

ZONING ORDINANCE #36

CITY OF LAKESIDE

November, 1978

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ARTICLE 1. INTRODUCTORY PROVISIONS

Section 1.000 Title. This code shall be known as the "Zoning Code of the City of Lakeside, Oregon, and the map herein (to be enclosed later) referred to shall be known as the "Zoning Map of the City of Lakeside, Oregon." This map and explanatory material shall hereby be adopted and made a part of this ordinance.

Section 1.100 Scope. No building or land shall hereafter be used and no building or part thereof shall be erected, moved, or altered unless in conformity with the regulations herein specified for the district in which it is located, except as otherwise provided therein. No permit for the construction or alteration of any building shall be issued unless the plans, specifications, and use of such building conform in all respects with the provisions of this code.

Section 1.200 Purpose, Interpretation, Severability. The purpose of this code is to establish, for the City of Lakeside, a comprehensive zoning plan. The zoning plan is designed to encourage the most appropriate use of land; to conserve and stabilize the value of property; to aid in rendering fire and police protection; to provide for adequate light and air; to avoid congestion; to encourage the orderly growth of the City; to facilitate adequate provisions for community facilities; to provide for the adequate use and conservation of natural resources; to maintain and where possible enhance the quality of air, land, and water resources; to provide adequate space for recreational opportunity; to promote the economic well being of the City and to provide areas for economic development; to provide adequate space for housing; to reserve and protect areas needed for educational facilities; to conserve energy; to comply with the provisions of State Law and the Land Conservation and Development Commission; and generally promote public health, safety, convenience, and general welfare of the people.

Purpose, Interpretation, Severability. Where a condition imposed by any provision of this ordinance is less restrictive than a comparable condition imposed by any other provisions of this or of any other ordinance, statutes, resolutions, law or regulation, the provisions which are more restrictive shall govern. It shall be the duty of the Planning Commission to:

1. Interpret the provisions of the code in such a way as to carry out their intent and purpose.
2. Rule on the proper application to interpret the meaning of the zoning code in case there is dispute between the administrative officials of the City and any owner or owners of a property.

Purpose, Interpretation, Severability. If any portion of this code is, for any reason, declared by a court of competent jurisdiction to be invalid or ineffective in whole or in part, such decision shall not affect the validity of the remaining portions thereof. The City Council hereby declares it would have enacted this code and each portion thereof irrespective of the fact that any one or more portions be declared invalid or ineffective.

ARTICLE 2. ESTABLISHMENT OF ZONES

Section 2.000 Classification of Zones. For the purpose of this ordinance, the following zones are hereby established:

<u>Zone</u>	<u>Abbreviated Designation</u>
General Single-Family	G-S
Multi-Family Residential	M-R
Recreational Residential	R-R
Planned Residential	P-R
General Commercial	G-C
Marine Commercial	M-C
Light Industrial	L-I
Heavy Industrial	H-I
Open Space	O-S
Water Use	W-U
Public Facility	P-F
Airport Approach	A-A
Flood Plain	F-P

DEFINITIONS

Section 3.000 Definitions.

1. For the purpose of this code, certain words, terms, and phrases are defined as follows:
2. Words used in the present tense include the future; the singular number includes the plural; and the word "shall" is mandatory and not directory. Whenever the term "this code" is used herewith it shall be deemed to include all amendments thereto as may hereafter from time to time be adopted.

ABUT: Means contiguous to; for example, two lots with a common property line are considered to be abutting.

ACCESS: Means the place, means, or way by which pedestrians or vehicles shall have safe, adequate, and usable ingress and egress to a property, use, or parking space.

ACCESSORY BUILDING OR USE: A use or structure incidental and subordinate to the main use of the property and located on the same lot as the main use.

ALLEY: A public way not over 30 feet wide providing a secondary means of access to private property.

ALTER: Any change, addition, or modification or construction or occupancy of a building or structure.

AMENDMENT: A change in the wording, context, or substance of this code, or a change in the zone boundaries or area district boundaries upon the zoning map.

APARTMENT HOUSE: See DWELLING, MULTIPLE.

AUTOMOBILE SALES: See MOTOR VEHICLE/TRAILER SALES AREA.

AUTO WRECKING YARDS: See WRECKING YARD.

AWNING: Any stationary structure, permanent or demountable, used in conjunction with a mobile home, other than a window awning, for the purpose of providing shelter from the sun and rain and having a roof with supports and not more than one wall or storage cabinet substituting for a wall.

BASEMENT: A story partly or wholly underground. A basement shall be counted as a story for purposes of height measurement where more than one-half of its height is above the average level of the adjoining ground.

BOARDING, LODGING, OR ROOMING HOUSE: A building or portion thereof where lodging, with or without meals, is provided for compensation of any kind to persons other than members of a family occupying such a dwelling, but shall not include homes for the aged, nursing homes, or group care homes.

BUILDABLE AREA: That portion of a development site not required by this code or specific conditions, as a yard, open space, or easement.

BUILDING: Any temporary or permanent structure built and maintained for the support, shelter, or enclosure of people, motor vehicles, animals, chattel, or personal or real property of any kind. The word "building" and "structure" shall be synonymous.

BUILDING HEIGHT: The vertical distance from the average finished grade at the front of a building to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof.

BUILDING-MAIN: A building within which is conducted the principle use permitted on the lot, as provided by this code.

CAMPGROUNDS: Any lot, tract, or parcel of ground under the same ownership where two or more camp sites are located which provide facilities for living in any manner other than in a permanent building.

CEMETERY: Land used or intended to be used for the burial of the dead and dedicated for such purposes, including columbaria, 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 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 Lakeside, Oregon.

CLINIC: Single or multiple offices for physicians, surgeons, dentists, chiropractors, osteopaths, optometrists, ophthalmologists, and other members of the healing arts, including a dispensary in each building to handle only merchandise of a nature customarily prescribed by occupants in connection with their practices.

CLINIC, SMALL ANIMAL: A business establishment in which veterinary services are rendered to small domestic pets on an outpatient basis with no overnight boarding allowed.

CLUB: Any organization, group, or association supported by the members thereof, the purpose of which is to render a service customarily rendered for members and their guests but shall not include any organization, group, or association, the chief activity of which is to render a service customarily carried on as a business.

COMMISSION: The Lakeside Planning Commission.

COURT: An uncovered area partly or wholly enclosed by buildings or by walls and gates.

DAY NURSERY: Any institution, establishment, or place in which are commonly received at one time three or more children not of common parentage, under the age of six years, for a period or periods not exceeding 12 hours, for the purpose of being given board, care, or training, apart from their parents or guardians for compensation or reward.

DEVELOPMENT SITE: A development site shall mean either:

1. A lot of record existing on the effective date of this code,
or

2. A tract of land either unsubdivided or consisting of two or more contiguous lots of record, located within a single block which, on the effective date of this code, was in a single ownership, or
3. A tract of land, located within a single block, which at the time of filing for a building permit (or, if no building permit is required, at the time of filing for a certificate of occupancy), is designated by the owner or developer as a tract, all of which is to be used, developed, or built upon as a unit under single ownership.

A "development site," therefore, may or may not coincide with a lot shown on the official tax maps of the City of Lakeside or any recorded subdivision plat or deed.

For the purposes of this definition, ownership of a "development site" is deemed to include a lease of not less than 50 years duration, with an option to renew such lease so as to provide a total lease of not less than 75 years duration.

A "development site" may be subdivided into two or more "development sites," provided that all resulting "development sites" and all buildings thereon shall comply with all of the applicable provisions of this code. If such "development site," however, is occupied by a non-conforming use or building, such "development site" may be subdivided provided such subdivision does not create a new non-conformance or increase the degree of non-conformance of such use or building.

DWELLING: A building or portion thereof which is occupied in whole or in part as a residence or sleeping place, either permanently or temporarily by one or more families but excluding hotels, motels, and tourist courts.

DWELLING, MULTIPLE: A building designed and used for occupancy by three or more families, all living independently of each other and having separate housekeeping facilities for each family.

DWELLING, SINGLE-FAMILY: A building designed or used exclusively for the occupancy of one family and having housekeeping facilities for only one family.

DWELLING, TWO-FAMILY (DUPLEX): A building designed or used exclusively for the occupancy of two families living independently of each other and having separate housekeeping facilities for each family.

FAMILY: One or more persons, excluding servants, related by blood, marriage, legal adoption, or legal guardianship, occupying a single non-profit housekeeping unit and using common housekeeping facilities; a group of not more than five unrelated persons living together as a single non-profit housekeeping unit and using common housekeeping facilities.

GARAGE, PRIVATE PARKING: A publicly or privately owned structure having one or more tiers of height, used for the parking of automobiles for the tenants, employees, or owners of the property for which the parking spaces contained in or on said garage are required by this code and are not open for use by the general public.

GARAGE, PUBLIC PARKING: A publicly or privately owned structure having one or more tiers of height used for the parking of automobiles and open for use by the general public, either free or for remuneration. Public parking garages may include parking spaces for customers, patrons, or clients as required by this code, provided said parking spaces are clearly identified as free parking spaces for the building or use required to provide said spaces.

GARAGE, REPAIR: A building used for the storage, parking care, and repair of motor vehicles, or where such vehicles are kept for remuneration, hire, or sale, provided the selling of motor fuel and oil for motor vehicles shall not be conducted.

GRADE (ADJOINING GROUND LEVEL): The average of the finished ground level at the center of all walls of a building. In case walls are parallel to and within five feet of a sidewalk, alley, or other public way, the above ground level shall be measured at the elevation of the sidewalk, alley, or public way.

GROUP CARE HOME: Any home or institution maintained and operated for the care, boarding, housing, and training of one or more physically handicapped or mentally handicapped children under the age of 18 years by any person who is not the parent or guardian of, and who is not related by blood, marriage, or legal adoption to such children.

GUEST HOUSE OR SERVANTS QUARTERS: An accessory building occupied solely by non-paying guests or by servants employed on the premises.

HALF STORY: That part of any building wholly or partly within the roof frame and not occupying more than two-thirds of the floor area immediately below it.

HEIGHT OF BUILDING: See BUILDING HEIGHT.

HOMES FOR THE AGED: Any home or institution that maintains facilities for rendering board and domiciliary care for compensation to three or more persons who are of the age of 65 years or more, or persons of less than 65 years who, by reason of infirmity, require domiciliary care.

HOME OCCUPATION: Any use customarily conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the structure for dwelling purposes and which does not change the character thereof or does not adversely affect the uses permitted in the zone of which it is a part. Home occupations may be engaged in where permitted by this code provided it conforms with the following criteria:

1. No employment of help other than the members of the resident family.
2. The use shall not generate pedestrian or vehicular traffic beyond that normal to the district in which it is located.
3. No storage of materials or supplies outdoors.
4. It shall not involve the use of signs and/or structures other than those permitted in the district of which it is a part.
5. Not more than 20 percent of the living area in the dwelling unit shall be employed for home occupations.

6. In no way shall the appearance of the structure be so altered or the conduct of the occupation within the structure be such that the structure may be reasonably recognized as serving a non-residential use (either by color, materials or construction, lighting, signs, sounds or noises, or vibrations).
7. There shall be no use of water or sewer utilities or community facilities beyond that normal to the use of the property for residential purposes.

HOSPITAL: Any building or institution devoted primarily to the rendering of healing, curing, and nursing care, and which maintains and operates facilities for the diagnoses, treatment, and care of two or more non-related individuals suffering from illness, injury, or deformity, or where obstetrical or other healing, curing, and nursing care is rendered over a period exceeding 24 hours.

HOSPITAL, SMALL ANIMAL: A building together with animal runs in which veterinary services, clipping, bathing, boarding, and other services which are rendered to dogs, cats, and other small animals and domestic pets.

HOTEL (MOTEL, MOTOR HOTEL, TOURIST COURT): Any building or group of buildings used for transient residential purposes containing four or more guest rooms without housekeeping facilities and which are intended or designed to be used, or which are used, rented, or hired out to be occupied for sleeping purposes by guests.

KENNEL: Any lot or premises on which three or more adult dogs or cats or any combination thereof are kept, whether by owners of the dogs or cats or by persons providing facilities and care, for compensation. An adult dog or cat is one that has reached the age of six months.

LOADING SPACE: An off-street space or berth on the same lot with a main 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, alley, or other appropriate means of access.

LOT: Land occupied or to be occupied by a building and its accessory buildings, including such open spaces as are required under this code and having frontage upon a street.

LOT AREA: The total area within the lot lines of a lot as measured on a horizontal plane.

LOT COVERAGE: That portion of a lot which, when viewed directly from above, would be covered by a building, or any part of a building.

LOT LINE:

1. FRONT: The private property line contiguous with the public street line or place. For corner lots, the front lot line shall be the narrowest street frontage or as shown on the official plat of the property.
2. REAR: A property line which is opposite and most distant from the front lot line. In the case of a triangular shaped lot, the rear lot line for building purposes shall be assumed to be a line 10 feet in length within the lot, parallel to and at the maximum distance from the front lot line.
3. SIDE: Any property line which is not a front or rear lot line.

LOT MEASUREMENTS:

1. DEPTH: The horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines.
2. WIDTH: The horizontal distance between the side lot lines measured at right angles to the lot depth at a point midway between the front and rear lot lines.

LOT TYPES:

1. CORNER: A lot or development site bounded entirely by streets or a lot having only one side not bounded by a street or a lot which adjoins the point of intersection of two or more streets and in which the interior angle formed by the extensions of the street lines in the direction which they take at their intersections with side lot lines forms an angle of 135 degrees or less. In the event that any street line is a curve at its point of intersection with a side lot line, the tangent to the curve at the point of intersection shall be considered the direction of the street line.
2. DOUBLE-FRONTAGE OR THROUGH: A lot or development site other than a corner lot with frontage on more than one street.
3. INTERIOR LOT: A lot or development site, other than a corner lot, having frontage only on one street.

