



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 23, Comprehensive  
Plan, of the Deschutes County Code.

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ORDINANCE NO. 2002-001

WHEREAS, the Board of County Commissioners (Board) has determined that to comply with Periodic Review and OAR 660-022, amendments to the Deschutes County Comprehensive Plan are required; and

WHEREAS, to comply with Periodic Review and OAR 660-022, File No. PA-99-3 was initiated by Deschutes County to amend the Comprehensive Plan regarding Rural Service Centers; and

WHEREAS, after notice and hearing as required by law, the Board 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. Chapter and section headings are amended for portions of Title 23, Deschutes County Comprehensive Plan, as shown in Exhibit "A," attached hereto and incorporated herein by this reference.

Section 2. AMENDMENT. DCC 23.24, Rural Development, is amended to read as described in Exhibit "B", attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strikethrough~~.

Section 3. AMENDMENT. DCC 23.36, Rural Service Centers, is amended to read as described in Exhibit "C," attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strikethrough~~.

Section 4. AMENDMENT. DCC 23.40.010, Unincorporated communities, is amended to read as described in Exhibit "D," attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strikethrough~~.

Section 5. REPEAL AND REPLACEMENT OF MAPS. Comprehensive plan maps for Alfalfa, Brothers, Hampton and Millican, formerly found in DCC 23.36.040, attached hereto and incorporated herein as Exhibits "E," "G," "I," and "K," are hereby repealed and replaced with new comprehensive plan maps in DCC 23.40.060, attached hereto and by this reference incorporated herein as Exhibits "F," "H," "J," and "L."

Section 6. FINDINGS. The Board adopts the Staff Report for File No. PA-99-3, attached hereto as Exhibit "M," and incorporated herein by this reference, as its findings in support of this Ordinance.

DATED this 5<sup>th</sup> day of June, 2002.

BOARD OF COUNTY COMMISSIONERS  
OF DESCHUTES COUNTY, OREGON

- NO - vote

\_\_\_\_\_  
TOM DEWOLF, Chair

*Dennis R. Luke*  
DENNIS R. LUKE, Commissioner

*Michael M. Daly*  
MICHAEL M. DALY, Commissioner

Date of 1<sup>st</sup> Reading: 22<sup>nd</sup> day of May, 2002.

Date of 2<sup>nd</sup> Reading: 5<sup>th</sup> day of June, 2002.

Record of Adoption Vote

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

Effective date: 3<sup>rd</sup> day of Sept, 2002.

ATTEST:

*Bruni Baker*  
Recording Secretary

EXHIBIT "A"

Old Chapter or Section Number	Old Title	New Chapter or Section Number	New Title
<b>23.24</b>	<b>Rural Development</b>	<b>No change</b>	
23.24.010	Rural development	No change	
23.24.020	Goals	No change	
23.24.030	Policies	No change	
23.24.040	Unincorporated communities	23.40.010	No change
23.24.050	Definition- Rural community	Delete	
23.36.030	Rural communities	23.24.050	Rural communities
<b>23.28</b>	<b>Terrebonne Rural Community</b>	<b>Delete</b>	
23.28.010	Terrebonne rural community	23.40.030(A)	Terrebonne rural community
23.28.020	Maps	23.40.060	Maps
23.32	Tumalo Rural Community	Delete	
23.32.010	Tumalo rural community	23.40.030(B)	Tumalo rural community
23.32.020	Maps	23.40.060	Maps
<b>23.36</b>	<b>Rural Service Centers</b>	<b>No change</b>	<b>Rural Service Center</b>
23.36.010	Alfalfa Rural Service Center	Delete	
23.36.020	Brothers, Hampton, Millican Rural Service Centers	Delete	
23.36.040	Maps	23.40.060	No change
23.36.030	Spring River Rural Service Center	23.36.010	Spring River
<b>23.40</b>	<b>Urban unincorporated communities</b>	<b>No change</b>	<b>Unincorporated Communities</b>
23.40.010	La Pine urban unincorporated community	No change	Unincorporated communities
		23.40.020	Urban unincorporated communities – La Pine and Sunriver
23.40.010	La Pine urban unincorporated community	23.40.020(A)	La Pine UUC
23.40.020	Sunriver urban	23.40.020(B)	Sunriver UUC

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	unincorporated community		
23.40.030	Figures	No change	Rural communities – Terrebonne and Tumalo
23.28; 23.32	Terrebonne rural community: Tumalo rural community	Deleted	
23.28.010	Terrebonne rural community	23.40.030(A)	Terrebonne rural community
23.32.010	Terrebonne rural community	23.40.030(B)	Tumalo rural community
		23.40.040	Rural service centers – Alfalfa, Brothers Hampton and Millican
		23.40.050	Resort communities – Black Butte Ranch and Inn of the 7 <sup>th</sup> Mtn./Widgi Creek
23.28.020; 23.32.020; and 23.40.030	Maps Maps Figures	23.40.060	Maps

EXHIBIT "B"

**Chapter 23.24 RURAL  
DEVELOPMENT**

- 23.24.010. Rural development.**
- 23.24.020. Goals.**
- 23.24.030. Policies.**
- ~~**23.24.040. Unincorporated communities.**~~
- ~~**23.24.050. Definition Rural  
Community.**~~

**23.24.010. Rural development.**

The primary duty of this comprehensive plan is to guide growth and development in the rural areas of Deschutes County. The Urbanization chapter discusses urban area growth, but the primary plans for the County's major communities are the three urban area plans. The Deschutes County Comprehensive Plan is focused upon the changes that will be taking place outside the urban growth boundaries. This chapter is meant to tie together the various more specific chapters that deal with resource and growth management so that an integrated plan for the development of the County may be obtained.

Being the fastest growing County in Oregon has meant many changes for Deschutes County. Some of the changes, such as improved social, cultural and economic opportunities, are seen as beneficial. Others, such as traffic congestion, loss of scenic views, and rising taxes to pay for public services, are changes most people would like to do without.

