

Portland Zoning Code

**May 4, 1970**

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# City of Portland Zoning Code



## 1959 Code adopted by:

- Ordinance # - 110103 passed 5/28/59, effective 7/1/59

## 1959 Code as amended by:

- Ordinance # - 118667, passed and effective 6/11/64, subjects amended: 6-2104
- Ordinance # - 118789, passed and effective 7/2/64, subjects amended: 6-1603, 6-1607
- Ordinance # - 118981, passed and effective 8/6/64, subjects amended: 6-2102, 6-2202, 6-2502
- Ordinance # - 119151, passed 9/10/64, effective 10/12/64, subjects amended: 6-601, 6-602, 6-603
- Ordinance # - 119230, subjects amended: 6-4101
- Ordinance # - 119309, passed and effective 10/15/64, subjects amended: 6-4101
- Ordinance # - 120565, passed and effective 6/24/65, subjects amended: 6-2502, 2-2602
- Ordinance # - 122919, passed and effective 7/21/66, subjects amended: 6-2102, 6-2103, 6-2502, 6-2503
- Ordinance # - 124246, subjects amended: 6-4103
- Ordinance # - 124417, subjects amended: 6-3801
- Ordinance # - 125199, passed 8/17/67, effective 8/27/67, subjects amended: 6-4002, 6-4005, 6-4006, 6-4104, 6-4202, 6-4503
- Ordinance # - 126560, passed and effective 4/11/68, subjects amended: 6-925, 6-1025, 6-3501, 6-3502
- Ordinance # - 126615, passed and effective 4/18/68, subjects amended: 6-4104
- Ordinance # - 126677, passed and effective 4/25/68, subjects amended: 6-1414, 6-1505, 6-1605
- Ordinance # - 127512, passed 8/29/68, effective 9/29/68, subjects amended: 6-4801
- Ordinance # - 127654, passed and effective 9/19/68, subjects amended: 6-2102, 6-2103
- Ordinance # - 129523, passed and effective 8/14/69, subjects amended: 6-1425, 6-1426
- Ordinance # - 129744, passed 9/17/69, effective 10/18/69, subjects amended: 6-3401, 6-4001, 6-4005, 6-4103
- Ordinance # - 130291, passed 1/15/70, effective 2/16/70, subjects amended: 6-432.05
- Ordinance # - 130671, passed 4/2/70, effective 5/4/70, subjects amended: 6-918, 6-1018, 6-1119, 6-1218, 6-3801

Date Stamp – May 4, 1970



# **PLANNING AND ZONING CODE**

**OF THE**

DUNNIGAN

**CITY OF PORTLAND,  
OREGON**

**ORDINANCE NO. 110103  
PASSED BY THE COUNCIL MAY 28, 1959**

**2nd EDITION**

5-4-1970



P L A N N I N G   A N D   Z O N I N G   C O D E

of the

CITY OF PORTLAND, OREGON

Ordinance No. 110103  
Passed by the Council May 28, 1959  
Effective July 1, 1959

Second Edition  
As amended to and including  
January 30, 1964

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*Ray Smith*  
AUDITOR OF THE CITY OF PORTLAND



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## KEY TO OCCUPANCY GROUPS

THIS KEY IS DESIGNED PRIMARILY AS A QUICK GUIDE TO THE BUILDING CODE AND TO THE PLANNING AND ZONING CODE.

IT IS SUBJECT TO CHANGE AND UPDATING. IT MAY NOT BE 100% CORRECT AT THIS PRINTING AND THEREFORE SHOULD BE USED ~~FOR~~ WHAT IT IS, A GUIDE, NOT AN INTEGRAL PART OF EITHER CODE.

THE BUILDING CODE KEY IS ESSENTIALLY CORRECT EXCEPT FOR THOSE MARGINAL ITEMS WHICH DO NOT FIT NEATLY INTO A SPECIFIC CATEGORY.

THE PLANNING & ZONING PORTION WILL SERVE TO SHOW THE MOST RESTRICTIVE ZONE IN WHICH A CERTAIN OCCUPANCY IS AN ALLOWABLE USE WITHOUT ANY SPECIAL CONSIDERATION SUCH AS CONDITIONAL USE ALLOWANCES. FOR INSTANCE #21 AS THE FIRST CODE NUMBER INDICATES AN ALLOWABLE USE IN C-2 ZONE AND ALL OTHER LESS RESTRICTIVE ZONES. THIS KEY ASSOCIATES THE ARTICLE NUMBERS WITH THE ZONE DESIGNATIONS AND THE ALLOWABLE USES.

THE NEXT NUMBER IS THAT OF THE GROUP IN WHICH A PARTICULAR OCCUPANCY FALLS.

THE THIRD NUMBER IS THE ITEM WITHIN A PARTICULAR GROUP.

P & Z GROUP NUMBER 21-2-14 INDICATES AN ALLOWABLE USE UNDER ARTICLE 21 WHICH COVERS ZONE C-2, IT IS IN GROUP #2, ITEM 14 WHICH ALLOWS IMMEDIATE SPOTTING OF LIMITATIONS ON USE, REQUIRED PARKING AND REQUIRED OFF STREET LOADING.

CATEGORIES PARENTHESES INDICATE A DUAL ALLOWANCE WITH THE PARENTHESIS DENOTING THAT SPECIAL TREATMENT MAY BE REQUIRED.

# KEY TO OCCUPANCY GROUPS

USE	CODE CLASSIFICATION	
	BUILDING	ZONING
A		
Accountants office	F-2	21-2-14
Administrative organization office	F-2	21-2-14
Advertising signs or structures	J-2	21-5-2
Advertising structures (com'l mfg. & maintenance of	F-2	25-7-9(22-11)
Aircraft landing area	F-1	21-5-22
Air terminals	B	21-5-22
Alloying, rolling or drawing ferrous and non-ferrous metals	F-2	25-7-20
Amusements, commercial	F-2	21-3-4
Amusement, outdoor enterprise	F-2	21-5-4
Amusement park	B	26-10-2
Animals (as per Health Code)	F-2	10-a-3
Animal boarding place	F-2	26-10-9
Animal, breeding & raising (as per Health Code)	F-2	26-10-15
Animal by-products or scrap, mfr. from	F-2	27-11-13
Animal hospital	F-2	25-7-17
Animals, slaughter of	F-2	Conditional
Any use hazardous to health or safety	E	Conditional
Apartment buildings	H	14-3
Appliances, electrical, assembly of	F-2	22-6
Arcade, penny	B	21-3-4g
Architects office	F-2	21-2-14
Architects, landscape, office	F-2	21-2-14
Arena, indoor	B	21-3-4f
Armory	B	21-5-9
Arsenal	E-1	27-12-1
Art gallery	B	19-1
Art objects	B	19-1
Art store	F-2	19-1
Artificial leather & other impregnated & coated fabrics, mfr. of	E-3	27-11-6
Artists studio	F-2	19-23
Assembling, automobile	F-2	26-10-1
Assembly of electrical appliances	F-2	22-6
" " electronic instruments & devices	F-2	22-6
" " (& fabrication) metal products	F-2	25-7-1
" " phonographs	F-2	25-7-2
" " radios	F-2	25-7-2
" room, public	B	21-5-1
Attorneys office	F-2	19-23
Auditorium	A	21-5-1
Authors & writers office or studio	F-2	19-23
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Auto body & fender works	F-1, E-4	25-4-3
Automobile painting	E-2	25-4-2
Auto race track	B-4	27-12-10



USE	CODE CLASSIFICATION	
	BUILDING	ZONING
A		
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" reconditioning	E-4	25-4-2
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Automobile service station	F-1	21-4-1
" (used) retail sales	F-1, F-2	25-4-5
" upholstering	E-3	25-4-2
" wrecking	F-1	26-9-1
B		
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" retail	F-2	21-1-1
Bank	F-2	21-2-1
Barber shop	F-2	21-1-2
Bar	F-2	21-5-28
Barn	J	Accessory
Barrel or drum steel (mfr. & reclaiming)	F-2	27-11-90
Bath, public	F-2	21-2-18
Beauty parlor	F-2	21-1-3
Beverage products with exceptions, mfg. processing, ltd.	F-2	25-7-6
Bicycle, retail sales & service	F-2	21-4-2
Billboards & other advertising signs	J	21-5-2
Billboard mfr. & maintenance	E-3	25-7-9(22-1)
Billiards & pool	B, F-2	21-3-4a
Birds (fowl)	F-2	26-10-15
Bird store	F-2	21-2-2
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Blast furnace	G	Conditional
Blueprinting	F-2	21-2-3
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Boats, pleasure - retail sales & service & moorages	F-2	21-5-23
Boats, private pleasure moorage	F-2	Accessory
Body & fender works, automobile	E-4	25-4-3
Boiler works	G	27-12-2
Bones distillation of	F-2	Conditional
Bone articles or merchandise, mfr. from	F-2	25-7-7(22-
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Breeding & raising fish (as per Health Code)	F-2	26-10-15
Breeding & raising fowl (as per Health Code)	F-2	26-10-15
Brewery	F-2	26-10-4
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" " - sales yard	F-2	26-10-5
" " - wrecking yard & salvage yard	F-2	26-9-4
Bus, sales, service, repairing or overhauling	E-4	26-10-26
Bus terminals	B	21-5-22



USE	CODE CLASSIFICATION	
	BUILDING	ZONING
Business college	C	21-2-7
" machines, retail sales & service	F-2	21-2-4
" office	F-2	21-2-14
" wholesale	F-2	22-16
C		
Cabinet shop	E-3	21-3-3
Cable, mfr. of transmission	F-2	27-11-102
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Can, mfr. of tin & other tinware	F-2	27-11-100
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Canning, smoking, curing fish	F-2	26-8-3
" " " meat	F-2	26-8-3
Canvas articles or merchandise mfr. from	E-3	25-7-7(22-9)
Caretaker's quarters	I	Accessory
Carloading terminal	F-2	26-10-13
Carnival	B	26-10-6
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Ceramic products, mfr. of ltd.	F-2	25-7-8(22-10)
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" " " industrial inorganic or organic	F-2, E-2	27-11-53 & 1
Chicken house	J	Accessory
Church	B	21-6-1
Cinder dump	G	Conditional
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" establishment	E-2	21-2-6
" rug	F-2, E-2	25-7-4
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" medical	F-2	21-5-16
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Cloth, articles or merchandise, mfr. from	E-3	25-7-7(22-9)
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" country	B	Conditional
" private	B	21-5-15
Coal distillation	E-1	Conditional
Cocktail lounges	F-2	21-5-28
Coke ovens	E	Conditional
Cold storage plant	G	26-10-20
Collection agency for cleaning	F-2	21-1-7
" " " laundry	F-2	21-1-7
" " " pressing	F-2	21-1-7

USE	CODE CLASSIFICATION	
	BUILDING	ZONING
Colleges	C	21-6-3
College, business	C	21-2-7
Columbariums	B	21-5-6
Commercial advertising structures, mfg. & maintenance of	F-2	25-7-9(22-11)
Commercial amusements	B, F-2	21-3-4
" school	C	21-2-7
Community club	B	21-5-5
Concrete mixing plant	G	27-12-3
Confectionary store	F-2	19-8
Conservatory, music	C, B	21-2-7
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" " " sales	F-1, F-2, E-4	26-10-7
" " " storage yard	F-1	26-10-7
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Conversions to 2-family use	I	14-2
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Cork, articles or merchandise, mfr. from	E-3	25-7-7(22-9)
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" or storing raw hides	F-2	Conditional
Cutting, stone	G	27-12-19
D		
Dairy products, mfg. processing, etc. of	G	25-7-6
Dance hall	B	21-3-4c
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USE	CODE CLASSIFICATION	
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Dressmaking, custom	E-3	21-2-8
" shop	E-3	21-2-8
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" " " exc. drive-in theaters	F-2	21-5-7
" " theaters	B-4	26-10-11
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Drug store	F-2	19-11
Drum or steel barrel, mgr. or reclaiming	F-2	27-11-90
Drydock	F-2	27-12-17
Dry goods store	F-2	19-12
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Dump, rubbish, cinders, slag, sawdust	G	Conditional
" sawdust	G	Conditional
" slag	G	Conditional
Dumping, dead animals	F-2	Conditional
" garbage	F-2	Conditional
" offal	F-2	Conditional
E		
Educational organization office	F-2	21-2-14
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Electronic instruments & devices, assembly of including mfg. small parts	F-2	25-7-2(22-)
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Engineers office	F-2	21-2-14
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Exhibition hall	B	21-5-1
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F		
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Feed store, retail	F-2	21-3-5
Feeding pens, livestock	F-2	Conditional
Felt, articles or merchandise, mfr. from	E-3	25-7-7(22-9)
Fender & body works, automobile	E-2, E-4	25-4-3



USE	CODE CLASSIFICATION	
	BUILDING	ZONING
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Fibre, articles or merchandise, mfr. from	E-3	25-7-7(22-9)
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" organization office	F-2	21-2-14
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Fruit store	F-2	19-16
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" " yard	F-2	26-10-17
Fur, articles or merchandise, mfr. of	E-3	25-7-7(22-9)
Furnace, blast	G	Conditional
Furniture store	F-2	21-2-10
G		
Gallery, shooting	B	21-3-4h
Games of science & skill	B	21-3-4d
Garage, parking	F-1	21-4-3
" private	F-1	Accessory
" repair	E-4	21-4-3
Garbage, offal or dead animal reduction or dumping	F-2	Conditional
Garden supplies, store	F-2	19-14
Gardening, truck (as per Health Code)	J	26-10-15
Gas, mfr. or storage, artificial, natural, industrial, liquified or compressed gases.	E-2	Conditional
General hospital	D	21-6-6
" mfg.	F-2	26-10-1
Gift shop	F-2	19-15
Gin, cotton	E-3	27-12-4
Glass, articles or merchandise, mfg. from	F-2	25-7-7(22-9)
Golf course	F-2	Conditional
" driving range	F-2	21-5-4a
" miniature	F-2	21-5-4b
Governmental office	F-2	21-2-15
" structures & land use ltd.	F-2	21-5-9

USE	CODE CLASSIFICATION	
	BUILDING	ZONING
Governmental structures & land use (local, state or federal)	F-2	21-5-9
Governmental structures & land use (local, state, federal) essential to residential	F-2	Conditional
Grain elevator	E-3	26-10-18
Granite monument works	G	25-7-16
Gravel, sale or, ltd.	G	26-10-5
" sale & storage	G	27-12-12
Greenhouse (for sale products)	F-2	21-5-10
" private	J	Accessory
Grinding, stone	G	27-12-19
Grocery store	F-2	19-16
Guest house	I	Accessory
Guncotton products, mfr. of	E-1	27-11-49
Gunpowder, mfr. or storage of	E-1	27-11-50
Gunsmith	F-2	21-2-11
Gutta-percha, mfr. of treatment of	E-3	27-11-52
Gymnasium	B	21-3-4e
H		
Hair, articles or merchandise, mfr. from	E-3	25-7-7(22-9)
Hall, dance	B	21-3-4c
" exhibition	B	21-5-1
" reception	B	21-5-31
Hardware, store	F-2	19-17
Health service	F-2	21-2-18
Heavy machinery, repair, sale, storage or salvage	E-4	26-10-19
Hides, raw, curing & storage	F-2	Condition.
Home, convalescent	D-2	21-6-5
" nurses accessory to hospitals	H	21-6-8
" occupation	J	Condition.
Horn, articles or merchandise, mfr. from	F-2	25-7-7(22-)
Hospital, animal	F-2	25-7-17
" detention	D-1	21-6-7
" general	D-2	21-6-6
" mental	D-1	21-6-7
" remedial	D-2	21-6-7
" residential building accessory to	I	21-6-8
Hospital, veterinary	F-2	25-7-17
Hotel	H	16-5
" ltd.	H	15-5
Household machines, retail sales & service	F-2	21-2-12
House trailer sales	F-2	25-4-4
I		
Ice house (not more than 5 tons)	F-2	21-5-12
" " (plant)	G	26-10-20
Incinerator	E-3	Condition
Indoor arena	B	21-3-4f
Ink, printing (from basic substances) mfr. of	E-2, F-2	27-11-74



USE	CODE CLASSIFICATION	
	BUILDING	ZONING
Institution, financial	F-2	21-2-1
" welfare	F-2	21-5-32
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Instruments, musical mfr. of	F-2	25-7-10(22-
" precision, mfr. of	F-2	25-7-11(22-
" & equipment, scientific mfr. of	F-2	25-7-11(22-
Instruments, scientific or professional, repair shop	F-2	21-2-13
Instruments, & dressings, surgical, mfr. of	F-2	25-7-12(22-
Interior decorating shop	F-2	21-1-6
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J		
Jewelry store	F-2	19-18
Junk, storage, processing or treatment	F-2	26-9-3
Jute fabrication	E-3	27-12-7
K		
Kennel, dog	F-2	26-10-9
Knitting of cotton, wool, flax or other fibrous materials	E-3	25-7-15
L		
Laboratory, dental	F-2	25-7-3(22-
" experimental	F-2	25-7-3(22-
" medical	F-2	25-7-3(22-7
" motion picture	F-2	25-7-3(22-
" Photo	F-2	25-7-3(22-
" research	F-2	25-7-3(22-
" testing	F-2	25-7-3(22-
Landing area, aircraft	F-1	Conditional
Landscape architects office	F-2	21-2-14
Laundry	F-2	21-1-7
" for carpets	F-2	25-7-4
" collection agency for	F-2	21-1-7
" overalls	F-2	25-7-4
" rags	F-2	25-7-4
Lead smelting	G	Conditional
Leather articles or merchandise, mfr. from	E-3	25-7-7
" artificial etc. mfr.	E-3	27-11-6
" patent, mfr. of	E-3	27-11-67
Library	B	21-5-14
Limited mfg. use	-	
Lithographing	F-2	21-5-24
Loading facilities, off-street	F-2	Conditional
Loan company	F-2	21-2-1
Locker, frozen food, retail	G	21-5-8
Locksmith	F-2	21-2-11



USE	CODE CLASSIFICATION	
	BUILDING	ZONING
Lodges	B	21-5-15
Loggers equipment & trucks, plant	F-1, F-2	26-10-7
" " " " rental	F-1, F-2	26-10-7
" " " " repair	E-4	26-10-7
" " " " sales	F-1, F-2	26-10-7
" " " " storage yard	F-1	26-10-7
M		
Machines, business retail sale & service	F-2	21-2-4
" household " " " "	F-2	21-2-12
" shop	F-2	25-7-5
Machinery, heavy, repair, sales, storage or salvage	E-4, F-2	26-10-19
Machinery, metal working, mfr. of	F-2	27-11-61
Management consultants office	F-2	21-2-14
Manufacture of acid	E-1	Conditiona
" & maintenance of advertising structures, commercial	F-2	25-7-9(22-1
Manufacture of agar	F-2	27-11-1
" " alcohol	E-2	27-11-2
" " ammonia	E-2	27-11-3
" " ammunition	E-1	Conditional
" " animal or boneblack	F-2	27-11-4
" " anti-knock compound for gasoline	F-2	27-11-5
" " artificial gas etc.	E-1	Conditional
" " " leather and other impregnated & coated fabrics	E-3	27-11-6
Manufacture of artificial limbs	E-3, F-2	25-7-12(22
" " asbestos	F-2	27-11-7
" & processing, etc. of bakery goods	F-2	25-7-6
" & maintenance of billboards	F-2	25-7-9(22
" & processing, etc. beverages	F-2	25-7-6
" of bleaching powder	F-2	27-11-10
" " brick, tile or terracotta	G	27-11-11
" " building blocks	G	27-11-12
" " by-products or scrap (from fish, meat or animals)	F-2	27-11-13
Manufacture of candles	E-2	27-11-14
" & processing of candy	F-2	25-7-6
" of cans	F-2	27-11-15
" " canvas	E-3	27-11-16
" " carborundum	F-2	27-11-17
" " cardboard	E-3	27-11-18
" " cattle or sheepdip	F-2	27-11-19
" " cellophane	E-3	27-11-20
" " celluloid	E-1	27-11-21
" " cellulose nitrate products	E-1	27-11-22
" " cement	E-3	Conditiona
" " cement products	E-3	27-11-23
" " ceramics	F-2	27-11-73
" " chemicals	E-2	27-11-24

USE	CODE CLASSIFICATION	
	BUILDING	ZONING
Manufacture of chewing tobacco	F-2	27-11-25
" " clay products	G	27-11-26
" " cleaning & polishing products	E-2	27-11-27
" " coils for electrical appliances	F-2	25-7-2(22-6)
" " concrete pipe	G	27-11-28
" " concrete products	G	27-11-29
" " condensers for electrical appliances	F-2	25-7-2(22-6)
" " construction equipment	F-2	27-11-30
" " cooking fats & oils, shortening	E-2	27-11-85
" " cork	E-3	27-11-31
" " cosmetics	F-2	25-7-6(22-6)
" " cottonseed oil (mfg. & refining)	E-2	27-11-32
" " creosote	E-2	27-11-33
" " crystal holders	F-2	25-7-2(22-6)
" & processing of dairy products	F-2	25-7-6
" of dental devices	F-2	25-7-12(22-6)
" " dentures	F-2	25-7-12(22-6)
" " dextrine	F-2	27-11-34
" " disinfectants	F-2	27-11-35
" " doors and sash	E-3	27-11-81
" " drugs	F-2	25-7-6(22-8)
" " dyestuff	E-2	27-11-36
" " emory cloth or sandpaper	E-3	27-11-80
" " enamel	E-2	27-11-37
" " excelsior	E-3	27-11-38
" " explosive or storage	E-1	Conditional
" " felt	E-3	27-11-39
" " fertilizer	F-2	Conditional
" " figurines using previously pulverized clay	F-2	25-7-8(22-6)
" " fireworks	E-1	Conditional
" " fish oil or meal	F-2	27-11-40
" " food	F-2	25-7-6
" " fungicides	F-2	27-11-41
" " gas (artificial, natural, industrial, liquified, or compressed gases)	E-2	Conditional
" " glass	E-2	27-11-43
" " glucose	E-2	27-11-44
" " glue	E-2	Conditional
" " glycerin	E-2	27-11-45
" " graphite	E-3	27-11-46
" " grease (mfg. or refining)	E-2	27-11-47
" " gum and wood chemicals	E-2	27-11-48
" " guncotton products	E-1	27-11-49
" " gunpowder (mfg. or storage)	E-1	27-11-50
" " guns, howitzer, mortar, etc.	F-2	27-11-51
" " gutta-percha	E-3	27-11-52
" " gypsum	E-3	Conditional
" " hearing aids	F-2	25-7-12(22-6)
" " chemicals, industrial	E-2	27-11-53 & 54



USE	CODE CLASSIFICATION	
	BUILDING	ZONING
Manufacture of ink	E-2	27-11-55
" " insecticides	F-2	27-11-56
" " instruments, musical	F-2	25-7-10(22-1)
" " instruments, scientific & precision	F-2	25-7-11(22-1)
" " instruments, surgical & dressings	F-2	25-7-12(22-1)
" " gelatin	F-2	27-11-42
" " lacquer	E-2	27-11-66
" " lampblack	E-3	27-11-57
" " lard	F-2	27-11-58
" " leather, patent	F-2	27-11-67
" " lime	E-3	Conditional
" " linoleum	F-2	27-11-59
" " linseed oil	F-2	27-11-66
" " matches	E-1	27-11-60
" " medical devices	F-2	25-7-12(22-1)
" " metal stamps	F-2	25-7-10(22-1)
" " metal working machinery	F-2	27-11-61
" " mineral wool	F-2	27-11-62
" " musical instruments	F-2	25-7-10(22-1)
" " & maintenance of neon and electric signs	F-2	22-11
" " novelties	F-2	25-7-10(22-1)
" " nylon	F-2	27-11-63
" " oil, sulfonated and assistants	E-2	27-11-94
" " oil, (including linseed oil)	F-2	27-11-66
" " oilcloth	F-2	27-11-64
" " oiled clothing	F-2	27-11-65
" " optical goods	F-2	25-7-11(22-1)
" " paint, oil including linseed, shellac, turpentine, lacquer, or varnish	E-2	27-11-66
" " paper or pulp	E-3	Conditional
" " paper, wall	F-2	27-11-104
" " patent leather	E-3, F-2	27-11-67
" " perfumes	F-2	25-7-6(22-8)
" " perfumed toilet soap	F-2	25-7-6(22-8)
" " pharmaceuticals	F-2	25-7-6(22-8)
" " phenol or phenol products	E-2	27-11-68
" " pipe, steel	F-2	27-11-91
" " phonographs, phonograph records blank	F-2	27-11-69
" " plaster of paris	E-3	Conditional
" " plastics	E-2	27-11-70
" " plywood, veneer or shingles	E-3	27-11-71
" " polishing & cleaning preparations	E-2	27-11-27
" " polishes, shoe	F-2	27-11-84
" " polishes, stove	F-2	27-11-93
" " potash	E-3	27-11-72
" " pottery or ceramics	F-2	27-11-73
" " printing ink from basic substances	E-2	27-11-74
" " pottery using previously pulverized clay	F-2	25-7-8(22-1)
" " pulp	E-3	Conditional



USE	CODE CLASSIFICATION	
	BUILDING	ZONING
Manufacture of pyroxyline	E-2	27-11-75
" " rayon	E-3	27-11-76
" " roofing, tar	E-2	27-11-98
" " rubber stamps	F-2	25-7-10(22-1)
" " rubber, treatment or reclaiming plant	E-3	27-11-77
" " rubber products	F-2	27-11-78
" " rugs	E-3	27-11-79
" " sandpaper or emory cloth	F-2	27-11-80
" " sash and doors	E-3	27-11-81
" " sewer pipe	F-2	27-11-82
" " shades, window	E-3	27-11-105
" " shellac	E-2	27-11-66
" " shoddy (See Health Code)	E-3	27-11-83
" " shoe polish	F-2	27-11-84
" " shortening and other cooking fats and oils	F-2	27-11-85
" " size	F-2	27-11-86
" " soap	F-2	27-11-87
" " sodium compounds	E-1	27-11-88
" " starch	E-3	27-11-89
" " steel	G	Conditional
" " stoves	F-2	27-11-92
" " steel pipe	F-2	27-11-91
" " steel drums & steel bands	F-2	27-11-90
" " steel barrels or steel drums	F-2	27-11-90
" " stove polish	F-2	27-11-93
" " sulfonated oils & assistants	E-2	27-11-94
" " surgical instruments & dressings	F-2	25-7-12(22-1)
" " tallow	F-2	27-11-95
" " tanks & components	F-2	27-11-96
" " tar products	E-2	27-11-97
" " tar roofing	E-2	27-11-98
" " tar waterproofing	E-2	27-11-99
" " tin cans & other tin ware	F-2	27-11-100
" " tires	F-2	27-11-101
" " toiletries	F-2	25-7-6(22-1)
" " toys	F-2	25-7-10(22-1)
" " transformers for electrical appliances	F-2	25-7-2(22-1)
" " transmission cable	F-2	27-11-102
" " turpentine	E-2	27-11-66
" " varnish	E-2	27-11-66
" " veneer	E-3	27-11-71
" " wallboard	E-3	27-11-103
" " wallpaper	F-2	27-11-104
" " waterproofing tar	E-2	27-11-99
" " window shades	E-3, F-2	27-11-105
" " wire	G, F-2	27-11-106
" " wood & gum chemicals	E-2	27-11-107
" " yeast	F-2	27-11-108

Manufacturing, compounding, assembling, or treatment of articles from the following previously prepared materials:

USE	CODE CLASSIFICATION	
	BUILDING	ZONING
bone	F-2	25-7-7(22-9)
canvas	E-3, F-2	25-7-7(22-9)
cellophane	E-3, E-1	25-7-7(22-9)
cork	E-3, F-2	25-7-7(22-9)
feather articles	E-3, F-2	25-7-7(22-9)
felt	E-3, F-2	25-7-7(22-9)
fibre	E-3, F-2	25-7-7(22-9)
fur	E-3, F-2	25-7-7(22-9)
glass	F-2	25-7-7(22-9)
hair	E-3, F-2	25-7-7(22-9)
horn	F-2	25-7-7(22-9)
leather	F-2	25-7-7(22-9)
paint	E-2	25-7-7(22-9)
paper	E-3, F-2	25-7-7(22-9)
plastic	E-3, F-2	25-7-7(22-9)
stones, precious or semi-precious	F-2	25-7-7(22-9)
shell	F-2	25-7-7(22-9)
textile	E-3, F-2	25-7-7(22-9)
tobacco	F-2	25-7-7(22-9)
wood	E-3	25-7-7(22-9)
yarn	E-3	25-7-7(22-9)
Marble works	F-2	25-7-16
Masseur	F-2	21-2-18
Matches, mfg. of	E-1	27-11-60
Mausoleums	F-2	21-5-6
Meat by-products, mfg. of	F-2	27-11-13
Meat market	F-2	19-20
Meat packing	F-2	Condition
Meat smoking, curing, or canning	F-2	26-8-3
Medical clinic	F-2	21-5-16
Medical laboratory	F-2	25-7-3(22-9)
Medical office	F-2	21-5-16
Mental hospital	D-1 or 2	21-6-7
Metal coating (galvanizing)	F-2	26-10-12
Metallic ore smelting	G	Conditional
Metals, rolling, drawing or alloying	G	27-12-13
Metals, precious or semi-precious articles or merchandise manufactured from	F-2	25-7-7(22-9)
Metal products, assembly & fabrication	F-2	25-7-1
Metal salvage, storing, processing or treatment	F-2	26-9-3
Mill, planing	E-3	26-10-22
Mill, saw	E-3	27-12-15
Mill, shingle	E-3	27-11-71
Millinery shop	F-2	19-21
Miniature golf	B-4	21-5-4b
Minister's office	F-2	19-23
Mission, rescue	B-3	21-5-26
Mixing plant, concrete	F-2	27-12-3
Monument works, granite	F-2	25-7-16
Moorage & pleasure boats	F-1	21-5-23



USE	CODE CLASSIFICATION	
	BUILDING	ZONING
Moorage, private pleasure boats	F-1, J-1	Accessory
Mortuary	F-2	21-5-17
Motels	H	21-5-18
Motels, limited	H	15-5
Motion picture laboratory	E-1	25-7-3(22-7)
Motion picture studio	B, F-2	25-7-13
Motorcycle race track	B-4	27-12-10
Motorcycle, retail sales & service	E-4	21-4-2
Moving of buildings	F-2	Conditional
Museums	B-2, B-3	21-5-19
Music conservatory	C	21-2-7
N		
Natural resources, development of	F-2	Conditional
Non-ferrous metals, rolling drawing, or alloying	G	27-12-13
Notions, store	F-2	19-22
Nursery, plants	F-2	21-5-10
Nursery schools	D-2	21-6-9
Nurses home accessory to hospital	H	21-6-8
O		
Offal reduction or dumping	F-2	Conditional
Office of accountant	F-2	21-2-14
" " architects	F-2	21-2-14
" " artist, studio	F-2	21-2-14
" " attorney	F-2	21-2-14
" " authors & writers	F-2	21-2-14
" business	F-2	21-2-14
" dentists	F-2	21-5-16
" designers	F-2	21-2-14
" engineers	F-2	21-2-14
" governmental	F-2	21-2-15
" investment counselor	F-2	21-2-14
" landscape architects	F-2	21-2-14
" management consultants	F-2	21-2-14
" medical	F-2	21-5-16
" ministers	F-2	21-2-14
" physicians	F-2	21-5-16
" professional	F-2	21-2-14
" professional other than medical & dental	F-2	21-2-14
" psychiatrist	F-2	21-5-16
" public utility	F-2	21-2-16
" surgeon	F-2	21-5-16
" veterinary	F-2	25-7-17
" wholesale & showrooms	F-2	21-3-11
One-family dwellings	I	10-a-1

USE	CODE CLASSIFICATION	
	BUILDING	ZONING
Optometrist	F-2	21-5-20
Ore, smelting of metallic	G	Conditional
Ore, reduction	G	Conditional
Organization, fraternal	B	21-5-15
Organization offices, limited	F-2	19-23
Outdoor amusement enterprise	B-4	26-10-6
Outdoor stadium	B-4	21-5-4c
Oven, coke	E-1	Conditional
Overalls laundry	F-2	25-7-4
Overhaul or repair truck or bus	E-4	26-10-26
P		
Painting, automobile	E-2	25-4-2
Painting, sign shop	E-2	21-3-9
Paper, articles manufactured from	E-3	25-7-7(22-9,
Paper, salvage, storage, processing	E-3, F-2	26-9-3
Parcel delivery service	F-2	22-15
Parks, public	B-4	21-5-21
Park, amusement	B-4	26-10-2
Park, public	B-4	21-5-21
Park, trailer	F-1	Conditional
Parking facilities, off-street	F-1	21-4-3
Parking garage	F-1	21-4-3
Parochial school	C	21-6-10
Passenger terminals	B	21-5-22
Pawnshop	F-2	21-1-8
Penny arcade	F-2	21-3-4g
Pergola	J-1	Accessory
Pet shop	F-2	21-2-2
Petroleum products storage	E-1	Conditional
Petroleum refining	E-1	Conditional
Philanthropic organization office	F-2	21-2-14
Photolaboratory	E-1	25-7-3(22-7)
Photographer	F-2	21-2-17
Photostating	F-2	21-2-3
Physical culture service	F-2	21-2-18
Physician, office	F-2	21-5-16
Pickles production	F-2	26-10-21
Piers for river or ocean going vessels	F-2	26-10-8
Planing mill	E-3	26-10-22
Pleasure boats, retail sales & service & moorage	E-4, F-1	21-5-23
Pleasure boats, private moorage	F-1, J-1	Accessory
Plumbing shop	F-2	21-3-1
Pool & billiards	F-2	21-3-4a
Poultry killing	F-2	26-8-4
Power looms, weaving of cotton, wool, flax	E-3	26-10-28
Prefabrication of structural members	E-3, G	27-12-9
Prefabrication of wooden buildings & structural members	E-3	27-12-8
Pressing, collection agency	F-2	21-1-7(19-6)
Pressing, establishment clothes	F-2	21-2-6(19-7)
Printing	F-2	21-5-24



USE	CODE CLASSIFICATION	
	BUILDING	ZONING
Private clubs	B	21-5-15
Private garage	J-1	Accessory
Private school	C	21-6-10
Processing of bakery goods	F-2	25-7-6
" " beverage products	F-2	25-7-6
" " candy	F-2	25-7-6(22-8)
" " cosmetics	F-2	25-7-6(22-8)
" " dairy products	F-2	25-7-6
" " drugs	F-2	25-7-6(22-8)
" " food products (with exceptions)	F-2	25-7-6
" " junk	F-2	26-9-3
" " metal salvage	F-2	26-9-3
" " paper	E-3	25-7-7(22-8)
" " perfume	F-2	25-7-6(22-8)
" " perfumed toilet soap	F-2	25-7-6(22-8)
" " pharmaceuticals	F-2	25-7-6(22-8)
" " rags	E-3	26-9-3
" " toiletries	F-2	25-7-6(22-8)
Produce terminal or yard	F-2	26-10-23
Professional instruments, repair shop	F-2	21-2-13
Professional office	F-2	21-2-14
Professional office other than medical and dental	F-2	21-2-14
Psychiatrist office	F-2	21-5-16
Public assembly room	B-1-2-3	21-5-1
Public bath	F-2	21-2-18
Public meeting rooms	B-1-2-3	21-5-1
Public parks	B-4	21-5-21
Public school	C	21-6-11
Public utility office	F-2	21-2-16
Public utility structures & lines limited	F-2	21-5-25
Publishing	F-2	21-5-24
Pulling wool	E-3	27-12-22

R		
Rabbit hutch	F-2, J-1	26-10-15
Rabbit killing	F-2	26-8-4
Racetrack, auto or motorcycle	B-4	27-12-10
Racetrack, (except auto or motorcycle)	B-4	21-5-4d
Radios, assembly of including manufacture of small parts	F-2	25-7-2(22-8)
Radio, sales and service	F-2	19-25
Radio studio	F-2	21-2-19
Radio transmitters	F-2	Conditional
Rags, laundry	F-2	25-7-4
Rags, storage, processing or treatment	E-3	26-9-3
Railroad facilities-limited	F-2	26-10-24
Railroad repair shop & round house	E-4	27-12-11
Railroad rights-of-way	F-2	26-10-24
Railroad round house	E-4	27-12-11

USE	CODE CLASSIFICATION	
	BUILDING	ZONING
Rail terminals	B, F-2	21-5-22
Rawhides, curing or storage	F-2	Conditional
Rebuilding, automobile	E-4	25-4-2
Recapping or retreading tires	E-3, F-2	26-10-25
Reception hall	B	21-5-31
Reconditioning, automobile	E-4	25-4-2
Reducing salon	F-2	21-2-18
Reduction, ore	G	Conditional
Refining, petroleum	E-2	Conditional
Refining, sugar	E-3	27-12-21
Religious organization office, limited	F-2	21-2-14
Remedial hospital	D-2	21-6-7
Rendering fat	E-2, F-2	Conditional
Repair, farm equipment	E-4	26-10-14
Repair, garage	E-4	21-4-3
Repair, heavy machinery	E-4	26-10-19
Repair or overhaul trucks or buses	E-4	26-10-26
Repair, ship	F-2	27-12-17
Repair shop, clock	F-2	21-2-21
Repair shop, instruments, scientific or professional	F-2	21-2-13
Repair shop, railroad	E-4	27-12-11
Repair shop, shoe	F-2	21-2-20
Repair shop, watch	F-2	21-2-21
Reproduction processing	F-2	21-2-3
Rescue mission	B-3	21-5-26
Research laboratory	F-2	25-7-3(22-7)
Research organization office, limited	F-2	21-2-14
Residential buildings accessory to churches	I	21-6-2
Residential buildings accessory to colleges	I	21-6-4
Residential buildings accessory to hospitals	I	21-6-8
Residential uses	I	
Restaurant	B, F-2	21-5-27
Retail bakery	F-2	21-1-1
Retail establishments, limited	F-2	21-1-9
Retail feed store	F-2	21-3-5
Retail fuel oil distributor	E-2	26-10-16
Retail fuels, solid	F-2	21-3-6
Retail shops for reading matter, clothing, curios art objects, household sundries	F-2	21-1-9
Retail store	F-2	21-1-9
Retreading or recapping tire	E-3, F-2	26-10-25
Riding academies	F-2	Conditional
Rink, skating	B	21-3-4i
Rocks, sale of, limited	F-2	26-10-5
Rocks, sales and storage	F-2	27-12-11
Rock or stone crusher	F-2	27-12-18
Rock, storage and sales	F-2	27-12-12
Rolling, drawing or alloying ferrous & non-ferrous metals	G	27-12-13
Roofing paper, asphalt or shingle, mfg.	E-2, E-3	27-11-9



USE	CODE CLASSIFICATION	
	BUILDING	ZONING
Roofing tar, mfg.	E-2	27-11-98
Rooming houses	H	15-4
Round house, railroad	E-4	27-12-11
Rubbish dump	F-2	Conditional
Rug cleaning	F-2	25-7-4
Rugs, manufacture of	E-3	27-11-79
S		
Sales yard, building material including sales of rocks, sand or gravel as incidental to main business but not concrete mixing	F-2	26-10-5
Sales, heavy machinery	F-1, F-2	26-10-19
Sales, scrap iron and storage	F-2	27-12-16
Sales, house trailer	F-2	25-4-4
Salon, reducing	F-2	21-2-18
Salt works	F-2	27-12-14
Salvage, heavy machinery	F-1, F-2	26-10-19
Salvage yard for building materials	F-2	26-9-4
Sand, sale of, limited	F-2	26-10-5
Sand, sale or storage	F-2	27-12-12
Sand, storage or sale	F-2	27-12-12
Sauerkraut production	F-2	26-10-21
Sawdust dump	E-3	Conditional
Sawmill	E-3	27-12-15
School commercial	C	21-2-7
School nursery	D-2	21-6-9
School parochial	C	21-6-10
School private	C	21-6-10
School public	C	21-6-11
School trade	C	21-2-7
Scientific instruments repair shop	F-2	21-2-13
Scientific or statistical organization office-limited	F-2	21-2-14
Scouring wool	E-3	27-12-22
Scrap iron, sales & storage	F-2	27-12-16
Second hand store	F-2	21-3-8
Semi-precious metals, articles or merchandise manufactured from	F-2	25-7-7(22-9)
Semi-precious stones, articles or merchandise manufactured from	F-2	25-7-7(22-9)
Servant's house	I	Accessory
Service establishments, limited	F-2	
Service station, automobile	F-1	21-4-1
Service station for gas, lubrication to cars only	F-1	21-4-1
Shingle mill, mfg. of	E-3	27-11-71
Ships, dismantling	F-2	27-12-6
Ship repair	F-2	27-12-17
Shipbuilding, drydock or ship repair	F-2	27-12-17
Shipping facilities for river or ocean-going vessels	F-2	26-10-8

