilities such as playgrounds, swimming pools, and sports courts.
- (4) walking, jogging, biking, or similar trails, including adjoining natural areas. This does not include trails within a required exterior yard.
- (5) cultivated gardens.

**Open Space, Pervious:** Area on a lot with surfaces permeable to water. This includes required landscaped yards, buffer areas, other landscaped areas, ponds, creeks, and other natural areas. It does not include streets, accessways, parking areas, areas covered by structures, decks, or areas covered by asphalt, concrete, or decorative rock.

**Oral Action:** The initial determination made by the review body at a public meeting or hearing, subject to the Final Action and adoption of findings. See also "Final Action" and "Findings."

Outdoor Storage: The keeping, in an unroofed area, of non-explosive materials, merchandise, goods and/or vehicles in the same place for more than 24 hours. Storage shall be screened with a solid fence or wall and shall not encroach into any required setback.

Owner: Where used in relationship to real property, the legal owner of record or, where there is a recorded Land Sales Contract in force, the purchaser thereunder.

Parapet or Parapet Wall: That part of any wall above the roof line as defined in Uniform Building Code, Oregon Edition.

Parcel: A partition parcel, a property line adjustment parcel, or a discrete unit of land for planning, zoning, use, and development purposes, as the context dictates.

Parking Area, Commercial: Privately or publicly owned property other than streets or alleys, on which parking spaces are defined, for use by the general public, either free or for remuneration, and not provided as part of a parking requirement for some other use.

Parking Area, Private: Privately or publicly owned property, other than streets and alleys, on which parking spaces are defined, designated or otherwise identified for use by the tenants, employees or owners of the property for which the parking area is required and not open for use by the general public.

Parking Area, Public: Privately or publicly owned property other than streets or alleys, on which parking spaces are defined, designated or otherwise identified for use by the general public, provided as a part of a parking requirement for an adjoining land use.

Parking Space: The minimum gross area available for the parking of an automobile as required by this Code.

Parking, Voluntary: A private parking area provided in a residential zone for use by a business or use on an adjacent lot in a commercial or industrial zone. Parking is provided voluntarily and is in excess of any parking spaces required by this Code. The number of spaces is not more than 50 percent of the number of spaces required for the use, or ten spaces, whichever is greater. Voluntary parking is of two types:

- (1) Local Impact: Voluntary parking involving ten or fewer spaces with no access to a street in a residential zone.
- (2) Area Impact: Voluntary parking involving more than ten spaces or access to a street in a residential zone.

Partition: Either an act of partitioning of land or an area or tract of land partitioned.

Partition Parcel: A single unit of land that is created by a partitioning of land.

Partition Land: To divide land into two or three parcels of land within a calendar year, but 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) A property line adjustment.
- (3) The division of land resulting from the recording of a subdivision or condominium plat.
- (4) A sale or grant by a person to a public agency or public body for state highway, county road, city street or other right-of-way purposes provided that such road or right-of-way complies with the Comprehensive Plan and ORS 215.213 (2)(q) to (s) and 215.283 (2)(p) to (r). However, any property divided by the sale or grant of property for state highway, county road, city street or other right-of-way purposes shall continue to be considered a single unit of land until such time as the property is further subdivided or partitioned.

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

Party: Any person, organization, or governmental body, including the applicant, that appeared at a public hearing by submitting written or oral testimony concerning a particular application or matter, or who submitted written testimony concerning a particular matter or application during a noticed public comment period prior to a land use decision or limited land use decision.

Passive Solar Energy System: See "Solar Energy System, Passive."

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, pedestrian ways, stairways and pedestrian bridges.

Pedestrian Connector Route: A right-of-way dedicated and constructed to accommodate pedestrian travel between rights-of-way or properties.

Pedestrian Way: An access, trail, sidewalk, or similar path that accommodates pedestrian travel.

Pedestrian Way, Private: A pedestrian way that is located on private property.

Performance Standards: A measure of the quality of traffic operations at an intersection or roadway segment. Performance standards can include level of service, volume to capacity ratio, average stopped delay, and other methods of measurement.

Person: An individual, corporation, governmental agency, business trust, estate, trust, partnership, association, two or more people having a joint or common interest, or any other legal entity.

Personal Services: Services, the primary function of which is to enhance the appearance, health, or hygiene of individuals. Providing these personal services for the convenience of walk-in customers is the primary function. The sale of any product is accessory to these services. Typical uses include beauty and barber shops, professional masseuses, shoe repair shops, and coin operated laundries. Personal services do not include medical or dental offices or clinics.

Pharmacy: A retail store where medicines are compounded and sold. Not more than 25 percent of the floor area may be devoted to retail sale or rental of goods other than medicines, durable medical goods, or medical related products.

Planned Unit Development: A land development project comprehensively planned as an entity via a unified site plan which permits flexibility in building siting, mixtures of building types and land uses (provided those land uses are permitted in the underlying zone), usable open spaces and the preservation of significant natural features.

Planning Commission: The Urban Area Planning Commission, except that the Historical Buildings and Sites Commission may be substituted for the Planning Commission in Section 2, Procedures, and Section 10, Appeals, when referencing action by the Historical Buildings and Sites Commission under the Procedures or Appeals Sections.

Plat: A final subdivision plat, replat, partition plat, property line adjustment plat or map.

Pre-Existing Lot: See "Authorized Lot."

Preliminary Plan: See "Tentative Plan."

Premises: A lot, parcel or tract of land occupied, or to be occupied, by a building or unit or group of buildings and their accessory buildings.

