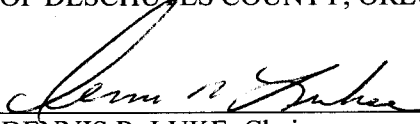


Section 3. FINDINGS. The Board of Commissioners adopts as its findings in support of this amendment the Staff Report dated September 24, 2003, attached hereto and incorporated by referenced herein as Exhibit "C."


Section 4. 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 24 day of September, 2003.

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON


DENNIS R. LUKE, Chair

- absent -
TOM DEWOLF, Commissioner


MICHAEL M. DALY, Commissioner

Date of 1st Reading: 24 day of Sept., 2003.

Date of 2nd Reading: 24 day of Sept., 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: 24 day of Sept., 2003.

ATTEST:



Recording Secretary

EXHIBIT "A"

Chapter 18.04. TITLE, PURPOSE AND DEFINITIONS

18.04.030. Definitions.

"Dwelling, single family – zero lot line" and in the Neighborhood Planning Area means a detached building containing one dwelling unit and designed for occupancy by one family only where one or more of the building's sides coincide with a lot line, not including manufactured homes and such temporary structures as tents, teepees travel trailers and other similar structures.

"Outdoor Recreational Equipment Storage Area" means a fenced area for the outdoor storage of recreational or sporting equipment which may include: recreational vehicles as defined by Chapter 18.04, boats, jet skis, golf carts, snowmobiles, and dog sleds. The equipment may be stored outside or under a roof without enclosed sides.

(Ord 2003-028 § 1, 2003; Ord 2001-048 § 1, 2001; Ord. 2001-044 § 2, 2001; Ord. 2001-037 § 1, 2001; Ord. 2001-033 § 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, 1975; 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 § 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, 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)

(Note: "****" denotes current text remaining unchanged)

EXHIBIT "B"

18.61.050. Neighborhood Planning Area.

- A. Purpose. The Neighborhood Planning Area provides standards and review procedures for development in the Neighborhood Planning Area of the La Pine UUC and is the "receiving area" for transferable development credits (TDCs). The Neighborhood Planning Area includes six zoning districts, each with its own set of allowed uses, as further set forth in DCC 18.61.050.
- B. Water and Wastewater Facilities. All uses in the Neighborhood Planning Area requiring water shall be connected to the La Pine Water District water system. All uses in the Neighborhood Planning Area that discharge wastewater shall be connected to the La Pine Special Sewer District sewage treatment facility or a Department of Environmental Quality approved community waste water treatment facility serving the La Pine Neighborhood Planning Area.
- C. Residential General District. Purpose: The Residential General District is the largest area of Neighborhood Planning Area. The district is primarily for single-family residential uses with a variety of lot sizes and housing styles. Some higher density housing is allowed in specified locations.
1. Uses permitted outright.
 - a. Single-family dwelling, including a "Class A" manufactured home.
 - b. Duplex.
 - c. Accessory dwelling.
 - d. Multi-use path.
 - e. Open space.
 - f. Residential facility or residential home.
 - g. Home occupation that:
 1. Is carried on within a dwelling only by members of the family who reside in the dwelling;
 2. Does not serve clients or customers on-site;
 3. Does not produce odor, dust, glare, flashing lights or noise;
 4. Does not occupy more than 25 percent of the floor area of the dwelling; and
 5. Does not include the on-premises display or sale of stock in trade.
 6. Does not have any outdoor storage of materials used in the home occupation.
 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. Multi-family dwelling, located along the central collector road in the Neighborhood Planning Area or adjacent to Huntington or Burgess Roads.
 - b. Bed and Breakfast Inn, located along the central collector road in the Neighborhood Planning Area or Huntington or Burgess Roads.
 - c. Child care facility located adjacent to the central or a neighborhood collector road in the Neighborhood Planning Area or Huntington or Burgess Roads.
 - d. Park or playground.
 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. Home occupation as defined in DCC 18.04.
 - b. Outdoor Recreational Equipment Storage area as defined in DCC 18.04.
 4. Dimensional Standards. The lot size, lot coverage block length, block perimeter and building height standards shown in Table 2 shall apply to the Residential General District.
 5. Yard and Setback Requirements. The front, side and rear yard requirements in Table 2 shall apply to uses in the Residential General District.