Recent years have witnessed Countywide growth occurring at about 6.3 per cent annually. The present population of Deschutes County is estimated at 49,700. Growth is expected to continue at a slower rate (4.5 per cent annually) to the year 2000. By that time, the County will likely have about 128,200 residents. Of that number, 84,000 will be in the Bend Urban Area; another 23,093 will be in and around Redmond; 2,135 are expected for Sisters; and La Pine will have incorporated and reached an urban area population of 3,620. That leaves a rural population of 15,350 people, up from an estimated 8,300 presently.

To accommodate the new rural population will require 3,039 lots (assumes 2.32 persons per household). There were available in Deschutes County, as of January 1, 1979, 17,377 undeveloped rural tract and recreational lots. It appears that Countywide there is in excess of 14,000 lots beyond the public's housing needs until the year 2000. That does not preclude the possibility of certain areas needing new lots, since the vast majority of those existing lots are in the La Pine area, but it does indicate the County must give serious review before approving any further rural development.

Much of the development that has occurred locally has been the standard parcelization of land into small (less than 10 acres) lots. This dispersed pattern is often the most costly to serve; the most wasteful of energy, land and resources; the least esthetic; and the most destructive to rural character. Planned Developments, such as Indian Ford Planned Development, often provide a more efficient and beneficial manner in which to serve the public demand for rural recreational or residential experience. Destination resorts, such as Black Butte Ranch and dude ranches, have been found locally to be economically and socially desirable land uses, when located and developed consistent with the capabilities of the land and the abilities of various public and private agencies to serve that area.

Recreational subdivision was originally seen as a benefit to the County as the non-resident landowners would be contributing to the County tax base. This probably resulted in areas like La Pine subsidizing other portions of the County. Now the recreation subdivisions are filling up with retirees and younger people seeking less expensive building lots. The result is a call for more services in areas far from existing service facilities and in subdivisions where roads and other improvements were meant only for seasonal and limited use. As demand continues to grow, to provide adequate service levels it will be necessary for other areas to subsidize the recreational areas for many years. Studies by Oregon State University indicate that Deschutes County is likely faced with such a situation presently.

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The County has witnessed losses of agricultural, forest and other resource lands, as well as seen the expense and esthetic losses created by urban sprawl. Studies such as "The Costs of Sprawl" have emphasized the greater efficiencies that can be obtained by a more condensed and planned development pattern. When these factors were combined with State requirements to contain development in urban areas, there was no question to the Overall CAC that the updated comprehensive plan would have to address the issue of containing urban sprawl and protecting the rural character of the County.

The predominant rural land uses in the County are open spaces, pasture and limited crop production, livestock production, natural resource utilization and wildlife cover. There is also residential use and some commercial and industrial activity in the rural service centers. Unfortunately, the unrestrictive zoning permitted in the rural service centers has allowed incompatible adjacent land uses and not resulted in providing the needed services for the surrounding rural areas. In the case of Deschutes Junction this result is combined with another factor in that Bend's urban sprawl is augmented by development at the junction.

Interestingly, the residents of the rural service centers, except for La Pine, have expressed concern that higher levels of development in their locales would be incompatible with the existing rural nature of the area. They agree that there is a need for limited and controlled growth, but that the rural character of the community must be maintained.

To guide development into appropriate patterns the following goals have been prepared.  
(Ord. 2002-005 § 1, 2002; Ord. 2000-017 § 1, 2000; Ord. 92-051, 1992; PL-20, 1979)

### **23.24.020. Goals.**

A. To preserve and enhance the open spaces, rural character, scenic values and natural resources of the County.

B. To guide the location and design of rural development so as to minimize the public costs of facilities and services, to avoid unnecessary expansion of service boundaries, and to preserve and enhance the safety and viability of rural land uses.

C. To provide for the possible long-term expansion of urban areas while protecting the distinction between urban (urbanizing) land and rural lands.

(Ord. 2002-005 § 1, 2002; Ord. 2000-017 § 1, 2000; Ord. 92-051, 1992; PL-20, 1979)

### **23.24.030. Policies.**

The policies needed to accomplish the identified goals were largely developed by the Overall CAC during its deliberations on the preliminary plan. It was obvious that some policies were needed to pull the various resource and management chapters together and to fill in some gaps so that an integrated and cohesive plan was available.

Rural Development policies are meant to pertain to all non-urban areas (areas outside urban growth boundaries) and are the basic policies to be followed in guiding rural growth. Specific resource or management policies from other chapters shall augment these policies so that the plan must be viewed as an integrated whole rather than a series of individual chapters.

- **Residential/recreational development.**

1. Because 91 percent of the new County population will live inside an urban area, with only 3,039 new rural lots required, and in light of the 17,377 undeveloped rural tracts and lots as well as the energy, environmental and public service costs, all future rural development will be stringently reviewed for public need before approval. As a guideline for review if a study of existing lots within three miles of the proposed development indicates approximately 50 per cent or more of those lots have not had structures constructed thereon, then the developer shall submit adequate testimony justifying additional lots in that area. This will permit development in areas

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where such is needed (other policies considering energy, public facilities, safety and other development aspects shall also be considered) while restricting future division in areas where many undeveloped lots already exist.

2. To further restrict subdivision outside urban areas the minimum parcel size shall be 10 acres, except where other policies supercede this minimum (see Unincorporated Communities, Rural Service Centers, Agriculture and Forest Lands).
3. Cluster or planned development offers significant savings to the developer because of reduced roadway, utility and construction costs. Public costs to serve cluster developments are also usually lower. Therefore, to encourage development and planned developments, rather than parcelization, the county shall permit an increase in density up to 33 per cent above the density permitted in the zone for cluster and planned developments.
4. Cluster and planned developments shall maintain a minimum of 65 per cent of the land in open space, timber or agricultural uses compatible with the surrounding area and the development area. The open space of the development may be platted as a separate parcel or in common ownership of some or all of the clustered units; however, the open area shall not be subject to development unless the whole development is brought inside an urban growth boundary. Also, service connections shall be the minimum length necessary and underground where feasible. Roads shall meet County standards, be dedicated to the public and may be accepted in the County Road System by the County for maintenance.
5. Destination resorts are important elements of the local economy. These developments shall not be permitted in exclusive farm use districts except in EFU-20 and EFU-40 zones pursuant to the County's Destination Resort Siting Map and Destination Resort Siting

Combining Zone and in forest districts only in the F-2 zone pursuant to the County's Destination Resort Siting Combining Zone. They may be allowed in the County's rural areas if compatible with the environmental capabilities of the site, near existing transportation and utility facilities, consistent with the rural character of the area, and unlikely to create undue public service burdens.

