

REVIEWED  
BWW  
LEGAL COUNSEL

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending the Deschutes County Code Title 18 to Add Text for the Wickiup Junction Rural Service Center and Declaring an Emergency. \*

0149-2001

95 MAR 28 AM 8:13  
SUE PERKINS  
COUNTY CLERK

ORDINANCE NO. 96-007

WHEREAS, The Board of County Commissioners has determined that to comply with Periodic Review and OAR 660 - Division 22, amendments to the Deschutes County Code Title 18 are required; and

WHEREAS, after notice and hearing as required by law, the Board of County Commissioners has considered the recommendation of the Planning Commission; now therefore,

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

Section 1. Adoption of Amendments to the Deschutes County Code Title 18. Title 18 of the Deschutes County Code, as amended, is further amended to add a new Chapter 18.62, Rural Service Center - Wickiup Junction as shown in Exhibit "A", attached hereto and by this reference incorporated herein.

Section 2. Findings. Findings to support this ordinance are set forth in the findings supporting Ordinance 96-006 and attached thereto as Exhibit B, which findings are incorporated herein by reference.

Section 3. Codification. Legal Counsel or the Code Book Review Committee shall have the authority to format the provisions contained herein in a manner that will integrate them into the County Code consistent with the prescribed form and style for ordinance codification. Such codification shall include the authority to make format 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, Legal Counsel or the Code Book Review Committee may insert appropriate legislative history references. 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 by this ordinance shall not release or extinguish any duty, condition, penalty, forfeiture, or liability incurred under such ordinance, unless a provision of this 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

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violated the repealed ordinance.

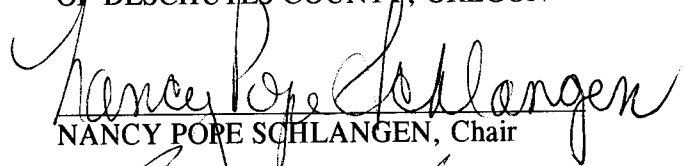
Section 5. Corrections. This ordinance may be corrected by order of the Board of County Commissioners to cure editorial and clerical errors and to insert appropriate legislative history references

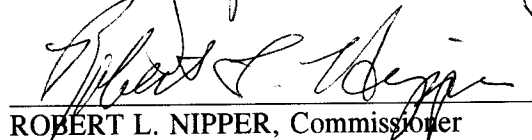
Section 6. Severability. The provisions of this ordinance are severable. If any section, sentence, clause or phrase of this ordinance or any exhibit thereto is found to be invalid by a court of competent jurisdiction that decisions shall not affect the validity of the remaining portions of this ordinance.

Section 7. 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 27<sup>th</sup> day of March, 1996.

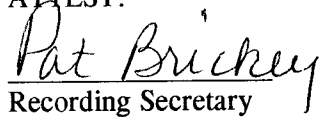
BOARD OF COUNTY COMMISSIONERS  
OF DESCHUTES COUNTY, OREGON

  
NANCY POPE SCHLANGEN, Chair

  
ROBERT L. NIPPER, Commissioner

  
BARRY H. SLAUGHTER, Commissioner

ATTEST:

  
Recording Secretary

## EXHIBIT "A"

## Chapter 18.62

RURAL SERVICE CENTER - WICKIUP  
JUNCTION

## Sections:

- 18.62.010 Purpose  
 18.62.020 Districts Permitted in the RSC-  
 WJ Zone  
 18.62.030 Standards for all districts

In the RSC-WJ Zone, the following regulations shall apply:

## 18.62.010 Purpose.

The purpose of the Rural Service Center - Wickiup Junction (RSC-WJ) Zone is to provide standards and review procedures for the development of the rural service center of Wickiup Junction.

18.62.020 Districts Permitted in the RSC-  
WJ Zone.

The following districts shall be established:

## A. Commercial/Residential District.

1. Uses Permitted Outright. The following uses and their accessory uses are permitted outright:

- a. Single-family dwelling.
- b. Manufactured home subject to Section 18.116.070.
- c. Two-family dwelling or duplex.
- d. Class I and II road or street project subject to approval as part of a land partition, subdivision or subject to the standards and criteria established by Section 18.116.230.
- e. Class III road and street project.
- f. Excavation, grading or fill and removal activities involved in creation of a wetland in areas not requiring a conditional use permit for fill or removal.