Principal Use: The main use to which the premises are devoted and the primary purpose for which the premises exist. See also "Accessory Use."

Private Driveway: A driveway to serve residential premises.

Property: A unit or tract of land.

Property Consolidation: The creation of one unit of land where more than one unit of land previously existed.

Property Line: The legally recognized division line between two units of land.

Property Line Adjustment: The relocation of a common property line between two abutting properties, when recorded with the County Recorder by the appropriate parties, when such adjustment is done in accordance with the applicable standards in effect at the time of recordation.

Property Line Adjustment Parcel: A unit of land created by a property line adjustment.

Property Line Vacation: The removal of the property lines separating two units of land resulting in the consolidation of abutting properties.

Public Building: All buildings and structures used by the public that are constructed, purchased, leased or rented in whole or in part by the use of private funds, where the building or structure has a ground area of more than 4000 square feet or is more than 20 feet in height from the top surface of the lowest flooring to the highest interior overhead finish of the building or structure.

Public Facilities: This category includes public uses and facilities which are not defined separately under more specific definitions in this Article, such as ‘Public Park’ and ‘Library.’

Except as provided below, public facilities that operate and function similarly to their private equivalents other than for their public ownership or occupancy, shall be reviewed using the procedures that apply to their private equivalents, if there is a commonly recognized equivalent, and if the public nature itself does not make the use location-dependent. Examples of these uses include: government/public offices, maintenance facilities, storage, etc.

- (1) Public Facility, Location-Dependent: Government, public, or semi-public facilities and utilities which, by nature of their function, must be located relative to other facilities, areas, elements of the collection or distribution system, or natural or topographic features to function properly, whether they may have local impact or substantial impact. Any associated impacts are addressed through mitigation rather than zoning. If a facility could meet more than one definition (Location-Dependent Public Facility, Minor Public, or Major Public), the least restrictive shall apply.

Examples of Uses included in this definition include: Open-air utility substations and pumping stations, reservoirs and wholly enclosed pumping stations or utility sub-stations. It also includes municipal water or sewage treatment plants when separated from any residential development by a minimum 50-foot wide Type B landscaped buffer. Uses also include public safety stations and substations (police and/or fire) when necessary to serve a specific area or achieve needed response times to a specific area.

Examples of uses not included in this definition are other public uses that are included in the ‘Major Public’ and ‘Minor Public’ definitions. Those uses may have specific siting requirements, but they are not location-dependent in the

same manner as uses in this definition, and they have greater siting flexibility to function properly.

- (2) Public, Major: Government or publicly owned facilities which have substantial impact, including materials storage or equipment repair facilities, warehouses, and detention and correction institutions.
- (3) Public, Minor: Government, public or semi-public facilities and utilities which have a local impact upon surrounding properties.

Public Need: A conclusion based on presentation of factual evidence which demonstrates that a particular request for a change is in the best public interest for economic, social, and environmental reasons.

Public Park: A tract(s) of land set apart and devoted to the purposes of pleasure, recreation, ornament, light and air for the general public and under the management or control of a public agency. Parks may include playgrounds, recreation facilities, athletic fields, courts and open space. Uses generally occur outdoors, but buildings for indoor uses and enclosed spaces may be permitted by the Review Body as Accessory Uses. Parks are classified as Mini-Neighborhood, Neighborhood, Community, and Metropolitan Parks in accordance with the definitions found in the Parks and Recreation Master Plan for the City of Grants Pass Urban Growth Boundary.

Quasi-Judicial Action: An action which involves the application of adopted policy to a specific development application or amendment, as provided by this Code.

Ramada: A structure having a roof extending over a manufactured home or manufactured home space which is designed for protection of the manufactured home from sun and rain.

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

Recreation, Commercial: Provision of sports, recreation and entertainment for both participants and spectators, provided both indoors and outdoors. Specifically excluded from this category are “Residential Recreation” and “Athletic Club” uses. Commercial Recreation uses are of two types:

- (1) Local Impact: Commercial recreation uses conducted within an enclosed building with a capacity of 300 persons or less. Typical uses include theaters and meeting or banquet halls.
- (2) Area Impact: Commercial recreation uses conducted outdoors, or conducted within an enclosed building with a capacity of over 300 persons. Typical uses include theaters, meeting or banquet halls, cinemas, theme parks, stadiums, miniature golf facilities, and zoos.



Recreation, Residential: Provision of recreation facilities for participants, with only incidental spectator use, such that compatibility with residential uses can be maintained. Residential recreation uses are of two types:

- (1) Local Impact: Facilities for the private use of an individual family and non-paying guests, including members of a PUD. Typical uses include swimming pools, open space, club houses, or other recreational facilities located within a residential subdivision, PUD, or multi-family development.
- (2) Area Impact: Facilities for use of the general public or membership of a private organization (where not a part of a PUD) which consist primarily of vegetative landscaping, or similar natural-appearing areas, and focus on outdoor recreation. Lands tend to have few structures, but accessory uses such as club houses, maintenance facilities, concession stands, etc. may be permitted by Review Body. Typical uses include golf courses, privately-owned parks and plazas, botanical gardens, and nature preserves.

Recreational Resort: As defined in Section 14.142 of the Josephine County Zoning Ordinance, as may be amended from time to time (Acknowledged Plan, December 1985).

