

ORDINANCE NO. 107
AN ORDINANCE AMENDING ORDINANCE NO. 97 THE DETROIT ZONING
ORDINANCE, AND DECLARING AN EMERGENCY.

"The City of Detroit, Oregon: ordains as follows:

Section 1. PURPOSE. To adopt a text revision, and amendment of the Detroit Zoning Ordinance No. 97.

Section 2. CHAPTER 2 - DEFINITIONS. The following "PARTITIONING" definition replaces the "MAJOR PARTITIONING" and "MINOR PARTITIONING" definitions. Definitions for "RESIDENTIAL FACILITIES" and "RESIDENTIAL HOME" will replace the definition for "GROUP HOME.

PARTITIONING: Partition land means to divide land into two or three parcels of land within a calendar year (January to December), but does not include:

(A) A division of land resulting from a lien foreclosure of a recorded contract, for the sale of real property, or the creation of cemetery lots.

(B) The adjustment of a property line by the relocation of a common property boundary where an additional unit of land is not created and where the existing unit of land reduced in size by the adjustment complies with the applicable requirements of the City Zone Code.

(C) A sale or a grant by a person to a public agency or public body for state highway, county road, city street or other right-of-way purposes provided that such road right-of-way complies with the City Comprehensive Plan and ORS 215.213(2)(q) to (s) and 215.283(2)(p) to (r); however, any property divided by sale or grant of property for state highway, county road, city street or other right-of-way purposes shall continue to be considered a single unit of land until such time as the property is further subdivided or partitioned.

RESIDENTIAL FACILITY: A facility licensed by or under the authority of the Department of Human Resources under ORS 443.400 to 443.460 which provides residential care alone or in conjunction with treatment or training or a combination thereof, for six to fifteen individuals who need not be related. Staff persons required to meet Department of Human Resources licensing requirements shall not be counted in the number of facility residents, and need not be related to each other, or to a resident of the residential facility.

RESIDENTIAL HOME: A home licensed by or under the authority of the Department Human Resources under ORS 443.400 to 443.825 which provides residential care alone or in conjunction with treatment or training or a combination thereof, for five or fewer individuals who need not be related. Staff persons required to meet Department of Human Resources licensing requirements shall not be counted in the number of facility residents, and need not be related to each other, or to a resident of the residential facility.

SECTION 3. CHAPTER 5 - ZONE CHANGES. Section 5.060 (b) 9., is hereby revised with the following:

9. Financial contributions to public agencies, consistent with adopted systems development charges to offset increased costs, for providing services or facilities related to the intensification of the use of the property.

SECTION 4. CHAPTER 8 - VARIANCES. Section 8.010 is hereby revised with the following:

PURPOSE: Flexibility, adaptability, and reasonableness in the application, and administration of development standards is necessary where special conditions exist. For lands, or uses with unique characteristics the intent, and purpose of the development standard may be maintained while allowing adjustments to requirements. No variance shall be approved which permits the establishment of a use, or activity not identified in a zone.

Section 5. CHAPTER 7 - SPECIAL CONDITIONAL USES. Section 7.040 is hereby revised with the following:

"MANUFACTURED HOME PARK". Where identified as a conditional use, manufactured home parks shall comply with the following standards. Further, compliance with the following standards is evidence the proposal complies with Sections 5.060(B)(7) and (9), Section 6.030 (C), of this zone code.

Section 6. CHAPTER 12 - RS ZONE. The following shall be added to Section 12.020 PERMITTED USES, and Section 12.120 RECREATIONAL VEHICLES:

- (h) Residential Homes consistent with the definitional requirements in Chapter 2.

RECREATIONAL VEHICLES. Recreational vehicle storage and parking shall be located within a required driveway, side yard or rear yard of a property. The storage of recreational vehicles on city streets shall be prohibited. Recreational vehicles may not be used, for residential purposes.

Section 7. CHAPTER 13 - RM ZONE. The following shall be added to Section 13.020 PERMITTED USES, and Section 13.130 RECREATIONAL VEHICLES:

(n) Residential Homes and Residential Facilities consistent with the definitional requirements in Chapter 2.

RECREATIONAL VEHICLES. Recreational vehicle storage and parking shall be located within a required driveway, side yard or rear yard of a property. The storage of recreational vehicles on city streets shall be prohibited. Recreational vehicles may not be used for residential purposes.

Section 8. CHAPTER 14 - CG ZONE. The following sections shall be added.

Section 14.110. TRAILER (TRAVEL OR VACATION) REQUIREMENTS. No trailer (travel or vacation) may remain on a vacant property, for more than seven consecutive days within a 60 day period.

Section 14.120. RECREATIONAL VEHICLES. Recreational vehicle storage and parking shall be located within a public automobile parking lot, designated recreational vehicle storage area, required driveway, side yard or rear yard of a property. The storage of recreational vehicles on city streets shall be prohibited. Recreational vehicles may not be used, for residential purposes except in a travel trailer park.

Section 9. Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance be declared invalid, such declaration shall not affect the validity of any other section, subsection, paragraph, sentence, clause or phrase; and if this ordinance or any portion thereof should be held to be invalid on one ground, but valid on another it shall be construed that the valid ground is the one upon which the ordinance, or such portion thereof was enacted.

Section 10. Emergency. It being necessary for the peace, health, safety and sound development of the City of Detroit an emergency is hereby declared to exist, and this ordinance shall take effect immediately upon its passage by the Council, and signature by the Mayor.

Read first in full and by title only at the council meeting on October 13, 1992; and read a second time by title only at the council meeting on October 13, 1992. Passed by a vote of 5 ayes and 0 nays of the City Council this 13th day of October 1992.

Signed by the Recorder, and signed and approved by the Mayor this 13th day of October 1992.

Annex M. Eischen
Mayor

ATTEST: Maryann Hills
City Recorder