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LEGAL COUNSEL

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Title 18, County Zoning *
Ordinance, of the Deschutes County Code, with an *
Effective Date of March 31, 1998. *

97 DEC 31 PM 4:39
MARY SUE PENHOLLOW
COUNTY CLERK

ORDINANCE NO. 97-078

WHEREAS, amendments to the Deschutes County Year 2000 Comprehensive Plan are required in order to comply with Periodic Review and OAR 660-22 for unincorporated communities; and

WHEREAS, the Rural Development section of the Growth Management chapter of the Deschutes County Year 2000 Comprehensive Plan has been amended by Ordinance No. 97-076 to add land use and development findings and policies for the Sunriver Urban Unincorporated Community; 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. REPEAL. Chapter 18.108, Planned Community - PC Zone, of Title 18 of the Deschutes County Code is hereby repealed in its entirety.

Section 2. ADDING. A new chapter, Chapter 18.108, Urban Unincorporated Community Zone - Sunriver, is added to Title 18 of the Deschutes County Code as described in Exhibit "A," attached hereto and by this reference incorporated herein. The effect of adding this new chapter is to replace the former chapter 18.108 repealed by Section 1 of this ordinance.

Section 3. CITATION. Section 18.04.546, Definition-High-value farmland, is hereby changed to Section 18.04.548 of Title 18 of the Deschutes County Code. Section 18.04.585, Definition-Hydroelectric facility, is hereby changed to Section 18.04.587 of Title 18 of the Deschutes County Code.

Section 4. AMENDMENT. Section 18.04.710, Definition-Marina, of Title 18 of the Deschutes County Code is amended to read as described in Exhibit "B," attached hereto and incorporated herein by this reference.

Section 5. ADDING. Deschutes County Code Chapter 18.04, Title, Purpose and Definitions, is amended by the addition of Section 18.04.243, Definition-Community Center; Section 18.04.546, Definition-Health and fitness facility; Section 18.04.585, Definition-Hotel/motel unit; Section 18.04.593, Definition-Inn; Section 18.04.1003, Definition-Recreational

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path; Section 18.04.1032, Definition-Resort facility; and Section 18.04.1033, Definition-Resort recreation facilities, as described in Exhibit "C," attached hereto and by this reference incorporated herein.

Section 6. AMENDMENT. Paragraph 116.030(E)(5), Parking, Front yard, of section 18.116.030, Off-street parking and loading, of Title 18 of the Deschutes County Code is amended to read as described in Exhibit "D," attached hereto and by this reference incorporated herein.

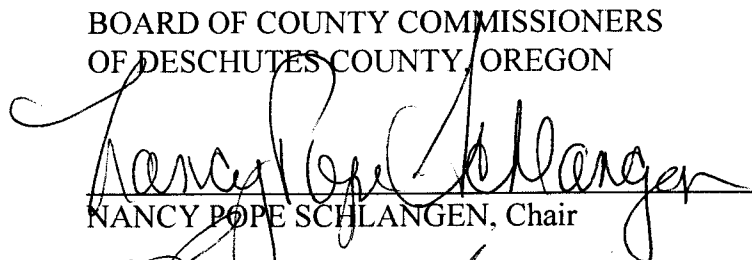
Section 7. AMENDMENT. Paragraph 18.124.070(C)(3), Commercial Development Standards, of section 18.124.070, Required minimum standards, of Title 18 of the Deschutes County Code is amended to read as described in Exhibit "E," attached hereto and incorporated herein by this reference.

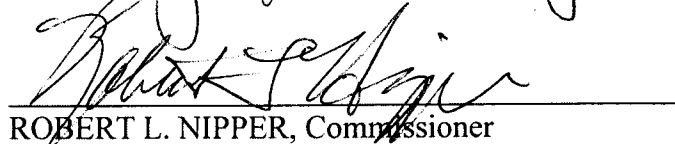
Section 8. FINDINGS. Findings to support this ordinance are set forth in the Staff Report - Sunriver Urban Unincorporated Community, File No. TA-97-11, attached as Exhibit "B" to Ordinance No. 97-076 and by this reference incorporated herein.

Section 9. EFFECTIVE DATE. This Ordinance takes effect on March 31, 1998.

DATED this 31st day of December, 1997.

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON


NANCY POPE SCHLANGEN, Chair


ROBERT L. NIPPER, Commissioner


LINDA L. SWEARINGEN, Commissioner

ATTEST:

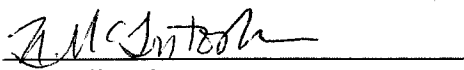

Recording Secretary

EXHIBIT "A"

**Chapter 18.108. URBAN
UNINCORPORATED
COMMUNITY ZONE -
SUNRIVER**

- 18.108.010. Purpose.**
18.108.020 Standards for all Districts.
18.108.030. Single Family Residential District.
18.108.040. Multiple Family Residential District.
18.108.050. Commercial District.
18.108.060. Resort District.
18.108.070. Resort Marina District.
18.108.080. Resort Golf Course District.
18.108.090. Resort Equestrian District.
18/108.100. Resort Nature Center District.
18.108.110. Business Park District.
18.108.120. Community General District.
18.108.130. Community Recreation District.
18.108.140 Community Limited District.
18.108.150 Community Neighborhood District.
18.108.160. Airport District.
18.108.170 Utility District.
18.108.180. Forest District.
18.108.190. Flood Plain Combining District.

