



Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

05/19/2014

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: Deschutes County Plan Amendment
DLCD File Number 002-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, June 06, 2014

This amendment was submitted to DLCD for review prior to adoption with less than the required 35-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Matthew Martin, Deschutes County
Jon Jinings, DLCD Community Services Specialist

<paa> YA



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE 002-14
File No.: (20176)
[17878]
Received: 5/16/2014

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: Deschutes County

Local file no.: **TA-14-1**

Date of adoption: 5/7/14

Date sent: 5/16/2014

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 1/10/14

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Yes. Additional minor amendments to the Comprehensive plan were adopted that pertain to the table of contents and legislative history table.

Local contact (name and title): Matthew Martin, Associate Planner

Phone: 541-330-4620

E-mail: Matt.Martin@deschutes.org

Street address: 117 NW Lafayette Ave

City: Bend

Zip: 97701-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

Table of Contents; Section 4.4, La Pine (with this addition all following sections of Chapter 4 were renumbered with no changes to the text); Section 5.12, Legislative History.

No statewide planning goals were implimented.

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

Title 18, Chapter 18.04, Definitions; Chapter 18.80, Airport Development Zone; 18.110, Resort Community; and Chapter 116, Supplementary Provisions
Title 22, Chapter 22.23, Destination Resort map Amentment Procedures.

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts: Deschutes County

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

These are minor changes are necessary to clarify existing standards and procedural requirements and to correct errors found in various sections of the Deschutes County Code. No goals, commission rules, or statues apply to these changes.

REVIEWED

LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Deschutes County Code *
Title 18 to Incorporate "Housekeeping" Changes that * ORDINANCE NO. 2014-009
Correct Errors and Provide Clarification of Existing *
Regulations, Procedures, and Policies. *

WHEREAS, the Deschutes County Community Development Department (CDD) initiated amendments (Planning Division File No. TA-14-1) to the Deschutes County Code (DCC) Title 18, Chapter 18.04, Definitions; Chapter 18.80, Airport Development Zone; 18.110, Resort Community; and Chapter 116, Supplementary Provisions to incorporate "housekeeping" changes correct errors and provide clarification of existing regulations, procedures, and policies; and

WHEREAS, the Deschutes County Planning Commission reviewed the proposed changes on February 27, 2014 and forwarded to the Deschutes County Board of County Commissioners ("Board"), a recommendation of approval; and

WHEREAS, the Board considered this matter after a duly noticed public hearing on April 2, 2014, and concluded that the public will benefit from the proposed changes to Deschutes County Code ("DCC") Title 18; now, therefore,

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

Section 1. AMENDMENT. DCC 18.04030, Definitions, 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. AMENDMENT. DCC 18.80.078, FAA Notification (Form 7460-1), is amended to read as described in Exhibit "B," attached hereto and by this referenced incorporated herein, with new language underlined and language to be deleted in ~~strikethrough~~.

Section 3. AMENDMENT. DCC 18.110.020, Seventh Mountain/Widgi Creek Resort District, is amended to read as described in Exhibit "C," attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strikethrough~~.

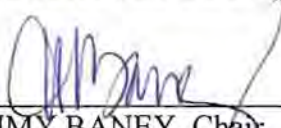
Section 4. AMENDMENT. DCC 18.116.240, Protection of Historic Sites, is amended to read as described in Exhibit "D," attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strikethrough~~.

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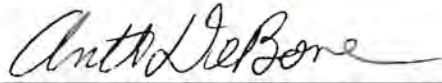
Section 5. FINDINGS. The Board adopts as its findings Exhibit "E" of Ordinance 2014-012 and incorporated by reference herein.

Dated this 7th of May, 2014

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON



TAMMY BANEY, Chair



ANTHONY DEBONE, Vice Chair

ATTEST:

Recording Secretary



ALAN UNGER, Commissioner

Date of 1st Reading: 23rd day of April, 2014.

Date of 2nd Reading: 7th day of May, 2014.

Record of Adoption Vote:

Commissioner	Yes	No	Abstained	Excused
Tammy Baney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony DeBone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alan Unger	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Effective date: 6th day of August, 2014.

“****” Denotes portions of this Section not amended by Ordinance 2014-009.

Section 18.04.030. Definitions.

"Incidental Horse events" means any exhibition or competition done in conjunction with the stabling or training of horses involving horses the whose purpose of which is to test and/or advance the skills of a horse and/or its rider, such as but not limited to horse shows exhibitions in connection with riding lessons or training conducted on the premises, schooling events, horse training seminars or clinics, open houses, or cutting competitions, rodeos or jackpot roping contests. "Incidental horse events" shall not include any show, exhibition or competition that is commercial in character, that requires entrance or admission fees that are more than nominal fees, or that is recognized, sanctioned or endorsed by any governing body or organization for equine sporting events.

"Stabling or training equines" as used in the definition of "farm use" means the use of land incidental to involving the pasturing, keeping, boarding, management or training of horses. For the purposes of this definition, incidental horse events, as defined herein are deemed to be an incident of stabling or training equines.

(Ord. 2014-009 §1, 2014; Ord. 2013-008 §1, 2013; Ord. 2012-007 §1, 2012; Ord. 2012-004 §1, 2012; Ord. 2011-009 §1, 2011; Ord. 2010-022 §1, 2010; Ord. 2010-018 §3, 2010; Ord. 2008-007 §1, 2008; Ord. 2008-015 §1, 2008; Ord. 2007-005 §1, 2007; Ord. 2007-020 §1, 2007; Ord. 2007-019 §1, 2007; Ord. 2006-008 §1, 2006; Ord. 2005-041 §1, 2005; Ord. 2004-024 §1, 2004; Ord. 2004-001 §1, 2004; Ord. 2003-028 §1, 2003; Ord. 2001-048 §1, 2001; Ord. 2001-044 §2, 2001; Ord. 2001-037 §1, 2001; Ord. 2001-033 §2, 2001; Ord. 97-078 §5, 1997; Ord. 97-017 §1, 1997; Ord. 97-003 §1, 1997; Ord. 96-082 §1, 1996; Ord. 96-003 §2, 1996; Ord. 95-077 §2, 1995; Ord. 95-075 §1, 1975; Ord. 95-007 §1, 1995; Ord. 95-001 §1, 1995; Ord. 94-053 §1, 1994; Ord. 94-041 §§2 and 3, 1994; Ord. 94-038 §3, 1994; Ord. 94-008 §§1, 2, 3, 4, 5, 6, 7 and 8, 1994; Ord. 94-001 §§1, 2, and 3, 1994; Ord. 93-043 §§1, 1A and 1B, 1993; Ord. 93-038 §1, 1993; Ord. 93-005 §§1 and 2, 1993; Ord. 93-002 §§1, 2 and 3, 1993; Ord. 92-066 §1, 1992; Ord. 92-065 §§1 and 2, 1992; Ord. 92-034 §1, 1992; Ord. 92-025 §1, 1992; Ord. 92-004 §§1 and 2, 1992; Ord. 91-038 §§3 and 4, 1991; Ord. 91-020 §1, 1991; Ord. 91-005 §1, 1991; Ord. 91-002 §11, 1991; Ord. 90-014 §2, 1990; Ord. 89-009 §2, 1989; Ord. 89-004 §1, 1989; Ord. 88-050 §3, 1988; Ord. 88-030 §3, 1988; Ord. 88-009 §1, 1988; Ord. 87-015 §1, 1987; Ord. 86-056 §2, 1986; Ord. 86-054 §1, 1986; Ord. 86-032 §1, 1986; Ord. 86-018 §1, 1986; Ord. 85-002 §2, 1985; Ord. 84-023 §1, 1984; Ord. 83-037 §2, 1983; Ord. 83-033 §1, 1983; Ord. 82-013 §1, 1982)

18.80.078. FAA Notification (Form 7460-1).

A. Federal and State Notice.

Federal Aviation Regulation (FAR) Part 77 requires that anyone proposing to construct anything which may obstruct the use of airspace by aircraft to provide a notice to that effect to the FAA. In addition, OAR 738.070.0060 requires notice also be sent to the Oregon Department of Aviation. Generally, construction proposals in the vicinity of airports may obstruct airspace. Notice to the FAA and Oregon Department of Aviation is required for anything which may affect landing areas, either existing or planned, which are open to the public, or are operated by one of the armed forces.

B. FAA Form 7460-1 "Notice of Proposed Construction or Alteration" is the notification form. It is to be submitted by the applicant directly to the FAA and Oregon Department of Aviation. Forms are available from the Oregon Department of Aviation or the Northwest Regional Office of the FAA.

C. FAA Form 7460-1 should be submitted if the proposed construction or alteration meets the following criteria:

1. Anything over 200' AGL (above ground level at the site).
2. Proposals in the vicinity of an airport, if the proposal would be higher than a slope from the nearest point on a runway and increasing its elevation at a ratio of:

Longest Runway	Proximity to Runway	Slope
> 3,200'	Within 20,000'	100 to 1
3,200' or less	Within 10,000'	50 to 1
For a Heliport	Within 5,000'	25 to 1

D. For identification purposes, Deschutes County has established FAA Notification Areas around each of the public use airports within Deschutes County. The boundaries of these areas are based on the runway length. If a proposed construction project is located in one of these areas, the applicant shall determine if the height of the proposed project will require FAA notification as per DCC 18.80.076(C). In Deschutes County, each of the public-use airports has a runway longer than 3,200 feet. Therefore, each FAA notification area includes all land within 20,000 feet of each airport's runway(s), and the slope to be used is 100 to 1.

E. FAA notification is NOT required for any of the following construction or alteration:

1. Any object that would be shielded by existing structures of a permanent and substantial character or by natural terrain or topographic features of equal or greater height, and would be located in the congested area of a city, town, or settlement where it is evident beyond all reasonable doubt that the structure so shielded will not adversely affect safety in air navigation.
2. Any antenna structure of 20 feet or less in height except one that would increase the height of another antenna structure.
3. Any air navigation facility, airport visual approach or landing aid, aircraft arresting device, or meteorological device, of a type approved by the Administrator, or an appropriate military service on military airports, the location and height of which is fixed by its functional purpose.
4. Any construction or alteration for which notice is required by any other FAA regulation.

(Ord. 2014-009 §2, 2014; Ord. 2001-001 §2, 2001; Ord. 91-020 §1, 1991)

18.110.020. Seventh Mountain/Widgi Creek Resort District.

The following uses and their accessory uses are permitted subject to the applicable provisions of DCC 18.110.060:

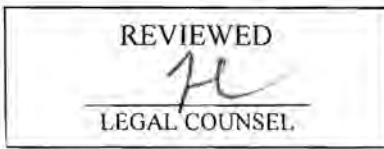
- A. Single-family dwelling.
- B. Residential home.
- C. Residential facility.
- D. Timeshare units.

(Ord. 2014-009 §3, 2014; Ord. 2001-048 §2, 2001)

18.116.240. Protection of Historic Sites.

Historic sites listed and described on the County's Goal 5 inventory, contained in the Resource Element of the comprehensive plan, shall be protected or not protected in accordance with programs set forth in the ESEE determinations for each individual site, adopted as part of the Resource Element of the comprehensive plan and any comprehensive plan policies specifically applicable to the site, and as specified in DCC Chapter 2.28, Historic Preservation and Historic Landmarks Commission. The uses allowed and dimensional standards prescribed by the underlying zoning designations for designated historic sites are not otherwise affected by the historic designation.

(Ord. 2014-009 §4, 2014; Ord. 94-030 §1, 1994)



For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Deschutes County Code *
Title 22 to Incorporate "Housekeeping" Changes that * ORDINANCE NO. 2014-011
Correct Errors and Provide Clarification of Existing *
Regulations, Procedures, and Policies. *

WHEREAS, the Deschutes County Community Development Department (CDD) initiated amendments (Planning Division File No. TA-14-1) to the Deschutes County Code (DCC) Title 22, Chapter 22.23, Destination Resort Map Amendment Procedures to incorporate "housekeeping" changes correct errors and provide clarification of existing regulations, procedures, and policies; and

WHEREAS, the Deschutes County Planning Commission reviewed the proposed changes on February 27, 2014 and forwarded to the Deschutes County Board of County Commissioners ("Board"), a recommendation of approval; and

WHEREAS, the Board considered this matter after a duly noticed public hearing on April 2, 2014, and concluded that the public will benefit from the proposed changes to Deschutes County Code ("DCC") Title 22; now, therefore,

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

Section 1. AMENDMENT. DCC 22.23.010, Destination Resort Map Amendment Procedures, 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 ~~strike through~~.

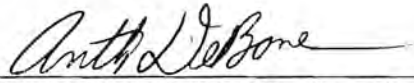
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Section 2. FINDINGS. The Board adopts as its findings Exhibit "E" of Ordinance 2014-012 and incorporated by reference herein.