USE	CODE CLASSIFICATION	
	BUILDING	ZONING
Shoe repair shop	F-2	21-2-20
Shoe store	F-2	19-27
Shooting gallery	F-2	21-3-4h
Shops, also see "stores"	F-2	21-1-9
Shop, barber	F-2	21-1-2
Shop, beauty	F-2	21-1-3
" blacksmith	F-2	26-9-2
" cabinet	E-3	21-3-3
" carpenter	E-3	21-3-3
" clock repair	F-2	21-2-21
" dressmaking	F-2	21-2-8
" florist	F-2	21-1-5
" forge	F-2	26-8-1
" gift	F-2	19-15
" instruments, scientific or professional, repair	F-2	21-2-13
" interior decorating	F-2	21-1-6
" machine	G	25-7-5
" millinery	F-2	21-2-8
" pawn	F-2	21-1-8
" pet	F-2	21-2-2
" plumbing	F-2	21-3-1
" shoe repair	F-2	21-2-20
" sign painting	E-2	21-3-9
" tailor	F-2	21-2-8
" upholstering	F-2	21-3-10
" watch repair	F-2	21-2-21
" welding	F-2	25-7-19
Shortening & other cooking fats & oils manufacture of	E-2	27-11-85
Show rooms, wholesale, limited to samples only	F-2	21-3-11
Signs permitted in all zones with varying limitations	F-2	
Signs, advertising or structures	F-2	21-5-2
Sign painting shop	E-2	21-3-9
Silos	E-3	Accessory
Skating rink	B-4	21-3-4i
Slag dump	F-2	Conditional
Slaughter of animals or meat packing	F-2	Conditional
Small boat building	E-3	26-10-3
Smelting of copper	G	Conditional
Smelting of copper, iron, lead, tin, zinc, & other metallic ores	G	Conditional
Smelting of iron	G	Conditional
Smelting of lead	G	Conditional
Smelting of metallic ores	G	Conditional
Smelting of tin	G	Conditional
Smelting of zinc	G	Conditional
Smoking of fish, curing or canning	F-2	26-8-3
Smoking of meat, curing or canning	F-2	26-8-3
Stadium outdoor	B-4	21-5-4c
Spinning of cotton, wool, flax, or other fibrous materials	E-3	25-7-15



USE	CODE CLASSIFICATION	
	BUILDING	ZONING
Stationery store	F-2	19-28
Steel fabrication, structural	G	27-12-20
Stock yards or feeding pens	F-2	Conditional
Stone crusher or rock	F-2	27-12-18
Stone cutting	F-2	27-12-19
Stone dressing	F-2	27-12-19
Stone grinding, dressing or cutting	F-2	27-12-19
Stone works, (monumental)	F-2	25-7-16
Storage of artificial gas, etc.	E-1	Conditional
Storage buildings	E-1, E-2, F-2	25-7-18
Storage of explosives or manufacture	E-1	Conditional
" " heavy machinery	F-2	26-10-19
" " gas, artificial, natural, etc.	E-1	Conditional
" " junk	F-2	26-9-3
" " metal salvage	F-2	26-9-3
" " natural gas, etc.	E-1	Conditional
" " paper	F-2	26-9-3
" " petroleum products	E-1-2	Conditional 12-8
" plant, cold	G	26-10-20
" rags	F-2	26-9-3
" rawhides, or curing	F-2	Conditional
Storage, rock, sand & gravel & sales	F-2	27-12-12
Storage, scrap iron & sales	F-2	27-12-16
Storage yard, contractor's equipment	F-1, F-2	26-10-7
Storage yard, logging equipment & trucks	F-1, F-2	26-10-7
Stores also see "shops"	F-2	
Store, art	F-2	19-1
" bird	F-2	21-2-2
" book	F-2	19-5
" confectionery	F-2	19-8
" delicatessen	F-2	19-10
" department	F-2	21-1-4
" drug	F-2	19-11
" dry goods	F-2	19-12
" feed retail	F-2	21-3-5
" fruit	F-2	19-16
" furniture	F-2	21-2-10
" garden supplies	F-2	19-14
" grocery	F-2	19-16
" hardware	F-2	19-17
" jewelry	F-2	19-18
" notions	F-2	19-22
" retail	F-2	21-1-9
" second-hand	F-2	21-3-8
" shoe	F-2	19-27
" stationery	F-2	19-28
" variety	F-2	19-22
" vegetable	F-2	19-16
Structural steel fabrication	G	27-12-20
Studio accessory to dwelling	J-1	Accessory

USE	CODE CLASSIFICATION	
	BUILDING	ZONING
Studio, motion picture	B, F-2	25-7-13
Studio, radio	F-2	21-2-19
Studio, television	B, F-2	21-2-19
Sugar refining	E-3	27-12-21
Surgeon's office	F-2	21-5-16
Swimming pool	J-2, B	21-5-4e
T		
Tailor shop	F-2	21-2-8
Tannery	F-2	Conditional
Tavern	F-2	21-5-28
Barberdormist	F-2	21-2-2
Tea room	F-2	21-5-27
Telephone exchange	F-2	21-5-29
Television, sales & service	F-2	19-25
Television studio	B, F-2	21-2-19
Television transmitters	F-2	Conditional
Terminal, air	B	21-5-22
Terminal, bus	B	21-5-22
Terminal, carloading	F-2	26-10-13
Terminal, draying	F-2	26-10-10
Terminal, express	F-2	26-10-13
Terminal, freight	F-2	26-10-10
Terminal, passenger	B	21-5-22
Terminal, produce or yard	F-2	26-10-23
Terminal, rail	B, F-2	21-5-22
Terminal, truck	F-2	26-10-27
Testing laboratory	F-2	25-7-3(22-7)
Theater, drive-in	B-4	26-10-11
Theater, except drive-in	B	21-5-30
Tin smelting	G	Conditional
Tire retreading or recapping	E-3, F-2	26-10-25
Tire sales and service	F-2	21-4-5
Toolshed	J-1	Accessory
Track, race, auto or motorcycle	B-4	27-12-10
Track, race (except auto or motorcycle)	B-4	21-5-4d
Tract development & sales	F-2	
Trade school	C	21-2-7
Trailer house sales	F-2	25-4-4
Trailer park	F-1, F-2	Conditional
Trailer (other than house) retail sales & service	F-2	21-4-2
Transient amusement enterprise	B	26-10-6
Transmitters, radio	F-2	Conditional
Transmitters, television	F-2	Conditional
Truck gardening	F-2, J	26-10-15(10-a)
Trucks (new) retail sales & service (not more than 1½ tons)	E-4, F-1	21-4-4
Truck sales, service, repairing, or overhauling	E-4	26-10-26



USE	CODE CLASSIFICATION	
	BUILDING	ZONING
Truck terminal	F-2, F-1	26-10-27
Truck wrecking	E-4	26-9-1
Turn-around, mass transit	F-1	Conditional
Two-family dwellings	I	14-2
U		
Upholstering, automobile	F-1, F-2	25-4-2
Upholstering shop	E-3, F-2	21-3-10
Used automobile, retail sales	F-1	25-4-5
Uses general, hazardous to health or safety, limited	E, F	Conditional
Utility lines & structures, public limited	G	21-5-25
Utility, public office	F-2	21-2-16
V		
Variety store	F-2	19-22
Vegetable store	F-2	19-16
Veterinary hospital	F-2	25-7-17
Veterinary office	F-2	25-7-17
Vinegar production	F-2	26-10-21
W		
Waiting stations, mass transit	B	21-5-22
Warehouse	F-2	25-7-18
Watch repair shop	F-2	21-2-21
Wearing apparel	F-2	19-30
Weaving of cotton, wool, flax, etc. using power looms	E-3	26-10-28
Wedding chapel	B	21-5-31
Welding shop	F-2	25-7-19
Welfare institutions	D-3	21-5-32
Wharves for river or ocean-going vessels	F-2	26-10-8
Wholesale business	F-2	21-3-11(22-
Wholesale office limited to samples	F-2	21-3-11
Wholesale showroom	F-2	21-3-11
Winery	E-2	26-10-4
Woodshed	J-1	Accessory
Woolpulling or scouring	E-3	27-12-22
Wrecking, automobile	E-4	26-9-1
Wrecking, truck	E-4	26-9-1
Wrecking yard for building materials	F-2	26-9-4
Y		
Yard, building material sales, limited	F-2	26-10-5
Yard, draying	F-2	26-10-10
Yard, freight	F-2	26-10-10
Yard, fuel solid	F-2	26-10-17
Yard, salvage for building materials	F-2	26-9-4

USE	CODE CLASSIFICATION	
	BUILDING	ZONING
Yard, stock	F-2	Conditional
Yard, storage contractor's equipment & trucks	F-1	26-10-7
Yard, storage logger's equipment & trucks	F-1	26-10-7
Yard, wrecking for building materials	F-2	26-9-4
Z		
Zinc smelting	G	Conditional



## ORDINANCE NO. 110103

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.

The City of Portland ordains:

### SECTION 1.

The Council finds that zoning regulations including regulations of height of buildings, setback requirements and regulation of use of land 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 damage; to prevent overcrowding of land; to avoid undue population density; to set forth adequate provision for transportation, water, sewerage, schools, parks and other public improvements and generally to promote the public health, peace, safety and welfare; that present provisions for such zoning regulations are insufficient to provide definite regulation and protection to property owners for the growing number of types of land use; that therefore the existing Planning and Zoning Code should be replaced by a new revised Planning and Zoning Code so as to permit the refinements necessary and to promote the orderly development of land use within the City; that in addition to permitting various uses in special districts, in order to avoid encroachment upon the enjoyment of property by neighboring owners, provision should be made to exclude from certain areas residential uses of permanent type so as to minimize development of substandard housing areas which may result from location within an area developing for manufacturing or certain commercial purposes, and also to permit an orderly development of such areas for the purposes which will promote an orderly development pattern; that such an orderly development for the purposes found to be suitable in such areas will promote the general welfare; now, therefore, the following provisions shall be the Planning and Zoning Code of the city of Portland, Multnomah and Clackamas Counties, Oregon.

## 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 and development of land throughout the City; to stabilize and conserve the value of property; to provide adequate light, air and reasonable access; 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, water, sewerage, schools, parks and other public improvements; and, in general, to promote the 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 and use of buildings, structures, and land for business, industry, trade, callings and dwellings, and for public, semi-public, and other specified uses; to regulate and determine the area of yards, courts, and other open spaces; and for said purposes to divide the City into zones of such number, shape, and area as may be deemed best suited to carry out these regulations and to set forth general requirements to carry out the broad purposes mentioned above.

6-101 to 6-102



## 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 and Vice-President 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 Director who shall keep an accurate record of all proceedings of the Commission. The Commission shall, 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 for its government and procedure consistent with the laws of the State of Oregon and with the Charter, ordinances, and codes 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 records. All meetings of the Commission shall be open to the public.

### Section 6-206. POWERS AND DUTIES.

The City Planning Commission shall have and exercise all the powers and duties which are now or may hereafter be granted to or imposed upon city planning commissions by laws of the State of Oregon; and, in addition thereto, such powers as are or may be provided by ordinance, this Planning and Zoning Code, and the City Charter.

The City Planning Commission shall have the power to divide its membership into committees which shall be authorized to act in behalf of the Commission on zone change petitions and initiations, conditional use requests and variance requests attendant thereto, appeals from the setback regulations of Part III of this Code, revocable permit requests, requests for written interpretations of the intent of this Code, and proposed amendments of the text of this Code. Three (3) members of the Commission shall constitute a quorum on such committees. When less than a quorum on such committees vote favorably on a motion, the item under discussion shall automatically be referred to the Commission as a whole. Appeal from decision of a committee of the Commission may be made to the Commission as a whole or directly to the City Council.

### ARTICLE 3. VIOLATION, PENALTY, AND SAVING CLAUSE.

#### Section 6-301. VIOLATION OF REGULATIONS UNLAWFUL: PROOF OF VIOLATION PRIMA FACIE 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 hereof or 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 lack thereof of either the owner or of 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 by imprisonment in the City Jail not to exceed six (6) months or by both such fine and imprisonment. Each day that a violation of this Code continues shall be considered a separate offense.

#### Section 6-303. VALIDITY.

If any article, section, paragraph, subdivision, clause, sentence or provision of this Code shall be adjudged by any court of competent jurisdiction 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 article, section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

#### Section 6-304. CONTINUATION.

The provisions of this Code, insofar 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 II ZONING REGULATIONS

### ARTICLE 4. DEFINITIONS.

#### 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 include the future; 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.

A subordinate building, the use of which is customarily incidental to that of the main building or the main use of the land and which is located on the same tract with the main building or use.

#### Section 6-403. ACCESSORY BUILDING, ATTACHED.

The term "attached accessory building" shall be understood to apply to an accessory building which is attached to the main building by the wall and/or roof of the main building or by the roof over a breeze-way 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 Code. 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 6-404. ACCESSORY BUILDING, DETACHED.

All accessory buildings shall be considered detached if not qualifying as attached.

#### Section 6-405. AIRCRAFT LANDING FIELD.

Any landing area, runway or other facility designed, used or intended to be used either publicly or by any person or persons for the landing and taking off of aircraft, including all necessary taxi-ways, aircraft storage and tie-down areas, hangars and other necessary buildings and open spaces.

#### Section 6-406. ALLEY.

A secondary means of access to abutting property, if dedicated as a public way.

#### Section 6-407. ALTERATION.

An "alteration" may be a change in construction or a change of occupancy. Where the term "alteration" is applied to a change of construction, it is intended to apply to any change, addition, or modifications in construction. When the term is used in connection with a change of occupancy, it is intended to apply to changes of occupancy from one grade to another or from one division of a grade to another.



Section 6-408. ALTERATION, STRUCTURAL.

Any change or repair which would tend to prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams or girders.

Section 6-409. APARTMENT DWELLING.

A building or portion thereof, designed for occupancy by three (3) or more families living independently of each other.

Section 6-410. AUTOMOBILE SERVICE STATION.

Any premises used for supplying gasoline, oil, minor accessories and services, excluding body and fender repair, for automobiles at retail direct to the customer.

Section 6-411. AUTOMOBILE AND TRAILER SALES AREA.

An open area, other than a street, used for the display, sale, or rental of new or used automobiles or trailers, and where no repair work is done except minor incidental repair of automobiles or trailers to be displayed, sold or rented on the premises.

Section 6-412. AUTOMOBILE WRECKING.

The dismantling or wrecking of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

Section 6-413. BOARDING HOUSE.

A building or portion thereof with not more than fifteen (15) sleeping rooms where lodging and meals for more than five (5) persons are provided for compensation.

Section 6-414. BUILDING.

(See Structure, Section 6-473.)

Section 6-415. BUILDING OR STRUCTURE, GRADE.

(a) The term "grade of building" or "building grade" shall be deemed to mean a ground elevation established for the purpose of regulating the number of stories and the height of the building.

(b) In the establishment of the building grade of a structure or building, there are two cases:

Case I is a building which has an exterior wall or walls built up to a street lot line or within five (5) feet of the street lot line.

Case II is a building which does not have an exterior wall built up to or within five (5) feet of the street lot line.

(c) Method of establishing grade. For a case I building, the elevation of the sidewalk at the mid or center point of any exterior wall of a building which is built up to or within five (5) feet of the street line shall be determined and this elevation shall be the building grade, but if there is more than one such wall, the building grade shall be the average of such elevations. Where no sidewalk grade has been established, the City Engineer shall establish such grade or its equivalent for purposes of this Code.



For a case II building, the building grade shall be the level of the ground adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level, the grade shall be determined by determining the average elevation of the ground for each face of the building. For a square or rectangular building, there will be four (4) faces, but for an "L" shaped building, there will be six (6) faces and for a "U" shaped building eight (8) faces. After the average elevation of the ground for each face has been determined, the elevation for each face shall be multiplied by the length of such face measured on a horizontal line and the sum of these products shall be divided by the sum of the lengths of the faces. The answer is the grade of the building.

To determine the average elevation of a face having a uniformly sloping grade, the elevation shall be determined at the mid or center point of such face.

For a face having a curved or irregular surface of the ground, the face shall be divided into a number of parts, each having the same length with the length not exceeding ten (10) feet but as near ten (10) feet as the case permits. The average elevation shall be determined at the center of these parts and the sum of the elevations shall be divided by the number of parts, the answer giving the average elevation of the face.

#### Section 6-416. BUILDING OR STRUCTURE, HEIGHT OF.

The term "height of building" shall be deemed to mean the perpendicular distance from the building grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the middle height of the highest gable or ridge of a pitch or hip roof.

If a building is divided into units by means of masonry division walls, each unit shall be considered separately in calculation for height of building.

#### Section 6-417. CEMETERY.

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

#### Section 6-418. CLASSROOM.

A "classroom" is a room in a school or college building used for lecture, recitation and for home room purposes. Special purpose rooms such as science laboratories, gymnasiums, libraries, and shops are not included as "classrooms".

#### Section 6-419. 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 6-420. COMMISSION.

Shall mean the "City Planning Commission".

Section 6-421. COMMUNITY CLUB.

Buildings and grounds used for and operated by a non-profit organization whose membership is open to any resident of the district, neighborhood, or community in which the club is located; provided that the primary objectives of the organization are the improvement of the district, neighborhood, or community and its social welfare and recreation.

Section 6-422. COMPACT EVERGREEN HEDGE.

A screen of natural evergreen growth sufficiently dense to obscure motor vehicle headlights.

Section 6-423. COUNCIL, CITY.

Shall mean the "Portland, Oregon, City Council".

Section 6-424. COURT.

An open unoccupied 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 6-425. DORMITORY, FRATERNITY, OR SORORITY.

A building occupied by and maintained exclusively for students affiliated with a school or college.

Section 6-426. DWELLING.

A building or portion thereof designed for residential occupancy.

Section 6-427. DWELLINGS, MULTI-FAMILY.

(See Apartment Dwelling.)

Section 6-428. DWELLING, ONE-FAMILY.

A detached building designed exclusively for occupancy by one (1) family.

Section 6-429. DWELLING, TWO-FAMILY.

A building designed exclusively for occupancy by two (2) families living independently of each other.

Section 6-429.1. EXCAVATING OR FILLING.

"Excavating" shall mean the removal of ground from its existing contour or position by human or artificial means and "filling" shall mean the deposit of ground to build up the existing contour or surface by human or artificial means. As used in this Code, "excavating and filling" shall apply to such moving of ground which is not incidental to and necessary for use of a building permit issued for the same property, in any case where the volume of ground to be moved exceeds 1000 cubic yards, or where the excavating or filling or both are not reasonably expected to be completed within 60 calendar days from the start of the work of excavating or filling.



Section 6-430. 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 part of whom are not related by blood, marriage, legal adoption, or guardianship living together as a single housekeeping unit in a dwelling unit.

Section 6-431. FLOOR AREA.

The term "floor area", unless otherwise modified, means the gross floor area under roof measured from exterior limits or faces of a building or structure, excluding only space devoted to off-street parking or loading. Included in gross floor area are roofed porches and similar spaces, not enclosed or only partially enclosed by walls.

Section 6-432. FRONTAGE.

All the property fronting on one (1) side of a street between intersecting or intercepting 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 intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts.

Section 6-432.05. "GARAGE SALE", "BASEMENT SALE", "OCCASIONAL SALE".

(Section 6-432.05 added by Ordinance No. 130291 passed January 15, 1970, effective February 16, 1970.)

A sale of a quantity of merchandise, clothes, household goods, personal property, etc., previously used or acquired for use by any person, which sale is of a duration less than 3 days and which sale is more than six months from any previous such sale on the same premises. A "garage sale", "basement sale", or "occasional sale" as herein defined is not a use of structures or land within this Code.

Section 6-432.1. HELIPORTS AND HELISTOPS.

(a) Heliport. A heliport is an area used or to be used for landing or take-off of helicopters or other steep-gradient aircraft capable of hovering, and may include any or all of the area or buildings which are appropriate to accomplish these functions.

(b) Private Helistop. A private helistop is an area used or to be used for the landing or take-off of helicopters or other aircraft capable of hovering which are owned or controlled by the owner or occupant of the premises or by guests or patrons of such owner or occupant; such private helistop does not afford refueling, maintenance or repair facilities and all tie-down or hangar facilities are for the accommodation of a single aircraft.

(c) Public Helistop. A public helistop is an area used or to be used for landing or take-off of helicopters or other aircraft capable of hovering which does not afford refueling, maintenance or repair facilities, in which tie-down facilities alone are available and are for the accommodation of a single aircraft, and which area is open to use by any helicopter or other aircraft capable of hovering regardless of ownership or control.

Section 6-433. HOME OCCUPATION.

A lawful profession, craft or service permitted, under such terms and condition as are specified by this Code, to be carried on within a dwelling or on the same lot as a dwelling as an accessory or secondary activity to the use of the dwelling for dwelling purposes.



Section 6-434. 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 6-435. HOSPITAL, ANIMAL.

A building or premises for the medical or surgical treatment of domestic animals or pets, including dog, cat, and veterinary hospitals.

Section 6-436. 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 6-437. HOSPITAL, GENERAL.

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

Section 6-438. 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 6-439. HOSPITAL, REMEDIAL.

The term "remedial hospital" shall apply to a hospital used exclusively for the treatment of persons suffering from the use of drugs or liquor.

Section 6-440. HOTEL.

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

Section 6-441. KENNEL OR OTHER ANIMAL BOARDING PLACE.

The term "kennel" as used in this Code is hereby defined to mean and include any establishment or premises where five (5) or more dogs over one (1) year of age are kept for any purpose whatsoever, or any establishment or premises where dogs are bred, boarded or offered for sale as a commercial business. The term "other animal boarding place" as used in this Code is hereby defined to mean and include any establishment or premises where six (6) or more cats over four (4) months of age are kept for any purpose whatsoever, or any establishment or premises where cats or other animals are bred, boarded or offered for sale as a commercial business.

Section 6-442. LOADING BERTH.

An area of such dimensions as specified in Section 6-3701 available for maneuvering and standing of motor vehicles for the purpose of delivering and loading freight, goods, equipment, persons, and other articles. (See Article 37 for additional information.)

6-434 to 6-442



Section 6-443. 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 distinct ownership. The term means any type of land holding and includes but is not limited to lots platted in subdivisions.

Section 6-444. LOT AREA.

The total horizontal area within the lot lines of a lot.

Section 6-445. 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 lot.

Section 6-446. 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 6-447. LOT, INTERIOR.

A lot other than a corner lot.

Section 6-448. LOT LINES.

The property lines bounding a lot as defined herein.

Section 6-449. LOT LINE, FRONT.

Any boundary line separating the lot from a street.

Section 6-450. LOT LINE, REAR.

Any boundary line opposite from a front lot line.

Section 6-451. LOT LINE, SIDE.

Any boundary line not a front or rear lot line.

Section 6-452. LOT, THROUGH.

A lot having frontage on two (2) parallel or approximately parallel streets.

Section 6-453. LOT WIDTH.

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

Section 6-454. MOTEL.

An individual building 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 6-455. NON-CONFORMING USE.

A use to which a structure, building or land was lawfully put at the time this Code became effective but which is not a permitted use in the zone in which it is located.

Section 6-456. OWNER.

The owner of real property as shown on the records of the City Auditor. Where the deed holder is selling a property under contract as shown in the records of the City Auditor, the contract purchaser rather than the deed holder shall be considered the owner for the purposes of this Code.

Section 6-457. PARKING SPACE.

A minimum gross area of two hundred and fifty (250) square feet available for maneuvering and standing of operatable passenger automobiles. (See Article 36 for additional information.)

Section 6-458. PERSON.

The term "person" shall mean and include any natural person, copartnership, association, or corporation, whether he, she, or it is acting for himself, herself, or itself, or as the servant, employe, agent, or representative of another. The singular number shall include the plural and the plural the singular.

Section 6-459. PRIVATE CLUB.

Buildings and grounds used for and operated by a non-profit organization, membership to which is by invitation and election according to qualifications in the club's charter or bylaws. The use of the club's facilities is primarily restricted to members and their guests.

Section 6-460. ROOM.

The term "room" shall mean any space in a building enclosed or set apart by a partition or partitions which is habitable and shall be deemed to apply to any room used as a bedroom, a dining room, a living or sitting room, a parlor, a kitchen, a sewing room, a library, a den, a music room, a dressing room, a sleeping porch, a sun room, a sun porch, a party room, a recreation room, a breakfast room, a study, and similar uses.

Section 6-461. ROOMING HOUSE.

A building or portion thereof with not more than fifteen (15) sleeping rooms where lodging for more than five (5) persons is provided for compensation.



Section 6-462. SCHOOL, COMMERCIAL.

A building where instruction is given to pupils in arts, crafts, or trades operated as a commercial enterprise as distinguished from schools endowed and/or supported by taxation.

Section 6-463. SCHOOL, ELEMENTARY.

A school offering instruction to one or more grades between and including the fifth through the eighth exclusively or in combination with grades lower than the fifth.

Section 6-464. SCHOOL, HIGH.

A school offering instruction to one or more grades between and including the ninth through the twelfth exclusively or in combination with the seventh and eighth grades.

Section 6-465. SCHOOL, NURSERY.

A school offering instruction and guided activity to kindergarten or pre-kindergarten classes.

Section 6-466. SCHOOL, PRIMARY.

A school offering instruction to one or more grades between and including kindergarten through the fourth.

Section 6-467. SCHOOL, PRIVATE OR PAROCHIAL.

A school under the control of and financed by a religious, philanthropic, and non-profit institution offering instruction equivalent to public schools.

Section 6-648. SCHOOL, PUBLIC.

A school under the control of and financed by legally constituted public school districts in the State of Oregon.

Section 6-468.1. SIGN.

(Section 6-468.1 added by Ordinance No. 127512 passed August 29, 1968 effective September 29, 1968.)

A sign shall be any presentation or representation included within the general or special definition of such term in the Sign Code of the City of Portland, excluding however plaques identifying a historical building or site located and approved under the provisions of this Code.

Section 6-469. STORY.

That portion of a building included between a floor and the floor or roof next above it. A story with more than one-half ( $\frac{1}{2}$ ) of its height below the level of the building grade shall be termed a cellar. A cellar is not to be counted as a story unless the ceiling height exceeds four (4) feet above the grade or unless more than forty per cent (40%) of the cellar is for living purposes.

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, whether privately owned or a dedicated public way. If a property has only one means of access, such shall be considered for the purpose of this Code as a street.

Section 6-472. STREET CORNER QUARTER OF LOT.

The term "street corner quarter of lot" shall apply to that corner of a lot which occurs at the intersection of two streets.

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 which is now or in the future laid out, located, relocated, or constructed as, or converted into, a throughway by the 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 intended, or 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 or structures and any lot line. The minimum horizontal distance between any point on a lot line and the nearest part of 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 rear lot line.

Section 6-481. YARD, SIDE.

Any yard abutting a side lot line and extending between the front yard and the rear yard, if any.



ARTICLE 5. ADMINISTRATION.

Section 6-501. ENFORCEMENT.

It shall be the duty of the Bureau of Buildings to enforce these zoning regulations except where otherwise specified.

Section 6-502. 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 such building, structure or land is located and then only after applying for and securing all permits and licenses 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 Code to interfere with or abrogate or annul any easement, covenant, or other agreement between parties, provided, however, that where this Code imposes a greater restriction upon the use of buildings or land, or upon the height of buildings, or requires larger open spaces than are imposed or required by other ordinances, codes, rules, regulations, or by easements, covenants, or agreements, the provisions of this Code shall control.

The Director of the Bureau of Buildings shall be responsible for the initial interpretation of this Code. Whenever there is any question regarding his interpretation of any provision of this Code or his application of this Code to any specific case or situation, the Director of the Bureau of Buildings, or any person affected by his initial interpretation of the Code, may submit a written request to the Commission for interpretation of the intent of the Code. The Commission shall, by written decision, interpret the intent of any provision in its application.

## ARTICLE 6. ZONES AND ZONING MAP.

### Section 6-601. ZONES.

(Section 6-601 amended by Ordinance No. 119151 passed September 10, 1964, effective October 12, 1964.)

In order to carry out the purpose and provisions of these zoning regulations, the city of Portland is hereby divided into fifteen (15) regular and five (5) superimposed zones, known as:

#### REGULAR ZONES

Full Name	Short Name
R20 One-Family Residential Zone . . . . .	R20 Zone
R10 One-Family Residential Zone . . . . .	R10 Zone
R7 One-Family Residential Zone . . . . .	R7 Zone
R5 One-Family Residential Zone . . . . .	R5 Zone
A2.5 Apartment Residential Zone . . . . .	A2.5 Zone
A1 Apartment Residential Zone . . . . .	A1 Zone
A0 Apartment Residential Zone . . . . .	A0 Zone
C5 Limited Commercial Zone . . . . .	C5 Zone
C4 Local Commercial Zone . . . . .	C4 Zone
C2 General Commercial Zone . . . . .	C2 Zone
C1 Central Commercial Zone . . . . .	C1 Zone
M4 Limited Manufacturing Zone . . . . .	M4 Zone
M3 Light Manufacturing Zone . . . . .	M3 Zone
M2 General Manufacturing Zone . . . . .	M2 Zone
M1 Heavy Manufacturing Zone . . . . .	M1 Zone

#### SUPERIMPOSED ZONES

B Buffer Zone . . . . .	B Zone
D Design Zone . . . . .	D Zone
L Aircraft Landing Zone . . . . .	L Zone
P Parking Zone . . . . .	P Zone
S Signboard Control Zone . . . . .	S Zone

### Section 6-602. MAPS ARE PART OF CODE.

(Section 6-602 amended by Ordinance No. 119151 passed September 10, 1964, effective October 12, 1964.)

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:

1619-20-21  
1716-17-18-19-20-21-22-26-27  
1816-17-18-19-20-21-22-26-27-28-29  
1915-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30  
2016-17-18-19-20-21-22-23-24-25-26-27-28-29-30



2116-17-18-19-20-21-22-23-24-25-26-27-28-29  
 2217-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32  
 2318-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34  
 2419-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34  
 2520-21-22-23-24-25-26-27-28-29-30-31-32-33-34  
 2621-22-23-24-25-26-27-28-29-30-31-32-33-34-35-37-38-39-40  
 2723-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40  
 2823-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40  
 2923-24-25-26-27-28-29-30-31-32-33-34-35-36-37-39-39-40  
 3025-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40  
 3125-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40  
 3225-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40  
 3324-25-26-27-28-29-30-31-32-33-34-35-36-37-38  
 3423-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41  
 3523-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41  
 3623-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41  
 3722-23-24-25-26-27-28-29-30-31-32-33-34-35-37-39-40  
 3823-24-25-26-27-28-29-30-31-32-33-34-35  
 3923-25-26-27-28-30-31-32-34  
 4025-26-27-28-29-30-31  
 4125-26-30  
 4225-26

These maps and others added by subsequent annexations, and as amended hereafter, are hereby declared to be a part of this Code. The zones hereby established and shown on said maps, and the boundaries thereof, are hereby confirmed. Said maps and all notations, references, and other information shown thereon shall be as much a part of this Code as if the matters and information set forth by said maps were all fully described herein.

Whenever the terms "R" Zone, "A" Zone, "C" Zone, or "M" Zone are herein, they shall be deemed to refer to all zones containing the same letter in their names. For example, the term "C" Zone shall include the C5, C4, C2 and C1 Zones.

The R20 Zone is the most restricted, and the M1 Zone the least restricted.

#### 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 street, alley or other type of public thoroughfare, said boundary shall remain as located on the Official Map in the event such street or alley or other thoroughfare is vacated by ordinance, unless or until changed by a proceeding as provided in Article 40.

ARTICLE 9. R20 ONE-FAMILY RESIDENTIAL ZONE.

(Article 9 added by Ordinance No. 119151 passed September 10, 1964 effective October 12, 1964).

Section 6-901. GENERAL REQUIREMENT.

In all R20 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 6-902. USES PERMITTED.

In an R20 Zone, the following uses are permitted:

1. One-family dwelling.
2. Farming and truck gardening. Produce sold shall be limited to that grown on the premises.
3. Keeping such animals and fowls as are incidental to residential or farming use and in accordance with the Health and Sanitation Code.

Section 6-903. OFF-STREET PARKING REQUIRED.

(a) One off-street 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 operatable 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 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 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 R20 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 6-904. OFF-STREET LOADING

No off-street loading berths are required of Principal Uses in R20 Zones.

Section 6-905. LOT SIZE REQUIRED.

(a) The minimum lot area shall be twenty thousand (20,000) square feet per dwelling unit.

(b) The minimum lot width shall be eighty (80) feet.

(c) The minimum lot depth shall be one hundred twenty (120) 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 forty thousand (40,000) square feet in area.

(f) No main dwelling shall be built or moved onto 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 article, 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 fourteen thousand (14,000) square feet in area, seventy (70) feet in width, and one hundred twenty (120) feet in depth unless approved by the Variance Committee as provided in Article 40.

Section 6-906. MAXIMUM LOT COVERAGE.

The ground area covered by all buildings, including accessory buildings, shall not exceed twenty five (25) per cent of the lot area.

Section 6-907. 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 6-908. MAXIMUM HEIGHT PERMITTED.

(a) No structure shall exceed two and one-half (2-1/2) 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.

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

Section 6-909. 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 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.

(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 article 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 (25) feet of its side lot lines, which projects beyond the required front yard line and has been so maintained since this article became effective, the front yard requirements 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 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 6-910. MINIMUM SIDE YARD.

(a) There shall be a minimum side yard on each side of any main building of ten (10) feet.



Section 6-917. CLASSIFICATIONS.

Accessory buildings and uses permitted in R20 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, rabbit hutch, barns, silos 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.
- Type 6: Home occupations.

Section 6-918. TYPE 1: ACCESSORY BUILDINGS OR USES.

(Section 6-918 amended by Ordinance No. 130671 passed April 2, 1970, effective May 4, 1970.)

In R20 Zones, uses and 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, except a garage on sloping ground (see item 6), shall be located closer to the street lot line than thirty (30) feet, except that on a corner lot, the yard along the non-entrance side of a garage can be reduced to the yard requirements for the main building. No driveway entrance shall be located less than twenty-five (25) feet from the corner of a lot where two streets intersect.
2. No accessory building shall be located less than twenty-five (25) feet from the corner of a lot where two streets intersect.
3. Under the following conditions, any one story Type 1 accessory building may be built adjacent to or on a rear and/or side lot line:
  - a. If an accessory building is located forty (40) feet or more from the front lot line.
  - b. 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 garage legally erected along or adjacent to said lot line before 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.

(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 38 for additional regulations).

Section 6-911. MINIMUM REAR YARD.

There shall be a minimum rear yard of ten (10) feet. (See Article 38 for additional regulations).

Section 6-912. SIGNS PERMITTED.

(a) One (1) indirectly lighted or transparency 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 or 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 Article 42 and Section 6-925).

TRANSITIONAL USES

Section 6-913. USES PERMITTED.

On a lot in an R20 Zone not exceeding one hundred (100) feet in width, where the side of such lot abuts a C or M Zone, two-family dwellings are permitted.

Section 6-914. OTHER REGULATIONS.

Parking, lot size, yards, and all other regulations applicable to Principal Uses in R5 Zones shall apply.

BUILDINGS AND USES ACCESSORY TO PRINCIPAL AND TRANSITIONAL USES

Section 6-915. GENERAL.

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

Section 6-916. HEIGHT.

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



4. A detached accessory building shall not encroach upon the required yard or court or 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 in compliance with items 3a and 3b above.
5. Any Type 1 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. 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 wall of the garage need not set back farther from the street lot line than the average contour elevation line of the lot which is five (5) feet below the sidewalk elevation. 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 within the required front yard for the main building.
7. The ground area covered by all Type 1 accessory buildings on the same lot shall not exceed ten (10) per cent of the lot area.

Section 6-919. TYPE 2: ACCESSORY BUILDINGS OR USES.

In R20 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. No Type 2 accessory building shall be built on a lot less than twenty five thousand (25,000) 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 6-920. TYPE 3: ACCESSORY BUILDINGS OR USES.

In R20 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 located closer than forty (40) feet to a street lot line.
2. Such outbuilding shall not encroach upon 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 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 thirty (30) feet, barns, silos, and other agricultural buildings shall be located as far from any lot line as the height of the structure.

Section 6-921. TYPE 4: ACCESSORY BUILDINGS OR USES.

In R20 Zones, 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) per cent of the width of the lot at the natural shore line.
4. Any boat using such moorage shall not be used as a place of residence when so moored.

Section 6-922. TYPE 5: ACCESSORY BUILDINGS OR USES.

In R20 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 a Type 5 accessory use contains a building, or is contained within a building, said building, whether attached or detached, shall not be located closer to any lot line than that distance required of the Principal Use.
2. Under the following conditions, any Type 5 accessory building 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) or more feet 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 this same property line but no closer to the front property line than permitted in a. or b. above.
3. 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 2 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 thirty (30) inches shall be sheathed with two (2) layers of shiplap with joints staggered and covered with finished siding or shakes.
4. No swimming pool shall be located closer than three (3) feet to any property line nor closer than three (3) feet to any wall or fence.



Section 6-923. TYPE 6: HOME OCCUPATIONS.

In R20 Zones home occupations shall be permitted only subject to the regulations contained in Section 6-1223.

CONDITIONAL USES

Section 6-924. USES PERMITTED.

In ~~an~~ R20 Zone, the following Conditional Uses may be permitted subject to the regulations contained in Section 6-925 and under the authority and according to the procedure specified in Article 42:

1. Aircraft landing area or private helistop
2. Apartment project 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 land uses (local, state or federal) which are essential to the functioning and servicing of residential neighborhoods
13. Greenhouses, nurseries, or other propagation of plants, and their products for sale
14. Homes, convalescent
15. Hospitals, general
16. Hospitals, mental, remedial or detention
17. Nurses' homes or other residential buildings accessory to hospitals
18. Libraries
19. Mass transit waiting stations or turn-arounds
20. Museums
21. Natural resources, development of
22. Parks, public
23. Public utility structures and lines which are essential to the functioning and servicing of residential neighborhoods
24. Radio and television transmitters
25. Railroad right of ways and passenger stations
26. Riding academies
27. Schools, nursery
28. Schools, parochial or private
29. Schools, public
30. Tract development and sales
31. Welfare institutions

Section 6-925. REGULATIONS.

The Commission shall determine the specific regulations and conditions governing each Conditional Use at the time of approval as provided in Article 42. 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 unless specifically modified by the Commission at the time of approval.

In case regulations differing from those governing Principal Uses permitted in R20 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 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: Twenty thousand (20,000) square feet per dwelling unit.
4. Maximum lot coverage: Twenty-five (25) per cent.
5. 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.
6. Minimum side or rear yards along bounding property lines:  
  
For one (1) story building . . . . . 15 feet  
For two (2) story building . . . . . 20 feet  
For two and one-half (2-1/2) story building . . 25 feet
7. Minimum distances between main buildings within project:
  - a. Front to front, front to rear, or rear to rear--two times height of taller building, but not less than one hundred (100) feet.
  - b. Side to side-- one-half (1/2) height of taller building but not less than twenty (20) feet.
  - c. Front to side or rear to side-- equal to height of taller building but not less than fifty (50) feet.
8. 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 20,000 square feet in area. Churches existing on a site less than 20,000 square feet may be enlarged provided 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 twenty-five (25) per cent of the site area.
4. Minimum front yard:  
  
For buildings under forty-five (45) feet in height, 30 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 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.
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 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 (1) 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 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 on the campus 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 not be less than thirty (30) feet for a 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) per cent of the floor area existing on the effective date of this Code. Moreover, such enlargements shall not reduce the widths 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 twenty-five (25) per cent of the site area.
4. Minimum front yard:  
For buildings under forty-five (45) feet in height, 30 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 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.

(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 its immediate 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 alterations 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 other regulations governing one-family dwellings in R20 Zones, except the lot size shall not be less than ten thousand (10,000) square feet per dwelling unit.

(g) EXCAVATING OR FILLING:

Excavating or filling as defined in this Code 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 R20 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) 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: Two thousand (2,000) 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 located more than four hundred (400) feet away from property lines bounding the project.
6. Minimum front yard:  
Small or medium homes . . . . . 40 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 . . . . . 50 feet

7. Minimum side or rear yards:
  - Small homes . . . . . 10 feet
  - Medium homes . . . . . 15 feet
  - Large homes . . . . . 20 feet
 for a one (1) story building plus five (5) feet for each additional story.

(j) 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:

Square Feet of Floor Area	Loading Berths Required
5,000 - 39,999	1
40,000 - 99,999	2
100,000 - 159,999	3
160,000 - 239,999	4
240,000 - 319,999	5
320,000 - 399,999	6
400,000 - 489,999	7
490,000 - 579,999	8
580,000 - 669,999	9
670,000 - 759,999	10
760,000 - 849,999	11
850,000 - 939,999	12
940,000 - 1,029,999	13
Over - 1,030,000	14

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

(k) 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 following table:



Square Feet of Floor Area	Loading Berths Required
5,000 - 39,999	1
40,000 - 99,999	2
100,000 - 159,999	3
160,000 - 239,999	4
240,000 - 319,999	5
320,000 - 399,999	6
400,000 - 489,999	7
490,000 - 579,999	8
580,000 - 669,999	9
670,000 - 759,999	10
760,000 - 849,999	11
850,000 - 939,999	12
940,000 - 1,029,999	13
Over - 1,030,000	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 three thousand (3,000) 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 there shall be no limit on buildings located more than four hundred (400) feet away from the property lines bounding the project.
5. Minimum front yard: Fifty (50) feet.
6. Minimum side or rear yard: Fifty (50) feet.

