

108.03 Boundaries indicated as approximately following city limits shall be construed as following city limits;

108.04 Boundaries indicated as following railroad lines shall be construed as to be midway between the main tracks;

108.05 Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line be construed as moving with the actual shore line;

108.06 Boundaries indicated as parallel to or extensions of features indicated in Subsections 1 through 5 above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map;

108.07 Where the street or property layout existing on the ground is at variance with that shown on the Official Zoning Map, or in other circumstances not covered by Subsections 1 through 6 above, the Planning & Zoning Commission shall interpret the district boundaries.

SECTION 109. NON-CONFORMITIES.

109.01 Intent. Within the districts established by this ordinance or amendments that may later be adopted there exist lots, structures, and uses of land and structures which were lawful before this ordinance was passed or amended, but which would be prohibited under the terms of this ordinance or future amendment.

It is the intent of this ordinance to permit these non-conformities to continue until they are removed, but not to encourage their survival. Such uses are declared by this ordinance to be incompatible with permitted uses in the districts involved. It is further the intent of this ordinance that non-conformities shall not be enlarged upon, expanded nor extended, nor be used as grounds for adding other structures or uses prohibited elsewhere.

A non-conforming use of a structure, a non-conforming use of land, or a non-conforming use of a structure and land shall not be extended or enlarged after passage of this ordinance by attachment of additional signs to a building, or the placement of additional signs or display devices on the land outside the building, or by the addition of other uses, if additions are of a nature which would be prohibited generally in the district involved.

To avoid undue hardships, nothing in this ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this ordinance and upon which actual building construction has been diligently carried on. Building construction is hereby defined to include the completion of working drawings for building construction by an architect or registered engineer or the placing of construction materials in permanent position and fastened in a permanent manner, and demolition, elimination, and removal of an existing structure in connection with such construction, provided that construction work shall be diligently carried on until the completion of the building involved.

109.02 Non-Conforming Lots of Record. In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this ordinance, a single-family dwelling and customary accessory buildings may be erected on any single vacant lot of record at the effective date of adoption of this ordinance. This provision shall apply even though the lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions and other requirements not involving area or width, or both, of lot shall conform to the regulations for the district in which the lot is located.

No division of the parcel shall be made which will leave remaining any separate lot with an area less than the requirements stated in this ordinance.

109.03 Non-Conforming Uses of Land. Where, at the effective date of adoption or amendment of this ordinance, lawful use of land exists that is made no longer permissible under the terms of this ordinance as enacted or amended, the use may be continued, so long as it remains otherwise lawful, subject to the following provisions:

109.031 No non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this ordinance;

109.032 If any non-conforming use of land ceases for any reason for a period of more than 180 days, any subsequent use of the land shall conform to the regulations specified by this ordinance for the district in which such land is located.

109.04 Non-Conforming Structures. Where a lawful structure exists at the effective date of adoption or amendment of this ordinance that could not be built under the terms of this ordinance by reason of restrictions on area, lot coverage, height, yards, or other characteristics of the structure or its location on the lot, the structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

109.041 No structure may be enlarged in a way which increases its non-conformity;

109.042 Should the structure be destroyed by fire or any other means outside the control of the owner to reduce its assessed valuation to less than 50% of its original assessed value, the reconstruction must begin within 180 days in conformance with the building code and other codes as applied to new buildings in the zone in which it is located if the non-conforming use is to continue.

109.043 Should the structure be moved it shall thereafter conform to the regulations for the district in which it is located after it is moved.

109.05 Non-Conforming Uses of Structures. If a use of a structure or land exists at the effective date of adoption or amendment of this ordinance, that would not be allowed in the district under the terms of this ordinance, the use may be continued so long as it remains otherwise lawful, subject to the following provisions:

109.051 No existing structure devoted to a use not permitted by this ordinance in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located;

109.052 Any non-conforming use may be extended throughout any parts of a building which were manifestly arranged or designed for the use at the time of adoption or amendment of this ordinance, but no use shall be extended to occupy any land outside such building;

109.053 If no structural alterations are made, any non-conforming use of a structure, or structure and premises, may be changed to another non-conforming use provided that the Planning & Zoning Commission, by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the previous use. A conditional use permit shall be issued as provided by Part 1, Section 110. In permitting such change, the Planning & Zoning Commission may require any appropriate conditions and safeguards in accord with the provisions of this ordinance.

SECTION 110. CONDITIONAL USES.

110.01 Authority to Grant Conditional Uses. It is recognized that there are special uses which, because of their unique characteristics, cannot be properly classified in any particular zone, without consideration, in each case, of the impact of those uses upon neighboring land and of the public need for the particular use at the particular location. These uses are called conditional uses and the Planning & Zoning Commission may authorize them as set forth in this ordinance, subject to appeal to the Council, as provided in Subsections 110.02 to 110.06.

110.02 Initiating a Conditional Use. A request for a conditional use may be initiated by a property owner or his authorized agent. A request for a conditional use may also be initiated by the Council or Planning & Zoning Commission when city property is involved.

110.03 Procedure. A conditional use shall not be approved by the Planning & Zoning Commission unless and until:

110.031 A written application for a conditional use by a property owner or his authorized agent shall be filed with the City Recorder indicating the section of this ordinance under which the conditional use is sought and stating the grounds on which it is requested. The application shall be accompanied by a fee as established by resolution of the City Council.

110.032 Within 40 days after filing an application for conditional use the Planning & Zoning Commission shall hold a public hearing on the request. The City Recorder shall give notice of the hearing in the following manner:

110.0321 By one publication of a notice in a newspaper of general circulation in the city not less than 5 nor more than 20 days prior to the day of the hearing, and by sending notices by mail not less than 10 days prior to the date of hearing to the property owners within 200 feet of the exterior boundaries of the property involved, using for this purpose the name and address of owners as shown upon the records of the County Assessor. Where all property located within 200 feet of the exterior boundaries of the property involved is under the same ownership, owners of all property abutting that in the same ownership shall be notified in the same manner as provided in this section. Failure of a person specified in this section to receive the notice shall not invalidate any proceedings in connection with the application for a conditional use.

110.033 The Commission in reviewing an application for a conditional use may consider the most appropriate use of the land, the conservation and stabilization of the value of property, adequate open space for light and air, concentration of population, congestion of public streets, and the promotion of the public safety, morale, health, convenience and comfort, and the general welfare of the persons residing or working in the neighborhood of such use. In addition to the general requirements of this ordinance, the Planning & Zoning Commission may attach conditions in granting a conditional use which it feels are necessary to carry out the purpose of this ordinance. These conditions may increase the required yard, control the location and number of vehicular access points to the property, limit the number of signs, limit the height of buildings, because of obstruction to view and reduction of light and air to adjacent property, and require screening and landscaping where necessary to reduce glare and maintain the property in a character in keeping with the surrounding area.

110.04 Recess of the Hearing by Commission. The Commission may recess a hearing on a request for a conditional use in order to obtain additional information. Upon recessing for this purpose the Commission shall announce the time and date when the hearing will be resumed.

110.05 Action of the Commission. The Commission shall render its decision within 75 days of the date of close of the public hearing. The City Recorder shall notify the applicant for a conditional use in writing of the Commission's action within five days after the Commission has rendered its decision.

110.06 Appeal to Council. The action of the Commission may be appealed to the Council within 15 days after the Commission has rendered its decision by filing written notice with the City Recorder. If no appeal is taken within the 15-day period, the decision of the Commission shall be final. If an appeal is filed, the Council shall receive a report and recommendation from the Commission and shall hold a public hearing on the application. Notice of the public hearing shall be by one publication in a newspaper of general circulation in the City not less than 5 days nor more than 20 days prior to the date of hearing.

SECTION 111. VARIANCES.

111.01 Authority to Grant Variances. The Commission may authorize variances from the yard, height, lot size and coverage requirements of these regulations where, owing to special and unusual hardships related to a specific piece of property, the literal interpretation of this ordinance would cause an undue or unnecessary hardship.

111.02 Initiating a Variance. A request for variance may be initiated by a property owner or his authorized agent. A request for a variance may also be initiated by the Council or Commission where city property is involved.

111.03 Procedure. A variance shall not be approved by the Planning & Zoning Commission unless and until:

111.031 A written application for a variance by a property owner or his authorized agent shall be filed with the City Recorder indicating the section of this ordinance under which the variance is sought and stating the grounds on which it is requested. The application shall be accompanied by a fee as established by resolution of the City Council. The applications shall demonstrate all of the following:

111.0311 That exceptional or extraordinary conditions exist which are peculiar to the land, structure, or building involved and are not peculiar to other lands, structures or buildings in the same zone or vicinity;

111.0312 That the variance is necessary for the preservation of a substantial property right of the applicant possessed by owners of other property in the same zone or vicinity;

111.0313 That the authorization of the variance shall not be materially detrimental to the welfare or the purposes of this ordinance or injurious to property or improvements in the zone or vicinity in which the property is located;

111.0314 That the authorization of the variance will not adversely affect any land use or street plan of the City;

111.0315 That the special conditions and circumstances do not result from the actions of the applicant subsequent to the date of passage of this ordinance.

111.032 Within 40 days after filing an application for a variance the Commission shall hold a public hearing on the request. At least five days but not more than 20 days prior to the date of hearing, the City Recorder shall give written notice by mail of the hearing to owners of property abutting the lot or parcel of land on which the variance is requested, and shall notify owners of any other lot or land parcel which is deemed affected by the proposed variance using for this purpose the name and address of owners as shown upon the records of the County Assessor. Failure of a person specified in this section to receive the notice shall not invalidate any proceedings in connection with the application for a variance.

111.04 Recess of Hearing by Commission. The Commission may recess a hearing on a request for a variance in order to obtain additional information or to serve further notice upon other property owners or persons who it decides may be interested in the proposed variance. Upon recessing for this purpose, the Planning & Zoning Commission shall announce the time and date when the hearing will be resumed.

111.05 Action of the Commission. No non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance. No variance shall allow the use of property not authorized within the zone.

The Planning Commission may attach conditions to an authorized variance which it feels are necessary to protect the public interest and carry out the purposes of this ordinance.

The Commission shall render its decision within 75 days of close of the public hearing. The City Recorder shall notify the applicant for a variance in writing of the Commission's action within five days after the Commission has rendered its decision.

111.06 Appeal to Council. The action of the Commission may be appealed to the Council within 15 days after the Commission has rendered its decision by filing a written notice with the City Recorder. If no appeal is taken within the 15-day period the decision of the Commission shall be final. If an appeal is filed the Council shall receive a report and recommendation from the Commission, and shall hold a public hearing on the application. Notice of the public hearing shall be by one publication in a newspaper of general circulation in the city not less than five days nor more than 20 days to the date of hearing.

SECTION 112. AMENDMENTS.

112.01 Authorization to Amend the Zoning Ordinance. An amendment to the text of this ordinance or the zoning map may be initiated by the Council, Commission, or by application of a property owner or his authorized agent. The Planning Commission at its next regular meeting after the initiation of the amendment shall set the time and place of the public hearing to be held before the Commission on the proposed amendment.

112.02 Application and Fee. An application for amendment by a property owner or his authorized agent shall be filed with the City Recorder. The application shall be accompanied by a fee as established by resolution of the City Council.

112.03 Notice of Hearing on Proposed Amendment. Notice of time and place of the public hearing and the purpose of the proposed amendment shall be given by the City Recorder in the following manner:

112.031 If an amendment to the text of this ordinance or a change in the zoning map of an area of 10 acres or more is proposed, the notice shall be given as required by state law.

112.032 If an amendment to the zoning map of an area of less than 10 acres is proposed, the notice shall be given as required by state law. In addition, written notice shall be mailed not less than 10 days prior to the date of hearing to owners of property within 200 feet of the exterior boundaries of the property involved, using for this purpose the name and address of the owners as shown upon the records of the County Assessor. Where all property located within 200 feet of the exterior boundaries of the property involved is under the same ownership, owners of all property abutting that of the same ownership shall be notified in the same manner as provided in this section. Failure of a person specified in this section to receive the notice shall not invalidate any proceedings in connection with the proposed zone change.

112.04 Recommendation of the Commission. The Commission may recommend to the Council approval, disapproval, or modification of the proposed amendment to the text or zoning map of this ordinance. The Commission shall make its findings and recommendations in writing within 40 days after the close of the hearing on the proposed amendment.

112.05 Recess of Hearing by Commission. The Commission may recess a hearing in order to obtain additional information. Upon recessing for this purpose the Commission shall announce the time and date when the hearing will be resumed.

112.06 Notice and Hearing Before the Council. After the hearing and recommendations have been made by the Commission, the Council shall hold a public hearing on the proposed amendment. Notice of the hearing shall be given as provided in ORS 227.260.

112.07 Information to Council. The Council shall receive from the Commission the application, report and minutes of the meeting, if any, and shall hear other information relating to the proposed amendment.

112.08 Adoption of Amendment by Council. After the public hearing, the Council may, by ordinance, adopt the proposed amendment as submitted or in modified form.

SECTION 113. PERFORMANCE STANDARDS.

113.01 Application of Performance Standards for Industrial Zones. Any use established or changed to, and any building, structure, or land developed, constructed or used for any industrial use, or any use permissible as a special exception, or any accessory use, shall comply with all of the performance standards herein set forth for the district involved.

If any existing use or structure is extended, enlarged or reconstructed, the performance standards for the district involved shall apply with respect to such extended, enlarged or reconstructed portion or portions of such use, building, or other structure.

113.02 Administration and Enforcement of Performance Standards.

113.021 **Records.** As a condition for the granting of a building permit in an M zone, upon request of the city, information sufficient to determine the compliance with the standards herein set forth shall be furnished by the applicant.

113.022 Intent of the Administration and Enforcement of Performance Standards. Determinations necessary for administration and enforcement of performance standards set forth herein range from those which can be made with satisfactory accuracy by a reasonable person using normal senses and no mechanical equipment to those requiring great technical competence and complex equipment for precise measurement. It is the intent of this ordinance that:

113.0221 Where determination can be made by the administrative official or other city employes, using normal senses or equipment normally available to the city or obtainable without extraordinary expense, such determination shall be so made before notice of violation is issued.

113.0222 Where technical complexity or extraordinary expense makes it unreasonable for the city to maintain the personnel or equipment necessary for making difficult or unusual determinations, procedures shall be followed as provided herein for causing corrections of apparent violations of performance standards, for protecting individuals from arbitrary, capricious and unreasonable administration and enforcement of performance standards regulation, and for protecting the general public from unnecessary costs for administration and enforcement.

113.023 Performance Standards Relating to Smoke Emission, Odors, Heat and Glare, Insects and Rodents, Materials and Equipment Storage, Boundary Fences, Highway Access, Landscaping and Signs. If the administration official finds, after making determinations in manner set forth in Section 113.022 there is violation of performance standards of the above items, he shall take or cause to be taken lawful action to cause correction to within the limits set by such performance standards.

113.024 Performance Standards Relating to Measurement of Weight of Particulate Matter, Vibration, Noise. If, in the considered judgment of the administrative official, there is probable violation on the performance standards of those things where the level of operation may not be readily determined without instrumentation, the following procedure shall be followed:

113.0241 The administrative official shall give written notice, by registered mail or other means insuring a signed receipt for such notice, to the person or persons responsible for the alleged violation. The notice shall describe the particulars of the alleged violation and the reason why the administrative official believes there is a violation in fact, and shall require correction of the alleged violation to the satisfaction of the administrative official within a reasonable time limit set by the official. The notice shall state that failure to correct the alleged violation within a reasonable time limit set is prima facie evidence of violation of the terms of this ordinance. The notice shall further state that technical determinations as described in this ordinance will be made, and that if violations as alleged are found, costs of such determinations shall be charged against those responsible for the violation, in addition to such other penalties as may be appropriate, but that if it is determined that no violation exists, the cost of determination will be paid by the city.

113.0242 If a reply is received within the time set indicating that the alleged violation will be corrected to the satisfaction of the administrative official and requesting additional time, the administrative official may grant an extension if he deems it warranted in the circumstances of the case and if the extension will not, in his opinion, cause imminent peril to life, health or property.

113.0243 If there is no reply or if the reply indicates the alleged violation does not exist, and if the alleged violation continues, the administrative official may call in properly qualified experts to make the determinations. Charges of expert witnesses may be assessed as cost against the person found guilty of violation of performance standards by a court of competent jurisdiction.

SECTION 114. ADMINISTRATION, INTERPRETATION AND ENFORCEMENTS.

114.01 Form of Petitions, Applications and Appeals. The Planning Commission may prescribe the form and scope of all petitions and applications provided for in this ordinance and accompanying data to be furnished to assure the fullest practical presentation of facts for proper consideration of a matter involved in each case and to maintain a permanent record.

114.02 Interpretation. Where the conditions imposed by any provision of this ordinance upon the use of land or building or upon the size, location, coverage, or height of buildings are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this ordinance or of any other ordinance, resolution, or regulation, the provision which is more restrictive shall govern.

114.03 Enforcement. Any administrative official designated by the City Council shall administer and enforce this ordinance. He may be provided with the assistance of such other persons as the City Council may direct.

If the administrative official shall find that any of the provisions of this ordinance are being violated, he shall give written notice to the person or persons responsible for the alleged

violation, the reason why the administrative official believes there is a violation, and shall request correction of the violation within a reasonable time limit set by the administrative official. It is hereby declared that failure to correct the alleged violation within the time limit set constitutes prima facie admission of violation of the terms of this ordinance. The administrative official may proceed to take or cause to be taken such action as is warranted by continuance of a violation after notice to cease.

114.04 Building Permit Required. No building or other structure shall be erected, moved, added to, or structurally altered without a permit therefor, issued by the administrative official. No building permit shall be issued except in conformity with the provisions of this ordinance.

114.05 Application for Building Permit. Applications for building permits shall be made to the building official on the form and in the manner as established by the building official to determine conformance with this ordinance.

114.06 Certificates of Occupancy. It shall be unlawful to use or occupy or permit the use of occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a certificate of occupancy shall have been issued therefor by the administrative official stating that the proposed use of the building or land conforms to the requirements of this ordinance.

No building permit for erection, alteration, moving or repair of any building shall be issued until an application has been made for a certificate of occupancy. The certificate of occupancy shall be issued upon completion of work.

A temporary certificate of occupancy may be issued by the administrative official for a period not exceeding six months during alterations or partial occupancy of a building pending its completion, provided that such temporary certificate may require such conditions and safeguards as will protect the safety of the occupants and the public.

The administrative official shall maintain a record of all certificates of occupancy.

114.07 Suspension of Requirements in the Event of Declaration of Emergency. In the event that the Civil Defense Council shall declare that an emergency does exist then and in that event the City Council shall have the right and the power to suspend requirements as set forth in this code and may grant variances on temporary basis not to exceed six months after the period for which the emergency is declared.

