

ARTICLE I
INTRODUCTION AND GENERAL PROVISIONS
Chapter 8-6.04

GENERAL PROVISIONS

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8-6.04.010 Title

This code shall be known as the City of Cascade Locks Community Development Code.

8-6.04.020 Purpose

The purpose of this title is to implement the City of Cascade Locks Comprehensive Plan through the adoption and coordination of planning and development regulations which provide for the health, safety, and general welfare of the citizens of Cascade Locks.

8-6.04.030 Scope

Land within City of Cascade Locks may be used, or developed by land division or otherwise, and a structure may be used or developed by construction, reconstruction, alteration, occupancy or otherwise only as the Comprehensive Plan and this title permit. The provisions of this title apply to any person developing or using land or a structure, and to the person's successor(s) in interest.

8-6.04.040 Consistency with Plans and Laws

- A. All use or development of land or structures in City of Cascade Locks shall comply with the City of Cascade Locks Comprehensive Plan, City of Cascade Locks Charter, and applicable regional, state, federal, and local laws. Determination of compliance with regional, state, federal, or local laws shall be made by the applicable regional, state, federal, or local authority responsible for administering the subject law(s). A determination of compliance with such law shall not be a standard or condition of approval, except that proof that mandatory permits have been obtained may be required by specific standards of this title or as a condition of approval imposed by the approval authority. Nothing in this title shall relieve a use or development from compliance with other applicable laws except as provided herein.
- B. Unless otherwise specified, the provisions of this title shall be held to be minimum requirements. Where this title imposes greater restrictions than are imposed or required by other provisions of law or by other rules or regulations, the provisions of this title shall control.

8-6.04.050 Severability

If any portion of this title is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this title.

Chapter 8-6.08

DEFINITIONS

Sections

- 8-6.08.010 Meaning of Words Generally
- 8-6.08.020 Definitions of Specific Terms
- 8-6.08.030 Definitions of Land Use Types

8-6.08.010 Meaning of Words Generally

- A. All of the terms used in this title have their commonly accepted dictionary meaning unless they are specifically defined in this chapter or the context in which they are used clearly indicates to the contrary.
- B. All words used in the present tense include the future tense.
- C. The words "shall" and "will" are mandatory and the word "may" is permissive.

8-6.08.020 Definitions of Specific Terms

Abut/abutting. Two or more properties or lots joined by a common boundary or point.

Access. The right to cross between public and private property allowing pedestrians, bicyclists, and vehicles to enter and leave property.

Accessory building or structure. A structure typically incidental and subordinate to the main use of a property and located on the same lot as the main use.

Accessory Residential Unit. An auxiliary and detached living unit with separate kitchen, living, and sleeping facilities, in a single family structure or in a separate accessory building on the same lot as a primary single family residence. Because it is considered as an accessory use, this type of residential unit is not included in density calculations.

Appeal. A request that a final decision by an approval authority be considered by a higher authority as described in this title.

Applicant. A person who applies for a land use review or building permit. An applicant can be the owner of the property or someone who is representing the owner such as a builder, attorney, developer, optional purchaser, consultant, or architect.

Approval authority. Either the City Administrator, Planning Commission, or City Council.

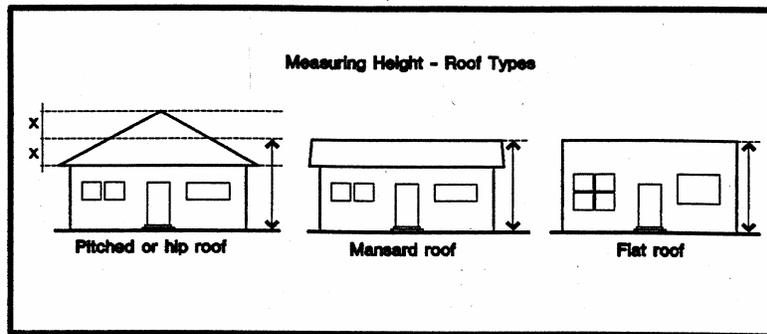
Area Related Definitions:

- **Lot area.** The total horizontal area within the lot lines of a lot exclusive of streets and easements of access to other property.
- **Site area.** When less than an entire lot is being developed, the site area shall be the total horizontal area within the portion of the lot being developed or necessary to support the development (e.g., building footprint, parking, landscaping, building setbacks). It shall not include any portion of a lot which is submerged.

Attached Single Family Dwelling. See Zero Side Yard Dwelling

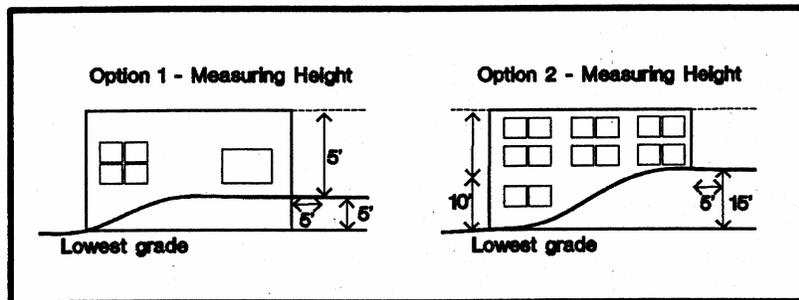
Building. Any structure having a roof supported by columns or walls and used for housing or enclosure of persons, animals, or property of any kind.

Building height. The height of a building is the vertical distance as described in options 1. or 2. below. The option used is the method that yields the greater building height. The height of a building with a pitched or hipped roof is measured to the average height of the highest gable. The height of a building with a mansard roof is measured to the deck line of the roof. The height of a building with a flat roof is measured to the top of the parapet or to the highest point of the roof, if there is no parapet.



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

Option 2 is the elevation that is 10 feet higher than the lowest grade when the sidewalk or ground surface, described in Option 1 above, is more than 10 feet above lowest grade. For slopes which are equal to or greater than 25% this 10-foot elevation shall be increased to 15 feet.



Building official. The Hood River County Building Official, or his duly authorized representative, is responsible for the administration and enforcement of the state building code in Cascade Locks.

Caliper. The diameter of a tree measured 6 inches above the ground or root ball.

City. The City of Cascade Locks, Oregon.

