

CHAPTER II
DEFINITIONS

CHAPTER II. DEFINITIONS

ARTICLE 2.1. DEFINITIONS

SECTION 2.1.100. General Definitions. For the purposes of this Ordinance, unless it is plainly evident from the context that a different meaning is intended, certain words and terms are herein defined.

SECTION 2.1.200. Specific Definitions.

*ACCESSORY USE: Structure or use which: (1) is subordinate to and serves a principal structure or principal use, (2) is subordinate in area, extent, or purpose to the principal structure or principal use served, (3) contributes to the comfort, convenience or the necessity of occupants of the principal structure or principal use, and (4) is located on the same lot, parcel or tract as the principal structure or principal use; unless otherwise permitted or conditionally permitted by this Ordinance. Examples of accessory structures and uses are private garages, storage sheds, playhouses, swimming pools, and parking for recreational vehicle, boat, log truck or other vehicle.

ACCRETION: The build-up of land along a beach or shore by the deposition of waterborne or airborne sand, sediment, or other material.

ACTIVITY: Any action taken either in conjunction with a use or to make a use possible. Activities do not in and of themselves result in a specific use. Several activities such as dredging, piling, fill may be undertaken for a single use such as a port facility. Most activities may take place in conjunction with a variety of uses.

AGGREGATE EXPLORATION: The act of searching for aggregate resources.

AGGREGATE MINING: The process of removing aggregate resources from the earth.

AGGREGATE PROCESSING: The act of processing an aggregate resource into a refined product.

AGGREGATE RESOURCES: Any of several hard inert materials (such as sand, gravel, quarry rock or slag).

AGRICULTURE: Farm use, as defined by ORS 215.203(2)(a), except that in non-EFU areas, agriculture does not have to be for the primary purpose of obtaining a profit in money. Generally, agriculture includes the raising of livestock and harvesting crops using acceptable farming practices and structures and facilities relating to these uses.

AGRICULTURAL LANDS: Those lands designated in the Coos County Comprehensive Plan (Volume 1 "Balance of County") for inclusion in Exclusive Farm Use (EFU) Zones. These lands

include Soil Capability class I, II, III, and IV lands as defined by the United States Soil Conservation Service in their Soil Capability Classification system and other lands suitable for farm use.

AIRPORT/HELIPORT, AERIAL-RELATED OFFICES: Offices that are related to airborne operations.

AIRPORT/HELIPORT, AERO CLUBS: Aviation clubs.

AIRPORT/HELIPORT, AERO SALES, REPAIR AND STORAGE: Commercial uses directly related to aviation.

AIRPORT/HELIPORT, AERO SCHOOLS: Aviation schools.

AIRPORT/HELIPORT, AIR OPERATIONS FACILITIES: A facility or structures necessary or incidental to the operation of the landing and take-off of aircraft and receiving and discharging passengers and cargo, including but not limited to: navigational aids, runways, control towers, wind monitors, hangars, tie-downs, aircraft storage and repair, and refueling facilities.

AIRPORT/HELIPORT, COMMERCIAL USE: An airport/heliport that functions as an air transportation facility for commercial freight and passengers.

AIRPORT/HELIPORT, PERSONAL USE: An air strip restricted except for aircraft emergencies, to the use by the owner(s), and on infrequent and occasional basis, by his invited guests, and by commercial aviation activities in connection with agricultural or forestry operations.

AIRPORTS: Terminal stations for aircraft, passenger, and cargo operations, including runways, towers, and associated structures.

ALTERATION: An alteration includes but is not limited to a change in construction or a change in occupancy. When the term is used in connection with a change of occupancy it is intended to apply to changes from one trade or use to another, or from one division of a trade or use to another. Structural alterations include any change or repair which would tend to prolong the life of the supporting members of the building or structure, such as alterations of bearing walls, foundations, columns, beams or girders. Any change in the external dimension of a building shall be considered a structural alteration.

ANADROMOUS: Referring to fish, such as salmon, which hatch in fresh water, migrate to ocean waters to grow and mature, and return to fresh waters to spawn.

AQUACULTURE: Raising, feeding, planting, and harvesting fish and shellfish, and associated facilities necessary for such use.

AQUATIC: Of or pertaining to water.

ARCHAEOLOGICAL RESOURCES: Those districts, sites, buildings, structures and artifacts which possess material evidence of human life and culture of the prehistoric and historic past.

AREA OF SHALLOWING 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 indeterminate; 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 designated with the letters "A" or "V" on the implemented maps.

AVERAGE DAILY TRAFFIC: A computation of the daily vehicular trips.

AVULSION: A tearing away or separation by the force of water. Land which is separated from uplands or adjacent properties by the action of a stream or river cutting through the land to form a new stream bed.

AUXILIARY: A use or alteration of a structure or land which provides help or is directly associated with the conduct of a particular forest practice. An auxiliary structure is located on site, temporary in nature, and is not designed to remain for the forest's entire growth cycle from planting to harvesting. An auxiliary use is removed when a particular forest practice has concluded.

BASE FLOOD (ONE-HUNDRED YEAR FLOOD): The flood having a 1% chance of being equaled or exceeded in any given year designated with the letters "A" or "V" on the implemented maps.

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

BEACH: Gently sloping areas of loose material (e.g., sand, gravel, and cobbles) that extend landward from the low-water line to a point where there is a definite change in the material type or landform, or to the line of vegetation.

BED AND BREAKFAST: A residential dwelling where rooms are rented to transient guests on an overnight basis and breakfast is served to these guests.

BELOW-GRADE CRAWL SPACE: means an enclosed area below the base flood elevation in which the interior grade is not more than two feet below the lowest adjacent exterior grade and the height, measured from the interior grade of the crawl space to the top of the crawl space foundation, does not exceed 4 feet at any point.

BENTHIC: Living on or within the bottom sediments in water bodies.

BOARD OF COMMISSIONERS: The Coos County Board of Commissioners.

BOARDING OF HORSES (FOR PROFIT): A building, structure or premises where lodging, or meals and lodging, are offered for compensation for the purpose of caring for horses.

BOARDING OF HORSES (RIDING STABLE): A building, structure or premises where horses are rented or leased to persons other than the owner of the horse.

BREAKAWAY WALL: A wall that is not a part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

BRIDGE: A structure carrying a pathway or roadway over a depression or obstacle.

BRIDGE CROSSINGS: The portion of a bridge spanning a waterway not including supporting structures or fill located in the waterway or adjacent wetlands.

BRIDGE CROSSING SUPPORT STRUCTURES: Piers, pilings, and similar structures necessary to support a bridge span including fill for causeways or approaches. Pillars, bulkheads and similar structures used in bridge construction.

BULKHEAD: A retaining wall along a waterfront that separates uplands from aquatic areas.

CAMPGROUND: A lot, tract or parcel of land under single ownership where two or more campsites are located which provide facilities for living in other than a permanent dwelling or recreational vehicle.

CARRYING CAPACITY: Level of use which can be accommodated and continued without irreversible impairment of natural resources productivity, the ecosystem and the quality of air, land and water resources.

CEMETERY: Land dedicated, used or intended to be used for the burial of the dead, including columbariums, crematories, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

CHANGE: Any alteration, expansion, restoration, construction, remodeling or renovation of a structure or use.

CHANNELIZE: To straighten the bed or banks of a stream or river or to line them with concrete or other materials.

CITIZEN: Any individual who resides or owns property, within the planning area; any public or private entity or association within the planning area, including corporations, governmental and private agencies, associations, firms, partnerships, joint stock companies and any group of citizens.

CITIZEN ADVISORY COMMITTEE: A seven (7) person body made-up of Coos County Citizens that are broadly representative of the County's geographic area, diverse professional backgrounds and public interests related to land use. Committee Members are appointed by the Board of Commissioners. (OR-01-01-001PL 8/1/01)

COASTAL HEADLANDS: see "Headlands" definition.

COASTAL HIGH HAZARD AREA: An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along the open ocean and any other area subject to high velocity wave action from storm or seismic sources. This area is designated on the FIRM as Zone V1-V30, VE or V.

COASTAL LAKES: Lakes in the coastal zone that are bordered by a dune formation and, that have a direct hydrologic surface or subsurface connection with saltwater.

COASTAL SHORELAND: Those areas immediately by oceans, and land next to estuaries.

COASTAL SHORELAND AREA: The lands lying between the Coastal Shorelands Boundary set forth elsewhere in this Plan and the line of nonaquatic vegetation, which is also known as the Section 404 Line.

COASTAL STREAM: Any stream within the coastal zone.

COASTAL WATERS: Territorial ocean waters of the continental shelf; estuaries; and coastal lakes.

COASTAL ZONE: The area lying between the Washington Border on the north to the California border on the south, bounded on the west by the extent of the state's jurisdiction, and in the east by the crest of the coastal mountain range, with the exception of: (a) The Umpqua River basin, where the coastal zone shall extend to Scottsburg; (b) The Rogue River basin, where the coastal zone shall extend to Agness; (c) The Columbia river basin, where the coastal zone shall extend to the downstream end of Puget Island (Formerly ORS 191.110).

COMMERCIAL ACTIVITIES IN CONJUNCTION WITH FARM USE: Commercial activities including sales, repair, and storage when in conjunction with a farm use.

COMMERCIAL - ADULT ENTERTAINMENT BUSINESS: A business or establishment which has an area or place in which or upon which because of ORS 167.060 to 167.100, minors may not be permitted to enter or remain except when accompanied by a parent or lawful guardian.

COMMERCIAL - ADVERTISING: The business of preparing advertisements for publication, broadcast, or the action of calling something to the attention of the public by paid announcements, including poster or sign creations. This use is not intended to cover the placement of a advertising sign on an individual property.

COMMERCIAL - ANTIQUE SALES: The sales, repair and storage of a relic or object of ancient times or of an earlier period than the present.

COMMERCIAL - APPLIANCE SALES/REPAIR: An establishment for the purpose of sales, repair or storage of household or office appliances including but not limited to stoves, fans, refrigerators, television sets, etc.

COMMERCIAL - ART AND PHOTO SHOPS: An establishment for the purpose of sales, repair, or storage of art or photographic objects, prints, or supplies.

COMMERCIAL - AUCTION HOUSES: An establishment for the purpose of selling objects at an open auction to the highest bidder.

COMMERCIAL - BAKERY: An establishment for the baking or selling of baked goods.

COMMERCIAL - BANKS: An establishment for the custody, loan, exchange, or issue of money, for the extension of credit, and for facilitating the exchange of funds.

COMMERCIAL - BARBER/BEAUTY SHOP: An establishment whose business is cutting and dressing hair, shaving and trimming beards, facials, manicures, and the performance of related services.

COMMERCIAL - BATHS/SPAS: An establishment for the purpose of washing or soaking in water, mineral water, or steam, all or part of the body.

COMMERCIAL - BICYCLE SHOP: An establishment for the purpose of sales, service or repair of bicycles.

COMMERCIAL - BOOK BINDING: An establishment for the purpose of practicing the art or trade of binding books.

