PLANNING AND ZONING CODE

An ordinance to provide a revised Planning and Zoning Code for the City of Portland, Multnomah and Clackamas Counties, Oregon, so as to provide regulations and restrictions for location, use and development of property within the City for various types of buildings, structures and activities; prescribing the various zone classifications and their regulations; limiting the height and bulk of buildings; fixing setback restrictions; prescribing penalties; fixing an effective date, and repealing Ordinance No. 77953, passed by the Council October 8, 1942, as subsequently amended, but preserving the same for certain purposes.

CITY OF PORTLAND

MAY 1959
Part I. General

Article 1

TITLE AND PURPOSE

Section 6-101. SHORT TITLE.

This code shall be known as the "Planning and Zoning Code", may be so cited and pleaded, and is referred to herein as "this code".

Section 6-102. SCOPE AND PURPOSE.

The several purposes of this code are to encourage the most appropriate use of property and development of land and in the City of Portland are necessary in order to encourage the most appropriate use of property within the City; to stabilize and conserve the value of property; to provide adequate light, air and reasonable access and to secure safety from fire and other dangers; to prevent overcrowding of land; to avoid undue concentration of population; to improve the city’s appearance; to facilitate the adequate provisions of transportation systems, sewerage, schools, parks and other public improvements; and, in general, to provide for public health, safety, and welfare, all in accordance with a Comprehensive Development Plan for the City of Portland.

Furthermore, the scope of this code is to regulate and restrict the location of all buildings, structures, and for public semi-public, and other specified uses; to regulate and determine the area of yards, courts, and other open space areas; and to provide for subdivision of the city into zones of such number, shape, and area as may be deemed necessary to carry out these regulations, and to set forth general requirements to carry out the broad purposes mentioned above.

Article 2

CITY PLANNING COMMISSION

Section 6-201. ESTABLISHMENT.

The City Planning Commission, having been established and constituted as the planning agency of the City of Portland, is hereby continued.

Section 6-202. MEMBERSHIP.

The Commission shall consist of nine (9) members appointed by the Mayor after confirmation by the City Council. On the expiration of the term of any member of the Commission, his successor shall be appointed by the Mayor, after confirmation by the City Council, for a term of four (4) years. The Mayor, after confirmation by the City Council, shall fill vacancies which may occur from resignations, death, or other causes, by appointment for the unexpired term.

Section 6-203. PRESIDING MEMBERS.

The Commission shall elect a President, Vice-President and Secretary to serve one-year terms. Election of such officers shall be held at the first meeting in each calendar year.

Section 6-204. RECORDS OF COMMISSION.

The Commission shall delegate the function of Secretary to its Planning Board, who shall keep an accurate record of all proceedings of the Commission. The Commission shall transmit to the Auditor on the first day of April of each year, make and file an annual report on transactions and accomplishments during the preceding year with the Auditor who shall transmit such report to the Council.

Section 6-205. MEETINGS.

Five (5) members of the Commission shall constitute a quorum. The Commission may make and alter rules and regulations and for its government and proceedings consistent with the laws of the State of Oregon and with the Charter, ordinances, and by-laws of the City; and it shall meet at least once a month. The Council shall assign to the Commission an office or headquarters in the City in which to hold its meetings, transact its business, and keep its books and records. Meetings of the Commission shall be open to the public.

Article 3

VIOLATION; PENALTY, AND HAVING CLAUSE

Section 6-301. VIOLATION OF REGULATIONS UNLAWFUL.

Any person violating any provision of this code, or OATH OF TAKING FAKE EVIDENCE OF OWNER’S RESPONSIBILITY. It shall be unlawful for any person to violate any regulation contained in this code, to permit or maintain such violation, to refuse to obey any provision thereof, to fail or refuse to comply with any such provision or regulation except as variation may be allowed under this code. Proof of such unlawful act or failure to act shall be deemed prima facie evidence that such act is that of the owner. Prosecution or suit thereof by either the owner or the occupant shall not be deemed to relieve the other.

Section 6-302. PENALTY.

Any person violating any provisions of this code shall, upon conviction, be punished by a fine not to exceed the sum of five hundred dollars ($500.00) or imprisonment in the City Jail not to exceed six (6) months or by both such fine and imprisonment. Each day that any violation of this code exists shall be considered a separate offense.
Section 6-203. VALIDITY. If any article, section, paragraph, or subdivision hereof is found to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this code, but the effect thereof shall be confined to the particular article, paragraph, subdivision, clause, sentence or provision immediately involved in the particular judgment or decree shall be rendered.

Section 6-204. CONTINUATION. The provisions of this code, so far as they are substantially the same as existing codes and/or ordinances relating to the same subject matter, shall be construed as restatements and continuations and not as new enactments.

Part 2
Zoning Regulations

Section 6-401. GENERAL DEFINITIONS. For the purpose of these zoning regulations, certain terms and words are herewith defined as follows:

The words "used for" shall include "designed for" and vice versa; words used in the present tense shall include words in the singular number include the plural and vice versa; the word "structure" includes "building," and the word "shall" is mandatory and not directory.

Section 6-402. ACCESSORY BUILDING, ATTACHED. A subordinate building located directly on a building or bays over a breezeway connecting the accessory building and the main building. An attached accessory building shall be considered as a part of the main building both as to lot coverage, and yard and court regulations, except that an attached accessory building may be built adjacent to or on a side and/or rear lot line as provided in this ordinance. For the purpose of regulation when an accessory use is located in a main building, the portion of the building utilized by such accessory use shall be subject to the regulations for an attached accessory building.

Section 6-403. ACCESSORY BUILDING, DETACHED. All accessory buildings shall be considered detached if not qualifying as attached.
Section 6417. CEMETARY. Land used or intended to be used for the burial of the dead and dedicated for such purposes, including columbariums, crematories, mausoleums, and mortuaries when operated and maintained only as such and within the boundary of such cemetery.

Section 6418. CLASSROOM. A "classroom" is a room in a school or college building used for lecture, recitation and for home room purposes. Section 6419. COLLEGE. A college or university supported by public funds, tuitions, contributions or endowments giving advanced academic instructions as approved by the State Board of Education or by a recognized accrediting agency, excluding elementary and high schools, and trade and commercial schools.

Section 6420. COMMISSION. Shall mean the "City Planning Commission."

Section 6421. COMMUNITY CLUB BUILDINGS and grounds used for and operated by a non-profit organization whose members, either individually or by membership of the district, neighborhood, or community in which the club is located, believe that the primary objectives of the organization are the improvement of the district, neighborhood, community and its social welfare and recreation.

Section 6422. COMPACT EVERSGINE HEDGE. That one natural evergreen growth sufficiently dense to obscure motor vehicle headlights.

Section 6423. COUNCIL CITY. Shall mean the "Portland, Oregon, City Council."

Section 6424. COURT. An open uncovered space, other than a yard, on the same lot with a building or buildings, and bounded on two (2) or more sides by a building or buildings.

Section 6425. DORMITORY. FRATERNITY, OR SORORITY A building by and maintained exclusively for students affiliated with a school or college.

Section 6426. DWELLING A building or portion thereof designed for residential occupancy.

Section 6427. DWELLINGS MULTI-FAMILY. See Apartment Dwelling.

Section 6428. DWELLING, ONE-FAMILY. A detached building or structure, but not for occupancy by one (1) family.

Section 6429. DWELLING, TWO-FAMILY. A building designed exclusively for occupancy by two (2) families living independently of each other.

Section 6430. FAMILY. One (1) person or two (2) or more persons related by blood, marriage, legal adoption or guardianship, or a group of not more than five (5) persons (excluding servants) all or any of whom is related by blood, marriage, legal adoption, or guardianship living together as a single household in a dwelling unit.

Section 6431. FLOOR AREA. The term "floor area," unless otherwise indicated, means the gross floor area under roof measured from exterior limits or faces of a building or structure, excluding off-street parking or loading included in gross floor area are roofed and similar spaces, not enclosed or only partially enclosed by walls.

Section 6432. FRONTAGE ALL the property fronting on one (1) side of a street between intersecting or interrupting streets, or between a street and a right-of-way, waterway, end of dead-end street, or city boundary, measured along the street line. An intersecting street shall determine only the boundary change on the side of the street which it intersects.

Section 6433. HOME OCCUPATION. The term "home occupation" shall mean any lawful profession, craft, or service carried on within a dwelling by a member or members of a family, no servant, employee or other person being engaged in the same, which activity is secondary to the use of the dwelling for dwelling purposes and in connection with which personal services and/or merchandise may be sold; provided there is no display of merchandise on the premises which can be seen from the exterior of the dwelling unit.

Section 6434. HOME, CONVALESCENT. The term "convalescent home" shall mean a building where persons convalescing are provided with food, lodging and care. The term "convalescent home" shall include the terms "sanatoriums" and "sanitariums."

Section 6435. HOSPITAL ANIMALS. A building or structure, or part thereof, designed or used for the medical or surgical treatment of domestic animals or pets, including dog, cat and veterinary hospitals.

Section 6436. HOSPITAL DETENTION. The term "detention hospital" shall apply to a hospital providing for the treatment of persons suffering from tuberculosis or any disease requiring detention, isolation, or quarantine.

Section 6437. HOSPITAL GENERAL. The term "general hospital" shall apply to a hospital providing surgical and medical care to injured or sick persons or maternity cases only.

Section 6438. HOSPITAL MENTAL. The term "mental hospital" shall apply to a hospital used exclusively for the treatment of persons suffering from nervous or mental disorders.

Section 6439. HOSPITAL REMEDIAL. The term "remedial hospital" shall apply to a hospital designed and used for the treatment of persons suffering from the use of drugs or liquor.

Section 6440. HOTEL. A building designed or used for occupancy as the place of abode of individuals who are lodged without meals, in which there are more than fifteen (15) sleeping rooms and in which no provisions are made for cooking in any individual room or suite.

Section 6441. KENNEL Any lot on which dogs are bred or boarded as a commercial business.

Section 6442. LOADING BERTH. An area of such dimensions as specified in Section 6479 available for maneuvering and standing of motor vehicles for the purpose of delivering and picking up freight, goods, equipment, persons, and other articles. (See Article 37 for additional information.)

Section 6443. LOT. The term "lot" shall be deemed to mean any area, tract, or parcel of land owned by or under the lawful control and in the lawful possession of one owner or several owners of adjacent lots platting in such manner as to make the front lot line of the lot to its rear, is sometimes called a reversed corner.

Section 6444. LOT AREA. The total horizontal area within the lots of a lot.

Section 6445. LOT, CORNER. A lot situated at the intersection of two (2) or more streets. A corner lot, the side street line of which is substantially a continuation of the front lot line of the lot to its rear, is sometimes called a reversed corner.

Section 6446. LOT DEPTH. The perpendicular distance measured from the mid-point of the front line to the mid-point of the opposite (usually the rear) lot line.

Section 6447. LOT, INTERIOR. A lot other than a corner lot.

Section 6448. LOT LINES. The property lines bounding a lot as defined herein.

Section 6449. LOT LINE, FRONT. Any boundary line separating the lot from a street.

Section 6450. LOT LINE, REAR. Any boundary line on the site and most distant from a front line and not intersecting a front lot line, except in the case of a corner lot.

Section 6451. LOT LINE, SIDE. Any boundary line not a front or rear lot line.

Section 6452. LOT, THROUGH. A lot having frontage on two (2) parallel or approximately parallel streets.

Section 6453. LOT WIDTH. The perpendicular distance measured between the mid-points of the principal opposite side lot lines and at approximately right angles to the lot depth.

Section 6454. MOTEL. An individual buildings or group of attached or detached buildings containing guest rooms, together with conveniently located parking space on the same lot which is designed, used, or intended to be used for the accommodation of automobile transients. The term includes auto courts, motor lodges, and tourist courts.
Section 6-458. SCHOOLS. School offering instruction to one or more grades between and including kindergarten through the fourth be deemed to have a permit where it is located in a school. A school offering instruction to one or more grades between and including kindergarten through the fourth shall be deemed to have a permit in any school districts in the State of Oregon. 

Section 6-459. STORY. That portion of a building included between a floor and the floor or roof next above it. 

Section 6-470. STORY, HALF. A story under a gable, hip, or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than two (2) feet above the floor of such story. 

Section 6-471. STREET. The primary means of access to abutting property on private or a dedicated public way. If a property has only one means of access, such shall be considered for the purpose of this ordinance as a street. 

Section 6-472. STREET CORNER. CORNER QUARTER OF LOT. The term "street corner quarter of lot" shall apply to that corner of a lot upon which is located the entrance to the structure. 

Section 6-473. STRUCTURE. Any object erected by art and fixed in or upon the ground composed of one or more pieces and designed for use or ornamentation. 

Section 6-474. THROUGHWAY. The term "throughway" shall mean any street or highway or portion thereof within the City of Portland, or in the future laid out, located, relocated, or constructed, as, or converted into, a throughway, State Highway Commission, pursuant to the provisions of ORS 374; provided that such street or highway shall no longer be deemed to be a throughway within this definition if and when said State Highway Commission changes its status to an ordinary highway. 

Section 6-475. TRAILER PARK. An area or tract of land used or designed to accommodate two (2) or more vehicles propelled either by their own power or by another power-driven vehicle and used for sleeping or living quarters. 

Section 6-476. USE. The purpose for which land or a building is arranged, designed, or occupied for which either land or a building is or may be occupied. 

Section 6-477. WELFARE INSTITUTION. An institution under the control of and financed by a unit of government or a religious, philanthropic, charitable, or non-profit organization devoted to the housing, training or care of children, the aged, or indigent, handicapped, or underprivileged persons, including places of detention or correction. 

Section 6-478. YARD. The open space, other than a court, on a lot, unoccupied and unobstructed from the ground upward, between a structure and any lot line. The minimum horizontal distance between any point on a lot line and any structure or building is the yard depth. 

Section 6-479. YARD, FRONT. Any yard abutting a public or private street. 

Section 6-480. YARD, REAR. Any yard abutting a public or private street. 

Section 6-481. YARD, SIDE. Any yard abutting a side lot line.

Article 5 ADMINISTRATION 

Section 6-482. ENFORCEMENT. It shall be the duty of the Bureau of Buildings to enforce these zoning regulations except where otherwise specified. 

Section 6-483. CONFORMANCE AND PERMITS REQUIRED. No building, structure, or parking lot shall be erected, established, reconstructed, structurally altered, enlarged, moved, or maintained, nor shall any building, structure or land be used or designed to be used for any use other than is permitted in the zone in which the building, structure or land is located and then only after applying for and obtaining a permit and license required by all laws and ordinances. 

Section 6-503. INTERPRETATION -- PURPOSE AND CONFLICT. In interpreting and applying these zoning regulations, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare. It is not intended by this ordinance to interfere with or abrogate or annul any easement, covenant, or other restriction imposed or granted any parties, provided, however, that where this ordinance imposes a greater restriction upon the use of buildings or land, or upon the height of buildings, or requires larger open spaces, or imposes or required by other ordinances, codes, rules, regulations, or by easements, covenants, or agreements, the provisions of this code shall control.
Article 6
HOMES AND ZONING MAP
Section 6-601. ZONES. In order to carry out the purposes and
provisions of these zoning regulations, the City of Portland is hereby
divided into fourteen (14) regular and five (5) superimposed
zones, known as:

<table>
<thead>
<tr>
<th>Full Name</th>
<th>Short Name</th>
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<tbody>
<tr>
<td>R10 One-family Residential Zone</td>
<td>R10 Zone</td>
</tr>
<tr>
<td>R7 One-family Residential Zone</td>
<td>R7 Zone</td>
</tr>
<tr>
<td>R5 One-family Residential Zone</td>
<td>R5 Zone</td>
</tr>
<tr>
<td>A2.5 Apartment Residential Zone</td>
<td>A2.5 Zone</td>
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<tr>
<td>A1 Apartment Residential Zone</td>
<td>A1 Zone</td>
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<tr>
<td>A0 Apartment Residential Zone</td>
<td>A0 Zone</td>
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<tr>
<td>C5 Limited Commercial Zone</td>
<td>C5 Zone</td>
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<tr>
<td>C4 Local Commercial Zone</td>
<td>C4 Zone</td>
</tr>
<tr>
<td>C2 General Commercial Zone</td>
<td>C2 Zone</td>
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<td>C1 Central Commercial Zone</td>
<td>C1 Zone</td>
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<tr>
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<td>M4 Zone</td>
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<tr>
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<td>M3 Zone</td>
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<tr>
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<td>M2 Zone</td>
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<tr>
<td>M1 Heavy Manufacturing Zone</td>
<td>M1 Zone</td>
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Superimposed Zones

<table>
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<tr>
<th>Zone</th>
<th>Description</th>
</tr>
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<tr>
<td>B Buffer Zone</td>
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<tr>
<td>D Design Zone</td>
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<tr>
<td>L Limited Commercial Zone</td>
<td>L Zone</td>
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<tr>
<td>P Parking Zone</td>
<td>P Zone</td>
</tr>
<tr>
<td>S Signboard control Zone</td>
<td>S Zone</td>
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</tbody>
</table>

Section 6-602. MAPS ARE PART OF ORDINANCE. The zones
aforesaid and the boundaries of such zones are shown upon the
set of maps on file in the office

of the City Auditor of the City of Portland, each entitled "Official
Zoning Map, City of Portland, Oregon, Planning and Zoning
Code, drawn to a scale of one (1) inch equals one hundred (100)
feet and designated by the following numbers:

1621

Section 6-603. VACATED STREET OR ALLEY.

Section 6-603. VACATED STREET OR ALLEY.

Where the boundary line dividing two or more zones is shown on the
Official Zoning Map lying within a dedicated
dividing two or more

street, alley, or other type of public thoroughfare, said boundary
shall remain as located on the Official Zoning Map
in the event such street
shall remain as located on the Official Zoning Map
or alley shall be vacated by
in the event such street
or alley or other thoroughfare is vacated by
ordinance, unless or
to
or other thoroughfare is vacated by
ordinance, unless or
until changed by a proceeding as provided in

Article 40.

ARTICLES 7, 8 AND 9 RE-SERVED FOR EXPANSION.

Article 10
RIO OR FAMILY RESIDENTIAL ZONE

Section 6-169. GENERAL REQUIREMENT. In all R10 zones, the
use of land and structures; the location and erection of new structures;
and the alteration, enlargement, or moving of existing structures
shall conform in all respects to the following regulations.

Principal Uses

(a) In an R10 Zone, the following uses are permitted:

(1) One-family dwellings.

(2) Farming and truck gardening. Produce sold shall be limited to that
grown on the premises.

(3) Keeping such animals and foods as are incidental to residential or farming use and in
accordance with the Health and Sanitation Code.

Section 6-169. OFF-STREET PARKING REQUIREMENTS.

(a) One offstreet parking space per dwelling unit shall be provided and maintained on the
same lot.

(b) Such space shall be accessible to a public street or alley.

(c) Such space shall be at least one hundred and sixty (160) square feet in area.

(d) Such space shall not be located in the required front yard, but it may be located in the
required side or rear yard, if not within a garage, carport, or other structure.

(e) Such space shall be available for the parking of operable passenger automobiles only.

(f) Such space shall not be rented by the day or part thereof.

(g) Such space, if uncovered, shall be paved in accordance with the
provisions of the Building Code.

(h) The provision and maintenance of offstreet parking space is a continuing obligation of the
property owner.

(i) A plan, drawn to scale, indicating how the offstreet parking requirement is to be fulfilled,
shall accompany the request for a building or occupancy permit.

(j) Such space shall be improved and made available for use before the issuance of a Certificate
of Final Inspection by

The Bureau of Buildings.

(k) Additional parking spaces provided on the premises shall be regulated as specified in
Sections (d), (f), and (g) above.

(i) in an R10 Zone, no

(ii) in an R10 Zone, no

(iii) in an R10 Zone, no

(iv) in an R10 Zone, no

(v) in an R10 Zone, no

(vi) in an R10 Zone, no

(vii) in an R10 Zone, no

(viii) in an R10 Zone, no

(ix) in an R10 Zone, no
Section 6-1004. OFF-STREET LOADING. No off-street loading berths are required of Principal Uses in R10 zones.

Section 6-1005. LOT SIZE REQUIREMENTS.
(a) The minimum lot area shall be ten thousand (10,000) square feet per dwelling unit.
(b) The minimum lot width shall be seventy (70) feet.
(c) The minimum lot depth shall be one hundred (100) feet.
(d) No lot, tract, or parcel of land shall be reduced by transfer of ownership, immediate or future, in area, width, or depth to less than stated in items (a), (b), and (c) above.
(e) In no case shall there be more than one (1) main dwelling and its accessory buildings constructed on one (1) lot, unless such lot is greater than twenty thousand (20,000) square feet in area.

(f) No main dwelling shall be built on a lot not abutting a public street.

(g) On a lot located in a subdivision plat duly approved and recorded with the County Clerk, prior to the effective date of this code, in accordance with the City Charter and laws of the State of Oregon, a one-family dwelling may be constructed notwithstanding the requirements of items (a), (b), and (c) in this Section; provided, however, that no construction of a one-family dwelling shall be permitted upon a lot with dimensions less than four thousand (4,000) square feet in area, (l:0) feet in width, and one hundred (100) feet in depth unless approved by the Variance Committee as provided in Article 40.

Section 6-1006. MAXIMUM LOT COVERAGE.
(a) The ground area covered by all buildings, including accessory buildings, shall not exceed thirty (30) per cent of the lot area.

Section 4-1007. MINIMUM FLOOR AREA PERMITTED.
There shall be no limitation except as required by the size requirements for one-family dwellings in the Housing Code.

Section 6-1008. MAXIMUM HEIGHT PERMITTED.
(a) No structure shall exceed two and one-half (21/2) stories, or thirty-five (35) feet in height.
(b) On any lot, sloping downhill from the street, which has an average ground slope on that portion of the lot to be occupied by the major building of twenty-five (25) per cent or more (measured in the general direction of the side lot lines), an additional story may be permitted in such main building, provided the ceiling of the lowest story shall not be more than two (2) feet above the average curb level along the front of the lot.

(c) Chimneys, radio and television aerials may extend above the thirty-five (35) foot height limit.

Section 6-1009. MINIMUM FRONT YARD.
(a) There shall be a front yard of not less than thirty (30) feet. Provided, however, that where lots comprising forty (40) per cent or more of the lot an additional story or elevation of lots) are developed with buildings having front yards with a variation of not more than two (2) feet in depth, the average of such front yards shall establish the front yard depth for the entire frontage. In determining such front yard depth, buildings located entirely on the rear one-half of a lot shall not be counted.

(b) Where a lot is situated between two lots, each of which has a major building (within twenty-five (25) feet of its side lot lines) which projects beyond the required front yard line and has been so maintained since this code becomes effective, the front yard requirements on such lot may be the average of the front yards of said existing buildings.

(c) Where a lot adjoins only one lot having a major building (within twenty-five (25) feet of its side lot lines) which projects beyond the required front yard line and has been so maintained since this code becomes effective, the front yard requirement on such lot may be the average of the front yard of the said existing building and the established front yard line.

(d) No building permit shall be issued for a building or structure on a lot which abuts a street for a portion sale of the required width and located on that side which has not yet been dedicated unless the yards provided on such lot include both that portion of the lot lying within the future street and the required yards.

(e) On corner lots, the front yard along the long dimension of the lot may be reduced to twenty (20) feet. In case of a square lot or lot having equal frontage on two intersecting streets, one front yard may be reduced to twenty (20) feet providing the other front yard is at least thirty (30) feet. (See Article 38 for additional regulations).

Section 6-1010. MINIMUM SIDE YARD.
(a) There shall be a minimum side yard on each side of any main building of ten (10) feet.
(b) Where an entire frontage is designed and constructed as a unit, the required width of side yards with respect to lot lines may be varied providing the distance between adjoining buildings equals the total combined width of two adjoining required side yards. This total combined width shall not thereafter be reduced by enlargement of either adjoining building. See Section 6-1025 for additional regulations.

Section 6-1011. MINIMUM REAR YARD.
(a) There shall be a minimum rear yard of ten (10) feet. (See Article 38 for additional regulations).

Section 6-1012. SIGNS PERMITTED.
(a) One (1) indirectly lighted or transparency name plate for each dwelling, not exceeding three-quarters (7/4) of a square foot in area, indicating the name of the occupant.
(b) One (1) unlighted sign, not exceeding twelve (12) square feet in area, advertising the dwelling for rent.
(c) Signs, indirectly lighted or unlighted, not exceeding twenty (20) square feet in area, advertising farm products for sale, providing such products are grown on the premises.
(d) Advertising signs or features permanently identifying the tract development or a housing project shall be regulated as a Conditional Use (see Section 6-1023 to 6-1026 (x)).

Transitional Uses
Section 6-1013. USES PERMITTED.
(a) On a lot in an R10 zone not exceeding one hundred (100) feet in width, where the side of such lot abuts C or M zones, two family dwellings are permitted.

Section 6-1014. OTHER REGULATIONS.
(a) Parking, lot size, yards, and all other regulations applicable to Principal Uses in R10 zones shall apply.
4. A detached accessory building shall not exceed upon the required yard of any building on the same lot, and if the accessory building is not built up to the lot line in compliance with item 5 above, it shall be located at least twelve (12) inches from the side and/or rear lot line with four (4) inches allowance for eave or gutter projection and any wall located closer than thirty (30) inches shall be sheathed with two (2) layers of shiplap with joints staggered and covered with finished siding or shakes.

5. Any Type I accessory building attached or detached, if more than one-story, shall not be built up to either side and/or rear lot lines, and shall be subject to the regulations for lot coverage, yards, courts, and setback of a dwelling.

6. No door of an accessory building shall at any point of its travel extend over or onto the street line of a dwelling.

7. A garage may be located in a lower story building but the garage portion of the dwelling, except when in a bank of earth or on sloping ground (See items 8 and 9), shall not be built closer to a street lot line than the building wall at the side or above unless the wall of the garage is at least as far from the street lot line as the required front yard. No motor vehicle or such garage shall be located less than twenty-five (25) feet from the corner of a lot where two streets intersect.

8. A detached or attached garage not exceeding five hundred and fifty (550) square feet in area may be constructed in a natural bank of earth without regard to frontage regulations, provided all exterior walls of the garage, with the exception of the front wall, are of the earth for not less than seventy-five (75) per cent of their separate area. The height of the highest part of the garage wall or roof, if same comes above the level of the adjoining earth, shall not exceed ten (10) feet above the street level of the garage.

9. When a detached or attached garage is constructed on a lot sloping downward from a street, the average elevation of the lot being not less than ten (10) feet below the sidewalk level, the front garage wall need not be set back farther from the street lot line than the average lot line of the lot which is five (5) feet below the sidewalk elevation. However, there shall be no rear wall of the garage be closer to the street lot line than five (5) feet such a wall exceeded a height of ten (10) feet above the adjacent sidewalk level, shall not encroach upon the required yard of any building on the same lot, unless it is built up to the side lot line and complies with the setback regulations.
Section 6-1021. TYPE 4: ACCESSORY BUILDINGS OR USES.
(a) In cases where accessory uses and buildings on the same lot accessory to Principal Uses and Transitional Uses of a Type 4 classification shall comply with the following:
1. Any structure shall be located five (5) feet or more from side lot lines.
2. Covered structures shall be located adjacent to the natural shore line.
3. Covered structures shall not occupy more than fifty (50) percent of the width of the lot at the natural shore line.
4. Any boat using such mourage shall not be used as a place of residence, when so moored.

Section 6-1022. TYPE 5: ACCESSORY BUILDINGS OR USES.
(a) In R10 zones, uses and buildings on the same lot accessory to Principal Uses and Transitional Uses of a Type 5 classification shall comply with the following:
1. Where such accessory use is under a roof or contains a structure, said structure shall not be located closer to any lot line than that required of the Principal or Transitional Use.

Section 6-1024. PROCEDURE
Written applications for the approval of the uses referred to in this section shall be filed in the Planning Commission's office upon forms prescribed for that purpose by the Commission. The application shall be accompanied by a site plan showing the dimensions and arrangement of the proposed development or changes in an existing Conditional Use. The Commission may require other drawings, topographic surveys, photographs, or other material essential to an understanding of the proposed use and its relationship to surrounding properties.

The fee for such application shall be fifty dollars ($50.00) except the following: Conversions of one-family use, thirty-five dollars ($35.00). Moving of buildings, twenty dollars ($20.00). Home occupations, ten dollars ($10.00). Excavations, five dollars ($5.00). Fees shall be payable to the City Treasurer and shall not be returnable in any case. The application shall be on one day for home occupation or small permits, which are required every two years.

Applications for Conditional Uses shall be signed by the owner of the property or his authorized agent. The City Auditor shall compile a list of the names and addresses of all persons owning real property within the Affected Area. The Affected Area is all real property located within lines three hundred (300) feet (exclusive of street width) from and parallel to the boundaries of the Conditional Use, in the case of home occupations, the distance defining the Affected Area shall be one hundred (100) feet.

The Commission shall hold a public hearing on each application for a Conditional Use. The Commission shall notify the Auditor of the date of the public hearing, and the Auditor shall mail notices of the public hearing to all property owners within the Affected Area at least forty-five (45) days prior to the date of the hearing.

The Commission shall make its findings and justification in writing within sixty (60) days from the date of filing of an application and shall forthwith transmit a copy thereof to the applicant and the Bureau of Buildings. Upon application for the establishment of a Conditional Use or with any subsequent application for change or expansion of such use, the Commission may approve a master or long-term development plan for such Conditional Use and so inform the Bureau of Buildings that building permits may be issued as long as they conform with the approved master development plan without the necessity of a Conditional Use approval each time a building permit is requested. No decision of the Commission under this section shall become effective until after an elapsed period of fourteen (14) days from the date the written determination is made, during which time the applicant or any other person aggrieved may appeal therefrom to the Council. The Council may affirm, reverse or modify in whole or in part the Commission's ruling and may impose such conditions as it may find warranted.

Section 6-1025. USES PERMITTED
(a) In an R10 Zone, the following Conditional Uses are permitted subject to the regulations contained in Section 5-1025:
1. Aircraft landing area
2. Apartment projects or unit development
3. Cemeteries
4. Churches
5. Residential buildings accessory to churches
6. Colleges
7. Community clubs
8. Conversions to two-family use
9. Crematories, mausoleums, and columbariums
10. Excavations and filling
11. Golf courses, other country clubs, and athletic clubs
12. Governmental structures and local land uses (local, state, or federal) which are essential to the functioning and service of residential neighborhoods
13. Greenhouses, nurseries, or other propagation of plants and their products for sale
14. Home occupations
15. Homes, convalescent
16. Hospitals, general
17. Hospitals, mental, remedial, or detention
18. Nurses' homes or other residential buildings accessory to hospitals
19. Libraries
Section 6-1026. REGULATIONS. The Commission shall determine the specific regulations and conditions governing each Conditional Use at the time of approval. However, the regulations listed below shall be considered minimums or maximums, as the case may be, and shall apply to the particular Conditional Uses mentioned. The Commission shall have authority to increase these maximum requirements and to specify other types of requirements if in the public interest and if necessary to protect the surrounding residential neighborhood. Such conditions as are imposed shall bind all successors and shall not be affected by any subsequent transfer of ownership.

In case regulations differing from those governing Principal Use permitted in R10 zones are not specified in this article nor in the written instrument approving a Conditional Use by the Commission or the Council, then the regulations governing Principal Use shall also govern such Conditional Use insofar as applicable. Additional regulations governing parking, loading, and yard requirements for Conditional Uses are contained in Articles 35, 37, and 38.

(a) APARTMENT PROJECT OR UNIT DEVELOPMENT: 1. Off-street parking: One (1) space per unit.

2. Minimum lot size: Ten thousand (10,000) square feet per dwelling unit.

3. Maximum lot coverage: Thirty (30) percent.

4. Maximum height: Two and one-half (2½) stories or thirty-five (35) feet, except there shall be no limit on buildings located more than four hundred (400) feet from a property line bounding the project.

5. Minimum side or rear yards along each property line: For one (1) story building .......... 15 feet For two (2) story building .......... 20 feet For two and one half (2½) story building ......... 25 feet

6. Minimum distances between main buildings within project: (a) Side to side—one (1) half (½) height of taller building but not less than ten (10) feet.

(b) Front to side or rear to side equal to height of taller building but not less than fifty (50) feet.

(c) Front to side or rear to side.

7. The character of the development on the lots on the border of the project shall harmonize with that on lots surrounding the project.

(b) CHURCHES: 1. Off-street parking required: One (1) space per eighty-four (84) square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per twelve (12) seats or twenty-four (24) feet of bench length in the main auditorium.

2. Site area: Hereafter, no church shall be established on a site of less than twenty thousand (20,000) square feet in area. Churches existing on a site less than twenty thousand (20,000) square feet may be enlarged providing such enlargement shall not reduce the width of yards or increase the building coverage specified in items 3, 4, and 5 below, and provided further that the off-street parking requirements shall be met.

3. Maximum site coverage: Area covered by all buildings shall not exceed thirty (30) percent of the site area.

4. Minimum front yard: For buildings under forty-five (45) feet in height .......... 20 feet For buildings forty-five (45) feet and higher in height ......... 45 feet

5. Minimum side or rear yard: The minimum side or rear yard for buildings under fifteen (15) feet in height shall be twenty (20) feet. For buildings fifteen (15) feet or higher, the minimum side or rear yard shall be twenty (20) feet plus five (5) feet for each additional ten (10) feet of height over fifteen (15) feet.

6. Signs permitted: One (1) sign not to exceed seven (7) feet in length nor fifteen (15) square feet in area and one (1) church building sign board not exceeding twenty (20) square feet in area. Neither sign nor bulletin board shall extend above the building height nor over the sidewalk and each must be located on the property of the church. Any illumination shall be indirect and non-flashing.

(c) RESIDENTIAL BUILDINGS ACCESSORY TO CHURCHES: 1. Off-street parking required: In addition to spaces required for the church, one (1) space shall be provided for each ten (10) persons residing in such building.

2. Site area: In addition to required site area for church buildings, a minimum of five thousand (5,000) square feet shall be provided for each ten (10) persons residing in an accessory residential building.

(d) COLLEGES: 1. Off-street parking required: One (1) space per ten (10) seats in classrooms. In addition, one (1) space per five (5) beds in dormitories, fraternities, or sororities shall be provided.

2. Minimum front yard: Fifty (50) feet.

3. Minimum side or rear yard: No classroom, laboratory, stadium, or other main building shall be erected closer than one hundred (100) feet to any side or rear lot line. The side and rear yards for dormitories, fraternities, and sororities on the campus shall be not less than thirty (30) feet for one (1) story building plus five (5) feet for each additional story.

(e) COMMUNITY CLUBS: 1. Off-street parking required: One (1) space per eighty-four (84) square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per twelve (12) seats or twenty-four (24) feet of bench length in the main auditorium.

2. Site area: Hereafter no community club shall be established on a site of less than twenty thousand (20,000) square feet in area. Community clubs existing on smaller sites may be enlarged but in no case by more than twenty (20) percent of the floor area existing on the effective date of this ordinance. Moreover, such enlargements shall not reduce the width of yards or increase the building coverage specified in items 3, 4, and 5 below.
3. Maximum site coverage: Area covered by all buildings shall not exceed thirty (30) per cent of the site area.

4. Minimum front yard:
   For buildings under forty-five (45) feet in height ............... 10 feet
   For buildings forty-five (45) feet and higher in height ........... 15 feet

5. Minimum side or rear yard:
   The minimum side or rear yard for buildings under fifteen (15) feet in height shall be twenty (20) feet.
   For buildings fifteen (15) feet and higher, the minimum side or rear yard shall be twenty (20) feet plus five (5) feet for each additional ten (10) feet of height over fifteen (15) feet.

(i) CONVERSIONS TO TWO-FAMILY USE:
1. The owner of a one-family dwelling which is by greater size, greater age, obsolete plan, material, construction, large site size, or other features substantially different from the dwelling characterizing its intermediate neighborhood, may petition the Commission for special two-family use of the dwelling, and for permission to alter and recondition the premises for such use.

2. Minimum floor area: The alternate shall provide a minimum floor area of one thousand (1,000) square feet, exclusive of halls and entries, for each family unit to be constructed.

3. Separate and complete sanitary conveniences shall be provided for each family unit.

4. The converted dwelling shall conform to all regulations governing one-family dwellings in R10 zones, except the lot size shall not be less than five thousand (5,000) square feet per dwelling unit.

(g) EXCAVATING AND FILLING:
1. Excavating or filling or otherwise changing the natural grade as exists on the effective date of this ordinance by more than one hundred (100) cubic yards, if not connected to a building permit, shall be regulated as a Conditional Use.

(h) GOLF COURSES, OTHER COUNTRY CLUBS AND ATHLETIC CLUBS:
1. Minimum side or rear yards: Club houses, swimming pools, stadiums, and any other structure dispensing refreshments or food shall not be closer than one hundred (100) feet to interior lot lines bordering or within an R or A Zone.

2. Miniature golf courses and golf driving ranges are prohibited in R10 zones. Such uses are classified as commercial uses and are permitted only in C3, M, and A zones.

3. Quarters for animals shall be located at least two hundred (200) feet from any property line bordering or within an R or A Zone.

(i) HOME OCCUPATIONS:
1. Permission to conduct a home occupation shall be limited to periods of two years. The Commission shall have authority to grant permission to extend the home occupation or deny continuance, if in the public interest, at the end of the two-year period.

2. No enlargements to a dwelling or accessory building for the sole purpose of conducting a home occupation shall be permitted.

3. Signs prohibited: Signs advertising a home occupation or any aspect thereof shall be prohibited. A name plate, not exceeding three-quarters (3/4) square foot in area, indicating only the name of the occupant shall be permitted, however.

(j) CONVALESCENT HOME:
1. Classification: Homes having a capacity of ten (10) or fewer patient beds are classed as small; eleven (11) to twenty (20) beds, medium; or twenty (20) beds, large.

2. Off-street parking: One (1) space per five (5) beds.
3. Off-street loading: Large convalescent homes shall provide one (1) berth.
4. Minimum lot area: One thousand (1,000) square feet per bed.
5. Minimum height: Two and one-half (2 1/2) stories or thirty-five (35) feet, except there shall be no limit on buildings located more than four hundred (400) feet away from property lines bounding the project.
6. Minimum front yard: Small or medium homes ...... Thirty (30) feet, provided, however, that where lots measuring forty (40) per cent or more of the frontage (excluding reversed corner lots) are developed with buildings having front yards with a variation of not more than ten (10) feet in depth, the average of such front yards shall establish the front yard depth for the entire frontage. In determining such front yard depth, buildings located entirely on the rear one-half of a lot shall not be counted.

Large homes -- Forty (40) feet.

1. Minimum side or rear yards:
   Small homes ...... Ten (10) feet
   Medium homes. Fifteen (15) feet
   Large homes. Twenty (20) feet

2. Off-street loading: For any general hospital of five thousand (5,000) square feet of floor area or greater, off-street loading berths shall be provided according to the table below:

<table>
<thead>
<tr>
<th>Floor Area Required</th>
<th>Loading Berths</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>5,000 - 35,000</td>
<td>1</td>
</tr>
<tr>
<td>40,000 - 59,999</td>
<td>2</td>
</tr>
<tr>
<td>100,000 - 159,999</td>
<td>3</td>
</tr>
<tr>
<td>160,000 - 239,999</td>
<td>4</td>
</tr>
<tr>
<td>310,000 - 319,999</td>
<td>5</td>
</tr>
<tr>
<td>320,000 - 399,999</td>
<td>6</td>
</tr>
<tr>
<td>400,000 - 480,999</td>
<td>7</td>
</tr>
<tr>
<td>450,000 - 579,999</td>
<td>8</td>
</tr>
<tr>
<td>580,000 - 665,999</td>
<td>9</td>
</tr>
<tr>
<td>670,000 - 769,999</td>
<td>10</td>
</tr>
<tr>
<td>760,000 - 849,999</td>
<td>11</td>
</tr>
<tr>
<td>850,000 - 959,999</td>
<td>12</td>
</tr>
<tr>
<td>940,000 - 1,029,999</td>
<td>13</td>
</tr>
<tr>
<td>Over 1,030,000</td>
<td>14</td>
</tr>
</tbody>
</table>

3. Minimum site area:
   a. No hospital shall be established on a site of less than one (1) acre in area.
   b. At least twenty-five hundred (2,500) square feet of lot or site area shall be provided for each patient bed.

4. Maximum height: Two and one-half (2 1/2) stories or thirty-five (35) feet, except there shall be no limit on buildings located more than four hundred (400) feet away from property lines bounding the project.

5. Minimum side or rear yard: Fifty (50) feet.

6. Minimum front yard: Fifty (50) feet.
The minimum side or rear yard for buildings under fifteen (15) feet in height shall be twenty (20) feet. For buildings fifteen (15) feet and higher, the minimum side or rear yard shall be twenty (20) feet plus five (5) feet for each additional ten (10) feet of height over fifteen (15) feet.

(q) PUBLIC PARKS:
1. Minimum side or rear yards: Community centers, swimming pools, athletic fields, or portions of buildings containing concessions dispensing refreshments not be closer than one hundred (100) feet to interior lot lines bounding or within an R or A Zone.

(r) PUBLIC UTILITY STRUCTURES:
1. Exempted from these regulations are underground pipes and conduits and above-ground electrical transmission, distribution, communication, and signal lines on a single pole system. All other transmission and public utility structures, such as double poles and steel towers for transmission lines, substations, automatic telephone exchanges, relay stations, pumping stations, and treatment plants shall be regulated as Conditional Uses.

(s) RAILROAD RIGHTS-OF-WAY AND PASSENGER STATIONS:
1. Establishment and subsequent extensions of rights-of-way for tracks and passenger stations shall be regulated as Conditional Uses. All other railroad facilities, such as switching yards, holding tracks, team tracks, freight, deputis, shops, and roundhouses are prohibited in R10 Zones.

(t) NURSERY SCHOOLS:
1. Off-street parking required: One (1) space per teacher in schools having four (4) or more teachers.
2. Off-street loading required: A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children shall be located on the site of any school having four (4) or more teachers. Such driveway shall be paved with material as specified in the Building Code.
3. Outdoor play area: An outdoor play area shall be provided and thereafter maintained with a minimum area of one hundred (100) square feet per child.
total enrollment capacity of the school. Screening shall be provided separating such play area from abutting lots. Such screen shall be at least four (4) feet but not more than six (6) feet high and shall be a masonry wall, an ornamental wooden fence, a chain-link type wire fence with evergreen vines, or a compact evergreen hedge.

