

REVIEWED
Bww
LEGAL COUNSEL

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Deschutes County *
Title 18 to Add Chapter 18.66, Terrebonne *
Rural Community Zoning Districts, and *
Amending Chapters 18.04, 18.116 and *
18.124, and Declaring an Emergency. *

97 JUN -5 AM 9:46
MARY SUE PENHOLLOW
COUNTY CLERK

ORDINANCE NO. 97-003

WHEREAS, The Board of County Commissioners has determined that to comply with Periodic Review and OAR 660-22, amendments to the Deschutes County Comprehensive Plan are required; and

WHEREAS, after notice and hearing as required by law, the Board of County Commissioners has considered the recommendation of the Planning Commission, now therefore,

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

Section 1. AMENDMENTS TO CHAPTER 18.04 OF COUNTY CODE. Title 18, Chapter 18.04 of the Deschutes County Code, as amended, is further amended to add Section 18.04.202, "Definition-Child Care Center," Section 18.04.327, "Definition-Drainage Swale," Section 18.04.407, "Definition-Family Child Care Provider," and Section 18.04.1127, "Definition-Sidewalk," as set forth in Exhibit "A," attached hereto and by this reference incorporated herein, with new language set forth as underlined type and deleted language in ~~strikeout~~.

Section 2. ADOPTION OF CHAPTER 18.66 TO COUNTY CODE. A new Chapter 18.66, Terrebonne Rural Community Zoning Districts, is added to Title 18 of the Deschutes County Code as shown in Exhibit "B," attached hereto and by this reference incorporated herein, with new language set forth as underlined type and deleted language in ~~strikeout~~.

Section 3. AMENDMENTS TO CHAPTER 18.116 OF COUNTY CODE. Title 18, Chapter 18.116 of the Deschutes County Code, as amended, is further amended to add section 18.116.210, "Family Child Care Provider," as set forth in Exhibit "C," attached hereto and by this reference incorporated herein, with new language set forth as underlined type and deleted language in ~~strikeout~~.

Section 4. AMENDMENTS TO CHAPTER 18.124 OF COUNTY CODE. Title 18, chapter 18.124, of the Deschutes County Code, as amended, is further amended to add Section 18.124.090, "Right-of-Way Improvement Standards," as set forth in Exhibit "D," attached hereto and by this reference incorporated herein, with new language set forth as underlined type and deleted language in ~~strikeout~~.

Section 5. ADOPTION OF SPECIFICATIONS TABLE. Table 18.66-A, attached hereto as Exhibit "E" and by this reference incorporated herein, is adopted as a part of Chapter 18.66.

Section 6. FINDINGS. Findings to support this ordinance are set forth in the findings supporting Ordinance No. 97-001, attached thereto as Exhibit "C" which findings are incorporated by reference herein.

RECEIVED
JUN 11 1997

RE-PUNCHED
JUN 09 1997

Section 7. CODIFICATION. Legal Counsel or the Code Book Review Committee shall have the authority to format the provisions contained herein in a manner that will integrate them into County Code consistent with the prescribed form and style for ordinance codification. Such codification shall include the authority to make format changes, to make changes to numbering systems and to make such numbering changes with interrelated code sections. In addition, as part of codification of these ordinances, Legal Counsel or the Code Book Review Committee may insert appropriate legislative history references. Any legislative history references included herein are not adopted as part of the substance of this ordinance, but are included for administrative convenience and as a reference. They may be changed to correct errors and to conform to proper style without action of the Board of County Commissioners.

Section 8. CORRECTIONS. This ordinance may be corrected by order of the Board of County Commissioners to cure editorial and clerical errors and to insert appropriate legislative history references.

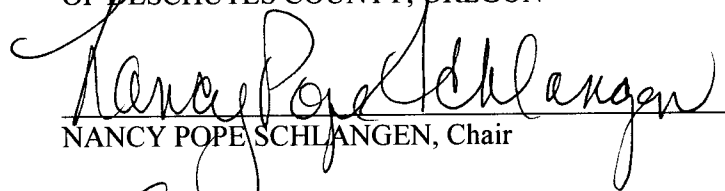
Section 9. REPEAL OF ORDINANCES AFFECTING EXISTING LIABILITIES. The repeal express or implied, of any ordinance, ordinance provision, code section or any map or line on a map by this ordinance shall not release or extinguish any duty, condition, penalty, forfeiture, or liability incurred under such ordinance, unless a provision of this ordinance shall so expressly provide, and such ordinance repealed shall be treated as still remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of such duty, condition, penalty, forfeiture, or liability, for the purpose of authorizing the prosecution, conviction and punishment of the person or persons who violated the repealed ordinance.

