

CHAPTER III
SUPPLEMENTAL PROVISIONS

Chapter III. SUPPLEMENTAL PROVISIONS: STRUCTURES, USES, LOTS & YARDS

ARTICLE 3.1. SUPPLEMENTAL PROVISIONS – STRUCTURES

SECTION 3.1.100. Purpose. In order to provide adequate light, air, and privacy, and in order to promote the general safety and welfare, the following general conditions and development standards shall apply to all buildings and structures unless otherwise specified in this Ordinance.

SECTION 3.1.150. Building Permit Issuance. Coos County recognizes the State of Oregon Building Codes Agency as the official building permit issuing and enforcing authority, responsible for receiving applications and examining the plans and specifications for proposed construction. A building permit shall not be issued unless such plans and specifications comply with this Ordinance.

SECTION 3.1.200 Verification Letter Required for Building Permit. To obtain a building permit, the applicant shall first request and receive a zoning verification letter from the Coos County Planning Department. This verification letter is valid for one year from the date it is issued. [OR 96-06-007PL 9/4/96]

If the request otherwise requires review (site plan, conditional use, variance, partitioning, etc.), a verification letter shall not be issued unless the request is approved through any required applicable process. If a process results in a conditional approval, said conditions shall be fulfilled prior to a verification letter issuance, or shall be so indicated on the verification letter.

A zoning verification letter shall only be issued for a development proposal found to be in compliance with this Ordinance and the Comprehensive Plan.

SECTION 3.1.250. Existing Structures. Structures or land uses existing at the time of passage of the Ordinance, and which are delineated as a conditional use within the applied zone, shall be deemed as having an approved conditional use permit for such existing use or structure.

SECTION 3.1.300. Accessory Structures. Structures customarily accessory to a lawfully established principle use shall be allowed as set forth below:

- A. An accessory structure may be located on the same lot, parcel or tract under the same ownership as the lot, parcel or tract that contains the principle use.
- B. Any attached or detached accessory structure shall maintain the same setbacks established by the zoning district for the principle use.
[OR 91-05-006PL 7/10/91]

C. **Accessory Structures within Recreation, Exclusive Farm Use, Forest and other natural resource zoning districts.**

Barns and other agricultural structures accessory to farm use shall be permitted within the Exclusive Farm Use, Forest Mixed Use and Recreation zoning districts.

Any other accessory structure shall be established only when a lawfully established dwelling exists, or is being established on the subject property. [OR 93-12-017PL 2/23/94]

D. **Accessory structures within Rural-residential and Rural-Center zoning districts.**

1. Garages and other accessory structures, the principle use of which is not for agricultural or forestry purposes, shall be allowed outright within rural-residential zoning districts when a lawfully established dwelling exists, or is being established on the subject property.
2. If a lawfully established dwelling does not exist on the subject property, but is anticipated to be the principle use; garages and other accessory structures, the principle use of which is not for agricultural or forestry purposes, shall be allowed outright within rural-residential zoning districts when the proposed structure is less than or equal to 1,200 square feet in base floor area.
3. If the proposed accessory structure is greater than 1,200 square feet, and the principle use is not for agricultural or forestry purposes, and a lawfully established dwelling does not exist on the subject property, then said proposed structure may be permitted only if:
 - a. an administrative conditional use application is approved after finding that the proposed structure meets the definition of “accessory structure” set forth at Section 2.1.200.
4. Barns and accessory structures for agricultural and forestry purposes shall be allowed outright within the rural-residential zoning district.

E. **Accessory structures within Urban Residential and Airport Operations zoning districts.**

1. Garages and other accessory structures shall be allowed outright on lots and parcels located within a UGB when said proposed accessory structure is less than or equal to 1,200 square feet in base floor area and a dwelling exists on the subject property or is being established concurrently with the proposed accessory structure.
2. If any garage or other accessory structure is proposed for a lot or parcel located within a UGB, and said proposed structure exceeds 1,200 square feet in base floor area, then said structure may be permitted only if:
 - a. a dwelling exists on the subject property or is being established concurrently with the proposed accessory structure, and
 - b. an administrative conditional use application is approved after finding that the proposed structure meets the definition of “accessory structure” set forth at Section 2.1.200.
3. Any proposed accessory structure within the Airport Operation zoning district is permitted outright subject to Article 4.6.

F. **Accessory structures within Industrial and Commercial and Controlled Development zoning districts.**

1. Where the principle use of the land is not residential, then Garages, warehouses and other accessory structures shall be allowed on lots and parcels located within industrial, commercial and controlled development zoning districts, subject to any specific requirements of the zone in which they are to be established.
2. If the principle use of the land is residential and the lot or parcel is located within a UGB, then accessory structures that are less than or equal to 1,200 square feet in base floor area are permitted outright.
3. If the garage or other accessory structure is proposed for a lot or parcel located within a UGB, and the principle use of the land is residential, and said proposed structure exceeds 1,200 square feet in base floor area, then said structure may be permitted only if:

- a. a dwelling exists on the subject property or is being established concurrently with the proposed accessory structure, and
- b. an administrative conditional use application is approved after finding that the proposed structure meets the definition of “accessory structure” set forth at Section 2.1.200. [OR-96-04-007PL 9/4/96]

SECTION 3.1.400. Lot Coverage. All buildings designed or erected and existing buildings which may be reconstructed, altered, moved, or enlarged shall not exceed the maximum lot coverage regulations of the district in which the buildings are to be located.

SECTION 3.1.450. Dwelling Unit or Building Density. The dwelling unit or building density regulations as set forth in the districts shall apply. Occupancy shall not be increased in any manner except in conformity with these regulations.

SECTION 3.1.500. Structure Height.

1. Buildings and structures shall not exceed the height limitations as specified for the zone in which they are located.
2. Spires, towers, domes, steeples, flag poles, antennae, chimneys, solar collectors, smokestacks, ventilators or other similar objects may be erected above the prescribed height limitations, provided no usable floor space above the height limits is thereby added. Such overheight object shall not be used for advertising of any kind.

SECTION 3.1.550. Unoccupied Buildings. If a building is unoccupied on the effective date of this Ordinance, the last use before it became unoccupied shall be considered to be its use of record.

SECTION 3.1.600. LIMITATION ON USE OF MANUFACTURED DWELLINGS FOR COMMERCIAL PURPOSES. Pursuant to ORS 446 et seq., manufactured dwellings shall not be used for commercial purposes except:

1. Where use of the manufactured dwelling for commercial purposes is authorized by the Building Codes Agency, or;
2. Where used as a temporary sales office for manufactured structures, or;
3. As part of an approved home occupation. [OR-92-07-012PL]

SECTION 3.1.700. Residential Care Home/Facility. Residential Care Home/Facility shall be allowed in any dwelling authorized by this Ordinance.