Recreational Vehicle: A boat, camper, motor vehicle or portable vehicular structure capable of being towed on the highways by a motor vehicle, designed and intended for casual or short-term human occupancy for travel, recreational and vacation uses. If identified in some manner as a recreational vehicle by the manufacturer or registered as such with the State, it is prima facie a recreational vehicle.

Religious Assembly: The building and premises used for the conduct of regular religious services, such as customarily occur in synagogues, temples, mosques and churches. Specifically excluded from this category are schools, other than premises used for religious instruction during regular religious services. See also "Schools."

Rental Unit: Any housing unit, which is occupied pursuant to a lawful rental agreement, oral or written, expressed or implied, which was not owned as a condominium unit or cooperative unit on the effective date of this Code. A condominium housing unit in a converted rental building for which there has been no acceptance of sale on the effective date of this Code shall be considered a rental unit.

Repair/Maintenance: A use whose primary function is the repair and maintenance of equipment, machines, and/or vehicles. Repair/Maintenance uses are of two types:

- (1) Commercial: Repair and maintenance of household and personal machines and equipment, of light business machines and equipment, and of cars, pickup trucks and mobile homes.
- (2) Industrial: Repair and maintenance of heavy business machines and equipment, large contractor and farm equipment, and of motorcycles, heavy trucks and truck and trailer tractors. A repair/maintenance use with any

industrial component shall be designated as an Industrial Repair/Maintenance use.

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, overlaying a dedicated street which is reserved to the City for control of access until such time as additional right-of-way is accepted by the City for continuation or widening of the street.

Residential Care: Services such as supervision, protection, assistance while bathing, dressing, grooming or eating, management of money, transportation, recreation and the providing of room and board.

Residential Dwelling Unit: See "Dwelling Unit, Residential."

Residential Care Facility: A facility licensed by the State of Oregon which provides residential care alone or in conjunction with treatment or training, or a combination thereof, for six or more individuals who need not be related. Staff persons required to meet State 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.

Residential Home: A home licensed by the State of Oregon which provides residential care alone or in conjunction with treatment or training, or a combination thereof, for five or fewer individuals who need not be related. Staff persons required to meet State 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.

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.

Restaurant: An establishment where meals are prepared and served to the public for consumption either on or off the premises.

Retirement Housing. Housing for an older person as defined in the Fair Housing Act.

Review Body: The Director, Hearings Officer, Planning Commission, Historical Buildings and Sites Commission or City Council, whichever has authority for making a determination under the various provisions of this Code.

Right-of-way: The area between boundary lines of a street.

Rip Rap: The act of facing a stream bank with rock or similar substances to control erosion.

Road: A street.

Roadway: The portion or portions of a street right-of-way improved for vehicular traffic.

Rocks, Cobble and Gravel for Landscaping: Includes rounded rock in various shapes and sizes from pea gravel to boulders and various colored lava cinder. Does not include gravel typically used for driveways, such as “three quarter minus” (¾-) and decomposed granite.

Sale or sell: Every disposition or transfer of land in a subdivision or partition or an interest or estate therein.

School: Facilities for the instruction of children, youth and adults. School uses are of two types:

- (1) Public: Public, private or parochial, kindergarten, primary, secondary and high schools and colleges, including accessory administrative uses, but not child care facilities, except when operated in conjunction with a school.
- (2) Technical: Technical, business, trade, dancing, music or sports schools, including accessory administrative uses.

Self-Storage: A commercial facility in which customers can rent space to store possessions; or

A storage facility in a residential neighborhood or development which, in accordance with Section 14.720, is only available for use by the residents of that neighborhood or development.

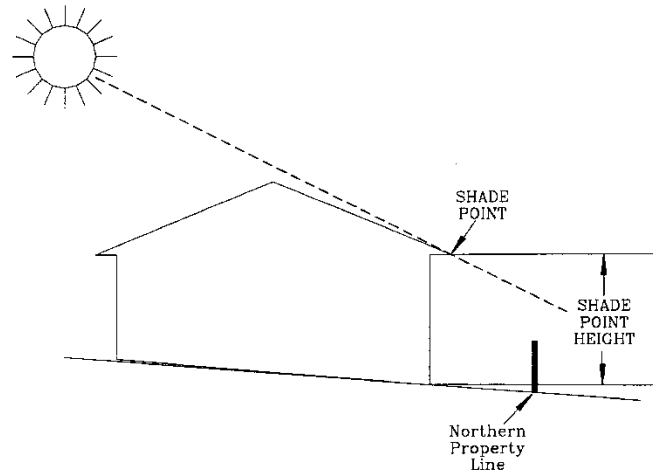
Service Station: An establishment selling fuel and oil for vehicles; selling, servicing and installing tires, batteries, accessories and related products; furnishing minor repair and service when conducted entirely within an enclosed building, and at which incidental services are conducted. "Minor repair and service," as used in this definition, shall be understood to exclude activities such as painting, bodywork, steam cleaning, and/or tire recapping.

Service Driveways: Any driveway constructed, installed, maintained in or over any portion of the public right-of-way for the purpose of ingress and egress of vehicles from the street to the property abutting the street.

Setback: The minimum allowable horizontal distance from a given point or line of reference, which for purposes of this Code shall be the property line, unless otherwise stated, to the nearest vertical wall of a building or structure, fence, or other elements as defined by this Code.

Shade: A shadow, except a shadow caused by a narrow object, including but not limited to such narrow objects as a utility pole, antenna, wire, flagpole or reasonable-sized chimney or flue.

Shade Point: The point on a structure that would cast the highest shadow at the northern lot line at noon on January 21. (See Concept Sketch 30-Shade Point and Shade Point Height.)