Section 10. SEVERABILITY. The provision of this ordinance are severable. If any section, sentence, clause or phrase of this ordinance or any exhibit thereto is found to be invalid by a court of competent jurisdiction that decisions shall not affect the validity of the remaining portions of this ordinance.

Section 11. EMERGENCY. This ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and the this ordinance takes effect on this passage.

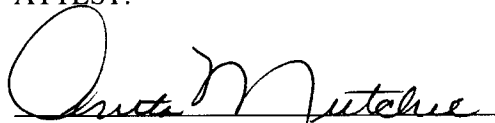
Dated this 4 day of June, 1997.

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON


NANCY POPE SCHLANGEN, Chair


ROBERT L. NIPPER, Commissioner

ATTEST:


Anita Nutchae
Recording Secretary


LINDA L. SWEARINGEN, Commissioner

Exhibit "A"

18.04.202. Definition - Child care center.

"Child care center" means a child care facility that is certified to care for thirteen or more children or a child care facility that was not constructed as single family home that is certified to care for twelve or fewer children.

18.04.327. Definition - Drainage swale.

"Drainage swale" means a broad manmade depression, running parallel to the right of way, between the pavement and the sidewalks for containing storm runoff from streets .

18.04.407. Definition - Family child care provider.

"Family child care provider" means a child care provider who regularly provides child care to fewer than 13 children, including children of the provider (regardless of part- or full-time status), in the family living quarters of the provider's single-familyhome.

18.04.1127. Definition - Sidewalk.

"Sidewalk" means a pedestrian walkway separated from a road, with or without a curb, constructed of a durable, hard surface, usually concrete.

**Chapter 18.66. Terrebonne Rural
Community Zoning Districts**

18.66.010 Purpose.

18.66.020 Residential-district.

**18.66.030 Residential-5 acre minimum
district.**

18.66.040 Commercial district.

18.66.050 Commercial-rural district.

18.66.060 Standards for all districts.

18.66.070 Roadway improvements.

18.66.010 Purpose.

The purpose of this chapter is to establish standards and review procedures for the development of the Terrebonne Rural Community. Four separate zoning districts are established, each with its own set of allowed uses and district regulations.

18.66.020 Residential (TeR) district.

The Terrebonne Residential District allows a mixture of housing types and densities suited to the level of available water and sewer facilities. The purpose of this district is to allow new residential development that is compatible with the rural character of the area.

A. Permitted uses.

The following uses and their accessory uses are permitted outright and do not require site plan review:

1. Single-family dwelling or a manufactured home subject to section 18.116.070 of Title 18.

2. Two-family dwelling.

3. Home occupation that:

a. Is carried on within a dwelling only by members of the family who reside in the dwelling;

b. Does not serve clients or customers on-site;

c. Does not produce odor, dust, glare, flashing lights or noise;

d. Does not occupy more than 25 percent of the floor area of the dwelling; and

e. Does not include the on-premises display or sale of stock in trade.

4. Agricultural uses as defined in chapter 18.04 of Title 18, involving:

a. Keeping of cows, horses, goats, sheep or similar farm animals, provided that the total number of such animals over the age of six months is limited to the square footage of the lot or parcel divided by 20,000 square feet.

b. Keeping of chickens, fowl, rabbits or similar farm animals, provided that the total number of such animals over the age of six months does not exceed one for each 500 square feet of property.

5. Class I and II road or street project subject to approval as part of a land partition, subdivision or subject to the standards of sections 18.66.070 and 18.116.230 of Title 18.