MOBILE HOME: Any portable structure or vehicle which is constructed and designed to permit human occupancy thereof, and which is being used for residential purposes. For the purposes of this definition, it shall be immaterial:

1. Whether said vehicle or structure is placed upon property for a temporary, semi-permanent, or permanent use,
2. That wheels may be removed allowing said vehicle or structure to be placed upon posts, footings, or a foundation, or
3. Whether or not said vehicle or structure meets the structural requirements of the Lakeside Building Ordinance.

If occupancy of a vehicle or structure exceeds thirty (30) days in any twelve (12) month period, it shall be presumed that said vehicle or structure is being used for residential purposes.

MOBILE HOME PARK: Any privately owned place where two or more mobile homes used for human occupancy are parked within 500 feet of one another on a lot, tract, or parcel of land under the same ownership.

MOBILE HOME SPACE: A plot of ground within a mobile park designed for the accommodation of one trailer.

MOTEL: See HOTEL.

NON-CONFORMING USE: A building, structure, or land use which lawfully existed at the time this code became effective, but does not conform to the use regulations, setbacks, maximum lot coverage, or other provisions herein established for the district or zone in which it is located.

NURSING HOME: Any home, place, or institution which operates and maintains facilities providing convalescent or chronic care, or both, for a period exceeding 24 hours for two or more ill or infirm patients not related to the nursing home administrator or owner by blood or marriage. Convalescent and chronic care may include, but need not be limited to, the procedures commonly employed in nursing and caring for the sick.

PARKING AREA, PRIVATE: Private or publicly owned property, other than streets or alleys, on which parking spaces are defined, designated, or otherwise identified for use by the tenants, employees, or owners of the property for which the parking area is required and not open for use by the general public.

PARKING AREA, PUBLIC: Privately or publicly owned property, other than streets or alleys, on which parking spaces are defined, designated, or otherwise identified for use by the general public, either free or for remuneration. Public parking areas may include parking lots which may be required by this code for retail customers, patrons, and clients.

PARKING SPACE: A permanently maintained space not less than eight feet wide and 18 feet long with proper access for one standard size automobile.

RAMADA: A stationary structure having a roof extending over a mobile home, said structure may also extend over a patio or parking area for motor vehicles, and is used principally for protection from sun and rain.

SERVICE STATION: A place or station selling petroleum products, motor fuel, and oil for motor vehicles, servicing batteries, furnishing emergency or minor repairs and service, excluding painting, body work, steam cleaning, tire recapping, and mechanical car washing and at which accessory sales or incidental services are conducted.

SIGN: Any fabricated emblem or display, including its structure, consisting of any letter(s), character, design, figure, line, logo, mark, picture, plane, point, poster, stripe, stroke, trademark, reading matter, or illuminating device which is constructed, attached, erected, fastened, or manufactured in any manner whatsoever to attract the public in any manner for recognized purpose to any place, subject, person, firm, corporation, public performance, article, machine, or merchandise display. The term "sign" shall not include any display of official court or public notices, nor shall it include the flag, emblem, or insignia of a nation, government unit, school, or religious group, except such emblems shall conform to illumination standards set forth in this code.

SIGN AREA: The entire area within a single continuous perimeter formed by lines joined at right angles which encloses the extreme limits of a sign, and which in no case passes through or between any adjacent elements of the same. However, such perimeter shall not include any structural elements lying outside and below the limits of such sign, and not forming an integral part of the display.

STABLE, PRIVATE: An accessory building in which horses are kept for private use and not for remuneration, hire, or sale.

STABLE, PUBLIC: A building in which horses are kept for remuneration, hire, or sale.

GENERAL SINGLE-FAMILY (G-S)

Section 4.000 Purpose. The purpose of the General Single-Family District is to provide a district for an integrated variety of single-family dwelling types, including mobile and modular homes, conventional homes, etc.

Section 4.010 Permitted Buildings and Uses.

1. Single-family dwelling
2. Mobile and modular homes

Section 4.020 Buildings and Uses Permitted Conditionally.

1. Cemetery
2. Church, non-profit religious or philanthropic institution
3. Community center
4. Government structure and use of land including but not limited to park, playground, fire station, or library
5. Hospital
6. Kindergarten, nursery school, day nursery, or similar facility
7. Private golf course and country club, but excluding golf driving range, miniature golf course or similar facility
8. Private non-commercial recreational club such as tennis club, swimming club, an archery club, but excluding commercial amusement enterprises
9. Accredited public and private schools.
10. Public utility facility
11. Mobile home trailer park
12. Two-family dwellings
13. Home occupations

Section 4.030 Lot Requirements. The minimum lot area shall be 6,000 square feet for a single-family dwelling and mobile and modular homes, and 8,000 square feet for a two-family dwelling. Each lot must be served by a public water system and public sewerage disposal system. If these services are not provided, minimum lot size shall be governed by City Code and State Law.

Section 4.040 Lot Dimensions. Lot width at front building line shall be at least 60 feet. Lot depth shall be at least 100 feet.

Section 4.050 Yard Regulations.

1. The front yard shall be a minimum of 20 feet.
2. Each side yard shall be a minimum of 5 feet.
3. The street side yard shall be a minimum of 15 feet.
4. The rear yard shall be a minimum of 15 feet.
5. No structure shall be located closer than 40 feet from the center line of a street, other than an alley.

MULTI-FAMILY RESIDENTIAL (M-R)

Section 4.100 Description and Purpose. The purpose of the Multi-Family Residential (M-F) is to provide areas where higher density residential uses might be appropriate.

Section 4.110 Permitted Buildings and Uses.

1. Conventional single-family dwellings, modular homes.
2. Multiple dwelling units. However, all multiple dwelling units are subject to specific conditional use regulations.
3. Mobile homes

Section 4.120 Buildings and Uses Permitted Conditionally.

1. Cemetery
2. Church, non-profit religious or philanthropic institution
3. Community center
4. Government structure and use of land including but not limited to park, playground, fire station, or library
5. Hospital
6. Kindergarten, nursery school, day nursery, or similar facility
7. Private golf course and country club, but excluding golf driving range, miniature golf course or similar facility
8. Private non-commercial recreational club such as tennis club, swimming club, an archery club, but excluding commercial amusement enterprises
9. Accredited public and private schools
10. Public utility facility
11. Mobile home trailer park
12. Mobile home
13. Home occupation

Section 4.130 Lot Requirements. The minimum lot area shall be 6,000 square feet for a single-family dwelling and 8,000 square feet for a two-family dwelling. For three or more dwelling units per structure, 2,500 square feet of land will be required for each additional living unit.

Section 4.140 Lot Dimensions. Lot width at the front building line shall be at least 60 feet. Lot depth shall be at least 100 feet.

Section 4.150 Yard Regulations. Except as provided in Section 10.150(6), in an R zone, yards shall be as follows:

1. The front yard shall be a minimum of 20 feet.
2. Each side yard shall be a minimum of 5 feet.
3. The street side yard shall be a minimum of 15 feet.
4. The rear yard shall be a minimum of 15 feet.
5. No structure shall be located closer than 40 feet from the center line of a street, other than an alley.

RECREATIONAL RESIDENTIAL (R-R)

Section 4.200 Description and Purpose. The purpose of the Recreational Residential (R-R) is to encourage residential development commensurate with the unique recreational character of the City.

Section 4.210 Permitted Buildings and Uses.

1. Single-family dwellings, mobile homes
2. Duplexes, conventional or modular
3. Travel trailers, recreational vehicle parks

Section 4.220 Buildings and Uses Permitted Conditionally.

1. Campground and picnic areas as well as rural park-like areas
2. Private non-commercial recreational club such as tennis club, swimming club, an archery club, but excluding commercial amusement enterprises
3. Public utility facility
4. Mobile home parks
5. Commercial enterprises related to permitted uses

Section 4.230 Lot Dimensions. Lot width at the front building line shall be at least 60 feet. Lot depth shall be at least 100 feet.

Section 4.240 Yard Regulations.

1. The front yard shall be a minimum of 20 feet.
2. Each side yard shall be a minimum of 5 feet.
3. The street side yard shall be a minimum of 15 feet.
4. The rear yard shall be a minimum of 15 feet.
5. No structure shall be located closer than 40 feet from the center line of a street, other than an alley.

PLANNED RESIDENTIAL (P-R)

Section 4.300 Description and Purpose. This Planned Residential classification is intended to encourage the use of innovative residential development for large land areas. Both Planned Unit Development (P.U.D.) concepts and other innovative subdivision approaches would be appropriate types of development. Greater flexibility for integrated single and multi-family units and open space areas can be achieved along with more diverse options for lot size, densities, and land uses within these approaches.

Section 4.310 Permitted Buildings and Uses.

1. Planned residential developments:
 - a. Restricted - Single-Family
 - b. General - Single-Family

- c. Multi-Family Residential
- d. Recreational Residential
- e. Common public and private non-profit parks and playgrounds, community center and recreation facilities.-
- f. Hiking and riding trails
- g. Private non-commercial clubs, such as golf, swim, tennis and country clubs
- h. Accessory structures and uses

Section 4.320 Buildings and Uses Permitted Conditionally.

- 1. Commercial uses within a planned residential development which are designed to serve the residents of the development with goods and services.
- 2. Libraries
- 3. Churches
- 4. Educational structures
- 5. Public utility
- 6. Service structures
- 7. Planned commercial and industrial districts
 - a. Uses permitted in the underlying district
 - b. Other uses as approved by the Planning Commission consistent with the development plan and program approved by the Planning Commission.
 - c. Accessory buildings and uses
- 8. Planned civic, public service, and educational development districts.
 - a. Municipal and civic centers, parks and recreational facilities.
 - b. Public or private educational institution
 - c. Hospitals, including retirement homes
 - d. Research facilities limited to academic research functions
 - e. Service uses including but not limited to civic theaters, museums, churches, convents, and monasteries.

Section 4.330 Development Standards.

- 1. Conflicts between standards

In case of conflict between standards set forth in this section and other parts of this zoning ordinance, the standards provided for in such other parts of the zoning ordinance shall govern unless the Planning Commission and Council shall have granted a variance from said standards in the approval of the final plan.

- 2. Minimum development district size

A planned residential zone shall not be established on less than 5 acres of contiguous land unless the Planning Commission finds that property of less than 5 acres is suitable as a Planned Residential zone by virtue of its

unique character, topography, or landscaping features, or by virtue of its qualifying as an isolated problem area as determined by the Planning Commission.

3. Lot requirements

Lot requirements, including area, dimensions and coverage shall be the same as the underlying zoning districts unless the Planning Commission finds that an exception is warranted in terms of character and amenities proposed in the total development plan.

Section 4.340 Yard Regulations, Parking Requirements, Wood Fences, Walls, and Other Structures. Requirements pertaining to these categories shall be the same as the underlying zoning districts unless the Planning Commission finds an exception is warranted in terms of character and amenities proposed in the total development plan.

Section 4.350 Open Space. Open space within a Planned Residential zone means the land area is to be used for scenic, landscaping, or open recreational purposes within the development. Open space shall be adequate for the recreational and leisure needs and use of the occupants and users of the Planned Residential zone. To the maximum extent possible the development plan and program shall assure that natural features of the land are preserved and landscaping is provided. In order to insure that open space will be permanent, dedication of the development right may be required to be dedicated to the City of Lakeside. Such instruments and documents guaranteeing the maintenance of open space shall be approved as to form by the City Attorney. Failure to maintain the open space or any other property set forth in the development plan and program shall empower the City of Lakeside to enter the property and bring said property up to the standards set forth in the development plan, and the City may assess the real property and improvements within the Planned Residential zone for the cost of creating and maintaining said open and recreational lands.

Section 4.360 Construction Standards. The provisions of the Zoning Ordinance, Subdivision Ordinance, Building Code and all other City Codes shall apply and control all design and construction of improvements within a Planned Residential zone except as specifically varied by the Council in approval of the Final Plan and subdivision plat as provided for.

Section 4.370 Planned Residential Zone Procedure.

1. Description and purpose

The purpose of this article is to set forth the procedure to be followed in developing a Planned Unit Development.

2. Preliminary development plan and program, filing fee

Any owner of real property in excess of 5 acres desiring to develop a Planned Residential zone shall submit a preliminary development plan and program to the Planning Commission of the City of Lakeside together with a Planned Residential zone filing fee. For the purposes of this

article "owner" shall mean and include any public body, corporation or a holder of a written option to purchase said property. Such preliminary development plan and program shall consist of a preliminary plan in schematic design and a written program jointly containing the following information:

a. Identification and description

Proposed name of Planned Residential zone, location by legal description, names and addresses of applicant, owners, and designers of the Planned Residential zone; bar scale and written scale of plan (1" to 100'); date of plan and program and north point.

b. Existing conditions

Contours at an interval of 1 foot for ground slopes less than 5%, 2 foot contour intervals for ground slopes between 5% and 10%, 5 foot contour intervals for ground slopes exceeding 10%; location and direction of all water courses; natural features, such as rock outcroppings, marshes, wood areas, etc.; location and names of all existing or prior platted streets or other public ways, railroad and utility rights-of-way, parks and other public open spaces, permanent buildings and structures and their uses, permanent easements and City boundaries within 500 feet of the development; existing sewers, water mains, culverts, and other underground facilities within the development; indicating pipe sizes, grades, manholes, and their exact location.

c. Proposed development

A preliminary plan shall show the following in addition to other requirements of the Planning Commission:

1. Proposed ownership pattern.
2. Operation and maintenance proposal (neighborhood easements, condominiums, neighborhood associations, etc.)
3. Waste disposal facilities
4. Lighting
5. Water supply, public transportation, community facilities, such as schools, libraries, fire protection, shopping
6. General time-table of development
7. Names and addresses of the proposed design team for preparation of the final plan and program together with their qualifications.