(u) PRIVATE OR PAROCHIAL ELEMENTARY AND PUBLIC PRIMARY SCHOOLS:
1. Off-street parking required: One (1) space per eighty-four (84) square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per twelve (12) seats or twenty-four (24) feet of bench length in the main auditorium.
2. Site area: For school buildings being enlarged or being constructed for the first time, the area of the site shall not be less than the following:

<table>
<thead>
<tr>
<th>Condition of Land Acquired</th>
<th>Classrooms</th>
<th>Rooms</th>
<th>Per</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>60% or more vacant</td>
<td>One floor</td>
<td>3.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>60% or more</td>
<td>Two floors</td>
<td>3.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Less than 60%</td>
<td>One floor</td>
<td>4.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vacant</td>
<td>Two floors</td>
<td>4.0</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(v) PUBLIC ELEMENTARY SCHOOLS:
1. Off-street parking required: One (1) space per eighty-four (84) square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per twelve (12) seats or twenty-four (24) feet of bench length in the main auditorium.
2. Site area: For school buildings being enlarged or being constructed for the first time, the area of the site shall not be less than the following:

<table>
<thead>
<tr>
<th>Maximum Number of Classrooms</th>
<th>Condition of Land Acquired</th>
<th>Rooms Per Acre</th>
</tr>
</thead>
<tbody>
<tr>
<td>60% or more vacant</td>
<td>One floor</td>
<td>2.5</td>
</tr>
<tr>
<td>60% or more</td>
<td>Two floors</td>
<td>2.5</td>
</tr>
<tr>
<td>Less than 60%</td>
<td>One floor</td>
<td>2.5</td>
</tr>
<tr>
<td>Vacant</td>
<td>Two floors</td>
<td>4.0</td>
</tr>
</tbody>
</table>

(w) PRIVATE, PAROCHIAL, OR PUBLIC HIGH SCHOOLS:
1. Off-street parking required: One (1) space per fifty-six (56) square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per eight (8) seats or sixteen (16) feet of bench length in the main auditorium.
2. Minimum front yard: Fifty (50) feet.
3. Minimum side or rear yard: For buildings under fifteen (15) feet in height . . . . . . . 40 feet For buildings 15 to 24 feet in height . . . . . . . 40 feet For buildings 25 to 24 feet in height . . . . . . . 50 feet For buildings 25 to 24 feet in height . . . . . . . 50 feet

(x) TRACT DEVELOPMENT AND SALES:
1. Advertising signs and temporary buildings, such as offices, tool sheds, or similar purposes in connection with tract development and sales, may be permitted provided such use may not continue more than three years, at which time such temporary structures will be removed.
2. Signs and other features of a permanent nature intended to identify and designate the name of a subdivision or tract development are permitted. The Commission may, prior to approval, refer any proposal to its Design Committee for review and suggested changes.

(y) WELFARE INSTITUTION:
1. Off-street parking: One (1) space per five (5) beds for patients or inmates.
2. Off-street loading: For any welfare institution of five thousand (5,000) square feet of floor area or greater, off-street loading berths shall be provided according to the table below.

<table>
<thead>
<tr>
<th>Square Feet of Floor Area</th>
<th>Loading Berths Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,000 - 9,999</td>
<td>1</td>
</tr>
<tr>
<td>10,000 - 19,999</td>
<td>2</td>
</tr>
<tr>
<td>20,000 - 29,999</td>
<td>3</td>
</tr>
<tr>
<td>30,000 - 39,999</td>
<td>4</td>
</tr>
<tr>
<td>40,000 - 49,999</td>
<td>5</td>
</tr>
<tr>
<td>50,000 - 999,999</td>
<td>6</td>
</tr>
<tr>
<td>100,000 - 399,999</td>
<td>7</td>
</tr>
<tr>
<td>400,000 - 599,999</td>
<td>8</td>
</tr>
<tr>
<td>600,000 - 699,999</td>
<td>9</td>
</tr>
<tr>
<td>700,000 - 799,999</td>
<td>10</td>
</tr>
<tr>
<td>800,000 - 999,999</td>
<td>11</td>
</tr>
<tr>
<td>1,000,000 - 1,999,999</td>
<td>12</td>
</tr>
<tr>
<td>2,000,000 - 2,999,999</td>
<td>13</td>
</tr>
<tr>
<td>3,000,000 - 3,999,999</td>
<td>14</td>
</tr>
</tbody>
</table>

3. Minimum site area: No institution shall be established on a site of less than one (1) acre in area.
4. Maximum height: Two and one-half stories or thirty-five (35) feet, except there shall be no limit on buildings located more than one hundred (100) feet away from property lines bounding the project.
5. Minimum front yard: Fifty (50) feet.
6. Minimum side or rear yard: Fifty (50) feet.

Prohibited Uses
Section 6I-1037. GENERAL PROHIBITION. Uses of structures and land not specifically mentioned in this Article are prohibited in all R1 zones.

The use of automobile trailer homes as residences is prohibited in all R1 zones. Such trailers are below the room size, ceiling height, and other regulations in the Housing Code.
article

section 6-1101. general requirement

in all r7 zones, the use, type of curb and structures, the location and erection of new structures; and the alteration, enlargement, or moving of existing structures shall conform in all respects to the following regulations.

principal uses

section 6-1102. uses permitted

(a) in an r7 zone, the following uses are permitted:

1. one-family dwellings.
2. farm and ranch gardening. produce sold shall be limited to that grown on the premises.
3. keeping of domestic animals and fowls as are incidental to residential or farming use and in accordance with article 18 of the health and sanitation code.

section 6-1103. off-street parking required

(a) one space per dwelling unit shall be provided and maintained on the same lot.
(b) such space shall be accessible to a public street or alley.
(c) such space shall be at least one hundred and sixty (160) square feet in area.
(d) such space shall not be located in the required front yard, but it may be located in the required side or rear yard, if not within a garage, carport, or other structure.
(e) such space shall be available for the parking of operable passenger automobiles only.
(f) such space shall not be rented by the day or part thereof.
(g) such space, if uncovered, shall be paved in accordance with the provisions of the building code.

(b) the provision and maintenance of off-street parking space is a continuing obligation of the property owner.

(i) a plan, drawn to scale, indicating how the off-street parking requirement is to be fulfilled, shall accompany the request for a building or occupancy permit.
(j) such space shall be improved and made available for use by the issuance of a certificate of final inspection by the bureau of buildings.

(k) additional parking spaces provided on the premises shall be regulated as specified in items (a), (f), and (g) above.

(l) in an r7 zone, no overnight parking of trucks or other equipment on wheels or tracks exceeding one-half ton capacity used in the conduct of a business activity shall be permitted except vehicles and equipment necessary for farming and truck gardening on the premises.

section 6-1104. off-street loading.

no off-street loading berths are required of principal uses in r7 zones.

section 6-1105. lot size required

(a) the minimum lot area shall be seven thousand (7,000) square feet per dwelling unit.
(b) the minimum lot width shall be sixty (60) feet.
(c) the minimum lot depth shall be eighty (80) feet.
(d) no lot, tract, or parcel of land shall be divided by transfer of ownership, immediate or future, in area, width, or depth to less than stated in items (a), (b), and (c) above.
(e) in no case shall there be more than one (1) main dwelling and its accessory structures constructed on one (1) lot unless such lot is greater than fourteen thousand (14,000) square feet in area.
(f) no main dwelling shall be built or moved on a lot not abutting a public street.

(g) on a lot located in a subdivision plat duly approved and recorded with the county clerk, prior to the effective date of this code, in accordance with the city charter and laws of the state of oregon, a one-family dwelling may be constructed notwithstanding the requirements of items (a), (b), and (c) in this section; provided, however, that no construction of a one-family dwelling shall be permitted upon a lot with dimensions less than four thousand (4,000) square feet in area, forty (40) feet in width, and eighty (60) feet in depth unless approved by the variance committee as provided in article 40.

section 6-1106. maximum lot coverage

(a) the ground area covered by all buildings, including accessory buildings, shall not exceed thirty-five (35) per cent of the lot area.

section 6-1107. minimum floor area permitted

there shall be a minimum floor area as regulated by the room size requirements for one-family dwellings in the housing code.

section 6-1108. maximum height permitted

(a) no structure shall exceed two and one-half (2½) stories or thirty-five (35) feet in height.
(b) on any lot, sloping downhill from the street, which has an average ground slope of ten (10) per cent or more, measured in the average horizontal line of the side lot lines, an additional story may be permitted in such main building, provided the ceiling of the lowest story shall not be more than two (2) feet above the average curb level along the front of the lot.
(c) chimneys, radio and television antennas may only be located above the thirty-five (35) foot height limit.

section 6-1109. minimum front yard

(a) there shall be a front yard of not less than thirty (30) feet. provided, however, that where lots comprising forty (40) per cent or more (excluding reversed corner lots) are developed with buildings having front yards constructed on not more than ten (10) feet in depth, the average of such front yards shall establish the front yard depth for the entire frontage.
(b) in determining such front yard depth, buildings located entirely on the rear one-half of a lot shall not be counted.
(c) where a lot is situated between two lots, each of which has a main building (within twenty-five (25) feet of its side lot line) which projects beyond the required front yard line and has been so maintained since this code became effective, the front yard requirement on such lot may be the average of the front yards of said existing buildings.
(d) where a lot adjoins only one lot having a main building (within twenty-five (25) feet of its side lot line) which projects beyond the required front yard line and has been so maintained since this code became effective, the front yard requirement on such lot may be the average of the front yard of the said existing building and the established front yard line.
(e) no building permit shall be issued for a building or structure on a lot which abuts a street dedicated to a portion only of its required width, and which violates the part of the street that side which has not yet been dedicated or condemned, unless the yards provided on such lot include both that portion of the lot lying within the future street and the required yards.
(f) on corner lots, the front yard along the long dimension of the lot may be reduced to ten (10) feet in case of a square lot having equal frontage on two intersecting streets, one front yard may be reduced to ten (10) feet, providing the other front yard is at least twenty (20) feet (see article 38 for additional regulations).
Section 6-1110. MINIMUM SIDE YARD.
(a) There shall be a minimum side yard of each lot of any main building according to height as follows:
- For one (1) story ....... 5 feet
- For one and one-half (1 1/2) stories ....... 6 feet
- For two (2) stories ....... 7 feet
- For two and one-half (2 1/2) stories ....... 7 feet
(b) Where an entire frontage is designed and constructed as a unit, the required width of side yards with respect to lot lines may be varied providing the distance between adjoining buildings equals the total combined width of two adjoining required side yards. This total combined width shall not thereafter be reduced by enlargement of either adjoining building. (See Article 35 for additional regulations).

Section 6-1111. MINIMUM REAR YARD.
(a) There shall be a minimum rear yard varying according to the height of the main building as follows:
- For one (1) story ....... 5 feet
- For one and one-half (1 1/2) stories ....... 6 feet
- For two (2) stories ....... 6 feet
- For two and one-half (2 1/2) stories ....... 7 feet
(See Article 35 for additional regulations).

Section 6-1112. SIGNS PERMITTED.
(a) One (1) indirectly lighted or transparent name plate for each dwelling, not exceeding three-quarters (3/4) of a square foot in area, indicating the name of the occupant.
(b) One (1) unlighted sign not exceeding twelve (12) square feet in area, advertising the dwelling for sale only.
(c) Signs, indirectly lighted or unlighted, not exceeding twenty (20) square feet in area, advertising farm products for sale providing such products are grown on the premises.
(d) Advertising signs or features permanently identifying the tract development or a housing project shall be regulated as a Conditional Use (see Section 6-1120 to 6-1127 (x)).

Section 6-1113. USES PERMITTED.
(a) On a lot, not exceeding one hundred (100) feet in width, where the side of such lot abuts a C or Z, all exterior family dwellings are permitted.

Section 6-1114. LOT SIZE REQUIRED.
(a) The minimum lot area shall be thirty-five hundred (3500) square feet per dwelling unit.

Section 6-1115. OTHER REQUIREMENTS.
(a) Parking, yards, and all other regulations applicable to Principal Uses in this group shall apply.

Section 6-1116. Accessory Buildings to Principal and Transitional Uses.
(a) No separate permit shall be issued for the construction of any type of accessory building prior to that of the main dwelling.
9. When a detached or attached garage is in the process of development, the average elevation of the lot being no less than ten (10) feet below the lot line, the front wall of the garage shall be placed at least five (5) feet below the sidewalk level. In no case shall the front wall of the garage be closer to the street or public sidewalk than five (5) feet.

10. The ground area covered by all Type I accessory buildings shall not exceed ten (10) per cent of the lot area.

Section 6.1123. TYPE 2: ACCESSORY BUILDINGS OR USES.

(a) In R7 zones, uses and buildings not accessory to Principal Uses and Transitional Uses of a Type 2 classification shall comply with the following:

1. No accessory building shall be built on a lot less than twenty thousand (20,000) square feet.

2. If located to the rear of the main dwelling, a Type 2 accessory building shall be separated from the main dwelling by at least sixty (60) feet.

3. Accessory buildings shall conform in location on the lot to side, rear, and front yard regulations for Principal Uses.

(b) Type 3 Accessory Buildings or Uses.

(a) In R7 zones, uses and buildings on the same lot accessory to Principal Uses and Transitional Uses of a Type 3 classification shall comply with the following:

1. No Type 3 accessory building shall be less than twenty-five (25) feet to a street lot line.

2. Such buildings shall not exceed a required yard of another building on the same lot. The distance from any such outbuilding to a rear or side lot line shall be the same as for a detached garage of the same size.

3. The combined area of all Type 3 accessory buildings on the same lot property shall not exceed in ground area one-twentieth (1/20) of the area of the lot on which such buildings are situated.

4. An outbuilding used for keeping chickens, pigeons, rabbits, goats, or other animals, in addition to complying with the regulations of the Building Code and the Health and Sanitation Code, shall not be located within fifty (50) feet of any dwelling.

5. If built higher than twenty-five (25) feet, or other agricultural buildings shall be located as far from any lot line as the height of the structure requires.

Section 6.1122. TYPE 4: ACCESSORY BUILDINGS OR USES.

(a) In R7 zones, uses and buildings on or accessory to Principal Uses and Transitional Uses of a Type 4 classification shall comply with the following:

1. Any building shall be located five (5) feet or more from side lot lines.

2. Covered structures shall be located adjacent to the natural stone line.

3. Covered structures shall not occupy more than fifty (50) per cent of the width of the lot at the natural stone line.

4. Any boat using such moorage shall not be used as a place of residence when moored.

Section 6.1123. TYPE 2: ACCESSORY BUILDINGS OR USES.

(a) In R7 zones, uses and buildings on the same lot accessory to Principal Uses and Transitional Uses of a Type 2 classification shall comply with the following:

1. Where such accessory use is under a roof or contains a structure, said roof or structure shall not be located closer to any lot line than that required of the Principal or Transitional Use.

Section 6.1124. AUTHORITY.

Upon approval by the Commission, in accordance with the procedure specified therein, one or more of the Conditional Uses listed in Section 6.1125 may be permitted in R7 Zones. In granting such uses, the Commission shall determine the propriety of a particular location as desirable to the public convenience and welfare and not detrimental or injurious to the public health, peace, or safety, or to the protection of the surrounding neighborhood. However, churches and elementary or primary schools, or other public or private, are permitted in any R7 Zone, provided the site location is found by the Commission to be appropriate for such use.

In permitting such uses, the Commission may impose, in addition to the regulations herein specified, such conditions and restrictions as it deems necessary to protect the best interests of the surrounding property or neighborhood or the City as a whole. Such conditions may include requirements under which any future enlargement or alteration of the use shall be reviewed by the Commission and new conditions imposed.

Change in use, expansion or contraction of site area, or alteration of structure requiring a Conditional Use existing prior to the effective date of this ordinance, shall conform to all regulations pertaining to such Conditional Uses as contained herein and to such additional conditions as are required to prevent overcrowding the site and to protect the surrounding residential neighborhood.
Buildings that building permits may be issued as long as they conform with the approved master development plan without the necessity of a Conditional Use approval each time a building permit is requested.

No decision of the Commission under this section shall become effective until after an elapsed period of fourteen (14) days from the date the written determination is made, during which time the applicant, or any other person aggrieved, may appeal therefrom to the Council. The Council may affirm, reverse or modify in whole or in part the Commission's ruling and may impose such conditions as it may find warranted.

Section 6-1126. USES PERMITTED
(a) In an R1 Zone, the following Conditional Uses are permitted subject to the regulations contained in Section 6-1127.
1. Apartment project or unit development.
2. Commercial.
3. Churches.
4. Residential buildings accessory to churches.
5. Colleges.
6. Community clubs.
7. Conversion to two-family use.
8. Crematories, mausoleums, and columbariums.
10. Golf courses, other country clubs and athletic clubs.
11. Governmental structures and land uses (local, state, or federal) which are essential for the financing and servicing of residential neighborhoods.
12. Greenhouses, nurseries, or other propagation of plants and their products for sale.
13. Home occupations.
14. Homes, convalescent.
15. Hospitals, general.
16. Hospitals, mental, remedial, or detention.
17. Nurseries, homes or other residential buildings accessory to hospitals.
19. Mass transit waiting stations or turn-arounds.
20. Masonry buildings.
22. Natural resources, development of.
23. Parks, public.
24. Public utility structures and facilities which are essential to the functioning and servicing of residential neighborhoods.
27. Riding academies.
28. Schools, nursery.
29. Schools, parochial or private.
30. Schools, public.
31. Craft development and sales.
32. Welfare institutions.

Section 6-1127. REGULATIONS
The Commission shall determine the specific regulations and conditions governing each Conditional Use at the time of approval. However, the regulations listed below shall be considered minimum or maximum requirements, as the case may be, and shall apply to the particular Conditional Uses mentioned. The Commission shall have authority to increase these minimum requirements and to specify other types of requirements if in the public interest and if necessary to protect the surrounding residential neighborhood.

Such conditions as are imposed shall bind any successors and shall not be affected by any subsequent transfer of ownership.

In case regulations differing from those governing Principal Uses permitted in R1 zones are not specified in this Article nor in the written instrument approving a Conditional Use by the Commission or the Council, then the regulations governing Principal Uses shall also govern such Conditional Use insofar as applicable. Additional regulations governing parking, loading and yard requirements for Conditional Uses are contained in Articles 36, 37, and 38.

(a) APARTMENT PROJECT OR UNIT DEVELOPMENT
1. Off-street parking: One (1) space per dwelling unit.
2. Minimum project area: Four (4) acres.
3. Minimum lot size: Seven thousand (7,000) square feet per dwelling unit.
4. Maximum lot coverage: Thirty (30) per cent.
5. Minimum front height: Two and one-half (2½) stories or thirty-five (35) feet, except that there shall be no limit on buildings located more than four hundred (400) feet away from a property line bounding the project.
6. Minimum side or rear yards along property lines:
   - For one (1) story building: 16 feet
   - For two (2) story building: 13 feet
7. Minimum distances between main buildings within project:
   - Front to front, front to rear, or rear to rear—two (2) times height of taller building but not less than seventy (70) feet.
   - Side to side—one-half (½) height of shorter building but not less than ten (10) feet.
8. Front to side or rear to side equal to height of taller building but not less than fifty (50) feet.
9. The character of the development on the land on the border of the project shall harmonize with that on lots surrounding the project.

(b) CHURCHES
1. Off-street parking required: One (1) space per eighty-four (84) square feet of floor area in the main auditorium, or where seating is fixed to the floor, one (1) space per twelve (12) seats or twenty-four (24) feet of bench length in the main auditorium.
2. Site area: Hereafter, no church shall be established on a site of less than fifteen thousand (15,000) square feet in area. Churches existing on a site less than fifteen thousand square feet may be enlarged providing such enlargement shall not reduce the width of yards or increase the building coverage specified in Items 3, 4, and 5 below, and provided further that the off-street parking requirements shall be met.
3. Maximum site coverage: Area covered by all buildings shall not exceed thirty (30) per cent of the site area.
4. Minimum front yard:
   - For buildings under forty-five (45) feet in height: 20 feet
   - For buildings forty-five (45) feet and higher in height: 35 feet
5. Minimum side or rear yard:
   - For buildings under fifteen (15) feet in height: 16 feet
   - For buildings fifteen (15) to forty (40) feet in height: 16 feet
6. For buildings forty to forty-four (44) feet in height: 20 feet
7. For buildings forty-five (45) to sixty-four (64) feet in height: 25 feet
8. For buildings sixty-five (65) to ninety-four (94) feet in height: 35 feet
9. Signs permitted: One (1) sign not to exceed seven (7) feet in length nor fifteen (15) square feet in area, and one (1) church bulletin board, not exceeding twenty (20) square feet in area. Neither sign nor bulletin board shall extend above the building height nor over the sidewalk and each must be located on the property of the church. Any illumination shall be indirect and non-flashing.
(c) RESIDENTIAL BUILDING ACCESSORY TO CHURCHES:
1. Off-street parking required: 
   In addition to spaces required for the church, one (1) space shall be provided for each ten (10) persons residing in such building.
2. Site area: In addition to required site area for church buildings, a minimum of five thousand (5,000) square feet of land shall be provided for each ten (10) persons residing in accessory residential buildings.

(d) COLLEGES:
1. Off-street parking required: 
   One (1) space per ten (10) seats in classrooms. In addition, one (1) space per five (5) students housed in dormitories, fraternities, or sororities shall be provided.
2. Minimum front yard: Forty (40) feet.
3. Minimum side or rear yard: 
   No classroom, laboratory, stadium, or other main building shall be erected closer than fifty (50) feet to any side or rear lot line. The side and rear yards for dormitories, fraternities, and sororities shall be not less than fifteen (15) feet for a one (1) story building plus five (5) feet for each story.
4. Site area: For dormitories, fraternities, and sororities not located on or contiguous to the college campus, a minimum of five thousand (5,000) square feet of site area shall be provided for each ten (10) persons residing in such buildings.

(e) COMMUNITY CLUBS:
1. Off-street parking required: 
   One (1) space per eighty-four (84) square feet of floor area in the main auditorium, or where seating is fixed to the floor. One (1) space per twelve (12) seats, thirty-four (34) feet of bench length in the main auditorium.
2. Site area: Hereafter, no community clubs shall be established on a site of less than fifteen thousand (15,000) square feet. Community clubs existing on smaller sites may be enlarged, but in no case by more than twenty (20) per cent of the floor area existing on the effective date of this ordinance. Moreover, such enlargement shall not reduce the width of yards or improve the building coverage specified in items 3, 4, and 5 below.
3. Maximum site coverage: Are covered buildings shall not exceed thirty (30) per cent of the site area.
4. Minimum front yard: 
   For buildings forty-five (45) feet in height .................. 20 feet
   For buildings forty-five (45) feet and higher in height .................. 35 feet
5. Minimum side or rear yard: 
   For buildings under fifteen (15) feet in height .................. 10 feet
   For buildings fifteen (15) to twenty (20) feet in height .................. 13 feet
   For buildings twenty (20) to thirty-five (35) feet in height .................. 16 feet
   For buildings thirty-five (35) to forty-four (44) feet in height .................. 20 feet

(f) CONVERSIONS TO TWO-FAMILY USE:
1. The owner of a one-family dwelling which, by greater size, greater site area, obsolescent plan, material, construction, large site size, or other features substantially different from the dwellings characterizing its immediate neighborhood, may petition the Commission for special two-family use of the dwelling, and for permission to alter and readjust the premises for such use.
2. Minimum floor area: The alterations shall provide a minimum floor area of eight hundred (800) square feet, exclusive of halls and entries, for each family unit to be constructed.
3. Separate and complete sanitary conveniences shall be provided for each unit.
4. The converted dwelling shall conform to all other regulations governing one-family dwellings in R7 zones, and the lot size shall not be less than thirty-five hundred (3,500) square feet per dwelling unit.

(g) EXCAVATING AND FILLING:
1. Excavating or filling or otherwise changing the natural grade at any time following the effective date of this ordinance by more than one hundred (100) cubic yards, if not covered by a building permit, shall be regulated as a Conditional Use.

(h) GOLF COURSES, OTHER COUNTRY CLUBS, AND ATHLETIC CLUBS:
1. Minimum side or rear yards:
   - Club houses, swimming pools, stadiums, and any other structure dispensing refreshments or food shall not be closer than one hundred (100) feet to interior lot lines bordering or within an R or A Zone.
   - Miniature golf courses and golf driving ranges are prohibited in R7 zones. Such uses are classified as commercial uses and are permitted only in C2 and M zones.
   - Quarters for animals shall be located at least two hundred (200) feet from any property line bordering or within an R or A Zone.

(i) HOME OCCUPATIONS:
1. Prior to permits, a home occupation shall be limited to periods of two years. The Commission shall have authority to grant permission to extend the home occupation or deny continuance, if in the public interest, at the end of the two-year period.

2. No enlargements to a dwelling or accessory building for the sole purpose of conducting a home occupation shall be permitted.

3. Signs prohibited: Signs advertising a home occupation or any aspect thereof shall be prohibited. A name plate, not exceeding three (3) square feet in area, indicating only the name of the occupant shall be permitted, however.

(j) CONVALESCENT HOME:
1. Classification: Homes having a capacity of ten (10) or fewer patient beds are classed as small; eleven (11) to twenty (20) beds, medium; over twenty (20) beds, large.
2. Off-street parking: One (1) space per five (5) beds.
3. Off-street loading: Large convalescent homes shall provide one (1) berth.
4. Minimum lot area: One thousand (1,000) square feet per bed.
5. Maximum height: Two and one-half (2½) stories or thirty-five (35) feet, except there shall be no limit on buildings located more than forty (40) feet away from property lines bounding the lot.
6. Minimum front yard: Small or medium homes — Twenty (20) feet, provided, however, that where lots comprising forty (40) per cent or more of the frontage are developed with buildings having front yards with a variation of not more than ten (10) feet in depth, the average of such front yards shall establish the front yard depth for the entire frontage. In determining such front yard depth, buildings located entirely on the rear one-half of a lot shall not be counted.
Large homes — Thirty (30) feet.
7. Minimum side or rear yards:
   - Small homes: Five (5) feet for a one (1) story building; six (6) feet for a two (2) story building; and seven (7) feet for a two and one-half (2½) story building.
   - Medium homes — Twelve (12) feet:
     - Large homes—Fifteen (15) feet for a one (1) story building plus five (5) feet for each additional story.
(k) GENERAL HOSPITALS:
1. Off-street parking: One (1) space per two (2) beds.
2. Off-street loading: For any general hospital of five thousand (5,000) square feet of floor area or greater. Off-street loading berths shall be provided according to the table below:

<table>
<thead>
<tr>
<th>Square Feet</th>
<th>Loading Berths Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,000 - 15,999</td>
<td>1</td>
</tr>
<tr>
<td>16,000 - 23,999</td>
<td>2</td>
</tr>
<tr>
<td>24,000 - 31,999</td>
<td>3</td>
</tr>
<tr>
<td>32,000 - 39,999</td>
<td>4</td>
</tr>
<tr>
<td>40,000 - 49,999</td>
<td>5</td>
</tr>
<tr>
<td>50,000 - 59,999</td>
<td>6</td>
</tr>
<tr>
<td>60,000 - 69,999</td>
<td>7</td>
</tr>
<tr>
<td>70,000 - 79,999</td>
<td>8</td>
</tr>
<tr>
<td>80,000 - 89,999</td>
<td>9</td>
</tr>
<tr>
<td>90,000 - 99,999</td>
<td>10</td>
</tr>
<tr>
<td>100,000 - 199,999</td>
<td>11</td>
</tr>
<tr>
<td>200,000 - 299,999</td>
<td>12</td>
</tr>
<tr>
<td>300,000 or more</td>
<td>13</td>
</tr>
</tbody>
</table>

Over 1,000,000 (1,000,000) 14

3. Minimum site area:
   a. No hospital shall be established on a site of less than one (1) acre.
   b. At least twenty-five hundred (2,500) square feet of lot or site area shall be provided for each patient bed.

4. Maximum height: Two and one-half (2 1/2) stories or thirty-five (35) feet, except that there shall be no landing or basement located more than four hundred (400) feet away from property lines bounding the project.

5. Minimum front yard: Forty (40) feet.

6. Minimum side or rear yard: Forty (40) feet.

(l) MENTAL, REMEDIAL, OR DETENTION HOSPITALS:
1. Off-street parking: One (1) space per two (2) beds.
2. Off-street loading: For any mental, remedial, or detention hospital of five thousand (5,000) square feet of floor area or greater. Off-street loading berths shall be provided according to the table below:

<table>
<thead>
<tr>
<th>Square Feet</th>
<th>Loading Berths Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,000 - 15,999</td>
<td>1</td>
</tr>
<tr>
<td>16,000 - 23,999</td>
<td>2</td>
</tr>
<tr>
<td>24,000 - 31,999</td>
<td>3</td>
</tr>
<tr>
<td>32,000 - 39,999</td>
<td>4</td>
</tr>
<tr>
<td>40,000 - 49,999</td>
<td>5</td>
</tr>
<tr>
<td>50,000 - 59,999</td>
<td>6</td>
</tr>
<tr>
<td>60,000 - 69,999</td>
<td>7</td>
</tr>
<tr>
<td>70,000 - 79,999</td>
<td>8</td>
</tr>
<tr>
<td>80,000 - 89,999</td>
<td>9</td>
</tr>
<tr>
<td>90,000 - 99,999</td>
<td>10</td>
</tr>
<tr>
<td>100,000 - 199,999</td>
<td>11</td>
</tr>
<tr>
<td>200,000 - 299,999</td>
<td>12</td>
</tr>
<tr>
<td>300,000 or more</td>
<td>13</td>
</tr>
</tbody>
</table>

Over 1,000,000 (1,000,000) 14

3. Minimum site area:
   a. No hospital shall be established on a site of less than ten (10) acres in area.
   b. At least five thousand (5,000) square feet of lot or site area shall be provided for each patient bed.

4. Maximum height: Two and one-half (2 1/2) stories or thirty-five (35) feet, except that there shall be no landing or basement located more than four hundred (400) feet away from property lines bounding the project.

(p) MUSEUMS:
1. Site area: Hereafter, no museum shall be established on a site of less than fifteen thousand (15,000) square feet in area. Museums existing on the site of less than fifteen thousand (15,000) square feet may be enlarged, but in no case by more than twenty (20) per cent of the floor area existing on the effective date of this ordinance. Such enlargement shall not reduce the width of yards or increase the building coverage specified in items 2 and 3 below.

2. Maximum site coverage: Area covered by all buildings shall not exceed thirty (30) per cent of the site area.

3. Minimum front yard:
   a. For buildings under forty-five (45) feet in height: 
      - 5 feet for buildings forty-five (45) feet and higher in height.

4. Minimum side yard:
   a. For buildings under fifteen (15) feet in height: 10 feet.
   b. For buildings 15 to 34 feet in height: 16 feet.
   c. For buildings 35 to 44 feet in height: 25 feet.
   d. For buildings 45 to 64 feet in height: 45 feet.

(q) PUBLIC PARKS:
1. Minimum side or rear yards: Community centers, swimming pools, stadiums and buildings or portions of buildings containing concessions dispensing refreshments or food shall not be closer than one hundred (100) feet to interior lot lines bordering on or within an R or A Zone.
2. Off-street loading required: A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children shall be located on the site of any school having four (4) or more teachers. Such driveway shall be paved with material as specified in the Building Code.

3. Outdoor play area: An outdoor play area shall be provided and thereafter maintained with a minimum area of one hundred (100) square feet per child of total enrollment capacity of the school.

Screening shall be provided separating such play area from abutting lots. Such screen shall be at least four (4) feet but not more than six (6) feet high and shall be a masonry wall, an ornamental wooden fence, a chain-link type wire fence with evergreen vines, or a compact evergreen hedge.

[v] PRIVATE OR PAROCHIAL ELEMENTARY AND PUBLIC PRIMARY SCHOOLS:
1. Off-street parking required: One (1) space per eighty-four (84) square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per twelve (12) seats or twenty-four (24) feet of bench length in the main auditorium.

2. Site area: For school buildings being enlarged or being constructed for the first time, the area of the site shall not be less than the following:

<table>
<thead>
<tr>
<th>Condition</th>
<th>Class of Rooms</th>
<th>Number of Classrooms</th>
<th>Per Acre</th>
</tr>
</thead>
<tbody>
<tr>
<td>60% or more vacant</td>
<td>One floor</td>
<td>3.0</td>
<td></td>
</tr>
<tr>
<td>60% or more vacant</td>
<td>Two floors</td>
<td>3.0</td>
<td></td>
</tr>
<tr>
<td>Less than 60% vacant</td>
<td>One floor</td>
<td>4.0</td>
<td></td>
</tr>
<tr>
<td>Less than 60% vacant</td>
<td>Two floors</td>
<td>4.5</td>
<td></td>
</tr>
</tbody>
</table>

Playground space in a public park adjoining the school site, not separated by a public street, may be part of the school site area providing such space is made available by agreement with the Bureau of Parks.

3. Minimum front yard: Forty (40) feet.
4. Minimum side or rear yard: For buildings under 15 feet in height, the area of the site shall be at least the following:

<table>
<thead>
<tr>
<th>Condition</th>
<th>Class of Rooms</th>
<th>Number of Classrooms</th>
<th>Per Acre</th>
</tr>
</thead>
<tbody>
<tr>
<td>60% or more vacant</td>
<td>One floor</td>
<td>2.8</td>
<td></td>
</tr>
<tr>
<td>60% or more vacant</td>
<td>Two floors</td>
<td>2.5</td>
<td></td>
</tr>
<tr>
<td>Less than 60% vacant</td>
<td>One floor</td>
<td>2.5</td>
<td></td>
</tr>
<tr>
<td>Less than 60% vacant</td>
<td>Two floors</td>
<td>2.0</td>
<td></td>
</tr>
</tbody>
</table>

(v) PUBLIC ELEMENTARY SCHOOLS:
1. Off-street parking required: One (1) space per eighty-four (84) square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per twelve (12) seats or twenty-four (24) feet of bench length in the main auditorium.

2. Site area: For school buildings being enlarged or being constructed for the first time, the area of the site shall not be less than the following:

<table>
<thead>
<tr>
<th>Condition</th>
<th>Class of Rooms</th>
<th>Number of Classrooms</th>
<th>Per Acre</th>
</tr>
</thead>
<tbody>
<tr>
<td>60% or more vacant</td>
<td>One floor</td>
<td>2.5</td>
<td></td>
</tr>
<tr>
<td>60% or more vacant</td>
<td>Two floors</td>
<td>2.5</td>
<td></td>
</tr>
<tr>
<td>Less than 60% vacant</td>
<td>One floor</td>
<td>3.0</td>
<td></td>
</tr>
<tr>
<td>Less than 60% vacant</td>
<td>Two floors</td>
<td>4.0</td>
<td></td>
</tr>
</tbody>
</table>

Playground space in a public park adjoining the school site, not separated by a public street, may be part of the school site area providing such space is made available by agreement with the Bureau of Parks.

3. Minimum front yard: Forty (40) feet.
4. Minimum side or rear yard: For buildings under 15 feet in height, the area of the site shall be at least the following:

<table>
<thead>
<tr>
<th>Condition</th>
<th>Class of Rooms</th>
<th>Number of Classrooms</th>
<th>Per Acre</th>
</tr>
</thead>
<tbody>
<tr>
<td>60% or more vacant</td>
<td>One floor</td>
<td>2.8</td>
<td></td>
</tr>
<tr>
<td>60% or more vacant</td>
<td>Two floors</td>
<td>2.5</td>
<td></td>
</tr>
<tr>
<td>Less than 60% vacant</td>
<td>One floor</td>
<td>2.5</td>
<td></td>
</tr>
<tr>
<td>Less than 60% vacant</td>
<td>Two floors</td>
<td>2.0</td>
<td></td>
</tr>
</tbody>
</table>

[w] PRIVATE, PAROCHIAL, OR PUBLIC HIGHSCHOOLS:
1. Off-street parking required: One (1) space per fifty-six (56) square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per eight (8) seats or sixteen (16) feet of bench length in the main auditorium.

2. Minimum front yard: Forty (40) feet.
3. Minimum side or rear yard: For buildings under 15 feet in height, the area of the site shall be at least the following:

<table>
<thead>
<tr>
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<th>Class of Rooms</th>
<th>Number of Classrooms</th>
<th>Per Acre</th>
</tr>
</thead>
<tbody>
<tr>
<td>60% or more vacant</td>
<td>One floor</td>
<td>2.8</td>
<td></td>
</tr>
<tr>
<td>60% or more vacant</td>
<td>Two floors</td>
<td>2.5</td>
<td></td>
</tr>
<tr>
<td>Less than 60% vacant</td>
<td>One floor</td>
<td>2.5</td>
<td></td>
</tr>
<tr>
<td>Less than 60% vacant</td>
<td>Two floors</td>
<td>2.0</td>
<td></td>
</tr>
</tbody>
</table>

Playground space in a public park adjoining the school site, not separated by a public street, may be part of the school site area providing such space is made available by agreement with the Bureau of Parks.

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<tr>
<td>60% or more vacant</td>
<td>One floor</td>
<td>2.8</td>
<td></td>
</tr>
<tr>
<td>60% or more vacant</td>
<td>Two floors</td>
<td>2.5</td>
<td></td>
</tr>
<tr>
<td>Less than 60% vacant</td>
<td>One floor</td>
<td>2.5</td>
<td></td>
</tr>
<tr>
<td>Less than 60% vacant</td>
<td>Two floors</td>
<td>2.0</td>
<td></td>
</tr>
</tbody>
</table>

(s) TRACT DEVELOPMENT AND SALES:
1. Advertising signs and temporary buildings, such as offices, tool sheds, or similar purposes in connection with tract development and sales, may be permitted provided such use may not continue more than three years, at which time such temporary structures will be removed.

2. Signs and other features of a permanent nature intended to identify and designate the name of a subdivision or tract development are permitted. The Commission may, prior to approval, refer any proposal to its Design Committee for review and suggested changes.

(v) WELFARE INSTITUTION:
1. Off-street parking: One (1) space per ten (10) beds for patients or inmates.
2. Off-street loading: For any welfare institution of five thousand (5,000) square feet of floor area or greater, off-street loading berths shall be provided according to the table below:

<table>
<thead>
<tr>
<th>Square Feet</th>
<th>Loading Berths Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,000 - 9,999</td>
<td>1</td>
</tr>
<tr>
<td>10,000 - 24,999</td>
<td>2</td>
</tr>
<tr>
<td>25,000 - 39,999</td>
<td>3</td>
</tr>
<tr>
<td>40,000 - 59,999</td>
<td>4</td>
</tr>
<tr>
<td>60,000 - 79,999</td>
<td>5</td>
</tr>
<tr>
<td>80,000 - 99,999</td>
<td>6</td>
</tr>
<tr>
<td>100,000 - 119,999</td>
<td>7</td>
</tr>
<tr>
<td>120,000 - 139,999</td>
<td>8</td>
</tr>
<tr>
<td>140,000 - 159,999</td>
<td>9</td>
</tr>
<tr>
<td>160,000 - 179,999</td>
<td>10</td>
</tr>
<tr>
<td>180,000 - 199,999</td>
<td>11</td>
</tr>
<tr>
<td>200,000 - 219,999</td>
<td>12</td>
</tr>
<tr>
<td>220,000 - 239,999</td>
<td>13</td>
</tr>
<tr>
<td>Over 240,000</td>
<td>14</td>
</tr>
</tbody>
</table>

3. Minimum site area: No institution shall be established on a site of less than one (1) acre in area.
4. Minimum height: Two and one-half (2½) stories or thirty-five (35) feet, except there shall be no limit on buildings located more than four hundred (400) feet away from property lines bounding the project.
5. Minimum front yard: Forty (40) feet.
6. Minimum side or rear yard: Forty (40) feet.
Prohibited Uses

Section 6-1218, GENERAL PROHIBITION. Uses of structures and land not specifically mentioned in this Article are prohibited in all R7 Zones.

The use of automobile trailer houses as residences is prohibited in all R7 Zones. Such trailers are below the room size, ceiling height, and other regulations in the Housing Code.

Article 12

R5 ONE-FAMILY RESIDENTIAL ZONE

Section 6-1201. GENERAL REQUIREMENTS. In all R5 Zones, the use of land and structures; the location and erection of new structures; and the alteration, enlargement, or moving of existing structures shall conform in all respects to the following regulations.

Principal Uses

Section 6-1202. USES PERMITTED.

(a) In an R5 Zone, the following uses are permitted:

1. One-family dwellings.
2. Farming and truck gardening.
3. Keeping such animals and fowls as are incidental to residential or farming use and in accordance with the Health and Sanitation Code.

Section 6-1203. OFF-STREET PARKING REQUIRED.

(a) One space per dwelling unit shall be provided and maintained on the same lot.
(b) Such spaces shall be accessible to a public street or alley.
(c) Such spaces shall be at least one hundred and sixty (160) square feet in area.
(d) Such space shall not be located in the required front yard but it may be located in the required side or rear yard if not within a garage, carport, or other structure.

(e) Such space shall be available for the parking of operable passenger automobiles only.

(f) Such space shall not be rented by the day or part thereof.
(g) Such space, if uncovered, shall be paved in accordance with the Building Code.
(h) The provision and maintenance of off-street parking space is a continuing obligation of the property owner.
(i) A plan, drawn to scale, indicating how the off-street parking requirement is to be fulfilled, shall accompany the request for a building or occupancy permit.
(j) Such spaces shall be improved and made available for use before the issuance of a Certificate of Final Inspection by the Bureau of Buildings.

(k) Additional parking spaces provided on the premises shall be regulated as specified in items (d), (f), and (g) above.

(l) In an R5 Zone, no overnight parking of trucks or other equipment on wheels or tracks exceeding one-half ton capacity used in the conduct of a business activity shall be permitted except vehicles and equipment necessary for farming and truck gardening on the premises.

Section 6-1204. OFF STREET LOADING. No off-street loading berths are required of Principal Uses in R5 Zones.

Section 6-1205. LOT SIZE REQUIRED.

(a) The minimum lot area shall be five thousand (5,000) square feet per dwelling unit.
(b) The minimum lot width shall be fifty (50) feet.
(c) The minimum lot depth shall be eighty (80) feet.
(d) No lot, tract, or parcel of land shall be reduced by transfer of ownership, immediate or future, in area, width, or depth to less than stated in items (a), (b), and (c) above.
(e) In no case shall there be more than one (1) main dwelling and its accessory buildings constructed on one (1) lot unless said lot is greater than ten thousand (10,000) square feet in area.
(f) No main dwelling shall be built or moved upon a lot not abutting a public street.

(g) On a lot located in a subdivision plat duly approved and recorded with the County Clerk, prior to the effective date of this code, in accordance with the City Charter and laws of the State of Oregon, a one-family dwelling may be constructed notwithstanding the requirements of items (a), (b), and (c) in this Section; provided, however, that no construction of a one-family dwelling shall be permitted upon a lot with dimensions less than four thousand (4,000) square feet in area, forty (40) feet in width, and eighty (80) feet in depth unless approved by the Variance Committee as provided in Article 40.

Section 6-1206. MAXIMUM LOT COVERAGE.

(a) The area covered by all buildings, including accessory buildings, not exceeding one story in height, shall not exceed forty-five (45) per cent of the lot area; and the area covered by the portions of all buildings exceeding one story in height shall not exceed thirty-five (35) per cent of the lot area.

Section 6-1207. MINIMUM FLOOR AREA PERMITTED. There shall be no limitation except as regulated by the room size requirements for one-family dwellings in the Housing Code.

Section 6-1208. MAXIMUM HEIGHT PERMITTED.

(a) No structure shall exceed two and one-half (2½) stories. Or thirty-five (35) feet in height.
(b) On any lot, sloping downhill from the street, which has an average grade above fifteen (15) feet, there may be one additional story of one thousand (1,000) square foot area per story.

Section 6-1209. MINIMUM FRONT YARD.