City Council or Council. The City Council for the City of Cascade Locks, Oregon.

City Administrator or Administrator. The administrative head of the city or such other city employee or consultant who may be designated by the City Administrator to perform the functions delegated to the City Administrator

Communication Facilities/Structures-Related Definitions:

- **Co-location.** The placement of two or more wireless communication facilities by separate FCC license holders on a any structure including a building, water tank, or wireless communication structure.
- **Wireless communication facility.** A facility for transmitting or receiving radio frequency (RF) signals, often consisting of an equipment shelter, cabinet or other enclosed structure. These include both private and public utility facilities, which only require periodic visits by maintenance personnel. Examples include, but are not limited to, cellular telephone antenna, microwave facilities, and radio antenna.
- **Wireless communication structure.** A tower, pole, mast, or similar structure which is used to support a wireless communication facility.

Complete application. The submittal of materials by an applicant in support of a land use application which contains all of the necessary information required by this title. If the total submittal is determined to be incomplete by the City Administrator, and the applicant chooses to rely only on the material submitted, the application shall be considered to be complete 30 days after the applicant is informed that the application is deficient.

Comprehensive Plan. The current City of Cascade Locks Comprehensive Plan.

Cutting. Falling or removal of a tree, or any procedure which will cause the death or substantial destruction of a tree. Cutting does not include normal tree trimming or pruning.

De novo. Anew; afresh; a second time. Appeal hearings which are held “de novo” allow participants to introduce new evidence on information for the consideration of the approval authority.

Density. The intensity of residential land use expressed as the permitted number of dwelling units for a specific parcel or land area.

Development. Any partition, plat, subdivision, or planned unit development that is created under the city's land division or zoning regulations. It also refers to any man-made change to improved or unimproved real estate, including but not limited to construction, installation, or change of a building or other structure, change in use of building or structure, establishment or termination of right of access, storage on the land, tree cutting, and landform alterations.

Drainageway. An open linear depression (constructed or natural) which collects and transports surface water runoff.

Drip line. The ground within the perimeter of the foliage of a tree.

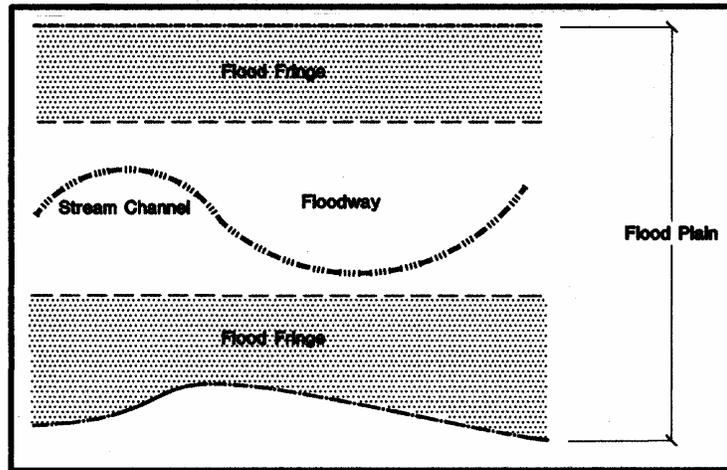
Dwelling unit. A single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, cooking, eating, and sanitation.

Easement. The right to use land in a limited way for a stated purpose.

Family. An individual or two or more persons related by blood, marriage, legal adoption, or legal guardianship, living together as one housekeeping unit using one kitchen and providing meals or lodging to not more than two additional persons.

Flood Plain-Related Definitions:

- **Flood or flooding.** A general and temporary condition of partial or complete inundation of normal dry land areas from the overflow of inland waters and/or the unusual and rapid accumulation of runoff of surface waters from any source.
- **Flood Insurance Rate Map (FIRM).** The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community. This includes the areas designated Flood Plain (FP) on the City Zoning Map. These maps are available in City Hall.
- **Flood plain.** Land in the flood plain as identified by sources listed in Section 8-6.120 and zoned Flood Plain (FP) by the City of Cascade Locks. The flood plain includes land subject to a 100-year flood (a flood that has 1% chance of occurring each year) and areas subject to flooding that have been identified based on historical information. The 100-year flood plain is also called the area of Special Flood Hazard by the Federal Emergency Management Agency (FEMA) and includes the floodway and floodway fringe along the Columbia River and the lower portion of Dry Creek.
- **Floodway.** The normal stream or drainage channel and that adjoining area of the natural flood plain needed to convey flood water. Floodways must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation.
- **Floodway fringe.** The area within the flood plain lying outside of the floodway.
- **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 in Chapter 8-6.120, design requirements.



Landscaped open space. Planted areas maintained in grass, shrubbery, or trees. This excludes buildings, roofed areas, parking, driveways, and other impermeable or gravel surfaces.

Landform alteration. Any man-made 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, gravel, or other earth material, paving, excavation, or drilling operations.

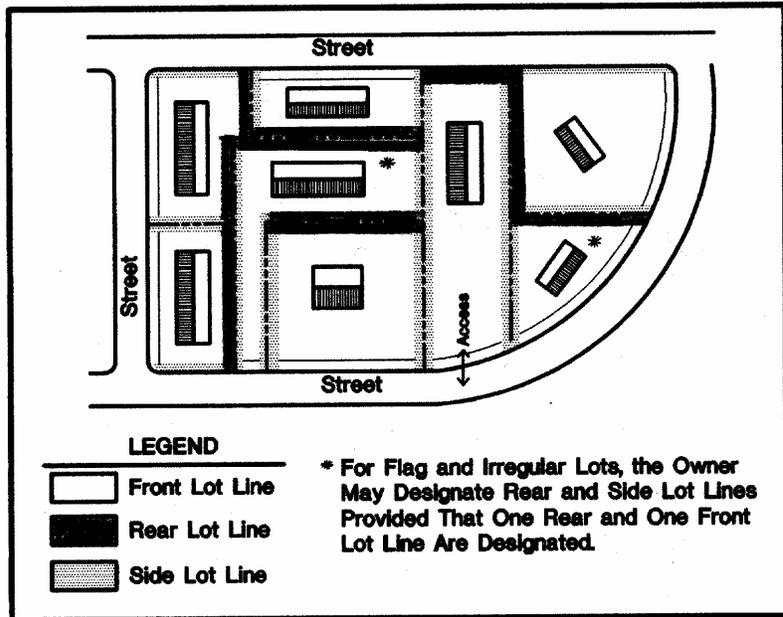
Legislative. An amendment to this title or the Comprehensive Plan or a land use decision that applies to a large number of individuals or properties.