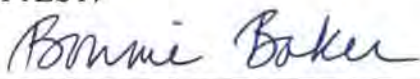
Dated this 7th of May, 2014

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON


TAMMY BANEY, Chair


ANTHONY DEBONE, Vice Chair

ATTEST:


Recording Secretary


ALAN UNGER, Commissioner

Date of 1st Reading: 23rd day of April, 2014.

Date of 2nd Reading: 7th day of May, 2014.

Record of Adoption Vote:

Commissioner	Yes	No	Abstained	Excused
Tammy Baney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony DeBone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alan Unger	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Effective date: 6th day of August, 2014.

22.23.010. Destination Resort Map Amendment Procedures.

The existing comprehensive plan map of sites eligible for destination resorts (“eligibility map”) may be amended as follows:

- A. All amendments to the eligibility map shall be processed simultaneously and no more than once every 30 months.
- B. The deadline for applications for the first eligibility map amendment shall be the first Tuesday in September by 5:00 p.m.
- C. Lands shown on the existing eligibility map but unable to comply with Deschutes County Comprehensive Plan Policy 3.9.3(a), 3.9.3(b), 3.9.3(c), and 3.9.3(d) ~~DCC 23.84.030(3)(a), 23.84.030(3)(b), 23.84.030(3)(c) and 23.84.030(3)(d)~~ will remain on the eligibility map if property owners file a formal request with the Deschutes County Community Development Department on an authorized county form by the first Friday in January at 5:00 p.m. to remain eligible.
- D. In addition to any other county code provision regarding notice, 30 days prior to the end of the next 30-month period for amendments to the eligibility map, Deschutes County shall publish a notice announcing opportunities for property owners to apply for an amendment to the eligibility map.
- E. Property owners must file applications for an eligibility map amendment prior to the last day of the 30-month period by 5:00 p.m.
- F. Any additional applications filed after the deadline in DCC 22.23.010(C) will be processed at the end of the next 30-month cycle.
- G. Applications to either remove property from or add property to the eligibility map may be initiated by the Board, or, if by a property owner, shall:
 - 1. Be submitted by the property owner or a person who has written authorization from the property owner as defined herein to make the application;
 - 2. Be completed on a form prescribed by the Planning Director;
 - 3. Be accompanied by the appropriate filing fee, unless such fees are waived by the Board of County Commissioners;
 - 4. Include documentation that demonstrates compliance with Deschutes County Comprehensive Plan Policy 3.9.3(a), 3.9.3(b), 3.9.3(c), and 3.9.3(d) ~~DCC 23.84.030(3)(a), 23.84.030(3)(b), 23.84.030(3)(c) and 23.84.030(3)(d)~~;
 - 5. For applications adding properties to the eligibility map, the applicant will be required to demonstrate consistency with the Transportation Planning Rule at OAR 660-012-0060.
- H. The planning director shall retain any applications received prior to the expiration of the 30-month period.
- I. Multiple applications shall be consolidated.
- J. The planning director shall schedule the hearing before the planning commission or hearings officer after the expiration of the 30-month period.

(Ord. 2014-011 §1, 2014; Ord. 2010-025 §1, 2010)



BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Deschutes County Code Title 23 and the Deschutes County Comprehensive Plan to Incorporate "Housekeeping" Changes that Correct Errors and Provide Clarification of Existing Regulations, Procedures, and Policies. * * * * * ORDINANCE NO. 2014-012

WHEREAS, the Deschutes County Community Development Department (CDD) initiated amendments (Planning Division File No. TA-14-1) to the Deschutes County Comprehensive Plan, Chapter 4, Urban Growth Management to incorporate "housekeeping" changes correct errors and provide clarification of existing regulations, procedures, and policies; and

WHEREAS, the Deschutes County Planning Commission reviewed the proposed changes on February 27, 2014 and forwarded to the Deschutes County Board of County Commissioners ("Board"), a recommendation of approval; and

WHEREAS, the Board considered this matter after a duly noticed public hearing on April 2, 2014, and concluded that the public will benefit from the proposed changes to the Deschutes County Comprehensive Plan Chapter 4 and Deschutes County Code ("DCC") Title 23; now, therefore,

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

Section 1. AMENDMENT. DCC 23.01.010, Introduction, 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. AMENDMENT. Deschutes County Comprehensive Plan Table of Contents is amended to read as described in Exhibit "B," attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in strikethrough.

Section 3. AMENDMENT. Deschutes County Comprehensive Plan Chapter 4, Urban Growth Management, is amended to read as described in Exhibit "C," attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in strikethrough.

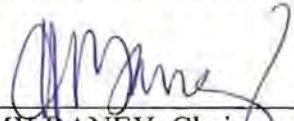
Section 4. AMENDMENT. Deschutes County Comprehensive Plan Chapter 5, Supplementary Sections, is amended to read as described in Exhibit "D," attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in strikethrough.

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Section 5. FINDINGS. The Board adopts as its findings Exhibit "E", attached and incorporated by reference herein.

Dated this 7th of May, 2014

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON



TAMMY BANEY, Chair



ANTHONY DEBONE, Vice Chair

ATTEST:



Recording Secretary



ALAN UNGER, Commissioner

Date of 1st Reading: 23rd day of April, 2014.

Date of 2nd Reading: 7th day of May, 2014.

Record of Adoption Vote:

Commissioner	Yes	No	Abstained	Excused
Tammy Baney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony DeBone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alan Unger	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Effective date: 6th day of August, 2014.

Chapter 23.01 COMPREHENSIVE PLAN

23.01.010. Introduction.

- A. The Deschutes County Comprehensive Plan, adopted by the Board in Ordinance 2011-003 and found on the Deschutes County Community Development Department website, is incorporated by reference herein.
- B. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2011-027, are incorporated by reference herein.
- C. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2012-005, are incorporated by reference herein.
- D. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2012-012, are incorporated by reference herein.
- E. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2012-016, are incorporated by reference herein.
- F. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2013-002, are incorporated by reference herein.
- G. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2013-009, are incorporated by reference herein.
- H. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2013-012, are incorporated by reference herein.
- I. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2013-007, are incorporated by reference herein.
- J. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2014-005, are incorporated by reference herein.
- K. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2014-006, are incorporated by reference herein.
- L. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2014-012, are incorporated by reference herein.

(Ord. 2014-012 §1, 2014; Ord. 2014-006 §2, 2013; Ord. 2014-005 §2; Ord. 2013-012 §2, 2013; Ord. 2013-009 §2, 2013; Ord. 2013-007 §1, 2013; Ord. 2013-002 §1, 2013; Ord. 2013-001 §1, 2013; Ord. 2012-016 §1, 2012; Ord. 2012-013 §1, 2012; Ord. 2012-005 §1, 2012; Ord. 2011-027 §1 through 12, 2011; Ord. 2011-017 repealed; Ord.2011-003 §3, 2011)

Click here to be directed to the Comprehensive Plan (<http://www.deschutes.org/compplan>)

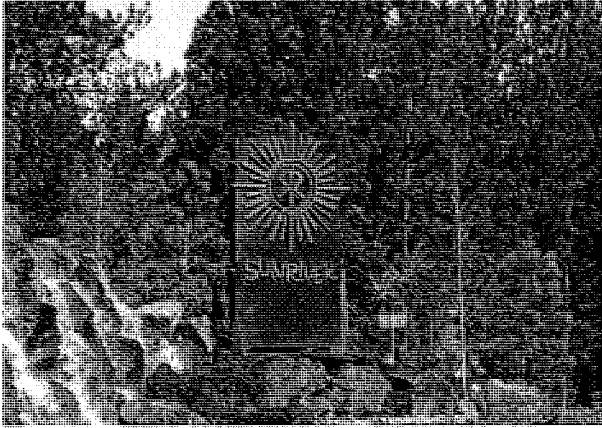
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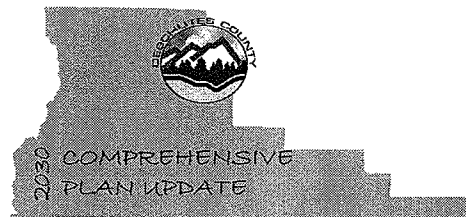


Chapter 4

Urban Growth



Management



Section 4.1 Introduction

Background

A major emphasis of Oregon's land use planning program is directing new development into urban areas. Statewide Planning Goal 14, Urbanization, requires cities, in cooperation with counties, to create Urban Growth Boundaries (UGBs). The UGBs are legal lines that contain lands that are anticipated to urbanize over a 20-year period. UGBs allow cities to adequately plan for future urban facilities and services. State laws require that UGBs be adopted by both the city and the county.

Besides the UGBs which define the land needed for city expansion over 20 years, some cities adopt Urban Reserve Areas (URAs), which define land needed beyond a 20 year horizon, typically representing an additional 10 to 30 year land supply. By adopting an URA a city can better plan for expansion and growth. Like UGBs, URAs are done in a partnership between a county and the city.

Deschutes County has four incorporated cities. Bend, Redmond and Sisters were incorporated before 1979. The City of La Pine incorporated on November 7, 2006. Bend, Redmond and Sisters' Comprehensive Plans are coordinated with the County. Certain elements are adopted into the County's. In addition, the cities and the County maintain urban growth area zoning ordinances and cooperative agreements for mutually administering the unincorporated urbanizing areas. These areas are located outside city limits but within UGBs. La Pine adopted a Comprehensive Plan and UGB in 2012. Until La Pine adopts its own land use regulations, County land use regulations will continue to be applied inside the city limits though a joint management agreement.

In addition to cities and the associated UGBs and URAs, there are rural locations around the County that contain urban level development. These areas generally existed before the Oregon land use system was enacted in the early 1970s. In 1994 the Land Conservation and Development Commission wrote a new Oregon Administrative Rule (OAR), 660-22, to classify and regulate these unincorporated communities. The OAR created four categories of unincorporated communities and required the County to evaluate existing rural developments under the new Rule.

Purpose

The Urban Growth Management chapter, in concert with the other chapters of this Plan, specifies how Deschutes County will work with cities and unincorporated communities to accommodate growth while preserving rural character and resource lands.

The following issues are covered in this chapter:

- Urbanization (Section 4.2)
- Unincorporated Communities Overview (Section 4.3)
- La Pine Urban Unincorporated Community (Section 4.4)
- Sunriver Urban Unincorporated Community (Section 4.45)
- Terrebonne Rural Community Plan (Section 4.56)

- Tumalo Rural Community Plan (Section 4.67)
- Black Butte Ranch and Inn of the 7th Mountain/Widgi Creek Rural Resorts (Section 4.78)
- Rural Service Centers (Section 4.89)

Goal 14 recognizes the following:

Statewide Planning Goal 14 Urbanization

“To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.”

Excerpt from Goal 14 Planning Guidelines

“Plans should designate sufficient amounts of urbanizable land to accommodate the need for further urban expansion, taking into account (1) the growth policy of the area; (2) the needs of the forecast population; (3) the carrying capacity of the planning area; and (4) open space and recreational needs.”

Section 4.2 Urbanization

Background

This section describes the coordination between the County and the cities of Bend, La Pine, Redmond and Sisters on Urban Growth Boundaries (UGBs) and Urban Reserve Areas (URAs). Statewide Planning Goal 2 recognizes the importance of coordinating land use plans.

“City, county, state and federal agency and special district plans and actions related to land use shall be consistent with the comprehensive plans of cities and counties and regional plans adopted under ORS Chapter 268.”

Oregon Revised Statute 197.015(5) goes further to define comprehensive plan coordination.

“A plan is “coordinated” when the needs of all levels of governments, semipublic and private agencies and the citizens of Oregon have been considered and accommodated as much as possible.”

Population

An important basis for coordinating with cities is adopted population projections. Having an estimate of anticipated population is the first step to planning for future growth and conservation. ORS 195.025(1) requires counties to coordinate local plans and population forecasts. The County oversees the preparation of a population forecast in close collaboration with cities. This is important because the population of the County has increased significantly in recent decades and a coordinated approach allows cities to ensure managed growth over time.

Table 4.2.1 – Population Growth in Deschutes County 1980 to 2010

Sources	1980	1990	2000	2010
Population Research Center July 1 estimates	62,500	75,600	116,600	172,050
US Census Bureau April 1 counts	62,142	74,958	115,367	157,733

Source: As noted above

In 1996 Bend, Redmond, Sisters and the County reviewed recent population forecasts from the Portland State University Center Population and Research Center (PRC) and U.S. Census Bureau, Department of Transportation, Woods and Poole, Bonneville Power Administration and Department of Administrative Services Office of Economic Analysis. After reviewing these projections, all local governments adopted a coordinated population forecast. It was adopted by Deschutes County in 1998 by Ordinance 98-084.

The results of the 2000 decennial census and subsequent population estimates prepared by the PRC revealed that the respective populations of the County and its incorporated cities were growing faster than anticipated under the 1998 coordinated forecast. The cities and the County re-engaged in a coordination process between 2002 and 2004 that culminated with the County adopting a revised population forecast that projected population to the year 2025. It was adopted by Ordinance 2004-012 and upheld by the Land Use Board of Appeals on March 28, 2005.