(1) 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 buildings.

(m) 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 twenty thousand (20,000) square feet in area. Libraries existing on a site less than twenty thousand (20,000) 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 Code. 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 twenty-five (25) per cent of the site area.
4. Minimum front yard:  
For buildings under forty-five (45) feet in height, 30 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 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.

(n) MUSEUMS:

1. Site area: Hereafter, no museum shall be established on a site of less than twenty thousand (20,000) square feet in area. Museums existing on a site less than twenty thousand (20,000) square feet may be enlarged, but in no case more than twenty (20) per cent of the floor area existing on the effective date of this Code. Moreover, such enlargement shall not reduce the width of yards or increase the building coverage specified in Items 2, 3 and 4 below.
2. Maximum site coverage: Area covered by all buildings shall not exceed twenty-five (25) per cent of the site area.
3. Minimum front yard:  
For buildings under forty-five (45) feet in height, 30 feet.  
For buildings forty-five (45) feet and higher in height, 45 feet.
4. 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.

(o) PRIVATE HELISTOP:

(Subsection (o) amended by Ordinance No. 126560 passed and effective April 11, 1968.)

A private helistop may be permitted only in connection with a principal or conditional use, on premises of five (5) acres or more in area. Any such private helistop shall be subject to the additional regulations contained in Article 35 of this Code.

(p) PUBLIC PARKS:

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 or within an R or A Zone.

6-925 (m3) to 6-925 (p)



(q) PUBLIC UTILITY STRUCTURES:

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 RIGHT-OF-WAY AND PASSENGER STATIONS:

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 R20 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 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.

(t) 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:

Condition of Land	Maximum Number	
Acquired	Classrooms on:	of Classrooms Per Acre
60% or more vacant	One Floor	3.0
60% or more vacant	Two floors	3.0
Less than 60% vacant	One floor	4.0
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 provided such space is made available by agreement with the Bureau of Parks.

3. Minimum front yard: Fifty (50) feet.
4. Minimum side or rear yard:
 

For buildings under 15 feet in height	. . . .	40 feet
For buildings 15 to 24 feet in height	. . . .	40 feet
For buildings 25 to 34 feet in height	. . . .	50 feet
For buildings 35 to 44 feet in height	. . . .	50 feet

(u) 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:

Condition of Land		Maximum Number
Acquired	Classrooms on:	of Classrooms Per Acre
60% 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	4.0

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 provided such space is made available by agreement with the Bureau of Parks.

3. Minimum front yard: Fifty (50) feet.
4. Minimum side or rear yard:
 

For buildings under 15 feet in height	. . . .	40 feet
For buildings 15 to 24 feet in height	. . . .	40 feet
For buildings 25 to 34 feet in height	. . . .	50 feet
For buildings 35 to 44 feet in height	. . . .	50 feet

(v) 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 15 feet in height	. . . .	40 feet
For buildings 15 to 24 feet in height	. . . .	40 feet
For buildings 25 to 34 feet in height	. . . .	50 feet
For buildings 35 to 44 feet in height	. . . .	50 feet



(w) TRACT DEVELOPMENT AND SALES:

1. Advertising signs and temporary buildings, such as offices, tool sheds or similar structures, used 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.

(x) WELFARE INSTITUTIONS:

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.

Square Feet of Floor Area		Loading Berths Required
5,000 -	39,999	1
40,000 -	99,999	2
100,000 -	159,999	3
160,000 -	239,999	4
240,000 -	319,999	5
320,000 -	399,999	6
400,000 -	489,999	7
490,000 -	579,999	8
580,000 -	669,999	9
670,000 -	759,999	10
760,000 -	849,999	11
850,000 -	939,999	12
940,000 -	1,029,999	13
Over -	1,030,000	14

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

PROHIBITED USES

Section 6-926. GENERAL PROHIBITION.

Uses of structures and land not specifically mentioned in this Article are prohibited in all R20 Zones.

The use of automobile trailer houses as residences is prohibited in all R20 Zones. Such trailers are below the room size, ceiling height, and other regulations in the Housing Code.

ARTICLE 10. R10 ONE-FAMILY RESIDENTIAL ZONE.

Section 6-1001. 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

Section 6-1002. USES PERMITTED.

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 fowls as are incidental to residential or farming use and in accordance with the Health and Sanitation Code.

Section 6-1003. OFF-STREET PARKING REQUIRED.

(a) One off-street 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 operatable 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 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 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 R10 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 6-1004. OFF-STREET LOADING.

No off-street loading berths are required of Principal Uses in R10 Zones.

Section 6-1005. LOT SIZE REQUIRED.

(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 or moved onto 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 one hundred (100) feet in depth unless approved by the Variance Committee as provided in Article 40.

Section 6-1006. MAXIMUM LOT COVERAGE.

The ground area covered by all buildings, including accessory buildings, shall not exceed thirty (30) per cent of the lot area.

Section 6-1007. 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 6-1008. 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 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.

(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 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.

(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 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 (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 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 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 Article 38 for additional regulations.)

Section 6-1011. MINIMUM REAR YARD.

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 ( $3/4$ ) 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 or 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 Article 42 and Section 6-1025.)

#### **TRANSITIONAL USES**

##### Section 6-1013. USES PERMITTED.

On a lot in an R10 zone not exceeding one hundred (100) feet in width, where the side of such lot abuts a C or M Zone, two-family dwellings are permitted.

##### Section 6-1014. OTHER REGULATIONS.

Parking, lot size, yards, and all other regulations applicable to Principal Uses in R5 zones shall apply.

#### **BUILDINGS AND USES ACCESSORY TO PRINCIPAL AND TRANSITIONAL USES**

##### Section 6-1015. GENERAL.

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

##### Section 6-1016. HEIGHT.

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

##### Section 6-1017. CLASSIFICATIONS.

Accessory buildings and uses permitted in R10 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, rabbit hutch, barns, silos 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.
- Type 6: Home occupations.



Section 6-1018. TYPE 1: ACCESSORY BUILDINGS OR USES.

(Section 6-1018 amended by Ordinance No. 130671 passed April 2, 1970, effective May 4, 1970.)

In R10 zones, uses and 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, except a garage on sloping ground (see item 6), shall be located closer to the street lot line than thirty (30) feet, except that on a corner lot, the yard along the non-entrance side of a garage can be reduced to the yard requirements for the main building. No driveway entrance shall be located less than twenty-five (25) feet from the corner of a lot where two streets intersect.
2. No accessory building shall be located less than twenty-five (25) feet from the corner of a lot where two streets intersect.
3. Under the following conditions, any one story Type 1 accessory building may be built adjacent to or on a rear and/or side lot line:
  - a. If an accessory building is located forty (40) feet or more from the front lot line.
  - b. 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 garage legally erected along or adjacent to said lot line before March 4, 1948, may be extended in length not more than four (4) feet with the 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 in compliance with items 3a and 3b above.
5. Any Type 1 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. 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 wall of

the garage need not set back farther from the street lot line than the average contour elevation line of the lot which is five (5) feet below the sidewalk elevation. 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 within the required front yard for the main building.

7. The ground area covered by all Type 1 accessory buildings on the same lot shall not exceed ten (10) per cent of the lot area.

Section 6-1019. TYPE 2: ACCESSORY BUILDINGS OR USES.

In R10 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. No Type 2 accessory building shall be built on a lot less than fifteen thousand (15,000) 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 6-1020. TYPE 3: ACCESSORY BUILDINGS OR USES.

In R10 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 located closer than thirty (30) feet to a street lot line.
2. Such outbuilding shall not encroach upon 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 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 thirty (30) feet, barns, silos, and other agricultural buildings shall be located as far from any lot line as the height of the structure.

Section 6-1021. TYPE 4: ACCESSORY BUILDINGS OR USES.

In R10 zones, 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) per cent of the width of the lot at the natural shore line.
4. Any boat using such moorage shall not be used as a place of residence when so moored.

Section 6-1022. TYPE 5: ACCESSORY BUILDINGS OR USES.

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 a Type 5 accessory use contains a building, or is contained within a building, said building, whether attached or detached, shall not be located closer to any lot line than that distance required of the Principal Use.
2. Under the following conditions, any Type 5 accessory building 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) or more feet 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 this same property line but no closer to the front property line than permitted in a. or b. above.
3. 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 2 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 thirty (30) inches shall be sheathed with two (2) layers of shiplap with joints staggered and covered with finished siding or shakes.
4. No swimming pool shall be located closer than three (3) feet to any property line nor closer than three (3) feet to any wall or fence.

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Section 6-1023. TYPE 6: HOME OCCUPATIONS.

(a) In R10 Zones home occupations in the same lot accessory to Principal Uses and Transitional Uses of a Type 6 classification shall be permitted only in the following categories:

1. Office for professional, personal or business service.
2. Studio for arts, handicrafts or tutoring.
3. Shop for limited or custom production or minor repair service.
4. Headquarters for a craftsman or salesman.

(b) Any such home occupations shall comply with the following limitations:

1. No servant, employee or any person other than a member or members of the family residing within the dwelling shall engage in a home occupation therein or within an accessory building.
2. No dwelling shall be used as a headquarters for the assembly of employees for instructions or other purposes or to be dispatched for work at other locations.
3. The scale of operations shall be distinctly limited in nature and conducted primarily as a supplementary, and not principal, source of family income; or as an accommodation for a handicapped or retired person; or as a starter operation for a limited period only until its size or other characteristics compel relocation to the appropriate non-residential zone.
4. All aspects of the conduct of a home occupation shall be confined, contained and conducted within a completely enclosed Type 1, 2 or 3 accessory building.
5. The aggregate of all space within any or all buildings devoted to one or more home occupations shall not exceed two hundred (200) square feet in floor area.
6. Any home occupation which causes abnormal automotive or pedestrian traffic or which is objectionable due to unsightliness or emission of odor, dust, smoke, noise, glare, heat, vibration or similar causes discernible on the outside of any building containing such home occupation shall be prohibited.
7. No enlargements nor alterations to a dwelling or accessory building for the sole purpose of conducting a home occupation shall be permitted.
8. The premises shall at all times be maintained as residential in appearance, cleanliness and quietness.
9. Dimensions, power rating or weight of such equipment and tools used in the conduct of the home occupation shall not exceed that of normal household equipment and tools.
10. 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.
11. Any materials used or any item produced or repaired on the premises shall not be displayed or stored so as to be visible from the exterior of the building.
12. Customer and client contact shall be primarily by telephone, mail or in their homes and places of business and not on the premises of the home occupation, except for those home occupations which by their very nature cannot otherwise be conducted except by personal contact with clients.
13. Products made or sold shall be disposed of primarily by delivery from the premises to the homes or places of business of customers.

14. Other than normal passenger automobiles, only one truck of one-half ton capacity or less is permitted to be operated, whether owned or rented, in connection with a home occupation. Such truck, if parked on the premises, shall be kept within a completely enclosed garage.
15. Instruction in music shall be limited to no more than two students at one time and in crafts to no more than six students at one time.
16. An office for a physician or dentist is permitted primarily for emergency cases and as an accommodation for retired or part-time practitioners and not as a principal office for the practice of the profession.

(c) Procedure to establish and maintain a home occupation:

1. Permits for home occupations shall be issued by the Bureau of Buildings, shall be valid for a period of two years only, and may be revoked at any time if the requirements of this Code are not being met. The fee for such permit shall be ten dollars (\$10).
2. No permit shall be issued by the Bureau of Buildings until or unless the applicant shall have received the favorable approval, as indicated by signatures on the authorized application form, of owners or contract purchasers of not less than 75% of all property in the area bounded by lines 100 feet, excluding street widths, from and parallel to the boundary lines of the lot proposed to contain each home occupation. Area of any property owned or occupied by the applicant shall be excluded in computing required percentage of approval.
3. If, in the opinion of the applicant, the Bureau of Buildings has acted arbitrarily and capriciously in withholding or revoking a permit for a home occupation, he may request an interpretation of the Code by the City Planning Commission as provided in Section 6-503. In such cases the dwelling or accessory building to be devoted to a home occupation shall be open for inspection to the staff of the City Planning Commission on any day between 8 a.m. and 10 p.m.
4. The Bureau of Licenses shall not issue a business license or accept payment of the fee until an occupancy permit for a home occupation is issued by the Bureau of Buildings.

Section 6-1024. USES PERMITTED.

In an R10 Zone, the following Conditional Uses may be permitted subject to the regulations contained in Section 6-1025 and under the authority and according to the procedure specified in Article 42:

1. Aircraft landing area or private helistop
2. Apartment project 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 land uses (local, state or federal) which are essential to the functioning and servicing of residential neighborhoods
13. Greenhouses, nurseries, or other propagation of plants, and their products for sale
14. Homes, convalescent
15. Hospitals, general
16. Hospitals, mental, remedial or detention
17. Nurses' homes or other residential buildings accessory to hospitals
18. Libraries
19. Mass transit waiting stations or turn-arounds
20. Museums
21. Natural resources, development of
22. Parks, public
23. Public utility structures and lines which are essential to the functioning and servicing of residential neighborhoods
24. Radio and television transmitters
25. Railroad right of ways and passenger stations
26. Riding academies
27. Schools, nursery
28. Schools, parochial or private
29. Schools, public
30. Tract development and sales
31. Welfare institutions.

#### Section 6-1025. REGULATIONS.

The Commission shall determine the specific regulations and conditions governing each Conditional Use at the time of approval as provided in Article 42. 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 unless specifically modified by the Commission at the time of approval.

In case regulations differing from those governing Principal Uses 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 Uses shall also govern such Conditional Use insofar as applicable. Additional regulations governing parking, loading and yard requirements 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: Ten thousand (10,000) square feet per dwelling unit.
4. Maximum lot coverage: Thirty (30) per cent.
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 four hundred (400) feet away from property lines bounding the project.
6. Minimum side or rear yards along bounding property lines:
 

For one (1) story building . . . . .	15 feet
For two (2) story building . . . . .	20 feet
For two and one-half (2½) story building . . . . .	25 feet



7. Minimum distances between main buildings within project:

- a. Front to front, front to rear, or rear to rear--two times height of taller building, but not less than one hundred (100) feet.
- b. Side to side--one-half ( $\frac{1}{2}$ ) height of taller building but not less than twenty (20) feet.
- c. Front to side or rear to side--equal to height of taller building but not less than fifty (50) feet.

8. 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. Side area: Hereafter, no church shall be established on a site of less than 20,000 square feet in area. Churches existing on a site less than 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) per cent of the site area.
4. Minimum front yard:  
For buildings under forty-five (45) feet in height . . . 30 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 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.
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 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 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 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 on the campus 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 not be less than thirty (30) feet for a 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) per cent of the floor area existing on the effective date of this Code. Moreover, such enlargements shall not reduce the widths 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 . . . 30 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 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.

(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 its immediate 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 alterations 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 other 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 OR FILLING:

Excavating or filling as defined in this Code 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 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) 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 four hundred (400) feet away from property lines bounding the project.
6. Minimum front yard:  
Small or medium homes . . . . . 30 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 . . . . . 40 feet
7. Minimum side or rear yards:  
Small homes . . . . . 10 feet  
Medium homes . . . . . 15 feet  
Large homes . . . . . 20 feet  
for a one (1) story building plus five (5) feet for each additional story.

(j) GENERAL HOSPITALS:

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

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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:

Square Feet of Floor Area		Loading Berths Required
5,000 -	39,999	1
40,000 -	99,999	2
100,000 -	159,999	3
160,000 -	239,999	4
240,000 -	319,999	5
320,000 -	399,999	6
400,000 -	489,999	7
490,000 -	579,999	8
580,000 -	669,999	9
670,000 -	759,999	10
760,000 -	849,999	11
850,000 -	939,999	12
940,000 -	1,029,999	13
Over -	1,030,000	14

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

(k) 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 following table:

Square Feet of Floor Area		Loading Berths Required
5,000 -	39,999	1
40,000 -	99,999	2
100,000 -	159,999	3
160,000 -	239,999	4
240,000 -	319,999	5
320,000 -	399,999	6
400,000 -	489,999	7
490,000 -	579,999	8
580,000 -	669,999	9
670,000 -	759,999	10
760,000 -	849,999	11
850,000 -	939,999	12
940,000 -	1,029,999	13
Over -	1,030,000	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 three thousand (3,000) 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: Fifty (50) feet.
6. Minimum side or rear yard: Fifty (50) feet.

(l) 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 buildings.

(m) 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 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 Code. 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.
4. Minimum front yard:  
For buildings under forty-five (45) feet in height . . . 30 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 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.

(n) 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 more than twenty (20) per cent of the floor area existing on the effective date of this Code. Moreover, such enlargement shall not reduce the width of yards or increase the building coverage specified in items 2, 3 and 4 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:  
For buildings under forty-five (45) feet in height . . . 30 feet  
For buildings forty-five (45) feet and higher in height 45 feet
4. 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.

(o) PRIVATE HELISTOP:

(Subsection (o) amended by Ordinance No. 126560 passed and effective April 11, 1968.)

A private helistop may be permitted only in connection with a principal or conditional use, on premises of five (5) acres or more in area. Any such private helistop shall be subject to the additional regulations contained in Article 35 of this Code.

(p) PUBLIC PARKS:

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 or within an R or A Zone.

(q) PUBLIC UTILITY STRUCTURES:

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:

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 RLO 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 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 adjoining 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.



(t) 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:

Condition of Land	Classrooms on:	Maximum Number of Classrooms Per Acre
Acquired		
60% or more vacant	One floor	3.0
60% or more vacant	Two floors	3.0
Less than 60% vacant	One floor	4.0
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.

3. Minimum front yard: Fifty (50) feet.
4. Minimum side or rear yard:  
For buildings under 15 feet in height . . . . . 40 feet  
For buildings 15 to 24 feet in height . . . . . 40 feet  
For buildings 25 to 34 feet in height . . . . . 50 feet  
For buildings 35 to 44 feet in height . . . . . 50 feet

(u) 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 in 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:

Condition of Land	Classrooms on:	Maximum Number of Classrooms Per Acre
Acquired		
60% 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	4.0

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.

3. Minimum front yard: Fifty (50) feet.
4. Minimum side or rear yard:  
For buildings under 15 feet in height . . . . . 40 feet  
For buildings 15 to 24 feet in height . . . . . 40 feet  
For buildings 25 to 34 feet in height . . . . . 50 feet  
For buildings 35 to 44 feet in height . . . . . 50 feet

(v) 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 15 feet in height . . . . . 40 feet  
For buildings 15 to 24 feet in height . . . . . 40 feet  
For buildings 25 to 34 feet in height . . . . . 50 feet  
For buildings 35 to 44 feet in height . . . . . 50 feet

(w) TRACT DEVELOPMENT AND SALES:

1. Advertising signs and temporary buildings, such as offices, tool sheds or similar structures, used 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.

(x) 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.

Square Feet of Floor Area		Loading Berths Required
5,000 -	39,999	1
40,000 -	99,999	2
100,000 -	159,999	3
160,000 -	239,999	4
240,000 -	319,999	5
320,000 -	399,999	6
400,000 -	489,999	7
490,000 -	579,999	8
580,000 -	669,999	9
670,000 -	759,999	10
760,000 -	849,999	11
850,000 -	939,999	12
940,000 -	1,029,999	13
Over -	1,030,000	14

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

PROHIBITED USES

Section 6-1026. GENERAL PROHIBITION.

Uses of structures and land not specifically mentioned in this Article are prohibited in all R10 Zones.

The use of automobile trailer houses as residences is prohibited in all R10 Zones. Such trailers are below the room size, ceiling height, and other regulations in the Housing Code.



ARTICLE 11. R7 ONE-FAMILY RESIDENTIAL ZONE.

Section 6-1101. GENERAL REQUIREMENT.

In all R7 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 6-1102. USES PERMITTED.

In an R7 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 fowls as are incidental to residential or farming use and in accordance with 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 operatable 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 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 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.

6-1101 to 6-1103 (k)

(1) 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 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 fourteen thousand (14,000) square feet in area.

(f) No main dwelling shall be built or moved onto 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 6-1106. MAXIMUM LOT COVERAGE.

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 no limitation except 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 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.

(c) Chimneys, radio and television aerials may extend 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 twenty (20) 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.

(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 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 (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 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 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 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 on each side of any main building according to height 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

(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 buildings. (See Article 38 for additional regulations.)



Section 6-1111. MINIMUM REAR YARD.

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 (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.)

Section 6-1112. SIGNS PERMITTED.

(a) One (1) indirectly lighted or transparency 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 or 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 Article 42 and Section 6-1126).

**TRANSITIONAL USES**

Section 6-1113. USES PERMITTED.

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

Section 6-1114. LOT SIZE REQUIRED.

The minimum lot area shall be thirty-five hundred (3,500) square feet per dwelling unit.

Section 6-1115. OTHER REGULATIONS.

Parking, yards and all other regulations applicable to Principal Uses in R5 zones shall apply.

**BUILDINGS AND USES ACCESSORY TO PRINCIPAL AND TRANSITIONAL USES**

Section 6-1116. GENERAL.

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

Section 6-1117. HEIGHT.

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

Section 6-1118. CLASSIFICATIONS.

Accessory buildings and uses permitted in R7 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, rabbit hutch, barns, silos, 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.
- Type 6: Home occupations.

Section 6-1119. TYPE 1: ACCESSORY BUILDINGS OR USES.

(Section 6-1119 amended by Ordinance No. 130671 passed April 2, 1970, effective May 4, 1970.)

In R7 zones, uses and 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, except a garage on sloping ground (see item 6), shall be located closer to the street lot line than twenty-two (22) feet, except that on a corner lot, the yard along the non-entrance side of a garage can be reduced to the yard requirements for the main building. No driveway entrance shall be located less than twenty-five (25) feet from the corner of a lot where two streets intersect.
2. No accessory building shall be located less than twenty-five (25) feet from the corner of a lot where two streets intersect.
3. Under the following conditions, any one story Type 1 accessory building may be built adjacent to or on a rear and/or side lot line:
  - a. If an accessory building is located forty (40) feet or more from front lot line. Provided, however, that on a corner lot, a Type 1 accessory building may be located no closer than twenty-two (22) feet to the front property line along the long dimension of the lot.
  - b. 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 garage legally erected along or adjacent to said lot line before 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 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 in compliance with items 3a and 3b above.
5. Any Type 1 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. 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 wall of the garage need not set back farther from the street lot line than the average contour elevation line of the lot which is five (5) feet below the sidewalk elevation. 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 within the required front yard for the main building.
7. The ground area covered by all Type 1 accessory buildings on the same lot shall not exceed fifteen (15) per cent of the lot area.

Section 6-1120. TYPE 2: ACCESSORY BUILDINGS OR USES.

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. No Type 2 accessory building shall be built on a lot less than twelve thousand (12,000) 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 6-1121. TYPE 3: ACCESSORY BUILDINGS OR USES.

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 located closer than twenty-five (25) feet to a street lot line.
2. Such outbuildings shall not encroach upon 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 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 6-1122. TYPE 4: ACCESSORY BUILDINGS OR USES.

In R7 Zones, 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) per cent of the width of the lot at the natural shore line.
4. Any boat using such moorage shall not be used as a place of residence when so moored.

Section 6-1123. TYPE 5: ACCESSORY BUILDINGS OR USES.

In R7 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 a Type 5 accessory use contains a building or is contained within a building, said building, whether attached or detached, shall not be located closer to any lot line than that distance required of the Principal Use.
2. Under the following conditions, any Type 5 accessory building 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) or more feet 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 this same property line but no closer to the front property line than permitted in a. or b. above.
3. 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 2 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 thirty (30) inches shall be sheathed with two (2) layers of shiplap with joints staggered and covered with finished siding or shakes.
  4. No swimming pool shall be located closer than three (3) feet to any property line nor closer than three (3) feet to any wall or fence.

Section 6-1124. TYPE 6: HOME OCCUPATIONS.

(a) In R7 Zones home occupations in the same lot accessory to principal uses and transitional uses of a Type 6 classification shall be permitted only in the following categories:

1. Office for professional, personal or business service
2. Studio for arts, handicrafts or tutoring
3. Shop for limited or custom production or minor repair service
4. Headquarters for a craftsman or salesman.

(b) Any such home occupations shall comply with the following limitations:

1. No servant, employee or any person other than a member or members of the family residing within the dwelling shall engage in a home occupation therein or within an accessory building.
2. No dwelling shall be used as a headquarters for the assembly of employees for instructions or other purposes or to be dispatched for work at other locations.
3. The scale of operations shall be distinctly limited in nature and conducted primarily as a supplementary, and not principal, source of family income; or as an accommodation for a handicapped or retired person; or as a starter operation for a limited period only until its size or other characteristics compel relocation to the appropriate non-residential zone.
4. All aspects of the conduct of a home occupation shall be confined, contained and conducted within the dwelling or within a completely enclosed Type 1, 2 or 3 accessory building.
5. The aggregate of all space within any or all buildings devoted to one or more home occupations shall not exceed 200 square feet in floor area.

6-1123 2.a. to 6-1124 (b) 5.

6. Any home occupation which causes abnormal automotive or pedestrian traffic or which is objectionable due to unsightliness or emission of odor, dust, smoke, noise, glare, heat, vibration or similar causes discernible on the outside of any building containing such home occupation shall be prohibited.
7. No enlargements nor alterations to a dwelling or accessory building for the sole purpose of conducting a home occupation shall be permitted.
8. The premises shall at all times be maintained as residential in appearance, cleanliness and quietness.
9. Dimensions, power rating or weight of such equipment and tools used in the conduct of the home occupation shall not exceed that of normal household equipment and tools.
10. 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.
11. Any materials used or any item produced or repaired on the premises shall not be displayed or stored so as to be visible from the exterior of the building.
12. Customer and client contact shall be primarily by telephone, mail or in their homes and places of business and not on the premises of the home occupation, except for those home occupations which by their very nature cannot otherwise be conducted except by personal contact with clients.
13. Products made or sold shall be disposed of primarily by delivery from the premises to the homes or places of business of customers.
14. Other than normal passenger automobiles, only one truck of one-half ton capacity or less is permitted to be operated, whether owned or rented, in connection with a home occupation. Such truck, if parked on the premises, shall be kept within a completely enclosed garage.
15. Instruction in music shall be limited to no more than two students at one time and in crafts to no more than six students at one time.
16. An office for a physician or dentist is permitted primarily for emergency cases and as an accommodation for retired or part-time practitioners and not as a principal office for the practice of the profession.

(c) Procedure to establish and maintain a home occupation:

1. Permits for home occupations shall be issued by the Bureau of Buildings, shall be valid for a period of two years only, and may be revoked at any time if the requirements of this Code are not being met. The fee for such a permit shall be ten dollars (\$10).
2. No permit shall be issued by the Bureau of Buildings until or unless the applicant shall have received the favorable approval, as indicated by signatures on the authorized application form, of owners or contract purchasers of not less than 75% of all property in the area bounded by lines 100 feet, excluding street widths, from and parallel to the boundary lines of the lot proposed to contain each home occupation. Area of any property owned or occupied by the applicant shall be excluded in computing required percentage of approval.



3. If, in the opinion of the applicant, the Bureau of Buildings has acted arbitrarily and capriciously in withholding or revoking a permit for a home occupation, he may request an interpretation of the Code by the City Planning Commission as provided in Section 6-503. In such cases the dwelling or accessory building to be devoted to a home occupation shall be open for inspection to the staff of the City Planning Commission on any day between 8 a.m. and 10 p.m.
4. The Bureau of Licenses shall not issue a business license or accept payment of the fee until an occupancy permit for a home occupation is issued by the Bureau of Buildings.

#### CONDITIONAL USES

##### Section 6-1125. USES PERMITTED.

In an R7 Zone, the following Conditional Uses may be permitted subject to the regulations contained in Section 6-1126 and under the authority and according to the procedure specified in Article 42:

1. Apartment project or unit development
2. Cemeteries
3. Churches
4. Residential buildings accessory to churches
5. Colleges
6. Community clubs
7. Conversions to two-family use
8. Crematories, mausoleums and columbariums
9. Excavations and filling
10. Golf courses, other country clubs and athletic clubs
11. Governmental structures and land uses, local, state or federal, which are essential to the functioning and servicing of residential neighborhoods
12. Greenhouses, nurseries or other propagation of plants and their products for sale
13. Homes, convalescent
14. Hospitals, general
15. Hospitals, mental, remedial or detention
16. Nurses' homes or other residential buildings accessory to hospitals
17. Libraries
18. Mass transit waiting stations or turn-arounds
19. Museums
20. Natural resources, development of
21. Parks, public
22. Private helistop, accessory to a hospital
23. Public utility structures and lines, which are essential to the functioning and servicing of residential neighborhoods
24. Radio and television transmitters
25. Railroad rights-of-way and passenger stations
26. Riding academies
27. Schools, nursery
28. Schools, parochial or private
29. Schools, public
30. Tract development and sales
31. Welfare institutions

Section 6-1126. REGULATIONS.

The Commission shall determine the specific regulations and conditions governing each Conditional Use at the time of approval as provided in Article 42. 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 unless specifically modified by the Commission at the time of approval.

In case regulations differing from those governing Principal Uses permitted in R7 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 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. Maximum height: Two and one-half ( $2\frac{1}{2}$ ) 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 side or rear yards along bounding property lines:  
For one (1) story building . . . . . 10 feet  
For two (2) story building . . . . . 13 feet  
For two and one-half ( $2\frac{1}{2}$ ) story building . . . . . 16 feet
7. Minimum distances between main buildings within project:
  - a. Front to front, front to rear, or rear to rear--two (2) times height of taller building but not less than seventy (70) feet.
  - b. Side to side--one-half ( $\frac{1}{2}$ ) height of taller building but not less than ten (10) feet.
  - c. Front to side or rear to side equal to height of taller building but not less than fifty (50) feet.
8. 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 15,000 square feet in area. Churches existing on a site less than 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 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 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 . . . . . 25 feet  
For buildings 55 to 64 feet in height . . . . . 35 feet  
For buildings 65 to 74 feet in height . . . . . 45 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 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 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 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 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 or twenty-four (24) feet of bench length in the main auditorium.

6-1126 (b) 3. to 6-1126 (e) 1.



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) per cent of the floor area existing on the effective date of this Code. 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.
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 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

(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 its immediate 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 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 family unit.
4. The converted dwelling shall conform to all other regulations governing one-family dwellings in R7 Zones, except the lot size shall not be less than thirty-five hundred (3,500) square feet per dwelling unit.

(g) EXCAVATING OR FILLING:

Excavating or filling as defined in this Code 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 R7 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.

6-1126 (e) 2. to 6-1126 (h)

(i) 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 (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 four hundred (400) feet away from property lines bounding the project.
6. Minimum front yard:  
Small or medium homes . . . . . 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 . . . . . 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 . . . . . 12 feet  
Large homes--fifteen (15) feet for a one (1) story building plus five (5) feet for each additional story.

(j) 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:

Square Feet of Floor Area		Loading Berths Required
5,000 -	39,999	1
40,000 -	99,999	2
100,000 -	159,999	3
160,000 -	239,999	4
240,000 -	319,999	5
320,000 -	399,999	6
400,000 -	489,999	7
490,000 -	579,999	8
580,000 -	669,999	9
670,000 -	759,999	10
760,000 -	849,999	11
850,000 -	939,999	12
940,000 -	1,029,999	13
Over -	1,030,000	14

6-1126 (i) to 6-1126 (j) 2.

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 (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.

(k) 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:

Square Feet of Floor Area	Loading Berths Required
5,000 - 39,999	1
40,000 - 99,999	2
100,000 - 159,999	3
160,000 - 239,999	4
240,000 - 319,999	5
320,000 - 399,999	6
400,000 - 489,999	7
490,000 - 579,999	8
580,000 - 669,999	9
670,000 - 759,999	10
760,000 - 849,999	11
850,000 - 939,999	12
940,000 - 1,029,999	13
Over - 1,030,000	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 three thousand (3,000) 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: Forty (40) feet.
6. Minimum side or rear yard: Forty (40) feet.

(l) 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.

6-1126 (j) 3. to 6-1126 (l)



(m) 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 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 Code. 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.
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 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. . . . . 25 feet  
For buildings 55 to 64 feet in height. . . . . 35 feet  
For buildings 65 to 74 feet in height. . . . . 45 feet

(n) 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 Code. Moreover, such enlargement shall not reduce the width of yards or increase the building coverage specified in items 2, 3 and 4 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:  
For buildings under forty-five (45) feet in height . . . 15 feet  
For buildings forty-five (45) feet and higher in height 30 feet
4. Minimum side or rear yard:  
For buildings under 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. . . . . 25 feet  
For buildings 55 to 64 feet in height. . . . . 35 feet  
For buildings 65 to 74 feet in height. . . . . 45 feet

(o) PRIVATE HELISTOP:

A private helistop may be permitted in connection with a principal or conditional hospital use and shall be subject to the additional regulations contained in Article 35.

6-1126 (m) to 6-1126 (o)

(p) PUBLIC PARKS:

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 or within an R or A Zone.

(q) PUBLIC UTILITY STRUCTURES:

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:

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, freight depots, shops, and round houses are prohibited in R7 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 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.

(t) 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:

Condition of Land		Maximum Number
Acquired	Classrooms on:	of Classrooms Per Acre
60% or more vacant	One floor	3.0
60% or more vacant	Two floors	3.0
Less than 60% vacant	One floor	4.0
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.

3. Minimum front yard: Forty (40) feet.
4. Minimum side or rear yard:
 

For buildings under 15 feet in height . . . . .	20 feet
For buildings 15 to 24 feet in height . . . . .	30 feet
For buildings 25 to 34 feet in height . . . . .	40 feet
For buildings 35 to 44 feet in height . . . . .	50 feet

(u) 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:

Condition of Land	Classrooms on:	Maximum Number of Classrooms Per Acre
Acquired		
60% 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	4.0

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.

3. Minimum front yard: Forty (40) feet.
4. Minimum side or rear yard.
 

For buildings under 15 feet in height . . . . .	20 feet
For buildings 15 to 24 feet in height . . . . .	30 feet
For buildings 25 to 34 feet in height . . . . .	40 feet
For buildings 35 to 44 feet in height . . . . .	50 feet

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

For buildings under 15 feet in height . . . . .	20 feet
For buildings 15 to 24 feet in height . . . . .	30 feet
For buildings 25 to 34 feet in height . . . . .	40 feet
For buildings 35 to 44 feet in height . . . . .	50 feet

6-1126 (t) 2. to 6-1126 (v)



(w) TRACT DEVELOPMENT AND SALES:

1. Advertising signs and temporary buildings, such as offices, tool sheds, or similar structures, used 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.

(x) 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:

Square Feet of Floor Area		Loading Berths Required
5,000 -	39,999	1
40,000 -	99,999	2
100,000 -	159,999	3
160,000	239,999	4
240,000 -	319,999	5
320,000 -	399,999	6
400,000 -	489,999	7
490,000 -	579,999	8
580,000 -	669,999	9
670,000 -	759,999	10
760,000 -	849,999	11
850,000 -	939,999	12
940,000 -	1,029,999	13
Over -	1,030,000	14

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 (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 6-1127. 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.

6-1126 (w) to 6-1127

ARTICLE 12. R5 ONE-FAMILY RESIDENTIAL ZONE.

Section 6-1201. GENERAL REQUIREMENT.

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.

In an R5 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 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 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 operatable 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 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 items (d), (f), and (g) above.

6-1201 to 6-1203 (k)

(1) 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 such lot is greater than ten thousand (10,000) square feet in area.

(f) No main dwelling shall be built or moved onto 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.

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 6-1207. 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.

6-1203 (1) to 6-1208 (a)

(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.

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

Section 6-1209. MINIMUM 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 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 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 (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 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 streets, one front yard may be reduced to ten (10) feet providing the other front yard is at least 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 . . . . .	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



(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 38 for additional regulations.)

Section 6-1211. MINIMUM REAR YARD.

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.)

Section 6-1212. SIGNS PERMITTED.

(a) One (1) indirectly lighted or transparency 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 or 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 6-1223 to 6-1226.)

**TRANSITIONAL USES**

Section 6-1213. USES PERMITTED.

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

Section 6-1214. OTHER REGULATIONS.

Parking, lot size, yards, and all other regulations applicable to Principal Uses in A2.5 Zones shall apply.

**BUILDINGS AND USES ACCESSORY TO PRINCIPAL AND TRANSITIONAL USES**

Section 6-1215. GENERAL.

No separate permit shall be issued for the construction of any type of accessory building prior to that of the main dwellings.

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Section 6-1216. HEIGHT.

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

Section 6-1217. CLASSIFICATIONS.

Accessory buildings and uses permitted in R5 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, rabbit hutch, barns, silos 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 and other type of home recreational facility.
- Type 6: Home occupations.

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

(Section 6-1218 amended by Ordinance No. 130671 passed April 2, 1970, effective May 4, 1970.)

In R5 Zones, uses and 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, except a garage on sloping ground (see item 6), shall be located closer to the street lot line than twenty-two (22) feet, except that on a corner lot, the yard along the non-entrance side of a garage can be reduced to the yard requirements for the main building. No driveway entrance shall be located less than twenty-five (25) feet from the corner of a lot where two streets intersect.
2. No accessory building shall be located less than twenty-five (25) feet from the corner of a lot where two streets intersect.
3. Under the following conditions, any one story Type 1 accessory building may be built adjacent to or on a rear and/or side lot line:
  - a. If an accessory building is located forty (40) feet or more from the front lot line. Provided, however, that on a corner lot,

a Type 1 accessory building may be located no closer than twenty-two (22) feet to the front property line along the long dimension of the lot.

- b. 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 garage legally erected along or adjacent to said lot line before 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 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 in compliance with items 3a and 3b above.
5. Any Type 1 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. 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 wall of the garage need not set back farther from the street lot line than the average contour elevation line of the lot which is five (5) feet below the sidewalk elevation. 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 within the required front yard for the main building.
7. The ground area covered by all Type 1 accessory buildings on the same lot shall not exceed fifteen (15) per cent of the lot area.

Section 6-1219. TYPE 2: ACCESSORY BUILDINGS OR USES.

In R5 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. 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 6-1220. TYPE 3: ACCESSORY BUILDINGS OR USES.

In R5 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 located closer than twenty-five (25) feet to a street lot line.
2. Such outbuilding shall not encroach upon 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 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 6-1221. TYPE 4: ACCESSORY BUILDINGS OR USES.

In R5 Zones, 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 a side lot line.
2. Covered structures shall be located adjacent to the natural shore line.
3. Covered structures shall not occupy more than fifty (50) per cent of the width of the lot at the natural shore line.
4. Any boat using such moorage shall not be used as a place of residence when so moored.

Section 6-1222. TYPE 5: ACCESSORY BUILDINGS OR USES.

In R5 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 a Type 5 accessory use contains a building, or is contained within a building, said building, whether attached or detached, shall not be located closer to any lot line than that distance required of the Principal Use.
2. Under the following conditions, any Type 5 accessory building 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) or more feet 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 this same property line but no closer to the front property line than permitted in a. or b. above.
3. 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 2 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 thirty (30) inches shall be sheathed with two (2) layers of shiplap with joints staggered and covered with finished siding or shakes.
4. No swimming pool shall be located closer than three (3) feet to any property line nor closer than three (3) feet to any wall or fence.

Section 6-1223. TYPE 6: HOME OCCUPATIONS.

(a) In R5 Zones home occupations in the same lot accessory to principal uses and transitional uses of a Type 6 classification shall be permitted only in the following categories:

1. Office for professional, personal or business service.
2. Studio for arts, handicrafts or tutoring.
3. Shop for limited or custom production or minor repair service.
4. Headquarters for a craftsman or salesman.

(b) Any such home occupations shall comply with the following limitations:

1. No servant, employe, or any person other than a member or members of the family residing within the dwelling shall engage in a home occupation therein or within an accessory building.
2. No dwelling shall be used as a headquarters for the assembly of employes for instructions or other purposes or to be dispatched for work at other locations.
3. The scale of operations shall be distinctly limited in nature and conducted primarily as a supplementary, and not principal, source of family income; or as an accommodation for a handicapped or retired person; or as a starter operation for a limited period only until its size or other characteristics compel relocation to the appropriate non-residential zone.
4. All aspects of the conduct of a home occupation shall be confined, contained and conducted within the dwelling or within a completely enclosed Type 1, 2 or 3 accessory building.
5. The aggregate of all space within any or all buildings devoted to one or more home occupations shall not exceed 200 square feet in floor area.
6. Any home occupation which causes abnormal automotive or pedestrian traffic or which is objectionable due to unsightliness or emission of odor, dust, smoke, noise, glare, heat, vibration or similar causes discernible on the outside of any building containing such home occupation shall be prohibited.