(a) There shall be in every lot, or part thereof, fifteen (15) feet along the front line, and reversionary front yards of not less than five (5) feet. Provided, however, that where lots comprising forty (40) per cent or more of the frontage (exclusive of reversionary front yards) are developed with buildings having front yards with a variation of more than ten (10) feet in depth, the area of such front yards shall be the front yard depth of the entire frontage. In determining such front yard depth, buildings located entirely on the rear one-half of a lot shall not be counted.
(b) Where a lot is situated between two sets, each of which has a main building (within twenty-five feet of its side lot lines) which projects beyond the required front yard line and has been so maintained since the code became effective, the front yard requirements on such lot may be the average of the front yards of said existing buildings.

(c) Where a lot adjoins only one lot having a main building (within twenty-five feet of its side lot lines) which projects beyond the required front yard line and has been so maintained since the code became effective, the front yard requirement on such lot may be the average of the front yard of the said existing building and the established front yard of the lot, determined as hereinabove provided.

(d) No building permit shall be issued for a building or structure on a lot which abuts a street dedicated to a portion only of its required width and located on that side which has not yet been dedicated or condemned, unless the yards provided on such lot include both that portion of the lot lying within the future street and the street yards.

(e) On corner lots, the front yard along the long dimension of the lot may be reduced to ten (10) feet. In case of a square lot or lot having equal frontage on two sides, one front yard may be reduced to ten (10) feet providing the other front yard be reduced to fifteen (15) feet. (See Article 38 for additional regulations).

Section 6-1210. MINIMUM SIDE YARD.

(a) There shall be a minimum side yard on each side of any main building according to height as follows:

For one (1) story ....... 6 feet
For one and one-half (1½) stories .......... 6 feet
For two (2) stories ....... 6 feet
For two and one-half (2½) stories ....... 7 feet

(b) Where an entire frontage is designed and constructed as a unit, a portion of the side yards with respect to lot lines may be varied providing the distance from the main building line to the side building line equals the total combined width of two adjoining required side yard lines. Such total combined width shall not thereafter be reduced by enlargement of either adjoining building. (See Article 38 for additional regulations).

Section 6-1211. MINIMUM REAR YARD.

(a) There shall be a minimum rear yard according to the height of the main building as follows:

For one (1) story ....... 5 feet
For one and one-half (1½) stories .......... 6 feet
For two (2) stories ....... 6 feet
For two and one-half (2½) stories ....... 7 feet

(See Article 38 for additional regulations).

Sections 6-1212. SIGNS PERMITTED. (a) One (1) indirectly lighted or unlighted, not exceeding twenty (20) square feet in area, advertising farm products for sale, providing such products are grown on the premises.

(b) Signs, indirectly lighted or unlighted, not exceeding twenty (20) square feet in area, advertising farm products for sale, providing such products are grown on the premises.

(c) Signs, indirectly lighted or unlighted, not exceeding twenty (20) square feet in area, advertising farm products for sale, providing such products are grown on the premises.

(d) Advertising signs or features permanently identifying the tract development or a housing project shall be regulated as a Conditional Use (see Section 6-1223 to 6-1226 (x)).

Section 6-1213. USES PERMITTED.

(a) On a lot, not exceeding one hundred (100) feet in average width, where the side of such lot abuts a C or M Zone, two-family dwellings are permitted.

Section 6-1214. OTHER REGULATIONS.

(a) Parking, lot size, yards, and all other regulations applicable to Principal Uses in A25 Zones shall apply.

Buildings Accessory to Principal and Transitional Uses

Section 6-1215. GENERAL.

(a) No separate permit shall be issued for the construction of any type of accessory building prior to that of the main dwelling.

Section 6-1216. HEIGHT.

(a) No accessory building, except agricultural buildings, shall exceed (2) stories in height.

Section 6-1217. CLASSIFICATION.

(a) Accessory buildings permitted in R₃ Zones shall be divided into types, as follows:

Type 1: Garage, carport, studio, pergola, private greenhouse or other similar structure related to dwelling in design, whether attached or detached.

Type 2: A guest house, servant's house, caretaker's quarters or any such accessory building used for dwelling purposes.

Type 3: Woodshed, toolshed, chicken house, pig house, chicken coop, hen house, kennel, sheep shed, barn, silo, and other such outbuildings of utilitarian character and use, not necessarily related in design to the dwelling.

Type 4: Moorage for private pleasure boats.

Type 5: Swimming pool, tennis court, or other type of home recreational facility.

Section 6-1218. TYPE 1: ACCESSORY BUILDINGS OR USES.

(a) In R₃ Zones, uses and buildings on the property shall be regulated by Principal Uses and Transitional Uses of a Type 1 classification shall comply with the following:

1. No Type 1 accessory building, detached or attached, to a one-family dwelling, except a garage in a bank of earth or on sloping ground (see items 8 and 9), shall be located closer to the street lot line than twenty-two (22) feet.

2. No accessory building, except a garage, on a lot, not exceeding one hundred (100) feet in average width, where the side of such lot abuts a C or M Zone, two-family dwellings are permitted on the property, a new accessory building may be built adjacent to or on a rear or side lot line if the wall along or adjacent to such rear or side lot line is of masonry not less than eight (8) inches in thickness for its full length and width and for the full height of such accessory building.

3. Under the following conditions, any Type 1 accessory building may be built adjacent to or on a rear or side lot line if the wall along or adjacent to such rear or side lot line is of masonry not less than eight (8) inches in thickness for its full length and width and for the full height of such accessory building:

(a) If a detached accessory building is located forty (40) feet or more to the rear of the main building.

(b) If an attached accessory building is located forty (40) feet or more from the front lot line.

(c) If an existing accessory building on the lot adjoining has already been legally built on the property line, a new accessory building may be built to that same property line but no closer to the front property line. Provided, however, a one-story detached garage legally erected alone or adjacent to said lot line before March 1, 1946 may be extended in length not more than four (4) feet with same type of construction as the existing garage if the number of cars to be accommodated is not increased.

4. A detached accessory building shall not encroach upon the required yard or court of any building on the same lot, and if the accessory building is not built up to the lot line in compliance with Item 3 above, it shall be located at least twelve (12) inches from the side and/or rear lot line with four (4) inch allowance for eave or gutter projection and any wall located closer than twelve (12) inches shall be sheathed with two (2) layers of shiplap with joints staggered and covered with finished siding or shakes.

5. Any Type 1 accessory building, detached or attached, if more than one-story, shall not be built up to either side and/or rear lot lines, and shall be subject to the regulations on main lot coverage, yards, courts and setback of a dwelling.
6. No door of an accessory building shall at any point of its travel extend over a street lot line, except an overhead garage door.

7. A garage may be located in a lower story of a dwelling but the garage portion of the dwelling shall not extend over a lot line. The garage shall be at least twenty-two (22) feet from the street lot line, unless the wall of the garage is at least twenty-five (25) feet from the street.

8. The garage may be built closer to an intersection, but the wall of the garage shall be at least twenty-five (25) feet from the street.

9. A detached or attached garage is constructed on a lot sloping downward from a street, the average elevation of the lot being not less than ten (10) feet below the sidewalk level, the front wall of the garage need not set back farther than the average elevation of the lot which is five (5) feet below the sidewalk level. However, in no case shall the front wall of the garage be closer to the street lot line than five (5) feet. Such garage shall not exceed a height of ten (10) feet above the adjacent sidewalk level, shall not exceed one thousand five hundred (1,500) square feet in area.

10. The ground area occupied by all Type 1 accessory buildings on the same lot shall not exceed ten (10) percent of the lot area.

Section 6-1210. TYPE 2: ACCESSORY BUILDING OR USES.
(a) In R5 Zones, uses and buildings on the same lot as an accessory to Principal Uses and Transitional Uses of a Type 2 classification shall comply with the following:
1. No accessory building shall be built closer to any lot line than that required of the Principal or Transitional Use.
2. Such outbuilding shall not exceed fifty (50) feet of any dwelling.
Section 6-1225. USES PERMITTED.

(a) in an E Zone, the following Conditional Uses are permitted subject to the regulations contained in Section 6-1226:

1. Apartment project or unit development.
2. Cemeteries.
3. Churches.
4. Residential buildings accessory to churches.
5. Community clubs.
6. Community centers.
7. Conversions to two-family use.
8. Crematories, mausoleums, and columbarium.
10. Golf courses, other country clubs, and public clubs.
11. Governmental structures and land uses (local, state, or federal) which are essential to the functioning and serving of residential buildings.
12. Greenhouses, nurseries, or other propagation of plants and their products for sale.
13. Home occupations.
15. Hospitals, general.
16. Hospitals, mental, remedial, or detention.
17. Nurses homes or other residential buildings.
19. Mass transit waiting stations or turn-arounds.
22. Parks, public.
23. Public utility structures and lines, which are essential to the functioning and serving of residential neighborhoods.
26. Schools, nursery.
27. Schools, parochial or private.
28. Schools, public.
29. Tract development and sales.
30. Welfare institutions.

(b) CHURCHES:

1. Off-street parking required: One (1) space per eighty-four (84) square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per twelve (12) seats or twenty-four (24) feet of bench length in the main auditorium.

2. Site area: Hereafter, no church shall be established on a site of less than fifteen thousand (15,000) square feet in area. Churches existing on a site less than fifteen thousand (15,000) square feet may be enlarged providing such enlargement shall not reduce the width of yards or increase the building coverage specified in items 3, 4, and 5 below, and provided further that the off-street parking requirements shall be met.
3. Maximum site coverage: Area covered by all buildings shall not exceed thirty (30) per cent of the site area.

4. Minimum front yard: For buildings under fifteen (15) feet in height .................................. 16 feet
   For buildings fifteen (15) feet and higher in height ..................................... 20 feet
   For buildings forty-five (45) feet in height .................................. 25 feet
   For buildings forty-five (45) feet and higher in height .................................. 30 feet
5. Minimum side or rear yard: For buildings under fifteen (15) feet in height .................................. 10 feet
   For buildings fifteen (15) to 24 feet in height .................................. 13 feet
   For buildings 24 to 34 feet in height .................................. 16 feet
   For buildings 35 to 44 feet in height .................................. 20 feet
   For buildings 45 to 54 feet in height .................................. 25 feet
   For buildings 55 to 64 feet in height .................................. 30 feet
   For buildings 65 to 74 feet in height .................................. 35 feet
6. Signs permitted: One (1) sign not to exceed thirty (30) square feet in area and one (1) church bulletin board, not exceeding twenty (20) square feet in area. Neither sign nor bulletin board shall extend above the building height nor over the sidewalk and each must be located on the property of the church. Any illumination shall be indirect and non-flashing.

(c) RESIDENTIAL BUILDINGS
ACCESSORY TO CHURCHES:
1. Off-street parking required: In addition to spaces required for the church, one (1) space shall be provided for each ten (10) persons residing in such buildings.
2. Site area: In addition to required site area for church buildings, a minimum of five thousand (5,000) square feet shall be provided for each ten (10) persons residing in accessory residential buildings.

(d) COLLEGES:
1. Off-street parking required: One (1) space per ten (10) seats in classrooms, in addition, one (1) space per five (5) students housed in dormitories, fraternities or sororities shall be provided.
3. Minimum side or rear yard: No classroom, laboratory, stadium, or other main building shall be erected closer than fifty (50) feet to any side or rear lot line. The side and rear yards for dormitories, fraternities and sororities shall not be less than fifteen (15) feet for a one (1) story building plus five (5) feet for each additional story.
4. Site area: For dormitories, fraternities and sororities not located on the college campus, a minimum of five thousand (5,000) square feet of site area shall be provided for five (5) students residing in such buildings.

(e) COMMUNITY CLUBS:
1. Off-street parking required: One (1) space per eighty-four (84) square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per twelve (12) seats; and twenty-four (24) feet of bench length in the main auditorium.
2. Site area: Hereafter, no community club shall be established on a site of less than fifteen thousand (15,000) square feet in area. Community clubs existing on smaller sites may be enlarged but in no case by more than thirty (30) per cent of the floor area existing on the effective date of this ordinance. Moreover, such enlargement shall not reduce the width of yards or increase the building coverage specified in items 3, 4, and 5 below.
3. Maximum site coverage: Area covered by all buildings shall not exceed thirty (30) per cent of the site area. The owner shall not be granted permission to extend the area coverage thirty (30) per cent more of the frontage of the site area.
4. Minimum front yard: For buildings under forty-five (45) feet in height .................................. 15 feet
   For buildings forty-five (45) feet and higher in height .................................. 30 feet
5. Minimum side or rear yard: For buildings under fifteen (15) feet in height .................................. 10 feet
   For buildings fifteen (15) to 24 feet in height .................................. 13 feet
   For buildings 24 to 34 feet in height .................................. 16 feet
   For buildings 35 to 44 feet in height .................................. 20 feet
   For buildings 45 to 54 feet in height .................................. 25 feet
   For buildings 55 to 64 feet in height .................................. 30 feet
   For buildings 65 to 74 feet in height .................................. 35 feet

(f) CONVERSIONS TO TWO-FAMILY USE:
1. The owner of a one-family dwelling which is by greater size, greater age, obsolete plan, material, construction, large site size, or other features substantially different from the dwellings characterizing the immediate neighborhood, may petition the Commission for special two-family use of such dwelling, and for permission to alter and recondition the premises for such use.
2. Minimum floor area: The alterations shall provide a minimum floor area of eight hundred (800) square feet, excluding of halls and entries, for each family unit to be constructed.
3. Separate and complete sanitary conveniences shall be provided for each family unit.
4. The conversion shall conform to all other regulations governing one-family dwellings in R-2 Zones, except the lot size shall not be less than twenty-five hundred (2,500) square feet per dwelling unit.

(g) EXCAVATING AND FILLING:
1. Excavating or filling or otherwise changing the natural grade as existing on the effective date of this ordinance shall not be more than one hundred (100) cubic yards, if not covered by a building permit, shall be regulated as a Conditional Use.

(b) GOLF COURSES, OTHER COUNTRY CLUBS, AND ATHLETIC CLUBS:
1. Minimum size or rear yards: Club houses, swimming pools, stadiums, and any structures dispensing refreshments or food shall not be closer than one hundred (100) feet to interior lot lines bordering or within an R or A Zone.
2. Miniature golf courses and golf driving ranges are prohibited in R-2 Zones. Such uses are classified as commercial uses and are permitted only in C2 and M Zones.
3. Quarters for animals shall be located at least two hundred (200) feet from any property line bordering or within an R or A Zone.

(i) HOME OCCUPATIONS:
1. Permission to conduct a home occupation shall be limited to periods of two years. The Commission shall have authority to grant permission to one family dwelling for the home occupation or deny continuation, if in the public interest, at the end of the two year period.
2. No enlargements to a dwelling or accessory building for the sole purpose of conducting a home occupation shall be permitted.
3. Signs prohibited: Signs advertising a home occupation or any aspect thereof shall be prohibited. A name plate, not exceeding three-quarters (3/4) square feet in area, indicating only the name of the occupant shall be permitted, however.

(j) CONVALESCENT HOME:
1. Classification: Homes having a capacity of ten (10) or fewer patients and as small as eleven (11) to twenty (20) beds, medium; over twenty (20) to thirty-five (35) beds, large.
2. Off-street parking: One (1) space per five (5) beds.
3. Off-street loading: Large convalescent homes shall provide one (1) berth.
4. Minimum lot area: One thousand (1,000) square feet per bed.
5. Maximum height: Two and one-half (2 1/2) stories or thirty-five (35) feet, except there shall be no limit on buildings more than four hundred (400) feet away from property lines bounding the project.
6. Minimum front yards: Small or medium homes — Fifteen (15) feet, provided, however, that where lots comprising forty (40) per cent or more of the frontage (excluding reversed corner lots) are developed with buildings having front yards with a variation of not more than ten (10) feet in depth, the average of such front yards shall establish the front yard depth for
the entire frontage, in determining such front yard depth, buildings located entirely on the rear one-half of a lot shall not be counted.

Large homes—Twenty-five (25) feet.

7. Minimum side or rear yards: Small homes......Five (5) feet for a one (1) story building, six (6) feet for a two (2) story building, and seven (7) feet for a two and one-half (2½) story building.

Medium homes. Twelve (12) feet large homes. Fifteen (15) feet for a one (1) story building plus five (5) feet for each additional story.

(k) GENERAL HOSPITALS:
1. Off-street parking: One (1) space per two (2) beds.
2. Off-street loading: For any general hospital or five thousand (5,000) square feet of floor area or greater, off-street loading berths shall be provided according to the table below:

<table>
<thead>
<tr>
<th>Square Feet of Floor Area</th>
<th>Loading Berths Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,000 - 39,999</td>
<td>1</td>
</tr>
<tr>
<td>40,000 - 99,999</td>
<td>2</td>
</tr>
<tr>
<td>100,000 - 199,999</td>
<td>3</td>
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<tr>
<td>200,000 - 299,999</td>
<td>4</td>
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<tr>
<td>300,000 - 399,999</td>
<td>5</td>
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<tr>
<td>400,000 - 499,999</td>
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<td>500,000 - 599,999</td>
<td>7</td>
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<td>600,000 - 699,999</td>
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<tr>
<td>700,000 - 799,999</td>
<td>9</td>
</tr>
<tr>
<td>800,000 - 899,999</td>
<td>10</td>
</tr>
<tr>
<td>900,000 - 100,000</td>
<td>11</td>
</tr>
</tbody>
</table>

3. Minimum site area: a. No hospital shall be established on a site less than five (5) acres in area.
b. At least twenty-five hundred (2,500) square feet of lot or site area shall be provided for each patient bed.

4. Maximum height: Two and one-half (2½) stories or thirty-five (35) feet, except there shall be no limit on buildings located more than four hundred (400) feet away from property lines bounding the project.

5. Minimum front yard: Thirty (30) feet.

6. Minimum side or rear yard: Thirty (30) feet.

(m) NURSES HOMES OR OTHER RESIDENTIAL BUILDINGS ACCESSORY TO HOSPITALS: 8.
1. Off-street parking required: F. addition to space required for the hospital one (1) space shall be provided for each ten (10) persons residing in such building.

2. Site area: In addition to site area for hospitals, an area of five thousand (5,000) square feet shall be provided for each ten (10) persons residing in accessory residential buildings.

(n) LIBRARIES:
1. Off-street parking required: One (1) space for four hundred (400) square feet of reading room area.

2. Site area: Hereafter, no library shall be established on a site less than fifteen thousand (15,000) square feet in area.


4. Minimum side or rear yard: Thirty (30) feet.

(o) PUBLIC PARKS:
1. Minimum side or rear yards: Community centers, parks, pools, stadiums and buildings or portions of buildings containing concessions or refreshments or food shall not be closer than one hundred (100) feet to interior lot lines bounding or within an R or A Zone.
(c) PUBLIC UTILITY STRUCTURES:
1. Exempted from these regulations are underground pipes and conduits and above-ground electric transmission, distribution, communication, and control systems, such as overhead lines and poles and metal towers for transmission lines, substations, automatic telephone exchanges, relay stations, pumping stations, and treatment plants shall be regulated as conditional uses.

(a) RAILROAD RIGHTS-OF-WAY AND PASSENGER STATIONS:
1. Establishment and subsequent extensions of rights-of-way for railroad tracks and passenger stations shall be regulated as conditional uses. All other railroad facilities, such as switching yards, holding sidings, team tracks, freight depots, shops, and round houses are prohibited in R-5 zones.

(t) NURSERY SCHOOLS:
1. Off-street parking required: One (1) space per teacher in schools having four (4) or more teachers.
2. Off-street loading required: A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children shall be located outside of the site of any school having four (4) or more teachers. Such driveway shall be paved with material as specified in the Building Code.
3. Outdoor play area: An outdoor play area shall be provided and thereafter maintained with a minimum area of one hundred (100) square feet per child of total enrollment capacity of the school. Screening shall be provided separating such play area from abutting lots. Such screen shall be at least four (4) feet but not more than six (6) feet high and shall be a masonry wall, an ornamental wooden fence, a chain-link type wire fence with evergreen vines, or a compact evergreen hedge.

(u) PRIVATE OR PAROCHIAL ELEMENTARY AND PUBLIC PRIMARY SCHOOLS:
1. Off-street parking required: One (1) space per eighty-four (84) square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per twelve (12) seats or twenty-four (24) feet of bench length in the main auditorium.
2. Site area: For school buildings being enlarged or being constructed for the first time, the area of the site shall not be less than the following:

<table>
<thead>
<tr>
<th>Condition of Land</th>
<th>Classrooms Per Acre</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acquired On:</td>
<td></td>
</tr>
<tr>
<td>60% or more</td>
<td></td>
</tr>
<tr>
<td>vacant</td>
<td></td>
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<tr>
<td>One floor</td>
<td>3.0</td>
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<tr>
<td>60% or more</td>
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<tr>
<td>vacant</td>
<td></td>
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<tr>
<td>Two floors</td>
<td>3.0</td>
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<tr>
<td>Less than 60%</td>
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<tr>
<td>vacant</td>
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<tr>
<td>One floor</td>
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<td>Less than 60%</td>
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<td>vacant</td>
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<tr>
<td>Two floors</td>
<td>4.5</td>
</tr>
</tbody>
</table>

(1) WELFARE INSTITUTION:
1. Off-street parking: One (1) space per fifteen (15) beds for patients or inmates.
2. Off-street loading: For any welfare institution of five thousand (5,000) square feet of floor area or greater, off-street loading berths shall be provided according to the table below:

<table>
<thead>
<tr>
<th>Condition of Land</th>
<th>Classrooms Per Acre</th>
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</thead>
<tbody>
<tr>
<td>Acquired On:</td>
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<tr>
<td>Less than 60%</td>
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<td>vacant</td>
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<tr>
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<td>4.0</td>
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(v) PUBLIC ELEMENTARY SCHOOLS:
1. Off-street parking required: One (1) space per eighty-four (84) square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per twelve (12) seats or twenty-four (24) feet of bench length in the main auditorium.
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<td>vacant</td>
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<tr>
<td>Two floors</td>
<td>4.5</td>
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</tbody>
</table>

(x) TRACT DEVELOPMENT AND SALES:
1. Advertising signs and temporary buildings, such as offices, tool sheds, or similar purposes in connection with tract development and sales, may be permitted provided such use may not continue more than three years, at which time such temporary structures will be removed.
2. Signs and other features of a permanent nature intended to identify and designate the name of a subdivision or tract development are permitted. The Commission may, prior to approval, refer any proposal to its Design Committee for review and suggested changes.

(1) PRIMARY SCHOOLS:
RLE:M:ENTARY AND PUBLIC, WITH

<table>
<thead>
<tr>
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<th>Classrooms Per Acre</th>
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</thead>
<tbody>
<tr>
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<td>3.0</td>
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<tr>
<td>vacant</td>
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(1) WELFARE INSTITUTION:
1. Off-street parking: One (1) space per ten (10) beds for patients or inmates.
2. Off-street loading: For any welfare institution of five thousand (5,000) square feet of floor area or greater, off-street loading berths shall be provided according to the table below:
<table>
<thead>
<tr>
<th>Square Feet of</th>
<th>Loading Berths Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Floor Area</td>
<td></td>
</tr>
<tr>
<td>5,000</td>
<td>35,399</td>
</tr>
<tr>
<td>40,000</td>
<td>59,599</td>
</tr>
<tr>
<td>160,000</td>
<td>223,399</td>
</tr>
<tr>
<td>240,000</td>
<td>318,599</td>
</tr>
<tr>
<td>320,000</td>
<td>353,599</td>
</tr>
<tr>
<td>400,000</td>
<td>489,399</td>
</tr>
<tr>
<td>450,000</td>
<td>575,999</td>
</tr>
<tr>
<td>500,000</td>
<td>655,599</td>
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<tr>
<td>700,000</td>
<td>785,999</td>
</tr>
<tr>
<td>760,000</td>
<td>849,999</td>
</tr>
<tr>
<td>850,000</td>
<td>925,999</td>
</tr>
<tr>
<td>1,020,000</td>
<td>1,029,999</td>
</tr>
</tbody>
</table>

4. Such space shall be available for the parking of operable passenger automobiles only.

5. Such space shall not be rented by the day or part thereof.

6. Such space if unoccupied shall be paved in accordance with the provisions of the Building Code.

7. The provisions of off-street parking space is a continuing obligation of the property owner.

8. A plan, drawn to scale, indicating how the off-street parking requirement is to be fulfilled, shall accompany the request for a building or occupancy permit.

9. Such space shall be improved and made available for use before the issuance of a Certificate of Final Inspection by the Bureau of Buildings.

10. Additional parking spaces provided on the premises shall be regulated as specified in items 3, 5, and 6 above.

11. In an A2.5 Zone, no overnight parking of trucks or other equipment on wheels or tracks exceeding one-half ton capacity used in the conduct of a business activity shall be permitted except vehicles and equipment necessary for farming and truck gardening on the premises.

(b) Apartment dwellings: One (1) space per dwelling unit according to the regulations in Article 36.

Section 6.1404. OFF-STREET LOADING. No off-street loading berths are required of Principal Uses in A2.5 Zones.

Section 6.1405. LOT SIZE REQUIRED.

(a) The minimum lot area shall be five thousand (5,000) square feet for each one-family dwelling

(b) The minimum lot area shall be twenty-five hundred (2,500) square feet per dwelling unit for structures containing two (2) or more dwelling units.

(c) The minimum lot width shall be fifty (50) feet.

(d) The minimum lot depth shall be eighty (80) feet.

(e) No lot, tract, or parcel of land shall be divided by transfer of ownership, inheritance, in area, width, or depth to less than stated in Items (a), (b), (c), and (d) above.

(f) In no case shall there be more than one (1) main dwelling and its accessory buildings constructed on one (1) lot unless such lot be five thousand (5,000) square feet or more in area.

(g) No main dwelling or group of dwellings shall be built or moved onto a lot not abutting a public street.

(h) On a lot located in a subdivision plat duly approved and recorded with the County Clerk, prior to the effective date of this code, in accordance with the City Charter and laws of the State of Oregon, a one-family dwelling may be constructed notwithstanding the requirements of items (a), (c), and (d) in this Section; provided, however, that no construction of a one-family dwelling shall be permitted upon a lot with dimensions less than four thousand (4,000) square feet in area, forty (40) feet in width, and eighty (80) feet in depth unless approved by the Variance Committee as provided in Article 40.

Section 6.1406. MAXIMUM LOT COVERED.

(a) The area covered by all buildings, including accessory buildings, not exceeding one (1) story in height shall not exceed forty-five (45) per cent of the lot area and the area covered by the portions of all buildings exceeding one (1) story in height shall not exceed thirty-five (35) per cent of the lot area.

Section 6.1407. MINIMUM FLOOR AREA PERMITTED.

There shall be no limitation except as regulated by the room size requirements in the Housing Code.

Section 6.1408. MAXIMUM HEIGHT PERMITTED.

(a) No structure shall exceed two (2) or one and one-half (1 1/2) stories, or thirty-five (35) feet in height.

(b) On any lot, sloping downhill from the street, which has an average ground slope on that portion of the lot to be occupied by the main building of twenty-five (25) per cent or more (measured in the general direction of the side lot lines), an additional story may be permitted in such main building, provided the ceiling of the lowest story shall not be more than two (2) feet above the average curb level along the front of the lot.
Section 16-1403 Amended by Ord. No. 110278
Nov 11
(c) Chimneys, radio and television aerials may extend above the thirty-five (35) foot height limit.
Section 6-1400. MINIMUM FRONT YARD.
(a) There shall be a front yard of not less than fifteen (15) feet. Provided, however, that on corner lots, the front yard may be reduced to ten (10) feet at the nearest corner of the said existing building. In determining such front yard depth, buildings located entirely on the rear one-half (1/2) of a lot shall be counted.
(b) Where a lot is situated between two lots, each of which has a main building (within twenty-five (25) feet of its side lot lines) which project beyond the required front yard line and has been so maintained since this code became effective, the front yard requirements on such lot may be the average of the front yard requirements on the said lots.
(c) Where a lot adjoins only one lot having a main building (within twenty-five (25) feet of its side lot lines) which projects beyond the required front yard line and has been so maintained since this code became effective, the front yard requirement on such lot may be the average of the front yard of the said existing building and the established front yard line.
(d) No building permit shall be issued for a building or structure on a lot which abuts a street dedicated to a portion only of its right-of-way and located on that side which has not yet been dedicated or condemned, unless the year after the street dedication, the required yard depth has been maintained since this code became effective.
(e) On corner lots, the front yard along the long dimension of the lot may be reduced to ten (10) feet. In case of a square lot or lot having equal frontage on two intersecting streets, one front yard may be reduced to ten (10) feet providing the other front yard is at least fifteen (15) feet.
Section 6-1410. MINIMUM SIDE YARD.
(a) There shall be a minimum side yard (13) feet of any main building according to height as follows:
For one (1) story........ 5 feet
For one and one-half (1 1/2) stories......... 6 feet
For two (2) stories....... 8 feet
For two and one-half (2 1/2) stories....... 7 feet
(b) Where an entire frontage is designed and constructed as a unit, the required width of side yards with building to lot lines may be varied providing the distance between adjoining buildings equals the total combined width of two adjoining required side yards. This total combined width shall not thereafter be reduced by enlargement of either adjoining building.
(See Article 38 for additional regulations).
Section 6-1411. MINIMUM REAR YARD.
(a) There shall be a minimum rear yard according to the height of the main building as follows:
For one (1) story........ 5 feet
For one and one-half (1 1/2) stories......... 6 feet
For two (2) stories....... 8 feet
For two and one-half (2 1/2) stories....... 7 feet
(See Article 38 for additional regulations).
Section 6-1412. MINIMUM DISTANCE BETWEEN BUILDINGS.
(a) Where apartment houses are grouped as one project on one tract of land, the minimum distance between two buildings at any given point shall not be less than the sum of the required side yards computed separately for each building at that point.
Section 6-1413. SIGNS PERMITTED.
(a) One (1) indirectly lighted or transparent name plate for each dwelling unit, not exceeding twelve (12) square feet in area, indicating the name of the occupant.
(b) One (1) unlighted sign, not exceeding twelve (12) square feet in area, advertising the dwelling unit for sale or rent.
(c) Advertising signs or features permanently identifying the tract development or a housing project shall be regulated as a Conditional Use (see Section 6-1421 to 6-1426 (v)).
(d) Sign or signs, unlighted or indirectly lighted, not exceeding six (6) square feet in total area, indicating the name of an apartment house.
Section 6-1414. USES PERMITTED.
(a) On a lot, not exceeding one hundred (100) feet in width, where the side of such lot abuts C2, C or M Zone, apartment dwellings are permitted on minimum lot area per dwelling unit of two hundred (200) square feet.
Sections 6-1415. OTHER REGULATIONS.
(a) Parking, yards, and all other regulations applicable to Principal Uses in A1 Zones shall apply.
Buildings Accessory to Principal and Transitional Uses
Section 6-1416. GENERAL.
(a) No separate permit shall be issued for the construction of any type of accessory building on or to that of the main dwelling.
Section 6-1417. HEIGHT.
(a) No accessory building shall exceed two (2) stories in height.
Section 6-1418. CLASSIFICATIONS.
(a) Accessory buildings permitted in A2.5 Zones shall be divided into four types, as follows:
Type 1: Garage, carport, studio, parcel, private greenhouse or other similar structure related to dwelling in design, whether attached or detached.
Type 2: A guest house, servant's house, caretaker's quarters or any such accessory building used for dwelling purposes.
Type 3: Woodshed, tool shed, chicken house, rabbit hutch, and other such outbuildings of utilitarian character and not necessarily related in design to the dwelling.
Type 5: Swimming pool, tennis court, or any type of home recreational facility.
Section 6-1419. Type 1: ACCESSORY BUILDINGS OR USES.
(a) In A2 Zones, accessory buildings on the same lot accessory to Principal Uses and Transitional Uses of a Type 1 classification shall comply with the following:
1. No Type 1 accessory building, detached or attached, to a one-family dwelling, except a garage in a bank of earth or on sloping ground (see items 8 and 9), shall be located closer to the street lot line than twenty-two (22) feet.
2. No accessory building, except a garage in a bank of earth or on sloping ground (see items 8 and 9), shall be located in the street corner quarter of a corner lot.
3. Under the following conditions, any Type 1 accessory building may be located ten (10) feet or more to or on a rear and/or side lot line if the wall along or adjacent to such rear and/or side lot line is of masonry not less than eight (8) inches in thickness for its full height, width and for the full height of such accessory building.
4. If an attached accessory building is located forty (40) feet or more from the front lot line.
When a detached or attached garage is located on a lot sloping downward from a street, the average elevation of the lot need not be less than ten (10) feet below the sidewalk level, the front wall of the garage need not set back farther from the street line nor have an average contour elevation line of the lot which is five (5) feet below the sidewalk level. However, in no case shall the front wall of the garage be closer to the street lot line than five (5) feet. Such garage shall not exceed a height of ten (10) feet above the adjacent sidewalk level, shall not encroach upon the required yard of any building on the same lot, unless it is built up to the side lot line and complies with item 2 above.

The ground area covered by all Type 1 accessory buildings on the same lot as one or two-family dwelling shall not exceed ten (10) per cent of the lot area.

Covered structures shall not be located closer to the natural shore line than required by the Principal Uses or Transition Al Uses of a Type 5 classification.

Section 6-1422. AUTHORITY. Upon approval by the Commission in accordance with the procedure specified herein, one or more of the Conditional Uses listed in Section 6-1425 may be permitted in any A2.5 Zone. In permitting such uses, the Commission shall determine the proper location as desirable to the public convenience and welfare and not detrimental or injurious to the public health, peace or safety or to the character of the surrounding neighborhood or the City as a whole. Such conditions may include such requirements under which any future enlargement or alteration of the use shall be reviewed by the Commission and new conditions imposed.

Condition of use, expansion or contract of site area, or alteration of structures of Conditional Uses existing prior to the effective date of this ordinance, shall conform to all regulations pertaining to the Code and the Health and Sanitation Code, shall not be located within fifty (50) feet of any dwelling.
Section 6-1434 Amended by Ord. No. 110782
Section 6.1435. PROCEDURE.
Written applications for the approval of the uses referred to in this section shall be filed in the Planning Commission's office upon a form or in a manner that is prescribed by the Commission. The application shall be accompanied by a site plan showing the dimensions and arrangement of the proposed development or changes in an existing Conditional Use. The Commission may require other drawings, topographic surveys, photographs, or other material essential to an understanding of the proposed use and its relationship to surrounding properties.

The fee for such application shall be fifty dollars ($50.00) except the following: Conversions to two-family use, thirty-five dollars ($35.00); Moving of buildings, twenty dollars ($20.00); Home occupations, ten dollars ($10.00); Excavations, five dollars ($5.00). Fees shall be payable to the City Treasurer and shall not be returned in any case. No fee shall be charged for home occupation renewal permits, which are required.

Applications for Conditional Uses shall be signed by the owner of the property or his authorized agent. The City Auditor shall compile a list of the names and addresses of all persons owning personal real property within the Affected Area. The Affected Area is all real property located within lines three hundred (300) feet (exclusive of street widths) from and parallel to the boundaries of the Conditional Use. In the case of home occupations, the distance defining the Affected Area shall be one hundred (100) feet.

The Commission shall hold a public hearing on each application for a Conditional Use. The Commission shall notify the Auditor of the date of the public hearing, and the Auditor shall mail notice of the public hearing to all property owners within the Affected Area at least fourteen (14) days prior to the date of the hearing.

The Commission shall make its findings and determination in writing within sixty (60) days from the date of filing of an application and shall forthwith transmit a copy thereof to the applicant and the Bureau of Buildings. Upon application for the establishment of a Conditional Use or with any subsequent application for change or expansion of such use, the Commission may approve a master or long-term development plan for such Conditional Use and so inform the Bureau of Buildings that building permits may be issued as long as they conform with the approved master development plan without the necessity of a Conditional Use approval each time a building permit is requested. No decision of the Commission under this section shall become effective until after an elapsed period of fourteen (14) days from the date the written determination is made, during which time the applicant, or any other person aggrieved, may appeal therefrom to the Council. The Council may affirm, reverse or modify In whole or In part the Commission's ruling and may impose such conditions as it may find warranted.

Section 6.1426. USES PERMITTED.
1. In an A2.5 Zone, the following Conditional Uses are permitted subject to the regulations contained in Section 6.1427.
   a. Churches:
   b. Cemeteries
   c. Churches
   d. Community clubs
   e. Crematories, mausoleums, and columbariums
   f. Excavations and filling
   g. Golf courses, other country clubs, and athletic clubs
   h. Governmental structures and land uses (local, state, or federal) which are essential to the functioning and service of residential neighborhoods.
   i. Greenhouses, nurseries, or other propagation of plants and their products for sale
   j. Home occupations
   k. Hospitals, convalescent
   l. Hospitals, mental, remedial, or detention
   m. Nurse homes or other residential buildings accessory to hospitals
   n. Libraries
   o. Mass transit waiting stations or turn-arounds
   p. Moving of buildings
   q. Museums
   r. Parks, public
   s. Public utility structures and lines, which are essential to the functioning and service of residential neighborhoods
   t. Radio and television transmitters
   u. Railroad rights-of-way and passenger stations
   v. Schools, nursery
   w. Schools, parochial or private
   x. Schools, public
   y. Street development and sales
   z. Welfare institutions.

Section 6.1427. REGULATIONS.
The Commission shall determine the specific regulations and conditions governing Conditional Use at the time of approval. However, the regulations listed below shall be considered minimum or maximum requirements, as the case may be, and shall apply to the particular Conditional Uses mentioned. The Commission shall have authority to increase or decrease said minimum requirements and to specify other types of requirements if in the public interest and if necessary to protect the surrounding residential neighborhoods. Such conditions as are imposed shall bind any successors and shall not be affected by any subsequent transfer of ownership.

In case regulations differing from those governing Principal Uses permitted in A2.5 Zones are not specified in this Article nor in the written instrument approving a Conditional Use by the Commission or the Council, then the regulations governing Principal Uses shall also govern Conditional Use insofar as applicable. (Additional regulations governing parking, loading, and yard requirements for Conditional Uses are contained in Articles 36, 37, and 38).

(a) CHURCHES:
1. Off-street parking required: One (1) space per eighty-four (84) square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per twelve (12) seats or twenty-four (24) feet of bench length in the main auditorium.

2. Site area: Hereafter, no church shall be established on a site of less than fifteen thousand (15,000) square feet in area. Churches existing on a site less than fifteen thousand (15,000) square feet may be enlarged providing such enlargement shall not reduce the width of yards or increase the build coverage specified in items 3, 4, and 5 below, and provided further that the off-street parking requirements shall be met.

3. Maximum site coverage: Area covered by all buildings shall not exceed forty (40) per cent of the site area.
4. Minimum front yard:
   a. For buildings under forty-five (45) feet in height ,... 15 feet
   b. For buildings forty-five (45) feet and higher in height ,... 30 feet
5. Minimum side or rear yard:
   a. For buildings under fifteen (15) feet in height ,... 30 feet
   b. For buildings 15 to 24 feet in height ,... 12 feet
For buildings 25 to 24 feet in height......18 feet
For buildings 35 to 44 feet in height......20 feet
For buildings 45 to 53 feet in height......25 feet
For buildings 55 to 64 feet in height......30 feet
For buildings 66 to 74 feet in height......40 feet
5. Signs permitted: One (1) sign not to exceed seven (7) feet in length or fifteen (15) square feet in area and one (1) church bulletin board, not exceeding twenty (20) square feet in area. Neither sign nor bulletin board shall extend above the building height nor over the sidewalk and must be located on the property of the church. Any illumination shall be indirect and non-flashing.

(b) RESIDENTIAL BUILDINGS ACCESSORY TO CHURCHES:
1. Off-street parking required: In buildings required for the church, one (1) space shall be provided for each ten (10) persons residing in such building.
2. Site area: In addition to required site area for church buildings, a minimum of five thousand (5,000) square feet shall be provided for each twenty (20) persons residing in accessory residential buildings.
4. Minimum side or rear yard: No classroom, laboratory, stadium, or other main building shall be erected closer than fifty (50) feet to any side or rear lot line. The side and rear yards for dormitories, fraternity, or sorority houses shall be as provided for each twenty (20) persons residing in accessory residential buildings.
5. No enlargements to a home occupation shall be permitted. One (1) story building plus five (5) feet for each additional story.
6. Site area: For dormitories, fraternity, or sorority houses not located on or contiguous to the college campus, a minimum of five thousand (5,000) square feet of site area shall be provided for each twenty (20) persons residing in such buildings.
7. Minimum site coverage: Area covered by all buildings shall not exceed thirty (30) per cent of the site area.
8. Minimum front yard: For buildings under forty-five (45) feet in height...15 feet
For buildings forty-five (45) feet and higher in height......20 feet
9. Minimum side or rear yard: For buildings under fifteen (15) feet in height......10 feet
For buildings 15 to 24 feet in height......18 feet
For buildings 25 to 34 feet in height......16 feet
For buildings 35 to 44 feet in height......20 feet
10. EXCAVATING AND FILLING:
   1. Excavating or filling or otherwise changing the natural grade as existing on the effective date of this ordinance by more than one hundred (100) cubic yards, if not covered by a building permit, shall be regulated as a Conditional Use.
11. GOLF COURSES, OTHER COUNTRY CLUBS, AND ATHLETIC CLUBS:
   Minimum site or rear yards: Club houses, swimming pools, stadiums, and any other structure dispensing refreshments or food shall not be closer than one hundred (100) feet to interior lot lines bordering or within an R or A Zone.
12. Miniature golf courses and golf driving ranges are prohibited in A2 and R zones. Such uses are classified as commercial uses and are permitted only in C2 and M zones.
13. Quarters for animals shall be located at least two hundred (200) feet from any property line bordering or within an R or A Zone.
14. HOME OCCUPATIONS:
   1. Permission to conduct a home occupation shall be limited to periods of twenty (20) years. The Commission shall have authority to grant permission to extend the home occupation, by five years extension, if in the public interest, at the end of the two-year period.
2. No enlargements to a dwelling or accessory building for the sole purpose of conducting a home occupation shall be permitted.
3. Signs prohibited: Signs advertising a home occupation or any aspect thereof shall be prohibited. A name plate, not exceeding thirty-two (32) square feet in area, indicating only the name of the occupant shall be permitted, however.
15. CONVYALESCENT HOME:
   1. Classification: Homes having a capacity of ten (10) or fewer patients who are classified as small; eleven (11) to twenty (20) beds, medium; and twenty (20) or more beds, large.
2. Off-street parking: One (1) space per five (5) beds.
### 4. Maximum height

Two and one-half (1 1/2) stories or thirty-five (35) feet, except there shall be no limit on buildings located more than four hundred (400) feet away from property lines bounding the project.

### 5. Minimum front yard

Thirty (30) feet.

### 6. Minimum side or rear yard

Thirty (30) feet.

### MENTAL REMEDIAL, OR DETENTION HOSPITALS:

1. Off-street parking: One (1) space per two (2) beds.

2. Off-street loading: For any mental remedial, or detention hospital of five thousand (5,000) square feet of floor area or greater, loading berths shall be provided according to the table below:

<table>
<thead>
<tr>
<th>Square Feet</th>
<th>Loading Berths Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,000 - 9,999</td>
<td>5</td>
</tr>
<tr>
<td>10,000 - 19,999</td>
<td>10</td>
</tr>
<tr>
<td>20,000 - 49,999</td>
<td>15</td>
</tr>
<tr>
<td>50,000 - 99,999</td>
<td>20</td>
</tr>
<tr>
<td>100,000 - 199,999</td>
<td>25</td>
</tr>
</tbody>
</table>

3. Minimum site area:

(a) No hospital shall be established on a site of less than five thousand (5,000) square feet in area.