The following table displays the 2004 coordinated population forecast for Deschutes County and the UGBs of the cities of Bend, Redmond, and Sisters.

Table 4.2.2 – Coordinated Population Forecast 2000 to 2025

<i>Year</i>	<i>Bend UGB</i>	<i>Redmond UGB</i>	<i>Sisters UGB</i>	<i>Unincorporated County</i>	<i>Total County</i>
2000	52,800	15,505	975	47,320	116,600
2005	69,004	19,249	1,768	53,032	143,053
2010	81,242	23,897	2,306	59,127	166,572
2015	91,158	29,667	2,694	65,924	189,443
2020	100,646	36,831	3,166	73,502	214,145
2025	109,389	45,724	3,747	81,951	240,811

Source: 2004 Coordinated Population Forecast for Deschutes County

The process through which the County and the cities coordinated to develop the 2000-2025 coordinated forecast is outlined in the report titled "Deschutes County Coordinated Population Forecast 2000-2025: Findings in Support of Forecast."

The fourth city in Deschutes County is the City of La Pine. Incorporated on November 7, 2006, the City of La Pine’s 2006 population estimate of 1,590 was certified by PRC on December 15, 2007. As a result of La Pine’s incorporation, Deschutes County updated its Coordinated Population Forecast with Ordinance 2009-006.

The purpose of this modification was to adopt a conservative 20 year population forecast for the City of La Pine that could be used by city officials and the Oregon Department of Land Conservation and Development to estimate its future land need and a UGB.

The following table displays the coordinated population forecast for Deschutes County, the UGBs of the cities of Bend, Redmond, and Sisters, and La Pine from 2000 to 2025. By extending the growth rate to the year 2025, La Pine’s population will be 2,352. The non-urban unincorporated population decreases by 2,352 from its original projection of 81,951, to 79,599.

Table 4.2.3 – Coordinated Population Forecast 2000 to 2025, Including La Pine

<i>Year</i>	<i>Bend UGB</i>	<i>Redmond UGB</i>	<i>Sisters UGB</i>	<i>La Pine UGB</i>	<i>Unincorporated County</i>	<i>Total County</i>
2000	52,800	15,505	975	-	47,320	116,600
2005	69,004	19,249	1,768	-	53,032	143,053
2010	81,242	23,897	2,306	1,697	57,430	166,572
2015	91,158	29,667	2,694	1,892	64,032	189,443
2020	100,646	36,831	3,166	2,110	71,392	214,145
2025	109,389	45,724	3,747	2,352	79,599	240,811

Source: 2004 Coordinated Population Forecast for Deschutes County – updated 2009

2030 Population Estimate

This Comprehensive Plan is intended to manage growth and conservation in the unincorporated areas of the County until 2030. Because the official population forecast extends only to 2025, County staff used conservative average annual growth rates from the adopted population forecast to estimate population out to 2030. The following table estimates Deschutes County population by extending the adopted numbers out an additional five years.

Table 4.2.4 – Deschutes County 2030 Population Forecast

Year	Bend UGB	Redmond UGB	Sisters UGB	La Pine UGB	Unincorporated County	Total County
2030	119,009	51,733	4,426	2,632	88,748	266,538

Source: County estimates based on the 2004 Coordinated Population Forecast as shown below

Bend's average annual growth rate from 2025 to 2030 is 1.70%

Redmond's average annual growth rate from 2025 to 2030 is 2.50%

Sisters' based their population on forecasted rates of building growth, residential housing units, and persons per dwelling unit

La Pine's average annual growth rate from 2025 to 2030 is 2.20%

Deschutes County's unincorporated area average annual growth rate from 2025 to 2030 is 2.20%

As the pie chart below indicates, if population occurs as forecasted, 67% of the County's population will reside in urban areas by 2030.

In 2030

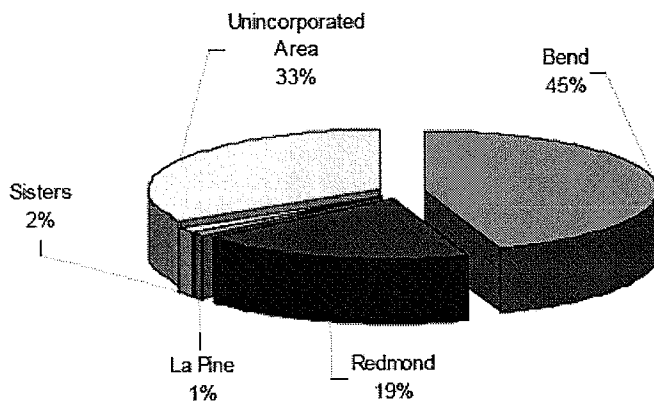


Figure 4.1 Deschutes County 2030 Estimated Population

Such growth will undoubtedly require strategically managing the provision of public services and maintaining adequate amounts of residential, commercial and industrial lands. Growth pressures will also require programmatic approaches to maintain open spaces, natural resources, and functional ecosystems that help define the qualities of Deschutes County.

Urban Growth Boundary Amendments

Bend

The City of Bend legislatively amended its UGB as part of a periodic review acknowledgment in December 2004. The Bend City Council and the Board of County Commissioners adopted concurrent ordinances that expanded the Bend UGB by 500 acres and satisfied a 20 year demand for industrial land.

In July 2007, the Bend-La Pine School District received approvals to expand the City of Bend UGB to include two properties for the location of two elementary schools, one at the Pine Nursery, the other on Skyliner Road.

Sisters

The City of Sisters legislatively amended its UGB in September 2005 when its City Council and the Board of County Commissioners adopted respective ordinances. The Sisters UGB expansion covered 53 acres and satisfied a 20 year demand for residential, commercial, light industrial, and public facility land. In March 2009, Sisters amended their UGB to facilitate the establishment of a 4-acre fire training facility for the Sisters/Camp Sherman Fire District.

Redmond

The City of Redmond legislatively amended its UGB in August 2006 when its City Council and the Board of County Commissioners adopted respective ordinances. The Redmond UGB expansion covered 2,299 acres and satisfied a 20 year demand for residential and neighborhood commercial land.

La Pine

In 2012 La Pine adopted its first Comprehensive Plan. La Pine established a UGB that matches the city limits, because the City contains sufficient undeveloped land for future housing, commercial and industrial needs over a 20-year period. The Plan map includes land use designations intended to provide an arrangement of uses to ensure adequate and efficient provision of public infrastructure for all portions of the City and UGB.

Urban Reserve Area

Redmond

In December 2005, Redmond City Council and the Board of County Commissioners adopted a 5,661 acre URA for the City. It is the first URA in Central Oregon because most cities find planning farther into the future than the 20-year UGB timeframe, challenging.

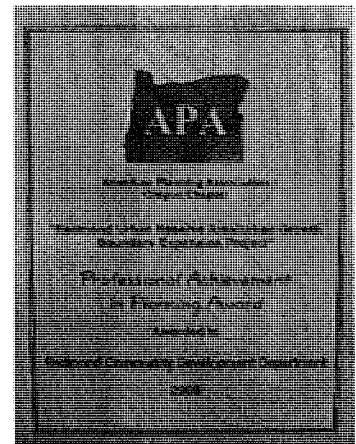
Coordination

As noted above, Statewide Goal 2 and ORS promote land use planning coordination. The purposes of the urbanization goals and policies in this section are to provide the link between urban and rural areas, and to provide some basic parameters within which the urban areas of Deschutes County can develop, although the specific comprehensive plan for each community remains the prevailing document for guiding growth in its respective area. These policies permit the County to review each city's comprehensive plan to ensure effective coordination.

The Redmond and Deschutes County Community Development Departments received the Oregon Chapter of American Planning Association's (OAPA) Professional Achievement in Planning Award in 2006 for the "Redmond Urban Reserve Area / Urban Growth Boundary Expansion Project."

The following quote taken from the Oregon Chapter of the American Planning Association's 2006 Awards Program shows why the Redmond Community Development Department was chosen for this award.

"An outstanding effort to address Redmond's rapid population growth, including the successful designation of an Urban Reserve and the imminent designation of an Urban Growth Boundary, a "Framework Plan" with a requirement for master planning, and the establishment of "Great Neighborhood Principles."



Central Oregon Large Lot Industrial Land Need Analysis

During the 1990s, the Central Oregon region experienced a dramatic transformation from an economy concentrated largely in wood products into a service based economy serving a growing and diverse tourism and household base. Accelerated in-migration and tourism growth gave way to rapid economic expansion, escalation in home prices, and a systematic shift in the

local economy from goods producing activities to service oriented industries. While initially representing a diversification of the local economy, this shift led to an over-reliance upon these types of industries.

During the recent recession, the regional economy's vulnerabilities became apparent. Suitable land for today's industrial development forms emerged as one of Oregon's most severe development challenges. In 2010, 2011, and 2012, Deschutes, Crook and Jefferson counties and their respective cities, undertook an unprecedented regional evaluation of the economic opportunities and constraints associated with users of large industrial parcels in the Central Oregon region. The purpose of this evaluation was to aid in providing a more diversified economic base for the region that would accommodate industrial uses with a need for larger lots than possibly may be currently available in any of the Central Oregon cities. As part of that evaluation, Deschutes County hired a consultant to draft an analysis of Central Oregon's opportunities, competitiveness, ability, and willingness to attract more basic industries. The analysis focused specifically on industries that require large lots. The result was a document called the Central Oregon Regional Economic Opportunity Analysis, and was the basis for Ordinance 2011-017, dated May 31, 2011.

Ordinance 2011-017 was appealed to the Land Use Board of Appeals by 1,000 Friends of Oregon ("1,000 Friends"). The appeal was stayed in early 2012 to allow Deschutes County, the Governor's Office, and 1,000 Friends to explore a settlement, which was ultimately reached in April, 2012. The settlement consisted of policy concepts focusing entirely on Central Oregon's short-term need for large-lot industrial sites as well as a commitment from the Department of Land Conservation and Development ("DLCD") to initiate rule-making that summer. The three counties, their respective cities, 1,000 Friends, and DLCD staff then engaged in drafting a proposed rule. In August, the final draft of that rule was then sent to the Oregon Land Conservation and Development Commission ("LCDC"). As a result, in November, the LCDC adopted Oregon Administrative Rule (OAR) 660-024-0040 and 660-024-0045. That rule provides that the large lot industrial land need analysis agreed upon by all of the parties, once adopted by each of the participating governmental entities, would be sufficient to demonstrate a need for up to nine large industrial sites in Central Oregon. Six of the sites will be made available initially. Three more sites may be added under the rule as the original sites are occupied. After the adoption of the new OARs, Deschutes County voluntarily repealed Ordinance 2011-017 and adopted a new ordinance, Ordinance 2013-002, in accordance with the OARs.

Utilizing the new OARs, Ordinance 2013-002 emphasized Central Oregon's short term need for a critical mass of competitive and diverse vacant, developable industrial sites. An additional necessary component is an intergovernmental agreement ("IGA") between the region's jurisdictions and the Central Oregon Intergovernmental Council ("COIC"). Through the IGA, COIC will provide oversight of the short-term land supply of large-lot industrial sites to enable the region to become competitive in industrial recruitment. Once each of the three counties and their respective cities adopt similar ordinances and enter into an IGA with COIC, the large lot sites will enable industrial recruitment opportunities to attract potential industrial users to consider the region that may not have otherwise without the availability of these large lots.

Participating local governments will review the program after all nine sites have been occupied or after ten years, whichever comes first.

Section 4.2 Urbanization Policies

Goals and Policies

Goal 1 **Coordinate with cities, special districts and stakeholders to support urban growth boundaries and urban reserve areas that provide an orderly and efficient transition between urban and rural lands.**

Policy 4.2.1 Participate in the processes initiated by cities in Deschutes County to create and/or amend their urban growth boundaries.

Policy 4.2.2 Promote and coordinate the use of urban reserve areas.

Policy 4.2.3 Review the idea of using rural reserves.

Goal 2 **Coordinate with cities, special districts and stakeholders on urban growth area zoning for lands inside urban growth boundaries but outside city boundaries.**

Policy 4.2.4 Use urban growth area zoning to coordinate land use decisions inside urban growth boundaries but outside the incorporated cities.

Policy 4.2.5 Negotiate intergovernmental agreements to coordinate with cities on land use inside urban growth boundaries and outside the incorporated cities.

Policy 4.2.6 Develop urban growth area zoning with consideration of the type, timing and location of public facilities and services provision consistent with city plans.

Policy 4.2.7 Adopt by reference the comprehensive plans of Bend, La Pine, Redmond and Sisters, as the policy basis for implementing land use plans and ordinances in each city's urban growth boundary.

Goal 3 **Coordinate with cities, special districts and stakeholders on policies and zoning for lands outside urban growth boundaries but inside urban reserve areas.**

Policy 4.2.8 Designate the Redmond Urban Reserve Area on the County Comprehensive Plan Map and regulate it through a Redmond Urban Reserve Area (RURA) Combining Zone in Deschutes County Code, Title 18.