18.108.010. Purpose.

The purpose of the Urban Unincorporated Community (UUC) Zone - Sunriver is to provide standards and review procedures for the future development of the urban unincorporated community of Sunriver. The UUC Zone - Sunriver is composed of 16 separate zoning districts and one combining zone district, each with its own set of allowed uses and distinct regulations, as further set forth in this chapter. (Ord. 97-078 § 2, 1997)

18.108.020. Standards in all Districts.

A. Approval Required. Any use in an RM, C, R, RA, RG, RE, RN, BP, CG, CR, CL, CN, A, U or F District shall be subject to chapter 18.124 of this title. All uses listed as conditional uses within the RS District are also subject to the requirements of Chapter 18.124 of this title.

B. Solar Setbacks. The setback from the north lot line shall meet the solar setback requirements of section 18.116.180 of this title.

C. Building Code Setbacks. 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 Deschutes County under Chapter 15.04 of the Deschutes County Code shall be met.

D. Off-Street Parking and Loading.

Off-street parking and loading shall be provided subject to the parking provisions of chapter 18.116 of this title.

E. Outdoor Lighting. All outdoor lighting shall be installed in conformance with Chapter 15.10 of the Deschutes County Code.

F. Excavation, Grading and Fill and Removal. Excavation, grading and fill and removal within the bed and banks of a stream or river or in a wetland shall be subject to section 18.120.050 and/or subsection 18.128.040(W) of this title.

G. Signs. All signs shall be constructed in accordance with the provisions of Chapter 15.08 of the Deschutes County Code. (Ord. 97-078 § 2, 1997)

18.108.030. Single Family Residential - RS District.

A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright:

1. Single-family dwelling, including one private garage for each dwelling unit.

2. Recreational path.

B. Conditional Uses Permitted. The following uses may be permitted subject to chapter 18.128 of this title and a conditional use permit:

1. Park, playground and picnic and barbecue area.

2. Fire station.

3. Library.

4. Museum.

5. Health and fitness facility.

6. Utility substations or pumping stations with no equipment storage or sewage treatment facilities.

7. Temporary subdivision sales office.

8. Community building.

9. Church.

C. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 30 feet in height.

D. Lot Requirements. The following lot requirements shall be observed, provided that the Planning Director or Hearings Body may allow smaller lots approved pursuant to this title and consistent with the Comprehensive Plan designations for preservation of forested area or significant rock outcroppings when these lots are internal to the subdivision or after a hearing if they are located on the edge of the new plat.

1. Lot Area. Every lot shall have a minimum area of 6,000 square feet.

2. Lot Width. Every lot shall have a minimum average width of 60 feet, except that a corner lot shall be a minimum of 70 feet.

3. Frontage. Every lot shall have a minimum width at the street of 50 feet, except that on an approved cul-de-sac this may be reduced to 30 feet.

4. Front Yard. The front yard shall be a minimum of 20 feet.

5. Side Yard. A side yard shall be a minimum of 5 feet for structures less than 21 feet in height. All structures greater than 21 feet in height shall have a minimum side yard of 7 feet, 6 inches, including additions thereto.

6. Rear Yard. The rear yard setback for properties which do not have a common area adjoining the rear property line shall be a minimum of 25 feet. The rear yard setback is zero (0) for properties with a rear property line which adjoins a common area that is 50 feet or greater in depth. The rear yard setback for properties which adjoin common area less than 50 feet in depth shall be calculated at 6 inches for every one foot less than 50 feet. The depth of the common area adjoining the rear yard shall be determined to be the average depth of the common area when measured at 90 degree angles along the entire length of the rear property line.

7. Lot Coverage. Maximum lot coverage by buildings and structures shall be 35 percent of the lot area. (Ord. 97-078 § 2, 1997)

18.108.040. Multiple Family Residential - RM District.

A. Uses Permitted Outright. The following

uses and their accessory uses are permitted outright:

1. Two-family dwelling or duplex.

2. Multiple-family dwellings, apartment houses and dwelling groups including townhouses and condominiums.

3. Uses permitted outright in the RS District.

4. Planned unit developments and redevelopment.

5. Recreational path.

6. Residential home.

7. Residential facility.

B. Conditional Uses Permitted. The following conditional uses may be permitted subject to chapter 18.128 of this title and a conditional use permit.

1. Park, playground and picnic and barbecue area.

2. Fire station.

3. Library.

4. Museum.

5. Utility substations or pumping stations with no equipment storage or sewage treatment facilities.

6. Off-street parking lots when contiguous to a less restrictive zoning district.

7. Community center.

8. Church.

9. Temporary sales office for on-site dwelling units.

10. Interval ownership and/or time-share unit or the creation thereof.

11. Health and fitness facility.

C. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 30 feet in height.

D. Lot Requirements. The following lot requirements shall be observed:

1. Duplexes, threeplexes and fourplexes:

a. Lot Area. Every lot shall have a minimum area of 5,000 square feet for the first dwelling unit, plus the following minimum land area based upon the number of bedrooms per additional dwelling unit in the following table:

Studio or Efficiency	750 sq. ft.
1 Bedroom	1,000 sq. ft.
2 Bedrooms	1,500 sq. ft.
3 Bedrooms	2,250 sq. ft.
4 Bedrooms	2,500 sq. ft.

EXHIBIT "A"

The overall density shall not exceed one dwelling unit per 2,000 square feet of lot area.

b. Lot Width. Every lot shall have a minimum average width of 50 feet.

c. Frontage. Every lot shall have a minimum width at the street of 50 feet, except that on an approved cul-de-sac this may be reduced to 30 feet.

d. Front Yard. The front yard shall be a minimum of 10 feet.

e. Side Yard. There shall be a minimum side yard of five feet and the sum of the side yards shall be a minimum of 15 feet. The side yards shall be increased by one-half foot for each foot by which the building height exceeds 15 feet.

f. Rear Yard. There shall be a rear yard having a depth of not less than five feet. The rear yard shall be increased by one-half foot for each foot by which the building height exceeds 15 feet.

g. Lot Coverage. Maximum lot coverage by buildings and structures shall be 40 percent of the total lot area.