114.08 Severability. The provisions of this ordinance are hereby declared to be severable. If any section, sentence, clause, or phrase of this ordinance is adjudged by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

114.09 Penalty. Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by imprisonment in the city jail for not to exceed ten days or by a fine not to exceed \$100.00 or both. Each day's violation of the provisions of this ordinance shall constitute a separate offense.

PART 2 - SCHEDULE OF ZONE REGULATIONS

SECTION 201. RESIDENTIAL R-6

201.01 Purpose. Residential R-6 zones are intended to provide quiet, low density living areas of the city composed of single family residences plus certain uses such as schools, parks, churches, and other public facilities serving the residents and providing the basic elements of a balanced neighborhood. To achieve this it is necessary (1) to prohibit the intrusion of non-residential uses which would substantially interfere with the development or continuation of single family dwellings and related uses; (2) to discourage uses which would generate traffic on minor streets other than normal traffic serving residences and; (3) to discourage uses which, because of character or size, would create requirements and costs for public service such as police and fire protection, utility supply or street construction in excess of that required for solely single family dwellings and related uses.

201.02 Principal Uses Permitted.

Single family dwelling.

201.03 Accessory Buildings and Uses Permitted. The following accessory buildings and uses are permitted in an R-6 zone:

- A. Fences, not to exceed a height of four feet in the required front yard and six feet on side and rear yard.
- B. Garage, carport with setback same as main building.
- C. Greenhouses or studio, not retail or wholesale with setback same as main building.
- D. Guest house, servants quarter, caretakers quarters, or any accessory building used for dwelling purposes:
 1. If lot size for principal use and accessory use is 10,000 square feet.
 2. With setback same as main building.

- E. Woodshed, toolshed or other utilitarian structure, with same setback as the main building.
- F. Swimming pool, tennis court or other type of home recreation facility with setbacks the same as main building.
- G. Sign or nameplate according to the following standards:
 1. One sign, not illuminated, six square feet or less in area advertising the sale, lease or rental of the property. No setback is required.
 2. One temporary sign per tract of land or subdivision not exceeding 45 square feet in area advertising the sale of lots thereon. The sign shall be reduced in size by six square feet for each lot less than seven. A 10 foot front and side yard setback is required.
 3. For conditional uses, one indirectly illuminated or non-illuminated sign on each side abutting a street. The sign shall be less than 20 square feet in area and may state the name or use of the building or land, or may be used as a church bulletin board. The setback shall be the same as for residences.

201.04 Conditional Uses Permitted. Any conditional use as provided in Part 2, Section 211 may be permitted in an R-6 zone contingent upon conforming to regulations as set forth and when authorized by the Planning Commission in accordance with Part 1, Section 110.

201.05 Lot Size. In the R-6 zone each principal use shall have a minimum lot size as follows:

- A. The minimum lot area is 6,000 square feet.
- B. The minimum lot width at the front building line is 60 feet.
- C. The minimum lot depth is 90 feet.

201.06 Setback Requirements. In an R-6 zone each principal use shall have a front, side and rear yard as follows:

- A. Any setback shall comply without exception even by variance permit with arterial street setback regulations as established by ordinance.
- B. The front yard shall be a minimum of 20 feet in depth.
EXCEPTION: If the setback of permanent residential buildings on adjacent lots is less than 20 feet the setback may be the average of such front yard setbacks.
- C. The side yard shall be a minimum of 5 feet in depth. On corner lots the setback shall be a minimum of 10 feet on the side abutting a street.
- D. The rear yard shall be a minimum of 10 feet for main buildings and accessory buildings, not including fences. Fences may be located on side and rear lot lines.

201.07 Height of Building. In an R-6 zone no building shall exceed a height of 2½ stories or 25 feet from plate to sill except as provided for conditional uses.

201.08 Lot Coverage. In an R-6 zone the total area of all buildings above ground shall not occupy more than 35 per cent of the lot area.

201.09 Off Street Parking. In an R-6 zone, off street parking spaces shall be provided as required in Part 2, Section 212.

SECTION 202. RESIDENTIAL R-5.

202.01 Purpose. Residential R-5 zones are intended to provide quiet, medium density living areas of the city composed of a combination of single and multiple family residences plus certain additional uses such as schools, parks, churches and other public facilities. Residential R-5 zones may be utilized as buffer zones between Residential R-6 zones and commercial zones or major streets and highways carrying moderate traffic volumes. This zone may be best located adjacent or easily accessible to major traffic carriers which can provide adequate vehicular access for the increased traffic load which it generates.

202.02 Principal Uses Permitted.

- A. Single family dwelling.
- B. Two, three and four family dwelling.

202.03 Accessory Buildings and Uses Permitted. Any accessory building or use permitted in an R-6 zone is permitted in an R-5 zone.

202.04 Conditional Uses Permitted. Any conditional use permitted in Part 2, Section 211 may be permitted in an R-5 zone when authorized in accordance with Part 1, Section 110.

202.05 Lot Size. The minimum lot size in an R-5 zone shall be as follows:

- A. Lot area.

One family dwelling	5,000 square feet
Two family dwelling	8,000 square feet
Three family dwelling	12,000 square feet
Four family dwelling	15,000 square feet
- B. The minimum lot width at the front building line shall be 50 feet.

C. The minimum lot depth shall be 90 feet.

EXCEPTION: If at the time of passage of this ordinance a lot held in separate ownership is less than 5,000 square feet in area or is of adequate area but has a width or depth less than the requirements of this section, the lot may nevertheless be occupied by a one family dwelling.

202.06 Setback Requirements. In an R-5 zone each principal use shall have a front, side and rear yard as follows:

- A. Any setback shall comply without exception with arterial street setback regulations as established by ordinance.
- B. The front yard shall be a minimum of 20 feet in depth.
EXCEPTION: If the setback of permanent residential buildings on adjacent lots is less than 20 feet the setback may be the average of such front yard setbacks.
- C. The side yard setback shall be a minimum of 5 feet in depth. On corner lots the setback shall be a minimum of 10 feet on the side abutting a street.
- D. The rear yard setback shall be a minimum of 10 feet for main buildings and accessory buildings to main residential buildings, not including fences. Fences may be located on side and rear lot lines.

202.07 Height of Building. In an R-5 zone no building shall exceed a height of 2½ stories or 25 feet from plate to sill except as provided for conditional uses.

202.08 Lot Coverage. In an R-5 zone the total area of all buildings above ground shall not occupy more than 40 per cent of the lot area.

202.09 Off Street Parking. In an R-5 zone off street parking spaces shall be provided as required by Part 2, Section 212.

SECTION 203. MULTIPLE FAMILY - RA.

203.01 Purpose. Multiple family RA zones are usually composed of medium to high density residential area characterized by multi-family and primarily rental type development. It is the intent to set standards in these areas designed to stabilize and protect the areas, and to promote and encourage insofar as is compatible with the high intensity of residential use, a suitable environment for family life composed mainly of an adult population, and to permit certain quasi-commercial uses of a character unlikely to develop general concentrations of traffic, crowds of customers or lighted outdoor advertising. To these ends retail activity is sharply limited and these districts are protected against encroachment of general commercial or industrial use.

203.02 Principal Uses Permitted.

- A. Single family dwelling.
- B. Two, three and four family dwelling.
- C. Multiple family dwelling.
- D. Boarding and rooming house.

203.03 Accessory Buildings and Uses Permitted. Any accessory building or use permitted in an R-6 zone is permitted in an RA zone.

203.04 Conditional Uses Permitted. Any conditional use permitted in Part 2, Section 211 is permitted in an RA zone contingent upon conforming to regulations as set forth and when authorized by the Planning Commission in accordance with Part 1, Section 110.

203.05 Lot Size. The minimum lot size in an RA zone shall be as follows:

A. Lot area.

One family	5,000 square feet
Two family	7,000 square feet
Three family	8,500 square feet/du
Four family	10,000 square feet/du
For each additional family unit	1,000 square feet/du

B. Lot width. The minimum lot width at the front building line shall be 50 feet.

C. Lot depth. The minimum lot depth shall be 90 feet.

EXCEPTION: If at the time of passage of this ordinance a lot held in separate ownership is less than 5,000 square feet in area or is of adequate area but has a width or depth less than the requirements of this section, the lot may nevertheless be occupied by a one family dwelling.

203.06 Setback Requirements. In an RA zone each use shall have a front, side and rear yard as follows:

- A. The yard setbacks shall comply without exception even by variance with arterial street setback regulations as established by ordinance.
- B. The front yard shall be a minimum of 15 feet in depth.
EXCEPTION: If the setback of permanent residential buildings on adjacent lots is less than 15 feet the setback may be the average of such front yard setbacks.

- C. The side yard setback abutting adjacent property shall be as follows:
- | | |
|--|---------|
| For one story | 10 feet |
| For two story | 13 feet |
| For three story | 15 feet |
| For additional heights 13 feet plus the number of stories in feet. | |
- The side yard setback abutting a street shall be a minimum of 10 feet.
- D. The rear yard setback shall be as follows:
- | | |
|--|---------|
| For one story | 10 feet |
| For two story | 10 feet |
| For three story | 13 feet |
| For additional heights 13 feet plus the number of stories in feet. | |

203.07 Height of Building. In an RA zone no building shall exceed a height of four stories or 45 feet unless approval is given by the Planning Commission according to the procedures established for conditional uses.

203.08 Lot Coverage. In an RA zone buildings shall not occupy more than 35 per cent on an interior lot or 45 per cent on a corner lot, of the total lot area.

203.09 Off Street Parking. In an RA zone off street parking spaces shall be provided as required by Part 2, Section 212.

SECTION 204. LIMITED BUSINESS AND PROFESSIONAL - BP-1.

204.01 Purpose. Limited Business and Professional Zone is intended to provide space for special and technical services to industry, commerce and business and to provide space for professional services for residential areas in near proximity to such areas. To these ends such zones are limited to new construction only which meets high standards of exterior appearance, quietness and landscaping.

204.02 Principal Uses Permitted.

- A. Offices of professional, medical and dental uses.
- B. Offices of administrative, educational, financial, philanthropic, religious, research, scientific or statistical organizations whose activities attract limited retail customers.
- C. Home occupation type uses may be conducted in existing residential structures in combination with residential uses of the person conducting the home occupation.

204.03 Accessory Buildings and Uses Permitted. The following accessory buildings and uses are permitted in a BP-1 zone:

- A. Fences, not to exceed a height of four feet in the required front yard, without conditional use permit.
- B. Garage, carport with front setback the same as main building.
- C. Servants quarters, caretakers quarters or any accessory building or use for dwelling purpose with the front setback the same as the main building.
- D. Retail sales which are accessory and incidental to the main use and are completely contained within the main building, such as employee lunch room, dispensing pharmacy, literature sales.
- E. Sign permitted as follows: All signs visible from the exterior of the building or buildings are prohibited except one (1) indirectly lighted or transparent non-flashing sign not exceeding 20 square feet in area on each side of a building facing a street. Such sign shall be flat against the wall of the building and shall have no part extending above the roof line of the building.

204.04 Conditional Uses Permitted. Any conditional use permitted in Part 2, Section 211 may be permitted in a BP-1 zone contingent upon conforming to regulations as set forth and when authorized by the Planning Commission in accordance with Part 1, Section 110.

204.05 Locations Permitted. Any of the following criteria shall be suitable for the location of a BP-1 zone:

- A. Abutting an existing or proposed major or secondary arterial shown on an adopted development plan.
- B. Adjoining or across the street from conditional uses occupying sites of 20,000 square feet or more in an R-5 zone.
- C. Adjoining or across the street from an RA, C-1, C-2 or M zone and fronting on the same street.

204.06 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.
- C. The site shall be landscaped and maintained at all times in compatibility with adjacent residential lots.
- D. No merchandise shall be displayed or advertised on the exterior of the building.

204.07 Procedure for Establishment.

- A. BP-1 zones shall be established under the provisions of Part 1, Section 110, together with the additional requirements cited herein.
- B. The lot, tract, or parcel of land sought to be rezoned by petition shall be in one ownership or the subject of one petition filed jointly by the owners of all the property to be rezoned.
- C. The petitioner shall prepare and submit an analysis of the need for such zone and a preliminary development plan. The plan shall show or include the following information:
 1. Site plan of the property showing:
 - a. Property description and dimensions.
 - b. Building size and location on property.
 - c. Building uses.
 - d. Location of parking and screening.
 - e. Access to public streets.
 - f. Landscaping, if any.
 - g. Lighting and signs.
 2. Schedule of construction of the project indicating approximate times of beginning and completion of project.
- D. The Commission may impose the following conditions on the proposed development:
 1. Limit or prohibit openings in structures on sides within 50 feet of a residential zone if such access or openings will cause glare, excessive noise or other adverse effects on adjacent residential areas.
 2. Limit access to streets not designated as collector or arterial streets on an officially adopted street plan where the principal uses along the street in the block are residential.
 3. Require additional setback and planting or screening abutting residential zones if necessary to minimize noise and glare.
- E. If the Planning Commission finds the zone change justified and the proposed development plan in conformance with this ordinance and such other requirements deemed necessary to the public interest by the Commission, such plan and petition shall be submitted to the City Council for final approval.
- F. If the Council determines a BP-1 zone shall be established and approves the development plan and construction schedule or modifications thereof, the plan and schedule shall be made a part of the zone change ordinance and shall be recorded as a part thereof.
- G. No building or occupancy permit shall be issued on the property involved unless such improvements are in conformance with the intent of the recorded development plan. Changes in the plans or schedules deemed necessary shall be submitted to the Commission and Council. Amendments to the original development plan and schedule may be made by resolution.
- H. Failure to begin building construction within 180 days of the approved date in the construction schedule shall void the recorded development plans and zone change amendment and the zoning of the entire tract shall revert automatically to its former classification.

204.08 Lot Size. The following minimum lot sizes are required in the BP-1 zone:

- A. The minimum lot area is 6,500 square feet.

204.09 Setback Requirements. The following front, side and rear yards are required in the BP-1 zone:

- A. Any setback shall comply with arterial street setback regulations as established by ordinance without exception.
- B. The minimum side yard adjacent to a C or M zone shall be the same as required for that zone.
- C. The sum of the front and side yards adjacent to an R zone shall be equal to or more than the sum of the front and side yards required on the adjacent residential lot but in no case shall either the front or side yard be less than 5 feet. Accessory buildings located more than 60 feet from the front property line may be 5 feet from the side property line.
- D. The rear yard for the main building shall be a minimum of 10 feet when adjacent to R zones and shall be not less than the minimum as required for an adjacent C or M zone. Accessory buildings not over one story in height shall be a minimum of 5 feet from the rear property line.

204.10 Height of Building. In a BP-1 zone no new building shall exceed a height of two stories or 20 feet from plate to sill.

204.11 Lot Coverage. In a BP-1 zone the total area of all buildings above ground shall not occupy more than 50 per cent of the lot area.

204.12 Off Street Parking. In a BP-1 zone off street parking shall be provided as required in Part 2, Section 212.

SECTION 205. LOCAL COMMERCIAL C-2

205.01 Purpose. Local Commercial C-2 zones are intended to provide space for limited commercial and retail activities which offer convenience goods and services such as drugs, groceries, and personal services to residential areas in near proximity. This zone may be utilized in conjunction with the limited business and professional zone to provide a small scale integrated shopping area composed of several individually developed shops and professional buildings.

205.02 Principal Uses Permitted.

- A. Any use permitted in a BP-1 zone.
- B. Boat sales and service.
- C. Drug store.
- D. Dry goods store.
- E. Florist and garden supplies stores.
- F. Governmental and public utility structures and land uses which are essential to the functioning and servicing of residential neighborhoods.
- G. Hardware sales.
- H. Home appliance sales.
- I. Home occupations.
- J. Mortuaries.
- K. Offices of administrative, educational, financial, philanthropic, religious, research, scientific or statistical organizations.
- L. Offices of business, professional, medical or dental uses.
- M. Personal service activities.
- N. Railroad right-of-way.
- O. Retail food sales stores.
- P. Service and repair shops.
- Q. The following uses if access is within one block of a designated arterial street or a numbered state or federal highway:
 1. Billboards and other advertising signs.
 2. Commercial amusements.
 3. Drive-in services.
 4. Motels, tourist courts.
 5. New and used auto sales and service.
 6. Public transportation, such as taxi or ambulance service.
 7. Restaurants, bars, taverns, night clubs and all other similar drinking and/or dining establishments.
 8. Service stations.
- R. Wearing apparel sales and service.

205.03 Accessory Buildings and Uses Permitted. The following accessory buildings and uses are permitted in a C-2 zone:

- A. Any accessory buildings or uses permitted in a BP-1 zone.
- B. Accessory buildings or uses incidental to the uses permitted in a C-2 zone.
- C. Signs permitted as follows:
 1. Signs for residential and conditional uses as permitted in an R-5 zone.
 2. For commercial use one illuminated exterior sign on each side of the lot abutting a street and fronting the street flat against the wall of the building is permitted for each business. The sign shall not exceed 30 square feet in area. No part of the sign shall extend above the roof line or more than three feet beyond the wall of the building. No sign shall be of a flashing intermittent type. All lighted signs facing a residential district shall be turned off from 10:00 p.m. to sunrise.

205.04 Conditional Uses Permitted. Any conditional use permitted in Part 2, Section 211 may be permitted in a C-2 zone when authorized by the Planning Commission in accordance with Part 1, Section 110.

205.05 Locations Permitted. A C-2 zone may be located in conformance with any of the following criteria:

- A. Abutting an existing or proposed major or secondary arterial as shown on an adopted development plan.
- B. In any location shown on an adopted development plan as being suitable for a C-2 zone providing no other C-2 zone exists within 1,000 feet of the proposed site.

205.06 Limitations on Use.

- A. All business, service, repair, processing or storage (except off-street parking and loading) shall be conducted wholly within an enclosed building.

EXCEPTIONS:

 1. Display, propagation of plants for sale in connection with a florist shop or garden supplies store providing all equipment and materials are stored within buildings.
 2. Drive-in windows, fuel scales and minor motor vehicle service.

- B. All uses and operations shall be retail or service establishments dealing directly with ultimate customers. All goods produced or processed shall be sold at retail on the premises.
- C. Periodic sales and displays on the premises by non-profit organizations are allowed.