Policy 4.2.9 In cooperation with the City of Redmond adopt a RURA Agreement consistent with their respective comprehensive plans and the requirements of Oregon Administrative Rule 660-021-0050 or its successor.

Policy 4.2.10 The following land use policies guide zoning in the RURA.

- a. Plan and zone RURA lands for rural uses, in a manner that ensures the orderly, economic and efficient provision of urban services as these lands are brought into the urban growth boundary.
- b. New parcels shall be a minimum of ten acres.
- c. Until lands in the RURA are brought into the urban growth boundary, zone changes or plan amendments shall not allow more intensive uses or uses that

generate more traffic, than were allowed prior to the establishment of the RURA.

- d. For Exclusive Farm Use zones, partitions shall be allowed based on state law and the County Zoning Ordinance.
- e. New arterial and collector rights-of-way in the RURA shall meet the right-of-way standards of Deschutes County or the City of Redmond, whichever is greater, but be physically constructed to Deschutes County standards.
- f. Protect from development existing and future arterial and collector rights-of-way, as designated on the County's Transportation System Plan.
- g. A single family dwelling on a legal parcel is permitted if that use was permitted before the RURA designation.

Policy 4.2.11 Collaborate with the City of Redmond to assure that the County-owned 1,800 acres in the RURA is master planned before it is incorporated into Redmond's urban growth boundary.

Goal 4 To build a strong and thriving regional economy by coordinating public investments, policies and regulations to support regional and state economic development objectives in Central Oregon.

Policy 4.2.12 Deschutes County supports a multi-jurisdictional cooperative effort to pursue a regional approach to establish a short-term supply of sites particularly designed to address out-of-region industries that may locate in Central Oregon.

Policy 4.2.13 Deschutes County recognizes the importance of maintaining a large-lot industrial land supply that is readily developable in Central Oregon.

Policy 4.2.14 The Central Oregon Regional Large Lot Industrial Land Need Analysis ("Analysis"), adopted by Ordinance 2013-002 is incorporated by reference herein.

Policy 4.2.15 Within 6 months of the adoption of Ordinance 2013-002, in coordination with the participating local governments in Central Oregon, Deschutes County shall, execute an intergovernmental agreement ("IGA") with the Central Oregon Intergovernmental Council ("COIC") that specifies the process of allocation of large lot industrial sites among the participating local governments.

Policy 4.2.16 In accordance with OAR 660-024-004 and 0045, Deschutes County, fulfilling coordination duties specified in ORS 195.025, shall approve and update its comprehensive plan when participating cities within their jurisdiction legislatively or through a quasi-judicial process designate regionally significant sites.

Policy 4.2.17 Deschutes County supports Economic Development of Central Oregon ("EDCO"), a non-profit organization facilitating new job creation and capital investment to monitor and advocate for the region's efforts of maintaining an inventory of appropriate sized and located industrial lots available to the market

Policy 4.2.18 Deschutes County will collaborate with regional public and private representatives to engage the Oregon Legislature and state agencies and their commissions to address public facility, transportation and urbanization issues that hinder economic development opportunities in Central Oregon.

Policy 4.2.19 Deschutes County will strengthen long-term confidence in the economy by building innovative public to private sector partnerships.

Section 4.3 Unincorporated Communities

Background

Besides the four incorporated cities in Deschutes County, there are a number of unincorporated communities. These consist of areas developed with urban uses in rural areas. Generally, unincorporated communities were developed prior to the Oregon planning system and recognized as rural service centers in the 1979 version of this plan. Subsequently, to control their growth, the State initiated unincorporated community classifications and regulations to define allowable uses.

The 1979 comprehensive plan designated the following rural service centers (RSC): Alfalfa, Brothers, Hampton, Millican, La Pine, Whistle Stop, Wickiup Junction, Terrebonne, Wild Hunt, Tumalo, Deschutes Junction and Deschutes River Woods. These areas were designated in that plan as exception areas from Goals 3, Agricultural Lands and 4, Forest Lands. Zoning under the Comprehensive Plan allowed for a mix of residential and commercial uses to support nearby residential developments. Until the early 1990s the scope of those uses was never much of an issue since there was little development pressure.

In 1994 LCDC adopted a new administrative rule, OAR 660-22 to clarify what uses could be allowed in “unincorporated communities” without violating Statewide Planning Goals 11 and 14 relating to public facilities and urbanization. The rule identifies four different kinds of rural communities as shown below.

- Urban Unincorporated Community (UUC)
- Rural Community
- Resort Community
- Rural Service Center (RSC)

In response, Deschutes County reviewed its RSCs to determine which areas fit those four classifications. In addition to the original RSCs listed above, additional developments were identified as communities for review including Black Butte Ranch, Inn of the Seventh Mountain/Widgi Creek and Sunriver.

In reviewing these areas for conformance with OAR 660-22, some did not fit within the parameters of any of the four unincorporated community definitions and were instead zoned Rural Commercial or Rural Industrial. These areas are discussed in the Rural Economy section of this Plan.

Unincorporated Communities

Table 4.3.1 below shows the Deschutes County unincorporated communities as of 2010. La Pine is ~~not~~ remains listed because even though on November 7, 2006, the residents of the La Pine Urban Unincorporated Community voted to incorporate. One parcel was not included and therefore is not within ~~the City of La Pine has adopted a comprehensive plan and is completing associated zoning and other codes.~~ Policies for each unincorporated community can be found in the remaining sections of this chapter.

Table 4.3.1 – Deschutes County Unincorporated Communities 2010

Community	Type	Approval Date
La Pine	Urban Unincorporated Community	1996, 2000
Sunriver	Urban Unincorporated Community	1997
Terrebonne	Rural Community	1997
Tumalo	Rural Community	1997
Black Butte Ranch	Resort Community	2001
Inn of the 7 th Mountain/ Widgi Creek	Resort Community	2001
Alfalfa	Rural Service Center	2002
Brothers	Rural Service Center	2002
Hampton	Rural Service Center	2002
Millican	Rural Service Center	2002
Whistlestop	Rural Service Center	2002
Wildhunt	Rural Service Center	2002

Source: Deschutes County Planning Division

The policies for unincorporated communities are based on extensive, relatively recent public input and are for the most part still relevant as of 2010. Consequently, only minor changes have been made to those sections of this Plan. The exceptions are the Community Plans for Tumalo and Terrebonne which are being adopted separately. These have been incorporated into this plan as Sections 4.5 and 4.6.

Section 4.4 La Pine

Background

On November 7, 2006, residents of the La Pine Urban Unincorporated Community voted to incorporate. One 2.7 acre parcel was not included within the City of La Pine or its Urban Growth Boundary and remains within the La Pine Urban Unincorporated Boundary.

Comprehensive Plan Designations

- I. Community Facility Limited District. This plan designation includes a 2.7 acre parcel described as Part of Lot 6 of the Newberry neighborhood subdivision and further identified on Deschutes County Assessor's Tax Map 22-10 as Tax Lot 116.

Section 4.4 La Pine Policies

Goals and Policies

No goals have been defined for the La Pine Urban Unincorporated Community.

Policy 4.4.1 Land use regulations shall conform to the requirements of OAR 660 Division 22 or any successor.

Section 4.45 Sunriver

Background

In the fall of 1994 the Oregon Land Conservation and Development Commission adopted a Oregon Administrative Rule (OAR) 660-22, Unincorporated Communities. The new rule required counties to update land use plans and regulations for areas with urban-style development on rural lands. As part of Periodic Review, the County updated the Comprehensive Plan and implementing regulations for Sunriver to comply with the rule.

Under OAR 660-22, Sunriver meets the definition for both an “Urban Unincorporated Community” and a “Resort Community.” With the help of a stakeholder advisory committee comprised of key members of the community who represented a multitude of property owners and development interests, the decision was made to proceed with the planning process for Sunriver as an Urban Unincorporated Community. It was the consensus of the committee that the provisions allotted for Urban Unincorporated Communities under the rule offered the greatest practical degree of flexibility for future growth and development in Sunriver.

Subsection OAR 660.22.010(8) defines “Urban Unincorporated Community” as

“[a]n unincorporated community that has the following characteristics:

- Includes at least 150 Permanent dwelling units including manufactured homes;
- Contains a mixture of land uses, including three or more public, commercial or industrial land uses;
- Includes areas served by a community sewer system; and,
- Includes areas served by a community water system.

Sunriver met the definition because it historically included land developed with a mixture of residential, commercial and industrial uses. Sunriver utilities operate both a community sewer and water system which serve the existing development. Sunriver has its own fire and police departments and also essential services, such as an elementary school. The Comprehensive Plan designated Sunriver as an Urban Unincorporated Community, enabling it to plan for future growth and development.

Location and History

Sunriver is located in the central portion of Deschutes County, approximately 15 miles south of Bend. Sunriver lies in the Upper Deschutes River Basin, with the Deschutes River generally forming the western boundary of the community. Sunriver includes approximately 3,745 acres which are bounded by the Deschutes National Forest on the east, west and north sides. Small lot residential subdivision development and destination resorts are the predominant land uses to the south of the community boundary.

Development of Sunriver began in 1967 and the first subdivision plat within Sunriver was filed in 1968. Development in Sunriver began during a period of time when the unincorporated areas of Deschutes County were not zoned. In 1972, when the County first adopted a zoning ordinance (PL-5) and Comprehensive Plan, the area identified as Sunriver was zoned A-I-T and designated “planned development” on the Comprehensive Plan map. In 1973, a zone change to planned development (PD) was applied for and granted. As part of the zone change application, a “Master Plan” was developed. The Master Plan consisted of a map showing the proposed

development of Sunriver. The original area of Sunriver encompassed approximately 5,500 acres. Development occurred in accordance with the PD Zone of PL-5 and the density of development was determined to be 1.5 units per acre overall.

In 1977 approximately 2,200 acres of property originally contemplated for development as part of Sunriver were sold to the U.S. Forest Service. Following the sale, a revised Master Plan for Sunriver Phase II was prepared for its undeveloped portion. In October 1978 the County approved the revised Sunriver Phase II Master Plan with the same PD Zoning designation. In 1980 after a land use application submitted for development within Sunriver generated controversy, the viability of the Sunriver Master Plan was called into question. This was compounded by the fact that PL-15, the County Zoning Ordinance adopted in 1979 to replace PL-5, did not include any provisions for "planned communities." As a result, the developer of Sunriver agreed to develop a Planned Community (PC) zoning ordinance text and new Master Plan for Sunriver subject to County review and approval. In November 1982, the County amended PL-15 to add a section providing for the Planned Community (PC) Zone, including seven separate Sunriver district designations. A new Sunriver Master Plan was also approved. Between 1982 and 1997 the PC Zoning Ordinance Text and Master Plan remained relatively unchanged and were the guiding documents for the majority of development.

In 1997 the 1982 Master Plan was repealed by Ordinance 97-076 and replaced by comprehensive plan findings and policies for the Sunriver Urban Unincorporated Community. The Sunriver Urban Unincorporated Community zoning districts were adopted at this time and multi-family residential development was allowed in the Commercial District. In 2008 amendments were made to the Sunriver comprehensive plan and zoning text to provide guidelines for restructuring the core commercial area of Sunriver. This was done through the creation of a new Town Center District. As of 2010 the Town Center District had not been applied to any actual property.

Population and Growth

2010 County GIS data showed Sunriver having 4,138 residential tax lots. Of those lots 3,182 were developed with single-family homes and 774 with condominiums. 182 residential lots were vacant. While the number of residential lots within the community can be determined with some degree of accuracy, the current and future rate of population growth is difficult to estimate due to the large number of vacation and second homes. The Sunriver Owners Association estimates the number of homes with permanent residents at 475, based on the number of owners who have the Sunriver Scene delivered to a Sunriver zip code. They further suppose that approximately 1,500 housing units are short term rentals, which leaves about half the homes in Sunriver vacant for extended periods of time.

The Deschutes County 2004 Coordinated Population Forecast estimates 1.9 persons/household, a number that was adjusted to account for the number of second homes in the County. Using the estimate of 475 full-time dwellings, that suggests a permanent population of around 900 persons. During the peak tourist months of July and August, the majority of dwellings are occupied with owners and tourists. The Sunriver Owners Association estimates the peak population at between 8,000 and 12,000. Thus, there is a fluctuating population comprised of both year-round and part-time residents as well as tourists.

Community Boundary

2010 County GIS data showed Sunriver had approximately 3,745 acres of land inside the community boundary. Within this area, there were 4,447 total tax lots, including common areas. The community boundary is generally formed by the Deschutes River on the west, Spring River Road/South Century Drive on the south and the Deschutes National Forest on the north and east.

During the 1997 update, the Sunriver Urban Unincorporated Community boundary was amended to add 375-acres along the eastern boundary of the Sunriver Urban Unincorporated Community to be used for sewage effluent storage and disposal.

