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PLANNING DIVISION

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Deschutes County Code
Title 18, Chapter 18.108.110, to permit child care,
nurseries, and preschools in the Sunriver Business
Park Zone and Declaring an Emergency.

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ORDINANCE NO. 2019-008

WHEREAS, applicants Wayne and Peggy Lowry and Donald Pope initiated an amendment (Planning
Division File No. 247-18-000926-TA) to the Deschutes County Code (DCC) Title 18, Chapter 18.108.110,
Sunriver Business Park Zone; and

WHEREAS, the Deschutes County Planning Commission reviewed the proposed changes on January 24,
2019, and forwarded to the Deschutes County Board of County Commissioners ("Board"), a unanimous
recommendation of approval; and

WHEREAS, the Board considered this matter after a duly noticed public hearing on February 13, 2019,
and concluded that the public will benefit from the proposed changes to the Deschutes County Code Title 18;
now, therefore,

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


Section 1. AMENDMENT. DCC 18.108.110(A), Uses Permitted Outright, is amended to read as
described in Exhibit "A" attached and incorporated by reference herein, with new language underlined and
language to be deleted in strikethrough.

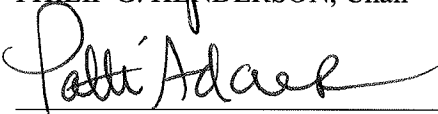
Section 2. FINDINGS. The Board adopts as its findings, Exhibit "B", attached and incorporated by
reference herein.

Section 3. EMERGENCY. This Ordinance being necessary to address a need for child care in Deschutes County and for the immediate preservation of the public peace, health, safety, and welfare, an emergency is declared to exist, and this Ordinance becomes effective 21 days from adoption.

Dated this 13 of February, 2019


BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON


PHILIP G. HENDERSON, Chair


PATTI ADAIR, Vice Chair

ATTEST:


Recording Secretary


ANTHONY DEBONE

Date of 1st Reading: 13 day of February, 2019.

Date of 2nd Reading: 13 day of February, 2019.

Record of Adoption Vote:

Commissioner	Yes	No	Abstained	Excused
Philip G. Henderson	X	—	—	—
Patti Adair	X	—	—	—
Anthony DeBone	X	—	—	—

Effective date: 6 day of March, 2019.

Chapter 18.108. URBAN UNINCORPORATED COMMUNITY ZONE - SUNRIVER

- 18.108.010. Purpose.**
- 18.108.020 Standards for All Districts.**
- 18.108.030. Single Family Residential – RS District.**
- 18.108.040. Multiple Family Residential – RM District.**
- 18.108.050. Commercial – C District.**
- 18.108.055 Town Center – TC District**
- 18.108.060. Resort – R District.**
- 18.108.070. Resort Marina – RA District.**
- 18.108.080. Resort Golf Course – RG District.**
- 18.108.090. Resort Equestrian – RE District.**
- 18/108.100. Resort Nature Center – RN District.**
- 18.108.110. Business Park – BP District.**
- 18.108.120. Community General – CG District.**
- 18.108.130. Community Recreation – CR District.**
- 18.108.140 Community Limited – CL District.**
- 18.108.150 Community Neighborhood – CN District.**
- 18.108.160. Airport – A District.**
- 18.108.170 Utility – U District.**
- 18.108.175 Utility – U District / Limited Use Combining District**
- 18.108.180. Forest – F District.**
- 18.108.190. Flood Plain – FP Combining District.**

18.108.010. Purpose.

The purpose of the Urban Unincorporated Community (UUC) Zone - Sunriver is to provide standards and review procedures for the future development of the urban unincorporated community of Sunriver. The UUC Zone - Sunriver is composed of 17 separate zoning districts and one combining zone district, each with its own set of allowed uses and distinct regulations, as further set forth in DCC 18.108. (Ord 2008-015 §2, 2008; Ord. 2007-019, §2, 2007; Ord. 97-078 §2, 1997)