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7. No enlargements nor alterations to a dwelling or accessory building for the sole purpose of conducting a home occupation shall be permitted.
8. The premises shall at all times be maintained as residential in appearance, cleanliness and quietness.
9. Dimensions, power rating or weight of such equipment and tools used in the conduct of the home occupation shall not exceed that of normal household equipment and tools.
10. 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.
11. Any materials used or any item produced or repaired on the premises shall not be displayed or stored so as to be visible from the exterior of the building.
12. Customer and client contact shall be primarily by telephone, mail, or in their homes and places of business and not on the premises of the home occupation, except for those home occupations which by their very nature cannot otherwise be conducted except by personal contact with clients.
13. Products made or sold shall be disposed of primarily by delivery from the premises to the homes or places of business of customers.
14. Other than normal passenger automobiles, only one truck of one-half ton capacity or less is permitted to be operated, whether owned or rented, in connection with a home occupation. Such truck, if parked on the premises, shall be kept within a completely enclosed garage.
15. Instruction in music shall be limited to no more than two students at one time and in crafts to no more than six students at one time.
16. An office for a physician or dentist is permitted primarily for emergency cases and as an accommodation for retired or part-time practitioners and not as a principal office for the practice of the profession.

(c) Procedure to establish and maintain a home occupation:

1. Permits for home occupation shall be issued by the Bureau of Buildings, shall be valid for a period of two years only, and may be revoked at any time if the requirements of this Code are not being met. The fee for such a permit shall be ten dollars (\$10.00).
2. No permit shall be issued by the Bureau of Buildings until or unless the applicant shall have received the favorable approval, as indicated by signatures on the authorized application form, of owners or contract purchasers of not less than 75% of all property in the area bounded by lines 100 feet, excluding street widths, from and parallel to the boundary lines of the lot proposed to contain each home occupation. Area of any property owned or occupied by the applicant shall be excluded in computing required percentage of approval.
3. If, in the opinion of the applicant, the Bureau of Buildings has acted arbitrarily and capriciously in withholding or revoking a permit for a home occupation, he may request an interpretation of the Code by the City Planning Commission as provided in Section 6-503. In such cases the dwelling or accessory building to be devoted to a home occupation shall be open for inspection to the staff of the City Planning Commission on any day between 8 a.m. and 10 p.m.

4. The Bureau of Licenses shall not issue a business license or accept payment of the fee until an occupancy permit for a home occupation is issued by the Bureau of Buildings.

#### CONDITIONAL USES

##### Section 6-1224. USES PERMITTED.

In an R5 Zone, the following Conditional Uses may be permitted subject to the regulations contained in Section 6-1225 and under the authority and according to the procedure specified in Article 42:

1. Apartment project or unit development
2. Cemeteries
3. Churches
4. Residential buildings accessory to churches
5. Colleges
6. Community clubs
7. Conversions to two-family use
8. Crematories, mausoleums and columbariums
9. Excavations and filling
10. Golf courses, other country clubs and athletic clubs
11. Governmental structures and land uses, local, state or federal, which are essential to the functioning and servicing of residential neighborhoods
12. Greenhouses, nurseries or other propagation of plants and their products for sale
13. Homes, convalescent
14. Hospitals, general
15. Hospitals, mental, remedial or detention
16. Nurses' homes or other residential buildings accessory to hospitals
17. Libraries
18. Mass transit waiting stations or turn-arounds
19. Museums
20. Parks, public
21. Private helistop, accessory to a hospital
22. Public utility structures and lines which are essential to the functioning and servicing of residential neighborhoods
23. Radio and television transmitters
24. Railroad right of ways and passenger stations
25. Schools, nursery
26. Schools, parochial or private
27. Schools, public
28. Tract development and sales
29. Welfare institutions

##### Section 6-1225. REGULATIONS.

The Commission shall determine the specific regulations and conditions governing each Conditional Use at the time of approval as provided in Article 42. 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 unless specifically modified by the Commission at the time of approval.

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In case regulations differing from those governing Principal Uses permitted in R5 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 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: Five thousand (5,000) square feet per dwelling unit.
4. Maximum lot coverage: Thirty (30) per cent.
5. Maximum height: Two and one-half ( $2\frac{1}{2}$ ) 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 side or rear yards along bounding property lines:  
For one (1) story building . . . . . 10 feet  
For two (2) story building . . . . . 13 feet  
For two and one-half ( $2\frac{1}{2}$ ) story building . . . . . 16 feet
7. Minimum distances between main buildings within project:
  - a. Front to front, front to rear, or rear to rear--two (2) times height of taller building but not less than seventy (70) feet.
  - b. Side to side--one-half ( $\frac{1}{2}$ ) height of taller building but not less than ten (10) feet.
  - c. Front to side or rear to side equal to height of taller building but not less than fifty (50) feet.
8. 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 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 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 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 . . . . .	25 feet
For buildings 55 to 64 feet in height . . . . .	35 feet
For buildings 65 to 74 feet in height . . . . .	45 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 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 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 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: Thirty (30) 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 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 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 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 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) per cent of the floor area existing on the effective date of this Code. 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.
4. Minimum front yard:  
For buildings under forty-five (45) feet in height . . . 15 feet  
For buildings forth-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 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

(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 its immediate 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 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 family unit.
4. The converted dwelling shall conform to all other regulations governing one-family dwellings in R5 Zones, except the lot size shall not be less than twenty-five hundred (2,500) square feet per dwelling unit.

(g) EXCAVATING OR FILLING:

Excavating or filling as defined in this Code 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 R5 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) 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 ( $2\frac{1}{2}$ ) 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 . . . . . 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 yard 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 . . . . . 25 feet
7. Minimum side or rear yards:  
 Small homes . . . . . 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 ( $2\frac{1}{2}$ ) story building.  
 Medium homes . . . . . 12 feet  
 Large homes . . . . . 15 feet  
 for a one (1) story building plus five (5) feet for each additional story.

(j) 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:

Square Feet of Floor Area		Loading Berths Required
5,000 -	39,999	1
40,000 -	99,999	2
100,000 -	159,999	3
160,000 -	239,999	4
240,000 -	319,999	5
320,000 -	399,999	6
400,000 -	489,999	7
490,000 -	579,999	8
580,000 -	669,999	9
670,000 -	759,999	10
760,000 -	849,999	11
850,000 -	939,999	12
940,000 -	1,029,999	13
Over -	1,030,000	14

3. Minimum site area:
  - a. No hospital shall be established on a site less than twenty thousand (20,000) square feet in area.
  - b. At least two thousand (2,000) square feet of lot or site area shall be provided for each patient bed.
4. Maximum height: Two and one-half ( $2\frac{1}{2}$ ) 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.

(k) 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:

Square Feet of Floor Area		Loading Berths Required
5,000 -	39,999	1
40,000 -	99,999	2
100,000 -	159,999	3
160,000 -	239,999	4
240,000 -	319,999	5
320,000 -	399,999	6
400,000 -	489,999	7
490,000 -	579,999	8
580,000 -	669,999	9
670,000 -	759,999	10
760,000 -	849,999	11
850,000 -	939,999	12
940,000 -	1,029,999	13
Over -	1,030,000	14

3. Minimum site area:
  - a. No hospital shall be established on a site of 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.

(l) 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.

(m) 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 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 Code. 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.
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 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. . . . . 25 feet  
For buildings 55 to 64 feet in height. . . . . 35 feet  
For buildings 65 to 74 feet in height. . . . . 45 feet

(n) 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 Code. Moreover, such enlargement shall not reduce the width of yards or increase the building coverage specified in items 2, 3, and 4 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:  
For buildings under forty-five (45) feet in height . . . 15 feet  
For buildings forty-five (45) feet and higher in height 30 feet
4. Minimum side or rear yard:  
For buildings under 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. . . . . 25 feet  
For buildings 55 to 64 feet in height. . . . . 35 feet  
For buildings 65 to 74 feet in height. . . . . 45 feet

(o) PRIVATE HELISTOP:

A Private helistop may be permitted only in connection with a principal or conditional hospital use. Any such private helistop shall be subject to the additional regulations contained in Article 35 of this Code.

(p) PUBLIC PARKS:

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 or within an R or A Zone.

: 6-1225 (m) 2. to 6-1225 (p)

(q) PUBLIC UTILITY STRUCTURES:

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:

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 R5 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 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.

(t) 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:

Condition of Land		Maximum Number
Acquired	Classrooms On:	of Classrooms Per Acre
60% or more vacant	One floor	3.0
60% or more vacant	Two floors	3.0
Less than 60% vacant	One floor	4.0
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.

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

For buildings under 15 feet in height . . . . .	20 feet
For buildings 15 to 24 feet in height . . . . .	30 feet
For buildings 25 to 34 feet in height . . . . .	40 feet
For buildings 35 to 44 feet in height . . . . .	50 feet

(u) 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:

Condition of Land	Classrooms on:	Maximum Number of Classrooms Per Acre
Acquired		
60% 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	4.0

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 provided such space is made available by agreement with the Bureau of Parks.

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

For buildings under 15 feet in height . . . . .	20 feet
For buildings 15 to 24 feet in height . . . . .	30 feet
For buildings 25 to 34 feet in height . . . . .	40 feet
For buildings 35 to 44 feet in height . . . . .	50 feet

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

For buildings under 15 feet in height . . . . .	20 feet
For buildings 15 to 24 feet in height . . . . .	30 feet
For buildings 25 to 34 feet in height . . . . .	40 feet
For buildings 35 to 44 feet in height . . . . .	50 feet

(w) TRACT DEVELOPMENT AND SALES:

1. Advertising signs and temporary buildings, such as offices, tool sheds, or structures used for 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.

6-1225 (t) 3. to 6-1225 (w) 1.

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.

(x) WELFARE INSTITUTIONS:

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:

Square Feet of Floor Area		Loading Berths Required
5,000 -	39,999	1
40,000 -	99,999	2
100,000 -	159,999	3
160,000 -	239,999	4
240,000 -	319,999	5
320,000 -	399,999	6
400,000 -	489,999	7
490,000 -	579,999	8
580,000 -	669,999	9
670,000 -	759,999	10
760,000 -	849,999	11
850,000 -	939,999	12
940,000 -	1,029,999	13
Over -	1,030,000	14

3. Minimum site area: No institution shall be established on a site 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 6-1226. GENERAL PROHIBITION.

Uses of structures and land not specifically mentioned in this Article are prohibited in all R5 Zones.

The use of automobile trailer houses as residences is prohibited in all R5 Zones. Such trailers are below the room size, ceiling height, and other regulations in the Housing Code.



## ARTICLE 14. A2.5 APARTMENT RESIDENTIAL ZONE

### Section 6-1401. GENERAL REQUIREMENT.

In all A2.5 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 6-1402. USES PERMITTED.

In an A2.5 Zone, the following uses are permitted:

1. One-family dwellings.
2. Two-family dwellings.
3. Apartment dwellings.

### Section 6-1403. OFF-STREET PARKING REQUIRED.

(a) One and two-family dwellings: One (1) space per dwelling unit according to the following regulations:

1. Such space shall be accessible to a public street or alley.
2. Such space shall be at least one hundred and sixty (160) square feet in area.
3. 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.
4. Such space shall be available for the parking of operatable passenger automobiles only.
5. Such space shall not be rented by the day or part thereof.
6. Such space, if uncovered, shall be paved in accordance with the provisions of the Building Code.
7. The provision and maintenance 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 if permitted 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 in 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 reduced by transfer of ownership, immediate or future, 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 is 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 COVERAGE.

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 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 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.

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

Section 6-1409. MINIMUM 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 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 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 (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 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 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 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 on each side of any main building according to height 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

(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 38 for additional regulations.)

Section 6-1411. MINIMUM REAR YARD.

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.)

Section 6-1412. MINIMUM DISTANCE BETWEEN BUILDINGS.

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 6-1413. SIGNS PERMITTED.

(a) One (1) indirectly lighted or transparency name plate for each dwelling unit, not exceeding three-quarters (¾) 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 or rent.

(c) Advertising signs or features permanently identifying the tract development of a housing project shall be regulated as a Conditional Use (see Section 6-1424 to 6-1426).

(d) Sign or signs, unlighted or indirectly lighted, not exceeding six (6) square feet in total area, indicating the name of an apartment house.

TRANSITIONAL USES

Section 6-1414. USES PERMITTED.

(Section 6-1414 amended by Ordinance No. 126677 passed and effective April 25, 1968.)

On a lot not exceeding one hundred (100) feet in width, where the side of such lot abuts C2, C1 or M Zones, apartment dwellings are permitted with a minimum lot area per dwelling unit as specified in Section 6-1505 (a), (b) and (c).

Section 6-1415. OTHER REGULATIONS.

Parking, yards, and all other regulations applicable to Principal Uses in A1 Zones shall apply.

BUILDINGS AND USES ACCESSORY TO PRINCIPAL AND TRANSITIONAL USES

Section 6-1416. GENERAL.

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

Section 6-1417. HEIGHT.

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



Section 6-1418. CLASSIFICATIONS.

Accessory buildings and uses permitted in A2.5 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, rabbit hutch, 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.
- Type 6: Home occupations.

Section 6-1419. TYPE 1: ACCESSORY BUILDINGS OR USES.

In A2.5 Zones, uses and 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 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) or more feet 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 this same property line but no closer to the front property line. Provided, however, a one-story detached garage legally erected along or adjacent to said lot line before 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 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 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 1 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 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 the 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 wall or roof, if same comes above the level of the adjoining earth, shall not exceed ten (10) feet above the floor 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 wall of the garage need not set back farther from the street lot line than the average contour elevation line of the lot which is five (5) feet below the sidewalk elevation. 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 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 6-1420. TYPE 2: ACCESSORY BUILDINGS OR USES.

In A2.5 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. 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 6-1421. TYPE 3: ACCESSORY BUILDINGS OR USES.

In A2.5 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 located closer than twenty-five (25) feet to a street lot line.
2. Such outbuilding shall not encroach upon 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 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.

Section 6-1422. TYPE 4: ACCESSORY BUILDINGS OR USES.

In A2.5 Zones, 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 a side lot line.
2. Covered structures shall be located adjacent to the natural shore line.
3. Covered structures shall not occupy more than fifty (50) per cent of the width of the lot at the natural shore line.
4. Any boat using such moorage shall not be used as a place of residence when so moored.

Section 6-1423. TYPE 5: ACCESSORY BUILDINGS OR USES.

In A2.5 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 a Type 5 accessory use contains a building or is contained within a building, said building whether attached or detached, shall not be located closer to any lot line than that distance required of the Principal Use.
2. Under the following conditions, any Type 5, accessory building 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) or more feet 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 this same property line but no closer to the front property line than permitted in a. or b. above.

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3. 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 2 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 thirty (30) inches shall be sheathed with two (2) layers of shiplap with joints staggered and covered with finished siding or shakes.
4. No swimming pool shall be located closer than three (3) feet to any property line nor closer than three (3) feet to any wall or fence.

Section 6-1424. TYPE 6: HOME OCCUPATIONS.

(a) In A2.5 Zones home occupations in the same lot accessory to Principal Uses and Transitional Uses of a Type 6 classification shall be permitted only in the following categories:

1. Office for professional, personal or business service.
2. Studio for arts, handicrafts or tutoring.
3. Shop for limited or custom production of minor repair service.
4. Headquarters for a craftsman or salesman.

(b) Any such home occupations shall comply with the following limitations:

1. No servant, employe or any person other than a member or members of the family residing within the dwelling shall engage in a home occupation therein or within an accessory building.
2. No dwelling shall be used as a headquarters for the assembly of employes for instructions or other purposes or to be dispatched for work at other locations.
3. The scale of operations shall be distinctly limited in nature and conducted primarily as a supplementary, and not principal, source of family income; or as an accommodation for a handicapped or retired person; or as a starter operation for a limited period only until its size or other characteristics compel relocation to the appropriate non-residential zone.
4. All aspects of the conduct of a home occupation shall be confined, contained and conducted within the dwelling or within a completely enclosed type 1, 2 or 3 accessory building.
5. The aggregate of all space within any or all buildings devoted to one or more home occupations shall not exceed 200 square feet in floor area, except such space within or on a lot occupied by an apartment dwelling containing three or more units shall not exceed 100 square feet in floor area for any one dwelling unit.
6. Any home occupation which causes abnormal automotive or pedestrian traffic or which is objectionable due to unsightliness or emission of odor, dust, smoke, noise, glare, heat, vibration or similar causes discernible on the outside of any building containing such home occupation shall be prohibited.



7. No enlargements nor alterations to a dwelling or accessory building for the sole purpose of conducting a home occupation shall be permitted.
8. The premises shall at all times be maintained as residential in appearance, cleanliness and quietness.
9. Dimensions, power rating or weight of such equipment and tools used in the conduct of the home occupation shall not exceed that of normal household equipment and tools.
10. 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.
11. Any materials used or any item produced or repaired on the premises shall not be displayed or stored so as to be visible from the exterior of the building.
12. Customer and client contact shall be primarily by telephone, mail or in their homes and places of business and not on the premises of the home occupation, except for those home occupations which by their very nature cannot otherwise be conducted except by personal contact with clients.
13. Products made or sold shall be disposed of primarily by delivery from the premises to the homes or places of business of customers.
14. Other than normal passenger automobiles, only one truck of one-half ton capacity or less is permitted to be operated, whether owned or rented, in connection with a home occupation. Such truck, if parked on the premises, shall be kept within a completely enclosed garage.
15. Instruction in music shall be limited to no more than two students at one time and in crafts to no more than six students at one time.
16. An office for a physician or dentist is permitted primarily for emergency cases and as an accommodation for retired or part-time practitioners and not as a principal office for the practice of the profession.

(c) Procedure to establish and maintain a home occupation:

1. Permits for home occupations shall be issued by the Bureau of Buildings, shall be valid for a period of two years only, and may be revoked at any time if the requirements of this Code are not being met. The fee for such a permit shall be ten dollars (\$10).
2. No permit shall be issued by the Bureau of Buildings until or unless the applicant shall have received the favorable approval, as indicated by signatures on the authorized application form, of owners or contract purchasers of not less than 75% of all property in the area bounded by lines 100 feet, excluding street widths, from and parallel to the boundary lines of the lot proposed to contain each home occupation. Area of any property owned or occupied by the applicant shall be excluded in computing required percentage of approval.

3. If, in the opinion of the applicant, the Bureau of Buildings has acted arbitrarily and capriciously in withholding or revoking a permit for a home occupation, he may request an interpretation of the Code by the City Planning Commission as provided in Section 6-503. In such cases the dwelling or accessory building to be devoted to a home occupation shall be open for inspection to the staff of the City Planning Commission on any day between 8 a.m. and 10 p.m.
4. The Bureau of Licenses shall not issue a business license or accept payment of the fee until an occupancy permit for a home occupation is issued by the Bureau of Buildings.

#### CONDITIONAL USES

##### Section 6-1425. USES PERMITTED.

(Section 6-1425 amended by Ordinance No. 129523 passed and effective August 14, 1969.)

In an A2.5 Zone, the following Conditional Uses may be permitted subject to the regulations contained in Section 6-1426 and under the authority and according to the procedure specified in Article 42:

1. Cemeteries
2. Churches
3. Residential buildings accessory to churches
4. Colleges
5. Community clubs
6. Crematories, mausoleums and columbariums
7. Excavations 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. Homes, convalescent
12. Hospitals, general
13. Hospitals, mental, remedial or detention
14. Nurses' homes or other residential buildings accessory to hospitals
15. Libraries
16. Mass transit waiting stations or turn-arounds
17. Museums
18. Parks, public
19. Planned Unit Development
20. Private Helistop, accessory to a hospital
21. Public Utility structures and lines which are essential to the functioning and servicing of residential neighborhoods
22. Radio and television transmitters
23. Railroad right of ways and passenger stations
24. Schools, nursery
25. Schools, parochial or private
26. Schools, public
27. Tract development and sales
28. Welfare institutions

Section 6-1426. REGULATIONS.

The Commission shall determine the specific regulations and conditions governing each Conditional Use at the time of approval as provided in Article 42. 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 unless specifically modified by the Commission at the time of approval.

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 such Conditional Use insofar as applicable. Additional regulations governing parking, loading and yard requirements 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 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 in height 30 feet
5. Minimum side or rear yard:  
For buildings under 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 . . . . . 25 feet  
For buildings 55 to 64 feet in height . . . . . 35 feet  
For buildings 65 to 74 feet in height . . . . . 45 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 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.

(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 accessory 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, fraternities, or sororities shall be provided.
2. Minimum front yard: Thirty (30) 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 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 or contiguous to the college campus, a minimum of five thousand (5,000) square feet of site area shall be provided for each five (5) 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 main auditorium or largest assembly room; 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 or largest assembly room.
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) per cent of the floor area existing on the effective date of this Code. 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.
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 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



(e) EXCAVATING OR FILLING:

Excavating or filling as defined in this Code 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.
2. Miniature golf courses and golf driving ranges are prohibited in A2.5 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.

(g) 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 four hundred (400) feet away from property lines bounding the project.
6. Minimum front yard: Small or medium homes . . . . . 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 . . . . . 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.

(h) 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:

Square Feet of Floor Area	Loading Berths Required
5,000 - 39,999	1
40,000 - 99,999	2
100,000 - 159,999	3
160,000 - 239,999	4
240,000 - 319,999	5
320,000 - 399,999	6
400,000 - 489,999	7
490,000 - 579,999	8
580,000 - 669,999	9
670,000 - 759,999	10
760,000 - 849,999	11
850,000 - 939,999	12
940,000 - 1,029,999	13
Over - 1,030,000	14

3. Minimum site area:

- No hospital shall be established on a site of less than twenty thousand (20,000) square feet in area.
- At least two thousand (2,000) 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.

(i) MENTAL, REMEDIAL, OR DETENTION HOSPITALS:

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

Square feet of Floor Area	Loading Berths Required
5,000 - 39,999	1
40,000 - 99,999	2
100,000 - 159,999	3
160,000 - 239,999	4
240,000 - 319,999	5
320,000 - 399,999	6
400,000 - 489,999	7
490,000 - 579,999	8
580,000 - 669,999	9
670,000 - 759,999	10
760,000 - 849,999	11
850,000 - 939,999	12
940,000 - 1,029,999	13
Over - 1,030,000	14

3. Minimum site area:

- No hospital shall be established on a site of less than five (5) acres in area.
- 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.
- (j) 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.
- (k) 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 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 Code. 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.
  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 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 . . . . . 25 feet  
For buildings 55 to 64 feet in height . . . . . 35 feet  
For buildings 65 to 74 feet in height . . . . . 45 feet
- (l) 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 Code. Moreover, such enlargement shall not reduce the width of yards or increase the building coverage specified in items 2, 3 and 4 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:  
 For buildings under forty-five (45) feet in height . . . 15 feet  
 For buildings forty-five (45) feet and higher in height 30 feet
4. Minimum side or rear yards:  
 For buildings under 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 . . . . . 25 feet  
 For buildings 55 to 64 feet in height . . . . . 35 feet  
 For buildings 65 to 74 feet in height . . . . . 45 feet

(m) PLANNED UNIT DEVELOPMENT:

(New subsection (m) added and (m through v) relettered (n through w) by Ordinance No. 129523 passed and effective August 14, 1969.)

1. Minimum site area: 10 acres
2. Minimum front, side and rear yards: 25 feet. The Commission may require yards in excess of this in order to preserve a landscaped strip along a roadway, buffer an adjacent one family area or provide for the continuation of a park area.
3. Maximum height: No structure shall exceed thirty-five (35) feet in height, except that this height limit may be exceeded in locations where the applicant can demonstrate that the proposed development will have no greater impact upon the panoramic view or natural light of properties that might be affected than would a conventional A2.5 development. The Commission, in order to make this determination, may require the applicant to supply an accurate scale model of the proposed development and all property within a minimum of four hundred (400) feet of the proposed development.
4. Accessory business and service
  - a. Such businesses and services shall be limited to the following:
    - (1) Barber Shops
    - (2) Beauty parlors
    - (3) Collection agency for laundry, cleaning or pressing
    - (4) Delicatessens
    - (5) Dining rooms
    - (6) Food stores
    - (7) Office of a physician
    - (8) Public meeting rooms
    - (9) Retail shops selling reading matter, clothing, curios, art objects, or household sundries only
    - (10) Service station for the sale of gasoline and lubrication and minor services to automobiles only
    - (11) Tailoring, dressmaking, or millinery shops
  - b. Such use shall be conducted entirely within the apartment building or buildings to which it is accessory.
  - c. Such use and any display windows or signs advertising such uses shall be oriented to the interior of the development and shall be directed to the residents of the apartment only.



- d. 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.
- e. In addition to off-street parking required in Section 6-1603, 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 36 shall govern.

(n) PRIVATE HELISTOP:

A private helistop may be permitted in connection with a principal or conditional hospital use. Any such private helistop shall be subject to the additional regulations contained in Article 35 of this Code.

(o) PUBLIC PARKS:

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 or within an R or A Zone.

(p) PUBLIC UTILITY STRUCTURES:

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.

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

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 A2.5 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 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.

(s) PRIVATE OR PAROCIAL 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:

Condition of Land Acquired	Classrooms on:	Maximum Number of Classrooms Per Acre
60% or more vacant	One floor	3.0
60% or more vacant	Two floors	3.0
Less than 60% vacant	One floor	4.0
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.

3. Minimum front yard: Thirty (30) feet.
4. Minimum side or rear yard:  
For buildings under 15 feet in height . . . . . 20 feet  
For buildings 15 to 24 feet in height . . . . . 30 feet  
For buildings 25 to 34 feet in height . . . . . 40 feet  
For buildings 35 to 44 feet in height . . . . . 50 feet

(t) 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:

Condition of Land Acquired	Classrooms on:	Maximum Number of Classrooms Per Acre
60% 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	4.0

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.

3. Minimum front yard: Thirty (30) feet
4. Minimum side or rear yard:  
For buildings under 15 feet in height . . . . . 20 feet  
For buildings 15 to 24 feet in height . . . . . 30 feet  
For buildings 25 to 34 feet in height . . . . . 40 feet  
For buildings 35 to 44 feet in height . . . . . 50 feet

(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 front yard: Thirty (30) feet.
3. Minimum side or rear yard:  
For buildings under 15 feet in height . . . . . 20 feet  
For buildings 15 to 24 feet in height . . . . . 30 feet  
For buildings 25 to 34 feet in height . . . . . 40 feet  
For buildings 35 to 44 feet in height . . . . . 50 feet

(v) TRACT DEVELOPMENT AND SALES:

1. Advertising signs and temporary buildings, such as offices, tool sheds, or structures used for 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 INSTITUTIONS:

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:

Square Feet of Floor Area		Loading Berths Required
5,000 -	39,999	1
40,000 -	99,999	2
100,000 -	159,999	3
160,000 -	239,999	4
240,000 -	319,999	5
320,000 -	399,999	6
400,000 -	489,999	7
490,000 -	579,999	8
580,000 -	669,999	9
670,000 -	759,999	10
760,000 -	849,999	11
850,000 -	939,999	12
940,000 -	1,029,999	13
Over -	1,030,000	14

3. Minimum site 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 ( $2\frac{1}{2}$ ) 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.

PROHIBITED USES

Section 6-1427. 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 A2.5 Zones. Such trailers are below the room size, ceiling height, and other regulations in the Housing Code.



## ARTICLE 15. A1 APARTMENT RESIDENTIAL ZONE.

### Section 6-1501. GENERAL REQUIREMENT.

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:

#### PRINCIPAL USES

### Section 6-1502. USES PERMITTED.

In an A1 Zone, the following uses are permitted:

1. One-family dwellings.
2. Two-family dwellings.
3. Apartment dwellings.
4. Boarding and rooming houses.
5. Motels or hotels, provided:
  - a. The property so used shall abut upon a numbered State or Federal highway other than a throughway (limited access),
  - b. Separate sanitary facilities shall be provided for each guest room or suite, and
  - c. No business, other than renting of rooms shall be conducted on the premises.

### Section 6-1503. OFF-STREET PARKING REQUIRED.

(a) One, two, and three-family dwellings; One (1) space per dwelling unit according to the following regulations:

1. Such space shall be located on the same lot as the main dwelling.
2. Such space shall be accessible to a public street or alley.
3. Such space shall be at least one hundred and sixty (160) square feet in area.
4. 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.
5. Such space shall be available for the parking of operatable passenger automobiles only.
6. Such space shall not be rented by the day or part thereof.
7. Such space, if uncovered, shall be paved in accordance with the provisions of the Building Code.
8. The provision and maintenance of off-street parking space is a continuing obligation of the property owner.
9. A plan, drawn to scale, indicating how the off-street requirement is to be fulfilled, shall accompany the request for a building or occupancy permit.
10. Such space shall be improved and made available for use before the issuance of a Certificate of Final Inspection by the Bureau of Buildings.
11. Additional parking spaces provided on the premises shall be regulated as specified in items 4, 6 and 7 above.
12. In an A1 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 if permitted on the premises.

- (b) Apartment Dwellings: One (1) space per dwelling unit.
- (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 36.

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 . . . . .	1 berth
One hundred (100) to one hundred ninety-nine (199) units . .	2 berths
Two hundred (200) units or more . . . . .	3 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:

Square feet of Floor Area	Loading Berths Required
5,000 - 29,999	1
30,000 - 69,999	2
70,000 - 129,999	3
130,000 - 219,999	4
220,000 - 379,999	5
380,000 - 699,999	6
700,000 - 1,499,999	7
Over - 1,500,000	8

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

Section 6-1505. MINIMUM LOT SIZE REQUIRED.

(Section 6-1505 amended by Ordinance No. 126677 passed and effective April 25, 1968.)

(a) One-family, two family and three-family dwellings: Five thousand (5,000) square feet.

(b) Apartment dwellings or other types of multi-family dwellings containing four, five, six, seven, eight, or nine dwelling units: 5,000, 7,000, 8,000, 8,500, 9,000 and 9,500 square feet respectively.

(c) Apartment or other types of multi-family dwellings containing ten (10) or more dwelling units: One thousand (1,000) square feet per dwelling unit.

(d) For each guest room or suite containing cooking facilities in motels or hotels: One thousand (1,000) square feet per room or suite.

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

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



(g) 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 (f), inclusive above.

(h) 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 five thousand (5,000) square feet or more in area.

(i) No dwelling nor group of dwellings shall be built or moved onto a lot not abutting a public street.

(j) 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), (e) and (f) 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 6-1506. MAXIMUM LOT COVERAGE.

The area covered by all buildings, including accessory buildings, shall not exceed forty-five (45) per cent of the lot area.

#### Section 6-1507. MINIMUM FLOOR AREA PERMITTED.

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

#### Section 6-1508. MAXIMUM HEIGHT PERMITTED.

(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 four hundred (400) feet or farther from any R10, R7, R5, A2.5, C5, or C4 Zone.

(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.

(c) Chimneys, radio and television aerials may extend above the forty-five (45) foot height limit.

#### Section 6-1509. MINIMUM 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 lot, 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.

(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 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 (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 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 streets, one front yard may be reduced to ten (10) feet provided the other front yard is at least 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:

For one (1) story . . . . .	6 feet
For two (2) stories . . . . .	7 feet
For three (3) stories . . . . .	9 feet
For four (4) stories . . . . .	12 feet
For any other height . . . . .	Width of side yard in feet shall equal three (3) times number of stories.

(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 38 for additional regulations.)

#### Section 6-1511. MINIMUM REAR YARD.

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

For one (1) story . . . . .	6 feet
For two (2) stories . . . . .	7 feet
For three (3) stories . . . . .	9 feet
For four (4) stories . . . . .	12 feet
For any other height . . . . .	Width of side yard in feet shall equal three (3) times number of stories.

(See Article 38 for additional regulations.)

#### Section 6-1512. MINIMUM DISTANCE BETWEEN BUILDINGS.

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 transparency name plate for each dwelling unit, 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 or rent.

(c) Advertising signs or features permanently identifying the tract development or a housing project shall be regulated as a Conditional Use (see Article 42).

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

**BUILDINGS AND USES ACCESSORY TO PRINCIPAL USES**

Section 6-1514. GENERAL.

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

Section 6-1515. HEIGHT.

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

Section 6-1516. CLASSIFICATIONS.

Accessory buildings and uses permitted in A1 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, rabbit hutch, barns, silos, 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.
- Type 6: Home occupations.

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Section 6-1517. TYPE 1: ACCESSORY BUILDINGS OR USES.

In Al Zones, uses and buildings on the same lot accessory to Principal 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 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 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 this same property line but no closer to the front property line. Provided, however, a one story detached garage legally erected along or adjacent to said lot line before 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 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 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 1 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 regulations for lot coverage, yards, and courts of a Principal Use.
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, 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 the 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 wall or roof, if same comes above the level of the adjoining earth, shall not exceed ten (10) feet above the floor 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 wall of the garage need not set back farther 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, 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.
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 6-1518. TYPE 2: ACCESSORY BUILDINGS OR USES.

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 a 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 3: ACCESSORY BUILDINGS OR USES.

In A1 Zones, uses and buildings on the same lot accessory to Principal Uses of a Type 3 classification shall comply with the following:

1. No Type 3 accessory building shall be located closer than twenty-five (25) feet to a street lot line.
2. Such outbuilding shall not encroach upon 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 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.

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

In Al Zones, uses and buildings on the same lot accessory to Principal Uses of a Type 5 classification shall comply with the following:

1. Where a Type 5 accessory use contains a building or is contained within a building, said building, whether attached or detached, shall not be located closer to any lot line than that distance required of the Principal Use.
2. Under the following conditions, any Type 5 accessory building 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) or more feet 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 this same property line but no closer to the front property line than permitted in a. or b. above.
3. 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 2 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 thirty (30) inches shall be sheathed with two (2) layers of shiplap with joints staggered and covered with finished siding or shakes.
4. No swimming pool shall be located closer than three (3) feet to any property line nor closer than three (3) feet to any wall or fence.

Section 6-1522. TYPE 6: HOME OCCUPATIONS.

(a) In Al Zones home occupations in the same lot accessory to Principal Uses of a Type 6 classification shall be permitted only in the following categories:



1. Office for professional, personal or business service.
2. Studio for arts, handicrafts or tutoring.
3. Shop for limited or custom production or minor repair service.
4. Headquarters for a craftsman or salesman.

(b) Any such home occupations shall comply with the following limitations.

1. No servant, employee or any person other than a member or members of the family residing within the dwelling shall engage in a home occupation therein or within an accessory building.
2. No dwelling shall be used as a headquarters for the assembly of employees for instructions or other purposes or to be dispatched for work at other locations.
3. The scale of operations shall be distinctly limited in nature and conducted primarily as a supplementary, and not principal, source of family income; or as an accommodation for a handicapped or retired person; or as a starter operation for a limited period only until its size or other characteristics compel relocation to the appropriate non-residential zone.
4. All aspects of the conduct of a home occupation shall be confined, contained and conducted within the dwelling or within a completely enclosed Type 1, 2 or 3 accessory building.
5. The aggregate of all space within any or all buildings devoted to one or more home occupations shall not exceed 200 square feet in floor area, except such space within or on a lot occupied by an apartment dwelling containing three (3) or more units shall not exceed one hundred (100) square feet in floor area for any one dwelling unit.
6. Any home occupation which causes abnormal automotive or pedestrian traffic or which is objectionable due to unsightliness or emission of odor, dust, smoke, noise, glare, heat, vibration or similar causes discernible on the outside of any building containing such home occupation shall be prohibited.
7. No enlargements nor alterations to a dwelling or accessory building for the sole purpose of conducting a home occupation shall be permitted.
8. The premises shall at all times be maintained as residential in appearance, cleanliness and quietness.
9. Dimensions, power rating or weight of such equipment and tools used in the conduct of the home occupation shall not exceed that of normal household equipment and tools.
10. 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.
11. Any materials used or any item produced or repaired on the premises shall not be displayed or stored so as to be visible from the exterior of the building.
12. Customer and client contact shall be primarily by telephone, mail or in their homes and places of business and not on the premises of the home occupation, except for those home occupations which by their very nature cannot otherwise be conducted except by personal contact with clients.



13. Products made or sold shall be disposed of primarily by delivery from the premises to the homes or places of business of customers.
14. Other than normal passenger automobiles, only one truck of one-half ton capacity or less is permitted to be operated, whether owned or rented, in connection with a home occupation. Such truck, if parked on the premises, shall be kept within a completely enclosed garage.
15. Instruction in music shall be limited to no more than two students at one time and in crafts to no more than six students at one time.
16. An office for a physician or dentist is permitted primarily for emergency cases and as an accommodation for retired or part-time practitioners and not as a principal office for the practice of the profession.

(c) Procedure to establish and maintain a home occupation:

1. Permits for home occupations shall be issued by the Bureau of Buildings, shall be valid for a period of two years only, and may be revoked at any time if the requirements of this Code are not being met. The fee for such a permit shall be ten dollars (\$10).
2. No permit shall be issued by the Bureau of Buildings until or unless the applicant shall have received the favorable approval, as indicated by signatures on the authorized application form of owners or contract purchasers of not less than 75% of all property in the area bounded by lines 100 feet, excluding street widths, from and parallel to the boundary lines of the lot proposed to contain each home occupation. Area of any property owned or occupied by the applicant shall be excluded in computing required percentage of approval.
3. If, in the opinion of the applicant, the Bureau of Buildings has acted arbitrarily and capriciously in withholding or revoking a permit for a home occupation, he may request an interpretation of the Code by the City Planning Commission as provided in Section 6-503. In such cases the dwelling or accessory building to be devoted to a home occupation shall be open for inspection to the staff of the City Planning Commission on any day between 8 a.m. and 10 p.m.
4. The Bureau of Licenses shall not issue a business license or accept payment of the fee until an occupancy permit for a home occupation is issued by the Bureau of Buildings.

CONDITIONAL USES.

Section 6-1523. USES PERMITTED.

In an A1 Zone, the following Conditional Uses may be permitted subject to the regulations contained in Section 6-1524 and under the authority and according to the procedure specified in Article 42:

1. Cemeteries
2. Churches
3. Residential buildings accessory to churches
4. Colleges
5. Community clubs
6. Crematories, mausoleums and columbariums

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7. Excavations 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. Homes, convalescent
12. Hospitals, general
13. Hospitals, mental, remedial or detention
14. Nurses' homes or other residential buildings accessory to hospitals
15. Libraries
16. Lodges or fraternal organizations or private clubs
17. Mass transit waiting stations or turn-arounds
18. Museums
19. Parks, public
20. Private helistop, accessory to a hospital
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. Tract development and sales
28. Welfare institutions

Section 6-1524. REGULATIONS.

The Commission shall determine the specific regulations and conditions governing each Conditional Use at the time of approval as provided in Article 42. 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 unless specifically modified by the Commission at the time of approval.

In case regulations differing from those governing Principal Uses permitted in Al 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 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 provided 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 in height 30 feet
5. Minimum side or rear yard:  
For buildings under 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 . . . . . 25 feet  
For buildings 55 to 64 feet in height . . . . . 35 feet  
For buildings 65 to 74 feet in height . . . . . 45 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 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.

(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 accessory 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, fraternities, or sororities shall be provided.
2. 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
3. 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.



(d) 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 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) per cent of the floor area existing on the effective date of this Code. 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-five (35) per cent of the site area.
4. Minimum side or rear yard:

For buildings under 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

(e) EXCAVATING OR FILLING:

Excavating or filling as defined in this Code 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.
2. Miniature golf courses and golf driving ranges are prohibited in Al 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.

(g) 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. 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.
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(h) 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:

Square Feet of Floor Area		Loading Berths Required
5,000 -	39,999	1
40,000 -	99,999	2
100,000 -	159,999	3
160,000 -	239,999	4
240,000 -	319,999	5
320,000 -	399,999	6
400,000 -	489,999	7
490,000 -	579,999	8
580,000 -	669,999	9
670,000 -	759,999	10
760,000 -	849,999	11
850,000 -	939,999	12
940,000 -	1,029,999	13
Over -	1,030,000	14

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 R10, R7, R5, A2.5, 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

(i) 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:

Square feet of Floor Area		Loading Berths Required
5,000 -	39,999	1
40,000 -	99,999	2
100,000 -	159,999	3
160,000 -	239,999	4
240,000 -	319,999	5
320,000 -	399,999	6
400,000 -	489,999	7
490,000 -	579,999	8
580,000 -	669,999	9
670,000 -	759,999	10
760,000 -	849,999	11
850,000 -	939,999	12
940,000 -	1,029,999	13
Over -	1,030,000	14

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 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 R10, R7, R5, 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

(j) NURSES' HOMES OR OTHER RESIDENTIAL BUILDINGS ACCESSORY TO HOSPITALS:

1. Off-street parking required: In addition to space required for 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.

(k) LIBRARIES:

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

(l) 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) 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 in height	30 feet
5. Minimum side or rear yard:
 

For buildings under 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 . . . . .	25 feet
For buildings 55 to 64 feet in height . . . . .	35 feet
For buildings 65 to 74 feet in height . . . . .	45 feet
6. Signs permitted: Sign or signs, illuminated or non-illuminated, not exceeding six (6) square feet in total area, indicating the name of the organization.



(m) PRIVATE HELISTOP:

A private helistop may be permitted in connection with a principal or conditional hospital use, and any such helistop shall be subject to the additional regulations contained in Article 35 of this Code.

(n) PUBLIC PARKS:

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 or within an R or A Zone.