This area, once part of the Deschutes National Forest, was changed from a comprehensive plan designation of Forest to a comprehensive plan designation of Urban Unincorporated Community Forest. It was added per Oregon Department of Environmental Quality requirements. The effluent and storage capabilities of the existing sewage system were at or near capacity seasonally at that time. Thus, this expansion of the community boundary was necessary to provide adequate sewage disposal services to the existing communities being served at their build-outs.

Existing Land Uses

The predominant land use in Sunriver is residential, the majority of which is single-family residential development. However, since Sunriver was originally developed as a planned community, a number of other uses exist, making it somewhat self-reliant. Uses which support the residential components include a commercial core which contains a variety of retail businesses developed in a pedestrian mall setting, as well as a business park. A large component of development in Sunriver includes resort related amenities such as golf courses, a lodge, convention facilities and overnight accommodations. A fire station, police station and public works facility have also been developed to support these uses.

Land bordering Sunriver on the north, east and west is zoned Forest Use (F-1) and is within the Deschutes National Forest. The National Forest land remains undeveloped and is primarily used for recreational purposes such as hiking, hunting, fishing, snowmobiling, etc. The forest lands and the recreational opportunities that they offer enhance the resort component of Sunriver. Land to the south of Sunriver includes private property which is zoned Rural Residential (RR-10). The majority of the RR-10 properties include small lot (one-half to one acre parcels) subdivisions which were created prior to any zoning laws. There are two newer developments to the south, Crosswater and Caldera Springs. Crosswater, a 600-acre pre-Goal 8 Destination Resort was approved in 1990. Caldera Springs, a 390-acre Goal 8 Destination Resort was approved in 2005.

Comprehensive Plan Designations

The 1997 Deschutes County Comprehensive Plan for the Sunriver Urban Unincorporated Community created eight comprehensive plan designations. In 2008 a ninth plan designation, the Town Center District was added to the plan. The comprehensive plan designations for the Sunriver Urban Unincorporated Community, except for the Town Center District which will be added at a later date if the County receives an application for such a designation, are shown on a map on the County website.

1. Residential District. The Residential District designation on the Comprehensive Plan Map includes the Single Family Residential and Multiple Family Residential Districts as shown on the Zoning Map for the Sunriver Urban Unincorporated Community. This plan designation includes all properties which were previously designated for residential development under the previous Planned Community designation. No change to residential boundaries was made in 1997.
2. Commercial District. The majority of the land designated Commercial includes the commercial core of Sunriver which is commonly referred to as the Sunriver Village Mall. An additional Commercial District is located at the north end of the community and is developed with a grocery store and gas station. The Village Mall is developed as an outdoor pedestrian mall and includes a variety of commercial uses. Many of the existing commercial uses support the tourist component of the community and residents living within Sunriver. In 1997, this plan designation included all areas formerly designated for commercial use. When the Town Center District was added to this Plan in 2008 it was anticipated that much of the Village Mall area would be re-designated to the new district. As of 2010, that re-designation has not taken place.
3. Town Center District. The Town Center District was created in an effort to preserve and enhance the area around the commercial core of Sunriver. The objective for the Town Center District is to combine a mixture of complementary land uses that may include retail, offices, commercial services, residential housing and civic uses to create a vital commercial core that will support the tourist component of the community and residents living within Sunriver. The Town Center District is designed to strengthen the commercial core area of Sunriver as the heart of the community, to improve the community's economic base and enhance the appearance of the area through high-quality design.
4. Resort District. In general, the Resort plan designation includes properties which are developed with amenities such as the Sunriver Lodge and Great Hall, golf courses, the equestrian and marina facilities and the nature center. These amenities have been developed to foster the recreation and tourist component of Sunriver. For the most part, this designation includes the properties which are owned and managed by Sunriver Resort.
5. Business Park District. The Sunriver Business Park lies at the southern end of the community boundary and is physically separated from the remainder of the community by Spring River Road. This plan designation was originally created to accommodate light industrial development to support the employment needs of the community and surrounding area. Since the inception of zoning regulations for this area, development has been primarily commercial in nature rather than industrial. The zoning ordinance was modified in 1997 to reflect the existing businesses and the trend for commercial development while still allowing for industrial uses to develop.
6. Community District. The Community plan designation includes properties which are primarily developed with public service uses which support all facets of the community. Development includes the fire station, elementary school, community center and corporation/public works facilities. Properties with this designation are primarily owned and administered by the Sunriver Owners Association.

7. Airport District. The Airport plan designation includes areas which in 1997 were developed with airport related amenities, such as runways, hangars, fueling stations and maintenance facilities. This district also includes areas surrounding the actual airport development which are considered to be in the sphere of influence of the airport and in which airport-related impacts and risks are associated. Development in the airport district shall be limited with respect to heights of structures, public gathering places and other potential risks to persons or property related to those uses.
8. Utility District. This plan designation includes properties which in 1997 were developed with amenities such as sewage pump stations, water treatment facilities, water distribution facilities and associated utility improvements. The utility plan designation is intended to provide for the development and expansion of necessary utility facilities on properties which are already devoted to such uses.
9. Forest District. The previous boundary for Sunriver was expanded in 1997 by approximately 366-acres to include land along the eastern boundary that has historically been zoned for forest uses and within the Deschutes National Forest. A recent decision by the U.S. Forest Service to permit an effluent storage pond and effluent irrigation site on approximately 50 acres and a potential land transfer to the Sunriver Utilities Company (now Sunriver Water LLC/Environmental LLC) prompted inclusion of this area within the community boundary. By including this area, future expansion of the sewage disposal system would permit the application of biosolids with the effluent irrigation site and storage pond. This will enable Sunriver to meet Oregon Department of Environmental Quality regulations for treated wastewater storage and disposal stemming from build-out within the community. An exception to Goal 4 was not taken because the only uses allowed in the expansion area are permitted in the Forest zone.

Public Facility Planning

Water and Sewer

The Sunriver Utilities Company was established as a private water and wastewater company and has provided water and sewer services within the community boundary since 1969. It is the largest private water/wastewater company in the State of Oregon. In June of 1998 Sunriver Utilities Company split into two separate LLC's. Sunriver Water LLC (SRWLLC) which is under the jurisdiction of the Oregon Public Utility Commission (PUC) for rate structure and the Oregon Department of Human Services for water quality and Sunriver Environmental LLC (SRELLC) which is under the jurisdiction of the Oregon Department of Environmental Quality (DEQ). Sunriver Water and Environmental serve not just Sunriver, but also Crosswater, Caldera Springs and seven lots in Vandever Ranch, with a build-out of 5,400 equivalent dwelling units.

Water: SWLLC in 2010 operates three main wells which are capable of pumping over 7.8 million gallons of water each day. In addition, reservoir capacity for water storage is 2 million gallons. This volume of water production and storage exceeds the needs of the community within the boundaries of Sunriver. As of 2010, SRWLLC serves a total 4,307 water customers. This total includes the following types of service connections: 4,034 residential and condominium units; 147 commercial; 126 for irrigation purposes and 485 fire hydrants. All service connections are metered to measure the amount of water that is being used. The meter

service sizes range from typical 3/4" residential lines to 6" lines for irrigation, commercial and industrial uses.

Sewer: SRELLC's wastewater treatment facilities are capable of handling/treating an average of 1.5 million gallons of wastewater per day. This includes the 1997 expansion of effluent storage ponds on a parcel along the eastern boundary of Sunriver that is now owned by Sunriver Environmental LLC. The design and flow accommodations will facilitate build out of all 5,400 lots within the communities served.

Effluent from the wastewater treatment facility is used to irrigate the golf course and hay fields. Biosolids from the wastewater facility are used with recycled yard debris and wood chips from forest thinning to make agricultural compost.

In 2009 Deschutes County and the Oregon Department of Environmental Quality commissioned a study by SRELLC to examine the feasibility of constructing a new treatment plant east of Sunriver to serve their current customers as well as approximately 4,000 potential new customers south of Sunriver, where there are concerns regarding nitrate contamination of groundwater from septic systems. The study concluded that such an expansion was physically and financially feasible. As of 2010 a decision regarding expansion of the Sunriver sewer system is being evaluated by the Oregon Department of Environmental Quality.

Public Services

Police and Fire: In 2002 the Sunriver Service District was established to oversee the police and fire departments. A five-member board appointed by the Board of County Commissioners works with the Police and Fire chiefs to provide service to Sunriver.

Sunriver's police department is responsible for law enforcement within the boundary of the Sunriver Urban Unincorporated Community.

Sunriver's fire department serves all areas within the boundary of the Sunriver Urban Unincorporated Community, except for the Business Park. The Business Park is provided with fire protection by the La Pine Rural Fire Protection District. Through a mutual aid agreement with the Forest Service, Sunriver's fire department also responds to wildland fires within five miles of Sunriver. Ambulance services are provided to a 360-mile area centered on Sunriver. The department has a mutual aid agreement with the La Pine Rural Fire Protection District to provide secondary services within each other's service boundaries on an as needed basis. The La Pine Rural Fire Protection District has a fire station located along South Century Drive approximately 1 1/2 miles south of the community boundary.

Schools

Three Rivers Elementary School, which is under the direction of the Bend-La Pine School District, is currently the only school within the boundary of the Sunriver Urban Unincorporated Community. Three Rivers Elementary offers schooling from kindergarten through 8th grade and as of 2010 had an enrollment of 396 students. The school accepts pupils from both inside and outside the boundary of the Sunriver Unincorporated Community.

Sunriver Owners Association (SROA)

The Sunriver Owners Association has the day-to-day responsibility of overseeing the majority of the community operations. The association is governed by a Board of Directors and a

General Manager. The services and departments operated by the Sunriver Owners Association, as well as the primary function of each, include:

1. Accounting Department – This department is responsible for SROA's financial transactions including owner maintenance fees and accounts payable and receivable. It also maintains the property owners database and works with the Finance Committee on budgets and reserves.
2. Administration – The administrative offices oversee the day-to-day functions of each component of the association.
3. Communication Department – This department publishes a monthly newspaper (Sunriver Scene) that is distributed to members of the association and the public. Other duties include programming community access TV channel 4 and publishing a resident directory and map.
4. Community Development – This department works with the Design Committee to review new structures to ensure compliance with design and development standards.
5. Environmental Services – This department administers fire and fuels regulations as well as other environmental issues of the community.
6. Public Works Department – This department is responsible for maintenance of roads, recreational paths and amenities as well as fleet maintenance.
7. Recreation Department– This department offers a variety of recreational activities and programs for property owners and visitors and manages pools and tennis courts.

Transportation Planning

Background/Existing Transportation Facilities in Sunriver

The Sunriver Urban Unincorporated Community is accessed via public roadways. These include South Century Drive and Cottonwood Road. Both of these roadways lie within public rights-of-way and are maintained by Deschutes County. South Century Drive and Cottonwood Road connect to Highway 97, which is the primary corridor for vehicular travel throughout Central Oregon. South Century Drive enters Sunriver near the southern community boundary and extends to the residentially developed areas to the south and west. Cottonwood Road enters Sunriver near the northern Sunriver boundary and ends within the community.

Internal roads within Sunriver, except for Venture Lane within the Business Park, are private, open to the public, and maintained by the Sunriver Owners Association. These roads are paved and are generally 20 feet in width. Venture Lane is a public road maintained by the County. The internal roadway network was developed as part of the original design and master plan for Sunriver. The network consists of a series of internal traffic circles or roundabouts, from which spur roads lead to various areas within the community.

A bicycle/pedestrian path system has been developed and integrated throughout the community. Aside from the recreational opportunities provided by the path system, the paths serve as an alternative to vehicular travel as they connect the residential, commercial, school and recreation areas of the community. The paths are paved, maintained in good condition by the Sunriver Owners Association and are used extensively.

Recent Improvements

Road widening improvements were completed in 1996 by the County for the segment of South Century Drive between Highway 97 and the entrance to the Sunriver Business Park.

Improvements to the entrance of the Business Park itself were also completed. The County's first roundabout was constructed at the intersection of South Century/Abbot Drive in 2007. The improvements were done to improve the safety and longevity of the roadway. Other improvements to County roads outside of Sunriver, included paving and upgrading the old Forest Service 40/45 Road, now called River Summit Drive in 2006-2007 and a grade-separated interchange at South Century Drive and Highway 97 in 2008.

Future Transportation Needs

The existing privately maintained roads and bicycle/pedestrian paths adequately serve the travel needs of the residents and visitors of Sunriver. The existing roads and pathways provide access to all platted and developed areas within the community. There is no projected need for future roads to serve the anticipated development, except possibly within the Sunriver Business Park. Currently there is only one ingress/egress point from South Century Drive to the Business Park. Future development within the Business Park may warrant an additional entrance or improvements to the existing entrance.

South Century Drive and Cottonwood Road are both operating at levels within their vehicular capacity. In the area between the entrance to the Sunriver Village Mall and the Business Park, the 2009 average daily traffic figures for South Century Drive were approximately 6,748 trips per day. This figure is below the general capacity of 9,600 trips per day. Many of the vehicles traveling this roadway are passing through the community, not necessarily to Sunriver, as this road provides a direct link from Highway 97 to the surrounding rural subdivisions. Cottonwood Road, which only extends between Highway 97 and the community boundary, is not subject to the same volume of pass through traffic that occurs on South Century Drive. Thus, the traffic figures for this roadway are much lower at approximately 3,298 trips per day in 2009.