18.108.020. Standards in All Districts.

- A. Approval Required. Any use in an RM, C, R, TC, RA, RG, RE, RN, BP, CG, CR, CL, CN, A, U or F District shall be subject to DCC 18.124. All uses listed as conditional uses within the RS District are also subject to the requirements of DCC 18.124.
- B. Solar Setbacks.
 - 1. The setback from the north lot line shall meet the solar setback requirements of DCC 18.116.180, with the exception of land in the TC District described in subsection (B)(2), below.
 - 2. The development of land located within the TC District is exempt from the requirements of the solar setback requirements of DCC 18.116.180 unless a proposed building casts a shadow on land:
 - a. Located outside of the C or TC Districts, other than roadway areas; or
 - b. Described in DCC 18.108.050(C)(1) as eligible for residential development.
 - 3. All development shall take advantage of passive solar to the extent practicable.
- C. Building Code Setbacks. In addition to the setbacks set forth herein, any greater setbacks required by applicable building or structural codes adopted by the State of Oregon and/or Deschutes County under DCC 15.04 shall be met.
- D. Off-Street Parking and Loading. Off-street parking and loading shall be provided subject to the parking provisions of DCC 18.116.

- E. Outdoor Lighting. All outdoor lighting shall be installed in conformance with DCC 15.10.
- F. Excavation, Grading and Fill and Removal. Excavation, grading and fill and removal within the bed and banks of a stream or river or in a wetland shall be subject to DCC 18.120.050 and/or DCC 18.128.270.
- G. Signs. All signs shall be constructed in accordance with the provisions of DCC 15.08. (Ord. 2008-015, §2, 2008; Ord. 2007-019 §2, 2007; Ord. 97-078 §2, 1997)

18.108.030. Single Family Residential - RS District.

- A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright:
 - 1. Single-family dwelling.
 - 2. Recreational path.
- B. Conditional Uses Permitted. The following uses may be permitted subject to DCC 18.128 and a conditional use permit:
 - 1. Park, playground and picnic and barbecue area.
 - 2. Fire station.
 - 3. Library.
 - 4. Museum.
 - 5. Health and fitness facility.
 - 6. Utility substations or pumping stations with no equipment storage or sewage treatment facilities.
 - 7. Temporary subdivision sales office.
 - 8. Community building.
 - 9. Church.
- C. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 30 feet in height, except as allowed under DCC 18.120.040.
- D. Lot Requirements. The following lot requirements shall be observed, provided that the Planning Director or Hearings Body may allow smaller lots approved pursuant to DCC Title 18 and consistent with the Comprehensive Plan designations for preservation of forested area or significant rock outcroppings when these lots are internal to the subdivision or after a hearing if they are located on the edge of the new plat.
 - 1. Lot Area. Every lot shall have a minimum area of 6,000 square feet.
 - 2. Lot Width. Every lot shall have a minimum average width of 60 feet, except that a corner lot shall be a minimum of 70 feet.
 - 3. Frontage. Every lot shall have a minimum width at the street of 50 feet, except that on an approved cul-de-sac this may be reduced to 30 feet.
 - 4. Front Yard. The front yard shall be a minimum of 20 feet.
 - 5. Side Yard. A side yard shall be a minimum of five feet for structures up to 21 feet in height. All structures greater than 21 feet in height shall have a minimum side yard of 7.5 feet, including additions thereto.
 - 6. Rear Yard. The rear yard setback for properties which do not have a common area adjoining the rear property line shall be a minimum of 25 feet. The rear yard setback is zero for properties with a rear property line which adjoins a common area that is 50 feet or greater in depth. The rear yard setback for properties which adjoin common area less than 50 feet in depth shall be calculated at six inches for every one foot less than 50 feet. The depth of the common area adjoining the rear yard shall be determined to be the average depth of the common area when measured at 90 degree angles at 10 foot intervals along the entire length of the rear property line.
 - 7. Lot Coverage. Maximum lot coverage by buildings and structures shall be 35 percent of the lot area.