COMMERCIAL - BOOKS/STATIONERY STORE: An establishment for the sales of books, novels, writing supplies, typing supplies, drafting supplies and related items.

COMMERCIAL - BUILDING SUPPLIES: An establishment for the purpose of building, hardware and contractor supply sales.

COMMERCIAL - CABINET AND MYRTLEWOOD MANUFACTURING/SALES: An establishment for the manufacturing or sales of cabinets and other wood products such as myrtlewood gifts.

COMMERCIAL - CARPET SALES/CLEANING: An establishment for the sales and cleaning of floor coverings.

COMMERCIAL - CATERING SERVICE: An establishment to provide a desired food service. A service is generally provided to locations off the premises of the commercial establishment.

COMMERCIAL - CLOTHES SALES/CLEANING: An establishment for the sales or cleaning of clothing garments.

COMMERCIAL - CONFECTIONERY: An establishment for the creation, preparation or sales of sweet edibles such as candy or pastries.

COMMERCIAL - CURIOS: An establishment for the sale of novel or unusual items.

COMMERCIAL - DELICATESSEN: An establishment for the creation, preparation and sale of ready-to-eat food products.

COMMERCIAL - DEPARTMENT STORE: An establishment selling a wide variety of goods arranged in several departments.

COMMERCIAL - DRUG STORE: A retail establishment where medicines (pharmacy) and miscellaneous articles such as food, cosmetics, and film are sold.

COMMERCIAL - DRY GOODS/NOTIONS: An establishment for the sale of textiles, ready-to-wear clothing, and notions as distinguished from hardware and groceries.

COMMERCIAL - ELECTRONIC SALES/SERVICE: An establishment for the sale and service of electronic devices.

COMMERCIAL - ENTERTAINMENT, THEATRES, ETC.: A facility providing recreational opportunities consisting of movie theatres, dance halls, skating rinks, bowling alleys, etc.

COMMERCIAL - EQUIPMENT RENTAL: A facility providing equipment for hire for which an amount is paid for the use thereof.

COMMERCIAL - FERTILIZER BULK SALES: A facility providing the sale of a substance (as manure or a chemical mixture) used to make the soil more fertile. Bulk implies the product is not packaged in separate units.

COMMERCIAL - FLORIST/NURSERY: A facility or area where plants, trees, shrubs or ornamental plants are grown for transplanting, for use as stocks, budding, and grafting, or for sale. It is understood that this use also allows for the resale of any vegetation delivered to the site.

COMMERCIAL - FURNITURE STORE: An establishment for the sales for furniture and other domestic articles used in readying an area (as a room or patio) for occupancy or use.

COMMERCIAL - GARDEN SUPPLIES: An establishment for the sales of equipment, tools, and supplies used in the cultivation, propagation, harvesting or management of herbs, roots, flowers, vegetables, etc.

COMMERCIAL - GIFT SHOP: An establishment for the sale of articles, curios, and other general merchandise customarily given by one person to another.

COMMERCIAL - GLASS BLOWING SHOP: An establishment for the creation and sale of objects created by shaping a mass of glass that has been softened by heat and by blowing air into it through a tube.

COMMERCIAL - GROCERY: An establishment for the sale of staple food stuffs, household supplies, meats, produce, dairy products, etc.

COMMERCIAL - HARDWARE: An establishment for the sale of cutlery, tools, utensils, machine parts, building supplies, etc.

COMMERCIAL - JEWELRY STORE: An establishment for the sale and repair of jewelry, precious stones, watches, silverware, china, etc.

COMMERCIAL - LAUNDRY: An establishment where clothes or linens are laundered, including a commercial laundering or dry cleaning establishment and self-service laundromat.

COMMERCIAL - LEATHER GOODS STORE: An establishment for the sales and repair of leather goods.

COMMERCIAL - LOCKSMITH: An establishment where locks are made, prepared or serviced.

COMMERCIAL - MEAT CUTTING/SALES: An establishment for the preparation and sales of individual cuts and products from an animal carcass.

COMMERCIAL - MEDICAL OFFICE: An establishment relating to or concerned with physicians or the practice of medicine including dentistry.

COMMERCIAL - MILLINERY: An establishment for the sales of women's' apparel for the head.

COMMERCIAL - MINI WAREHOUSE STORAGE: An establishment providing individual storage units for the purpose of storing personal goods.

COMMERCIAL - MOBILE HOME SALES/SERVICE: An establishment or area for the purpose of mobile home sales, service, or repair.

COMMERCIAL - MORTUARY: An establishment of or relating to the burial of the dead.

COMMERCIAL - MUSIC STORE: An establishment for the sales or repair of musical instruments and music supplies, and where music lessons may be given.

COMMERCIAL - NEIGHBORHOOD STORE: An establishment for the sales of one or more of the following: food products, household supplies, photographic equipment, hardware, garden supplies, sporting goods, clothing, etc.

COMMERCIAL - OFFICE BUILDING: An establishment providing office space for retail trade or public service.

COMMERCIAL - OFFICE SUPPLY STORE: An establishment for the sale and repair of stationery supplies, office equipment and machines, etc.

COMMERCIAL - PARKING: An establishment or area where vehicles are parked or stored.

COMMERCIAL - PET SHOP: An establishment for the sale of pets and pet supplies.

COMMERCIAL - PICTURE FRAME SHOP: An establishment for the construction or sale of picture frames and picture frame supplies.

COMMERCIAL - POTTERY AND CERAMIC SHOP: An establishment for the sale and creation of pottery and ceramic items, supplies; classes may be provided.

COMMERCIAL - PRINT SHOP: An establishment for the purpose of reproducing, printing, publishing, or photographing.

COMMERCIAL - PUBLIC SERVICE OFFICE: An establishment offering office space for public service activities, such as utilities, transportation and governmental employment.

COMMERCIAL - RESTAURANT: A public eating place.

COMMERCIAL - REUPHOLSTERY SHOP: An establishment for the repair and refurbishing of fabric covered furniture including repair and replacement of padding and springs.

COMMERCIAL - SECOND HAND STORE: An establishment for the sale of used merchandise.

COMMERCIAL - SERVICE STATION: An establishment for servicing motor vehicles especially with gasoline, diesel and oil. Service may also include mechanical repair.

COMMERCIAL - SHOE STORE: An establishment for the sales or repair of footwear.

COMMERCIAL - SPORTING GOODS STORE: An establishment for the sale of equipment and clothing relating to or suitable for sports.

COMMERCIAL - TAVERNS, COCKTAIL LOUNGES, ETC.: An establishment licensed by the Oregon Liquor Control Commission for the purposes of alcoholic beverage retailing by the drink.

COMMERCIAL - TAXI/BUS/TRUCK TERMINAL: An establishment used as a base of operations for dispatching taxis, buses, trucks, etc. This facility may also be used for the repair and service of said vehicles.

COMMERCIAL - TIRE RECAPPING: An establishment for the purpose of cementing, molding or vulcanizing treads on to tires.

COMMERCIAL - TIRE SALES/SERVICE: An establishment for the sales, service and repair of tires.

COMMERCIAL - TOY SHOPS: An establishment for the sale of toys and hobby equipment.

COMMERCIAL USES: Privately-owned or operated facility or place of business open to the public for sale of goods or services. Examples include: restaurants, taverns, hotels, motels, offices, personal services, retail stores, recreational vehicle parks, and campgrounds. Public facilities offering similar goods or services are also defined as commercial uses.

COMMERCIAL - VARIETY STORE: An establishment for the sale of general merchandise.

COMMERCIAL - VEHICLE (AUTO) RENTAL: an establishment for the rental of automotive vehicles.

COMMERCIAL - VEHICLE SALES/REPAIR: An establishment for the sales repair and service of motor vehicles.

COMMITTED AREAS: A measure of the density of residential development, as defined by the criteria outlined in Coos County Comprehensive Plan.

COMMON BOUNDARY ADJUSTMENT: The adjustment or relocation of a boundary line between two or more lots, parcels or tracts, where an additional lot, parcel or tract is not created and where the existing parcel reduced in size by the adjustment is not reduced below the minimum lot size established by this Ordinance.

COMMON OPEN SPACE: Land and facilities which are shared by all the individual owners in a planned unit development or recreational planned unit development and managed generally by a home owners' association. Common property may include undeveloped land, parks, tennis courts, pools, community buildings, and other amenities for the convenience and enjoyment of the residents.

COMMUNITY CENTER, GRANGE OR LODGE HALL: A building or group of buildings for a community's education, recreational, or fraternal activities.

COMMUNITY SEWER SYSTEM: A sewage disposal system which has service connection to at least 15 permanent dwelling units, including manufactured homes, within the unincorporated communities.

COMMUNITY WATER SYSTEM: A system that distributes potable water through pipes to at least 15 permanent dwelling units, including manufactured homes within the unincorporated community.

COMPREHENSIVE PLAN: The Coos County Comprehensive Plan.

CONDITIONAL USE: The term applied to a use which may be permitted by the issuance of a conditional use permit.

CONFLICTING USE: is a land use, or other activity reasonably and customarily subject to land use regulations, that could adversely affect a significant Goal 5 resource (except as provided in OAR 660-023-0180(1)(b)). Local governments are not required to regard agricultural practices as conflicting uses.

CONSERVATION: The act of conserving the environment.

CONSERVATION AQUATIC AREA (CA): An aquatic management unit (See Volume II, Part 1, Section 3.5)

CONSERVATION MANAGEMENT UNIT: In all estuaries, except those in the overall Oregon Estuary Classification which are classed for preservation, areas shall be designated for long-term uses of renewable resources that do not require major alteration of the estuary, except for the purpose of restoration. These areas shall be managed to conserve the natural resources and benefits. These shall include areas needed for maintenance and enhancement of biological productivity, recreational and aesthetic uses, and aquaculture. They shall include tracts of significant habitat smaller or of less biological importance than those in the "Natural" management unit, and recreational or commercial oyster and clam beds not included in the "Natural" management unit. Areas that are partially altered and adjacent to existing development of moderate intensity which do not possess the resource characteristics of natural or development units may also be included in this classification.

CONSERVATION SHORELAND AREA(CS): A shoreland management unit(See Volume II,Part1,Section 3.5)

CONSERVATION USE: To keep in a safe or sound state to avoid wasteful or destructive use of natural resources.

CONSERVE: To manage in a manner, which avoids wasteful or destructive uses and provides for future availability.

CONSISTENT: As defined by Black's Law Dictionary: "having agreement with itself or something else; accordant; harmonious; congruous; compatible; compliant; not contradictory". Further, "consistent with" means "in harmony with".

CONSTRUCTION PLANS: Detailed engineering drawings of a proposed development.

CONTAMINATED SOIL LAND FARMING: An activity regulated by the Oregon Department of Environmental Quality that entails the treatment for reuse of oil contaminated soil generated from any tract, parcel or lot other than the site on which the treatment activity is to occur. [OR 93-02-033PL 3/30/93]

CONTIGUOUS: Adjoining with a common boundary of two or more points (see Section 3.3.800). Properties shall not be considered contiguous if divided by: a) a public dedicated road, public dedicated alleyway, County road, State or Federal highway; or, b) a water body, when the underlying fee ownership is claimed by the State; or, c) an intervening ownership.