6. Other than as outlined in Policy 5 and the Goals and Policies set forth for Destination Resorts, no further recreational (seasonal) subdivision will be approved in rural areas.
7. Parcels legally existing at the time of this plan's adoption shall continue to function as legal lots and will not be unduly affected by the new lot size.
  - **Commercial and industrial development.**
8. Within one mile of acknowledged urban growth boundaries, use of the planned or cluster development concepts shall permit to an increase of 100 per cent in density for development in Multiple Use Agriculture or Rural Residential zones (not under a combining zone which would prevent such) resulting in a density of one unit per five acres.
9. Temporary on-site processing and storage of either mineral and aggregate materials or agricultural products shall be permitted as appropriate, in order to support the continued productivity of the County's natural resources.
10. Certain industrial uses, such as research and development facilities (requiring quiet and open surroundings) and manufacturers of hazardous materials (requiring long distances between the plant and neighbors) are more suitably located in rural areas. The County shall consider making provision for such uses as the need is found to exist (see Tumalo).
11. Certain industrial uses, such as research and development facilities (requiring quiet and open surroundings), wrecking

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or salvage yards and manufacturers of hazardous materials (requiring long distances between the plant and neighbors) are more suitably located in rural areas. The County shall consider making provision for such uses as the need is found to exist (see Tumalo).

- a. To ensure that the uses in the Rural Industrial zone on tax lot 16-12-26C-301 are limited in nature and scope, the Rural Industrial zoning on the subject parcel shall be subject to a Limited Use Combining Zone, which will limit the uses to storage, crushing, processing, sale and distribution of pumice.
12. Because large scale recreation facilities cannot normally be accommodated in urban areas, uses such as motor cross tracks, rodeo grounds and livestock arenas shall be conditional uses which may be approved in rural areas adjacent to existing highways and other public facilities.

**Rural Service Centers.**

- ~~13. Because there is a need to accommodate some rural residential development and to provide necessary commercial services to existing rural residents, the County shall designate the following pattern of development and energy use, as well as provision of public services: Alfalfa, Brothers, Hampton, La Pine, Millican, Terrebonne, Tumalo, Whistlestop, Wickiup Junction, Deschutes Junction and Wild Hunt. In addition other sites, such as in the Fall River/Spring River area, may be approved in the future as dictated by need of existing rural residents.~~
14. Each Rural Service Center shall have a compact commercial area to serve the convenience commercial, agricultural and repair service needs of the surrounding rural lands. In addition, larger Rural Service Centers along major highways, where public facilities such as schools already exist, shall have a

~~residential area designated (see individual RSC maps and policies). The size and uses of rural service centers shall be such as to maintain the rural character of the area.~~

• **Other.**

- ~~1513.~~ Construction on open lands shall be in a manner least intrusive to the aesthetic and natural character of those lands and neighboring lands (fences and access roads shall not be considered structures).
- ~~1614.~~ Because there have been problems in obtaining community centers in some areas, centers approved on the original subdivision plat or development plan shall be permitted uses in rural residential zones.
- ~~1715.~~ Due to the more dispersed pattern of dwellings in rural areas the notice requirement area for public hearings on quasi-judicial land use actions shall be larger than in urban areas.
- ~~1816.~~ More effective dog control program should be considered by the County to counter existing problems.
- ~~1917.~~ Pre-existing status shall be granted to subdivisions and partitions with at least preliminary approval and buildings with at least an issued building permit at the time of plan adoption by the Board of County Commissioners.
- ~~2018.~~ All development in Deschutes County shall comply with all applicable state and federal rules, regulations and standards.

(Ord 2002-001 § 2; Ord. 2002-005 § 1, 2002; Ord. 2000-017 § 1, 2000; Ord. 92-051, 1992; PL-20, 1979)

~~23.24.040. Unincorporated communities.~~  
(Note: Pursuant to Exhibit "A" of this Ordinance this section of text has been moved to DCC 23.40.010 with text amended pursuant to Exhibit "D" of this Ordinance.)

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**23.24.050. ~~Definition Rural Community:~~**

~~Under OAR 660, Division 22, Unincorporated Communities, Terrebonne and Tumalo meet the definition of a "Rural Community." Subsection OAR 660-22-010(6) defines "Rural Community" as an unincorporated community which consists primarily of residential uses but also has at least two other land uses that provide commercial, industrial, or public uses (including but not limited to schools, churches, grange halls, post offices) to the community, the surrounding rural area, or to persons traveling through the area.~~

~~(Ord. 2002-001 § 1 Ord. 2002-005 § 1, 2002; Ord. 2000-017 § 1, 2000; Ord. 97-001, 1997)~~

EXHIBIT "C"

**Chapter 23.36 RURAL SERVICE CENTERS**

~~23.36.010. Alfalfa Rural Service Center.~~

~~23.36.020. Brothers, Hampton, Millican Rural Service Centers.~~

**23.36.030010. Spring River Rural Service Center.**

~~23.36.040. Maps.~~

~~23.36.010. Alfalfa Rural Service Center.~~

~~A. Introduction.~~

~~— The predominant land use in the area is farming, and agreement exists that the rural atmosphere should be maintained. However, some improvement in fire and police protection is felt to be needed, as is improved road maintenance (cutting roadside weeds, leveling gravel shoulders and other safety measures).~~

~~— One issue of particular concern to Alfalfa residents is the need to protect air and water quality. Special anxiety was expressed over possible water contamination from non-local sources (i.e., La Pine and East Bend) as the densities in those areas increase.~~

~~B. Policies:~~

- ~~1. A rural commercial area shall be designated for Alfalfa.~~
- ~~2. Zoning in the area shall promote the maintenance of the area's rural character.~~
- ~~3. The County shall encourage the formation of a rural fire district in Alfalfa.~~
- ~~4. The County Road Department shall consider road maintenance in Alfalfa when preparing its work program.~~