EXHIBIT "B"

6. Residential Density. The residential density requirements in Tables 1 and 2 A shall apply to the Residential General District.
- D. Residential Center District. Purpose: The Residential Center District is a location for social activities and small mixed-use residential/commercial businesses. It is located near the geographical center of each Neighborhood. This district is the location for more compact housing types such as townhomes and apartment buildings that activate the center and allow a greater number of people the option to walk for their daily needs.
1. Uses permitted outright.
 - a. Single Family Dwelling – Zero Lot Line, tTown home, duplex or triplex.
 - b. Accessory dwelling.
 - c. Live/work unit.
 - d. Multi-use path.
 - e. Open space.
 - g. Home occupation that:
 1. Is carried on within a dwelling only by members of the family who reside in the dwelling;
 2. Does not serve clients or customers on-site;
 3. Does not produce odor, dust, glare, flashing lights or noise;
 4. Does not occupy more than 25 percent of the floor area of the dwelling; and
 5. Does not include the on-premises display or sale of stock in trade; and,
 6. Does not have any outdoor storage of materials used in the home occupation.
 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. Community center up to 4,000 square feet in floor area.
 - a. Neighborhood commercial building as defined in DCC 18.04.
 - b. Multi-family dwelling.
 - c. Bed and Breakfast Inn.
 - d. Church.
 - e. Park or playground.
 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. Single-family dwelling, including "Class A" manufactured home, except as permitted in 18.61.050.D.1.a.
 - b. Residential facility or residential home.
 - c. Home occupation as defined in DCC 18.04.
 4. Dimensional standards. The lot size, lot coverage block length, block perimeter and building height standards shown in Table 2 shall apply to the Residential Center District.
 5. Yard and setback requirements. The front, side and rear yard requirements in Table 2 shall apply to uses in the Residential Center District.
 6. Residential density. The residential density requirements in Tables 1 and 2 shall apply to the Residential Center District.
- E. Community Facility District. Purpose: The purpose of this district is to provide a location for public and private uses and facilities that serve the civic, social and recreational needs of the community. The Community Facility District also includes higher density housing.
1. Uses Permitted Outright.
 - a. Duplex, triplex or townhome.
 - b. Multi-use path.
 - c. Open space.

EXHIBIT "B"

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. Multi-family dwelling.
 - b. Continuing care retirement center.
 - c. Hospital.
 - d. Medical facility.
 - e. Assisted living, congregate care facility.
 - f. Nursing home.
 - g. Mixed use building (residential with other permitted use in the district).
 - h. Child care center.
 - i. Public use.
 - j. Community center.
 - k. Church.
 - l. Senior center.
 - m. Library.
 - n. Museum.
 - o. Performing arts building.
 - p. Theater.
 - q. School.
 - r. Park or playground.
 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. Single-family dwelling.
 - b. Retail or professional office use that supports a permitted use in the district.
 4. Dimensional Standards. The lot size, lot coverage block length, block perimeter and building height standards shown in Table 2 shall apply to the Community Facility District
 5. Yard and Setback Requirements. The front, side and rear yard requirements in Table 2 shall apply to uses in the Community Facility District.
- F. Community Facility Limited District. Purpose. The purpose of this district is to provide locations for a school, recreation and transportation facilities.
1. Uses permitted outright.
 - a. Multi-use path.
 - b. Open space.
 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. Park and ride facility.
 - b. School.
 - c. Park or playground.
 3. Uses Permitted Subject to Conditional Use. 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. Equestrian facility.
- G. Neighborhood Commercial District. Purpose: The purpose of this district is to provide a location for small-scale convenience commercial uses designed to serve the Neighborhood Planning Area.
1. Uses Permitted Outright.