Loading area. The area available for the maneuvering and short-term parking of vehicles engaged in delivering and loading of passengers, freight, or other articles.

Lot. A parcel or tract of land that was legally created or reconfigured through the applicable subdivision, partition, or lot line adjustment regulations in effect at the time it was created. Note: the primary purpose of a Hood River County Assessor's tax lot is for taxation, and it is not necessarily a legally created lot.

Lot line. The legal boundary of a parcel, tract of land, or lot.

- A "**front lot line**" is a lot line that abuts a street. For through lots, the front lot line shall coincide with the side from which street access will be obtained. For corner lots, one street frontage shall have a front lot line and the second shall be a side lot line.



- A "**rear lot line**" is a lot line that is opposite from the front lot line. In the case of more than one front lot line, the rear lot line shall only correspond with one of the front lot lines. If a lot has street frontage on opposing sides, the rear lot line shall correspond with the street frontage where vehicular access is not allowed or provided.

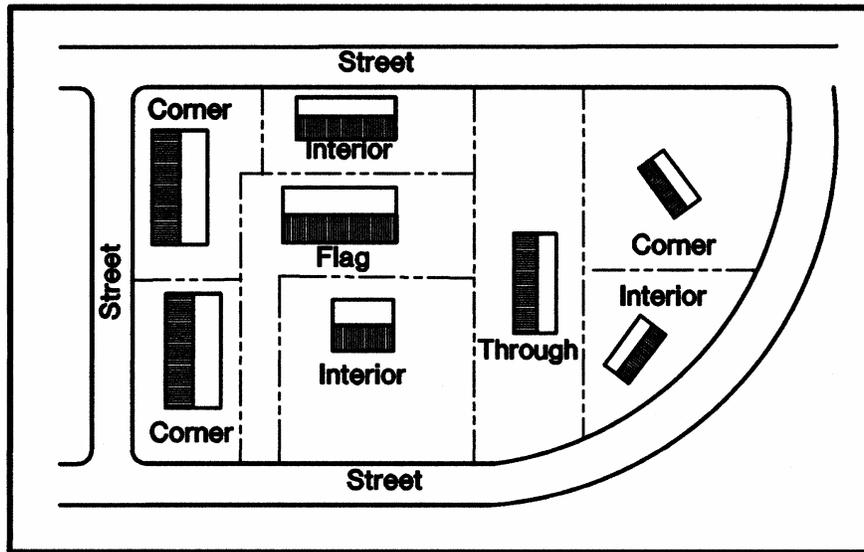
- A "**side lot line**" is the remaining property boundary that is neither a front or rear lot line.

Lot line adjustment. A modification to the common boundaries of two tracts of land which does not create any additional parcels or tracts of land.

Lot coverage. The percentage of a lot that may be covered by impervious or gravel surfaces including buildings, driveways, sidewalks, and parking areas.

Lot types:

- **Corner lot.** A lot that is located at the intersection of two or more public street rights-of-way.
- **Flag lot.** A lot located behind another lot that has normal street frontage. A flag lot includes a strip of land or access easement that goes out to the street and is generally used for an access drive. There are two distinct parts to a flag lot; the flag which comprises the actual building site located behind another lot, and the pole which provides access from the street to the flag. A flag lot results from the division of a large lot with the required area and depth for two lots, but which has insufficient width to locate both on the street frontage.
- **Interior lot.** A lot that has street frontage on only one side.
- **Through lot.** A lot that has frontage on two parallel or approximately parallel streets.



Monument. A fixed, permanent and visible landmark indicating property boundaries.

Nonconforming use or structure. A lawfully existing use or structure that was approved or established prior to an amendment to this title for which it does not comply.

Non-residential building. A structure that is used for any non-residential function, including but not limited to office, retail, industrial, educational, and institutional uses.

Owner. The owner of record of real property as shown on the latest tax rolls of Hood River County, or by the deed records of said county, or a person who is purchasing a parcel of property under contract.

Parking space. A space designed to provide for the short-term or long-term storage of motor vehicles.

Partition. A division of a parcel or tract of land into two or three lots within a calendar year. "Partition" does not include:

- A division of land resulting from a lien foreclosure, foreclosure, foreclosure of a recorded contract for the sale of real property, or the creation of cemetery lots;
- An adjustment of a property line by the relocation of a common boundary where an additional lot is not created and where the existing unit of land reduced in size by the adjustment complies with all applicable ordinance provisions; or
- A sale or grant by a person to a public agency or public body for state highway, county road, city street, or other right-of-way purposes.

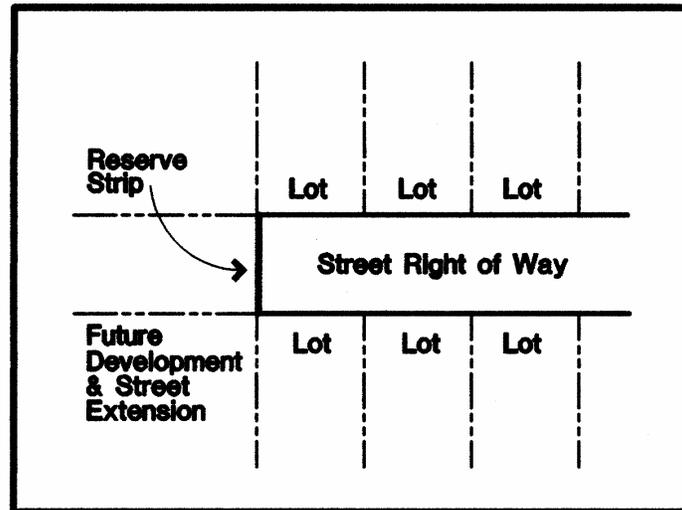
Person. An individual, firm, partnership, corporation, company, associations, syndicate, or any legal entity, and including any trustee, receiver, assignee, or other similar representative thereof.