3. Review of preliminary development plan and program

Upon filing of the preliminary development plan and program and receipt of the initial filing fee, the Planning Commissioner and the appointed City representative of Public Works shall review

the preliminary development plan and program and shall prepare for submission to the Planning Commission a planning staff report containing the following information in addition to such other information as is pertinent:

- a. A map showing the existing zoning of the subject property and adjoining properties within or without the boundaries of the City of Lakeside.
- b. Existing land use map of the area within 1,000 feet of the subject property.
- c. Report comments on consistency of the proposed Planned Residential zone with the Lakeside Comprehensive Plan, the Zoning, Subdivision Ordinances of the City of Lakeside, and a prospective effect of said Planned Residential zone on land use, character and environment, traffic, City services, etc.

4. Planning Commission review of preliminary development plan and program

Following receipt by the Planning Commission of the Planning Director's report upon the preliminary development plan and program, the Planning Commission shall hold a public hearing following adequate publication of the notice of public hearing in a newspaper of general circulation.

5. Conditional approval by Planning Commission

Upon review at the public hearing, or any continuance thereof, the Planning Commission may conditionally approve the principle of the preliminary plan and program, require amendment and modification thereto, or reject said Planned Residential zone.

6. Time limit-filing final development plan and program

Upon acceptance of the Planned Residential zone in principle with modifications required by the Planning Commission, the owner-applicant shall file with the Planning Director within six months of the preliminary approval of the Planning Commission, a final development plan and program. In addition, the developer may submit such additional data as may be required by the Subdivision Code of the City seeking contemporaneous approval of the subdivision plat with approval of the final plan and program.

7. Final development plan and program

The final development plan and program shall contain the following information:

a. Land use:

1. A land use plan indicating all proposed uses within the Planned Unit Development.
2. All areas proposed to be dedicated or reserved for interior circulation, public parks, playgrounds, school sites, public buildings, or otherwise dedicated or reserved for the public.

3. Open space that is to be maintained and controlled by the owners of the property and their successors in the interest of being available for the recreational and leisure use of the occupants and users of the Planned Residential zone.
- b. Contours and drainage:
1. Contours as they will be after development.
 2. Drainage system and sanitary sewers and treatment facilities as required.
- c. Circulation:
1. A street system and lot design with appropriate dimensions. A subdivision plat if the land is to be subdivided shall comply with this requirement.
 2. A traffic flow map showing circulation patterns within and adjacent to the proposed development. Any special engineering features and traffic regulation devices needed to facilitate or insure the safety of the circulation pattern shall be shown.
 3. Location and dimensions of pedestrian walkways, malls, and foot and horse trails.
- d. Parking and loading:
1. Location, arrangement, number, and dimensions of automobile garages, parking spaces and the widths of aisles, bays, and angle of parking.
 2. Location, arrangement, and dimensions of truck loading spaces and docks.
- e. Architectural sketches:
1. In a Planned Residential zone containing less than 25 acres the developer shall submit preliminary architectural sketches depicting the types of buildings and their approximate location on lots. The sketches shall also depict the general height, bulk, and type of construction and proximity of structure on lots.
 2. In a Planned Residential zone containing more than 25 acres the developer shall submit architectural sketches as required above for each phase of development containing less than 25 acres before the time such phase begins actual construction. For a Planned Residential zone or phase thereof in excess of 25 acres the developer shall submit architectural sketches depicting the types of buildings (single-family, duplex, multi-family, commercial, etc.) and their prospective locations in the development, showing their general height and bulk in relationship to the other improvements in the development and upon adjacent land.

f. Landscaping:

1. In Planned Residential zone or construction phases therein containing less than 25 acres the developer shall submit a preliminary landscaping plan depicting tree plantings, ground cover, grades, slopes, screen plantings and fences, etc. and showing existing trees in excess of 12 inches in diameter measured four feet from ground level and showing the location of trees to be removed by the development.
2. In a Planned Residential zone containing more than 25 acres the developer shall submit a preliminary landscaping plan or written portion of the program of development setting forth the proposed landscaping design concepts around residential and commercial structures and in and around open spaces and public recreational areas.

g. Program elements:

The written program shall contain the following information:

1. Table showing the total number of acres and their distribution by use, the percentage designed for each dwelling type and for non-residential uses, including off-street parking, streets, parks, playgrounds, schools and open spaces as shown in the proposed development plan.
2. Table showing the overall density of the proposed residential development and showing density by dwelling types.
3. Drafts of appropriate restrictive covenants and all other documents providing for the maintenance of any public open space and recreational areas not dedicated to the City including agreements by property owners associations, dedicatory deeds or reservations of public open spaces.
4. A time schedule showing construction commencement, rate of development, and approximate completion date for each phase of construction and type of structure.
5. The stages for development of private and public facilities planned.
6. Written consent of all persons owning any interest in the real property within the Planned Unit Development to the final development plan and program.
7. Such other information as the Planning Commission may require.

8. Application for zone change

Upon submission of the final plan development program the owner-applicant shall submit an application for zone change from the underlying zone to the Planned Residential zone consistent with final plan development and program.

9. Planning Commission public hearing on final development plan and program

- a. Upon receipt and review by the Planning Director of the final development plan and program and petition for zone change, the Planning Commission at a regular public meeting shall consider the final development plan and program and shall approve the final development plan and program as being in compliance with the requirements and intent of this ordinance and approve the petition for zone change to the City Council with its recommendation that the Planned Unit Development district and zone be established on the property in question; or
- b. Continue the public hearing to a date certain and refer the petition and final development plan to the Planning Director with recommendations as to amending the petition and proposed development plan and program; or,
- c. Disapprove the petition for zone change and the final development plan and program as inconsistent with the intent of this article and abandon hearings and proceedings thereon.

10. Notice of Council hearing

Upon approval by the Planning Commission, the Council of the City of Lakeside shall hold a public hearing upon the proposed zone changes and adoption of the final development plan and program after adequate notification of the public hearing in a newspaper of general circulation.

11. Council action

At the public hearing for review of the petition for zone change and adoption of the final development plan and program the Council may adopt an ordinance re-zoning the property as a Planned Residential zone and adopt the final development plan and program for said zone. Council by said ordinance shall accept or reject all or part of the dedications of public facilities, land, and open space.

- a. The Council at said public hearing may continue said public hearing and refer the petition and final development plan and program back to the Planning Commission with recommendations for amendment thereof.
- b. The City Council may reject the petition for zone change and final development plan and program and abandon further hearings and proceedings thereon and no renewal of said proposed Planned Unit Development may be reinstated within the City of Lakeside for a period of one year from the date of disapproval by the City Council.

12. Filing of approved final plan and program

Following amendment to the zoning code and approval of the final development plan and program by the City Council, the

owner-applicant shall file with the Recorder of the City of Lakeside and the Planning Director of the City of Lakeside a conformed and approved final development plan and program together with all documents approved as to form by the City Attorney relating to dedication, improvements, maintenance agreements, covenants, deed restrictions and bylaws of neighborhood associations, cooperatives, and improvement of the district.

13. Recording of notice of final development plan

Each owner of the property re-zoned by the City Council as the Planned Unit Development shall execute a notice prepared by the City of Lakeside that the final development plan and program approved by the City Council constitutes zoning for the property. Such notice shall contain a legal description of the property, referring to the certified copy of the final development plan and program filed in the office of the City Recorder and be acknowledged by each of the owners of property within the Planned Unit Development. Said notice shall be recorded in the office of the City Recorder of Lakeside.

14. Development improvement prohibited pending compliance

No excavating, grading, construction, improvement or building or permits therefore shall be authorized or issued within the Planned Residential zone pending compliance with the following:

- a. Full compliance with all provisions of this article including execution and filing of all documents required herein.
- b. Compliance with the subdivision code of the City of Lakeside, improvement ordinances of the City of Lakeside, and building code of the City of Lakeside.
- c. Full compliance with the final development plan and program.

15. Changes to final development plan and program

The owner-applicant may make such changes in the approved final plan and program as are consistent with any subsequent subdivision plat approved by the Planning Commission, provided such changes do not alter total density, ratio of dwelling unit types, boundaries of the Planned Unit Development or location or area of public spaces. In the event a subdivision plat containing such changes is not submitted for approval to the Planning Commission, proposed changes to the approved final plan and program may be submitted in writing to the Planning Director for approval and amendment to the final plan and program on file with the City provided such changes do not alter the dwelling unit density; do not alter the ratio of different types of dwelling units to each other; do not increase or change the type or location of commercial structures; do not change the boundaries of the Planned Residential zone and do not change the location and area of public open spaces and recreational area.

Changes which alter or change dwelling unit density, ratio of number of different types of dwelling units, commercial uses, boundaries of the Planned Residential zone or affects location or area of open and recreational spaces shall be made in the form of a petition for approval of a new Planned Residential zone and shall be made in accordance with this Article.

16. Expiration of Planned Residential zone

If substantial construction or development of the Planned Residential zone has not occurred in accordance with the approved final development plan and program and schedule for stage completion in substantial compliance with said final development plan and program, the Planning Commission may initiate a review of the Planned Residential zone sub-district at a public hearing to determine whether or not its continuation in whole or in part is in the public interest, and if found not to be, shall recommend to the City Council that the Planned Residential zone sub-district be removed, and necessary amendments to the zoning code be made in accordance with this article.

GENERAL COMMERCIAL (G-C)

Section 5.100 Description and Purpose. The General Commercial district is designed to provide areas suitable for a wide spectrum of commercial uses.

Section 5.110 Permitted Buildings and Uses.

1. A commercial use, including business, professional, or governmental offices.
2. Manufacturing, processing, repairing, or storage of products clearly incidental to a commercial use and not occupying more than 50% of the floor area of the building.
3. Laundromat
4. Automobile service station
5. Commercial amusement or recreation establishment including such as bowling alley, theater, pool hall, or miniature golf course but excluding establishments such as a race track or automobile speedway.
6. Gift or souvenir shop
7. Motel or hotel
8. Restaurant
9. Tavern, night club, or cocktail lounge
10. Barber or beauty shop
11. Bus station, taxi stand
12. Clinics including animal clinics except that animals may not be boarded overnight unless proper sound proofing is approved by the Planning Commission.
13. Club, lodge, fraternal organization
14. Drug store

15. Food store
16. Museum, art gallery, or similar facility
17. Accessory buildings and uses normal and incidental to the uses permitted in this section
18. Household appliance and small equipment repair and maintenance service
19. Home occupations
20. Single-family dwellings, mobile homes and modular homes

Limitations on Use. In a G-C zone, the following limitations on use shall apply:

1. All business, service, processing, storage or display of merchandise on a lot abutting or facing a lot in a residential zone shall be conducted wholly within an enclosed building or shall be screened from the residential zone by a sight obscuring fence or hedge, permanently maintained.
2. Openings or access to structures on side adjacent to or across the street from a residential zone shall be prohibited if they result in glare or excessive noise or otherwise adversely affect residential areas.

Section 5.120 Buildings and Uses Permitted Conditionally.

1. Governmental structure or use other than office
2. Bakery or milk processing and manufacturing
3. Nursing home
4. Churches
5. Mobile home parks
6. Public parks, playgrounds, and community centers
7. Public parking areas and structure
8. Public and semi-public buildings (fire stations, libraries, sub-stations, reservoirs - essential to the physical, social, and economic welfare of an area).
9. Automobile and/or truck repair or maintenance garage
10. Public utilities
11. Travel trailer parks

Section 5.130 Lot Requirements. In a G-C zone, buildings shall not occupy more than 60% of the lot area.

Section 5.140 Lot Dimensions. The minimum lot width shall be 50 feet.

Section 5.150 Yard Regulations. In a G-C zone, minimum yard requirements are as follows:

1. Front yards shall not be required except where specified setbacks are required for road widening purposes. Except where side and rear yards abut a residential district, they will not be required unless specified setbacks are required for road widening purposes.
2. On the side of a lot abutting a residential zone, a yard shall be at least 15 feet plus one foot for each two feet by which the height of the building exceeds twenty-eight feet.
3. On the rear of a lot abutting a residential zone, the rear yard shall meet the same requirements as the side yard, unless an alley or street divides the zones.

MARINE COMMERCIAL (M-C)

Section 5.200 Description and Purpose. This Marine Commercial classification provides for areas of water-dependent and water-related commercial activities in land areas surrounding the lakes and Tenmile Creek. The recreational attraction of the area enhances the importance of this designation for water-related and water-dependent activities.

Section 5.210 Permitted Buildings and Uses.

1. Boat launching or moorage facilities, marina, boat charter service.
2. Boat or marine equipment sales, service, storage, rental or repair
3. Restaurant, bar or tavern which utilizes waterfront view as a necessary part of business activity
4. Retail sale of water sporting goods or similar commodities
5. Seafood sales, wholesale or retail
6. Open recreation area
7. Professional office space which is marine oriented
8. Experimental laboratory for research of marine coastal production or resource
9. Home occupation

Section 5.220 Buildings and Uses Permitted Conditionally.

1. Gift or souvenir shop
2. Motel or hotel
3. Tavern, night club, cocktail lounge
4. Club, lodge, fraternal organization
5. Government structure and use of land
6. Travel trailer park
7. Light processing of seafoods in conjunction with wholesale or retail trade
8. Storage of marine oriented materials
9. Grocery store
10. Automobile service station in conjunction with boat service
11. One-family dwelling built on site with or attached to another permitted use
12. Public park, playground or similar recreation area
13. Public utility or community facility
14. Small boat manufacturer

Section 5.230 Lot Requirements. In a M-C zone, buildings shall not occupy more than 60% of the lot area.