205.07 Procedure for Zone Establishments.

- A. C-2 zones shall be established under the provisions of Part 1, Section 112, together with the additional requirements cited herein.
- B. The lot, tract, or parcel of land involved shall be in one ownership or the subject of one petition filed jointly by the owners of all the property to be changed.
- C. The petitioner shall prepare and submit an analysis of the need for such zone and a preliminary development plan. The plan shall show or include the following information:
 - 1. Site plan of the property showing:
 - a. Property description and dimensions.
 - b. Building size and location on property.
 - c. Building uses.
 - d. Location of parking and screening.
 - e. Access to public streets.
 - f. Landscaping, if any.
 - g. Lighting and signs.
 - 2. Schedule of construction of the project indicating approximate times of beginning and completion of the project.
- D. The Commission may impose the following conditions on the proposed development:
 - 1. Limit or prohibit openings in structures on sides within 50 feet of a residential zone if such access or openings will cause glare, excessive noise or other adverse effects on adjacent residential areas.
 - 2. Limit access to streets not designated as collector or arterial streets on an officially adopted street plan where the principal uses along the street in the remainder of the block are residential.
 - 3. Require additional setbacks and planting or screening abutting residential zones if necessary to minimize noise and glare.
- E. If the Planning Commission finds the zone change justified and the proposed development plan in conformance with this ordinance and such other requirements deemed necessary to the public interest by the Commission, tentative approval shall be given and the petitioner shall prepare a final development plan and schedule for submission to the city council.
- F. If the council determines a C-2 zone shall be established and approves the final development plan and construction schedule or modifications thereof, the plan and schedule shall be made a part of the zone change ordinance and shall be recorded as a part thereof.
- G. No building or occupancy permit shall be issued on the property involved unless such improvements are in conformance with the intent of the recorded development plan. Changes in the plans or schedules deemed necessary shall be submitted to the Commission and Council. Amendments to the original development plan and schedule may be made by resolution.
- H. Failure to begin building construction within 180 days of the approved date in the construction schedule shall void the recorded development plan and zone change amendment and the zoning of the entire tract shall revert automatically to its former classification.

205.08 Lot Size. The following minimum zone size is required in the C-2 zone:

- A. The minimum zone area is one acre with a rough guide of one acre per thousand of population to be served as a basis.
- B. The lot depth shall be not less than $\frac{1}{2}$ nor more than two times the lot width.

205.09 Setback Requirements. The following front, side and rear yards are required in the C-2 zone:

- A. The front or side yard shall comply with setback regulations as established by ordinance without exception.
- B. The front yard shall be the same as any adjacent R zone on the side adjacent to that zone.
- C. The side yard shall be not less than two (2) times the height of the structure adjacent to an R zone.
- D. The rear yard shall be not less than two (2) times the height of the structure adjacent to an R zone.
- E. No side or rear yard setback shall be required for a C-2 zone adjacent to a limited industrial or general industrial zone.

205.10 Height of Building. In a C-2 zone no structure shall exceed three (3) stories or thirty-five (35) feet in height.

205.11 Off Street Parking. In a C-2 zone off street parking and loading spaces shall be provided as required in Part 2, Section 212.

SECTION 206. CENTRAL BUSINESS C-1

206.01 Purpose. This district is composed of certain land and structures used primarily to provide retailing and personal and business services of all kinds satisfying the need of residents and transients and of the business and industry of the entire community and outlying trade area, plus wholesaling and limited manufacturing in support of the primary functions. This district is located centrally in the community at the convergence of main arterials and transit lines and is surrounded by high density residential or non-residential uses. The regulations are designed to permit highly concentrated, intensive development within reasonable limits, to provide light and air for buildings, to prevent overcongestion of common facilities and to allow access for police and fire protection. Because a great part of the area is already developed the regulations require no off-street parking for any except new construction but rather encourage the development of an overall plan for parking and traffic which is mutually beneficial to businesses in the area.

206.02 Principal Uses Permitted.

- A. Any use permitted in a BP-1 zone.
- B. Any use permitted in a C-2 zone.
- C. Assembly without fabrication.
- D. Auto accessory sales, including tire sales and service.
- E. Auto sales or repair, new and used, but no commercial wrecking.
- F. Auto service stations.
- G. Auctioneer.
- H. Billboards or other advertising signs.
- I. Boat sales or service.
- J. Builders supply or specialty stores.
- K. Commercial amusements.
- L. Commercial health facilities.
- M. Dairy products store.
- N. Department store.
- O. Drive-in business.
- P. Drug store.
- Q. Dry goods store.
- R. Feed and seed store.
- S. Florist or garden supply sales.
- T. Food locker plant, but no slaughtering.
- U. Fuel, retail sales only.
- V. Governmental or public utility structure and land uses.
- W. Hardware sales.
- X. Hotel, motel, tourist court or apartments.
- Y. Mail order house.
- Z. Medical supplies sales and service.
- AA. Mortuary.
- BB. Offices of administrative, educational, financial, philanthropic, religious, research, scientific or statistical organizations.
- CC. Offices of business, professional, medical and dental uses.
- DD. Parking and/or commercial storage of vehicles.
- EE. Printing, photography or related activities.
- FF. Radio and television broadcasting.
- GG. Railroad right-of-way.
- HH. Restaurants, bars, taverns, night clubs or all other similar drinking and/or dining establishments.
- II. Retail food sales or preparation stores.
- JJ. Retail furniture and home appliances, including servicing.
- KK. Retail stores.
- LL. Special trades contractor.
- MM. Terminal for intra-city or inter-city transit vehicles.
- NN. Warehousing of any product sold in the area.
- OO. Wearing apparel sales or service.
- PP. Wholesaling of any product sold in the area.
- QQ. Other uses of a general commercial character, excluding manufacturing processes, found to be similar to the above.

206.03 Excluded Uses. Notwithstanding the provisions of Section 206.02, any use having the primary function of storing, utilizing or manufacturing explosive materials is prohibited in the C-1 zone. Any new residential use other than provided herein is excluded.

206.04 Signs. Signs are permitted as follows:

- A. For residential and conditional uses as permitted in R-6 zones.
- B. For commercial uses under the provisions of the sign ordinance, provided that signs located less than 50 feet from a lot on a residential zone or within 100 feet of a public park or school shall conform to the provisions for signs in a C-2 zone.

206.05 Conditional Uses Permitted. Any conditional use permitted in Part 2, Section 211 may be permitted in a C-1 zone when authorized by the Planning Commission in accordance with Part 1, Section 110.

206.06 Limitations on Uses. All principal uses permitted outright in a C-1 zone shall meet the following conditions:

On the side of property abutting or facing a lot in a residential zone, all outdoor storage facilities for fuel, raw materials and products shall have a sight obscuring fence or screen not to exceed six feet high.

206.07 Lot Size. There is no minimum lot size in a C-1 zone.

206.08 Setback Requirements. In a C-1 zone each use shall have a front, side, and rear yard as follows:

- A. On the side of the property which abuts a lot in a residential zone, the yard requirement for structures is 15 feet plus one foot for each two feet by which the building height exceeds 28 feet.
- B. All other side yards shall be as provided in the Building Code for the prevention of fire.

206.09 Lot Coverage. In a C-1 zone there is no maximum lot coverage.

206.10 Height of Building. Height of building shall not be limited as long as the structure is constructed in accordance with the Building Code.

SECTION 207. INDUSTRIAL M-1

207.01 Purpose. This district is composed of lands more suited to certain industrial uses than to residential uses, but situated where residential development or prospective residential development is in close proximity on one or more sides of the district. This district is more suited to industries characterized by limited traffic density, low land coverage, absence of objectionable external effects and the possibility of large setbacks, attractive building architecture and large landscaped park-like areas. To these ends, development is limited to a low concentration, external effects are limited, certain landscaping is required, and permitted uses are limited to those uses adapted to environment of this nature.

207.02 Principal Uses Permitted. Any industrial uses and their accessory uses are permitted subject to the conditions and performance standards provided herein and provided such conditions and performance standards are continuously maintained.

207.03 Excluded Uses. Any residential use other than provided herein is excluded.

207.04 Accessory Buildings and Uses Permitted. The following accessory buildings and uses are permitted in an M-1 zone:

- A. Dwelling units for watchmen and their families employed on the premises.
- B. Any accessory buildings or uses clearly incidental and customary and commonly associated with the permitted uses and is operated and maintained under the same ownership or by concessionaires and conforms to the standards of development.

207.05 Conditional Uses Permitted. The following buildings and uses are permitted in an M-1 zone contingent upon conforming to regulations as set forth herein and when authorized by the Planning Commission in accordance with Part 1, Section 110.

- A. Trailer parks.
- B. New railroad tracks, spur or holding tracks more than 200 feet from a lot in a residential zone.
- C. Conditional uses permitted in Part 2, Section 211.

207.06 Setback Requirements. All structures and storage area shall be set back 15 feet from side and rear property lines which do not abut a street and 20 feet from property lines which abut a street. No setbacks are required at points where side or rear property lines abut a railroad right-of-way or spur tracks. Setbacks from any property line abutting or across a street from a residential zone shall be 20 feet.

207.07 Height of Buildings. No limit is set on the height of structures except as provided in Part 2, Section 210, "Aircraft Landing Zone - L".

207.08 Off Street Parking and Loading. In an M-1 zone, off street parking and loading space shall be provided as required in Part 2, Section 212. Off street loading bays shall be provided for all new industries and all industries located on designated arterial and collector streets and minor streets also serving an adjacent residential zone.

207.09 Performance Standards. In an M-1 zone no land or structure shall be used or occupied unless there is continuing compliance with the following standards:

207.0901 Noise.

- A. All noise shall be muffled so as not to be objectionable due to intermittance, beat frequency, or shrillness, and as measured at any property line, shall not exceed the following intensity in relation to sound frequency:

OCTAVE BAND**MAXIMUM PERMITTED SOUND LEVEL DECIBELS**

Frequency in Cycles per Second	Hours	
	10 P.M. - 7 A.M.	7 A.M. - 10 P.M.
0 to 74	69	74
75 to 149	54	59
150 to 299	47	52
300 to 599	41	46
600 to 1,199	37	42
1,200 to 2,399	34	39
2,400 to 4,799	31	36
4,800 and above	28	33

- B. Such sound levels shall be measured with a sound level meter and an octave band analyzer approved by the City. Specifications of the American Standards Association shall serve as the basis of city approval.
- C. Noise making devices which are maintained and utilized solely to serve as warning devices are excluded from these regulations.
- D. Noise created by highway vehicles, trains, and aircraft is excluded from these regulations.

207.0902 Vibration. No vibration other than that caused by highway vehicles, trains, and aircrafts shall be permitted which is discernible without instruments at the property line of the use concerned.

207.0903 Smoke and Particulate Matter. It is the intent of this section to provide standards which, regardless of the intensification of industrial activity, will avoid creation of nuisance conditions and will maintain area standards under which the particle fallout rate will not exceed 20 tons per square mile per month; suspended particulate matter will not exceed 200 micrograms per cubic meter of air; and lime dust, as Ca O, will not exceed 20 micrograms per cubic meter of air.

- A. To accomplish this the discharge of pollutants from any source within the industrial park shall not exceed the following limits:
 1. Smoke measured at the point of discharge into the air shall not exceed a density of No. 1 on the Ringleman Smoke Chart as published by the U. S. Bureau of Mines, except that smoke of a density not darker than No. 2 of the Ringleman Chart may be emitted for not more than three minutes in any hour.
 2. Lime dust, as Ca O, measured at the property line of the activity creating such dust shall not exceed 20 micrograms per cubic meter of air.
 3. Total particulate matter measured at all stacks shall not be in excess of 30 grams per hour per acre of land devoted to the operation.
- B. All measurements of air pollution shall be by the procedures and with equipment approved by the State Air Pollution Authority or equivalent and acceptable methods of measurement approved by the city.

207.0904 Odors. The emission of odorous gases or matter in such quantities as to be readily detectable at any point beyond the property line of the use creating such odors is prohibited.

207.0905 Heat and Glare. Except for exterior lighting, operations producing heat or glare shall be conducted entirely within an enclosed building. Exterior lighting shall be directed away from adjacent R zones.

207.0906 Insects and Rodents. All materials including wastes which are edible or attractive to rodents or insects shall be stored outdoors only in closed containers and all grounds shall be maintained in a manner which will not attract or aid the propagation of rodents or insects or create a health hazard.

207.0907 Boundary Fences. Fencing will be allowed inside of boundary planting screen and where it is necessary to protect property of the industry concerned or to protect the public from a dangerous condition with the following provision: No fence shall be constructed in the required setback from public rights-of-way.

207.0908 Highway Access.

- A. Access points to an industrial site from a public road shall be so located as to minimize traffic congestion and, to the extent possible, to avoid directing traffic into residential areas all as approved by the building official.
- B. Where possible within industrial districts, access to the public road shall be made to serve more than one industrial site.
- C. Curb cuts conforming to the curb cut ordinance shall be provided along all arterial and collector streets and along all streets also serving adjacent R zones. All other sites may have roll type curbs.

207.0909 Landscaping and Fencing.

- A. Properties contiguous to residential district shall provide and maintain a dense evergreen landscape buffer which attains a mature height of at least seven feet, an opaque fence or sight obscuring screening at eye level, or such other screening measures as may be prescribed by the Planning Commission in the event differences in elevation should defeat the purpose of this requirement.
- B. Yards adjacent to streets and those abutting a residential district shall be continuously maintained in lawn, with lawn and trees or shrubs established and maintained in a manner providing a parklike character to the property.

207.0910 Signs Permitted as Follows: One illuminated exterior sign on each side of the lot abutting a street and fronting the street flat against the wall of the building is permitted for each business. A sign located within 100 feet of a residential zone, a public park or a school shall meet the requirements for a business sign in a C-2 zone.

SECTION 208. INDUSTRIAL M-2

208.01 Purpose. This district is composed of certain lands so situated so as to be suitable for industrial development, but where the modes of operations of the industry will directly affect nearby residential and business uses. The purpose of the district is to permit the normal operations of any industry which can meet and maintain the standards set forth herein so as to protect nearby residential and business districts.

208.02 Principal Uses Permitted. Any industrial uses and their accessory uses are permitted subject to the conditions and performance standards provided herein and provided such conditions and performance standards are continuously maintained.

208.03 Excluded Uses. Any residential use other than provided herein is excluded.

208.04 Accessory Buildings and Uses Permitted. The following accessory buildings and uses are permitted in an M-2 zone:

- A. Dwelling units for watchmen and their families employed on the premises.
- B. Any accessory buildings or uses clearly incidental and customary and commonly associated with the permitted uses and is operated and maintained under the same ownership or by concessionaires and conforms to the standards of development.

208.05 Conditional Uses Permitted. The following buildings and uses are permitted in an M-2 zone contingent upon conforming to regulations as set forth herein and when authorized by the Planning Commission in accordance with Part 1, Section 110:

- A. Trailer park.
- B. Conditional uses permitted in Part 2, Section 211.

208.06 Setback Requirements. All structures and storage areas shall be set back 15 feet from side and rear property lines which do not abut a street and 15 feet from property lines which abut a street. No setbacks are required at points where side or rear property lines abut a railroad right-of-way or spur tracks. Setbacks from any property line abutting or across a street from a residential zone shall be 20 feet.

208.07 Height of Buildings. No limit is set on the height of structures except as provided in Part 2, Section 210, "Aircraft Landing Zone - L".

208.08 Off Street Parking and Loading. In an M-2 zone, off street parking and loading space shall be provided as required in Part 2, Section 212. Off street loading bays shall be provided for all new industries and all industries located on designated arterial and collector streets and minor streets also serving an adjacent residential zone.

208.09 Performance Standards. In an M-2 zone no land or structure shall be used or occupied unless there is continuing compliance with the following standards:

208.091 Noise.

- A. All noise shall be muffled so as not to be objectionable due to intermittance, beat frequency, or shrillness and, as measured at any property line, shall not exceed the following intensity in relation to sound frequency:

<u>OCTAVE BAND</u> Frequency in Cycles per Second	<u>MAXIMUM PERMITTED SOUND LEVEL DECIBELS</u>	
	Hours <u>10 p.m. - 7 a.m.</u>	Hours <u>7 a.m. - 10 p.m.</u>
0 to 74	69	74
75 to 149	54	59
150 to 299	47	52
300 to 599	41	46
600 to 1,199	37	42
1,200 to 2,399	34	39
2,400 to 4,799	31	36
4,800 and above	28	33

- B. Such sound levels shall be measured with a sound level meter and an octave band analyzer approved by the city. Specifications of the American Standards Association shall serve as the basis of city approval.
- C. Noise making devices which are maintained and utilized solely to serve as warning devices are excluded from these regulations.
- D. Noise created by highway vehicles, trains, and air craft is excluded from these regulations.

208.092 Smoke and Particulate Matter. It is the intent of this section to provide standards which, regardless of the intensification of industrial activity, will avoid creation of nuisance conditions and will maintain area standards under which the particle fallout rate will not exceed 20 tons per square mile per month; suspended particulate matter will not exceed 200 micrograms per cubic meter of air; and lime dust, as Ca O, will not exceed 20 micrograms per cubic meter of air.

- A. To accomplish this the discharge of pollutants from any source within the industrial park shall not exceed the following limits:
 - 1. Smoke measured at the point of discharge into the air shall not exceed a density of No. 2 on the Ringleman Smoke Chart as published by the U. S. Bureau of Mines, except that smoke of a density not darker than No. 3 of the Ringleman Chart may be emitted for not more than three minutes in any hour.
 - 2. Lime dust, as Ca O, measured at the property line of the activity creating such dust shall not exceed 20 micrograms per cubic meter of air.
 - 3. Total particulate matter measured at all stacks shall not be in excess of 50 grams per hour per acre of land devoted to the operation.
- B. All measurements of air pollution shall be by the procedures and with equipment approved by the State Air Pollution Authority or equivalent and acceptable methods of measurement approved by the city.

208.093 Odors. The emission of odorous gases or matter in such quantities as to be readily detectable at any point beyond the property line of the use creating such odors is prohibited.

208.094 Heat and Glare. Except for exterior lighting, operations producing heat or glare shall be conducted entirely within an enclosed building. Exterior lighting shall be directed away from adjacent residential zone.

208.095 Insects and Rodents. All materials including wastes which are edible or attractive to rodents or insects shall be stored outdoors only in closed containers and all grounds shall be maintained in a manner which will not attract or aid the propagation of rodents or insects or create a health hazard.

208.096 Materials and Equipment Storage. The open storage of materials and equipment is permitted only under the following conditions:

The storage must be in an area contained by an opaque fence or sight obscuring screening at eye level from the property line.

208.097 Highway Access.

- A. Access points to an industrial site from a public road shall be so located as to minimize traffic congestion and, to the extent possible, to avoid directing traffic into residential areas all as approved by the building official.
- B. Where possible within industrial districts, access to the public road shall be made to serve more than one industrial site.
- C. Curb cuts conforming to the curb cut ordinance shall be provided along all arterial and collector streets and along all streets also serving adjacent residential zones. All other sites may have roll type curbs.

208.098 Signs Permitted as Follows: One illuminated exterior sign on each side of the lot abutting a street and fronting the street flat against the wall of the building is permitted for each business. A sign located within 100 feet of a residential zone, a public park or a school shall meet the requirements for a business sign in a C-2 zone.

SECTION 209. INDUSTRIAL M-3

209.01 Purpose. This district is composed primarily of lands located deep within the industrial area of the city and removed from residential and business areas. Regulations are the minimum required for mutual protection of the industrial users, thus it should not be adjacent to any residential or business district, if such abutment can possibly be avoided.