2. Townhouses, condominiums, zero lot line dwellings and apartments:

a. There shall be no minimum lot area for apartments, townhouses, condominium developments or planned unit developments provided, however, that the overall density shall not exceed one dwelling per 2,000 square feet of land area.

b. Setbacks. Yard setbacks, lot widths and lot coverage shall be determined at the time of site plan approval.

3. Single Family Residences.

a. Lot widths, yard setbacks and lot coverage shall be the same as provided in the RS District.

E. Off-Street Parking. Off-street parking shall be provided for a minimum of two cars per dwelling unit. (Ord. 97-078 § 2, 1997)

18.108.050. Commercial - C District.

A. Uses Permitted Outright. Any combination of the following uses and their accessory uses are permitted outright in the C district.

1. Recreational path.
2. Ambulance service.
3. Library.
4. Church.

5. Bus stop.

6. Community center.

7. A building or buildings each not exceeding 8,000 square feet of floor space housing any combination of:

a. Retail/rental store, office and service establishment.

b. Art galleries

c. Dry cleaner and/or self-service laundry establishment.

d. Radio and television sales and service.

e. Radio and television broadcasting studios and facilities, except towers.

f. Restaurant, bar and cocktail lounge, including entertainment.

g. Automobile service station.

h. Technical and business school.

i. Catering establishment.

j. Crafts in conjunction with retail sales (occurring on premises, such as stained glass/pottery, etc.)

k. Medical and dental clinic, office and laboratory.

l. Theater not exceeding 4,000 square feet of floor area.

8. Multiple-family residential dwelling units, subject to the provisions of paragraph (C)(1) of this section.

9. Residential dwelling units constructed in the same building as a commercial use, subject to the provisions of paragraph (C)(2) of this section.

B. Conditional Uses Permitted. The following conditional uses may be permitted subject to chapter 18.128 of this title and a conditional use permit.

1. Public buildings and public utility buildings and structures.

2. Club, lodge or fraternal organization.

3. Commercial off-street parking lot.

4. Bus passenger station.

5. Interval ownership and/or time-share unit or the creation thereof.

6. Miniature golf.

7. Bed and breakfast inn.

8. Inn.

9. Residential facility.

10. A building or buildings each not exceeding 8,000 square feet of floor space housing any combination of:

- a. Bowling alley.
- b. Car wash.
- c. Dancing or music school, nursery school, kindergarten and day-care facility.
- d. Theater exceeding 4,000 square feet in floor area.
- e. Veterinary clinic or kennel operated entirely within an enclosed building.
- f. Automotive repair and maintenance garage, or tire store, provided the business is wholly conducted within an enclosed building

C. Use Limits.

1. Multiple-family residential dwelling units, allowed on a maximum of three acres of the nine acres vacant as of December 31, 1997 in the C District, shall be subject to the provisions of subsection 18.108.040 (C) and (D) of this chapter, and the following requirements:

- a. No dwelling unit shall have more than three bedrooms.
- b. Individual dwelling units shall not exceed 2,250 square feet of habitable floor area.
- c. One off-street parking space shall be provided for each bedroom within each dwelling unit, with a maximum of two spaces allowed per dwelling unit.

2. Residential dwelling units constructed in the same building as a commercial use developed in the C district shall be subject to the following requirements:

- a. Residential dwelling units shall be developed above first floor commercial use.
- b. No dwelling unit shall have more than two bedrooms.
- c. Individual dwelling units shall not exceed 850 square feet of floor area.
- d. One off-street parking space shall be provided for each bedroom within each dwelling unit.

3. Uses permitted either outright or conditionally in the C District shall not involve the transport of chemicals which would present a significant hazard.

D. Special Requirements for Large Scale Uses. Any of the uses listed in paragraph (A)(7) or (B)(12) of this section may be allowed in a building or buildings each exceeding 8,000 square feet of floor space if the Planning Director or Hearings Body finds:

1. That the intended customers for the

proposed use will come from the community and surrounding rural area, or the use will meet the needs of the people passing through the area. For the purposes of subsection (D), the surrounding rural area shall be that area identified as all property within 5 miles of the boundary of the Sunriver Urban Unincorporated Community; and,

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

3. That it is not practical to locate the use in a building or buildings under 8,000 square feet of floor space.

E. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 30 feet in height.

F. Lot Requirements. The following lot requirements shall be observed:

1. Lot Area. No requirements.
2. Lot Width. No requirements.
3. Lot Depth. 100 feet.
4. Front Yard. The front yards shall be a minimum of 10 feet.
5. Side Yard. None, except when a side lot line is adjoining a lot in an RS or RM District, and then the side yard shall be a minimum of 10 feet. The required side yards shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.
6. Rear Yard. None, except when a rear lot line is adjoining a lot in an RS or RM District, and then the rear yard shall be a minimum of 10 feet. The required rear yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.
7. Lot Coverage. No requirements. (Ord. 97-078 § 2, 1997)

18.108.060. Resort - R District.

A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright in the R District:

1. Resort facility developed in a building or buildings of any size which house any combination of:

- a. Meeting room, convention and banquet facility.
- b. Resort recreation facilities.
- c. Property sales and rental office.
- d. Hotel, motel and lodging facility with

up to 100 units in a single building.

e. Maintenance facility associated with resort and recreation operations.

f. Storage building necessary for and associated with resort, recreation and/or property development.

g. Administrative offices, support and service facilities commonly associated with resort and recreation development and operations.