6. Class III road or street project.

B. Conditional Uses.

The following uses and their accessory uses are permitted subject to the applicable provisions of this chapter and chapters 18.116, 18.124 and 18.128 of Title 18:

1. Manufactured home park.

2. Multi-family dwelling complex.

3. Retirement center or nursing home.

4. Cluster development.

5. Church.

6. Home occupation as defined in chapter 18.04 of Title 18.

7. Child care center.

8. Public or private school.

9. Park.

10. Public or semi-public building.

11. Utility facility.

12. Water supply or treatment facility.

13. Veterinary clinic.

C. Lot Requirements.

1. Partitions:

a. Subject to the provisions of section 17.36.170(A) of Title 17, parcels not served by an approved community, non-community or municipal water system and not served by a public sewer system, shall have a minimum width of 150 feet with a minimum parcel size of one (1) acre.

b. Subject to section 17.36.170 of Title 17, parcels served by an approved community, non-community, municipal or public water system, but not served by an approved public

Exhibit "B"

sewer system, shall have minimum parcel sizes as follows:

1. For a single-family dwelling, a parcel shall have a minimum width of 100 feet and a minimum parcel size of 22,000 square feet.

2. For a two-family dwelling, a parcel shall have a minimum width of 100 feet and a minimum parcel size of 33,000 square feet.

c. For parcels served by an approved community, municipal or public water and sewer system, the minimum parcel sizes shall be as follows:

1. For a single-family dwelling, the parcel shall have a minimum width of 75 feet and a minimum parcel size of 7,500 square feet

2. For a two-family dwelling, the parcel shall have a minimum width of 75 feet and a minimum parcel size of 10,000 square feet.

2. Subdivisions:

a. For subdivisions involving multi-family dwellings, a manufactured home park, a retirement center or a nursing home, all new lots shall be connected to a DEQ permitted wastewater pollution control facility.

b. For subdivisions involving only single-family and two family dwellings the standards set forth in section 18.66.020(C)(1) shall apply.

D. Yard Standards.

1. Front Yard. The front yard shall be 20 feet for a property fronting on a local road right-of-way, 30 feet for a property fronting on a collector right-of-way and 80 feet for a property fronting on an arterial right-of-way.

2. Side Yard. A side yard shall be a minimum of five feet and the sum of the two side yards shall be a minimum of 15 feet, subject to subsection 18.66.020(D)(4) of this section.

3. Rear Yard. The minimum rear yard shall be 20 feet, subject to subsection 18.66.020(D)(4) of this section.

4. Exception to Yard Standards. Any new structure requiring a building permit on a lot or parcel contiguous to EFU-zoned land that is receiving special assessment for farm use shall be set back a minimum of 100 feet from the common property line.

5. In addition to the setbacks set forth herein, any greater setbacks required by

applicable building or structural codes adopted by the State of Oregon and/or the county under chapter 15.04 of Title 15 shall be met.

18.66.030. Residential-5 acre minimum (TeR5) district.

The purpose of the Terrebonne Residential-5 Acre Minimum District is to retain large rural residential lots where community sewer and water are not available.

A. Permitted Uses.

The following uses and their accessory uses are permitted outright and do not require site plan review:

1. Single-family dwelling or a manufactured home subject to section 18.116.070 of Title 18.

2. Two-family dwelling.

3. Home occupation that:

a. Is carried on within a dwelling only by members of the family who reside in the dwelling;

b. Does not serve clients or customers on-site;

c. Does not produce odor, dust, glare, flashing lights or noise;

d. Does not occupy more than 25 percent of the floor area of the dwelling; and

e. Does not include the on-premises display or sale of stock in trade.

4. Agricultural uses as defined in chapter 18.04 of Title 18, involving:

a. Keeping of cows, horses, goats, sheep or similar farm animals, provided that the total number of such animals over the age of six months is limited to the square footage of the lot or parcel divided by 20,000 square feet.

b. Keeping of chickens, fowl, rabbits or similar farm animals over the age of six months, provided that the total numbers of such animals does not exceed one for each 500 square feet of property.

5. Class I and II road or street project subject to approval as part of a land partition, subdivision or subject to the standards of sections 18.66.070 and 18.116.230 of Title 18.

6. Class III road or street project.

B. Conditional Uses.

The following uses and their accessory uses are permitted subject to the applicable provisions of this chapter and chapters 18.116, 18.124 and 18.128 of Title 18:

1. Manufactured home park.
2. Multi-family dwelling complex.
3. Retirement center or nursing home.
4. Church.
5. Home occupation as defined in chapter 18.04 of Title 18.
6. Public or private school.
7. Child care center.
8. Park.
9. Public or semi-public building.
10. Utility facility.
11. Water supply or treatment facility.