(Ord. 2004-013 §11, 2004; Ord. 98-035 §2, 1998; Ord. 97-078 §2, 1997)

18.108.040. Multiple Family Residential - RM District.

- A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright:
1. Two-family dwelling or duplex.
 2. Multiple-family dwellings, apartment houses and dwelling groups including townhouses and condominiums.
 3. Uses permitted outright in the RS District.
 4. Planned unit developments and redevelopment.
 5. Recreational path.
 6. Residential home.
 7. Residential facility.
 8. Type 1 Home Occupation, subject to DCC 18.116.280.
- B. Conditional Uses Permitted. The following conditional uses may be permitted subject to DCC 18.128 and a conditional use permit.
1. Park, playground and picnic and barbecue area.
 2. Fire station.
 3. Library.
 4. Museum.
 5. Utility substations or pumping stations with no equipment storage or sewage treatment facilities.
 6. Off-street parking lots when contiguous to a less restrictive zoning district.
 7. Community center.
 8. Church.
 9. Temporary sales office for on-site dwelling units.
 10. Interval ownership and/or time-share unit or the creation thereof.
 11. Health and fitness facility.
- C. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 30 feet in height.
- D. Lot Requirements. The following lot requirements shall be observed:
1. Duplexes, three-plexes and four-plexes:
 - a. Lot Area. Every lot shall have a minimum area of 5,000 square feet for the first dwelling unit, plus the following minimum land area based upon the number of bedrooms per additional dwelling unit in the following table:

Studio or Efficiency	750 sq. ft.
1 Bedroom	1,000 sq. ft.
2 Bedrooms	1,500 sq. ft.
3 Bedrooms	2,250 sq. ft.
4 Bedrooms	2,500 sq. ft.

- The overall density shall not exceed eight dwelling units per acre.
- b. Lot Width. Every lot shall have a minimum average width of 50 feet.
 - c. Frontage. Every lot shall have a minimum width at the street of 50 feet, except that on an approved cul-de-sac this may be reduced to 30 feet.
 - d. Front Yard. The front yard shall be a minimum of 10 feet.
 - e. Side Yard. There shall be a minimum side yard of five feet and the sum of the side yards shall be a minimum of 15 feet. The side yards shall be increased by one-half foot for each foot by which the building height exceeds 15 feet.
 - f. Rear Yard. There shall be a rear yard having a depth of not less than five feet. The rear yard shall be increased by one-half foot for each foot by which the building height exceeds 15 feet.
 - g. Lot Coverage. Maximum lot coverage by buildings and structures shall be 40 percent of the total lot area.

2. Townhouses, condominiums, zero lot line dwellings and apartments:
 - a. There shall be no minimum lot area for apartments, townhouses, condominium developments or planned unit developments provided, however, that the overall density shall not exceed eight dwelling units per acre.
 - b. Setbacks. Yard setbacks, lot widths and lot coverage shall be determined at the time of site plan approval.
 3. Single Family Residences.
 - a. Lot widths, yard setbacks and lot coverage shall be the same as provided in the RS District, provided that the overall density shall not exceed eight dwelling units per acre.
- E. Off-Street Parking. Off-street parking shall be provided for a minimum of two cars per dwelling unit. (Ord. 2004-002 §22, 2004; Ord. 99-036 §1, 1999; Ord. 97-078 §2, 1997)