~~(Ord. 2002-005 § 1, 2002; Ord. 2000-017 § 1, 2000; PL 20, 1979)~~

**23.36.020. Brothers, Hampton, Millican Rural Service Centers.**

~~A. Introduction.~~

~~— The major economic activity in these areas is agriculture, but service to transients on Highway 20 also provides relatively significant amounts of income. Population~~

~~numbers are very low. While problems exist with inadequate roads and police protection, the local school facilities are generally believed to be adequate.~~

~~B. Policies:~~

- ~~1. An area for each community should designated for commercial and residential uses.~~
- ~~2. Zoning should permit motels and other uses catering to travelers.~~
- ~~3. The County shall consider ways to improve roads and services in the area consistent with the level of population to be served.~~

~~(Ord. 2002-005 § 1, 2002; Ord. 2000-017 § 1, 2000; PL 20, 1979)~~

**23.36.030010. Spring River Rural Service Center.**

~~A. Introduction.~~

The area within the boundaries of the Spring River Rural Service Center was designated and zoned for residential use under the 1979 comprehensive plan under exception to Goals 3 and 4. This rural service center was approved by the Board of County Commissioners in 1990 after an exception for the subject land was taken from Goal 14. (See Ordinances 90-009 and 90-010.) The Spring River Rural Service Center was created to serve the needs of residents in nearby subdivisions and its scope limited by the limited uses listed in Ordinances 90-009 and 90-010. In conjunction with taking an additional reasons exception to Goal 14, the limitations were amended in 1993 by Ordinance 96-022 to allow for an additional use.

To ease administration, this text was added to the Plan in conjunction with the 1993 changes. The text reflects the limitations set forth in the findings and decision adopted by the Board of County Commissioners by Ordinances 90-009 and 90-010, as those limitations were altered by the 1993 changes.

~~B. Policies.~~

To ensure that uses in the Spring River Rural Service Center will be limited to uses that

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will serve the residents of nearby subdivisions and not the needs of the public generally. The rural service center zoning shall be subject to a Limited Use Combining zone, which shall have the effect of limiting uses in the Spring River Rural Services Center to the following uses:

1. Fishing supplies and equipment;
2. Snowmobiling accessories;
3. Marine accessories;
4. General store;
5. Hardware store;
6. Convenience store with gas pumps;
7. Full service gas station with automobile repair services;
8. Welding shop;
9. Fast food restaurant, café, or coffee shop;
10. Recreational rental equipment store;
11. Excavation business;
12. Landscaping business/service; and
13. Health care service.

These uses may be further defined in the zoning ordinance.

(Ord. 2002-002, § 3, 2002; Ord. 2002-005 § 1, 2002; Ord. 2000-017 § 1, 2000; Ord. 96-045, 1996; Ord. 96-022, § 1, 1996; Ord. 1990-009, § "2", 1990; Ord. 1990-010 § 1, 1990; PL-20, 1979)

**~~23.36.040. Maps.~~**  
(PL 20, 1979)

**Chapter 23.40 UNINCORPORATED COMMUNITIES**

- ~~23.40.010 — La Pine Urban Unincorporated Community.~~
- ~~23.40.020 — Sunriver Urban Unincorporated Community.~~
- ~~23.40.030 — Figures.~~
- 23.40.010 Unincorporated Communities.
- 23.40.020 Urban Unincorporated Communities - La Pine and Sunriver.
- 23.40.030 Rural Communities – Tumalo and Terrebonne.
- 23.40.040 Rural Service Centers – Alfalfa, Brothers, Hampton and Millican.
- 23.40.050 Resort Communities - Black Butte Ranch and Inn of the 7<sup>th</sup> Mountain/Widgi Creek.
- 23.40.60 Maps.

**23.40.010. Unincorporated Communities.**

The 1979 comprehensive plan designated the following rural service centers (RSC): Alfalfa, Brothers, Hampton, Millican, La Pine, Whistle Stop, Wickiup Junction, Terrebonne, Wild Hunt and Tumalo. These areas were designated in that plan as exception areas from Goals 3 and 4. Zoning under the Comprehensive Plan allowed for a mix of residential uses and commercial uses to support nearby residential uses. The scope of those uses was never clearly defined but, until the early 1990's, was never much of an issue since there was little development pressure.

In 1994, LCDC adopted a new administrative rule, OAR 660 Division 22, to clarify what uses could be allowed in "unincorporated communities," including rural service centers, without violating Statewide Planning Goals 11 and 14 relating to public facilities and urban uses. The purpose of the rule was to assist in the implementation of Statewide Planning Goals 11 and 14 by defining the upper limits of intensity of uses allowable unincorporated communities defined under the rule. The rule is set forth in OAR 660 Division 22 and identifies 4 different kinds of rural communities: Resort Community, Urban Unincorporated Community, Rural Community and Rural Service Center. In addition to the RSCs listed above the following developments were identified as communities that Deschutes County has been required to review for compliance with the rule: Black Butte Ranch and Inn of the Seventh Mountain/Widgi Creek resorts, Deschutes Junction RSC, Spring River RSC, lands zoned for Rural Industrial development and the Deschutes River Woods Country Store development.

The following communities are designated as unincorporated communities under OAR 660 22: table shows the plan designation for each area is Unincorporated Community, and indicates which type of community the area is defined as and the year when review for compliance with OAR 660 Division 22 was completed.

EXHIBIT "D"

<u>COMMUNITY</u>	<u>PREVIOUS PLAN DESIGNATION</u>	<u>UNINCORPORATED COMMUNITY DESIGNATION TYPE</u>	<u>APPROVAL DATE</u>
La Pine	Rural Service Center <u>Unincorporated Community</u>	UUC <u>Urban Unincorporated Community</u>	1996
Wickiup Junction	Rural Service Center <u>Unincorporated Community</u>	Rural Service Center	1996
Terrebonne	<u>Rural Service Center</u>	Rural Community	1997
Tumalo	<u>Rural Service Center Unincorporated Community</u>	Rural Community	1997
<del>Sun River</del> Sunriver	<u>Planned Community Unincorporated Community</u>	Urban Unincorporated Community	1997
La Pine – expansion to include Wickiup Junction and BLM land	Rural Service Center Forest <u>Unincorporated Community</u>	Urban Unincorporated Community	2000
Black Butte Ranch	<u>Rural Residential Unincorporated Community</u>	Resort Community	2001
Inn of the 7 <sup>th</sup> Mountain/ Widgi Creek	Forest <u>Unincorporated Community</u>	Resort Community	2001
<u>Alfalfa</u>	<u>Unincorporated Community</u>	<u>Rural Service Center</u>	<u>2002</u>
<u>Brothers</u>	<u>Unincorporated Community</u>	<u>Rural Service Center</u>	<u>2002</u>
<u>Hampton</u>	<u>Unincorporated Community</u>	<u>Rural Service Center</u>	<u>2002</u>
<u>Millican</u>	<u>Unincorporated Community</u>	<u>Rural Service Center</u>	<u>2002</u>

In subsequent steps, the remaining rural service centers and other unincorporated communities in Deschutes County will be reviewed and revised under OAR 660 Division 22.