2. Uses Permitted Subject to Site Plan Review. The following uses and their accessory

uses are permitted in a building or buildings not exceeding 4,000 square feet of floor space and subject to applicable provisions of this chapter and Chapters 18.116, Supplementary Provisions, and 18.124, Site Plan Review, of this title:

- a. Retail store, office and service establishment.
- b. Residential use in conjunction with a permitted use.
- c. Art studio in conjunction with retail sales.
- d. Medical clinic.
- e. Automobile service station.
- f. Car wash.
- g. Park, playground and community building.
- h. Public use
- i. Day care facility.
- j. Restaurant and cocktail lounge.
- k. Club and fraternal lodge.
- l. Automobile and trailer sales.

3. Conditional Uses Permitted. The following uses and their accessory uses are permitted subject to applicable provisions of this chapter and Chapters 18.116, Supplementary Provisions, 18.124, Site Plan Review, and 18.128, Conditional Use, of this title:

- a. Multi-family dwelling with three or more units.
- b. Tourist and travelers' accommodations of up to 35 units, provided the use is served by a community sewer system, as that term is defined in OAR 660-22-010 (2).
- c. Manufactured home park.
- d. Travel trailer park.
- e. Cluster development.
- f. Church.
- g. School.
- h. Excavation, grading and fill and removal within the bed and banks of a stream or river or in a wetland subject to Sections 18.120.050 and 18.128.040(W).
- i. Water supply and treatment facility.

- j. Utility facility, except landfill.
- k. Television and radio station with or without a transmitter tower.
  - l. Nursing home.
  - m. Residential care facility for more than 15 people.
  - n. A building or buildings not exceeding 4,000 square feet of floor space housing:
    - (1) Veterinary clinic, including enclosed kennel.
    - (2) Automobile repair garage.
    - (3) Commercial amusement and recreation establishment.
    - (4) Shopping complex subject to a master plan.
    - (5) Mini-storage facility.
    - (6) Uses accessory to the uses identified in this section.

4. Lot Size.

- a. New lots or parcels served by an approved community, municipal or public water system and an approved community or public sewage system shall have a minimum width of 50 feet and a minimum area of 6,000 sq. ft. Maximum lot size for residential subdivisions shall be 15,000 square feet.
- b. New lots or parcels served by either an approved community, non-community, municipal or public water system shall have a minimum width of 100 feet and a minimum area of 22,000 sq. ft.
- c. New lots or parcels not served by either an approved community, municipal or public water system or an approved community or public sewage system shall have a minimum width of 150 feet with a minimum area of one acre. In addition, an applicant shall demonstrate that:
  - (1) The lot or parcel can meet DEQ on-site sewage disposal rules then in effect, which can be demonstrated either prior to land division approval or as a condition of such approval;
  - (2) Residential subdivisions will be served

by either a municipal or community water system or a non-community public water system.

5. Dimensional Standards. The following dimensional standards shall apply:

- a. Lot Coverage. No requirements.
- b. Building Height. No building or structure shall be erected or enlarged to exceed thirty (30) feet in height, except as approved under Section 18.120.040.

6. Yards.

- a. Front Yard. The front yard shall be no more than 20 feet, except as otherwise allowed by Section 18.124.070(C)(3)(b). All buildings shall be set at the front yard setback line.
- b. Side Yard. None required, except when a parcel or lot with a side yard adjacent to zoned forest land shall have a minimum side yard of 100 feet.
- c. Rear Yard. None required, except when a parcel or lot with a rear yard adjacent to zoned forest land shall have a minimum rear yard of 100 feet.
- d. Solar Setback. The setback from the north lot line shall meet the solar setback requirements in Section 18.116.180.
- e. Building Code Setbacks. In addition to the setbacks set forth herein, any greater setbacks required by applicable building or structural codes adopted by the State of Oregon and/or the County under Chapter 15.04 of this title shall be met.

7. Additional Requirements.

- a. Off-street parking and loading shall be provided subject to the provisions of Chapter 18.116, Supplementary Provisions.
- b. All outdoor lighting on site shall be installed in conformance with Chapter 15.10 Deschutes County Code providing outdoor lighting control.