(b) At least twenty-five hundred (2,500) square feet of lot or site area shall be provided for each patient bed.

4. Maximum height: Two and one-half (2 1/2) stories or thirty-five (35) feet, except there shall be no limit on buildings located more than four hundred (400) feet away from property lines bounding the project.

5. Minimum front yard: Thirty (30) feet.

6. Minimum side or rear yard: Thirty (30) feet.

### NURSES HOMES OR OTHER RESIDENTIAL BUILDINGS ACCESSORY TO HOSPITALS:

1. Off-street parking required. In addition to space required for the hospital, one (1) space shall be provided for each ten (10) persons residing in such building.

2. Site area: In addition to required site area for hospitals, a minimum of five thousand (5,000) square feet shall be provided for each ten (10) persons residing in accessory residential buildings.

### LIBRARIES:

1. Off-street parking required. One (1) space per four hundred (400) square feet of reading room area.

2. Site area: Hereafter, no library shall be established on a site of less than fifteen thousand (15,000) square feet in area. Libraries existing on a site of less than fifteen thousand (15,000) square feet may be enlarged, but in no case by more than twenty (20) per cent of the floor area existing on the effective date of this ordinance. Moreover, such enlargement shall not reduce the width of yards or increase the building coverage specified in Items 3, 4, and 5 below.

### MINIMUM SITE COVERAGE

1. Maximum site coverage: Area covered by all buildings shall not exceed thirty (30) per cent of the site area.

2. Minimum front yard: For buildings under twenty (20) feet in height, the front yard shall be at least fifteen (15) feet.

3. Minimum side or rear yard: For buildings under thirty (30) feet in height, the side or rear yard shall be at least twenty-five (25) feet.

4. Minimum front yard: For buildings under forty-five (45) feet in height, the side or rear yard shall be at least thirty (30) feet.

5. Minimum site area:

(a) MOVING OF BUILDINGS:

1. A building or structure moved to a location within an A.25 Zone shall conform to off-street parking, lot size, minimum yards, maximum height, and all other applicable provisions in the A.25 Zone.

2. Upon completion of the moving of the building, the owner shall proceed immediately to bring the building into compliance with all requirements of the Building, Housing, Plumbing and Zoning Codes and other applicable ordinances, and all such ordinances shall be complied with not later than six (6) months from the date of the permit for the moving.

(b) MUSEUMS:

1. Site area: Hereafter, no museum shall be established on a site of less than fifteen thousand (15,000) square feet in area. Museums existing on a site less than fifteen thousand (15,000) square feet may be enlarged, but in no case by more than twenty (20) per cent of the floor area existing on the effective date of this ordinance. Moreover, such enlargement shall not reduce the width of yards or increase the building coverage specified in Items 3, 4, and 5 below.

2. Minimum site coverage: Area covered by all buildings shall not exceed thirty (30) per cent of the site area.

3. Minimum front yard: For buildings under forty-five (45) feet in height, the front yard shall be at least fifteen (15) feet.

4. Minimum side or rear yard: For buildings under forty-five (45) feet in height, the side or rear yard shall be at least thirty (30) feet.

5. Minimum site area:

(a) PUBLIC PARKS:

1. Site area: Hereafter, no public park shall be established on a site of less than five thousand (5,000) square feet in area. Public parks existing on a site less than five thousand (5,000) square feet may be enlarged, but in no case by more than twenty (20) per cent of the floor area existing on the effective date of this ordinance. Moreover, such enlargement shall not reduce the width of yards or increase the building coverage specified in Items 3, 4, and 5 below.

(b) RAILROAD RIGHTS-OF-WAY AND PASSENGER STATIONS:

1. Establishment and subsequent extensions of rights-of-way for trains and passenger stations shall be regulated as Conditional Uses. All other railroad facilities, such as switching yards, holding tracks, team tracks, freight depots, shops, and round houses are prohibited in A.25 Zones.

(c) NURSERY SCHOOLS:

1. Off-street parking required. One (1) space per twenty-five (25) children for schools having four (4) or more teachers.

2. Off-street loading required: A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children shall be located on the site of any school having four (4) or more teachers. Such driveway shall be paved with material as specified in the Building Code.

3. Outdoor play area: An outdoor play area shall be provided and thereafter maintained with a minimum area of one hundred (160) square feet per child of total enrollment capacity of the school.

Screening shall be provided separating such play area from abutting lots. Such screen shall be at least four (4) feet.
Feet but not more than six (6) feet high and shall be a masonry wall, an ornamental wooden fence, a chain-link type wire fence with evergreen vines, or a compact evergreen hedge.

(e) PRIVATE OR PAROCHIAL ELEMENTARY AND PUBLIC PRIMARY SCHOOL:
1. Off-street parking required: One (1) space per eighty-four (84) square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per twelve (12) seats or twenty-four (24) feet of bench length in the main auditorium.

2. Site area: For school buildings being enlarged or being constructed for the first time, the area of the site shall not be less than the following:

- Maximum Number of Class-
  rooms of Land rooms Per Acquired
  40% or more vacant One floor 2.5
  60% or more vacant Two floors 2.5
  Less than 60% vacant One floor 3.5
  Less than 60% vacant Two floors 4.5

Playground space in a public park adjoining the school site, not separated by a public street, may be included as part of the school site area providing such space is made available by agreement with the Bureau of Parks.

Minimum front yard: Thirty (30) feet.

Minimum side or rear yard: For buildings under 35 feet in height, twenty (20) feet.

Minimum side or rear yard: For buildings 35 feet to 44 feet in height, thirty (30) feet.

Minimum side or rear yard: For buildings 45 feet to 60 feet in height, forty (40) feet.

Minimum side or rear yard: For buildings over 60 feet in height, fifty (50) feet.

Minimum side or rear yard: For buildings under 35 feet in height, twenty (20) feet.

Minimum side or rear yard: For buildings 35 feet to 44 feet in height, thirty (30) feet.

Minimum side or rear yard: For buildings 45 feet to 60 feet in height, forty (40) feet.

Minimum side or rear yard: For buildings over 60 feet in height, fifty (50) feet.

(v) PUBLIC ELEMENTARY SCHOOL:
1. Off-street parking required: One (1) space per eighty-four (84) square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per twelve (12) seats or twenty-four (24) feet of bench length in the main auditorium.

2. Site area: For school buildings being enlarged or being constructed for the first time, the area of the site shall not be less than the following:

- Maximum Number of Class-
  rooms of Land rooms Per Acquired
  60% or more vacant One floor 2.8
  65% or more vacant Two floors 2.8
  Less than 65% vacant One floor 3.8
  Less than 65% vacant Two floors 4.8

Playground space in a public park adjoining the school site, not separated by a public street, may be included as part of the school site area providing such space is made available by agreement with the Bureau of Parks.

Minimum front yard: Thirty (30) feet.

Minimum side or rear yard: For buildings under 35 feet in height, twenty (20) feet.

Minimum side or rear yard: For buildings 35 feet to 44 feet in height, thirty (30) feet.

Minimum side or rear yard: For buildings 45 feet to 60 feet in height, forty (40) feet.

Minimum side or rear yard: For buildings over 60 feet in height, fifty (50) feet.

(vi) PUBLIC HIGH SCHOOLS:
1. Off-street parking required: One (1) space per fifty-six (56) square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per eight (8) seats or sixteen (16) feet of bench length in the main auditorium.


3. Minimum side or rear yard: For buildings under 15 feet in height, twenty (20) feet.

4. Minimum side or rear yard: For buildings 15 feet to 24 feet in height, thirty (30) feet.

5. Minimum side or rear yard: For buildings 25 feet to 34 feet in height, forty (40) feet.

6. Minimum side or rear yard: For buildings 35 feet to 44 feet in height, fifty (50) feet.

(vii) TRACT DEVELOPMENT AND SALES:
1. Advertising signs and temporary buildings, such as offices, tool sheds, or similar purposes in connection with tract development and sales, may be permitted provided such use may not continue more than three years, at which time such temporary structures will be removed.

2. Signs and other features of a permanent nature intended to identify and designate the name of a subdivision or tract development are permitted. The Commission may, prior to approval, refer any proposal to its Design Committee for review and suggested changes.

(w) WELFARE INSTITUTION:
1. Off-street parking: One (1) space per ten (10) beds for patients or inmates.

2. Off-street loading: For any welfare institution located in five thousand (5,000) square feet of floor area or greater, off-street loading berths shall be provided according to the table below:

<table>
<thead>
<tr>
<th>Square Feet of Floor Area</th>
<th>Loading Berths</th>
</tr>
</thead>
<tbody>
<tr>
<td>600,000 - 799,999</td>
<td>11</td>
</tr>
<tr>
<td>700,000 - 899,999</td>
<td>12</td>
</tr>
<tr>
<td>800,000 - 999,999</td>
<td>13</td>
</tr>
<tr>
<td>900,000 - 1,030,000</td>
<td>14</td>
</tr>
</tbody>
</table>

3. Minimum side area: No institution shall be established on a site of less than twenty thousand (20,000) square feet of area.

4. Maximum height: Two and one-half (2½) stories or thirty-five (35) feet, except there shall be no limit on buildings located more than four hundred (400) feet away from property lines bounding the project.

5. Minimum front yard: Thirty (30) feet.

6. Minimum side or rear yard: Thirty (30) feet.

Prohibited Uses
Section 6-107, GENERAL PROHIBITION. Uses of structures and land not specifically mentioned in this Article are prohibited in all A2.5 Zones. The use of automobile trailer houses as residences is prohibited in all A2 Zones. Such trailers are below the room size, ceiling height, and other regulations in the Housing Code.

Article 15
A1 APARTMENT
main RESIDENTIAL ZONE
Section 6-1001, GENERAL REQUISITE. In all A1 Zones, the use of land and structures; the location and erection of new structures; and the alteration, enlargement, or moving of existing structures shall conform in all respects to the following regulations.
business activity shall be permitted except vehicles and equipment necessary for farming and truck gardening on the premises.

- (b) Apartment dwellings: Three (3) spaces per four (4) dwelling units.
- (c) Boarding and rooming houses: One (1) space per set of accommodations for each five (5) guests.
- (d) Motels and hotels: One (1) space per guest room or suite.
- (e) Parking as required in items (b), (c), and (d) above shall be regulated by Article 38.

Section 6-1504. OFF-STREET LOADING REQUIRED.

(a) Apartment dwellings three (3) or more stories high and having fifty (50) or more dwelling units shall provide off-street loading berths according to the number of dwelling units as follows:
- Fifty (50) to ninety-nine (99) units: One (1) loading berth.
- One hundred (100) to one hundred ninety-nine (199) units: Two (2) loading berths.
- Two hundred (200) units or more: Three (3) loading berths.
- (b) For motels and hotels of five thousand (5,000) square feet of gross floor area or greater, off-street loading berths shall be provided according to the table below:

<table>
<thead>
<tr>
<th>Square Feet of Floor Area</th>
<th>Loading Berths Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,000 - 25,999</td>
<td>1</td>
</tr>
<tr>
<td>26,000 - 59,999</td>
<td>2</td>
</tr>
<tr>
<td>60,000 - 125,999</td>
<td>3</td>
</tr>
<tr>
<td>130,000 - 219,999</td>
<td>4</td>
</tr>
<tr>
<td>220,000 - 379,999</td>
<td>5</td>
</tr>
<tr>
<td>380,000 - 799,999</td>
<td>6</td>
</tr>
<tr>
<td>800,000 - 1,499,999</td>
<td>7</td>
</tr>
<tr>
<td>Over 1,500,000</td>
<td>8</td>
</tr>
</tbody>
</table>

(c) Off-street loading as required in items (a) and (b) above shall be regulated by Article 37.

Section 6-1506. MAXIMUM LOT COVERAGE.

(a) No structure shall exceed three (3) stories, or forty-five (45) feet in height, except there shall be no height limit on any structure located on a public street, or side lot lines.

(b) On any lot sloping downhill from the street, which has an average ground slope on that portion of the lot to be occupied by the main building of twenty-five (25) per cent or more (measured in the general direction of the lot lines), no additional story may be permitted in such main building, provided the ceiling of such upper story shall not be more than two (2) feet above the average curb level along the front of the lot.

(c) Chimneys, radio and television aerials may extend above the forty-five (45) foot height limit.
Section 6.15.03
Amended by Crd. No. 110328
Section 6-1509. MINIMUM FRONT YARD.
(a) There shall be a front yard of not less than (5) feet. Provided, however, that where lots containing forty (40) percent or more of the front (exclusive of corner lots) are developed with buildings having front yards with a depth of (10) feet in depth, the average of such front yards shall establish the front yard depth for the entire frontage. In determining such front yard depth, buildings located entirely or partly on the rear one-half of a lot shall not be counted.
(b) Where a lot is situated between two lots, each of which has a main building (within twenty-five (25) feet of its side lot line) which projects beyond the required front yard line and has been so maintained since this code became effective, the front yard requirements on such lot may be the average of the front yards of said existing buildings.
(c) Where a lot adjoins only one lot having a building (within twenty-five (25) feet of its side lot line) which projects beyond the required front yard line, and has been so maintained since this code became effective, the front yard requirements on such lot may be the average of the front yard of the said existing buildings, and the established front yard line.
(d) No building permit shall be issued for a building or structure on a lot which abuts a street dedicated to a portion only of its required front yard line and located on that side which has not yet been dedicated or condemned, unless the yards provided on such lot include both that portion of the lot lying within the future street and the required yards.
(e) On corner lots, the front yard along the long dimension of the lot may be reduced to ten (10) feet. In case of a square lot or lot having equal frontage on two intersecting front yard lines, one front yard may be reduced to ten (10) feet providing the other front yard be reduced to fifteen (15) feet.

Section 6-1510. MINIMUM SIDE YARD.
(a) There shall be a minimum side yard on each side of any main building varying according to height as follows:
(b) Where an entire frontage is designed and constructed as a unit, the required width of side yards with respect to lot lines may be varied providing the distance and adjoining buildings equal the total combined width of two adjoining required side yards. The total combined width shall not thereafter be reduced by enlargement of either adjoining building.
(See Article 38 for additional regulations.)

Section 6-1511. MINIMUM REAR YARD.
(a) There shall be a minimum rear yard varying according to the height of the main building as follows:
(b) Where a lot is situated between two lots, each of which has a main building (within twenty-five [25] feet of its side lot line) which projects beyond the required front yard line and has been so maintained since this code became effective, the front yard requirements on such lot may be the average of the front yards of said existing buildings.
(c) Where a lot adjoins only one lot having a building (within twenty-five [25] feet of its side lot line) which projects beyond the required front yard line, and has been so maintained since this code became effective, the front yard requirements on such lot may be the average of the front yard of the said existing buildings, and the established front yard line.
(d) No building permit shall be issued for a building or structure on a lot which abuts a street dedicated to a portion only of its required front yard line and located on that side which has not yet been dedicated or condemned, unless the yards provided on such lot include both that portion of the lot lying within the future street and the required yards.
(e) On corner lots, the front yard along the long dimension of the lot may be reduced to ten (10) feet. In case of a square lot or lot having equal frontage on two intersecting front yard lines, one front yard may be reduced to ten (10) feet providing the other front yard be reduced to fifteen (15) feet.

Section 6-1512. MINIMUM DISTANCE BETWEEN BUILDINGS.
(a) Where apartment houses are grouped as one project on one tract of land, the minimum distances between two buildings at any given point shall not be less than the sum of the required side yards computed separately for each building at that point.

Section 6-1513. SIGNS PERMITTED.
(a) One (1) indirectly lighted or non-flashing illuminated name plate for each dwelling unit, not exceeding three-quarters (3/4) foot in area, indicating the name of the occupant.
(b) One (1) unlighted sign, not exceeding twelve (12) square feet in area, advertising the dwelling for sale or rent.
(c) Advertising signs or features permanently identifying the tract or development or a housing project shall be regulated as a Conditional Use (see Section 6-1522 to 6-1525 (v)).
(d) Sign or signs, non-flashing illuminated, or non-flashing non-illuminated, not exceeding twenty (20) square feet in total area, indicating the name of a motel or hotel.
(e) Sign or signs, non-illuminated or non-flashing non-illuminated, not exceeding twelve (12) square feet in total area, indicating the name of an apartment house or boarding home.

Section 6-1514. GENERAL.
(a) No accessory building shall exceed two (2) stories in height.

Section 6-1515. HEIGHT.
(a) No accessory building shall exceed two (2) stories in height.

Section 6-1516. CLASSIFICATIONS.
(a) Accessory buildings permitted in AI Zones shall be classified into five types, as follows:
Type 1: A detached accessory building shall not encroach upon the required yard or court of any building on the same lot, and if the necessary building is not built up to the lot line in compliance with Item 3 above, it shall be located at least beginning March 4, 1948 may be extended in length not more than four (4) feet with same type of construction as the existing garage if the number of cars to be accommodated is not increased.

4. A detached accessory building shall not encroach upon the required yard or court of any building on the same lot, and if the necessary building is not built up to the lot line in compliance with Item 3 above, it shall be located at least beginning March 4, 1948 may be extended in length not more than four (4) feet with same type of construction as the existing garage if the number of cars to be accommodated is not increased.

5. The Type 4 accessory building shall not encroach upon the required yard or court of any building on the same lot, and if the necessary building is not built up to the lot line in compliance with Item 3 above, it shall be located at least beginning March 4, 1948 may be extended in length not more than four (4) feet with same type of construction as the existing garage if the number of cars to be accommodated is not increased.

6. The Type 4 accessory building shall not encroach upon the required yard or court of any building on the same lot, and if the necessary building is not built up to the lot line in compliance with Item 3 above, it shall be located at least beginning March 4, 1948 may be extended in length not more than four (4) feet with same type of construction as the existing garage if the number of cars to be accommodated is not increased.

7. The Type 4 accessory building shall not encroach upon the required yard or court of any building on the same lot, and if the necessary building is not built up to the lot line in compliance with Item 3 above, it shall be located at least beginning March 4, 1948 may be extended in length not more than four (4) feet with same type of construction as the existing garage if the number of cars to be accommodated is not increased.

8. The Type 4 accessory building shall not encroach upon the required yard or court of any building on the same lot, and if the necessary building is not built up to the lot line in compliance with Item 3 above, it shall be located at least beginning March 4, 1948 may be extended in length not more than four (4) feet with same type of construction as the existing garage if the number of cars to be accommodated is not increased.

9. The Type 4 accessory building shall not encroach upon the required yard or court of any building on the same lot, and if the necessary building is not built up to the lot line in compliance with Item 3 above, it shall be located at least beginning March 4, 1948 may be extended in length not more than four (4) feet with same type of construction as the existing garage if the number of cars to be accommodated is not increased.

10. The Type 4 accessory building shall not encroach upon the required yard or court of any building on the same lot, and if the necessary building is not built up to the lot line in compliance with Item 3 above, it shall be located at least beginning March 4, 1948 may be extended in length not more than four (4) feet with same type of construction as the existing garage if the number of cars to be accommodated is not increased.

11. The Type 4 accessory building shall not encroach upon the required yard or court of any building on the same lot, and if the necessary building is not built up to the lot line in compliance with Item 3 above, it shall be located at least beginning March 4, 1948 may be extended in length not more than four (4) feet with same type of construction as the existing garage if the number of cars to be accommodated is not increased.

12. The Type 4 accessory building shall not encroach upon the required yard or court of any building on the same lot, and if the necessary building is not built up to the lot line in compliance with Item 3 above, it shall be located at least beginning March 4, 1948 may be extended in length not more than four (4) feet with same type of construction as the existing garage if the number of cars to be accommodated is not increased.

13. The Type 4 accessory building shall not encroach upon the required yard or court of any building on the same lot, and if the necessary building is not built up to the lot line in compliance with Item 3 above, it shall be located at least beginning March 4, 1948 may be extended in length not more than four (4) feet with same type of construction as the existing garage if the number of cars to be accommodated is not increased.

14. The Type 4 accessory building shall not encroach upon the required yard or court of any building on the same lot, and if the necessary building is not built up to the lot line in compliance with Item 3 above, it shall be located at least beginning March 4, 1948 may be extended in length not more than four (4) feet with same type of construction as the existing garage if the number of cars to be accommodated is not increased.

15. The Type 4 accessory building shall not encroach upon the required yard or court of any building on the same lot, and if the necessary building is not built up to the lot line in compliance with Item 3 above, it shall be located at least beginning March 4, 1948 may be extended in length not more than four (4) feet with same type of construction as the existing garage if the number of cars to be accommodated is not increased.

16. The Type 4 accessory building shall not encroach upon the required yard or court of any building on the same lot, and if the necessary building is not built up to the lot line in compliance with Item 3 above, it shall be located at least beginning March 4, 1948 may be extended in length not more than four (4) feet with same type of construction as the existing garage if the number of cars to be accommodated is not increased.

17. The Type 4 accessory building shall not encroach upon the required yard or court of any building on the same lot, and if the necessary building is not built up to the lot line in compliance with Item 3 above, it shall be located at least beginning March 4, 1948 may be extended in length not more than four (4) feet with same type of construction as the existing garage if the number of cars to be accommodated is not increased.

18. The Type 4 accessory building shall not encroach upon the required yard or court of any building on the same lot, and if the necessary building is not built up to the lot line in compliance with Item 3 above, it shall be located at least beginning March 4, 1948 may be extended in length not more than four (4) feet with same type of construction as the existing garage if the number of cars to be accommodated is not increased.
5. Any Type 1 accessory building, attached or detached, if more than thirty-two feet high, shall not be built up to either side and/or rear lot lines, and shall be subject to the requirements of setback, coverage, yard, and courts of a Principal Use.

6. No door of an accessory building shall be located at any point of its travel extend over a street lot line except an overhead garage door.

7. A garage may be located in a lower story of a dwelling but the garage portion of the dwelling, except when in a bank of earth or on sloping ground: See items 8 and 9, shall not be built closer to a street lot line than the building wall at the side or above unless the wall of the garage portion is at least twenty-two (22) feet from the street lot line. No motor vehicle door of such garage shall be located less than twenty-five (25) feet from the corner of a lot where two streets intersect.

8. A detached or attached garage, not exceeding five hundred and fifty (550) square feet in area, may be constructed in a natural bank of earth without regard to front yard regulations, provided all exterior walls of the garage, with the exception of the front wall, are concealed by the earth for not less than seventy-five (75) per cent of their separate areas. The height of the highest part of the garage shall not exceed thirty (30) feet above the floor level of the garage.

9. When a detached or attached garage is located on a lot sloping downward from a street, the average elevation of the lot being measured (3) feet below the sidewalk level, the front wall of the garage need not set back further from the street lot line than the average contour elevation line of the lot which is five (5) feet below the sidewalk elevation. It is provided, however, that in no case shall the front wall of the garage be closer to the street lot line than five (5) feet. Such garage shall not exceed a height of ten (10) feet above the adjacent sidewalk level, which shall not exceed the required yard of any building on the same lot, unless it is built up to the side lot line and complies with item 3 above.

10. The ground area covered by all Type 1 accessory buildings on the same lot of a one or two-family dwelling shall not exceed ten (10) per cent of the lot area.

Section 6-1515. TYPE 2: ACCESSORY BUILDINGS OR USES. (a) In A1 Zones, uses and buildings on the same lot accessory to Principal Uses of a Type 2 classification shall comply with the following:

1. No Type 2 accessory building shall be built on a lot less than nine thousand (9,000) square feet in area.

2. If located to the rear of the main dwelling, a Type 2 accessory building shall be separated from the main dwelling by at least sixty (60) feet.

3. Type 2 accessory buildings shall conform in location on the lot to side, rear, and front yard regulations for Principal Uses.

Section 6-1519. TYPE 2: ACCESSORY BUILDINGS OR USES. (a) In A1 Zones, uses and buildings on the same lot accessory to Principal Uses of a Type 2 classification shall comply with the following:

1. No Type 2 accessory building shall be located closer than twenty-five (25) feet to a street lot line.

2. Such building shall not encroach upon a required yard of another building on the same lot. No outbuilding from any such outbuilding to a rear or side lot line shall be the same as for a detached garage of the same size.

3. The combined area of all Type 2 accessory buildings on the same lot or property shall not exceed in ground area one-twentieth (1/20) of the area of the lot on which such buildings are situated.

4. An outbuilding used for keeping chickens, pigeons, rabbits, goats or other animals, in addition to complying with the regulations of the Building Code and the Health and Sanitation Code, shall not be located within fifty (50) feet of any dwelling.

5. If built higher than twenty-five (25) feet, barns, silos, and other agricultural buildings shall be located as far from any lot line as the height of the structure.

Section 6-1520. TYPE 4: ACCESSORY BUILDINGS OR USES. (a) In A1 Zones, uses and buildings on the same lot accessory to Principal Uses of a Type 4 classification shall comply with the following:

1. Any structure shall be located five (5) feet or more from a side lot line.

2. Covered structures shall be located adjacent to the natural shores.

3. Covered structures shall not occupy more than fifty (50) per cent of the width of the lot at the natural shore.

4. Any boat using such moorage shall not be used as a place of residence when so moored.

Section 6-1521. TYPE 5: ACCESSORY BUILDINGS OR USES. (a) In A1 Zones, uses and buildings on the same lot accessory to Principal Uses of a Type 5 classification shall comply with the following:

1. Where such accessory use is under a roof or contains a structure, said roof or structure shall not be located closer to any lot line than that required of the Principal Use.

Conditional Use. Section 6-1522. AUTHORITY. Upon approval by the Commission, in accordance with the procedure specified herein, one or more of the Conditional Uses listed in Section 6-1521 may be permitted in any A1 Zone. In permitting such uses, the Commission shall determine the purposes for which the use shall be permitted, the kind and extent of such uses, and any conditions or restrictions as it deems necessary to preserve the public convenience and welfare and not detrimental or injurious to the public health, peace, order, safety or to the character of the surrounding neighborhood. However, churches and elementary or primary schools, whether public or private, are permitted in any A1 Zone, provided the site location is found by the Commission to be appropriate for such use.

In permitting such use, the Commission may impose, in addition to the conditions herein specified, such conditions and restrictions as it deems necessary to protect the best interests of the surrounding property or neighborhood or the City as a whole. Such conditions may include requirements under which an enlargement or alteration of the use shall be reviewed by the Commission.

Change in use, expansion or contraction of site area, or alteration of structures of Conditional Uses existing prior to the effective date of this ordinance, shall conform to all regulations pertaining to such Conditional Uses as contained herein and to such additional conditions or restrictions as are required to prevent overcrowding the site and to protect the surrounding residential neighborhood.

Section 6-1523. PROCEDURE. Written applications for the approval of the use referred to in this section shall be filed in the Planning Commission's office upon forms prescribed for that purpose by the Commission. The application shall be accompanied by a site plan showing the dimensions and arrangement of the proposed development or changes in an existing Conditional Use. The Commission may require other drawings, topographic surveys, photographs, or other maps, plans and data to an understanding of the proposed use and its relationship to surrounding properties.
The fee for such application shall be fifty dollars ($50.00) except the following: conditional use, twenty dollars ($20.00); excavations, twenty dollars ($20.00); moving of buildings, twenty dollars ($20.00); home occupation, ten dollars ($10.00); and street parking, five dollars ($5.00). Fees shall be payable to the city treasurer and shall not be returnable in any case. No fee shall be charged for home occupation renewal permits, which are required every two years.

Applications for Conditional Uses shall be signed by the owner of the property or his authorized agent. The city auditor shall compile a list of the names and addresses of all persons owning real property within the affected area. The affected area is all real property located within lines three hundred (300) feet (exclusive of street widths) from and parallel to the boundaries of the conditional use. In the case of home occupations, the distance defining the affected area shall be one hundred (100) feet.

The commission shall hold a public hearing on each application for a conditional use. The commission shall notify the auditor of the date of the public hearing and the address shall mail notices of the public hearing to all property owners within the affected area at least fourteen (14) days prior to the date of the hearing. The commission shall make its findings and determinations in writing within sixty (60) days from the date of filing of an application and shall forthwith transmit a copy thereof to the applicant and the bureau of buildings. Upon application for the establishment of a conditional use or with any subsequent application for change or expansion of such use, the commission may approve a master or long-term development plan for such conditional use and so inform the bureau of buildings that building permits may be issued as long as they conform with the approved master development plan without the necessity of a conditional use approval each time a building permit is requested.

No decision of the commission under this section shall become effective until an elapsed period of fourteen (14) days from the date the written determination is made or, if the applicant or any other person aggrieved, may appeal therefrom to the council. The council may affirm, reverse, or modify in whole or in part the commission's ruling on such condition on finding it may be warranted.

Section 6-1634, USES PERMITTED.

(a) In an A1 zone, the following conditional uses are permitted subject to the regulations contained in section 6-1635:

1. Cemeteries: two (2) feet.
2. Churches: one hundred (100) feet.
3. Residential buildings accessory to churches.
4. Colleges: one hundred (100) feet.
5. Community clubs.
6. Crematories, mausoleums, and columbariums.
7. Excavation and filling.
8. Golf courses, other country clubs, and athletic clubs:
9. Governmental structures and land uses (local, state, or federal) which are essential to the functioning and servicing of residential neighborhoods.
10. Greenhouses, nurseries, or other propagation of plants and their products for sale.
11. Home occupations.
12. Homes, convalescent.
13. Hospitals, general.
14. Hospitals, mental, remedial, or detention.
15. Nurses homes or other residential buildings accessory to hospitals.
16. Libraries.
17. Lodges, fraternal organizations, or private clubs.
19. Mass transit waiting stations or turn-arounds.
20. Museums.
22. Public utility structures and lines essential to the functioning and servicing of residential neighborhoods.
23. Radio and television transmitters.
25. Schools, parochial or private.
26. Schools, public.
27. Schools, professional or private.
28. Tract development and sales.
29. Welfare institutions.

Section 6-1635, REGULATIONS.

The commission shall determine the specific regulations and conditions governing each conditional use at the time of approval. However, the regulations listed below shall be the minimum or maximum requirements, as the case may be, and shall apply to the particular conditional use as mentioned. The commission shall have the authority to increase these minimum requirements or specify other types of requirements if in the public interest and if necessary to protect the surrounding residential neighborhood.

Such conditions as are imposed shall bind any successors and shall not be affected by any subsequent transfer of ownership.

In case regulations differing from those governing principal uses permitted in A1 zones are not specified in this article nor in the written instrument approving a conditional use by the commission or the council, then the regulations governing principal uses shall also govern such conditional use insofar as applicable. (additional regulations governing parking, loading, and yard requirements for conditional uses are contained in articles 9, 14, and 18.)

(a) CHURCHES:
1. Off-street parking required: One (1) space per eighty-four (84) square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per twelve (12) seats or twenty-four (24) feet of bench length in the main auditorium.

2. Site area: Hereafter, no church shall be established on a site of less than fifteen thousand square feet in area. Churches existing on a site less than fifteen thousand square feet may be enlarged providing such enlargement shall not reduce the width of yards or increase the building coverage specified in items 3, 4, and 5 below, and provided further that the off-street parking requirements shall be met.

3. Maximum site coverage: Area covered by all buildings shall not exceed forty (40) per cent of the site area.

4. Minimum front yard: For buildings under forty-five (45) feet in height, 15 feet. For buildings forty-five (45) feet and higher, 30 feet.

5. Minimum side, or rear yard: For buildings under fifteen (15) feet in height, 10 feet. For buildings 15 to 24 feet in height, 13 feet. For buildings 25 to 34 feet in height, 16 feet. For buildings 35 to 44 feet in height, 20 feet. For buildings 45 to 54 feet in height, 26 feet. For buildings 55 to 64 feet in height, 35 feet. For buildings 65 to 74 feet in height, 45 feet.
4. Signs permitted: One (1) sign not to exceed seven (7) feet in length nor fifteen (15) square feet in area and one (1) church bulletin board. In addition, one (1) bulletin board shall be provided for each ten (10) persons residing in such building.

5. Site area: In addition to required site area for church buildings, a minimum of five thousand (5,000) square feet shall be provided for each twenty (20) persons residing in a college or residential buildings.

(b) RESIDENTIAL BUILDINGS ACCESSORY TO CHURCHES:
1. Off-street parking required: In addition to spaces required for the church, one (1) space shall be provided for each ten (10) persons residing in such building.
2. Site area: In addition to required site area for church buildings, a minimum of five thousand (5,000) square feet shall be provided for each twenty (20) persons residing in such college or residential buildings.

(c) COLLEGES:
1. Off-street parking required: One (1) space per ten (10) seats in classrooms. In addition, one (1) space per five (5) students housed in dormitories, fraternity, sorority or sororities shall be provided.
2. Minimum side or rear yard:
   - For (1) story building ........................................... 20 feet
   - For (2) story building ........................................... 25 feet
   - For (3) story building ........................................... 30 feet
3. Site area: For dormitories, fraternity, sorority or sororities not located on or contiguous to the college campus, a minimum of five thousand (5,000) square feet of site area shall be provided for each twenty (20) persons residing in such buildings.

(d) COMMUNITY CLUBS:
1. Off-street parking required: One (1) space per eighty-four (84) square feet of floor area in the auditorium; or where seating is fixed to the floor, one (1) space per twelve (12) square feet of floor area in the auditorium.
2. Site area: Hereafter, no community club shall be established on a site of less than fifteen thousand (15,000) square feet in area. Community clubs existing on smaller sites may be enlarged but in no case by more than twenty (20) percent of the floor area existing on the effective date of this ordinance. Moreover, no enlargement shall not reduce the width of yards or increase the building coverage as specified in Items 5, 4, and 5 below.
3. Maximum site coverage: Area covered by all buildings shall not exceed thirty-five (35) percent of the site area.
4. Minimum side or rear yard: For buildings under 15 feet in height: ............... 10 feet
   For buildings 16 to 24 feet in height .................................. 12 feet
   For buildings 26 to 44 feet in height .................................. 15 feet
   For buildings 46 to 64 feet in height ................................. 20 feet

(6) EXCAVATING AND FILLING:
1. Excavating or filling or otherwise changing the natural grade or excavating the effective date of this ordinance by more than one hundred (100) cubic yards, if not covered by a building permit, shall be regulated as a Conditional Use.

(f) GOLF COURSES, OTHER COUNTRY CLUBS, AND ATHLETIC CLUBS:
1. Minimum side or rear yards:
   - Club houses, swimming pools, stadiums, and any other structure dispensing refreshments or food shall not be closer than one hundred (100) feet to interior lot lines bordering or within an R or A Zone.
   - Miniature golf courses and golf driving ranges are prohibited in A1 Zones. Such uses are classified as commercial uses and are permitted only in C2 and M Zones.
   - Quarters for animals shall be located at least two hundred (200) feet from any property line bordering or within all R Zones.
2. Minimum height: Three (3) stories or forty-five (45) feet, except there shall be no limit on buildings located more than four hundred (400) feet from any lot line.
3. Maximum height: Three (3) stories or forty-five (45) feet, except there shall be no limit on buildings located more than four hundred (400) feet from any lot line. The Commission shall have authority to permit, in the public interest, a building of more than five (5) stories, at the end of the two-year period.
4. No enlargements to a dwelling or accessory building for the sole purpose of conducting a home occupation shall be permitted.
5. Signs permitted: One (1) illuminated or non-illuminated sign, not exceeding three (3) square feet in area, advertising a home occupation.

(h) CONVALESCENT HOME:
1. Classification: Homes having a capacity of ten (10) or fewer patient beds are classed as small; eleven (11) to twenty (20) beds medium; over twenty (20) beds, large.
2. Off-street parking: One (1) space per five (5) beds.
3. Off-street loading: Large convalescent homes shall provide one (1) loading space per five (5) beds.
4. Maximum height: Three (3) stories or forty-five (45) feet, except there shall be no limit on buildings located more than four hundred (400) feet away from property lines bounding the project.
5. Minimum side or rear yards: Large homes, Fifteen (15) feet for a one (1) story building plus five (5) feet for each additional story.

(i) GENERAL HOSPITALS:
1. Off-street parking: One (1) space per two (2) beds.
2. Off-street loading: For any general hospital of five thousand (5,000) square feet of floor area or greater, off-street loading berths shall be provided according to the following table:

<table>
<thead>
<tr>
<th>Square Feet of Floor Area</th>
<th>Loading Berths Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,000 - 9,999</td>
<td>1</td>
</tr>
<tr>
<td>10,000 - 19,999</td>
<td>2</td>
</tr>
<tr>
<td>20,000 - 29,999</td>
<td>3</td>
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<tr>
<td>30,000 - 39,999</td>
<td>4</td>
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<tr>
<td>40,000 - 49,999</td>
<td>5</td>
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<tr>
<td>50,000 - 59,999</td>
<td>6</td>
</tr>
<tr>
<td>60,000 - 69,999</td>
<td>7</td>
</tr>
<tr>
<td>70,000 - 79,999</td>
<td>8</td>
</tr>
<tr>
<td>80,000 - 89,999</td>
<td>9</td>
</tr>
<tr>
<td>90,000 - 99,999</td>
<td>10</td>
</tr>
<tr>
<td>Over 100,000</td>
<td>11</td>
</tr>
</tbody>
</table>

(j) MENTAL, REMEDIAL, OR DETENTION HOSPITALS:
1. Off-street parking: One (1) space per ten (10) beds.
2. Off-street loading: For any mental, remedial, or detention hospital of five thousand (5,000) square feet of floor area or greater, off-street loading berths shall be provided according to the table below:

<table>
<thead>
<tr>
<th>Square Feet of Loading Berths Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,000 - 9,999</td>
</tr>
<tr>
<td>10,000 - 19,999</td>
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<tr>
<td>20,000 - 29,999</td>
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<td>30,000 - 39,999</td>
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<td>40,000 - 49,999</td>
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<td>60,000 - 69,999</td>
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<td>70,000 - 79,999</td>
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<tr>
<td>80,000 - 89,999</td>
</tr>
<tr>
<td>90,000 - 99,999</td>
</tr>
<tr>
<td>Over 100,000</td>
</tr>
</tbody>
</table>

3. Minimum site area:
(a) No hospital shall be established on a site of less than five (5) acres in area.
(b) At least one (1) thousand (1,000) square feet of lot or site area shall be provided for each patient bed.
4. Maximum height: Three (3) stories or forty-five (45) feet, except there shall be no limit on buildings located more than four hundred (400) feet from R6, R7, R8, A2.5, C5, or C4 Zones.
5. Minimum front yard: Thirty (30) feet.
6. Minimum side or rear yard:
   - For one (1) story building .................................. 20 feet
   - For two (2) story building .................................. 25 feet
   - For three (3) story building .................................. 30 feet
   - For four (4) story building ................................. 35 feet

(k) VETERANS' HOMES:
1. Off-street parking: One (1) space per twenty (20) beds.
2. Off-street loading: Large veterans' homes shall provide one (1) loading space per forty-five (45) beds.
3. Maximum height: Three (3) stories or forty-five (45) feet, except there shall be no limit on buildings located more than four hundred (400) feet from R6, R7, R8, A2.5, C5, or C4 Zones.
4. Minimum site area:
(a) No veterans' home shall be established on a site of less than five (5) acres in area.
(b) At least one (1) thousand (1,000) square feet of lot or site area shall be provided for each patient bed.
5. Minimum front yard: Thirty (30) feet.
6. Minimum side or rear yard:
   - For one (1) story building .................................. 20 feet
   - For two (2) story building .................................. 25 feet
   - For three (3) story building .................................. 30 feet
   - For four (4) story building ................................. 35 feet

(l) CORRECTIONAL INSTITUTIONS:
1. Off-street parking: One (1) space per ten (10) beds.
2. Off-street loading: For any correctional institution of five thousand (5,000) square feet of floor area or greater, off-street loading berths shall be provided according to the following table:

<table>
<thead>
<tr>
<th>Square Feet of Loading Berths Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,000 - 9,999</td>
</tr>
<tr>
<td>10,000 - 19,999</td>
</tr>
<tr>
<td>20,000 - 29,999</td>
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<td>30,000 - 39,999</td>
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<td>40,000 - 49,999</td>
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<td>60,000 - 69,999</td>
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<td>70,000 - 79,999</td>
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<td>80,000 - 89,999</td>
</tr>
<tr>
<td>90,000 - 99,999</td>
</tr>
<tr>
<td>Over 100,000</td>
</tr>
</tbody>
</table>
(k) NURSES HOMES OR OTHER RESIDENTIAL BUILDINGS ACCESSIBLE TO HOSPITALS:
1. Off-street parking required: In addition to space required for the hospital, one (1) space shall be provided for each ten (10) persons residing in such building.
2. Site area: In addition to required site area for hospitals, a minimum of five thousand (5,000) square feet shall be provided for each twenty (20) persons residing in accessory residential buildings.

(i) LIBRARIES:
1. Off-street parking required: One (1) space per four hundred (400) square feet of reading room.

(m) LODGES, FRATERNAL ORGANIZATIONS, OR PRIVATE CLUBS:
1. Such use shall be operated for the benefit of members only and not as a business.
2. Off-street parking required: One (1) space per three hundred (300) square feet of gross floor area.
3. Maximum site coverage: Area covered by all buildings shall not exceed thirty-five (35) percent of the frontage.
4. Minimum front yard: For buildings under forty-five (45) feet height: 15 feet. For buildings forty-five (45) feet and higher in height: 30 feet.
5. Minimum side or rear yard: For buildings under 15 feet in height: 10 feet. For buildings 15 to 34 feet in height: 13 feet. For buildings 35 to 44 feet in height: 16 feet. For buildings 45 to 54 feet in height: 20 feet. For buildings 55 to 64 feet in height: 35 feet. For buildings 65 to 74 feet in height: 45 feet.
6. Screened openings for signs, illuminated or non-illuminated, not exceeding six (6) square feet in area, indicating the name of the organization.

(n) MOVING OF BUILDINGS:
1. A building or structure moved to a location within an A1 Zone shall conform to off-street parking, lot size, minimum yards, maximum height, and all other applicable provisions in the A1 Zone.
2. Upon completion of the moving of the building, the owner shall proceed immediately to bring the building into compliance with all requirements of the Building, Housing, Plumbing and Zoning Codes and other applicable administration and all such ordinances shall be complied with not later than six (6) months from the date of the permit for the moving. Provided that in the building as constructed, calling height, room area, minimum area, and general arrangement of rooms and similar structural forms shall not be required to comply with existing regulations.

(o) PUBLIC PARKS:
1. Minimum side or rear yards: Community centers, swimming pools, tennis courts, buildings or portions of buildings containing concessions dispensing refreshments, and not exceeding one hundred (100) feet to interior lot lines bordering or within an R or A Zone.
2. Off-street parking required: One (1) space per eighty-four (84) square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per twelve (12) seats or twenty-four (24) feet of bench length in the main auditorium.
3. Site area: For school buildings being enlarged or being constructed for the first time, the area of the site shall not be less than the following:

<table>
<thead>
<tr>
<th>Condition</th>
<th>Class-</th>
<th>Class-</th>
<th>Per</th>
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<tbody>
<tr>
<td></td>
<td>Land</td>
<td>rooms</td>
<td>Acru</td>
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<td>60% or</td>
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<td>more</td>
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<tr>
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<td>One</td>
<td>floor</td>
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<td>60% or</td>
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<tr>
<td>vacant</td>
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<td>60%</td>
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</tr>
<tr>
<td>vacant</td>
<td>Two</td>
<td>floors</td>
<td>4.0</td>
</tr>
</tbody>
</table>

(q) RAILROAD RIGHTS-OF-WAY AND PASSENGER STATIONS:
1. Establishment and subsequent extensions of rights-of-way for tracks and passenger stations shall be regulated as Conditional Uses. All other railroad facilities, such as switching yards, holding tracks, track teams, freight depots, shops, and roundhouses are prohibited in A1 Zones.