C. Lot Requirements.

The minimum lot or parcel size in the TeR5 District is five (5) acres regardless of the availability of approved community, non-community, municipal, or public water system and public sewer system.

D. Yard Standards.

1. Front Yard. The front yard shall be 20 feet for a property fronting on a local road right-of-way, 30 feet for a property fronting on a collector right-of-way, and 80 feet for a property fronting on an arterial right-of-way.

2. Side Yard. A side yard shall be a minimum of five feet and the sum of the two side yards shall be a minimum of 15 feet, subject to subsection 18.66.030(D)(4) of this section.

3. Rear Yard. The minimum rear yard shall be 20 feet, subject to subsection 18.66.030 (D)(4) of this section.

4. Exception to Yard Standards. Any new structure requiring a building permit on a lot or parcel adjacent to EFU-zoned land that is receiving special assessment for farm use shall be set back a minimum of 100 feet from the common property line.

5. In addition to the setbacks set forth herein, any greater setbacks required by applicable building or structural codes adopted by the State of Oregon and/or the county under chapter 15.04 of Title 15 shall be met.

18.66.040. Commercial (TeC) district.

The Terrebonne Commercial District is intended to allow a range of commercial and limited industrial uses to serve the community and surrounding rural area.

A. Permitted Uses.

The following uses and their accessory uses are permitted outright and do not require site plan review:

1. Single-family dwelling or two-family on a lot or parcel existing on June 4, 1997

2. Manufactured home on a lot or parcel existing on June 4, 1997, subject to section 18.116.070 of Title 18.

3. Home occupation that:

a. Is carried on within a dwelling only by members of the family who reside in the dwelling;

b. Does not serve clients or customers on-site;

c. Does not produce odor, dust, glare, flashing lights or noise;

d. Does not occupy more than 25 percent of the floor area of the dwelling;

e. Does not include the on-premises display or sale of stock in trade.

4. Class I and II road or street project subject to approval as part of a land partition, subdivision or subject to the standards of sections 18.66.070 and 18.116.230 of Title 18.

5. Class III road or street project.

B. Uses Permitted Subject to Site Plan Review.

The following uses and their accessory uses are permitted subject to the applicable provisions of this chapter and chapters 18.116 and 18.124 of Title 18:

1. A building or buildings not exceeding 4,000 square feet of floor space to be used by any combination of the following uses:

a. Retail or service business.

b. Eating or drinking establishment.

c. Offices.

d. Veterinary clinic and kennel entirely within an enclosed building.

e. Residential use in the same building as a use permitted in this subsection 18.66.040(B)(1).

Exhibit "B"

2. Any of the uses allowed under this section proposing to occupy more than 4,000 square feet of floor area in a building or buildings, subject to provisions of subsection 18.66.040(E) of this section.

C. Conditional Uses.

The following uses and their accessory uses are permitted subject to the applicable provisions of this chapter and chapters 18.116, 18.124 and 18.128 of Title 18:

1. Motel, with a maximum of 35 units, only if served by a community sewer system as defined in OAR 660-22-010(2).

2. Recreational vehicle park.

3. Church.

4. Home occupation as defined in chapter 18.04 of Title 18.

5. Public or private school.

6. Child care center.

7. Park.

8. Public or semi-public building.

9. Medical center in a building or buildings not exceeding 4,000 square feet of floor space.

10. Utility facility.

11. Water supply or treatment facility.

12. Vehicle and trailer sales, service, repair or rental in a building or buildings not exceeding 4,000 square feet of floor space.

13. Uses listed below carried on in a building or buildings not exceeding 4,000 square feet of floor space with no exterior displays or storage of industrial equipment, industrial vehicles or industrial products:

a. Manufacturing and production.

b. Wholesale sales.

c. Mini-storage.

D. Use Limitations.

The following use limitations shall apply to the uses listed in subsections 18.66.040(B) and (C) of this section.

1. Sewer and Water Requirements.

Applicant must obtain approval for an on-site sewage disposal system, or if applicable, obtain a Department of Environmental Quality (DEQ) Waste Water Pollution Control Facility (WPCF) permit before approval or as condition of approval of the land use permit.