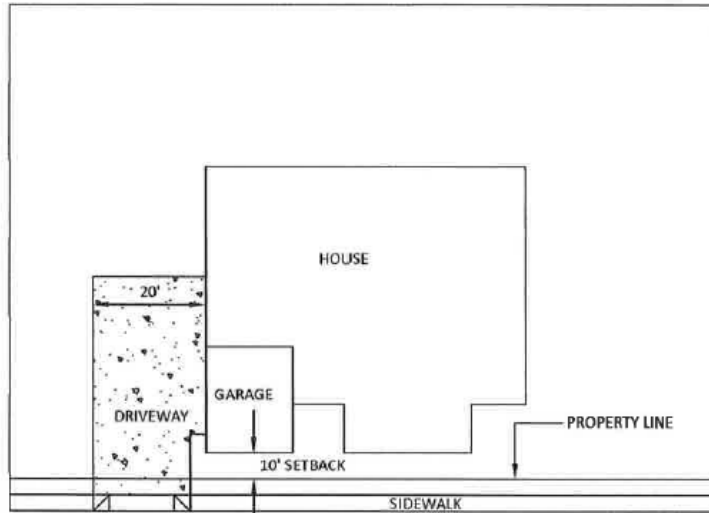


**Concept Sketch 30 - Shade Point and Shade Point Height**

Shade Point Height: The vertical distance between the shade point and the finished grade at that point. If the shade point is on a ridgeline that runs generally north-south, then the shade point height is one-foot less than what otherwise would be the shade point height. (See Concept Sketch 30-Shade Point and Shade Point Height.)

Shelter Facility or Site: This land use type is to provide temporary shelter for unhoused persons. The use may include emergency shelter in response to disaster events or severe weather (extreme cold or heat). Shelter type may include stick-built or temporary structures, existing or new structures, tents, RVs, camp trailers, and purpose-built shelters such as “Pallet Shelters.” Food service, medical aid, and other supportive services may be provided. Sanitation and security must be provided.

Side-Loaded Garage: A garage that is located perpendicular to either a front or exterior yard where a minimum of twenty (20) feet of paved area is located in front of the garage entrance.



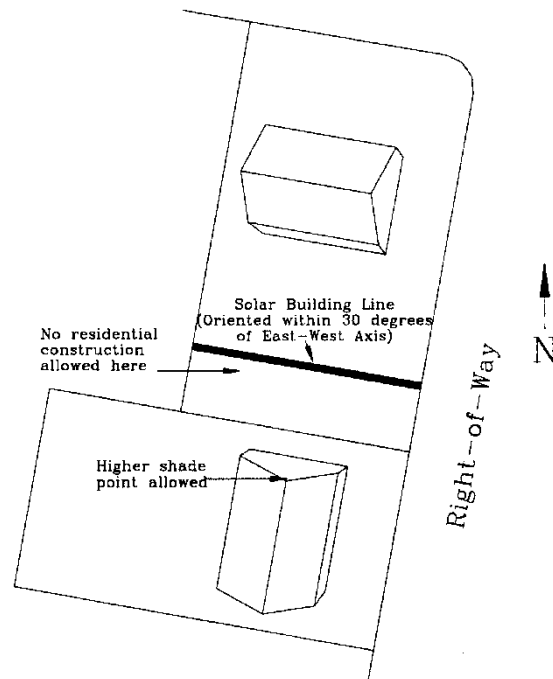
Site: That parcel of real property in common ownership, notwithstanding that the particular application may be for development of a portion of the site only. Conveyance of less than fee title to different persons, such as by ground lease, shall not operate to prevent the requiring of site design review of the entire parcel.

Site Plan: A plan, prepared to scale, showing accurately and with complete dimensions, all the uses proposed for a parcel of land and other information as required by specific sections of this Code.

Solar Access Permit: A document that describes the maximum permitted height of non-exempt vegetation on properties to which the permit applies to protect solar access on the property of the permit applicant, to the extent authorized by the City. A Solar Access permit shall include, but is not limited to, the legal description of the properties benefited and restricted by the Permit and copy of the sun chart, solar access permit height limitations, and information listed in The Solar Access Permit Height Limitations (Solar Envelope) of the solar energy system.

Solar Access Permit Height Limitations: A series of contour lines rising in four-foot increments at an angle to the south not less than 27 degrees from the horizon (the altitude of the sun on January 21 at noon) and extending at an angle not greater than 55 degrees (the azimuth of the sun on March 21 and September 21 at 9 AM and 3 PM, respectively) east and west of true south, parallel to and beginning at the bottom edge of a solar energy system for which a Solar Access Permit is requested.

Solar Building Line: A line designated on a lot south of which residential structures are precluded. The purpose of this line is to allow construction of a higher shade point on the lot to the south than would otherwise be allowed (See Concept Sketch 30-Solar Building Line).