209.02 Principal Uses Permitted. Any industrial use is permitted in an M-3 zone. Subject to the conditions and performance standards provided herein and provided such conditions and performance standards are continuously maintained.

209.03 Accessory Buildings and Uses Permitted. Any accessory building or use in an M-3 zone is permitted which is related to the principal use permitted in an M-3 zone.

209.04 Performance Standards. In an M-3 zone no land or structure shall be used or occupied unless there is continuing compliance with the following standards:

209.041 Noise.

- A. All noise shall be muffled so as not to be objectionable due to intermittance, beat frequency, or shrillness and, as measured at any property line, shall not exceed the following intensity in relation to sound frequency:

<u>OCTAVE BAND</u> Frequency in Cycles per Second	<u>MAXIMUM PERMITTED SOUND LEVEL DECIBELS</u>	
	Hours 10 p.m. - 7 a.m.	Hours 7 a.m. - 10 p.m.
0 to 74	69	74
75 to 149	54	59
150 to 299	47	52
300 to 599	41	46
600 to 1,199	37	42
1,200 to 2,399	34	39
2,400 to 4,799	31	36
4,800 and above	28	33

- B. Such sound levels shall be measured with a sound level meter and an octave band analyzer approved by the city. Specifications of the American Standards Association shall serve as the basis of city approval.
- C. Noise making devices which are maintained and utilized solely to serve as warning devices are excluded from these regulations.
- D. Noise created by highway vehicles, trains, and air craft is excluded from these regulations.

209.042 Smoke and Particulate Matter. It is the intent of this section to provide standards which, regardless of the intensification of industrial activity, will avoid creation of nuisance conditions and will maintain area standards under which the particle fallout rate will not exceed 35 tons per square mile per month; suspended particulate matter will not exceed 200 micrograms per cubic meter of air; and lime dust, as Ca O, will not exceed 20 micrograms per cubic meter of air.

- A. To accomplish this the discharge of pollutants from any source within the industrial park shall not exceed the following limits:
1. Smoke measured at the point of discharge into the air shall not exceed a density of No. 2 on the Ringleman Smoke Chart as published by the U.S. Bureau of Mines, except that smoke of a density not darker than No. 3 of the Ringleman Chart may be emitted for not more than three minutes in any hour.
 2. Lime dust, as Ca O, measured at the property line of the activity creating such dust shall not exceed 20 micrograms per cubic meter of air.
 3. Total particulate matter measured at all stacks shall not be in excess of 50 grams per hour per acre of land devoted to the operation.
- B. All measurements of air pollution shall be by the procedures and with equipment approved by the State Air Pollution Authority or equivalent and acceptable methods of measurement approved by the city.

209.043 Odors. The emission of odorous gases or matter in such quantities as to be readily detectable at any point beyond the property line of the use creating such odors is prohibited.

209.044 Insects and Rodents. All materials including wastes which are edible or attractive to rodents or insects shall be stored outdoors only in closed containers and all grounds shall be maintained in a manner which will not attract or aid the propagation of rodents or insects or create a health hazard.

209.045 Off Street Parking and Loading. In an M-3 zone, off street parking and loading space shall be provided as required in Part 2, Section 212. Off street loading bays shall be provided for all new industries and all industries located on designated arterial and collector streets and minor streets also serving an adjacent residential zone.

209.046 Boundary Fences.

- A. Outside storage permitted in this zone abutting or facing a lot in a residential zone shall be enclosed by a sight obscuring screening at least six feet high but not more than ten feet high. The fence shall obstruct the storage from view on the sides of property abutting or facing a residential zone.
- B. Buildings within 100 feet of a lot in a residential zone shall be enclosed by a sight obscuring screening at least six feet high or if the distance is unobstructed must have blank walls or walls with windows which do not open on the side of the building facing the residential zone.
- C. No fence shall be constructed in the required setback from public rights-of-way. Fences shall be of open wire mesh or similar open construction.

209.047 Highway Access and Curb Cuts.

- A. Access to an industrial site from a public road shall be so located as to minimize traffic congestion and, to the extent possible, to avoid directing traffic into residential area all as approved by the Planning Commission.
- B. Where possible within industrial districts, access to the public road shall be made to serve more than one industrial site.
- C. Curb cuts conforming to the curb cut ordinance shall be provided along all arterial and collector streets and along all streets also serving adjacent residential zones. All other sites may have roll type curbs.

209.048 Explosive Materials. Explosive materials shall be stored no closer to any boundary line of the lot on which they are located than the following distances:

<u>Pounds</u>	<u>Minimum Distance</u>
2-5	70 feet
5-10	90 feet
10-20	110 feet
20-25	125 feet
Over 25	Forbidden

SECTION 210. AIRCRAFT LANDING ZONE - L.

210.01 Purpose. In order to prevent the establishment of obstructions to the air space reasonable required by aircraft in landing and taking off from the Albany City-County Airport, which would endanger the lives and property of users of such airport and of occupants of land in its vicinity, the City of Albany and the County of Linn has established height limitations in accordance with those embodied in this ordinance pursuant to authority granted by Chapter 542, Oregon Laws, 1947. As a matter of convenience to the public in obtaining permits to build, the height limitations described in the airport zoning ordinance dated June 25, 1951 established by the joint airport zoning board, hereby are made a part of this ordinance and for said purpose, the Aircraft Landing Zone - L is hereby superimposed upon other irregular zoning districts. Copies of said ordinance are available in the office of the recorder of the City of Albany and the provisions of said ordinance are incorporated herein by reference. Land classified in an L zone shall be classified in one or more of the regular zoning districts. The zoning of such land shall be designated by a combination of symbols, e.g., R-5-L, M-1-L, etc.

210.02 Regulations. Whenever the height limitations, as shown on the map entitled "Albany Airport Zoning Map, Municipal Airport, Exhibit B" dated October 4, 1957, are lower than otherwise required by this ordinance, such height limitations shall govern.

SECTION 211. CONDITIONAL USES.

211.01 Conditional Uses Permitted. The following buildings and uses may be permitted in districts as indicated, contingent upon conforming to regulations as set forth and when authorized by the Planning Commission in accordance with Part 1, Section 110.

211.011 Parks, playgrounds, municipal recreation or community buildings owned and operated by the city, other governmental agency, eleemosynary organization in general accord with the land use or development plan for the neighborhood. No concessions shall be within 100 feet of property line adjacent to residential zone.

211.012 Churches, in accord with the following standards:

- A. Located on a street with minimum paving width of 36 feet.
- B. Minimum lot 15,000 square feet.
- C. Setbacks
 - 1. Front yard - 25 feet in R-6, R-5 zones. Same setback as other uses in all other zones.
 - 2. Side and 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
 - EXCEPTION: Towers, spires or fleches may exceed the above height allowance.
- D. Off street parking as required by Part 2, Section 212.

211.013 Schools, universities, colleges in accord with the following standards:

- A. In general accord with any land use and/or development plan for the area.
- B. Located on a designated arterial or collector street.
- C. Minimum lot.
 - 1. Nursery or kindergarten - 8,000 square feet plus 2,500 square feet for every 10 children or portion thereof over 40. An outdoor play area shall be provided and maintained with a minimum area of 100 square feet per child of total capacity. Screening shall be provided separating such play areas from adjacent residential lots at least four (4) feet high and shall be a masonry wall, an ornamental wood fence, a chain link wire fence with evergreen vines, or a compact evergreen hedge of other approved type.

2. Elementary - as permitted by the State Board of Education.
 3. Junior High - as permitted by the State Board of Education.
- D. Setbacks
1. Front yard - 30 feet.
EXCEPTION: Nursery may be same setback as adjacent residential buildings.
 2. Side yard and 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.
- E. Off street parking as required by Part 2, Section 212.

211.014 Public buildings such as libraries, fire stations, pump stations, reservoirs, electric substations and public utility structures with no warehouse facilities in accord with the following standards:

- A. Public building such as libraries and fire stations on designated arterial or collector streets.
- B. Minimum lot size - 10,000 square feet.
- C. Maximum lot coverage - 35%.
- D. Setbacks
 1. Front yard - 20 feet in R-6 and R-5 zones. Same as other uses in other zones.
 2. Side yard and 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. Off street parking as required by Part 2, Section 212.

211.015 Community clubs, public or private in accord with the following standards:

- A. Located on arterial or collector street.
- B. Minimum lot - 15,000 square feet.
- C. Setbacks
 1. Front yard - 20 feet.
 2. Side yard and 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.
- E. Off street parking as required by Part 2, Section 212.

211.016 Golf course in accord with the following standards:

- A. Located on designated arterial street.
- B. Minimum site area - 10 acres.
- C. Setback - no building within 100 feet of property line contiguous to residential zone.
- D. Off street parking as required by Part 2, Section 212.

211.017 Hospitals and sanitariums, nursing, convalescent and old age homes in accord with the following standards:

- A. Located on designated arterial or collector street.
- B. Minimum lot - one (1) acre.
- C. Setbacks
 1. Front yard - 30 feet.
 2. Side yard and 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.
- D. Off street parking as required by Part 2, Section 212.

211.018 Tract development and sales. Temporary buildings, the use of which is incidental to the development of residential property and used for offices, tool sheds, or similar purposes or the use of residential structures for office purposes may be permitted for a reasonable period. Setbacks shall be the same as adjacent residential property.

SECTION 212. AUTOMOBILE PARKING REQUIREMENTS.

212.01 Building Permit Contingent Upon Providing Parking Space. The provisions and maintenance of off-street parking and loading facilities is a continuous obligation of the property owners. No building permit shall be issued, except for maintenance or alteration of existing structures, until the applicant has presented satisfactory evidence in writing to the Building Inspector that he owns or has available for his use as required herein sufficient property to provide the parking required by this ordinance. When any parking area for three or more vehicles is to be established, a building permit shall be obtained therefor and the standards set forth herein shall be complied with.

212.011 Whenever a building permit has been granted and the plans so approved for off-street parking, the subsequent use of such property shall be deemed to be conditional upon the unqualified continuance and availability of the parking provisions contained in such plans.

212.012 No addition or enlargement of an existing building shall be permitted unless the parking requirements of the ordinance are met for the entire building.

212.02 Parking Facilities Assessment District. The provisions of this ordinance requiring off-street parking facilities shall be considered as satisfied upon compliance with the following conditions:

212.021 That the property is included in a "Parking Facilities Assessment District" organized for the purpose of providing off-street parking facilities.

212.022 That the plan for facilities to be provided by such "Parking District" shall be of equal or higher standards both in number and quality than required by the ordinance.

212.023 That the "Parking District" is making a timely effort to acquire such off-street parking facilities.

212.03 Alternate to Providing Required Off-Street Parking Spaces.

212.031 In lieu of providing actual parking spaces for off-street parking as hereinbefore required in this ordinance, the owner may pay to the City of Albany the sum of Two Dollars and Fifty Cents (\$2.50) per month per parking space required, with a 10% discount available if paid annually in advance.

212.032 The moneys received by the City of Albany from payments made in lieu of providing parking spaces shall be placed in a segregated fund entitled "Off Street Parking Fund".

212.033 A fund is hereby created and entitled "Off Street Parking Fund" and moneys placed therein shall be used only for the acquisition, leasing, operating, improving and maintenance of public parking lots within the City of Albany, Oregon.

212.034 If an owner shall fail to provide off-street parking as required by this ordinance, there shall be enforced a monthly charge of Two Dollars and Fifty Cents (\$2.50) per month for each parking space required to be furnished by the owner. The City of Albany, Oregon, may use such means of collection of such charge for parking spaces as may be provided by the laws of the State of Oregon or permitted by charter and ordinances of the City of Albany, Oregon and shall be a lien on the property and subject to foreclosure procedures as available to the City. Charges shall be deemed to be delinquent and shall draw interest at the rate of 8% per annum, if not paid by the 20th day of the month the charge is effective.

212.035 All revenues realized from city operated parking lots, including those both presently existing and those established in the future, shall be paid into the "Off Street Parking Fund".

212.04 General Requirements.

212.0401 Vacant lots or open land areas in any residential district may be used as a parking area for customer and employee vehicles, provided the standards for construction outlined herein are complied with. In addition, the Planning Commission may impose conditions, other than those set forth herein, for the protection of adjacent property or in the interest of the public welfare.

212.0402 Where parking is not required on the same lot or on a contiguous lot the parking requirements of this ordinance may be met by the provisions of equivalent space in a commercial parking lot or equivalent space provided by Section 212.03.

212.0403 In the case of mixed uses within a building, or on lot or any part thereof, the total requirements for off-street parking space shall be the sum of the requirements of the various uses computed separately as specified herein and the space for one use shall not be considered as providing the required parking space for any other use.

212.0404 Required parking spaces shall be available for the parking of operatable vehicles of residents, patrons, customers and employes only and shall not be rented, leased or assigned to any other person or organizations. Parking spaces shall be directly accessible to a public street or alley. No parking of trucks or other equipment on wheels or tracks for the conduct of any business activity shall be permitted on the required parking spaces.

212.0405 Parking spaces in public streets or alleys shall not be eligible as fulfilling any part of the parking requirements. Alleys may be used as maneuvering space but not as parking space.

212.0406 Any lot used for the parking of more than three automobiles prior to the adoption of this ordinance, or within newly annexed areas, within one year from the date of adoption of this ordinance or of annexation and notification by the City shall comply with Section 212 of this ordinance.

212.0407 No commercial vehicle of more than five (5) ton capacity nor more than one (1) commercial vehicle of less than five (5) ton capacity shall be allowed to park on any lot in a residential district.

212.0408 In cases where parking spaces are not required to be located on the site the distance shall be measured in a straight line from the nearest point on the property to the nearest parking space.

212.0409 In any business conducted on a drive-in basis, area used as driveways to service customers shall not be construed as a parking area.

212.0410 In any residential district, no parking space shall occupy the required front yard nor shall any motor vehicle, trailer, or trailer house be parked in any required front yard.

212.0411 Requirements for types of buildings and uses not specifically listed herein shall be determined by the council based upon the requirements of comparable uses listed.

212.0412 Owners of two or more uses, structures, or parcels of land may agree to utilize jointly the same parking spaces when the hours of operation do not over-lap, providing satisfactory legal evidence is presented to the building inspector in the form of deeds, leases, or contracts to establish the joint use.

212.05 Design Standards for Parking Areas.

212.051 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:

- A. Delineation of individual parking spaces and circulation area necessary to serve spaces.
- B. Access to streets and property to be served.
- C. Curb cuts.
- D. Dimensions, continuity and substances of screening.
- E. Grading, drainage, surfacing and sub-grading details.
- F. Delineation of obstacles to parking and circulation in finished parking area.
- G. Details of signs and bumper guards.

212.052 Each parking space shall be not less than 18 feet long and 8½ feet wide together with such maneuvering and access space as is required for a standard American automobile.

212.053 All areas used for standing and maneuvering of vehicles shall have durable and dustless surfaces maintained adequately for all weather use and so drained as to avoid flow of water across sidewalks. Surfacing shall be one of the following methods:

- A. Asphaltic concrete.
- B. Cement concrete.
- C. Oil cake.
- D. Adequate gravel surfaces as approved by the city.

212.054 Parking spaces along the outer boundaries shall be contained by a curb at least six inches high or a bumper guard so that no part of a vehicle shall extend over or beyond the property line.

212.055 Any artificial lighting which may be provided to illuminate parking area shall be so deflected as to not shine in adjoining lots in residential districts.

212.056 Parking and loading areas for conditional uses adjacent to or within residential zones or adjacent to residential uses shall be enclosed, except on street sides by a masonry wall, solid wood fence, or compact evergreen hedge, having a height of not less than four (4) feet and not more than six (6) feet. Such wall, fence or hedge on street sides shall conform to setback requirements set forth in this ordinance except on property lines contiguous to an alley where no setback will be required. Such wall, fence or hedge shall be maintained in good condition and the required front and/or side shall be landscaped and properly maintained.

212.06 Off-Street Parking Requirements.

212.061 Dwellings

- A. Single family dwelling - one space/dwelling unit.
- B. Two family dwelling - one space/dwelling unit.
Multiple family dwelling - one space/dwelling unit.
- C. Motels, tourist courts - one space for each guest room or suite of guest rooms.
- D. Trailer court, mobile home court - one space for each trailer space or mobile home adjacent to such space.
- E. Hotels - one space for each two (2) beds plus additional spaces as required for restaurants, bars, and public assembly rooms, within 500 feet.

- F. Hospitals - one space for each three patient beds, plus one space for each resident doctor, plus one space for each six employees, including nurses not domiciled on the property.
- G. Fraternity, rooming and boarding houses - one space per dwelling unit plus four spaces for each five occupants.
- H. Convalescent homes and sanitariums - one space for each five beds plus one space for each resident doctor plus one space for each six employees, including nurses not domiciled on the property.
- I. Welfare and correctional institutions - one space for each ten beds for patients and/or inmates plus one space for each six employees not domiciled on the property.
- J. Mortuaries - one space per five seats or ten feet of bench length, or with a minimum of one space per each 35 square feet of assembly floor area.

212.062 Places of Public Assembly.

- A. Libraries - one space for each 400 square feet of reading room.
- B. Churches - one space/twenty seats and/or one space/360 lineal inches of pew space in the main assembly room which may be within 500 feet of main entrance.
- C. High schools, colleges, universities and commercial schools for adults - one space for each three employees including administrators, teachers and building maintenance personnel, plus one space for each ten (10) students in classrooms predicated upon the design capacity of the physical plant, or, one space per four seats or eight feet of bench length or 30 square feet in the auditorium or assembly room, whichever is greater, provided that if the requirements for the auditorium exceed the spaces otherwise required the excess space may be provided in areas having other uses during regular school hours.
- D. Elementary, junior high, and other children's day schools - one space for each three (3) employees including administrators, teachers and building maintenance personnel, or one space per four seats, eight feet of bench length or 30 square feet in auditorium or assembly room whichever is greater, provided that if the requirements for the auditorium exceed the spaces otherwise required the excess spaces may be provided in areas having other uses during regular school hours.
- E. Other places of public assembly including private clubs, lodges, and fraternal buildings, assembly halls, exhibition halls, convention halls, auditoriums - one space per five seats or ten feet of bench length for spectators, and/or one space for each 75 square feet of floor area used for public assembly, but not containing fixed seats, which may be within 500 feet of such building.