(r) NURSERY SCHOOLS:
1. Off-street parking required: One (1) space per teacher in schools having four (4) or more teachers.
2. Off-street loading required: A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children shall be located on the site of any school having four (4) or more teachers. Such driveway shall be paved with material as specified in the Building Code.
3. Outdoor play area: An outdoor play area shall be provided and therefor surrounded with a minimum area of one hundred (100) square feet per child of total enrollment capacity of the school.
4. Screening shall be provided separating such play area from abutting lots. Such screen shall be at least four (4) feet but not more than six (6) feet high and shall be a masonry wall, an ornamental wooden fence, a chain-link type wire fence with evergreen vines, or a compact evergreen hedge.

(2) PRIVATE OR PAROCHIAL ELEMENTARY AND PUBLIC PRIMARY SCHOOLS:
1. Off-street parking required: One (1) space per eighty-four (84) square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per twelve (12) seats or twenty-four (24) feet of bench length in the main auditorium.
2. Site area: For school buildings being enlarged or being constructed for the first time, the area of the site shall not be less than the following:

<table>
<thead>
<tr>
<th>Condition</th>
<th>Class-</th>
<th>Class-</th>
<th>Per</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Land</td>
<td>rooms</td>
<td>Acru</td>
</tr>
<tr>
<td>60% or</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>more</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>vacant</td>
<td>One</td>
<td>floor</td>
<td>2.5</td>
</tr>
<tr>
<td>60% or</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>more</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>vacant</td>
<td>Two</td>
<td>floors</td>
<td>2.5</td>
</tr>
<tr>
<td>Less than</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>60%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>vacant</td>
<td>One</td>
<td>floor</td>
<td>1.9</td>
</tr>
<tr>
<td>Less than</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>60%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>vacant</td>
<td>Two</td>
<td>floors</td>
<td>4.0</td>
</tr>
</tbody>
</table>
Playground space in a public park adjoining the school site, not separated by a public street, may be included as part of the school site. No such space is made available by agreement with the Bureau of Parks.

3. Minimum side or rear yard:
   - For buildings under 16 feet in height: 20 feet
   - For buildings 16 to 24 feet in height: 25 feet
   - For buildings 25 to 34 feet in height: 30 feet
   - For buildings 35 to 44 feet in height: 35 feet

(u) PRIVATE, PAROCHIAL, OR PUBLIC HIGH SCHOOLS:
1. Off-street parking required:
   - One (1) space per eight (8) seats or sixteen (16) feet of bench length in the auditorium.

2. Minimum side or rear yard:
   - For buildings under 16 feet in height: 20 feet
   - For buildings 16 to 24 feet in height: 25 feet
   - For buildings 25 to 34 feet in height: 30 feet
   - For buildings 35 to 44 feet in height: 35 feet

(v) TRACT DEVELOPMENT AND SALES:
1. Advertising signs and temporary buildings, such as offices, tool sheds, or similar purposes in connection with tract development and sales, may be permitted provided such use may not continue more than three years, at which time such temporary structures will be removed.

2. Signs and other features of a permanent nature intended to identify and designate the name of a subdivision or tract development are permitted. The Commission may, prior to approval, refer any proposal to its Design Committee for review and suggested changes.

(w) WELFARE INSTITUTION:
1. Off-street parking: One (1) space per ten (10) beds for patients or inmates.

2. Off-street loading: For any welfare institution having fifteen (15) square feet of floor area or greater, off-street loading berths shall be provided according to the table below:

<table>
<thead>
<tr>
<th>Square Feet of Floor Area</th>
<th>Loading Berths Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,000 - 9,999</td>
<td>1</td>
</tr>
<tr>
<td>10,000 - 15,999</td>
<td>2</td>
</tr>
<tr>
<td>16,000 - 24,999</td>
<td>3</td>
</tr>
<tr>
<td>25,000 - 39,999</td>
<td>4</td>
</tr>
<tr>
<td>40,000 - 69,999</td>
<td>5</td>
</tr>
<tr>
<td>70,000 - 99,999</td>
<td>6</td>
</tr>
<tr>
<td>100,000 - 129,999</td>
<td>7</td>
</tr>
</tbody>
</table>

3. Maximum height: Three (3) stories or forty-five (45) feet except where there shall be no limit on buildings located more than four hundred (400) feet from R16, R7, R5, AE2, C5, or C4 Zones.

4. Minimum side or rear yard:
   - For one (1) story building: 20 feet
   - For two (2) story building: 25 feet
   - For three (3) story building: 30 feet
   - For four (4) story building: 35 feet

6. Such space shall be available for the parking of portable passenger automobiles only.

7. Such space shall not be rented to the day or part thereof.

8. Such space if unoccupied shall be paved in accordance with the provisions of the Building Code.

9. The provision and maintenance of off-street parking space is a continuing obligation of the property owner.

10. A plan, drawn to scale, indicating how the off-street parking requirements shall be fulfilled, shall accompany the request for a building or occupancy permit.

11. Such space shall be improved and made available for use before the issuance of a Certificate of Final Inspection by the Bureau of Buildings.

10. Additional parking spaces provided on the premises shall be regulated as specified in items 4, 6, and 7 above.

11. In an A0 Zone, no overnight parking of trucks or other equipment on wheels or tracks exceeding one-half ton capacity used in the conduct of a business activity shall be permitted except vehicles and equipment necessary for farming and truck gardening on the premises.

(b) Apartment dwellings of three or four units, or larger.

(c) Apartment dwellings of five or more units:

1. For one (1) and two (2) room apartment units: One (1) parking space per five (5) units.

2. For three (3) or more room apartment units: One (1) parking space per five (5) units.

12. In an A0 Zone, no overnight parking of trucks or other equipment on wheels or tracks exceeding one-half ton capacity used in the conduct of a business activity shall be permitted except vehicles and equipment necessary for farming and truck gardening on the premises.

(d) Boarding and rooming houses: One (1) space per five (5) guests.

(e) Hotels: One (1) space per guest room or suite.
Fifty (50) to ninety-nine (99) units .......................... 1 berth
One hundred (100) to one hundred ninety-nine
(199) units .................................. 2 berths
Two hundred (200) units or more ............................ 3 berths

(b) For hotels of five thousand (5,000) square feet of
gross floor area or greater, off-
street loading berths shall be
provided according to the table below:

<table>
<thead>
<tr>
<th>Square Feet</th>
<th>Loading Berths</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,000 - 9,999</td>
<td>1</td>
</tr>
<tr>
<td>10,000 - 19,999</td>
<td>2</td>
</tr>
<tr>
<td>20,000 - 29,999</td>
<td>3</td>
</tr>
<tr>
<td>30,000 - 39,999</td>
<td>4</td>
</tr>
<tr>
<td>40,000 - 49,999</td>
<td>5</td>
</tr>
<tr>
<td>50,000 - 59,999</td>
<td>6</td>
</tr>
<tr>
<td>60,000 - 69,999</td>
<td>7</td>
</tr>
<tr>
<td>Over 70,000</td>
<td>8</td>
</tr>
</tbody>
</table>

(c) Off-street loading as required in items (a) and (b) above shall
be regulated by Article 27.

Section 6-1606. MINIMUM LOT SIZE REQUIRED.

(a) One-family dwelling: Five
thousand (5,000) square feet.
(b) One, two, and three-story houses
existing on the effective
date of this ordinance which
hereafter are converted or altered
to more than one dwelling unit, the minimum lot
shall be one thousand
(1,000) square feet per dwelling unit.
(c) For apartment dwelling,
boarding and rooming houses,
hotels, and motels, the minimum
lot size shall be determined by
the gross floor area within
such buildings as specified in
Section 6-1607.
(d) The minimum lot width
shall be fifty (50) feet.
(e) The minimum lot depth
shall be eighty (80) feet.
(f) No lot, tract, or parcel of land
shall be reduced by transfer of
ownership, immediate or future,
in area, width, or depth to less
than stated in items (a) to (e),
inclusive above.
(g) In no case shall there be more
than one (1) unlike dwelling and
its accessory buildings constructed
on one (1) lot unless such lot is
five thousand (5,000) square feet or
more in area.
(h) No dwelling nor group of
dwellings shall be built or moved
onto a lot not abutting a public street.
(i) On a lot located in
a subdivision plat duly
approved and recorded
with the County Clerk,
prior to the effective
date of this code, in
accordance with the
City Charter and laws
of the State of Oregon,
a one-family dwelling
may be constructed
without the
requirements of items
(a), (d), and (e) in
this Section, provided,
however, that no con-
struction of a one-
family dwelling shall
be permitted upon a
lot with dimensions
less than four thousand
(4,000) square feet,
and eighty (80) feet in
width until approved
by the Variance
Committee as provided
in Article 40.

Section 6-1606. MAXIMUM LOT
COVERAGE.

(a) The area covered by one-fami-
ly dwellings of one, two, and
three-story houses converted
to multi-family dwellings after
the effective date of this
ordinance, together with accessory
buildings, shall not exceed one-thousand
(1,000) square feet per apartment unit.
(b) There shall be no limitation
on other structures except as
regulated by the maximum floor
area permitted. See Section 6-1607.

Section 6-1607. MAXIMUM
EIFFOR AREA PERMITTED.

(a) The gross floor area of a
main building or group of main
buildings shall not exceed the
site area by more than the fol-
lowing ratios:

<table>
<thead>
<tr>
<th>Ratio of Gross Floor Area to Site Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 15,000 square feet</td>
</tr>
<tr>
<td>15,000 to 19,999 square feet</td>
</tr>
<tr>
<td>20,000 to 29,999 square feet</td>
</tr>
<tr>
<td>30,000 to 39,999 square feet</td>
</tr>
<tr>
<td>40,000 square feet or more</td>
</tr>
</tbody>
</table>

Section 6-1608. MAXIMUM
HEIGHT PERMITTED.

(a) There shall be no limitation
except as regulated by the maxi-
mum floor area permitted. See
Section 6-1607.

Section 6-1609. MINIMUM
FRONT YARD.

(a) There shall be a front yard
of not less than ten (10) feet.
Provided, however, that where lots
comprising forty (40) per cent or
more of the frontage (excluding
reversed corner lots) are de-
developed with buildings having front
yards with a variation of not
more than ten (10) feet in depth,
the average of such front yards
shall establish the front yard
depth for the entire frontage. In
determining such front yard
depth, buildings built exclusively
on the rear one-half of a lot shall
not be counted.

(b) Where a lot is situated be-
tween two lots, each of which has
a main building within twenty-
five (25) feet of its side lot lines
which projects beyond the
required front yard line and has
been so maintained since this
code became effective, the front
yard requirements on such lot may
be the average of the front yards
of said existing buildings.
(c) Where a lot adjoins only one
lot having a building within
twenty-five (25) feet of its side
lot lines which projects beyond
the required front yard line and
has been so maintained since this
code became effective, the front
yard requirement on such lot may
be the average of the front yard
of the said existing building and
the established front yard line.
(d) No building permit shall be
issued for a building or structure
on a lot which abuts a street
dedicated to a portion only of its
required width and located on
that side which has not yet been
dedicated or condemned, unless
the yards provided on said lot
include both that portion of the
lot lying within the future street
and the required front yard.

Section 6-1610. MINIMUM SIDE
YARD.

(a) There shall be a minimum
side yard on the side of any
main building varying according
to height as follows:

<table>
<thead>
<tr>
<th>Height</th>
<th>Minimum Side Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 story</td>
<td>6 feet</td>
</tr>
<tr>
<td>2 stories</td>
<td>7 feet</td>
</tr>
<tr>
<td>3 stories</td>
<td>8 feet</td>
</tr>
</tbody>
</table>

(b) Where a building is more
than thirty (30) feet high
above the elevation of the
street
(c) Where a building is more
than forty (40) feet high
above the elevation of the
street

(d) The minimum side yard
shall be seven (7) feet plus
two (2) feet additional for each
story over two (2).

(e) (See Article 5 for additional
regulations.)

Section 6-1611. MINIMUM REAR
YARD.

(a) There shall be a minimum
rear yard varying according to
the height of the main building
as follows:

<table>
<thead>
<tr>
<th>Height</th>
<th>Minimum Rear Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 story</td>
<td>8 feet</td>
</tr>
<tr>
<td>2 stories</td>
<td>9 feet</td>
</tr>
<tr>
<td>3 stories</td>
<td>10 feet</td>
</tr>
</tbody>
</table>

(b) Where a building is more
than thirty (30) feet high
above the elevation of the
street
(c) Where a building is more
than forty (40) feet high
above the elevation of the
street

(d) The minimum rear yard
shall be seven (7) feet plus
two (2) feet additional for each
story over two (2).

(e) (See Article 5 for additional
regulations.)

Section 6-1612. MINIMUM
DISTANCE BETWEEN BUILDINGS.

(a) Where apartment houses are
grouped as one project on one
tract of land, the minimum dis-
tances between buildings at any
given point shall not be less
than the sum of the required
side yards computed separately
for each building at that point.

(b) One (1) indirectly lighted
or transparency name plate for each
dwelling unit.

(c) One (1) indirectly lighted
or transparency name plate for each
dwelling unit.

(d) One (1) indirectly lighted
or transparency name plate for each
dwelling unit.

(e) One (1) indirectly lighted
or transparency name plate for each
dwelling unit.

(f) One (1) indirectly lighted
or transparency name plate for each
dwelling unit.

(g) One (1) indirectly lighted
or transparency name plate for each
dwelling unit.

(h) One (1) indirectly lighted
or transparency name plate for each
dwelling unit.

(i) One (1) indirectly lighted
or transparency name plate for each
dwelling unit.

(j) One (1) indirectly lighted
or transparency name plate for each
dwelling unit.

(k) One (1) indirectly lighted
or transparency name plate for each
dwelling unit.

(l) One (1) indirectly lighted
or transparency name plate for each
dwelling unit.

(m) One (1) indirectly lighted
or transparency name plate for each
dwelling unit.

(n) One (1) indirectly lighted
or transparency name plate for each
dwelling unit.

(o) One (1) indirectly lighted
or transparency name plate for each
dwelling unit.

(p) One (1) indirectly lighted
or transparency name plate for each
dwelling unit.
Section 6-16.55. Amended by Ord. No. 110376
(c) Advertising signs or features permanently identifying the tract development or a housing project shall be regulated as a Conditional Use.

(d) Sign or signs, non-flashing illuminated or non-illuminated, not exceeding twelve (12) square feet in total area, indicating the name of an apartment house or boarding and rooming house.

**Building and Uses Accessory to Principal Uses**

Section 6-1614. GENERAL.

(a) No separate permit shall be issued for the construction of any type of accessory building or use prior to that of the main dwelling.

Section 6-1615. CLASSIFICATIONS.

Types of accessory buildings permitted in A0 Zones are the following:

Type 1: Garage, carport, private studio, pergola, art objects and other features, and private greenhouse.

Types 2, 3, 4, and 5, are not permitted.

Type 5: Swimming pool, tennis court, or other home recreational facility.

Type 6: Business and service enterprises for the convenience of apartment residents and hotel or motel guests.

Section 6-1616. TYPE I: ACCESSORY BUILDINGS OR USES.

(a) In A0 Zones, uses and buildings on the same lot accessory to Principal Uses of a Type I classification shall comply with the following:

1. No Type I accessory building, detached or attached, to a one-family dwelling, except a garage in a bank of earth or on sloping ground (see items 8 and 9), shall be located closer to the street lot line than twenty-two (22) feet.

2. Under the following conditions, any Type I accessory building on the same lot in height may be built adjacent to or on a rear and/or side lot line if the wall along or adjacent to such rear and/or side lot line is of masonry not less than eight (8) inches in thickness for its full length and width and for the full height of such accessory building.

   a. If a detached accessory building is located ten (10) feet or more from the rear line of the lot.

   b. If an attached accessory building is located forty (40) feet or more from the front lot line.

   c. If an existing accessory building on the lot adjoining has already been legally built on the property line, a new accessory building may be built to this same property line but no closer to the front property line. Provided, however, a one-story detached garage legally erected adjacent to and not more than thirty (30) feet from the existing garage shall not exceed the height of the existing garage.

3. A detached accessory building shall not encroach upon the required yard area of any building on the same lot, and if the accessory building is not built up to the lot line in compliance with Item 2 above, it shall be located at least twelve (12) inches from the side and/or rear lot line with forty (4) inch allowance for eave or gutter projection and any wall located closer than thirty (30) inches shall be sheathed with two (2) layers of shiplap or other material which have been spread and covered with finished siding or shakes.

4. Any Type I accessory building attached or detached, if more than one, shall not be built up to either side and/or rear lot lines, and shall be subject to the regulations for lot coverage, yards, and courts of a Principal Use.

5. No door of an accessory building shall at any point of its travel extend over a street lot line, except an overhead garage door.

6. A garage may be located in a lower story of a dwelling but the garage portion of the dwelling, except when in a bank of earth or on sloping ground (see items 7 and 8), shall not be built closer to a street lot line than the building wall at the side of or above unless the wall of the garage portion is at least twenty-two (22) feet from the street lot line. No motor vehicle door of such garage shall be located less than twenty-five (25) feet from the corner of a lot where two streets intersect.

7. A detached or attached garage, not exceeding five hundred and fifty (550) square feet in area, may be located in a natural bank of earth without regard to front yard regulations, provided all exterior walls of the garage, with the exception of the front wall, are concealed by the earth for not less than seventy-five (75) per cent of their separate areas. The height of the highest part of the garage walls or roof of the garage above the level of the adjoining earth, shall not exceed ten (10) feet above the floor level of the garage.

8. When a detached or attached garage is constructed on a lot sloping downward from a street, the average elevation of the lot shall not exceed ten (10) feet below the sidewalk elevation. The height of the highest part of the garage above the level of the lot shall not exceed ten (10) feet above the sidewalk elevation. It is provided, however, in no case shall the front wall of the garage be closer to the sidewalk than five (5) feet. Such garage shall not exceed a height of ten (10) feet above the adjacent sidewalk level, shall not encroach upon the required yard of any building on the same lot unless it is built up to the side lot line and complies with Item 3 above.

Section 6-1617. TYPE II: ACCESSORY BUILDINGS OR USES.

(a) In A0 Zones, uses and buildings on the same lot accessory to Principal Uses of a Type II classification shall comply with the following:

1. Where such accessory use is under a roof or contains a structure, said roof or structure shall not be located closer to any lot line than that required of the Principal Use.

Section 6-1618. TYPE III: ACCESSORY BUILDINGS OR USES.

(a) In A0 Zones, uses of a Type III classification accessory to Principal Uses shall comply with the following:
1. Such businesses and services shall be limited to the following:
   a. Barber shops
   b. Beauty parlors
   c. Collection agency for laundries
   d. Delicatessens
   e. Dining rooms
   f. Office of a physician
   g. Public meeting rooms
   h. Retail shops selling reading matter, clothing, curios, art objects, or household sundries only
   i. Service station for the sale of gasoline and lubrication and minor services to automobiles only
   j. Tailoring, dressmaking, or millinery shops

2. Such use shall be conducted entirely within the apartment, hotel, or motel building or buildings to which it is accessory.

3. Such use shall have pedestrian access only through an interior hall or lobby of the building wherein it is located.

4. No outside display window or windows nor signs advertising such use shall be visible from without such apartment house, hotel, or motel shall be allowed.

5. The floor area devoted to all such uses within a main building or buildings shall not exceed ten (10) per cent of the gross floor area of such main building or buildings.

6. In addition to off-street parking required in Section 6-1603, hotels and apartments having meeting rooms available for public meetings, entertaining, and other gatherings shall provide one (1) space per fifty-six (56) square feet of floor area within such rooms. Regulations of Article 35 shall govern.

Amended

Section 6-1619. AUTHORITY. Upon approval of the Commission, in accordance with the procedure specified herein, one or more of the Conditional Uses listed in Section 6-1621 shall be permitted in any A0 Zone. In permitting such uses, the Commission shall determine that the property of a particular location is desirable to the public convenience and welfare and not detrimental or injurious to the public health, peace or safety, or to the character of the surrounding neighborhood. However, churches and elementary or primary schools, whether public or private, are permitted in any A0 Zone, provided the site location is found by the Commission to be appropriate for such use.

In the case of such uses, the Commission may impose in addition to the regulations herein specified, such conditions and restrictions as it deems necessary to protect the best interests of the surrounding property and neighborhood or the City as a whole. Such conditions may include requirements under which any future enlargement or alteration of the use shall be reviewed by the Commission and new conditions imposed.

Section 6-1620. PROCEDURE. Written applications for the approval of the uses referred to in this section shall be filed in the Planning Commission’s office upon forms prescribed for that purpose by the Commission. The application shall be accompanied by a site plan showing the dimensions and arrangement of the proposed development or changes in an existing Conditional Use. The Commission may require other drawings, topographic surveys, photographs, or other material essential to an understanding of the proposed use’s relationship to surrounding properties.

The fee for such application shall be fifty dollars ($50.00) except the following: Conversions to two-family use, thirty-five dollars ($35.00); Moving or Buildings, twenty dollars ($20.00); Home Occupations, ten dollars ($10.00); Excavations, five dollars ($5.00).

Fees shall be payable to the City Treasurer and shall not be returnable in any case. No fee shall be charged for home occupation renewal permits, which are required every two years.

Applications for Conditional Uses shall be signed by the owner of the property or his authorized agent. The City Auditor shall compile a list of the names and addresses of all persons owning real property within the Affected Area.

The Affected Area is all real property located within lines three hundred (300) feet (exclusive of street, sidewalks, and alleys) parallel to the boundaries of the Conditional Use. In the case of home occupations, the distance defining the Affected Area shall be one hundred (100) feet.

The Commission shall hold a public hearing on each application for a Conditional Use. The Commission shall notify the Auditor of the date of the public hearing, and the Auditor shall mail notices of the public hearing to all property owners within the Affected Area at least fourteen (14) days prior to the date of the hearing.

The Commission shall make its findings and determination in writing within sixty (60) days from the date of filing of an application. The applicant with the Commission under this section shall be notified of the decision of the Commission.

Section 6-1621. USES PERMITTED. (a) In an A0 Zone, the following Conditional Uses are permitted subject to the regulations contained in Section 6-1622:
   1. Churches
   2. Residential buildings accessory to churches
   3. Colleges
   4. Convent clubs
   5. Excavations and filling
   6. Golf courses, other country clubs
   7. Governmental structures and land uses (local, state, or federal) which are essential to the functioning and servicing of residential neighborhoods
   8. Home occupations
   9. Homes, convalescent
   10. Hospitals, mental, remedial, or detention
   11. Hospitals, public
   12. Nursing homes or other residential buildings accessory to hospitals
   13. Libraries
   14. Lodges, fraternal organizations, or private clubs
   15. Mass transit waiting stations or turnarounds
   16. Moving of buildings
   17. Museums
   18. Outside entrances for accessory businesses
   19. Parks, public
   20. Commercial or business offices
   21. Public utility structures and lines, which are essential to the functioning and servicing of residential neighborhoods
   22. Radio and television transmitters
   23. Railroad rights-of-way and passenger stations
   24. Schools, nursery
   25. Schools, parochial or private
   26. Schools, public
   27. Welfare institutions

Section 6-1622. REGULATIONS. The Commission shall determine the specific regulations and conditions governing each Conditional Use at the time of approval. However, the regulations listed below shall be considered minimum or maximum requirements, as the case may be, and shall apply to the particular Conditional Uses mentioned. The Commission shall have authority to increase these minimum requirements and to specify other types of requirements if, in the public interest and if necessary, to protect the surrounding residential properties.

Such conditions as are imposed shall bind any successors and shall not be affected by any subsequent transfer of ownership.
Section 6-1619 Amended by Ord. No. 1107198
Section 6-1620 Amended by Ord. No. 110729A, 110863
In case regulations differing from those governing Principal Users are not specified in this Article, the written instrument approving a Conditional Use, the Commission, or the Council, then the regulations governing Principal Uses shall also apply. (Additional regulations governing parking, loading, and yard requirements for Principal Uses are contained in Articles 38, 37, and 38.)

1. Off-street parking required: One (1) space per eighty-four (84) square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per twelve (12) seats or twenty-four (24) feet of bench length in the main auditorium.

2. Signs permitted: One (1) sign not to exceed seven (7) feet in length nor fifteen (15) square feet in area, and located in one (1) church bulletin board, not exceeding twenty (20) square feet in area. Neither sign nor bulletin board shall extend above the building height nor over the sidewalk and each must be located on the property fronting. Any Illumination shall be indirect and non-flashing.

### RESIDENTIAL BUILDINGS ACCESSORY TO CHURCHES

1. Off-street parking required: One (1) space per ten (10) seats in classrooms. In addition, one (1) space per five (5) students housed in dormitories, fraternity or sorority shall be provided for each ten (10) persons residing in such building.

2. Minimum side or rear yard: Twenty (20) feet.

3. Signs permitted: One (1) illuminated or non-illuminated sign, not exceeding three (3) square feet in area.

### CONVALESCENT HOME

1. Classifications having a capacity of ten (10) or fewer patient beds are classed as small; eleven (11) to twenty (20) beds, medium; over twenty (20) beds, large.

2. Off-street parking: One (1) space per five hundred (500) square feet of floor area.

3. Off-street loading: Large convalescent homes shall provide one (1) berth.

4. GENERAL HOSPITALS

1. Off-street parking: One (1) space per twenty (20) beds.

2. Off-street loading: For any general hospital of five thousand (5,000) square feet of floor area or greater, off-street loading berths shall be provided according to the table below:

<table>
<thead>
<tr>
<th>Square Feet of Floor Area Required</th>
<th>Loading Berths</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,000 - 10,000</td>
<td>1</td>
</tr>
<tr>
<td>10,000 - 15,000</td>
<td>2</td>
</tr>
<tr>
<td>15,000 - 20,000</td>
<td>3</td>
</tr>
<tr>
<td>20,000 - 25,000</td>
<td>4</td>
</tr>
<tr>
<td>25,000 - 30,000</td>
<td>5</td>
</tr>
<tr>
<td>30,000 - 35,000</td>
<td>6</td>
</tr>
<tr>
<td>35,000 - 40,000</td>
<td>7</td>
</tr>
<tr>
<td>40,000 - 45,000</td>
<td>8</td>
</tr>
<tr>
<td>45,000 - 50,000</td>
<td>9</td>
</tr>
<tr>
<td>50,000 - 55,000</td>
<td>10</td>
</tr>
<tr>
<td>55,000 - 60,000</td>
<td>11</td>
</tr>
<tr>
<td>60,000 - 65,000</td>
<td>12</td>
</tr>
<tr>
<td>65,000 - 70,000</td>
<td>13</td>
</tr>
<tr>
<td>70,000 - 75,000</td>
<td>14</td>
</tr>
</tbody>
</table>

3. Minimum side or rear yard: Twenty (20) feet.

4. MENTAL, REMEDIAL, OR DETENTION HOSPITALS

1. Off-street parking: One (1) space per two (2) beds.

2. Off-street loading: For any mental, remedial, or detention hospital of five thousand (5,000) square feet of floor area or greater, off-street loading berths shall be provided according to the table below:

<table>
<thead>
<tr>
<th>Square Feet of Floor Area Required</th>
<th>Loading Berths</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,000 - 10,000</td>
<td>1</td>
</tr>
<tr>
<td>10,000 - 15,000</td>
<td>2</td>
</tr>
<tr>
<td>15,000 - 20,000</td>
<td>3</td>
</tr>
<tr>
<td>20,000 - 25,000</td>
<td>4</td>
</tr>
<tr>
<td>25,000 - 30,000</td>
<td>5</td>
</tr>
<tr>
<td>30,000 - 35,000</td>
<td>6</td>
</tr>
<tr>
<td>35,000 - 40,000</td>
<td>7</td>
</tr>
<tr>
<td>40,000 - 45,000</td>
<td>8</td>
</tr>
<tr>
<td>45,000 - 50,000</td>
<td>9</td>
</tr>
<tr>
<td>50,000 - 55,000</td>
<td>10</td>
</tr>
<tr>
<td>55,000 - 60,000</td>
<td>11</td>
</tr>
<tr>
<td>60,000 - 65,000</td>
<td>12</td>
</tr>
<tr>
<td>65,000 - 70,000</td>
<td>13</td>
</tr>
<tr>
<td>70,000 - 75,000</td>
<td>14</td>
</tr>
</tbody>
</table>

5. MINIMUM SITE AREAS

(a) No hospital shall be established on a site of less than five (5) acres. (b) At least one thousand (1,000) square feet of lot or site area shall be provided for each patient bed.

6. Minimum side or rear yard: Twenty (20) feet.

7. NURSES HOMES OR OTHER RESIDENTIAL BUILDINGS ACCESSORY TO HOSPITALS

1. Off-street parking required: In addition to space required for the hospital, one (1) space shall be provided for each ten (10) persons residing in such building.

8. LIBRARIES

1. Off-street parking required: One (1) space per four hundred (400) square feet of reading room area.

9. LODGES, FRATERNAL ORGANIZATIONS, OR PRIVATE CLUBS

1. Such use shall be operated for the benefit of members only and not as a business.

2. Off-street parking required: One (1) space per three hundred (300) square feet of gross floor area.

3. Signs permitted: One (1) illuminated or non-illuminated sign, not exceeding five (5) square feet in area.

10. MOVING OBJECT BUILDINGS

1. A building or structure moved to a location within an A0 Zone shall conform to off-street parking, lot size, minimum yards, maximum height, and all other applicable provisions in the A0 Zone.

2. Upon completion of the moving of the building, the owner shall proceed immediately to bring the building into compliance with all requirements of the Building, Housing, Planning, and Zoning Codes and other applicable ordinances, and all such ordinances shall be complied with not later than six (6) months from the date of the permit for the moving. Provided that in the building as constructed, ceiling height, room area, windows, window areas and general arrangement of rooms and similar structural forms shall not be required to comply with existing regulations.

11. PUBLIC PARKS

1. Minimum side or rear yards: Community centers, swimming pools, stadiums and buildings or portions of buildings containing concessions dispensing refreshments or food shall not be closer than five (5) feet to interior lot lines bordering or within an R or A Zone.

12. PROFESSIONAL OR BUSINESS OFFICES

1. Off-street parking required: One (1) space per three hundred (300) square feet of floor area except medical and dental offices and clinics which shall provide one (1) space per three hundred (300) square feet of floor area.

2. Such use shall be confined to the lower three floors of any building.

3. No merchandise shall be displayed, handled, or sold on the premises.

4. Signs permitted: One (1) non-flashing illuminated or non-illuminated sign not exceeding six (6) square feet indicating the name of the office only.
(q) PUBLIC UTILITY STRUCTURES:
1. Exempted from these regulations are underground pipes and conduits and above-ground electric transmission, distribution, communication, and signal lines on a single pole system. All other transmission and public utility structures, such as double poles and steel towers for transmission lines, substations, automatic telephone exchanges, relay stations, pumping stations, and treatment plants shall be regulated as Conditional Uses.

(r) RAILROAD RIGHTS-OF-WAY AND PASSENGER STATIONS:
1. Establishment and subsequent extensions of rights-of-way for tracks and passenger stations shall be regulated as Conditional Uses. All other railroad facilities, such as switching yards, holding tracks, team tracks, freight depots, shops, and roundhouses, are prohibited in A0 Zones.

(s) NURSERY SCHOOLS:
1. Off-street parking required: One (1) space per teacher in schools having four (4) or more teachers.
2. Off-street loading required: A driveway designed for continuous loading and unloading children shall be located on the site of any school having four (4) or more teachers. Such driveway shall be paved with material as specified in the Building Code.
3. Outdoor play area: An outdoor play area shall be provided and thereafter maintained with a minimum area of one hundred (100) square feet per child of total enrollment capacity of the school. Screening shall be provided separating such play area from abutting lots. Such screen shall be at least four (4) feet but not more than six (6) feet high and shall be a masonry wall, an ornamental wooden fence, a chain-link type wire fence with evergreen vines, or a compact evergreen hedge.

<table>
<thead>
<tr>
<th>(t) PRIVATE OR PAROCHIAL ELEMENTARY AND PUBLIC PRIMARY SCHOOLS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Off-street parking required: one (1) space per eighty-four (84) square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per twelve (12) seats or twenty-four (24) feet of bench length in the main auditorium.</td>
</tr>
<tr>
<td>2. Site area: For school buildings being enlarged or being constructed for the first time, the area of the site shall not be less than the following:</td>
</tr>
<tr>
<td>Maximunm Number of Classroom rooms</td>
</tr>
<tr>
<td>Condition</td>
</tr>
<tr>
<td>60% or more vacant</td>
</tr>
<tr>
<td>60% or more vacant</td>
</tr>
<tr>
<td>Less than 60% vacant</td>
</tr>
<tr>
<td>Less than 60% vacant</td>
</tr>
</tbody>
</table>

(u) PRIVATE, PAROCHIAL, OR PUBLIC HIGH SCHOOLS:
1. Off-street parking required: One (1) space per fifty-six (56) square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per eight (8) seats or sixteen (16) feet of bench length in the main auditorium.
2. Minimum side or rear yard: Twenty (20) feet.

(v) WELFARE INSTITUTION:
1. Off-street parking: One (1) space per ten (10) beds for patients or inmates.

(w) OFF-STREET LOADING:
1. Off-street loading: For any welfare institution of five thousand (5,000) square feet of floor area or greater, off-street loading berths shall be provided according to the table below:

<table>
<thead>
<tr>
<th>Square Feet of Floor Area</th>
<th>Loading Berths Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,000 - 8,999</td>
<td>1</td>
</tr>
<tr>
<td>40,000 - 99,999</td>
<td>2</td>
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<tr>
<td>100,000 - 129,999</td>
<td>3</td>
</tr>
<tr>
<td>150,000 - 229,999</td>
<td>4</td>
</tr>
<tr>
<td>240,000 - 319,999</td>
<td>5</td>
</tr>
<tr>
<td>320,000 - 389,999</td>
<td>6</td>
</tr>
<tr>
<td>400,000 - 489,999</td>
<td>7</td>
</tr>
<tr>
<td>490,000 - 579,999</td>
<td>8</td>
</tr>
<tr>
<td>580,000 - 669,999</td>
<td>9</td>
</tr>
<tr>
<td>670,000 - 759,999</td>
<td>10</td>
</tr>
<tr>
<td>760,000 - 849,999</td>
<td>11</td>
</tr>
<tr>
<td>850,000 - 939,999</td>
<td>12</td>
</tr>
<tr>
<td>940,000 - 1,029,999</td>
<td>13</td>
</tr>
<tr>
<td>Over 1,030,000</td>
<td>14</td>
</tr>
</tbody>
</table>

3. Minimum side or rear yard: Twenty (20) feet.

Prohibited Uses
Section 6-1623. GENERAL PROHIBITION. Uses of structures and land not specifically mentioned in this Article are prohibited in all A0 Zones.

The use of an automobile trailer house as a residence is prohibited in all A0 Zones. Such trailers shall be below the room size, ceiling height, and other regulations in the Housing Code.
Section 6-1801. GENERAL REQUIREMENT. In all CS Zones, the use of land and structures; the location and use of new structures; and the alteration, enlargement, or moving of existing structures shall conform in all respects to the following:

Section 6-1802. LIMITED TO NEW CONSTRUCTION ONLY. After the original enactment of this ordinance, no official zoning maps, CS Zones shall be established for the purpose of new construction. Therefore, no CS Zone shall be established for the property for the purpose of permitting the conversion of an existing structure to uses allowed in Article 18, notwithstanding the fact that such conversion could conform to all the regulations in Article 18.

Section 6-1803. PROCEDURE.
(a) The City Council may, from time to time as warranted, establish, change, or abolish CS zones in accordance with the following procedure:
1. CS Zones shall be established only on petition of the owner or owners of the property to be changed, except the Council or the Commission may initiate the change of any Urban Renewal Area or part to a CS Zone. The provisions of Article 41, together with the additional requirements cited herein, shall govern the procedure to be followed.
2. The lot, tract, or parcel of land involved shall be (1) in one of the zones subject to a petition filed jointly by the owners of the property to be changed, or (2) an Urban Renewal Area, or part thereof, approved by the Portland City Planning Commission and the Portland City Council.
3. The petitioner shall prepare and submit a preliminary development plan, together with a schedule of construction of his proposed use. The proposed use shall be submitted to the Commission and the City Council for its approval and may request expert advice from its Design Committee.
4. If the Commission finds the zone change justified and that the preliminary development plan and construction schedule is acceptable in accordance with the regulations established, then such other requirements deemed necessary in the public interest by the City Council, the petitioner shall prepare a final development plan and construction schedule for approval by the Commission and submission to the City Council.
5. After the project is constructed and occupied, any subsequent enlargements or alterations thereto, according to which the lot, parcel, or tract is to be improved, shall be submitted to the Commission, and the final development plan and construction schedule shall be done.

Section 6-1804. REGULATIONS.
The regulations applying to any particular use or parcel of land in a CS Zone shall be the recorded zone change ordinances and final development plans and amendments thereto, according to which the lot, parcel, or tract is to be improved, as above provided. The City Council shall have authority to vary the regulations with respect to any property in any manner necessary or desirable to the public convenience, health, safety, peace, and general welfare to protect the neighborhood. In no case, however, shall an ordinance establishing a CS Zone and a final development plan be approved by the Council which do not comply with at least the requirements specified in Sections 6-1804 to 6-1811, inclusive.

Section 6-1805. CLASSIFICATION.
(a) In CS Zones, uses are regulated in accordance with the following classification of sites:

Type A: Sites of 10,000 square feet or larger in area or larger.
Type B: Sites of five (5) acres or more in area or larger.

Section 6-1806. LOCATIONS PERMITTED.
(a) Type A sites shall be restricted to any one of the following locations:
1. Abutting a major or secondary traffic arterial.
2. Adjoining an A0, C, or M Zone and from the same street serving the adjoining lot in the A0, C, or M Zone.
3. Across a street which fronts an A0, C, or M Zone.
4. Abutting or across a street from Consolidated Use District containing sites of 20,000 square feet or more in area or greater.
5. Separated from any previously established CS Zone by at least 500 feet.

Section 6-1807. USES PERMITTED.
(a) Only offices of the following professions are permitted on Type A sites in CS Zones:
1. Dentists
2. Physicians and surgeons
3. Psychiatrists

Section 6-1808. LIMITATIONS ON USES.
(a) All uses and operations except off-street parking shall be confined, contained, and conducted wholly within completely enclosed buildings.
(b) High standards of exterior appearance, cleanliness, and quietness shall be maintained at all times. Use of air-conditioning shall be objectionable to residents in the vicinity.
(c) The site shall be landscaped and maintained at all times in a manner satisfactory to the Commission.
(d) Hours of operation shall be limited from eight (8 A.M.) to ten (10 P.M.) on the evening except in cases of unusual emergencies.
(e) No signs shall be displayed, handled, or sold on the premises.

Section 6-1809. OFF-STREET PARKING REQUIRED.
(a) One (1) space per 250 square feet of gross floor area shall be provided and shall be located on the site.
(b) Such space shall be on the site.
(c) Such space shall not be located in any required yard.
(d) Screening shall be provided at the entrance between any parking area and a street line or property in an R or A Zone.
(e) Such screening shall be of such character as is necessary to obscure motor vehicle headlights. It shall be at least three (3) feet and not more than four (4) feet high along a street line and at least five (5) feet high along any other property.
line. Such screen may be placed along the boundary of the parking area in the same line but not closer than five (5) feet to a street line. Such screening shall be composed of a masonry wall, an ornamental wooden fence, a compact evergreen hedge, or a chain-link type wire fence with staggered poles. (e) The provisions of Article 38, not in conflict with the above, shall also apply.

Section 6-1810. OFF STREET LOADING. No loading berths are required.

Section 6-1811. MAXIMUM LOT COVERAGE. The area covered by all buildings including accessory buildings shall not exceed twenty (20) per cent of the lot area.

Section 6-1812. MAXIMUM HEIGHT PERMITTED. (a) No structure shall exceed one (1) story or fifteen (15) feet. (b) On any lot, sloping downhill from the street, which has an average ground slope on that portion of the lot to be occupied by the main building, a structure of twenty-five (25) per cent or more (measured in the general direction of the side lot line) may be permitted in such main building, provided the ceiling of the lowest story shall be more than two (2) feet above the average curb level along the front of the lot. (c) Chimneys, radio and television aerials may extend above the 5-foot height limitation.

Section 6-1813. MINIMUM FRONT YARD. The regulations of the most restricted R or A Zone abutting the street on the same street frontage shall apply. (See Article 38 for additional regulations).

Section 6-1814. MINIMUM SIDE YARD. There shall be a minimum side yard on each side of a main building equal to twice the height of the building, except no yard shall be required along a lot line abutting a C or M Zone. (See Article 38 for additional regulations).

Section 6-1815. MINIMUM REAR YARD. There shall be a minimum rear yard equal to twice the height of the building, except no yard shall be required along a lot line abutting a C or M Zone. (See Article 38 for additional regulations).

Section 6-1816. SIGNS PERMITTED. All signs visible from the exterior of the building or buildings shall be restricted except one (1) indirectly lighted or transparent name plate, not exceeding six (6) square feet in area, indicating the name of the use.

Section 6-1817. ACCESSORY BUILDINGS. All accessory buildings shall be located as far from any lot line or M Zone as the same required yard depths for main buildings.

Section 6-1818. PROHIBITED USES. All uses not specifically listed in Section 6-1819, including residential uses, are prohibited on Type A sites in CZ Zones.

Section 6-1819. LOCATIONS FOR TYPES A BUILDINGS. (a) Type B sites shall be restricted to any one of the following locations: (1) Abutting a major or secondary traffic arterial. (2) Adjoining an A6, C, or M Zone and fronting the same street serving the adjoining lot in the A9, C, or M Zone. (3) Across a street upon which fronts an A9, C, or M Zone.

4. Abutting or across a street from Chopin, the following sites of five (5) acres or greater:

Section 6-1820. USES PERMITTED. (a) On Type B sites in CZ Zones, the following uses are permitted: (1) Offices, studios of the following professions: (a) Accountants (b) Architects (c) Artists (d) Attorneys (e) Authors and writers (f) Dentists (g) Engineers (h) Investment counselors (j) Landscape architects (k) Management consultants (l) Ministers (m) Physicians and surgeons (n) Psychiatrists. (2) Offices of administrative, educational, financial, philanthropic, religious, research, scientific or statistical organizations whose activities are such that few visitors other than employees, have reason to come to the premises. (3) Other offices as are judged by the Commission to be necessary to the use or desirable for the convenience or recreation of employees.