(o) PUBLIC UTILITY STRUCTURES:

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.

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

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 Al Zones.

(q) 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 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.

(r) 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:

Condition of Land	Classrooms On:	Maximum Number of Classrooms Per Acre
Acquired		
60% or more vacant	One floor	3.0
60% or more vacant	Two floors	3.0
Less than 60% vacant	One floor	4.0
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.

3. Minimum side or rear yard:
 

For buildings under 15 feet in height	. . . . .	20 feet
For buildings 15 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

(s) 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:

Condition of Land	Classrooms On:	Maximum Number of Classrooms Per Acre
Acquired		
60% 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	4.0

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.

3. Minimum side or rear yard:
 

For buildings under 15 feet in height	. . . . .	20 feet
For buildings 15 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

(t) 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 15 feet in height . . . . .	20 feet
For buildings 15 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) TRACT DEVELOPMENT AND SALES:

1. Advertising signs and temporary buildings, such as offices, tool sheds, or similar structures used 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 INSTITUTIONS:

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:

Square Feet of Floor Area		Loading Berths Required
5,000 -	39,999	1
40,000 -	99,999	2
100,000 -	159,999	3
160,000 -	239,999	4
240,000 -	319,999	5
320,000 -	399,999	6
400,000 -	489,999	7
490,000 -	579,999	8
580,000 -	669,999	9
670,000 -	759,999	10
760,000 -	849,999	11
850,000 -	939,999	12
940,000 -	1,029,999	13
Over -	1,030,000	14

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 R10, R7, R5, A2.5, 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

PROHIBITED USES

Section 6-1525. GENERAL PROHIBITION.

Uses of structures and land not specifically mentioned in this Article are prohibited in all Al Zones.

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

ARTICLE 16. AO APARTMENT RESIDENTIAL ZONE.

Section 6-1601. GENERAL REQUIREMENT.

In all AO 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 6-1602. USES PERMITTED.

In an AO Zone, the following uses are permitted:

1. One-family dwellings.
2. Two-family dwellings.
3. Apartment dwellings.
4. Boarding and rooming houses.
5. Hotels or motels.

Section 6-1603. OFF-STREET PARKING REQUIRED.

(a) One, two, and three-family dwellings: One (1) space per dwelling unit. If not located on the same lot as the main dwelling, the required parking space or spaces shall be regulated by Article 36. If located on the same lot as the main dwelling, the following regulations shall govern:

1. Such space shall be accessible to a public street or alley.
2. Such space shall be at least one hundred and sixty (160) square feet in area.
3. 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.
4. Such space shall be available for the parking of operatable passenger automobiles only.
5. Such space shall not be rented by the day or part thereof.
6. Such space, if uncovered, shall be paved in accordance with the provisions of the Building Code.
7. The provision and maintenance 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 4, 6, and 7 above.

6-1601 to 6-1603 (a) 10.

ORIGINAL ZONING - 1603 (B) AS ADOPTED IN 1959 Ord. #110103

- |                            |                          |
|----------------------------|--------------------------|
| (1) ONE AND TWO ROOM APT   | ONE SPACE PER 5 UNITS    |
| (2) 3 ROOM APT. UNITS      | ONE SPACE PER 5 UNITS    |
| (3) 4 ROOM APTS. OR LARGER | 2 PKG SPACES PER 3 UNITS |

Ord 117547 (10-17-63) 1 spc per Dwelling-unit



11. In an AO 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 if permitted on the premises.

(Subsection (b) of Section 6-1603 amended by Ordinance No. 118789 passed and effective July 2, 1964.)

(b) Apartment dwellings:

For one room apartments: Three (3) spaces per five (5) dwelling units.

For two room apartments: Four (4) spaces per five (5) dwelling units.

For three room or more room apartments: One (1) space per dwelling unit.

(c) Boarding and rooming houses: One (1) space per set of accommodations for each five (5) guests.

(d) Motels: One (1) space per guest room or suite.

(e) Hotels: One (1) space per four (4) rooms or suites. Additional spaces are required for accessory businesses as specified in Section 6-1618.

(f) Parking as required in items (b), (c), (d) and (e) above shall be regulated by Article 36.

Section 6-1604. 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 . . . . .	1 berth
One hundred (100) to one hundred ninety-nine (199) units . .	2 berths
Two hundred (200) units or more . . . . .	3 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:

Square feet of Floor Area		Loading Berths Required
5,000 -	29,999	1
30,000 -	69,999	2
70,000 -	129,999	3
130,000 -	219,999	4
220,000 -	379,999	5
380,000 -	699,999	6
700,000 -	1,499,999	7
Over -	1,500,000	8

6-1603 (a) 11. to 6-1604 (b)

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

Section 6-1605. MINIMUM LOT SIZE REQUIRED.

(Section 6-1605 amended by Ordinance No. 126677 passed and effective April 25, 1968.)

(a) One-family, two-family and three-family dwellings: Five thousand (5,000) square feet.

(b) Apartment dwellings or other types of multi-family dwellings containing four and five dwelling units: 6,000 and 7,000 square feet respectively.  
4

Apartment dwellings or other types of multi-family dwellings containing six (6) or more dwelling units: the minimum lot size shall be determined by the gross floor area within such buildings as specified in Section 6-1607 provided, however, that in no case shall such lot size be less than eight thousand (8,000) square feet.

(c) Motels and hotels: 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) main 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 or 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 notwithstanding the requirements of items (a), (d) and (e) 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 6-1606. MAXIMUM LOT COVERAGE.

(a) The area covered by one-family dwellings of one, two and three-story houses converted to multi-family dwellings after the effective date of this Code, together with accessory buildings, shall not exceed forty-five (45) per cent of the lot area.

(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 FLOOR AREA PERMITTED.

(Section 6-1607 amended by Ordinance No 118789 passed and effective July 2, 1964.)

The gross floor area of a main building or group of main buildings shall not exceed the site area by more than the following ratios:

Site Area	Ratio of Gross Floor Area to Site Area
Under 15,000 square feet . . . . .	3.0 ÷ 1
15,000 to 19,999 square feet . . . . .	3.5 ÷ 1
20,000 to <u>24,999</u> square feet . . . . .	4.0 ÷ 1
<u>25,000</u> to <u>29,999</u> square feet . . . . .	<u>4.5 ÷ 1</u>
30,000 to <u>34,999</u> square feet . . . . .	<u>5.0 ÷ 1</u>
<u>35,000</u> to <u>39,999</u> square feet . . . . .	<u>5.5 ÷ 1</u>
40,000 square feet or more . . . . .	6.0 ÷ 1

Section 6-1608. MAXIMUM HEIGHT PERMITTED.

There shall be no limitation except as regulated by the maximum 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 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.

6-1607 to 6-1609 (a)

(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 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 (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 such lot include both that portion of the lot lying within the future street and the required yard.

Section 6-1610. MINIMUM SIDE YARD.

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

For one (1) story . . . . .	6 feet
For two (2) stories . . . . .	7 feet
For three (3) stories . . . . .	9 feet
For any height. . . . .	Width of side yard shall be seven (7) feet plus two (2) feet additional for each story over two (2).

(See Article 38 for additional regulations.)

Section 6-1611. MINIMUM REAR YARD.

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

For one (1) story . . . . .	6 feet
For two (2) stories . . . . .	7 feet
For three (3) stories . . . . .	9 feet
For any height. . . . .	Width of rear yard shall be seven (7) feet plus two (2) feet additional for each story over two (2).

(See Article 38 for additional regulations.)

Section 6-1612. MINIMUM DISTANCE BETWEEN BUILDINGS.

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 6-1613. SIGNS PERMITTED.

(a) One (1) indirectly lighted or transparency name plate for each dwelling unit, not exceeding three-quarters (3/4) of a square foot in area, indicating the name of the occupant.

6-1609 (b) to 6-1613 (a)



(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 development or a housing project shall be regulated as a Conditional Use.

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

Any unlighted sign or billboard not exceeding 250 square feet in area, advertising an apartment or housing project, and located on the property being developed, may be maintained for not to exceed three years.

#### **BUILDINGS AND USES ACCESSORY TO PRINCIPAL USES**

##### Section 6-1614. GENERAL.

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 and uses permitted in AO zones are the following:

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

Types 2, 3 and 4 are not permitted.

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

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

Type 7: Home occupations.

##### Section 6-1616. TYPE 1: ACCESSORY BUILDINGS OR USES.

In AO Zones, uses and buildings on the same lot accessory to Principal Uses of a Type 1 classification shall comply with the following:

1. No Type 1 accessory buildings, 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 1 accessory building one (1) story 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) or more feet 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 this same property line but no closer to the front property line. Provided, however, a one-story detached garage legally erected along or adjacent to said lot line before 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.
3. 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 2 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 thirty (30) inches shall be sheathed with two (2) layers of shiplap with joints staggered and covered with finished siding or shakes.
  4. Any Type 1 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, 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 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 wall or roof, if same comes 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 being not less than ten (10) feet below the sidewalk level, the front wall of the garage need not set back farther 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, 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.



9. 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 6-1617. TYPE 5: ACCESSORY BUILDINGS OR USES.

In A0 Zones, uses and buildings on the same lot accessory to Principal Uses of a Type 5 classification shall comply with the following:

1. Where a Type 5 accessory use contains a building or is contained within a building, said building whether attached or detached, shall not be located closer to any lot line than that distance required of the Principal Use.
2. Under the following conditions, any Type 5 accessory building 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) or more feet 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 this same property line but no closer to the front property line than permitted in a. or b. above.
3. 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 2 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 thirty (30) inches shall be sheathed with two (2) layers of shiplap with joints staggered and covered with finished siding or shakes.
4. No swimming pool shall be located closer than three (3) feet to any property line nor closer than three (3) feet to any wall or fence.

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

In AO Zones, uses of a Type 6 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 laundry, cleaning or pressing
  - d. Delicatessens
  - e. Dining rooms
  - f. Food stores
  - g. Office of a physician
  - h. Public meeting rooms
  - i. Retail shops selling reading matter, clothing, curios, art objects, or household sundries only
  - j. Service station for the sale of gasoline and lubrication and minor services to automobiles only
  - k. 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 situated.
4. No outside display window or windows nor signs advertising such uses 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 36 shall govern.

Section 6-1619. TYPE 7: HOME OCCUPATIONS.

(a) In AO Zones home occupations in the same lot accessory to Principal Uses and Transitional Uses of a Type 7 classification shall be permitted only in the following categories:

1. Office for professional, personal or business service.
2. Studio for arts, handicrafts or tutoring
3. Shop for limited or custom production or minor repair service
4. Headquarters for a craftsman or salesman



(b) Any such home occupations shall comply with the following limitations:

1. No servant, employe or any person other than a member or members of the family residing within the dwelling shall engage in a home occupation therein or within an accessory building.
2. No dwelling shall be used as a headquarters for the assembly of employes for instructions or other purposes or to be dispatched for work at other locations.
3. The scale of operations shall be distinctly limited in nature and conducted primarily as a supplementary, and not principal, source of family income; or as an accommodation for a handicapped or retired person; or as a starter operation for a limited period only until its size or other characteristics compel relocation to the appropriate non-residential zone.
4. All aspects of the conduct of a home occupation shall be confined, contained and conducted within the dwelling or within a completely enclosed Type 1, 2 or 3 accessory building.
5. The aggregate of all space within any or all buildings devoted to one or more home occupations shall not exceed two hundred (200) square feet in floor area, except such space within or on a lot occupied by an apartment dwelling containing three or more units shall not exceed one hundred (100) square feet in floor area for any one dwelling unit.
6. Any home occupation which causes abnormal automotive or pedestrian traffic or which is objectionable due to unsightliness or emission of odor, dust, smoke, noise, glare, heat, vibration or similar causes discernible on the outside of any building containing such home occupation shall be prohibited.
7. No enlargements nor alterations to a dwelling or accessory building for the sole purpose of conducting a home occupation shall be permitted.
8. The premises shall at all times be maintained as residential in appearance, cleanliness and quietness.
9. Dimensions, power rating or weight of such equipment and tools used in the conduct of the home occupation shall not exceed that of normal household equipment and tools.
10. 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.
11. Any materials used or any item produced or repaired on the premises shall not be displayed or stored so as to be visible from the exterior of the building.
12. Customer and client contact shall be primarily by telephone, mail or in their homes and places of business and not on the premises of the home occupation, except for those home occupations which by their very nature cannot otherwise be conducted except by personal contact with clients.
13. Products made or sold shall be disposed of primarily by delivery from the premises to the homes or places of business of customers.

6-1619 (b) 1. to 6-1619 (b) 13.



14. Other than normal passenger automobiles, only one truck of one-half ton capacity or less is permitted to be operated, whether owned or rented, in connection with a home occupation. Such truck, if parked on the premises, shall be kept within a completely enclosed garage.
15. Instruction in music shall be limited to no more than two students at one time and in crafts to no more than six students at one time.
16. An office for a physician or dentist is permitted primarily for emergency cases and as an accommodation for retired or part-time practitioners and not as a principal office for the practice of the profession.

(c) Procedure to establish and maintain a home occupation:

1. Permits for home occupations shall be issued by the Bureau of Buildings, shall be valid for a period of two years only, and may be revoked at any time if the requirements of this Code are not being met. The fee for such a permit shall be ten dollars (\$10).
2. No permit shall be issued by the Bureau of Buildings until or unless the applicant shall have received the favorable approval, as indicated by signatures on the authorized application form, of owners or contract purchasers of not less than 75% of all property in the area bounded by lines 100 feet, excluding street widths, from and parallel to the boundary lines of the lot proposed to contain each home occupation. Area of any property owned or occupied by the applicant shall be excluded in computing required percentage of approval.
3. If, in the opinion of the applicant, the Bureau of Buildings has acted arbitrarily and capriciously in withholding or revoking a permit for a home occupation, he may request an interpretation of the Code by the City Planning Commission as provided in Section 6-503. In such cases the dwelling or accessory building to be devoted to a home occupation shall be open for inspection to the staff of the City Planning Commission on any day between 8 a.m. and 10 p.m.
4. The Bureau of Licenses shall not issue a business license or accept payment of the fee until an occupancy permit for a home occupation is issued by the Bureau of Buildings.

CONDITIONAL USES

Section 6-1620. USES PERMITTED.

In an AO Zone, the following Conditional Uses may be permitted subject to the regulations contained in Section 6-1621 and under the authority and according to the procedure specified in Article 42:

1. Churches
2. Residential buildings accessory to churches
3. Colleges
4. Community clubs
5. Excavations and filling
6. Golf courses, other country clubs and athletic clubs
7. Governmental structures and land uses, local, state or federal, which are essential to the functioning and servicing of residential neighborhoods



8. Homes, convalescent
9. Hospitals, general
10. Hospitals, mental, remedial or detention
11. Nurses' homes or other residential buildings accessory to hospitals
12. Libraries
13. Lodges or fraternal organizations or private clubs
14. Mass transit waiting stations or turn-arounds
15. Museums
16. Outside entrances for accessory businesses
17. Parks, public
18. Private helistop accessory to a hospital
19. Professional or business offices
20. Public utility structures and lines which are essential to the functioning and servicing of residential neighborhoods
21. Radio and television transmitters
22. Railroad rights-of-way and passenger stations
23. Schools, nursery
24. Schools, parochial and private
25. Schools, public
26. Welfare institutions

Section 6-1621. REGULATIONS.

The Commission shall determine the specific regulations and conditions governing each Conditional Use at the time of approval as provided in Article 42. 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 unless specifically modified by the Commission at the time of approval.

In case regulations differing from those governing Principal Uses permitted in AO 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 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. 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.

(b) RESIDENTIAL BUILDINGS ACCESSORY TO CHURCHES:

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.

(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, fraternities or sororities shall be provided.
2. Minimum side or rear yard: Twenty (20) feet.

(d) COMMUNITY CLUBS:

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.

(e) EXCAVATING OR FILLING.

Excavating or filling as defined in this Code shall be regulated as a Conditional Use.

(f) GOLF COURSES, OTHER COUNTRY CLUBS, AND ATHLETIC CLUBS:

Miniature golf courses and golf driving ranges are prohibited in AO Zones. Such uses are classified as commercial uses and are permitted only in C2 and M Zones.

(g) 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.

(h) 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.

Square Feet of Floor Area		Loading Berths Required
5,000 -	39,999	1
40,000 -	99,999	2
100,000 -	159,999	3
160,000 -	239,999	4
240,000 -	319,999	5
320,000 -	399,999	6
400,000 -	489,999	7
490,000 -	579,999	8
580,000 -	669,999	9
670,000 -	759,999	10
760,000 -	849,999	11
850,000 -	939,999	12
940,000 -	1,029,999	13
Over -	1,030,000	14



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

(i) 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:

Square Feet of Floor Area		Loading Berths Required
5,000 -	39,999	1
40,000 -	99,999	2
100,000 -	159,999	3
160,000 -	239,999	4
240,000 -	319,999	5
320,000 -	399,999	6
400,000 -	489,999	7
490,000 -	579,999	8
580,000 -	669,999	9
670,000 -	759,999	10
760,000 -	849,999	11
850,000 -	939,999	12
940,000 -	1,029,999	13
Over -	1,030,000	14

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 thousand (1,000) square feet of lot or site area shall be provided for each patient bed.

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

(j) NURSES' HOMES OR OTHER RESIDENTIAL BUILDINGS ACCESSORY TO HOSPITALS:

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.

(k) LIBRARIES:

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

(l) 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: Sign or signs, illuminated or non-illuminated, not exceeding six (6) square feet in total area, indicating the name of the organization.

(m) PRIVATE OR PUBLIC HELISTOP:

A private helistop may be permitted in connection with a hospital, subject to the additional regulations contained in Article 35 of this Code.

(n) PUBLIC PARKS:

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 fifty (50) feet to interior lot lines bordering or within an R or A Zone.

(o) PROFESSIONAL OR BUSINESS OFFICES:

1. Off-street parking required: One (1) space per five hundred (500) 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 and all accessory operations, except parking, shall be confined to the lower three (3) floors of any building. For the purposes of this provision, basements or sub-basements devoted to such professional or business office use or accessory operations shall be considered as a "floor".
3. No more than ten thousand (10,000) square feet of gross floor area shall be devoted to business and professional offices in any individual building, and hereafter no building to be used for such purpose exclusively shall be constructed containing more than ten thousand (10,000) square feet in gross floor area.
4. No merchandise shall be displayed, handled, or sold on the premises.
5. Signs permitted: One (1) non-flashing illuminated or non-illuminated sign not exceeding six (6) square feet in area indicating the name of the office only.

(p) PUBLIC UTILITY STRUCTURES:

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.

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

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 AO 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 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.

(s) 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:

Condition of Land	Classrooms On:	Maximum Number of Classrooms Per Acre
Acquired		
60% or more vacant	One floor	3.0
60% or more vacant	Two floors	3.0
Less than 60% vacant	One floor	4.0
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.

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

(t) 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:

Condition of Land	Classrooms On:	Maximum Number of Classrooms Per Acre
Acquired		
60% 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	4.0



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.

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

(u) PRIVATE PAROCHIAL, OR PUBLIC HIGH SCHOOLS:

1. Off-street parking: 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.
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:

Square Feet of Floor Area		Loading Berths Required
5,000 -	39,999	1
40,000 -	99,999	2
100,000 -	159,999	3
160,000 -	239,999	4
240,000 -	319,999	5
320,000 -	399,999	6
400,000 -	489,999	7
490,000 -	579,999	8
580,000 -	669,999	9
670,000 -	759,999	10
760,000 -	849,999	11
850,000 -	939,999	12
940,000 -	1,029,999	13
Over -	1,030,000	14

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

PROHIBITED USES

Section 6-1622. GENERAL PROHIBITION.

Uses of structures and land not specifically mentioned in this Article are prohibited in all AO Zones.

The use of an automobile trailer house as a residence is prohibited in all AO Zones. Such trailers are below the room size, ceiling height, and other regulations in the Housing Code.

ARTICLE 18. C5 LIMITED COMMERCIAL ZONE.

Section 6-1801. GENERAL REQUIREMENT.

In all C5 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:

Section 6-1802. LIMITED TO NEW CONSTRUCTION ONLY.

After the original enactment of this Code and the official zoning maps, C5 Zones shall be established for the purpose of new construction only. Thenceforth no C5 Zone shall be established on 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.

The City Council may, from time to time as warranted, establish, change, or abolish C5 Zones in accordance with the following procedure:

1. C5 Zones shall be established on petition of the owner or owners of the property to be changed, or the Council or the Commission may initiate the change. 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 ownership, (2) the subject of a petition filed jointly by the owners of all the property to be changed, or (3) 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 project in the C5 Zone. During its study and consideration, the Commission may hold a public hearing on 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 are acceptable in accordance with regulations of this Article and such other requirements deemed necessary in the public interest by 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. If the Council determines that the C5 Zone should be established and approves the final development plan and construction schedule or modifications thereof, said plan and schedule shall be made a part of the zone change ordinance.
5. No building or occupancy permits shall be issued on the property involved unless they are in exact conformance with the approved final development plan.
6. 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 approved development plan or the zone change ordinance. Thereafter, it shall be unlawful for any further construction or any use to be made under the C5 Zone and development or use of the property must comply with the former classification. Whenever the Commissioner in charge of the Bureau of Buildings learns that construction was not begun and completed on or prior to such approved dates in the construction schedule, he shall notify the Council who may then by ordinance set forth the reversion of the property to its former classification.
7. During the course of construction, changes in the final development plan or schedule deemed necessary by the petitioner shall be made to the Commission. The Commission shall study and report such requested changes with recommendations to the Council. The Council may, by ordinance, amend the original development plan and schedule. The same shall thereafter be binding on the Bureau of Buildings and the petitioner.
8. After the project is constructed and occupied, any subsequent enlargements or alterations or changes of use shall be submitted to the Commission, and the same procedure applying to the original development plan shall govern.

Section 6-1804. REGULATIONS.

The regulations applying to any particular lot, parcel, or tract in a C5 Zone shall be the 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 each property as in its judgment is necessary or desirable to the public convenience, health, safety, peace and general welfare and to protect the surrounding property and neighborhood. In no case, however, shall an ordinance establishing a C5 Zone and a final development plan be approved by the Council which does not embody at least the requirements specified in Sections 6-1804 to 6-1844 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 6-1805. CLASSIFICATIONS.

In C5 Zones, uses are regulated in accordance with the following classification of sites:

- Type A: Sites of 10,000 square feet in area or smaller.
- Type B: Sites between 10,000 square feet and five (5) acres in area.
- Type C: Sites of five (5) acres in area or larger.

TYPE A

Section 6-1806. LOCATIONS PERMITTED.

Type A sites shall be restricted to locations coming within at least one of the following situations:

1. Abutting a major or secondary traffic arterial.
2. Adjoining an AO, C or M Zone and fronting on the same street serving the adjoining lot in the AO, C, or M Zone.
3. Across a street upon which fronts an AO, C, or M Zone.
4. Abutting or across a street from Conditional Uses occupying sites of 20,000 square feet in area or greater.

Section 6-1807. USES PERMITTED.

Only offices of the following professions are permitted on Type A sites in C5 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. 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 emergencies.
- (e) No merchandise 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 maintained.

6-1805 to 6-1809 (a)

- (b) Such space shall be located on the site.
- (c) Such space shall not be located within the required front yard and it shall not be closer than fifteen (15) feet to any side or rear lot line abutting an R or A Zone.
- (d) Screening shall be provided and maintained between any parking area and a street line or property in an R or A Zone. Such screening shall be sufficiently dense 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 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 evergreen vines.
- (e) The provisions of Article 36, 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-five (25) 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 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 15 foot height limit.

Section 6-1813. MINIMUM FRONT YARD.

The regulations of the most restricted R or A Zone abutting the C5 Zone along 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 C4, C2, C1, M3, M2 or M1 Zone. (See Article 38 for additional regulations.)

6-1809 (b) to 6-1814.



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 C4, C2, C1, M3, M2, or M1 Zone. (See Article 38 for additional regulations.)

Section 6-1816. SIGNS PERMITTED.

All signs visible from the exterior of the building or buildings are prohibited except one (1) indirectly lighted or transparency name plate not exceeding six (6) square feet in area, indicating the name of the use only.

Section 6-1817. ACCESSORY BUILDINGS.

All accessory buildings shall be located as far from any lot line as are the required yard depths for main buildings.

Section 6-1818. USES PROHIBITED.

All uses not specifically listed in Section 6-1807, including residential uses, are prohibited on Type A sites in C5 Zones.

TYPE B

Section 6-1819. LOCATIONS PERMITTED.

Type B sites shall be restricted to locations coming within at least one of the following situations:

1. Abutting a major or secondary traffic arterial.
2. Adjoining an A0, C2, C1 or M Zone and fronting on the same street serving the adjoining lot in the A0, C2, C1 or M Zone.
3. Across a street upon which fronts an A0, C2, C1 or M Zone.

Section 6-1820. USES PERMITTED.

On Type B sites in C5 Zones, the following uses are permitted:

1. Offices or studios of the following professions:
  - a. Accountants
  - b. Architects
  - c. Artists
  - d. Attorneys
  - e. Authors and writers
  - f. Dentists
  - g. Designers
  - h. Engineers
  - i. 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.
3. Other offices of a character found similar to the above by the Commission in accordance with Section 6-4001.
4. Such accessory uses as are judged by the Commission to be necessary to the use of 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 confined, contained, and conducted wholly within completely enclosed buildings.
- (b) High standards of exterior appearance, 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 emergencies.
- (e) No merchandise shall be displayed, handled, or sold on the premises.

Section 6-1822. OFF-STREET PARKING REQUIRED.

- (a) One space per 250 square feet of gross floor area, excluding basement area used for heating plant, rest rooms, storage and utility use, shall be provided and maintained.
- (b) Such space shall be located on the site.
- (c) Such space shall not be located within the required front yard and it shall not be closer than fifteen (15) feet to any side or rear lot line abutting an R, A, C5 or M4 Zone.
- (d) Screening shall be provided and maintained between any parking area and a street line or property in an R or A Zone. Such screening shall be sufficiently dense 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 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 evergreen vines.
- (e) The provisions of Article 36, not in conflict with the above, shall also apply.

Section 6-1823. OFF-STREET LOADING REQUIRED.

Off-street loading berths shall be provided for any building or group of buildings according to gross floor area as follows:

Square Feet of Floor Area	Loading Berths Required
5,000 - 24,999	1
25,000 - 59,999	2
60,000 - 99,999	3
100,000 - 159,999	4
160,000 - 249,999	5
250,000 - 369,999	6
370,000 - 579,999	7
580,000 - 899,999	8
900,000 - 2,999,999	9
Over - 3,000,000	10

Such berths shall be regulated by Article 37.

Section 6-1824. MAXIMUM LOT COVERAGE.

The area covered by all buildings including accessory buildings shall not exceed twenty (20) per cent of the lot area.

Section 6-1825. 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 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 35-foot height limit.

Section 6-1826. MINIMUM FRONT YARD.

There shall be a minimum front yard of not less than thirty (30) feet.

Section 6-1827. MINIMUM SIDE YARD.

There shall be a minimum side yard on each side of a main building of not less than two (2) times the height of the structure, except no side yard shall be required between a structure and a lot line abutting a C4, C2, C1, M3, M2, or M1 Zone.

Section 6-1828. MINIMUM REAR YARD.

There shall be a minimum rear yard of not less than two (2) times the height of the structure, except no rear yard shall be required between a structure and a lot line abutting a C4, C2, C1, M3, M2 or M1 Zone.

6-1823 to 6-1828.



Section 6-1829. SIGNS PERMITTED.

All signs visible from the exterior of the building or buildings are prohibited except one (1) indirectly lighted or transparency name plate, not exceeding twenty (20) square feet in area, indicating the name of the use only.

Section 6-1830. ACCESSORY BUILDINGS.

All accessory buildings shall be located as far from any lot line as are the required yard depths for main buildings.

Section 6-1831. PROHIBITED USES.

- (a) Residential uses except quarters for caretakers or occasional use for the organization's executives or guests.
- (b) All other uses not specifically listed in Section 6-1820.

TYPE C

Section 6-1832. LOCATIONS PERMITTED.

Type C sites shall be restricted to locations as determined by the Council upon recommendation by the Commission.

Section 6-1833. USES PERMITTED.

On Type C sites in C5 Zones, the following uses are permitted:

1. Offices or studios of the following professions:
  - a. Accountants
  - b. Architects
  - c. Artists
  - d. Attorneys
  - e. Authors and writers
  - f. Dentists
  - g. Designers
  - h. Engineers
  - i. 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 of a character found similar to the above by the Commission in accordance with Section 6-4001.
4. Such accessory uses as are judged by the Commission to be necessary to the use of or desirable for the convenience or recreation of employees.



5. A private helistop may be permitted as an accessory use to the principal use and all such helistops shall be subject to the additional regulations contained in Article 35 of this Code.

Section 6-1834. LIMITATIONS ON USES.

- (a) All uses and operations, except off-street parking, private helistops or outdoor recreational facilities, 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. 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 emergencies.
- (e) No merchandise shall be displayed, handled, or sold on the premises.

Section 6-1835. 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) Screening shall be provided and maintained between any parking area and a street line or property in an R or A Zone. Such screening shall be sufficiently dense 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 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 evergreen vines.
- (e) The provisions of Article 36, not in conflict with the above, shall also apply.

Section 6-1836. OFF-STREET LOADING REQUIRED.

Off-street loading berths shall be provided for any building or group of buildings according to gross floor area as follows:

Square Feet of Floor Area		Loading Berths Required
5,000	- 24,999	1
25,000	- 59,999	2
60,000	- 99,999	3
100,000	- 159,999	4
160,000	- 249,999	5
250,000	- 369,999	6
370,000	- 579,999	7
580,000	- 899,999	8
900,000	- 2,999,999	9
Over	- 3,000,000	10

Such berths shall be regulated by Article 37.

Section 6-1837. MAXIMUM LOT COVERAGE.

The area covered by all buildings including accessory buildings shall not exceed fifteen (15) per cent of the lot area.

Section 6-1838. 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 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 35-foot height limit.

Section 6-1839. MINIMUM FRONT YARD.

There shall be a minimum front yard of not less than four (4) times the height of the structure.

Section 6-1840. 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 and a lot line abutting a C4, C2, C1, M3, M2, or M1 Zone.

Section 6-1841. 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, whichever is the greater, except no rear yard shall be required between a structure of thirty-five (35) feet or lower and a lot line abutting a C4, C2, C1, M3, M2, or M1 Zone.

6-1836 to 6-1841.

Section 6-1842. SIGNS PERMITTED.

All signs visible from the exterior of the building or buildings are prohibited except one (1) indirectly lighted or transparency name plate, not exceeding thirty-five (35) square feet in area, indicating the name of the use only.

Section 6-1843. ACCESSORY BUILDINGS.

All accessory buildings shall be located as far from any lot line as are the required yard depths for main buildings.

Section 6-1844. PROHIBITED USES.

- (a) Residential uses except quarters for caretakers or occasional use for the organization's executives or guests.
- (b) All other uses not specifically listed or permitted under Section 6-1833.

6-1842 to 6-1844.



ARTICLE 19. C4 LOCAL COMMERCIAL ZONE.

Section 6-1901. GENERAL REQUIREMENT.

In all C4 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 6-1902. USES PERMITTED.

In a C4 Zone, the following uses are permitted:

1. Art gallery or store
2. Bakery, retail
3. Barber shop
4. Beauty parlor
5. Book store
6. Clothes cleaning pick-up agency
7. Clothes pressing establishment
8. Confectionery
9. Custom dressmaking
10. Delicatessen store
11. Drug store
12. Dry goods store
13. Florist shop
14. Garden supplies store
15. Gift shop
16. Grocery, fruit or vegetable store
17. Hardware store
18. Jewelry store
19. Laundry pick-up agency
20. Meat market
21. Millinery shop
22. Notions or variety store
23. Office, business or professional
24. Photographer
25. Radio and television sales and service
26. Shoe repair shop
27. Shoe store
28. Stationery store
29. Tailor shop
30. Wearing apparel
31. Other uses of a neighborhood business character found similar to the above in accordance with Section 6-503.

Section 6-1903. LIMITATIONS ON USE.

(a) All business, servicing, or processing, except off-street parking, shall be confined, contained, and conducted wholly within completely enclosed buildings, except the propagation of flowers and plants for sale in connection with a florist shop or garden supplies store may be in the open, providing all equipment and materials used in such propagation are stored within completely enclosed buildings.

(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) space per seven hundred (700) square feet of floor area 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 of a main building and its accessory buildings exclusive of off-street parking garages, 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.

(c) Chimneys, radio and television aerials may extend above the twenty (20) foot height limit.



Section 6-1910. MINIMUM 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 ( $\frac{1}{2}$ ) 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 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 (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 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 streets, one front yard may be reduced to ten (10) feet providing the other front yard is at least fifteen (15) feet. (See Article 38 for additional regulations.)

Section 6-1911. MINIMUM SIDE YARD.

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 six (6) feet for a one (1) story building and seven (7) feet for a two (2) story building. (See Article 38 for additional regulations.)

Section 6-1912. MINIMUM REAR YARD.

There shall be no limitation except where the rear lot line abuts the side of an adjoining lot in an R or A Zone, and in such case the side yard requirement of the R or A Zone shall apply to the rear yard of the C4 Zone where the two abut.

Section 6-1913. SIGNS PERMITTED.

(a) Any exterior sign displayed shall pertain only to the use conducted within the building.

(b) Such sign shall be attached flat against a wall of the building and parallel with its horizontal dimension.



(c) Such sign shall front the principal street; a parking area, if in the rear; or in the case of a corner lot, on that portion of the side street wall within fifty (50) feet of the principal street.

(d) In no case shall any part of a sign extend above the roof line of the building.

(e) Such sign may be illuminated but it shall not be a flashing type.

(f) Signs of a type and in a location other than described by items (a) to (e), inclusive above are prohibited in all C4 Zones.

#### RESIDENTIAL USES

Section 6-1914. ON LOTS ABUTTING OR ACROSS A STREET FROM A1, A0, C2, 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 lot is used exclusively for any of the above residential uses, all regulations governing Principal Uses permitted in A1 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 C4 Zones, off-street parking and lot area as required for buildings used exclusively for residential purposes shall be provided in addition to parking 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:

(Subsection 6-1915 (a) amended by Ordinance No. 118666 passed and effective June 11, 1964.)

1. One-family dwellings.
2. Two-family dwellings.
3. Apartment dwellings.

(b) Where any lot is used exclusively for any of the above residential uses, all regulations governing Principal Uses permitted in A2.5 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 C4 Zones, off-street parking and lot area as required for

6-1913 (c) to 6-1915 (c)

buildings used exclusively for residential purposes shall be provided in addition to parking 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.

#### BUILDINGS AND USES ACCESSORY TO PRINCIPAL AND RESIDENTIAL USES

##### Section 6-1916. GENERAL.

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

##### Section 6-1917. HEIGHT.

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 plants 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, carports, storage buildings, and any other types of accessory buildings, if detached, shall be located entirely within the rear one-half ( $\frac{1}{2}$ ) of the lot upon which they are situated.

(c) On lots abutting R or A Zones, no one (1) story accessory building shall be located nearer than six (6) feet to a side or rear lot line, and no 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 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, 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 thirty (30) inches shall be sheathed with two (2) layers of shiplap with joints staggered and covered with finished siding or shakes.

##### Section 6-1919. ACCESSORY TO RESIDENTIAL USE.

Regulations governing buildings accessory to Principal and Transitional 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. USES PERMITTED.

In a C4 Zone, the following Conditional Uses may be permitted subject to the regulations contained in Section 6-1921 and under the authority and according to the procedure specified in Article 42:



1. Churches
2. Residential buildings accessory to churches
3. Colleges
4. Community clubs
5. Excavations and filling
6. Governmental structures and land uses, 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. Hospitals, mental, remedial or detention
11. Nurses' homes or other residential buildings accessory to hospitals
12. Libraries
13. Lodges, fraternal organizations or private clubs, only if located on a lot abutting A1, A0, C2 or M Zones
14. Mass transit waiting stations or turn-arounds
15. Museums
16. Parks, public
17. Private helistop accessory to a hospital
18. Public utility structures and lines which are essential to the functioning and servicing of residential neighborhoods
19. Radio and television transmitters
20. Railroad rights-of-way and passenger stations
21. Schools, nursery
22. Schools, parochial or private
23. Schools, public
24. Welfare institutions.

Section 6-1921. REGULATIONS.

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, A0, C2 or M Zones. On such lots, all regulations governing Conditional Uses in A1 Zones shall apply to any lot upon which a Conditional Use is situated in a C4 Zone.

PROHIBITED USES

Section 6-1922. SPECIFIC AND GENERAL PROHIBITIONS.

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.



ARTICLE 21. C2 GENERAL COMMERCIAL ZONE.

Section 6-2101. GENERAL REQUIREMENT.

In all C2 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 6-2102. USES PERMITTED.

(Section 6-2102 amended by Ordinance No. 118981 passed and effective August 6, 1964.)

In a C2 Zone, the following uses are permitted:

(a) GROUP 1:

1. Bakery, retail
2. Barber shop
3. Beauty parlor
4. Department store
5. Florist shop
6. Interior decorating shop
7. Laundry, cleaning, or pressing pick-up agency
8. Pawnshop
9. 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. Cleaning 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. Laboratories; dental, medical, photo or motion picture
15. Offices, business or professional other than medical and dental
16. Offices, governmental
17. Offices, public utility
18. Photographer
19. Physical culture and health services, including reducing salons, masseurs and public baths
20. Radio or television studio
21. Shoe repair shop
22. Watch and clock repair shop

(c) GROUP 3:

1. Building and related contractors, excluding excavating contractors

6-2101 to 6-2102 (c) 1.

5-4-1970



CITY OF PORTLAND  
INTER-OFFICE CORRESPONDENCE  
(NOT FOR MAILING)

December 27, 1967

*From* Department of Public Works, City Planning Commission  
*To* Department of Public Affairs, Bureau of Buildings  
*Addressed to* C. N. Christiansen, Building Inspections Director  
*Subject* Zoning Violation

*3011 NE 82nd Avenue*

Dear Mr. Christiansen:

I would like for you to check the Ace Rentals Company, situated on the west side of NE 82nd between Siskiyou and Klickitat, for possible zoning violations. This is, in part, a Group 4 use in a C2 zone. According to Section 6-2103 (d) 2, outdoor storage of materials and merchandise is not permitted.

I believe this company has expanded onto other properties since the new Zoning Code went into effect. Therefore, these expansions do not have non-conforming status. I hope you will check into this matter and see that corrections are made.

Another rental service at the northwest corner of SE McLoughlin and Tacoma is also probably operating contrary to the same provisions in the Zoning Code.

Sincerely yours,

Lloyd T. Keefe  
Planning Director

CS

*1-20-68*



11. Hotels
12. Ice house, not more than five (5) tons capacity
13. Laundry
14. Libraries
15. Lodges, fraternal organizations, or private clubs
16. Medical or dental offices or clinics
17. Mortuary
18. Motels
19. Museums
20. Optometrist
21. Parks
22. Passenger terminals, air, bus, or rail
23. Pleasure boats, retail sales and service, and moorages
24. Printing, lithographing, or publishing
25. 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
26. Rescue mission
27. Restaurant, tea room, or cafe
28. Taverns, bars, or cocktail lounges
29. Telephone exchanges
30. Theaters, except drive-in theaters
31. Wedding chapel or reception hall
32. 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. Hospitals, 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

(g) Other uses of a general commercial character found similar to the above in accordance with Section 6-503.

Section 6-2103. LIMITATIONS ON USE.

(a) GROUPS 1 TO 6, INCLUSIVE:

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

(b) GROUPS 1 TO 5, INCLUSIVE:

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 3:

Such uses are permitted in C2 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 within enclosed buildings provided all outside activities and operations, including outside storage, are completely enclosed by a sight-obscurer 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.

(d) GROUP 4:

(Subsection (d) amended by Ordinance No. 122919; and 127654 passed and effective September 19, 1968.)

1. Firms whose primary activity is body and fender work, painting, upholstering, repairing of wrecked vehicles, or salvaging parts are not permitted in C2 zones.
2. Lubrication, repair and servicing, tube and tire regairing, battery service, incidental body and fender painting, upholstery work, storage of materials and merchandise; shall be confined, contained and conducted wholly within completely enclosed buildings.
3. Car washing by mechanical means shall be allowed only when:
  - a. Located on the same property and operated in combination with retail gasoline facilities.
  - b. Located within a building not more than 56 ft. long, not more than 25 ft. wide, and completely enclosed during operation except for driveway entrances and exits.
  - c. Located within a building which is sound insulated in such a manner as to at all times comply with Section 6-2103 (a).
  - d. Located within a building not less than 10 ft. from and with no driveway doorway oriented toward the side or rear lot line of any R or A zone lot.
  - e. Operated only between 7:30 a.m. and 9:30 p.m.
  - f. All maneuvering of vehicles is accomplished on the property and no portion of any abutting street right-of-way is used for such purposes.

6-2103 (c) to (d)

Section 6-2104. 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:

(Subsection 6-2104 (c) amended by Ordinance No. 118667 passed and effective June 11, 1964.)