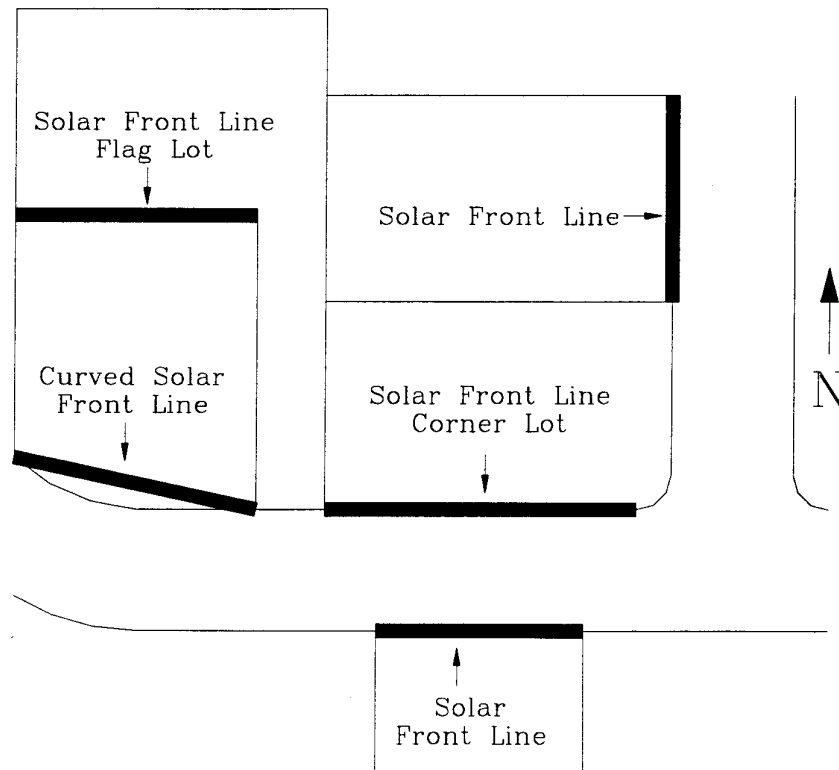


**Concept Sketch 30 - Solar Building Line**

**Solar Energy System:** A device or combination of devices or elements that rely on direct sunlight as any energy source, including but not limited to a substance or device that collects sunlight for the following uses: heating or cooling of a structure or building; heating or pumping of water; or, generating electricity. A solar energy system 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 or a building or structure and serving as a window or wall. A south-facing wall of a habitable structure is a solar system to the extent it is unshaded.

**Solar Front Line:** A line used to determine the solar orientation of a lot. It is the same as the front lot line, except in the following cases:

- (1) For a curved front lot line, a line that connects the endpoints of the curve.
- (2) For a lot with more than one frontage, the exterior lot line that runs closest to east-west.
- (3) For a flag lot, the side or rear property line, exclusive of the flagpole, that runs closest to east-west. (See Concept Sketch 30-Solar Front Line)



**Concept Sketch 30 - Solar Front Line**

**Solar Heating Hours:** The hours and dates during which solar access is protected under a Solar Access Permit, not to exceed those hours and dates when the sun is lower than 27 degrees altitude or greater than 55 degrees east or west of true south.

**Solar Setback:** A line parallel to the northern lot line which is the minimum distance that the shade point of a structure shall be set back from the northern lot line.

**Solar Sunchart:** A photograph or photographs, taken in accordance with guidelines issued by the Director, which plot the position of the sun during solar heating hours. The sunchart shall contain, at a minimum, the southern skyline as seen through a grid which plots solar altitude for a 42-degree northern latitude in 10-degree increments and solar azimuth measured from true, south in 15-degree increments. If the solar energy system is less than 20 feet wide, a minimum of one sunchart shall be taken from the center of the bottom edge of the system. If the solar energy system is wider than 20 feet, a minimum of two suncharts shall be taken, one from each end of the bottom edge of the system.

**Solar Energy Systems, Active:** Utilizes heat collection which is separate from the area being heated, with a mechanical method of transferring heat between the two areas.

**Solar Energy System, Passive:** Requires no external energy input to collect and disperse solar heat. In new building design this means utilizing site design, building orientation, window placement, insulation, vegetation, etc. to heat and cool a

building. Passive solar systems may also include the addition of such solar collectors as greenhouses, water traps, improved insulation or other weatherization techniques.

Southern Building Line: A line establishing the southernmost location for a structure on a lot.

Southern Lot Line: A lot line or lines less than 45 degrees southeast or southwest of a line drawn east-west and intersecting the southernmost point of the lot, or, if no such line exists, the lot line the fewest degrees southeast or southwest of this east-west line.

Special Purpose District: Overlay zone designations which set forth specific land use regulations in addition to the standards of the underlying Zoning District.

Special Use Permit: A land use permit issued by the Grants Pass City Council to authorize one or more of several uses specific to meeting the needs of unhoused persons, or those at-risk of becoming unhoused. The uses that may authorized by this permit are: 1) Shelter Facility or Site, 2) Supportive Housing – Type A, and 3) Supportive Housing – Type B. These land uses are defined in Article 30 – Definitions. Approval of a Special Use Permit uses the Type IV-A land use application and review process. See Article 14 – Special Uses for more information.

Staff: An employee or employees of the City of Grants Pass.

Stand: A hard-surfaced area within a manufactured home space or lot designed for placement of a manufactured home.

Story: That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the top story shall be that portion of a building included between the upper surface of the top floor and the ceiling above. If the finished floor level directly above a basement or cellar is more than six feet above finish grade, such basement or cellar shall be considered a story.

Story, Half: A basement or cellar, except as provided in this Code, which has less than six feet of its height above finish grade.

Street Plug: An area of land that is dedicated to the public for a future street or other specified purpose, over which current access is prohibited or specifically limited.

Streets, Public: Those designated on the City of Grants Pass Official Street Map.