EXHIBIT "B"

- a. Multi-use path.
 - b. Open space.
 2. Uses Permitted Subject to Site Plan Review. The following uses and their accessory uses are permitted in a building or buildings each not exceeding 4,000 square feet of floor space, subject to applicable provisions of DCC 18.61 and DCC 18.116, Supplementary Provisions, and DCC 18.124, Site Plan Review:
 - a. Convenience market.
 - b. Video store.
 - c. Retail store.
 3. Conditional Uses Permitted. The following uses and their accessory uses are permitted in a building or buildings each not exceeding 4,000 square feet of floor space, 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: Such as but not limited to:
 - a. Restaurant.
 - b. Laundry mat.
 - c. Dry cleaning.
 - d. Art studio in conjunction with retail use.
 - e. Professional office.
 4. Dimensional Standards. The lot size, lot coverage block length, block perimeter and building height standards shown in Table 2 shall apply to the Commercial District.
 5. Yard and Setback Requirements. The front, side and rear yard requirements in Table 2 shall apply to uses in the Commercial District.
- 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 23.36.052. 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).
 - d. Platting. Neighborhood Parks shall be platted as part of the first phase subdivision in an approved Quadrant Plan.
 5. Regional Park Development Standards.

EXHIBIT "B"

- a. The La Pine Neighborhood Planning Area may include one Regional Park. The Regional Park may be developed in Neighborhood 3 or 4.
 - b. Size Standard. The Regional Park shall be between 10 and 25 acres in size.
 - c. The location of a Regional Park shall be determined during the quadrant planning of Neighborhoods 3 and/or 4.
 - d. If the Regional Park is located at the intersection of the central collector and a neighborhood collector at the center of a Neighborhood, it may replace the required Neighborhood Park.
 - e. Siting Standards.
 - i. The Regional Park shall have direct access to either a collector street and an arterial street or the central collector and a neighborhood collector street.
 - ii. The Regional Park shall have direct access to a paved multi-use path.
- I. Open Space District. The purpose of this district is to provide two types of open space in the Neighborhood Planning Area. Perimeter Open Space is located adjacent to Huntington and Burgess Roads, Highway 97, and between existing residential lots west of Neighborhood 4. Perimeter Open Space will provide visual and noise screening and locations for multi-use paths. Corridor Open Space divides the four Neighborhoods, helps to maintain a rural feeling and contains unpaved multi-use paths.
1. Perimeter Open Space Uses Permitted Outright.
 - e. Open space.
 - f. Multi-use path.
 2. Corridor Open Space Uses Permitted Outright.
 - a. Open space.
 - b. Multi-use path.
 - g. Picnic area.
 - h. Benches along multi-use path.
 - i. Park or playground managed by the La Pine Park District or a Neighborhood Planning Area homeowners association.
 3. Uses Permitted Subject to an Open Space Management Plan under the provision of DCC 18.61.050(I)(4).
 - a. Vegetation management for wildfire hazard reduction.
 - b. Vegetation management for wildlife habitat enhancement.
 - c. Landscaped earthen berm.
 4. Open Space Management Plan.
 - a. An open space management plan shall be prepared for each Quadrant as a component of a Quadrant Plan. The plan shall be implemented as a condition of approval for the final plat of the first phase of any development in a Quadrant. The open space management plan shall identify the funding source and management responsibility for zoned open space.
- 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.

EXHIBIT "B"

- 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
 - d. Open Space and Park Plan, drawn to scale, defining boundaries for the open space district and Neighborhood or Regional Parks where applicable
 - 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:
 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 Quadrant 1c.
 - h. A plan showing the zone boundaries for Neighborhood General and Neighborhood Center Districts.
 - i. A plan showing the proposed locations and dimensions of road rights-of-way.
 - j. A written burden of proof statement with findings demonstrating conformance with the goals and policies of The Deschutes County Comprehensive Plan, DCC 23.40.020, the applicable sections of DCC 18.61, and any other applicable provisions of DCC Title 18.
 - k. 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.
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.
 - 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. 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

EXHIBIT "B"

quadrant plan will be determined 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
- f. The open space in the Open Space and Park Plan conforms to the standards in Deschutes County Comprehensive Plan, DCC 23.36.020(D) and general location shown in the La Pine Neighborhood Parks and Open Space Plan, Figure 17 in the Comprehensive Plan. DCC 23.36.052.
- 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, 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.
 - 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:

EXHIBIT "B"

(Ord. 2003-028 § 2, 2003; Ord. 2003-005 § 1, 2003; Ord. 2001-044 § 3, 2001; Ord. 2001-037 § 2, 2001; Ord. 2000-015 § 2, 2000)

EXHIBIT "C"

STAFF REPORT

**FILE NUMBER
AND ORDINANCE
NUMBERS:**

TA-03-028

Ordinance 2003-028 amending Title 18 of the Deschutes County Zoning Code, Chapter 18.04, Definitions; and Chapter 18.61, Neighborhood Planning Area.