Section 4.45 Sunriver Policies

Goals and Policies

No goals have been defined for the Sunriver Urban Unincorporated Community.

- Policy 4.45.1 Land use regulations shall conform to the requirements of OAR 660 Division 22 or any successor.
- Policy 4.45.2 County comprehensive plan policies and land use regulations shall ensure that new uses authorized within the Sunriver Urban Unincorporated Community do not adversely affect forest uses in the surrounding Forest Use Zones.
- Policy 4.45.3 To protect scenic views and riparian habitat within the community, appropriate setbacks shall be required for all structures built on properties with frontage along the Deschutes River.
- Policy 4.45.4 Open space and common area, unless otherwise zoned for development, shall remain undeveloped except for community amenities such as bike and pedestrian paths, and parks and picnic areas.
- Policy 4.45.5 Public access to the Deschutes River shall be preserved.
- Policy 4.45.6 The County supports the design review standards administered by the Sunriver Owners Association.

Residential District Policies

- Policy 4.45.7 Areas designated residential on the comprehensive plan map shall be developed with single family or multiple family residential housing.

Commercial District Policies

- Policy 4.45.8 Small-scale, low-impact commercial uses shall be developed in conformance with the requirements of OAR Chapter 660, Division 22. Larger, more intense commercial uses shall be permitted if they are intended to serve the community, the surrounding rural area and the travel needs of people passing through the area.
- Policy 4.45.9 No additional land shall be designated Commercial until the next periodic review.
- Policy 4.45.10 Multiple-family residences and residential units in commercial buildings shall be permitted in the commercial area for the purpose of providing housing which is adjacent to places of employment. Single-family residences shall not be permitted in commercial areas.
- Policy 4.45.11 Approval standards for conditional uses in the commercial district shall take into consideration the impact of the proposed use on the nearby residential and commercial uses and the capacity of the transportation system and public facilities and services to serve the proposed use.

Town Center District Policies

Policy 4.45.12 Small-scale, low-impact commercial uses shall be developed in conformance with the requirements of OAR Chapter 660, Division 22. Larger, more intense commercial uses shall be permitted if they are intended to serve the community, the surrounding rural area or the travel needs of people passing through the area.

Policy 4.45.13 Development standards in the town center district should encourage new development that is compatible with a town center style of development that serves as the commercial core of the Sunriver Urban Unincorporated Community. The following policies should guide development in the Town Center District in Sunriver:

- a. Combine a mixture of land uses that may include retail, offices, commercial services, residential housing and civic uses to create economic and social vitality and encourage pedestrian use through mixed use and stand alone residential buildings.
- b. Develop a commercial mixed-use area that is safe, comfortable and attractive to pedestrians.
- c. Encourage efficient land use by facilitating compact, high-density development that minimizes the amount of land that is needed for development.
- d. Provide both formal and informal community gathering places.
- e. Provide visitor accommodations and tourism amenities appropriate to Sunriver.
- f. Provide design flexibility to anticipate changes in the marketplace.
- g. Provide access and public places that encourage pedestrian and bicycle travel.
- h. Provide road and pedestrian connections to residential areas.
- i. Facilitate development (land use mix, density and design) that supports public transit where applicable.
- j. Develop a distinct character and quality design appropriate to Sunriver that will identify the Town Center as the centerpiece/focal point of the community.

Policy 4.45.14 Development within the Town Center (TC) District will be substantially more dense than development elsewhere in Sunriver. This increased density will require changes to existing topography and vegetation in the TC District to allow for screened, underground parking. The requirements of the County's site plan ordinance shall be interpreted to reflect this fact.

Resort District Policies

Policy 4.45.15 Areas designated resort on the comprehensive plan map shall be designated resort, resort marina, resort golf course, resort equestrian or resort nature center district on the zoning map to reflect a development pattern which is consistent with resort uses and activities.

Business Park District Policies

- Policy 4.45.16 A variety of commercial uses which support the needs of the community and surrounding rural area, and not uses solely intended to attract resort visitors, should be encouraged.
- Policy 4.45.17 Allow small-scale, low-impact commercial uses in conformance with the requirements of OAR Chapter 660, Division 22. Larger more intense commercial uses shall be permitted if they are intended to serve the community, the surrounding rural area and the travel needs of people passing through the area.
- Policy 4.45.18 Small-scale, low-impact industrial uses should be allowed in conformance with the requirements of OAR Chapter 660, Division 22.

Community District Policies

- Policy 4.45.19 Areas designated community on the comprehensive plan map shall be designated community general, community recreation, community limited or community neighborhood district on the zoning map to reflect a development pattern which is consistent community uses and activities.
- Policy 4.45.20 Lands designated community shall be developed with uses which support all facets of community needs, be they those of year-round residents or part-time residents and tourists.
- Policy 4.45.21 Development shall take into consideration the unique physical features of the community and be sensitive to the residential development within which the community areas are interspersed.

Airport District Policies

- Policy 4.45.22 Future development shall not result in structures or uses which, due to extreme height or attraction of birds, would pose a hazard to the operation of aircraft.
- Policy 4.45.23 Future development should not allow uses which would result in large concentrations or gatherings of people in a single location.

Utility District Policies

- Policy 4.45.24 Lands designated utility shall allow for development of administrative offices, substations, storage/repair yards, distribution lines and similar amenities for services such as water, sewer, telephone, cable television and wireless telecommunications.

Forest District Policies

- Policy 4.45.25 Uses and development on property designated forest that are within the Sunriver Urban Unincorporated Community boundary shall be consistent with uses and development of other lands outside of the community boundary which are also designated forest on the Deschutes County comprehensive plan map.
- Policy 4.45.26 Forest district property shall be used primarily for effluent storage ponds, spray irrigation of effluent, biosolids application and ancillary facilities necessary to meet Oregon Department of Environmental Quality sewage disposal regulations.

Policy 4.45.27 The development of resort, residential or non-forest commercial activities on Forest district lands shall be prohibited unless an exception to Goal 14 is taken.

General Public Facility Policies

Policy 4.45.28 Residential minimum lot sizes and densities shall be determined by the capacity of the water and sewer facilities to accommodate existing and future development and growth.

Policy 4.45.29 New uses or expansion of existing uses within the Sunriver Urban Unincorporated Community which require land use approval shall be approved only upon confirmation from the Sunriver Utility Company that water and sewer service for such uses can be provided.

Policy 4.45.30 Expansion of the Sunriver Water LLC/Environmental/LLC Water and Sewer District outside of the historic Sunriver boundaries shall adequately address the impacts to services provided to existing property owners.

Water Facility Policies

Policy 4.45.31 Water service shall continue to be provided by the Sunriver Utilities Company.

Sewer Facility Policies

Policy 4.45.32 Sewer service shall continue to be provided by the Sunriver Utilities Company.

Transportation System Maintenance Policies

Policy 4.45.33 Privately-maintained roads within the Sunriver Urban Unincorporated Community boundary shall continue to be maintained by the Sunriver Owners Association.

Policy 4.45.34 The bicycle/pedestrian path system in Sunriver shall continue to be maintained by the Sunriver Owners Association or as otherwise provided by a maintenance agreement.

Policy 4.45.35 The County will encourage the future expansion of bicycle/pedestrian paths within the Sunriver Urban Unincorporated Community boundary in an effort to provide an alternative to vehicular travel.

Policy 4.45.36 All public roads maintained by the County shall continue to be maintained by the County. Improvements to County maintained public roads shall occur as described the County Transportation System Plan.

Section 4.56 Terrebonne Community Plan

Background

The Terrebonne Community Plan was adopted in Ordinance 2010-012 is hereby incorporated into this Plan as Appendix A.

Section 4.6Z Tumalo Community Plan

Background

The Tumalo Community Plan was adopted in Ordinance 2010-027 and is hereby incorporated into this Plan as Appendix B.

Section 4.78 Resort Communities

Background

A Resort Community is characterized as an unincorporated community that is established primarily for, and continues to be used primarily for, recreation and resort purposes. It includes residential and commercial uses and provides for both temporary and permanent residential occupancy, including overnight lodging and accommodations.

In the fall of 1994 the Oregon Land Conservation and Development Commission adopted a new administrative rule, OAR 660, Division 22, entitled Unincorporated Communities. This Rule provided guidelines for defining and regulating areas with urban style growth outside of urban growth boundaries. As part of periodic review Deschutes County updated the Comprehensive Plan and implementing zoning regulations for Black Butte Ranch and the Inn/Widgi Creek to comply with the rule.

Black Butte Ranch and Inn of the 7th Mountain/Widgi Creek met the definition of "resort community" because they have historically developed with a mixture of residential and recreation or resort amenities. Commercial-type uses also exist, such as the restaurant and stables. Other retail operations, such as the golf pro shops and retail sales at the tennis shop are associated with specific recreation activities and are not designed as stand alone retail operations intended by themselves to attract the traveling public to Black Butte Ranch or Inn of the 7th Mountain/Widgi Creek.

Black Butte Ranch

Background

Black Butte Ranch is located in the northwestern portion of Deschutes County, eight miles west of the city limits of Sisters. Black Butte Ranch is in the Indian Ford Creek watershed, a tributary to Whychus Creek, itself a tributary to the Deschutes River, and is surrounded by lands within Deschutes National Forest. Since the late 1800s Black Butte Ranch has been a cattle ranch. Cattle operations continue today.

Black Butte Ranch includes 1,830 acres developed in the early 1970s as a planned residential development with both permanent and vacation homes on 1,253 lots and three separate condominium areas. Recreation amenities include two 18-hole golf courses, four swimming pools, 23 tennis courts, horse stables, a sports field, basketball courts and trails for bicycling, jogging and cross country skiing. Conference rooms, a restaurant, lounge and property sales in the Main Lodge, a general store and pro shops at both golf courses provide additional amenities for residents, guests and visitors.

Black Butte Ranch allows public access to its restaurant, golf courses and horse stables, but is primarily oriented to its year-round residents and seasonal guests. Black Butte Ranch is considered by many people to be a "destination resort", however development at Black Butte Ranch preceded the adoption of Statewide Goal 8 and the County's mapping of lands for the siting of destination resorts. Approximately 96 percent of the area within Black Butte Ranch community boundary is developed.

Development of Black Butte Ranch began in 1970 and the first subdivision plat within Black Butte Ranch was filed in 1970. In 1972, when the County first adopted a zoning ordinance (PL-5) and comprehensive plan, the area identified as Black Butte Ranch, although smaller than today, was zoned "Planned Development" and designated as a "Destination Resort" on the comprehensive plan map. In 1979 the County adopted revised zoning and comprehensive plan maps. In 1992 Black Butte Ranch was designated as a rural residential exception area on the comprehensive plan map. Black Butte Ranch was zoned Rural Residential (RR-10), and was designated "Destination Resort" on the comprehensive plan map.

The population of Black Butte Ranch is difficult to ascertain due to the large number of vacation and second homes within the community that are occupied for only part of the year. In 2001, the Black Butte Ranch Association estimated the number of full-time, year-round residents at 337 persons. During the peak tourist season, the population, including guests who do not own property but are renting residences within the community, is estimated to rise to 5,000 persons.

Black Butte Ranch operates both a community sewer and water system that are in place and serve the existing development. Black Butte Ranch also has its own fire and police departments.

Land Use

The Black Butte Ranch community boundary includes a total of 1,912 acres consisting of: 1) 1,830 acres including the main resort development, the resort's recreational amenities, and the residential areas, and 2) 82 acres located contiguous to the northwest corner used for industrial uses in support of Ranch operations. The community boundary abuts Highway 20 on the northeast. National Forest Service lands and private landholders bound it on the south and west.

The predominant land use in Black Butte Ranch is residential, the majority of which is single-family residential development. However, since Black Butte Ranch was originally developed as a planned community, a number of other uses exist which make Black Butte Ranch a community that is somewhat self-reliant. Uses that support the residential components include a commercial core, which contains a variety of retail businesses developed in a pedestrian mall setting, as well as a business park. A significant component of development in Black Butte Ranch includes recreation amenities such as golf courses, and resort facilities, including a lodge, meeting facilities and a restaurant. A fire station and public works facilities for sewage treatment and water delivery have also been developed. The Black Butte Fire Department serves all areas within the boundary. Utility services will continue to be provided in the current manner.

Inn of the 7th Mountain/Widgi Creek

Background

The Inn of the Seventh Mountain and Widgi Creek Golf community are located approximately five miles southwest of the Bend Urban Growth Boundary on Century Drive. They are both bounded by the Deschutes River to the south.