Planning Commission or Commission. The Planning Commission of Cascade Locks, Oregon.

Plat. This includes a final subdivision plat or replat containing all the descriptions, locations, dedications, specifications, provisions, and information concerning a partition or subdivision, suitable for filing under the regulations of this title and state law.

Quasi-judicial. A land use action which involves the application of adopted Comprehensive Plan policies and the provisions of this title to a specific land use application, affecting identified parcels of land or property owners.

Reserve Strip. A strip of land reserved between the end or side of a street or alley and abutting a parcel of land to be held by the City until future street extension or widening occurs.



Right-of-way. The area between boundary lines of a public way.

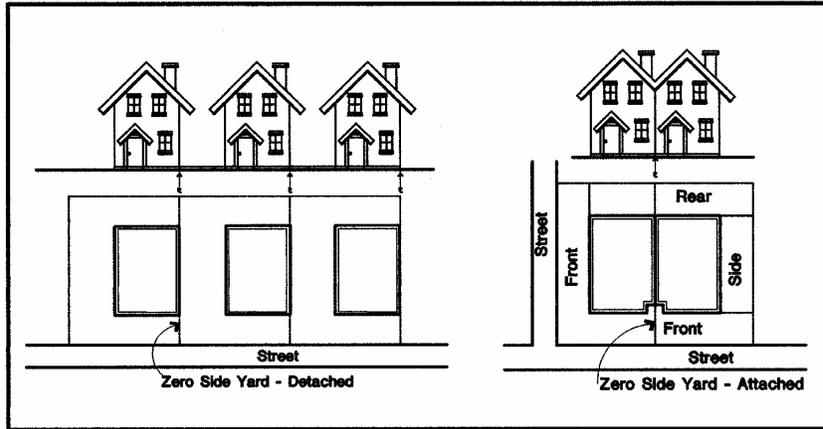
Riparian area. It is the area adjacent to a river, lake, or stream, which is the area of transition between from an aquatic ecosystem to a terrestrial ecosystem. For the purposes of this title they shall include areas within 75 feet of the top of bank for the Columbia River and 50 feet of the top of bank for Dry and Herman creeks.

Row House. See Zero Side Yard Dwelling.

Road or Street. A public or private way that is created to provide access for persons to one or more lots, parcels, or tracts of land.

Setback. The shortest horizontal distance between the wall or foundation of a building and property line with the exception of a garage vehicle entrance setback.

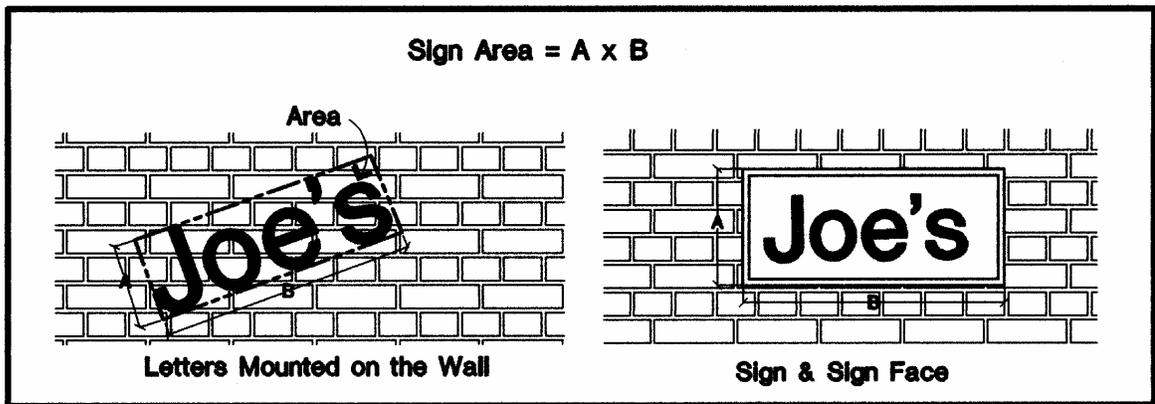
- “**Front yard setback**” is measured from a front lot line.
- “**Rear yard setback**” is measured from a rear lot line.
- “**Side yard setback**” is measured from an interior side lot line.
- “**Side yard setback - street**” is measured from a side lot line which abuts a street.
- “**Side yard setback - 0-foot**” means that a building has one or more exterior walls constructed on the property line. Such walls may be separate from or attached to (common wall) a building on the abutting lot.
- “**Garage vehicle entrance setback**” is measured from a street lot line to the entrance to a garage or carport, following the center of the driveway.



Sight obscuring. Any fence, wall, or vegetation which conceals or makes indistinct any object viewed through such a fence, wall, or vegetation. To be sight obscuring, vegetation must be capable of providing this level of screening within 2 years after planting.

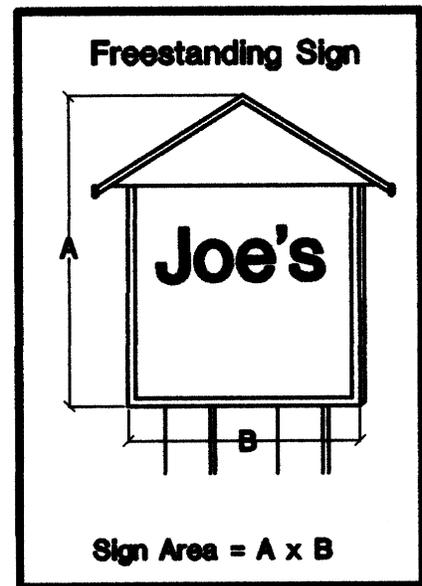
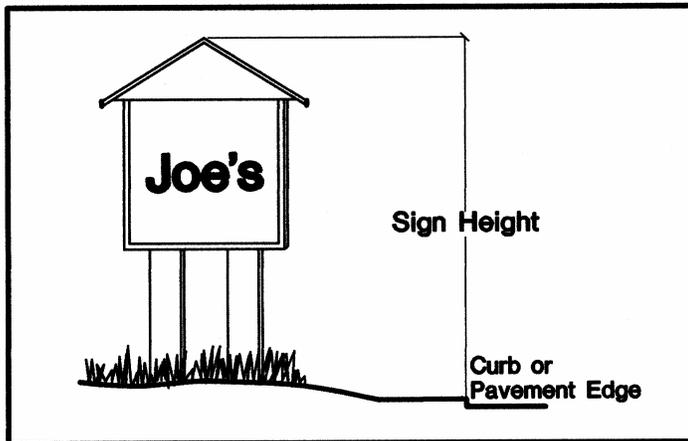
Sign-Related Definitions:

- **“A” board sign.** A double-face temporary rigid sign which is self-supporting.
- **Alteration or altered.** Any change in the size, shape, method of illumination, position, location, construction, or supporting structure of a sign. A change in sign copy or sign face shall not be considered an alteration.
- **Area of sign.** The area of a sign shall be the entire area within any type of perimeter or border which encloses the outer limits of any writing, representation, emblem, figure, or character. If the sign is enclosed in a frame or cabinet, the area is based on the inner dimensions of the frame or cabinet surrounding the sign face. When a sign is on a base material and attached without a frame, such as a wood board or plexiglass panel, the dimensions of the base material are to be used. The area of a sign having no such perimeter, border, or base material shall be computed by enclosing the entire area within the parallelogram or a triangle of the smallest size sufficient to cover the entire message



of the sign and computing the area of the parallelogram or a triangle. For the purpose of computing the number of signs, all writing included within such sign structure, which shall be counted as one sign per structure.

- **Balloon.** See definition under Temporary Signs.
- **Banner.** See definition under Temporary Signs.
- **Building face.** The single wall surface of a building facing a given direction.
- **Directional sign.** A permanent sign which is designed and erected solely for the purpose of traffic or pedestrian direction and placed on the property to which the public is directed.
- **Flashing sign.** A sign any part of which pulsates or blinks on and off. This excludes message signs.
- **Freestanding sign.** A sign supported by any structure primarily for the display and support of the sign.
- **Height of sign.** Height is measured from the grade of the curb line closest to the base of the sign to the highest point of the sign. In the absence of a curb line, the edge of the street pavement shall be used. In the absence of street pavement, the ground level shall be used to measure the height.

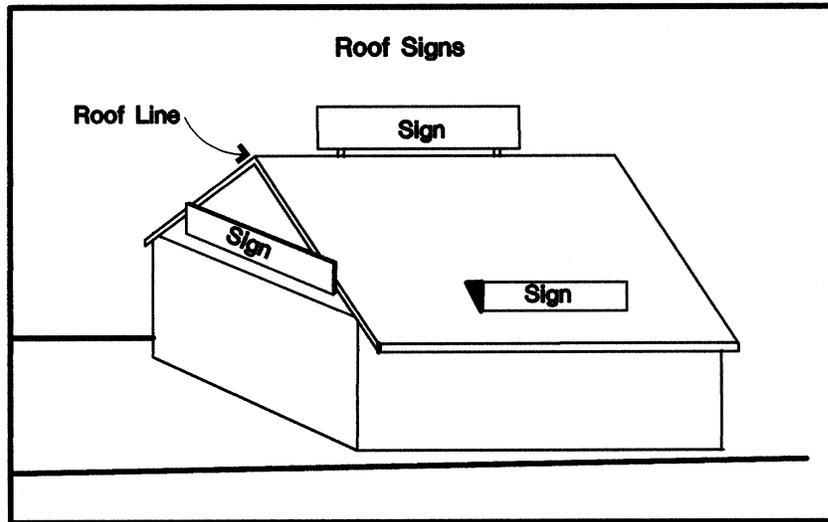


- **Lawn sign.** See definition under Temporary Signs.
- **Lighting methods:**
 - **Direct:** Exposed lighting or neon tubes on the sign face.
 - **Flashing:** Lights which blink on and off randomly or in sequence.
 - **Indirect or External:** The light source is separate from the sign face or cabinet and is directed toward sign so as to shine upon the exterior surface of the sign.
 - **Internal:** A source of illumination from within a sign.
- **Message sign.** A sign with a maximum area of 8 square feet, which can change its message electronically and is designed to display various messages, including but not limited to signs displaying time and temperature.
- **Multi-faced sign.** A sign which has two (2) or more sign faces, contained in a single sign structure.
- **Mural.** An illustration (with or without words or numbers) which is painted or otherwise applied (without projections) to an outside wall of a structure.
- **Nonconforming sign.** A sign which lawfully exists prior to the effective date of this chapter but, which due to the requirements adopted herein, no longer complies with the height, area, and placement regulations or other provisions of the sign regulations.
- **Projecting sign.** A sign that is mounted perpendicular to the face of a building or that hangs from a canopy or awning.



- **Public sign.** Signs legally erected for traffic or informational purposes by or on behalf of a government agency.
- **Real estate signs.** A sign for the purpose of rent, lease, sale, etc., of real property, building opportunities, or building space.

- **Roof sign.** A sign or any portion of which is displayed above the highest point on the roof.



- **Sign Face.** Surface of a sign containing the message. The sign face shall be measured as set forth in the definition for sign area.
- **Temporary sign.** A sign not permanently affixed to a structure on a property. These signs primarily include, but are not limited to canvas, cloth, or paper banners or posters hung on a building wall or on a permanent pole such as on a free-standing sign support.
 - **Temporary Rigid Sign.** A temporary sign, other than a lawn sign, made of rigid materials such as wood, plywood, or plastic. This includes "A" board signs.
 - **Balloon.** An inflatable, stationary temporary sign anchored by some means to a structure or the ground. Includes simple children's balloons.
 - **Banner.** A sign made of fabric or other nonrigid material with an enclosing framework.
 - **Lawn Sign.** A freestanding sign in a residential zone which is exempt from sign permit requirements for 1 or 2 signs which meet the size requirements of Chapter 8-6.144. Examples include real estate signs and election signs.
- **Wall sign.** Any sign attached to, painted on, or erected against the wall of a building or structure with the exposed face of the sign in a plane parallel to the wall.

Structure. Something constructed or built, or a piece of work artificially built up or composed of parts joined together in some definite manner. Also, see the definitions for "building" and "wireless communication structure".

Structural alteration. A change to the supporting members of a structure or building including foundations, bearing walls or partitions, columns, beams, girders, or any structural change in the roof or in the exterior walls.

