

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Section 4.160, )  
 Airport Development (A-D) Zone, )  
 Ordinance No. PL-15, Deschutes County )  
 Zoning Ordinance of 1979, Providing )  
 for Uses Permitted Outright and )  
 Conditional Uses, Use Limitations, )  
 Dimensional Standards, Stream Setback, )  
 Off-Street Parking and Loading, )  
 Design and Use Criteria, and Additional )  
 Requirements; and Repealing Section )  
 4.160 of Ordinance No. PL-15, Deschutes )  
 County Zoning Ordinance of 1979, )  
 Adopted on November 1, 1979 )

**FILED**  
 JAN 8 1981  
 ROSEMARY PATTERSON  
 DESCHUTES COUNTY CLERK

ORDINANCE NO. 80-221

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

Section 1. That Section 4.160, Airport Development (A-D) Zone, as set forth herein, is added to and made a part of Ordinance No. PL-15, Deschutes County Zoning Ordinance of 1979.

SECTION 4.160 AIRPORT DEVELOPMENT ZONE, A-D. In an A-D zone, the following regulations shall apply:

- (1) Purpose: The purpose of the Airport Development Zone is to allow for development compatible with ongoing airport use and consistent with the Deschutes County Year 2000 Comprehensive Plan, while providing for public review of proposed development likely to have significant impact on surrounding lands.
- (2) Uses Permitted Outright.
  - (A) Airport and non-structural uses such as fuel storage, tie-down areas and parking facilities.
  - (B) Hangars, aircraft site, sale and repair facilities and related offices.
- (3) Conditional Uses.
  - (A) Farm use.
  - (B) Farm accessory buildings and uses, excluding residential uses.
  - (C) Utility facility necessary for public service except landfills.
  - (D) Golf course.
  - (E) Park, playground, other public recreation site or facility or community service facility owned and operated by a governmental agency or nonprofit community organization.
  - (F) Restaurant, which may include a bar or cocktail lounge as an accessory use; one restaurant per airport; restaurant and accessory use to be 2,500 square feet or less in size.
  - (G) Small-scale aviation related storage.
  - (H) Permitted industrial uses, excluding planned unit developments for other than permitted industrial uses, as described in Sections 20 and 21 of Ordinance No. PL-11, as amended, provided that any such use is compatible with airport uses.
- (4) Use Limitations. In an A-D zone, the following limitations and standards shall apply to all uses:
  - (A) The height of any structure or part of a structure such as chimneys, towers, antennas, etc., shall not exceed 35 feet.

- (B) In approach zones beyond the clear zone areas, no meeting place designed to accommodate more than 25 persons for public or private purposes shall be permitted.
  - (C) All parking demand created by any use permitted by this section shall be accommodated on the subject premises entirely off-street.
  - (D) No use permitted by this section shall require the backing of traffic onto a public or private street or road right-of-way.
  - (E) There shall be only one ingress and one egress from uses permitted by this section per each 800 feet of frontage on an arterial or per each 300 feet of frontage or collector. If necessary to meet this requirement, permitted uses shall provide for shared ingress and egress.
  - (F) No use permitted by this section that generates more than 30 truck-trailer or other heavy equipment trips per day to and from a subject use shall be permitted to locate on a lot adjacent to or across a street from a residential use or lot in a duly platted subdivision, nor shall a residential use or lot be permitted adjacent to or across the street from an existing or planned use that is expected to generate such traffic.
  - (G) No use likely to generate more than 20 auto or truck trips during the busiest hour of the day to and from the premises shall be permitted unless served directly by an arterial or collector, or other improved street or road designed to serve such traffic. In no case shall such traffic be permitted to utilize a street or road which passes through a residential area.
  - (H) No power lines shall be located in clear zones and any power line located within an approach zone shall be in conformance with designated approach slope ratios contained in Section 4.170(6)(B)(a), of this Ordinance.
  - (I) No use shall be allowed which is likely to attract an unusual quantity of birds, particularly birds which normally fly at high altitudes.
- (5) Dimensional Standards. In an A-D zone, the following dimensional standards shall apply:
- (A) The minimum lot size not in a planned unit development or subdivision shall be 5 acres, except that in conjunction with a specific use application, a lot size of not less than 2½ acres may be approved where there is a showing that the lot requested is the maximum necessary for the use and reasonably expected future expansion of the use.

The lot size in a planned unit development or subdivision shall average at least 2½ acres.

