

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Chapter 18. Section 120.040 \*  
Building height exceptions of the Deschutes \*  
County Code, and Declaring an Emergency. \*

REVIEWED  
SAB  
LEGAL COUNSEL

ORDINANCE NO. 96-035

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY,  
OREGON ORDAINS AS FOLLOWS:

Section 1. Section 18.120.040, "Building height exceptions," of the Deschutes  
County Code is amended to read as set forth in Exhibit A, attached hereto and by this  
reference incorporated herein, to include the sections that were inadvertently omitted.

Section . Emergency. This Ordinance being necessary for the immediate  
preservation of the public peace, health and safety, an emergency is declared to exist, and  
this Ordinance takes effect on its passage.

DATED this 24 day of April, 1996.

BOARD OF COUNTY COMMISSIONERS  
OF DESCHUTES COUNTY, OREGON

Nancy Pope Schlengen  
NANCY POPE SCHLANGEN, Chair

Barry H. Slaughter  
BARRY H. SLAUGHTER, Commissioner

ATTEST:

Oruta Mutchie  
Recording Secretary

Robert L. Nipper  
ROBERT L. NIPPER, Commissioner

KEY  
APR 26 1996

MICROFILMED  
JUN 27 1996

**18.120.040. Building height exceptions.**

A. The following structures or structural parts are not subject to the building height limitations of this title: public schools, chimneys, tanks, church spires, belfries, domes, monuments, fire and hose towers, observation towers, transmission towers, smokestacks, flagpoles, radio and other similar projections, and agricultural structures as defined in this ordinance. This exception does not apply to an Airport Development Zone, Airport Height Combining Zone or Landscape Management Combining Zone.

B. An exception (up to 36 feet) to the building height limitations for structures not otherwise exempted by Subsection A of this section located in the EFU, MUA-10, F-1, F-2, RR-10, OS&C, RSC, RSR-M, RSR-5 and FP zones may be approved upon findings that:

1. The structure is not located in a Landscape Management Zone;
2. The structure is not located within 100 feet of any rimrock, as defined in section 18.04.030;
3. After consultation with the applicable fire department, the proposed height does not exceed the height limitation of the department's fire fighting equipment, considering the evacuation of the building's occupants and the fire fighting requirements of the department;
4. The proposed additional height will not adversely impact scenic views from existing nearby residences. (Ord. 93-043 U20C, 1993; Ord. 92-055 U10, 1992; Ord. 92-036 U1, 1992)