
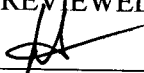


REVIEWED  LEGAL COUNSEL
REVIEWED  CODE REVIEW COMMITTEE

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Title 18, Deschutes County *
Zoning Ordinance of the Deschutes County Code. *

ORDINANCE NO. 2002-002

WHEREAS, The Board of County Commissioners has determined that to comply with Periodic Review and OAR 660-022, amendments to the Deschutes County Zoning Ordinance are required; and

WHEREAS, to comply with Periodic Review and OAR 660-022, File No. TA-99-3 was initiated by Deschutes County to amend the Zoning Ordinance regarding Rural Service Centers; 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. AMENDMENT. DCC 18.12.010, Establishment of zones, is amended to read as described in Exhibit "A," attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strikethrough~~.

Section 2. ADDING. DCC Title 18 is amended by the addition of a new chapter, DCC 18.65, Rural Service Center – Unincorporated Community Zone, as described in Exhibit "B," attached hereto and by this reference incorporated herein.


Section 3. REPEAL AND REPLACE ZONING MAPS. Pursuant to DCC 18.12.030, the zoning maps for the communities of Alfalfa, Brothers, Hampton and Millican, shown in Exhibits "C", "E", "G" and "I," are hereby repealed and replaced in DCC 18.65.040, Maps, with new zoning maps for each community, as shown in Exhibits "D", "F", "H" and "J," attached hereto and by this reference incorporated herein.

Section 4. REPEAL ZONING CHAPTERS. DCC 18.68, Rural Service Residential Zone (RSR-M) and DCC 18.72, Rural Service Residential 5 Zone (RSR-5), are hereby repealed.

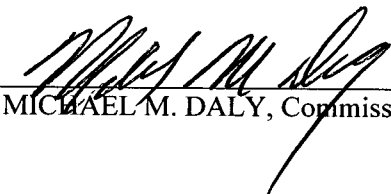
Section 5. FINDINGS. The Board adopts the staff report attached as Exhibit "M" to Ordinance No. 2002-001, incorporated herein by this reference, as its findings in support of this Ordinance.

DATED this 5th day of June, 2002.

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON


TOM DEWOLF, Chair


DENNIS R. LUKE, Commissioner


MICHAEL M. DALY, Commissioner

Date of 1st Reading: 22nd day of May, 2002.

Date of 2nd Reading: 5th day of June, 2002.

Record of Adoption Vote

Commissioner	Yes	No	Abstained	Excused
Tom DeWolf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dennis R. Luke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael M. Daly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Effective date: 3rd day of Sept., 2002.

ATTEST:



Recording Secretary

EXHIBIT "A"

18.12.010. Establishment of zones.

For the purpose of DCC Title 18, the following primary zones, combining zones, subzones and zone districts are hereby established:

A. Primary zones.

Primary Zones	Abbreviations
Airport Development	AD
Exclusive Farm Use Zones	EFU
Flood Plain	FP
Forest Use	F1
Forest Use	F2
Multiple Use Agriculture	MUA10
Open Space and Conservation	OS&C
Rural Industrial	RI
Rural Residential	RR10
Rural Service Center	RSC
Rural Service	
—Residential-M	RSRM
Rural Service	
—Residential-5	RSR5
Surface Mining	SM
Terrebonne Rural Community	TE
Tumalo Rural Community	TU
La Pine Urban Unincorporated	
—Community	LP
Sunriver Urban Unincorporated	
—Community	SU

B. Combining zones.

Combining Zones	Abbreviations
Airport Height	AH
Conventional Housing	CH
Destination Resort	DR
Landscape Management	LM
Limited Use	LU
Sensitive Bird & Mammal Habitat	SBM
Surface Mining Impact Area	SMIA
Wildlife Area	WA

C. Exclusive Farm Use Zones.

Exclusive Farm Use Subzones	Abbreviations
Alfalfa	EFUAL
Horse Ridge East	EFUHR
La Pine	EFULA
Lower Bridge	EFULB
Sisters/Cloverdale	EFUSC
Terrebonne	EFUTE
Tumalo/Redmond/Bend	EFUTRB

D. Unincorporated Community Zones.

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	Abbreviation
Wickiup Commercial/Residential	LPWJ