2. The county shall notify the Terrebonne Domestic Water District of land use actions made under this chapter.

E. Requirements for Large Scale Uses.

1. All uses listed in sections 18.66.040(B) and 18.66.040(C)(9) may have a total building floor area exceeding 4,000 square feet if the Planning Director or Hearings Body finds:

a. The use is intended to serve the community and surrounding rural area or the travel needs of people passing through the area;

b. The use will primarily employ a work force from the community and surrounding rural area; and

c. It is not practical to locate the use in a building or buildings with floor area of 4,000 square feet or less.

2. For purposes of this subsection, the surrounding rural area includes the area described by the Terrebonne zip code, which extends south to the boundary of the Redmond zip code, west to the boundary of the Sisters zip code, east into Crook County to the boundary of the Prineville zip code and north into Jefferson County to include Crooked River Ranch.

F. Design Standards.

1. Ground Floor Windows. The following criteria for ground floor windows apply to all new commercial buildings in the TeC District except those containing uses listed in subsection 18.66.040(C)(13) of this section. The provisions of chapter 18.124 of Title 18 also apply.

a. The window area shall equal at least 50 percent of the length and 25 percent of the height of the ground level wall area. Ground level wall area includes all exterior wall area up to 9 feet above the finished grade. The window requirement applies to the ground level of exterior building walls that abut sidewalks or roads.

b. Required window areas shall be windows that allow views into either working areas, lobbies, pedestrian entrances or display windows.

G. Lot Requirements.

Minimum size requirements for this district will be determined by spatial requirements for on-site sewage disposal, required landscaped areas and off-street parking. No lot or parcel shall be created of less than a minimum of 10,000 square feet.

H. Dimensional Standards.

Lot Coverage. No lot coverage requirements, provided spatial requirements for parking, sewage disposal and landscaping are satisfied.

I. Yard Standards.

1. Front Yard. The front yard shall be a maximum of 15 feet, except as otherwise allowed by subsection 18.124.070(C)(3)(b) of Title 18.

The street setback for buildings may be reduced, but not increased, to the average building setback distance of existing buildings on adjoining lots.

2. Side Yard. No requirement, subject to subsection 18.66.040(H)(4) of this section.

3. Rear Yard. No specific requirements, subject to subsection 18.66.040(H)(4) of this section.

4. Exceptions to Yard Standards.

a. Lot line adjacent to a residential district. Any new structure requiring a building permit sited on a lot adjacent to a residential district shall be set back a minimum of 15 feet from the common property line. The required yard shall be increased by one foot for each foot by which the building height exceeds 20 feet.

b. Lot line adjacent to an EFU zone.

Any new structure requiring a building permit on a lot or parcel adjacent to EFU-zoned land that is receiving special assessment for farm use shall be set back a minimum of 100 feet from the common property line.

18.66.050. Commercial-Rural (TeCR)**District.**

The Terrebonne Commercial-Rural District allows a mix of commercial and industrial uses common to a farming community.

A. Permitted Uses.

The following uses and their accessory uses are permitted outright and do not require site plan review:

1. Single-family dwelling on a lot or parcel existing on June 4, 1997

2. Manufactured home on a lot or parcel existing on June 4, 1997, subject to section 18.116.070 of Title 18.

3. Home occupation that:

a. Is carried on within a dwelling only by members of the family who reside in the dwelling;

b. Does not serve clients or customers on-site;

c. Does not produce odor, dust, glare, flashing lights or noise;

d. Does not occupy more than 25 percent of the floor area of the dwelling; and

e. Does not include the on-premises display or sale of stock in trade.

4. Class I and II road or street project subject to approval as part of a land partition, subdivision or subject to the standards of sections 18.66.070 and 18.116.230 of Title 18.

5. Class III road or street project.

B. Uses Permitted Subject to Site Plan Review.

The following uses and their accessory uses are permitted subject to the applicable provisions of this chapter and chapters 18.116 and 18.124 of Title 18:

1. A building or buildings not exceeding 4,000 square feet of floor space to be occupied by any combination of the following uses:

a. Retail or service business.

b. Eating or drinking establishment.

c. Office.

d. Residential use in the same building as a use listed in this section.

2. Any of the uses listed under this subsection proposing to occupy more than 4,000 square feet of floor area in a building or buildings, subject to provisions of subsection 18.66.050(E) of this section.