Subdivide land. To divide 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 single ownership at the beginning of the calendar year.

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

Top of bank. It is the stage or elevation at which water overflows the natural banks of streams or other waters and begins to inundate the upland. In the absence of physical evidence, the 2-year recurrence interval flood elevation may be used to approximate the top of bank.

Tree. Any living, standing woody plant having a trunk 6 inches or more in diameter, maximum cross section, at a height 4 feet above mean ground level at the base of the trunk.

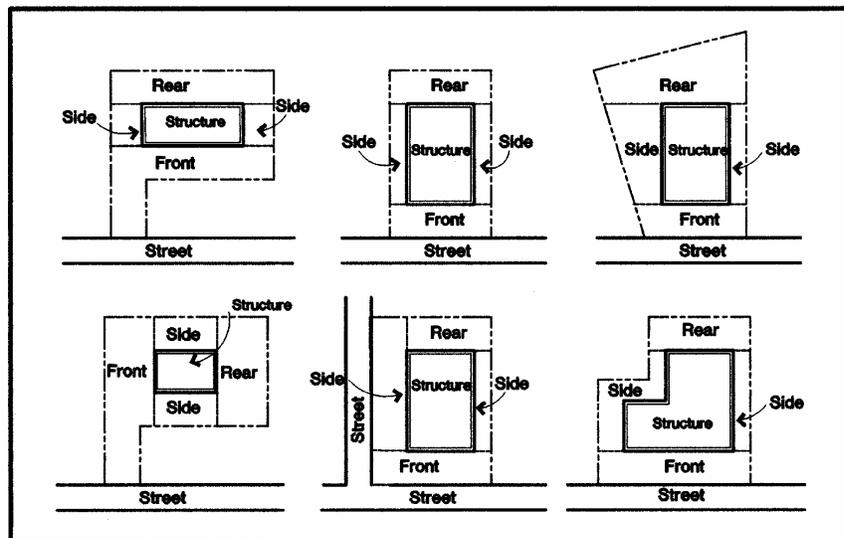
Urban Growth Boundary (UGB). The UGB is shown on the City Zoning Map. Land within the UGB is intended for urban use and for accommodating the city's future growth. Land outside the UGB is designated for resource use by Hood River County.

Wetlands. Those areas that are inundated or saturated by surface water or groundwater 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 soil conditions, commonly known as hydrophytic vegetation. Wetlands generally include but are not limited to swamps, marshes, bogs, and similar areas.

Yard, front. A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel thereto at the nearest point of the main building.

Yard, rear. A yard extending across the full width of the lot between the rear main building and the nearest point of the rear lot line.

Yard, side. A yard between the main building and the side lot line extending from the front yard or front lot line where no front yard is required, to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line to the nearest part of the main building.



Zero Side Yard Dwelling. Single family homes on individual platted lots meeting all applicable requirements of building and fire codes and meeting one of the following standards:

Attached homes sharing at least one common wall, coterminous with a common property line, for a full story that adjoins enclosed habitable space on each side, or

Detached single family homes located contiguous to a lot line in a single development incorporating at least three lots and homes.

8-6.08.030 Definitions of Land Use Types

A. The purpose of the section is to classify land uses and activities into use categories on the basis of common functional, product, or physical characteristics. Characteristics include the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and certain site factors. The types of uses allowed in the various zones are based on the goals and policies of the Comprehensive Plan.

B. Considerations

1. Uses are assigned to the category whose description most closely describes the nature of the primary use. Developments may have more than one primary use, and accessory activities may also be present. Primary and accessory uses are addressed in Subsections 2. and 3. below.

2. The following factors are considered to determine what category the use is in, and whether the activity(ies) constitute primary or accessory uses:

- a. The description of the activity(ies) in relationship to the characteristics of each use category;
- b. The relative amount of site or floor space and equipment devoted to the activity;
- c. The relative amount of sales from each activity;
- d. The number and type of customers for each activity;
- e. The relative number of employees in each activity;
- f. Hours of operation;
- g. Building and site arrangement;
- h. The number and type of vehicles used with the activity;
- i. The relative number of vehicle trips generated by the activity(ies);
- j. Signs;
- k. How the use advertises itself; and
- l. Whether the activity(ies) would be likely to be found independent of the other activities on the site.

3. Multiple Primary Uses

When a development has a number of primary uses that fall within one use category, then the development is assigned to that use category. For example, if a development includes a grocery store and pharmacy, the development would be classified as a commercial retail sales and service use.

When the primary uses in a development are within different use categories, each primary use is classified in the applicable category and is subject to the regulations for that category.

4. Accessory Uses

These uses are allowed by right and are regulated in conjunction with the primary

use unless otherwise stated in this title.

5. Examples and Exceptions

To help illustrate the types of uses allowed or not allowed under a specific uses category, examples and/or exceptions are given. They are based on the common meaning of the terms and not on what a specific use may call itself.

C. Residential Use Types:

Dwelling, multi-family. A structure that contains five or more dwelling units which share common walls, floors, or ceilings on one lot.

Dwelling, single family attached. A dwelling unit, located on its own lot, that shares one or more common or abutting walls with one or more dwelling units. It does not share common floors or ceilings with other dwelling units.

Dwelling, single family detached. A detached dwelling unit located on its own lot.

Dwelling, duplex, triplex, fourplex. Residential structures that contain two, three, or four dwelling units on one lot. The units may share common walls, floors, or ceilings.

Family care. This includes two types of child care services and one type for adults.

- **Family day care.** As defined by Oregon State Statute, refers to the provision of day care services for children, with or without compensation, in the home of the caregiver. Family Day Care may provide care for six or fewer children full-time, with an additional four or fewer part-time children. During the school year, a family day care provider may care for four additional day care children on the days and during the hours school is not in session. Such children must be at least 3 years of age up to a maximum of four hours per day. No more than a total of 10 children including the provider's own children may be present at any one time.
- **Day care group home.** As defined by Oregon State Statute, is one in which care is provided in the home of the caregiver, with or without compensation, for seven through 12 children. It is subject to certification by the Children Services Division. For the purposes of this section, "full-time" is defined as 8 or more hours in a 24-hour period. "Part-time" is defined as four or fewer hours in a 24-hour period.
- **Adult day care.** A community-based group program designed to meet the needs of functionally or cognitively impaired adults through an individual plan of care. It is a structured, comprehensive program that provides a variety of health, social, and related support services in a protective setting during part of a day but for less than 24 hours. These facilities have an enrollment of 10 or more individuals.

