



REVIEWED  LEGAL COUNSEL
REVIEWED  CODE REVIEW COMMITTEE

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Title 18, Deschutes County *
Zoning Ordinance, of the Deschutes County Code *
Establishing the La Pine Business Park District and *
Declaring an Emergency. *

ORDINANCE NO. 2001-044

WHEREAS, Deschutes County has initiated an amendment to Title 23, Deschutes County Comprehensive Plan and Title 18, Deschutes County Zoning Ordinance, of the Deschutes County Code (File Numbers PA-01-5; TA01-5; ZC-01-7) to establish a Business Park District in the La Pine Urban Unincorporated Community; and,

WHEREAS, the Deschutes County Planning Commission conducted a public hearing on the proposed amendments, and forwarded the proposed amendments to the Board of County Commissioners with a recommendation that said amendments be adopted; and,

WHEREAS, this ordinance is necessary for the immediate implementation of the La Pine Business Park Zoning District; therefore, an emergency is declared to exist, so that this ordinance can take effect on its passage; and

WHEREAS, after notice was given and hearing conducted on October 10, 2001 before the Deschutes County Commissioners in accordance with applicable law, the Board of County Commissioners has considered the proposed amendments; now, therefore,

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

Section 1. AMENDMENT. Chapter 18.04, Title, Purpose and Definitions, of the Deschutes County Code is amended to add the definitions as set forth in Exhibit "A," attached hereto and by this reference incorporated herein.

Section 2. AMENDMENT. Paragraph 18.12.010(D)(1), La Pine Unincorporated Community, of the Deschutes County Code is amended to read as set forth in Exhibit "B," attached hereto and by this reference incorporated herein, with new language underlined.

Section 3. AMENDMENT. Section 18.61.030, La Pine Planning Area, of the Deschutes County Code is amended to read as set forth in Exhibit "C," attached hereto and by this reference incorporated herein, with new language underlined and deleted language shown in ~~strikethrough~~.

Section 4. AMENDMENT. Subsection 18.116.030(E)(5), General Provisions – Off-street Parking, of the Deschutes County Code is amended to read as set forth in Exhibit “D,” attached hereto and by this reference incorporated herein, with new language underlined and deleted language shown in ~~strikethrough~~.

Section 5. AMENDMENT. Subsection 18.124.070(D), Commercial Development Standards, of the Deschutes Code Ordinance is amended to read as set forth in Exhibit “E,” attached hereto and by this reference incorporated herein, with new language underlined and deleted language shown in ~~strikethrough~~.

Section 6. AMENDMENT. Pursuant to Chapter 18.12 of Title 18 of the Deschutes County Code, the Deschutes County Zoning Map is hereby amended to add a Business Park District to the La Pine Urban Unincorporated Community (UUC) as shown in Exhibit “F,” attached hereto and by this reference incorporated herein.

Section 7. EMERGENCY. 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 its passage.

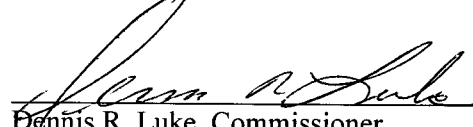
Section 8. FINDINGS. The Board of County Commissioners adopts as its findings in support of this ordinance the Staff Report and Exhibits attached hereto as Exhibits “A-F”, and by this reference incorporated herein.

DATED this 10th day of Oct. 2001.

BOARD OF COUNTY COMMISSIONERS OF
DESCHUTES COUNTY, OREGON



Tom DeWolf, Chair




Dennis R. Luke, Commissioner



Michael M. Daly, Commissioner

ATTEST:



Bonnie Baker
Recording Secretary

EXHIBIT "A"

§ 3, 1994; Ord. 94-008 §§ 1, 2, 3, 4, 5, 6, 7 and 8, 1994; Ord. 94-001 §§ 1, 2, and 3, 1994; Ord. 93-043 §§ 1, 1A and 1B, 1993; Ord. 93-038 § 1,

18.04.010. Title.

DCC Title 18 shall be known as the Deschutes County Zoning Ordinance of 1979.

(Ord. 2001-016 § 2, 2001; Ord. 91-020 § 1, 1991)

18.04.020. Purpose.

A. The intent or purpose of DCC Title 18 is to promote the public health, safety and general welfare and to carry out the Deschutes County Comprehensive Plan, the provisions of ORS 215 and the Statewide Planning Goals adopted pursuant to ORS 197. DCC Title 18 is to establish zoning districts and regulations governing the development and use of land within portions of Deschutes County, Oregon;

1993; Ord. 93-005 §§ 1 and 2, 1993; Ord. 93-002 §§ 1, 2 and 3, 1993; Ord. 92-066 § 1, 1992; Ord. 92-065 §§ 1 and 2, 1992; Ord. 92-034 § 1, 1992; Ord. 92-025 § 1, 1992; Ord. 92-004 §§ 1 and 2, 1992; Ord. 91-038 §§ 3 and 4, 1991; Ord. 91-020 § 1, 1991; Ord. 91-005 § 1, 1991; Ord. 91-002 § 11, 1991; Ord. 90-014 § 2, 1990; Ord. 89-009 § 2, 1989; Ord. 89-004 § 1, 1989; Ord. 88-050 § 3, 1988; Ord. 88-030 § 3, 1988; Ord. 88-009 § 1, 1988; Ord. 87-015 § 1, 1987; Ord. 86-056 § 2, 1986; Ord. 86-054 § 1, 1986; Ord. 86-032 § 1, 1986; Ord. 86-018 § 1, 1986; Ord. 85-002 § 2, 1985; Ord. 84-023 § 1, 1984; Ord. 83-037 § 2, 1983; Ord. 83-033 § 1, 1983; Ord. 82-013 § 1, 1982)

18.04.030. Definitions.

As used in DCC Title 18, the following words and phrases shall mean as set forth in DCC 18.04.030.