- (1) Cul-de-sac: A local street with only one outlet and having an appropriate terminal for safe and convenient turnaround of vehicles.
- (2) Hammerhead street. A dead-end street that terminates in a turn-around other than a circular cul-de-sac, usually shaped like a “T” or a “Y”. Typically these are private streets, and are used only where use of a circular cul-de-sac is impractical.



- (3) Loop Street. A local access street with outlets that begin and end on the same street. Typically, they serve 100 dwelling units or less, and are less than 1200 lineal feet in length.
- (4) Local: A street intended to provide direct access to other streets from individual properties and allow traffic movement within a neighborhood.
- (5) Local Collector: A street intended to move traffic from local roads to collectors or arterial. A local collector services a neighborhood or large subdivision.
- (6) Collector: A street intended to collect and transport traffic from a varying number of local neighborhoods to arterials, and having a minimal number of controlled access points, and which may have two or more travel lanes.
- (7) Arterial: A street intended to transport large quantities of traffic in an efficient, rapid manner, and having a minimal number of controlled access points.

Streets, Private: A private street constitutes frontage and may serve more than one lot or parcel. Private streets may be accessed by driveways. See definition of “Driveway.”

Structural Soils: A blended mix of angular, open-graded (i.e., all the same or similar size) rock, clay, stabilizer, and water that, when correctly and lightly compacted, support traffic loads and healthy tree root growth. Specifications adopted by reference as listed on the City of Grants Pass website.

Structure: Anything 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. This includes, but is not limited to, carports, swimming pools, hot tubs, permanent signs, above ground gas or liquid storage tanks, fences, railings, sheds, manufactured homes, antennae, satellite dishes, well pump houses, mechanical equipment, and portable buildings. It also includes tents, awnings, stands, carts, and tables, except those used temporarily for an itinerant use. It does not include portable items solely for sale or temporary storage on the premises, including manufactured homes, portable buildings, and vehicles.

Subdivide Land: To divide land into four or more lots within a calendar year.

Subdivision: Either an act of subdividing land or an area or tract of land subdivided.

Subdivision Lot: A single unit of land that is created by a subdivision of land.

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

Supportive Housing – Type A: This land use type is for the provision of transitional housing where a full range of supportive services are provided. Sanitation and security must be provided. This housing is intended for relatively short-term occupancy. The expectation is to serve persons either unhoused or coming from a shelter and provide housing and support services that will enable moving people to a longer-term housing situation. The housing in this use category must meet the building standards set out in the 2017 Oregon Transitional Housing Code (as it may be revised).

Supportive Housing – Type B: This land use type is for the provision of a permanent housing facility where a full range of supportive services are provided. Sanitation and security must be provided. This housing is intended for relatively longer-term occupancy. However, the expectation is the client population would eventually move on to other longer-term housing where supportive services are no longer necessary. The housing in this category must meet the building standards set out in the 2019 Oregon Specialty Code (as it may be revised).

Supportive Services: The range of services included in this category will vary depending upon the need of the client population but typically includes employment assistance, counseling, job training, on-site medical aid, and/or financial services. Services at a minimum should provide for basic needs but may include more extensive and complex services.

Tax Lot: See "Lot, Tax."

Tentative grading plan: A grading plan submitted with the application and used for public review. It shall be drawn at a scale of either 1:50 or 1:100 and indicate intervals of 5 feet. It shall indicate cuts, fills, and retaining walls, and shall be replaced with a final grading plan.

Tentative Plan: A map showing the proposed layout of a property line adjustment, partition, subdivision, or planned unit development.

Tourist Court, Motel: See "Hotel."

Townhouse: Two or more common wall single family dwelling units, each unit of which is built upon an individually owned subdivided or partitioned lot or parcel.

Trade, Retail: The distribution, retail sale and/or rental of goods. Retail trade may include Wholesale trade and Handcrafted Manufacturing, but only as an accessory use to retail trade, when retail trade is the dominant use. In no case shall retail trade include manufacturing or assembly, except in the case of handcrafted items crafted for sale.

- (1) Ground Floor Level: Handcrafted Manufacturing or Wholesaling uses shall not exceed more than 25% of floor area. Not more than two handcrafted power machines may be operating at the same time.

- (2) Other than Ground Floor: No area restriction. Not more than one handcrafted power machine for every 400 square feet of floor area may be operating at the same time.

Retail Trade may include those offices necessary to the function of the retail trade operation. Retail trade does not include bulk fuel oil or bulk vehicle fuel sales; sale of explosives, and/or live animal sales other than small domestic pets. Retail Trade uses are of two types, as follows:

- (1) Indoor: Retail Trade uses which do not require more than 5% of the enclosed square footage for outdoor uses accessory to the enterprise, other than parking.
- (2) Outdoor: Retail Trade uses which require more than 5% of the enclosed square footage for outdoor uses accessory to the enterprise, other than parking.

Trade, Wholesale: The distribution and sale of goods at wholesale. Wholesale trade may include retail trade as an accessory use when wholesale trade is the dominant use. Wholesale trade does not include storage and/or sale of bulk fuel oil, bulk fuel, explosives or other hazardous material, or sale of live animals 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, shall be considered a Business Office use.

Transportation Facilities: Any physical facility that moves or assists in the movement of people or goods, but excluding electricity, sewage and water systems. A plan or land use regulation amendment significantly affects a transportation facility if it:

- (1) Changes the functional classification of an existing or planned transportation facility;
- (2) Changes standards implementing a functional classification system;
- (3) Allows types or levels of land uses which would result in levels of travel access which are inconsistent with the functional classification of a transportation facility; or
- (4) Would reduce the performance standards of the facility below the minimum acceptable level identified in the Transportation System Plan.