(Ord 2002-001 § 4; Ord. 2002-005 § 1, 2002; Ord. 2001-047 § 2; 2001; Ord. 2000-017 § 1, 2000; Ord. 98-014 § 1, 1998; Ord. 97-076 § 2, 1997)

**23.40.020. Urban Unincorporated Communities - La Pine and Sunriver.**

**A. La Pine Urban Unincorporated Community**

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(Note: Pursuant to Exhibit "A" of this Ordinance the text formerly in DCC 23.40.010 will be placed here in its entirety and is not shown in this exhibit.)

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(Ord. 2002-001 § 1, 2002; Ord. 2002-005 § 1, 2002; Ord. 2001-046 § 1 & 2, 2001; Ord. 2001-036 § 1, 2001; Ord. 2000-017 § 1, 2000)

B. Sunriver Urban Unincorporated Community

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(Note: Pursuant to Exhibit "A" of this Ordinance the text formerly in DCC 23.40.020 will be placed here in its entirety and is not shown in this exhibit.)

(Ord. 2002-001 § 1, 2002; Ord. 2002-005 § 1, 2002; Ord. 2000-017 § 1, 2000; Ord. 98-014 § 1, 1998; Ord. 97-076 § 2, 1997)

23.40.030. Rural Communities – Terrebonne and Tumalo.

A. Terrebonne Rural Community

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(Note: Pursuant to Exhibit "A" of this Ordinance the text formerly in DCC 23.28.010 will be placed here in its entirety and is not shown in this exhibit.)

(Ord. 2002-001, § 1, 2002; Ord. 2002-005 § 1, 2002; Ord. 2000-017 § 1, 2000; Ord. 97-001, 1997; Ord. 92-051, § 3, 1997; PL-20, 1979)

B. Tumalo Rural Community

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(Note: Pursuant to Exhibit "A" of this Ordinance the text formerly in DCC 23.32.010 will be placed here in its entirety and is not shown in this exhibit.)

(Ord. 2002-001 § 1, 2002; Ord. 2002-005 § 1, 2002; Ord. 2000-017 § 1, 2000; Ord. 97-031, 1997; PL-20, 1979)

23.40.040 Rural Service Centers – Alfalfa, Brothers, Hampton and Millican.

A Rural Service Center is characterized as an unincorporated community consisting primarily of commercial or industrial uses providing goods and services to the

surrounding rural area or to persons traveling through the area, but which also includes some permanent residential dwellings.

A. Introduction.

The predominant land use in the areas surrounding the Alfalfa, Brothers, Hampton and Millican, Rural Service Centers is farming and ranching. The unincorporated rural service centers serve the needs of the surrounding rural areas as well as the needs of the traveling public. Three of the communities are located on Highway 20 east of Bend. Millican is 26 miles, Brothers is 42 miles and Hampton is 64 miles east of Bend. Alfalfa is located approximately 11 miles east of Bend on Willard Road. All of these communities, as well as the surrounding areas, are generally flat to rolling with native vegetation consisting of scrub/shrub and juniper.

The communities of Alfalfa, Brothers and Hampton have approved public water systems that serve the school and combination store/café/post office in Brothers and the stores in Alfalfa and Hampton. The Central Oregon Irrigation District provides water for agricultural uses surrounding Alfalfa. The land around Millican, Brothers and Hampton is part of large ranches or is Bureau of Land Management land. Most of the land is used for dry land grazing. Well water provides irrigation for land adjacent to Hampton. Millican Brothers and Hampton are surrounded by land that is designated as antelope habitat.

The area surrounding these communities is sparsely populated. Each community has a few residences within its boundary.

1. Periodic Review

In order to comply with OAR 660-022, Deschutes County updated the Comprehensive Plan and implementing zoning regulations in 2002 for the communities of Alfalfa, Brothers, Hampton and Millican. The Comprehensive Plan and zoning map boundaries for all of the Rural Service Centers were amended to comply with the requirements of the administrative

## EXHIBIT "D"

rule and to reconcile historic mapping inconsistencies between the plan designation and zoning and inconsistencies between community boundaries and historic development patterns.

### 2. Community Boundary

The Alfalfa Rural Service Center boundary includes 21.83 acres, with Willard Road as the predominant northern boundary and the remainder surrounded by agricultural lands zoned Exclusive Farm Use.

The Brothers Rural Service Center boundary includes 48.95 acres. Highway 20 bisects the community from east to west, while Camp Creek Road enters from the north and connects with the highway. The entire community is surrounded by agricultural land zoned Exclusive Farm Use.

The Hampton Rural Service Center boundary includes 35.37 acres. Highway 20 forms the southern boundary with the remainder surrounded by agricultural lands zoned Exclusive Farm Use.

The Millican Rural Service Center boundary includes 29.55 acres. Highway 20 forms the northern boundary with the remainder surrounded by agricultural lands zoned Exclusive Farm Use.

### B. Land Use Planning

#### 1. Existing Land Uses

The existing land uses in all of the Rural Service Centers is commercial and residential surrounded by agricultural uses. In addition to a few residences each of the communities includes commercial development. Alfalfa has a store/gas station and a church/community hall. Brothers includes a school, a combination market/café/post office/gas station, a state highway maintenance field office, and a highway rest area. Hampton has a café and recreational

vehicle park. Millican has a market/gas station.