C. Conditional Uses.

The following uses and their accessory uses are permitted subject to the applicable provisions of this chapter and chapters 18.116, 18.124 and 18.128 of Title 18:

1. Church.
2. Home occupation as defined in chapter 18.04 of Title 18.
3. Park.
4. Public or semi-public building.
5. Utility facility.
6. Water supply or treatment facility.
7. Vehicle and trailer sales, service, repair and rental in a building or buildings not exceeding 4,000 square feet of floor area.
8. Uses listed below carried on in a building or buildings not exceeding 10,000 square feet of floor space to be occupied by any combination of the following uses:
 - a. Manufacturing or production.
 - b. Wholesale sales.
 - c. Mini-storage.
 - d. Truck terminal.
 - e. Farm or contractor equipment storage, sales, service or repair.
 - f. Uses that require proximity to rural resources, as defined in OAR 660-04-022-(3)(a).

D. Use Limitations.

The following use limitations shall apply to the uses listed in subsections 18.66.050(B) and (C) of this section.

1. Sewer and Water Requirements.
 - a. Applicant must obtain approval for an on-site sewage disposal system, or if applicable, obtain a Department of Environmental Quality (DEQ) Waste Water Pollution Control Facility (WPCF) permit before approval or as condition of approval of the land use permit.
 - b. The county shall notify the Terrebonne Domestic Water District of land use actions made under this chapter.
2. Compatibility.
 - a. Any use on a lot adjacent to a residential district shall not emit odor, dust, fumes, glare, flashing lights, noise, or similar disturbances perceptible without instruments

more than 200 feet in the direction of the affected residential lot.

b. Any use expected to generate more than 50 truck-trailer, contractor's and/or farm heavy equipment trips per day to and from the subject property shall not locate on a lot or parcel adjacent to or across a local or collector road from a lot or parcel in a residential district.

c. No use shall be permitted that has been declared a nuisance by state statute, county ordinance or a court of competent jurisdiction.

d. No use requiring an air containment discharge permit shall be approved by the Planning Director or Hearings Body before review by the applicable state or federal permit-reviewing authority. Such uses shall not located adjacent to or across a local or collector road from a lot or parcel in a residential district.

3. Traffic and Parking.

a. A use that generates more than 20 auto or truck trips during the peak hour of the day to and from the premises shall document with facts that the affected transportation facilities are adequate to serve the proposed use, considering the functional classification, capacity and level of service of the affected transportation facility.

b. All parking demand generated by uses permitted by this chapter shall be accommodated entirely on the premises.

c. Site design shall not require backing of traffic onto a public or private road right-of-way.

4. Additional Requirements. As a condition of approval of any use proposed, the Planning Director or Hearings Body may require:

- a. An increased setback requirement.
- b. Additional off-street parking and loading facilities.
- c. Limitations on signs, lighting, hours of operation and points of ingress and egress.
- d. Additional landscaped buffering and screening improvements.

E. Requirements for Large Scale Uses.

Exhibit "B"

1. All uses listed in section 18.66.050(B) may be allowed to occupy a total floor area exceeding 4,000 square feet if the Planning Director or Hearings Body finds:

a. The use is intended to serve the community and surrounding rural area or the traveling needs of people passing through the area;

b. The use will primarily employ a work force from the community and surrounding rural area; and

c. It is not practical to contain the proposed use within 4,000 square feet of floor area.

2. This provision does not apply to uses listed in subsections 18.66.050(C)(8) of this section.

3. For purposes of this subsection, the surrounding rural area described by the Terrebonne zip code, which extends south to the boundary of the Redmond zip code, west to the boundary of the Sisters zip code, east into Crook County to the boundary of the Prineville zip code and north into Jefferson County to include Crooked River Ranch.

F. Design Standards.

Ground Floor Windows. The following criteria for ground floor windows apply to all new commercial buildings in the TeCR District except those containing uses listed in subsections 18.66.050(C)(8). The provisions of Chapter 18.124 of Title 18 also apply.

a. The window area shall be at least 50 percent of the length of the ground level wall area and 25 percent of height of the ground level wall area. Ground level wall area includes all exterior wall area up to 9 feet above the finished grade. The window requirement applies to the ground level of exterior building walls that abut sidewalks or roads.

b. Required window areas shall be windows that allow views into either working areas, lobbies, pedestrian entrances or display windows.