The Inn of the Seventh Mountain (Inn) has been developed since the late 1960s and has historically been considered to be a stand-alone resort community with overnight lodging and recreation facilities for tourists. It has 230 condominium units, spread among 22 buildings. The initial boundary was established in 1972 and encompasses 22.65 acres. The Inn includes horse stables, tennis courts, golf course, skating rink, swimming pools and other recreation amenities,

and a restaurant, meeting rooms and multi-story lodging units for resort guests. Many of the dwelling units at the Inn are occupied seasonally but some residences are year round. Commercial uses open to overnight guests and the public include the restaurant, skating rink and golf course, guided raft trips on the Deschutes River and a retail/rental sport shop.

Widgi Creek was approved in 1983 as a 237-acre expansion to the Inn and includes a golf course with surrounding residential lots consisting of 107 for single-family dwellings and 103 for condominium units.

The use of the site as a destination resort was initiated previous to implementation of the statewide planning goals in Deschutes County. Upon implementation of the statewide planning goals, the property was designated as "forest" in compliance with Goal 4, and the use continued to be permitted as a destination resort. However, in 1993 HB 3661 prohibited destination resorts as a use in the forest zone except as allowed under Goal 8. This property was not approved as a Resort Community until the year 2001. At that time a "built and committed" exception based on Statewide Planning Goal 2 was taken for the entire Inn/Widgi community.

Almost all of the residential uses at the Inn of the Seventh Mountain cater to tourist accommodations. During the peak tourist season, the population, including guests who do not own property but are renting residences within the community, is estimated to be approximately 500 people. In 2001, the number of full-time and part-time residents at Widgi Creek was approximately 120, consisting of 80 single-family residents and 39 condo residents. Since there are only four condo units available for rental, there is no significant increase in the population during the peak tourist season. As currently planned, when the development is fully built out, the population will increase to a total of 200 full-time and part-time residents distributed in 107 single-family homes and 46 condominium units.

The Inn/Widgi sewer service (except approved on-site septic systems) and fire protection are provided by the City of Bend, water by on-site wells, security service by the Inn/Widgi Resort Community and police services by Deschutes County Sheriff.

Land Use

The Inn of the Seventh Mountain/Widgi Creek community boundary includes 260 acres (23 for the Inn and 237 for Widgi Creek). The property is used for recreational amenities, rental and residential units. The western boundary is Century Drive. The southern boundary is generally the Deschutes River canyon. The entire resort community is bordered by the Deschutes National Forest.

The predominant land use at the Inn is resort use with overnight lodging and recreational facilities for tourists, in addition to a restaurant, meeting rooms and a retail/rental sport shop. The predominant land use is residential, with single-family residential development and condominium units, in addition to a golf course.

Section 4.78 Resort Community Policies

Goals and Policies

No goals have been defined for Black Butte Ranch or Inn of 7th Mountain / Widgi Creek Resort Communities

General Resort Community Policies

- Policy 4.78.1 Land use regulations shall conform to the requirements of OAR 660 Division 22 or any successor.
- Policy 4.78.2 Designated open space and common area, unless otherwise zoned for development, shall remain undeveloped except for community amenities such as bike and pedestrian paths, park and picnic areas. Areas developed as golf courses shall remain available for that purpose or for open space/recreation uses.
- Policy 4.78.3 The provisions of the Landscape Management Overlay Zone shall apply in Resort Communities where the zone exists along Century Drive, Highway 26 and the Deschutes River.
- Policy 4.78.4 Residential minimum lot sizes and densities shall be determined by the capacity of the water and sewer facilities to accommodate existing and future development and growth.
- Policy 4.78.5 The resort facility and resort recreation uses permitted in the zoning for Black Butte Ranch and the Inn of the Seventh Mountain/Widgi Creek shall serve the resort community.

Black Butte Ranch General Policies

- Policy 4.78.6 County comprehensive plan policies and land use regulations shall ensure that new uses authorized within the Black Butte Ranch Resort Community do not adversely affect forest uses in the surrounding Forest Use Zones.
- Policy 4.78.7 The County supports the design review standards administered by the Architectural Review Committee.
- Policy 4.78.8 Residential, resort and utility uses shall continue to be developed in accordance with the Master Design for Black Butte Ranch and the respective Section Declarations.
- Policy 4.78.9 Industrial activities, including surface mining, shall only occur in the area zoned Black Butte Ranch Surface Mining, Limited Use Combining District (Black Butte Ranch SM/LU) located in the northwest corner of Black Butte Ranch.
- Policy 4.78.10 Employee housing shall be located in the area zoned Black Butte Ranch-Utility/Limited Use Combining District (Black Butte Ranch-U/LU).
- Policy 4.78.11 Any amendment to the allowable use(s) in either the Resort Community District or the Limited Use Combining District shall require an exception in accordance with applicable statewide planning goal(s), OAR 660-04-018/022 and DCC 18.112 or any successor.

- Policy 4.78.12 The westerly 38-acres zoned Black Butte Ranch Surface Mining, Limited Use Combining District (Black Butte Ranch SM/LU) shall be used for the mining and storage of aggregate resources. Uses that do not prevent the future mining of these resources, such as disposal of reclaimed effluent and woody debris disposal from thinning and other forest practices may be allowed concurrently. Other resort maintenance, operational and utility uses, such as a solid waste transfer station, maintenance facility or equipment storage may be allowed only after mining and reclamation have occurred.
- Policy 4.78.13 The 18.5 acres zoned Black Butte Ranch-Utility/Limited Use Combining District (Black Butte Ranch-U/LU) may be used for the disposal of reclaimed sludge.
- Policy 4.78.14 The area west of McCallister Road and east of the area zoned Black Butte Ranch may be used for large equipment storage, general storage, maintenance uses, RV storage, telephone communications, administration offices, housekeeping facilities and employee housing.
- Policy 4.78.15 Employee housing shall be set back at least 250 feet from the eastern boundary of the area zoned Black Butte Ranch Surface Mining, Limited Use Combining District (Black Butte Ranch SM/LU).
- Policy 4.78.16 Surface mining within the Black Butte Ranch community boundary shall adhere to the following Goal 5 ESEE "Program to Meet Goal" requirements:
- a. Only the western most 38 acres of the site shall continue to be mined.
 - b. Setbacks shall be required for potential conflicting residential and other development. A minimum 50-foot setback shall be maintained from the perimeter of tax lot 202 for all surface mining activity.
 - c. Noise impact shall be mitigated by buffering and screening.
 - d. Hours of operation shall be limited to between 7:00 a.m. and 6:00 p.m. weekdays. No operations shall be allowed on weekends and holidays.
 - e. Processing shall be limited to 45 days in any one year, to be negotiated with Deschutes County in the site plan process in consultation with the Oregon Department of Fish and Wildlife (ODFW).
 - f. The conditions set forth in the August 10, 1989, letter of ODFW shall be adhered to.
 - g. Extraction at the site shall be limited to five acres at a time with on-going incremental reclamation (subject to DOGAMI review and approval).
 - h. Mining operations, siting of equipment, and trucking of product shall be conducted in such a manner that applicable DEQ standards are met and minimizes noise and dust.
 - i. DOGAMI requirements for a permit once mining affects more than five acres outside the 8.6-acre exemption area shall be met.
 - j. A conditional use permit shall be obtained from Deschutes County, under the provisions of section 18.128.280. Surface mining of resources exclusively for on-site personal, farm or forest use or maintenance of irrigation canals, before mining activity affects more than five acres outside the 8.6-acre exempt area.

Black Butte Ranch Public Facility Policies

- Policy 4.78.17 Police protection services shall be provided by the Black Butte Ranch Police Services District.
- Policy 4.78.18 The Black Butte Ranch Water Distribution Company and the Black Butte Ranch Corporation shall confirm the water and sewer service, respectively, can be provided for new uses or expansion of existing uses that require land use approval.
- Policy 4.78.19 The Black Butte Ranch Water Distribution Company shall provide water service for the Black Butte Ranch Resort Community.
- Policy 4.78.20 The Black Butte Ranch Corporation shall provide sewer service for Black Butte Ranch.
- Policy 4.78.21 The Black Butte Ranch Fire Protection District shall provide fire protection services for Black Butte Ranch.
- Policy 4.78.22 The roads and the bicycle/pedestrian path system within the Black Butte Ranch Resort Community boundary shall be maintained by the Black Butte Ranch Owners Association.

Inn of the 7th Mountain Widgi Creek General Policies

- Policy 4.78.23 Any amendment to the allowable uses in either the Resort Community District or the Widgi Creek Residential District shall require an exception in accordance with applicable statewide planning goal(s), OAR 660-04-018/022 or any successor, and DCC 18.112 or any successor
- Policy 4.78.24 The County shall encourage and support land exchanges efforts by and between private property owners, public agencies and public trusts for the purpose of fostering public access to and protection of natural resources, such as rivers, streams, caves, areas/features of historical importance and other natural features.

Inn of the 7th Mountain/Widgi Creek Public Facility Policies

- Policy 4.78.25 Police protection services shall be provided under contract with the Deschutes County Sheriff.
- Policy 4.78.26 Water service shall be supplied by on-site wells for the Inn/Widgi Resort Community.
- Policy 4.78.27 New uses or expansion of existing uses that require land use approval shall be approved only upon confirmation from the City of Bend that sewer service can be provided.
- Policy 4.78.28 Fire protection services for the Inn/Widgi shall be provided through a contract with the City of Bend until such time as Inn/Widgi develops another plan to provide adequate fire protection.
- Policy 4.78.29 The Resort Community, not Deschutes County, shall maintain roads in the community.

Policy 4.78.30 The bicycle/pedestrian path system shall be maintained by the Inn/Widgi Owners Association.

Policy 4.78.31 Emergency access between Widgi Creek and the Inn of the Seventh Mountain shall be provided in accordance with the approved development plan for the Elkai Woods town homes. The respective resort property owners shall maintain emergency access between the Inn and Widgi Creek.

Section 4.89 Rural Service Centers

Background

A Rural Service Center is characterized as an unincorporated community consisting primarily of commercial or industrial uses providing goods and services to the surrounding rural area or persons traveling through the area, but which also includes some permanent residential dwellings.

In order to comply with OAR 660-022, Deschutes County updated the Comprehensive Plan and implementing zoning regulations in 2002 for the communities of Alfalfa, Brothers, Hampton, Millican, Whistlestop and Wildhunt. The Comprehensive Plan and zoning map boundaries for all of the Rural Service Centers were amended to comply with the requirements of the administrative rule and to reconcile historic mapping inconsistencies between the plan designation and zoning and inconsistencies between community boundaries and historic development patterns.

The predominant land uses in the areas surrounding the Alfalfa, Brothers, Hampton and Millican Rural Service Centers are farming and ranching. The predominant land uses in the areas surrounding Whistlestop and Wildhunt are forest, ranching and rural residential. The unincorporated rural service centers serve the needs of the surrounding areas as well as the needs of the traveling public. Three of the communities are located on Highway 20 east of Bend; Millican is 26 miles, Brothers 42 miles and Hampton 64 miles. Alfalfa is located approximately 11 miles east of Bend on Willard Road. Whistlestop is located approximately 30 miles southwest of Bend on Burgess Road. Wildhunt is located approximately 26 miles south of Bend at the junction of Highway 97 and Highway 31.

The communities of Alfalfa, Brothers and Hampton have approved public water systems that serve the school and combination store/café/post office in Brothers and the stores in Alfalfa and Hampton. The Central Oregon Irrigation District provides water for agricultural uses surrounding Alfalfa. Large ranches and BLM land surround Millican, Brothers and Hampton. Most of the land is used for dry land grazing. Well water provides irrigation for land adjacent to Hampton. Millican, Brothers and Hampton are surrounded by land that is designated as antelope habitat. The area surrounding these communities is sparsely populated. Each community has a few residences within its boundary.

Community Boundaries

The Alfalfa Rural Service Center boundary includes 21.83 acres, with Willard Road as the predominant northern boundary and the remainder surrounded by agricultural lands zoned Exclusive Farm Use (EFU).

The Brothers Rural Service Center boundary includes 48.95 acres. Highway 20 bisects the community from east to west, while Camp Creek Road enters from the north and connects with the highway. The entire community is surrounded by agricultural land zoned EFU.

The Hampton Rural Service Center boundary includes 35.37 acres. Highway 20 forms the southern boundary with the remainder surrounded by agricultural lands zoned EFU.

The Millican Rural Service Center boundary includes 29.55 acres. Highway 20 forms the northern boundary with the remainder surrounded by agricultural lands zoned EFU.

The Whistlestop Rural Service Center boundary includes 7.93 acres. Burgess Road runs east/west and dissects the community from north to south with forest and rural residential uses to the north and east.

The Wildhunt Rural Service Center boundary includes 11.29 acres. Highway 97 forms the western boundary. Highway 31 forms the southern boundary, with forest and rural residential uses to the north and east.

Land Use Planning

The existing land uses in the eastern Rural Service Centers of Alfalfa, Brothers, Hampton and Millican are commercial and residential, surrounded by agriculture. In addition to a few residences each of the communities includes commercial development. Alfalfa has a store/gas station and a church/community hall. Brothers includes a school, a combination market/café/post office/gas station, a state highway maintenance field office, and a highway rest area. Hampton has a café and recreational vehicle park. Millican has a market/gas station.

