

REVIEWED AS TO FORM  
DL  
CODE REVIEW COMM.

169 - 2905

REVIEWED  
BW  
LEGAL COUNSEL

98-55468

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Title 18,  
Deschutes County Zoning Ordinance,  
of the Deschutes County Code,  
and Declaring an Emergency.

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98 DEC -3 PM 1:48  
MARY SUE PENHOLLOW  
COUNTY CLERK

ORDINANCE NO. 98-033

WHEREAS, Dan Van Vactor has applied for a text amendment to amend section 18.16.050 (D), Relative Farm Help Dwelling, of Title 18 of the Deschutes County Code; and

WHEREAS, a hearing was held, after notice given in accordance with law, before the County Planning Commission; and

WHEREAS, the Planning Commission recommended approval of the text amendment; now, therefore,

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

Section 1. AMENDMENT. Deschutes County Code Section 18.16.050 (D), Relative Farm Help Dwelling, is amended to read as described in Exhibit "A," attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strikethrough~~.

Section 2. 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 2 day of Dec, 1998.

BOARD OF COUNTY COMMISSIONERS OF  
DESCHUTES COUNTY, OREGON

Nancy P. Schlungen  
NANCY POPE SCHLANGEN, Chair

Robert L. Nipper  
ROBERT L. NIPPER, Commissioner

Linda L. Swearingen  
LINDA L. SWEARINGEN, Commissioner

ATTEST:

Arute Metchie  
Recording Secretary

KEYPUNCHED  
MICROFILMED  
DEC - 8 1998

D. Relative Farm Help Dwelling

1. A dwelling listed in Deschutes County Code 18.16.030(B) is allowed when:

a. The subject tract is at least 40 acres in size, unless it is demonstrated to the Planning Director or Hearings Body that a smaller unit of land is a commercial agricultural enterprise.

b. The subject tract is used for farm use;

c. The dwelling is a manufactured home and is sited in accordance with section 18.116.070, or is a pre-existing site-built home that: (1) was established at least 30 years prior to the date the conditional use permit was submitted and (2) is located on a parcel of at least 40 acres in size and that meets the minimum irrigated acres standard for the subzone within which it is located;

d. The dwelling is located on the same lot or parcel as the dwelling of the farm operator, and is occupied by a grandparent, grandchild, parent, child, brother, or sister of the farm operator or the farm operator's spouse, whose assistance in the management of the commercial farm use is or will be required by the farm operator.

e. The farm operator plays the predominant role in the management and farm use of the farm and will continue to do so after the relative farm help dwelling is approved.

f. Any approval granted under this section shall be conditioned with a requirement that the farm operator annually submit a report to the Planning Division identifying the resident(s) of the dwelling, their relationship to the farm operator, the assistance the resident provides to the farm operator, and verifying the farm operator's continued residence on the property and the predominant role the farm operator continues to play in the management and farm use of the farm.

2. A The manufactured home permitted under this section shall be considered to be a temporary installation, and permits for such home shall be renewable and renewed on an annual basis. The manufactured home shall

be removed from the property if it is no longer meets the criteria of this section needed for the operation of the farm, and the approval shall be so conditioned.

3. A pre-existing dwelling approved under this section shall be removed or converted to an allowable use within one (1) year of the date the relative farm help dwelling no longer meets the criteria of this section and the approval shall be so conditioned.

4. Upon approval of a dwelling under this section, a Conditions of Approval Agreement shall be recorded with the Deschutes County Clerk prior to issuance of any building or placement permit for the new dwelling on the property.

53. For the purposes of this subsection, a farm operator is a person who operates a farm, doing the work and making the day-to-day decisions about such things as planting, harvesting, feeding and marketing.