

AN ORDINANCE PROVIDING FOR THE ZONING OF THE CITY OF LEBANON, OREGON, INTO A RESIDENTIAL ZONE, A BUSINESS ZONE, AND AN INDUSTRIAL ZONE, AND MAKING IT UNLAWFUL TO USE LAND OR BUILDINGS OR TO ERECT BUILDINGS IN A RESIDENTIAL ZONE FOR BUSINESS OR INDUSTRIAL PURPOSES AND MAKING IT UNLAWFUL TO USE LAND OR BUILDINGS OR TO ERECT BUILDINGS IN A BUSINESS ZONE FOR INDUSTRIAL PURPOSES.

WHEREAS, a City Planning Commission has been named by the mayor of the City of Lebanon for the purpose of preparing a zoning ordinance and has heretofore taken the proper action as required by law for the compilation of a comprehensive zoning ordinance for this city; and

WHEREAS, the holding of public hearings, compilation of zone maps, and a proper study of the plan cannot be completed with reasonable satisfaction and the best interests of the City of Lebanon within the next several months; and

WHEREAS, the City Planning Commission has submitted an interim zoning plan and has recommended to the city council that the same be passed in order that some control over the construction of structures and the use of property may be maintained to the end that the avowed purpose of the permanent zoning ordinance shall not be defeated in the interim; therefore

The people of the City of Lebanon, Oregon, do ordain as follows:

Section 1. This ordinance shall be known as the Interim Zoning Ordinance of the City of Lebanon, Oregon.

Section 2. This ordinance hereby is declared to be enacted for the preservation and promotion of the public health, welfare and safety, and for the preservation and promotion of the convenience, good order, tranquility, prosperity, happiness, morals, best interests or general welfare of the inhabitants of the City of Lebanon, Oregon.

Section 3. The City of Lebanon, Oregon, is now divided by use and occupancy into well defined residential, business, and industrial districts, and there is an imminent danger that the industrial district may invade the business and residential districts, and that the business district may invade the residential district and thus impair or destroy the comfort, safety, quiet enjoyment, and general welfare of the residents of the residential district and may likewise impair the general welfare of the business district.

Section 4. The City of Lebanon is preparing for approval and adoption a comprehensive zoning ordinance which will zone the city into industrial, business, and residential zones, the preparation of which ordinance will take time and study, and this ordinance is an interim ordinance to prohibit and prevent the invasions set forth above.

Section 5. The City of Lebanon is hereby zoned into the following zones:

(a) Industrial Zone.

The description of the property in the Industrial Zone is as follows

BEGINNING at the Northwest Corner of the city limit line; thence South along said city limit line to the North line of Tangent Street; thence East along said North line of Tangent Street to a point directly North of the East line of Fifth Street; thence South along the East line of Fifth Street to the Southwest Corner of Lot 6, Block 1, J. M. Ralston Fourth Addition, City of Lebanon; thence East along North line of Sherman Street to a point directly North of the East line of Fourth Street; thence South along the East line of Fourth Street to the North line of B Street, thence East along North line of B Street to a point 150 feet West of the West line of Main Street; thence North to the South line of

the Southern Pacific Railroad right-of-way; thence Northwesterly along the South line of the Southern Pacific Railroad right-of-way to a point directly South of the Southwest Corner of Lot 4, Block 10, City of Lebanon; thence North to the Southwest Corner of Lot 4, Block 10, City of Lebanon; thence North along the East line of the alley running North and South through Blocks 10 and 9, City of Lebanon, Lot 8, Ralston's Addition, City of Lebanon, 20, 19 and 18 Ralston's Second Addition to the City of Lebanon to the Northwest Corner of Lot 1, Block 13, Ralston's Second Addition to the City of Lebanon; thence West along the South line of Rose Street to the East line of the Southern Pacific Railroad right-of-way; thence Northerly along the East Line of the Southern Pacific Railroad right-of-way to a point directly South of the West line of Fourth Street; thence North to the City limits; thence West along the City limits to the point of beginning.

ALSO beginning at the Northeast Corner of Lot 1, Riverside Addition, City of Lebanon; thence West along the South line of Oak Street to the Center of Lebanon Santiam Canal; thence Southwesterly along Center of the Canal to the North line of the Southern Pacific Railroad right-of-way; thence East along the North line of said right-of-way to a point North of the Intersection of the East line of Oregon Electric Railway right-of-way with the South line of the Southern Pacific Railroad right-of-way; thence South across the Southern Pacific Railroad right-of-way to the East line of the Oregon Electric Railway right-of-way; thence Southeasterly and South along the East line of the Oregon Electric Railway right-of-way to the South line of Milton Street; thence West along the South line of Milton Street to a point 660 feet East of the East line of Main Street; thence directly South to the South City limits; thence Easterly along said City limit line to a point 242.9 feet West of the West line of Franklin Street; thence North to the Northwest Corner of Lot 1, Home Addition, City of Lebanon; thence North to the North line of Elmore Street; as extending through the Intersection; thence Easterly along the North line of Elmore Street to the City limits; thence North along the City limits to a point directly East of the Northeast Corner of Lot 1, Riverside Addition, City of Lebanon; thence West to the point of beginning;