Section 6-1821. LIMITATIONS ON USES. (a) All uses and operations, except off-street parking or outdoor recreational facilities, shall be conducted contained, and conducted within a completely enclosed buildings. (b) High standards of exterior appearance and cleanliness, and quietness shall be maintained at all times. No use or operation shall be objectionable to residents in the vicinity. (c) The site shall be landscaped and maintained at all times in a manner satisfactory to the Commission. (d) Hours of operation shall be limited from eight (8 A.M.) in the morning to ten (10 P.M.) in the evening except in cases of unusual emergency. (e) No merchandise shall be displayed, handled, or sold on the premises.

Section 6-1822. OFF STREET PARKING REQUIRED. (a) One (1) space per two (2) employees shall be provided and maintained. (b) Such space shall be located on the site. (c) Such space shall not be located in any required yard. (d) Separate parking provided and maintained between any parking area and a street line or property line. Such screening shall be sufficiently dense to obscure motor vehicle view. Such screen shall have at least three (3) feet and not more than four (4) feet high along a street line, at least (5) feet and not more than six (6) feet high along any other property line. Such screen may be placed along the boundary of the parking area or along a property line but not closer than five (5) feet to a street line. Such screening shall be composed of a masonry wall, an ornamental wooden fence, a compact evergreen hedge, or a chain-link type wire fence with green evergreen vines.

(e) The provisions of Article 38, not in conflict with the above, shall also apply.

Section 6-1823. OFF STREET LOADING REQUIRED. Off-street loading berths shall be required for any building or group of buildings according to gross floor area as follows: Square feet of Loading Berths Floor Area Required 5,000 - 24,999 1 25,000 - 59,999 2 60,000 - 99,999 3 100,000 - 139,999 4 140,000 - 199,999 5 200,000 - 299,999 6 300,000 - 379,999 7 380,000 - 579,999 8 580,000 - 999,999 9 1,000,000 10

Over 1,000,000 10

Such berths shall be regulated by Article 41.

Section 6-1824. MAXIMUM LOT COVERAGE. The area covered by all buildings including accessory buildings shall not exceed fifteen (15) per cent of the lot area.

Section 6-1825. MAXIMUM HEIGHT PERMITTED. (a) No structure shall exceed three (3) stories or thirty-five (35) feet in height. (b) On any lot, sloping downhill from the street, which has an average ground slope on that portion of the lot to be occupied by the main building, the building equal to twice the height of the structure, which is not more than two (2) feet above the average curb level along the front of the lot. (c) Chimneys, radio and television aerials may extend above the 35-foot height limitation.

Section 6-1826. MINIMUM FRONT YARD. There shall be a minimum front yard of not less than four (4) times the height of the structure.

Section 6-1827. MINIMUM SIDE YARD. There shall be a minimum side yard on each side of a main building of not less than one hundred (100) feet or four (4) times the height of the structure whichever is the greater, except no side yard shall be required between a structure of thirty-five (35) feet in height or lower and a lot line abutting a C or M Zone.

Section 6-1828. MINIMUM REAR YARD. There shall be a minimum rear yard of not less than one hundred (100) feet or four (4) times the height of the structure. Abutting is the greater, except no rear yard shall be required between a structure of thirty-five (35) feet in height or lower and a lot line abutting a C or M Zone.

Section 6-1829. SIGNS PERMITTED. All signs visible from the exterior of the building or buildings shall be restricted except one (1) indirectly lighted or transparent name plate in area, indicating the name of the use.

Section 6-1830. ACCESSORY BUILDINGS. All accessory buildings shall be located as far from any lot line or M Zone as the same required yard depths for main buildings.

Section 6-1831. PROHIBITED USES. All uses not specifically listed in Section 6-1830, including residential uses, are prohibited on Type A sites in C Zones.
Section 6-1819 Amended by Ord. No. 219222
(b) All uses and operations shall be predominantly retail or service establishments dealing directly with ultimate consumers. Predominantly all goods produced or processed shall be sold at retail on the premises.

(c) All stores and shops shall deal primarily in new merchandise.

(d) Any uses and operations objectionable due to unsightliness, odor, dust, smoke, noise, glare, heat, vibration, and other similar causes shall be prohibited.

Section 6-1904. OFF-STREET PARKING REQUIRED. One (1) square yard of off-street parking area shall be located according to the regulations in Article 36. Such space shall not be located in the front yard, if such is provided in accordance with Section 6-1910.

Section 6-1905. OFF-STREET LOADING REQUIRED. No loading berths are required.

Section 6-1906. LOT SIZE REQUIRED. There shall be no limitation.

Section 6-1907. MAXIMUM LOT COVERAGE. There shall be no limitation.

Section 6-1908. MAXIMUM FLOOR AREA PERMITTED. The gross floor area devoted to the conduct of any individual Principal Use and its accessory uses, exclusive of off-street parking area, shall not exceed four thousand (4,000) square feet.

Section 6-1909. MAXIMUM HEIGHT PERMITTED. (a) No structure shall exceed two (2) stories or twenty (20) feet in height. (b) On any lot, sloping downhill from the street, which has an average ground slope on that portion of the lot to be occupied by the main building of twenty-five (25) per cent or more, (measured in the general direction of the side lot lines), an additional story may be permitted in such main building, provided the ceiling of the lowest story shall not be more than two (2) feet above the average curb level along the front of the lot.

Section 6-1910. MINSIMUM FRONT YARD. (a) There shall be a front yard of not less than fifteen (15) feet. Provided, however, that where lots, comprising forty (40) per cent or more of the frontage (excluding reversed corner lots) are developed with buildings having front yards with a variation of not more than ten (10) feet in depth, the average of such front yards shall establish the front yard depth for the entire frontage. In determining such front yard depth, buildings located entirely on the rear one-half (1/2) of a lot shall not be counted.

(b) Where a lot is situated between two lots, each of which has a main building (within twenty-five (25) feet of its side lot lines) which projects beyond the required front yard line and has been so maintained since this code became effective, the front yard requirement on such lot may be the average of the front yards of said existing buildings.

(c) Where a lot adjoins only one lot having a main building (within twenty-five (25) feet of its side lot lines) which projects beyond the required front yard line and has been so maintained since this code became effective, the front yard requirement on such lot may be the average of the front yard of the said existing buildings and the established front yard line.

(d) No building permit shall be issued for any structure on a lot which abuts a street dedicated to a portion only of its required front yard located on that side of the street which has not yet been dedicated or condemned, unless the yard required on such lot include both that portion of the lot lying within the future street and the required yards.

(e) On corner lots, the front yard along the dimension of the lot may be reduced to ten (10) feet. In case of a square lot or lot having equal frontage on two intersecting streets, one front yard may be reduced to ten (10) feet, provided the other front yard is at least fifteen (15) feet. (See Article 36 for additional regulations.)

Section 6-1911. MINIMUM SIDE YARD. (a) A side yard is not required except where the side of a lot abuts an R or A Zone. In such case, a side yard shall be provided on that side of the lot abutting the R or A Zone. The minimum width of the side yard shall be eight (8) feet for a one (1) story building and seven (7) feet for a two (2) story building.

Section 6-1912. MINIMUM REAR YARD. There shall be no limitation.

Section 6-1913. SIGNS PERMITTED. (a) Any exterior sign displayed shall be attached to a wall of the building and parallel with its horizontal dimension. (b) Such sign shall be constructed in such a manner as to be visible from the opposite corner lot, on that portion of the side street wall within fifty (50) feet of the principal street.

(c) In no case shall any part of a sign extend above the roof line of the building. (d) Such sign may be illuminated but it shall not be a flashing type.

(e) Signs of a type and in a location other than described by items (a) and (b) above are prohibited in all C4 Zones.
Residential Use

Section 6-1914. ON LOTS ABUTTING ON A1, A2, C1, or M Zones.

(a) Uses permitted.
1. One-family dwellings.
2. Two-family dwellings.
3. Apartment dwellings.
4. Boarding and rooming houses.
5. Hotel or motel.

(b) Where any of the above residential uses are combined on the same lot or in the same building with a Principal Use permitted in C4 Zones, off-street parking and lot area as required for buildings used exclusively for residential purposes shall be provided in addition to such space maintained for the Principal Use. Likewise, side and rear yards shall be provided for those portions of the building arranged for or occupied as a place of residence of the depth required of buildings used exclusively for residential purposes.

Section 6-1915. ON ALL OTHER LOTS IN C4 ZONES.

(a) Uses permitted.
1. One-family dwellings.
2. Two-family dwellings.
3. Apartment dwellings.
4. Hotel or motel.

(b) Where any lot is used exclusively for any of the above residential uses, all regulations governing Principal Uses permitted in A1 Zones shall apply. Likewise, side and rear yards shall be provided for those portions of the building arranged for or occupied as a place of residence of the depth required of buildings used exclusively for residential purposes.

Buildings and Uses Accessory to Principal and Conditional Uses

Section 6-1916. GENERAL.

(a) No separate permit shall be issued for the construction of any accessory building prior to that of a main building to contain a Principal or Residential Use.

Section 6-1917. HEIGHT.

(a) No accessory building shall exceed two (2) stories in height.

Section 6-1918. ACCESSORY TO PRINCIPAL USE.

(a) All uses accessory to a Principal Use shall be conducted wholly within completely enclosed buildings, except the propagation of flowers and grass for sale in connection with a florist shop or garden supplies store, providing all equipment and materials used in such propagation are stored within completely enclosed buildings.

(b) Garages, carpeta, storages, and other accessory buildings, if detached, shall be located entirely within the rear one-half (½) of the lot upon which they are subsequently located.

(c) On lots abutting A or Z Zones, no one (1) story accessory building shall be located nearer than six (6) feet to a side or rear lot line, and two (2) story accessory building shall be located nearer than seven (7) feet to a side or rear lot line.

(d) A detached accessory building shall not eloch up upon the required off-street parking for the same lot, and if the accessory building is not built up to the lot line it shall be located at least twelve (12) inches from the side and/or rear lot line with four (4) inches of space for eaves or gutter projection and any wall located closer than thirty (30) inches shall be painted with two (2) layers of ship lap with joints staggered and covered with finished siding or masonry.

Section 6-1919. ACCESSORY TO RESIDENTIAL USE.

(a) Regulations governing buildings accessory to Principal and Transient Uses in A2.5 Zones shall apply to all accessory uses and buildings to a residential use in C4 Zones.

Conditional Uses

Section 6-1920. AUTHORITY.

Upon application by the Commission in accordance with the procedure specified herein, one or more of the Conditional Uses set forth in Section 6-1921 may be permitted in any C4 Zone. In permitting such uses, the Commission shall determine the propriety of a particular location as desirable to the public convenience and not detrimental or injurious to the public health, peace or safety or to the character of surrounding neighborhood. However, churches and elementary or primary schools, whether public or private, are permitted in any C4 Zone, provided the site location is found by the Commission to be appropriate for such use.

In permitting such use, the Commission may include as a condition an approval of the uses established previously to the regulations herein specified, such conditions and restrictions as it determines necessary to protect the best interests of the surrounding property or neighborhood or the City as a whole. Such conditions may include requirements under which any future enlargement or alteration of the use shall be reviewed by the Commission and new conditions imposed.

Change in use, expansion or contraction of site area, or alteration of structures of Conditional Uses existing prior to the effective date of this ordinance, shall conform to all regulations pertaining to such Conditional Uses as contained herein and to such additional conditions or restrictions as are required to prevent overcrowding the site and to protect the surrounding residential neighborhood.

Section 6-1921. PROCEDURE.

Written applications for the approval of the uses referred to in this section shall be filed in the Planning Commission office upon forms prescribed for that purpose by the Commission. The application shall be accompanied by a site plan showing the dimensions and arrangement of the proposed development of all existing Conditional Uses. The Commission may require other drawings, topographical, photgraphs, or other material essential to an understanding of the proposed use and its relationship to surrounding properties.

The fee for such application shall be fifty dollars ($50.00) in addition to any fees specified in Section 6-1923. The terms and conditions of the permit approved shall be recorded in the County Engineer's Office.

Section 6-1922. ACCESSORY TO PRINCIPAL USE.

(a) No separate permit shall be issued for the construction of any accessory buildings to a main building to contain a Principal or Residential Use.

(b) A copy of the application shall be transmitted by the Commission to the site plan office and the Bureau of Building Inspection for the establishment of Building permits may be issued as long as they conform with the approved master development plan without the necessity of a Conditional Use approval each time a building permit is requested. No decision of the Commission under this section shall become effective until after an elapsed period of fourteen (14) days from the date the written determination is made, during which time the applicant may file for a public hearing, and if aggrieved, may appeal to the Board of Adjustment. The Board of Adjustment may modify, reverse or modify in whole or in part the Commission's ruling and may impose such conditions as it may find warranted.

Applications for Conditional Uses shall be signed by the owner of the property or his agent. The City Auditor shall file a copy of the application with the City Treasurer and shall have the right to require the charges.
Section 6772. Amended by Ord. No. 119712.

Section 6772. Amended by Ord. No. 119712, 110883.
Section 6-1923. USES PERMITTED.

(a) In a C4 Zone, the following Conditional Uses are permitted subject to the regulations contained in Section 6-1923:

1. Churches
2. Residential buildings accessory to churches
3. Colleges
4. Community club
5. Excavations and filling
6. Governmental structures and land use (local, state, or federal) which are essential to the functioning and servicing of residential neighborhoods
7. Greenhouses, nurseries, or other propagation of plants and their products for sale
8. Homes, convalescent
9. Hospitals, general
10. Hotels, mental, remedial, or detention
11. Nurseries homes or other residential buildings accessory to hospitals
12. Libraries
13. Mass transit waiting stations or turn-arounds
14. Moving of buildings
15. Museums
16. Parks, public
17. Public service structures and lines, which are essential to the functioning and servicing of residential neighborhoods.
18. Radio and television transmitter
19. Railroad rights-of-way and passenger stations
20. Schools, nursery
21. Schools, parochial or private
22. Schools, public
23. Welfare institutions
24. Lodges, fraternal organizations, or private clubs, only if situated on a lot abutting A1, A5, C2 or M Zones.

Section 6-1923. REGULATIONS.

(a) All regulations governing Conditional Uses in A2.5 Zones shall apply to any lot upon which a Conditional Use is situated in a C4 Zone except such lots which abut A1, A5, C2, or M Zones. On such lots, all regulations governing Conditional Use in A1 Zones shall apply to any lot upon which a Conditional Use is situated in a C4 Zone.

Prohibited Uses

Section 6-1924. SPECIFIC AND GENERAL PROHIBITIONS.

(a) The following uses are prohibited in all C4 Zones:

1. Establishments of the "drive-in" type offering goods or services directly to customers waiting in parked motor vehicles.

2. Outdoor advertising signs as defined in the Sign Code.

3. The use of an automobile trailer house as a place of residence.

4. All uses of structures and land not specifically mentioned in this Article.

5. Reserved for expansion.

Article 21

C2 GENERAL COMMERCIAL ZONE

Section 6-2101. GENERAL REQUIREMENTS.

The use of land and structures; the location and erection of new structures; and the alteration, enlargement, or moving of existing structures shall conform in all respects to the following regulations.

Principled Uses

Section 6-2102. USES PERMITTED. In a C2 Zone, the following uses are permitted:

(a) GROUP 1:

1. Banking, retail
2. Barber shop
3. Beauty parlor
4. Department store
5. Florist shop
6. Interior decorating shop
7. Laundry, cleaning, or pressing
8. Paging agency
9. Pawnshop
10. Retail stores

(b) GROUP 2:

1. Banks, loan companies, or other financial institutions
2. Bird store, pet shop, or taxidermist
3. Blueprinting, photostating, or other reproduction process
4. Business machines, retail sales and service
5. Catering establishment
6. Cleaners and pressing establishment
7. Commercial schools such as business colleges, music conservatories, or trade schools
8. Custom tailoring, dressmaking, or millinery shop
9. Film exchange
10. Furniture store
11. Gunsmith or locksmith
12. Household machines, retail sales and service
13. Instruments, scientific or professional, repair shop
14. Offices, business or professional other than medical and dental
15. Offices, governmental
16. Offices, public utility
17. Photographer
18. Physical culture and health services, including reducing salons, massage and public baths
19. Radio or television studio
20. Shoe repair shop
21. Watch and clock repair shop

(c) GROUP 3:

1. Building and related contraptions, including excavating contractors
2. Building materials, retail outlet
3. Cabinet or carpenter shop
4. Commercial amusements
5. Dance halls and pool
6. Dance hall
7. Games of science and skill
8. Gymnasium
9. Indoor arenas
10. Penny arcades
11. Shooting gallery
12. Skating rink
13. Feed store, retail only
14. Fuels, solid, retail outlet only
15. Production, fabrication, or assembly of goods or articles from previously prepared materials primarily for retail sale on the premises
16. Second-hand store
17. Sign painting shop
18. Upholstering shop
19. Wholesale business

(d) GROUP 4:

1. Automobile service station
2. Bicycle, motorcycle, trailer (other than boat and truck trailers), retail sales, service and repair
3. Garage, parking or repair
4. New automobiles and trucks, if not more than one and one-half (1 1/2) tons capacity, retail sales and service
5. Tires sales and service

(e) GROUP 5:

1. Auditorium, exhibition hall, or other public assembly room
2. Billboards and other advertising signs or structures
3. Cemeteries
4. Commercial amusements
5. Golf driving range
6. Miniature golf
7. Outdoor stadiums
8. Race tracks, except automobile and motorcycle
9. Swimming pool
10. Community clubs
11. Crematories, mausoleums, columbariums
12. Drive-in businesses, except drive-in theaters, offering goods and services directly to customers waiting in parked motor vehicles
13. Frozen food storage, excluding wholesale storage
14. Governmental structures and land uses, except heavy construction equipment storage and repair, and any other activity objectionable due to odor, dust, smoke, noise, glare, heat, vibration, or similar causes
15. Greenhouses and nurseries
16. Hotels
17. Ice house, not more than five (5) tons capacity
18. Laundry
19. Libraries
20. Lodges, fraternal organizations, or private clubs
21. Medical or dental offices or clinics
22. Mortuary
23. Motels
24. Museums
25. Optometrist
26. Parks
27. Passenger terminals, air, bus, or rail
28. Pleasure boats, retail sales and service, and marinas
29. Printing, lithography, or publishing
30. Public utility lines and structures, except heavy construction equipment storage and repair, and any other activity objectionable due to odor, dust, smoke, noise, glare, heat, vibration, or similar causes
31. Rescue mission
32. Restaurants, tea room, or cafe
33. Tavens, bars, or cocktail lounges
34. Telephone exchanges
35. Theaters, except drive-in theaters
36. Wedding chapel or reception hall
37. Welfare institutions

(f) GROUP 6:

1. Churches
2. Residential buildings accessory to churches
3. Colleges
4. Residential buildings accessory to colleges
5. Convalescent homes
6. Hospitals, general
7. Hotels, mental, remedial, or detention
8. Nurses homes or other residential buildings accessory to hospitals
9. Schools, nursery
10. Schools, private or parochial
11. Schools, public
Section 6-2108. LIMITATIONS ON USE.
(a) GROUP 1 TO 6, INCLUSIVE:
1. Any uses and operations objectionable due to uncleanliness, odor, dust, smoke, noise, glare, heat, vibration, and other similar causes shall be prohibited.
(b) GROUPS 1 TO 6, INCLUSIVE:
1. All uses and operations shall be predominantly retail or service establishments, except as noted, dealing directly with ultimate consumers. Predominantly all goods repaired, produced, or processed and all materials handled shall be sold at retail, except as noted, on the premises or delivered direct to ultimate consumers.
(c) GROUP 2:
1. Such uses are permitted in C3 Zones only if all activities and operations, except off-street parking and loading, are confined, contained, and conducted wholly within completely enclosed buildings except retail building materials outlets need not be entirely enclosed when provided all outside activities and operations, including outside storage, are fully enclosed by a sight-obscuring screen at least six (6) feet high. Such screen shall be a masonry wall, a wooden or metal fence, a compact evergreen hedge, or a chain-link type wire fence with evergreen vines.

Section 6-2104. OFF-STREET PARKING REQUIRED.
(a) GROUP 1 USES:
1. One (1) space per 500 square feet of gross floor area.
(b) GROUP 2 USES:
1. One (1) space per 700 square feet of gross floor area.
(c) GROUP 3 USES:
1. One (1) space per 700 square feet of gross floor area.
(d) GROUP 4 USES:
1. Firms whose primary activity is body and fender work, painting, upholstery, repairing of wrecked vehicles, and salvaging parts are not permitted in C3 Zones.
2. Lubrication, washing, repair and servicing, and storage of materials and merchandise shall be confined, contained, and conducted wholly within completely enclosed buildings.
(e) GROUP 5 USES:
1. Auditorium, exhibition hall, or other public assembly room: One (1) space per 56 square feet of floor area; or where seating is fixed, one (1) space per 8 seats or 16 feet of bench length.
2. BIBUdooms: None.
3. Cemeteries: None.
4. Commercial amusements:
(a) Golf driving range: One (1) space per 20 linear feet of driving line.
(b) Miniature golf: One (1) space per 2 holes.
(c) Race tracks: One (1) space per 12 seats or 24 feet of bench length.
(d) Outdoor stadia: One (1) space per 12 seats or 24 feet of bench length.
(e) Swimming pools: One (1) space per 750 square feet of pool area 6 feet deep or shallower.
(f) Community clubs: One (1) space per 84 square feet of floor area in the nulli auditorium; or where seating is fixed, one (1) space per 12 seats or 24 feet of bench length.
(g) Crematories, mausoleums, columbariums: One (1) space per 25 square feet in the chapel; or where seating is fixed, one (1) space per 5 seats or 10 feet of bench length.
(h) Drive-in businesses: One (1) space per employees in addition to spaces provided for customers' vehicles.
(i) Tennis court lockers: One (1) space per 1,600 square feet of gross floor area.
(j) Governmental structures and uses, other than offices: One (1) space per 4 employees headquartering at such structures.
(k) Greenhouses and nurseries: One (1) space per 500 square feet of floor area in retail sales rooms.
(l) Hotels: One (1) space per 4 guest rooms or suites and additional spaces as specified in this section for restaurants, bars, dance halls, and public assembly rooms.
(m) Ice house: Two (2) spaces.
(n) Laundry: One (1) space per 2 washing machines in self-service laundries; one (1) space per 4 employees in other types of laundries.
(o) Libraries: One (1) space per 400 square feet of reading room area.
(p) Lodges, fraternal organizations, and private clubs: One (1) space per 500 square feet of gross floor area.
(q) Medical or dental offices or clinics: One (1) space per 400 square feet of gross floor area.
(r) Mortuaries: One (1) space per 35 square feet in the chapel; or where seating is fixed, one (1) space per 5 seats or 10 feet of bench length.
(s) Motels: One (1) space per 12 seats or 24 feet of bench length.
(t) Museums: One (1) space per 34 square feet of floor area in the main auditorium; or where seating is fixed, one (1) space per 12 seats or 24 feet of bench length.
20. **Optometrist:** One (1) space per 100 square feet of gross floor area.

21. **Parks:** None.

22. **Passenger terminals, air, bus, or rail:** One (1) space per 1,000 square feet of gross floor area.

23. **Pleasure boats, sales and service, and moorages:** One (1) space per 750 square feet of gross floor area plus one (1) space per 3 moorages.

24. **Publishing, printing, or publishing:** One (1) space per 700 square feet of gross floor area, but not more than one (1) space per 4 employees.

25. **Public utility structures:** One (1) space per 4 employees head-quartered at such structures.

26. **Rescue mission:** One (1) space per 64 square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per 12 seats or 4 feet of bench length in the main auditorium.

27. **Restaurants, tea room, or cafe:** One (1) space per 100 square feet of patron serving area.

28. **Taverns, bars, or cocktail lounges:** One (1) space per 100 square feet of floor area serving area.

29. **Telephone exchanges:** One (1) space per employees head-quartered at such structures.

30. **Theaters, except drive-in:** One (1) space per 64 square feet of floor area; or where seating is fixed, one (1) space per 8 seats or 16 feet of bench length.

31. **Wedding chapel or reception hall:** One (1) space per 64 square feet of floor area in public rooms.

32. **Welfare institution:** One (1) space per ten (10) beds for patients or inmates.

33. **GROUP 6 USES:**

   1. **Churches:** One (1) space per eighty-four (84) square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per 12 seats or 4 feet of bench length in the main auditorium.

   2. **Residential buildings accessory to churches:** One (1) space shall be provided for each 10 persons residing in such buildings.

   3. **Colleges:** One (1) space per 10 seats in classrooms.

   4. **Residential buildings accessory to colleges:** One (1) space per 5 students housed in dormitories, fraternities, or sororities shall be provided.

   5. **Convalescent home:** One (1) space.

   6. **Hospitals, general:** One (1) space per 2 beds.

   7. **Hospitals, mental, remedial, or detention:** One (1) space per 2 beds.

   8. **Nurses' homes or other residential buildings accessory to hospitals:** One (1) space shall be provided for each ten (10) persons residing in such buildings.

   9. **Schools, nursery:** One (1) space per teacher in schools having 4 or more.

   10. **Schools, private, parochial, or public elementary and public primary:** One (1) space per 64 square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per 12 seats or 4 feet of bench length in the main auditorium.

11. **Squares, public, and parochial hospitals:** One (1) space per 80 square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per 20 seats or 4 feet of bench length in the main auditorium.

12. **Parking as required for the above uses shall be regulated by Article 36.**

Section 6-2104. **OFF-STREET LOADING REQUIRED.**

(a) Off-street loading berths shall be provided at all structures, for the following purposes using occupancy or a building or buildings totaling twenty thousand (20,000) square feet of gross floor area or more, according to the table below:

<table>
<thead>
<tr>
<th>Uses</th>
<th>Loading Berths Required</th>
</tr>
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<tbody>
<tr>
<td><strong>Hotels</strong></td>
<td>20,000 - 39,999 (1)</td>
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<tr>
<td></td>
<td>40,000 - 69,999 (3)</td>
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<td>70,000 - 99,999 (4)</td>
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<td>100,000 - 129,999 (6)</td>
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<td>130,000 - 159,999 (10)</td>
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<td>160,000 - 189,999 (15)</td>
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<td>220,000 - 249,999 (30)</td>
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<td>250,000 - 289,999 (50)</td>
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<td>290,000 - 319,999 (75)</td>
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<td>320,000 - 349,999 (100)</td>
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<td>980,000 - 1,009,999 (650)</td>
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<td>Over 1,000,000 (1,000)</td>
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</tbody>
</table>

(b) **Theaters:** One (1) space per 16 seats or 100 square feet of floor area, but not more than one (1) space per 2 employees.

(c) **Apartments:** One (1) space per 100 square feet of floor area.

(d) **Hospitals:** One (1) space per 300 square feet of floor area.

(e) **Convalescent homes:** One (1) space per 200 square feet of floor area.

(f) **Welfare institutions:** One (1) space per 1,000 square feet of floor area.

(g) **Schools:** One (1) space per 100 square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per 20 seats or 4 feet of bench length in the main auditorium.

(h) **Parking as required for the above uses shall be regulated by Article 36.**

Section 6-2105. **MAXIMUM FRONT YARD.**

(a) Where all the frontage Is located on one side of the lot, the front yard shall be required. Where the frontage Is located partly In a C2 Zone and partly in an R or A Zone, the front yard requirement of the R or A Zone shall apply in the C2 Zone. (See Article 38 for additional regulations.)

Section 6-2111. **MINIMUM SIDE YARD.**

(a) A side yard Is not required except when the side of a lot abuts an R or A Zone. In such case, the side yard requirement of the R or A Zone shall apply in the C2 Zone on that side of the lot abutting the R or A Zone.

Section 6-2112. **MINIMUM REAR YARD.** There shall be no limitation.

**Section 6-2113.** 5.5NS.

Signs other than outdoor advertising signs as defined in the Sign Code are permitted without limitation if In accordance with the Sign Code; except that no part of any sign shall extend more than eighteen (18) feet above the roof line of a building In a portion of a C2 Zone within four hundred (400) feet of an R10, R7, R5, A2.5, C5, or C4 Zone.

Outdoor advertising signs may be erected if the Variance Committee first approves the location as not obstructing a view of scenic interest, as not obstructing
traffic visibility, and as not increasing the density of such outdoor advertising signs along any arterial or heavily traveled street to an extent tending to constitute a safety hazard or a detriment to the appearance of the neighborhood.

Residential Uses

Section 6-2114. ON LOTS ABUTTING A0, C1, or M ZONES.

(a) Uses permitted:
1. One-family dwellings.
2. Two-family dwellings.
3. Apartment dwellings.
4. Boarding and rooming houses.

(b) Where any lot is used exclusively for any of the above residential uses, all regulations governing Principal Uses permitted in A0 Zones shall apply.

(c) Where any of the above residential uses are combined on the same lot or in the same building with a Principal Use permitted in C2 Zones, off-street parking and lot area as required for buildings used exclusively for residential purposes shall be provided in addition to such space maintained for the Principal Use. Likewise, side and rear yards shall be provided for those portions of the building arranged for or occupied as a place of residence of the depth required of buildings used exclusively for residential purposes.
Section 6-2118. ON ALL OTHER LOTS IN CI ZONES.

(a) Uses permitted:
1. One-family dwellings.
2. Two-family dwellings.
3. Apartment dwellings.
(b) Buildings and uses accessory to
1. Principal Use:
2. Residential Use:

(c) Where located exclusively for any of the above residential uses, all regulations governing such accessory buildings in A1 Zones shall apply.

(d) Where located anywhere else, all regulations governing such accessory buildings in A1 Zones shall apply.

(e) Where located anywhere else, all regulations governing such accessory buildings in A1 Zones shall apply.

Section 6-2118. ACCESSORY USES TO PRINCIPAL USE.

(a) To Principal Use:

(b) To Residential Use:

Section 6-2118. ACCESSORY TO PRINCIPAL USE.

(a) On lots abutting R or A Zones, no accessory building shall be located nearer to a line separating the R or A Zone from the CI Zone than the requirement for accessory buildings in the R or A Zone.

(b) A detached accessory building shall not encroach upon the required yard or court of any building.

Section 6-2119. ACCESSORY TO RESIDENTIAL USE.

(a) Residential buildings accessory to Principal Uses in A1 Zones shall apply to all accessory uses and buildings in a Residential Use in a CI Zone.

Conditional Uses

Section 6-2119. AUTHORITY.

Upon approval by the Commission, subject to the procedures specified herein, one or more of the Conditional Uses listed in Section 6-2119 may be permitted in any CI Zone. In permitting such an application, the Commission shall determine the propriety of a particular location as desirable for convenience and welfare and not detrimental or injurious to the public health, safety, and the value of surrounding properties.

In permitting such uses, the Commission shall, in addition to the regulations herein specified, such conditions and restrictions as it may deem necessary to protect the best interests of the surrounding property or neighborhood, or the city, as a whole. Such conditions may include requirements under which any such use shall be permitted, or alteration of the use shall be reviewed by the Commission and new conditions imposed.

Change in use, expansion or construction of site area, or alteration of approved Conditional Uses existing prior to the effective date of this ordinance, shall conform to any and all regulations pertaining to such Conditional Uses as contained herein and to such additional conditions as may be required in the public interest to protect surrounding residential properties.

Section 6-2119. PROCEDURE.

Written applications for the approval of the uses referred to in this section shall be filed in the Planning Commission's office upon forms prescribed for that purpose by the Planning Commission. The application shall be accompanied by a site plan showing the dimensions and arrangement of the proposed development or changes in an existing Conditional Use. The Commission may require other drawings, topographic surveys, photographs, or other material essential to an understanding of the proposed use and its relationship to surrounding properties.

The fee for such application shall be fifty dollars ($50.00) except the following:

1. Excavations, five dollars ($5.00).

2. Excavations and filling.

3. Exterior alteration.


5. License to operate.

6. Railroad rights-of-way and grade separations.

7. Trailer parks.

Section 6-2120. REGULATIONS.

The Commission shall determine the types and conditions governing each Conditional Use at the time of approval. However, the regulations listed below shall be considered minimum or maximum requirements, as the case may be, and shall apply to the particular Conditional Uses mentioned. The Commission may require, in addition to these minimum requirements and to specify other types of regulations to be required in the public interest and if necessary to protect surrounding residential properties.

Such conditions as are imposed shall bind all successors and shall not be affected by any subsequent transfer of ownership.

In case regulations differing from those generally governing each Conditional Use in CI Zones are not specified in this Article nor in the written instrument approving a Conditional Use by the Commission or the Council, then the regulations governing Principal Uses shall also govern such Conditional Uses to the extent applicable.

(a) EXCAVATION AND FILLING:

1. Excavation or filling or other-wise changing the natural grade as existing on the date of this ordinance by more than one hundred (100) cubic yards, if not covered by a building permit, shall be regulated as a Conditional Use.
Section 8-241. Amended by Ord. No. 114-2024

8-241. Amended by Ord. No. 114-29-26 100883
(b) MOVING OF BUILDINGS:  
1. A building or structure moved to a location within a CI Zone shall conform to off-street parking, lot size, minimum yards, maximum height, and all other applicable provisions in the CI Zone.  
2. Upon completion of the moving of the building, the owner shall proceed immediately to bring the building into compliance with all requirements of the Building, Housing, Plumbing and Zoning Codes and other applicable ordinances, and all such ordinances shall be complied with not later than six (6) months from the date of the permit for the moving. Provided that in the building as constructed, ceiling height, room area, window area and general arrangement of rooms and similar structural forms shall not be required to comply with existing regulations.  
(c) RAILROAD RIGHTS-OF-WAY AND PASSENGER STATIONS:  
1. Establishment and subsequent extensions of rights-of-way for tracks and passenger stations shall be as Conditional Uses. All other railroad facilities, such as switching yards, holding tracks, team tracks, freight depots, shops, and round houses are prohibited in CI Zones.  

Prohibited Uses  
Section 6-2214. GENERAL PROHIBITION. Uses of structures and land not specifically mentioned in this Article are prohibited in all CI Zones.  

Article 29  
CI CENTRAL COMMERCIAL ZONE  
Section 6-2201. GENERAL REQUIREMENT. In all CI Zones, the use of land and structures; the location and use of new structures; and the alteration, enlargement, or moving of existing structures shall conform to the following regulations.  

Principal Uses  
Section 6-2202. USES PERMITTED.  
(a) In a CI Zone, the following uses are permitted:  
1. GROUP 1 uses as listed in Section 6-2102.  
2. GROUP 2 uses as listed in Section 6-2102.  
3. GROUP 3 uses as listed in Section 6-2102.  
4. GROUP 4 uses as listed in Section 6-2102, except drive-in businesses.  
5. GROUP 5 uses as listed in Section 6-2102.  
6. Assembly of electrical appliances, musical instruments and devices, radios and phonographs, including the manufacture of small parts only, such as coils, conditioners, transformers and crystal holders.  

7. Laboratories; experimental, dental, medical, photo or motion picture, research or testing.  
8. Manufacture, compounding, processing, arranging or treatment of such products as candy, cosmetics, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toilettries, excluding the refining and rendering of fats and oils.  
9. Manufacture, compounding, assembling or treatment of articles or merchandise from the following and similar prepared materials: bone, cellophane, canvas, cloth, cork, feathers, felt, fibre, fur, glass, hair, leather, paper, plastics, precious or semi-precious metals or stones, shell, textiles, tobacco, wood (excluding planing mill), yarn, and paint not employing a boiling process.  
10. Manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay.  
11. Manufacture and maintenance of electric and neon signs, billboards, commercial advertising structures.  
12. Manufacture of musical instruments and melodies and rubber and metal stamps.  
13. Manufacture of optical goods, scientific, operation instruments and equipment.  
14. Manufacture of artificial limbs, prosthesis, dentures, surgical instruments and dressings, and other devices employed by the medical and dental professions.  
15. Parcel delivery service.  
17. Residential uses.  
18. Accessory buildings and uses customarily incidental to any of the above uses.  
19. Other uses, ordinarily located in high rent central business districts, found similar to the above by the Commission in accordance with Section 6-4001.  

Section 6-2203. LIMITATIONS ON USE  
(a) Any uses and operations objectionable due to unsightliness, odor, dusts, noise, glare, heat, vibration, and other similar causes shall be prohibited.  
(b) All uses, except those in Groups 5 and 6 which are by nature of an open-air type, shall be confined, contained and conducted wholly within completely enclosed buildings.  

Section 6-2214. OFF STREET PARKING. Off-street parking facilities are prohibited in CI Zones except as provided in Section 6-2216 and Section 6-2217.  

Section 6-2215. OFF STREET LOADING. Off-street loading facilities are prohibited in CI Zones except as provided in Section 6-2216 and Section 6-2217.  

Section 6-2206. LOT SIZE REQUIRED. There shall be no limitation.  

Section 6-2207. MAXIMUM LOT COVERAGE. There shall be no limitation.  

Section 6-2208. MAXIMUM FLOOR AREA PERMITTED.  
(a) The gross floor area of any Principal Use, together with necessary garages, shall not exceed twelve (12) times the area of the site.  

Section 6-2209. MAXIMUM HEIGHT PERMITTED. There shall be no limitation except as regulated by the maximum floor area permitted. See Section 6-2208.  

Section 6-2210. MINIMUM FRONT YARD. There shall be no limitation.  

Section 6-2211. MINIMUM SIDE YARD. There shall be no limitation.  

Section 6-2212. MINIMUM REAR YARD. There shall be no limitation.  

Section 6-2213. SIGNS. Signs other than outdoor advertising signs as defined in the Sign Code are permitted without limitation if in accordance with the Sign Code.  

Outdoor advertising signs may be erected in the Variance Committee first approves the location as not obstructing a view of scenic interest, as not obstructing traffic visibility, as not increasing the density of such outdoor advertising signs along any arterial or heavily traveled street to an extent tending to constitute a safety hazard or a detriment to the appearance of the neighborhood.  

Section 6-2214. AUTHORITY.  
Up on approval by the Commission, in accordance with the procedure specified herein, one or more of the Conditional Uses listed in Section 6-2216 may be permitted in any CI Zone. In permitting such uses, the Commissioner shall determine the propriety of a particular location as desirable to the public convenience and welfare and not detrimental or injurious to the public health, peace, or safety or to the surrounding properties.  

In permitting such uses, the Commission may impose, in addition to the regulations herein specified, such conditions and restrictions as it deems necessary to protect the best interests of the surrounding property or neighborhood or the City as a whole. Such conditions may include requirements, under which any future enlargement or alteration of the use shall be reviewed by the Commission and new conditions imposed.
Change in use, expansion, or contraction of site area, or alteration of structures of Conditional Uses existing prior to the effective date of this ordinance, shall conform to all regulations pertaining to such Conditional Uses as contained herein and to such additional conditions or restrictions as are required in the public interest to protect surrounding residential properties.

Section 5-2215. PROCEDURE. Written applications for the approval of the uses referred to in this section shall be filed in the Planning Commission's office upon forms prescribed for that purpose by the Commission. The application shall be accompanied by a site plan showing the dimensions and arrangement of the proposed development or changes in an existing Conditional Use. The Commission may require other drawings, topographic surveys, photographs, or other material essential to an understanding of the proposed use and its relationship to surrounding properties.

The fee for such application shall be fifty dollars ($50.00) except the following: Moving of buildings, twenty dollars ($20.00); Excavations, five dollars ($5.00). Fees shall be payable to the City.
Section 6-22/5 Amended by Ord. No. 110-722, 110-689
Section 6-211. USES PERMITTED.
(a) In a Cl Zone, the following Conditional Uses are permitted subject to the regulations contained in Section 6-211.
1. Aircraft landing area.
2. Drive-in business.
3. Excavations and filling.
4. Group 4 Principal Uses listed in Section 6-2102.
5. Moving of buildings.
6. Off-street parking facilities.
7. Radio or television transmitter.

Section 6-211. REGULATIONS.
The Commission shall determine the specific regulations and conditions governing Conditional Uses at the time of approval. However, the regulations listed below shall be considered minimum or maximum requirements, as the case may be, and shall apply to Conditional Uses mentioned. The Commission shall have authority to increase these minimum requirements and to specify other uses of requirements, if in the public interest and necessary to protect surrounding residential properties.

Section 6-211. OFF-STREET PARKING FACILITIES:
1. No permit shall be issued for the construction or alteration of such facilities unless approval is given by the City Planning Commission and the City Traffic Engineer.

Section 6-211. PROHIBITED USES:
Section 6-211. GENERAL PROHIBITION. Uses of structures and land not specifically mentioned in this Article are prohibited in all Cl Zones.

Article 55
RESERVED FOR EXPANSION
Article 24
M4 LIMITED MANUFACTURING ZONE
Section 6-2401. GENERAL REQUIREMENT. All M4 Zones, the use of land and structures, the location and erection of new structures; and the alteration, enlargement, or maintenance of existing structures, shall be in accordance with the following procedures:

1. (a) M4 Zones shall be established only by written consent of the owner or owners of the property to be changed, except the Council or the Commission may initiate the change of an Urban Renewal Area or part thereof to an M4 Zone. The provisions of Article 41, together with the additional requirements cited herein, shall govern the procedure to be followed.

2. (b) The lot, tract, or parcel of land involved shall be (a) in one ownership, (b) the subject of an application by the owner of all the property to be changed, or (c) an Urban Renewal Area or part thereof approved by the Portland City Planning Commission and the Portland City Council.

3. (c) The petitioner shall prepare and submit a preliminary development plan together with a schedule of construction of his proposed project in the M4 Zone. During its study and consideration, the Commission may hold a public hearing on the said development plan and may request expert advice from its Design Committee and other authorities on traffic, health, safety, or other matters germane to the effect of the proposed project on the surrounding property or neighborhood or the City as a whole. If the Commission finds the zone change justified and that the preliminary development plan and construction schedule is acceptable in accordance with regulations of this Article and such other requirements deemed necessary by the public interest in the Commission, the petitioner shall prepare a final development plan and construction schedule for approval by the Commission and submission to the City Council.

4. (d) If the Council determines that the M4 Zone should be established and approved the final development plan and construction schedule or modifications thereof, said plan and schedule shall be made a part of the zone change ordinance, and the whole shall be recorded with the County Clerk.

5. (e) No building or occupancy permit shall be issued on the property involved in part if they are in exact conformance with the recorded final development plan.

(f) Failure to begin and complete construction on or prior to the approved dates in the construction schedule shall void the development plan and shall automatically terminate any right to proceed under the recorded development plan or the zone change ordinance. Thereafter, it shall be unlawful for any further construction of any use to be made under the M4 zone and development or use of the property must conformed with the former classification.

(g) During the course of construction, changes in the final development plan or schedule deemed necessary by the petitioner shall be submitted to the Commission. The Commission shall study and set forth the reversion of the property to its former classification.

(h) After the project is constructed and the subsequent enlargements or alterations or change of use shall be submitted to the Commission and the same procedure applying to the original development plan shall govern.

Section 6-2402. REGULATIONS. The city planning commission shall amend any particular lot, parcel, or tract in an M4 Zone shall be the recorded zone change ordinance and final development plan and amendments thereto, according to which the lot, parcel, or tract is to be improved and maintained. The Council shall have authority to vary the regulations with such property as in its judgment is necessary or desirable to the public convenience, health, safety, peace, and comfort. The Council may make any change, or abolish the M4 Zone and a final development plan be approved by the Council, whereby at least the requirements specified in Sections 6-2405 to 6-2417, inclusive.

Failure to include the regulations listed in said sections in the zone change ordinance shall not relieve the petitioner from complying with them.

Section 6-2404. MINIMUM SITE AREA. An M4 Zone shall be established of a minimum of ten (10) acres in area or larger.