2. Restaurant, bar and cocktail lounge including entertainment and catering facilities which are included within the same building as any of the uses listed in paragraph (A)(1) of this section.

3. Retail sales, rental and repair services commonly associated with and included within the same building as any of the uses listed in paragraph (A)(1) of this section.

4. Interval ownership and/or time-share unit or the creation thereof.

5. Multiple family residential dwelling units subject to and consistent with the standards of the RM District.

6. Recreational path.

7. Residential home.

8. Residential facility.

9. A building or buildings each not exceeding 8,000 square feet of floor space which conform with the height regulations and lot requirements of the R District and house any combination of:

a. New restaurant, bar and cocktail lounge, including entertainment and catering facilities which are not included within the same building as those uses listed in paragraph (A)(1) of this section.

b. New retail sales, rental and repair services commonly associated with uses permitted outright or conditionally in the R District which are not included within the same building as those uses listed in paragraph (A)(1).

B. Conditional Uses Permitted. The following conditional uses may be permitted subject to Chapter 18.128 of this title and a conditional use permit:

1. Public buildings and public utility buildings and structures as they may be appropriate to the R District.

2. Church, club or fraternal organization.

3. School.

C. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 40 feet in height.

D. Lot Requirements. The following lot requirements shall be observed:

1. Lot Area. No requirements.

2. Lot Width. No requirements.

3. Lot Depth. 100 feet.

4. Front Yard. The front yard shall be a minimum of 10 feet.

5. Side Yard. None, except when a side lot line is adjoining a lot in an RS or RM District, and then the side yard shall be a minimum of 10 feet. The required side yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.

6. Rear Yard. None, except when a rear lot line is adjoining a lot in an RS or RM District, and then the rear yard shall be a minimum of 10 feet. The required rear yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.

7. Lot Coverage. No requirements. (Ord. 97-078 § 2, 1997)

18.108.070. Resort Marina - RA District.

A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright in the RA District:

1. Marina.

2. Park, playground and picnic and barbecue area.

3. Recreational path.

4. Restaurant, bar and cocktail lounge existing as of March 31, 1998.

B. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 30 feet in height.

C. Lot Requirements. The following lot requirements shall be observed:

1. Lot Area. No requirements.

2. Lot Width. No requirements.

3. Lot Depth. 100 feet.

4. Front Yard. The front yard shall be a minimum of 10 feet.

5. Side Yard. None, except when a side lot line is adjoining a lot in an RS or RM District, and then the side yard shall be a minimum of 10 feet. The required side yard shall be increased by one-half foot for each foot by which the building

height exceeds 20 feet.

6. Rear Yard. None, except when a rear lot line is adjoining a lot in an RS or RM District, and then the rear yard shall be a minimum of 10 feet. The required rear yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.

7. Lot Coverage. No requirements. (Ord. 97-078 § 2, 1997)

18.108.080. Resort Golf Course - RG District.

A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright in the RG District:

1. Golf course.
2. Golf course accessory uses.
3. Recreational path.

B. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 30 feet in height.

C. Lot Requirements. The following lot requirements shall be observed:

1. Lot Area. No requirements.
2. Lot Width. No requirements.
3. Lot Depth. 100 feet.
4. Front Yard. The front yard shall be a minimum of 10 feet.

5. Side Yard. None, except when a side lot line is adjoining a lot in an RS or RM District, and then the side yard shall be a minimum of 10 feet. The required side yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.

6. Rear Yard. None, except when a rear lot line is adjoining a lot in an RS or RM District, and then the rear yard shall be a minimum of 10 feet. The required rear yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.

7. Lot Coverage. No requirements. (Ord. 97-078 § 2, 1997)

18.108.090. Resort Equestrian - RE District.

A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright in the RE District:

1. Equestrian facility.
2. Recreational path.
3. Park, playground and picnic and

barbecue area.

4. A building or buildings each not exceeding 8,000 square feet of floor space which house any combination of:

a. Retail sales, rental and repair services commonly associated with equestrian facilities.

B. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 30 feet in height.

C. Lot Requirements. The following lot requirements shall be observed:

1. Lot Area. No requirements.
2. Lot Width. No requirements.
3. Lot Depth. 100 feet.
4. Front Yard. The front yard shall be a minimum of 10 feet.

5. Side Yard. None, except when a side lot line is adjoining a lot in an RS or RM District, and then the side yard shall be a minimum of 10 feet. The required side yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.

6. Rear Yard. None, except when a rear lot line is adjoining a lot in an RS or RM District, and then the rear yard shall be a minimum of 10 feet. The required rear yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.

7. Lot Coverage. No requirements. (Ord. 97-078 § 2, 1997)

18.108100. Resort Nature Center - RN District.

A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright in the RN District:

1. Nature center.
2. Recreational path.
3. Observatory.

4. A building or buildings each not exceeding 8,000 square feet of floor space which conform with the height regulations and lot requirements of the RN District and house any combination of:

a. Restaurant and food service commonly associated with and customarily appurtenant to the uses permitted outright in the RN District.

b. Retail sales, rental and repair services commonly associated with uses permitted outright in the RN District.

EXHIBIT "A"

B. Use Limits. The following limitations and standards shall apply to uses listed in subsection(A) of this section.

1. All structures shall be sited on those portions of the property which contain mature trees.

2. Mature trees shall be retained to the maximum extent possible considering physical constraints associated with developing the property.