### 2. Comprehensive Plan Designations

The Deschutes County Comprehensive Plan designates each of the communities of Alfalfa, Brothers, Hampton and Millican as an Unincorporated Community.

### C. Policies

1. Land use regulations shall conform to the requirements of OAR 660, Division 22 or any successor.
2. Rural Service Center zoning shall be applied to Alfalfa, Brothers, Hampton and Millican and shall consist of three districts: Commercial/Mixed Use; Residential; and Open Space.
3. The area in the Brothers Rural Service Center Boundary that is north of Highway 20 and east of Camp Creek Road shall be zoned as Rural Service Center - Open Space District (RSC-OS).
4. In April 2002, Alfalfa area residents expressed a desire to keep the community "the way it is" and to limit commercial activity to 2-acres south of Willard Road that is the site of the Alfalfa Community Store and the community water system. These two acres are designated as a mixed used commercial district in the Comprehensive Plan and shall be zoned mixed use commercial. The remaining 20 acres of the Rural Service Center will continue to be zoned Rural Service Center – Residential District, with a 5-acre minimum lot size.

Since the Board of County Commissioners finds it may be necessary to accommodate the need for future commercial expansion 2 acres north of Willard Road are being designated on the Comprehensive Plan for future commercial uses. A zone change to mixed use commercial can be considered only for a specific use and upon findings that the existing commercial area is fully developed.

EXHIBIT "D"

5. County Comprehensive Plan policies and land use regulations shall ensure that new uses authorized within the Alfalfa, Brothers, Hampton and Millican Rural Service Centers do not adversely affect agricultural uses in the surrounding areas.
  6. Zoning in the area shall promote the maintenance of the area's rural character. New commercial uses shall be limited to small-scale, low impact uses that are intended to serve the community and surrounding rural area or the travel needs of people passing through the area.
  7. The Commercial/Mixed use zoning regulations shall allow a mixed use of residential or small-scale commercial uses.
  8. Residential and commercial uses shall be served by DEQ approved on-site sewage disposal systems.
  9. Residential and commercial uses shall be served by on site wells or public water systems.
  10. Community water systems, motels, hotels and industrial uses shall not be allowed.
  11. Recreational vehicle or trailer parks and other uses catering to travelers shall be permitted.
  12. The County shall consider ways to improve services in the area consistent with the level of population to be served.
- 
- ~~7. Residential and commercial uses shall be served by on site wells or public water systems.~~
  - ~~8. Community water systems, motels, hotels and industrial uses shall not be allowed.~~
  - ~~9. Recreational vehicle or trailer parks and other uses catering to travelers shall be permitted.~~

~~10. The County shall consider ways to improve services in the area consistent with the level of population to be served. (Ord 2002-001 § 4, 2002; Ord. 2002-005 § 1, 2002; Ord. 2000-017 § 1, 2000; Ord. 96-045, 1996~~

**23.40.050 Resort Communities - Black Butte Ranch and Inn of the Seventh Mountain/Widgi Creek.**

\*\*\*\*

A. Black Butte Ranch

\*\*\*\*

(Ord. 2001-047 § 2, 2002)

B. Inn of the Seventh Mountain/Widgi Creek

\*\*\*\*

(Note: Pursuant to Exhibit "B" of Ordinance 2001-047 the text for these communities becomes effective on March 13, 2002 and was to be placed in DCC 23.36.020, Unincorporated communities. Instead the text will be placed in DCC 23.40.050 as shown herein in this exhibit.)  
(Ord. 2001-047 § 2, 2002)

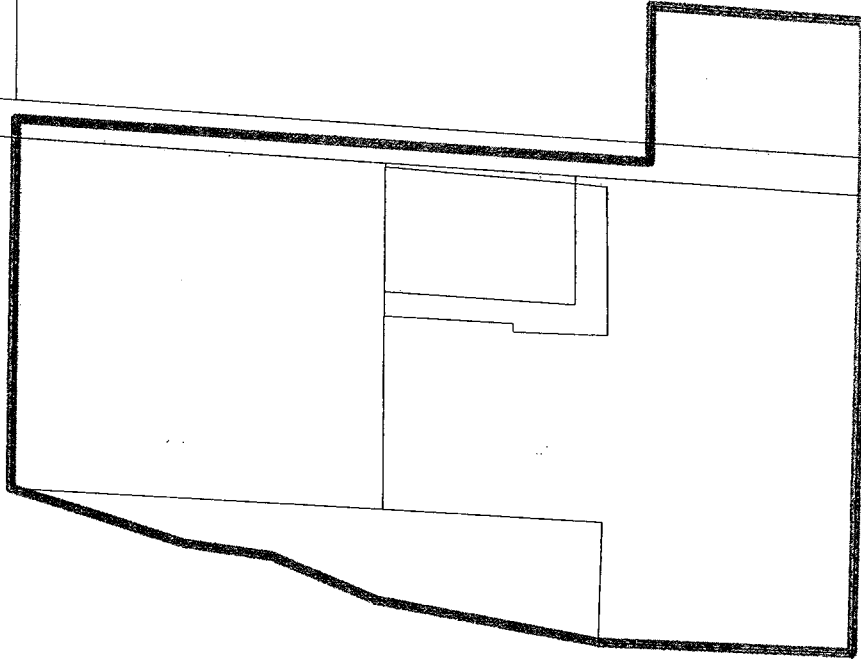
**23.40.060 Maps.**

(Note: Pursuant to Exhibit "A" to this Ordinance the existing comprehensive plan maps for the unincorporated communities of Terrebonne, Tumalo, La Pine, Sunriver will be moved in their entirety from DCC 23.28.020, DCC 23.28.020, and 23.40.030 to this section and are not shown in this exhibit.)