2. Sunriver Urban Unincorporated Community.

Sunriver UUC Districts	Abbreviations
Airport District	SUA
Business Park District	SUBP
Commercial District	SUC
Community General District	SUCG
Community Limited District	SUCL
Community Neighborhood District	SUCN
Community Recreation District	SUCR
Flood Plain Combining District	SUFP
Forest District	SUF
Multiple Family Residential District	SURM
Resort District	SUR

EXHIBIT "A"

Resort Equestrian District	SURE
Resort Golf Course District	SURG
Resort Marina District	SURA
Resort Nature Center District	SURN
Single Family Residential District	SURS
Utility District	SUU

3. Terrebonne Rural Community.

Terrebonne RC Districts	Abbreviations
Commercial District	TERC
Commercial-Rural District	TECR
Residential District	TER
Residential-5 acre minimum District	TER5

4. Tumalo Rural Community.

Tumalo RC Districts	Abbreviations
Commercial District	TUC
Residential District	TUR
Residential-5 acre minimum District	TUR5
Research & Development District	TURE

5. Rural Service Center.

Commercial/Mixed Use District	RSC-C/M
Residential	RSC-R
Open Space	RSC-OS

65. Resort Community.

A. Black Butte Ranch	Abbreviations
Resort District	BBRR
Surface Mining District/Limited Use	BBRSM
Utility District/Limited Use	BBRU

B. Inn of the 7 th Mountain/ Widgi Creek	Abbreviations
Resort District	SMWCR
Widgi Creek Residential District	WCR

(Ord. 2002-001 § 1, 2002, Ord. 2001-048 § 4, 2001, Ord. 2001-044 § 2, 2001; Ord. 98-063 § 2, 1998; Ord. 96-003 § 4, 1996; Ord. 92-025 § 5, 1992)

EXHIBIT "B"

**Chapter 18.65. RURAL SERVICE CENTER -
UNINCORPORATED
COMMUNITY ZONE**

18.65.010. Purpose.

**18.65.020. Commercial/Mixed Use District
(Brothers, Hampton and Millican).**

**18.65.021. Commercial/Mixed Use
District (Alfalfa).**

18.65.022. Residential District (Alfalfa).

18.65.023. Open Space District (Brothers).

18.65.030 Standards in all Districts.

18.65.010. Purpose.

The purpose of the Rural Service Center - Unincorporated Community (RSC-UC) Zone is to provide standards and review procedures for the development of the rural service centers of Alfalfa, Brothers, Hampton and Millican. The provisions of this chapter shall apply to Rural Service Centers that have been planned pursuant to OAR 660 Division 22.

(Ord. 2002-002 § 2, 2002)

**18.65.020. RSC – Commercial/Mixed Use
District (Brothers, Hampton
and Millican).**

A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright, subject to applicable provisions of this chapter:

1. Single-family dwelling.
2. Manufactured home, subject to DCC 18.116.070.
3. Home occupation, limited in scope to an activity that:
 - a. is carried on within a dwelling only by members of the family who reside in the dwelling;
 - b. does not produce odor, dust, glare flashing lights or noise;
 - c. does not occupy more than 25 percent of the floor area of the dwelling; and
 - d. does not include the on-premise

display or sale of stock in trade.

4. Residential home and residential facility.
5. Two-family dwelling or duplex.
6. Agricultural uses, as defined in Title 18, and excluding livestock feed lot or sales yard, and hog or mink farms.
7. 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.
8. Class III road and street project.
9. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.

B. Uses Permitted Subject to Site Plan Review. The following uses and their accessory uses are permitted, subject to applicable provisions of this chapter, DCC 18.116, Supplementary Provisions, and DCC 18.124, Site Plan Review, of this title:

1. Retail store, business office and/or commercial establishment in a building or buildings each not exceeding 4,000 square feet of floor space. The aggregate area for any one type of use that takes place in multiple buildings may not exceed 4,000 square feet.
2. Residential use in conjunction with a permitted commercial use.
3. Park or playground.
4. Community building.
5. Public or semipublic building or use.
6. Highway maintenance facility.