G. Lot Requirements.

No lot shall be created less than a minimum of 10,000 square feet. Lot requirements for this district shall be

determined by spatial requirements for sewage disposal, required landscaped areas and off-street parking.

H. Dimensional Standards.

1. Lot Coverage: No lot coverage requirements, provided spatial requirements for parking, sewage disposal and landscaping are satisfied.

2. No use listed in subsection 18.66.050(C)(8) that is located adjacent to or across a local or collector road from a lot or parcel in a residential district shall exceed 70 percent lot coverage by all buildings, outside storage or off-street parking and loading areas.

I. Yard Standards.

1. Front Yard. The front yard shall be a maximum of 15 feet, except as otherwise allowed by subsection 18.124.070(C)(3)(b) of Title 18.

The street setback for buildings may be reduced, but not increased, to the average building setback distance of existing buildings on adjoining lots.

2. Side Yard. No requirement, subject to subsection 18.66.050(I)(4) of this section.

3. Rear Yard. No specific requirement, subject to subsection 18.66.050(I)(4) of this section.

4. Exceptions to Yard Standards.

a. Lot line adjacent to a residential zone. For all new structures requiring a building permit on a lot adjacent to a residential district, the setback shall be a minimum of 15 feet. The required yard will be increased by one foot for each foot by which the building height exceeds 20 feet.

b. Lot line adjacent to an EFU zone. Any structure requiring a building permit on a lot adjacent to EFU-zoned land that is receiving special assessment for farm use, shall be set back a minimum of 100 feet from the common property line.

18.66.060. Standards for all Districts.**A. Solar Setback.**

The setback from the north lot line shall meet the solar setback requirements in section 18.116.180 of Title 18.

B. Building Code Setbacks. In addition to the setbacks set forth herein, any greater setbacks required by the applicable building or structural codes adopted by the State of Oregon and/or the County under chapter 15.04 of Title 15 shall be met.

C. Off-Street Parking and Loading. Off-street parking and loading shall be provided subject to the provisions of chapter 18.116 of Title 18.

D. Lot Coverage. Except where otherwise noted, the primary and accessory buildings located on any lot or parcel shall not cover more than 30 percent of the total lot or parcel.

E. Building Height. No building or structure shall be erected or enlarged to exceed thirty (30) feet in height, except as allowed under section 18.120.040 of Title 18.

18.66.070. Right-of-way development standards.

A. Applicability. The standards in this section shall, in conjunction with the provisions of Chapters 17.36, 17.40 and 17.48 relating to improvements in the right-of-way, apply to improvements in the right-of-way required by land use permit approvals. Right-of-way improvements shall be those authorized by subdivision, partition, conditional use or site plan requirements, as applicable. The standards set forth in this section shall govern over any conflicting standards set forth in Title 17.

B. Road Access. For properties abutting Highway 97, when there is a choice to take access from a road other than Highway 97, no access shall be taken from Highway 97.

C. Roadways. Any roadway improvement shall conform to the applicable provisions of Title 17, Table 18.66-A and the functional classification assigned to the road segment by the Comprehensive Plan for the Terrebonne Rural Community.

D. Bikeways. Required bikeway improvements shall conform to the standards set forth in Section 17.48.140 and applicable specifications of Table 18.66-A of this chapter.

E. Sidewalks.

1. Sidewalks shall meet the standards set forth in Table 18.66-A. Sidewalks are required only where specified in the Comprehensive Plan Map for Terrebonne, Map D3 "Planned Pedestrian Improvements."

2. Sidewalks may be constructed either at the time of development or may be deferred until later through formation of a local improvement district. Applicants electing to defer sidewalk construction shall be required as a condition of approval to submit and have recorded a waiver of remonstrance signed by the land owner waiving the land owner's rights to have any objection to LID formation counted against formation of the LID.

F. Drainage. Drainage facilities shall be required if necessary to meet the standard of Section 17.48.190. Where specified in Table 18.66-A, drainage shall be accomplished by swales constructed in accordance with the specifications set forth in Table 18.66-A and the drawing set forth in Chapter 17.48.