18.108.050. Commercial - C District.

- A. Uses Permitted Outright. Any combination of the following uses and their accessory uses are permitted outright in the C district.
1. Recreational path.
 2. Ambulance service.
 3. Library.
 4. Church.
 5. Bus stop.
 6. Community center.
 7. A building or buildings each not exceeding 8,000 square feet of floor space housing any combination of:
 - a. Retail/rental store, office and service establishment.
 - b. Art galleries
 - c. Dry cleaner and/or self-service laundry establishment.
 - d. Radio and television sales and service.
 - e. Radio and television broadcasting studios and facilities, except towers.
 - f. Restaurant, bar and cocktail lounge, including entertainment.
 - g. Automobile service station.
 - h. Technical and business school.
 - i. Catering establishment.
 - j. Crafts in conjunction with retail sales (occurring on premises, such as stained glass/pottery, etc.).
 - k. Medical and dental clinic, office and laboratory.
 - l. Theater not exceeding 4,000 square feet of floor area.
 - m. Marijuana wholesaling, office only. There shall be no storage of marijuana items or products at the same location.
 8. Multiple-family residential dwelling units, subject to the provisions of DCC 18.108.050(C)(1).
 9. Residential dwelling units constructed in the same building as a commercial use, subject to the provisions of DCC 18.108.050(C)(2).
 10. Post Office.
 11. Administrative and office facility associated with a community association or community use.
 12. Police facility.

- B. Conditional Uses Permitted. The following conditional uses may be permitted subject to DCC 18.128 and a conditional use permit.
1. Public buildings and public utility buildings and structures.
 2. Club, lodge or fraternal organization.
 3. Commercial off-street parking lot.
 4. Bus passenger station.
 5. Interval ownership and/or time-share unit or the creation thereof.
 6. Miniature golf.
 7. Bed and breakfast inn.
 8. Inn.
 9. Residential facility.
 10. A building or buildings each not exceeding 8,000 square feet of floor space housing any combination of:
 - a. Bowling alley.
 - b. Car wash.
 - c. Dancing or music school, nursery school, kindergarten and day-care facility.
 - d. Theater exceeding 4,000 square feet in floor area.
 - e. Veterinary clinic or kennel operated entirely within an enclosed building.
 - f. Automotive repair and maintenance garage, or tire store, provided the business is wholly conducted within an enclosed building.
 - g. Marijuana retailing, subject to the provisions of DCC 18.116.330.
- C. Use Limits.
1. Multiple-family residential dwelling units, allowed on the nine acres vacant as of December 31, 1997 in the C District, shall be subject to the provisions of DCC 18.108.040(C) and (D), and the following requirements:
 - a. No dwelling unit shall have more than three bedrooms.
 - b. Individual dwelling units shall not exceed 2,250 square feet of habitable floor area.
 - c. One off-street parking space shall be provided for each bedroom within each dwelling unit, with a maximum of two spaces allowed per dwelling unit.
 2. Residential dwelling units constructed in the same building as a commercial use developed in the C district shall be subject to the following requirements:
 - a. Residential dwelling units shall be developed above first floor commercial use.
 - b. No dwelling unit shall have more than two bedrooms.
 - c. Individual dwelling units shall not exceed 850 square feet of floor area.
 - d. One off-street parking space shall be provided for each bedroom within each dwelling unit.
 3. Uses permitted either outright or conditionally in the C District shall not involve the transport of chemicals which would present a significant hazard.
- D. Special Requirements for Large Scale Uses. Any of the uses listed in DCC 18.108.050(A)(7) or DCC 18.108.050(B)(10) may be allowed in a building or buildings each exceeding 8,000 square feet of floor space if the Planning Director or Hearings Body finds:
1. That the intended customers for the proposed use will come from the community and surrounding rural area, or the use will meet the needs of the people passing through the area. For the purposes of DCC 18.108.050(D), the surrounding rural area shall be that area identified as all property within five miles of the boundary of the Sunriver Urban Unincorporated Community;