Section 6-2405. LOCATIONS PERMITTED.
(a) M4 Zones shall be restricted to any of the following locations:
1. Abutting a major or secondary traffic arterial.
2. Adjacent to a street or zone and fronting on the same street serving the adjoining tract in the same direction.
3. Across a street upon which fronts an M Zone.

Section 6-2406. USES PERMITTED.
(a) In an M4 Zone, the following uses shall be permitted in accordance with Section 6-2403:
1. Any Group 7 use listed in Section 6-2402.
2. Any other manufacturing use (except those listed in Groups 11, 12, and 13; see Sections 6-2406 and 6-2406) as judged by the Commission after advice from traffic, health, and safety authorities to be no more detrimental to the surrounding vicinity than Group 7 uses.
3. Offices.
4. Such other uses, retail and service establishments (non-manufacturing) as are judged by the Commission after advice from traffic, health, and safety authorities to be consistent with the conveniences of employment and complementary to other uses.

Section 6-2407. LIMITATIONS ON USES.
(a) All uses and operations exceptoofstreet parking shall be confined, contained, and conducted within completely enclosed buildings.
(b) High standards of exterior maintenance, cleanliness, and orderliness shall be maintained at all times.
Section 6-2413-Amended by Ord. No. 110-232
Section 6.412. MINIMUM FRONT YARD.
(a) Across a street from an R, A, CH, or C4 Zone, a minimum front yard of one hundred (100) feet shall be provided and maintained.
(b) In all other locations, a minimum front yard of thirty (30) feet shall be provided and maintained.

Section 6.413. MINIMUM SIDE YARD.
(a) Abutting an R or A Zone, a minimum side yard of one hundred and fifty (150) feet shall be provided and maintained.
(b) In all other locations, a minimum side yard of twenty (20) feet or twice the height of the structure, whichever is the greater, shall be provided and maintained.

Section 6.415. SIGNS PERMITTED.
(a) Signs necessary to direct traffic on the premises.
(b) All other signs visible from the exterior of the building or buildings are prohibited except one (1) sign, illuminated or non-illuminated, not exceeding two hundred and fifty (250) square feet in area, indicating the name of the use.

Section 6.416. ACCESSORY BUILDINGS.
An accessory building shall be located as far from any lot line as are the required yard depths for main buildings.

Section 6.417. PROHIBITED USES.
(a) Residential uses except quartering company executives or guests, and for transients in hotels or motels.
(b) All other uses not specifically listed in Section 6.2406.

Article 52
M3 LIGHT MANUFACTURING ZONE
Section 6.2501. GENERAL REQUIREMENT. In all M3 Zones, the use of land and structures; and the alteration, enlargement, or moving of existing structures shall conform in all respects to the following regulations.

Principal Uses
Section 6.2502. USES PERMITTED. In an M3 Zone, the following uses are permitted:
(a) GROUP 1 uses listed in Section 6.4102.
(b) GROUP 2 uses listed in Section 6.4103.
(c) GROUP 3 uses listed in Section 6.4104.
(d) GROUP 4:
1. Any uses and operations objectionable due to unsightliness, odor, dust, noise, glare, heat, vibration, and other similar causes shall be prohibited.
2. The location and installation of a power hammer, such press exceeding twenty (20) tons capacity, forging forge shall not be permitted with any operation, or manufacturing process in M3 Zones.

(c) The site shall be landscaped and maintained at all times in a manner satisfactory to the Commission.
(d) Any uses and operations objectionable due to unsightliness, odor, dust, noise, glare, heat, vibration, and other similar causes shall be prohibited.

OFF-STREET PARKING REQUIRED.
(a) One (1) space per two (2) employees shall be provided and maintained. In addition, retail and service establishments shall provide off-street parking spaces as required for such uses in Section 6.3104.
(b) Such space shall be located on the site.
(c) Such space shall not be located in any required yard.
(d) Screening shall be provided and maintained between any parking area and a street line or property in an R or A Zone. It shall be at least three (3) feet and not more than four (4) feet high along the street line and at least five (5) feet and not more than six (6) feet high along any other property line. Such screening may be placed along the boundary of the parking area or along a property line closer than five (5) feet to a street line. Such screening shall be composed of a sturdy wall, ornamental wooden fence, a compact evergreen hedge, or a chain link type fence covered with evergreen vines. Such screening shall be sufficiently dense to obscure motor vehicle headlight.
(e) The provisions of Article 36, not in conflict with the above, shall also apply.

Section 6.2406. OFF-STREET LOADING REQUIRED.
(a) Off-street loading berths shall be provided for any building or group of buildings according to gross floor area as follows:

<table>
<thead>
<tr>
<th>Square Feet</th>
<th>Loading Berths of Floor Area Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,000 - 39,999</td>
<td>1</td>
</tr>
<tr>
<td>40,000 - 99,999</td>
<td>2</td>
</tr>
<tr>
<td>100,000 - 159,999</td>
<td>3</td>
</tr>
<tr>
<td>160,000 - 219,999</td>
<td>4</td>
</tr>
<tr>
<td>240,000 - 319,999</td>
<td>5</td>
</tr>
<tr>
<td>320,000 - 399,999</td>
<td>6</td>
</tr>
<tr>
<td>400,000 - 489,999</td>
<td>7</td>
</tr>
<tr>
<td>490,000 - 579,999</td>
<td>8</td>
</tr>
<tr>
<td>580,000 - 669,999</td>
<td>9</td>
</tr>
<tr>
<td>670,000 - 759,999</td>
<td>10</td>
</tr>
<tr>
<td>760,000 - 849,999</td>
<td>11</td>
</tr>
<tr>
<td>850,000 - 939,999</td>
<td>12</td>
</tr>
<tr>
<td>940,000 - 1,029,999</td>
<td>13</td>
</tr>
<tr>
<td>Over 1,030,000</td>
<td>14</td>
</tr>
</tbody>
</table>

Such berths shall be regulated by Article 36.

Section 6.2410. MAXIMUM LOT COVERAGE.
(a) The area covered by all buildings, structures, and accessory uses shall not exceed forty (40) per cent of the lot area.

Section 6.2411. MAXIMUM HEIGHT PERMITTED.
(a) No structure shall exceed thirty-five (35) feet in height, except that this height limit may be exceeded in locations where the petitioner can demonstrate that any structure above thirty-five (35) feet in height will not obstruct the panoramic view from any property located in a zone or part of a zone having a three-story or lower height limit and within 2,000 feet of the petitioner's project by more than a horizontal angle of six (6) degrees.

(e) GROUP 5 uses listed in Section 6.4102.
(f) GROUP F uses listed in Section 6.4102.
(g) GROUP 7:
1. Assembly and fabrication of metal products.
2. Assembly of electrical appliances, instruments and devices, radios and phonographs, including the manufacture of any, such as coils, condensers, transformers, and crystal holders.
3. Laboratories.
4. Medical, dental, photographic or motion picture, research or testing.
5. Laundering.
7. Manufacturing, compounding, processing, packaging or treating of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticails, perfumed toilet soap, toilettries, excluding the refining and rendering of fats and oils, and food and beverage products such as vinegar, pickle, meat and fish products.
8. Manufacture of pottery and figurines or similar ceramic products, using only previously pulverized clay.
9. Manufacture of electric and neon signs, billboards, commercial advertising structures.
10. Manufacture of musical instruments, toys, novelities, and rubber and metal articles.
11. Manufacture of optical goods, scientific and precision instruments and apparatus.
12. Manufacture of artificial limbs, hearing aids, dentures, surgical instruments and dressings, and other devices employed by the medical and dental professions.
13. Motion picture studio.
15. Spinning and weaving of cotton, wool, flax or other fibrous materials.
16. Stone, marble and granite monument works.
17. Veterinary, or an animal hospital.
18. Warehouses and storage buildings.
19. Wreking shop.
(h) Other light, non-nuisance manufacturing found similar to the above by the Commissioner in accordance with Section 6.4001.

Section 6.2503. LIMITATIONS ON USE.
(a) GROUPS 1 TO 7, INCLUSIVE:
1. Any uses and operations objectionable due to unsightliness, odor, dust, noise, glare, heat, vibration, and other similar causes shall be prohibited.
2. The location and installation of a power hammer, such press exceeding twenty (20) tons capacity, forging forge shall not be permitted with any operation, or manufacturing process in M3 Zones.
(b) GROUPS 1 AND 7:
1. Such uses are permitted in M3 Zones only if all activities and
operations (except off-street
loading and parking) are
confined, contained, and conducted
wholly within completely
enclosed buildings.
(c) GROUP 4:
1. Firms whose primary activity
is involving vehicles from wrecked
vehicles are not permitted in M5 Zones.
2. Lubrication, washing, repair,
and servicing, and tire repair,
battery service, body,
fender, painting, upholstery
storage of materials and equipment
shall be confined, contained, and conducted
wholly within completely enclosed buildings.
Section 6-2504. OFF-STREET PARKING REQUIRED.
(a) GROUP 1 USES: One (1)
space per 500 square feet of
gross floor area.
(b) GROUP 2 USES: One (1)
space per 700 square feet of
gross floor area.
(c) GROUP 3 USES: Required
spaces shall be the same as
specified for Group 3 uses in
Section 6-2104.
(d) GROUP 4 USES: One (1)
space per employee in addition
to spaces provided for customers' vehicles and vehicles in stock.
(e) GROUP 5 USES: Required
spaces shall be the same as
specified for Group 5 uses in
Section 6-2114.
(f) GROUP 6 USES: Required
spaces shall be the same as
specified for Group 6 uses in
Section 6-2104.
(g) GROUP 7 USES: One (1)
space per 100 square feet of
gross floor area, but not more than one (1) space per four (4)
employees.
(h) Parking as required for the
above uses shall be regulated by
Article 38.
Section 6-2505. OFF-STREET LOADING REQUIRED.
(a) Off-street loading berths shall
be provided and maintained for the
following uses occupying a
building or buildings totaling
10,000 square feet of
gross floor area or more
according to the table below:

<table>
<thead>
<tr>
<th>Uses: Hotels</th>
<th>Loading Berths</th>
<th>of Floor Area</th>
<th>Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>10,000</td>
<td>25,999</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>20,000</td>
<td>50,999</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>30,000</td>
<td>75,999</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>40,000</td>
<td>100,999</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>50,000</td>
<td>125,999</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>60,000</td>
<td>150,999</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>70,000</td>
<td>175,999</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>Over 80,000</td>
<td>200,999</td>
<td>8</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Uses: Theaters</th>
<th>Loading Berths</th>
<th>of Floor Area</th>
<th>Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>10,000 and Over</td>
<td>1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Section 6-2506. LOT SIZE REQUIRED. There shall be no limitation.

Section 6-2507. MAXIMUM LOT COVERAGE. There shall be no limitation.

Section 6-2508. MAXIMUM FLOOR AREA PERMITTED. There shall be no limitation except within three hundred (300) feet, plus the width of intervening streets, of an R or A Zone. The gross floor area devoted to the conduct of any individual Group 3, Group 4, or Group 5 uses, together with its accessory uses, shall not exceed ten thousand (10,000) square feet.

Section 6-2509. MAXIMUM HEIGHT PERMITTED.
(a) No structure shall exceed thirty (30) feet in height, except there shall be no height limit on any structure located four hundred (400) feet or farther from any R10, R7, R6, A2.5, C5, or C4 Zones.

(b) On any lot, sloping downhill from the street, which has an average ground slope on that portion of the lot to be occupied by the main building of twenty-five (25) per cent or more (measured in the general direction of the side lot lines), an additional story may be permitted in such main building, provided the ceiling of the lowest story shall not be more than two (2) feet above the average curb level along the front of the lot.

Section 6-2510. MINIMUM FRONT YARD.
(a) Where all the frontage is located in an M3 Zone, no front yard shall be required. Where the frontage is located partly in an M3 Zone and partly in an R or A Zone, the front yard requirement of the R or A Zone shall apply in the M3 Zone on that side of the lot abutting the R or A Zone.

Section 6-2511. MINIMUM SIDE YARD.
(a) A side yard is not required except where the side of a lot abuts an R or A Zone. In such case, the side yard requirement of the R or A Zone shall apply in the M3 Zone on that side of the lot abutting the R or A Zone

Section 6-2512. MINIMUM REAR YARD. There shall be no limitation.

Section 6-2513. SIGNS. Signs other than outdoor advertising signs as defined in the Sign Code are permitted without limitation, if in accordance with the Sign Code, except that no part of any sign shall extend more than eighteen (18) feet above the roof line of a building in a portion of an M3 Zone within four hundred (400) feet of an R10, R7, R6, A2.5, C5, or C4 Zone.

Outdoor advertising signs may be erected if the Variance Committee first approves the location as not obstructing a view of scenic interest, as not obstructing traffic visibility, and as not increasing the density of such outdoor advertising signs along any arterial or heavily traveled street to an extent tending to constitute a safety hazard or a detriment to the appearance of the neighborhood.

Residential Uses

Section 6-2514. ON LOTS ABUTTING R, A2.5, C5, OR C4 ZONES.
(a) Uses permitted:
1. One-family dwellings.
2. Two-family dwellings.
3. Apartment dwellings.
4. Boarding and rooming houses.

(b) Where any lot is used exclusively for any of the above residential uses, all regulations governing Principal Uses permitted in R, A2.5, C5, or C4 Zones shall apply.

(c) Where any of the above residential uses are combined on the same lot or in the same building with a Principal Use permitted
Section 6-356 Amended by Ord. No. 110722
In M3 Zones, off-street parking and lot area as required for buildings used exclusively for residential purposes shall be provided in addition to such space maintained for the Principal Use. Likewise, side and rear yards shall be provided for those portions of the building arranged for or occupied as a place of residence of the depth required of buildings used exclusively for residential purposes.

Section 6-2515. ON ALL OTHER LOTS IN M3 ZONES.

(a) Uses permitted:
1. One-family dwellings.
2. Two-family dwellings.
3. Apartment dwellings.
4. Boarding and rooming houses.

(b) Where any lot is used exclusively for any of the above residential uses, all regulations governing Principal Uses permitted in A0 Zones shall apply.

(c) Where any of the above residential uses are combined on the same lot or in the same building with a Principal Use permitted in M3 Zones, off-street parking and lot area as required for buildings used exclusively for residential purposes shall be provided in addition to such space maintained for the Principal Use. Likewise, side and rear yards shall be provided for those portions of the building arranged for or occupied as a place of residence of the depth required of buildings used exclusively for residential purposes.
Section 6-3216. GENERAL.
(a) No separate permit shall be issued for the construction of any type of building other than that of a main building to contain a Principal or Residential Use.

Section 6-3217. HEIGHT.
(a) No accessory building or structure shall exceed two (2) stories in height, except there shall be no limit on any structure located less than a hundred (100) feet from any R10, R7, R5, A5, C1, or C4 Zone.

Section 6-3218. ACCESSORY TO PRINCIPAL USE.
(a) No accessory buildings shall be located nearer to a lot line separation or infraction of the M3 Zone than the requirement for accessory buildings in the R Zone.
(b) A detached accessory building shall not encroach upon the required area of any building on the same lot.

Section 6-3219. ACCESSORY TO RESIDENTIAL USE.
(a) Regulations governing buildings accessory to Principal Uses in A6 Zones shall apply to all accessory uses and buildings to a Residential Use in an M3 Zone.

Section 6-3220. AUTHORITY.
Upon approval by the Commission, in accordance with the procedure specified herein, one or more of the Conditional Uses listed in Section 6-3221 may be permitted in any M3 Zone. In permitting such uses, the Commission shall determine the propriety of any particular location as desirable to the public convenience and welfare and not detrimental or injurious to the public health, safety or to the value of surrounding properties.

In permitting such uses, the Commission may impose, in addition to the regulations herein specified, such conditions and restrictions as it deems necessary to protect the public interest and the public health, safety or welfare or to the value of surrounding properties.

Change in use, expansion or construction of site area, or alteration of structures of Conditional Uses existing prior to the effective date of this ordinance, shall conform to all regulations pertaining to such Conditional Uses as contained herein and to such additional conditions or restrictions as are required in the public interest to protect surrounding residential properties.

Section 6-3221. PROCEDURE.
Written applications for the approval of a Conditional Use as referred to in this section shall be filed in the Planning Commission's office upon forms prepared for that purpose by the Commission. The application shall be accompanied by a site plan showing the dimensions and arrangement of the proposed building or the changes in an existing Conditional Use. The Commission may require other drawings, topographic surveys, photographs, or other material essential to an understanding of the proposed use and its relationship to surrounding properties.

The fee for such application shall be fifty dollars ($50.00) except the following: Moving of buildings, ten dollars ($10.00); Excavations, fifty dollars ($50.00); Fees shall be payable to the City Treasurer and shall not be refundable in any case.

Applications for Conditional Uses shall be signed or the owner or his authorized agent. The City Auditor shall compile a list of the names and addresses of all persons owning real property within the Affected Area. The Affected Area is all real property located within lines three hundred (300) feet (exclusive of street widths) from and parallel to the boundaries of the Conditional Use.

The Commission shall hold a public hearing on such application for a Conditional Use. The Commission shall notify the Auditor of the date of the public hearing, and the Auditor shall mail notices of the public hearing to all property owners within the Affected Area at least fourteen (14) days prior to the date of the hearing.

The Commission shall make its findings and determination in writing within sixty (60) days from the date of filing of such application and shall forthwith transmit a copy thereof to the applicant and the Bureau of Buildings. The Commission may approve a master or long term development plan for such Conditional Use and so inform the Bureau of Buildings. Upon application for the establishment of a Conditional Use or with any subsequent application for change or expansion of such use, the Commission may approve a master or long term development plan for such Conditional Use and so inform the Bureau of Buildings that building permits may be issued as long as they conform with the approved master development plan without the necessity of a Conditional Use approval each time a building permit is requested. No decision of the Commission under this section shall become effective until after an elapsed period of fourteen (14) days from the date when the determination is made, during which time the applicant, or any other person aggrieved, may appeal therefrom to the Council. The Council may affirm, reverse or modify in whole or in part the Commission's ruling and may impose such conditions as it may find warranted.

Section 6-3222. USES PERMITTED.
(a) In an M3 Zone, the following Conditional Uses are permitted subject to the regulations contained in Section 6-3223:
1. Aircraft landing area.
2. Excavations and filling.
4. Natural resources, development of.
5. Radio or television transmitting.
7. Retail fuel oil distributor.
8. House trailer.

Section 6-3223. REGULATIONS.
The Commission shall determine the specific regulations and conditions governing Conditional Use at the time of approval. However, the regulations listed below shall be considered minimum or maximum requirements, as the case may be, and shall apply to the particular Conditional Uses mentioned. The Commission shall have authority to increase these minimum requirements and to specify other types of requirements if in the public interest and if necessary to protect surrounding residential properties.

Such conditions as are imposed shall bind any successors and shall not be affected by any subsequent transfer of ownership.

In case regulations differing from those governing Principal Uses permitted in M3 Zones are not specified in this Article nor in the written instrument approving a Conditional Use by the Commission or the Council, then the regulations governing Principal Uses shall also govern such Conditional Use insofar as applicable. (Additional regulations governing parking, loading and yard requirements for Conditional Uses are contained in Articles 36, 37, and 38.)

(a) EXCAVATING AND FILLING:
1. Excavating or filling of any kind of this area, or alteration of natural grades existing on the effective date of this ordinance by more than one hundred (100) cubic yards, if not covered by a building permit, shall be regulated as a Conditional Use.
2. MOVING OF BUILDINGS:
1. A building or structure moved to a location within an M3 Zone shall conform to off-street parking, lot size, minimum yards, maximum height, and all other applicable provisions in the M3 Zone.
Section 6-25XX Amended by Ord. No. 110783, 110813

En. 6-25XX Amended by Ord. No. 110783, 110813
2. Upon completion of the moving of the building, the owner shall proceed immediately to bring the building into compliance with all requirements of the Building, Housing, Plumbing, and Zoning Codes and other applicable ordinances, and all such ordinances shall be complied with not later than six (6) months from the date of the permit for the moving. Provided that in the building as constructed, ceiling height, room area, window area and general arrangement of rooms and similar structural forms shall not be required to comply with existing regulations.

(c) RAILROAD RIGHTS-OF-WAY AND PASSENGER STATIONS:
1. Establishment and subsequent extensions of rights-of-way for tracks and passenger stations shall be regulated as Conditional Uses. All other railroad facilities, such as switching yards, holding, tracks, team tracks, freight depots, shops, and round houses are prohibited in M3 Zones.

Prohibited Uses
Section 6-2504. GENERAL PROHIBITION. Uses of structures and land not specifically mentioned in this Article are prohibited in all M3 zones.

Article 26
M3 GENERAL MANUFACTURING ZONE
Section 6-2601. GENERAL REQUIREMENT. In all M3 Zones, the use of land and structures, the location and erection of new structures, and the alteration, enlargement, or moving of existing structures shall conform in all respects to the following requirements.

Principal Uses
Section 6-2602. USES PERMITTED. In the M3 Zone, the following uses are permitted:
(a) GROUP 1 uses listed in Section 6-2102.
(b) GROUP 2 uses listed in Section 6-2103.
(c) GROUP 3 uses listed in Section 6-2103.
(d) GROUP 4 uses listed in Section 6-2502.
(e) GROUP 5 uses listed in Section 6-2502.
(f) GROUP 7 uses listed in Section 6-2502.
(g) GROUP 8.

1. Forge shop.
2. Foundry.
3. Heat or fish smoking, curing, or canning.
4. Poultry or rabbit killing.

(b) GROUP 9:
1. Such uses are permitted in M3 Zones only if all activities and operations (except off-street parking and loading) are confined, contained, and conducted wholly within completely enclosed buildings.

1. Any manufacturing process, except those listed in Groups 11, 12, and 13 in Section 6-2701 and Section 6-2716.
2. Anmunition park.
3. Brew, boil, or boil small.
4. Brewery, distillery, or winery.
5. Building materials sales yard, including salveryard rocks, sand, or gravel as incidental to the main business but excluding sales of mining, salvage.
6. Circus, carnival, or other type of transient and outdoor amusement production.
7. Contractors' or loggers' equipment and trucks storage yard, plant, repair, rental, or sales.
8. Docks, piers, wharves, and associated shipping facilities for live or ocean-going vessels.
9. Dog kennel or other animal boarding place.
10. Draying or freighting yard or terminal.
11. Drive-in theaters.
12. Enameling or metal coating (galvanizing).
13. Express or carloading terminal.
14. Farm equipment repair.
15. Farming, truck gardening, breeding and raising animals, fish, or producing fishery products.
17. Fishing camp.
18. Grain elevator.
19. Heavy machinery, repair, sales, storage.
20. Ice and cold storage plant.
21. Pickle, sauerkraut, or vinegar plant.
22. Planing mill.
23. Produce terminal or yard.

2. Railroad facilities of all types, except major car repair shops and steam engine roundhouses.
24. Tire retreading or recapping.
25. Truck or bus sales, service, repairing, or overhauling.
26. Truck terminal.
27. Weaving of cotton, wool, flax, or other fibrous materials using power loom.
28. Other uses of a general industrial character found similar to the above uses in accordance with Section 6-4001.

Section 6-2608. LIMITATIONS ON USE
(a) GROUP 8:
1. Such uses are permitted in M3 Zones only if all activities and operations (except off-street parking and loading) are confined, contained, and conducted wholly within completely enclosed buildings.

(b) GROUP 9:
1. Such uses are permitted in M3 Zones only if at least six (6) feet high. Such screen shall be a masonry wall, a wooden or metal fence, a compact evergreen hedge, or a chain-link type wire fence with evergreen vines.

Section 6-2604. OFF-STREET PARKING REQUIRED.
(a) GROUP 1 USES: One (1) space per 60 square feet of gross floor area.
(b) GROUP 2 USES: One (1) space per 700 square feet of gross floor area.
(c) GROUP 3 USES: One (1) space per 700 square feet of gross floor area.
(d) GROUP 4 USES: Required space shall be the same as specified for Group 3 uses in Section 6-2704.
(e) GROUP 5 USES: Required spaces shall be the same as specified for Group 3 uses in Section 6-2704.
(f) GROUP 6 USES: Required spaces shall be the same as specified for Group 3 uses in Section 6-2704.

(g) GROUP 8 USES: One (1) space per 700 square feet of gross floor area, but not more than one (1) space per four (4) employees.
(h) GROUP 9 USES: One (1) space per 700 square feet of gross floor area, but not more than one (1) space per four (4) employees.

(i) GROUP 10 USES:
1. Amusement parks: One (1) space per 1,000 square feet of gross area.
2. Railroad passenger terminal: One (1) space per 1,000 square feet of gross floor area.
3. All other uses: One (1) space per 1,000 square feet of gross floor area, but not more than one (1) space per four (4) employees.

(j) Parking as required for the above uses shall be regulated by Article 26.

Section 6-2605. OFF-STREET LOADING REQUIRED.
(a) Off-street loading berths shall be provided and maintained for the following uses occupying a building or buildings totaling ten thousand (10,000) square feet of gross floor area or more according to the table below:

[Table not provided in the image]
### Sign Code

**Section 6-2613, SIGNS.** Signs other than outdoor advertising signs as defined in the Sign Code are permitted without limitation, if in accordance with the Sign Code, except that no part of any sign shall extend more than eighteen (18) feet above the roof line of a building in a portion of an M2 Zone within four hundred (400) feet of an R10, R7, R5, A2.5, C5, or C4 Zone.

Outdoor advertising signs may be erected if the Variance Committee first approves the location as not obstructing a view of scenic interest, as not obstructing traffic visibility, and as not increasing the density of such outdoor advertising signs along any arterial or heavily traveled street to an extent tending to constitute a safety hazard or to detriment to the appearance of the neighborhood.

### Conditional Use

**Section 6-2614, AUTHORITY.** Upon approval by the Commission, in accordance with the procedure specified herein, the owner of more of the Conditional Uses listed in Section 6-2614 may be permitted in any M2 Zone. In permitting such uses, the Commission shall determine the propriety of a particular location as desirable to the public convenience and welfare and not detrimental or injurious to the public health, peace or safety or to the value of surrounding properties. In permitting such uses, the Commission may impose, in addition to the regulations herein specified, such conditions and restrictions as it deems necessary to protect the best interests of the surrounding property or neighborhood or the City as a whole. Such conditions may include requirements under which any future enlargement or alteration of the use shall be reviewed by the Commission and new conditions imposed.

Change in use, expansion, or consolidation of areas, or alterations of structures of Conditional Uses existing prior to the effective date of the ordinance or before the approval by the Commission and new conditions imposed. Change in use, expansion, or consolidation of areas, or alterations of structures of Conditional Uses contained herein said to such additional conditions or restrictions as are required in the public interest to protect surrounding residential properties.

### Section 6-2615, PROCEDURE.

Written application for the approval of the uses referred to in this section shall be filed in the Planning Commission in forms prescribed for that purpose by the Commission. The application shall be accompanied by a site plan showing the location and arrangement of the proposed development or changes in an existing Conditional Use. The Commission may require other drawings, topographic surveys, photographs, or other materials necessary to an understanding of the proposed use and its relationship to surrounding properties.

The fee for such application shall be fifty dollars ($50.00) except the following: Moving of buildings, twenty dollars ($20.00); excavations, five dollars ($5.00). Fees shall be payable to the City Treasurer and shall not be returnable in any case.

Applications for Conditional Uses shall be signed by the owner of the property or his authorized agent. The City Auditor shall compile a list of the names and addresses of all persons owning real property within the Affected Area. The Affected Area is all real property located within lines three hundred (300) feet (exclusive of street widths) from and parallel to the boundaries of the Conditional Use and such contiguous areas as the legal control of the applicant.

The Commission shall hold a hearing on each application for a Conditional Use. The Commission shall notify the City Auditor of the date of the public hearing, and the Auditor shall mail notices of the public hearing to all property owners within the Affected Area, at least fourteen (14) days prior to the date of the hearing. The Commission shall make its findings and determination in writing within sixty (60) days from the date of filing of an application and shall forthwith transmit a copy thereof to the applicant and the Bureau of Buildings.

Upon application for the establishment of a Conditional Use or with any subsequent application for change or expansion of such use, the Commission may approve a master or long-term development plan for such Conditional Use and, unless informal the Bureau of Buildings that building permits may be issued as long as they conform with the approved master development plan without

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Uses: Hotels

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Uses: Theaters

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Uses: Group 2, 3, 4, and 5

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Uses: Group 7, 8, 9, and 10: governmental and public utility buildings other than offices

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Section 6-2606. LOT SIZE REQUIRED. There shall be no limitation.

Section 6-2607. MAXIMUM LOT COVERAGE. There shall be no limitation.

Section 6-2608. MAXIMUM FLOOR AREA PERMITTED. There shall be no limitation.

Section 6-2609. MAXIMUM HEIGHT PERMITTED. There shall be no limitation, except as provided in the Housing and Building Codes.
the necessity of a Conditional Use approval each time a building permit is requested. No decision of the Commission under this section shall become effective until after an elapsed period of fourteen (14) days from the date written determination is made, during which time the applicant, or any other person aggrieved, may appeal therefrom to the Council. The Council may affirm, reverse or modify in whole or in part the Commission’s ruling and may impose such conditions as it may find warranted.

Section 6-2616. USES PERMITTED.
(a) In an M2 Zone, the following Conditional Uses are permitted subject to the regulations contained in Section 6-2617:
1. Aircraft landing area
2. Excavations and filling
3. Moving of buildings
4. Natural resources, development of
5. Radio or television transmitters
Section 4-3417. REGULATIONS
The Commission shall determine the specific regulations and conditions governing each Conditional Use at the time of approval. However, the regulations listed below shall be considered minimum or maximum requirements, as the case may be, and shall apply to the particular Conditional Use mentioned. The Commission shall have authority to increase these minimum requirements and to specify other types of requirements if in the public interest and if necessary to protect surrounding residential properties.

Such conditions as are imposed shall bind any successors and shall not be affected by any subsequent transfer of ownership.

In case regulations differ from those governing Principal Uses permitted in M2 Zones not specified in this Article nor in the written instrument approving a Conditional Use by the Commission or the Council, then the regulations governing Principal Uses shall also govern such Conditional Use insofar as applicable.

(a) EXCAVATING AND FILLING:
1. Excavating or filling or otherwise changing the natural grade as existing or as effective date of this ordinance by more than one hundred (100) cubic yards, if not covered with vegetation, shall be regulated as a Conditional Use.

(b) MOVING OF BUILDINGS:
1. A building or structure moved to a location within an M2 Zone shall conform to off-street parking, maximum height, and all other applicable provisions in the M2 Zone.

2. Upon completion of the moving of the building, the owner shall proceed immediately to bring the building into compliance with all requirements of this Article, Plumbing and Zoning Codes and other applicable ordinances, and all such provisions shall be complied with not later than six (6) months from the date of the permit for the moving. Provided that the building as constructed, ceiling height, room area, window area and general arrangement of rooms and similar structural forms shall not be required to comply with existing regulations.

Prohibited Uses Section 4-3418. SPECIFIC AND GENERAL PROHIBITION.
(a) The following uses are prohibited in all M2 Zones:
1. Creation of additional dwelling units by alteration of existing structures or erection of new one-family, two-family, or apartment dwellings, except accommodations on the premises of a Principal Use for watchmen or caretakers.

This provision shall become effective on July 1, 1969. Until said date, the regulations of Al zones shall govern residential uses in M2 zones.

1. Establishment of new Group 1 uses listed in Section 4-2102.
2. All uses of structures and land not specifically mentioned in this Article.

Article 57
M2 Heavy Manufacturing Zone

Section 4-3701. GENERAL REQUIREMENTS. In all M1 Zones, the use of land and structures; the location and erection of new structures; and the alteration, enlargement, or moving of existing structures shall conform in all respects to the following regulations.

Principal Uses
Section 4-3702. USES PERMITTED. In an M1 Zone, the following uses are permitted:
(a) GROUP 1: uses listed in Section 4-2102.
(b) GROUP 2: uses listed in Section 4-2102.
(c) GROUP 3: uses listed in Section 4-2102.
(d) GROUP 4: uses listed in Section 4-2102.
(e) GROUP 5: uses listed in Section 4-2102.
(f) GROUP 6: uses listed in Section 4-2102.
(g) GROUP 7: uses listed in Section 4-2102.
(h) GROUP 8: uses listed in Section 4-2102.
(i) GROUP 9: uses listed in Section 4-2102.
(j) GROUP 10: uses listed in Section 4-2102.

10. Bleaching powder
11. Brick, tile, or terra cotta
12. Building block
13. By-products or scrap (from fish, meat, or animals)
14. Candle (manufacturing with rendering)
15. Can manufacturing or reconditioning
16. Canvas
17. Carborundum
18. Cardboard
19. Cattle or sheep dip
20. Cellophane
21. Celluloid
22. Cellulose nitrate products
23. Cement products
24. Chemicals
25. Chewing tobacco
26. Clay products
27. Cleaning and polishing preparations
28. Concrete pipe
29. Concrete products
30. Construction equipment
31. Cork
32. Cottonseed oil (manufacturing and refining)
33. Creosote
34. Dextrin
35. Disinfectants
36. Dyestuff
37. Enamel
38. Excelsior
39. Felt
40. Fish oil or meal
41. Fungicides
42. Gelatin
43. Glass
44. Glucose
45. Glycerin
46. Graphite
47. Grease (manufacturing or refining)
48. Gum and wood chemicals
49. Gun cotton products
50. Gunpowder (manufacturing or storage)
51. Guns, Howitzers, Mortars, and related equipment
52. Gutta-Percha (manufacturing or treatment)
53. Industrial inorganic chemicals
54. Industrial organic chemicals
55. Ink (from basic substances)
56. Insecticide
57. Lampblack
58. Lard
59. Linoleum
60. Matches
61. Metal working machinery
62. Mineral wool
63. Nylon
64. Oilcloth
65. Oiled clothing
66. Paint, oil (including linseed oil, shellac, turpentine, lacquer, or varnish)
67. Patent leather
68. Phenol or phenol products
69. Phonograph record blank
70. Plastic
71. Plywood, veneer, or shingles
72. Potash
73. Pottery or ceramics
74. Printing ink (from basic substances)
75. Pyroxylin
76. Rayon
77. Rubber, treatment or reclaiming plant
78. Rubber products
79. Rugs
80. Sandpaper or emery cloth
81. Sash and doors
82. Sewer pipe
83. Shoddy
84. Shoe polish
85. Shortening and other cooking and edible fats and oils
86. Size
87. Soap
88. Sodium compounds
89. Starch
90. Steel barrel or drum (manufacturing or reclaiming)
91. Steel pipe
92. Stove
93. Stove polish
94. Sulphonated oils and assistants
95. Tallow
96. Tanks and tank components
97. Tar products
98. Tar roofing
99. Tar waterproofing
100. Tin cans and other tinware
101. Tires
102. Transmission cable
103. Wall board
104. Wall paper
105. Window shades
106. Wire
107. Wood and gum chemicals
108. Yeast

(k) GROUP 12:

1. Arenas
2. Boiler works
3. Concrete mixing plant
4. Cotton gins
5. Creosote treatment
6. Dismantling ships
7. Jute fabrication
8. Prefabrication of wooden buildings and structural members
9. Race tracks, auto or motorcycle
10. Railroad repair shops and round houses
11. Rock, sand, or gravel storage and sales
12. Rolling, drawing, or alloying ferrous and non-ferrous metals
13. Salt works
14. Sawmills
15. Scrap iron, sales and storage
16. Shipbuilding, drydock, or ship repair
17. Stone or rock crusher
18. Stone grinding, dressing, or cutting
19. Structural steel fabrication
20. Sugar refining
21. Wool pulling or scouring

(1) Other uses of a heavy industrial character found similar to the above by the Commission in accordance with Section 6-4001.

Section 6-4003. LIMITATIONS ON USES. There shall be none except as are provided in other codes and ordinances of the City of Portland, other local governments, and laws of the State of Oregon.

Section 6-4004. OFF-STREET PARKING REQUIRED.
(a) GROUP 1 USES: One (1) space per 500 square feet of gross floor area.
(b) GROUP 2 USES: One (1) space per 700 square feet of gross floor area.
(c) GROUP 3 USES: Required spaces shall be the same as specified in Group 3 uses in Section 6-2104.
(d) GROUP 4 USES: One (1) space per 2 employees in addition to spaces provided for customers' vehicles and vehicles in stock.
(e) GROUP 5 USES: Required spaces shall be the same as specified for Group 5 uses in Section 6-2104.
(f) GROUP 7 USES: One (1) space per 700 square feet of gross floor area, but not more than one (1) space per 4 employees.
(g) GROUP 8 USES: One (1) space per 700 square feet of gross floor area, but not more than one (1) space per 4 employees.
(h) GROUP 9 USES: One (1) space per 700 square feet of gross floor area, but not more than one (1) space per 4 employees.
(i) GROUP 14 USES:
1. Amusement parks: One (1) space per 1,000 square feet of patron serving area.
2. Railroad passenger terminal: One (1) space per 1,000 square feet of gross floor area.
3. All other uses: One (1) space per 700 square feet of gross floor area, but not more than one (1) space per 4 employees.
(j) GROUP 11 USES: One (1) space per 700 square feet of gross floor area, but not more than one (1) space per 4 employees.
(k) GROUP 12 USES:
1. Race tracks, auto or motorcycle: One (1) space per 12 seats or 24 feet of bench length in stands for spectators.
2. All other uses: One (1) space per 700 square feet of gross floor area, but not more than one (1) space per 4 employees.
3. Parking as required for the above uses shall be regulated by Article 26.

Section 6-4005. OFF-STREET LOADING REQUIRED.
(a) Off-street loading berths shall be provided and maintained for the following uses occupying a building or buildings totaling ten thousand (10,000) square feet of gross floor area or more according to the table below:

<table>
<thead>
<tr>
<th>Uses</th>
<th>Required Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parks</td>
<td>One (1) space per 1,000 square feet</td>
</tr>
<tr>
<td>Railroad passenger terminal</td>
<td>One (1) space per 1,000 square feet</td>
</tr>
<tr>
<td>All other uses</td>
<td>One (1) space per 700 square feet</td>
</tr>
<tr>
<td>Race tracks, auto or motorcycle</td>
<td>One (1) space per 12 seats or 24 feet of bench length</td>
</tr>
<tr>
<td>All other uses</td>
<td>One (1) space per 700 square feet</td>
</tr>
</tbody>
</table>

(3) Other uses of a heavy industrial character found similar to the above by the Commission in accordance with Section 6-4001.
Outdoor advertising signs may be erected if the Variance Committee first approves the location as not obscuring a view of scenic interest, as not obstructing traffic visibility, and as not increasing the density of such outdoor advertising signs along any arterial or heavily traveled street to an extent tending to constitute a safety hazard or detriment to the appearance of the neighborhood.

Outdoor advertising signs shall not be permitted on any building or structure in any portion of an M1 zone in excess of sixty (60) feet in height measured above the roof line, except signs on more than eighteen (18) feet above the roof line of a building in a portion of an M1 zone within four hundred (400) feet of an R10, R7, R2, A2.5, C5, or CL zone.

Applications for Conditional Uses shall be signed by the owner of the property or his authorized agent. The City Auditor shall compile a list of the names and addresses of all persons owning real property within the Affected Area. The Affected Area in all real property located within lines three hundred (300) feet (exclusive of street widths) from and parallel to the boundaries of the Conditional Use and such contiguous area under the legal control of the applicant.

The Commission shall hold a public hearing on each application for a Conditional Use. The Commission shall notify the Auditor of the date of the public hearing, and the Auditor shall mail notices to all property owners within the Affected Area at least fourteen (14) days prior to the date of the hearing. The Commission shall make its findings and determination in writing within sixty (60) days from the date of filing of an application and shall forward with them a copy thereof to the applicant and the Bureau of Buildings. Upon application for the establishment of a Conditional Use or with any subsequent application for change or extension of such use, the Commission may approve a master or long-term development plan for such Conditional Use and shall inform the Bureau of Buildings that building permits may be issued as long as they conform with the approved master development plan without the necessity of a Conditional Use approval each time a building permit is requested.

No decision of the Commission under this section shall become effective until after an elapsed period of fourteen (14) days from the date written determination is made, during which time the applicant, or any other person aggrieved, may appeal therefrom to the Council. The Council may affirm, reverse, or modify in whole or in part the Commission's ruling and may impose such conditions as it may find warranted.
Section 6-271K, Amended by Ord. No. 110622, 110883

Section 6-271K, Amended by Ord. No. 110622, 110883
Section 6-717. REGULATIONS. The Commission shall determine the specific regulations and conditions governing each Conditional Use. The regulations governing each Conditional Use shall also be contained in the Commission's Regulations. The regulations governing Conditional Use parking, loading, and yard requirements for all uses are contained in Articles 36, 37, and 38.

(a) EXCAVATING AND FILLING: 1. Excavating or filling or otherwise changing the natural grade as an existing on the effective date of this ordinance by more than one hundred (100) cubic yards, if not covered by a building permit, shall be regulated by Article 7.

Prohibited Use
Section 6-717. SPECIFIC AND GENERAL PROHIBITION
(a) The following uses are prohibited in all M1 Zones:
1. Creation or expansion of existing dwelling units by alteration of existing structures or by erection of new one-family, two-family, or apartment dwellings except accommodations on the premises of a Principal Use for watchmen or caretakers. This provision shall become effective on July 1, 1969. Until said date, the regulations of A1 zones shall govern residential uses in M1 zones.

2. Establishment of new Group 6 uses listed in Section 6-3004.
3. All uses of structures and land not specifically mentioned in this Article.

Articles 28 and 29
RESERVED FOR EXPANSION

Article 30
"B" BUFFER ZONE
Section 6-710. PURPOSE. In recognition that lots originally platted for residential uses, with a depth of 100 feet more or less, are ill-adapted to modern merchandising and other commercial uses, it is sometimes desirable to permit expansion of businesses through the block to abut parallel streets. In order to maintain these parallel streets as residential in use and character and yet permit such expansion of business, it is necessary to establish a stepdown or Buffer Zone which allows business use but which prevents the appearance of a nonresidential use. Therefore, the Council may, from time to time as warranted, establish and superimpose B Buffer Zones upon other regular zones in addition to B Zones established under the enactment of this Code. Land classified in a H Zone shall also be classified in one or more of the regular zones as listed in Article 5. The zoning of such land shall be designated by a combination of symbols, e.g., C2B, M1B, etc.

Section 6-3002. PROCEDURE B Zones shall be established in combination with other regular zones according to the procedure as provided in Article 6 for changes and amendments to the Zoning Ordinance.

Section 6-3003. REGULATIONS (a) The uses of property permitted shall be those permitted in the regular zone with which the B Zone is combined.
(b) Off-street parking and loading regulations shall be those governing the regular zone with which the B Zone is combined.
(c) Height regulations shall be those of the more restrictive abutting zone, whether across a street or alley or immediately adjoining.

(d) Minimum required lot area per dwelling unit for all regulations shall be those of the more restrictive abutting zone, whether across a street or alley or immediately adjoining.

(e) Yard regulations shall be those of the more restrictive abutting zone, whether across a street or alley or immediately adjoining, except a rear yard is of a street at the opposite end of the lot from a street (the yard at the opposite end of a street need not be provided).

