


<p>REVIEWED</p> <p><i>JC</i></p> <p>LEGAL COUNSEL</p>
<p>REVIEWED</p> <p><i>DRS</i></p> <p>CODE REVIEW COMMITTEE</p>

**DESCHUTES COUNTY OFFICIAL RECORDS**      **CJ 2003-158**  
**NANCY BLANKENSHIP, COUNTY CLERK**  
**COMMISSIONERS' JOURNAL**      **03/05/2003 02:19:54 PM**  
  
**2003-000158**

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Title 18, the Deschutes County Zoning Ordinance, of the Deschutes County Code, to Change the Requirements for Quadrant Plans and to Adopt Standards for an On Street Parking Credit, and Declaring an Emergency.      \*      **ORDINANCE NO. 2003-005**

WHEREAS, the County began a Regional Problem Solving process in 1996 to address multiple issues in South Deschutes County through a collaborative approach; and

WHEREAS, one of the means of preserving water quality was to establish a new neighborhood between Wickicup Junction and La Pine and to provide incentives for new development in this area, which is now known as the Neighborhood Planning Area; and

WHEREAS, the County now seeks to begin the process of developing land in the Neighborhood Planning Area; and

WHEREAS, the County has identified several amendments that need to be made to the zoning regulations for the Neighborhood Planning Area to facilitate this process; and

WHEREAS, the Deschutes County Planning Commission has held a public hearing on this proposal and concurs with the necessity to make these changes to the County Zoning Ordinance; and

WHEREAS, the Planning Commission held a hearing on February 13, 2003, and has forwarded this matter to the Board of County Commissioners with their recommendation to adopt; and

WHEREAS, the Board of County Commissioners have also held a public hearing on March 5, 2003, according to the applicable law, and concur with the necessity of making these changes to the zoning regulations; now, therefore,

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

Section 1. AMENDMENT. DCC 18.61.050, Neighborhood Planning Area, 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. AMENDMENT. DCC 18.116.030, Off-street parking and loading, 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. 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.

DATED this 5<sup>th</sup> day of March, 2003.

BOARD OF COUNTY COMMISSIONERS  
OF DESCHUTES COUNTY, OREGON

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

*- excused -*  
TOM DEWOLF, Commissioner

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

Date of 1<sup>st</sup> Reading: 5<sup>th</sup> day of March, 2003.

Date of 2<sup>nd</sup> Reading: 5<sup>th</sup> day of March, 2003.

Record of Adoption Vote

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

Effective date: 5<sup>th</sup> day of March 2003.

ATTEST:

*Bonnie Baker*  
Recording Secretary

EXHIBIT "A"

**18.61.050. Neighborhood Planning Area.**

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H. Park District. The purpose of this district is to provide Neighborhood Parks in each of the four neighborhoods within the Neighborhood Planning Area. This district may also apply to an optional Regional Park that may be located in Neighborhood 2 and or 3 during Quadrant Plan approval process.

1. Uses Permitted Outright.
  - a. Multi-use path.
  - b. Open space.
2. Uses Subject to Provisions of DCC 18.61.050(H)(4).
  - a. Neighborhood Park.
3. Conditional Uses. The following uses and their accessory uses are permitted subject to the development standards in DCC 18.61.050(H)(5) and the applicable provisions of DCC 18.61 and DCC 18.116, Supplementary Provisions, and DCC 18.124, Site Plan Review:
  - a. Regional Park.
4. Neighborhood Park Development Standards.
  - a. Size standard. Neighborhood Parks shall be a minimum of two acres and no more than five acres in size.
  - b. Location. Neighborhood Parks shall be located at the center of each Neighborhood and be fronted on at least three sides by public streets including the central collector and a neighborhood collector.
  - c. Boundary Determination. The boundaries of the Neighborhood Parks are generally depicted on the Neighborhood Planning Area Park Plan, Figure 17 in the Deschutes County Comprehensive Plan, DCC ~~23.36.05~~23.40.020. The exact boundaries of the Neighborhood Parks shall be established at the time of approval of a Quadrant Plan under DCC 18.61.050(K).

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J. Quadrant Plan.

1. Plan Approval Required. Prior to issuance of a building permit, approval of a tentative plan or initiation of

development including streets or placement of utilities within a Neighborhood or Quadrant, a Quadrant Plan shall be approved according to the provisions of DCC 18.61.050.

2. Eligibility to Submit an Application. Deschutes County will accept a Quadrant Plan application from a developer who has an agreement with Deschutes County of intent to purchase land in the Quadrant. The County may also prepare a Quadrant Plan.
3. Application Requirements. All applications shall include the following elements.
  - a. Zoning Plan, drawn to scale, showing the boundaries of the proposed zones and the acres in each zone.
  - b. Transportation Plan, drawn to scale, including locations of street rights of way for central collector, neighborhood collector and local streets, block configurations and connections with adjacent Quadrants.
  - c. Non-motorized Circulation Plan showing locations of sidewalks paved and unpaved multi-use paths and where they will connect to adjacent Quadrants, according to the applicable plan policies under DCC 23.40.020 and Figure 16 of DCC Chapter 23.40.
  - d. Open Space and Park Plan, drawn to scale, defining boundaries for the open space district and Neighborhood or Regional Parks where applicable, according to the applicable plan policies under DCC 23.40.020 and Figure 17 of DCC Chapter 23.40.
  - e. Open Space Management Plan.
  - f. Utility Plan, drawn to scale, identifying location and specifications for sewer and water facilities. The utility plan shall include a schedule of improvement initiation and completion and a written narrative that explains or describes:

EXHIBIT "A"

1. How the proposed water and sewer systems will be adequate to serve the type and size of development planned.
  2. How the proposed location and sizing of facilities will be consistent with existing and planned facilities.
  3. How adequate water flow volumes will be provided to meet fire flow and domestic demands.
- g. Proposed design guidelines and process for reviewing and approving buildings for conformance with the guidelines. Notwithstanding DCC 23.40.020(F)(1)(g), and this requirement, no design guidelines shall be required for an application for Quadrant 1c.
- h. A plan showing the ~~lot~~ configuration zone boundaries for Neighborhood General and Neighborhood Center Districts.
- i. ~~A tentative plan conforming to DCC Title 17 for the first phase~~ A plan showing the proposed locations and dimensions of road rights-of-way.
- ~~j. A phasing plan showing the proposed phasing of the development in the Quadrant.~~
- jk. A written burden of proof statement with findings demonstrating conformance with the goals and policies of The Deschutes County Comprehensive Plan, DCC ~~23.36.052~~ 23.40.020, the applicable sections of DCC 18.61, and any other applicable provisions of DCC Title 18.
- kl. A proposal for deed restrictions, Covenants, Conditions and Restrictions (CCRs), and a homeowners association. Notwithstanding DCC 23.40.020(F)(1)(g) and (h), no proposal for deed restrictions, CCRs, and a homeowners association shall be required with an application for a quadrant plan for Quadrant 1c.
- ~~l. For Quadrant 1c, a site plan meeting the standards of DCC 18.124, Site Plan Review.~~
4. Quadrant Plan Approval. Approval of a Quadrant Plan is a land use action and shall be reviewed under the provisions of DCC 22.20.020. Notwithstanding the order of hearings bodies listed under DCC 22.24.020(A), Quadrant Plans shall be subject to a public hearing before the Deschutes County Planning Commission. The Planning Commission shall make the decision to approve or deny an application for a quadrant plan. The Board of County Commissioners will act as the hearings body on an appeal of such a decision. An appeal of a quadrant plan decision shall be considered pursuant to DCC Chapter 22.32, Appeals. A Quadrant Plan may be approved subject to conditions with findings that the following criteria are met:
- a. The Quadrant Plan contains all of the elements required in DCC 18.61.050(J)(3).
  - b. The Quadrant Plan conforms to the policies in the Deschutes County Comprehensive Plan, DCC ~~23.36.052~~ 23.40.020.
  - c. There is adequate sewer and water capacity to serve the development planned for the Quadrant and agreements to provide service have been signed with appropriate water and sewer districts or providers.
  - d. The streets proposed in the Quadrant Transportation Plan conform to the general location and connection requirements of the La Pine Neighborhood Street Plan, Figure 15 in the Deschutes County Comprehensive Plan, DCC ~~23.36.052~~ 23.40.020. The proposed street design conforms to the standards in DCC Title 17, Table 2 for the La Pine Neighborhood Planning Area. Final locations of road rights-of-way approved under a quadrant plan will be determined

EXHIBIT "A"

- through the process for approval of a tentative plat under DCC Title 17.
- e. The paved and unpaved multi-use paths are located within or adjacent to the Perimeter or Corridor Open Space as generally shown in the Non-Motorized Plan, Figure 16 in the Deschutes County Comprehensive Plan, DCC ~~23.36.052~~23.40.020.
  - f. The open space in the Open Space and Park Plan conforms to the standards in Deschutes County Comprehensive Plan, DCC ~~23.36.052(D)~~23.40.020 and general location shown in the La Pine Neighborhood Parks and Open Space Plan, Figure 17 in the Comprehensive Plan. DCC 23.40.020.
  - g. The Zoning Plan conforms to the following performance standards:
    1. Neighborhood Commercial District. A minimum of two and a maximum of four acres of Neighborhood Commercial District shall be established in Quadrant 3a or 3c. Alternatively, if Quadrant Plans for Quadrant 3a and 3c are approved at the same time, the maximum area of Neighborhood Commercial District may be divided between the two Quadrants. The Neighborhood Commercial zone shall be located at the intersection of Huntington Road and the neighborhood collector that bisects Neighborhood 3.
    2. Community Facility District. Quadrant 1c shall be zoned as Community Facility District.
    3. Community Facility Limited District. The portion of Quadrant 3a that is located west of Huntington Road shall be zoned Community Facility Limited. A maximum of 15 acres in the northwest section of Quadrant 4a may be zoned Community Facility Limited.
4. Residential Center District. Each Quadrant except Quadrant 1c and 1d shall have a Residential Center District with a minimum of three acres and a maximum of six acres. The area of the Residential Center District is gross acres including public rights of way. The Residential Center District shall be a contiguous area located so that it is adjacent to both the central collector and the collector street that bisects the Neighborhood.
  5. Residential General District. The area zoned Residential General shall be the area in each Quadrant that remains after the mandatory minimum Residential Center, Neighborhood Parks and Open Space zoning is defined.
  6. Neighborhood Park District. Where a Neighborhood Park is specified on the La Pine Neighborhood Parks and Open Space Plan (Figure 17 in the Deschutes County Comprehensive Plan, DCC ~~23.36.052~~23.40.020, the Quadrant Plan shall zone a minimum of two acres and a maximum of five acres as Neighborhood Park District. The Neighborhood Park District shall be located at the intersection of the central collector and the neighborhood collector that that bisects the Neighborhood.
  7. Open Space District. The Quadrant Plan shall designate the following minimum areas as Open Space District:
    - i. Minimum 200 foot wide Corridor Open Space Buffer between Neighborhoods 1 and 2; 2 and 3; and 3 and 4.

