

DEFINITIONSSections:

17.26.010 Meaning of words generally.

17.26.020 Meaning of common words.

17.26.030 Meaning of specific words and terms.

17.26.010 Meaning of words generally. All of the terms used in this title have their commonly accepted, dictionary meaning unless they are specifically defined in this chapter or definition appears in the Oregon Revised Statute, or the context in which they are used clearly indicates to the contrary. (Ord. 868, 2018; Ord. 634 §1 Exh. A (part), 1995)

17.26.020 Meaning of common words. A. All words used in the present tense include the future tense.
B. All words used in the plural include the singular, and all words used in the singular include the plural unless the context clearly indicates to the contrary.
C. All words used in the masculine gender include the feminine gender.
D. The word "shall" is mandatory and the word "may" is permissive.
E. The words "building" includes the word "structure."
F. The phrase "used for" includes the phrases "arranged for," "designed for," "intended for," "maintained for" and "occupied for."
G. The words "land" and "property" are used interchangeably unless the context clearly indicates to the contrary. (Ord. 868, 2018; Ord. 634 §1 Exh. A (part), 1995)

17.26.030 Meaning of specific words and terms. (Also see Chapters 17.84, 17.88, 17.94 and Chapter 17.114). As used in this title: "Abut/abutting" and "adjacent/adjoining or contiguous lots" means two or more lots joined by a common boundary line or point. "Accept" means to receive as complete and in compliance with all submittal requirements.

"Access" means the place, means or way by which pedestrians, bicycles and vehicles enter or leave property. A private access is an access not in public ownership or control by means of deed, dedication or easement.

"Access way" means a pedestrian and/or bicycle connection between two rights-of-way, or to achieve other connectivity needs as determined by the planning commission. An access way conforms to city standards and is in either an off-street public right-of-way or a public access easement on private property.

"Accessory building" means a detached subordinate building, the use of which is clearly incidental to that of the existing principal building and is located on the same lot with the principal building. Accessory buildings may include garages, carports, sheds, greenhouses, storage buildings, and similar structures.

"Accessory use" means a use customarily incidental, appropriate and subordinate to the existing principal use and located on the same lot.

"Addition" means a modification to an existing building or structure which increases the site coverage or building volume.

"Administrative decision" means a decision by the planner.

"Adult bookstore" means an establishment having at least ten percent of its merchandise, items, books, magazines, other publications, films or videotapes for sale, rent or viewing on the premises that are distinguished or characterized by their emphasis on matters depicting the sexual activities or anatomical areas.

"Adult motion picture theater" means an establishment used for the presentation of motion pictures or videotapes having as a dominant theme material distinguished or characterized by an emphasis on matter depicting sexual activities or anatomical areas.

"Alley" means a minor way which is used primarily for vehicular service access to the back or side of properties otherwise abutting on a street.

"Alteration" means a change in construction, use or occupancy. When the term is applied to a change in construction, it is intended to apply to any change, addition or codification in construction. When the term is used in connection with a change of occupancy, it is intended to apply to changes of occupancy from one classification to another or from one division to another per the Uniform Building Code.

Alteration, Structural. "Structural alteration" means any change or repair which would tend to prolong the life of the supporting members of a building or structure, such as alteration of bearing walls, foundation, columns, beams or girders. In addition, any change in the external dimensions of the building shall be considered a structural alteration.

"Amendment" means a change in the wording, context or substance of this title or the comprehensive plan, or a change in the boundaries of a zone on the zoning map or the boundaries of a designation on the comprehensive plan map.

"Animal hospital" means any building or portion thereof designed for the care, observation or treatment of animals.

"Appeal" means a request that a final decision by the initial hearing authority be considered by a higher authority.

"Approval authority" means either the planner, the planning commission, or the council, depending on the context in which the term is used.

"Auto wrecker" means any person who wrecks, dismantles, permanently disassembles or substantially alters the form of any motor vehicle.

"Auto wrecking yard" means any land, building or structure, used for the wrecking or storing in the open of such motor vehicles or the parts thereof, or sale of used automobile parts, or for the storage, dismantling or abandonment of junk, obsolete automobiles, trailers, trucks, machinery or parts thereof and are not being restored to operation. Two or more dismantled, obsolete, inoperable motor vehicles on one lot, or the parts thereof, shall constitute a wrecking yard.

"Automobile service station" means any premises used for supplying gasoline, oil, minor accessories and service, excluding body and fender repairs, for automobiles at retail direct to the customer.