212.063 Commerce and Industry.

- A. Retail stores, office buildings, commercial buildings, banks, personal service establishments and any other commercial establishment not specified herein - one space for each 500 square feet of floor area, exclusive of storage area, which may be within 500 feet from such building.
- B. Service and repair shops and retail stores handling exclusively bulky merchandise and furniture - one space for each 700 square feet of floor area, not including storage areas.
- C. Restaurants, bars, taverns, night clubs, and all other similar drinking and/or dining establishments - one space/100 sq. feet of floor area which, if not within residential area, may be within 250 feet from nearest point of such building.
- D. Doctors offices, dentists offices, medical clinics, medical center, professional offices - one space for each 500 square feet.
- E. Service stations - one space for each 500 square feet of gross land area.
- F. Wholesale, manufacturing, industrial plants and warehouses, including storage buildings and yards, public utility buildings, and business service establishments not involving retail sales - one space for each three (3) employees and employers.
- G. Drive-in services - one space for each two (2) employees in addition to spaces provided for customer vehicles.

212.064 Commercial Amusement.

- A. Stadium and race tracks - one space per five seats or ten feet of bench length.
- B. Indoor arenas and theatres - one space per five seats or ten feet of bench length.
- C. Bowling alleys - two spaces per alley.
- D. Dance halls and skating rinks - one space per 50 square feet of patron area.
- E. Golf driving ranges - one space per twenty (20) lineal feet of driving line.
- F. Amusement parks, fairgrounds - one space per 1,000 square feet of patron serving area.

PART 3 - DEFINITIONS

SECTION 300.

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.

ACCESSORY BUILDING ATTACHED: An accessory building as defined above which is attached to the main building by a wall and/or roof of the main building or by a roof over a breezeway connecting the accessory building and the main building.

ACCESSORY BUILDING DETACHED: An accessory building as defined above which is not attached to the main building in the manner described above.

ACCESSORY USE: A use incidental and subordinate to the main use of the property and which is located on the same lot with the main use.

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

ALLEY: Any public space, public park, or thoroughfare less than 16' but not less than 10' in width which has been dedicated or deeded to the public or through notoriety is for public use.

ALTERATION: Any structural change, addition or modification in the supporting or load bearing members of a building, such as bearing walls, the columns, beams, girders, floor joists.

APARTMENT HOUSE: Any building, or portion thereof, which is designed, built, rented, leased, let or hired out to be occupied, which is designed for permanent occupancy and is occupied as the home or residence of three or more families living independently of each other and doing their own cooking in the building.

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.

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 for minor incidental repair of automobiles or trailers to be displayed, sold, or rented on the premises.

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.

BASEMENT: That portion of a building between floor and ceiling, which is partly below and partly above grade, and is so located that the vertical distance of the grade to the floor is less than the vertical distance from grade to ceiling.

BILLBOARD: See sign.

BLOCK: That part of one side of a street lying between the two nearest cross streets, or between the city limits and the nearest cross street, or between the end of a street and the nearest cross street.

BOARDING HOUSE: A building or portion thereof with not more than 15 sleeping rooms and where lodging and meals for not less than 5 persons are provided for compensation.

BUILDING: Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.

BUILDING OR STRUCTURE HEIGHT: The vertical distance from the grade to the highest point of the coping of a flat roof or to the decline of a mansard roof or to the average height of the highest gable of a pitch or hip roof.

CELLAR: That portion of a building between floor and ceiling which is wholly or partly below grade and so located that the vertical distance from the grade to the floor below is equal to or greater than the vertical distance from grade to ceiling.

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.

CHURCH: A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship, and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship.

CITY: The City of Albany, Oregon.

CITY DEVELOPMENT PLAN: Any city map, master or development plan, street plan, land use plan, building setback plan, design plan, or other map, plan or policy pertaining to the physical development of the city which has been officially adopted by the council.

COMMISSION: The Planning and Zoning Commission of the City of Albany, Oregon.

COMMUNITY CLUB: Buildings and grounds used for and operated by a non-profit organization where 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.

COMPACT EVERGREEN HEDGE: A screen of natural evergreen growth sufficiently dense to obscure from direct vision motor vehicle headlights.

COMPLETELY ENCLOSED STRUCTURE: A building enclosed by a permanent roof and by solid exterior walls pierced only by windows and customary entrance and exit doors.

CONVALESCENT HOME: See nursing home.

COUNCIL, CITY: The City Council of the City of Albany, Oregon.

COURT: An open, unoccupied space, mounted on two or more sides by the walls of a building. The unoccupied space between two buildings on different sites is not a court.

DEVELOPMENT PLAN: See City Development Plan.

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

DWELLING: A building or portion thereof designed or used for residential occupancy, including one-family, two-family, and multiple-family dwellings, but excluding hotels, boarding or rooming houses.

DWELLING, ONE-FAMILY: A detached building containing one dwelling unit.

DWELLING, DUPLEX, OR DWELLING, TWO-FAMILY: A detached building containing two dwelling units.

DWELLING, MULTI-FAMILY: A building or portion thereof designed for occupancy by three or more families living independently of each other.

EMPLOYEE: All persons, including proprietors, working on the premises during the largest shift at peak season.

FAMILY: An individual or two or more persons related by blood or marriage, or a group of not more than five persons (including servants) not related by blood or marriage living together as a single housekeeping unit.

FENCE, SIGHT OBSCURING: See compact evergreen hedge.

FLOOR AREA: The area included within surrounding walls of a building, exclusive of vent shafts and courts.

FRONTAGE: All of the property fronting on one side of a street between intersecting streets, or between a street and right-of-way, waterway, end of a dead end street, or city boundary measured along the street line. An intercepting street shall determine only the boundary on the frontage side of the street which it intercepts.

GARAGE: A building or portion thereof in which a motor vehicle containing gasoline, distillate or other volatile flammable liquids in its tank, is stored, prepared or kept.

GARAGE, PRIVATE: A building or portion of a building, not more than 1,000 square feet in area, in which only motor vehicles used by the tenants of the building or buildings on the premises are stored or kept.

GARAGE, PUBLIC: Any garage other than a private garage.

GRADE: The average of the finished ground level in the center of all walls of a building.

GREENHOUSE, PRIVATE: An accessory building used for the propagation, or development of plant materials used only for the residents of the main use and in which no plants are grown or propagated for sale other than as a home occupation.

HOME, CONVALESCENT: A building where persons convalescing are provided with food, lodging and care.

HOME OCCUPATION: An occupation carried on within a dwelling by members of a family occupying a dwelling with no servant, employee or other person being engaged, provided the residential character of the building is maintained and the occupation is conducted in such a manner as to not give an outward appearance or manifest any characteristics of a business in the ordinary meaning of the term nor infringe upon the right of neighboring residents to enjoy peaceful occupancy of their homes. There is no display, advertisement, or signboard allowed except such signs as this ordinance may permit in the district where the home or occupation is situated.

HOSPITAL, GENERAL: A hospital providing surgical and medical care to injured or sick persons or maternity cases.

HOSPITAL, MENTAL: A hospital used exclusively for the treatment of persons suffering from nervous or mental disorders.

HOSPITAL, REMEDIAL: A hospital used exclusively for the persons suffering from the use of drugs or liquor.

HOSPITAL, VETERINARY: A building or premises for the medical or surgical treatment of animals or pets.

HOTEL: Any building containing six or more rooms intended or designed to be used, or which are used, rented, or hired out to be occupied, or which are occupied for sleeping purposes by guests.

JUNK YARD: A place where junk, waste, discarded or salvaged materials are bought, sold, exchanged, stored, bailed, packed or handled, but not including the purchase or storage of used furniture and household equipment, used cars in operable condition, used or salvaged materials as part of manufacturing operations.

KENNEL: Any lot or premises on which four or more dogs, dogs and/or cats over the age of four months are kept for sale or boarded.

LOADING BERTH, LOADING SPACE: An off-street space or berth on the same lot as a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, an alley, or other appropriate means of access.

LOT: A parcel or tract of land which is or may be occupied by a structure, together with the yards or other open spaces required by this ordinance.

LOT AREA: The total horizontal area within the lot lines of a lot.

LOT CORNER: A lot abutting on two intersecting streets other than an alley, provided that the streets do not intersect at an angle greater than 135°.

LOT, DEPTH: The horizontal depth from the mid point of a front lot line to the mid point of the rear lot line.

LOT, INTERIOR: Any lot other than a corner lot.

LOT LINE: The property line bounding a lot.

LOT LINE, FRONT: In the case of an interior lot, the lot line separating the lot on a street other than an alley, and in the case of a corner lot the shortest lot line along a street other than an alley.

LOT LINE, REAR: A lot line which is opposite and most distant from the front lot line and in the case of an irregular, triangular, or other shaped lot, a line 10' in length within the lot parallel to and at the maximum distance from the front lot line.

LOT LINE, SIDE: A lot line not in front or a rear lot line.

LOT WIDTH: The horizontal distance between the side lot line ordinarily parallel to the front lot line.

MATERNITY HOME: An institution, place or building having not more than 10 beds for patients and providing for maternity cases exclusively and having a delivery room, a nursery, and hospitalization facilities.

MOTEL: A building or group of buildings on the same lot containing guest units with separate outside entrances and consisting of individual sleeping quarters, detached or in connected rows, with or without cooking facilities, for rental to transients.

NON-CONFORMING STRUCTURE OR USE: A lawful existing structure or use at the time this ordinance or any amendment thereto becomes effective which does not conform to the requirements of the zone in which the structure or use is located.

NURSERY, DAY: An institution, establishment, or place in which are commonly received at one time, three or more children, not of common parentage, under the age of 14 years, for a period not exceeding 12 hours for the purpose of being given board, care or training apart from the parent or guardian for compensation or reward. A building used for the propagation of plants or plant materials which are intended for resale.

NURSING HOME: An institution, establishment or place providing nursing care for persons who are chronically ill, convalescing from an acute or surgical illness, or requiring a rest regime, excluding persons who are acutely ill or are surgical or maternity cases.

OUTDOOR ADVERTISING DEVICE: A visible immobile contrivance or structure in any shape or form, the purpose of which is to advertise any product or service, campaign, event, etc.

OWNER: The owner of record of real property as shown on the latest taxrolls of Minn County or by the deed records of the county or a person who is purchasing a parcel of property under contract.

PARKING AREA, PRIVATE: An open area other than a street or alley, used for parking of automobiles of occupants of a building.

PARKING AREA, PUBLIC: An open area, other than a private parking area, street, or alley used for the parking of automobiles and available for use by the public or persons patronizing a particular building or establishment.

PARKING SPACE, AUTOMOBILE: A rectangle not less than 18' long and 8½' wide together with maneuvering and access space required for a standard American automobile to park in the rectangle.

PERSON: An individual, partnership, corporation, both public and private, association or club; the singular includes the plural; and the masculine includes the feminine.

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

RESTAURANT, CAFE: Any establishment where prepared food is served for consumption on the premises.

RESTAURANT, DRIVE-IN: Any establishment where prepared food is served for consumption in the immediate vicinity.

REST HOME: See nursing home.

ROOM: Any space in a building which is enclosed or set apart by a partition or partitions which is habitable and used as a bedroom, dining room, living or sitting room, parlor, kitchen, drawing room, library, music room, dressing room, storage, sunning room, sun porch, party room, recreation room, breakfast room, study room, and similar uses.

ROOMING HOUSE: See boarding house.

SCHOOL, COMMERCIAL: A building for instruction of pupils in arts, crafts, or trades operated as a commercial enterprise for a fee in money, or otherwise; which fee is the principal reason for the existence of the school.

SCHOOL, ELEMENTARY: A school offering instruction to one or more grades under the 10th grade level.

SCHOOL, HIGH: A school offering instruction to one or more grades between the 9th through the 12th grades exclusively or in combination with the 7th and 8th grades.

SCHOOL, NURSERY: A school offering instruction and guided activity for kindergarten or pre-kindergarten classes.

SCHOOL, PRIVATE OR PAROCHIAL: A school under the control of and/or financed by religious, philanthropic, and non-profit institutions offering instruction equivalent to public schools.

SCHOOL, PUBLIC: School under the control of and/or financed by legally constituted public school districts in the State of Oregon.

SIGN: A presentation or representation, other than a house number, words, letters, figures, designs, pictures, or colors publicly displayed so as to give notice relative to a person, business, article of merchandise, a service, assembly, solicitation or a request for aid or other types of advertising. This includes the board, metal, or surface on which the sign is painted, or thereto attached.

STORY: That portion of a building included between the upper surface and the floor and the upper surface and floor next above, except the topmost story between that portion of the building which is between the upper surface of the top floor and the ceiling or roof above. If the finished floor level directly above a basement or cellar is more than 6' above grade from the basement or cellar shall not be considered a story.

STREET: The entire width between the boundary lines of every way which provides for public use of vehicular and pedestrian traffic and the placement of utilities and including the terms roads, highways, lanes, avenues, alleys, or other designations. Such streets may be designated in terms of their usage as arterial, collective or minor streets, according to a city development plan prepared by the city.

STRUCTURE: That which is built or constructed. An edifice or building of any kind or any piece of work artificially built up composed of parts joined together in a definite manner, and which requires location on the ground or which is attached to something having location on the ground.

SUBDIVISION: A parcel of land that has been partitioned or divided between two or more units, or the act of partitioning or dividing land, for the transfer of ownership in fee or surface easement, or for building development, whether immediate or future.

TOURIST COURTS: A group of attached or detached buildings between individual or sleeping units, designed for or used temporarily by tourists or transients, including auto courts, motels, or motor lodges.

TRAILERS: Portable buildings or vehicles constructed and designed to permit its occupancy for dwelling or sleeping purposes.

TRAILER PARK: A plot of ground on which one or more trailers occupied for dwelling or sleeping purposes are located, regardless of whether a charge is made for such accommodations.

USE: The purpose for which land or structure is designed, arranged or extended or for which either land or a building may be occupied.

VISION CLEARANCE: A triangular area at a street or corner, corner lot, or the alley-street intersection which may be defined by a line across the corner to the points on the street right-of-way line or a street-alley right-of-way measured from the corner and containing no planting, walls, structures, or temporary or permanent obstructions exceeding three and one-half feet in height above the curb level.

WELFARE INSTITUTION: An institution under the control and financed by a unit of government; or a philanthropic, charitable or other non-profit organization, providing housing, training, and care of children, the aged, or indigents, handicapped or underprivileged persons including places of detention and correction.

WRECKING YARD: See automobile wrecking yard.

YARD: An open space on a lot which is unobstructed from the ground upward.

YARD, FRONT: An open space between side lot lines, measured horizontal from the front lot line at right angles from the front lot line of the building.

YARD, REAR: An open space extending between side lot lines and measuring horizontally at right angles from the rear lot line to the nearest point of the main building.

YARD, SIDE: An open space between a building and the side lot line and is horizontally at right angles from the nearest point of the building.

PART 4 - ZONE BOUNDARY DESCRIPTIONS

SECTION 401. R-6 RESIDENTIAL

401.01 R-6 Area 1

In Southwest quarter of Southwest quarter of Section 17, Township 11 South, Range 3 West, Willamette Meridian. Beginning at point of intersection of city limits boundary and center line of Hill Street;
thence in a Northerly direction along the center line of Hill Street to point of intersection with center line of 34th Avenue;
thence in an Easterly direction along center line of 34th Avenue to point of intersection with center line of Oak Street;
thence in a Northerly direction along center line of Oak Street to point of intersection with center line of 23rd Avenue;
thence in an Easterly direction to point of intersection with city limits boundary;
thence beginning in a Southerly direction and following city limits boundary to point of beginning.

401.02 R-6 Area 2

In Southeast quarter of Southeast quarter of Section 12, in Southwest quarter of Southeast quarter of Section 12, in Northeast quarter of Northwest quarter of Section 13, Township 11 South, Range 4 West; Willamette Meridian. Beginning at point of intersection of center line of 27th Avenue with center line of Liberty Street;
thence in a Northerly direction along center line of Liberty Street to point of intersection with center line of Queen Avenue;
thence in an Easterly direction along center line of Queen Avenue to point that is 150 feet West of the West line of Elm Street;
thence South $0^{\circ}57'$ East 180 feet;
thence North $86^{\circ}55'$ East to point of intersection with center line of Elm Street;
thence in a Southerly Direction along center line of Elm Street to point of intersection with city limits boundary;
thence in Westerly, Southerly and Easterly directions, all along city limits boundary to point of intersection with center line of Highway 99E;
thence in a Southerly direction along center line of Highway 99E to point of intersection with city limits boundary;
thence in a Westerly direction along city limits boundary to center line of 27th Avenue;
thence North $14^{\circ}12'$ West 30.99 feet to the North line of 27th Avenue;
thence in a Northerly direction along the East line of the George Oline Donation Land Claim No. 84 to the point of intersection of West line of Liberty Street;
thence in an Easterly direction to the point of intersection with the center line of Liberty Street;
thence in a Southeasterly direction along said center line of Liberty Street to the point of beginning.

401.03 R-6 Area 3

In Northwest quarter of Northeast quarter of Section 12, Township 11 South, Range 4 West, Willamette Meridian. Beginning at point of intersection of center line of Oregon Electric Railroad and city limits boundary;
thence in a Northerly direction following the city limits boundary to point of intersection of center line of Willamette River;
thence Easterly along said center line to point of intersection of Washington Street extended Northerly;
thence in a Southerly direction on center line of Washington Street to point of intersection with center line of 1st Avenue;
thence in a Westerly direction along center line of 1st Avenue to point of intersection with center line of Calapooia Street;
thence in a Southerly direction along center line of Calapooia Street to point of intersection with center line of 3rd Avenue;
thence in a Westerly direction along center line of 3rd Avenue to point of intersection with East bank of Calapooia River;
thence in a Southerly direction along river bank to point of intersection with center line of Oregon Electric Railroad;
thence in a Southerly direction along center line of Oregon Electric Railroad to point of beginning.

401.04 R-6 Area 4

In Northwest quarter of Northwest quarter of Section 9, Township 11 South, Range 3 West, Willamette Meridian. Beginning at point of intersection of North line of Franklin Avenue with center line of Airport Road;
thence in a Westerly direction along north line of Franklin Avenue to point of intersection with East boundary of Freeway Addition;
thence in a Northerly direction along said East boundary to point of intersection with central East-West lot boundary of Block 7, Freeway Addition;
thence in an Easterly direction along said line to point of intersection with center line of Airport Road;
thence in a Northerly direction along center line of Airport Road to point of intersection with a line approximately 105 feet from and parallel to South Shore Drive;
thence in a Westerly direction along said line to point of intersection with East boundary of Freeway Addition;
thence in a Northerly direction along said boundary to point of intersection with center line of South Shore Drive;
thence in an Easterly direction to point of intersection with center line of Airport Road;
thence in a Northerly direction along center line of Airport Road to point of intersection with city limits boundary;
thence in Easterly, Southerly and Westerly directions along city limits boundary to point of beginning.