Section 5.240 Lot Dimensions. The minimum lot width shall be 50 feet.

Section 5.250 Yard Regulations. In a M-C zone, minimum yard requirements are as follows:

1. Front yards shall not be required except where specified setbacks are required for road widening purposes. Except where side and rear yards abut a residential district, they will not be required unless specified setbacks are required for road widening purposes.

2. On the side of a lot abutting a residential zone, a yard shall be at least 15 feet plus one foot for each two feet by which the height of the building exceeds twenty-eight feet.
3. On the rear of a lot abutting a residential zone, the rear yard shall meet the same requirements as the side yard, unless an alley or street divides the zones.

LIGHT INDUSTRIAL (L-I)

Section 6.100 Description and Purpose. The purpose of the Light Industrial zone is to provide suitable areas for a wide spectrum of industrial uses.

Section 6.110 Permitted Buildings and Uses.

1. Single-family dwellings, mobile homes and modular homes
2. Retail or service establishment
3. Automobile service station
4. Machinery, farm equipment, marine, or automotive sales, service, storage, or repair
5. Building material storage yard
6. Plumbing, electrical, or paint contractor's storage, repair or sales shop
7. Tire retreading or vulcanizing shop
8. Machine shop or cabinet shop
9. Manufacturing, repairing, compounding, processing, storage, research, assembling or fabricating activities

Section 6.120 Buildings and Uses Permitted Conditionally.

1. Multi-family dwellings
2. Hotel or motel
3. Club or lodge
4. Hospital, sanitarium, retirement home, medical or dental clinic
5. Church or school
6. Park playground
7. Public facilities
8. Mobile home park
9. Veterinary hospital

Section 6.130 Lot Requirements. Minimum lot area requirement shall be 9,000 square feet. Each lot must be served by public water system and public sewerage disposal system. If these services are not provided, minimum lot size shall be governed by City codes and State law.

Section 6.140 Lot Dimensions. Lot width at the front of the building line shall be at least 70 feet. Lot depth shall be at least 100 feet.

Section 6.150 Yard Regulations. In the L-I zone, minimum yard requirements are as follows:

1. Front yards shall not be required except where specified setbacks are required for road widening purposes. Side and rear yards will not be required except where they abut a residential district or where setbacks are required for road widening purposes.
2. On the side of a lot abutting a residential zone, a yard shall be at least 15 feet plus one foot for each two feet by which the height of the building exceeds 28 feet.
3. On the rear of a lot abutting a residential zone, the rear yard shall meet the same requirements as the side yard.

HEAVY INDUSTRIAL (H-I)

Section 6.200 Description and Purpose. The Heavy Industrial zone is intended to provide suitable areas for heavier industrial uses.

Section 6.210 Permitted Buildings and Uses.

1. Manufacturing plant, including lumber and plywood mills
2. Boat building and repair
3. Manufacturing electrical equipment
4. Wholesale trucking and storage establishment

Section 6.220 Buildings and Uses Permitted Conditionally.

1. Mobile home park
2. Public facility
3. Retail and wholesale establishments
4. Pulp or paper mill
5. Cement or asphalt plant
6. Rendering plant or slaughter house

Section 6.230 Lot Requirements. Minimum lot area requirement shall be 9,000 square feet. Each lot must be served by public water system and public sewerage disposal system. If these services are not provided, minimum lot size shall be governed by City codes and State law.

Section 6.240 Lot Dimensions. Lot width at the front of the building line shall be at least 70 feet. Lot depth shall be at least 100 feet.

Section 6.250 Yard Regulations. In a Heavy Industrial zone, minimum yard requirements are as follows:

1. Front yards shall not be required except where specified setbacks are required for road widening purposes. Side and rear yards will not be required except where they abut a residential district or where setbacks are required for road widening purposes.

2. On the side of a lot abutting a residential zone, a yard shall be at least 15 feet plus one foot for each two feet by which the height of the building exceeds 28 feet.
3. On the rear of a lot abutting a residential zone, the rear yard shall meet the same requirements as the side yard.

OPEN SPACE (O-S)

Section 7.100 Description and Purpose. This classification may serve a variety of purposes. It is intended to provide adequate recreation areas and to act as a buffer or transitional area between incompatible use classifications. Also, areas unsuited for development because of slope and soil limitations or aesthetic value might best remain open.

Section 7.110 Permitted Buildings and Uses.

1. Recreational uses limited to day use such as:
 - a. Exhibition of natural conditions
 - b. Picnicing areas and playgrounds
2. Wildlife and marine life sanctuaries
3. Management and harvest of forest products
4. Agriculture use including grazing and farming
5. Single-family dwelling or business with single-family dwelling associated with the above activities
6. Private parks and playgrounds

Section 7.120 Buildings and Uses Permitted Conditionally.

1. Solid waste disposal facility
2. Sanitary land fill
3. Private hunting and fishing preserves
4. Single-family dwelling on a parcel not less than 10 acres
5. Golf course
6. Home occupation

Section 7.130 Lot Requirements. For single-family dwellings the minimum lot size shall be 10 acres. There shall be no minimum lot sizes for other permitted or conditional uses except as required by state and local sanitation regulations.

Section 7.140 Lot Dimensions. Lot width of front building lines for single-family dwellings shall be at least 70 feet, lot depth shall be at least 90 feet.

Section 7.150 Yard Regulations.

1. The front yard shall be a minimum of 20 feet.
2. Each side yard shall be a minimum of 5 feet.
3. The street side yard shall be a minimum of 15 feet.
4. The rear yard shall be a minimum of 15 feet.
5. No structure shall be located closer than 40 feet from the center line of a street, other than an alley.

WATER USE (W-U)

Section 8.100 Description and Purpose. The Water Use classification designates water areas for such uses as boating, recreational marine harvesting, and navigational requirements.

Section 8.110 Permitted Uses and Buildings.

1. Boating
2. Recreational marine harvesting
3. Navigational improvements
4. Marine recreational activities such as boating and similar uses
5. Public park or recreation facility

Section 8.120 Buildings and Uses Permitted Conditionally.

1. Hotel, motel or tourist resort facility including marina if in conjunction with the facility
2. Public utility or communication facility
3. Governmental use of structure

Section 8.130 Lot Requirements and Dimensions.

1. Lot size, width, shape, and orientation shall be appropriate for the location of the property being developed, the topography and the type of development and use proposed.
2. In areas to be served by both a public water supply and public sewer, lots shall have a minimum average width of 60 feet, and a minimum average depth of 100 feet except where zoning requirements provide a lesser standard.
3. In areas not served by public or community water or a public or community sewer the minimum lot size shall conform to the requirements established by state regulations or the County Health Department, whichever is more strict.
4. In all cases, the Planning Commission may require, pursuant to subsection (2) of this section, a lot size that exceeds the minimum lot size otherwise established by law in order to fulfill the purposes of this ordinance.
5. Lot depth to width ratio shall not exceed the following standards:

<u>Size of Lot</u>	<u>Maximum Depth to Width</u>
Up to 1 acre	2.5 to 1
1 to 5 acres	3 to 1
5 or more acres	4 to 1

6. Side lot lines shall be substantially at right angles or radial to street lines.
7. Each lot shall abut upon a street or road other than an alley, for at least 50 feet except where applicable zoning requirements permit a lesser frontage width.

8. Corner lots and lots adjacent to pedestrian ways shall leave extra width of at least 10 feet more than the minimum average width specified in this ordinance or applicable zoning ordinance.

PUBLIC FACILITY (P-F)

Section 9.100 Purpose. The Public Facility classification (P-F) designates land used for public facilities such as government offices, schools, hospitals, transportation facilities, and utility structures.

Section 9.110 Permitted Buildings and Uses.

1. Government office
2. Schools
3. Hospitals
4. Transportation facilities
5. Utility structures

Section 9.120 Buildings and Uses Permitted Conditionally.

1. Boat launching or moorage facilities
2. Open recreation area
3. Experimental laboratory for research of marine coastal production or resource
4. Bus station, taxi stand
5. Museum, art gallery, or similar facility
6. Accessory buildings and uses normal and incidental to the uses permitted in this section

Section 9.130 Lot Requirements. There shall be no minimum lot area where both a public or community water supply system and a public sewerage disposal system are available. If these systems are not available, minimum lot size shall be determined by local and state law requirements.

OVERLAY ZONES

AIRPORT APPROACH (A-A)

Section 10.100 Purpose. This district is intended to be applied to properties which lie within the air approaches to airports.

Further, this district is intended to prevent the establishment of air space obstructions in air approaches through height restrictions and other land use controls as deemed essential to protect the health, safety and welfare of the people of the City of Lakeside.

Section 10.110 Special Definitions.

1. "Airport Approach" means a fan-shaped area beyond the end of a runway where special land use and height regulations are established.
2. "Airport Hazard" means any structure, tree, or use of land which unreasonably obstructs the air space required for the safe flight of aircraft in landing or taking off at an airport or landing field, or is otherwise hazardous to such landing or taking off of aircraft.
3. "Place of Public Assembly" means a structure which the public may enter for such purposes as deliberation, education, worship, shopping, entertainment, amusement, or awaiting transportation.

Section 10.120 Application of Airport Approach Provisions. In any zoning district where an AA designation is combined with a primary district, the following regulations shall apply. If any conflict in regulation or procedure occurs with zoning districts hereinbefore specified, the provisions of the Airport Approach Overlay District shall govern.

Section 10.130 Permitted Uses.

1. Agriculture, excluding the commercial raising of animals which would be adversely affected by aircraft passing overhead.
2. Landscape nursery, cemetery, or recreation areas, which do not include buildings or structures.
3. Roadways, parking areas, and storage yards located in such a manner that vehicle lights will not make it difficult for pilots to distinguish between landing lights and vehicle lights, or result in glare, or in any other way impair visibility in the vicinity of the land approach.
4. Pipeline
5. Underground utility wire

Section 10.140 Conditional Uses.

1. A structure of building accessory to a permitted use
2. A single-family dwelling, or commercial or industrial use if permitted in the primary zoning district.
3. Buildings and uses of a public works, public service or public utility nature.

Section 10.150 Procedure. An applicant seeking a conditional use permit shall follow procedures set forth in Section 11. Information accompanying the application shall include:

Property boundary lines as they relate to the airport approach and the end of the runway;

Location and height of all existing and proposed buildings, structures, utility lines, and roads; and a

Statement from the Federal Aviation Administration indicating that the proposed use will not interfere with the operation of the landing facility.

Section 10.160 Limitations.

1. No place of public assembly shall be permitted in an airport approach district.
2. The height of any structure shall be limited to requirements prescribed by the Planning Commission or by any other local ordinance or regulation.
3. Whenever there is a conflict in height limitations prescribed by this ordinance or another pertinent ordinance, the lowest height limitation fixed shall govern. Provided, however, that the height or other limitations and restrictions here imposed shall not apply to such structures or uses customarily employed for aeronautical purposes.
4. No glare producing materials shall be used on the exterior of any structure located within the airport approach district.

FLOOD PLAIN (F-P)

Section 10.200 Purpose. The district is intended to be applied to properties which lie within areas inundated by overflow waters of Ten Mile Lakes and Ten Mile Creeks.

Further, it is the intent of this district to provide minimum regulations and standards for the protection of such properties and their improvements from damage and hazards which may result from flood waters.

Section 10.210 Special Definitions.

1. "Flood Plain" means the area adjoining a river or stream which has been in the past or can reasonably be expected in the future to be covered temporarily by flood water.
2. "100 year flood elevation" is 18.1 feet above mean sea level as computed from the 1964 flood.

Section 10.220 Application of Flood Plain Provisions. In any zoning district where an F-P designation is combined with a primary district, the following regulations shall apply. If any conflict in regulation of procedure occurs with zoning districts hereinbefore specified, the provisions of the flood plain overlay district shall govern.

Section 10.230 Permitted Uses.

1. Agriculture, grazing, or managing, growing, and harvesting of timber and other forest products.
2. Picnic tables and fireplaces designed and anchored to prevent flotation, collapse, or lateral movement.
3. Boat launching ramp, landing, or dock
4. Wildlife preserve, game farm, or fish hatchery, which do not include buildings
5. Parking areas and roadways
6. Fences
7. Fishing platform
8. Incidental storage of material or equipment that is mobile and readily removable from the flood plain area after flood warning. Incidental material or equipment shall include only

items which will not create a hazard to the health or safety of persons and property should the storage area be inundated by flood water.

9. Water gaging station
10. Water pump and accessory structure
11. Temporary emergency alteration of stream beds or banks as flood control measures immediately preceding or following periods of high water.
12. Utility wire and pipeline necessary for public service.

Section 10.240. Conditional Uses.

1. Single-family dwelling or mobile home
2. Home occupation
3. Golf course, park, playground, picnic grounds, or other recreational uses with related buildings and structures, when permitted in the primary district
4. Campground, when permitted in the primary district
5. Marina
6. Public utility building or structure
7. Bridge
8. Commercial use when permitted in the primary district
9. Construction of a dike, revetment, rip rap, berm, jetty or landfill when 50 cubic yards or more of material are involved in any calendar year

Section 10.250 Procedure. An applicant seeking a conditional use permit shall follow procedures set forth in Section 10. Plans and specifications accompanying the application shall include:

Location of the property with reference to river and stream channel and flood profile elevations;

Existing topography, vegetation, and uses, including location of dikes, revetments, and other flood control works;

Location of proposed uses, structures, roads, or other improvements; and a Proposed grading plan for the property.