C. Conditional Uses Permitted. The following uses and their accessory uses are permitted subject to applicable provisions of this chapter, DCC 18.116, Supplementary Provisions, DCC 18.124, Site Plan Review, and DCC 18.128, Conditional Use, of this title:

1. Multi-family dwelling with three or more units.
2. Church.
3. School.

EXHIBIT "B"

4. Cemetery.
5. Home occupation that does not otherwise meet the provisions in DCC 18.65.020(A)(3).
6. Medical clinic or veterinary clinic.
7. Community Center.
8. Manufactured home park.
9. Recreational vehicle or trailer park.
10. Wireless telecommunications facilities, except those facilities meeting the requirements of DCC 18.116.250(A).

D. Yard and Setback Requirements.

1. The front yard setback shall be a minimum of 20 feet from a property line fronting on a local street right of way and 50 feet from an arterial right of way.
2. The minimum side yard setback shall be 10 feet.
3. The minimum rear yard setback shall be 20 feet.
4. The minimum side and rear yard setbacks for property that is adjacent to land zoned exclusive farm use shall be 50 feet.

E. Lot Requirements.

1. Residential Uses:
 - a. The minimum lot size for residential uses in Brothers, Hampton and Millican is 2.5 acres.
 - b. Each lot shall have a minimum width of 200 feet.
 - c. Each lot must be served by an on-site well.
 - d. On-site sewage disposal. For new lots or parcels, an applicant shall demonstrate that the lot or parcel can meet DEQ on-site sewage disposal rules prior to final approval of a subdivision or partition.
 - e. Lot coverage for a dwelling and accessory buildings used primarily for residential purposes shall not exceed twenty-five (25) percent of the total lot area. Lot coverage for buildings used primarily for commercial purposes shall be

determined by spatial requirements for sewage disposal, landscaping, parking, yard setbacks and any other elements under site plan review.

2. Commercial and Public Uses.

- a. The minimum lot size in Brothers, Hampton and Millican for a commercial use served by an on-site septic system and individual well shall be the size necessary to accommodate the use. In Alfalfa, the minimum lot size shall be the size necessary to accommodate the use, but not less than one acre.
- b. Each lot shall have a minimum width of 150 feet.
- c. On-site sewage disposal. For new lots or parcels, an applicant shall demonstrate that the lot or parcel can meet DEQ on-site sewage disposal rules prior to final approval of a subdivision or partition.

(Ord. 2002-002 § 2, 2002)

18.65.21. Alfalfa RSC - Commercial/Mixed Use District.

In Alfalfa, the following uses and their accessory uses are permitted:

- A. Uses Permitted Outright are those allowed in DCC 18.65.020 (A).
- B. Uses Permitted Subject to Site Plan Review are those allowed in DCC 18.65.020(B), with the exception of Highway maintenance facilities.
- C. Conditional Uses Permitted are those allowed in DCC 18.65.020(C), with the exception of Multi-family dwellings and manufactured home parks.

18.65.022. Alfalfa RSC - Residential District

- A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright, subject to the applicable provisions of this chapter:
 1. Agricultural uses, as defined in Title 18, subject to the restrictions in DCC

EXHIBIT "B"

- 18.65.021(D), and excluding livestock feed lot or sales yard, and hog or mink farms.
 2. Single-family dwelling, or a manufactured home subject to DCC 18.116.070.
 3. Two-family dwelling or duplex.
 4. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.
 5. 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.
 6. Class III road or street project.
- B. Uses Permitted Subject to Site Plan Review. The following uses and their accessory uses are permitted, subject to the applicable provisions of this chapter, DCC 18.116, Supplementary Provisions, and DCC 18.124 Site Plan Review, of this title:
1. Park or playground.
 2. Community building.
 3. Utility facility.
- C. Conditional Uses Permitted. The following uses and their accessory uses are permitted, subject to the applicable provisions of this chapter, DCC 18.116, Supplementary Provisions, DCC 18.124, Site Plan Review, and DCC 18.128, Conditional Use, of this title:
1. Schools.
 2. Medical clinic or veterinary clinic.
 3. Daycare facility.
 4. Church.
 5. Home occupations.
 6. Bed and breakfast inn.
 7. Public use.
 8. Wireless telecommunications facilities, except those facilities meeting the requirements of DCC 18.116.250(A) or (B).
- D. Yard and Setback Requirements.
1. The front yard setback shall be a minimum of 20 feet from a property line fronting on a local street right of way and 50 feet from an arterial right of way.
 2. The minimum side yard setback shall be 10 feet.
 3. The minimum rear yard setback shall be 20 feet.
- E. Lot Requirements.
1. The minimum lot size is 5 acres.
 2. The minimum average width of lots shall be 200 feet.
 3. Each lot must be served by an on-site well.
 4. On-site sewage disposal. For new lots or parcels, an applicant shall demonstrate that the lot or parcel can meet DEQ on-site sewage disposal rules prior to final approval of a subdivision or partition.
 5. Lot coverage for a dwelling and accessory buildings used primarily for residential purposes shall not exceed twenty-five (25) percent of the total lot area. Lot coverage for buildings used primarily for commercial purposes shall be determined by spatial requirements for sewage disposal, landscaping, parking, yard setbacks and any other elements under site plan review.
- F. Limitations on uses – RSC-Residential District. The following limitation shall apply to uses permitted in the RSC – Residential District:
1. Cows, horses, goats or sheep cannot be kept on lots having an area of less than 20,000 square feet. The total number of all such animals (other than their young under the age of six months) shall be limited to the square footage of the lot divided by 20,000 square feet, which is the minimum area per animal.
 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.