(Ord. 2002-001 §1, 2002; Ord. 20001-047 § 2, 2001; Ord. 2000-017 § 1, 2000)

EXHIBIT "E"

WILLARD RD



~ PARCELS

▭ ALFALPA RURAL SERVICE CENTER BOUNDARY

ALFALPA RURAL SERVICE CENTER - EXISTING  
COMPREHENSIVE PLAN DESIGNATIONS

▭ COMMERCIAL

▭ RESIDENTIAL

▭ PUBLIC

ALFALPA RURAL SERVICE CENTER  
EXISTING COMPREHENSIVE PLAN MAP

Exhibit "E" to Ordinance 2002-001



300 0 300 Feet

BOARD OF COUNTY COMMISSIONERS  
OF DESCHUTES COUNTY, OREGON

Tom DeWolf, Chair

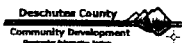
Dennis R. Luke, Commissioner

Michael M. Dady, Commissioner

ATTEST: Recording Secretary

Dated this \_\_\_\_ day of April, 2002

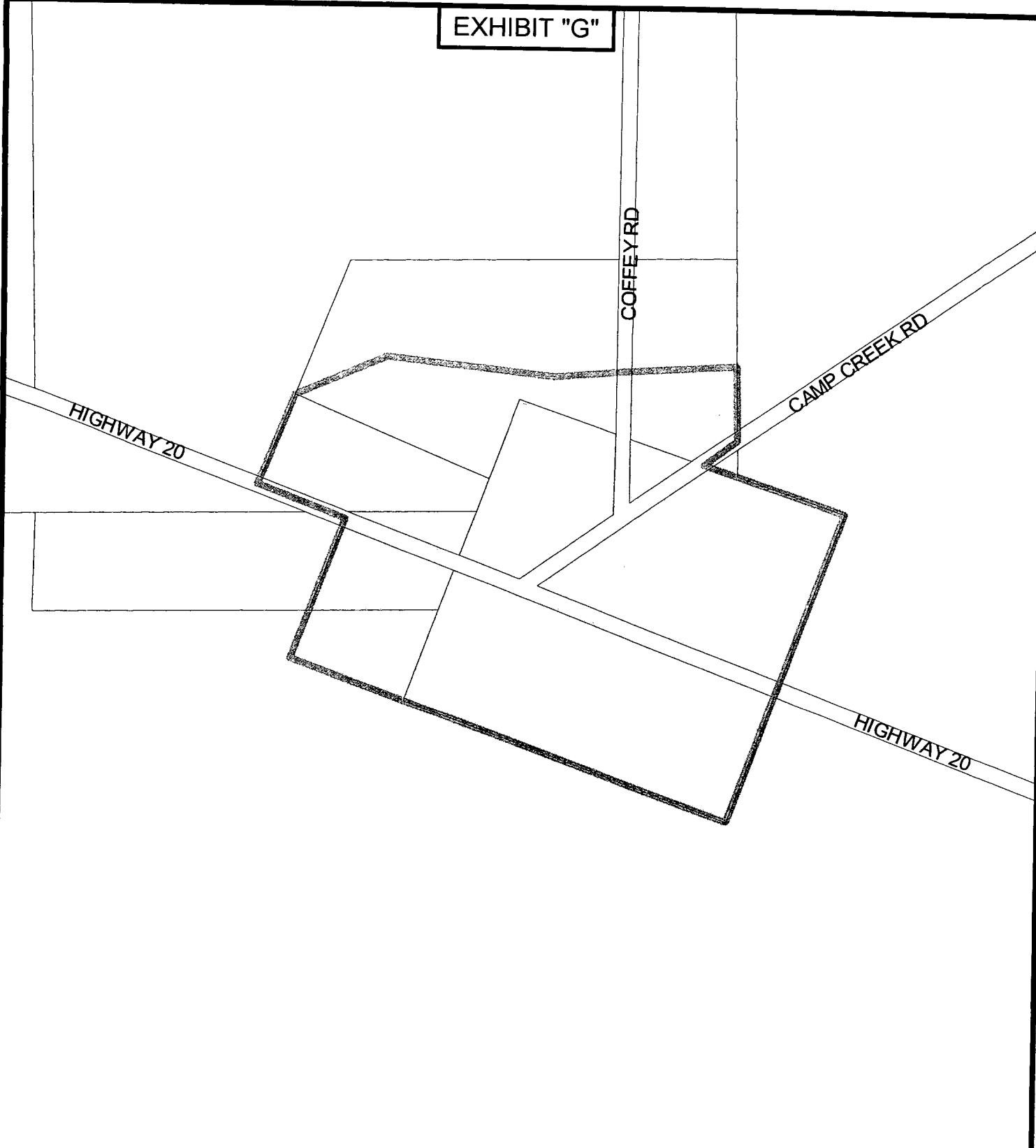
Effective Date: July \_\_\_\_, 2002



DESCHUTES COUNTY COMMUNITY DEVELOPMENT  
The planning and zoning departments of Deschutes County are responsible for the development and implementation of the Comprehensive Plan. This map is a public document and is intended to provide information to the public. It is not a contract and does not constitute a guarantee of any kind. The County is not responsible for any errors or omissions in this map.



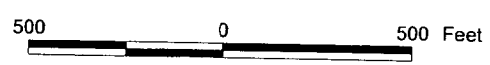
EXHIBIT "G"



- ∩ PARCELS
- ▭ BROTHERS RURAL SERVICE CENTER BOUNDARY
- BROTHERS RURAL SERVICE CENTER COMPREHENSIVE PLAN DESIGNATIONS
- RESIDENTIAL
- COMMERCIAL
- PUBLIC