"Commercial Use" means the use of land primarily for the retail sale of products or services, including offices. It does not include factories, warehouses, freight terminals, or wholesale distribution centers.

"Industrial Use" means the use of land primarily for the manufacture, processing, storage, or wholesale distribution of products, goods, or materials. It does not include commercial uses.

(Ord. 2001-044 § 1, 2001; Ord. 2001-016 § 2, 2001; Ord. 97-078 § 5, 1997; Ord. 97-017 § 1, 1997; Ord. 97-003 § 1, 1997; Ord. 96-082 § 1, 1996; Ord. 96-003 § 2, 1996; Ord. 95-077 § 2, 1995; Ord. 95-075 § 1, 1995; Ord. 95-007 § 1, 1995; Ord. 95-001 § 1, 1995; Ord. 94-053 § 1, 1994; Ord. 94-041 §§ 2 and 3, 1994; Ord. 94-038

EXHIBIT "B"

18.12.10. Establishment of zones.

D. Urban Unincorporated Community Zones (UUC).

1. La Pine Urban Unincorporated Community.

La Pine Planning Area	Abbreviations
Commercial District	LPC
Community Facility District	LPCF
Community Facility Limited District	LPCFL
Flood Plain District	LPFP
Industrial District	LPI
Business Park District	LPBP
Residential District	LPR
Sewer Treatment District	LPST
Neighborhood Planning Area	Abbreviations
Neighborhood Community Facility	LPNCF
Neighborhood Community Facility Limited	LPNCFL
Neighborhood Commercial	LPNC
Neighborhood Park/Open Space	LPNPO
Neighborhood Residential Center	LPNRC
Neighborhood Residential General	LPNRG
Wickiup Planning Area	Abbreviations
Wickiup Commercial/Residential	LPWJ

(Ord. 2001-044 § 2, 2001; 2001-016 § 2, 2001; Ord. No. 98-063 §2, 1998; Ord. No. 96-003 §4, 1996; Ord. No. 92-025 §5, 1992)

EXHIBIT "C"

18.61.030. La Pine Planning Area.

The La Pine Planning Area is composed of seven eight zoning districts, each with its own set of allowed uses and regulations, as further set forth in DCC 18.61.030.

A. La Pine Residential District.

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

- a. Single-family dwelling.
- b. Manufactured home subject to DCC 18.116.070.
- c. Two-family dwelling or duplex.
- d. Agricultural use as defined in DCC Title 18, subject to the following limitations:

- 1. Cows, horses, goats or sheep shall not be kept on lots having an area less than 20,000 square feet. The total number of all such animals over the age of six months shall be limited to the square footage of the lot divided by 20,000.
- 2. The number of chickens, fowl or rabbits over the age of six months shall not exceed one for each 500 square feet of land.

- e. Class I and II road or street project subject to approval as part of a land partition, subdivision or subject to the standards and criteria established by DCC 18.116.230.
- f. Class III road and street project.
- g. Excavation, grading or fill and removal activities involved in creation of a wetland in areas not requiring a conditional use permit for fill or removal.
- h. Forest operation and forest practice 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. Conditional Uses Permitted. The following uses may be allowed subject to applicable provisions of DCC 18.61 and DCC 18.116, Supplementary Provisions, DCC 18.124, Site Plan Review, and DCC 18.128, Conditional Use:

- a. Multi-family dwelling with three or more units.
- b. Park, playground and community building.
- c. Utility facility, except landfill.
- d. Excavation, grading and fill and removal within the bed and banks of a stream or river or in a wetland.
- e. Home occupation.
- f. Church.
- g. School.
- h. Manufactured home park.
- i. Multi-family dwelling complex.
- j. Cluster development.
- k. Nursery school, kindergarten and day care facility.
- l. Nursing home.
- m. Public use.
- n. Residential care facility for more than 15 people.
- o. Wireless telecommunications facilities, except those facilities meeting the requirements of DCC 18.116.250(A) or (B).

3. Lot Sizes.

- a. Partitions:
 - 1. Parcels served by an approved community, municipal or public water system and an approved community or public sewage system shall have a minimum width of 50 feet and a minimum area of 5,000 square feet.
 - 2. Parcels served by an approved community, non-community, municipal or public water system, but not by sewer, shall have a minimum width of 100 feet and a minimum area of 22,000 square feet.