EXHIBIT "B"

3. All livestock shall be located a minimum of 100 feet away from a residential building on an adjacent lot.

except those facilities meeting the requirements of DCC 18.116.250(A) or (B).

18.65.023. RSC – Open Space District

A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright, subject to applicable provisions of this chapter:

1. Agricultural uses, as defined in Title 18, and excluding livestock feed lot sales yard, and hog or mink farms.
2. Public and nonprofit agencies, museums and exhibits on lands where an exception has been granted in accordance with Oregon Administrative Rules chapter 660, Division 022.
3. Public wildlife reserve or management area, not including structures.
4. 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.
5. Class III road or street project.
6. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.

B. Conditional Uses Permitted.

The following uses and their accessory uses are permitted, subject to the applicable provisions of this chapter, DCC 18.116, Supplementary Provisions, DCC 18.124, Site Plan Review, and DCC 18.128, Conditional Use, of this title:

1. Private parks, picnic areas or hunting and fishing preserves.
2. Public parks and recreational areas owned and operated by a governmental agency or nonprofit community organization.
3. Campground.
4. Utility facility except landfills.
5. Wireless telecommunications facilities,

C. Yard and Setback Requirements.

1. The front yard setback shall be a minimum of 20 feet from a property line fronting on a local street right of way and 50 feet from an arterial right of way.
2. The minimum side yard setback shall be 10 feet.
3. The minimum rear yard setback shall be 20 feet.
4. The minimum side and rear yard setbacks for property that is adjacent to land zoned exclusive farm use shall be 50 feet.

D. Lot Requirements.

The minimum lot size shall be determined by the site plan requirements for a proposed public use.

18.65.030 Standards for all districts

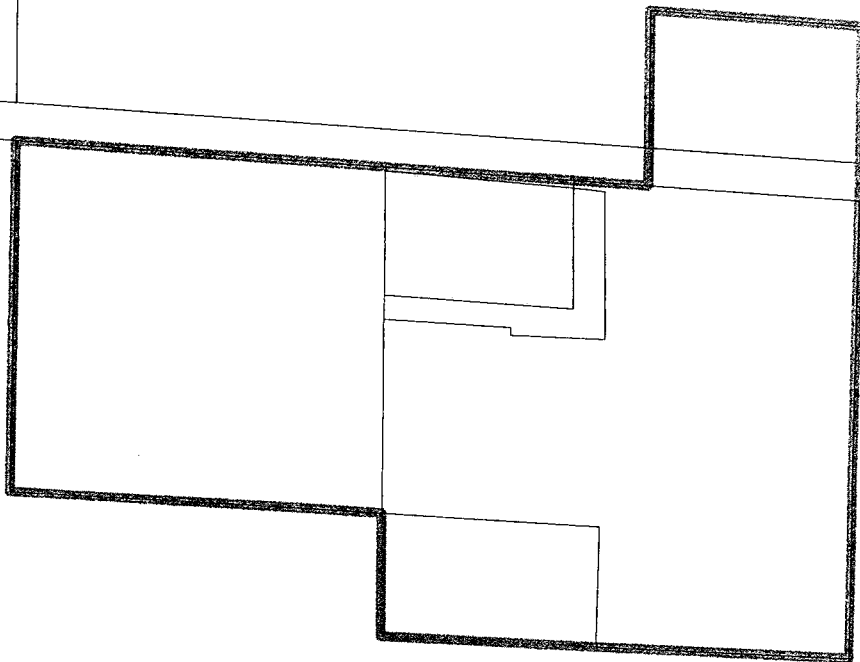
- A. Building Height. In Alfalfa, no building or structure shall be erected or enlarged to exceed thirty (30) feet in height. In Brothers, Hampton and Millican, no building or structure shall be erected or enlarged to exceed thirty (30) feet in height, except as provided by DCC 18.120.040.
- B. Off-Street Parking and Loading. Off-street parking and loading shall be provided subject to the provisions of DCC 18.116, Supplementary Provisions.
- C. Outdoor Lighting. All outdoor lighting on site shall be installed in conformance with DCC 15.10, Outdoor Lighting Control.
- D. Signs. All signs shall be constructed in accordance with DCC 15.08, Signs.
- E. Solar Setback. The setback from the north lot line shall meet the solar setback requirements in DCC 18.116.180.
- F. 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