Section 10.260 Minimum Standards. A flood plain building permit shall be obtained from the Planning Commission prior to construction of any building or structure in the flood plain. Construction shall be regulated in accordance with the following minimum standards:

1. A residential structure shall have the lowest floor elevated to or above the level of the 100 year flood elevation.
2. A commercial or industrial structure shall have the lowest floor elevated to or above the level of the 100 year flood elevation, or be flood proofed up to the level of the 100 year flood elevation.
3. Any subsurface sewage disposal or individual water system for a proposed structure shall be designed and installed in accordance with the standards set forth in state sewage disposal regulations.
4. Prefabricated and mobile homes shall be anchored to prevent flotation or lateral movement of the structure.
5. All buildings and structures shall be constructed with materials that resist flood damage or are adequately

- protected from flood damage.
6. Fill material may be used for roadway construction, provided that drainage openings are designed so as that the flow of water will not be restricted and thereby increase upstream water elevations.

CONDITIONAL USE PERMITS

Section 11.100 Description and Purpose. Certain types of uses require special consideration prior to their being permitted in a particular district. The reasons for requiring such special considerations involve, among other things, the size of the area required for the development of such uses, the effect such uses have on the public utility systems, the nature of the traffic problems incidental to operation of the use, the effect such uses have on any adjoining land uses, and the effect such uses have on the growth and development of the community as a whole.

All uses permitted conditionally are declared to be possessing such unique and special characteristics as to make impractical their being included as outright uses in any of the various districts created by this code. The authority for the location and operation of certain uses shall be subject to review by the Planning Commission and the issuance of a Conditional Use Permit. The purpose of review shall be to determine that the characteristics of a proposed conditional use shall not be unreasonably incompatible with the type of uses permitted in surrounding areas, and for the further purpose of stipulating such conditions as may be reasonable so that the basic purposes of this code shall be served. Nothing construed herein shall be deemed to require the Planning Commission to grant a Conditional Use Permit.

Section 11.105 Use Permit Prerequisite to Building. No building permit shall be issued when a Conditional Use Permit is required by the terms of this section, unless a permit has been granted by the Planning Commission and then only in accordance with the terms and conditions of the Conditional Use Permit. Conditional Use Permits may be temporary or permanent for any use or purpose for which such permits are required or permitted by provisions of this section.

Section 11.110 Applications, etc. The application for a Conditional Use Permit shall be made in writing to the City Recorder by the owner of the land in consideration on forms provided by the City. The application shall be accompanied by the following information:

1. Site and building plans and elevations
2. Existing conditions on the site and within 300 feet of the site
3. Utility and access data
4. Operational data
5. All other information requested by the Planning Commission

Section 11.115 Public Hearing and Notice. The Planning Commission shall hold at least one public hearing on each Conditional Use Permit filed with the City Recorder.

Section 11.120 Action. The Planning Commission shall make specific findings for granting or denying a Conditional Use Permit in accordance with the general criteria and/or conditions of this section.

Section 11.125 Effective Date. No Conditional Use Permit granted by the Planning Commission shall become effective until after an elapsed time of 15 days from the date the notice of the action or decision has been served.

Section 11.130 Expiration of Conditional Use Permits. A Conditional Use Permit shall be subject to the plans and other conditions upon the basis of which it was granted and shall terminate and become void unless:

1. The use authorized for such permit shall have commenced or construction necessary thereto shall have commenced, on or before the time limit specified in such permit and thereafter diligently advanced; or
2. If no time limit is specified, on or before six months after the date the permit became effective; or
3. Such period of time may be extended by the Planning Commission for a period of six months but not in excess of 18 months from the date the first order granting became effective.

Section 11.135 Revocation. The Planning Commission, after notice and public hearing, may revoke any Conditional Use Permit on the basis of any one or more of the following grounds:

1. Violation of any of the provisions of the zoning code.
2. Failure to comply with any prescribed requirement of the Conditional Use Permit.
3. The use for which the permit was granted has ceased to exist or has been suspended for six consecutive months or for 18 months during any 3 year period.
4. The use for which the permit was granted has been so exercised as to be detrimental to the public health, safety, or general welfare, or so as to constitute a nuisance.

Section 11.140 General Criteria. A Conditional Use Permit may be granted only if the proposal conforms to all the following general criteria, as well as to all other additional criteria or conditions required by this section or the Planning Commission.

1. That the location, size, and operating characteristics of the proposed development will be compatible with and will not adversely affect the livability or appropriate development of abutting properties and surrounding neighborhood, with consideration to be given to harmony in scale bulk, coverage, and density; to the availability of public facilities and utilities; to the harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity of surrounding streets; and to any other relevant impact of the development.
2. That the location, design, and site planning of the proposed development will provide a convenient and functional living, working, shopping, or civic environment, and will be as attractive as the nature of the use and setting will allow.

3. That the proposed development will enhance the successful operation of the surrounding area in its basic community functions, or will provide an essential service to the community or region.
4. That the proposed development shall be compatible with the general purpose and intent of the Lakeside Comprehensive Plan.
5. That the required dedication and improvement of streets within the development site for the proper extension and/or connection of necessary streets shall be made.
6. That the required dedication of right-of-way within the development site for the extension of collector and arterial streets shall be made.
7. That the use of the development site shall not adversely affect access to and subdivision of abutting properties.

Section 11.145 General Conditions. The Planning Commission shall designate conditions in connection with the Conditional Use Permit as it deems necessary to secure the purpose of this section and may require the guarantees and evidence that such conditions may include:

1. Regulation of uses, special yard setbacks, coverage, and height.
2. Requiring fences, walls, screens, landscaping, and maintenance.
3. Regulation and control of points of vehicular ingress and egress.
4. Regulation of signs.
5. Regulation of noise, vibration, odors, and sightliness.
6. Requiring surfacing of parking areas.
7. Requiring rehabilitation plans.
8. Regulation of hours of operation and duration of use of operation.
9. Requiring a time period within which the proposed use shall be developed.
10. Requiring bonds to ensure performance of special conditions.
11. Such other conditions as will make possible the development of the City in an orderly and efficient manner and in conformity with the intent and purposes set forth in this section.

Section 11.150 Additional Conditions. Some land uses by the nature of the activity associated with them require separate and intense consideration by the Planning Commission prior to their establishment. Such uses and additional conditions follow:

1. Churches

- a. Any building used for church purposes in any residential area, except free standing parsonages, shall provide and maintain a minimum setback of 20 feet from any property line which is under a different ownership and is zoned for residential use.

2. Hospitals

- a. Any building used for hospital purposes shall provide and maintain a minimum of 50 feet from side and rear property lines, except in the street side of a corner lot where the street is dedicated to the public. Alleys contiguous to or within the property being used for hospital purposes may be included in the required setback.

3. Public or Parochial Schools

- a. Any building used for school purposes shall provide and maintain setbacks of 50 feet from side and rear property lines, except on the street side of a corner lot where a setback of at least 25 feet shall be required. Alleys contiguous to or within the property being used for school purposes may be included in the required setback.

4. Agricultural Uses

- a. Domestic farm animals except fowl and rabbits shall not be kept on lots having an area of less than 20,000 square feet. The total number of all such animals, other than their young under the age of six months, allowed on a lot shall be limited to the square footage of the lot divided by the total minimum areas required for each animal as listed below:

Horses, Cattle	10,000 square foot area
Goats, Sheep	5,000 square foot area
Bee Colonies	1,000 square foot area

The area of a property may be utilized one time only for the computation of the above allowable animal useage.

- b. Animal runs or barns, fowl, and rabbit pens, and bee colonies shall be located on the rear half of the property but not closer than 70 feet to the front property line nor closer than 50 feet from any residence nor closer than 20 feet to any interior property line.
- c. Domestic farm animals shall be properly caged or housed and proper sanitation shall be maintained at all times.
- d. All animal or fowl food shall be stored in metal or other rodent-proof receptacles.
5. Boarding, Lodging, or Rooming House Having Four or More Boarders
- a. Lot area. The minimum lot area shall not be less than 8,000 square feet.
- b. Principal building. Only one multiple-family building may be constructed on each development site.
- c. Yard regulation.
1. Accessory building. Accessory buildings are not permitted in any side yard.
- d. Utilities. Any boarding, lodging, or rooming house shall have full financial responsibility for the utilities.
6. Multiple-Family Dwellings.
- a. Lot area. The minimum lot area shall be 7,500 square feet for a two-family dwelling and 2,500 square feet of land will be required for each additional dwelling unit.
- b. Principal buildings. More than one principal building may be constructed on each development site.
- c. Yard regulations.
1. The front yard shall be a minimum of 20 feet.
 2. Each side yard shall be a minimum of 5 feet.
 3. The street side yard shall be a minimum of 10 feet.
 4. The rear yard shall be a minimum of 15 feet.
 5. No structure shall be located closer than 40 feet from the center line of a street, other than an alley.

- d. Access. No ingress or egress to a multiple-family development site shall be allowed from less than a 50 foot right-of-way or 22 foot paved street. Any ingress or egress to a multiple-family development site from a cul-de-sac or dead-end street shall be within the first 50 percent of the length of the cul-de-sac or dead-end street, except that no ingress, or egress shall be farther than 200 feet from the intersection.
 - e. Utilities. Any multiple-family dwelling shall have full financial responsibility for the utilities.
 - f. Place of buildings. The minimum space between the exterior walls of principal buildings shall be as follows:
 - 1. Buildings end to end - 10 feet.
 - 2. No entries permitted from the spaces between building ends.
 - 3. Buildings rear to end or front to end - 25 feet.
 - 4. Buildings front to rear or rear to front - 35 feet.
 - 5. Buildings front to front, where arranged around an open court, minimum distance between buildings - 30 feet, except where there is a driveway within the court the minimum distance shall be 35 feet.
7. Service Stations.
- a. General principles.
 - 1. Service stations shall be located adjacent to and integrated with other commercial uses and shall not be developed in "spot" locations.
 - 2. A service station shall be located adjacent to an arterial street.
 - 3. Service stations in retail commercial shopping centers shall be integrated with but located on the periphery of retail commercial centers.
 - 4. The size and nature of a service station may be expected to vary with the location of a service station and market it is intended to serve.
 - 5. The siting and architectural character of a service station shall blend with the existing or proposed character of the surrounding area. Variations in building design, materials, and functional features are encouraged.
 - 6. A pleasing uncluttered appearance of service stations should be assured by adherence to sign regulations, maintenance of adequate landscaping, and limited outdoor display of automotive accessories.

b. Conditional Use Permit Provisions.

1. Location.

- a. The site shall have a minimum of 125 feet of frontage on an arterial street.
- b. At the time of its establishment, the property lines of the site shall not be conterminous with the property lines of an existing residential use.
- c. The minimum distance from the site to a residential zone, school, park, playground, church, museum, or similar use shall be 200 feet except at an intersection.
- d. The minimum distance between service stations shall be 400 feet, except at intersections with exception of Section F.
- e. Not more than two service stations shall be located at any given intersection. When two service stations are proposed to be located near an at-grade intersection, they should be situated on diagonally opposite corners.
- f. Service stations on the same side of a street or road shall hereafter be constructed no closer than 1,500 feet to any part of a building housing another service station. This shall not prevent the remodeling of a structure already in existence.
- g. Service stations developed in conjunction with other commercial development shall be situated on arterial streets on the perimeter of such development.

2. Site Improvements.

- a. A minimum of eight percent of the net area of a service station site shall be improved with well-maintained landscaping elements. These elements may include but will not be limited to plant materials, street furniture, and decorative surfaces. Emphasis should be on a pleasing appearance, quality of design, and proper balance between structure and landscape elements, rather than satisfaction of quantitative criteria. Existing specimen trees, mature ornamental shrubs, and ground cover shall be preserved whenever possible.
- b. A fence, hedge, or wall shall be erected on all interior property lines. Such a fence, hedge, or wall shall be a minimum of five feet and a maximum of seven feet in height, except within 40 feet of street rights-of-way where it may be no greater than three feet in height. No fence, hedge, or wall shall be within 15 feet of a street right-of-way. The fence, hedge, or wall shall screen 70 percent of the view between the service station and adjacent property and shall be reviewed by the Planning Commission for aesthetic and maintenance factors.

- c. Each landscaped and planted area shall be serviced by an installed irrigation system which is remotely operated.
 - d. A screened trash enclosure shall be provided on each station site.
3. Area and dimensions.
- a. Area. The maximum site area shall be 30,000 square feet. The minimum site area shall be 10,000 square feet.
 - b. Dimensions. The minimum width along an arterial street shall be 125 feet; the minimum depth shall be 80 feet.
4. Access.
- a. A service station shall be permitted not more than two curb cuts for each arterial street frontage.
 - b. Service station driveways on arterial streets shall be located at least 10 feet from the nearest point of the intersection of public rights-of-way.
 - c. Driveways for service stations which are developed as part of or in conjunction with adjacent uses shall be located as part of the total circulation element of such adjacent uses.
5. Signs.
- a. Service stations shall be required to adhere to the sign regulations of the zoning district in which they are located. The aggregate area of all signs shall not exceed the sign regulations of the zoning district in which they are located.
 - b. The following signs shall be allowed:
 - 1. One freestanding hallmark sign containing only the name, identifying symbol, or company trademark of the gasoline offered shall be permitted to a maximum area of 36 square feet each on no more than two sides; said sign shall be placed in a planter or decorative wall structure and shall not exceed 35 feet in height.
 - 2. Signs aggregating not more than 20 square feet for the purpose of quoting gasoline prices, advertising trade stamps, announcing service available, or any other like purpose.
 - 3. Signs for traffic and customer directions shall be permitted, provided no such sign is more than two square feet in area.
 - c. Signs attached to the building shall not extend above the roof line, parapet wall, or other integral part of the station building, provided that any such sign shall be limited to the same

function as a freestanding hallmark and the area thereof shall be charged against the maximum area allowance for freestanding hallmark or hallmarks on the premises. Signs shall not be attached to and extend above the pump islands canopies.