CONTINENTAL SHELF: The area seaward from the ocean shore to the distance when the ocean depth is 200 meters, or where the ocean floor slopes more steeply to the deep ocean floor. The area beyond the state's jurisdiction is the OUTER Continental Shelf.

CONVENIENCE STORE: A retail establishment that provides prepackaged and prepared food products and frequently or recurrently needed small personal items that fulfill the day to day needs of residents or users of the immediate service area.

CORRECTIONAL INSTITUTION, JAIL, PENAL FARM: A building or area for the confinement of persons held in lawful custody.

COTTAGE INDUSTRIES: Cottage industries are home occupations that are operated by a resident of the subject property, occupying a detached accessory building. Cottage industries should not employ more than five (5) full or part-time persons. Cottage industries must not interfere with existing uses on nearby land or with other uses permitted in the zone in which the property is located. Cottage industries shall not involve the retail sale of a product on the premises. On premise sign advertising cottage industries shall not exceed six (6) square feet of copy area. [OR 04 12 013PL 2/09/05]

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

DAMS: A barrier built across a watercourse for impounding water.

DATE OF CREATION AND EXISTENCE (FARM & FOREST LOT OF RECORD): When a lot, parcel or tract is reconfigured pursuant to applicable law after November 4, 1993, the effect of, which is to qualify a lot, parcel or tract for the siting of a dwelling, the date of the reconfiguration is the date of creation or existence. Reconfigured means any change in the boundary of the lot, parcel or tract.

DEFLATION PLAIN: The broad interdune area which is wind-scoured to the level of the summer water table.

DENSITY: The ratio of the number of dwelling units or other structures or uses for a specified amount of land.

DETENTION: Temporary storage of water. Typically, low areas that store floodwater.

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

DEVELOPMENT: The act, process or result of developing.

DEVELOPMENT AQUATIC AREA (DA): An aquatic management unit (See Volume II, Part 1, Section 3.5)

DEVELOPMENT MANAGEMENT UNIT: In estuaries classified in the overall Oregon Estuary Classification for more intense development or alteration, areas shall be designated to provide for navigation and other identified needs for public, commercial, and industrial water-dependent uses, consistent with the level of development or alteration allowed by the overall Oregon Estuary Classification. Such areas shall include deep-water areas adjacent or in proximity to the shoreline, navigation channels, subtidal areas for in-water disposal of dredged material and areas of minimal biological significance needed for uses requiring alterations of the estuary not included in "Natural and Conservation" management units.

DEVELOPMENT SHORELAND AREA (D):A shoreland management unit (See Volume II, Part 1, Section 3.5)

DEVELOPMENT USE: Any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of equipment or materials located within the area of special flood hazard.

DIKES: Structures designed and built to prevent inundation of a parcel of land by water. A dike is considered new when placed on an area which:(1) has previously never been diked, or (2) has previously been diked, but all or a substantial part of the area is subject to tidal inundation and tidal marsh has been re-established. Maintenance and repair refer to: (a) existing serviceable dikes (including those that allow some seasonal inundation), and (b) those that have been damaged by flooding, tidegate failure, etc., but where reversion to tidal marsh has not yet occurred, except in drainage ways.

DIVERSITY: The variety of natural, environmental, economic, and social resources, values, benefits, and activities.

DOCKS AND MOORAGE: A pier or secured float or floats for boat tie-up, fishing, or other water-dependent use, often associated with a specific land use on the adjacent shoreland, such as a residence, or group of residences, but not exceeding five berths. Small commercial moorages (5 berths or less) with minimal shoreside services and no solid breakwater are included in this

category. Floathouses, which are used for boat storage, net-drying and similar purposes are also included in this category.

DRAINAGE (including TIDEGATING): The construction and maintenance of drainage channels including the disposal of resulting dredged material, construction and maintenance of tidegates, tideboxes, pumphouses, and associated structures.

DREDGED MATERIAL DISPOSAL: The deposition of dredged material in aquatic or upland areas. Methods of disposal include, in-water disposal, beach and land disposal, and ocean disposal: (1) In-water Disposal is the deposition of dredged materials in a body of water; (2) Ocean Disposal is the deposition of dredged materials in the ocean; (3) Beach Disposal is the deposition of dredged materials in beachfront areas west of the foredunes; (4) Land disposal is the deposition of dredged materials landward of the line of non-aquatic vegetation, in "upland" areas.

DREDGING: The removal of sediment or other material from a stream, river, estuary or other aquatic area: (1) Maintenance Dredging refers to dredging necessary to maintain functional depths in maintained channels, or adjacent to existing docks and related facilities; (2) New Dredging refers to deepening either an existing authorized navigation channel or deepening a natural channel, or to create a marina or other dock facilities, or to obtain fill for the North Bend Airport runway extension project; (3) Dredging to Maintain Dikes and Tidegates refers to dredging necessary to provide material for existing dikes and tidegates; (4) Minor dredging refers to small amounts of removal as necessary, for instance, for a boat ramp. Minor dredging may exceed 50 cubic yards, and therefore require a permit.

DEFLATION PLAIN: The broad interdune area which is wind scoured to the level of the summer water table.

DRIVEWAY: A private vehicular travel surface accessing a single residence.

DRYLAND MOORAGE: Boat moorage space provided on dry land, such that boats are mechanically lowered to and raised from the water.

DUNE: A hill or ridge of sand built up by the wind along sandy coasts.

DUNE, ACTIVE: A dune that migrates, grows and diminishes from the face of wind and supply of sand. Active dunes include all open sand dunes, active hummocks, and active foredunes.

DUNE COMPLEX: Various patterns of small dunes with partially stabilized intervening areas.

DUNE, CONDITIONALLY STABLE: A dune presently in a stable condition, but vulnerable to becoming active due to fragile vegetative cover.

DUNE HUMMOCK, ACTIVE: Partially vegetated (usually with beach grass), circular, and elevated mounds of sand which are actively growing in size.

DUNE, OLDER STABILIZED: A dune that is stable from wind erosion, and that has significant soil development and that may include diverse forest cover. They include older foredunes.

DUNE, OPEN SAND: A collective term for active, unvegetative dune landforms.

DUNE, RECENTLY STABILIZED: A dune with sufficient vegetation to be stabilized from wind erosion, but with little, if any, development of soil or cohesion of the sand under the vegetation. Recently stabilized dunes include conditionally stable foredunes, conditionally stable dunes, dune complexes, and younger stabilized dunes.

DUNE, STABILIZATION MEASURES: The use of vegetative materials, structure or other means, to prevent movement of unstable dune forms.

DUNES, YOUNGER STABILIZED: A wind stable dune with weakly developed soils and vegetation.

DWELLING TYPES: Dwellings are separated into the following categories:

- a. **Single family dwelling:** a single household unit of which construction is characterized by no common wall or ceiling with another unit, including a mobile home unless otherwise prohibited.
- b. **Multi-family:** a building designed exclusively for occupancy by three (3) or more families living independently of each other in independent units. Such building is characterized by living units which share common walls or floors or ceilings.
- c. **Two-family dwelling (duplex):** a building designed exclusively for occupancy by two (2) families living independently of each other in independent dwelling units attached and sharing a common wall, floor or ceiling.
- d. **Replacement dwelling:** alteration, restoration or replacement of a lawfully established dwelling that: (i) has intact exterior walls and roof structure; (ii) has indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system; (iii) has interior wiring for interior lights; (iv) has a heating system; and (v) in the case of replacement, is removed, demolished or converted to an allowable non-residential use within three months of the completion of the replacement dwelling. [OR 93-12-017PL 2/23/94]

EASEMENT: A right given by the owner of land to another party for a specific limited use of that land.

ECOSYSTEM: The living and nonliving components of the environment which interact or function together, including plant and animal organisms, the physical environment, and the energy systems in which they exist. All the components of an ecosystem are inter-related.

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

ENCOURAGE: Stimulate; give help to; foster.

ENHANCEMENT: The improvement of conditions in an area which remains under estuarine influence but has experienced past degradation or reduction in productivity due to obstruction of flow, sedimentation, log debris, et cetera.

EROSION HAZARD: Likelihood of soil becoming unstable and subsequently being transported by flooding, surface runoff or channel velocities.

ESEE CONSEQUENCES: are the positive and negative economic, social, environmental, and energy (ESEE) consequences that could result from a decision to allow, limit, or prohibit a conflicting use.

ESTUARINE ENHANCEMENT: An action, which results in a long-term improvement of existing estuarine functional characteristics and processes that are not the result of a creation or restoration action.

ESTUARY: A body of water semi-enclosed by land, connected with the open ocean, and within which saltwater is usually diluted by freshwater derived from the land. The estuary includes: (1) estuarine water; (2) tidelands; (3) tidal marshes; and (4) submerged lands. Estuaries normally extend upstream to the head of tidewater.

EXCAVATION TO CREATE NEW WATER SURFACE: Excavation of shorelands that create a new water surface directly connected to other tidal or nontidal waters. The most common examples are creation of moorage space, fish ponds or restoration/mitigation from uplands.

EXPRESSLY PROHIBITED USE: An activity which is explicitly prohibited within a zoning district.

FACILITY(IES): (1) Low-intensity facilities consist of communication facilities (including power and telephone lines), sewer, water and gas lines; and (2) High-intensity facilities, which consist of stormwater and treated waste water outfalls (including industrial waste water).

FAMILY: An individual; or a group of two (2) or more persons related by blood, marriage, legal custody or legal adoption; or not more than five (5) handicapped persons and accompanying staff. Family shall also include residential day care facilities in residential and commercial zones providing day care to 13 or fewer children including children of the provider.

FAMILY HARDSHIP DWELLING: A mobile home or recreational vehicle used temporarily during a family hardship condition relating to the aged, infirmed, or persons incapable of maintaining a complete separate residence apart from their families.

FARM/LOGGING/CONTRACTOR EQUIPMENT SALES, REPAIR AND STORAGE: A facility or area used for equipment sales, repair and storage including but not limited to sales, repair and storage of farm implements, logging trucks, and other farm and logging equipment.

FARM USE: Farming practices, as defined by ORS 215.203.

FARM USE - FOR PROFIT: The current employment of land for the primary purpose of obtaining a profit in money by raising, harvesting and selling crops or the feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur-bearing animals or honeybees, or for dairying and the sale of dairy products or any other agricultural or horticultural use or animal husbandry or any combination thereof. "Farm use" includes the preparation and storage of the products raised on the such land for human use and animal use and disposal by marketing or otherwise. "Farm use" also includes the current employment of land for the primary purpose of obtaining a profit in money by stabling or training equines. "Farm use" also includes the propagation, cultivation, maintenance and harvesting of aquatic species. it does not include the use of land subject to the provisions of ORS Chapter 321, except land used exclusively for growing cultured Christmas Trees.

