



Attachment E - Accessory Structure Amendments

BACKGROUND & OVERVIEW

The County regularly receives requests for residential accessory buildings with many of the features of dwelling units (e.g. kitchen-like areas, multiple full-baths, wet bars). Despite careful communication with developers, these residential accessory buildings are often converted to illegal dwelling units or are misrepresented as ADUs to subsequent buyers of the property.

The Deschutes County Code (DCC) lacks provisions common in other Counties' code such as:

- 1) Specification of allowed plumbing and other dwelling-like features permissible in residential accessory buildings,
- 2) A requirement for a recording to the property title, alerting future buyers that the residential accessory building is not an ADU, or
- 3) A requirement that the dwelling (primary use) must be constructed first (or at the same time) as residential accessory buildings.

CURRENT PROCESS & CHANGES

The Board has expressed interest in creating clarity within the County Code around these potentially ambiguous provisions. As one example, the City of Bend currently utilizes a code system that provides specific definitions of certain improvement types, and clear standards of when and where these improvements are allowed. City of Bend also provides accessory structure-related code language, clearly specifying that primary uses must be established prior to accessory structures. Revisions to County Code related to residential accessory buildings could offer more clarity for residential property owners looking to develop and could help with the differentiation between primary and accessory structures.

Key Amendment Concerns	
Staff Effort/Resources	Medium
Legal Complexity	Medium
Implementation Urgency	Medium/High