"Automobile and truck sales area" means an open area, other than a street, used for the display, sale of, or rental of new or used motor vehicles or trailers and where no repair work is done except minor incidental repair of motor vehicles or trailers to be displayed, sold or rented on the premises.

"Basement" means a portion of a building which has less than one-half of its height measured from finished floor to finished ceiling above the average grade of the adjoining ground and not deemed a story unless the ceiling is six feet or more above the grade. "Bed and breakfast" means an owner-occupied single-family residential dwelling where meals and lodging are offered for compensation that contains no more than two rental units and limits guest stays to five days or less.

"Building" means any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, foods or materials of any kind or nature.

"Building envelope" means that portion of a lot or development site exclusive of the areas required for front, side and rear yards and other required open spaces and which is available for siting and constructing a building or buildings.

"Building official" means a person duly authorized by a municipality and the State of Oregon with responsibility for the administration and enforcement of the State Building Code in the municipality, or his duly authorized representative.

"Building type" means:

1. Nonresidential: buildings not designed for use as human living quarters.

- a. Detached. A single main building, freestanding and structurally separated from other buildings.

- b. Attached. Two or more main buildings placed side by side so that some structural parts are touching one another, located on a lot or development site or portion thereof.

2. Residential.

- a. "Single-family detached dwelling:" any detached freestanding structure located on a lot or planned unit development site.

b. "Accessory dwelling unit:" a self-contained secondary unit with a separate entrance and kitchen used in conjunction with an existing single-family detached dwelling.

c. "Cottage:" a small single-family detached dwelling located in a cottage cluster and developed consistent with the standards in Chapter 17.58.

d. "Townhouse" is a dwelling designed or used for occupancy by one household, having a common wall with one or more other dwelling, where each dwelling unit is on an individual, legally subdivided or partitioned lot. A row of townhouses will be comprised of between two to four attached units. Townhouses will have independent services that include but are not limited to sewer, water, and electricity. Townhouse dwellings will have a zero lot line at the common wall.

e. "Duplex or two-family dwelling:" any building with two attached housing units on a common lot or planned unit development site.

f. "Triplex" is a building with three attached housing units, having a common wall with two other dwellings on a common lot.

g. "Quadplex" is a building with four attached housing units, having a common wall with three other dwellings on a common lot.

h. "Multifamily dwelling:" any building containing at least five dwelling units in any vertical arrangement located on a single lot or planned unit development site.

i. "Mixed-use building:" any commercial building with commercial uses on the ground floor and residential uses on any floors above the ground floor.

j. "Live/work townhouse or live/work multifamily building:" A building type that consists of commercial space on the ground floor and residential space on the ground and/or upper floors. The permitted live/work dwelling types are defined below:

i. Live/work Townhouse: A townhouse in which a business shall be limited to the ground floor, and may not exceed 50% of the floor area of the entire townhouse unit, excluding the garage.

ii. Live/Work multifamily building: A residential multi-story, multi-unit building with a minimum of 50% of the building ground floor used as retail, office or commercial space. Residential units may be rented or for sale (condominium or cooperative) units.

"Caretaker dwelling" means a single-family detached dwelling for housing the caretaker of an approved industrial development and located on the same lot as the approved industrial development.

"Carport" means a covered shelter for an automobile open on two or more sides. A carport shall not attach two single-family dwellings or create duplexes, or multifamily dwellings except when the carport contains common building structural parts designed to be an integral part of a continuous structure.

"Church" means a structure or set of structures, the principal purpose which is for persons to regularly assemble for worship, and which has legally been recognized by the state of Oregon.

"City" means the city of Scappoose.

"City recorder" means the person designated by the city manager to perform the duties of city recorder for the city of Scappoose, Oregon.

"Commercial use" means establishments or places engaged in the distribution and sale or rental of goods and the provision of services.

"Commission" means the planning commission of Scappoose, Oregon.

"Complete" means every item is included without omissions or deficiencies.

"Complex" means a structure or group of structures developed on one lot of record.

"Comprehensive plan" means the coordinated land use map and policy statement of the governing body of the city as acknowledged by the state of Oregon.

"Conditional use" means a use which may be approved, denied or approved with conditions by the approval authority following a public hearing, upon findings by the authority that the approval criteria have been met or will be met upon satisfaction of conditions of approval.

"Contiguous". See "Abut/abutting."