EXHIBIT "A"

- ii. Minimum 200 foot wide Perimeter Open Space adjacent to Highway 97.
  - iii. Minimum 75 foot wide Perimeter Open Space adjacent to Huntington and Burgess Roads.
  - iv. Minimum 50 foot wide Perimeter Open Space on the west edge of Quadrants 4a and 4c.
8. The proposed residential densities and lot sizes conform with the requirements of the Residential General and Residential Center Zones as further described as follows in Tables 1 and 2:

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EXHIBIT "A"

**TABLE 2. La Pine Neighborhood Planning Area Zoning Standards (continued)**

	RESIDENTIAL GENERAL	RESIDENTIAL CENTER	COMMUNITY FACILITY	COMMUNITY FACILITY LIMITED	NEIGHBORHOOD COMMERCIAL
<b>LOT COVERAGE</b>					
Maximum	35 percent	50 percent	60 percent	60 percent	50 percent
<b>BLOCK REQUIREMENTS(3)</b>					
Maximum Perimeter	2,000	1,600	1,200	N/A	1,200 feet
Maximum block length without pedestrian connection	600 feet	600 feet	400 feet	800	600 feet
<b>BUILDING HEIGHT</b>					
Primary	30'	40' except Res. General standards apply to single family. Townhomes 35 ft. max.	45' except Res. General standards apply to single family. Townhomes 35 ft. max.	45'	30'
Accessory Dwelling or Building Higher with Conditional Use Permit	20'	25'	30'	30'	25'
	NO	YES up to 40 feet	YES	YES	NO
<b>GARAGE SETBACKS</b>					
Front lot line	20 feet	10 feet	10 feet	N/A	N/A
Min. from front of building	10 feet	5 feet	5 feet	N/A	N/A
<b>MINIMUM ONSITE PARKING</b>	DCC 18.116	DCC 18.116	DCC 18.116	DCC 18.116	DCC 18.116
% Building at front lot line	N/A	50% min.(23)	N/A	N/A	N/A

NOTES:

- (1) Gross acres, excluding collector street right of way
- (2) Must met clear vision requirements of DCC 18.116.020
- (3) The block requirements not applicable to review and approval of quadrant plans.

(Ord. 2003-005 § 1, 2003; Ord. 2001-044 § 3, 2001; Ord. 2001-037 § 2, 2001; Ord. 2000-015 § 2, 2000)

EXHIBIT "B"

**18.116.030. Off-street parking and loading.**

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93-043 § 19, 1993; Ord. 91-038 § 1, 1991; Ord. 91-020 § 1, 1991; Ord. 90-017 § 1, 1990)

E. General Provisions. Off-Street Parking.

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6. On-Street Parking Credit. Notwithstanding DCC 18.116.030(G)(2), within commercial zones in the La Pine Planning Area and the Terrebonne and Tumalo unincorporated communities, a parking credit shall be given at a rate of one off-street parking space for every one on-street parking space adjacent to a property up to 30% of the required off-street parking. On-street parking shall follow the established configurations in the parking design standards under DCC 18.116.030 Table 1. To be considered for the parking credit, the proposed parking surface, along the street frontage under review, must have a defined curb line and improved as required under DCC Chapter 17.48, with existing pavement, or an engineered gravel surface. For purposes of establishing credit, the following constitutes an on-street parking space:
  - a. Parallel parking (0 degree), each 20 feet of uninterrupted curb;
  - b. Diagonal parking (60 degree), each with 11 feet of curb;
  - c. Perpendicular parking (90 degree), each with 10 feet of curb;
  - d. Curb space must be connected to the lot that contains the use;
  - e. Parking spaces that would not obstruct a required clear vision area, nor any other parking that violates any law or street standard; and
  - f. On-street parking spaces credited for a specific use may not be used exclusively by that use, but shall be available for general public use at all times. No signs or actions limiting general public use of on-street spaces is permitted.

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(Ord. 2003-005 § 2, 2003; Ord. 2002-015 § 2, 2002, Ord. 2001-044 § 4, 2001; Ord. 97-078 § 6, 1997; Ord. 96-003 § 7, 1996; Ord. 93-063 § 2, 1993; Ord.