3. Development within the treed area shall occur in a manner whereby a minimum of 50 percent of a finished structure will be screened from surrounding properties and portions of the subject property which do not contain mature trees.

4. The Planning Director or Hearings Body may require the establishment of additional landscape material to ensure that 50 percent of a finished structure will be screened from surrounding properties and portions of the subject property which do not contain mature trees.

C. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 30 feet in height.

D. Lot Requirements. The following lot requirements shall be observed:

1. Lot Area. No requirements.

2. Lot Width. No requirements.

3. Lot Depth. 100 feet.

4. Front Yard. The front yard shall be a minimum of 10 feet.

5. Side Yard. None, except when a side lot line is adjoining a lot in an RS or RM District, and then the side yard shall be a minimum of 10 feet. The required side yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.

6. Rear Yard. None, except when a rear lot line is adjoining a lot in an RS or RM District, and then the rear yard shall be a minimum of 10 feet. The required rear yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.

7. Lot Coverage. No requirements. (Ord. 97-078 § 2, 1997)

18.108.110. Business Park - BP District.

A. Uses Permitted Outright. The following uses and their accessory uses are permitted

outright:

1. Residential uses existing as of March 31, 1997.

2. Administrative, educational and other related facilities in conjunction with a use permitted outright.

3. Library.

4. Recreational path.

5. Post office.

6. A building or buildings each not exceeding 8,000 square feet of floor space housing any combination of:

a. Retail/rental store, office and service establishment, including but not limited to the following:

i. Automobile, motorcycle, boat, recreational vehicle, trailer or truck sales, rental, repair or maintenance business, including tire stores and parts stores.

ii. Agricultural equipment and supplies.

iii. Car wash.

iv. Contractor's office, including but not limited to, building, electrical, plumbing, heating and air conditioning, painter, etc..

v. Construction equipment sales, rental and/or service.

vi. Exterminator services.

vii. Golf cart sales and service.

viii. Lumber yard, home improvement or building materials store.

ix. Housekeeping and janitorial service.

x. Dry cleaner and/or self-service laundry facility.

xi. Marine/boat sales and service.

xii. Restaurant, bar and cocktail lounge including entertainment.

7. A building or buildings each not exceeding 20,000 square feet of floor space housing any combination of:

a. Scientific research or experimental development of materials, methods or products, including engineering and laboratory research.

b. Light manufacturing, assembly, fabricating or packaging of products from previously prepared materials, including but not limited to cloth, paper, leather, precious or semi-precious metals or stones, etc..

c. Manufacture of food products, pharmaceuticals and the like, but not including the production of fish or meat products, or the

rendering of fats and oils.

d. Warehouse and distribution uses in a building or buildings each less than 10,000 square feet of floor area.

B. Conditional Uses Permitted. The following conditional uses may be permitted subject to chapter 18.128 of this title and a conditional use permit:

1. Public buildings and public utility structures and yards, including railroad yards.

2. A dwelling unit for a caretaker or watchman working on a developed property.

3. Law enforcement detention facility.

4. Parking lot.

5. Radio and television broadcast facilities.

6. A building or buildings each not exceeding 8,000 square feet of floor space housing any combination of:

a. Bowling alley.

b. Theater.

c. Veterinary clinic and/or kennel.

7. A building or buildings each not exceeding 20,000 square feet of floor space housing any combination of:

a. Warehouses and distribution uses in a building or buildings exceeding 10,000 square feet of floor area.

b. Distillery and beer/ale brewing facility, including wholesale sales thereof.

c. Self/mini storage.

d. Trucking company dispatch/terminal.

e. Solid waste/garbage operator, not including solid waste disposal or other forms of solid waste storage or transfer station.

C. Use Limits. The following limitations and standards shall apply to uses listed in subsections (A) or (B) of this section:

1. A use expected to generate more than 30 truck-trailer or other heavy equipment trips per day to and from the subject property shall not be permitted to locate on a lot adjacent to or across the street from a lot in a residential district.

2. Storage, loading and parking areas shall be screened from residential zones.

3. No use requiring air contaminant discharge permits shall be approved by the Planning Director or Hearings Body prior to review by the applicable state or federal permit reviewing authority, nor shall such uses be

permitted adjacent to or across the street from a residential lot.

D. Special Requirements for Large Scale Uses. Any of the uses listed in paragraph A(6) or B(6) of this section may be allowed in a building or buildings each exceeding 8,000 square feet of floor space if the Planning Director or Hearings Body finds:

1. That the intended customers for the proposed use will come from the community and surrounding rural area, or the use will meet the needs of the people passing through the area. For the purposes of this subsection, the surrounding rural area shall be that area identified as all property within 5 miles of the boundary of the Sunriver Urban Unincorporated Community; and,

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

3. That it is not practical to locate the use in a building or buildings under 8,000 square feet of floor space.

E. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 45 feet in height.

F. Lot Requirements. The following lot requirements shall be observed:

1. Lot Area. No requirements.

2. Lot Width. No requirements.

3. Lot Depth. Each lot shall have a minimum depth of 100 feet.

4. Front Yard. The front yard shall be a minimum of 25 feet.

5. Side Yard. No side yard required, except when adjoining a lot in an RS or RM District and then the required side yard shall be 50 feet. No side yards are required on the side of a building adjoining a railroad right of way.

6. Rear Yard. No rear yard required, except when adjoining a lot in an RS or RM District and then the rear yard shall be 50 feet. No rear yard is required on the side of a building adjoining a railroad right of way.