EXHIBIT "B"

the County under DCC 15.04 shall be met.

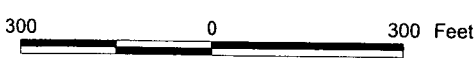
EXHIBIT "C"

WILLARD RD



- PARCELS
- ALFALFA RURAL SERVICE CENTER BOUNDARY
- ALFALFA RURAL SERVICE CENTER - EXISTING ZONING
 - RURAL SERVICE CENTER
 - RURAL SERVICE RESIDENTIAL - 5 ACRE MINIMUM

**ALFALFA RURAL SERVICE CENTER
EXISTING ZONING MAP**
Exhibit "C" to Ordinance 2002-002



BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

Tom DeWolf, Chair _____

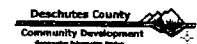
Dennis R. Luke, Commissioner _____

Michael M. Daly, Commissioner _____

ATTEST: Recording Secretary _____

Dated this ____ day of April, 2002

Effective Date: July ____, 2002

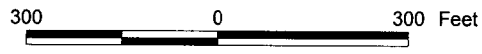


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EXHIBIT "D"

WILLARD RD

**ALFALFA RURAL SERVICE CENTER
PROPOSED ZONING MAP**
Exhibit "D" to Ordinance 2002-002



- PARCELS
- ALFALFA RURAL SERVICE CENTER BOUNDARY
- ALFALFA RURAL SERVICE CENTER - ZONING DISTRICTS
 - RURAL SERVICE CENTER - COMMERCIAL / MIXED USE
 - RURAL SERVICE CENTER - RESIDENTIAL



DISCLAIMER
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It is the user's responsibility to verify the accuracy of the information on this map.
The user assumes all liability for any errors or omissions in the information on this map.
The user agrees to hold the County harmless for any and all claims, damages, or liabilities
resulting from the use of this information, whether or not such claims, damages, or liabilities
were caused in whole or in part by the negligence of the County.

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

Tom DeWalt, Chair

Dennis R. Luke, Commissioner

Michael M. Daly, Commissioner





Brian Baker, Recording Secretary

ATTEST: Recording Secretary

Dated this 5th day of June, 2002
Effective Date: September 4, 2002

EXHIBIT "G"



-  PARCELS
 -  HAMPTON RURAL SERVICE CENTER BOUNDARY
- HAMPTON RURAL SERVICE CENTER ZONING
-  RURAL SERVICE CENTER
 -  RURAL SERVICE RESIDENTIAL - 5 ACRE MINIMUM

HAMPTON RURAL SERVICE CENTER
EXISTING ZONING MAP
 Exhibit "G" to Ordinance 2002-002



BOARD OF COUNTY COMMISSIONERS
 OF DESCHUTES COUNTY, OREGON

Tom DeWolf, Chair _____

Dennis R. Luke, Commissioner _____

Michael M. Daly, Commissioner _____

ATTEST: Recording Secretary _____

Dated this ____ day of April 2002

Effective Date: July ____, 2002



DESCHUTES COUNTY COMMUNITY DEVELOPMENT
 1100 N. WASHINGTON ST., SUITE 100, MEDFORD, OREGON 97504
 PHONE: (531) 438-2200 FAX: (531) 438-2201
 WWW.DESCHUTESCOUNTY.ORG