SECTION 402. R-5 RESIDENTIAL

402.01 R-5 Area 1

In Southeast quarter of Southeast quarter of Section 18, Township 11 South, Range 3 West, Willamette Meridian. Beginning at the Southwest corner of Rodgersdale Addition;
thence in a Northerly direction along city limits boundary to point of intersection of Queen Avenue and Marion Street;
thence in a Northwesterly direction along center line of Howard Drive to point of intersection with line extended from North boundary of Block 1, Bacon Addition;
thence in an Easterly direction along said line to point of intersection with center line of Jackson Street;
thence in a Northerly direction along center line of Jackson Street to point of intersection with 13th Avenue on the East side of Jackson Street;
thence in an Easterly direction along center line of 13th Avenue to point of intersection with center line of Hill Street;
thence in a Northerly direction along center line of Hill Street approximately 250 feet to point of intersection with line extended from lot boundary on the East side of South Hill Street;
thence in an Easterly direction along said line to point of intersection with West boundary of Tripp Addition;
thence in a Northerly direction along said line to point of intersection with center of railroad right-of-way;
thence in an Easterly direction along center line of railroad right-of-way approximately 35 feet to line extended from lot boundary on North side of railroad right-of-way;
thence in a Northerly direction along said line to Southeast corner of Hackleman's Grove Addition;
thence in a Westerly direction along South boundary of Hackleman's Grove Addition to point of intersection with center line of Main Street;
thence in a Northerly direction to point of intersection with center line of 9th Avenue;
thence in an Easterly direction along center line of 9th Avenue to point of intersection with center line of Oak Street;
thence in a Southerly direction following city limits boundary to a point that is North 5°40' West 121 feet from the Northeast corner of the intersection of County Road and Oak Drive;
thence North 79°05' West to Southwest corner of Lot 9, Block 1, Price's 2nd Addition;

thence South 9°12' East 15 feet;
 thence South 60°37' East 108.75 feet;
 thence South 9°12' East 28 feet;
 thence South 79°04' West to the East bank of the Periwinkle Creek;
 thence Southerly along the East bank of the Periwinkle Creek to the South line of railroad right-of-way;
 thence North 17°33' West 60 feet to the North line of the railroad right-of-way;
 thence South 72°27' West 590 feet;
 thence North 5°40' West to the South line of County Road;
 thence South 79°01' West to the West line of Oak Street;
 thence Southerly along city limits line to point of intersection with center line of 23rd Avenue;
 thence in a Westerly direction on center line of 23rd Avenue to point of intersection with center line of Oak Street;
 thence in a Southerly direction along center line of Oak Street to point of intersection with center line of 34th Avenue;
 thence in a Westerly direction along center line of 34th Avenue to point of intersection with center line of Hill Street;
 thence in a Southerly direction on center line of Hill Street to point of intersection with city limits boundary;
 thence in a Westerly direction on city limits boundary to point of beginning. Excluded from this zone are zones within these boundaries as described 403.01 RA Area 1, 405.01 C-2 Area 1, and 405.02 C-2 Area 2.

402.02 R-5 Area 2

In Northwest quarter of Southwest quarter of Section 12, Township 11 South, Range 4 West, Willamette Meridian. Beginning at intersection of Broadway Street and State Highway;

thence in a Southwesterly direction and following the city limits boundary in Westerly and Northerly directions to point of intersection with center line of Umatilla Street;
 thence in a Southerly direction on center line of Umatilla Street to point of intersection with center line of 7th Avenue;
 thence in an Easterly direction along center line of 7th Avenue to point approximately 475 feet West of center line of Elm Street;
 thence in a Southerly direction to point of intersection with central East-West lot boundary line of Block 60, City of Albany;
 thence in an Easterly direction along said boundary to a point approximately 293 feet West of center line of Elm Street;
 thence Southerly to a point of intersection with center line of 8th Avenue;
 thence Easterly along center line of 8th Avenue to a point 254 feet Westerly of center line of Elm Street;
 thence Southerly to central East-West lot boundary of Block 61, City of Albany;
 thence Easterly along central East-West lot boundary 8.75 feet;
 thence Southerly along property line to center line of 9th Avenue;
 thence Westerly on center line of 9th Avenue to point of intersection with center line of Willetta Street;
 thence in a Southerly direction on center line of Willetta Street to point of intersection with center line of 12th Avenue;
 thence in an Easterly direction along center line of 12th Avenue to point of intersection with line extended from lot boundary between Lots 1 and 2, 7 and 8, Block 105, Monteith's Southern Addition;
 thence in a Northerly direction along said line to point of intersection with center line of 11th Avenue;
 thence in an Easterly direction along center line of 11th Avenue to center line of Maple Street;
 thence in a Northerly direction along center line of Maple Street to point of intersection with center line of 10th Avenue;
 thence in a Westerly direction along center line of 10th Avenue to point approximately 115.5 feet West of center line of Walnut Street;
 thence in a Northerly direction approximately 93 feet parallel to Walnut Street;
 thence in a Westerly direction approximately 17.5 feet parallel to 10th Avenue;
 thence in a Northerly direction 50 feet parallel to Walnut Street;
 thence Westerly 5 feet;
 thence in a Northerly direction to point of intersection with center line of 9th Avenue;
 thence Westerly to point of intersection with line extended from central North-South lot boundary of Block 82, Monteith's Southern Addition;
 thence in a Northerly direction along said line to point of intersection with center line of 6th Avenue;
 thence in an Easterly direction along center line of 6th Avenue to point of intersection with center line of Washington Street;
 thence in a Southerly direction on Washington Street to point of intersection with center line of 9th Avenue;
 thence in an Easterly direction along center line of 9th Avenue to point of intersection with center line of Ellsworth Street;
 thence in a Southerly direction on center line of Ellsworth Street to point of intersection with center line of Highway 99E;
 thence in a Southerly direction along center line of Highway 99E to point of intersection with center line of 11th Avenue;
 thence in a Westerly direction along center line of 11th Avenue to point of intersection with line extended from central North-South lot boundary of Block 99, Monteith's Southern Addition;

thence in a Southerly direction along said line to point of intersection with center line of 12th Avenue;
 thence in a Westerly direction on center line of 12th Avenue to point of intersection with center line of Washington Street;
 thence in a Southerly direction on center line of Washington Street to point of intersection with center line of 14th Avenue;
 thence in a Westerly direction along 14th Avenue to point of intersection with center line of alley in Block 5, Central Addition;
 thence in a Southerly direction along center line of alley to point of intersection with line extended from lot boundary between Lots 7 and 10, Block 5, Central Addition;
 thence in a Westerly direction along said line to point of intersection with center line of Calapooia Street;
 thence in a Southerly direction along center line of Calapooia Street to point of intersection with North line of Lots 15 and 16, Block 4, Central Addition extended Easterly;
 thence in a Westerly direction along said North line to point of intersection with center line of Vine Street;
 thence in a Southerly direction along center line of Vine Street to point of intersection with center line of Queen Avenue;
 thence in a Westerly direction along center line of Queen Avenue to point of intersection with center line of alley of Block 9, Rosemont Addition;
 thence in a northerly direction along center line of alley to point of intersection with center line of 16th Avenue;
 thence in a Westerly direction along center line of 16th Avenue to point of intersection with center line of Elm Street;
 thence in a Northerly direction along center line of Elm Street to point of intersection with center line of 16th Avenue on West side of Elm Street;
 thence in a Westerly direction along center line of 16th Avenue to point of intersection with center line of Umatilla Street;
 thence in a Southerly direction along center line of Umatilla Street to point of intersection with center line of Queen Avenue;
 thence in a Westerly direction along center line of Queen Avenue to point of beginning.
 Excluded from this zone is that zone described in Sec. 405.08 C-2 Area 8.

402.03 R-5 Area 3

In Northeast quarter of Southeast quarter of Section 6, Township 11 South, Range 3 West, Willamette Meridian. Beginning at point of intersection of center line of 1st Avenue with center line of Main Street;
 thence in a Northerly direction along center line of Main Street to point of intersection with city limits boundary;
 thence in an Easterly direction along city limits boundary to point of intersection with line extended from center line of Cleveland Street;
 thence in a Southerly direction along center line of Cleveland Street to point of intersection with center line of Water Avenue;
 thence in an Easterly direction along center line of Water Avenue to point of intersection with center line of Geary Street;
 thence in a Northerly direction along center line of Geary Street to point of intersection with center line of Linn Avenue;
 thence in an Easterly direction along center line of Linn Avenue to point of intersection with center line of Davidson Street;
 thence in a Southerly direction along center line of Davidson Street to point of intersection with center line of Water Avenue;
 thence in a Westerly direction along center line of Water Avenue to point of intersection with center line of Columbus Street;
 thence in a Southerly direction along center line of Columbus Street to point of intersection with center line of 1st Avenue;
 thence in a Westerly direction along center line of 1st Avenue to point of intersection with center line of Alco Street;
 thence in a Southerly direction along center line of Alco Street to point of intersection with center line of 2nd Avenue;
 thence in a Westerly direction along center line of 2nd Avenue to point of intersection with line extended from central North-South boundary separating Lots 2 and 3, 6 and 7, Block 4, Hackleman's 3rd Addition;
 thence in a Northerly direction along said line to point of intersection with center line of 1st Avenue;
 thence in a Westerly direction along center line of 1st Avenue to point of beginning.

402.04 R-5 Area 4

In Southwest quarter of Southwest quarter of Section 5, Township 11 South, Range 3 West, Willamette Meridian. Beginning at point of intersection of a line extended from 7th Avenue with the central North-South lot boundary, Block 11, Bryant's Addition;
 thence in a Northerly direction along said line to point of intersection with center line of railroad right-of-way;
 thence in a Northeasterly direction along center line of railroad right-of-way to point of intersection with city limits boundary;
 thence in a Southerly direction along city limits boundary to point of intersection with center line of 4th Avenue;
 thence in a Westerly direction along center line of 4th Avenue to point of intersection with center line of Davidson Street;

thence in a Southerly direction along center line of Davidson Street to point of intersection with center line of Highway 99E;
 thence in a Southerly direction along center line of Highway 99E to point of intersection with a line extended from central North-South boundary separating Lots 11 and 12, Block 4, Burkhart Addition;
 thence in a Northerly direction along said line to point of intersection with line extended from lot boundary between Lots 8 and 9, Block 4, Supplemental Plat of Burkhart Addition;
 thence in a Westerly direction along said boundary to point of intersection with center line of Columbus Street;
 thence in a Southerly direction along center line of Columbus Street to point of intersection with line extended from South boundary of Lots 9 and 12, Block 5, Supplemental Plat of Burkhart Addition;
 thence in a Westerly direction along said boundary to point of intersection with boundary between Block 4, Burkhart Addition and Block 5, Supplemental plat of Burkhart Addition;
 thence in a Southerly direction along said line to point of intersection with boundary line between Lots 16 and 17, Block 4, Burkhart Addition;
 thence in a Westerly direction along said line to point of intersection with center line of Burkhart Street;
 thence in a Southerly direction along center line of Burkhart St. to point of intersection with center line of 6th Avenue;
 thence in a Westerly direction along center line of 6th Avenue to point of intersection with East boundary of Bryant's Addition;
 thence in a Southerly direction along said boundary to point of intersection with center line of 7th Avenue;
 thence in a Westerly direction along center line of 7th Avenue to point of beginning.

402.05 R-5 Area 5

In Northeast quarter of Northwest quarter of Section 8, Township 11 South, Range 3 West, Willamette Meridian. Beginning at point of intersection of line extended from center line of 9th Avenue with boundary between Burkhart Addition and Supplemental Plat of Burkhart Addition;
 thence in a Northerly direction along boundary between Burkhart Addition and Supplemental Plat of Burkhart Addition to point of intersection with lot boundary between Lots 3 and 4, Block 6, Supplemental Plat of Burkhart Addition;
 thence in an Easterly direction along said line to point of intersection with center line of Columbus Street;
 thence in a Northerly direction along center line of Columbus Street to point of intersection with center line of 8th Avenue;
 thence in an Easterly direction along center line of 8th Avenue to point of intersection with center line of Davidson Street;
 thence in a Northerly direction along center line of Davidson Street to point of intersection with line extended from lot boundary between Lots 4 and 5, 12 and 13, Block 12, Supplemental Plat of Burkhart Addition;
 thence in an Easterly direction along said boundary to point of intersection with center line of Ermine Street;
 thence in a Northerly direction along center line of Ermine Street to point of intersection with line extended from lot boundary between Lots 7 and 8, 6 and 9, Block 7, Motley's Addition;
 thence in an Easterly direction along said line to point of intersection with center line of Fulton Street;
 thence in a Northerly direction along center line of Fulton Street to point of intersection with line extended from lot boundary between Lots 8 and 11, 9 and 10, Block 8, Motley's Addition;
 thence in an Easterly direction along said line to point of intersection with city limits boundary;
 thence in a Southerly direction following the city limits boundary to a point 829.6 feet East of center line of Waverly Drive;
 thence in a Northerly direction in line parallel to Waverly Drive to a point of intersection with a line extended from North boundary of Freeway Addition;
 thence in an Easterly direction along said Northern boundary to point of intersection with lot boundary between Lots 5 and 8, Block 2, Freeway Addition;
 thence in a Southerly direction along said line to point of intersection with lot boundary between Lots 6 and 8, Block 2, Freeway Addition;
 thence in an Easterly direction along said line to point of intersection with center line of Oakwood Avenue;
 thence in a Northerly direction along center line of Oakwood Avenue;
 thence Easterly along line of Oakwood Avenue to point of intersection with line extended from East boundary line of Lots 10 and 11, Block 3, Freeway Addition;
 thence in a Southerly direction along said line to point of intersection with center line of North Shore Drive;
 thence in an Easterly direction along center line of North Shore Drive to point of intersection with lot boundary between Lots 10 and 11, Block 5, Freeway Addition;
 thence in a Southerly direction along said line to North bank of lake;
 thence in an Easterly direction along lake bank to point of intersection with lot boundary between Lots 12 and 13, Block 5, Freeway Addition;
 thence in a Southerly direction in line with Lots 12 and 13 boundary to South bank of lake;
 thence North 72°19' East along South bank of lake to point of intersection with center line of Airport Road;
 thence in a Southerly direction along center line of Airport Road to point of intersection with center line of South Shore Drive;

thence in a Westerly direction along center line of South Shore Drive to point of intersection with a line extended from East boundary of Lot 1, Block 7, Freeway Addition;
thence in a Southerly direction along said line approximately 105 feet;
thence in an Easterly direction parallel to South Shore Drive to center line of Airport Road;
thence in a Southerly direction along center line of Airport Road 105 feet;
thence in a Westerly direction to point of intersection with Northeast corner of Lot 8, Block 7, Freeway Addition;
thence in a Southerly direction along East boundary of Lot 8, Block 7, Freeway Addition to point of intersection with center line of Franklin Avenue;
thence in a Westerly direction to city limits boundary;
thence following city limits boundary to point of intersection with a line extended from lot boundary line between Lots 12 and 13, 11 and 14, Block 12, Motley's Addition;
thence in a Westerly direction along said line to point of intersection with central North-South lot boundary of Block 11, Motley's Addition;
thence in a Northerly direction along said line to point of intersection with lot line between Lots 9 and 12, 10 and 11, Block 11, Motley's Addition;
thence in a Westerly direction along said line to point of intersection with center line of Davidson Street;
thence in a Northerly direction along center line of Davidson Street to point of intersection with center line of 9th Avenue;
thence in a Westerly direction along 9th Avenue to point of beginning.

402.06 R-5 Area 6

Beginning at the Southwest corner of Block 3, Kurre Lakeside Tracts;
thence North 1°25' West to a point that is South 1°25' East 97.5 feet and North 88°28' East 40 feet from the Northeast corner of Block 2, Kurre Lakeside Tracts;
thence South 88°28' West 243.21 feet;
thence South 62°52' West to the Southwest corner of Lot 4, Block 1, Kurre Lakeside Tracts;
thence Northerly to the Northwest corner of said Lot 4;
thence North 52°52' East to the Northeast corner of Lot 1, Block 1, Kurre Lakeside Tracts;
thence Southeasterly to the Northwest corner of Lot 8, Block 3, Kurre Lakeside Tracts;
thence Easterly along the North line of said Lot 8 to the East line of Block 3;
thence Southerly along the East line of Block 3 to the Southeast corner thereof;
thence Westerly to the point of beginning.

SECTION 403. RA - MULTIPLE FAMILY RESIDENTIAL

403.01 RA Area 1

In Southeast quarter of Southeast quarter of Section 7, Township 11 South, Range 3 West, Willamette Meridian. Beginning at the Northwest corner of C. D. Burkhart Donation Land Claim No. 52;
thence in an Easterly direction along center line of Queen Avenue to point of intersection with the West line extended from Block 1, Hollywood Acres;
thence in a Southerly direction to point of intersection with the center line of block between Queen Avenue and 18th Avenue;
thence in an Easterly direction to point of intersection with the center line of Hill Street;
thence in a Southerly direction along center line of Hill Street to point of intersection with center line of 19th Avenue;
thence in a Westerly direction along center line of 19th Avenue to point of intersection with the West boundary of Southeast quarter of Southeast quarter of Section 7, Township 11 South, Range 3 West, Willamette Meridian;
thence proceeding North along said boundary to point of beginning.

403.02 RA Area 2

In Northwest quarter of Southeast quarter of Section 12, Township 11 South, Range 4 West, Willamette Meridian. Beginning at a point where center lines of Queen Avenue and Umatilla Street intersect;
thence Northerly along center line of Umatilla Street to intersection with center line of 16th Avenue;
thence in an Easterly direction along center line of 16th Avenue to point of intersection with a line extended Northerly from boundary line between Lots 5 and 6, Block 9, Linnmont Addition;
thence proceeding in a Southerly direction along said line 125 feet;
thence in a Westerly direction along the South line of Lots 6 and 7, Block 9, Linnmont Addition to a point of intersection with a line from boundary between Lots 17 and 18, Block 9, Linnmont Addition;
thence in a Southerly direction along said line to point of intersection with center line of Queen Avenue;
thence in a Westerly direction along said line to point of beginning.

403.03 RA Area 3

In Southwest quarter of Northeast quarter of Section 12, Township 11 South, Range 4 West, Willamette Meridian. Beginning at intersection of center lines of 12th Avenue and Willetta Street;
thence Northerly on center line of Willetta Street to a point intersecting with center line of 9th Avenue;

thence in an Easterly direction along said line 69.75 feet;
 thence Northerly to the East-West center line of Block 61, City of Albany;
 thence along said center line Westerly 8.75 feet;
 thence Northerly along property line to center line of 8th Avenue;
 thence in an Easterly direction along center line of 8th Avenue 112.75 feet;
 thence Southerly along property line 106.33 feet;
 thence Westerly 10 feet;
 thence Southerly 190 feet to center line of 9th Avenue;
 thence in an Easterly direction along center line of 9th Avenue to point of intersection with
 a line extended from the boundary between Lots 3 and 4, Block 1 of Wright's Addition;
 thence in a Southerly direction along said line to point of intersection with center line of
 10th Avenue;
 thence in an Easterly direction along center line of 10th Avenue to point of intersection with
 center line of Maple Street;
 thence in a Southerly direction along center line of Maple Street to point of intersection
 with center line of 11th Avenue;
 thence in a Westerly direction along center line of 11th Avenue to point of intersection with
 a line extended from boundary between Lots 1 and 2, Block 105, Monteith's Southern Addition;
 thence in a Southern direction along said line to point of intersection with center line of
 12th Avenue;
 thence in a Westerly direction along center line of 12th Avenue to point of beginning.