"Cottage cluster:" a grouping of four to twelve cottages, generally clustered around common open space.

"Cottage Housing Development:" a grouping of cottages, which may contain one or more cluster of cottages.

"Council" means the city council of Scappoose, Oregon.

"Court" means an open unoccupied space other than a yard, on the same lot with a building and enclosed on two or more sides of such building.

"Day care facility" means any facility that provides day care to children, including a child day care center, group day care home, home of a family day care provider, including those known under a descriptive name such as nursery school, preschool or kindergarten. "Day care home" means a day care facility located in a single family residence that is certified by the state of Oregon to care for no more than sixteen children at any given time.

"Declarant" means the person who files a declaration as required under ORS 92.075 to subdivide or partition property.

"Declaration" means the instrument described in ORS 92.075 by which the subdivision or partition plat was created.

"Demolish" means to raze, destroy, dismantle, deface or in any other manner cause partial or total ruin of a designated structure or resource.

"Density" means the intensity of residential land uses, usually stated as the number of housing units per acre.

"Density transfer acre/acreage" means potentially hazardous or resource areas within which development may occur or from which density may be transferred to buildable portions of the site, only after it has been demonstrated by the applicant that the development can occur in compliance with criteria established by the comprehensive plan and implementation ordinances.

"Development" means any activity that makes a material change in the use or appearance of a structure or land, including partitions and subdivisions as provided in Oregon Revised Statutes 92 and 227.215.

"Development permit" refers to any document or building permit that authorizes an applicant to commence construction or development activities.

"Development site" means the lot or combination of lots upon which development occurs.

"Drainageway" means undeveloped land inundated during a twentyfive-year storm with a peak flow of at least five cubic feet per second and conveyed, at least in part, by identifiable channels that either drain to the Scappoose floodway directly or after flowing through other drainageways, channels, creeks or floodplain.

"Dwelling unit" means one or more rooms containing permanent provisions for living, sleeping, eating, cooking and sanitation and designed for occupancy by one family.

"Easement" means a grant or the right to use designated land for specific purposes.

"Erect" means the act of placing or affixing a component of a structure upon the ground or upon another such component.

"Family" means an individual or two or more persons related by genetics, adoption or marriage or a group of five or fewer persons (excluding domestic employees) who are not related by genetics, adoption or marriage.

Fence, Sight-Obscuring. "Sight-obscuring fence" means a barrier consisting of wood, masonry, evergreen shrubbery or similar materials, which obstructs vision.

"Final action," "final decision" or "final order" means a determination reduced to writing, signed and filed by the appropriate approval authority that includes a statement of the facts determined to be relevant by the approval authority as the basis for making its decision.

"Flag lot" means a lot located behind another lot, plus a strip out to the street for an access drive. A flag lot results from the subdivision or partitioning of a lot or parcel which is more than twice as large as the minimum allowed in the underlying zone, but has insufficient frontage to allow two dwellings to front along a public street.

"Floor area" means the gross horizontal area, under roof, of all floors of a building, measured from the exterior walls, excluding vents, shafts, courts and space devoted to off-street parking. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above.

"Frontage" means that portion of a development site which abuts a public street.

Garage, Private. "Private garage" means a building or portion of a building in which motor vehicles used by the tenant of the structure on the premises are stored or kept.

Garage, Public. "Public garage" means a structure that provides facilities for the repair of motor vehicles including body and fender repair, painting, rebuilding, reconditioning, upholstering, or other vehicle maintenance or repair.

"Grade" means the average of the finished ground level at the center of all walls of the building. In case the walls are parallel to and within five feet of a sidewalk, the above ground level should be measured at the sidewalk.

"Gross acres" means all of the land area included in the legal description of the property.

"Habitable room" means an undivided enclosed space within a dwelling designed for sleeping, living, cooking or dining purposes excluding attics, cellars, corridors, hallway, laundries, serving or storage pantries, bathrooms, closets or similar places.

"Height" means the vertical distance of a structure measured from the average elevation of the finished grade within twenty feet of the structure to the highest point of the structure. Projections such as chimneys, spires, domes, elevator shaft housings, towers excluding TV dish receivers, aerials, flag poles and other similar objects not used for human occupancy, are not subject to the building height limitations of this title if located outside the Public Use Airport Safety and Compatibility Overlay Zone.