3. Parcels not served by either an approved community, municipal or public water system or an approved community or public sewage system shall have a minimum width of 150 feet with a minimum area of one acre. In addition, all lots must meet DEQ on-site sewage disposal rules.
 - b. Subdivisions: For subdivisions, cluster developments or manufactured home parks, the following standards shall apply:
 1. All new lots shall be connected to a Department of Environmental Quality permitted community or municipal sewer system.
 2. Minimum lot size for a residential subdivision shall be 5,000 square feet. Maximum residential lot size for a subdivision shall be 15,000 square feet.
 4. Dimensional Standards. The following dimensional standards shall apply:
 - a. Lot Coverage. The main building and accessory buildings located on any building site or lot shall not cover more than thirty percent of the total lot area.
 - b. Building Height. No building or structure shall be erected or enlarged to exceed 30 feet in height, except as approved under DCC 18.120.040.
 5. Yard and Setback Requirements.
 - a. Front Yard. The minimum front yard shall be 20 feet.
 - b. 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. A parcel or lot with a side yard adjacent to zoned forest land shall have a minimum side yard of 100 feet.
 - c. Rear Yard. The minimum rear yard shall be 20 feet, except a parcel or lot with a side yard adjacent to zoned forest land shall have a minimum rear yard of 100 feet.
- B. La Pine Commercial District.
1. Uses Permitted Outright. The following uses and their accessory uses are permitted outright:
 - a. Single-family dwelling on a lot existing on March 27, 1996.
 - b. Manufactured home, on a lot existing on March 27, 1996, subject to DCC 18.116.070.
 - c. Class I and II road or street project subject to approval as part of a land partition, subdivision or subject to the standards and criteria established by DCC 18.116.230.
 - d. Class III road and street project.
 - e. Excavation, grading or fill and removal activities involved in creation of a wetland in areas not requiring a conditional use permit for fill or removal.
 2. Uses Permitted Subject to Site Plan Review. The following uses and their accessory uses are permitted subject to the applicable provisions of DCC 18.61, DCC 18.116, Supplementary Provisions and DCC 18.124, Site Plan Review:
 - a. Park, playground and community building.
 - b. Public use.
 - c. A building or buildings not exceeding 8,000 square feet of floor space housing any combination of:
 1. Retail store, office and service establishment.
 2. Residential use in the same building as a permitted use.
 3. Art studio in conjunction with retail sales.
 4. Medical clinic.
 5. Automobile service station.
 6. Car wash.
 7. Day care facility.
 8. Restaurant and cocktail lounge.
 9. Club and fraternal lodge.
 10. Automobile and trailer sales.
 11. Uses accessory to the uses identified in DCC 18.61.030.
 - d. Any of the uses allowed under DCC 18.61.030(B)(2)(c) housed in a building or buildings exceeding

- 8,000 square feet, subject to the provisions of DCC 18.61.030(B)(4).
3. Conditional Uses Permitted. The following uses and their accessory uses are permitted subject to applicable provisions of DCC 18.61 and DCC 18.116, Supplementary Provisions, DCC 18.124, Site Plan Review and DCC 18.128, Conditional Use:
 - a. Multi-family dwelling on a lot existing on March 27, 1996.
 - b. Tourist and travelers' accommodation of up to 100 units, provided the use is served by a community water system as that term is defined in OAR 660-22-010(2).
 - c. Manufactured home park and travel trailer park.
 - d. Church.
 - e. School.
 - f. Excavation, grading and fill and removal within the bed and banks of a stream or river or in a wetland, subject to DCC 18.120.050 and 18.128.270.
 - g. Water supply and treatment facility.
 - h. Utility facility, except landfill.
 - i. Television and radio station with or without a transmitter tower.
 - j. Nursing home.
 - k. Residential care facility for more than 15 people.
 - l. A building or buildings not exceeding 8,000 square feet of floor space housing any combination of:
 1. Veterinary clinic including enclosed kennel.
 2. Automobile repair garage.
 3. Commercial amusement and recreation establishment.
 4. Shopping complex subject to a master plan.
 5. Mini-storage facility.
 6. Uses accessory to the uses identified in DCC 18.61.030.
 - m. Any of the uses allowed under DCC 18.61.030(B)(3)(l) housed in a building or buildings exceeding 8,000 square feet subject to the provisions of DCC 18.61.030(B)(4).
 - n. Wireless telecommunications facilities, except those facilities meeting the requirements of DCC 18.116.250(A) or (B).
 4. Special Requirements for Large Scale Uses. Any of the uses listed in DCC 18.61.030(B)(2)(d) and DCC 18.61.030(B)(3)(m) above may be allowed in a building or buildings exceeding 8,000 square feet of floor space if the Planning Director or Hearings Body finds:
 - a. That the intended customers for the proposed use will come from the community and surrounding rural area, or the use will meet the travel needs of the people passing through the area,
 - b. The use will primarily employ a work force from the community and surrounding rural area, and
 - c. That it is not practical to locate the use in a building or buildings under 8,000 square feet of floor space. For the purposes of DCC 18.61.030, the surrounding rural area shall be that area identified in the map depicted as Figure 5 in the La Pine Urban Unincorporated Community section of the Comprehensive Plan.
 5. Lot Size and Dimensional Standards.
 - a. Lot Size. New commercial lots shall be served by an approved community or public sewage system and shall have a minimum width of 50 feet and a minimum area of 5,000 square feet.
 - b. Lot Coverage. No requirements.
 - c. Building Height. No building or structure shall be erected or enlarged to exceed 30 feet in height, except as approved under DCC 18.120.040.
 6. Yard and Setback Requirements.
 - a. Front Yard. The front yard shall be no more than 15 feet, except as otherwise allowed by DCC 18.124.070(D)(2) and except when abutting a lot in a Residential District, in which case the front yard shall be the front yard required in the abutting Residential District. All