Transportation System Management Measures: Techniques for increasing the efficiency, safety, capacity or level of service of a transportation facility without increasing its size.

Tree Professional: An individual registered in the State of Oregon that specializes in Arboriculture, Landscape Architecture, or a person having a degree in horticulture, urban forestry, arboriculture, landscape architecture, or similar profession.

Urban Area: Lands within the Grants Pass Urban Growth Area.

Use: The purpose for which land or a building is arranged, designed or intended, or for which either land or a building is, or may be, occupied or maintained.

Vacation Occupancy: Vacation Occupancy means occupancy in a dwelling unit, not including transient occupancy in a hotel or motel, which has all of the following characteristics:

- (a) the occupant rents the unit for vacation purposes only, not as a principal residence;
- (b) the occupant has a principal residence other than at the unit; and
- (c) the period of authorized occupancy does not exceed twenty-seven (27) days.

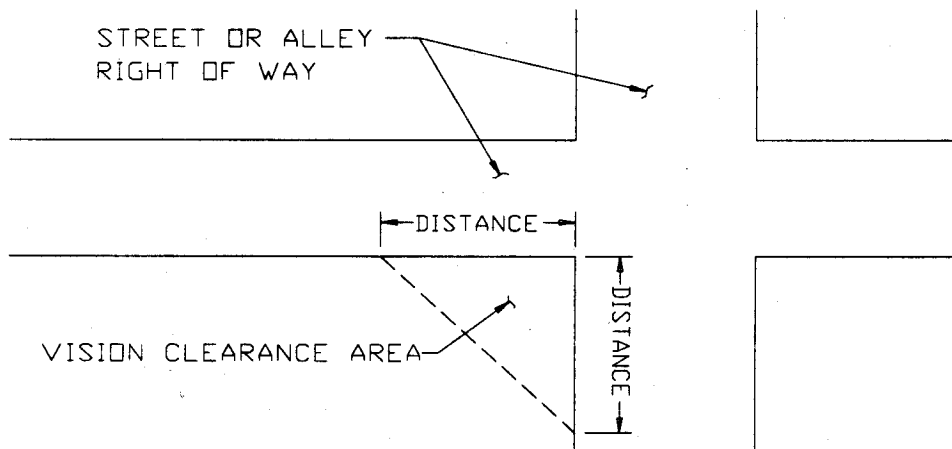
Vacation Rental Dwelling: A dwelling unit that is used, rented or occupied on a daily or weekly basis, or is advertised, or listed by an agent, as available for use, rent, or occupancy on a daily or weekly basis.

Vegetation, Exempt: Existing vegetation that is shown on a sun chart to shade a Solar Energy System during solar heating hours, and existing deciduous vegetation to the extent that it shades a Solar Energy System used solely for space heating, or formerly non-exempt vegetation that has been allowed to grow more than 10 feet into the skyline protected by a Solar Access Permit.

Vegetation, Non-Exempt: Vegetation other than exempt-vegetation.

Veterinary Clinics: Facilities providing for veterinary care to animals, where overnight accommodation is limited to emergency care and treatment, where animals are treated and kept indoors, and where laboratories are incidental to the operation of the clinic.

Vision Clearance Area: A triangular area located at the intersection of two streets, a street and a railroad, or a street and a driveway; defined by a line across the corners, the ends of which are on the street or alley lines, an equal and specified distance from the corner. (See Concept Sketch 30-Vision Clearance area.)



### Concept Sketch 30 - Vision Clearance Area

**Visual Obstruction:** Any fence, hedge, tree, shrub, device, wall or structure between the elevations of 2 1/2 feet and 8 feet above the adjacent curb height or above the elevation of gutter line of street edge where there is no curb, as determined by the City Engineer, and so located at a street, drive, or alley intersection as to limit the visibility of pedestrians or persons in motor vehicles on said streets, drives, or alleys.

**Warehouse:** A large building for storing items before they are sold, used, or sent out to retail shops.

**Watchman's Cottage:** See "Residential Uses in Industrial Zones."

**Water-Dependent Use:** A use or activity which can be carried out only on, in or adjacent to water areas because the use requires access to the water body for water-borne transportation, recreation, energy production or source of water.

**Waters of this State:** Natural waterways, including all bays, estuaries, any stream which flows during a portion of every year and supports aquatic life, rivers, creeks, lakes and other bodies of water in this State. (See OAR 141-85-100)(24)).

**Water-Oriented Use:** Any use which receives a demonstrable benefit from being located with a view to the river. Examples might include restaurants, residential structures and commercial structures when river views are incorporated into the design of the river.

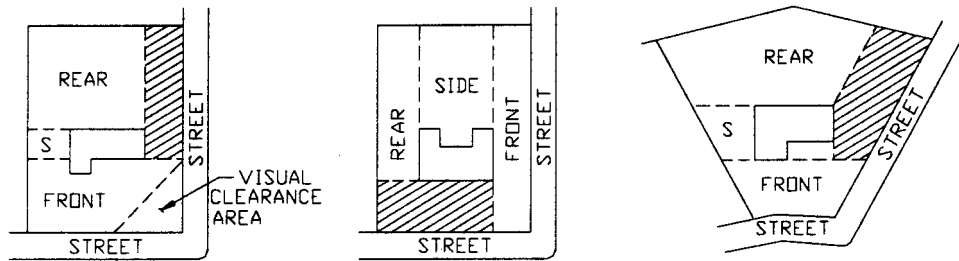
**Water-Related:** Uses which are not directly dependent upon access to a water body, but which provide goods or services that are directly associated with water-dependent land or waterway use, and which, if not located adjacent to water, would result in a public loss of quality in the goods or services offered.