"Home occupation" means a lawful activity, secondary to the use of the dwelling for living purposes, that is conducted entirely within a dwelling or accessory building and that includes no outside display of merchandise with any sale of merchandise clearly incidental to the use of the building for dwelling purposes. "Homeowners association" means an incorporated, nonprofit organization operating under recorded land agreements through which each lot owner of a planned development or other described land area is automatically subject to a charge for a proportionate share of the expenses for the organization's activities, such as maintaining a common property.

"Implementing ordinance" means an ordinance adopted to carry out the comprehensive plan, including, but not limited, to the provisions of this title.

"Junk" means old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, waste or junked, dismantled, wrecked, scrapped or ruined motor vehicles or motor vehicle parts, iron, steel or other old or scrap ferrous or nonferrous materials, metal or nonmetal materials.

"Junk yard" means the use of more than two hundred square feet of the area of any lot for the dismantling or for the storage or keeping of junk.

"Industrial use" means any use of land, structure or natural resources involving the manufacturing, processing or assembly of semifinished or finished products from raw materials, or similar treatment or packaging of previously prepared materials.

"Land form alteration" means any manmade change to improved or unimproved real estate, including but not limited to, the addition of buildings or other structures, mining, quarrying, dredging, filling, grading, earthwork construction, stockpiling of rock, sand, dirt or gravel or other earth material, paving, excavation or drilling operations.

"Legislative" means a land use decision that applies to a large number of individuals or properties.

"Loading space" means an off-street space or berth on the same lot or parcel, with a building or use, or contiguous to a group of buildings or uses, for the temporary parking of a vehicle for loading or unloading persons, merchandise or materials, and which space or berth abuts upon a street, alley or other appropriate means of access and egress.

"Lot" means a unit of land that is created by a subdivision or partition of land. "Lot," "parcel," and "property" may be used interchangeably in this title to refer to a separate property regardless of its derivation.

"Lot area" means the total horizontal area within the property lines of a lot exclusive of public and private roads, and access easements to other property or the private driveway ("pole") area of a flag lot.

Lot, Corner. "Corner lot" means a lot situated at the intersection of two streets where the interior angle of such intersection does not exceed one hundred thirty-five degrees.

"Lot coverage" means the percent of a lot area covered by the vertical and horizontal projection of any structures or buildings.

"Lot depth" means the distance from the midpoint of the front property line to the midpoint of the rear property line.

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

"Lot line" means the property line bounding a lot.

Lot Line, Front. "Front lot line" means in the case of an interior lot, a property line which abuts the street; in the case of a corner, through lot or flag lot, the shorter of the two property lines which abut the street or access way or from which primary vehicular access to the property is gained.

Lot Line, Rear. "Rear lot line" means the property line most distant from and generally opposite the front property line.

Lot Line, Side. "Side lot line" means any lot boundary not a front or rear property line.

"Lot of record" means a plot of land that was not created through an approved subdivision or but which was created by deed or other instrument recorded prior to 4/4/83 (the effective date of this title).

Lot, Through. "Through lot" means an interior lot which has frontage on two parallel or approximately parallel streets.

"Lot width" means the average horizontal distance between the side property lines measured at the building line.

"Major impact utility" means services and utilities which have a substantial visual impact on an area. Typical uses are electrical and gas distribution substations, radio microwave, telephone transmitters and cable TV receivers and transmitters.

"Major partition" means a partition of land which creates three lots or less within one calendar year and includes the creation of a road or street.

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

"Manufactured home park" means any place where four or more manufactured homes are located on a lot tract, or parcel of land under the same ownership, the primary purpose of which is to rent or lease space or keep space for rent or lease to any person for a charge or fee paid or to be paid for the rental or lease or use of facilities or to offer space free in connection with securing the trade or patronage of such person.

"Modular home" means a structure constructed in accordance with federal requirements for modular construction including compliance with Uniform Building Codes.

"Mining and/or quarrying" means premises from which any rock, sand, gravel, topsoil, clay, mud, peat or mineral is removed or excavated for sale, as an industrial or commercial operation, and exclusive of excavating and grading for street and roads and the process of grading a lot preparatory to the construction of a building for which a permit has been issued by a public agency.

"Minor impact utility" means services which have minimal off-site visual impact.

"Minor partition" means a partition of land which creates three lots or less within one calendar year, and does not include the creation of a road or street.

"Net acres" means the total amount of land which can be used for development.