- buildings shall be set at the front yard setback line.
- b. Side Yard. None required, except when a parcel or lot with a side yard adjacent to zoned forest land shall have a minimum side yard of 100 feet.
 - c. Rear Yard. None required, except when abutting a yard in a Residential District, and then the rear yard shall be a minimum of 20 feet. A parcel or lot with a rear yard adjacent to zoned forest land shall have a minimum rear yard of 100 feet.
- C. La Pine Industrial District.
1. Uses Permitted Outright. The following uses and their accessory uses are permitted outright:
 - a. Agricultural use as defined in DCC Title 18.
 - b. Excavation, grading or fill and removal activities involved in creation of a wetland in areas not requiring a conditional use permit for fill or removal.
 - c. Class I and II road or street project subject to approval as part of a land partition, subdivision or subject to the standards and criteria established by DCC 18.116.230.
 - d. Class III road or street project.
 - e. Forest operation and forest practice 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. Uses Permitted Subject to Site Plan Review. The following uses and their accessory uses are permitted subject to DCC 18.61.030(C)(4)(c)(2) and other applicable provisions of DCC 18.61 and DCC 18.116, Supplementary Provisions, and DCC 18.124, Site Plan Review:
 - a. Expansion of a valid use existing on December 5, 1994.
 - b. Public use compatible with industrial uses.
 - c. Uses that require proximity to rural resources, as defined in OAR 660-04-022(3)(a).
 - d. Scientific research or experimental development of materials, methods or products, including engineering and laboratory research.
 - e. Light manufacturing, assembly, fabricating or packaging, and wholesale distribution.
 - f. Cold storage plant, including storage and office.
 - g. Kennel or veterinary clinic operated entirely within an enclosed building.
 - h. Processing use such as bottling plant, creamery, laboratory, blueprinting and photocopying, laundry, carpet and rug cleaning plant, cleaning and dyeing plant, tire retreading, recapping and rebuilding.
 - i. Contractor's equipment storage or sale yard, house mover, delivery vehicles, transit storage, trucking terminal and used equipment in operable condition.
 - j. Manufacture of concrete products and ceramic products using only previously comminuted raw materials.
 - k. All types of automobile, motorcycle, boat, trailer and truck sales, service, repair, storage and rental.
 - l. Retail or combination retail/wholesale lumber and building materials yard, not including concrete mixing.
 - m. Manufactured home sales and service.
 - n. Plant nursery and greenhouse.
 3. Conditional Uses Permitted. The following uses may be allowed subject to the applicable provisions of DCC 18.61 and DCC 18.124, Site Plan Review, and DCC 18.128, Conditional Use:
 - a. Mini-storage facility.
 - b. Hydroelectric facility, subject to DCC 18.116.130 and 18.128.260.
 - c. Asphalt plant.

- d. Lumber manufacturing and wood processing including pulp and paper manufacturing.
 - e. Electrical substation.
 - f. Concrete, asphalt and ready-mix plant.
 - g. Petroleum products storage and distribution.
 - h. Storage, crushing and processing of minerals, including the processing of aggregate into asphaltic concrete or portland cement concrete.
 - i. Commercial feedlot, stockyard, sales yard, slaughterhouse and rendering plant.
 - j. Railroad track, freight depot and related facilities.
 - k. Agricultural products storage and processing plant.
 - l. Transfer station.
 - m. Automotive wrecking yard totally enclosed by a sight-obscuring fence.
 - n. Any use permitted by DCC 18.61.030(C)(2) that is expected to:
 - 1. Require lot coverage in excess of 70 per cent;
 - 2. Require more than one acre of land; or
 - 3. Generate any odor, dust, fumes, glare, flashing lights or noise that would be perceptible without instruments 500 feet from the property line of the subject use.
 - o. Service commercial use, such as office, restaurant, cafe, refreshment stand, bar and tavern, whose primary purposes is to serve industrial uses in the surrounding area, provided that such use is allowed as part of an Industrial Park Master Plan.
 - p. Wireless telecommunications facilities, except those facilities meeting the requirements of DCC 18.116.250(A) or (B).
4. Use Limits. The following limitations and standards shall apply to uses listed in DCC 18.61.030(C)(2) and (3):
- a. Sewer and Water Requirements:
 - 1. New uses that require Oregon Department of Environmental Quality (DEQ) Water Pollution Control Facility (WPCF) permits shall be required to connect to the La Pine Sewer Treatment Facility in lieu of obtaining a WPCF permit.
 - 2. Uses that do not require a WPCF permit shall demonstrate the ability to obtain approval for an on-site sewage disposal system either before approval of the land use permit or as a condition of permit approval.
 - 3. If a use requires more than 5,000 gallons of water per day, an application shall be made to the Oregon Water Resources Department for a water rights permit or the use must be connected to a municipal, community or public water system.
 - b. Compatibility:
 - 1. A use that requires a lot area exceeding 9,000 square feet shall not be permitted to locate adjacent to a lot in a residential district.
 - 2. 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 a street from a lot in a residential district.
 - 3. Any use on a lot adjacent to or across the street from a lot in 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 use or lot.
 - 4. Storage, loading and parking areas for uses permitted by DCC 18.61.030(C)(2) and (3) shall be screened from residential zones.