(f) Yards abutting a street shall be landscaped and maintained in a manner at all times satisfactory to the Commission.

(g) A screen of evergreen planting shall be provided on yards abutting streets at a distance from the street line equal to the depth of the required yard. This planting shall be established and maintained to a height of at least five (5) feet and shall at all times be maintained in a manner satisfactory to the Commission.

(h) Yard abutting streets at a distance of five (5) feet and shall at all times be maintained in an acceptable manner at all times satisfactory to the Commission.

(i) No entrance or exit shall be permitted across a yard abutting a street or through the required planting screen for either vehicles or pedestrians. No drive or road permit shall be issued by the Office of the City Engineer granting access to property in a B Zone.

(j) If so requested in writing by an adjoining property owner in an abutting more restricted zone, side yards in the B Zone shall be landscaped and a screen of planting maintained as is required in yards abutting streets.

(k) Yard regulations in B Zones shall be those of the more restrictive abutting zone, whether across a street or alley or immediately adjoining.

(l) Required landscaping and screening of evergreen planting shall be made before occupancy and use of a B Zone is permitted.

### Article 31

**Section 6-3101. PURPOSE.** For the purpose of conserving and enhancing the appearance of the City of Portland, especially its areas of existing or potential scenic value, of historical note, of architectural merit, or of interest to tourists, and for the purpose of assisting property owners maintain the appearance of their neighborhoods, the Council may, from time to time, by ordinance, create and superimpose Design Zones upon other existing zones in addition to the use of landscaping and screening by the enactment of this Code.

Land classified in a D Zone shall also be classified in one or more of the regular zones as listed in Article 6. The zoning of such land shall be designated by a combination of symbols, e.g., R1D, C1D, etc.

**Section 6-3102. PROCEDURE.** The Council, after receiving recommendations from the City Planning Commission, giving notice to property owners and holding a public hearing, may establish, alter, or abolish D Zones. The Council or the Commission may initiate such change or the initiation may be by petition of property owners. Before such petition can be considered by the Commission or the Council, the petition shall be signed by the owners of at least fifty (50) per cent of the area proposed to be changed. Requirements for notice, hearing and fees shall apply as are provided in Article 4.

**Section 6-3103. REGULATIONS.** In a D Zone, regulations of the regular zone shall apply: and, in addition, no building permits or other changes of construction or alteration of any building or structure or the use of any land shall be made unless such architectural plans and elevations are reviewed and approved in writing by the Design Committee of the City Planning Commission. The Committee shall have authority to require changes in appearance of the proposed building, structure, alteration, or use of land and to impose such conditions of development as are necessary in its judgment to carry out the purpose of the D Zone as stated in Section 6-3101. Before taking action, the Design Committee shall hold a hearing, giving prior notice to affected property owners, officials, and individuals.

**Section 6-3104. APPEAL.** No ruling of the Committee under this article shall become effective until after an elapsed period of fourteen (14) days from the date written determination is made, during which time any person, officer, or property owner may appeal the Committee's ruling to the Council. The Council may affirm, reverse or modify in whole or in part the Committee's ruling and may substitute such additional conditions as it may find warranted.

**Section 6-3106. DESIGN COMMITTEE.** The Design Committee shall be appointed by the President of the Commission and shall be composed of five (5) members: a member of the City Planning Commission; a member of the City Council; an architect or landscape architect with at least five (5) years experience in his profession, a professional engaged in property management or development with at least five (5) years experience in his profession, and one citizen representing the public-at-large. Terms of the first two named members shall coincide with their memberships in their parent commissions, but in no case shall any term exceed four (4) years. Terms of the appointment of the latter three members shall be for (2) years, except that in the original committee, the architect or landscape architect shall be appointed for (4) years, the property manager for (3) years, and the citizen for (4) years.

The President of the Commission shall also appoint an alternate for the same qualifications as the principal to act in the place of the principal, in the event any project with which the principal is personally or professionally interested comes before the Committee.

The Design Committee shall elect its own chairman and adopt such rules of procedure as are necessary to carry on the business of the committee.

The Committee shall adopt and publish standards and policies, and acceptable to all separate areas included in a D Zone. Such standards shall be made a part of the character of the area. In adopting such standards, the Committee shall consider and be guided by criteria which property owners may furnish for the control of their particular areas in a D Zone.

The staff of the City Planning Commission shall assist the Committee in discharging its duties. Said staff is hereby designated as the staff to serve the Committee.

**Section 6-3107. AIRCRAFT LANDING ZONE.**

In order to prevent the establishment of obstructions to the air space reasonably required for takeoff and landing off from the Portland International Airport, which is a public utility of the state and property owner of such an airport and of occupants of land in its vicinity, the Port of Portland has established height limitations in addition to those embodied in this ordinance, the reversibility of ordnance by Chapter 542, Oregon Laws, 1967. As a matter of convenience to the public in obtaining permits to build, the height limitations described in Section 3 of Ordinance No. 13 of the Commission of the Port of Portland, effective June 15, 1963, are hereby made a part of this ordinance and for said purpose, the L Aircraft Landing Zone is created and imposed upon other regular zoning districts. Three (3) copies of said Ordinance No. 13 are on file with the Auditor of the City of Portland, and the provisions of said ordinance are incorporated herein by reference.

Land classified in an L Zone shall also be classified in one or more of the regular zoning districts as listed in Article 6. The zoning of such land shall be designated by a combination of symbols, e.g., R5L, M2L, etc.
Section 6-3202. REGULATIONS. Whenever the height limitations, as shown on the accompanying map entitled "Height Limits in L Aircraft Landing Zone," are lower than otherwise required by this ordinance, such height limitations shall govern.

Section 6-3302. APPEAL. Any person aggrieved and desiring a variance from the height limitations in the L Zone may appeal to the Variance Committee provided in this code (Article 40). A variance may be granted only upon approval of the Airport Adjustment Board in accordance with Section 5 of said Ordinance #3.

Article 33

"P" PARKING ZONE

Section 6-3301. PURPOSE. In recognition of the increasing use of automobiles for individual travel within Portland and in view of the need for greater spaces for parking next to businesses, industries, churches, schools, and other places of assembly; the Council may, from time to time as warranted, establish and superimpose P Parking Zones upon other regular R or A zones in addition to P Zones established by enactment of this Code.

Land classified in a P Parking Zone shall also be classified in one or more of the regular R or A zones as listed in Article 6. The zoning of such land shall be designated by a combination of symbols, e.g., R5P, A1P, etc.

Section 6-3302. PROCEDURE. P zones shall be established in combination with R or A Zones according to the procedure as provided in Article 41 for changes and amendments to the Zoning Ordinance.

Section 6-3303. REGULATIONS. All regulations of the R or A Zone with which a P Zone is combined shall apply; and, in addition, off-street parking of operable passenger automobiles owned by customers, employees, or patrons of businesses and places of public assembly in the vicinity is permitted in the open and not within structures. No storage of trucks or other equipment on wheels or tracks or the conduct of any business activity shall be permitted. Before open air automobile parking may be permitted in a P Zone, the area for such use shall be improved as specified in Section 6-3309.
Article 54
"SIGNBOARD CONTROL BOARD"

Section 6-3401. PURPOSE. In locations where large numbers of advertising standards would adversely affect traffic safety and the appearance and scenic outlook of the City, the control of signs visible from bridge approaches and throughways, designated by the Oregon State Highway Commission or other authority within the City of Portland, becomes necessary. The Council therefore may, from time to time as warranted, after report and recommendation by the Commission, and after holding a hearing, establish S Signboard Control Zones along such throughways and bridge approaches in combination with other regular zones in addition to S Zones established by enactment of this Code.

Land classified in an S Zone shall also be classified in one or more of the regular zones listed in Article 6. The zoning of such land shall be designated by a combination of symbols, e.g., CSR, C29, etc.

Amended

Section 6-3402. GENERAL PROHIBITION UNLESS APPROVED BY COUNCIL. Notwithstanding the provisions of this Article, the following signs shall be deemed to be exempt from the provisions of this Article and shall be permitted to be erected or maintained in the City of Portland in the manner specified herein.

(c) A sign, designating a Conditional Use, and zone provided such signs conform to size and placement and illumination to other provisions of the ordinance and other codes and ordinances of the City.

Amended

In a C or M Zone, an unilluminated or illuminated but non-flashing sign of block or cut-out letters or trade symbol affixed to the building or set within the lot line if such letter or if such symbol does not exceed 100 square feet in area, to designate the owner of the premises or the product manufactured or fabricated or the main goods sold or service rendered on the particular premises. In no event may more than one such sign be placed for each principal building. Where the height of the sign is 100 feet or less from the traveled roadway of such bridge approach or between two (2) bridge approaches lying within three hundred (300) feet of each other, the symbol shall not exceed 100 square feet in area.

Amended

(5) In a C or M Zone, an unilluminated or illuminated but non-flashing sign designating the tenant, main occupation, or product manufactured or main goods sold or services rendered on the particular premises, if fixed to the building and not exceeding 250 square feet, in no event may more than one such sign be placed for each principal building. Where the location of the sign is 100 feet or less from the traveled roadway of such bridge approach, or between two (2) bridge approaches lying within three hundred (300) feet of each other, the sign or symbol shall not exceed 100 square feet in area.

Appeal from the decision of the Variance Committee may be taken to the City Council as provided in Article 40. The provisions of this Article shall not apply to official traffic or directional signs or signals or other official signs or notices.

Section 6-3403. ALLOWED SIGNS ADJACENT TO THROUGHWAY OR BRIDGE APPROACH. Signs adjacent to a throughway or bridge approach along the portions designated by the Council and within an S Zone shall be allowed as follows in those zone classifications in which such signs are otherwise permitted:

(a) A sign advertising only the sale or lease of the property upon which the sign is located with the name, address and telephone number of the owner or agent.

(b) Signs as permitted in R or A Zones in accordance with provisions governing Principal Uses.

(c) A sign, designating a Conditional Use, and zone provided such signs conform to size and placement and illumination to other provisions of the ordinance and other codes and ordinances of the City.

Amended

In a C or M Zone, an unilluminated or illuminated but non-flashing sign of block or cut-out letters or trade symbol affixed to the building or set within the lot line if such letter or if such symbol does not exceed 100 square feet in area, to designate the owner of the premises or the product manufactured or fabricated or the main goods sold or service rendered on the particular premises. In no event may more than one such sign be placed for each principal building. Where the height of the sign is 100 feet or less from the traveled roadway of such bridge approach or between two (2) bridge approaches lying within three hundred (300) feet of each other, the symbol shall not exceed 100 square feet in area.

Amended

(5) In a C or M Zone, an unilluminated or illuminated but non-flashing sign designating the tenant, main occupation, or product manufactured or main goods sold or services rendered on the particular premises, if fixed to the building and not exceeding 250 square feet, in no event may more than one such sign be placed for each principal building. Where the location of the sign is 100 feet or less from the traveled roadway of such bridge approach, or between two (2) bridge approaches lying within three hundred (300) feet of each other, the sign or symbol shall not exceed 100 square feet in area.

(f) A sign which has no part of the copy or legible portion visible to persons traveling on such throughway or bridge approach.
Section 6-340.3 Amended by Ord. No. 7/292, 11/1992

Section 6-340.4 Amended by Ord. No. 7/292, 11/1992

Section 6-340.5 Amended by Ord. No. 7/292, 11/1992
ARTICLE 36
ADDITIONAL PARKING REQUIREMENTS

Section 6-3601. GENERAL REQUIREMENTS.

(a) The provision and maintenance of off-street parking spaces is a continuing obligation of the property owner. No building or other permit shall be issued until legal evidence is presented that property is and will remain available for the use as off-street parking space. When any parking area for the parking of three or more cars is to be established, a building permit shall be obtained therefor and the standards set forth herein shall be complied with.

(b) In cases of enlargement of a building or use of land existing on the effective date of this ordinance, the number of parking spaces required for the use or area as calculated on the only floor area or capacity added and not on the area or capacity of the previously existing building or use.

(c) Any change in occupancy, fifteen percent (15%) increase in number of employees, or increased intensity of use of any building or structure shall be reported by the owner to the Bureau of Buildings. The additional number of parking spaces required shall be provided at such time.

(d) Requirements for types of buildings or uses not specifically listed in this ordinance shall be determined by written decision of the Commission.

(e) In the several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately.

(f) Owners of two or more uses, structures, and parcels of land may utilize jointly the same parking area when the hours of operation do not overlap, provided satisfactory evidence is presented in the form of deeds, leases or contracts securing full access to such area for all the parties jointly using them.

(g) Off-street parking spaces existing prior to the effective date of this ordinance may be included in the number necessary to meet the requirements of subsequent enlargements of the building or use to which such spaces are accessory.

(h) Required parking spaces in R10, R7, R5, A6, C8, C4, or 2/4 Zones shall be provided on the site except for Conditioned Uses. The Commission may allow the required portion of a parking area to be separated from the site of the Conditional Use it serves by a distance not exceeding one hundred (100) feet. In all other zones, required parking spaces shall be provided on the site or in a separate area, the nearest portion of which is more than three hundred (300) feet removed from the use it serves.

(i) Required parking spaces shall be available for the use of the occupiable passenger automobiles of residents, customers, patrons, and employees only and shall not be rented, leased or assigned to any other person or organization.

(j) No parking of trucks or other equipment on wheels or trucks or the converse parking of off-street parking activity shall be permitted on the required parking spaces.

(k) Owner-occupied spaces located in R or A Zones shall not be rented by the owner or his assigns to any other person or organization.

(l) Required parking spaces not within a garage, carport, or other structure may be located within the required side or rear yards.

(m) A plan, indicating how the off-street parking requirement is to be fulfilled, shall accompany the request for a building or occupancy permit. The plan shall show all those elements necessary to indicate that the requirements are being fulfilled and shall include:

1. Delineation of individual parking spaces.

2. Access to streets, alleys, and property to be served.

3. Dimensions, continuity, and substance of screening.

4. Grading, drainage, surfacing, and substructure details.

5. Delineation of obstacles to parking and circulation in finished parking areas.

6. Specifications as to signs and bumper guards.

(j) All other pertinent details.

(m) The Bureau of Buildings shall render the plans for all parking areas exceeding three (3) spaces to the Bureau of Traffic and Transportation for study and recommendations.

Section 6-3602. STANDARDS OF MEASUREMENT.

(a) Except as otherwise stated in this ordinance, “one space” means a minimum gross area available for maneuvering and standing of two hundred and fifty (250) square feet. No area shall be considered a space unless the plans submitted under item (l), Section 6-3601 shall show that the area is accessible and usable for that purpose.

(b) “Square feet of floor area” means square feet of gross floor area under roof measured from exterior limits or face of a building or structure, excluding only space devoted to off-street parking or loading.

(c) “Employees” means all persons (including proprietors, executives, professional people, production, sales, and distribution employees) working on the premises during the largest shift.

(d) In cases where parking spaces are not to be located on the site, the distance shall be measured in a straight line from the property line to the nearest parking space.

(e) Parking space for street and alley areas shall be included in the measurement.

(f) Parking space in public streets or alleys shall not be eligible as fulfilling any part of the parking requirements.

Section 6-3603. DESIGN REQUIREMENTS FOR PARKING LOTS.

(a) All areas, used for standing and maneuvering of vehicles shall be paved in accordance with the provisions of the Building Code of the City of Portland.

(b) In the following two instances, off-street parking shall be provided with screening so developed that vehicle lights do not shine into the areas which are separated from the site of one parking lot by a distance of one hundred (100) feet. Where the difference in grade exists that makes impracticable the use of the above specifications, the screen shall be of such height as to afford comparable visual protection.

1. The screening shall be continuous along any boundary which is within or adjacent to an R or A Zone. Such screening shall be at least five (5) and not more than six (6) feet high along any rear or side lot line in the rear of a front yard. Where a difference in grade exists that makes impracticable the use of the above specifications, the screen shall be of such height as to afford comparable visual protection.

2. Where a parking lot located in an R, A, C5, C4, or other Zone, which is within or adjacent to an R, A, C5, or C4 Zone, adjoins a street, the center line of the screen shall be a distance not less than five (5) feet from the street property line. The screen shall be at least (2) feet high but not more than four (4) feet high in that portion of the screen within the front yard depth. The space between the screen and the sidewalk shall be planted to grass or other ground cover which shall not exceed one (1) foot in height. This space shall be kept free of any structure with the exception of necessary access ways.

(c) Parking spaces in the boundary of a parking lot shall be provided with a sturdy bumpers, rail or curb at least four (4) inches high and located far enough within the boundary to prevent any portion of a vehicle within the lot from extending over the property line or interfering with required screening.

(d) Artificial lighting which may be provided shall be so deflected as not to shine into adjoining structures used as dwellings or other types of living units.

(e) Each parking space shall be accessible without moving another vehicle.

(f) Adequate ingress and egress to any parking lot shall be by means of streets and allies adjacent to and extending through C or M Zones so far as possible rather than through R or A Zones.

(g) Signs, which are provided on parking lots or buildings located in R or A Zones, shall be non-illuminated, limited to three (3) square feet, and be for the purpose of directing traffic and identifying the owner of the facility only.
Section 6-3804. COMPLETION TIME. Required parking spaces shall be improved as required in Section 6-3803. Occupancy permits are available for use before the final inspection necessary for the issuance of a Certificate of Occupancy by the Bureau of Buildings. An extension of time may be granted by the Bureau of Buildings where facilities for construction are not satisfactory or where applicable to such jointly used loading berths.

Section 6-3805. ASSESSMENT DISTRICT EXEMPTED. Any property located in an assessment district, organized for the purpose of providing on-street parking, situated in the City of Portland, shall be exempt from any regulations in this ordinance pertaining to off-street parking.

Section 6-3701. MINIMUM LOADING BERTH DIMENSIONS.
(a) The provision and maintenance of off-street loading facilities are a continuing obligation of the property owner. No building permit or other kind of permit shall be issued unless the provisions of this section are met.
(b) Any change of occupancy shall be reported to the Bureau of Buildings within thirty (30) days of such change. Where such change indicates a decrease in required loading berths, the Bureau of Buildings may change the number of loading berths required.
(c) Loading berths shall be located on the site and directly accessible to structures. Loading berths no: more than three (3) feet wide shall be considered as fulfilling the requirements of this section if evidence is presented that loading activities can take place without moving materials on sidewalks or streets, and in case a distance in excess of three hundred (300) feet. It shall be unlawful to store or accumulate goods in a loading berth rendering it useless for loading operations.

Section 6-3704. DESIGN REQUIREMENTS FOR LOADING AREAS.
(a) All areas used for standing or maneuvering vehicles shall be paved in accordance with the provisions of the Building Code of the City of Portland.
(b) Any required loading area within an R or T zone shall be provided with screening to shield the public from the property line. The screening shall be composed of a masonry wall, a wooden fence, a compact evergreen hedge, or a chain-link type wire fence with evergreen vines. The screening shall be at least five (5) and not more than six (6) feet high.
(c) Fire escapes which may be provided shall be so deflected as to not shine into adjoining structures or buildings or other types of living units.
(d) Each loading area shall be of usable shape and be accessible from a street by drive, court, or alley or aisles at least twelve (12) feet wide.

Section 6-3705. PLAN FOR REQUIRED OFF STREET LOADING BERTHS.
(a) A plan, drawn to scale, indicating how the off-street loading requirement is to be fulfilled, shall be submitted to the Bureau of Buildings.
(b) The plan shall indicate depth of truck berth behind property line; width of berth; clearance of truck berth and maneuvering area; depth of freight platform; and safety protection around decked or underechoed spaces. The plan shall indicate depth of truck berth and maneuvering area; distance of outside edges of truck berths to opposite or adjacent dwelling units; specifications on screening concerning height, width, depth, and material; and all other elements concerning fulfillment of the requirements of this article.
(c) The Bureau of Buildings shall refer all plans concerning loading berths to the Bureau of Traffic Engineering for study and recommendations.

Section 6-3801. GENERAL REQUIREMENTS.
(a) No required yard or other open space around an existing building, or which is hereafter provided for the purpose of complying with the provisions of this ordinance, shall be used for the expression of a yard or open space for any other building.
(b) In every required front, side, and rear yard shall be open and unobstructed from the ground to the sky.
(c) Projection allowed into yards: 1. Cornices, sables, terraces, and parapets, or other similar architectural features (not including bay windows or vertical projections) may extend or project into a required front yard not more than thirty (30) inches, provided the width of such side yard is not reduced to less than three (3) feet.

Section 6-3702. GENERAL REQUIREMENTS.
(a) No ten or more dwelling units shall be provided for ground level. The Bureau of Buildings is authorized to subdivide the required area for the purpose of complying with the provisions of this ordinance, and Shall be considered as fulfilling the requirements of this section if evidence is presented that loading activities can take place without moving materials on sidewalks or streets, and in case a distance in excess of three hundred (300) feet. It shall be unlawful to store or accumulate goods in a loading berth rendering it useless for loading operations.
7. A fence, lattice, work screen or wall, not more than six (6) feet in height, or a hedge or thick growth of shrubs, maintained so as not to exceed six (6) feet in height, may be located in any side or rear yard. Provided, further, that this provision shall not be so interpreted as to prohibit the erection of an open-mesh type fence.

8. Landscape features, such as trees, shrubs, flowers or plants, shall be permitted in any required front, side, or rear yard provided they do not produce a hedge effect contrary to the provisions of items 6 and 7 above.

9. Name plates, bulletin boards or signs appertaining to the prospective sale, lease, or rental of the premises on which they are located, as permitted in this code, shall be allowed in any required front, side, or rear yard.

10. The above structures or features, however, shall not be located and maintained so as to preclude complete access at all times about a main building. Provided, that gates or other suitable openings at least two and one-half (2 1/2) feet in width shall be deemed adequate for such access.

(d) In determining the width of the yard, any room with a habitable room, except a recreation or party room, having a window opening onto such yard, shall be counted as a story. When a yard has a window of a habitable room (not including party or recreation room) opening onto it, the grade or elevation of such yard where the same is contiguous to such habitable room shall not be above the level of the floor of such room.

Section 6-3902. NON-CONFORMING USES IN R, A, C5, C4, AND M1 Zone.

(a) Change of Use: A non-conforming use may be changed to a conforming use. A non-conforming use may be changed to a use of the same or more restrictive classification in accordance with the procedure specified in Article 40. After a change of a non-conforming use to a conforming use or to a more restrictive use, it shall not be changed to any less restrictive use.

(b) Discontinuance of Use: If active non-conforming uses are not carried on in a non-conforming use during a continuous period of one (1) year, the building, other structure, or tract of land where such non-conforming use existed shall thereafter be occupied and used only for a conforming use. Intent to resume active operations shall not affect the foregoing.

(c) Damage and Destruction: When a building or other structure containing a non-conforming use is damaged by fire or by any other cause, the cost of renewal of the damaged parts shall not exceed twenty-five (25) per cent of the replacement value of the entire building exclusive of foundations, using new materials, the building shall not be rebuilt unless the present height and its constructions are made conforming fully to this ordinance and other codes of the City as applied to new buildings and structures and to use in the zone in which it is located. Any rebuilding otherwise authorized by this code or any other applicable code shall commence within six (6) months from the date of damage or destruction, if such non-conforming use is to be continued.

(d) Enlargements and Moving: A non-conforming use may be enlarged or moved to another location on its lot only if conformance to all requirements of the zone in which it is located are met. In cases of practical difficulty and unnecessary hardship, a non-conforming use may be permitted to enlarge up to twenty (20) per cent in floor area as existing on the effective date of this ordinance in accordance with the procedure specified in Article 40. Under other circumstances, however, shall such floor area expansion be made solely for the purpose of adding more dwelling units to or within a building previously containing an excess of units as permitted by the zone in which it is situated.

(e) Repairs: Normal maintenance of a building or other structure containing a non-conforming use is permitted, provided no structural alterations shall be made except those required by law or ordinance.

(f) Signs: A non-conforming use in any R, A, C5, C4, or M1 zone may be permitted except those required by law or ordinance, as long as the signs are: (a) illuminated but non-flashing or unilluminated, or (b) located at an effective height of five (5) square feet in area, placed flat against the building. The inscriptions on such signs shall be only for the purpose of identifying the business conducted on the premises. In any C5, C4, or M1 Zone, signs on non-conforming uses shall conform to the regulations governing in the zone in which such use is located.

Section 6-3903. NON-CONFORMING RESIDENTIAL USES IN M1 Zone.

(a) Change of Use: Upon issuance of a Certificate by the Board of Building a non-conforming use may be changed to a conforming use of the same or more restrictive classification. Difference between the property owner and the Board of Buildings as to the determination of whether a proposed use is of the same or more restrictive classification shall be referred for interpretation to the Commission as specified in Section 6-4001. A change of non-conforming use to another use which the Commission finds no more detrimental to the neighborhood and public, and which new use falls within the same zone classification as the prior use, shall be permitted without loss of the non-conforming status. After a change of a non-conforming use to a conforming use or to a more restrictive use, it shall not thereafter be changed to any less restrictive use.

(b) Repairs: Normal maintenance of a building or other structure containing a non-conforming use is permitted. Structural alterations, including those required by law, are also permissible.

(c) Enlargement: Enlargements of buildings or other structures containing non-conforming uses are permitted provided said enlargements abide by the height, yard, loading, and parking provisions of the zone in which the non-conforming use is situated. An enlargement or an aggregate of separate additions exceeding twenty (20) per cent in floor area as existing on the effective date of this code may be permitted only by the Variance Committee, it said Committee determines that such enlargements are desirable to the public convenience and welfare and not detrimental to the health, peace or safety of the best interests and values of surrounding properties. Procedure to be followed is that specified in Section 6-4003.

(d) Moving: A non-conforming use may be moved to another location on its lot provided the height and yard requirements of the zone in which it is located are met.

(e) Signs: Signs on non-conforming uses shall conform to the regulations governing in the zone in which such non-conforming use is located, except as is otherwise provided in Article 34.
Section 6-3903. NON-CONFORMING USE OF LAND IN ALL ZONES.

(a) The non-conforming use of land other than residential use shall not be continued longer than ten (10) years if: the true cash value of any improvements involved in such non-conforming use is less than two thousand dollars ($2,000.00) as determined by the County Assessor for 1959, or as determined for any subsequent year during which use of land becomes non-conforming as the result of change of zone classification of such land; or, the non-conforming use of the land does not involve or utilize improvements as determined by the County Assessor.

(b) A non-conforming use of land coming within the terms of Subsection (a) of this Section shall not in any way be expanded or extended either on the same or adjoining properties, and no major repair or renewal shall be made to improvements utilized.

(c) A non-conforming use of land coming within the terms of Subsection (a) of this Section, which is changed or discontinued as a whole or in part shall be wholly terminated, and thereafter any use of such land must conform to the provisions of this Code.

Section 6-3906. NON-CONFORMING USE DUE TO CLASSIFICATION.
The foregoing provisions of this Article shall also apply to buildings, structures, land or uses which hereafter become non-conforming due to any reclassification of zone under this ordinance, annexation to the city, or subsequent change in the regulations of this ordinance.

Article 40

INTERPRETATION, ADJUSTMENTS, VARIANCES, REVOCABLE PERMITS, AND SIGN LOCATION APPROVALS

Section 6-4001. INTERPRETATION. Whenever there is any question regarding interpretation of this code or its application to any specific case or situation, the Commission shall, by written decision, interpret the intent of any provision in its application. Such interpretation shall be followed in applying provisions of the code.

Section 6-4002. ADJUSTMENTS AND VARIANCES. Where unnecessary and unfair, practical difficulties, unnecessary hardships, or consequences inconsistent with the general purposes of this code may result from the literal interpretation and enforcement of the provisions thereof, the Variance Committee, upon receipt of written application from the owner of the property affected, stating fully the grounds of the application and facts relied upon and upon its own further investigation, may grant adjustments or variances with such conditions and safeguards as it may determine, in harmony with the general purpose, intent, and spirit of this code, so that the public health, safety, and welfare shall be secured, and substantial justice shall be done.

Such adjustments or variances shall be restricted to unique, unusual, or peculiar circumstances, and they shall be limited to the following matters:

(a) Modification of the lot size, lot coverage, floor area, height, and yard regulations for Principal, Transitional, and Accessory Uses in any zone as may be necessary to secure an appropriate improvement of a lot which is of such shape, or so located with relation to surrounding development or physical characteristels, that it cannot otherwise be appropriately improved without such modification.

(b) Within R, A, C5, CI, or M4 Zones, change of use of property in a non-conforming status, provided such new use is permitted in the zone where the improvement has been located, and where such change of use does not exceed twenty (20) per cent of the floor area as existing on the effective date of this code, provided such enlarged building complies with height and yard regulations of the zone in which it is located. (See Section 6-3902 (d)).

(c) Within C2, CI, M5, M2, and M1 zones, enlargements of the floor area of a non-conforming use up to but not exceeding twenty (20) per cent of the floor area as existing on the effective date of this code, provided such enlarged building complies with height, yard, loading, and parking regulations of the zone in which it is located. (See Section 6-3903 (c)).

(e) Within M2 and M1 Zones, the temporary use of areas or portions thereof for dwelling purposes in demountable or other temporary buildings, under appropriate and safe conditions, pending the need of the area for industrial purposes, providing that all sanitary and other facilities can be made available without extra expense to the City.

(f) Within an S Zone, permit billboards under the conditions specified in Section 6-3402.

Section 6-4003. PROCEDURE AND FEE. Any applicant whose building or occupancy permit has been refused by the Bureau of Buildings because of a deviation or an alleged deviation from the requirements of this ordinance on the ground that the circumstances stated in Section 6-4002 may, by written appeal, request an adjustment or variance.

Such written request shall be filed in the office of the Commissioner who shall, within a reasonable time, determine if an adjustment or variance is appropriate. Such request shall be accompanied by a list, prepared by the applicant, showing the name and address of the owner of each parcel of property within one hundred (100) feet intervenning street widths from and parallel to the boundaries of the property being appealed and such other contiguous areas as is under the legal control of the applicant. In the case of an enlargement of a non-conforming use, the above distance shall be three hundred (300) feet. The Committee shall hold a public hearing on each request. Notices of the public hearing shall be mailed to all addresses on the submittal form of property owners at least five (5) days prior to the date of the hearing.

The Committee shall grant or deny the request and transmit its decision in writing within fourteen (14) days of the date of such request to the applicant and to the Bureau of Buildings.

Section 6-4004. VARIANCE COMMITTEE. The Variance Committee shall be appointed by the President of the Commission and shall be composed of five (5) members: a member of the City Planning Commission; a member of the Housing Appeals Commission; a member of the architectural, city planning, engineering, or legal profession with at least five (5) years experience in his profession; a person engaged in property management, development, or contracting with at least five (5) years experience in his field; and one citizen representing the public at large. Terms of the first two named members shall coincide with their membership in their parent commission, in no case shall their terms be longer than four (4) years. Terms of the appointment of the last three members shall be four (4) years, except that in the original committee, the person appointed shall be appointed for two (2) years, the property manager or developer for three (3) years, and the citizen for four (4) years.
The President of the Commission shall also appoint an alterna­
tive of the same qualifications as the principal, to act in the place
of the principal, in the event any person with which the principal
is personally or professionally interested comes before the Com­
mitee.

The Variance Committee shall elect its own chairman and adopt
such rules of procedure and standards as are necessary to the con­
duct of its duties to judge the request coming before it.

The staff of the City Planning Commission shall assist the Com­
mitee in discharging its duties. Such staff is hereby designated as
the staff to serve the Committee.

Section 6-4005. APPEAL. No ruling of the Committee under this
Article shall become effective until after an elapsed period of four­
ten (14) days from the date the written determination is made,
during which time any person, official, or group aggrieved may
appeal the Committee’s ruling to the Council. The Council may af­
firm, reverse or modify in whole or in part the Committee’s ruling
and may substitute such additional conditions as it may find war­
ranted.

Section 6-4006. REVOCABLE PERMITS. Requests for revocable
permits, which alter or exempt the applicant from any provisions or
regulations of this code or its accompanying map, shall be acted
upon by the Council only after being referred to and reported
upon by the City Planning Commission.

Such referral or request shall be filed in the office of the Com­
mision upon forms prescribed for that purpose. The fee for such re­
quest, other than referrals by the Council, shall be five dollars
($5.00).

After receiving the report and recommendation from the Com­
mision, the Council shall hold a public hearing on each request. No­
tices of the hearing shall be mailed by the City Auditor to the owner of each parcel within lines one hundred (100) feet (exclusive
of intervening street widths) from and parallel to the boundaries of
the property, for which the request is filed, and such other con­
tiguous area as is under the legal control of the applicant. Such no­
tices of the hearing shall be mailed at least five (5) days prior to the
date of the hearing.

Section 6-4007. SIGN LOCATION. Any applicant who desires to erect an
outdoor advertising sign may request the approval of the Variance Com­
mitee in writing and file the same with the Electrical Division of the
Bureau of Buildings.

The fee for such request shall be five dol­
ars ($5.00), in addi­
tion to the fee or fees
required under the Sign
Code. Such request
shall be accompanied by
a plot plan showing the
location on the par­
ticular property to­
gether with specifica­
tions, proposed height,
and any other data
which the applicant
considers pertinent.

Such request shall also
be accompanied by a
list of property owners
with their addresses
who own property abut­
ting upon the property
where the sign is to be
located, excluding in­
tervening street area. The application shall be transmitted by the
Bureau of Buildings to
the Variance Committee.
The Committee may re­
quire additional in­
fomation. The Committee
shall hold a public
hearing on each request.

Notices of the public
hearing shall be mailed
to all addresses on the
submitted list of prop­
erty owners at least
five (5) days prior to
the date of the hearing.
The Committee shall
grant or deny the appli­
cation and transmit its
decision in writing
within fourteen (14) days of the filing of
such request to the ap­
plicant and to the Bu­
reau of Buildings.
The Commission may waive, in whole or part, the notice requirement to owners within three hundred (300) feet from the boundaries of the petitioning property in the same ownership as the zone change area if the ownership of the petitioner extends or more from the area for which a zone change is sought.

5. Ownership in Affected Area. It shall not be necessary to secure signatures of owners in this section or a complete list of names and addresses of all owners in the area shall be compiled or mailed for the purpose of mailing notices of the public hearing.

6. Areas in other zones. If there be property within the Petition Area or the Affected Area in the same or a less restrictive zone than the proposed change, property in such zone shall be disregarded and not included on the list of ownerships furnished.

7. Measurements. All distances specified in this Article shall be measured exclusive of street widths.

8. Signature requirements. The signature of a petition for or a remonstrance against a zone change, or a person filing a written withdrawal of his signature from a petition or remonstrance for or against a zone change, shall also place opposite the signature on any such document or writing the date when such person signed the same and the legal description of the property owned or being purchased on contract by the person signing.

9. Time limit for remonstrance or for adding to or withdrawing from petition. Any person desiring to remonstrate against any petition for a zone change shall file such remonstrance in writing with the Auditor of the City of Portland within twelve (12) days from the mailing of notice to persons and property owners within the petition area and affected district by the Auditor of the City of Portland. No additions to or withdrawals from a petition for zone change shall be permitted after the expiration of the said twelve (12) day period, nor shall any additions to or withdrawals from a remonstrance be permitted after the said twelve (12) day period. The signature of the petition at the expiration of the twelve (12) day period mentioned herein shall be the basis for Council consideration of such petition, and Council shall take jurisdiction in all cases in which the petition as of that date is signed by the owners of not less than

Article 41
AMENDMENTS
Section 6-4101. MAP CHANGE.
The Council may, after recommendation from the Commission, notice to property owners and public hearing before it, change the boundaries of zones or may change a zone or portion of a zone from one zone to another, or may otherwise amend the Official Zoning Maps.

In granting a change in zoning classification of any property, the Council may attach such conditions and requirements to the zone change, more restrictive than the regulations specified in this code, as the Council deems necessary in the public interest. Such conditions and restrictions shall thereafter apply to the zone change. Where such conditions are attached, no zone change shall become effective until the written acceptance of the terms of the zone change ordinance by the property owner, prospective purchaser, or new owner who may have purchased the property between the time of petition, and the passage of such ordinance shall have been declared by the City Auditor, and a certified copy shall have been recorded in the County Deed Records at the expense of the petitioner.

The Council or the Commission may initiate proceedings for changes in zones. Except those initiated by the Council or by the Commission, all other proceedings for zone changes shall be initiated by petition of property owners and/or contract purchasers.

All ordinances changing zone classifications in accordance with the procedure prescribed in this code shall be enacted as special ordinances. Each such change in zone shall be numbered consecutively, in addition to the ordinance number of passage, and shall continue with the next number after the last change of zone made before the effective date of this ordinance. All such changes of zone shall be filed and indexed in the office of the City Auditor, and shall be noted on the Official Zoning Maps established in Section 6-602.

Section 6-4102. CONDITIONS FOR CHANGE BY PETITION OF PROPERTY OWNERS.
(a) Such petition shall be made in the following manner:
1. Zone change area. All owners of property and all contract purchasers in the area proposed to be changed from one zone to another shall sign a petition asking for a change in the zone classification. All signatures shall be dated.
2. Petition area. Before a petition may be presented to the Council for consideration, the petition shall be signed by the owners or contract purchasers of not less than fifty (50) percent of all property in the area bounded by lines one hundred (100) feet from and parallel to the boundary lines of the property proposed to be changed in zone classification.
3. Petition. Each signer of a petition for a change of zone shall give his address and the description of his property as shown on the assessment and tax roll of the County, showing the lot, block, and addition of the property, and shall state whether he holds title or is a contract purchaser.
4. Affected Area. The area as assumed to be affected by a zone reclassification shall be all property within lines three hundred (300) feet from and parallel to the boundaries of the property for which a reclassification is proposed and such other contiguous area as under the legal control of the applicant,
fifty (50) per cent of all property in the petition area, and the Council shall not consider such petition zone change if, where, upon the expiration of the said twelve (12) day period, the petition for said zone change is signed by less than fifty (50) per cent or the remonstrance against such zone change at the expiration of the said twelve (12) day period contains the signatures of owners of more than fifty (50) per cent of all property owned in the petition area. Nothing contained in this subsection shall be deemed to deny the right of any person to be heard by the Council for or against a proposed zone change at the time of consideration of said zone change by the Council, but such representation made after the expiration of the twelve (12) days mentioned above shall not deprive the Council of jurisdiction to hear, consider and determine the matter.

Section 6-4106. PROCEDURE FOR CHANGE. A petition for change of zone shall be first presented to the Commission. The Commission shall check said petition for form and, if satisfactory, shall make a report embodying its recommendations. No petition shall be approved by the Council until the Commission has submitted a report relative to the same.

The report of the Commission shall be transmitted to the Auditor after acceptance of the petition at the office of the Commission. The Auditor shall fix the date of hearing before the Council, and shall send notice of the date of the hearing by mail to all owners of property in the Petition and Affected Areas. At least fourteen (14) days shall elapse between the time of sending the notice of the hearing and the holding of the hearing by the Council. The term change of zone shall be understood to apply to a change from one zone classification under a former jurisdiction to the same as in the case of the City Council or Planning Commission initiating a zone change.

Section 6-4105. TEXT AMENDMENTS. The Commission and the Council may initiate an amendment or supplement to the text of this code. Each proposed amendment or supplement shall be referred to the Commission for a study and report to the Council.

ARTICLES 42, 43, AND 44 RESERVED FOR EXPANSION OF ZONING REGULATIONS

PART 3

Setback Regulations

Section 6.4501. ESTABLISHMENT OF SETBACK LINES

(a) General. For the purpose of regulating the location and alignment of buildings and of maintaining appropriate open spaces and adequate distance between buildings on opposite sides of a street in the interest of public convenience, safety, health, and general welfare, building setback lines may be established, or amended, in any district in the city.

(b) Procedure. Proceedings for the establishment of setback lines may be petitioned for by owners of property to be so regulated or initiated by the Commission or by the Council.

Petitions for setback lines initiated by property owners shall be signed by not less than twenty (20) per cent of the area of all the property for which setback lines are sought. Each signature of an owner shall be accompanied by the owner's street address and a description of the property represented by the signature. The petition shall contain a list of the names and addresses of all property for which the setback line or lines are sought, with a description of each owned by each such owner. Such petitions shall also describe the desired setback regulations.

Upon receipt of such a petition, the Commission may investigate the facts and make a report of its findings, and recommendation to the Council. The petition, report, and recommendation of the Commission shall be filed in the office of the Auditor for submission to the Council. The petition shall specify the time and place of the hearing. Not less than fourteen (14) days shall elapse between the date of the sending of the notice and the date of the hearing.

When proposals for setback lines are initiated by the Council or by petition, the Commission, in addition to making the necessary investigation and preparing the proposed setback line or lines, shall furnish the Auditor with a list of the names and addresses of the owners of all the property for which setback regulations are sought, together with a description of the affected property owned by each. The procedure for notices and hearings shall be the same as described on the petition of property owners.

(c) Maps to be a part of a Setback Ordinance. All ordinances establishing setback lines shall be accompanied by a map on which is indicated the setback line or lines established. Said map, with its designations and designations made thereon, shall be a part of the setback ordinance, as if all the indications and designations shown thereon were fully described in the text of such ordinance. The setback lines shown on said map shall be indicated on the base map or district maps when the setback ordinance becomes effective.

(d) Future amendments. All ordinances for the establishment of setback lines, in accordance with the provisions set forth in this Article, may be amended or repealed. In case of amendment or repeal, the setback lines shall be extended on the base map or district maps to conform with the new setback ordinance.

(e) Existing setback lines. All setbacks established under prior ordinances of the City of Portland shall be in full force and effect until or unless they are specifically repealed.

(f) Measurements. All setback lines shall be measured from the street property line to the nearest part of a building, except as provided in Sections 6-4202 and 6-4203 and on a line at right angles to or concentric with the street line.
City Planning Commission

Chapter 6, Planning and Zoning Code

Section 2. This Ordinance shall be effective on and after July 1, 1959. Nevertheless, a building permit may be issued by the Bureau of Buildings in accordance with the provisions of repealed Ordinance No. 77953, including amendments thereto, after the effective date; provided written notice is filed with the City Planning Commission within six months after the effective date of this Planning and Zoning Code, furnishing conclusive evidence satisfactory to the Commission that construction plans are in the process of preparation and are being based on the provisions contained in said repealed Ordinance No. 77953. Such written notice shall indicate estimated time to complete such plans, and the Commission shall determine an exact date after which all building permits issued on such property in question must conform to the provisions of this Planning and Zoning Code. The Commission shall notify the Bureau of Buildings of such date.

Passed by the Council, MAY 28, 1959

Mayor of the City of Portland

Auditor of the City of Portland
see ope. 110281 or turnings
An ordinance to provide a revised Planning and Zoning Code for the City of Portland, Multnomah and Clackamas Counties, Oregon, so as to provide regulations and restrictions for location, use and development of property within the city for various types of buildings, structures, and activities; prescribing the various zone classifications and their regulations; limiting the height and bulk of buildings; fixing setback restrictions; prescribing penalties; fixing an effective date, and repealing Ordinance No. 77953, passed by the Council October 8, 1942, as subsequently amended, but preserving the same for certain purposes.

MAY 14 1959
Read 1 & 2 & PASSED TO THIRD READING MAY 28 1959
As Amended

THE COMMISSIONERS VOTED AS FOLLOWS

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May 13, 1959
RAY SMITH
Auditor of the City of Portland

[Signature]