

ORDINANCE NO. 49

I AN ORDINANCE to regulate and restrict the locations and use of buildings, structures and land by dividing the City of Detroit into use districts and zones; to limit the height and bulk of buildings; to provide for set back lines of yards; to control the use of mobile homes, travel trailers and campers; prohibiting use of water wells and to prescribe penalties for violations hereof.

Whereas, it is necessary to encourage the most appropriate use of land throughout the city; to conserve and stabilize the value of property; to provide adequate open space for light and air; to prevent and fight fires; to prevent undue concentration of population; to lessen congestion on streets; to facilitate adequate provisions for community utilities and facilities; to promote health, safety and general welfare; to that end to designate, regulate and restrict location and use of buildings, trailers, campers, structures and land for residence, commerce, trade, industry, and other purposes; to regulate and limit the height, number of stories and size of buildings and other structures, hereafter erected or altered; to regulate and determine the size of yards and other open spaces; and to regulate and limit the density of population; and for said purpose to divide the town into zoning districts of such number, shape and area as may be deemed best suited to carry out this ordinance and provide for its enforcement;

Now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
DETROIT, OREGON:

II. DEFINITIONS:

- A. 1. Residence - a building or structure used by persons to live in or for protection of property, such as a garage or storage. The height of residence not to exceed 25 feet above natural ground level.
- B. 2. Commercial Building - any building used for business or commercial purposes.
- C. 3. Mobile home - a vehicle designed to be drawn by a motor vehicle that has sleeping, cooking and plumbing facilities and is used for residential purposes. It must contain 400 square feet or more.
- D. 4. Camper or travel trailer - A vehicle used for human habitation, on wheels used on public highways and containing less than 400 square feet.

III. ZONE CLASSIFICATIONS:

- A. In order to carry out the provisions of this ordinance, the City of Detroit is hereby divided into the following zones:
 - R - 1 Single family dwelling (house - mobilehome)
 - R - 2 Multiple to 6 unit dwelling
 - R - 3 Residents unlimited (7 or more family dwelling)
 - P - 1 Public parks and playgrounds
 - P - 2 Schools
 - P - 3 Municipal government (city hall)
 - M - 1 Light industry
 - M - 2 Heavy industry
 - C - 1 Multiple family and offices
 - C - 2 Retail district
 - C - 3 General commercial

IV. ZONES:

The boundaries of the foregoing zone classifications are hereby established as shown on a map entitled "zoning district map" of the City of Detroit, dated December 14th 1971, which is hereby made a part of this ordinance. Also attached and incorporated by this reference are 1 sheets containing the legal descriptions of the said classifications. In cases of uncertainty, the City Planning Commission shall determine the boundary locations.

V. BUILDING REQUIREMENTS:

- A. Set Back requirements:
 - 20 ft. set back from property line on the street side, minimum
 - 5 ft. side yard, minimum
 - 5 ft. rear yard, minimum
 - provide for off street parking
- B. Yard requirements for corner lots:
 - 20 ft. set back from property line. Front of house, minimum
 - 15 ft. set back from property line. Side of house, minimum
 - 5 ft. side yard. minimum
 - 5 ft. back yard. minimum

VI. GENERAL PROVISIONS:

- A. It shall be the duty of the city council to enforce the provisions of this ordinance and to make such orders and decisions as may be necessary to carry out the intent thereof.
- B. The city council of the city of Detroit may institute any appropriate action or proceedings to prevent the unlawful erection, location, repair or conversion of any building, mobile home, travel trailer or camper or the unlawful use of land, to restrain, correct or abate such violations. The occupancy of said building, mobile home, travel trailer, camper, structure or land, to to prevent any illegal act, conduct business or use, in or about the premises. Whenever such acts shall be

111

in contradiction to the provisions of this ordinance, penalties shall be as provided by the Oregon Revised Statutes.

C. No wells within the city limits - must connect to City water system.

D. Re-zoning or Variances:

1. Any persons wishing a zone change or variance shall apply to the planning commission by written application stating wishes and describing changes.
2. The planning commission upon tentative approval will send property owners within 400 ft., written notification by registered mail. If no written answer is received in 15 days, it will be considered in agreement to request for zone change.
3. The consent of 80% of the property owners within 400 ft. must be had.

E. Penalty

Any person violating a provision of this ordinance shall upon conviction thereof, be punished by a fine of not more than \$250.00 or by imprisonment in jail not to exceed thirty (30) days, or both such fine and imprisonment.

F. If any part of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts which are not void or unconstitutional shall continue in force and effect.

VII. No camper, trailer or mobile home may be occupied for more than 7 days without connection to a duly approved septic tank system. No septic tank system shall serve more than one dwelling unit. Any trailer or mobile home remaining for over six months shall be based with solid skirting.

VIII. It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public, peace, health and safety of the City of Detroit, and an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect when signed by the Mayor.