FARM USE - NOT FOR PROFIT: Farming activities not motivated by profit incentives additional to the use of the land for residential or other purposes, including the raising, harvesting and selling crops or the feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur-bearing animals, or honeybees, or for dairying and the sale of dairy products or any other agricultural or horticultural use or animal husbandry or any combination thereof. "Farm use" includes the preparation and storage of the products raised on such land for human use and animal use and disposal by marketing or otherwise. "Farm use" also includes the current employment of land for the primary purpose of obtaining a profit in money by stabling or training equines. "Farm use" also includes the propagation, cultivation, maintenance and harvesting of aquatic species. it does not include the use of land subject to the provisions of ORS Chapter 321, except land used exclusively for growing cultured Christmas trees.

FARM USE - INTENSIVE: Farm use for profit, as defined herein, occurring on a parcel less than the minimum lot size of a given zoning district, and conducted in such a manner so as to permit the farm operation to contribute in a substantial way to the commercial agricultural enterprise of the area.

FEED LOT: Any structure, pen or corral wherein cattle, sheep, horses, goats, or swine are maintained in close quarters for the purpose of fattening such livestock.

FILL: The placement by man of sand, sediment, or other material, usually in submerged lands or wetlands, to create new uplands or raise the elevation of land. Except that "fill" does not include solid waste disposal or site preparation for development of an allowed use which is not otherwise subject to the special wetland, sensitive habitat, archaeological, dune protection, or other special policies set forth in this Plan (solid waste disposal, and site preparation on shorelands, are not considered "fill"). "Minor Fill" is the placement of small amounts of material as necessary, for example, for a boat ramp or development of a similar scale. Minor fill may exceed 50 cubic yards and therefore require a permit.

FINAL PLAT: A plat for the partitioning of land, duly submitted to the Planning Director and conforming in all respects to the requirements of this Ordinance.

FIRE BREAK: A barrier of cleared land intended to check a forest or grass fire.

FIRE STATION: A building or structure housing fire fighting apparatus or firemen.

FLOATING ZONE: A zone designation which overlays a primary zoning district. A floating zone may restrict the uses of a primary zoning district or may include additional standards required of a use within the primary zoning district.

FLOOD OR FLOODING: A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters and/or
2. The unusual and rapid accumulation of runoff of surface waters from any source.

FLOOD HAZARD BOUNDARY MAP: An official map for the County furnished by the Federal Insurance Administration, labeled "A Flood Hazard Boundary Map" and delineating the boundaries of special flood hazard areas.

FLOOD INSURANCE RATE MAP: An official map of the County furnished by the Federal Insurance Administration, labeled "A Flood Insurance Rate Map" and delineating special flood hazard areas and the risk premium zones applicable to the County.

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

FLOOD-PRONE AREA: Any land area susceptible to a partial or complete inundation from either the overflow of inland or tidal waters or the usual and rapid accumulation of run-off of surface waters from any source.

FLOOD PROOFING: Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate a flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOOD, REGIONAL (100-YEAR): A standard statistical calculation used by engineers to determine the probability of severe flooding. It represents the largest flood which has a one-percent chance of occurring in any one year in an area as a result of periods of higher-than normal rainfall or streamflows, extremely high tides, high winds, rapid snowmelt, natural stream blockages, tsunamis or combination thereof.

FLOOD TIDE: A rising tide.

FLOODFRINGE: The area of the floodplain lying outside of the floodway, but subject to periodic inundation from flooding.

FLOODPLAIN: The area adjoining a stream, tidal estuary or coast that is subject to regional flooding.

FLOODWAY: The channel or a river or other watercourse and the adjacent land areas that may be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

FOREDUNE, ACTIVE: An unstable barrier ridge of sand paralleling the beach and subject to wind erosion, water erosion, and growth from new sand deposits. Active foredunes may include areas with beach grass, and occur in sand spits and at river mouths as well as elsewhere.

FOREDUNE, CONDITIONALLY STABLE: An active foredune that has ceased growing in height and that has become conditionally stable with regard to wind erosion.

FOREDUNE, OLDER: A conditionally stable foredune that has become wind stabilized by diverse vegetation and soil development.

FOREST LAND: Those lands designated in the Coos County Comprehensive Plan (Volume I- "Balance of County") for inclusion in a Forest Lands zone. These areas include: (1) lands composed of existing and potential forest lands which are suitable for commercial forest uses, (2) other forested lands needed for watershed protection, wildlife and fisheries habitat and recreation, (3) lands where extreme conditions of climate, soil and topography require the maintenance of vegetative cover irrespective of use, and (4) other forested lands which provide urban buffers, wind breaks, wildlife and fisheries habitat, livestock habitat, scenic corridors and recreational use.

FOREST OPERATION: Forest practices including, but not limited to, reforestation of forest land, road construction and maintenance, harvesting of a forest tree species, application of chemicals, and disposal of slash; any commercial activity relating to the growing or harvesting of any tree species as defined in ORS 527.620(6).

FOREST PRIMARY PROCESSING: the initial treatment of forest products to enable their shipment to market. Primary processing includes but shall not be limited to: processing of a raw log, sawmills cutting rough lumbers, cant mills, and chippers. Primary processing would not include such long-range facilities as pulp mills, pressed-wood manufacturing plants, etc.

FORESTRY-PROPAGATION, MANAGEMENT AND HARVESTING: The employment of land, along with the accessory buildings and uses, for the growing, harvesting, and management of forest products.

FORESTRY-STORAGE AND MAINTENANCE: A facility or area for the purpose of storing forestry products and equipment, and the maintenance of forestry harvesting and management equipment.

GEOLOGIC: Relating to the occurrence and properties of earth. Geologic hazards include faults, land and mudslides, and earthquakes.

GEOHERMAL EXPLORATION: The act of searching for resources of or relating to the heat of the earth's interior.

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".

HABITAT: The place or site where a plant or animal naturally lives and grows.

HEADLAND: Bluffs, promontories or points of high shoreland jutting out into the ocean, generally sloping abruptly into the water. The Coos Head bluff near Charleston, as identified in the inventory document accompanying this Plan.

HEADWATERS: A tributary stream located in the upper watershed.

HEARINGS BODY: A person or persons appointed by the Board of County Commissioners to conduct administrative or quasi-judicial public hearings.

HIGH-VALUE FARMLAND: "High-value farmland" means land in a tract composed predominantly of soils that are:

- A. Irrigated and classified prime, unique, Class I or Class II; or
- B. Not irrigated and classified prime, unique, Class I or Class II.

A and B, above, include the following soils: 2C, 5A, 5B, 33, 17B, 25 and 36C.

In addition, high-value farmland includes tracts growing specified perennials as demonstrated by the most recent aerial photography of the Agricultural Stabilization and Conservation Service of the United States Department of Agriculture taken prior to November 4, 1993. "Specified perennials" means perennials grown for market or research purposes including, but not limited to, nursery stock, berries, fruits, nuts, Christmas trees or vineyards, but not including seed crops, hay, pasture or alfalfa.

Also, high-value farmland, used in conjunction with a dairy operation on January 1, 1993, includes tracts composed predominantly of the following soils in Class III or IV or composed predominantly of a combination of the soils described in A or B above and the following soils: Meda (37C), Nehalem (40) and Coquille (12).

HISTORIC: Of, relating to, or having the character of history.

HISTORICAL RESOURCES: Those districts, sites, buildings, structures, and artifacts which have a relationship to events of human conditions of the past (see Archaeological Resources definition).

HOME OCCUPATION: Home occupations constitutes businesses that are operated entirely within a dwelling by a member of the family residing in the dwelling. Home occupations shall not employ more than five (5) full or part-time persons. Examples of home occupations include but are not limited to: beauty shops, engravers, professional offices, etc.

Home occupations must not interfere with existing uses on nearby land or with other uses permitted in the zone in which the property is located. Home occupations shall not involve the retail sale of a product on the premises. Home occupations shall not occupy more than 30% of the useable floor area of the dwelling, nor shall home occupations use any detached accessory building. On premise signs advertising home occupations shall not exceed six (6) square feet of copy area. [OR 04 12 013PL 2/09/05]

HOTEL/MOTEL: A building or buildings containing sleeping rooms which may or may not contain cooking facilities, and where lodging with or without meals is provided for compensation.

HOUSE OF WORSHIP/CHURCH: A structure together with accessory buildings and uses where persons regularly assemble for worship, and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to conduct public worship, and which qualifies for exemption under property tax laws. [OR-92-07-012PL]

HUMMOCK, ACTIVE: Partially vegetated (usually with beach grass), circular, and elevated mounds of sand which are actively growing in size.

HUNTING AND FISHING PRESERVE: Areas used exclusively for the hunting of game birds, game animals, or angling for game fish as permitted by State law.

HYDRAULIC: Related to the movement or pressure of water. Hydraulic hazards are those associated with erosion or sedimentation caused by the action of water flowing in a river or streambed, or oceanic currents and waves.

HYDRAULIC INFLUENCE: Related to the movement or pressure of water. Areas having hydraulic influence are those which show the effects of moving water or water pressure.

HYDRAULIC PROCESSES: Actions resulting from the effect of moving water or water pressure on the bed, banks, and shorelands of water bodies (oceans, estuaries, streams, lakes, and rivers).

HYDROGRAPHY: The study, description and mapping of oceans, estuaries, rivers and lakes.

HYDROLOGIC: Relating to the occurrence and properties of water. Hydrologic hazards include (the rise of water) as well as hydraulic hazards associated with the movement of water.

IMPACT: The consequences of a course of action; effect of a goal, guideline, plan or decision.

IMPACT AREA: Is a geographic area within which conflicting uses could adversely affect a significant Goal 5 resource.

IMPERVIOUS SURFACE: A surface that cannot effectively absorb or infiltrate water.

INDUSTRIAL-ALCOHOL DISTILLING: A process that consists of extracting gas or vapor from liquids by heating and condensing and that is used especially for purification of alcoholic liquors.

INDUSTRIAL - ANIMAL PACKING PLANT: An establishment for the slaughtering, processing, and packing livestock into meat, meat products, and by-products.

INDUSTRIAL - ANIMAL RENDERING PLANT: A facility where the processing of animal flesh by melting, extracting, or otherwise converting said animal flesh into industrial fats, oils, fertilizer or other by-products.

INDUSTRIAL - ANIMAL SLAUGHTER HOUSE: An establishment where animals are butchered.

INDUSTRIAL - ASPHALT/CONCRETE PLANT: A facility for producing asphalt or concrete by mixing either a bituminous substance or other cementing materials with aggregates.

INDUSTRIAL - BLACKSMITH/FOUNDRY: An establishment where metals are cast or forged.

INDUSTRIAL - BOAT AND SHIP CONSTRUCTION/REPAIR: a facility for the construction or repair of water borne vessels.

INDUSTRIAL - COLD STORAGE/ICE PLANT: An establishment for the storage (as of food) in a cold place for preservation, or the production and sales of ice.