- d. Signs, except for hallmark signs, existing on the effective date of this amendment, and not conforming with the provisions of this section, shall be removed within six months. Hallmark signs existing on the effective date of this amendment, and not conforming with the provisions of this section, shall be removed or made to conform within a period of five (5) years. Where existing signs are non-conforming because in excess of the maximum aggregate area for all signs, then within six months of the effective date of this amendment, all such signs, other than the identifying hallmark, shall be adjusted so as not to exceed the maximum sign area, assigning the hallmark sign an assumed area of 36 square feet for purposes hereof; and at the end of five (5) years from the effective date of this code, the said hallmark sign shall also be adjusted so as not to exceed the maximum permitted by this code.

6. Exterior lighting.

- a. Freestanding lighting fixtures shall not exceed a height of 20 feet. Other exterior lighting as may be necessary shall be permitted provided no nuisance or traffic hazard is created.
- b. All lighting shall be of such illumination, direction, color, and intensity as not to create a nuisance on adjacent property or to create a traffic hazard.
- c. Lighting fixtures shall be shielded as to reflect light away from adjacent properties.

7. Operations.

- a. One gasoline pump shall be permitted per 2,000 square feet of site area. A double pump stanchion shall represent one pump.
- b. Only those vehicles awaiting service shall be permitted to be stored on the premises.
- c. Operations outside permanent structures shall be limited to the dispensing of gasoline, oil, water, servicing tires, and attaching and detaching trailers.
- d. No auto body repair shall take place on the premises.
- e. No major mechanical auto repair shall take place on the premises, unless such repair existed at the time this code was passed; then such repair shall be exempt from the requirements of Section 11.150, 7, b, 12 of this code.

- f. Utility trailers, not exceeding 10 in number, may be stored for rent at service stations provided they occupy the rear half of the property and occupy an area of at least 2,000 square feet.
 - g. No mechanical-type car washing facilities shall be operated outside a structure.
 - h. Exterior sales display and storage areas shall be considered as areas of principal business activity and therefore they shall be required to be located and designed in a manner which will not detract from the pleasing appearance of the station.
 - i. No merchandise shall be stored overnight outside of an enclosed structure.
8. Discontinuance of operations.
- a. When a service station is not operated for any nine months out of any 18 consecutive months, the Conditional Use Permit for the service station shall be revoked.
 - b. When a service station is not operated for any nine months out of any 18 consecutive months, the buildings and structures shall be removed at the expense of the property owner.
 - c. Abandoned station premises shall be maintained in a safe and businesslike manner and shall not be allowed to deteriorate and become a nuisance or safety hazard. After the effective date of this code, all service stations shall be subject to subsections 8a and 8b above. The nature of a service station structure is such that, with long-continued vacancy and the accompanying deterioration and obsolescence, the building serves no useful economic or social purpose and injures the value and impairs the development of adjacent properties, all to the public detriment.
9. Truck service stations. Service stations designed to primarily serve the trucking market shall be located in industrial districts. Such service stations shall have a minimum of 300 feet of frontage on an arterial street. Such service stations shall be exempt from the maximum area, dimensions, and curb cut requirements.
10. Design.
- a. The architectural design of the service station shall be submitted with the plans on file for the request for a Conditional Use Permit.
 - b. A landscaping plan of the service station shall be submitted with the plans on file for the request for a Conditional Use Permit.
11. A copy of the conditional use requirements for service stations shall be posted in each service station.

12. Service stations in operation on the effective date of this code shall be deemed as conditional uses and shall continue to operate. These service stations shall meet the conditional use requirement of this code within the time limitations noted. Where no time limitations are noted for site improvements and operations, the service stations shall meet these requirements within three years of the effective date of this code.
8. Off-site signs.
 - a. No off-site sign shall exceed a height of 35 feet or a sign area of 300 square feet; provided, however, that cut-out extensions may be added increasing the sign area not more than 20 percent and such extension shall not extend more than five feet above, two feet to either side, or two feet below the display surface.
 - b. Off-site signs erected after the effective date of this code shall have primary structural members of steel or pressure-treated wood.
 - c. Off-site signs may not project over public property.
 - d. No off-site signs shall be located within 250 feet of another off-premise advertising sign on the same side of the street or highway. The spacing may be reduced to 150 feet if such signs are located in separate blocks with an intervening street intersection.
 - e. There shall not be more than 1,500 square feet of area of off-site signs, excluding cut-outs, in one-half mile lineal distance as measured parallel to the centerline of the highway or street.
 - f. Off-site signs shall not block the visibility of on-premise signs.
 - g. All off-site signs must comply with all State requirements, Chapters 377 ORS.

BUILDING AND OCCUPANCY PERMITS

Section 12.100 Building Permits. No building or structure shall be erected, added to, or structurally altered until a permit therefore shall have been issued by the Building Inspector. Permits shall be issued upon the following provisions:

1. No building permit shall be issued where such construction, addition, or alteration or use thereof would fail to meet or would be in violation of any provisions and requirements of this code.
2. All applications shall contain a statement setting forth the use, height, structure size, and the location of the building on the lot.
3. Lot shall front or abut on a public street or have access to such street over a private street or easement of record approved by the Planning Commission.

Section 12.110 Occupancy Permits.

1. No building permit for construction, alteration, or excavation shall be issued the application for which does not contain, or is not accompanied by, a written statement signed by the applicant specifying the uses or occupancy for which the proposed construction or alteration is designed or intended.
2. Upon request of the owner or other interested person, the Building Inspector shall issue in writing over his signature a certificate of occupancy for any building or parcel of land certifying that a proposed use or occupancy does or does not conform to the provisions of this code, as the case may be.
3. A record of all statements or certificates arising under this Chapter shall be kept on file in the office of the Building Inspector. A copy of the statement or certificate shall be issued without charge at the time application is made. Upon request, a certified copy shall be furnished to any person having a proprietary or tenancy or other interest in the building or land affected.

BOUNDARIES

Section 13.100 Uncertainties of Boundaries. Where uncertainty exists as to the boundaries of any district as shown on any zoning map or part thereof, the following rules shall apply:

1. Where such boundaries are indicated as approximately following street lines, alley lines, or lot lines, such lines shall be construed to be such boundaries.
2. In the case of unsubdivided property and where a zone boundary divides a lot, the locations of such boundaries, unless the same are indicated by dimensions, shall be determined by the use of the scale appearing on such zoning map.
3. Where a public street or alley is officially vacated, the zoning regulations applicable to abutting property on each side of the center-line shall apply up to the center line of such vacated street or alley on each respective side thereof.
4. Areas of dedicated streets or alleys and railroad rights-of-way, other than those designated on the zoning map as being classified in one of the districts provided in this code, shall be deemed to be unclassified and, in the case of railroad right-of-way, permitted to be used solely for the purpose of accommodating tracks, signals, and other operative devices and the movement of rolling stock.

Section 13.110 Changes in Boundaries. Changes in boundaries of districts or sub-districts shall be made by ordinance amending the provisions of this code, amending the zoning map, a part of said map. The amended maps or part of said maps when so adopted shall become a part of this code.

AMENDMENTS

Section 14.100 Purpose. The Lakeside Comprehensive Plan will be serviced and revised periodically. As changes are made in the plan, there may also be a need to make changes in this ordinance.

Section 14.110 Introduction. An amendment to the text of this ordinance or to a zoning map may be initiated by the City Council, City Planning Commission, or by application of a property owner.

A zone change or any change in the boundaries of any district or a request for a variance or a Conditional Use Permit may be initiated by the owner of the land in consideration. If the area for which a change of district is proposed by more than one ownership, at least 50 percent of the property owners or authorized agents shall join in filing the application.

Section 14.120 Application Fees. When proceedings are initiated by a property owner, the following fees shall be paid as a condition of filing:

- | | |
|---------------------------|--------------------------------------|
| 1. Change of zone | As set by resolution of City Council |
| 2. Conditional Use Permit | As set by resolution of City Council |
| 3. Variance | As set by resolution of City Council |
| 4. Appeal | As set by resolution of City Council |

Section 14.130 Application. The property owner initiating a proceeding under this code shall file an application with the City Recorder any forms provided by the City.

1. An application for a change in zone must be filed at least 30 days prior to the public hearing.
2. All other applications must be filed at least 14 days prior to the public hearing.

The property owner must substantiate to the Planning Commission that the requested change is consistent with the General Plan and Zoning Code and is in the public interest.

Section 14.140 Public Hearing and Notice. The Planning Commission shall conduct a public hearing on each application filed with the City Recorder at the earliest practicable meeting after the application has been filed. Any such hearing may be continued by oral pronouncement prior to the close of such hearing and such announcement shall serve as sufficient notice of such to all applicants, adverse parties, and interested persons without recourse to the form and manner of the public notice as provided in this section.

1. Notice of the public hearing for each application shall be by three publications in a newspaper of general circulation in the City, not more than once each week, the last being 7 days before the public hearing.
2. Additional notice of public hearing may be given in the following manner:
 - a. By posting the notice of hearing at least 7 days, but not more than 30 days prior to the date

- of the public hearing, both at the City Hall and in front of the property.
- b. By mailing the notice of hearing to the owners of record of property within 250 feet of the property for which the proceedings are being held. The mail notice shall be by first class mail at least 10 days prior to the date of the hearing.
3. Failure of a person to receive the notice prescribed in this section shall not impair the validity of the hearing.
 4. Information required in the notice of public hearing shall be as follows:
 - a. Description of the property under consideration - the description shall be a legal description. The applicant shall furnish the description.
 - b. The nature of the proposal or hearing.
 - c. The time and place and before whom such hearing is to be held.
 - d. The grid coordinate address of the property.
 - e. Substantiation by the individual(s) seeking the zone change, that such a change is in accordance with Lakeside's Comprehensive Plan, and that it is in the best interest of the public health, safety, and welfare.

Section 14.150 Action by the Planning Commission. All recommendations and decisions of the Planning Commission under this code shall be made in a public hearing.

1. Zone changes and Intent to Re-zone. The Planning Commission shall, after the hearing, recommend to the City Council approval, disapproval, or approval with modifications with specific findings of fact as to whether the change of zone or Intent to Re-zone is required to achieve the objectives of the zoning code as prescribed in this code and whether such change would be consistent with the purpose and intended application of the zone classification.
2. Other actions. The other actions or decisions on this code of the Planning Commission shall, after the hearing, be based on specific findings of fact and shall be final unless appealed. The City Council may on its own motion review any proceedings as an appeal of the Planning Commission's action.

Section 14.160 Action by the City Council. Any action or decision of the City Council on proceedings arising under this code, excepting a reference back to the Planning Commission and continuances of a hearing, shall be final and conclusive.

Section 14.170 Notice of Action or Decision. A notice of the action or decision of the Planning Commission or City Council shall be served in writing to the applicant within 15 days of the final action. The notice may be served personally or, in the alternative, sent by first class mail addressed to the person at his address shown in the application. The notice shall be deemed served at the time it is deposited in the United State mail.

Section 14.180 Appeals. Under this code, appeals may be taken from any decision of the Planning Commission to the City Council. An appeal must be filed with the City Recorder within 15 days after the notice of the action or decision has been served. Every appeal, except when the review is caused by the City Council's own motion, shall be in writing, stating the grounds therefore and setting forth the alleged error.

Section 14.185 Resolution of Intent to Re-Zone. If, from the facts presented and the findings in the report and recommendation of the Planning Commission, the City Council determines at the public hearing that the safety, welfare, and convenience will be best served by a change in zone or any portion thereof, the Council may indicate its general approval in principle of the change in zone by the adoption of a "resolution of Intent to Re-Zone" said property. This resolution shall include any conditions, stipulations, or limitations which the City Council may feel necessary to require in the public interest as a prerequisite to final action, including those provisions which the City Council may feel necessary to prevent speculative holding of the property after re-zoning.

A site plan approved by the Planning Commission shall be required; the same shall be binding on the property. Any approved site plan may be amended or it may be released from the restrictions by resolution of the City Council on recommendation from the Planning Commission. However, no other changes constituting a departure from the approved site plan shall be made.

The applicant shall acknowledge the Intent to Re-Zone and conditions by affixing his signature to a copy of the Intent and returning same to the City Recorder.

The fulfillment of all conditions, stipulations, and limitations contained in said resolution on the part of the applicant shall make this resolution a binding commitment upon the City Council. Upon completion of compliance action by the applicant, the Council shall by ordinance effect such reclassification. The failure of the applicant to meet any or all conditions, stipulations, or limitations contained in said resolution shall render said resolution of Intent to Re-Zone null and void unless an extension is granted by the Council upon recommendation of the Planning Commission.

Section 14.190 Limitations on the Renewal or Refiling of Applications.

Where an application has been denied, no new application for the same purpose shall be filed within six months of the date the previous denial becomes final. The Planning Commission, for good cause shown, may grant permission for refiling of an application in less than six months.

ZONING OF ANNEXED AREAS

Section 15.100 Procedure. In order to provide zoning protection to newly annexed areas that have not been previously zoned by Coos County, such areas are automatically classified as General Single-Family. The Planning Commission shall proceed to recommend a comprehensive zoning plan for such newly annexed areas.

Where an area is zoned by Coos County at the time of annexation to the City, the Coos County zoning regulations applicable to the annexed area shall continue to apply until the City Council enacts City of Lakeside zoning in the annexed area.

SUPPLEMENTARY PROVISIONS

Section 16.100 Vision Clearance. A clear vision triangle shall be provided on the corners of all property at the intersection of two streets.

The height of vegetation and man-made structures in clear vision triangles shall in no case be greater than 3½ feet in height. Trees exceeding this height may be located in this area, provided all branches and foliage are removed to a height of eight (8) feet above the grade.

A clear vision triangle is that triangular area at the street corner of a corner lot or the alley-street intersection of a lot, the space being defined by a line across the corner, the ends of which are on the street lines or alley lines, an equal and specified distance from the corner and containing no planting walls, structures or temporary or permanent obstruction from 3½ feet in height above the curb level to 8 feet above the curb level.