1. Building contractors: One (1) space per 700 square feet of gross floor area, but not more than one (1) space per 4 employes.
2. Building materials outlet: One (1) space per 500 square feet of gross floor area, excluding area used for storage of materials.
3. Cabinet or carpenter shop: One (1) space per 700 square feet of gross floor area.
4. Commercial amusements:
  - a. Billiards and pool: One (1) space per table.
  - b. Bowling: Two (2) spaces per alley.
  - c. Dance hall or night club: One (1) space per 50 square feet of dance floor and area occupied by tables.
  - d. Games of science and skill: One (1) space per 500 square feet of gross floor area.
  - e. Gymnasium: One (1) space per 56 square feet of floor area occupied by spectators; or where seating is fixed, one (1) space per 8 seats of 16 feet of bench length.
  - f. Indoor arenas: One (1) space per 56 square feet of floor area occupied by spectators; or where seating is fixed, one (1) space per 8 seats or 16 feet of bench length.
  - g. Penny arcades: One (1) space per 500 square feet of gross floor area.
  - h. Shooting gallery: One (1) space per 500 square feet of gross floor area.
  - i. Skating rink: One (1) space per 100 square feet of rink area.

6-2104 (a) to (c)



5. Feed store: One (1) space per 500 square feet of gross floor area, excluding area used for storage of materials.
6. Fuels, solid, outlet: One (1) space per 500 square feet of gross floor area, excluding area used for storage of materials.
7. Production and fabrication of goods: One (1) space per 700 square feet of gross floor area.
8. Second-hand store: One (1) space per 500 square feet of gross floor area.
9. Sign painting shop: One (1) space per 700 square feet of gross floor area.
10. Upholstering shop: One (1) space per 700 square feet of gross floor area.
11. Wholesale business: One (1) space per 700 square feet of gross floor area.

(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:

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. Billboards: 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 stadiums: One (1) space per 12 seats or 24 feet of bench length.
  - e. Swimming pools: One (1) space per 100 square feet of pool area 6 feet deep or shallower.
5. Community clubs: One (1) space per 84 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.
6. Crematories, mausoleums, columbariums: 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.
7. Drive-in businesses: One (1) space per 2 employees in addition to spaces provided for customers' vehicles.
8. Frozen food lockers: One (1) space per 1,000 square feet of gross floor area.
9. Governmental structures and uses, other than offices: One (1) space per 1 employee headquartered at such structures.

6-2104 (c) to (e)

10. Greenhouses and nurseries: One (1) space per 500 square feet of floor area in retail sales rooms.
11. 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.
12. Ice house: Two (2) spaces.
13. Laundry: One (1) space per 6 washing machines in self-service laundries; one (1) space per 4 employes in other types of laundries.
14. Libraries: One (1) space per 400 square feet of reading room area.
15. Lodges, fraternal organizations, and private clubs: One (1) space per 300 square feet of gross floor area.
16. Medical or dental offices or clinics: One (1) space per 400 square feet of gross floor area.
17. Mortuary: 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.
18. Motel: One (1) space per guest room or suite.
19. Museums: One (1) space per 84 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 400 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, moorages: One (1) space per 1,000 square feet of gross floor area plus one (1) space per 2 moorages.
24. Printing, lithographing, or publishing: One (1) space per 700 square feet of gross floor area, but not more than one (1) space per 4 employes.
25. Public utility structures: One (1) space per 4 employes headquartered at such structures.
26. Rescue mission: One (1) space per 84 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.
27. Restaurant, 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 patron serving area.
29. Telephone exchanges: One (1) space per 4 employes headquartered at such structures.
30. Theaters, except drive-in: 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.
31. Wedding chapel or reception hall: One (1) space per 56 square feet of floor area in public rooms.
32. Welfare institution: One (1) space per ten (10) beds for patients or inmates.

(f) GROUP 6 USES:

1. Churches: One (1) space per 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 24 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 shall be provided for each 5 students housed in dormitories, fraternities or sororities.
5. Convalescent home: One (1) space per 5 beds.
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 building.
9. Schools, nursery: One (1) space per teacher in schools having 4 or more teachers.
10. Schools, private, parochial, or public elementary and public primary: One (1) space per 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 24 feet of bench length in the main auditorium.
11. Schools, public, private, and parochial high: One (1) space per 56 square feet of floor area in the main auditorium; or where seating is fixed to the floor, one (1) space per 8 seats or 16 feet of bench length in the main auditorium.

(g) Parking as required for the above uses shall be regulated by Article 36.

Section 6-2105. OFF STREET LOADING REQUIRED.

Off-street loading berths shall be provided and maintained for the following uses occupying a building or buildings totaling twenty thousand (20,000) square feet of gross floor area or more according to the following table:

Square Feet of Floor Area	Loading Berths Required
<b>USES: HOTELS --</b>	
20,000 - 29,999	1
30,000 - 69,999	2
70,000 - 129,999	3
130,000 - 219,999	4
220,000 - 379,999	5
380,000 - 699,999	6
700,000 - 1,499,999	7
Over - 1,500,000	8
<b>USES: THEATERS --</b>	
20,000 and over	1
<b>USES: CONVALESCENT HOMES; ALL TYPES OF HOSPITALS; COLLEGES; LAUNDRIES; AND PRINTING, LITHOGRAPHING, AND PUBLISHING --</b>	
20,000 - 39,999	1
40,000 - 99,999	2
100,000 - 159,999	3
160,000 - 239,999	4
240,000 - 319,999	5



320,000 -	399,999	6
400,000 -	489,999	7
490,000 -	579,999	8
580,000 -	669,999	9
670,000 -	759,999	10
760,000 -	849,999	11
850,000 -	939,999	12
940,000 -	1,029,999	13
Over -	1,030,000	14

USES: GROUPS 1, 2, 3 AND 5--

20,000 -	24,999	1
25,000 -	59,999	2
60,000 -	99,999	3
100,000 -	159,999	4
160,000 -	249,999	5
250,000 -	369,999	6
370,000 -	579,999	7
580,000 -	899,999	8
900,000 -	2,999,999	9
Over -	3,000,000	10

Section 6-2106. LOT SIZE REQUIRED.

There shall be no limitation.

Section 6-2107. MAXIMUM LOT COVERAGE.

There shall be no limitation.

Section 6-2108. MAXIMUM FLOOR AREA PERMITTED.

There shall be no limitation except that the gross floor area devoted to the conduct of any individual Group 3 use, other than items 2 and 4, Section 6-2102 (c), together with its accessory uses, shall not exceed five thousand (5,000) square feet, and hereafter no permit shall be issued to construct or to enlarge a building to contain one of such uses exceeding five thousand (5,000) square feet in gross floor area.

Section 6-2109. MAXIMUM HEIGHT PERMITTED.

(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 four hundred (400) feet or farther from any R10, R7, R5, A2.5, C5, or C4 Zone.

(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.

(c) Penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights,

towers, steeples, flagpoles, chimneys, smokestacks, radio and television aerials, water tanks, or similar structures may be erected above the height limits herein prescribed, but no penthouse or roof structure or any space above the height limit shall be allowed for the purpose of providing additional floor space.

Section 6-2110. MINIMUM FRONT YARD.

Where all the frontage is located in a C2 Zone, no 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 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 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 except where the rear lot line abuts the side of an adjoining lot in an R or A Zone, and in such case the side yard requirement of the R or A Zone shall apply to the rear yard of the C2 Zone where the two abut.

Section 6-2113. 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 of any kind or sign structure attached to a building shall extend more than eighteen (18) feet above the roof line of a building nor more than forty-five (45) feet above building grade, and no part of any free standing pylon sign or sign structure shall extend more than forty-five (45) feet above the ground level adjoining thereto, 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 600 FEET OR LESS FROM R, A2.5, C5, OR C4 ZONES AND 200 FEET OR LESS FROM A1 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 A1 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 parking 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 6-2115. ON ALL OTHER LOTS IN C2 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 parking 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.

**BUILDINGS AND USES ACCESSORY TO PRINCIPAL AND RESIDENTIAL USES**

Section 6-2116. GENERAL.

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

Section 6-2117. HEIGHT.

No accessory building or structure shall exceed two (2) stories in height, except there shall be no limit on any structure located four hundred (400) feet or farther from any R10, R7, R5, A2.5, C5, or C4 Zone.

Section 6-2118. ACCESSORY TO PRINCIPAL USE.

(a) On lots abutting R or A Zones, no accessory building shall be located nearer to a lot line separating the R or A Zone from the C2 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 on the same lot.



Section 6-2119. ACCESSORY TO RESIDENTIAL USE.

Regulations governing buildings accessory to Principal Uses in A1 Zones shall apply to all accessory uses and buildings to a Residential Use in a C2 Zone.

CONDITIONAL USES

Section 6-2120. USES PERMITTED.

In a C2 Zone, the following Conditional Uses may be permitted subject to the regulations contained in Section 6-2121 and under the authority and according to the procedure specified in Article 42:

1. Aircraft landing area or private or public helistop
2. Animal hospital or veterinary office
3. Excavations and filling
4. Radio or television transmitters
5. Railroad rights-of-way and passenger stations
6. Trailer parks

Section 6-2121. REGULATIONS.

The Commission shall determine the specific regulations and conditions governing each Conditional Use at the time of approval as provided in Article 42. 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 unless specifically modified by the Commission at the time of approval.

In case regulations differing from those governing Principal Uses permitted in C2 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 are contained in Articles 36, 37 and 38.

(a) EXCAVATING OR FILLING:

Excavating or filling as defined in this Code shall be regulated as a Conditional Use.

(b) PRIVATE OR PUBLIC HELISTOP:

A private or public helistop may be permitted subject to the additional regulations contained in Article 35 of this Code.

(c) RAILROAD RIGHT-OF-WAY AND PASSENGER STATIONS:

Establishment and subsequent extensions of right-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 C2 Zones.

PROHIBITED USES

Section 6-2122. GENERAL PROHIBITION.

Uses of structures and land not specifically mentioned in this Article are prohibited in all C2 Zones.

ARTICLE 22. C1 CENTRAL COMMERCIAL ZONE.

Section 6-2201. GENERAL REQUIREMENT.

In all C1 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.

Section 6-2202. USES PERMITTED.

(Section 6-2202 amended by Ordinance No. 118981 passed and effective August 6, 1964.)

In a C1 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 5 uses as listed in Section 6-2102, except drive-in businesses.
5. GROUP 6 uses as listed in Section 6-2102.
6. Assembly of electrical appliances, electronic instruments and devices, radios and phonographs, including the manufacture of small parts only, such as coils, condensers, transformers and crystal holders.
7. Laboratories; experimental, research or testing.
8. Manufacture, compounding, processing, packaging or treatment of such products as candy, cosmetics, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries, excluding the refining and rendering of fats and oils.
9. Manufacture, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: bone, cellophane, canvas, cloth, cork, feathers, felt, fibre, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stones, shell, textiles, tobacco, wood excluding planing mill, yarns, 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, toys, novelties and rubber and metal stamps.
13. Manufacture of optical goods, scientific and precision instruments and equipment.
14. Manufacture of artificial limbs, hearing aids, dentures, surgical instruments and dressings, and other devices employed by the medical and dental professions.
15. Parcel delivery service.
16. Wholesale business.
17. Residential uses.
18. Accessory buildings and uses customarily incidental to any of the above 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 in accordance with Section 6-503.

CITY OF PORTLAND  
INTER-OFFICE CORRESPONDENCE  
(NOT FOR MAILING)

July 6, 1967

*From* Public Works, City Planning Commission  
*To* Building Bureau  
*Addressed to* C. N. Christiansen, Director  
*Subject* Zoning Code Amendment

Dear Mr. Christiansen:

At its meeting of July 5, 1967, the City Planning Commission approved an interpretation of Section 6-2208, Maximum Floor Area Permitted in C1 (Central Commercial) Zone of the Zoning Code as follows:

The floor area ratio of the Zoning Code shall be so interpreted that when 2 pieces of property are adjacent to one another and physically connected or across the street the site areas of the entire project may be combined in computing the floor area ratio. The parcels which are combined in computing the floor area ratio shall remain under one ownership.

Sincerely yours,



Dale D. Cannady  
Assistant Planning Director

DDC/yh

5-4-1970



Section 6-2203. LIMITATIONS ON USE.

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

(b) All uses and operations, 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 6-2204. OFF-STREET PARKING.

Off-street parking facilities are prohibited in C1 Zones except as provided in Section 6-2214 and Section 6-2215.

Section 6-2205. OFF-STREET LOADING.

Off-street loading facilities are prohibited in C1 Zones except as provided in Section 6-2214 and Section 6-2215.

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.

The gross floor area of any Principal Use, together with accessory uses, 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.

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 C1 Zone on that side of the lot abutting the R or A Zone.

Section 6-2212. MINIMUM REAR YARD.

There shall be no limitation except where the rear lot line abuts the side of an adjoining lot in an R or A Zone, and in such case the side yard requirement of the R or A Zone shall apply to the rear yard of the C1 Zone where the two abut.

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 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.

CONDITIONAL USES

Section 6-2214. USES PERMITTED.

In a C1 Zone, the following Conditional Uses may be permitted subject to the regulations contained in Section 6-2215 and under the authority and according to the procedure specified in Article 42.

1. Aircraft landing area or private or public helistop
2. Drive-in business
3. Excavations and filling
4. Group 4 Principal Uses listed in Section 6-2102
5. Off-street loading facilities
6. Off-street parking facilities
7. Radio or television transmitters

Section 6-2215. REGULATIONS.

The Commission shall determine the specific regulations and conditions governing each Conditional Use at the time of approval as provided in Article 42. 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 unless specifically modified by the Commission at the time of approval.

In case regulations differing from those governing Principal Uses permitted in C1 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 are contained in Articles 36, 37 and 38.

(a) DRIVE-IN BUSINESS:

No permit shall be issued for the construction or alteration of such drive-in business or for the cutting of any curb for a driveway to such drive-in business unless approval is given by the City Planning Commission and the City Traffic Engineer.

(b) EXCAVATING OR FILLING:

Excavating or filling as defined in this Code shall be regulated as a Conditional Use.

(c) GROUP 4 USES:

No permit shall be issued for the construction or alteration of such Group 4 uses or for the cutting of any curb for a driveway to such Group 4 uses unless approval is given by the City Planning Commission and the City Traffic Engineer.

(d) PRIVATE OR PUBLIC HELISTOP:

A private or public helistop may be permitted subject to the additional regulations contained in Article 35 of this Code.

(e) OFF-STREET PARKING FACILITIES:

No permit shall be issued for the construction or alteration of such facilities or for the cutting of any curb for a driveway to such facilities unless approval is given by the City Planning Commission and the City Traffic Engineer.

(f) OFF-STREET LOADING FACILITIES:

No permit shall be issued for the construction or alteration of such facilities or for the cutting of any curb for a driveway to such facilities unless approval is given by the City Planning Commission and the City Traffic Engineer.

PROHIBITED USES

Section 6-2216. GENERAL PROHIBITION.

Uses of structures and land not specifically mentioned in this Article are prohibited in all C1 Zones.



ARTICLE 24. M4 LIMITED MANUFACTURING ZONE.

Section 6-2401. GENERAL REQUIREMENT.

In all M4 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.

Section 6-2402. PROCEDURE.

The City Council may, from time to time as warranted, establish, change, or abolish M4 Zones in accordance with the following procedure:

(a) M4 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 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.

(b) The lot, tract, or parcel of land involved shall be: (1) in one ownership, (2) the subject of a petition filed jointly by the owners of all the property to be changed, or (3) an Urban Renewal Area or part thereof approved by the Portland City Planning Commission and the Portland City Council.

(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 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 to the public interest by the Commission, the petitioner shall prepare a final development plan and construction schedule for approval by the Commission and submission to the City Council.

(d) If the Council determines that the M4 Zone should be established and approves 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.

(e) No building or occupancy permits shall be issued on the property involved unless 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 or any use to be made under the M4 zone and development or use of the property must comply with the former classification. Whenever the Commissioner in charge of the Bureau of Buildings learns that construction was not begun and completed on or prior to such approved dates in the construction schedule, he shall notify the Council who may then by ordinance set forth the reversion of the property to its 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 report such requested changes with recommendations to the Council. The Council may, by ordinance, amend the original development plan and schedule. The same will be recorded with the County Clerk at the expense of the petitioner and thereafter shall be binding on the Bureau of Buildings and the petitioner.

(h) After the project is constructed and occupied, any 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 6-2403. REGULATIONS.

The regulations applying to 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 each property as in its judgment is necessary or desirable to the public convenience, health, safety, peace, and general welfare and to protect the surrounding property and neighborhood. In no case, however, shall an ordinance establishing an M4 Zone and a final development plan be approved by the Council which does not embody 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 only on sites of ten (10) acres in area or larger.

#### Section 6-2405. LOCATIONS PERMITTED.

M4 Zones shall be restricted to locations coming within at least one of the following situations:

1. Abutting a major or secondary traffic arterial.
2. Adjoining an M Zone and fronting on the same street serving the adjoining tract in the M Zone.
3. Across a street upon which fronts an M Zone.
4. Abutting a railroad right-of-way.

#### Section 6-2406. USES PERMITTED.

In an M4 Zone, the following uses are permitted:

1. Any Group 7 use listed in Section 6-2502.
2. Any other manufacturing use except those listed in Groups 11 and 12 in Section 6-2702 and Group 13 in Section 6-2714 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 to be necessary for the convenience of employes and complementary to other uses in the zone.

Section 6-2407. 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 orderliness shall be maintained at all times.

(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, smoke, noise, glare, heat, vibration and other similar causes shall be prohibited.

Section 6-2408. 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 6-2104.

(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 a street line and at least five (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 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 evergreen vines. Such screening shall be sufficiently dense to obscure motor vehicle headlights.

(e) The provisions of Article 36, not in conflict with the above, shall also apply.

Section 6-2409. OFF-STREET LOADING REQUIRED.

Off-street loading berths shall be provided for any building or group of buildings according to gross floor area as follows:

Square Feet of Floor Area		Loading Berths Required
5,000 -	39,999	1
40,000 -	99,999	2
100,000 -	159,999	3
160,000 -	239,999	4
240,000 -	319,999	5
320,000 -	399,999	6
400,000 -	489,999	7
490,000 -	579,999	8
580,000 -	669,999	9
670,000 -	759,999	10
760,000 -	849,999	11
850,000 -	939,999	12
940,000 -	1,029,999	13
Over -	1,030,000	14

Such berths shall be regulated by Article 37.



Section 6-2410. MAXIMUM LOT COVERAGE.

The area covered by all buildings including accessory buildings shall not exceed forty (40) per cent of the lot area.

Section 6-2411. MAXIMUM HEIGHT PERMITTED.

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 obscure the panoramic view from any property located in a zone or part of zone having a three-story or lower height limit and within 3,000 feet of the petitioner's project by more than a horizontal angle of six (6) degrees.

Section 6-2412. MINIMUM FRONT YARD.

(a) Across a street from an R, A, C5, 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.

Section 6-2413. 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 6-2414. MINIMUM REAR YARD.

(a) Abutting an R or A Zone, a minimum rear yard of one hundred and fifty (150) feet shall be provided and maintained.

(b) In all other locations, a minimum rear yard of twenty (20) feet or twice the height of the structure, whichever is the greater, shall be provided and maintained.

Section 6-2415. 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 6-2416. ACCESSORY BUILDINGS AND USES.

All accessory buildings shall be located as far from any lot line as are the required yard depths for main buildings. A private or public helistop may be located in an M4 Zone subject to the additional regulations contained in Article 35 of this Code.

Section 6-2417. PROHIBITED USES.

(a) Residential uses except quarters for caretakers, occasional use for company executives or guests, and for transients in hotels or motels.

(b) All other uses not specifically listed in Section 6-2406.

6-2417

5-4-1970

ARTICLE 25. M 3 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.

(Section 6-2502 amended by Ordinance No. 118981; and 120565 passed and effective June 24, 1965.)

In an M3 Zone, the following uses are permitted:

- (a) GROUP 1 uses listed in Section 6-2102.
- (b) GROUP 2 uses listed in Section 6-2102.
- (c) GROUP 3 uses listed in Section 6-2102.
- (d) GROUP 4:

(Subsection (d) amended by Ordinance No. 122919 passed and effective July 21, 1966.)

- 1. GROUP 4 uses listed in Section 6-2102.
- 2. Auto reconditioning, painting, upholstering, motor rebuilding.
- 3. Body and fender work.
- 4. House trailer sales. *& campers*
- 5. Used automobile sales. *— Wrecked cars waiting repairs not allowed in M-3 zone — permitted in M-2*
- 6. Car washing by mechanical means.

- (e) GROUP 5 uses listed in Section 6-2102.
- (f) GROUP 6 uses listed in Section 6-2102
- (g) GROUP 7:

- 1. Assembly and fabrication of metal products..
- 2. Assembly of electrical appliances, electronic instruments and devices, radios and phonographs, including the manufacture of small parts only, such as coils, condensers, transformers and crystal holders.
- 3. Laboratories; experimental, research or testing.
- 4. Laundry for carpets, overalls, rags and rug cleaning.
- 5. Machine shop.



CITY OF PORTLAND  
INTER-OFFICE CORRESPONDENCE  
(NOT FOR MAILING)

February 3, 1970

From Dept. of Public Affairs, City Planning Commission  
To Dept. of Public Affairs, Bureau of Buildings  
Addressed to C. N. Christiansen, Building Inspections Director  
Subject Planning and Zoning Code Variance No. **VZ 21-70**

Dear Mr. Christiansen:

On **February 3, 1970** the Zoning Code Variance Committee met and considered the following request:

Appellant: **Emil E. and Anna T. Feltz, deedholders;  
Richard H. and Dorene M. Dehen, contract purchasers**

Variance Requested: **1. Permission to change a non-conforming use in a C zone. In order to convert a group 7, item 1, (sheet metal) use into a group 7, item 15 (knitting and weaving) use.**

On property legally described as: **Lot 3, Block 14, Feurers**

In zone: **C2**

Located at: **3526 SE Milwaukee Avenue near SE Lafayette and Shine.**

The Committee action was as follows: **This request was not acted upon as it could be done without a variance.**

Both Group 7 uses

Sincerely,

*Lloyd T. Keefe*  
Lloyd T. Keefe  
Planning Director

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6. Manufacture, compounding, processing, packaging or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries, excluding the refining and rendering of fats and oils, and food and beverage products, except sauerkraut, vinegar, pickles, meat and fish products.
7. Manufacture, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: bone, cellophane, canvas, cloth, cork, feathers, felt, fibre, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stones, shell, textiles, tobacco, wood excluding planing mill, and yarns.
8. Manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay.
9. Manufacture and maintenance of electric and neon signs, billboards, commercial advertising structures.
10. Manufacture of musical instruments, toys, novelties, and rubber and metal stamps.
11. Manufacture of optical goods, scientific and precision instruments and equipment.
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.
14. Parcel delivery service.
15. Spinning or knitting of cotton, wool, flax or other fibrous materials.
16. Stone, marble and granite monument works.
17. Veterinary, or animal hospital.
18. Warehouses and storage buildings.
19. Welding shop.
20. Non-ferrous metal foundries, utilizing not more than four (4) electric, gas or oil fired, 60 pound crucible furnaces or equivalent melting capacity.

(h) Other light, non-nuisance manufacturing found similar to the above in accordance with Section 6-503.

Section 6-2503. LIMITATIONS ON USE.

(a) GROUPS 1 TO 7, INCLUSIVE:

1. Any uses and operations objectionable due to unsightliness, odor, dust, smoke, noise, glare, heat, vibration, and other similar causes shall be prohibited.
2. The use and installation of a power hammer, punch press exceeding twenty (20) tons capacity, foundry, or forge shall not be permitted with any operation or manufacturing process in M3 Zones.

(b) GROUPS 3 AND 7:

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 except retail building materials outlets need not be entirely within enclosed buildings provided all outside activities and operations, including outside storage, are completely 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.

(c) GROUP 4:

(Subsection (c) amended by Ordinance No. 122919 passed and effective July 21, 1966.)

1. Firms whose primary activity is salvaging parts from wrecked vehicles are not permitted in M3 Zones.
2. Lubrication, repair and servicing, tube and tire repairing, battery service, body and fender painting, upholstery work, and 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 2 employes 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 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 700 square feet of gross floor area, but not more than one (1) space per four (4) employes.

(h) Parking as required for the above uses shall be regulated by Article 36.

Section 6-2505. OFF-STREET LOADING REQUIRED.

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:

Square Feet of Floor Area	Loading Berths Required
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USES: HOTELS--

10,000 -	39,999	1
40,000 -	69,999	2
70,000 -	129,999	3
130,000 -	219,999	4
220,000 -	379,999	5
380,000 -	699,999	6
700,000 -	1,499,999	7
Over -	1,500,000	8

USES: THEATERS--

10,000 and over	1
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USES: GROUP 7, CONVALESCENT HOMES, ALL TYPES OF HOSPITALS:  
COLLEGES: LAUNDRIES: AND PRINTING, LITHOGRAPHING,  
AND PUBLISHING--

10,000 -	39,999	1
40,000 -	99,999	2
100,000 -	159,999	3
160,000 -	239,999	4
240,000 -	319,999	5
320,000 -	399,999	6
400,000 -	489,999	7
490,000 -	579,999	8
580,000 -	669,999	9
670,000 -	759,999	10
760,000 -	849,999	11
850,000 -	939,999	12
940,000 -	1,029,999	13
Over -	1,030,000	14

USES: GROUPS 1, 2, 3, AND 5--

10,000 -	24,999	1
25,000 -	59,999	2
60,000 -	99,999	3
100,000 -	159,999	4
160,000 -	249,999	5
250,000 -	369,999	6
370,000 -	579,999	7
580,000 -	899,999	8
900,999 -	2,999,999	9
Over -	3,000,000	10



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 four hundred (400) feet of an R or A2.5 Zone. In said locations, the gross floor area devoted to the conduct of any individual Group 3 use other than items 2 and 4, Section 6-2102 (c), Group 4 use as listed in items 2 and 3, Section 6-2502 (d), or Group 7 use, together with its accessory uses, shall not exceed ten thousand (10,000) square feet, and hereafter no permit shall be issued to construct or to enlarge a building to contain one of such uses exceeding ten thousand (10,000) square feet in gross floor area.

Section 6-2509. MAXIMUM HEIGHT PERMITTED.

(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 four hundred (400) feet or farther from any R10, R7, R5, A2.5, C5 or C4 Zone.

(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.

(c) Penthouse or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, steeples, flagpoles, chimneys, smokestacks, radio and television aerials, water tanks, or similar structures may be erected above the height limits herein prescribed, but no penthouse or roof structure or any space above the height limit shall be allowed for the purpose of providing additional floor space.

Section 6-2510. MINIMUM FRONT YARD.

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. (See Article 36 for additional regulations.)

*Auto Retouching, motor Rebuilding etc.  
Body & Fender work  
Bldg. Mat. Retail  
Commercial Amusements*

Section 6-2511. MINIMUM SIDE YARD.

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 except where the rear lot line abuts the side of an adjoining lot in an R or A Zone, and in such case the side yard requirement of the R or A Zone shall apply to the rear yard of the M3 Zone where the two abut.

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 of any kind or sign structure attached to a building shall extend more than eighteen (18) feet above the roof line of a building nor more than forty-five (45) feet above building grade, and no part of any free standing pylon sign or sign structure shall extend more than forty-five (45) feet above the ground level adjoining thereto, in a portion of an M3 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 6-2514. ON LOTS 600 FEET OR LESS FROM R, A2.5, C5, OR C4 ZONES AND 200 FEET OR LESS FROM A1 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 A1 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 parking 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 parking 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.

**BUILDINGS AND USES ACCESSORY TO PRINCIPAL AND RESIDENTIAL USES**

Section 6-2516. GENERAL.

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

Section 6-2517. HEIGHT.

No accessory building or structure shall exceed two (2) stories in height, except there shall be no limit on any structure located four hundred (400) feet or farther from any R10, R7, R5, A2.5, C5 or C4 Zone.

Section 6-2518. ACCESSORY TO PRINCIPAL USE.

(a) On lots abutting R or A Zones, no accessory building shall be located nearer to a lot line separating the R or A Zone from the M3 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 on the same lot.

Section 6-2519. ACCESSORY TO RESIDENTIAL USE.

Regulations governing buildings accessory to Principal Uses in AO Zones shall apply to all accessory uses and buildings to a Residential Use in an M3 Zone.

CONDITIONAL USES

Section 6-2520. USES PERMITTED.

In an M3 Zone, the following Conditional Uses may be permitted subject to the regulations contained in Section 6-2521 and under the authority and according to the procedure specified in Article 42:

1. Aircraft landing area or private or public helistop
2. Excavations and filling
3. Natural resources, development of
4. Radio or television transmitters
5. Railroad rights-of-way and passenger stations
6. Retail fuel oil distributor
7. House trailer parks

Section 6-2521. REGULATIONS.

The Commission shall determine the specific regulations and conditions governing each Conditional Use at the time of approval as provided in Article 42. 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 unless specifically modified by the Commission at the time of approval.

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 are contained in Articles 36, 37 and 38.

(a) EXCAVATING OR FILLING.

Excavating or filling as defined in this Code shall be regulated as a Conditional Use.

(b) PRIVATE OR PUBLIC HELISTOP:

A private or public helistop may be permitted in an M3 Zone subject to the additional regulations contained in Article 35 of this Code.

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

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 6-2522. GENERAL PROHIBITION.

Uses of structures and land not specifically mentioned in this Article are prohibited in all M3 Zones.

ARTICLE 26. M2 GENERAL MANUFACTURING ZONE.

Section 6-2601. GENERAL REQUIREMENT.

In all M2 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 6-2602. USES PERMITTED.

(Section 6-2602 amended by Ordinance No. 120565 passed and effective June 24, 1965.)

In an M2 Zone, the following uses are permitted:

- (a) GROUP 1 uses listed in Section 6-2102.
- (b) GROUP 2 uses listed in Section 6-2102.
- (c) GROUP 3 uses listed in Section 6-2102.
- (d) GROUP 4 uses listed in Section 6-2502.
- (e) GROUP 5 uses listed in Section 6-2102.
- (f) GROUP 7 uses listed in Section 6-2502.
- (g) GROUP 8:
  - 1. Forge shop.
  - 2. Foundry.
  - 3. Meat or fish smoking, curing, or canning.
  - 4. Poultry or rabbit killing.
- (h) GROUP 9:
  - 1. Automobile or truck wrecking.
  - 2. Blacksmith shop.
  - 3. Junk, rags, paper or metal salvage storage, processing or treatment.
  - 4. Wrecking and salvage yard or building materials.
- (i) GROUP 10:
  - 1. Any manufacturing process, except those listed in Groups 11 and 12 in Section 6-2702 and Group 13 in Section 6-2716.
  - 2. Amusement park.
  - 3. Boat building, small.
  - 4. Brewery, distillery, or winery.
  - 5. Building materials sales yard, including sales of rock, sand, or gravel as incidentals to the main business but excluding concrete mixing.
  - 6. Circus, carnival, or other type of transient and outdoor amusement enterprise.
  - 7. Contractors' or loggers' equipment and trucks storage yard, plant, repair, rental, or sales.

8. Docks, piers, wharves, and associated shipping facilities for river 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, i.e. galvanizing.
13. Express or carloading terminal.
14. Farm equipment repair.
15. Farming, truck gardening, breeding and raising animals, fish, or fowl in accordance with the Health and Sanitation Code.
16. Fuel oil distributor, retail.
17. Fuels, solid, yard.
18. Grain elevator.
19. Heavy machinery, repair, sales, storage, or salvage.
20. Ice and cold storage plant.
21. Paint manufacture not employing chemical or boiling processes.
22. Pickles, sauerkraut, or vinegar production.
23. Planing mill.
24. Produce terminal or yard.
25. Railroad facilities of all types, except major car repair shops and steam engine roundhouses.
26. Tire retreading or recapping.
27. Truck or bus sales, service, repairing, or overhauling.
28. Truck terminal.
29. Weaving of cotton, wool, flax, or other fibrous materials using power looms.

(j) Other uses of a general industrial character found similar to the above in accordance with Section 6-503.

#### Section 6-2603. LIMITATIONS ON USE.

##### (a) GROUP 8:

Such uses are permitted in M2 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:

Such uses are permitted in M2 Zones only if all activities and operations are within buildings or are completely 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 6-2604. 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 two (2) employees in addition to spaces provided for customer's vehicle 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 four (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 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 one thousand (1,000) square feet of patron serving area.
2. Railroad passenger terminal: One (1) space per one thousand (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 four (4) employees.

(j) Parking as required for the above uses shall be regulated by Article 36.

Section 6-2605. OFF-STREET LOADING REQUIRED.

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:

Square Feet of Floor Area		Loading Berths Required
USES: HOTELS--		
10,000 -	29,999	1
30,000 -	69,999	2
70,000 -	129,999	3
130,000 -	219,999	4
220,000 -	379,999	5
380,000 -	699,999	6
700,000 -	1,499,999	7
Over -	1,500,000	8
USES: THEATERS--		
10,000 and Over		1
USES: GROUPS 1, 2, 3, AND 5--		
10,000 -	24,999	1
25,000 -	59,999	2
60,000 -	99,999	3
100,000 -	159,999	4
160,000 -	249,999	5



250,000 -	369,999	6
370,000 -	579,999	7
580,000 -	899,999	8
900,000 -	2,999,999	9
Over -	3,000,000	10

USES: GROUPS 7, 8, 9 AND 10: GOVERNMENTAL AND PUBLIC UTILITY  
BUILDINGS OTHER THAN OFFICES--

10,000 -	39,999	1
40,000 -	99,999	2
100,000 -	159,999	3
160,000 -	239,999	4
240,000 -	319,999	5
320,000 -	399,999	6
400,000 -	489,999	7
490,000 -	579,999	8
580,000 -	669,999	9
670,000 -	759,999	10
760,000 -	849,999	11
850,000 -	939,999	12
940,000 -	1,029,999	13
Over -	1,030,000	14

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.

Section 6-2610. MINIMUM FRONT YARD.

Where all the frontage is located in an M2 Zone, no front yard shall be required. Where the frontage is located partly in an M2 Zone and partly in an R or A Zone, the front yard requirements of the R or A Zone shall apply in the M2 Zone. (See Article 38 for additional regulations.)

Section 6-2611. MINIMUM SIDE YARD.

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 M2 Zone on that side of the lot abutting the R or A Zone.

Section 6-2612. MINIMUM REAR YARD.

There shall be no limitation except where the rear lot line abuts the side of an adjoining lot in an R or A Zone, and in such case the side yard requirement of the R or A Zone shall apply to the rear yard of the M2 Zone where the two abut.

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, S5, 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.

CONDITIONAL USES

Section 6-2614. USES PERMITTED.

In an M2 Zone, the following Conditional Uses may be permitted subject to the regulations contained in Section 6-2615 and under the authority and according to the procedure specified in Article 42:

1. Aircraft landing area, heliport or private or public helistop
2. Excavations and filling
3. Natural resources, development of
4. Radio or television transmitters

Section 6-2615. REGULATIONS.

The Commission shall determine the specific regulations and conditions governing each Conditional Use at the time of approval as provided in Article 42. 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 unless specifically modified by the Commission at the time of approval.

In case regulations differing from those governing Principal Uses permitted in M2 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 are contained in Articles 36, 37 and 38.

(a) EXCAVATING OR FILLING:

Excavating or filling as defined in this Code shall be regulated as a Conditional Use.

6-2612 to 6-2615 (a)

(b) HELIPORTS OR HELISTOPS:

A heliport or helistop, whether public or private, may be permitted subject to the additional regulations contained in Article 35 of this Code, provided, however, no heliport shall be located on the roof of any building used for habitation.

PROHIBITED USES

Section 6-2616. SPECIFIC AND GENERAL PROHIBITION.

The following uses are prohibited in all M2 Zones:

1. Creation of additional 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 M2 Zones.
2. Establishment of new Group 6 uses listed in Section 6-2102 (f). (church, Hospitals, Schools etc)
3. All uses of structures and land not specifically mentioned in this Article.

ARTICLE 27. M1 HEAVY MANUFACTURING ZONE.

Section 6-2701. GENERAL REQUIREMENT.

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 6-2702. USES PERMITTED.

In an M1 Zone, the following uses are permitted:

- (a) GROUP 1 uses listed in Section 6-2102.
- (b) GROUP 2 uses listed in Section 6-2102.
- (c) GROUP 3 uses listed in Section 6-2102.
- (d) GROUP 4 uses listed in Section 6-2502.
- (e) GROUP 5 uses listed in Section 6-2102.
- (f) GROUP 7 uses listed in Section 6-2502.
- (g) GROUP 8 uses listed in Section 6-2602.
- (h) GROUP 9 uses listed in Section 6-2602.
- (i) GROUP 10 uses listed in Section 6-2602.
- (j) GROUP 11: Manufacture of:
  - 1. Agar
  - 2. Alcohol
  - 3. Ammonia
  - 4. Animal or boneblack
  - 5. Anti-knock compound for gasoline
  - 6. Artificial leather and other impregnated and coated fabrics
  - 7. Asbestos
  - 8. Asphalt, manufacturing or refining
  - 9. Asphalt roofing paper or shingle
  - 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. Dextrine
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. Guncotton 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 (see Article 10, Fire Code)
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. Sulfonated 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. Wallboard
104. Wallpaper
105. Window shades
106. Wire
107. Wood and gum chemicals
108. Yeast

(k) GROUP 12:

1. Arsenal
2. Boiler works
3. Concrete mixing plant
4. Cotton Gin
5. Creosote treatment
6. Dismantling ships
7. Jute fabrication
8. Petroleum products storage
9. Prefabrication of wooden buildings and structural members
10. Race tracks, auto or motorcycle
11. Railroad repair shops and round houses
12. Rock, sand, or gravel storage and sales
13. Rolling, drawing, or alloying ferrous and non-ferrous metals
14. Salt works
15. Sawmill
16. Scrap iron, sales and storage
17. Shipbuilding, drydock, or ship repair
18. Stone or rock crusher
19. Stone grinding, dressing, or cutting
20. Structural steel fabrication
21. Sugar refining
22. Wood pulling or scouring

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(1) Other uses of a heavy industrial character found similar to the above in accordance with Section 6-503.

Section 6-2703. LIMITATIONS ON USE.

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 6-2704. 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 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 for 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 10 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.

(1) Parking as required for the above uses shall be regulated by Article 36.

Section 6-2705. OFF-STREET LOADING REQUIRED.

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:

Square Feet of Floor Area	Loading Berths Required
USES: HOTELS--	
10,000 - 29,999	1
30,000 - 69,999	2
70,000 - 129,999	3
130,000 - 219,999	4
220,000 - 379,999	5
380,000 - 699,999	6
700,000 - 1,499,999	7
Over - 1,500,000	8
USES: THEATERS--	
10,000 and Over	1
USES: GROUPS 1, 2, 3, AND 5--	
10,000 - 24,999	1
25,000 - 59,999	2
60,000 - 99,999	3
100,000 - 159,999	4
160,000 - 249,999	5
250,000 - 369,999	6
370,000 - 579,999	7
580,000 - 899,999	8
900,000 - 2,999,999	9
Over - 3,000,000	10
USES: GROUPS 7, 8, 9, 10, 11, and 12: GOVERNMENTAL AND PUBLIC UTILITY BUILDINGS--	
10,000 - 39,999	1
40,000 - 99,999	2
100,000 - 159,999	3
160,000 - 239,999	4
240,000 - 319,999	5
320,000 - 399,999	6
400,000 - 489,999	7
490,000 - 579,999	8
580,000 - 669,999	9
670,000 - 759,999	10
760,000 - 849,999	11
850,000 - 939,999	12
940,000 - 1,029,999	13
Over - 1,030,000	14

Section 6-2706. LOT SIZE REQUIRED.

There shall be no limitation.



Section 6-2707. MAXIMUM LOT COVERAGE.

There shall be no limitation.

Section 6-2708. MAXIMUM FLOOR AREA PERMITTED.

There shall be no limitation.

Section 6-2709. MAXIMUM HEIGHT PERMITTED.

There shall be no limitation, except as provided in the Housing and Building Codes.

Section 6-2710. MINIMUM FRONT YARD.

There shall be no limitation.

Section 6-2711. MINIMUM SIDE YARD.

A side yard is not required except where the side of a lot abuts an R or an A Zone. In such case, the side yard requirement of the R or A Zone shall apply in the M1 Zone on that side of the lot abutting the R or A Zone.

Section 6-2712. MINIMUM REAR YARD.

There shall be no limitation except where the rear lot line abuts the side of an adjoining lot in an R or A Zone, and in such case the side yard requirement of the R or A Zone shall apply to the rear yard of the M1 Zone where the two abut.

Section 6-2713. 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 M1 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.

CONDITIONAL USES

Section 6-2714. USES PERMITTED.