7. Lot Coverage. The maximum lot coverage by buildings and structures shall be 50 percent of the total lot area. (Ord. 97-078 § 2, 1997)

18.108.120. Community General - CG District.

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A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright:

1. School.
2. Utility substation, utility equipment storage and repair yard, and pump station.
3. Golf course.
4. Tennis court.
5. Swimming pool.
6. Park, playground and picnic and barbecue area.
7. Nature center.
8. Putting green.
9. Recreational path.
10. Equestrian facility.
11. Boat dock.
12. Health and fitness facilities.
13. Amphitheater.
14. Observatory.
15. Administrative and office facility associated with a community association or community use.
16. Police facility.
17. Fire Station.
18. Public works facility.
19. Community Center.
20. Church.
21. Warehouse and storage facilities accessory to and in conjunction with any use permitted outright in this district.
22. Residential home.
23. Residential facility.
24. A building or buildings each not exceeding 8,000 square feet of floor space which conform with the height regulations and lot requirements of the CG District and house any combination of:

a. Limited food and beverage service customarily accessory to and in conjunction with any use permitted outright or conditionally in this district.

b.. Retail sales, rental and repair services commonly associated with uses permitted outright or conditionally in the CG District.

B. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 30 feet in height.

C. Lot Requirements. The following lot requirements shall be observed:

1. Lot Area. No requirements.

2. Lot Width. No requirements.
3. Lot Depth. 100 feet.
4. Front Yard. The front yard shall be a minimum of 10 feet.
5. Side Yard. None, except when a side lot line is adjoining a lot in an RS or RM District, and then the side yard shall be a minimum of 10 feet. The required side yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.
6. Rear Yard. None, except when a rear lot line is adjoining a lot in an RS or RM District, and then the rear yard shall be a minimum of 10 feet. The required rear yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.
7. Lot Coverage. No requirements. (Ord. 97-078 § 2, 1997)

18.108.130. Community Recreation - CR District.

A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright:

1. Park, playground and, picnic and barbecue area.
2. Swimming pool.
3. Tennis court.
4. Basketball court.
5. Ball fields, including but not limited to, football, baseball, softball and soccer.
6. Running track.
7. Health and fitness facility.
8. Racquetball court.
9. Recreational path.
10. Winter sports facilities, including but not limited to ice skating rink and/or cross country ski center.

11. Facilities developed in conjunction with and which are customarily accessory to any use permitted outright or conditionally in this district, including but not limited to restrooms, storage facilities, parking areas and pavilions/shelters.

12. A building or buildings each not exceeding 8,000 square feet of floor space which conform with the height regulations and lot requirements of the CR District and house any combination of:

- a. Limited food and beverage service customarily accessory to and in conjunction with

any use permitted outright or conditionally in this district.

b. Retail sales, rental and repair services commonly associated with uses permitted outright or conditionally in the CG District.

B. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 30 feet in height.

C. Lot Requirements. The following lot requirements shall be observed:

1. Lot Area. No requirements.
2. Lot Width. No requirements.
3. Lot Depth. 100 feet.
4. Front Yard. The front yard shall be a minimum of 10 feet.

5. Side Yard. None, except when a side lot line is adjoining a lot in an RS or RM District, and then the side yard shall be a minimum of 10 feet. The required side yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.

6. Rear Yard. None, except when a rear lot line is adjoining a lot in an RS or RM District, and then the rear yard shall be a minimum of 10 feet. The required rear yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.

7. Lot Coverage. No requirements. (Ord. 97-078 § 2, 1997)

18.108.140. Community Limited - CL District.

A. Uses Permitted Outright. The following uses are permitted outright:

1. Picnic and barbecue areas, including picnic tables and benches.
2. Recreational path.

B. Lot Requirements. The following lot requirements shall be observed:

1. Lot Area. No requirements.
2. Lot Width. No requirements.
3. Lot Depth. 100 feet.
4. Front Yard. The front yard shall be a minimum of 10 feet for bike and pedestrian paths, and picnic tables and benches fixed to the ground.

5. Side Yard. None, except when a side lot line is adjoining a lot in an RS or RM District, and then the side yard for bike and pedestrian paths, and picnic table and benches fixed to the

ground shall be a minimum of 10 feet.

6. Rear Yard. None, except when a side lot line is adjoining a lot in an RS or RM District, and then the side yard for bike and pedestrian paths, and picnic table and benches fixed to the ground shall be a minimum of 10 feet.

7. Lot Coverage. No requirements. (Ord. 97-078 § 2, 1997)

18.108.150. Community Neighborhood - CN District.

A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright:

1. School.
2. Utility substation, pump station and, utility equipment storage and repair yard.
3. Sewage treatment facility.
4. Tennis court.
5. Swimming pool.
6. Park, playground and picnic and barbecue area.
7. Recreational path.
8. Equestrian facility.
9. Health and fitness facility.
10. Amphitheater.
11. Observatory.
12. Church.
13. Residential home.
14. Residential facility.
15. Daycare facility.
16. Administrative and office facility associated with a community association or community use.

17. Community center.

B. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 30 feet in height.

C. Lot Requirements. The following lot requirements shall be observed:

1. Lot Area. No requirements.
2. Lot Width. No requirements.
3. Lot Depth. 100 feet.
4. Front Yard. The front yard shall be a minimum of 10 feet.

5. Side Yard. None, except when a side lot line is adjoining a lot in an RS or RM District, and then the side yard shall be a minimum of 10 feet. The required side yard shall be increased by one-half foot for each foot by which the building

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height exceeds 20 feet.

6. Rear Yard. None, except when a rear lot line is adjoining a lot in an RS or RM District, and then the rear yard shall be a minimum of 10 feet. The required rear yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.