INDUSTRIAL - ENVIRONMENTAL MONITOR: A facility for watching, serving, checking, to keep track of, regulate, control, or to test for intensity any or all of the climate, soil, air, water, or other physical conditions that influence or act upon an organism or an ecological community.

INDUSTRIAL - EXPERIMENTAL LABORATORY: A facility for carrying out an operation under controlled conditions in order to discover an unknown effect or law, to test or establish a hypothesis, or to illustrate a known law.

INDUSTRIAL - JUNK YARD/WRECKING YARD: An establishment or place of business where there is accumulated on the premises eight (8) or more inoperable motor vehicles or an equivalent volume of junk is maintained or stored. This use includes automobile graveyards and scrap metal facilities.

The following uses shall not be considered junk yards: pawn shops, second hand stores, used furniture stores, establishments salvaging paper and rags, and establishments for the sale of used motor vehicles and machinery which are in operative condition; nor shall the use include storage, repair, or dismantling of implements of husbandry.

INDUSTRIAL - MANUFACTURING ASSEMBLY: A facility which produces a product suitable for use from raw materials or lesser components.

INDUSTRIAL - RESEARCH STRUCTURE: A facility for the investigation or experimentation aimed at discovery and interpretation of facts, revision of accepted theories or laws in the light of new facts, or practical application of such new or revised theories or laws.

INDUSTRIAL - STORAGE WAREHOUSE: A facility for the safe keeping of goods in a depository such as a warehouse.

INDUSTRIAL - TANNERY: A facility engaged in the art or process by which an animal hide is tanned.

INDUSTRIAL (USES) AND PORT FACILITIES: Public or private use of land or structures for manufacturing, processing, port development, and energy generating facilities. Industrial and Port Facilities include large commercial and industrial docks.

INSURE (Ensure): Guarantee; make sure or certain something will happen.

INTEGRITY: The quality or state of being complete and functionally unimpaired; the wholeness or entirety of a body or system, including its parts, materials, and processes. The integrity of an ecosystem emphasizes the inter-relatedness of all parts and the unity of its whole. The integrity of this Plan relates to its faithful execution by local governments and agencies.

INTERDUNE AREA: Low-lying areas between higher sand landforms which are generally under water during part of the year (See also "Deflation Plain").

INTERIM: An intervening time.

INTERMITTENT STREAM: A stream that has interrupted flow or does not flow continuously.

INTERTIDAL: Between the levels of mean lower low tide (MLLT) and mean higher high tide (MHHT).

KEY FACILITIES: Basic facilities that are primarily planned for by local government but which also may be provided by private enterprise and are essential to the support of more intensive development, including public schools, transportation, water supply, sewage and solid waste disposal.

LAND TRANSPORT FACILITIES: Bridges and associated structures, highways and railroads.

LARGE WOODY DEBRIS: Dead material from trees and shrubs that is large enough to persist more than one season.

LCDC: Land Conservation and Development Commission of the State of Oregon. Seven lay citizens, non-salaried, appointed by the Governor, confirmed by the Oregon Senate; at least one commissioner from each Congressional District; no more than two from Multnomah County.

LIBRARY: An establishment in which literary, musical, artistic, or reference materials are kept for use but not for sale.

LITTORAL DRIFT: The material moved, such as sand or gravel, in the littoral (shallow water near shore) zone under the influence of waves and currents.

LOG DUMP/SORT AREA (in-water): An area where logs are transferred to the water from the land or to the land from the water for sorting into groups on the basis of species, size and quality.

LOG STORAGE (in-water): The use of water surface area to store commercial logs prior to or during processing. Water areas used for log dumping or removal are included in this definition.

LOG STORAGE/SORTING YARD (dry land): An area where logs are gathered from surrounding harvest areas and measured, sorted, and/or stored until ready for transfer to water storage areas or to market.

LOT: A unit of land created by a subdivision of land or a planned community. A lot lawfully created shall remain a discrete lot, unless the lot lines are changed or vacated or the lot is further divided as provided by this Ordinance.

LOT, PARCEL, OR TRACT DEPTH: The horizontal distance from the mid-point of the front lot line to the mid-point of the rear lot line.

LOT, PARCEL, OR TRACT FRONT LOT LINE: In the case of an interior lot, parcel, or tract, a line separating the lot, parcel or tract from the street; in the case of a corner lot, parcel or tract, a line separating a lot, parcel or tract from the street on which the improvement or contemplated improvement will face.

LOT, PARCEL OR TRACT SIDE LOT LINE: a lot line which is not a front or rear lot line.

LOT, PARCEL OR TRACT WIDTH: The horizontal distance between the side lot lines measured at right angles to the lot depth at a point midway between the front and rear lot line.

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 Ordinance found at Section 5.2-1(2).

MAINTAIN: Support, keep and continue in an existing state or condition without decline.

MANAGEMENT UNIT: A discrete geographic area, defined by biophysical characteristics and features, within which particular uses and activities are promoted, encouraged protected, or enhanced, and others are discouraged, restricted, or prohibited. Management units are delineated on the Plan map, and provide a framework for policy decisions embodied in Volume II, Part 1, Section 5.2 of this Plan.

- ~ Aquatic Management Units include:
 - Natural Aquatic Areas (NA)
 - Conservation Aquatic (CA)
 - Development Aquatic (DA)

- ~ Shoreland Management Units include:
 - Natural Shoreland Areas (NS)
 - Conservation Shoreland Areas (CS)
 - Rural Shoreland Areas (RS)
 - Urban Development Areas (UD)
 - Urban Water-dependent Areas (UW)
 - Development Shorelands (D)
 - Water-Dependent Development Shorelands (WD)

See Volume II, Part 1, Section 3.5 for detailed explanation of management units.

MANUFACTURED DWELLING (ORS: 446.003)

- a. Residential trailer – 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; or

- b. Mobile home – 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; or

- c. Manufactured home – structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, this 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. [OR 01-02-004PL 6/13/01]

MANUFACTURED DWELLING PARK (ORS 446.003): any place where four (4) 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 purposes 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. Does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one (1) manufactured dwelling per lot if the subdivision was approved by Coos County (ORS 92.010 to 92.190 and 446.003) [OR 01-02-004PL 6/13/01]

MARINAS: Facilities, which provide moorage, launching, storage, supplies and a variety of services for recreational, commercial fishing and charter fishing vessels. Moorage facilities with 5 or less berths are excluded from this category.

MARSH, MAJOR: A tract of land often periodically inundated and treeless and usually characterized by grasses, cattails, or other swamp like characteristics.

MEDICAL - CLINIC: The medical or dental facility for diagnosis and treatment of out-patients.

MEDICAL - HOSPITAL: A facility where the sick or injured are given medical or surgical care.

MEDICAL - SANITARIUM/REST HOME/CONVALESCENT HOME: An establishment that provides housing and general care for the aged or the convalescent; an establishment that provides therapy combined with treatment for rehabilitation; an establishment for rest and recuperation; or an establishment for the treatment of the chronically ill. This use shall also include a residential care facility and residential home.

MINERAL RESOURCES - EXPLORATION: The act for searching for any naturally occurring homogeneous substance such as coal, salt, sulfur, petroleum, water, natural gas, etc. For the purposes of this Ordinance minerals do not include stone, sand, rock or other aggregate.

MINERAL RESOURCES - MINING: The process of gaining access to and removal of minerals. (See the definition of minerals under the definition of Mineral Resources-Exploration.)

MINERAL RESOURCES - PROCESSING: The act of refining, perfecting, or converting a natural mineral into a useful product.

MINING/MINERAL EXTRACTION: The removal for economic use of minerals, petroleum resources, sands, gravels or other naturally occurring materials from the shorelands and/or a bed within an aquatic area.

MINOR NAVIGATIONAL IMPROVEMENTS: Alterations necessary to provide water access to existing or permitted uses in conservation management units, including dredging for access channels and for maintaining existing navigation but excluding fill and in-water navigational structures other than floating breakwaters or similar permeable wave barriers.

MITIGATION: The creation, restoring, or enhancing of an estuarine area to maintain the functional characteristics and processes of the estuary, such as its natural biological productivity, habitats, and species diversity, unique features and water quality (ORS 196.830).

MITIGATION BANK: The creation, restoration, or under certain circumstances the protection, or an area of functioning wetland in advance of, and to offset anticipated wetland impacts within the same ecoregion.

MOBILE HOME: See definition “Manufactured Dwelling”. [OR 01-02-004PL 6/13/01]

MODIFICATION OF HISTORICAL STRUCTURES: The expansion, rehabilitation, alteration, or other change of a significant historical structure as identified by the Coos County Comprehensive Plan.

MOORAGE: See "Docks and Moorage".

MUSEUM: An institution devoted to the procurement, care, study, and display of objects of lasting interest or value.

NATURAL: A state of nature untouched by the influences of civilization and society.

NATURAL AQUATIC AREAS (NA): An aquatic management unit (see Volume II, Part 1, Section 3.5).

NATURAL AREAS: Includes land and water that has substantially retained its natural character, which is an important habitat for plant, animal, or marine life. Such areas are not necessarily completely natural or undisturbed, but can be significant for the study of natural, historical, scientific, or paleontological features, or for the appreciation of natural features.

NATURAL MANAGEMENT UNIT: In all estuaries, areas shall be designated to assure the protection of significant fish and wildlife habitats, of continued biological productivity within the estuary, and of scientific, research, and educational needs. These shall be managed to preserve the natural resources in recognition of dynamic, natural, geological, and evolutionary processes. Such areas shall include, at a minimum, all major tracts of saltmarsh, tideflats, and seagrass and algae beds.

NATURAL RESOURCES: Air, land and water and the elements thereof which are valued for their existing and potential usefulness to man.

NATURAL SHORELANDS AREAS (NS): A shoreland management unit (see Volume II, Part 1, Section 3.5).

NAVIGATIONAL AIDS: Beacons, buoys and similar floating, anchored structures requiring no alteration of the estuary.

NAVIGATIONAL STRUCTURES: Groins, pile dikes, fills, jetties and breakwaters that are installed to help maintain navigation channels, or protect marinas and harbors by controlling water flow, wave action and sand movement.

NEW CONSTRUCTION: Structures for, which the "start of construction" commenced on or after the effective date of this ordinance.

NOMINAL 40: A lot, parcel or tract of land which contains slightly less than 40 acres but more than 30 acres and which results from a geometric breakdown from a section (i.e., SE ¼, SW ¼). nominal 40's will occur when an original Government survey created the section.

NOXIOUS VEGETATION: A plant arbitrarily defined by law as being especially undesirable, troublesome, and difficult to control.

OCCDC: Oregon Coastal Conservation and Development Commission, created by ORS 191; existed from 1971 to 1975. Its work is continued by LCDC.

OCEAN FLOODING: The flooding of lowland areas by saltwater owing to tidal action, storm surge, or tsunamis (seismic sea waves). Land forms subject to ocean flooding include beaches, marshes, coastal lowlands, and low lying interdune areas. Areas of ocean flooding are mapped by the Federal Emergency Management Agency (FEMA). Ocean flooding includes areas of velocity flooding and associated shallow marine flooding.