In an M1 Zone, the following Conditional Uses may be permitted subject to the regulations contained in Section 6-2715 and under the authority and according to the procedure specified in Article 42:

1. Aircraft landing area, heliport or public or private helistop
2. Excavations and filling
3. Natural resources, development of
4. Radio or television transmitters
5. Group 13 uses:

- a. Acid manufacture
- b. Blast furnace

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- c. Cement, lime, gypsum or plaster of paris manufacture
- d. Coal distillation
- e. Coke ovens
- f. Distillation of bones
- g. Dump, rubbish, cinders, slag or sawdust
- h. Explosives, ammunition and fireworks manufacture or storage
- i. Fat rendering
- j. Fertilizer manufacture
- k. Garbage, offal or dead animal reduction or dumping
- l. Gas manufacture or storage which is potentially hazardous to public health or safety, whether artificial, natural, industrial, liquefied or compressed gases (see Fire Code)
- m. Glue manufacture
- n. Incinerator
- o. Ore reduction
- p. Paper or pulp manufacture
- q. Petroleum refining
- r. Slaughter of animals or meat packing
- s. Smelting of copper, iron, lead, tin or zinc, and other metallic ores
- t. Steel manufacture
- u. Stock yards or feeding pens
- v. Tannery or the curing or storage of raw hides
- w. Any use which, in general, is especially hazardous to the public health or safety, damaging to vegetation and discharges excessive air or water pollutants

#### Section 6-2715. REGULATIONS.

The Commission shall determine the specific regulations and conditions governing each Conditional Use at the time of approval as provided in Article 42. 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 unless specifically modified by the Commission at the time of approval.

In case regulations differing from those governing Principal Uses permitted in M1 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 are contained in Articles 36, 37 and 38.

##### (a) EXCAVATING OR FILLING:

Excavating or filling as defined in this Code shall be regulated as a Conditional Use.

##### (b) HELIPORT OR HELISTOP:

A heliport or helistop, whether public or private, may be permitted subject to the additional regulations contained in Article 35 of this Code, provided, however, no heliport shall be located on the roof of any building used for habitation.

(c) GROUP 13 USES:

1. Limitations on use: Such uses are permitted in M1 Zones only after approval by the City Planning Commission, the City Bureau of Health, the City Bureau of Fire, and the State Sanitary and Air Pollution Authority of the location of the plant and adequacy of controls over noxious and hazardous processes.
2. Off-street parking required: One (1) space per 700 square feet of gross floor area, but not more than one (1) space per 4 employees.
3. Off-street loading required: Off-street loading berths shall be provided and maintained for uses occupying a building or buildings totaling ten thousand (10,000) square feet of gross floor area or more according to the table below:

Square Feet of Floor Area		Loading Berths Required
10,000 -	39,999	1
40,000 -	99,999	2
100,000 -	159,999	3
160,000 -	239,999	4
240,000 -	319,999	5
320,000 -	399,999	6
400,000 -	489,999	7
490,000 -	579,999	8
580,000 -	669,999	9
670,000 -	759,999	10
760,000 -	849,999	11
850,000 -	939,999	12
940,000 -	1,029,999	13
Over -	1,030,000	14

PROHIBITED USES

Section 6-2716. SPECIFIC AND GENERAL PROHIBITION

The following uses are prohibited in all M1 Zones:

1. Creation of additional 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 6-2102.
3. All uses of structures and land not specifically mentioned in this Article.

## ARTICLE 30. "B" BUFFER ZONE.

### Section 6-3001. 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 paralleling streets. In order to maintain these paralleling streets as residential in use and character and yet permit such expansion of business, it is necessary to install a stepdown or Buffer Zone which allows business use but which presents the appearance of residential 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 by the enactment of this Code.

Land classified in a B 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., C2B, M1B, etc.

### Section 6-3002. PROCEDURE

B Zones shall be established in combination with other regular zones, and may be removed, according to the procedure as provided in Article 41 for changes and amendments to the Zoning Ordinance. Variances within B Zones may be granted only by the Council following report and recommendation by the Commission regarding written applications filed with the Commission in accordance with the procedure set forth in Section 6-4002.

### 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 regulations shall be those of the more restricted 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 need be provided only where such yard adjoins the side of a lot in an R or A Zone.

(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 so as to reach a height of at least five (5) feet within a period not to exceed two (2) years. Such screening shall at all times be maintained in a manner satisfactory to the Commission.



(h) No structure shall be built, no equipment or vehicles shall be parked, and no other activity of a business nature shall be permitted in any required yard.

(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 driveway permit shall be issued by the Office of the City Engineer granting access to property in a B Zone.

(j) Required side and rear yards in the B Zone shall be landscaped and a screen of planting shall be established so as to reach a height of at least five (5) feet within a period not to exceed two (2) years. Such landscaping and screening shall at all times be maintained in a manner satisfactory to the Commission.

(k) Sign 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 screen of evergreen planting shall be made before occupancy and use of a B Zone is permitted.

## ARTICLE 31. "D" DESIGN ZONE.

### Section 6-3101. PURPOSE.

For the purpose of conserving and enhancing the appearance of the city of Portland, especially in 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 to maintain the appearance or architectural tone of their neighborhoods, the Council may, from time to time as warranted, create and superimpose D Design Zones upon other existing zones in addition to D Zones established 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., R5D, C2D, 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 41.

### Section 6-3103. REGULATIONS.

In a D Zone, all the regulations of the regular zone shall apply; and, in addition, no building permit or other permit for construction or alteration of any building or structure or the use of any land shall be issued until proposed plans and elevations are reviewed and approved in writing as to location and design 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 may hold a hearing, giving prior notice to affected property owners, officials or groups.

### Section 6-3104. EFFECTIVENESS AND APPEAL.

If the order or decision of the Design Committee grants all or any portion of an application and the Committee determines there is no person eligible to appeal such order or decision, such order or decision shall become effective immediately. Otherwise, no order of the Committee under this Article shall become effective until after an elapsed period of fourteen (14) days from the date the written determination is made.

During the time prior to effectiveness, if any, any person aggrieved by a decision of the Committee may appeal such decision to the City Council by filing with the City Auditor a written notice of appeal and a copy with the Secretary of the Commission, provided that he is an applicant whose application has been denied or specially conditioned, or that he is a person who objected either personally or in writing to the application and the grounds he stated have not been removed. The Secretary of the Commission shall within fourteen (14) days file with the Auditor a report on the grounds for such decision and a list of persons appearing on said matter before the Committee and any list of owners supplied with the original application. The Auditor shall fix a date for public hearing on the appeal, which shall not be more than twenty (20) days after receipt of the Secretary's report set for above, notifying the appellant and all other persons who have appeared before the Committee on the matter and all other affected property owners, officials, or groups. At the time of hearing or thereafter, the Council may affirm, modify or reverse the decision of the Committee. Such affirmation, modification or reversal may be made by motion, and shall not require separate permit or ordinance, but the Auditor shall transmit to the Secretary of the Commission the effect of the action taken, which shall be made in the form of an order and shall be preserved along with the actions of the Committee in similar classes of decisions.

In no event, however, shall any order by the Committee, or by the Council, become effective until the applicant, and property owner, if different, has accepted the terms of the order in writing and until such order and acceptance are recorded in the appropriate county records at the expense of the applicant. Such acceptance must be filed within thirty (30) days from the date of the Committee's meeting, or within thirty (30) days from the date of the Council's hearing if an appeal has been made. If such acceptance is not filed and fee paid within such thirty (30) day period, then the order required to be accepted before effectiveness shall have no further force and effect and shall be null and void.

#### Section 6-3105. 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 Art Commission; an architect or landscape architect with at least five (5) years experience in his profession; a person 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 their terms be longer than four (4) years. Terms of the appointment of the latter three members shall be four (4) years, except that in the original committee, the architect or landscape architect shall be appointed for two (2) years, the property manager for three (3) years, and the citizen for four (4) years.

The President of the Commission shall also appoint an alternate of 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 the conduct of its duties

The Committee shall adopt and publish standards of evaluation and acceptability for each separate area included in a D Zone. Such standards shall be appropriate to 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.



## ARTICLE 32. "L" AIRCRAFT LANDING ZONE.

### Section 6-3201. PURPOSE.

In order to prevent the establishment of obstructions to the air space reasonably required by aircraft in landing and taking off from the Portland International Airport, which would endanger the lives and property of users of such airport and of occupants of land in its vicinity, the Port of Portland has established height limitations in addition to those embodied in this Code pursuant to authority granted by Chapter 542, Oregon Laws, 1947 (ORS 492). As a matter of convenience to the public in obtaining permits to build, the height limitations described in Section 3 of Ordinance No. 63 of the Commission of the Port of Portland, effective June 15, 1953, hereby are made a part of this Code and for said purpose, the L Aircraft Landing Zone is hereby superimposed upon other regular zoning districts. Three (3) copies of said Ordinance No. 63 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 Official Zoning Maps, are lower than otherwise required by this Code, such height limitations shall govern. (See Section 6-602.)

### Section 6-3203. 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 63.

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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, places of public assembly and other uses permitted in C and M Zones; 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, ALP, etc.

Section 6-3302. PROCEDURE.

P Zones shall be established in combination with R or A Zones, and may be removed, according to the procedure as provided in Article 41 for changes and amendments to the Zoning Ordinance. Variances within P Zones may be granted only by the Council following report and recommendation by the Commission regarding written applications filed with the Commission in accordance with the procedure set forth in Section 6-4002.

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 operatable passenger automobiles owned by customers, employees or patrons of businesses, industries, places of public assembly and other uses permitted in C and M Zones 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 6-3603.

ARTICLE 34. "S" SIGN CONTROL ZONE.

(New Article 34 substituted by Ordinance No. 129744, passed September 17, 1969, effective October 18, 1969.)

Section 6-3401. PURPOSE.

In locations where large numbers of advertising signs, business identification signs or outdoor advertising signs (billboards) would adversely affect traffic safety and the appearance and scenic outlook of the City, the control of such signs becomes necessary. S zones are intended to include areas along bridges or bridge approaches, throughways designated by the Oregon State Highway Commission or other authority within the City, highways specially designated by the Council, and other areas adjacent to such bridges, bridge approaches or designated throughways or highways and the extensions thereof, where the Council determines an S zone for sign control to be appropriate. The bridge or bridges, bridge approach or approaches, throughway or highway designated in establishing an "S" sign control zone or zones, shall be deemed a protected highway. The Council may from time to time establish additional S sign control zones. 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 such symbols, e.g. C2S, M1S, etc. The provisions of this Article shall not apply to directional traffic signs or signals, nor to other official signs or notices.

Section 6-3402. GENERAL PROHIBITION UNLESS SPECIALLY APPROVED.

Notwithstanding the provisions relating to signs contained in this Code applicable to any particular zone, no sign intended to be controlled under Section 6-3401 shall be erected within an S zone, unless it comes within the provisions of Section 6-3403 of this Code, or unless the Sign Review Committee specially approves the same under Section 6-3404 of this Article.

Section 6-3403. SIGN WITHIN S ZONES ALLOWED WITHOUT SPECIAL APPROVAL UNDER THIS ARTICLE.

Signs shall be allowed in an S zone without special approval of the Sign Review Committee or the Council under this Article in those regular zoned classifications listed in Article 6 of this Code in which signs are otherwise permitted, and subject to the regulations applicable to the regular zone as follows, but location of an outdoor advertising sign is nevertheless subject to approval under Section 6-4005.

- (a) A sign advertising only the sale or lease of the property upon which it is located, with the name, address, and telephone number of the owner or agent.
- (b) Signs permitted in R or A zones under provisions governing Principal Uses.
- (c) A sign designating a Conditional Use in any zone, provided such sign conforms in size, placement and illumination to other provisions of this Code and other codes and ordinances of the City.



- (d) In a C or M zone, an unilluminated, or illuminated but non-flashing, and non-moving sign of block or cut-out letters or trade symbol affixed to the building or supported wholly within the lot line, if such letters or if such symbol does not exceed 250 square feet in face area, or if double-faced with copy or representation back to back, 250 square feet in each face with 500 square feet total face area, to designate the owner of the premises or the product manufactured or fabricated, or the main goods sold or services rendered on the particular premises. Only one such sign or symbol of which the face, back or supporting structure is visible from the protected highway may be placed for each principal building, unless the additional sign or signs be approved under Section 6-3404 (a) 2. Where the location of the sign or symbol is 100 feet or less from the traveled roadway of a bridge or bridge approach, or between two (2) bridge approaches lying within three hundred (300) feet of each other, then the sign or symbol shall not exceed 100 square feet in face area, or if double-faced with copy or representation back to back, 100 square feet in each face with 200 square feet total face area.
- (e) As an alternative to a sign provided in Paragraph (d) above, in a C or M zone, an unilluminated, or illuminated but non-flashing and non-moving sign or symbol designating the tenant, main occupation, or product manufactured or fabricated or main goods sold or services rendered on the particular premises, if fixed flat against the building and not exceeding 250 square feet. In no event may more than one such sign or symbol of which the face, back or supporting structure is visible from the protected highway be placed for each principal building. Where the location of the sign or symbol is 100 feet or less from the traveled roadway of a bridge or bridge approach, or between two (2) bridge approaches lying within three hundred (300) feet of each other, then the sign or symbol shall not exceed 100 square feet in area.
- (f) A sign or signs with no part of the copy or legible portion, back or supporting structure visible to persons traveling in vehicles on the protected highway, subject to all other applicable provisions of this Code and other codes and ordinances of the City.

Section 6-3404. SPECIAL APPROVAL OF CERTAIN SIGNS.

- (a) The following categories of signs and their supporting structures are permitted in S zones, if specially approved by the Sign Review Committee:
1. An existing sign located more than 100 feet from the protected highway, of which the back or supporting structure is visible from the protected highway, but of which the legible portion of the face or copy is not visible to persons traveling in vehicles on the protected highway.
  2. An existing or new sign and supporting structure adjudged by the Sign Review Committee to be primarily oriented to traffic on a street

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or streets other than the protected highway, and only partially, incidentally, interruptedly, or slightly visible to persons traveling in vehicles on the protected highway.

3. An existing sign and supporting structure, including outdoor advertising sign, placed flat against a building, or so situated that commercial or industrial building or buildings form a visual background for the sign and its supporting structure, notwithstanding its visibility from and orientation to a protected highway; provided, however, in considering for approval any such sign, the Committee shall be guided by the standards set forth in this section and also, if considering an outdoor advertising sign, the density standards applicable under Section 6-4005 of this Code to new outdoor advertising signs in similar locations outside an S zone. Committee approval of sign in this category shall be revocable by the Committee, or by the Council on appeal, whenever changed conditions are found to render revocation appropriate under the standards above mentioned.

- (b) The Sign Review Committee may approve a sign and its structure which come within the provisions of subsection (a) of this Section, if the Committee finds that the location of the sign and structure is not detrimental to the public welfare, will not obstruct a view of scenic interest, will not degrade the appearance of the City, will not impede the rapid and free flow of traffic on the protected highway, and conforms to other applicable provisions of this and other codes and ordinances of the City. In approving a sign and supporting structure, the Committee may impose conditions to protect the public interest.
- (c) Approval under this Section is in addition to the approval required for location of outdoor advertising signs under Section 6-4005.

#### Section 6-3405. SIGN REVIEW COMMITTEE.

The Sign Review Committee shall be appointed by the Mayor with the approval of the City Council and shall be composed of five members. The Committee shall be deemed a Committee of the City Planning Commission. Initially, one member shall be appointed for a two-year term, two members shall be appointed for three-year terms and two members for four-year terms. After the initial committee the terms of appointment shall be for four years. The Mayor, with the approval of the Council shall also appoint at least two alternates who shall serve in the place of a regular member of the Committee at the call of the Chairman of the Committee in the event any proposal or project in which the principal is personally or professionally interested comes before the Committee.

The Sign Review Committee shall elect its own Chairman and shall adopt such rules of procedure as are necessary to the conduct of its duties.

The staff of the City Planning Commission shall assist the Committee in carrying out its duties.



The Committee shall perform the duties delegated to it under this Code in relation to signs and sign structures. The Committee shall make such recommendations to the City Council as it finds appropriate for the modification or change in regulations affecting signs in the City and shall from time to time review S zones to determine if they are continuing to perform their intended function. The Committee shall have authority to interpret and apply the provisions of this Article and Section 6-4005 of this Code, in relation to signs and their supporting structures.

Section 6-3406. PROCEDURE AND FEE.

Any person desiring to erect a sign requiring approval under this Article, or who desires approval of continuance of an existing sign requiring such approval, or whose application for building permit has been refused by the Bureau of Buildings in the absence of Committee approval and the applicant claims that such approval is unnecessary, or whose existing sign has been ruled nonconforming and ordered to be taken down by the Bureau of Buildings, but the applicant claims that such order is not consistent with the intent of this Code, may request in writing the approval or ruling by the Sign Review Committee.

Such written request shall be filed with the Sign Review Committee upon forms prescribed for that purpose by the Sign Review Committee. Requests for approval or ruling shall be signed by the applicant and by the property owner if different, or his authorized agent. The fee for such request shall be Twenty Dollars (\$20). This fee shall not be imposed if approval has been requested under Section 6-4005 simultaneously and fee paid thereunder. The request shall be accompanied by three copies of a site plan showing exact dimensions and arrangement of the proposed or existing sign and supporting structure. The Committee may require other drawings, photographs, or other material it finds appropriate to an understanding of the proposed or existing sign and its relationship to surrounding properties, and may view the site.

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 One Hundred Fifty (150) feet, including intervening street widths, from and parallel to the boundaries of the property on which the sign will be or is located and such other contiguous area as is under the legal control of the applicant. The Committee shall hold a public hearing on each request. The Committee 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 seven (7) days prior to the date of the hearing. The Committee shall grant in whole or in part with or without conditions or shall deny the request and transmit its decision in writing within fourteen (14) days of the hearing to the applicant, to the City Auditor, and to the Bureau of Buildings. The Committee's decision shall carry out the intent of this Code.



Section 6-3407. EFFECTIVENESS AND APPEAL.

If the order of decision of the Sign Review Committee grants all or any portion of a request and the Committee determines that there is no person eligible to appeal such order or decision, such order or decision shall become effective immediately. Otherwise, no order of the Committee shall become effective until after an elapsed period of fourteen (14) days from the date the written determination is made.

During the time prior to effectiveness, if any, any person aggrieved by a decision of the Committee, may appeal such decision to the City Council by filing with the City Auditor a written notice of appeal and a copy with the Sign Review Committee, provided that he is an applicant whose request has been denied or specially conditioned, or that he is a person who objected either personally or in writing to the request and the grounds he stated have not been removed.

The Sign Review Committee shall within fourteen (14) days file with the Auditor a report on the grounds for the Committee's decision and a list of persons appearing on said matter before the Committee, and any list of owners supplied with the original request. The Auditor shall fix a date for public hearing on the appeal, which shall not be more than twenty (20) days after receipt of the report set forth above, notifying the appellant and all other persons who have appeared before the Committee on the matter and all other owners within the applicable notification area set forth in Section 6-3406. At the time of hearing or thereafter, the Council may affirm, modify or reverse the decision of the Committee. Such affirmance, modification, or reversal may be made by motion, and shall not require separate permit or ordinance, but the Auditor shall transmit to the Sign Review Committee the effect of the action taken, which shall be made in the form of an order and shall be preserved along with actions of the Committee in similar classes of decisions.

If the order of the Committee or the Council contains any conditions thereon, such order shall not become effective until the applicant, and the property owner, if different, or his authorized agent, has accepted the terms of the order in writing and until such order and acceptance are recorded in the appropriate County records at the expense of the applicant. Such acceptance must be filed within thirty (30) days from the date of the Committee meeting or within thirty (30) days from the date of the Council hearing if an appeal has been made. If such acceptance is not filed and recording fee paid within such thirty day period, then the order required to be accepted before effectiveness shall have no further force and effect and shall be null and void. Approval of a request for a new sign in whole or in part with or without conditions shall be void if the sign is not erected within six (6) months after such approval.



Section 6-3408. TERMINATION OF NONCONFORMING SIGNS.

- (a) A sign, signboard, or symbol existing at the time said area is included in an S zone, which is not allowed without approval under the provisions of Section 6-3403 or is not specially approved under Section 6-3404, shall not be continued longer than ten (10) years from the effective date of inclusion in an S zone. Such sign or symbol and the structure supporting it, if any, shall be removed by the owner thereof. If removal of such non-conforming sign, signboard or symbol is necessitated by any public work prior to the date required for its termination, such sign, signboard or symbol may be re-erected in its previous location in the same position and to the same specifications, provided that such re-erection is completed within one (1) year from the date when the public work no longer requires the area from which the sign was removed. If replacement of a nonconforming sign or symbol is necessitated by deterioration or partial or total destruction prior to the date required for its termination, such sign, signboard or symbol may be replaced in its previous location in the same position and to the same specifications. However, any such re-erection due to public work or replacement due to deterioration or destruction shall not permit a continuance of such sign, signboard or symbol beyond the termination date, and on or before such date, the sign, signboard or symbol and any supporting structure shall be removed by the owner thereof.
- (b) If a sign, signboard or symbol within an S zone existed or was allowed under the provisions of Section 6-3403 of this Article, or if its continuance or erection was specially approved under the provisions of Section 6-3404 of this Article, and the Sign Review Committee determines that in its opinion circumstances have permanently changed so that such sign signboard or symbol could be permitted if newly erected only with special approval under Section 6-3404, then the Sign Review Committee shall cause the owner of such sign to be notified of the changed conditions and the requirement of special approval. The owner may then request special approval for which no fee shall be required, or may remove the sign, signboard or symbol. Such request shall be handled in the same manner as any other request for special approval under this Article. Unless such approval is requested and granted within five (5) years after Committee determination of changed circumstances, the sign shall be removed, provided, however, the Committee may extend such removal date for an additional period not exceeding five (5) years in case of special hardship.
- (c) A sign, signboard or symbol within an S zone which is not within the provisions of Section 6-3403 or Section 6-3404 as a result of circumstances which the Sign Review Committee finds have permanently changed shall be notified by the Committee of such fact and shall not be continued longer than five (5) years from the date of such notification,



unless the Sign Review Committee extends such time for not more than an additional five (5) years in the case of special hardship. Such sign, signboard or symbol and the structure supporting it, if any, shall be removed by the owner thereof.

- (d) As soon as practicable after January 1, 1970, the Sign Review Committee shall cause a survey to be made of nonconforming signs in S zones, and as soon as practicable after subsequent inclusion within an S zone of property, the Committee shall cause a survey to be made of nonconforming signs in such areas. If it appears that nonconforming signs are subject to removal or special approval, the Committee shall send to the owner of the property where each nonconforming sign is located a written notice calling the attention of the owner to the date of inclusion of the property in an S zone and the nonconformance of the particular sign, with notice of the date of conformance or removal. If the Committee finds that the nonconforming sign would be permitted if specially approved, it shall advise the owner of the provisions of this Code relating to such approval. Additional notice shall be given at least six (6) months prior to the conformance or removal date. Failure to give the first notice shall not relieve the owner of the sign, signboard or symbol from the requirements of this Code. Failure to give the six months notice, however, shall extend the time for removal an additional thirty (30) days after notice by the Committee or by the Bureau of Buildings that such sign must be removed. This extension provision, however, shall not apply to requirements of this Code for removal during 1969, or Council extension thereof.



Section 6-3501. LOCATION OF HELISTOP OR HELIPORT.

(Section 6-3501 amended by Ordinance No. 126560 passed and effective April 11, 1968.)

(a) Surroundings. Every roof-top helistop or heliport shall be located so that areas adjacent to the landing and take-off area but not included within approach lanes are sufficiently clear of obstruction to provide a clear slope of 1:2 or 45 degrees measured from the horizontal. Roof-top service installations such as elevator shaft, ventilators, chimneys, flagpoles, radio or television towers or antennas and other minor projections above the roof line on the same structure as a roof-top helistop or heliport shall not be considered an obstruction if below rotor height.

(b) Approaches. Every helistop or heliport shall be so located as to provide at least two approach lanes, at least 90 degrees apart for a helistop and at least 135 degrees apart for a heliport, for landing or take-off, sufficiently clear of obstruction to provide a slope of 1:8, approximately 7 degrees measured from the horizontal. Any curved approach shall provide a turning radius of 600 feet. Such approach lane shall fan out to a width of 1000 feet at a ten degree angle. Roof-top installations on the same structure as a roof-top helistop or heliport shall not be considered an obstruction if below rotor height.

(c) Site. Every helistop or heliport landing and take-off area shall be so located as to provide clearance of all obstructions above rotor height for a distance of 25 feet in each direction from the helistop pad.

Section 6-3502. SPECIFICATIONS OF HELISTOP.

(Section 6-3502 (b) amended by Ordinance No. 126560 passed and effective April 11, 1968.)

(a) Helistop Pad. Every helistop located above ground level shall be provided with a helistop pad, constructed in accordance with the Building Code.

(b) Ground Cover. Any ground level helistop shall be sodded or covered with dust-proof material.

(c) Lighting. Any helistop intended to be used for night landing or take-off shall be provided with flood lights and also with linear perimeter lighting of fluorescent or cold cathode type, or by amber lights spaced around the helistop pad, approximately 20 feet apart.

Section 6-3503. SPECIFICATIONS OF HELIPORT.

(a) Size. Every heliport shall afford sufficient size to provide landing area for at least one helicopter or steep-gradient aircraft and additional space shall be provided for tie-down or storing at least two helicopters or other steep-gradient aircraft, and if a terminal area and/or service area is provided, shall be of sufficient size to provide a taxiway for airborne or ground taxiing connected with take-off and landing area with such terminal or service area. These requirements shall be in addition to any space required for any buildings or structures for refueling, maintenance or repair.

(b) Fencing. Every ground level heliport shall be fenced and protected to prevent entrance of unauthorized personnel with a minimum fence height of 36 inches with a minimum heliport area as established in the Building Code extended 10 feet in each direction for every 12 inches increase in fence height above 36 inches. Other fencing shall be in accordance with the Building Code requirements.



(c) Paving. Every take-off and landing area and taxiway for airborne or ground taxiing between such take-off and landing area and any terminal and/or service area, shall be paved with dust-proof material.

(d) Marking and Lighting. All heliports shall be marked in accordance with Federal Aviation Agency criteria and shall be lighted during hours of darkness, with adequate lights and also with linear perimeter lighting of fluorescent or cold cathode type, or by amber lights spaced around the landing and take-off area, approximately 20 feet apart.

#### Section 6-3504. NOISE.

(a) R and A Zones. No helistop shall be so located in a residential or apartment zone that the noise from any helicopter to be landed or to take off therefrom shall exceed 90 decibels at the boundary of adjacent property, and such helistop shall not be permitted in an R or A zone if the Planning Commission finds that such use would interfere with the enjoyment of neighboring property, whether such interference would be due to the pitch of noise from such helistop use or other factor.

(b) C Zones. No roof-top helistop, whether public or private, shall be permitted in a commercial zone, if the noise from such helistop use would exceed 90 decibels measured 100 feet from the roof top or at the nearest occupied premises. No ground level helistop shall be permitted in a C Zone where the noise from such helistop use would exceed 90 decibels measured at the nearest occupied premises. No helistop shall be permitted in a C Zone if the Planning Commission finds that such use would interfere with the enjoyment of neighboring property already devoted to residential use, whether such interference would be due to the pitch of noise from such helistop use or other factor.

(c) M Zones. No heliport or helistop shall be located in a manufacturing zone if the Planning Commission finds that such use would interfere with the enjoyment of neighboring property, whether such interference would be due to amount or pitch of noise from such helistop use or other factor.

#### Section 6-3505. OFF-STREET PARKING.

(a) At least five off-street parking spaces shall be provided and maintained for each public helistop, except in a C-1 Zone.

(b) At least ten off-street parking spaces shall be provided and maintained for public use for each heliport and in addition one off-street parking space for each four employees serving the heliport.

#### Section 6-3506. ACCESS.

Any ground level heliport shall be so located as to provide direct access thereto from a public street.

#### Section 6-3507. LIMITATIONS ON USE.

No helistop or heliport located within the City shall be used by turbine engine helicopters or aircraft developing during take-off more than 30,000 rpm except in an emergency, unless certificated to produce noise below the maximum provided in this Code. Except in an emergency no helistop shall be used for maintenance or repair or refueling of any helicopter or steep-gradient aircraft. No roof-top helistop or heliport shall be used

by any helicopter or other aircraft exceeding the gross weight for which the heliport pad or other landing area has been designed. Any roof-top helistop pad or other roof-top landing area shall be marked with its load limit in such manner as to be clearly visible to any pilot approaching within 200 feet of such landing pad or area. Such load limit shall not exceed the limit related to size under Building Code classification and shall not exceed the structural load limit under provisions of the Building Code.

Section 6-3508. TERMINATION OF USE.

Notwithstanding any prior approval of location or occupancy, the Council may at any time order the termination of any helistop or heliport use after five days written notice to the owner of the premises where such use is made and a public hearing thereon, if the Council finds that any condition or restriction imposed by the Planning Commission or by any ordinance of the City relating to such occupancy has been violated, or if the Council finds that such operation of helistop or heliport use unreasonably interferes with the enjoyment of the neighboring property. The Council may suspend such operation or impose such conditions upon continued operations as it may deem fit, if it does not desire to terminate the operation completely.

6-3507 to 6-3508



CITY OF PORTLAND  
INTER-OFFICE CORRESPONDENCE

(NOT FOR MAILING)

March 5, 1969

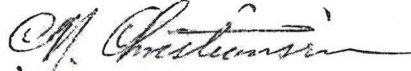
*From* Bureau of Buildings  
*To* Building Inspectors and Plan Examiners  
*Addressed to*  
*Subject* Paving for driveways and carport and garage floors

Gentlemen:

It is the policy of the Bureau of Buildings to require paving for carport or garage floors and driveways.

Plans submitted for checking showing gravel only for these areas are to be corrected to show paving of asphalt or concrete, and final approvals are not to be given on construction until the paving requirements are met.

Yours truly,



C. N. CHRISTIANSEN  
BUILDING INSPECTIONS DIRECTOR

CNC:h1

5-4-1970

ARTICLE 36. ADDITIONAL PARKING REGULATIONS.

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 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 code, the number of parking spaces required shall be based only on 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 (15) per cent or more increase in number of employees, or increased intensity of use of any building or land shall be reported by the owner to the Bureau of Buildings. The additional number of parking spaces thus required shall thenceforth be provided.
- (d) Requirements for types of buildings and uses not specifically listed in this code shall be determined by written decision of the Commission.
- (e) In the event 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 legal evidence is presented in the form of deeds, leases or contracts securing full access to such parking areas for all the parties jointly using them.
- (g) Off-street parking spaces existing prior to the effective date of this Code may be included in the number necessary to meet the requirements in case of subsequent enlargements of the building or use to which such spaces are accessory.
- (h) Required parking spaces in R10, R7, R5, A2.5, C5, C4, or M4 Zones shall be provided on the site except for Conditional Uses. The Commission may allow the nearest 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 not more than three hundred (300) feet removed from the use it serves.
- (i) Required parking spaces shall be available for the parking of operatable passenger automobiles of residents, customers, patrons, and employees only and shall not be rented, leased or assigned to any other person or organization. No parking of trucks or other equipment on wheels or tracks or the conduct of any business activity shall be permitted on the required parking spaces.

6-3601 (a) to 6-3601 (i)



- (j) Required parking spaces located in R or A Zones shall not be rented by the day or part thereof, or leased or assigned to any other person or organization.
- (k) Required parking spaces not within a garage, carport, or other structure may be located within the required side or rear yards.
- (l) 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. 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. Circulation area necessary to serve spaces.
  - 3. Access to streets, alleys, and property to be served.
  - 4. Curb cuts.
  - 5. Dimensions, continuity, and substance of screening.
  - 6. Grading, drainage, surfacing, and subgrading details.
  - 7. Delineation of obstacles to parking and circulation in finished parking area.
  - 8. Specifications as to signs and bumper guards.
  - 9. All other pertinent details.
- (m) The Bureau of Buildings shall refer the plans for all parking area in excess of three (3) spaces to the Bureau of Traffic Engineering for study and recommendations. —

Section 6-3602. STANDARDS OF MEASUREMENT.

- (a) Except as otherwise stated in this Code, "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 parking space unless the plans submitted under item (1), 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 spaces. Street and alley areas shall be included in the measurement.
- (e) Parking spaces 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.

6-3601 (j) to 6-3603 (a).

- (b) In the following two instances, off-street parking lots shall be provided with screening so developed that vehicle lights do not shine into adjacent residential areas. 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 evergreen vines.
1. The screening shall be continuous along any boundary which is within or adjoins 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 impractical 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, where part of frontage is within an R, A, C5 or C4 Zone, adjoins a street, the center line of the screen shall be located at a distance not less than five (5) feet to the street property line. The screen shall be at least three (3) feet high but not more than four (4) feet high in that portion of the lot falling within the front yard depth. The space between the screen and the sidewalk shall be planted to grass or other low 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 along the boundaries of a parking lot shall be provided with a sturdy bumper rail or curb at least four (4) inches high and located far enough within the boundary to prevent any portion of a car 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 alleys 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 in area each, and be for the purpose of directing traffic and identifying the owner of the facility only.

6-3603 (b) to 6-3603 (g).



Section 6-3604. COMPLETION TIME.

Required parking spaces shall be improved as required in Section 6-3603 and made 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 providing a performance bond, or its equivalent, is posted equaling the cost to complete such improvements as estimated by the Bureau of Buildings. In the event such improvements are not completed within one year's time, the bond or its equivalent shall be forfeited and the improvements thenceforth constructed under the direction of the Office of the City Engineer.

Section 6-3605. ASSESSMENT DISTRICT EXEMPTED.

Any property included in an assessment district, organized for the purpose of providing off-street parking facilities as provided by Oregon Revised Statutes 223.825, shall be exempted from any regulations in this code pertaining to off-street parking. (See Public Works Code Section 5-362.)

## ARTICLE 37. ADDITIONAL LOADING REGULATIONS

### Section 6-3701. MINIMUM LOADING BERTH DIMENSIONS.

Length for apartment dwellings, hotels and motels, libraries museums, welfare institutions, and Group 6 uses . . . . .	35 feet
Length for all other uses . . . . .	60 feet
Unobstructed height . . . . .	13 feet
Width within a row of berths . . . . .	9 feet
Width at end of a row of berths . . . . .	12 feet

### Section 6-3702. GENERAL REQUIREMENTS.

(a) The provision and maintenance of off-street loading facilities is a continuing obligation of the property owner. No building permit or other kind of permit shall be issued until legal evidence is presented that property is and will remain available for the designated use as a loading facility.

(b) In cases of enlargement of buildings existing when this Code became effective, the number of loading berths required shall be based on the floor area added and not on the area of the previously existing building.

(c) Any change of occupancy shall be reported by the owner, in writing, to the Bureau of Buildings within thirty (30) days of such change. Where such change indicates an increase in required loading berths, thenceforth such additional berths shall be provided.

(d) Loading berths shall be located on the site and directly accessible to main structures. Loading berths not so located will be considered as fulfilling the requirements of this section if evidence is presented to show that loading activities can take place without moving materials on sidewalk or street area, and in no case for a distance in excess of three hundred (300) feet.

(e) It shall be unlawful to store or accumulate goods in a loading berth rendering it useless for loading operations.

(f) Required loading berths not within a structure may be located within the required side or rear yard or a court.

(g) Where the owners of two or more properties conduct loading operations at different times of the day or week, such owners may utilize berths jointly for loading, provided satisfactory legal evidence is presented in the form of deeds, leases, or contracts assuring full access by all parties concerned to such jointly used loading berths.

### Section 6-3703. STANDARDS OF MEASUREMENT.

(a) "Square feet" means square feet of gross floor area under roof measured from exterior limits or faces of a building or structure, excluding only space devoted to off-street parking and loading.

(b) In cases where loading berths are not to be located on the site, the distance shall be measured in a straight line from the property line to the nearest loading space. Street and/or alley areas shall be included in the measurement.



(c) Loading berths in public streets or alleys shall not be eligible in fulfilling any part of the loading requirements.

Section 6-3704. DESIGN REQUIREMENTS FOR LOADING AREAS.

(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) Where the boundary of a loading area is within or adjoins an R or A Zone the loading area shall be provided with screening so developed that vehicle lights do not shine into adjacent residential areas. 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 evergreen vines. The screening shall be at least five (5) feet and not more than six (6) feet high.

(c) 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.

(d) Each loading area shall be of usable shape and be accessible from a street or alley by driveways 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; overhead clearing of truck berth and maneuvering area; depth of freight platform; turning radii in maneuvering area; distance of outside edges of truck berths to opposite curbs or outside edges of opposite truck berths; specifications on screening concerning height, width, length, density, and material; specifications concerning surfacing and drainage of loading area; 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.

6-3703 (c) to 6-3705 (c)

ARTICLE 38. ADDITIONAL YARD REGULATIONS.

Section 6-3801. GENERAL REQUIREMENTS.

(Section 6-3801 amended by Ordinance No. 124417; subsection (e) deleted by 130671 passed April 2, 1970, effective May 4, 1970.)

- (a) No required yard or other open space around an existing building, or which is hereafter provided around any building for the purpose of complying with the provisions of this Code, shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot be considered as providing a yard or open space on a lot whereon a building is to be erected.
- (b) No side or rear yard shall be reduced by transfer of ownership, immediate or future, to a width or depth less than required by this Code.
- (c) Every required front, side and rear yard shall be open and unobstructed from the ground to the sky.
- (d) Projection allowed into yards:
  - 1. Cornices, eaves, belt courses, sills, canopies, or other similar architectural features, not including bay windows or vertical projections, may extend or project into a required side yard not more than two (2) inches for each one (1) foot of width of such side yard and may extend or project into a required front or rear yard not more than thirty (30) inches. Chimneys may also project into a required front, side or rear yard not more than twenty (20) inches, provided the width of such side yard is not reduced to less than three (3) feet.
  - 2. Open, unenclosed fire escapes may extend or project into any front, side or rear yard not more than four (4) feet.
  - 3. Open, unenclosed stairways or balconies, not covered by a roof or canopy, may extend or project into a required rear yard not more than four (4) feet, and such balconies may extend into a required front yard not more than thirty (30) inches.
  - 4. Open, unenclosed porches, platforms or landings, not covered by a roof or canopy, which do not extend above the level of the first floor of the building, may extend or project into any front or side yard not more than thirty (30) inches and into a rear yard not more than four (4) feet.
  - 5. Open, unenclosed porches, platforms or landings, not covered by a roof or canopy, which do not extend above the level of the first floor of the building may extend or project into a court a distance of not more than twenty (20) per cent of the width of such court, but in no case more than six (6) feet.
  - 6. Open ornamental fences, hedges, landscape architectural features or guard railings for safety protection around depressed ramps may be located in any front, side or rear yard if maintained at a height not more than three and one-half (3½) feet above the average ground level adjacent thereto. Provided, further, that



an open-work type railing not more than three and one-half ( $3\frac{1}{2}$ ) feet in height may be installed or constructed on any balcony, stairway, porch, platform, or landing place mentioned above in subparagraphs 3, 4 and 5.

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 required 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 ( $2\frac{1}{2}$ ) feet in width shall be deemed adequate for such access.
11. Driveways, steps and walks shall be permitted without limitation.
12. Retaining walls shall be permitted without limitation provided that no such wall shall be constructed higher than the level of the earth it is designed to retain.
13. Uncovered, paved terraces, decks and patios shall be permitted in any required yard, provided they do not extend more than three and one-half ( $3\frac{1}{2}$ ) feet above the average ground level adjacent thereto.

6-3801 (d) 6. to 6-3801 (e)



ARTICLE 39. NON-CONFORMING USES.

Section 6-3901. CONTINUATION OF USE.

A non-conforming use may be continued, except as otherwise provided in this Code, even though it is not in conformity with the use, height, area, and all other regulations for the zone in which it is located.

Section 6-3902. NON-CONFORMING USES IN R, A, C5, C4, AND M4 ZONES.

(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 thereafter be changed to any less restrictive use.

(b) Discontinuance of Use: If active and continuous operations 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 previously 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 so that the cost of renewal of the damaged parts exceeds seventy-five (75) per cent of the cost of the replacement of the entire building exclusive of foundations, using new materials, then such building shall not be rebuilt unless the building and its construction and uses conform fully to this Code and other codes of the City as applied to new buildings and structures and to uses 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 Code in accordance with the procedure specified in Article 40. Under no 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 or A Zone shall be permitted a sign, either illuminated but non-flashing or unilluminated, not to exceed fifty (50) square feet in area placed flat against the building. The inscription on such sign shall be only for the purpose



of designating the business conducted on the premises. In any C5, C4, or M4 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 USES IN C2, C1, M3, M2 AND M1 ZONES.

(a) Change of Use: Upon issuance of a Certificate of Occupancy by the Bureau of Buildings, a non-conforming use may be changed to a conforming use or to a use of the same or more restrictive classification. Differences between the property owner and the Bureau of Buildings as to the determination of whether a proposed use is at the same or more restrictive classification shall be referred for interpretation to the Commission as specified in Section 6-503. 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 enlargements 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, if said Committee determines that such enlargements are desirable to the public convenience and welfare and not detrimental or injurious to the public health, peace or safety or to the best interests and value of surrounding properties. Procedure to be followed is that specified in Section 6-4002.