"Nonconforming use or structure" means a lawfully existing structure or use, or one in the process of being constructed at the time of the adopting of this title, which does not conform to the requirements of this title and the zoning district in which it is located.

"Owner" means any person, agent, firm or corporation having a legal or equitable interest in the property, or, when there is a recorded land sales contract in place, the purchaser of the land.

"Parcel" means a unit of land that is created by partitioning land.

"Park" means any land set apart and devoted to the purposes of pleasure, recreation, ornament, light and air for the general public.

"Parking space" means an area within a private or public parking area, building or structure meeting the specific dimensional requirements and designated as parking for one vehicle.

"Partitioning land" means division of an area or tract of land into two or three parcels within a calendar year when such area or tract of land exists as a unit or contiguous units of land under single ownership at the beginning of such year.

"Pathway" means a walkway, bikeway or access way conforming to City standards and separated from the street right-of-way, that may or may not be within a public right-of-way.

"Permitted use" means a use which is allowed outright, but is subject to all applicable provisions of this title.

"Person" means an individual, corporation, governmental agency, official advisory committee of the city, business trust, estate, trust, partnership, association, two or more people having a joint or common interest or any other legal entity.

"Planner" means the person designated by the city manager as responsible for planning activities for the city.

"Plat" means a final map, or other writing containing all the descriptions, locations, specifications, dedications, and provisions concerning a subdivision or partition.

"Principal building" means the primary structure on a lot built for the support, shelter, protection or enclosure of any persons, animals or property of any kind, excluding an accessory building. The principal building shall conform to the stated uses within the zoning district and all other restrictions of this title.

"Property line" means the division line between two units of land.

"Property line adjustment" means the relocation of a common property line between two abutting properties which does not result in the creation of an additional lot, or the creation of a substandard lot.

"Public support facilities" means services which are necessary to support uses allowed outright in the underlying zone and involves structures necessary to support the primary use that are not listed as permitted outright or conditionally in the underlying zones, such as power lines and poles, fire hydrants, bus stops, benches and mailboxes. Public support facilities include the following transportation uses:

1. Operation, maintenance, and repair of existing transportation facilities identified in the city Transportation System Plan;
2. Dedication of right-of-way, authorization of construction, and the construction of facilities and improvements, where the improvements are consistent with clear and objective dimensional standards; and
3. Changes in the frequency of transit, rail, and airport services.

"Public works director" means the person designated by the city manager to have the authority for review and approval of all public works planning and construction.

"Quasi-judicial" means action which involves the application of adopted policy to a specific parcel or action.

"Receipt" means an acknowledgement of submittal.

"Recreational vehicle" means a vacation trailer or other unit with or without motor power which is designed for human occupancy and to be used temporarily for recreational purposes and is identified as a recreational vehicle by the manufacturer.

"Recreational vehicle park" means any property developed for the purpose of parking or storing recreational vehicles on a temporary or transient bases, wherein two or more of such units are placed within five hundred feet of each other on any lot, tract or parcel of land under one ownership.

"Remodel" means an internal or external modification to an existing building or structure which does not increase the site coverage.

"Residence" means a structure designed for occupancy as living quarters for one or more persons.

"Residential care home" means any home licensed by or under the authority of the Department of Human Resources as defined in ORS 443.400, a residential home registered under ORS 443.480 to 443.500 or an adult foster home licensed under ORS 443.505 to 443.825 which provides residential care for five or fewer individuals who need not be related, excluding required staff persons.

"Residential care facility" means any facility licensed or registered by or under the authority of the Department of Human Resources as defined in ORS 443.400 to 443.460 or licensed by the Children's Services Division which provides residential care for six to fifteen individuals who need not be related, excluding required staff persons.

"Residential use" means a structure used for human habitation by one or more persons.

"Reserve strip" means a strip of property usually one foot in width overlaying a dedicated street which is reserved to the city for control of access until such time as additional right-of-way is accepted by the city for continuation or widening of the street.

"Right-of-way" means a strip of land occupied or intended to be occupied by a street, crosswalk, pedestrian and bike paths, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, street trees or other special use. The usage of the term "right-of-way for land division purposes" means that every right-of-way hereafter established and shown on a plat or map is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels.

"Road." See "street"

"Scappoose-based nonprofit organization" means an organization which has nonprofit status as defined by the state of Oregon which raises funds which are used by the organization and is located in the city.