Ordinance 2003-029 amending Title 17 of the Deschutes County Subdivision Code, Chapter 17.36, Frontage.

**DESCHUTES
BOARD OF
COUNTY
COMMISSIONER'S**

HEARING DATE: September 24, 2003

APPLICANT: Pahlisch Homes, Inc.

PLANNING STAFF: Christy Morgan, Assistant Planner

REQUEST: Amendments to the Deschutes County Code, Titles 17 and 18, for the La Pine Neighborhood Planning Area.

SUMMARY: This Staff Report provides findings to support new descriptive text and development policies in the Deschutes County Zoning and Subdivision Ordinances to allow lot widths of 35 feet for detached zero-lot line development in the La Pine Neighborhood Planning Area – Residential Center District. Additional findings support adding outdoor recreational storage areas as a conditional use within the La Pine Neighborhood Planning Area – Residential General District.

PROPOSED AMENDMENTS TO TITLE 18, DESCHUTES ZONING ORDINANCE

Chapter 18.04, Definitions, of the Deschutes County Zoning Ordinance – proposed amendments are attached as Exhibit "A" to Ordinance No. 2003-028

Chapter 18.61.050.C. Neighborhood Planning Area – Residential General District of the Deschutes County Zoning Ordinance – proposed amendments are attached as Exhibit "B" to Ordinance No. 2003-28.

Chapter 18.61.050.D.1.a and 18.61.050.D.3.a, Neighborhood Planning Area – Residential Center District of the Deschutes County Zoning Ordinance – proposed amendments are attached as Exhibit "B" to Ordinance No. 2003-028.

EXHIBIT "C"

PROPOSED AMENDMENTS TO TITLE 17, DESCHUTES COUNTY SUBDIVISION ORDINANCE

Chapter 17.36.180, Design Standards – Frontage, of the Deschutes County Subdivision Ordinance – proposed amendment is attached as Exhibit "A" to Ordinance No. 2003-029.

BACKGROUND

In 1996, Deschutes County began a Regional Problem Solving process to address multiple issues in South Deschutes County through a collaborative approach. One of the means of addressing these multiple issues was to establish a new neighborhood between Wickiup Junction and La Pine and to provide incentives for new development in this area, which is now known as the Neighborhood Planning Area.

In order to start development of the Neighborhood Planning Area, Deschutes County entered into a contract with Pahlisch Homes. Part of Pahlisch's plan (for Quadrant 2) in the first phase is to build detached zero-lot line single family homes. To facilitate development, the Deschutes County Board of Commissioners adopted Ordinance 2003-077, which amended DCC 18.61.050, Table 2, to create a lot width standard of 35 feet for detached-zero lot line development within the Residential Center District of the Neighborhood Planning Area.

Since the adoption of Ordinance 2003-077, staff has discovered that there are inconsistencies between the recently passed ordinance and existing standards in DCC 18.61.050, Permitted Uses Outright, and DCC 17.36.180, Lot Frontage requirements. To correct these inconsistencies, Pahlisch Homes requests a text amendment to the Deschutes County Zoning (Title 18) and Subdivision (Title 17) Ordinances. In addition, Pahlisch Homes is requesting a text amendment to the Zoning Ordinance to allow for centralized outdoor recreational equipment storage areas within the Neighborhood Planning Area as a conditional use.

STAFF FINDINGS REGARDING TITLE 17 OF THE DESCHUTES COUNTY SUBDIVISION ORDINANCE AND TITLE 18 OF THE DESCHUTES COUNTY ZONING ORDINANCE.

Findings: Detached Zero-Lot Line Single Family Development:

The Deschutes County Subdivision Ordinance, Chapter 17.36.180, Lot Frontage, requires that "each lot or parcel shall abut upon a public road for at least 50 feet, except for lots or parcels fronting on the bulb of a cul-de-sac, then the minimum frontage shall be 30 feet..." In addition, DCC 18.61.050, Neighborhood Planning Area, allows for town homes, duplexes and triplexes, but not detached zero-lot line single family dwellings.