OIL CONTAMINATED SOIL: Soil that has been made impure and undesirable by becoming mixed with oil or oil products, including but not limited to crude oil, gasoline, fuel oil, diesel oil, lubricating oil, sludge, oil refuse or any other petroleum related product or fraction thereof that is liquid at a temperature of 60 degrees Fahrenheit and a pressure of 14.7 pounds per square inch absolute. [OR 93-02-003PL 3/30/93]

OPENED ROAD: A legally created right-of-way including an easement or public dedication, which is under use as access to one or more residences and which exists at the time of the adoption of this Ordinance.

OVERLAY ZONE: Zone designation which overlays a primary zoning district. A floating zone may restrict the uses of a primary zoning district or may include additional standards required of a use within the primary zoning district.

PAPA: is a "post-acknowledgement plan amendment." The term encompasses actions taken in accordance with ORS 197.610 through 197.625, including amendments to an acknowledged comprehensive plan or land use regulation and the adoption of any new plan or land use regulation. The term does not include periodic review actions taken in accordance with ORS 197.628 through 197.650.

PARCEL: A unit of land that is created by a partitioning of land. A parcel lawfully created shall remain a discrete parcel, unless the parcel lines are changed or vacated or the parcel is further divided as provided by this Ordinance.

PARENT PARCEL: The most recent legal lot, parcel or tract of land including all contiguous lots, parcels or tracts of land under the same ownership, prior to or at a given point in time.

PARTITION: Means either an act of partitioning land or an area or tract of land partitioned.

PARTITION LAND: Means to divide land into two or three parcels of land within a calendar year, but does not include: (a) A division of land resulting from a lien foreclosure, foreclosure of a recorded contract for the sale of real property or the creation of cemetery lots; or (b) An adjustment of a property line by the relocation of a common boundary where an additional unit of land is not created and where the existing unit of land reduced in size by the adjustment complies with all applicable provisions of this Ordinance. (c) A sale or grant by a person to a public agency or public body for state highway, county road or other right-of-way purposes provided that such road or right-of-way complies with the applicable sections of this ordinance 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. [OR 92-07-012PL]

PARTITION PLAT: Includes a final map and other writing containing all the descriptions, locations, dedications, specifications, provisions, and information concerning a partition. [OR 92-07-012PL]

PERENNIAL STREAM: A continuously flowing stream.

PERMITTED USE: A use allowed as of right by and within the primary zoning district.

PILING/DOLPHIN INSTALLATION: The driving of wood, concrete or steel piling into the bottom in aquatic areas to support piers or docks, structures, moored floating structures, vessels or log rafts or for other purposes. A dolphin is a group of pilings held together by steel cable and used for mooring vessels, log rafts or floating structures.

PLANNING AREA: The air, land and water resources within the jurisdiction of a governmental agency, jurisdiction within Coos County.

PLANNED COMMUNITY: (ORS 94.550) means any subdivision under ORS 92.010 to 92.170, which results in a pattern of ownership of real property and all the buildings, improvements and rights located on or belonging to the real property in which:

- (a) there is a homeowner's association responsible for the maintenance, operation, insurance and property taxes relating to any common property of the planned community or for the exterior maintenance of any property that is individually owned; and
- (b) owner of individual lots, by virtue of their ownership, automatically are members of the homeowner's association and assume liability for membership fees. [Note: this definition is synonymous with "Planned Unit Development" PUD]

PLANNING DIRECTOR: The Coos County Planning Director.

PLAT: A plat includes a final map, diagram, drawing and/or other writing containing all the descriptions, locations, specifications, dedications, provisions and information concerning a subdivision plat, replat, partition plat or planned community.

POLLUTION: The violation or threatened violation of applicable state or federal environmental quality statutes, rules and standards.

POTENTIAL TREE HEIGHT: The potential height of a mature tree for a particular location. Determined by climate, geology, hydrology, and landscape position.

PRESERVE: To save from change or loss and reserve for a special purpose.

PROGRAM: Proposed or desired plan or course of proceedings and action.

PROTECT: Save or shield from loss, destruction, or injury or for future intended use.

PROVIDE: Prepare, plan for, and supply what is needed.

PUBLIC FACILITIES AND SERVICES: Projects, activities and facilities determined to be necessary for the public health, safety and welfare.

PUBLIC GAIN: The net gain from combined economic, social, and environmental effects which accrue to the public because of a use or activity and its subsequent resulting effects.

PUBLIC ROAD: The entire right-of-way of any road over which the public has the right of use or any right-of-way held by the state or a political subdivision of the state for road purposes that is not open for public use.

QUALITY: The degree of excellence or relative goodness.

RECREATION: Any experience voluntarily engaged in largely during leisure (discretionary time) from which the individual derives satisfaction:

- (1) **Coastal Recreation:** occurs in offshore ocean waters, estuaries, and streams, along beaches and bluffs, and in adjacent shorelands. It includes a variety of activities from swimming, scuba diving, boating, fishing, hunting, and use of dune buggies, shell collecting, painting, wildlife observation, and sightseeing, to coastal resorts and water-oriented restaurants;
- (2) **Low-Intensity Recreation:** does not require developed facilities and can be accommodated without change to the area or resource. For example, boating hunting, hiking, wildlife photography, and beach or shore activities can be low-intensity recreation;

- (3) **High-Intensity Recreation:** uses specially built facilities, or occurs in such density or form that it requires or results in a modification of the area or resource. Campgrounds, golf courses, public beaches, and marinas are examples of high-intensity recreation.

RECREATION - CIRCUS/CARNIVAL: An arena which may be covered by a tent, and used for variety shows usually including feats of physical skill and daring, wild animal acts, and performances by jugglers and clowns. An enterprise offering amusements in the form of entertainment or exhibition.

RECREATION - GOLF COURSE: An area of land laid out for the game of golf with a series of golf links each including a tee, fairway, and putting green and often one or more natural or artificial hazards.

RECREATION - OFF ROAD VEHICLE RENTAL: An establishment which provides vehicles such as snow mobiles, dune buggies, motorcycles, etc. for rent.

RECREATION - PARK/OPEN SPACE: An open or enclosed lot parcel or tract of land set apart and devoted for the purposes of pleasure, recreation, ornamentation, or light and air.

RECREATIONAL PLANNED COMMUNITY: A planned community providing a combination of: owner's primary dwelling units, recreational dwelling unit, and required open space. A recreational planned community may also contain retail and service establishments not necessarily limited in scope to meet the needs of the recreational planned community users, and accessory structures and uses to the extent necessary and normal to uses permitted within a recreational planned community. Recreational planned communities shall contain a minimum of 80 contiguous acres in single ownership. NOTE: this definition is synonymous with "Recreational Planned Unit Department" (R-PUD).

RECREATIONAL PLANNED UNIT DEVELOPMENT: A planned unit development providing a combination of: owner's primary dwelling units, recreational dwelling units, and required open space. A recreational planned unit development may also contain retail and service establishments not necessarily limited in scope to meet the needs of the recreational planned unit development users, and accessory structures and uses to the extent necessary and normal to uses permitted within a recreational planned unit development. Recreational planned unit developments shall contain a minimum of 80 contiguous acres in single ownership.

RECREATIONAL VEHICLE (OAR 918-650-0005): A vehicle which is a) built on a single chassis; b) 400 square feet or less when measure at the largest horizontal projection; c) designed to be self propelled or permanently towable by a light duty truck; and d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreation, camping, travel, or seasonal use. The basic entities are:

i. travel trailer – vehicular unit which has a roof, floor and sides and is mounted on wheels, but it is not of such size or weight as to require special highway movement permits when towed by a motorized vehicle, and has a floor area of less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures and bath or toilet rooms;

ii. camping trailer – vehicle unit mounted on wheels and constructed with collapsible partial side walls which fold when the unit is towed by another vehicle and unfold at the campsite to provide temporary living quarters for recreational, camping or travel use, and has a floor area of less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures and bath or toilet rooms;

iii. truck camper – portable unit which has a roof, floor and sides and is designed to be loaded on an off the bed of a truck or pick-up truck, and has a floor area of less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures and bath or toilet rooms;

iv. motor home – vehicular unit built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van which is an integral part of the complete vehicle, and has a floor area of less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures and bath or toilet rooms;

v. park trailer – vehicle built-on single chassis, mounted on wheels, designed to provide seasonal or temporary living quarters which may be connected to utilities or operation of installed fixtures and appliances, of such a construction as to permit set-up by persons without special skills using only hand tools which may include lifting, pulling and supporting devices and a gross trailer area not exceeding 400 square feet when in the set-up mode.

[OR 01-02-004PL 6/13/01]

RECREATIONAL VEHICLE PARK (OAR 918-650-0005): A lot, parcel or tract of land upon which two (2) or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational or vacation purposes. [OR 01-02-004PL 6/13/01]

RECREATIONAL VEHICLE SITE: A plat of ground within a recreational vehicle park designed to accommodate a recreational vehicle on a temporary basis.

REFERENCE SITE: An undisturbed area that exhibits the potential natural vegetation under a particular set of conditions. Used as a model for restoration or disturbed sites.

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. [OR 92-07-012PL]

RESEARCH AND EDUCATIONAL OBSERVATION: Activities such as sampling of water and vegetation, surveying, inventorying, trapping or taking of fish, birds or other animals for the purposes of scientific research or education.

RESERVOIRS AND WATER IMPOUNDMENTS: A place where water is collected and stored for use, and may include dam structures, the lakes and ponds behind them, off-stream ponds where water is collected and stored, similar storage areas and including, but not limited to, water diversion and transmission facilities, road construction, soil and rock extraction/processing, and related land alterations and activities which are accessory to the construction and maintenance of reservoir and water impoundments and ancillary improvements.

RESIDENTIAL - CONVENTIONAL SINGLE FAMILY DWELLING: A single household unit including on-site construction or modular units (but not including a mobile home). Said dwelling unit shall not share a common wall, floor or ceiling with another single household unit.

RESIDENTIAL - DUPLEX: A building designed exclusively for occupancy by two (2) families living independently of each other in independent dwelling units attached and sharing a common wall, floor or ceiling.

RESIDENTIAL CARE FACILITY: Residential care facility means a facility licensed by or under the authority of the Department of Human Resources under ORS 443.400 to 443.460 which provides residential care alone or in conjunction with treatment or training or a combination thereof for six to fifteen individuals who need not be related. Staff persons required to meet Department of Human Resources licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential facility. [OR 93-12-j017PL 2/23/94]

RESIDENTIAL - FLOATING HOME: A moored structure that is secured to a pier or pilings and is used primarily as a residence and not as a boat. [ORS 488.705(2)] A facility, dock or pier owned by one person where four or more floating homes are secured, the primary purpose of which is to rent space or keep space for rent to any person for a fee, shall be reviewed as a mobile home park.