The minimum distances of the sides of a clear vision area which are lot lines shall be 30 feet, or at intersections including an alley, ten (10) feet.

Section 16.110 Fences, Hedges, Walls, and Other Structures.

1. Single-family and multi-family dwellings

Fences, hedges, walls, and other structures are permitted but not required. Such items shall not exceed three and one-half (3½) feet in height in any required yard which abuts a street other than an alley. On yards which do not abut a street other than an alley, the maximum height shall not exceed 6 feet. Vision clearance shall be maintained on all corner lots. All fences, walls, and hedges shall be properly maintained.

2. Commercial and Industrial Use

Where a commercial or industrial use abuts a residential district, the Planning Commission may require that a fence, hedge, or wall be erected along and immediately adjacent to the abutting property line. Fences, hedges, or walls shall be between five and eight feet in height, except where they abut a street other than an alley. In these circumstances, they shall not exceed 3½ feet in height.

Section 16.120 General Exception to Lot Size Requirements. If a lot or series of contiguous parcels exist in a single ownership on the effective date of this ordinance and has an area or dimensions which does not meet the lot size requirements of the zone in which the property is located, the holding(s) may be occupied by a use permitted in the zone subject to

other requirements of this ordinance. Nothing in this ordinance shall be interpreted to limit the sale, transfer or other conveyance of such non-conforming lots and contiguous parcels, provided that such holdings are transferred as a single ownership, and except that if such sale creates a larger lot, when combined with other contiguous parcels under the same ownership, such larger lot may not be reduced to a size below the minimum lot size required by this ordinance.

Section 16.130 Access. Every lot shall abut a street other than an alley for a width of at least 25 feet.

Section 16.140 Building Setback Requirements. When the master road plan or zoning plan indicate that a street is to be opened or widened, the setbacks required - front, side, and rear yards - shall be measured from the proposed right-of-way which shall be considered to be 50 feet unless expressly designated otherwise.

1. Front yards

a. Where front yards are required, no buildings or structures shall be hereafter erected or altered so that any portion thereof shall extend into the required front yards, except the eaves, cornices, steps, terraces, platforms, and porches having no roof covering and being not over 2½ feet high may be built within a front yard.

b. Setbacks from half dedications of streets. When a subdivision plan has been accepted and filed with half-width dedications of streets on the exterior boundary of the subdivision, setbacks for structures on land contiguous to or fronting upon half-width dedicated streets but not within the subdivided tract, shall be a minimum of the required setbacks for the zone or district in which it is located and not less than 25 feet nor less than the width of the half dedication of the street.

2. Side yards

a. No building or structure shall hereafter be erected or altered so that any portion thereof shall be nearer to the side lot line than the distance indicated under the district or zone classification, except that eaves or cornices may extend over the required side yard for a distance of not more than two feet.

b. The Planning Commission may, upon the joint request of the owners of the adjoining property, permit the erection of private garages or other building, except buildings housing animals, upon or immediately adjacent to the division line between the two properties after an examination of the location and findings have revealed that the granting of such permission will not be unduly detrimental to adjacent and surrounding property nor the zone in which such permission is granted. The foregoing provision shall be limited to the life of the structure or structures for which the permit is issued.

Section 16.150 Special Regulations Applying to Mobile Homes.

1. Mobile homes shall be equipped with skirting which in design, color, and texture appears to be an integral part of the adjacent exterior wall of the mobile home.
2. The mobile home shall be connected to a public water supply system and to a public sewage disposal system, where those facilities are available.
3. All water, sewer, and electrical systems provided for the mobile home shall comply with all standards for these systems as established by the City of Lakeside and the State of Oregon.

Section 16.160 Special Regulations Applying to Areas of Active Sand Dunes.

1. A Buffer Strip of 50 feet will be maintained between areas of Active Sand Dunes and any development.
2. Any use within 300 feet of an Active Sand Dune will be considered a conditional use and will go through procedures in accordance to Section 11.100-.150.

OFF-STREET PARKING REQUIREMENTS

Section 17.000 Off-Street Parking Requirements. For each new structure or use, each structure or use uncleared in area, and each change in the use of an existing structure, there shall be permanently maintained parking spaces in accordance with the provisions of the code.

Groups of three or more parking spaces, except those in conjunction with single-family or two-family dwellings on a single lot, shall be serviced by a service drive so that no backward movements or other maneuvering of a vehicle within a street, other than an alley shall be required. Service drives shall be designated and constructed to facilitate the flow of traffic, provide maximum safety in traffic access and egress, and maximum safety of pedestrians and vehicular traffic on the right.

Off-street parking spaces for dwellings shall be located on the same lot as the dwelling. Off-street parking spaces for all other uses shall be located not further than 300 feet from the building or use they serve.

Section 17.010 Parking Spaces Required. Space requirements for off-street parking shall be as listed in this section. Fractional space requirements shall be counted as a whole space.

1. All institutional, commercial, and industrial uses shall provide no less than five parking spaces for visitors.
2. All uses shall provide parking space for each employee working on or from the site as determined by the maximum number of employees during any single hour of a day.
3. All uses shall provide parking space for each vehicle operating on or from the site.

USE

PARKING SPACE REQUIRED

4. Residential Types
 - a. Dwelling single, two, and multi-family dwelling One space per dwelling unit.
 - b. Mobile home park One space per dwelling unit.
 - c. Hotels, motels, motor hotels, etc. One for each guest room, plus one space for the owner or manager.
 - d. Rooming or boarding house One for each guest room.

USE

PARKING SPACE REQUIRED

5. Institutional Types

- a. Hospitals
- b. Place of public assembly including church, auditorium, gymnasium, community center, theater club, lodge hall, and fraternal organizations.
- c. Libraries, museums, art galleries
- d. Welfare or correctional institution, nursing home, retirement home, asylums, etc.

Three spaces for two beds.
One space per four seats, or eight feet of bench length in the main auditorium, or, if seating is not fixed to the floor, one space per 75 square feet of floor area.

One space for each 300 square feet of gross floor area.

One space for five beds for residents, patients, or inmates.

6. Schools

- a. Pre-school, nursery, day nursery, kindergarten
- b. Elementary or junior high school
- c. Senior high

Two spaces per teacher or adult supervisor.

One space for each teach station plus one space for every eight seats or for every 42 square feet of seating area where there are no fixed seats in the auditorium.

One and one-half spaces for each teaching station, plus one space for every six fixed seats or for every 28 square feet of seating area where there are no fixed seats in the auditorium.

7. Commercial Types

- a. Retail establishments, except as otherwise specified in this code
- b. Retail store exclusively handling bulky merchandise such as automobiles and furniture
- c. Service or repair establishment
- d. Barber and beauty shops
- e. Bowling alleys
- f. Office buildings, businesses, and professional offices
- g. Recreational and entertainment establishments
 - aa. Spectator type auditoriums, assembly halls, theaters, stadiums, places of public assembly

One space for each 175 square feet of retail floor area.

One space per 600 square feet of floor area.

One space per 600 square feet of floor area.

One space for each 100 square feet of gross floor area.

Six spaces for each bowling lane.

One for every 300 square feet of gross floor area.

One for each four seats.

USE

PARKING SPACE REQUIRED

- | | |
|--|---|
| bb. Participating type skating units, dance halls, etc. | One space for each 100 square feet of gross floor area. |
| cc. Establishments for the sale and consumption on the premises of food and beverage | One space per 200 square feet of floor space plus one space for every four seats. |
8. Industrial Type
- | | |
|--|---|
| a. Industrial uses, except as otherwise specified in this code | One for each 500 square feet of gross floor area. |
|--|---|

Section 17.020 Parking Requirements for Uses Not Specified. The parking space requirements for buildings and uses not set forth herein shall be determined by the Planning Commission and such determination shall be based upon the requirements for the most comparable building or use specified herein.

Section 17.030 Common Facilities for Mixed Uses.

1. In the case of mixed uses, the total requirements for off-street parking spaces shall be the sum of the requirements for the various uses. Off-street parking facilities for one use shall not be considered as providing parking facilities for any other use except as provided in paragraph 2, Joint Use of Parking Facilities.
2. Joint Use of Parking Facilities. The Planning Commission may, upon application, authorize the joint use of parking facilities required by said uses and any other parking facility, provided that:
 - a. The applicant shows that there is no substantial conflict in the principal operating hours of the building or use for which the joint use of parking facilities is proposed;
 - b. The parking facility for which joint use is proposed is no further than 400 feet from the building or use required to have provided parking; and
 - c. The parties concerned in the joint use of off-street parking facilities shall evidence agreement for such joint use by a legal instrument approved by the City Attorney as to form and content. Such instrument, when approved as conforming to the provisions of this code, shall be recorded in the office of the County Recorder and copies thereof filed with the City Recorder.

Section 17.040 Parking Area Improvements. All public or private parking areas, which contain four or more parking spaces, and outdoor vehicle sales area, shall be improved according to the following:

1. All parking areas shall have a durable, dust-free surfacing of asphaltic concrete, Portland cement, concrete, or other approved materials.

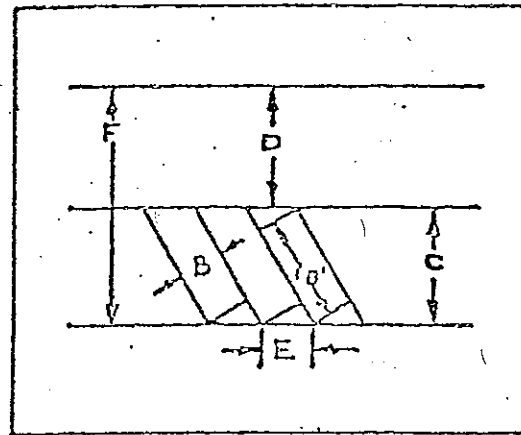
2. All parking areas, except those in conjunction with a single-family or two-family dwelling, shall be graded so as not to drain storm water over the public sidewalk or onto any abutting public or private property.
3. All parking areas, except those required in conjunction with a single-family or two-family dwelling, shall provide a substantial bumper or curb stop which will prevent cars from encroachment on abutting private or public property.
4. All parking areas and service drives shall be enclosed along any interior property which abuts any residential district, with a 70 percent opaque, site-obscuring fence, wall, or hedge not less than three (3) feet nor more than six (6) feet in height, but adhering to the visual clearance and front and interior yard requirements established for the district in which it is located. If the fence, wall, or hedge is not located on the property line, said area between the fence, wall, or hedge and the property line shall be landscaped with lawn or low-growing evergreen ground cover, or vegetable or rock mulch. All plant vegetation in this area shall be adequately maintained by a permanent irrigation system, and said fence, wall, or hedge shall be maintained in good condition. Screening or plantings shall be of such size as to provide the required degree of screening within 24 months after installation. Adequate provisions shall be maintained to protect walls, fences, or plant materials from being damaged by vehicles using said parking area.
5. Any lights provided to illuminate any public or private parking area or vehicle sales area shall be so arranged as to reflect the light away from any abutting or adjacent residential district or use.
6. All parking spaces shall be appropriately and substantially marked.

Section 17.050 Parking Space Dimensions.

1. Parking Table. The following table provides the minimum dimensions of public or private parking areas, except single-family or two-family dwellings on a single lot, based on the diagram where "A" equals the parking angle, "B" equals the stall width, "C" equals the minimum stall depth, "D" equals the minimum clear aisle width, "E" equals the stall distance at bay side, "F" equals the minimum clear bay width, and "G" is the maximum permitted decrease in clear aisle width for private parking areas. (See table on following page.)

Section 17.060 Off-Street Loading. All loading spaces for commercial and industrial buildings and uses shall be off the street and shall be in excess of required parking spaces. All loading spaces shall be approved by the Planning Commission. No loading space or dock shall be located in a manner which will cause vehicles being served to project into the required front yard.

A	B	C	D	E	F	G
Parallel	8'0"		12.0	22.0	20.0	2
20°	8'0"	13.6	11.0	23.4	24.6	1
	8'6"	14.1	11.0	24.9	25.1	
	9'0"	14.6	11.0	26.3	25.6	
	9'6"	15.1	11.0	27.8	26.1	
	10'0"	15.5	11.0	29.2	26.5	
30°	8'0"	16.0	11.0	16.0	27.0	1
	8'6"	16.4	11.0	17.0	27.4	
	9'0"	16.8	11.0	18.0	27.8	
	9'6"	17.3	11.0	19.0	28.3	
	10'6"	17.7	11.0	20.0	28.7	
45°	8'0"	18.4	14.0	11.3	32.4	3
	8'6"	18.7	13.5	12.0	32.2	
	9'0"	19.1	13.0	12.7	32.1	
	9'6"	19.4	13.0	13.4	32.4	
	10'0"	19.8	13.0	14.1	32.8	
60°	8'0"	19.7	19.0	9.2	38.7	3
	8'6"	20.0	18.5	9.8	38.5	
	9'0"	20.3	18.0	10.4	38.3	
	9'5"	20.5	18.0	11.0	38.5	
	10'0"	20.8	18.0	11.5	38.8	
70°	8'0"	19.8	20.0	8.5	39.8	3
	8'6"	20.1	19.5	9.0	39.6	
	9'0"	20.4	19.0	9.6	39.4	
	9'6"	20.6	18.5	10.1	39.1	
	10'0"	20.9	18.0	10.6	38.9	
80°	8'0"	19.2	25.0	8.1	44.2	3
	8'6"	19.3	24.0	8.6	43.3	
	9'0"	19.4	24.0	9.1	43.4	
	9'6"	19.5	24.0	9.6	43.5	
	10'0"	19.6	24.0	10.2	43.6	
90°	8'0"	18.0	26.0	8.0	44.0	3
	8'6"	18.0	25.0	8.5	43.0	
	9'0"	18.0	24.0	9.0	42.0	
	9'6"	18.0	24.0	9.5	42.0	
	10'0"	18.0	24.0	10.0	42.0	



PARKING DIAGRAM

The above diagram is explanatory to Parking Table

SIGNS

Section 18.000 General Regulations. No sign or outdoor advertising of any character shall be permitted in any zoning district of the City of Lakeside except in conformity with the following regulations:

1. All signs or outdoor advertising displays shall comply with the sign regulations of the Lakeside City Code. Each structure surrounded by one framework, whether of a regular or irregular slope, shall be considered one sign whether supported from one or more poles.
2. No sign or outdoor advertising display shall by its light, brilliance, type, design, lack of maintenance, or character create a public or private nuisance.
3. No sign shall extend above the maximum permitted ridge line or roof of a building or project beyond property lines except as specifically provided (in the section concerning industrial or commercial zones).