5. 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 a street from a residential lot.
 6. A property hosting a service commercial use shall be subject to a waiver of remonstrance recorded in the Deschutes County Book of Records declaring that the operator and his or her successors will not now or in the future file a complaint aimed at curtailing industrial activities on adjacent properties conducted in conformance with DCC 18.61.
- c. Traffic/Parking
1. A use that generates more than 20 auto or truck trips during the busiest hour of the day to and from the premises shall be served directly by an arterial or collector.
 2. An applicant must demonstrate that affected transportation facilities are adequate to serve the proposed use, considering the functional classification, capacity and the level of service of such facilities.
 3. All parking demand created by any use permitted by DCC 18.61.030(C) shall be accommodated on the applicant's premises entirely off-street.
 4. There shall be only one ingress and one egress from properties accommodating uses covered by DCC 18.61.030(C) per each 300 feet or fraction thereof of street frontage. If necessary to meet this requirement, uses shall provide for shared ingress and egress.
- d. Requirements for Large Scale Uses.
Any industrial use listed above in DCC 18.61.030(C)(2) and (3) may be allowed in a building or buildings exceeding 20,000 square feet of floor space if the Planning Director or Hearings Body finds:
1. That such uses are necessary to provide employment that does not exceed the total projected work force within the community and the surrounding rural area;
 2. That such uses would not rely upon a work force served by uses within urban growth boundaries; and
 3. That the determination of the work force of the community and surrounding rural area considers the total industrial and commercial employment in the community and is coordinated with employment projections for nearby urban growth boundaries.
5. Additional Requirements. As a condition of approval of any use proposed, the Planning Director or Hearings body may require:
 - a. An increase in required setbacks.
 - b. Additional off-street parking and loading facilities.
 - c. Limitations on signs or lighting, hours of operation and points of ingress and egress.
 - d. Additional landscaping, screening and other improvements.
 6. Dimensional Standards. The following dimensional standards shall apply:
 - a. Minimum Lot Size. The minimum lot size shall be determined subject to the provisions of DCC 18.61.030(C) concerning setback requirements, off-street parking and loading.
 - b. Lot Coverage. Notwithstanding DCC 18.61.030(C)(3)(n), a use permitted by DCC 18.61.030(C) is located adjacent to or across the street from a lot in a residential

district shall not exceed 70 percent lot coverage by all buildings, storage areas or facilities and required off-street parking and loading area.

- c. Setbacks.
 - 1. The minimum building setback between a non-railroad related structure and a street, road or railroad right-of-way line shall be 50 feet unless a greater setback is required for compliance with Comprehensive Plan policies.
 - 2. The minimum setback between a structure and a property line adjoining a residential district shall be 50 feet.
 - 3. The minimum setback between a structure and an existing use shall be three feet from the property line and at least six feet from a structure on the adjoining property.
- d. Building Heights. The maximum building height for any structure shall be 25 feet on any lot adjacent to or across a street from a residential district and 45 feet on any other lot.
- e. Minimum Lot Frontage. The minimum lot frontage shall be 50 feet.
- f. Side Yard. None required, except when a parcel or lot with a side yard adjacent to zoned forestland shall have a minimum side yard of 100 feet.
- g. Rear Yard. None required, except when abutting a yard in a Residential District, and then the rear yard shall be a minimum of 20 feet. A parcel or lot with a rear yard adjacent to zoned forest land shall have a minimum rear yard of 100 feet.

D. La Pine Business Park District.

- 1. Uses Permitted Subject to Site Plan Review. The following uses and their accessory uses are permitted subject to the applicable provisions of DCC 18.61 and DCC 18.116, Supplementary

Provisions, and DCC 18.124, Site Plan Review:

- a. Commercial use, as defined in DCC 18.04, in a building or buildings each not exceeding 8,000 square feet of floor space.
 - b. Industrial use, as defined in DCC 18.04, in a building or buildings not exceeding 20,000 square feet of floor space.
- 2. Conditional Uses Permitted. Notwithstanding the uses allowed under DCC 18.61.030(D)(1), the following uses may be allowed subject to the applicable provisions of DCC 18.61 and DCC 18.124, Site Plan Review, and DCC 18.128, Conditional Use:
 - a. Mini-storage facility.
 - b. Processing use such as bottling plant, creamery, laboratory, blueprinting and photocopying, laundry, carpet and rug cleaning plant, cleaning and dyeing plant, tire retreading, recapping and rebuilding.
 - c. Contractor's equipment storage or sale yard, house mover, delivery vehicles, transit storage, trucking terminal and used equipment in operable condition.
 - d. Manufacture of concrete products and ceramic products using only previously comminuted raw materials.
 - e. Manufactured home sales and service.
 - f. Lumber manufacturing and wood processing.
 - g. Electrical substation.
 - h. Agricultural products storage and processing plant.
 - i. Any use permitted by DCC 18.61.030(D) that is expected to:
 - 1. Require lot coverage in excess of 70 per cent;
 - 2. Require more than one acre of land; or
 - 3. Generate any odor, dust, fumes, glare, flashing lights or noise that would be perceptible without

- instruments 500 feet from the property line of the subject use.
- j. Wireless telecommunications facilities, except those facilities meeting the requirements of DCC 18.116.250(A) or (B).
3. Additional Requirements for Large Scale Uses. A commercial use in the Business Park District may be allowed in a building or buildings exceeding 8,000 square feet of floor space if the Planning Director or Hearings Body finds:
- a. That the intended customers for the proposed use will come from the community and surrounding rural area, or the use will meet the travel needs of the people passing through the area. For the purposes of DCC 18.61.030(D), the surrounding rural area shall be that area identified in the map depicted as Figure 5 in the La Pine Urban Unincorporated Community section of the Comprehensive Plan.
- b. The use will primarily employ a work force from the community and surrounding rural area, and
- c. That it is not practical to locate the use in a building or buildings under 8,000 square feet of floor space.
4. Use Limits. The following limitations and standards shall apply to all uses:
- a. Sewer and Water Requirements:
1. New uses shall be required to connect to the La Pine Sewer Treatment Facility.
 2. New uses must be connected to a municipal, community or public water system.
- b. Compatibility:
1. A use that requires a lot area exceeding 9,000 square feet shall not be permitted to locate adjacent to a lot in a residential district.
2. 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 a street from a lot in a residential district.
3. Any use on a lot adjacent to or across the street from a lot in 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 use or lot.
4. Storage, loading and parking areas for all uses shall be screened from residential zones.
5. 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 a street from a residential lot.
6. A property hosting a service commercial use shall be subject to a waiver of remonstrance recorded in the Deschutes County Book of Records declaring that the operator and his or her successors will not now or in the future file a complaint aimed at curtailing industrial activities on adjacent properties conducted in conformance with DCC 18.61.
- c. Traffic/Parking
1. A use that generates more than 20 auto or truck trips during the busiest hour of the day to and from the premises shall be served directly by an arterial or collector.
 2. An applicant must demonstrate that affected transportation

facilities are adequate to serve the proposed use, considering the functional classification, capacity and the level of service of such facilities.

3. All parking demand created by any use permitted by DCC 18.61.030(D) shall be accommodated on the applicant's premises entirely off-street.
4. Parking may be allowed within the front yard building setback area except that no parking shall be allowed within 10 feet of any street.
5. There shall be only one ingress and one egress from properties accommodating uses permitted by DCC 18.61.030(D) per each 300 feet or fraction thereof of street frontage. If necessary to meet this requirement, uses shall provide for shared ingress and egress.
5. Additional Requirements. As a condition of approval of any use proposed, the Planning Director or Hearings body may require:
 - a. An increase in required setbacks.
 - b. Additional off-street parking and loading facilities.
 - c. Limitations on signs or lighting, hours of operation and points of ingress and egress.
 - d. Additional landscaping, screening and other improvements.
6. Dimensional Standards. The following dimensional standards shall apply:
 - a. Minimum Lot Size. The minimum lot size shall be determined subject to the provisions of DCC 18.61.030(D) concerning setback requirements, off-street parking and loading.
 - b. Minimum Lot Frontage. The minimum lot frontage shall be 50 feet.
 - c. Lot Coverage. A use permitted by DCC 18.61.030(D) that is located adjacent to or across the street from a

lot in a residential district shall not exceed 70 percent lot coverage by all buildings, storage areas or facilities and required off-street parking and loading area.

7. Setbacks.
 - a. Front Yard. The minimum setback between a building and the street that provides ingress and egress to that building shall be 30 feet unless a greater setback is required for compliance with Comprehensive Plan policies.
 - b. Side Yard. None required, a structure and a property line adjoining a street shall be 10 feet.
 - c. Rear Yard. None required, except the minimum setback between a structure and a property line adjoining a street or a residential district shall be 20 feet. A parcel or lot with a rear yard adjacent to zoned forestland shall have a minimum rear yard of 100 feet.
 - d. The minimum setback between a structure and an existing use shall be three feet from the property line and six feet from a structure on the adjoining property.
8. Building Height. The maximum building height for any structure shall be 25 feet on any lot adjacent to or across a street from a residential district and 45 feet on any other lot.

DE. La Pine Sewer Treatment District.