RESIDENTIAL CARE HOME: Residential care home means a home licensed by or under the authority of the Department of Human Resources under ORS 443.400 to 443.825 which provides residential care alone or in conjunction with treatment or training or a combination thereof for five or fewer individuals who need not be related. Staff persons required to meet Department of Human Resources licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential home. [OR 93-12-017PL 2/23/94]

RESIDENTIAL - MANUFACTURED HOME: See definition “Manufactured Dwelling”. [OR 01-02-004PL 6/13/01]

RESIDENTIAL - MOBILE HOME: See definition “Manufactured Dwelling”. [OR 01-02-004 PL 6/13/01]

RESIDENTIAL - MOBILE HOME PARK: See definition “Manufactured Dwelling Park”. [OR 01-02-004PL 6/13/01]

RESIDENTIAL - MULTI-FAMILY DWELLING: A building designed exclusively for occupancy by three or more families living independently of each other in independent units. Such building is characterized by living units which share a common wall, floor, or ceiling.

RESIDENTIAL-PLANNED UNIT DEVELOPMENT: A form of development usually characterized by a unified site design for a number of housing units, clustered buildings, providing common open space, and a mix of building types and land uses. A PUD permits the

planning of a project over the entire development, rather than on an individual lot-by-lot basis, but a Planned Unit Development does not exclude the sale of individual lots, but only after the development is planned as a single unit.

RESIDENTIAL - SECOND FLOOR APARTMENTS: A dwelling unit(s) located above a commercial industrial use located on the ground floor.

RESIDENTIAL USES: Development of land and structures for human occupancy as living quarters. Residential uses include single-family dwellings, mobile homes, duplexes and multiple residential apartments. Density of residential development relates to city and county implementing measures, and location factors such as urban growth boundary and natural hazard considerations.

RESIDENTIAL - WATCHMAN/CARETAKER DWELLING: A dwelling unit accessory to another primary use of the property, providing living quarters for a watchman or a caretaker.

RESORT COMMUNITY: An unincorporated community that was established primarily for and continues to be used primarily for recreation or resort purposes; and (a) includes residential and commercial uses; and (b) provides for both temporary and permanent residential occupancy, including overnight lodging and accommodations.

RESOURCE CAPABILITY DETERMINATION: (a) Natural: When either the impacts of the use on estuarine species, habitats, biological productivity and water quality are not significant or that the resources of the area are able to assimilate the use and activity and their effects and continue to function in a manner to protect significant wildlife habitats, natural biological productivity, and values for scientific research and education; (b) Conservation: When either the impacts of the use on estuarine species, habitats, biological productivity, and water quality are not significant or that the resources of the area are able to assimilate the use and activity and their effects and continue to function in a manner which conserves long-term renewable resources, natural biologic productivity, recreational and aesthetic values and aquaculture.

RESOURCE LIST: includes the description, maps, and other information about significant Goal 5 resource sites within a jurisdiction, adopted by a local government as a part of the comprehensive plan or as a land use regulation. A "plan inventory" adopted under OAR 660-016-0000(5)(c) shall be considered to be a resource list.

RESTORATION: Replacing or restoring original attributes or amenities such as natural biological productivity and aesthetic or cultural resources which have been diminished or lost by past alterations, activities or catastrophic events. Active restoration involves the use of specific remedial actions such as removing dikes or fills, installing water treatment facilities, or rebuilding or removing deteriorated urban waterfront areas. Passive Restoration is the use of natural processes, sequences or timing to bring about restoration after the removal of reduction of adverse stresses.

REZONE: Rezoning can take two forms: (1) a change in the zoning classification of a lot(s), parcel(s), or tract(s) of land from one use district to another; or (2) qualified rezoning with attachment of special conditions to a rezoning.

RIPARIAN: Of, pertaining to, or situated on the edge of the bank of a river or other body of water.

RIPARIAN AREA: An area adjacent to a water resource which affects or is affected by the water resource.

RIPARIAN CORRIDOR: A Goal 5 resource that includes the water areas, fish habitat, riparian areas, and wetlands within the riparian corridor boundary.

RIPRAP: A layer, facing, or protective mound of stones randomly placed to prevent erosion, scour or sloughing of a structure or embankment; also, the stone so used. Similar use of other hard material, such as concrete rubble, is also riprap.

ROAD: A public or private way created or intended to provide ingress or egress for persons to one or more lots, parcels, areas, or tracts of land. A road does not include: (a) driveway located exclusively on the same lot, parcel or tract of land as the use it serves; (b) a private way that is created or intended to provide ingress or egress to such land in conjunction with the use of such land exclusively for forestry, mining, or agricultural purposes.

Opened: a legally created right-of-way under use as access to one or more residences, and which legally existed at the time of this Ordinance adoption.

Unopened: a legally created right-of-way not under use as access to one or more residences.

RURAL: Outside of city limits and/or urban growth boundaries.

RURAL COMMUNITY: An unincorporated community which consists primarily of permanent residential dwellings but also has at least two other land uses that provide commercial, industrial, or public uses (including but not limited to schools, churches, grange halls, post office) to the community, the surrounding rural area, or to persons traveling through the area.

RURAL LAND: Those which are outside the urban growth boundary and are: (1) non-urban agricultural, forest or open space lands; or (2) other lands suitable for sparse settlement, small farms or acreage homesites with no or hardly any public services, and which are not suitable, necessary or intended for urban use.

RURAL SERVICE CENTER: An unincorporated community consisting primarily of commercial or industrial uses providing goods and services to the surrounding rural area or to persons traveling through the area, but which also includes some permanent residential dwellings.

RURAL SHORELANDS AREAS (RS): A shoreland management unit (see Volume II, Part 1, Section 3.5).

SCHOOL: Any institution for learning, whether public or private, including:

1. Commercial: a facility where instruction is given to pupils in arts, crafts or trades, and operated as a commercial enterprise as distinguished from schools privately endowed or supported by taxation.
2. Public: a school under the control of and financed by legally constituted public school districts in the State of Oregon.
3. Private: a school under private control offering instruction equivalent to public schools.

SEASONAL FARM WORKER: Any person who, for an agreed remuneration or rate of pay, performs temporary labor for another to work in production of farm products or planting, cultivating or harvesting of seasonal agricultural crops or in forestation or reforestation of lands, including but not limited to, the planting, transplanting, tubing, precommercial thinning and thinning of trees and seedlings, the clearing, piling and disposal of brush and slash and other related activities> [OR 92-07-012PL]

SEASONAL FARM-WORKER HOUSING: Housing limited to occupancy by seasonal farm workers and their immediate families which is occupied no more than 9 months a year (OR 92-07-012PL).

SEASONAL PRODUCT SALE: The act of selling a product either:

1. during the climatic season of its maturity, or
2. during a season set by law, or
3. during a customarily recognized season.

SEDENTARY: Attached firmly to the bottom, generally incapable of movement.

SETBACK: The required distance between structures and all lot, parcel or tract lines. Structures for the purpose of setbacks do not include uncovered patios, decks, driveways, fences, signs, vegetative screenings, or similar amenities.

SHORELANDS: Areas located between the Coastal Shoreland Boundary and the line of non-aquatic vegetation fringing the Coos Bay Estuary.

SHORELINE: The line where a body of water and the shore meet.

SHORELINE STABILIZATION: The protection of the banks of tidal or non-tidal streams, rivers or estuarine waters by nonstructural (vegetative) or structural (riprap, bulk heading, etc.) means. See also definitions for "Riprap" and "Bulkhead".

SIGNIFICANT HABITAT AREAS: A land or water area where sustaining the natural resource characteristics is important or essential to the production and maintenance of aquatic life or wildlife populations. (Land or water areas designated as Significant Habitat Areas on resource maps which are part of the inventory document which accompanies this Plan.)

SITE PLAN AND DESIGN: An application an review required by some zoning use districts. The application shall contain plans, drawings, sketches and other documents delineating the proposed development for which a site plan review is required.

SOCIAL CONSEQUENCES: The tangible and intangible effects upon people and their relationships with the community in which they live resulting from a particular action or decision.

SOLID WASTE DISPOSAL: Storage or disposal of industrial solid waste such as a co-generation facility.

SOLID WASTE LANDFILL: A site operated by means of compacting and covering waste or solid waste at specifically designated intervals but not necessarily each operating day.

SPECIAL CONSIDERATIONS MAP: A map, or series of maps, or map overlays identifying areas in Coos County which may have an impact on development. The phenomena identified on the Special Considerations Map which may have an impact include: mineral resources, water resources, archaeological and historical resources, dunes and non-estuarine coastal shorelands, significant wildlife habitat and natural hazards.

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

STREET: A public or private way that is created or intended to provide ingress or egress to persons to one or more lots, parcels, areas or tracts of land. A street does not include

- a. a driveway located exclusively on the same lot, parcel or tract of lands as the use it serves;
- b. a private way that is created or intended to provide ingress or egress to such land in conjunction with the use of such land exclusively for forestry, mining, or agricultural purposes.

STRUCTURE: Walled and roofed building including a gas or liquid storage tank that is principally above ground.

STRUCTURE (BUILDING) HEIGHT: The vertical distance measured from the average building grade to the highest point of the roof surface, parapet, or other architectural structural feature.

STRUCTURE OR FACILITY THAT PROVIDES WATER-DEPENDENT ACCESS: means anything constructed or installed, regardless of its present condition, functionality or serviceability, that provides or provided water-dependent uses with physical access to the adjacent coastal water body (examples include wharves, piers, docks, mooring piling, boat ramps, water intake or discharge structures, or navigational aids).

SUBDIVIDE LAND: To divide a lot, parcel, area or tract of land into four or more lots within a calendar year except, for the purpose of this definition, "lot, parcel, area or tract of land" shall be interpreted as not necessarily having to include all contiguous ownership in the subdivision plat. A portion of a large contiguous ownership may be subdivided, provided the residual parcel (that portion of the contiguous ownership proposed to be excluded from the plat) meets the following criteria:

- a. the residual parcel conforms to all other development standards of this Ordinance; and
- b. the residual parcel shall not be rendered "landlocked"; and
- c. the residual parcel shall not be bisected by the creation of a subdivision access road; and
- d. the residual parcel must either be:
 - i. zoned as resource land, or
 - ii. must have an area greater than or equal to ten (10) acres.

SUBDIVISION: Either an act of subdividing land or an area, lot, parcel or tract of land subdivided as defined in these definitions.

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

SUBORDINATE: Placed in a lower order, class, or rank; occupying a lower position in a regular descending series; inferior in order, nature, dignity, power, importance, or the like: belonging to an inferior order in classification, and having a lower position in a recognized scale; secondary, minor. (As pertaining to "subordination of use/activity plan provisions to plan policies", the term "subordinate" is used as defined by Black's Law Dictionary.)

SUBSTANTIAL IMPROVEMENT: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

1. before the improvement or repair is started, or
2. if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either:

- a. any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or
- b. any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

SUBSTRATE: The medium upon which an organism lives and grows. The surface of the land or bottom of a water body.

SUBTIDAL: Below the level of mean lower low tide (MLLT).