(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 where such non-conforming use is located, except as is otherwise provided in Article 34.

Section 6-3904. NON-CONFORMING RESIDENTIAL USES IN M2 AND M1 ZONES.

The provisions of Section 6-3902 shall govern non-conforming residential uses in M2 and M1 Zones except that such use shall not be permitted to enlarge.

Section 6-3905. 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 in 1959 by the

County Assessor, 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, as 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 property, 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 in 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 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 Code, annexation to the City, or any subsequent change in the regulations of this Code.



ARTICLE 40. ADJUSTMENTS, VARIANCES, REVOCABLE PERMITS, AND SIGN  
LOCATION APPROVALS.

Section 6-4001. ADJUSTMENTS AND VARIANCES.

Where unquestionably and clearly, 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 a verified 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 parking requirements, off-street loading requirements only after approval by the City Traffic Engineer, lot size requirements in A Zones to allow an increase of not more than one dwelling unit, minimum lot size requirement for a single-family dwelling, 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 characteristics, that it cannot otherwise be appropriately improved without such modification.

(b) Within R, A, C5, C4 or M4 Zones, change of use of property in a non-conforming status, provided such new use is a permitted use in the same zone or a more restricted zone, in which the former use would have been a permitted use.

(c) Within R, A, C5, C4 or M4 Zones, enlargement 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 and yard regulations of the zone in which it is located.

(d) Within C2, C1, M3, M2 and M1 Zones, enlargements of the floor area of a non-conforming use 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.

(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 conditions and safeguards, pending the need of the area for industrial purposes, providing suitable sanitary and other facilities can be made available without extra expense to the City.

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EXISTING BLDG*



(Subsections (f) and (g) of Section 6-4001 repealed by Ordinance No. 129744, passed September 17, 1969, effective October 18, 1969.)

Section 6-4002. PROCEDURE AND FEE.

(Section 6-4002 amended by Ordinance No. 125199 passed August 17, 1967, effective August 27, 1967.)

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 Code on the matters and under the circumstances stated in Section 6-4001 may, by written appeal, request an adjustment or variance. (See "B" Buffer Zone, Article 30; "P" Parking Zone, Article 33.)

Such written request shall be filed in the office of the Planning Commission upon forms prescribed for that purpose by the Variance Committee. Requests for variances shall be signed by the applicant, and by the property owner if different. The fee for such requests shall be twenty dollars (\$20.00). The request shall be accompanied by three copies of a site plan showing exact dimensions and arrangement of the proposed development or changes in an existing development or use. The Variance Committee may require other drawings, topographic surveys, photographs, or other material essential to an understanding of the proposed development and its relationship to surrounding properties.

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 one hundred fifty (150) feet, including intervening street widths, from and parallel to the boundaries of the property being appealed and such other contiguous area 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 four hundred (400) feet, including intervening street widths. The Committee shall hold a public hearing on each request. The Committee 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 seven (7) 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 filing of such request to the applicant, to the City Auditor, and to the Bureau of Buildings.

Section 6-4003. 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 Code Board of Appeal; a member of the architectural, city planning, engineering or legal professions 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 commissions, but in no case shall their terms be longer than four (4) years. Terms of the appointment of the latter three members shall be four (4) years, except that in the original committee, the professional person 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 alternate of 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 Commission.

The Variance Committee shall elect its own chairman and adopt such rules of procedure and standards as are necessary to the conduct of its duties and to judge the request coming before it.

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 6-4004. EFFECTIVENESS AND APPEAL.

If the order or decision of the Variance Committee grants all or any portion of an application and the Committee determines there is no person eligible to appeal such order or decision, such order or decision shall become effective immediately. Otherwise, no order of the Committee under this Article shall become effective until after an elapsed period of fourteen (14) days from the date the written determination is made.

During the time prior to effectiveness, if any, any person aggrieved by a decision of the Committee may appeal such decision to the City Council by filing with the City Auditor a written notice of appeal and a copy with the Secretary of the Commission, provided that he is an applicant whose application has been denied or specially conditioned, or that he is a person who objected either personally or in writing to the application and the grounds he stated have not been removed.

The Secretary of the Commission shall within fourteen (14) days file with the Auditor a report on the grounds for such decision and a list of persons appearing on said matter before the Committee and any list of owners supplied with the original application. The Auditor shall fix a date for public hearing on the appeal, which shall not be more than twenty (20) days after receipt of the Secretary's report set forth above, notifying the appellant and all other persons who have appeared before the Committee on the matter and all other owners within the applicable notification area set forth in Section 6-4002. At the time of hearing or thereafter, the Council may affirm, modify or reverse the decision of the Committee. Such affirmance, modification, or reversal may be made by motion, and shall not require separate permit or ordinance, but the Auditor shall transmit to the Secretary of the Commission the effect of the action taken, which shall be made in the form of an order and shall be preserved along with actions of the Committee in similar classes of decisions.



affect residential developments, public buildings, parks, or public or private institutions, such as churches, community clubs, or other institutions of similar or different character of public or semipublic nature. The Committee may change its standards from time to time to carry out the intent of this code to prevent undue density. Adoption of such standards by the Committee shall not prevent it from rejecting a proposed sign which it finds will adversely affect traffic safety or general appearance of the immediate neighborhood, nor prevent the Committee from approving a sign in a special situation where the Committee finds hardship or other alleviating circumstances.

Section 6-4006. REVOCABLE PERMITS.

(Section 6-4006 amended by Ordinance No. 125199 passed August 17, 1967, effective August 27, 1967.)

Requests for revocable permits, which alter the regulations 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 reported upon by the City Planning Commission.

Requests for such revocable permits shall be filed in the office of the Commission in the form of a letter in duplicate. The fee for such request shall be twenty dollars (\$20.00).

The request shall be accompanied by two copies of a site plan showing exact dimensions and arrangement of the proposed development or changes in an existing development or use. The Planning Commission may require other drawings, topographic surveys, photographs, or other material essential to an understanding of the proposed development and its relationship to surrounding properties.

The Commission shall review the request and transmit its report and recommendation to the Council. After receiving the report and recommendation from the Commission, the Council shall hold a public hearing on each request. Notices of the hearing shall be mailed by the City Auditor to the owner of each parcel within lines one hundred fifty (150) feet including intervening street widths from and parallel to the boundaries of the property for which the request is filed, and such other contiguous area as is under the legal control of the applicant. Such notices of the hearing shall be mailed at least seven (7) days prior to the date of the hearing.

No revocable permit shall be effective until the applicant, and property owner if different, has accepted the terms of the permit in writing and until the ordinance granting such permit and the acceptance are recorded in the appropriate County records at the expense of the applicant. Such acceptance must be filed within thirty (30) days from the date of the Council's passage of the ordinance. If such acceptance is not filed and fee paid within such thirty (30) day period then the ordinance shall have no further force and effect and shall be null and void.



In no event, however, shall any order by the Committee, or by the Council, become effective until the applicant, and property owner if different, has accepted the terms of the order in writing and until such order and acceptance are recorded in the appropriate County records at the expense of the applicant. Such acceptance must be filed within thirty (30) days from the date of the Committee's meeting, or within thirty (30) days from the date of the Council's hearing if an appeal has been made. If such acceptance is not filed and fee paid within such thirty (30) day period, then the order required to be accepted before effectiveness shall have no further force and effect and shall be null and void.

Section 6-4005. LOCATION OF OUTDOOR ADVERTISING SIGN.

(Section 6-4005 amended by Ordinance No. 125199; and 129744 passed September 17, 1969, effective October 18, 1969.)

- (a) -Any applicant who desires to erect an outdoor advertising sign shall request the approval of the Sign Review Committee in writing and file the same with the Electrical Division of the Bureau of Buildings, provided he applies simultaneously to erect such sign. The fee for such request shall be Twenty Dollars (\$20), in addition to the fee or fees required under the Sign Code. Such request shall be accompanied by three copies of a site plan showing the sign location on the particular property together with specifications, proposed heights and dimensions of the sign. The application shall be transmitted by the Bureau of Buildings to the Sign Review Committee. The Committee may require additional information essential to an understanding of the proposed sign and its relationship to surrounding properties. The Committee shall hold a public hearing on each request. The City Auditor shall compile a list of the names and addresses of all property owners who own property within lines one hundred fifty (150) feet, including intervening street widths, from and parallel to the boundaries of the property where the sign is to be located. The Committee shall notify the Auditor of the date of the public hearing and the Auditor shall mail notices of the public hearing to all such abutting property owners at least seven (7) days prior to the date of the hearing.

The Committee shall grant or deny the application and transmit its decision in writing within fourteen (14) days of the filing of such request to the applicant, to the City Auditor, and to the Bureau of Buildings. Approval of such request shall be void if the sign is not erected within six (6) months after such approval.

- (b) In determining the propriety of a proposed location for an outdoor advertising sign, the Sign Review Committee shall consider the density of such signs and neighborhood appearance. The Committee may adopt density standards for outdoor advertising signs relating to the city, areas thereof or classes of locations within the city, so as to protect traffic safety and appearance, and to take into account the possible effect of additional outdoor advertising signs upon traffic safety and neighborhood environment. No outdoor advertising signs shall be so located as to adversely



ARTICLE 41. AMENDMENTS.

Section 6-4101. MAP CHANGE.

(Section 6-4101 amended by Ordinance No. 119230; and 119309 passed and effective October 15, 1964.)

The Council may, after recommendation from the Commission, after giving notice to property owners in the Zone Change, Petition and Affected Areas as set forth in Sections 6-4102 and 6-4103 and after 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 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, contract purchaser (if any), and optional purchaser (if any), or by the new property owner, contract purchaser (if any), and optional purchaser (if any), who may have purchased the property or become interested in said property between the time of petition and the acceptance of such ordinance, shall have been filed with the City Auditor, and a certified copy shall have been recorded in the County Deed Records at the expense of the property owner, the contract purchaser or optional purchaser.

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 in the manner set forth in Section 6-4102. Unless otherwise authorized by the Council, no petition for zone change shall be considered by the Commission and Council for property for which a petition has been denied by the Council, until the expiration of six months following denial.

All ordinances changing zone classifications in accordance with the procedure prescribed in this Code shall be enacted as special ordinances. 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.

No zone change ordinance shall become effective until a certified copy has been recorded in the County Deed Records and the zone change has been recorded on the Official Zoning Maps established in Section 6-602. Zone change ordinances initiated by the Council or by the Commission which specify that the zoning map is being amended for the benefit of the public and that the requirement of acceptance by the property owner is waived, shall be recorded by the City. All other zone change ordinances, whether initiated by petition or by the Council or the Commission, shall be recorded at the expense of the property owner, the contract purchaser or optional purchaser. Written acceptance of such zone change ordinance and the terms thereof shall be filed within ninety (90) days from the date of the Council's passage of the zone change ordinance. If such acceptance is not filed and fee paid within such ninety (90) day period, then the zone change shall not be effective and shall have no further force and effect and shall be null and void.

6-4101

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Section 6-4102. CONDITIONS FOR CHANGE BY PETITION OF PROPERTY OWNERS.

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) per cent of all property between the boundary lines of the zone change area and lines one hundred fifty (150) feet, including intervening street widths, from and parallel to the boundary lines of such zone change area. If there be property within the Petition Area in the same or a less restrictive zone than the proposed change, property in such zone shall be disregarded in the computation of the petition percentage.
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 assumed to be affected by a zone reclassification shall be all property within lines four hundred (400) feet, including intervening street widths, from and parallel to the boundary lines of the property for which a reclassification is proposed and such other contiguous area as is under the legal control of the applicant. The Commission may waive, in whole or in part, the notice requirement to owners within four hundred (400) feet from the boundaries of the petitioner's property in the same ownership as the zone change area if the ownership of the petitioner extends four hundred (400) feet 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 area. A complete list of names and addresses of all owners in the area shall be compiled by the City Auditor for the purpose of mailing notices of the public hearing.
6. Measurements. All distances specified in this Article shall include street widths.
7. Signature Requirements. The signer 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 said person signed the same and the legal description of the property owned or being purchased on contract by the person signing.



8. 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 termination 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 strength 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 where the petition as of that date is signed by the owners of not less than fifty (50) per cent of all property in the petition area, and the Council shall not consider such petition for zone change 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 6-4103. PROCEDURE FOR CHANGE OF ZONE AND ESTABLISHMENT OF ZONES EXCEEDING A PARTICULAR SIZE.

(a) A petition for change of zone shall be first presented to the Commission. The Commission may require two copies of a site plan accompanying such petition showing exact dimensions and arrangement of the proposed development or changes in an existing development or use, or other drawings, topographic surveys, photographs, or other material essential to an understanding of the proposed use and its relationship to surrounding properties. The Commission shall check said petition for sufficiency, review other information presented with the petition, and 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 Zone Change, Petition and Affected Areas as set forth in Section 6-4102. 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 or to any zone classification defined in this Code.



(Subsection (b) amended by Ordinance No. 124246; and 129744 passed September 17, 1969, effective October 18, 1969.)

(b) Whenever the Council or the Commission initiates a change of zone or zones of any area exceeding 80,000 square feet not including street area, the Commission shall make a report embodying its recommendation on the proposal, whether initiated by itself or by the Council and shall submit said report to the Council by transmitting the same to the Auditor. The Auditor shall fix the date of hearing before the Council and shall give notice by publication of the proposed change of zone or zones in the City's official newspaper for three successive days, the last such publication to be at least fourteen days prior to the date set for hearing. The Auditor shall, simultaneously with the initial publication, post notices in at least four places within the affected area. Any reduction of the area in which a zone is or zones are to be changed after the report and publication, may be made by the Council, without additional notices to the property owners in the zone change area or the affected area. The provisions of this subsection shall not apply to the establishment or enlargement of any S zone and the Auditor shall notify in writing the owners of each parcel of property proposed to be included within an S zone. Subsequent reduction of an S zone, however, shall not require separate notification.

Section 6-4104. FEES.

(Section 6-4104 amended by Ordinance No. 125199; and 126615 passed and effective April 18, 1968.)

In order to defray the expenses connected with the consideration of petitions for change of zone, whenever a petition for a change of zone is presented to the Auditor for filing, the person presenting the petition for a change of zone shall pay to the City Treasurer the fee herein required. The City Treasurer shall issue his receipt to the petitioner or applicant in duplicate. One copy of such receipt shall be attached to the petition, and the Auditor shall not file a petition without such receipt being attached to said petition. The fee shall be fifty dollars (\$50.00) for a change to R zoning, one hundred dollars (\$100.00) for a change to A2.5, A1 or Superimposed P or B zoning, and one hundred fifty dollars (\$150.00) for a change to AO, C or M zoning. Whether a petition for a change of zone is granted or denied by the Council, the petitioner or applicant shall not be entitled to the return of the fee paid. When a zone change is initiated by the Council or recommended for initiation by the Planning Commission for the benefit of any private individual, partnership, corporation, or other person, the fee as herein provided shall be paid by such private individual, partnership, corporation, or other person for whom the proceeding has been initiated, unless otherwise specifically provided by the Council.

Section 6-4105. ZONING OF ANNEXED AREAS.

Any area annexed to the City after the effective date of this Code shall retain the zoning regulations of its former jurisdiction until changed by the City Council. In the interim period, the Bureau of Buildings shall enforce the regulations of the former jurisdiction as though they were part and parcel of this



Code. The Commission shall study and recommend to the Council appropriate rezoning of the area in conformance with the provisions of this Code or amendments thereto within six (6) months after the effective date of the annexation.

Any area within a jurisdiction not zoned shall immediately, upon annexation, be automatically classified as R7 One-Family Residential Zone until changed by the City Council. The procedure for zoning such area and areas to be rezoned from their classification under a former jurisdiction shall be the same as in the case of the City Council or City Planning Commission initiating a zone change.

All ordinances establishing zoning in annexed areas shall be accompanied by a map on which is indicated the zoning designations and zoning boundaries. Said map, with its zoning designations and zoning boundaries shown thereon, shall be a part of the zone change ordinance, as if all the indications and designations shown thereon were fully described in the text of such ordinance. When the Zone change ordinance becomes effective, the zoning designations and boundaries shall be 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," as required by Section 6-602 of this Code. Such maps need not be recorded in the County Deed Records but rather shall be deemed initial zoning by the City of Portland.

Section 6-4106. TEXT AMENDMENT.

The Council and the Commission 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.



## ARTICLE 42. CONDITIONAL USES.

### Section 6-4201. AUTHORITY.

Upon approval by the Commission, in accordance with the procedures specified herein, the Conditional Uses specified in this Code may be permitted in the respective zones in which they are listed. 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 character and value of the surrounding properties. However, churches and elementary or primary schools, whether public or private, are permitted in any R or A Zones and in any C4 Zone, providing the site location is found by the Commission to be appropriate for such use.

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.

In permitting Conditional Uses, the Commission shall have the authority to increase the minimum or maximum requirements specified for such uses in the respective zones and to impose other conditions and restrictions if necessary to protect the public interest and the surrounding properties. Such conditions as are imposed shall bind any successors and shall not be affected by any subsequent transfer of ownership.

Change in use, expansion or contraction of site area, or alteration of structures of Conditional Uses existing prior to the effective date of this Code, 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 properties.

Where unquestionably and clearly, practical difficulties, unnecessary hardships or consequences inconsistent with the general purposes of this Code may result from the literal interpretation and enforcement of the minimum and maximum requirements in the respective zones, the Commission shall have authority to grant adjustments or variances in relation to Conditional Uses, 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 relating to a Conditional Use shall be restricted to unique, unusual or peculiar circumstances and they shall be limited to the following matters: Modifications of the parking requirements, off-street loading requirements only after approval by the City Traffic Engineer, lot size, lot coverage, floor area, height and yard regulations, 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 characteristics that it cannot otherwise be appropriately improved without such modifications.



Section 6-4202. PROCEDURE AND FEE.

(Section 6-4202 amended by Ordinance No. 125199 passed August 17, 1967, effective August 27, 1967.)

Written application for the approval of a Conditional Use shall be filed in the Planning Commission's office upon forms prescribed for that purpose by the Commission and shall be signed by the applicant, and by the property owner if different. The application shall be accompanied by three copies of a site plan showing exact 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) except the following: Conversions to two-family use, thirty-five dollars (\$35); excavating or filling, thirty-five dollars (\$35). Provided, however, that the Commission may waive the required fifty dollar (\$50) fee, in whole or in part, and the required public hearing if the Commission finds that the approval requested relates to a matter which constitutes a minor improvement of low cost and does not change the use nor pose a question of public importance.

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 four hundred (400) feet, including intervening street widths, from and parallel to the boundaries of the Conditional Use site, and such other contiguous area as is under the legal control of the applicant. In the case of excavating and filling, the distance defining the Affected Area shall be one hundred fifty (150) feet, including intervening street widths, in each direction from the Conditional Use except along the frontage or access street where the distance shall be four hundred (400) feet, including intervening street widths, from the side boundaries. The Commission shall hold a public 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 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, the City Auditor and the Bureau of Buildings.

Section 6-4203. EFFECTIVENESS AND APPEAL.

If the order or decision of the Commission grants all or any portion of an application and the Commission determines there is no person eligible to appeal such order or decision, such order or decision shall become effective immediately. Otherwise, no order of the Commission under this Article shall become effective until after an elapsed period of fourteen (14) days from the date the written determination is made.



During the time prior to effectiveness, if any, any person aggrieved by a decision of the Commission may appeal such decision to the City Council by filing with the City Auditor a written notice of appeal and a copy with the Secretary of the Commission, provided that he is an applicant whose application has been denied or specially conditioned, or that he is a person who objected either personally or in writing to the application and the grounds he stated have not been removed.

The Secretary of the Commission shall within fourteen (14) days file with the Auditor a report on the grounds for such decision and a list of persons appearing on said matter before the Commission and any list of owners supplied with the original application. The Auditor shall fix a date for public hearing on the appeal which shall not be more than twenty (20) days after receipt of the Secretary's report set forth above, notifying the appellant and all other persons who have appeared before the Commission on the matter and all other owners within the applicable notification area set forth in Section 6-4202. At the time of hearing or thereafter, the Council may affirm, modify, or reverse the decision of the Commission. Such affirmance, modification or reversal may be made by motion, and shall not require separate permit or ordinance, but the Auditor shall transmit to the Secretary of the Commission the effect of the action taken, which shall be made in the form of an order and shall be preserved along with the actions of the Commission in similar classes of decisions.

In no event, however, shall any order by the Commission or by the Council, become effective until the applicant, and property owner if different, has accepted the terms of the order in writing and until such order and acceptance are recorded in the appropriate County records at the expense of the applicant. Such acceptance must be filed within thirty (30) days from the date of the Commission's meeting, or within thirty (30) days from the date of the Council's hearing if an appeal has been made. If such acceptance is not filed and fee paid within such thirty (30) day period then the order required to be accepted before effectiveness shall have no further force and effect and shall be null and void.



## ARTICLE 45. SETBACK LINES.

### Section 6-4501. ESTABLISHMENT OF SETBACK LINES.

(a) General. For the purposes of regulating the location and alignment of structures and of maintaining appropriate open spaces and adequate distances between structures on opposite sides of a public 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 the owners of 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 the legal description of the property represented by the signature. The petition shall contain a list of the names and addresses of all other owners of property for which the setback line or lines are sought, with a legal description of the property owned by each such owner. Such petitions shall also describe the desired setback regulations.

Upon receipt of such a petition, the Commission shall make an investigation of the facts, make a map showing the proposed setback line or lines, and make a report of its findings with a 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 Auditor shall thereupon fix a time for a hearing on the same by the Council. He shall also notify all the owners of the property listed in the petition of the filing of the petition and of 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 the Commission, the Commission, in addition to making the necessary investigation and preparing the map showing the proposed setback line or lines, shall furnish the Auditor with a list of the legal descriptions of all the properties for which setback regulations are sought. The Auditor shall complete such list with the names and addresses of the owners of the properties shown thereon. The procedure for notices and hearings shall be the same as above prescribed on the petition of property owners.

(c) Maps to Be Part of 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 designation rules shown 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 zoning or district maps when the setback ordinance becomes effective.



(d) Future Setback Ordinances. All ordinances for the establishment of setback lines, in accordance with the procedure prescribed in this Article, shall be enacted as special ordinances.

(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, and such setback lines hereby are deemed adopted by this Code and no building or other structure shall be erected closer to a street line than such setback line established, subject to the exceptions otherwise contained in this Article.

(f) Measurements. All setback lines shall be measured from the street property line to the nearest part of a structure, except as provided in Section 6-4502 and on a line at right angles to or concentric with the street property line.

Section 6-4502. EXCEPTIONS TO SETBACK REGULATIONS.

After the establishment of setback regulations, in accordance with this Code, no structure or part of a structure shall thereafter be erected closer to a street lot line than the setback line established, except as follows: The building setback shall not apply to signs projected over the setback area provided such signs are attached to a supporting structure wholly behind the setback line or to a building non-conforming to the setback line and located within the setback area; to the eaves or cornice of a building projecting not over three (3) feet beyond the setback line; to an uncovered flight of steps leading to the first-story level; to a flight of steps leading to an upper porch; to a private garage built into a bank in accordance with the provisions of this Code; to the garage under a lawful porch or to an uncovered porch or landing not exceeding two (2) feet above the level of the adjoining ground; however, a covered porch or similar projection from a building shall be subject to the setback regulations.

When setback regulations as well as front yard requirements apply to a property, buildings or structures shall not be located nearer to the street property line than the more restrictive requirements.

Section 6-4503. APPEALS.

(Section 6-4503 amended by Ordinance No. 125199 passed August 17, 1967, effective August 27, 1967.)

(a) Any applicant whose sign permit or building or occupancy permit has been refused by the Bureau of Buildings because of a deviation or an alleged deviation from the regulations of this Article, may, by written appeal, request an exception or variance from such regulations. Such written request shall be filed in the office of the Planning Commission upon forms prescribed for that purpose by the Commission and shall be signed by the applicant, and by the property owner if different. The fee for such request shall be twenty dollars (\$20). The request shall be accompanied by two copies of a site plan showing exact dimensions and arrangement of the proposed development or changes in an existing development or use. The Planning Commission may require other drawings, topographic surveys, photographs, or other material essential to an understanding of the proposed development and its relationship to surrounding properties.



The Commission shall review the request and transmit its report and recommendation to the Council. After receiving the report and recommendation from the Commission, the Council shall hold a public hearing on such request. Notices of the hearing shall be mailed by the City Auditor to the owner of each parcel within lines one hundred fifty (150) feet including intervening street widths from and parallel to the boundaries of the property, for which the request is filed, and such other contiguous area as is under the legal control of the applicant. Such notices of the hearing shall be mailed at least seven (7) days prior to the date of the hearing.

All exceptions and variances to setback regulations shall be by special ordinance which shall be personal to the applicant and each such ordinance shall provide, in addition to other applicable terms and conditions, that such terms and conditions shall be included as restrictive covenants in any deed, lease or other transfer or grant executed by the permittee whereby title or any interest in the property described in such ordinance is conveyed to another. Ordinances granting a revocable permit to use and occupy setback area shall be of no force and effect until accepted by the applicant, and property owner if different, in writing and in a form approved by the City Attorney and recorded in the deed record file of the County Clerk at the expense of the applicant.

Such acceptance must be filed within thirty (30) days from the date of the Council's passage of the ordinance. If such acceptance is not filed and fee paid within such thirty (30) day period then the ordinance shall have no further force and effect and shall be null and void.

(b) The Director of the Bureau of Buildings shall be responsible for the initial interpretation of this Article of the Code. Whenever there is any question regarding his interpretation of any provision of this Article or his application of this Article to any specific case or situation the Director of the Bureau of Buildings, or any person affected by his initial interpretation, may submit a written request to the Commission for interpretation of the intent of this Article. The Commission shall, by written decision, interpret the intent of any provision in its application.



## 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 Ordinance No. 77953, repealed by this ordinance, including amendments thereto, after the effective date of this Code; provided written application is filed with the City Planning Commission within six months after the effective date of this Planning and Zoning Code, furnishing evidence satisfactory to the Commission that the applicant owned title or lease-hold interest in the particular property or had contracted to purchase such property prior to July 1, 1959, and that construction plans are in the process of preparation and are being based on and will conform to the provisions contained in said repealed Ordinance No. 77953. Such written application shall indicate estimated time to complete such plans and the Commission shall determine whether it approves evidence submitted, and if it approves such evidence the Commission shall determine an exact date after which all permits for further building or alteration 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 approval and date. Approval by the Commission and authorization of issuance of building permit within the specified date shall be deemed personal to the applicant and shall be of no further force and effect if the applicant assigns, transfers or conveys his interest in the property prior to issuance of such building permit. Any application for building permit hereunder shall be accompanied by a sworn statement that the applicant for such building permit remains the owner, purchaser or lessee of the property involved to whom the approval was originally granted.

## Section 3.

Ordinance No. 77953 entitled: "An Ordinance to be known as the Planning and Zoning Code; providing for definitions; prescribing administrative regulations; establishing a planning commission and board of appeals; dividing the city of Portland into districts and prescribing the uses to which property therein may be put; providing for setback lines; and setting up penalties for violation," passed by the Council October 8, 1942, as subsequently amended from time to time be, and the same hereby is repealed, subject to the provisions of the following section.

## Section 4.

Notwithstanding the repeal set forth in Section 3 above, the provisions of the said Ordinance No. 77953, passed by the Council October 8, 1942, as subsequently amended, shall remain in force and effect for the purpose of any case or proceeding begun under the terms of such ordinance or ordinances, or in the future brought for a violation thereof while such prior ordinance was in effect.

Passed by the Council May 28, 1959, effective July 1, 1959.

/s/ Terry D. Schrunk

Mayor of the City of Portland

Attest: /s/ Ray Smith

Auditor of the City of Portland



ARTICLE 48. HISTORICAL BUILDINGS AND SITES.

(Article 48 added by Ordinance No. 127512 passed August 29, 1968 effective September 29, 1968.)

Section 6-4801. SPECIAL PURPOSE.

Buildings and sites in the city of Portland, having special historic associations or significance or of special architectural merit or significance, should be preserved as a part of the heritage of the citizens of the City, and for the education, enjoyment and pride of the citizens, as well as the beautification of the City and enhancement of the values of such property. To that end, regulatory controls and administrative procedures are necessary.

Section 6-4802. PORTLAND HISTORICAL LANDMARKS COMMISSION.

There hereby is created a Portland Historical Landmarks Commission. This commission shall consist of seven members, each entitled to one vote as follows: one member from the Portland Planning Commission; one member from the Portland Art Commission; one member from the curatorial staff of the Oregon Historical Society; one member from the Portland Beautification Association; one member from the Portland Chapter of the American Institute of Architects; one member from the citizens at large; and the Mayor or his designee ex-officio. All members of the commission shall serve without compensation, and other than the Mayor ex-officio shall be appointed by the Mayor or designated by him. All members shall serve for a term of four (4) years except the first appointments which shall be for the following terms: two members shall be appointed initially for two (2) year terms; two members shall be appointed initially for three (3) year terms; and two members shall be appointed initially for four (4) year terms. Any vacancy occurring in a position for any reason other than the expiration of the term, shall be filled by appointment by the Mayor for the remainder of the term.

Section 6-4803. COMMISSION OFFICERS, MEETINGS, RULES AND PROCEDURE.

- (a) Within thirty (30) days from the effective date of this ordinance, the Mayor shall make such appointments as are called for in this article and shall notify each appointee of the first regular meeting to be held within at least sixty (60) days from the effective date of this ordinance. The Mayor shall designate one member of the commission to be Temporary Chairman, and such Temporary Chairman shall preside over the first meeting and serve until permanent officers have been elected by majority vote of the entire membership of such commission, and the officers so elected shall serve until the date of the first annual meeting, or until their successors are regularly elected and take office. The officers of the Portland Historical Landmarks Commission shall consist of a Chairman, Vice-Chairman and Secretary.
- (b) The annual meeting of the Portland Historical Landmarks Commission shall be held each year during the month of January. In addition, the commission shall meet at least once every two months, and upon the call of the Chairman. The regular time, place and manner of notice for meetings shall be fixed by rules of the commission.
- (c) The commission shall establish and adopt its own rules of procedure. The commission shall submit an annual report to the Mayor covering its activity for the calendar year on or before the following February 1st.
- (d) Any clerical and staff assistance necessary shall be provided by the Planning Director and his staff.



Section 6-4804. COMMISSION FUNCTIONS AND DUTIES.

- (a) The Portland Historical Landmarks Commission shall serve in an advisory capacity and make recommendations concerning historical buildings and sites to the City Council, the Portland Planning Commission, the Portland Development Commission, and other public or private agencies on matters relating to the preservation of such buildings and sites.
- (b) The commission may adopt such rules and regulations as it finds necessary or appropriate to carry out the intent of this article.
- (c) The commission shall receive requests by any citizen, by owners of buildings or sites or may on its own motion make recommendation concerning the designation of particular buildings and sites as historical buildings or historical sites.
- (d) The commission shall recommend removal from any list of designated historical buildings and sites such property as it finds no longer worthy of such designation.
- (e) The commission shall have authority to inspect and investigate any building or site in the City which it is requested to recommend designation as or which it has reason to believe is an architectural or historical landmark.
- (f) The commission shall review all information which it has and shall hold hearing as prescribed in this article, and transmit the results thereof to the city officials as provided in this article.
- (g) The commission shall have authority to coordinate historical preservation programs of the city, county, state and federal governments as they relate to property within the city.
- (h) The commission may recommend to the City Council or to the legislature of the State of Oregon any changes of law which it finds appropriate or needed.
- (i) The commission shall compile and maintain a current list of all historical buildings and sites which have been so designated pursuant to this article with a brief description of such building or site and the special reasons for its inclusion on such list.
- (j) The commission shall have authority to take such steps as it finds appropriate or necessary to make available to the public information concerning its activities and the various historical buildings and sites so designated pursuant to this article.
- (k) The commission shall perform such other duties relating to historic landmarks and historical buildings and sites as the City Council or the Mayor may request.

Section 6-4805. DESIGNATION OF HISTORICAL BUILDING OR SITE.

- (a) Upon receipt of a request to designate a particular building or site as a historical building or site, or upon direction by the City Council on its own motion, the City Auditor shall advise the owner of such building or site, the Portland Historical Landmarks Commission, the Portland Planning Commission, and the Bureau of Buildings of the City of Portland, and shall fix a date and time for a public hearing before the City Council thereon. The Auditor shall notify



abutting owners and shall transmit a copy of the request to the Portland Historical Landmarks Commission unless such request has come from the commission. The Portland Historical Landmarks Commission shall review all proposals for designation as historical building or site, unless the initial request has been made by said commission, and shall submit its recommendation to the City Council prior to the public hearing.

- (b) At such hearing the owner of the property involved, the owners of all abutting property, a representative of the Portland Historical Landmarks Commission, a representative from the Portland Planning Commission, and from the Bureau of Buildings of the City shall be entitled to be heard, and the Council may hear all other interested parties.
- (c) If the City Council determines that a building proposed to be designated as a historical building has architectural significance or is of historical importance based upon past or present use, the Council may designate such building as a historical building. If the Council finds that a particular site had a prior use involving the establishment, growth or particular incidents relating to the history of the City, the Council may designate the same as a historical site.
- (d) If any historical building has been demolished or destroyed, the City Council on its own motion or upon recommendation of the Portland Historical Landmarks Commission, may remove the historical building designation therefrom. If such designation is proposed to be removed from any historical building or site for any other reason than set forth in the preceding sentence, then similar notices recommendations and hearings shall be held as upon the designation of a building or site as historical in the first instance.

Section 6-4806. EXTERIOR REMODELING OF A HISTORICAL BUILDING OR A NEW STRUCTURE ON A HISTORICAL SITE.

- (a) Whenever the Portland Historical Landmarks Commission receives from any person or from the Bureau of Buildings an application for permit from the Bureau of Buildings for exterior remodeling of any designated historical building, or receives an application for construction of a new structure on a designated historical site, the commission shall notify the applicant of the date, time and place of a hearing thereon. Such hearing shall be held within thirty (30) days after the filing of such application with the Bureau of Buildings, or within thirty (30) days after filing of such application with the commission prior to filing with the Bureau of Buildings, and in that event, the commission shall transmit to the Bureau of Buildings a copy of such application. All such applications shall be accompanied by plans and specifications, and the commission may require additional sketches of the proposed remodeling. The same procedure shall apply to an application to construct a new building on a designated historical site. This procedure shall not apply to a permit to restore the exterior of a designated historical building to its prior condition following damage to such exterior.
- (b) At such commission hearing, the applicant shall be entitled to be heard and a representative of the Bureau of Buildings and the Planning Commission. The commission may also hear any other interested party. If the commission determines that the proposed remodeling or new structure will not adversely affect the character of the building or site, and is in the public interest, or finds that the proposed exterior remodeling or new structure will enhance the historical value of such building or site, then the commission shall approve the issuance of a permit therefor by the Bureau of Buildings, and upon compliance



with the Building Code and other codes of the City, such permit may be issued. If the commission finds such action appropriate, it may approve the application for permit for exterior remodeling or for a new structure on an historical site upon conditions which the commission imposes, to promote and preserve the historical or architectural integrity of the building or site. Upon conditional approval, the building permit may be issued in accordance with such condition. However, if found necessary and appropriate, the commission may reject the application. In such event the building permit shall not be issued thereafter unless the action of the commission is reversed on appeal as set forth below.

- (c) If the commission has imposed conditions on its approval of an application or has disapproved an application as set forth in the preceding subsection, the applicant, the owner or occupant of the building or site involved may appeal from the decision of the commission to the City Council, by filing with the commission and filing a copy with the Bureau of Buildings of Notice of Appeal to the City Council if such notice is filed within ten (10) days after such decision of the commission. Such Notice of Appeal shall immediately be transmitted to the City Auditor who shall fix a date and time for hearing on such appeal before the City Council. At the Council hearing on such appeal, all interested parties may be heard. The Council may reject the appeal and affirm the decision of the commission, may modify the decision of the commission or may grant the appeal and direct a building permit to be issued, if the application for permit otherwise complies with the codes and ordinances of the City.
- (d) If the historical building or site involved in the permit application as provided in this section is located within a D Design Zone, the Portland Historical Landmarks Commission and the Design Committee of the Planning Commission shall meet jointly to consider the application at the commission hearing. For such hearing, the membership of the Portland Historical Landmarks Commission shall be deemed enlarged by the addition of the Design Committee.

Section 6-4807. DEMOLITION PERMITS; SUSPENSION; BUILDING CONDEMNATION.

- (a) If an application is received from the Bureau of Buildings or is initially made to the Portland Historical Landmarks Commission for a permit for demolition of any historical building or the demolition of a structure on a designated historical site, the commission shall within thirty (30) days after such application is initially filed, hold a hearing on the issuance of such permit. The applicant for permit, the owner of the property and any occupant of the property shall be entitled to be heard. The commission may hear all other interested parties. The commission shall consider the state of repair of the building, the reasonableness of the cost of restoration or repair, taking into account the purpose of preserving such designated historical buildings and sites, the character of the neighborhood and all other factors which it finds appropriate. The commission may approve the issuance of the permit, in which event the Bureau of Buildings may issue the permit in compliance with all other codes and ordinances of the City. The commission may reject the application for permit if it determines that in the interest of preserving historical values the structure should not be demolished, and in that event issuance of the permit shall be suspended for a period fixed by the commission, but not exceeding 120 days from the date of application. Within said suspension period, the commission may request an extension of the suspension period by the City Council. If the City Council determines that there is a program or project under way which could result in public or private acquisition of the historical building or site and the preservation or



restoration of such building or site, and that there is reasonable ground to believe that such program or project may be successful, then the Council, in its discretion, may extend the suspension period for an additional period not exceeding 180 days, to a total of not more than 300 days from the date of application for demolition permit. During such period of suspension of permit application, no permit shall be issued for such demolition nor shall any person demolish the building or structure, unless the Council has granted an appeal and directed such issuance. If such program or project is unsuccessful and the applicant has not withdrawn his application for demolition permit, the Bureau of Buildings shall issue such permit, if the application otherwise complies with the codes and ordinances of the City.

- (b) Action by the commission suspending issuance of permit for demolition may be appealed by the applicant for permit, the owner or the occupant, by filing a Notice of Appeal in the same manner as provided in this article for appeals from disapproval of remodeling permit. If such appeal is made, the procedure thereafter shall be the same as set forth in the preceding section of this article,
- (c) Before taking any action to condemn a building or structure designated as a historical building or site the Portland Historical Landmarks Commission shall review the report of the Bureau of Buildings and any other City bureau relating to the condition of the building and premises and the extent of its danger, deterioration or decay. The commission shall report on its review and make its recommendation concerning City action to the Commissioner in charge for transmission to the City Council if official action of condemnation is instituted.

Section 6-4808. HISTORICAL RECORD OF DEMOLISHED HISTORICAL BUILDINGS; ARTIFACTS.

- (a) If a designated historical building is to be demolished, insofar as practicable and as funds are available, the Portland Historical Landmarks Commission shall keep a pictorial and graphic history of the historical building or historical site with such additional data as it may obtain.
- (b) To the extent funds are available or the commission may obtain donations thereof, the Portland Historical Landmark Commission shall obtain artifacts from the building or site which it deems worthy of preservation such as carvings, cast iron work, or other materials it deems of artistic or historical importance.

Section 6-4809. SIGNS; PLAQUES.

- (a) Either before or after submission to the Planning Commission or a committee thereof, or to any other board or commission of the City, and before issuance of a permit therefor, an application to replace or erect a sign on a designated historical building, on the property on which the designated historical building is located or on a designated historical site, and before issuance of a permit therefor, the application for such permit shall be reviewed by the Portland Historical Landmarks Commission. The commission shall hold a hearing on such sign application, at which hearing the applicant, the owner and the occupant of the premises shall be entitled to be heard. If the commission finds that the proposed sign will not unreasonably detract from the architectural and historical significance of the premises, taking into account the size, location, construction and any lighting of any such sign, then the commission shall approve the

6-4807 (a) to 6-4809 (a)



issuance of a permit therefor. Otherwise, the commission may impose special conditions on the size, location, construction or other characteristics of the proposed sign, or may reject the same. Such hearing shall be held within thirty (30) days after the submission of the application to the Portland Historical Landmarks Commission. The applicant, owner or occupant shall have the same right of appeal and under the same procedural conditions as set forth in this article for appeals from actions of the commission relating to building permits for exterior remodeling of a designated historical building. The Council may sustain, modify or overrule the action of the commission.

- (b) The owner of a designated historical building or site or the occupant thereof with the consent of the owner may, at his own expense, install an identification plaque indicating the name, date, architect or other appropriate information upon the property, provided that the size, material, design, location and text of such plaque is first approved by the Portland Historical Landmarks Commission.

Section 6-4810. REDEVELOPMENT AND NEIGHBORHOOD IMPROVEMENT PROJECTS.

In any redevelopment project or neighborhood improvement project administered or supervised by a department of the City or submitted to the City for its review and recommendations, proposed action relating to a designated historical building or site shall be submitted to the Portland Historical Landmarks Commission for their review and recommendation. A report thereon by the commission shall be filed with the City Council and a copy shall be sent to the appropriate City department.