Exhibit "C"

18.116.210. Family child care provider.

A. A family child care provider's home shall be considered a residential use of property, permitted in all areas zoned for residential and commercial purposes, including areas zoned for single-family dwellings.

B. The family child care provider's home is subject to the same restrictions imposed on any residential dwelling in the same residential or commercial zone.

**18.124.090. Right-of-way Improvement
Standards.**

Any dedications or improvements to the road right of way required under this chapter shall meet the standards for road right-of-way improvements set forth in Title 17 and any standards for right-of-way improvements set forth in this title for the particular zone in question.

TABLE 18-66-A

TERREBONNE ROAD DEVELOPMENT STANDARDS (1)

Road Class/ Zone District	Right- of-Way Width	Pavement Width (5)	Travel Lane Width	On-Street Parking	Shoulder	Drainage Swale (7,8)	Sidewalk	Pavement Type	Base Depth (4)	Maximum Grade (6)	Design Speed
Arterial											
US 97	80'-100'	60'	12'	Not Allowed	6' paved	Not Required	Not Required (9)	(see note #3)	(see note #3)	6%	(see note #3)
Smith Rock Way	60'	34'	12'	Not Allowed	5' paved	Required	Required (10)	3" AC	10"	6%	(see note #2)
	60'	34'	12'	Not Allowed	5' paved	Not Required	Not Required	3" AC	10"	6%	(see note #2)
Lower Bridge Way	60'	34'	12'	Not Allowed	5' paved	Not Required	Not Required	3" AC	10"	6%	(see note #2)
Collector											
Commercial	60'	24'	12'	Allowed	Part of Swale	Required	Required (10)	3" AC	8"	8%	(see note #2)
	60'	24'	12'	Allowed	4' gravel	Not Required	Not Required	3" AC	8"	8%	(see note #2)
Residential	60'	24'	12'	Allowed	Part of Swale	Not Required (11)	Not Required (11)	3" AC	8"	8%	(see note #2)
Local											
Commercial	60'	24'	12'	Allowed	Part of Swale	Required	Required (9)	3" AC	8"	8%	(see note #2)
	60'	24'	12'	Allowed	4' gravel	Not Required	Not Required	3" AC	8"	8%	(see note #2)
Residential	60'	20'	10'	Allowed	4' gravel	Not Required (12)	Not Required (12)	0-9 or 2" AC	6"	10%	(see note #2)
Other											
Alley (Commercial)	20'	20'	10'	Allowed	Allowed	Not Required	Not Required	3" AC	6"	10%	(see note #2)
Path/Trail	15'	6' unpaved 8'-10' paved	---	---	graded 2' min. if paved	---	---	2" AC	4"	5%	---

- (1) These design specifications are intended to guide new construction and any required improvements to existing facilities.
- (2) Design shall be in accordance with AASHTO standards.
- (3) Design shall be in accordance with Oregon Department of Transportation Design Standards.
- (4) Required base depth may be increased when C.B.R. or R-value is required by the Department of Public Works.
- (5) Cul-de-sac bulb to be paved with a 45-foot minimum radius.
- (6) Increase in grade of 2 percent may be allowed in unusually steep areas.
- (7) Widths are variable, but in no case shall a swale be less than 8 feet in width.
- (8) Where drainage swales are not required, the standards for drainages in Title 17, Chapter 17.48 shall still apply.
- (9) 6-foot sidewalks required on both sides of Highway 97 between South 11th Avenue and Central Avenue intersections. Includes pedestrian crossing improvement a "B" Avenue and "C" Avenue intersection (see Terrebonne Comprehensive Plan Map D-3).
- (10) 5-foot curbless sidewalks with a drainage swale required on both sides of the road.
- (11) 5-foot curbless sidewalks with drainage swales required from West 19th Street to 15th Street on the south side of "C" Avenue (see Terrebonne Comprehensive Plan Map D-3).
- (12) 5-foot curbless sidewalks with drainage swales required along school frontage on "B" Avenue and 5th Street (see Terrebonne Comprehensive Plan Map D-3).
- (13) Frontage roads shall be in accordance with Table A contained in Title 17, Chapter 17.48 of the Deschutes County Code.
- (14) Private roads shall be constructed in accordance with Table 18-66-A standards for local roads.

Revised: June 3, 1997