**Wetlands:** Those areas that are inundated or saturated by surface or ground water at a frequency and duration that are sufficient to support a prevalence of vegetation typically adapted to life in saturated soil conditions.

**Wrecking Yard, Motor Vehicles and Building Materials:** Any premises used for the storage, dismantling or sale of either used motor vehicles, trailers, machinery and/or building materials, or parts.

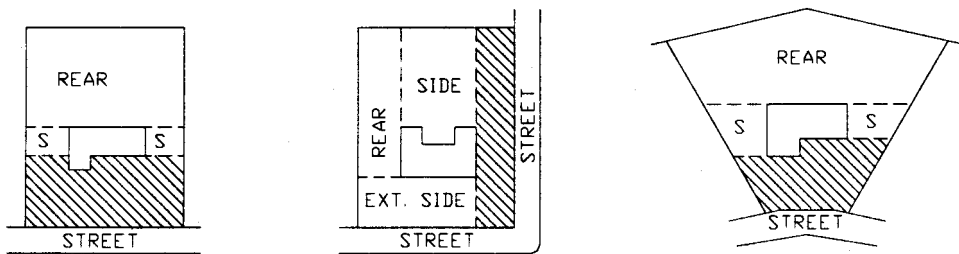
**Yard:** An open space unobstructed from the ground upward except as otherwise provided in this Code.

**Yard, Exterior Side:** A yard extending from the front yard to the rear lot line on the street side of a corner lot. (See Concept Sketch 30-Yard, Exterior Side.)



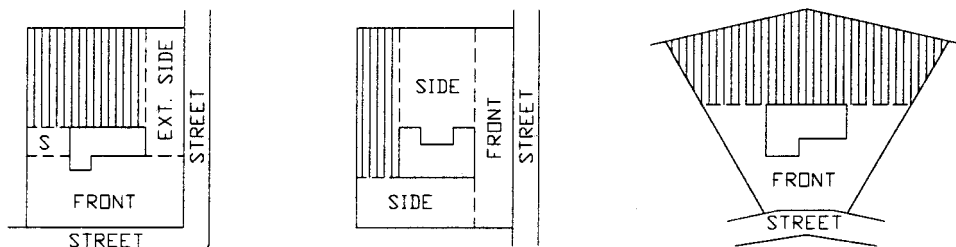
**Concept Sketch 30 - Yard, Exterior Side**

**Yard, Front:** A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel thereto at the nearest point of the main building. (See Concept Sketch 30-Yard, Front.)



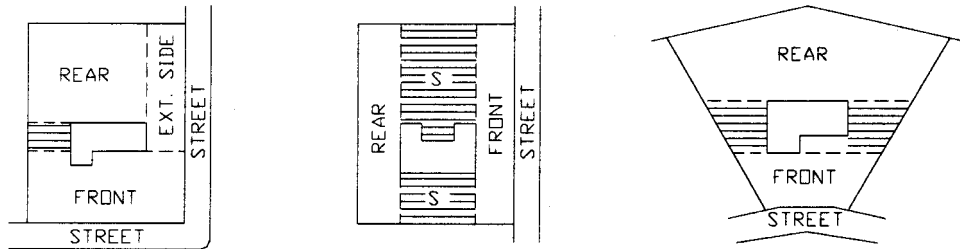
**Concept Sketch 30 - Yard, Front**

**Yard, Rear:** A yard extending across the full width of the lot between the rear main building and the nearest point of the rear lot line. (See Concept Sketch 30- Yard, Rear.)



### Concept Sketch 30 - Yard, Rear

**Yard, Side:** A yard between the main building and the side lot line extending from the Front Yard or front lot line where no front yard is required, to the rear yard. The width of the required Side Yard shall be measured horizontally from the nearest point of the side lot line to the nearest part of the main building. (See Concept Sketch 30-Yard, Side.)



### Concept Sketch 30 - Yard, Side

**Zoning District:** A classification of land in which only uses specified by this Code are allowed, except for non-conforming uses, and for which specific requirements are set forth pertaining to height, yard, area, coverage, landscaping, parking and other land use restrictions.

#### REVISIONS

DATE	ORD #
2/2/84	4474
3/21/84	4508
8/1/84	4518
3/6/85	4538
8/7/85	4550
4/6/88	4616
8/17/88	4623
10/19/88	4629
4/4/90	4660
12/19/90	4691
4/3/91	4699
1/8/92	4718
1/15/92	4724
9/2/92	4744
10/7/92	4747
1/6/93	4755
5/19/93	4768
2/16/94	4787
3/16/94	4789
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10/19/94	4810
11/15/95	4843
1/3/96	4848
2/7/96	4849
3/6/96	4853
12/4/96	4874

6/11/97	4893
3/6/98	49300
9/4/02	5152
8/6/03	5186
2/4/04	5213
5/6/09	5487
1/16/13	5567
5/1/14	5604
11/12/14	5630
12/3/14	5632
12/16/15	5666
4/20/16	5679
6/7/17	5714
10/18/17	5727
6/6/18	5735
6/20/18	5737
8/1/18	5739
4/17/19	19-5757
5/15/19	19-5759
6/16/21	21-5806
9/1/21	5817
3/2/22	5827