**BROTHERS RURAL SERVICE CENTER  
EXISTING COMPREHENSIVE PLAN MAP**

Exhibit "G" to Ordinance 2002-001



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

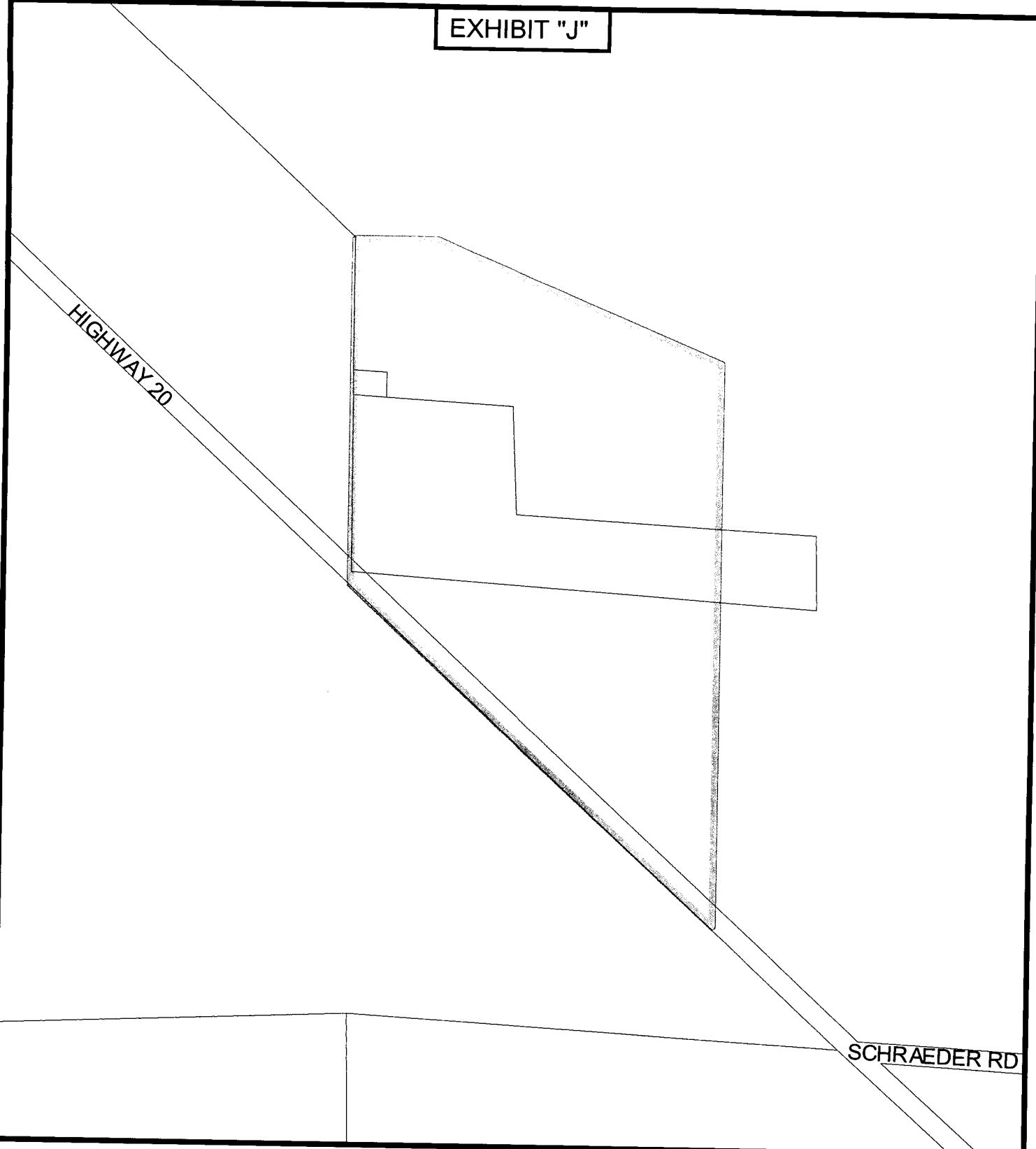


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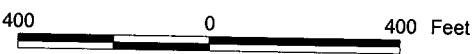
EXHIBIT "J"



PARCELS  
 HAMPTON UNINCORPORATED COMMUNITY BOUNDARY  
 HAMPTON UNINCORPORATED COMMUNITY COMPREHENSIVE PLAN DESIGNATION  
 UNINCORPORATED COMMUNITY

**HAMPTON UNINCORPORATED COMMUNITY  
PROPOSED COMPREHENSIVE PLAN MAP**

Exhibit "J" to Ordinance 2002-001



BOARD OF COUNTY COMMISSIONERS  
 OF DESCHUTES COUNTY, OREGON  
  
 Tom DeWojt, Chair  
  
 Dennis R. Luke, Commissioner  
  
 Michael M. Daly, Commissioner  
  
 Bonnie Baker  
 ATTEST: Recording Secretary  
 Dated this 5<sup>th</sup> day of June, 2002  
 Effective Date: September 4, 2002

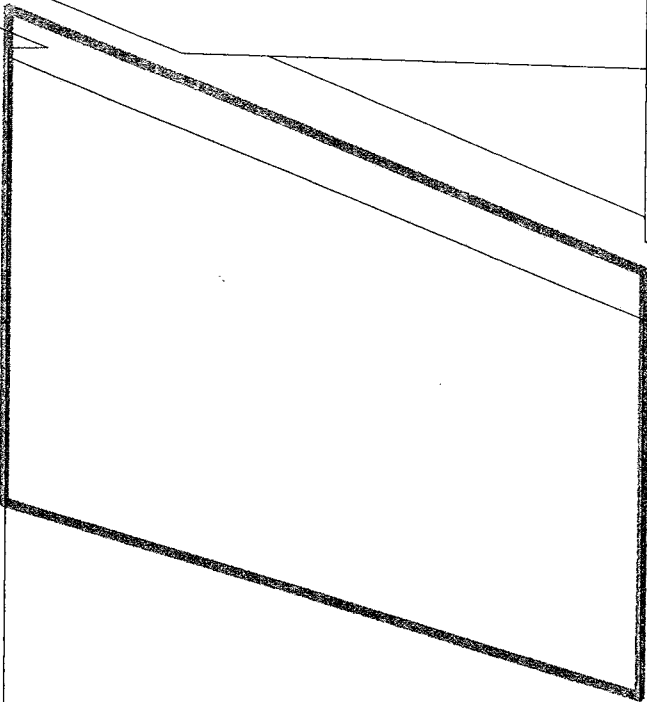


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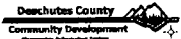
EXHIBIT "K"

HIGHWAY 20

HIGHWAY 20



PARCELS  
 MILLICAN RURAL SERVICE CENTER BOUNDARY  
 MILLICAN RURAL SERVICE CENTER  
 COMPREHENSIVE PLAN DESIGNATIONS  
 COMMERCIAL  
 RESIDENTIAL



DESCHUTES COUNTY COMMUNITY DEVELOPMENT  
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MILLICAN RURAL SERVICE CENTER  
EXISTING COMPREHENSIVE PLAN MAP

Exhibit "K" to Ordinance 2002-001



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