- (B) Lot coverage shall not exceed 70% by all buildings, storage areas and facilities and required off-street parking and loading areas.
  - (C) The minimum setback between any structure and an arterial right-of-way shall be 100 feet. The minimum setback of a non-residential structure from a collector right-of-way shall be 50 feet, and from all local streets the minimum setback shall be 20 feet.
  - (D) The minimum lot frontage shall be 330 feet, except that the minimum lot frontage in a planned unit development or subdivision shall be 100 feet.
  - (E) The minimum side and rear setback between any structure and a property line shall be 50 feet.
- (6) Stream Setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas and preserve natural scenic amenities and vistas along the streams and lakes, all structures, buildings or similar permanent fixtures shall be set back from the high-water line or mark along all streams or lakes a minimum of 100 feet measured at right angles to the high-water line or mark.
- (7) Off-Street Parking and Loading. Off-street parking and loading shall be provided in accordance with the provisions of this section and Article 5.
- (8) Design and Use Criteria. The Hearings Officer shall take into account the impact of the proposed conditional use on nearby residential and commercial uses, on resource carrying capacities and on the capacity of transportation and other public facilities and services. In approving a proposed conditional use, the Hearings Officer shall find that:
- (A) The proposed use is in compliance with the Comprehensive Plan.
  - (B) The proposed use is in compliance with the intent and provisions of this Ordinance.
  - (C) That any adverse social, economical, physical or environmental impacts are minimized.
  - (D) That the proposed use is not sensitive to noise of the character anticipated by the current and expected noise level contours of the airport.

- (E) That the proposed use is compatible with adjacent agricultural and residential uses.
- (F) That there are sufficient public facilities and services to support the proposed use.
- (G) That the location and site design of the proposed facility will not be hazardous to the safety and general welfare of surrounding properties, and that the location will not unnecessarily restrict existing and future development of surrounding lands as indicated in the comprehensive plan.
- (H) That the use shall make the most effective use reasonably possible of the site topography, existing landscaping and building placement so as to preserve existing trees and natural features, preserve vistas and other views from public ways, minimize visibility of parking, loading and storage areas from public ways and neighboring residential uses, and minimize intrusion into the character of existing developments and land uses in the immediate vicinity of the proposed use.
- (9) Additional Requirements. As a condition of approval of any conditional use proposed within an A-D zone, the Hearings Officer may require:
- (A) An increase in required setbacks.
- (B) Additional off-street parking and loading facilities and building standards.
- (C) Limitations on signs or lighting, hours of operation, points of ingress and egress and building heights.
- (D) Additional landscaping, screening and other improvements.
- (E) Glare-resistant materials in construction or other methods likely to reduce operating hazards.
- (F) Other conditions considered necessary to achieve compliance and policies of the comprehensive plan.

Section 2. Section 4.160, Airport Development (A-D) Zone, Ordinance No. PL-15, Deschutes County Zoning Ordinance of 1979, as adopted on November 1, 1979, is hereby repealed.

DATED this 7 day of January, 1980.

ATTEST:

Tammy J. Richardson  
TAMMY J. RICHARDSON  
Recording Secretary

BOARD OF COUNTY COMMISSIONERS  
OF DESCHUTES COUNTY, OREGON

Robert C. Paulson, Jr.  
ROBERT C. PAULSON, JR., CHAIRMAN

Clay C. Shepard  
CLAY C. SHEPARD, Commissioner

Albert A. Young  
ALBERT A. YOUNG, Commissioner

FILED

JAN 8 1981

ROSEMARY PATTERSON  
DESCHUTES COUNTY CLERKFINDINGS OF FACT  
AIRPORT DEVELOPMENT (A-D) ZONE

1. The Deschutes County Comprehensive Plan amendments are written to provide that the Airport Development (A-D) Zone be established in areas where airport noise conflicts are to be moderate (Ldn 65) or greater.

2. Industrial and some commercial uses are recognized as compatible with moderate airport noise levels in Bend Municipal Airport Master Plan Technical Report and the Oregon Department of Transportation publication, "Airport Compatibility Planning."

3. The industrial uses and lot sizes in the Airport Development (A-D) Zone are compatible with the Light Industrial and Industrial Park Zones in the Bend Urban Area Zoning Ordinance, as well as being compatible with the Rural Industrial Zone and Research and Development Zone lot size dimensions in the Deschutes County Zoning Ordinance of 1979.

4. Lot size, setback and coverage in the Airport Development (A-D) Zone provide sufficient buffers between uses within the Airport Development (A-D) Zone and adjacent residential and agricultural uses.

5. Uses within the Airport Development (A-D) Zone that are not compatible with expected airport noise levels and adjacent residential and agricultural uses are not allowed.

6. Compatibility with adjacent properties can be assured in the Airport Development (A-D) Zone through the allowed uses,

use limitations and through the site plan review process.

ADOPTED this 7 day of January, 1981.

BOARD OF COUNTY COMMISSIONERS  
OF DESCHUTES COUNTY, OREGON

Robert C. Paulson  
ROBERT C. PAULSON, JR., Chairman

Albert A. Young  
ALBERT A. YOUNG Commissioner

Clay C. Shepard  
CLAY C. SHEPARD, Commissioner

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