"Scappoose Creek Flood Plain" means the Areas of Special Flood Hazard adjacent to Scappoose Creek identified in the "Flood Insurance Study for Columbia County, Oregon and Incorporated Areas," effective November 26, 2010, with accompanying Flood Insurance Rate Maps. These areas are designated on the maps as Zones A, AE, or AO.

"Screening" means a method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms or densely planted vegetation.

"Setback" means the minimum allowable distance between the property line and any structural projection. Structural projections include fireplaces, porches, balconies, decks, canopies and similar features. Cornices, eaves, belt courses, sills or similar architectural features may extend or project into a required yard not more than thirty-six inches.

"Sidewalk" means a paved walkway within a public street right-of-way that is generally located adjacent to and separated from the roadway by a curb, drainage facility (e.g., ditch or swale), or planter strip.

"Story" means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement or unused underfloor space is more than six feet above grade as defined in this section for more than fifty percent of the total perimeter or is more than twelve feet above grade as defined in this section at any point, such basement or unused underfloor space shall be considered as a story.

Story, First.

"First story" means the lowest story in a building which qualifies as a story, as defined in this section, except that a floor level in a building having only one floor shall be classified as a first story, provided such floor level is not more than four feet below grade, as defined in this section, for more than fifty percent of the total perimeter, or more than eight feet below grade, as defined in this section, at any point.

Story, Half.

"Half story" means a story under a gable or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than two feet above the floor of such story. If the finished floor level directly above a basement or unused underfloor space is not more than six feet above grade, as defined in this section, for more than fifty percent of the total perimeter or is not more than twelve feet above grade as defined in this section, at any point, such basement or unused underfloor space shall be considered as a half story.

"Street" or "road" means a public or private way that is created to provide ingress or egress for persons to one or more lots, parcels, areas or tracts of land, excluding a private way that is created to provide ingress or egress to such land in conjunction with the use of such land for forestry, mining or agricultural purposes. Street, Private. "Private street" means an access way which is under private ownership.

"Structure" means that which is built or constructed, erected, or air-inflated, permanent or temporary; an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner and which requires location on the ground or which is attached to something having a location on the ground. Among other things, structure includes buildings, walls, signs, billboards and poster panels.

"Subdivide land" means to divide an area or tract of land into four or more lots within a calendar year when such area or tract of land exists as a unit or contiguous units of land under a single ownership at the beginning of such year.

"Subdivision" means either an act of subdividing land or an area or a tract of land subdivided as defined in this section.

"Substantial" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the replacement value of the structure.

"Use" means the purpose for which land or a structure is designed, arranged or intended, or for which it is occupied or maintained.

"Visual clearance area" means a triangular area, two sides of which are lot lines, for distances as defined in Chapter 12.10. The third side of the triangle is a line across the corner of the lot adjoining the ends of the other two sides. Where the lot lines at intersections have rounded corners, the lot lines will be extended in a straight line to a point of intersection.

"Walkway" means a sidewalk or path, including any access way, improved to City standards, or to other roadway authority standards, as applicable. See also, Access Way, Pathway, Sidewalk.

"Wetlands" means land often called swamp, marsh or bog that exhibits all of the following characteristics:

1. The land supports hydrophytic vegetation. This occurs when more than fifty percent of the dominant species from all strata are classified as wetland species;
2. The land has hydric soils. Hydric soils are soils that are saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile;
3. The land has wetland hydrology. Wetland hydrology is permanent or periodic inundation, or soil saturation for a significant period (at least one week) during the growing season.

"Yard" means an open space unobstructed from the ground upward except as otherwise provided in this title.

1. "Front yard" means a yard between the side lot lines, measured horizontally at right angles to the front lot line from the front lot line to the nearest point of the building.

2. "Rear yard" means a yard between side lot lines, measured horizontally at right angles to the rear lot line from the rear lot line to the nearest point of the building.

3. "Side yard" means a yard between the front and rear yards, measured horizontally at right angles to the side lot lines from the side lot line to the nearest point of the building.

4. "Street side yard" means a side yard on the street side of a corner lot.

"Zoning district" means an area of land within the Scappoose city limits designated for specific types of permitted developments subject to the development requirements of that district. (Ord. 868, 2018; Ord. 857, 2016; Ord. 828 2013; Ord. 820 §4, 2012; Ord. 813, 2010; Ord. 740 §1, 2004; Ord. 728 §1, 2002; Ord. 636 §1(part), 1996; Ord. 634 §1 Exh. A (part), 1995)