1. Uses Permitted Outright. The following uses and their accessory uses are permitted outright:
 - a. Any use that is allowed by ORS 215.283(1), including utility facility necessary for public service, except commercial facilities for the purpose of generating power for public use by sale and transmission towers over 200 feet in height.
2. Conditional Uses Permitted. The following uses may be allowed subject to applicable provisions of DCC 18.61 and DCC 18.116, Supplementary Provisions,

DCC 18.124, Site Plan Review, and DCC 18.128, Conditional Use and DCC 18.16.040(A):

- a. Parks, playground or community centers owned and operated by a governmental agency or a nonprofit community organization.
3. Dimensional Standards. The following dimensional standards shall apply:
 - a. Lot Coverage. No requirements.
 - b. Building Height. No building or structure shall be erected or enlarged to exceed 30 feet in height, except as approved under DCC 18.120.040.
4. Yard and Setback Requirements.
 - a. Front Yard. The minimum front yard shall be 20 feet.
 - b. 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.
 - c. Rear Yard. The minimum rear yard shall be 20 feet.

EE. La Pine Flood Plain District.

All uses proposed within this district shall be subject to the provisions in DCC 18.96, Flood Plain Zone.

FG. La Pine Community Facility District.

1. Uses Permitted Subject to Site Plan Review. The following uses and their accessory uses are permitted subject to the applicable provisions of DCC 18.61, DCC 18.116, Supplementary Provisions and DCC 18.124, Site Plan Review:
 - a. Performing arts center.
 - b. Swimming pool.
 - c. Community center.
 - d. Public use.
 - e. School.
 - f. Theater.
2. Yard and Setback Requirements.
 - a. Front Yard. The front yard shall be no more than 15 feet, except as otherwise allowed by DCC 18.124.070(D)(2) and except when abutting a lot in a Residential District, in which case the front yard shall be the front yard required in the abutting Residential District. All

buildings shall be set at the front yard setback line. A parcel or lot with a front yard adjacent to zoned forest land shall have a minimum front yard of 100 feet.

- b. Side Yard. None required, except when abutting a lot in a Residential District in which case the side yard shall be the side yard required in the abutting Residential District. A parcel or lot with a side yard adjacent to zoned forest land shall have a minimum side yard of 100 feet.
- c. Rear Yard. None required, except when abutting a yard in a Residential District, and then the rear yard shall be a minimum of 20 feet. A parcel or lot with a rear yard adjacent to zoned forest land shall have a minimum rear yard of 100 feet.
3. Dimensional Standards. The following dimensional standards shall apply:
 - a. Lot Coverage. No requirements.
 - b. Building Height. No building or structure shall be erected or enlarged to exceed 30 feet in height, except as approved under DCC 18.120.040.
4. Lot Size.
 - a. Lot Size. New lots shall have a minimum width of 50 feet and a minimum area of 5,000 square feet.
 - b. Lot Coverage. No requirements.
 - c. Building Height. No building or structure shall be erected or enlarged to exceed 30 feet in height, except as approved under DCC 18.120.040.
5. Additional Requirements. As a condition of approval of any use proposed, the Planning Director or Hearings Body may require:
 - a. An increase in required setbacks.
 - b. Additional off-street parking and loading facilities.
 - c. Limitations on signs or lighting, hours of operation and points of ingress and egress.
 - d. Additional landscaping, screening and other improvements.

GH. La Pine Community Facility Limited District.

1. Uses Permitted Outright.
 - a. Multi-use path.
2. Uses Permitted Subject to Site Plan Review. The following uses and their accessory uses are permitted subject to applicable provisions of DCC 18.61 and DCC 18.116, Supplementary Provisions, and DCC 18.124, Site Plan Review:
 - a. School.
 - b. Park or playground.

(Ord. 2001-044 § 3, 2001; 2001-016 § 2, 2001; Ord. 2000-015 § 2, 2000; Ord. 97-063 § 3, 1997; Ord. 97-041 § 1, 1997; Ord. 97-017 § 4, 1997; Ord. 96-003 § 1, 1996)

EXHIBIT "D"

18.116.030. Off-street parking and loading.

E. General Provisions – Off Street Parking

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 Sunriver UUC Business Park (BP) District, and the La Pine UUC Business Park (LPBP) District, but such space may be located within a required side or rear yard.

(Ord. 2001-044 § 4, 2001; 2001-016 § 2, 2001; 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)

EXHIBIT "E"

93-063 § 3, 1993; Ord. 93-043 § 22B,
1993; Ord. 93-005 § 8, 1993)