The existing land uses in the rural Service Centers of Whistlestop and Wildhunt are commercial and residential, surrounded by forest.

Section 4.89 Rural Service Center Policies

Goals and Policies

No goals have been defined for the Rural Service Centers.

- Policy 4.89.1 Land use regulations shall conform to the requirements of OAR 660, Division 22 or any successor.
- Policy 4.89.2 Rural Service Center zoning shall be applied to Alfalfa and Brothers and shall consist of three districts: Commercial/Mixed Use; Residential; and Open Space.
- Policy 4.89.3 Rural Service Center zoning shall be applied to Hampton, Whistlestop and Wildhunt and shall consist of a single Commercial/Mixed Use District.
- Policy 4.89.4 The area in the Brothers Rural Service Center Boundary that is north of Highway 20 and east of Camp Creek Road shall be zoned as Rural Service Center - Open Space District (RSC-OS).
- Policy 4.89.5 In April 2002, Alfalfa area residents expressed a desire to keep the community “the way it is” and to limit commercial activity to 2-acres south of Willard Road that is the site of the Alfalfa Community Store and the community water system. These two acres are designated as a mixed used commercial district in the Comprehensive Plan and shall be zoned mixed use commercial. The remaining 20 acres of the Rural Service Center will continue to be zoned Rural Service Center – Residential District, with a 5-acre minimum lot size. Since the Board of County Commissioners finds it may be necessary to accommodate the need for future commercial expansion 2 acres north of Willard Road are being designated on the Comprehensive Plan for future commercial uses. A zone change to mixed use commercial can be considered only for a specific use and upon findings that the existing commercial area is fully developed.
- Policy 4.89.6 County Comprehensive Plan policies and land use regulations shall ensure that new uses authorized within the Alfalfa, Brothers, Hampton, Millican, Whistlestop and Wildhunt Rural Service Centers do not adversely affect agricultural and forest uses in the surrounding areas.
- Policy 4.89.7 Zoning in the area shall promote the maintenance of the area’s rural character. New commercial uses shall be limited to small-scale, low impact uses that are intended to serve the community and surrounding rural area or the travel needs of people passing through the area. The commercial/mixed use zoning regulations shall allow a mixed use of residential or small-scale commercial uses.
- Policy 4.89.8 Residential and commercial uses shall be served by DEQ approved on-site sewage disposal systems.
- Policy 4.89.9 Residential and commercial uses shall be served by onsite wells or public water systems.
- Policy 4.89.10 Community water systems, motels, hotels and industrial uses shall not be allowed.

Policy 4.89.11 Recreational vehicle or trailer parks and other uses catering to travelers shall be permitted.

Policy 4.89.12 The County shall consider ways to improve services in the area consistent with the level of population to be served.

Chapter 4 Primary References

References¹

1. Oregon Department of Land Conservation and Development. Goal 14: Urbanization. Oregon's Statewide Planning Goals and Guidelines.
2. Oregon Administrative Rule 660 particularly:
 - a. 660-004 Goal 2 Exception Process
 - b. 660-22 Unincorporated Communities
3. Bend Joint Management Agreement 98-1233 I
4. La Pine Intergovernmental Agreement 2009-044
5. Redmond Joint Management Agreement 2007-110
6. Sisters Joint Management Agreement November 9, 1998
7. Ordinance 2004-006, Adoption of Deschutes County Coordinated Population Forecast
8. Ordinances 2005-023 and 2005-024 Redmond Urban Reserves
9. Ordinances 2005-035, 2005-036, 2005-037, 2005-038, 2005-039, 2005-040, 2005-045 Sisters Urban Growth Boundary Amendments
10. Ordinances 2006-018 and 2006-019 Redmond Urban Growth Boundary Amendments
11. Ordinance 2009-006 Adoption of a Coordinated Population Forecast for the City of La Pine
12. Document 2009-051 Sisters Urban Growth Boundary Amendment for a Fire Training Facility
13. City of Bend Community Development Department *Bend Comprehensive Plan*
14. City of Sisters Community Development Department *Sisters Comprehensive Plan*
15. City of Redmond Community Development Department *Redmond Comprehensive Plan*

¹ The references listed are provided for the convenience of the public and are not legally adopted into this Plan.

Section 5.12 Legislative History

Background

This section contains the legislative history of this Comprehensive Plan.

Table 5.11.1 Comprehensive Plan Ordinance History

Ordinance	Date Adopted/ Effective	Chapter/Section	Amendment
2011-003	8-10-11/11-9-11	All, except Transportation, Tumalo and Terrebonne Community Plans, Deschutes Junction, Destination Resorts and ordinances adopted in 2011	Comprehensive Plan update
2011-027	10-31-11/11-9-11	2.5, 2.6, 3.4, 3.10, 3.5, 4.6, 5.3, 5.8, 5.11, 23.40A, 23.40B, 23.40.065, 23.01.010	Housekeeping amendments to ensure a smooth transition to the updated Plan
2012-005	8-20-12/11-19-12	23.60, 23.64 (repealed), 3.7 (revised), Appendix C (added)	Updated Transportation System Plan
2012-012	8-20-12/8-20-12	4.1, 4.2	La Pine Urban Growth Boundary
2012-016	12-3-12/3-4-13	3.9	Housekeeping amendments to Destination Resort Chapter
2013-002	1-7-13/1-7-13	4.2	Central Oregon Regional Large-lot Employment Land Need Analysis
2013-009	2-6-13/5-8-13	1.3	Comprehensive Plan Map Amendment, changing designation of certain property from Agriculture to Rural Residential Exception Area
2013-012	5-8-13/8-6-13	23.01.010	Comprehensive Plan Map Amendment, including certain property within City of Bend Urban Growth Boundary
2013-007	5-29-13/8-27-13	3.10, 3.11	Newberry Country: A Plan for Southern Deschutes County

<u>2013-016</u>	<u>10-21-13/10-21-13</u>	<u>23.01.010</u>	<u>Comprehensive Plan Map Amendment, including certain property within City of Sisters Urban Growth Boundary</u>
<u>2014-005</u>	<u>2-26-14/2-26-14</u>	<u>23.01.010</u>	<u>Comprehensive Plan Map Amendment, including certain property within City of Bend Urban Growth Boundary</u>
<u>2014-012</u>	<u>4-2-14/7-1-14</u>	<u>3.10, 3.11</u>	<u>Housekeeping amendments to Title 23.</u>

FINDINGS

I. APPLICABLE CRITERIA:

Title 22, Deschutes County Development Procedures Ordinance

II. BASIC FINDINGS:

- A. **PROPOSAL:** In 2013, the Planning Division determined minor changes were necessary to clarify existing standards and procedural requirements and to correct errors found in various sections of the Deschutes County Code. Staff initiated the proposed changes and has notified the Oregon Department of Land Conservation and Development. The Deschutes County Board of County Commissioners will review the proposed changes on April 2, 2014 and make a final decision.

III. CONCLUSIONARY FINDINGS:

A. CHAPTER 22.12, LEGISLATIVE PROCEDURES

1. Section 22.12.010.

Hearing Required

FINDING: The applicant meets this criterion because a public hearing will be held before the Board of County Commissioners on April 2, 2014.

2. Section 22.12.020, Notice

Notice

A. Published Notice

1. Notice of a legislative change shall be published in a newspaper of general circulation in the county at least 10 days prior to each public hearing.

2. The notice shall state the time and place of the hearing and contain a statement describing the general subject matter of the ordinance under consideration.

FINDING: This criterion will be met when notice is published in the Bend Bulletin newspaper describing the proposal.

B. Posted Notice. Notice shall be posted at the discretion of the Planning Director and where necessary to comply with ORS 203.045.

FINDING: This criterion will be with notice was posted in the bulletin board in the lobby of the Deschutes County Community Development Department, 117 NW Lafayette, Bend.

C. Individual notice. Individual notice to property owners, as defined in DCC 22.08.010(A), shall be provided at the discretion of the Planning Director, except as required by ORS 215.503.

FINDING: Given the proposed amendments in question do not apply to any specific property, no individual notices were sent. This criterion has been met.

D. Media notice. Copies of the notice of hearing shall be transmitted to other newspapers published in Deschutes County.

FINDING: Notice will be provided to the County public information official for wider media distribution. This criterion has been met.

3. Section 22.12.030 Initiation of Legislative Changes.

A legislative change may be initiated by application of individuals upon payment of required fees as well as by the Board of County Commissioners.

FINDING: The application was initiated by the Deschutes County Planning Division, which received a fee waiver. This criterion has been met.

4. Section 22.12.040. Hearings Body

A. The following shall serve as hearings or review body for legislative changes in this order:

- 1. The Planning Commission.**
- 2. The Board of County Commissioners.**

FINDING: This criterion will be met.

B. Any legislative change initiated by the Board of County Commissioners shall be reviewed by the Planning Commission prior to action being taken by the Board of Commissioners.

FINDING: This Planning Commission held a public hearing on February 27, 2014, and reviewed the proposed changes.

5. Section 22.12.050 Final Decision

All legislative changes shall be adopted by ordinance

FINDING: TA-14-1 will be implemented by Ordinances upon approval and adoption by the Board; this criterion will be met.

IV. PROPOSED TEXT AMENDMENTS:

The proposed text amendments are detailed in the ordinance exhibits with additional text identified by underline and deleted text identified by ~~striketrough~~. Below are explanations of the proposed changes.

Title 18 of the Deschutes County Code Amendments:

Chapter 18.04. TITLE, PURPOSE AND DEFINITIONS

Section 18.04.030, Definitions.

The definition of “horse events” is amended to bring it into compliance with state law. The County adopted its definition of “horse events” in 1994. Under this definition any type of horse event is allowed without a County permit. However, state law changed in the mid-2000s to more narrowly define the type of allowed horse events to those related to schooling (i.e., small-scale, non-sanctioned) shows. This amendment clearly differentiates between different types of horse events. The addition, the definition of “stabling or training equines” is amended to reflect the related changes to the definition of “horse event.”

Chapter 18.80 AIRPORT SAFETY COMBINING ZONE

Section 18.80.078 FAA Notification (Form 7460-1).

Pursuant to Oregon Administrative Rule (OAR) 738.070.0060, FAA Notification Form 7460-1 shall be sent by the applicant to Oregon Department of Aviation (ODA) in addition to the FAA. The addition of reference to this notice requirement provides explicit direction to the applicant.

Chapter 18.110 RESORT COMMUNITY

Section 18.110.020. Resort District.

This section applies only to the Seventh Mountain/Widgi Creek Resort District. However, the current title is not explicit and does not specify Seventh Mountain/Widgi Creek. This amendment clarifies the applicability of this section.

Chapter 18.116. SUPPLEMENTARY PROVISIONS

Section 18.116.240. Protection of Historic Sites.

This section notes the applicability and requirement to protect historic sites listed and described the County’s Statewide Land Use Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces) inventory, contained in the Resource Element of the comprehensive plan. The proposed amendment adds a reference to County Code Chapter 2.28, Historic Preservation and Historic Landmarks Commission, directing users to this applicable chapter.

Title 22 of the Deschutes County Code Amendments

Chapter 22.23. DESTINATION RESORT MAP AMENDMENT PROCEDURES

Section 22.23.010. Destination Resort Map Amendment Procedures.

The county comprehensive plan underwent a significant rewrite and update in 2011. Said update included a format revision. While the comprehensive plan is adopted into Chapter 23 of the County Code, the comprehensive plan no longer references Chapter 23 in the text. Section 22.23.010 of the county procedures ordinance currently includes reference to Chapter 23. This proposed amendment revises this section to reflect the new format of the comprehensive plan.

Deschutes County Comprehensive Plan Amendments

Table of Contents

The table of contents needs to be revised to incorporate the reinstatement of the La Pine Urban Unincorporated Community as noted below.

Chapter 4. Urban Growth Management

On November 7, 2006, residents of the La Pine Urban Unincorporated Community voted to incorporate. One 2.7 acre parcel was not included within the City of La Pine or its Urban Growth Boundary and remains within the La Pine Urban Unincorporated Boundary. In 2011, an extensive Comprehensive Plan update was adopted that removed all reference to the La Pine Urban Unincorporated Community in error. The purpose of this amendment is to correct this error and reinstate reference to La Pine Urban Unincorporated Community.

Chapter 5. Supplemental Sections

Section 5.12, Legislative History, identifies the changes made to the comprehensive plan. The additions to the list include the changes made with this ordinance (Ord. 2014-012), previous comprehensive plan map amendment including certain property within the City of Sisters urban growth boundary (Ord. 2013-016), and previous comprehensive plan map amendment including certain property within the City of Bend urban growth boundary (Ord. 2014-005).

V. CONCLUSION:

Based on the information provided herein, The Board of County Commissioners approve of the proposed text amendments that make minor changes necessary to clarify existing standards and procedural requirements and to correct errors.