403.04 RA Area 4

In Southwest quarter of Northwest quarter of Section 7, Township 11 South, Range 3 West,
 Willamette Meridian. Beginning at point of intersection of center line of 9th Avenue with
 center line of Washington Street;
 thence Northerly along center line of Washington Street to point of intersection with center
 line of 6th Avenue;
 thence in a Westerly direction along center line of 6th Avenue to point of intersection with
 center line of Elm Street;
 thence in a Northerly direction along center line of Elm Street to point of intersection with
 center line of 5th Avenue;
 thence in a Westerly direction along center line of 5th Avenue to point of intersection with
 city limits boundary;
 thence in a Northerly direction to point of intersection with center line of railroad right-
 of-way;
 thence in a Northeasterly direction along center line of railroad right-of-way to point of
 intersection with Calapooia River;
 thence in an Easterly direction following the river bank to point of intersection with center
 line of 3rd Avenue;
 thence in an Easterly direction along center line of 3rd Avenue to point of intersection with
 line extended from boundary between Lots 3 and 4, Block 23, City of Albany;
 thence in a Southerly direction along said line to point of intersection with center line of
 alley in Block 23, City of Albany;
 thence in a Westerly direction to point of intersection with a line extended from the boundary
 between Lots 7 and 6, Block 23, City of Albany;
 thence in a Southerly direction along said line to point of intersection with center line of
 alley in Block 26;
 thence in a Westerly direction along the center line of the alley to point of intersection with
 line extended from boundary between Lots 7 and 8, Block 26, City of Albany;
 thence in a Southerly direction along said line to point of intersection with East-West center
 lot boundary of Block 35, City of Albany;
 thence in an Easterly direction along said center line of Block 35 and along said center line
 extended Easterly to point of intersection with line between Lots 7 and 8, Block 32, City
 of Albany;
 thence in a Southerly direction along said line to North boundary of Block 52, City of Albany;
 thence in a Westerly direction 1.25 feet;
 thence in a Southerly direction to center line of 8th Avenue;
 thence in an Easterly direction along center line of 8th Avenue to point of intersection with
 center line of Ellsworth Street;
 thence in a Southerly direction along center line of Ellsworth Street to point of intersection
 with 9th Avenue;
 thence in a Westerly direction along center line of 9th Avenue to point of beginning.

403.05 RA Area 5

In Northeast quarter of Northwest quarter of Section 7, Township 11 South, Range 3 West,
 Willamette Meridian. Beginning at point of intersection of center line of Lyon Street with
 Highway 99E;
 thence Northerly on center line of Lyon Street to point of intersection with center line of 8th
 Avenue;
 thence in an Easterly direction along center line of 8th Avenue to point of intersection with
 a line extended Southerly from the central North-South lot boundary of Block 8, Hackleman's
 2nd Addition;
 thence in a Northerly direction along said line to point of intersection with central East-West
 lot boundary, Block 6, Hackleman's 2nd Addition;
 thence in an Easterly direction along said line to point of intersection with center line of
 Jackson Street;
 thence in a Northerly direction along center line of Jackson Street to point of intersection
 with East-West central lot boundary extended Westerly of Block 111, Hackleman's Addition;

thence in an Easterly direction along said line extended Easterly to point of intersection with center line of Thurston Street;
 thence in a Southerly direction along center line of Thurston Street to point of intersection with center line of 3rd Avenue;
 thence in an Easterly direction along center line of 3rd Avenue to point of intersection with line extended from boundary line between Lots 6 and 7, Block 120, Hackleman's Addition;
 thence in a Northerly direction along said line to point of intersection with center line of 1st Avenue;
 thence in an Easterly direction along center line of 1st Avenue to point of intersection with line extended from North-South central lot boundary between Lots 2 and 3, 6 and 7, Block 129, Hackleman's Addition;
 thence in a Southerly direction along said line to point of intersection with center line of 4th Avenue;
 thence in an Easterly direction along center line of 4th Avenue to point of intersection with center line of Main Street;
 thence in a Southerly direction along center line of Main Street to point of intersection with center line of 5th Avenue;
 thence in a Westerly direction along center line of 5th Avenue to point of intersection with center line of Lafayette Street;
 thence in a Southerly direction along center line of Lafayette Street to point of intersection with center line of 6th Avenue;
 thence in a Westerly direction along center line of 6th Avenue to point of intersection with line extended from North-South boundary between Lots 3 and 4, 5 and 6, Block 28, Hackleman's 2nd Addition;
 thence in a Southerly direction along said line to point of intersection with center line of main Southern Pacific track;
 thence in a Southwesterly direction along said line to point of intersection with center line of Pacific Highway;
 thence in a Westerly direction along center line of Highway 99E to point of beginning.

SECTION 404. BP-1 LIMITED BUSINESS & PROFESSIONAL

404.01 BP-1 Area 1

In Southwest quarter of Northeast quarter of Section 12, Township 11 South, Range 4 West, Willamette Meridian. Beginning at point of intersection of center line of 8th Avenue and a line approximately 293 feet west of and parallel to center line of Elm Street;
 thence in a Northerly direction along property line to point of intersection with central East-West lot boundary line of Block 60, City of Albany;
 thence in a Westerly direction along said line to point of intersection with line approximately 475 feet west of and parallel to center line of Elm Street;
 thence in a Northerly direction along said line to point of intersection with center line of 7th Avenue;
 thence in a Westerly direction along center line of 7th Avenue to point of intersection with center line of Umatilla Street;
 thence in a Northerly direction along center line of Umatilla Street to point of intersection with center line of 5th Avenue;
 thence in an Easterly direction along center line of 5th Avenue to point of intersection with center line of Elm Street;
 thence in a Southerly direction along center line of Elm Street to point of intersection with center line of 6th Avenue;
 thence in an Easterly direction along center line of 6th Avenue to point of intersection with line extended from central North-South lot boundary of Block 42, City of Albany;
 thence in a Southerly direction along said line to point of intersection with central East-West lot line of Block 59, City of Albany;
 thence Easterly along said line approximately 20 feet;
 thence Southerly to center line of 8th Avenue;
 thence in a Westerly direction along 8th Avenue to point of beginning.

404.02 BP-1 Area 2

In Northeast quarter of Northeast quarter of Section 12, Township 11 South, Range 3 West, Willamette Meridian. Beginning at point of intersection of central East-West boundary, Block 35, City of Albany and line extended from boundary between Lots 7 and 8;
 thence in a Northerly direction along said line to point of intersection with center line of 5th Avenue;
 thence in an Easterly direction along 5th Avenue to point of intersection with a line 100 feet East of and parallel to Broadalbin Street;
 thence Southerly along said line to point of intersection with central East-West lot line, Block 32, City of Albany;
 thence in a Westerly direction along said line to point of beginning.

404.03 BP-1 Area 3

In Northeast quarter of Northwest quarter of Section 7, Township 11 South, Range 3 West, Willamette Meridian. Beginning at point of intersection of central East-West lot boundary, Block 6, Eastern Addition and central North-South lot boundary, Block 6, Eastern Addition;
 thence in a Northerly direction along said line to point of intersection with center line of 5th Avenue;

thence in an Easterly direction along center line of 5th Avenue to point of intersection with center line of Jackson Street;
thence in a Southerly direction along center line of Jackson Street to point of intersection with line extended Easterly from central East-West lot boundary of Block 6, Eastern Addition;
thence in a Westerly direction along said line to point of beginning.

SECTION 405. C-2 LOCAL COMMERCIAL

405.01 C-2 Area 1

In Northwest quarter of Southeast quarter of Section 7, Township 11 South, Range 3 West, Willamette Meridian. Beginning at point of intersection with center line of Queen Avenue and West line extended Northerly from Block 1, Hollywood Acres;
thence in an Easterly direction along center line of Queen Avenue to point of intersection with center line of Madison Street;
thence in a Northerly direction along center line of Madison Street to point of intersection with line extended Westerly from lot boundary line between Lots 6 and 7, Block 6, Hillway Addition;
thence in an Easterly direction along said line to point of intersection with North-South center line, Block 6, Hillway Addition;
thence in a Southerly direction on said line to point of intersection with lot boundary line between Lots 11 and 12, Block 6, Hillway Addition;
thence in an Easterly direction along said line to point of intersection with center line of Hill Street;
thence in a Southerly direction along center line of Hill Street to point of intersection with center line of Queen Avenue;
thence Easterly on center line of Queen Avenue to center line of Main Street;
thence Southerly on center line of Main Street to the intersection of South boundary line extended Easterly of Lots 1 and 2, Block 1, Birky and Beam Addition;
thence in a Westerly direction along said South line to West boundary of Birky and Beam Addition;
thence Southerly along said West boundary to the East-West center line of Block 2, Hollywood Acres Addition;
thence Westerly along said center line to point of intersection with lot boundary between Lots 4 and 5, 12 and 13, Block 2, Hollywood Acres;
thence in a Southerly direction along said boundary to point of intersection with center line of 18th Avenue;
thence in a Westerly direction along 18th Avenue to point of intersection with center line of Hill Street;
thence in a Northerly direction along center line of Hill Street to point of intersection with central East-West center line extended Easterly of Block 1, Hollywood Acres;
thence in a Westerly direction along said line to point of intersection with West boundary of Block 1, Hollywood Acres;
thence in a Northerly direction along said line the point of beginning.

405.02 C-2 Area 2

In Southwest quarter of Southeast quarter of Section 7, Township 11 South, Range 3 West, Willamette Meridian. Beginning at point of intersection of center line of Queen Avenue and Howard Drive;
thence in an Easterly direction along center line of Queen Avenue to point of intersection with center line of Railroad Street;
thence in a Southerly direction to point of intersection with city limits boundary;
thence in a Westerly and Northerly direction along city limits boundary to point of beginning.

405.03 C-2 Area 3

In Southeast quarter of Southeast quarter of Section 12, Township 11 South, Range 4 West, Willamette Meridian. Beginning at point of intersection of center line of 21st Avenue with center line of Elm Street;
thence in a Northerly direction along center line of Elm Street to point that is South 0°57' East from the South line of Queen Avenue;
thence South 86°55' West 190 feet;
thence North 0°57' West 180 feet to point of intersection with center line of Queen Avenue;
thence in a Westerly direction along center line of Queen Avenue to point of intersection with line extended Southerly from boundary between Lots 17 and 18, Block 9, Linnmont Addition;
thence in a Northerly direction along said line to point of intersection with East-West central lot boundary of Block 9, Linnmont Addition;
thence in an Easterly direction along said boundary to point of intersection with boundary between Lots 5 and 6, Block 9, Linnmont Addition;
thence in a Northerly direction along said boundary to point of intersection with center line of 16th Avenue;
thence in an Easterly direction along center line of 16th Avenue to point of intersection with center line of Elm Street;
thence in a Southerly direction along center line of Elm Street to point of intersection with 16th Avenue on the East side of Elm Street;
thence in an Easterly direction along center line of 16th Avenue to point of intersection with line extended from center line of alley, Block 9, Rosemont Addition;
thence in a Southerly direction along said line to point of intersection with center line of Queen Avenue;

thence in an Easterly direction along center line of Queen Avenue to point of intersection
 with center line of Vine Street;
 thence in a Northerly direction along center line of Vine Street to point of intersection with
 line extended Westerly from the North boundary of Lots 15 and 16, Block 4, Central Addition;
 thence in an Easterly direction along said line to point of intersection with center line of
 Calapooia Street;
 thence in a Northerly direction along center line of Calapooia Street to point of intersection
 with line extended Westerly from lot boundary between Lots 7 and 10, Block 5, Central
 Addition;
 thence in an Easterly direction along said boundary to point of intersection with center line
 of alley, Block 5, Central Addition;
 thence in a Northerly direction along said line to point of intersection with center line of
 14th Avenue;
 thence in an Easterly direction along center line of 14th Avenue to point of intersection with
 center line of Washington Street;
 thence in a Northerly direction along center line of Washington Street to point of intersection
 with center line of 12th Avenue;
 thence in an Easterly direction along center line of 12th Avenue to point of intersection with
 a line extended from central North-South lot boundary, Block 99, Monteith's Southern Addition;
 thence in a Northerly direction along said line to point of intersection with center line of
 11th Avenue;
 thence in an Easterly direction along center line of 11th Avenue to point of intersection with
 center line of Highway 99E;
 thence in a Southerly direction along center line of Highway 99E to point of intersection with
 center line of 22nd Avenue;
 thence Westerly along center line of 22nd Avenue to point of intersection with line extended
 Southerly from central North-South lot boundary of Block 27, South Albany Addition;
 thence in a Northerly direction along said line to point of intersection with center line of
 21st Avenue;
 thence in a Westerly direction along said center line to point of beginning.

405.04 C-2 Area 4

In Southwest quarter of Northeast quarter of Section 12, Township 11 South, Range 4 West,
 Willamette Meridian. Beginning at point of intersection of center line of 10th Avenue with
 line extended Southerly from the boundary between Lots 3 and 4, Block 1, Wright's Addition;
 thence in a Northerly direction along said line to point of intersection with center line of
 9th Avenue;
 thence in a Westerly direction along center line of 9th Avenue 19 feet;
 thence in a Northerly direction parallel to Elm Street 179.66 feet;
 thence Easterly parallel to 9th Avenue 10 feet;
 thence Northerly parallel to Elm Street 106.33 feet to the center line of 8th Avenue;
 thence in an Easterly direction along center line of 8th Avenue to point of intersection with
 a line extended Northerly from central North-South lot boundary of Block 62, City of Albany;
 thence in a Southerly direction along said line to point of intersection with center line of
 9th Avenue;
 thence in an Easterly direction along center line of 9th Avenue 29 feet;
 thence in a Southerly direction parallel to Walnut Street to point of intersection with central
 East-West lot boundary of Block 81, Monteith's Southern Addition;
 thence in an Easterly direction along said line 5 feet;
 thence in a Southerly direction 50 feet parallel to Walnut Street;
 thence in an Easterly direction approximately 17.5 feet;
 thence in a Southerly direction 93 feet to point of intersection with center line of 10th Avenue;
 thence in a Westerly direction along center line of 10th Avenue to point of beginning.

405.05 C-2 Area 5

In Southeast quarter of Southeast quarter of Section 6, Township 11 South, Range 3 West,
 Willamette Meridian. Beginning at point of intersection of center line of 4th Avenue and
 line extended Southerly from North-South central lot boundary between Lots 2 and 3, 6 and
 7, Block 129, Hackleman's Addition;
 thence in a Northerly direction along said line to point of intersection with center line of
 1st Avenue;
 thence in an Easterly direction along center line of 1st Avenue to point of intersection with
 line extended Northerly from North-South central lot boundary between Lots 2 and 3, 6 and 7,
 Block 4, Hackleman's 3rd Addition;
 thence in a Southerly direction along said line to point of intersection with center line of
 2nd Avenue;
 thence in an Easterly direction along center line of 2nd Avenue to point of intersection with
 center line of Sherman Street;
 thence in a Southerly direction along center line of Sherman Street to point of intersection
 with center line of Salem Avenue;
 thence in a Westerly direction along center line of Salem Avenue approximately 34 feet;
 thence in a Southerly direction parallel to Sherman Street to point of intersection with
 center line of Santiam Road;
 thence in a Northwesterly direction along center line of Santiam Road to point of intersection
 with center line of Main Street;
 thence in a Southerly direction along center line of Main Street to point of intersection with
 center line of 4th Avenue.
 thence in a Westerly direction along center line of 4th Avenue to point of beginning.

In Northwest quarter of Northeast quarter of Section 7, Township 11 South, Range 3 West, Willamette Meridian. Beginning at point of intersection of center line of Highway 99E with center line of street between Blocks 30 and 31, Hackleman's 2nd Addition;

thence in a Northeasterly direction along center line of unnamed street to point of intersection with center line of 7th Avenue;

thence in an Easterly direction along center line of 7th Avenue to point of intersection with central North-South lot boundary, Block 11, Bryant's Addition;

thence in a Northerly direction along said boundary to point of intersection with center line of 7th Avenue extended Westerly;

thence in an Easterly direction along center line of 7th Avenue to point of intersection with East boundary of Bryant's Addition;

thence in a Northerly direction along said boundary to point of intersection with center line of 6th Avenue;

thence in an Easterly direction along center line of 6th Avenue to point of intersection with center line of Burkhart Street;

thence in a Northerly direction along center line of Burkhart Street to point of intersection with a line extended Westerly from lot boundary between Lots 16 and 17, Block 4, Burkhart Addition;

thence in an Easterly direction along said line to point of intersection with West boundary of Supplemental Plat of Burkhart Addition;

thence in a Northerly direction along said line to point of intersection with South boundary of Lots 9 and 12, Block 5, Supplemental Plat of Burkhart Addition;

thence in an Easterly direction along said boundary to point of intersection with center line of Columbus Street;

thence in a Northerly direction along center line of Columbus Street to point of intersection with line extended from lot boundary between Lots 8 and 9, Block 4, Supplemental Plat of Burkhart Addition;

thence in an Easterly direction along said line to point of intersection with a line extended from central North-South boundary between Lots 11 and 12, Block 4, Supplemental Plat of Burkhart Addition;

thence in a Southerly direction along said line to point of intersection with center line of Highway 99E;

thence in a Northeasterly direction along center line of Highway 99E to point of intersection with center line of Davidson Street;

thence in a Northerly direction along center line of Davidson Street to point of intersection with center line of 4th Avenue;

thence in an Easterly direction along center line of 4th Avenue to point of intersection with center line of Waverly Drive;

thence in a Northerly direction along center line of Waverly Drive to point of intersection with city limits boundary;

thence in a Northeasterly and Northerly direction along city limits boundary to point of intersection with South line of Kurre Lakeside Tracts;

thence Easterly on South line of Kurre Lakeside Tracts to East line of Kurre Lakeside Tracts;

thence Southerly and Easterly on city limits line to Airport Road;

thence in a Southerly direction along Airport Road to point of intersection with line extended Easterly from South bank of Freeway Lake;

thence in a Westerly direction along said line to point of intersection with line extended Southerly from lot boundary between Lots 12 and 13, Block 5, Freeway Addition;

thence in a Northerly direction along said line to point of intersection with North bank of lake;

thence in a Westerly direction along North bank of lake to point of intersection with lot boundary between Lots 10 and 11, Block 5, Freeway Addition;

thence in a Northerly direction along said line to point of intersection with center line of North Shore Drive;