7. Lot Coverage. No requirements. (Ord. 97-078 § 2, 1997)

18.108.160. Airport - A District.

A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright:

1. Runway, fuel storage and sales and emergency repair.

2. Facilities approved or mandated by the FAA or Oregon State Aeronautics Division.

3. Farm use as defined in this title.

4. Related uses which are customarily appurtenant to airports, including but not limited to hangars, tie-down areas and parking facilities.

B. Conditional Uses Permitted. The following conditional uses may be permitted subject to Chapter 18.128 of this title and a conditional use permit:

1. Farm accessory buildings and uses.

2. Utility facility necessary for public service, except landfills.

3. Golf course.

4. Park, playground, other recreational site or facility or community service facility.

5. Excavation, grading and fill and removal within the bed and banks of a stream or river or in a wetland subject to Section 18.120.050 and/or Subsection 18.128.040(W) of this title.

C. Use Limitations. In an A District, the following limitations and standards shall apply to all uses permitted:

1. The height of any plant growth or structure or part of a structure such as chimneys, towers, antennas, powerlines, etc., shall not exceed 35 feet.

2. 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.

3. All parking demand created by any use permitted by this section shall be accommodated

on the subject premises entirely off-street.

4. No use permitted by this section shall require the backing of traffic onto a public or private street or road right of way.

5. No power lines shall be located in clear zones.

6. No use shall be allowed which is likely to attract a large quantity of birds, particularly birds which normally fly at high altitudes.

D. Dimensional Standards. In an A District, the following dimensional standards shall apply:

1. The minimum lot size shall be determined subject to the provisions of this section relative to setback requirements, off-street parking and loading requirements, lot coverage limitations or as deemed necessary by the Planning Director or Hearings Body to maintain air, land and water resource quality, protect adjoining and area land uses and to ensure resource carrying capacities are not exceeded.

2. An airport related use or structure located adjacent to or across the street from an existing residential use or platted residential lot shall not exceed 70 percent lot coverage and shall require off-street parking and loading areas.

3. The minimum setback between any structure and an arterial right of way shall be 100 feet. The minimum setback between any structure and a collector right of way shall be 50 feet. The minimum setback between any structure and all local streets shall be 20 feet.

4. The minimum setback between any structure and a property line adjoining a residential use or lot shall be 50 feet.

5. The minimum lot frontage shall be 50 feet.

6. The minimum side setback between any structure and a property line shall be three feet, and the minimum total of both side setbacks shall be 12 feet.

7. The minimum rear setback between any structure and a rear property line shall be 25 feet.

8. Utility Runway Visual Approach Zone. Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary runway surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.

9. Runway Larger than Utility with a

Visibility Minimum Greater than Three-Fourths Mile Nonprecision Instrument Approach Zone. Slopes 34 feet outward for each foot upward beginning at the end of and at the same elevation as the primary runway surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

10. Transitional Zones. Slopes seven feet outward for each foot upward beginning at the side of and at the same elevation as the primary runway surface and approach surface, and extending to a height of 150 feet above the airport elevation. In addition to the foregoing, there are established height limits beginning at the sides of and at the same elevation as they approach surface and extending to where they intersect the conical surface.

11. Horizontal Zone. Established at 150 feet above the airport elevation.

12. Conical Zone. Slopes 20 feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation. (Ord. 97-078 § 2, 1997)

18.108.170. Utility - U District.

A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright:

1. Utility substation, utility equipment storage and repair yard, and pump station.
2. Sewage treatment facility.
3. Utility transmission lines.
4. Water treatment facility.
5. Wells, pumping equipment and related facilities for the provision of water within the Sunriver UUC.
6. Public buildings, public utility structures and yards, including railroad yards.
7. Administrative, office and storage facilities appurtenant to a use permitted outright.
8. Irrigation systems and irrigation ponds.
9. Facilities similar to those listed above which are mandated by the Oregon Department of Environmental Quality (DEQ).
10. Cable television facility, including but not limited to office and equipment buildings, satellite dish, antennas, etc.
11. Wireless telecommunications facility.

12. Microwave and radio communication towers.

B. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 45 feet in height.

C. Lot Requirements. The following lot requirements shall be observed:

1. Lot Area. No requirements.
2. Lot Width. No requirements.
3. Lot Depth. 100 feet.
4. Front Yard. The front yard shall be a minimum of 10 feet.
5. Side Yard. None, except when a side lot line is adjoining a lot in an RS or RM District, and then the side yard shall be a minimum of 10 feet. The required side yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.
6. Rear Yard. None, except when a rear lot line is adjoining a lot in an RS or RM District, and then the rear yard shall be a minimum of 10 feet. The required rear yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.
7. Lot Coverage. No requirements. (Ord. 97-078 § 2, 1997)

18.108.180. Forest - F District.

All uses proposed within the Forest District shall be subject to the provisions of Chapter 18.36, Forest Use - F1 Zone of this title. (Ord. 97-078 § 2, 1997)

18.108.190. Flood Plain - FP Combining District.

A. Designated Areas. The Flood Plain Combining District includes all areas within the Sunriver UUC designated as "Special Flood Hazard Areas" in the report entitled "The Flood Insurance Study for Deschutes County, Oregon and Incorporated Areas," dated August 16, 1988, with accompanying flood insurance rate maps.

B. Conditional Uses. Uses permitted either outright or conditionally in the underlying district with which the FP Combining District is combined shall be allowed as conditional uses in the FP Combining District, subject to the provisions of subsection (C) of this section and chapter 18.128 of this title and other applicable sections of this title.