(b) Business Zone;

The description of the property in the Business Zone is as follows:

BEGINNING at the Northeast Corner of Lot 3, Block 3, Kirkpatrick's Addition to the City of Lebanon; thence West to the Northwest Corner of Lot 3, Block 2, Kirkpatrick Addition to the City of Lebanon, Oregon; thence South to a point 66 feet North of the Northwest Corner of Lot 6, Block 14, Ralston's Addition to the City of Lebanon; thence West to the Northwest corner of Lot 1, Block 18, Ralston Second Addition to the City of Lebanon; thence South along the East line of the alley running North and South through Block 18, 19 and 20, Ralston's Second Addition to the City of Lebanon, Lot 8, Ralston's Addition to the City of Lebanon, Lots 9 and 10, City of Lebanon to the Southeast corner of Lot 4, Block 10 in City of Lebanon; thence South through Block 2, William Ralston's Addition to the City of Lebanon to the North line of the Southern Pacific Railroad right-of-way, thence Southeasterly along the North line of the Southern Pacific Railroad right-of-way to a point 150 feet West of the West line of Main Street; thence South to the South line of the South City limits; thence Easterly along said City limit line to a point 150 feet East from the East line of Main Street; thence North to the center of the Lebanon Santiam canal; thence Northeasterly along the center of said canal to a point directly South of the Southeast corner of Lot 6, Block 21, J. M. Ralston's Addition to the city of Lebanon; thence North to the Southeast corner of said Lot 6, Block 21, J. M. Ralston's Addition to Lebanon; thence North along the West line of the alleys running North and South through Blocks 21, 22 and 23, J. M. Ralston's Addition to the City of Lebanon, and Block 27, William Ralston's Second Addition to the City of Lebanon, Blocks 3, 2, and 1 Cowan Addition to the City of Lebanon, and Block 3, Kirkpatrick's Addition to the City of Lebanon, to the point of beginning.

(c) RESIDENTIAL ZONE. All of the property in the City of Lebanon not in the above described Industrial and Business Zones is in the Residential Zone.

Section 6. 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 hereinafter specified for the zone in which it is located.

Section 7. In the Industrial Zone all uses and buildings shall be permitted except those uses and buildings constructed for uses which have been declared a nuisance by statute of ordinance or which may be a nuisance under common law, or which may be obnoxious or offensive, and in determining whether such uses or building is obnoxious or offensive, the building committee of the City council of the City of Lebanon, shall have the right to use their own discretion in making such determination.

Section 8. In the business zone all uses shall be permitted and buildings constructed except those uses and buildings which are primarily industrial, meaning by the word industrial manufacturing, repairing where heavy machinery is used, wholesale houses and similar uses. For the purposes of this ordinance, auto courts and similar establishments shall be deemed to be a business use.

Section 9. In a Residential Zone no building shall be used and no building shall be erected or structurally altered except for residential purposes; provided that a private garage may be built and used in conjunction with each residential dwelling. For the purposes of this ordinance, schools, churches and apartment houses and other multiple dwellings except auto courts and similar establishments shall be deemed to be residential uses.

Section 10. When a property or an existing building or a building for which a permit has heretofore been granted at the time of the passage of this ordinance has a use which was legal prior to the passage of this ordinance, such use may continue even though it be not in conformity with this zoning regulation.

Section 11. The owner or owners of any building or premises, or part thereof, where anything in violation of this ordinance shall be placed, or shall exist, or be maintained, and any architect, builder or contractor who shall assist in the commission of any such violation, and all persons or corporations who shall violate or maintain any violation of any of the provisions of this ordinance or who shall fail to comply therewith, or with any requirements thereof, or who shall build in violation of any detailed statement of plan submitted and approved thereunder, shall for each and every violation or non-compliance be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than one hundred dollars (\$100), or by imprisonment in the city jail not to exceed thirty (30) days, or by both such fine and imprisonment. Each day that a violation of this ordinance continues shall be considered a separate offense.

Section 12. All ordinances or parts of ordinances in conflict with the provisions hereof are hereby expressly repealed.

Section 13. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace, safety and general welfare of the people of the City of Lebanon, an emergency is declared to exist and this ordinance shall be in full force and effect from and after its passage by the City Council.

Passed by the Council and Approved by the Mayor this 19th. day of March 1946.

P. L. Reed.

Mayor

Attest:

Leo H. Kauder

Recorder