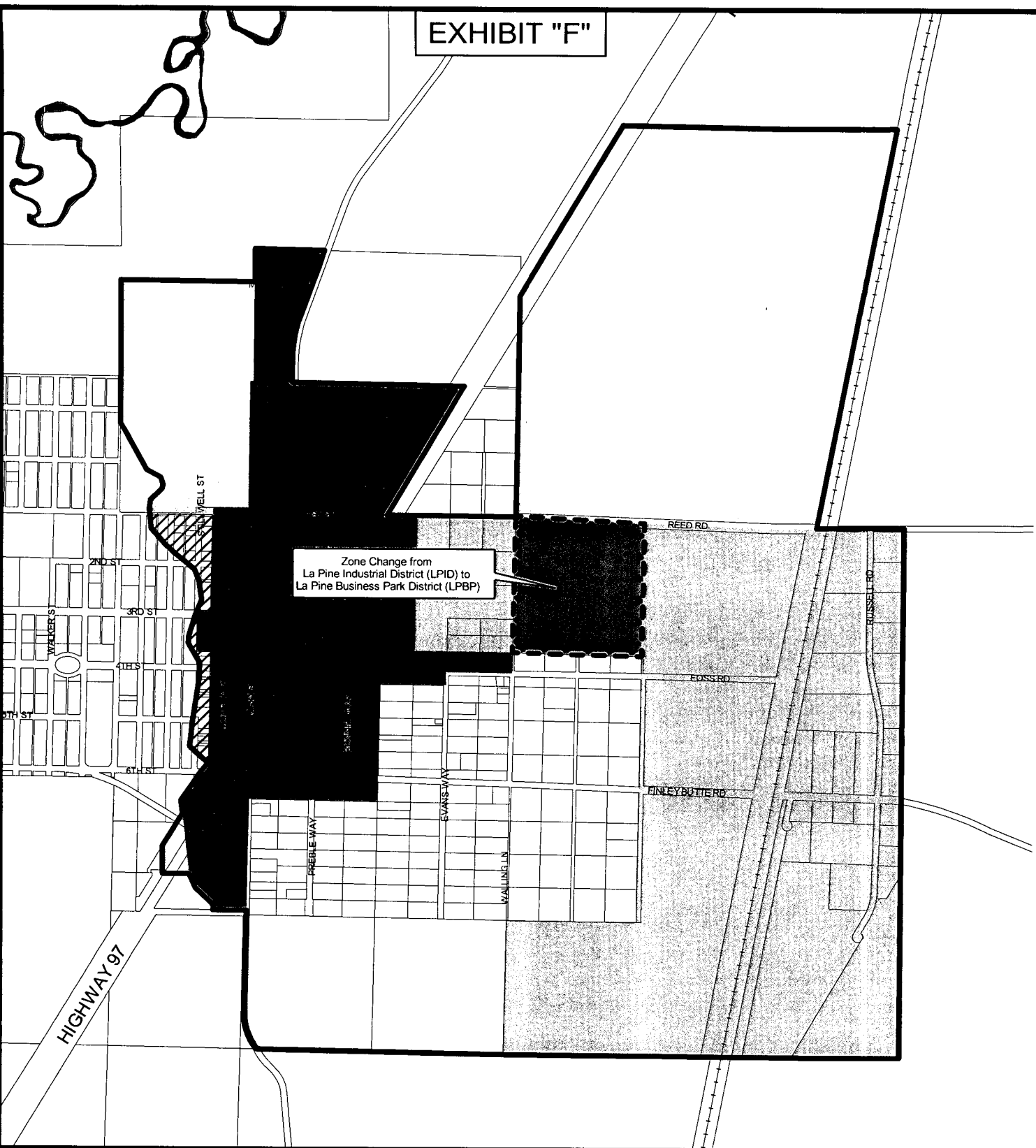
18.124.070. Required minimum standards.

D. Commercial Development Standards:

1. 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 Sunriver UUC Business Park (BP) District: and the La Pine UUC Business Park (LPBP) 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.
2. 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:
 - a. Existing development on the site;
 - b. Lot configuration;
 - c. Topography of the lot;
 - d. Significant trees or other vegetative features that could be retained by allowing a greater setback;
 - e. Location of driveway access. Such an increase in the front yard shall be the minimum necessary to accommodate the reason for the increase.
3. 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 Sunriver UUC Business Park (BP) District.

(Ord. 2001-044 § 5, 2001; 2001-016 § 2,
2001; Ord. 97-078 § 7, 1997; Ord.

EXHIBIT "F"

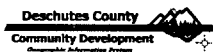


Zone Change from
La Pine Industrial District (LPID) to
La Pine Business Park District (LPBP)

Exhibit "F" to Ordinance 2001-044

October 10, 2001

Map Prepared By:



DISCLAIMER:
The information on this map was derived from digital databases on Deschutes County's GIS. Care was taken in the creation of this map, but it is provided "as is". Deschutes County cannot accept any responsibility for errors, omissions, or positional accuracy in the digital data or the underlying records. There are no warranties, express or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.

- TAXLOTS
 - LA PINE PLANNING AREA BOUNDARY
 - PROPOSED ZONE CHANGE
- LA PINE ZONING AREAS**
- BUSINESS PARK DISTRICT
 - COMMUNITY FACILITY DISTRICT
 - COMMUNITY FACILITY LIMITED DISTRICT
 - COMMERCIAL DISTRICT
 - FLOOD PLAIN DISTRICT
 - INDUSTRIAL DISTRICT
 - RESIDENTIAL DISTRICT
 - SEWER TREATMENT PLANT DISTRICT
 - FUTURE COMMERCIAL EXPANSION AREA



Map Scale in Miles

Exhibit F

N:\CUSTOM\COUNTY\GDD\PLANNING\STEVEM\LA PINE\BUSINESS PARK\BP AP#