Section 18.010 Permitted Sign Uses in All Districts.

1. Signs not exceeding one square foot in area and bearing only property numbers, post box numbers, names of occupants of premises, or other identification on premises not having commercial connotations.
2. A non-illuminated sign not exceeding 1½ square feet in area placed flat against the building for each home occupation.
3. A non-illuminated sign not exceeding 6 square feet in area pertaining to the sale, lease, rental or display of a structure or land.
4. A subdivision identification sign displaying the name of a residential office, or industrial subdivision, complex, park or planned development. Such permanent entrance signs may be in the form of monuments or gates or similar features displaying the name of the development as approved by the Planning Commission based upon factors of safety and aesthetic compatibility. There shall not be more than two monuments or such features at each entrance to the subdivision or development. Such structure or sign shall not be erected on public right-of-way and shall be maintained by the developer or property owners association in accordance with the provisions of the City Code.
5. An illuminated bulletin board not exceeding 24 square feet in area for each church, neighborhood community center, educational institution, professional center, or other permitted or conditionally permitted uses in the district.
6. One political and/or election campaign sign not exceeding 8 square feet may be placed on any privately owned property within the City with the approval of the property owner for a period of 60 days before the election and 10 days after the election for which the sign pertains. Any such sign may not be lighted.

Section 18.020 Signs in R-S, G-S, M-R, R-R. No sign or outdoor advertising of any character shall be permitted in the R-S, G-S, M-R, or R-R zones except the following:

1. Signs permitted in all districts as stated above.
2. One non-illuminated temporary sign not exceeding 6 square feet in area pertaining only to the subdivision, sale, or lease of only the particular building, property, or premises upon which it is displayed. Two signs are permitted on larger sites of five acres or more in one ownership fronting on two or more lots.
3. One non-illuminated sign for each housing development, not to exceed 25 square feet in area or 5 feet in any dimension, and containing no advertising matter except the name and street address of the housing development.
4. The Planning Commission may grant a larger sign in these zones if the project warrants it (special no. permit).
5. All businesses that are non-conforming uses in industrial zones shall be allowed signs as provided in the commercial zones.

Section 18.030 Signs in the Planned Residential (P-R). All signs permitted in the P-R zone shall be designated in the development plan and program submitted for each particular Planned Residential zone.

Section 18.040 Signs in the General or Marine Commercial District. No sign or outdoor advertising of any character shall be permitted in a General or Marine Commercial District except for the following:

1. Permitted sign uses in all districts.
2. No exterior advertising or signs of any kind shall be displayed except signs indicating the name of the person, building or business or use conducted within the building or on the property.
3. Only one sign with a single or double face may be located within the required front yard setback or a portion of a larger sign on the property may extend within the front yard setback, provided that said sign or portion of sign extending into the front yard setback shall not exceed one hundred square feet in area. The area shall not be considered a portion of the one hundred square feet as allowed above.
4. Permitted signs may be illuminated.

Section 18.050 Signs in the Planned Industrial District. No signs or outdoor advertising of any character shall be permitted in the Planned Industrial District except the following:

1. Permitted sign uses in all districts.
2. No exterior advertising or signs of any kind shall be displayed except signs indicating the name of the person, building, or business or use conducted within the building or on the property.
3. One identity sign for each development site - separate ownership, not to exceed 150 square feet in total area for one or more sides.
4. The area of any sign or signs located within the allowable building area shall not be considered a portion of the 150 square feet as allowed in (c).
5. Permitted signs may be illuminated.

Section 18.060 Signs in Open Space Districts. No sign or outdoor advertising of any character shall be permitted in the Open Space District except the following:

1. Sign uses permitted in all districts.
2. Sign uses permitted in the R-S, G-S, M-R, R-R, and P-R Districts.

Section 18.070 Other Signs. Signs for traffic and customer directions shall be permitted provided no such sign is more than two square feet in area. Hospitals, churches, nursing homes, schools, and similar uses shall be allowed one sign not to exceed 20 square feet of area per side or 40 square feet of total area.

NON-CONFORMING USES

Section 19.000 Continuation of a Non-Conforming Use or Structure. Subject to the provisions of this section, a non-conforming use or structure may be continued and maintained in reasonable repair, but shall not be altered or extended. The extension of a non-conforming use to a structure which was arranged or designed for the non-conforming use at the time of passage of this ordinance is not an enlargement or expansion of a non-conforming use. A non-conforming structure which conforms with respect to use may be altered or extended if the alteration or extension does not cause the structure to deviate further from the standards of this ordinance.

Section 19.010 Discontinuation of a Non-Conforming Use or Structure. If a non-conforming building or structure in any district is removed or destroyed voluntarily or involuntarily, every building, structure, or use occupying the premises thereafter, shall conform to the regulation of the district in which it is located.

Whenever, in any district, a non-conforming building or structure is damaged or destroyed by any means in excess of 60 percent of the replacement value of the building or structure, no repairs or reconstruction shall be made unless every portion of such building or structure is made to conform to all regulations, including use regulations, of the district in which it is located.

In the event such damage or destruction by any means of 60 percent or less of the replacement value of the building or structure, only the building, structure, or use which existed at the time of such partial destruction may be restored and continued provided, however, if such restoration is started within a period of six months from the date of such damage or destruction and is diligently prosecuted to completion. The Planning Commission, upon a written request of the applicant, may extend the period six months but not in excess of 18 months from the date of the damage or destruction.

VARIANCES

Section 20.000 Purpose. The purpose of a variance shall be to prevent or to lessen such practical difficulties and unnecessary physical hardships which are inconsistent with the objectives of this code. A practical difficulty or unnecessary physical hardship may result from the size, shape, or dimensions of a site or the location of existing structures thereon, from geographic, topographic, or other physical conditions on the site or in the immediate vicinity.

Section 20.010 Limitations. A variance shall not be granted as a substitute for, or in lieu of, a change in zone. The power to grant variances does not extend to use regulations. The Planning Commission may grant a variance to a regulation prescribed by this code with respect to the following:

1. Fences, hedges, or walls
2. Site area, width, frontage, depth, or coverage
3. Front, side, or rear yards
4. Height of structures
5. Distance between structures
6. Signs
7. Parking

Section 20.020 Application. The applicant shall set forth in detail on forms provided by the Planning Commission:

1. Existing conditions on the site.
2. Reasons for the requested variance.
3. Reasons for a variance being the most practicable solution to the problem.
4. All other information requested by the Planning Commission.

Section 20.030 Conditions. The Planning Commission may grant a variance to a regulation prescribed by this code if on the basis of the petition, investigation and evidence submitted, the Planning Commission finds that one or more of the following conditions exist:

1. Strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or necessary physical hardship inconsistent with the objectives of the zoning code.
2. Strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district.
3. There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other properties classified in the same zoning district.
4. The granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district.

5. The granting of the variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

Section 20.040 Period of Validity. No order of the Planning Commission granting a variance shall be valid for a period longer than six months unless such permitted use is established within such period, or in event such permitted use is dependent upon the erection or alteration of a building, unless a building permit for said erection or alteration is obtained within such six month period, provided, however, that the Planning Commission, upon a written request of the applicant, may extend the period six months but not in excess of 18 months from the date the first order granting the variance was given.

Section 20.050 Public Hearing. Upon the filing of a verified application for variance, the Planning Commission shall set a time and place for a public hearing of the request.

ENFORCEMENT

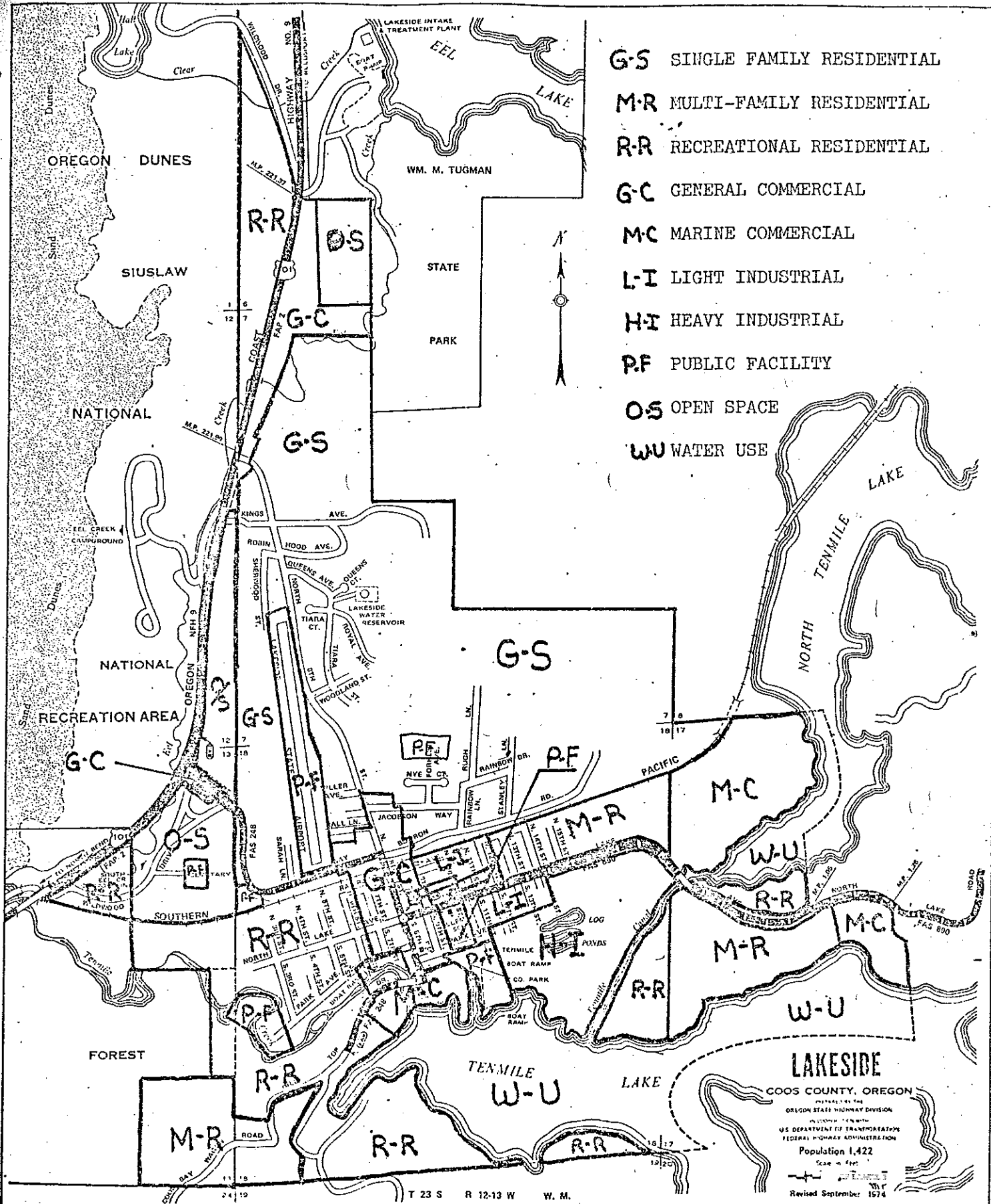
Section 21.000 Building Inspector. It shall be the duty of the Building Inspector to see that this code is enforced. He shall issue no permit for the construction or alteration of any building or part thereof unless, in his opinion, the plans, specifications, and intended use of such building conform in all respects to the provisions of this code.

Section 21.010 Abatement. Any use which is established, operated, erected, moved, altered, enlarged, painted, or maintained contrary to the zoning regulations shall be and is hereby declared to be unlawful and a public nuisance and may be abated as such.

Section 21.020 Violation and Penalties. Any person, firm, or corporation violating any provisions of this code shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than \$200, or by imprisonment for a period not to exceed 60 days, or both such fine and imprisonment.

Section 21.030 Each Day a Separate Offense. Each person, firm, or corporation found guilty of a violation shall be deemed guilty of a separate offense for every day during any portion of which any violation of any provision of this code is committed, continued, or permitted by such person, firm, or corporation, and shall be punishable therefore as provided for in this code.

- G-S SINGLE FAMILY RESIDENTIAL
- M-R MULTI-FAMILY RESIDENTIAL
- R-R RECREATIONAL RESIDENTIAL
- G-C GENERAL COMMERCIAL
- MC MARINE COMMERCIAL
- L-I LIGHT INDUSTRIAL
- HI HEAVY INDUSTRIAL
- PF PUBLIC FACILITY
- OS OPEN SPACE
- WU WATER USE



LAKESIDE
 COOS COUNTY, OREGON
 PREPARED BY THE
 OREGON STATE HIGHWAY DIVISION
 IN COOPERATION WITH
 THE U.S. DEPARTMENT OF TRANSPORTATION
 FEDERAL HIGHWAY ADMINISTRATION
 Population 1,422
 Scale as Shown
 Revised September 1974