

96-30862

REVIEWED
SAD
LEGAL COUNSEL

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Section 18.116.040(c), *
Accessory uses, of the Deschutes County *
Code and Declaring an Emergency. *

ORDINANCE NO. 96-057

96 AUG 22 AM 9:21
KEY PINNACLE
COUNTY CLERK
0155-1611

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON,
ORDAINS as follows:

Section 1. Amendment. Section 18.116.040(c), Accessory uses, is amended as set forth in Exhibit A attached hereto and incorporated herein, with new language set out in red-line and language to be deleted is in strike-out.

Section 2. Severability. The provisions of this ordinance are severable. If any section, sentence, clause or phrase of this ordinance is adjudged to be invalid by a court of competent jurisdiction, that decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. Codification. County Legal Counsel shall have the authority to format the provisions contained herein in a manner that will integrate them into the County Code consistent with the Deschutes County Form and Style Manual for Board Documents. Such codification shall include the authority to make such changes, to make changes in numbering systems and to make such numbering changes consistent with interrelated code sections. In addition, as part of codification of these ordinances, County Legal Counsel may insert appropriate legislative history reference. Any legislative history references included herein are not adopted as part of the substance of this ordinance, but are included for administrative convenience and as a reference. They may be changed to correct errors and to conform to proper style without action of the Board of County Commissioners.

Section 4. Repeal of Ordinances as Affecting Existing Liabilities. The repeal, express or implied, of any ordinance, ordinance provision, code section, or any map or any line on a map incorporated therein by reference, by this amending ordinance shall not release or extinguish any duty, condition, penalty, forfeiture, or liability previously incurred or that may hereafter be incurred under such ordinance, unless a provision of this amending ordinance shall so expressly provide, and such ordinance repealed shall be treated as still remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of such duty, condition, penalty, forfeiture, or liability, and for the purpose of authorizing the prosecution, conviction and punishment of the person or persons who previously violated the repealed ordinance.

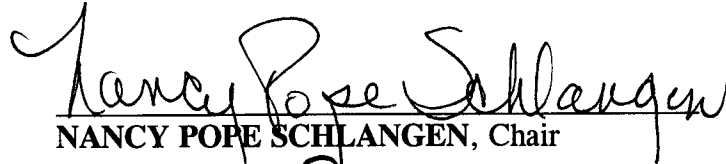
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Section 5. **Emergency.** This ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this ordinance takes effect on its passage.

DATED this 21 day of Aug., 1996.

**BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON**



NANCY POPE SCHLANGEN, Chair

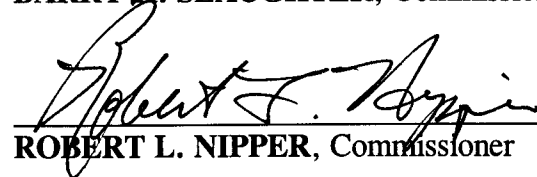


BARRY H. SLAUGHTER, Commissioner

ATTEST:



Anita Mutchie
Recording Secretary



ROBERT L. NIPPER, Commissioner

Exhibit A

18.116.040. Accessory uses.

An accessory use shall comply with all requirements for a principal use, except as this title specifically allows to the contrary, and shall comply with the following limitations:

A. The primary use of the property must be established or applied for prior to issuance of any building or land use permits for an accessory structures.

1. Exception:

a. Building permit for a ramada or carport may be issued without establishment or application of primary use if all other criteria for issuance are met.

b. Land use, building or environmental health permits or extensions of such permits sought to correct existing code violations for the subject property shall be issued if all other criteria for issuance are met.

c. A building permit for an accessory structure or structures not exceeding a combined total of 2000 square feet in size, with no windows, with only one floor, an operable garage door, no plumbing or stack vents through the roof or walls and not requiring plumbing or mechanical permits.

B. A side yard or rear yard may be reduced to five feet for an accessory structure erected more than 65 feet from a front lot line, provided the structure is detached from other buildings by five feet or more and does not exceed a height of one story nor an area of 450 square feet.

C. Boats and trailers, travel trailers, pickup campers or coaches, motorized dwellings

and similar recreational equipment may be stored on a lot but not used as an accessory use in any zone provided that:

1. In a residential zone, parking or storage in a front yard or in a side yard adjoining a street other than an alley shall be permitted only on a driveway.

2. Parking or storage shall be at least three feet from an interior side lot line.

D. A manufactured home may be stored on an individual lot subject to obtaining a zoning approval from the Planning Division and subject to the following:

1. Storage period shall not exceed one year.

2. No utilities other than electric may be connected.

3. The mobile home shall not be inhabited.

4. The subject lot is not located in a CH, Conventional Housing Combining Zone. (Ord. 95-077 § 1, 1995; Ord. 95-075 § 1, 1995; Ord. 91-038 § 1, 1991)

[96-057]