thence in a Westerly direction along center line of North Shore Drive to point of intersection with line extended from East boundary line of Lots 10 and 11, Block 3, Freeway Addition;

thence in a Northerly direction along said line to point of intersection with center line of Oakwood Avenue;

thence in a Westerly direction along center line of Oakwood Avenue to point of intersection with lot boundary extended Easterly between Lots 6 and 8, Block 2, Freeway Addition;

thence in a Westerly direction along said line to point of intersection with lot boundary between Lots 5 and 6, Block 2, Freeway Addition;

thence in a Northerly direction along said line to point of intersection with a line extended from North boundary of Freeway Addition;

thence in a Westerly direction along said line to point of intersection with a line 829.6 feet East of and parallel to Waverly Drive;

thence in a Southerly direction along said line to point of intersection with city limits boundary;

thence in a Southerly direction along city limits boundary to point of intersection with line extended Easterly from lot boundary between Lots 9 and 10, 8 and 11, Block 8, Motley's Addition;

thence in a Westerly direction along said line to point of intersection with center line of Fulton Street;

thence in a Southerly direction along the center line of Fulton Street to point of intersection with line extended Easterly from lot boundary between Lots 6 and 9, 7 and 8, Block 7, Motley's Addition;

thence in a Southerly direction along center line of Ermine Street to point of intersection with line extended Easterly from lot boundary between Lots 4 and 5, 12 and 13, Block 22, Supplemental Plat of Burkhart Addition;

thence in a Westerly direction along said line to point of intersection with center line of Davidson Street;
 thence Southerly to point of intersection with center line of 8th Avenue;
 thence in a Westerly direction along center line of 8th Avenue to point of intersection with center line of Columbus Street;
 thence in a Southerly direction along center line of Columbus Street to point of intersection with lot boundary extended Easterly between Lots 3 and 4, Block 6, Supplemental Plat of Burkhart Addition;
 thence in a Westerly direction along said line to point of intersection with lot boundary line between Burkhart Addition and Supplemental Plat of Burkhart Addition;
 thence in a Southerly direction along said line to point of intersection of a line extended from center line of 9th Avenue;
 thence in an Easterly direction along center line of 9th Avenue to point of intersection with center line of Davidson Street;
 thence in a Southerly direction along center line of Davidson Street to point of intersection with lot line extended Westerly between Lots 9 and 12, 10 and 11, Block 11, Motley's Addition;
 thence in an Easterly direction along said line to point of intersection with central North-South lot boundary of Block 11, Motley's Addition;
 thence in a Southerly direction along said line to point of intersection with a line extended Westerly from lot boundary line between Lots 12 and 13, 11 and 14, Block 12, Motley's Addition;
 thence, in an Easterly direction along said line to point of intersection with city limits boundary;
 thence in Southerly and Westerly directions along city limits boundary to point of intersection with center line of 9th Avenue;
 thence in a Westerly direction along center line of 9th Avenue to center line of unnamed street between Blocks 30 and 31, Hackleman's 2nd Addition;
 thence Northerly along said street to point of beginning.

405.07 C-2 Area 7

In Southwest quarter of Northwest quarter of Section 8, Township 11 South, Range 3 West, Willamette Meridian. Beginning at point of intersection of city limits boundary and Periwinkle Creek;
 thence in a Northerly direction along East bank of Periwinkle Creek to point of intersection with line extended Westerly from South boundary of Price's 2nd Addition;
 thence in an Easterly direction along said line to point of intersection with central North-South lot boundary of Block 1, Price's 2nd Addition;
 thence in a Northerly direction along central North-South lot boundary of Block 1, Price's 2nd Addition to center line of 9th Avenue;
 thence in an Easterly direction along center line of 9th Avenue to center line of Geary Street;
 thence Southerly along center line of Geary Street to South right-of-way line of railroad;
 thence South 72°27' West along said South right-of-way line to point of beginning.

405.08 C-2 Area 8

Blocks 7, 20 and Lots 3, 4, 5 and 6 of Block 6, Hazelwood Addition.

405.09 C-2 Area 9

Lots 10 and 11, Block 11, Freeway Addition to the City of Albany.

SECTION 406. C-1 CENTRAL BUSINESS DISTRICT

406.01 C-1 Area 1

In Southwest quarter of Northwest quarter of Section 7, Township 11 South, Range 3 West, Willamette Meridian. Beginning at point of intersection with center lines of Ellsworth Street and Highway 99E;
 thence in a Northerly direction along center line of Ellsworth Street to point of intersection with center line of 8th Avenue;
 thence in a Westerly direction along center line of 8th Avenue to point 100 feet Easterly of center line of Broadalbin Street;
 thence in a Northerly direction parallel to Broadalbin Street to point of intersection with center line of 5th Avenue;
 thence in a Westerly direction along center line of 5th Avenue to point of intersection with line extended Southerly from lot boundary line between Lots 7 and 8, Block 26, City of Albany;
 thence in a Northerly direction along said line to point of intersection with center line of alley, Block 26, City of Albany;
 thence in an Easterly direction along center line of said alley to point of intersection with line extended Southerly from lot boundary between Lots 2 and 3, Block 26, City of Albany;
 thence in a Northerly direction along said line to point of intersection with center line of alley in Block 23, City of Albany;
 thence in an Easterly direction along said alley to point of intersection with line extended Southerly from lot boundary between Lots 3 and 4, Block 23, City of Albany;
 thence in a Northerly direction along said line to point of intersection with center line of 3rd Avenue;
 thence in a Westerly direction along center line of 3rd Avenue to point of intersection with center line of Galapois Street;

thence in a Northerly direction along center line of Calapocia Street to point of intersection with center line of 1st Avenue;
 thence in an Easterly direction along center line of 1st Avenue to point of intersection with center line of Washington Street;
 thence in a Northerly direction along center line of Washington Street to point of intersection with line extended Westerly from center line of alley, Block 3, City of Albany;
 thence in an Easterly direction along said line to point of intersection with center line of Montgomery Street;
 thence in a Southerly direction along center line of Montgomery Street to point of intersection with center line of 1st Avenue;
 thence in an Easterly direction along center line of 1st Avenue to point of intersection with line extended Northerly from boundary line between Lots 6 and 7, Block 120, Hackleman's Addition;
 thence in a Southerly direction along said line to point of intersection with center line of 3rd Avenue;
 thence in a Westerly direction along center line of 3rd Avenue to point of intersection with center line of Thurston Street;
 thence in a Northerly direction along center line of Thurston Street to point of intersection with East-West central lot boundary extended Easterly of Block 111, Hackleman's Addition;
 thence in a Westerly direction along said line to point of intersection with center line of Jackson Street;
 thence in a Southerly direction along center line of Jackson Street to point of intersection with center line of 5th Avenue;
 thence in a Westerly direction along center line of 5th Avenue to point of intersection with line extended from central North-South lot boundary of Block 6, Eastern Addition;
 thence in a Southerly direction along said line extended Southerly to point of intersection with center line of 8th Avenue;
 thence in a Westerly direction along center line of 8th Avenue to point of intersection with center line of Lyon Street;
 thence in a Southerly direction along center line of Lyon Street to point of intersection with center line of Highway 99E;
 thence in a Southwesterly direction along center line of Highway 99E to point of beginning.

SECTION 407. M-1 LIGHT INDUSTRIAL

407.01 M-1 Area 1

In North half of Southwest quarter of Section 7, Township 11 South, Range 3 West, Willamette Meridian. Beginning at point of intersection of center line of Howard Drive with line extended from North boundary of Block 1, Bacon Addition;
 thence in a Northerly direction along center line of Howard Drive to point of intersection with center line of South railroad track;
 thence in an Easterly direction along center line of railroad to point of intersection with center line of Jackson Street;
 thence in a Southerly direction along center line of Jackson Street to point of intersection with North boundary of Block 1, Bacon Addition extended Easterly;
 thence in a Westerly direction along said boundary to point of beginning.

407.02 M-1 Area 2

In Southeast quarter of Southwest quarter of Section 12, in Southwest quarter of Southeast quarter of Section 12, in Northeast quarter of Northwest quarter of Section 13, Township 11 South, Range 4 West, Willamette Meridian. Beginning at point of intersection of North line of 27th Avenue with East line of the George Cline Donation Land Claim No. 84;
 thence in a Northeasterly direction along said line to point of intersection with West line of Liberty Street;
 thence in an Easterly direction to point of intersection with center line of Liberty Street;
 thence in a Northerly direction along said center line to point of intersection with center line of Queen Avenue;
 thence in a Westerly direction along center line of Queen Avenue to point of intersection with East boundary of Broadway Street;
 thence in a Southerly direction along city limits boundary to point of intersection with the North line of 27th Avenue;
 thence in an Easterly direction along center line of 27th Avenue to point of beginning.

407.03 M-1 Area 3

In Southwest quarter of Southwest quarter of Section 6, Township 11 South, Range 3 West, Willamette Meridian. Beginning at point of intersection of center line of Washington Street with line extended Westerly from center line of alley, Block 3, City of Albany;
 thence in a Northerly direction to point of intersection with city limits boundary;
 thence in an Easterly direction along city limits boundary to point of intersection with line extended from center line of Montgomery Street;
 thence in a Southerly direction along center line of Montgomery Street to point of intersection with a line extended Easterly from the center line of alley in Block 3, City of Albany;
 thence in a Westerly direction along said center line of alley in Block 3, City of Albany to point of beginning.

407.04 M-1 Area 4

In Northeast quarter of Northwest quarter of Section 7, Township 11 South, Range 3 West, Willamette Meridian. Beginning at point of intersection of center line of Highway 99E with center line of railroad;

thence in a Northeasterly direction along center line of Southern Pacific track to point of intersection with a line extended from North-South boundary between Lots 3 and 4, 5 and 6, Block 28, Hackleman's 2nd Addition;

thence in a Northerly direction along said line to point of intersection with center line of 6th Avenue;

thence in an Easterly direction along center line of 6th Avenue to point of intersection with center line of Lafayette Street;

thence in a Northerly direction along center line of Lafayette Street to point of intersection with center line of 5th Avenue;

thence in an Easterly direction along center line of 5th Avenue to point of intersection with center line of Main Street;

thence in a Northerly direction along center line of Main Street to point of intersection with center line of Santiam Road;

thence in a Southeasterly direction along center line of Santiam Road approximately 324.38 feet;

thence in a Northerly direction parallel to Main Street to point of intersection with center line of 3rd Avenue;

thence in an Easterly direction along center line of 3rd Avenue to point of intersection with center line of Sherman Street;

thence in a Northerly direction along center line of Sherman Street to point of intersection with center line of 2nd Avenue;

thence in an Easterly direction along center line of 2nd Avenue to point of intersection with center line of Alco Street;

thence in a Northerly direction along center line of Alco Street to point of intersection with center line of 1st Avenue;

thence in an Easterly direction along center line of 1st Avenue to point of intersection with Columbus Street;

thence in a Northerly direction along center line of Columbus Street to point of intersection with center line of railroad track;

thence in an Easterly direction along center line of railroad track to point of intersection with center line of Davidson Street;

thence in a Northerly direction along center line of Davidson Street to point of intersection with center line of Linn Avenue;

thence in an Easterly direction along center line of Linn Avenue to point of intersection with center line of Fulton Street;

thence in a Southerly direction along center line of Fulton Street to point of intersection with center line of Southern Pacific South track;

thence in a Southwesterly direction along center line of railroad track to point of intersection with the central North-South lot boundary, Block 11, Bryant's Addition;

thence in a Southerly direction along said line to point of intersection with center line of 7th Avenue;

thence in a Westerly direction along center line of 7th Avenue to point of intersection with West line of Block 32, Hackleman's 2nd Addition extended Northerly;

thence Southerly to a point that is the center line of Pacific Boulevard and the west line of Block 31, Hackleman's 2nd Addition, extended Northerly;

thence in a Westerly direction along center line of Pacific Boulevard to point of beginning.

Excluded from this zone is the zone as described in Section 408.03 M-2 Area 3.

407.05 M-1 Area 5

In Southwest quarter of Northwest quarter of Section 7, Township 11 South, Range 3 West, Willamette Meridian. Beginning at point of intersection of center line of Jackson Street with North boundary of Winona Park Addition;

thence in a Northeasterly direction along North boundary of Winona Park Addition to point of intersection with center line of railroad right-of-way;

thence in a Southerly direction along center line of railroad right-of-way to point of intersection with center line of Hill Street;

thence in a Northerly direction along center line of Hill Street to point of intersection with center line of 9th Avenue;

thence in an Easterly direction along center line of 9th Avenue to point of intersection with center line of Main Street;

thence in a Southerly direction along center line of Main Street to point of intersection with South boundary of Hackleman's Grove Addition;

thence in an Easterly direction along said boundary to the Southeast corner of Hackleman's Grove Addition;

thence in a Southerly direction along the East line of Hackleman's Grove Addition extended Southerly to point of intersection with center line of railroad right-of-way;

thence in a Westerly direction approximately 35 feet to point of intersection with line extended Northerly from west boundary of Tripp Addition;

thence in a Southerly direction along said line approximately 141 feet to point of intersection with property line extended to the West;

thence in a Westerly direction along said line to point of intersection with center line of Hill Street;

thence in a Southerly direction along center line of Hill Street to point of intersection with center line of 13th Avenue;

thence in a Westerly direction along center line of 13th Avenue to center line of Jackson Street;
thence Northerly along center line of Jackson Street to point of beginning.

SECTION 408. M-2 MEDIUM INDUSTRIAL

408.01 M-2 Area 1

In Northeast quarter of Southeast quarter of Section 12, Township 11 South, Range 4 West, Willamette Meridian. Beginning at point of intersection of center line of Queen Avenue with center line of Highway 99E;
thence in a Northerly direction along center line of Highway 99E to point of intersection with center line of the street between Blocks 30 and 31, Hackleman's 2nd Addition;
thence in a Southerly direction along center line of said street to point of intersection with center line of 9th Avenue;
thence in an Easterly direction along center line of 9th Avenue to point of intersection with center line of Hill Street;
thence in a Southerly direction along center line of Hill Street to point of intersection with center line of railroad right-of-way;
thence in a Westerly direction along center line of railroad right-of-way to point of intersection with line extended from North boundary of Winona Park Addition;
thence in a Southwesterly direction along said line to point of intersection with center line of Jackson Street;
thence in a Northerly direction along center line of Jackson Street to point of intersection with center line of railroad right-of-way;
thence in a Westerly direction along center line of railroad right-of-way to point of intersection with line extended from center line of Howard Drive;
thence in a Southerly direction along center line of Howard Drive to point of intersection with Queen Avenue;
thence in a Westerly direction along center line of Queen Avenue to point of beginning.

408.02 M-2 Area 2

In Southeast quarter of Southwest quarter of Section 6, Township 11 South, Range 3 West, Willamette Meridian. Beginning at point of intersection of center line of Montgomery Street with center line of 1st Avenue;
thence in a Northerly direction along center line of Montgomery Street to point of intersection with city limits boundary;
thence in an Easterly direction along city limits boundary to point of intersection with line extended Northerly from center line of Main Street;
thence in a Southerly direction along center line of Main Street to point of intersection with center line of 1st Avenue;
thence in a Westerly direction along center line of 1st Avenue to point of beginning.

408.03 M-2 Area 3

In Northeast quarter of Northeast quarter of Section 7, Township 11 South, Range 3 West, Willamette Meridian. Beginning at point of intersection of center line of Main Street with center line of 6th Avenue;
thence in a Northerly direction along center line of Main Street to point of intersection with center line of Southern Pacific railroad right-of-way;
thence in a Northeasterly direction along railroad right-of-way to point of intersection with center line of Santiam Road;
thence in a Southeasterly direction along center line of Santiam Road to point of intersection with center line of Pine Street;
thence in a Southerly direction along center line of Pine Street to point of intersection with center line of 6th Avenue;
thence in a Westerly direction along center line of 6th Avenue to point of beginning.

SECTION 409. M-3 HEAVY INDUSTRIAL

409.01 M-3 Area 1

In Northeast quarter of Southeast quarter of Section 18, Township 11 South, Range 3 West, Willamette Meridian. Beginning at the Northeast corner of Lot 12, Bishop Acres, Linn County, Oregon and running thence South 88°58' West along the North line of Lots 12, 13 and 14, a distance of 612 feet;
thence North 1°13' West parallel with the West line of Marion Street 4,470 feet more or less to the North line of Queen Avenue;
thence Northeasterly along the North line of Queen Avenue to a point 650.46 feet West of the West line of Marion Street extended;
thence South 1°13' East parallel to the West line of said street 4,233 feet more or less to a "V" bar on the North line of 30th Avenue;
thence North 88°48' East along the North line of said 30th Avenue 192 feet to the West line of Lyon Street;
thence South 1°13' East along the West line of Lyon Street to the point of beginning.

409.02 M-3 Area 2

In Southeast quarter of Northeast quarter of Section 13, Township 11 South, Range 4 West, Willamette Meridian. Beginning at a point on the East line of Pacific Highway, said point being North 0°54'30" West 1,711.04 feet and North 88°54'30" East 66 feet from the Northwest corner of Donation Land Claim No. 38;
thence North 88°54'30" East 400 feet;
thence South 0°54'30" East 260.5 feet;
thence South 88°54'30" West 40 feet;
thence South 0°54'30" East 283 feet;
thence North 88°54'30" East to the West right-of-way line of Southern Pacific Railroad;
thence North 0°02' West along said right-of-way 1,095.5 feet to a point 50 feet South of the South line of South Albany Addition;
thence South 89°0' West parallel to the South line of said South Albany Addition to the East right-of-way line of Pacific Boulevard;
thence Southerly along said right-of-way line to point of beginning.

409.03 M-3 Area 3

In Northwest quarter of Southwest quarter of Section 5, Township 11 South, Range 3 West, Willamette Meridian. Beginning at point of intersection of center line of Water Avenue with center line of Cleveland Street;
thence in a Northerly direction along center line of Cleveland Street to point of intersection with city limits boundary;
thence in an Easterly direction along city limits boundary to point of intersection with center line of Southern Pacific South track;
thence in a Southwesterly direction along center line of Southern Pacific South track to point of intersection with center line of Fulton Street;
thence in a Northerly direction along center line of Fulton Street to point of intersection with center line of Linn Avenue;
thence in a Westerly direction along center line of Linn Avenue to point of intersection with center line of Geary Street;
thence in a Southerly direction along center line of Geary Street to point of intersection with center line of Water Avenue;
thence in a Westerly direction along center line of Water Avenue to point of beginning.

Adopted by the Council: August 24, 1960

Approved by the Mayor: August 24, 1960

W. L. Fitzpatrick
Mayor

Effective Date: September 23, 1960

ATTEST:

Constance Boham
City Recorder

City of Albany, Oregon

ORDINANCE NO. 2916

AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR THE CITY OF ALBANY, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 227, OREGON REVISED STATUTES, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

Effective Date: September 23, 1960

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