Home occupation. A business activity located on the same site as a dwelling where the residential use is the primary activity on the site. To be considered a home occupation, the business must have the following characteristics:

- The business activity does not occupy more than 50% of the total gross square footage of the residence and accessory buildings on the site;
- There is no outdoor storage of materials in the front yard;
- There is no parking or vehicle storage in the front yard except for driveways;

- There is no use, storage, and/or distribution of toxic or flammable materials, including spray painting and fireworks; and
- Noise, vibration, smoke, dust, odors, heat, or glare resulting from the business is not noticeable at or beyond the property line.

Houseboat moorage. A facility which provides moorings for houseboats which meet the definition of a dwelling unit.

Manufactured home. A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes, and that was constructed in accordance with federal manufactured housing construction and safety standards regulations in effect at the time of construction. It does not mean any building or structure subject to the structural specialty code adopted pursuant to ORS 455.100 to 455.450, any unit identified as a recreational vehicle by the manufacturer, or a modular home.

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

Manufactured/mobile home park. A lot or parcel of land under single ownership on which 2 or more manufactured or mobile homes are occupied as residences. The manufactured/mobile home sites usually are rented or leased.

Manufactured home/mobile home subdivision. A subdivision designed and approved for the sale of lots exclusively for manufactured and/or mobile homes.

Recreation vehicle. A vehicle which may or may not be self propelled, which is designed primarily for sport, recreational, or other intermittent use. It is not a dwelling unit as defined in this title.

Residential facility. A residential care, residential training, or residential treatment facility licensed or registered by the state (Mental Health and Developmental Services Division) as defined in ORS 443.400 where residential care alone or in conjunction with treatment or training or a combination thereof is provided for 6 to 15 individuals who need not be related. Staff persons needed to meet licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential facility.

A residential facility does not include a residential school; state or local correctional facility; juvenile training school; youth care center operated by a county juvenile department; juvenile detention facility; nursing home; family care facility; or children's or adult day care as defined by state law.

Residential home. A residential treatment or training or an adult foster home licensed by or under the authority of the state (Mental Health and Developmental Services Division), which provides residential care alone or in conjunction with treatment or training or a combination thereof for less than 6 individuals. These individuals need not be related. Staff persons needed to meet licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential home.

D. Commercial Use Types:

Bed and breakfast inn. A structure designed and occupied as a residence in which sleeping rooms are provided on a daily or weekly basis for use by travelers or transients

for a charge or fee paid or to be paid for the rental or use of the facility. The bed and breakfast establishment has no more than five guest sleeping rooms provided on a daily or weekly basis for the use of no more than a total of ten travelers or transients at any one time.

Marina. A facility which provides secure moorings, boat ramps, and launching facilities for recreational or commercial boats. It may include related commercial and other services for recreational boaters, such as fuel sales and restrooms. The term marina does not include houseboat moorage.

Motel. Establishments primarily engaged in providing lodging services on a temporary basis with incidental food, drink, and other sales and services intended for the convenience of guests.

Office. A use that is conducted in an office setting generally for business, government, professional, medical, or financial services.

Examples include professional services such as lawyers, accountants, engineers, or architects; financial businesses such as lenders, brokerage houses, bank headquarters, or real estate agents; data processing; sales offices; government offices and public utility offices; television and radio studios; medical and dental clinics, medical and dental labs; and blood-collections facilities.

Retail sales and service. Businesses that are involved in the sale, lease, or rent of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods. Such uses are conducted indoors with limited provisions in this title to allow outdoor storage of material or merchandise. Categories and examples of retail sales and service uses include:

- **Sales-oriented.** Stores selling, leasing, or renting consumer, home, and business goods including appliances, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, liquor, pets, pet food, pharmaceuticals, plants, printed material, stationery, and videos; and food sales.
- **Personal service-oriented.** Businesses such as branch banks; urgency medical care; dental and medical offices; laundromats; photo or laundry drop-off; photographic studios; photocopy and blueprint services; hair, tanning, and personal care services; business, martial arts, and other trade schools; dance or music classes; mortuaries; veterinarians; and animal grooming.
- **Entertainment-oriented.** Businesses such as restaurants, cafes, and delicatessens; bowling alleys; health clubs; gyms; and membership clubs and lodges.
- **Repair-oriented.** Businesses such as repair of televisions, bicycles, clocks, watches, shoes, guns, appliances and office equipment; tailor; locksmith; and upholsterer.
- **Recreational vehicle campground.** Public or private campground that rents recreational vehicle spaces on a daily basis or longer periods. May also include related facilities such as restrooms and recreation facilities for use of guests.
- **Drive-through facilities.** Vehicle drive-up windows associated with restaurants, banks, laundries, photo processing, and similar uses.

- **Vehicle sales/rental and repair.** Sale, retail, and/or rental of autos, non-commercial trucks, motorcycles, motorhomes, and trailers less than 10,000 pounds gross cargo weight, together with incidental maintenance, such as automobile dealers, car rental agencies, or recreational vehicle sales and rental agencies. Also, repair of automobiles and light vehicles under 10,000 pounds gross cargo weight, including body repairs, welding and painting.

Uses not included, thus prohibited, as part of this definition are:

- Lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation.
- Landscape materials stored outside, including bark chips, rock, fertilizer, and compost.
- Repair, sale, rental, or leasing of vehicles over 10,000 pounds gross cargo weight, commercial or consumer vehicles, and industrial vehicles and equipment.

Quick vehicle servicing. A business that provides direct services for motor vehicles where the driver generally waits in the car before and while the service is performed. The use includes a drive-through facility and the area where the service is performed. Examples include:

- Full-service and mini-serve gas stations;
- Unattended card key stations;
- Car washes; and
- Quick lubrication services. This use type does not include servicing of vehicles over 10,000 pounds gross cargo weight (except for gasoline), body repairs, welding, or painting.

