

REVIEWED AS TO FORM
CODE REVIEW COMM.

0164-2651
98-13816

REVIEWED
BWW
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, and *
Declaring an Emergency and Prescribing an *
Effective Date of March 31, 1998. *

98 MAR 12 AM 10:18
MARY SUE PENHOLLOW
COUNTY CLERK

ORDINANCE NO. 98-016

WHEREAS, Chapter 18.108, Urban Unincorporated Community Zone - Sunriver, was added to Title 18 of the Deschutes County Code as shown in Exhibit "A" to Ordinance No. 97-078; and

WHEREAS, "Post office" was approved by the Board of County Commissioners as a use in the Commercial District but was omitted from Exhibit "A" to Ordinance No. 97-078; and

WHEREAS, after notice and hearing as required by law, the Board of County Commissioners has considered additional revisions to Chapter 18.108; now, therefore,

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

Section 1. AMENDMENT. Section 18.108.050, Commercial - C District, of Title 18 of the Deschutes County Code is amended to read as described in Exhibit "A," attached hereto and incorporated herein by this reference, with new language underlined.

Section 2. AMENDMENT. Section 18.108.180, Forest - F District, 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, with new language underlined and language to be deleted in ~~strikethrough~~.

Section 3. AMENDMENT. Section 18.108.150, Community Neighborhood - CN District, of Title 18 of the Deschutes County Code is amended to read as described in Exhibit "C," attached hereto and incorporated herein by this reference, with new language underlined.

Section 4. 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.

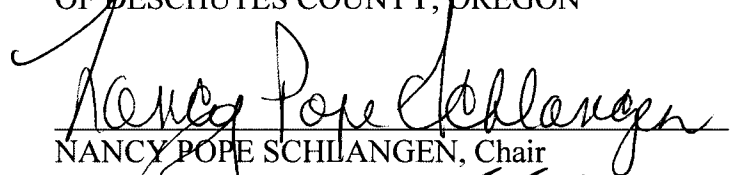
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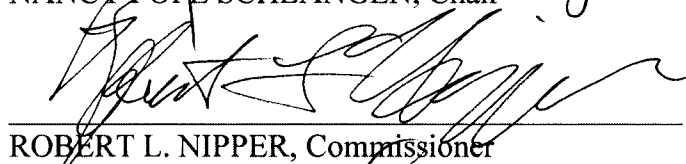
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Section 5. EFFECTIVE DATE. This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist and this ordinance takes effect on March 31, 1998.

DATED this 11th day of March, 1998.

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON


NANCY POPE SCHLANGEN, Chair


ROBERT L. NIPPER, Commissioner


LINDA L. SWEARINGEN, Commissioner

ATTEST:

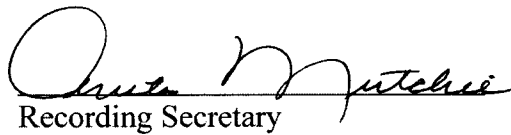

Anita Mitchell
Recording Secretary

EXHIBIT "A"

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.
 1. 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.

10. Post office.

11. Administrative and office facility associated with a community association or community use.

12. Police 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. 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. 98-016 § 1, 1998; Ord. 97-078 § 2, 1997)

EXHIBIT "B"

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.~~

A. Uses permitted outright. The following uses and their accessory uses are permitted outright, subject to applicable provisions of chapter 18.36, Forest Use -F1 Zone, of this title and to applicable provisions of the comprehensive plan:

1. Forest operations or forest practices including, but not limited to, reforestation of forest land, road construction and maintenance, harvesting of a forest tree species, application of chemicals and disposal of slash.

2. Temporary on-site structures which are auxiliary to and used during the term of a particular forest operation. As used here, temporary structures are those which are portable and/or not placed on a permanent foundation, and which are removed at the conclusion of the forest operation requiring its use.

3. Physical alterations to commercial forest land auxiliary to forest practices including, but not limited to, those made for purposes of exploration, mining, commercial gravel extraction and processing, landfills, dams, reservoirs, road construction or recreational facilities. Gravel extraction and processing not covered by this section is governed by chapter 18.52 of this title.

4. Uses to conserve soil, air and water quality and to provide for wildlife and fisheries resources.

5. Farm use as defined in Oregon Revised Statutes 215.203.

6. Local distribution lines (e.g., electric, telephone, natural gas, etc.) and accessory equipment (e.g., electric distribution transformers, poles, meter cabinets, terminal boxes, pedestals), or equipment which provides service hookups, including water service hookups.

7. Temporary portable facility for the primary processing of forest products. The facility shall not be placed on a permanent foundation and shall be removed at the conclusion of the forest operation requiring its use.

8. Exploration for mineral and aggregate

resources as defined in Oregon Revised Statutes chapter 517.

9. Towers and fire stations for forest fire protection.

10. Widening of roads within existing rights of way in conformance with the transportation element of the comprehensive plan including public road and highway projects as described in Oregon Revised Statutes 215.283(1)(k) through (n).

11. Water intake facilities, canals and distribution lines for farm irrigation and ponds.

12. Uninhabitable structures accessory to fish and wildlife enhancement.

B. Conditional uses permitted. The following uses and their accessory uses may be allowed in the Forest District, subject to applicable provisions of chapter 18.36, Forest Use -F1 Zone, of this title and to applicable provisions of the comprehensive plan:

1. Television, microwave and radio communication facilities and transmission towers.

2. Water intake facilities, related treatment facilities, pumping stations and distribution lines.

3. Reservoirs and water impoundments.

4. New electric transmission lines with right-of-way widths of up to 100 feet as specified in Oregon Revised Statutes 772.210. New distribution lines (e.g. electrical, gas, oil, geothermal) with rights of way 50 feet or less in width.

5. Forest management research and experimentation facilities as defined by Oregon Revised Statutes 526.215 or where accessory to forest operations. (Ord. 98-016 § 2, 1998; Ord. 97-078 § 2, 1997)

7. Lot Coverage. No requirements. (Ord. 98-016 § 3, 1998; 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.

18. Police facility.

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.