C. Use Limits. All uses proposed within the FP Combining District shall be subject to sections 18.96.060 through 18.96.085 and sections 18.96.100, 18.96.120 and 18.96.130 of chapter 18.96 of this title.

D. Height Regulations. The height regulations for the FP Combining District shall be those which are established in the underlying district with which the FP Combining District is combined.

E. Lot Requirements. The lot dimension and yard requirements for the FP Combining District shall be those which are established in the underlying district with which the FP Combining District is combined. (Ord. 97-078 § 2, 1997)

18.04.710. Marina.

"Marina" means a ~~structure built over or floating upon the waters of a lake, river, stream or man-made waterway that provides moorage, launching, storage, supplies and services for recreational and/or commercial marine transport.~~ facility developed along a body of water which includes docks, boat slips or moorings, and uses or improvements which are either necessary for its operation and maintenance or provide goods or services customarily provided to boaters. Such uses and improvements may include: parking lots, maintenance buildings, boat storage, boat rental, restrooms, lockers and showers, food and beverage service, and retail sales of goods and services related to boating activities. A marina does not include boat sales, boat houses or facilities unrelated to boating, such as wholesale or retail businesses oriented toward the non-boating public, stand alone restaurants or other recreational amenities. (Ord. 97-078 § 4; 1997; Ord. 93-043 § 1, 1993))

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18.04.243. Definition-CommunityCenter.

"Community center" means a community meeting, retreat and activity facility serving the social or recreational needs of community residents or visitors. (Ord. 97-078 § 5, 1997)

18.04.546. Definition-Health and fitness facility.

"Health and fitness facility" means a building or series of buildings within which recreational amenities are included. Such facilities typically include, but are not limited to, any combination of the following recreational amenities and uses: swimming pool, basketball court, racquetball court, weight room, exercise room or tennis court, and instruction and counseling related to health and fitness. (Ord. 97-078 § 5, 1997)

18.04.585. Definition-Hotel/motel unit.

"Hotel/motel unit" means a single room within a multiple unit building that provides overnight sleeping accommodations on a temporary basis. Such rooms typically include a bed and individual bathing facilities. Ord. 97-078 § 5, 1997)

18.04.593. Definition-Inn.

"Inn" means a multiple unit building, with more than three and up to twenty guest rooms, where overnight lodging and meals are provided for compensation. Meals include breakfast, lunch and dinner served only to guests who are provided overnight lodging. (Ord. 97-078 § 5, 1997)

18.04.1003. Definition-Recreational path.

"Recreational path" means a pathway constructed as part of a community wide path system used for multi-purpose recreational uses, including but not limited to: walking, running, bicycling, cross-country skiing and roller and in-line skating. Such paths may be improved with wood chips, aggregate, asphalt or other material necessary to designate and maintain the pathway for the use intended. Recreational paths do not include running tracks, velodromes or other single purpose tracks not developed as part of the community wide path system. (Ord. 97-078 § 5, 1997)

18.04.1032. Definition-Resort facility.

"Resort facility" means a building or series of buildings under common ownership which provide interrelated visitor and vacation services and are intended to serve the community and the travel needs of people traveling through the area. Typical uses include, but are not limited to: overnight accommodations, meeting rooms, convention and banquet facilities, administrative facilities, maintenance and storage facilities, resort recreation facilities, and restaurant and retail uses which are customarily appurtenant to such uses. (Ord. 97-078 § 5, 1997)

18.04.1033. Definition-Resort recreation facilities

"Resort recreation facilities" means any combination of the following recreational amenities and their accessory uses: health and fitness facility, golf course, tennis court, park, playground, picnic and barbecue area, in-line skating, recreational path, miniature golf facility, nature center, equestrian facility, swimming pool, basketball court, running track ball fields and community center. (Ord. 97-078 § 5, 1997)

18.116.030(E)(5)

5. Parking, Front Yard. Required parking and loading spaces for multi-family dwellings or commercial and industrial uses shall not be located in a required front yard, except in the ~~PCI Zone~~, Sunriver UUC Business Park (BP) District, but such space may be located within a required side or rear yard.

(Ord. 97-078 § 6, 1997; Ord. 96-003 § 7, 1996; Ord. 93-063 § 2, 1993; Ord. 93-043 § 19, 1993; Ord. 91-038 § 1, 1991; Ord. 91-020 § 1, 1991; Ord. 90-017 § 1, 1990)

18.1124.070(C)(3)

3D. Commercial Development

Standards:

a1. New commercial buildings shall be sited at the front yard setback line for lots with one frontage, and at both front yard setback lines for corner lots, except in the ~~PC-I zone~~ Sunriver UUC Business Park (BP) District. For lots with more than two front yards, the building(s) shall be oriented to the two busiest streets. The building(s) and any eaves, overhangs or awnings shall not interfere with the required clear vision area at corners or driveways.

b2. An increase in the front yard setback may be allowed where the applicant can demonstrate that one or more of the following factors makes it impracticable to site the new building at the minimum street setback:

- ia. Existing development on the site;
- ii. Lot configuration;
- iii. Topography of the lot;
- iv. Significant trees or other vegetative features that could be retained by allowing a greater setback;
- v. Location of driveway access.

Such an increase in the front yard shall be the minimum necessary to accommodate the reason for the increase.

e3. Off-street motor vehicle parking for new commercial developments in excess of 10,000 square feet shall be located at the side or behind the building(s), except in the ~~PC-I zone~~ Sunriver UUC Business Park (BP) District. (Ord. 97-078 § 7, 1997; Ord. 93-063 § 3, 1993; Ord. 93-043 § 22B, 1993; Ord. 93-005 § 8, 1993)