E. Industrial Use Types:

Manufacturing and production. The manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, man-made, raw, secondary, or partially competed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed on site, but of so, they are a subordinate part of sales. Relatively few customers come to the manufacturing site.

Industrial services. The repair, servicing, and storage of industrial, business, or consumer machinery, equipment, products, or by-products. Contractors and building maintenance services and similar uses can perform services off-site. Few customers, especially the general public, come to the site. Categories and examples of industrial service uses include:

- **Light.** These activities are generally conducted indoors, but may have related outdoor activities including parking or storage of operable vehicles and equipment and finished products. Examples include welding shops; machine shops; tool, electric motor, and scientific or professional instruments repair; metal and building materials; towing and vehicle storage; heavy truck servicing and repair; truck stops; building, heating, plumbing, or electrical contractors; printing, publishing and lithography shops; exterminators; janitorial and building maintenance services; laundry, dry-cleaning, and carpet cleaning plants; photo-finishing laboratories; and warehousing.

- **Heavy.** Activities are conducted indoors and outdoors, and outdoor activities may include storage of inoperable vehicles and equipment, scrap metal, other salvage or recyclable materials, and stockpiled material such as gravel, construction debris, or compost. Examples include sales, repair, storage, salvage or wrecking of heavy machinery; auto and truck salvage and wrecking; tire retreading or recapping; fuel oil distributors; and solid fuel yards.

Wholesale sales. The sale, lease, or rent of products primarily intended for industrial, institutional, or commercial businesses. The uses emphasize on-site sales or order-taking and often include display areas. Businesses may or may not be open to the general public, but sales to the public are limited. Products may be picked up on the site or delivered to the customer. Examples include sale or rental machinery, equipment, heavy trucks, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment and store fixtures; mail order houses; and wholesale of food, clothing, auto parts, and building hardware.

Surface mining. The screening or crushing of rock or gravel; the mining of sand, rock or gravel; the operating of blacktop or concrete production facilities; the performance of landfill operations; the batching or hauling of concrete; the transporting and dumping of fill; the performance of land reclamation activities; and the operation of heavy machinery to screen, crush, mine, produce, batch, haul, transport, dump, spread, or otherwise handle sand, rock, gravel, blacktop, concrete, or similar aggregate materials.

F. Public and Institutional Use types:

Community services. Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. Generally, they provide other service on the site or have employees at the site on a regular basis. The service is ongoing, not just for special events. Community centers or facilities are open to the general public or have membership provisions that are open to the general public to join at any time (for instance, any senior citizen could join a senior center). The use may also provide special counseling, education, or training of a public, nonprofit, or charitable nature.

Examples include libraries, museums, senior centers, community centers, publicly owned swimming pools, youth club facilities, hospices, drug and alcohol centers, social service facilities, vocational training for the physically or mentally disabled, cemeteries, crematoriums, and mausoleums.

Not included as part of this definition are:

- Private lodges;
- Clubs; or
- Private or commercial athletic or health clubs (these uses are classified as Retail Sales and Service).

Hospital. A use which provides medical or surgical care to patients and offers overnight care.

Parks and open space. Public or private land that is primarily left in a natural state or landscaped with few structures. Examples include parks, play grounds, golf courses, cemeteries, public squares, recreational trails, botanical gardens, and nature preserves.

Public facilities. Public uses that provide support, transportation, safety, and emergency services to the general public. Examples include police stations, fire stations, ambulance stations, public utility offices, operations centers, transit stations, and park-and-ride facilities for transit. This definition excludes streets.

Religious assembly. Institutions that are intended to primarily provide meeting areas for

religious activities. Examples include churches, temples, synagogues, and mosques.

Schools. Public and private primary, elementary, middle, junior high, or high schools that provide state mandated basic education.

Utilities. Infrastructure services which need to be located in or near the area where the service is provided. Basic utility uses generally do not have regular employees at the site. Services may be public or privately provided. Examples include water and sewer pump stations; electrical substations; water towers and reservoirs; storm water retention and detention facilities; telephone exchanges; and recycling drop-off. This definition excludes wireless communication facilities and structures as defined in this chapter.

Chapter 8-6.12

PLANNING PARTICIPANTS

Sections

- 8-6.12.010 Purpose
- 8-6.12.020 City Council
- 8-6.12.030 Planning Commission
- 8-6.12.040 City Administrator

8-6.12.010 Purpose

The following are the major participants in the planning process in Cascade Locks. The purpose of this chapter is to describe the roles of these parties.

8-6.12.020 City Council

The City Council is the policy and ultimate decision making body for the city. The Council will follow the applicable provisions of the City of Cascade Locks Municipal Code. In addition, the Council may:

- A. Create a Planning Commission or Commissions which shall act as the planning and development advisory body(ies) to the Council and shall have such other powers and authority as described in this title or as may be specified by the Council;
- B. Create advisory committee(s) to advise the Council on land use issues; and
- C. Delegate final decision making authority to the City Administrator or Planning Commission as described in this title.

8-6.12.030 Planning Commission

The Planning Commission shall serve at the pleasure of the City Council.

- A. The Council shall appoint the members of the Commission as provided in the City of Cascade Locks Municipal Code.
- B. The Planning Commission shall advise the City Council on legislative planning and development issues including but not limited to comprehensive plan amendments, annexation applications, and amendments to this title.
- C. The Planning Commission shall have decision making authority as provided by this title.

8-6.12.040 City Administrator

The office of the City Administrator is established in the City of Cascade Locks Municipal Code. As a part of the duties of this office, the City Administrator shall be responsible for the administration of the planning and development activities within the city and shall be the chief administrator in charge of planning. The City Administrator may delegate all or a portion of these responsibilities to other qualified individuals. The City Administrator's duties are described in this title and include but are not limited to the following:

- A. Scheduling of applications and land use cases;
- B. Issuing legal notice as required by this title;
- C. Maintaining agendas, minutes, records, and files; and

- D. Providing professional expertise, staff assistance, and information to the public, City Council, and Planning Commission.

[SECTION 8-6.08 GENERAL PROVISIONS AMENDED BY ORDINANCE NO. 376, ADOPTED BY THE CITY COUNCIL ON JUNE 27, 2005]

kl.HD/ACT Ord. Rev. 45a
CDC AI/9 (4/23/01)