Ordinance 2003-077 amended DCC 18.61.050, Table 2, to allow lot widths of "35' for detached zero lot line development..." within the Residential Center of the Neighborhood Planning Area. Thus, additional amendments need to be made to the text of DCC 17.36.180, which does not currently allow lot widths of 35' for detached zero-lot line development in the Neighborhood Planning Area.

EXHIBIT "C"

In addition, staff recommends that the following amendments be made to ensure that the intent of Ordinance 2003-077 is carried out:

- 1) For clarification of what is meant by detached zero-lot line development, amend DCC 18.04, Definitions, to add:

"Dwelling, single family – zero lot line" in the La Pine Neighborhood Planning Area means a detached building containing one dwelling unit and designed for occupancy by one family only where one or more of the building's sides coincide with a lot line, not including manufactured homes and such temporary structures as tents, teepees, travel trailers and other similar structures.

- 2) Amend DCC 18.61.050.D.1, Neighborhood Planning Area – Residential Center District, Uses Permitted Outright, as follows, to add detached, zero-lot line development as a use permitted outright:

a. Single Family Dwelling - Zero Lot Line, town home, duplex or triplex.

- 3) Amend DCC 18.61.050.D.3, Conditional Uses Permitted, as follows, to add the underlined section, to clarify that detached, zero-lot line development is not to be considered a conditional use as are all other single-family dwellings:

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. Single-family dwelling, including "Class A" manufactured home, except as permitted in 18.61.050.D.1.a.

Findings: Outdoor Recreational Equipment Storage Areas

Pahlisch Homes has made application to the County for a Text Amendment to the Zoning Ordinance to allow for centralized outdoor recreational equipment storage areas, specifically within the Residential General District of the Neighborhood Planning Area, as a conditional use. Currently, the Zoning Ordinance does not include a definition for "outdoor recreational equipment storage area," nor is such a use allowed.

The proposed amendments would allow residents to store outdoor/recreational equipment in a centralized location within the Neighborhood Planning Area so that private yard space is not used for storage purposes. This would also ensure that storage is properly screened and compatible with surrounding uses. The establishment of such an outdoor recreational equipment storage area would require approval of a Conditional Use Permit, subject to Site Plan review which addresses site design, operating characteristics of the use, adequacy of transportation access to the site, and the natural and physical features of the site, as well as general compatibility issues with the surrounding uses.

EXHIBIT "C"

Staff recommends that the following amendments be made to the Zoning Ordinance to allow for outdoor recreational equipment storage areas:

- 1). Amend DCC 18.04 to define outdoor recreational equipment storage areas, as follows:

"Outdoor Recreational Equipment Storage Area" means a covered or uncovered outdoor storage area for recreational play or sporting equipment which may include, but is not limited to: recreational vehicles as defined by DCC Chapter 18.04., boats, jet skis, snowmobiles, golf carts, motorbikes and dog sleds.

- 2) Amend DCC 18.61.050.C, as follows, to add the underlined text to allow outdoor recreational equipment storage areas as a conditional use, subject to site plan review, in the Residential General District of the Neighborhood Planning Area:
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. Home occupation as defined in DCC 18.04.
 - b. Outdoor Recreational Equipment Storage area as defined in DCC Chapter 18.04.

In order to commence development in the Neighborhood Planning Area, DCC 18.61.050.J. requires that a Quadrant Plan be submitted prior to the issuance of any building permits. Pahlsh Homes is ready to submit a Quadrant Plan that includes a proposal to build detached zero-lot line dwellings with lot frontages of 35 feet, as well as centralized outdoor recreational equipment storage areas. The proposed Quadrant Plan cannot be approved by the County until amendments to the DCC Zoning and Subdivision Ordinances are made. Staff is therefore recommending that the proposed amendments be adopted by with an emergency clause.

CITIZEN INVOLVEMENT:

The Deschutes County Planning Commission held a work session to discuss the proposed amendments on August 14, 2003. Subsequent to the Planning Commission work session, notice of a public hearing before the Planning Commission was sent to Bulletin Newspaper and was posted at the County Courthouse, the Deschutes County Community Development Department, and the Deschutes County Clerks Office. The notice was also posted on the Deschutes County Web Page. The notices included the County Web Page address as well as a staff contact phone number. Interested individuals were invited to get more information and be involved in the process. The public hearing was held on August 28, 2003, to discuss the proposed amendments.