TECHNICAL REVIEW COMMITTEE: A committee established to act in a technical review capacity for the Board of Commissioners, which has the responsibility to examine all major partition plats, subdivision plats, planned community plats, and at the discretion of the Planning Director, minor partition plats and assist the Planning Director in rendering a decision relating to the approval, conditional approval, or disapproval of said applications.

TEMPORARY ALTERATION: Dredging, filling, or another estuarine alteration occurring over a specified short period of time which is needed to facilitate a use allowed by an acknowledged plan. Temporary alterations may not be for more than three (3) years and the affected area must be restored to its previous condition. Temporary alterations include:

1. Alterations necessary for federally authorized navigation projects (e.g., access to dredged material disposal sites by barge or pipeline and staging areas or dredging for jetting maintenance),
2. Alterations to establish mitigation sites, alterations for bridge construction or repair and for drilling or other exploratory operations, and
3. Minor structures (such as blinds) necessary for research and educational observation.

TENTATIVE MAP: A map setting forth the proposed plan of partitioning, subdivision or planned community in conformance with the provisions of this Ordinance and subject to review and modification. [OR 92-07-012PL]

TERRITORIAL SEA: The ocean and seafloor areas from mean-low-water seaward three nautical miles.

TIDAL MARSH: Wetlands from lower high-water (LHW) inland to the line of non-aquatic vegetation.

TIDELANDS: Land overflowed during flood tide.

TIMBER FARMING/HARVESTING: Planting, growing, thinning, harvesting, etc., of trees for commercial purposes. Logging road construction is also included in this category.

TOP OF BANK: Topographical break at the top of the streambank; point at which flood water leaves the channel.

TRACT: An area of land which has not been partitioned or subdivided (including planned community) pursuant to the definitions of this Ordinance.

TRANSPORTATION AGENCY: A unit of government involved with planning and constructing land, water or airway transportation facilities or improvements, and which has the authority to exercise the power of eminent domain. [OR 92-07-012PL]

UNINCORPORATED COMMUNITY: a settlement with all of the following characteristics: (a) it is made up primarily of lands subject to an exception to Statewide Planning goal 3, goal 4 or both; (b) it was either identified in a county's acknowledged comprehensive plan as a "rural community", "service center", "rural center", "resort community", or similar term before this division was adopted (October 28, 1994), or it is listed in the Department of Land Conservation and Development's January 30, 1997 "Survey of Oregon's Unincorporated Communities"; (c) it lies outside the urban growth boundary of any city; (d) it is not incorporated as a city; and (e) it met the definition of one of the four types of unincorporated communities in Sections (6) through (9) of OAR 660-022-0010, and includes the uses described in those definitions, prior to the adoption of OAR 660-022 (October 28, 1994).

UNIT: A piece of apparatus serving to perform one particular function.

URBAN DEVELOPMENT AREAS (UD): A shoreland management unit (see Volume II, Part 1, Section 3.5).

URBAN GROWTH AREA: Includes those lands lying outside an incorporated city, but within an adopted Urban Growth Boundary.

URBAN GROWTH BOUNDARY: Established areas to identify and separate urbanizable land from rural land.

URBAN LAND: Urban areas are those places which must have an incorporated city. Such areas may include lands adjacent to and outside the incorporated city and may also:

1. have concentrations of persons who generally reside and work in the area;
2. have supporting public facilities and services.

URBAN UNINCORPORATED COMMUNITY: An unincorporated community which has the following characteristics: (a) include at least 150 permanent residential dwellings units; (b) contains a mixture of land uses, including three or more public, commercial or industrial land uses; (c) includes areas served by a community sewer system; and (d) includes areas served by a community water system.

URBAN WATER-DEPENDENT AREAS (UW): A shoreland management unit (see Volume II, Part 1, Section 3.5).

URBANIZABLE LAND: Those lands within the urban growth boundary and which are identified and:

1. determined to be necessary and suitable for future urban uses;
2. can be served by urban services and facilities;
3. are needed for the expansion of an urban area.

USE: The end to which a land or water area is ultimately employed. A use often involves the placement of structures or facilities for industry, commerce, habitation, or recreation.

USED FOR THE PURPOSES OF LAND DIVISION: When a road or street is used to provide access to a parcel in a partition, or a lot in a subdivision or planned community.

UTILITIES: Public service structures which fall into two categories:

1. low-intensity facilities consist of communication facilities (including power and telephone lines), sewer, water and gas lines, and
2. high-intensity facilities, which consist of storm water and treated waste water outfalls (including industrial waste water).

Note: in shoreland units this category also includes sewage treatment plants, electrical substations and similar public service structures. However, these structures are defined as "fill for non-water-dependent/related uses" in aquatic areas.

UTILITY FACILITY-AIR AND WATER NAVIGATION AIDS: A facility or aid to determine position, course, distance traveled, or other facility to help navigate aircraft or waterborne vehicles.

UTILITY FACILITY - COMMUNICATIONS: A facility for the reception, broadcast or distribution of audio and visual images, including but not limited to radio, television, and other communications.

UTILITY FACILITY - INCLUDING POWER FOR PUBLIC SALE: A facility for the generation and distribution of a public or private service including but not limited to electricity,

telephone, natural gas, water, sewage service, and other services providing for energy or communication needs; and may include the generation and distribution of power for public sale.

UTILITY FACILITY - NOT INCLUDING POWER FOR PUBLIC SALE: A facility for the generation and distribution of a public or private service including but not limited to electricity, telephone, natural gas, water, sewage services, and other services providing for energy or communication needs; this use does not include the generation or distribution of power for public sale.

UTILITY FACILITY - SERVICE LINES: A distribution line for supplying a utility service including but not limited to telephone, power, water, sewer, etc.

UTILITY FACILITY - SEWER PLANT/PUMP STATION: A facility engaged in a process to which sewage is subjected in order to remove or alter its objectionable constituents so as to render it less dangerous or offensive. the facilities may include but are not limited to reservoirs, mains, laterals, trunk lines, pumping equipment, and treatment facilities.

UTILITY FACILITY - WATER PLANT/PUMP STATION: A facility which may include a system of reservoirs, channels, mains, and pumping and purification equipment by which a water supply is obtained and distributed.

VARIANCE: A device which may grant a property owner relief from certain provisions of this Ordinance when because of the particular physical surroundings, shape or topographical conditions of the property, compliance would result in a particular hardship upon the owner, as distinguished from a mere inconvenience.

VEGETATION LAYER: Canopy, midstory and groundcover levels of vegetation, commonly represented by trees, shrubs and herbaceous plant species. Determined by height of vegetation.

VETERINARY CLINIC/KENNEL: A facility or building or portion thereof designed or used for the care, observation or treatment of domestic animals.

WATER-DEPENDENT: 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.

A. The following definitions also apply:

1. access: means physical contact with or use of the water;
2. energy production: means uses which need quantities of water to produce energy directly (e.g., hydroelectric facilities, ocean thermal energy conversion);
3. recreational: e.g., recreational marinas, boat ramps and support;
4. require: means the use either by its intrinsic nature (e.g., fishing, navigation, boat moorage) or at the current level of technology cannot exist without water access;

5. source of water: means facilities for the appropriation of quantities of water for cooling processing or other integral functions;
6. water-borne transportation: means uses of water access:
 - i. which are themselves transportation (e.g., navigation);
 - ii. which require the receipt of shipment of goods by water; or
 - iii. which are necessary to support water-borne transportation (e.g., moorage fueling, servicing of watercraft, ships, boats, etc. terminal and transfer facilities).

B. Typical examples of water-dependent uses include the following:

1. aquaculture;
2. certain scientific and educational activities which, by their nature, require access to coastal waters: estuarine research activities and equipment mooring and support;
3. commercial: e.g., commercial fishing marinas and support; fish processing and sales; boat sales, rentals, and supplies;
4. industrial: e.g., manufacturing to include boat building and repair; water-borne transportation, terminals, and support; energy production which needs quantities of water to produce energy directly; water intake structures for facilities needing quantities of water for cooling, processing, or other integral functions.
5. recreation: means water access for fishing, swimming, boating, etc. Recreational uses are water-dependent only if use of the water is an integral part of the activity;

WATER-DEPENDENT DEVELOPMENT SHORELANDS (WD): A shoreland management unit (see Volume II, Part 1, Section 3.5).

WATER ORIENTED: A use whose attraction to the public is enhanced by a view of or access to coastal waters.

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. Except as necessary for water-dependent or water-related uses or facilities, residencies, parking lots, spoil and dump sites, roads and highways, restaurants, businesses, factories, and trailer parks are not generally considered dependent on or related to water location needs.

WATER RESOURCE: Rivers, streams, lakes, and ponds, and adjacent wetlands.

WETLANDS: Areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

WINERY, COMMERCIAL (Rural Residential zones): A facility for the preparation, processing, marketing, and distribution of wines. May include a tasting room. A winery in rural residential must be strictly and customarily incidental to the primary purpose of acreage homesites outside of urban growth boundaries. A winery may only be allowed in conjunction with an existing permitted dwelling.

Pursuant to OR 04-1-002PL (6-30-04) for the purposes of a commercial winery only within the rural residential zoning districts the following definitions apply:

- a. Fruit-processing facility is a facility that handles produce only of which 25% must be grown on the site or adjacent to that site. Vineyards, orchards, and berry farms use fruit processing facilities to process grapes grown on the site, but are not allowed to introduce yeast into any juice pressed from that fruit unless it has a Federal and State license to do so. A facility producing grape or fruit juice may not be called a winery unless it is licensed to add yeast to the grape or fruit juice.
- b. Tasting room is a room at a winery where customers may taste various wines, usually free of charge. State laws defines taste as 1.5 ounces of wine. Many wineries have tasting rooms, so do many wine stores. Many vineyards do not produce wine and therefore are not wineries, but have tasting rooms. An example is Melrose Vineyards in Sutherlin. The wine they sell is under special license and must be produced from the grapes grown in that specific vineyard.
- c. Vineyard is farm land devoted to the production of grapes only.
- d. Winery is a Federal and State licensed facility that produces wine from various fruits, including grapes. A winery may not have a vineyard, choosing instead to purchase various fruit in the open market. An example is the Old Bridge Winery in Remote.
- e. Wholesale winery is a Federal and State licensed facility that produces wine that does not have retail sales, a tasting room, or public access.

YARD: An open space which lies between a lot, parcel or tract line and a building line.

- a. Front yard: a yard extending across the full width of the lot, parcel or tract between the front lot, parcel or tract line and the building line.
- b. Rear yard: a yard extending the full width of the lot, parcel or tract between the rear lot, parcel or tract line and the rear building line.
- c. Side yard: the yard extending from the front yard to the rear yard except in the case of a corner lot, parcel or tract when the side yard on the flanking street shall extend to the rear property line.

ZONING DISTRICT: A zoning designation in this Ordinance text and delineated on the zoning maps, in which requirements for the use of land or buildings and development standards are prescribed. * OR 91-05-006PL 7-10-91