2. The use will primarily employ a work force from the community and surrounding rural area; and
 3. That it is not practical to locate the use in a building or buildings under 8,000 square feet of floor space.
- E. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 30 feet in height.
- F. Lot Requirements. The following lot requirements shall be observed:
1. Lot Area. No requirements.
 2. Lot Width. No requirements.
 3. Lot Depth. 100 feet.
 4. Front Yard. The front yards shall be a minimum of 10 feet.
 5. Side Yard. None, except when a side lot line is adjoining a lot in an RS or RM District, and then the side yard shall be a minimum of 10 feet. The required side yards shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.
 6. Rear Yard. None, except when a rear lot line is adjoining a lot in an RS or RM District, and then the rear yard shall be a minimum of 10 feet. The required rear yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.
 7. Lot Coverage. No requirements.
- (Ord. 2016-015 §9, 2016; Ord. 2015-004 §9, 2015; Ord. 2003-026 §1, 2003; Ord. 98-016 §1, 1998; Ord. 97-078 §2, 1997)

18.108.055. Town Center – TC District

- A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright in the TC District.
1. Park or plaza.
 2. Library.
 3. Community center.
 4. Visitors center.
 5. A building, or buildings each not exceeding 8,000 square feet of floor space, unless approved as a Large Scale Use pursuant to DCC 18.108.055(C), including any of the following uses:
 - a. Retail/rental store, office, civic and service establishment.
 - b. Grocery store.
 - c. Art gallery.
 - d. Restaurant, bakery, delicatessen, pub, cocktail lounge, including entertainment.
 - e. Health care service including medical and dental clinic, office, pharmacy, and laboratory but excluding nursing homes.
 - f. Health & fitness facility.
 - g. Barber, beauty shop or spa.
 - h. Child care center, preschool and daycare facility.
 - i. Bank.
 - j. Post office.
 - k. Veterinary clinic (without animal boarding facilities).
 - l. Crafts in conjunction with retail sales (occurring on premises such as sculpture, stained glass, pottery, etc.).
 - m. Meeting room, convention and banquet facility.

- n. Property sales, mortgage, management or rental office.
 - o. Movie theater.
6. Multi-family Residential, subject to paragraphs (E)(1) and (2).
 7. Developed recreational facilities, outdoors or in a building or buildings each not exceeding 8,000 square feet of floor space, unless approved as a Large Scale Use pursuant to DCC 18.108.055(C), including, but not limited to the following facilities:
 - a. Indoor and outdoor swimming pools.
 - b. Ice skating rink.
 - c. Indoor and outdoor tennis courts.
 - d. Indoor and outdoor basketball court or other ball field.
 - e. Physical fitness facilities.
 - f. Park, playground and picnic and barbeque area.
 - g. Walkways, bike paths, jogging paths.
 - h. Bowling alley.
 - i. Arcade.
 8. Hotel with up to 100 hotel units in a single building.
 9. Mixed Use Structure, subject to the rules of DCC 18.108.055(E)(3) and a limit of 8,000 square feet of floor space for commercial uses listed in DCC 18.108.055(A)(5) or recreational uses listed in DCC 18.108.055(A)(7), unless said uses are approved as large scale uses pursuant to DCC 18.108.055(C).
 10. Residential Facility.
 11. Senior housing/assisted living or active adult development, excluding nursing homes.
 12. Townhomes, subject to paragraphs (E)(1) and (2).
 13. Accessory uses to uses permitted outright, including, but not limited to, parking facilities, private roads, storage facilities, trash receptacles and recycling areas.
 14. Similar uses to those allowed outright, provided they are approved by the County in the decision approving the Conceptual Site Plan described in DCC 18.108.055(K).
- B. Conditional Uses Permitted. The following conditional uses may be permitted pursuant to the provisions of DCC 18.128, Conditional Use Permits.
1. Public buildings and public utility buildings and structures.
 2. Bed and breakfast inn.
 3. Ambulance service.
 4. Fire station.
 5. Police station.
 6. Bus passenger station.
 7. Live/work residence.
 8. Stand-alone parking structure.
 9. Accessory uses to the above-listed conditional uses.
 10. Marijuana retailing, subject to the provisions of DCC 18.116.330.
- C. Special Requirements for Large Scale Uses. Any of the uses listed in DCC 18.108.055(A)(5) or (A)(7) may be allowed in a building or buildings each exceeding 8,000 square feet of floor space if the Planning Director or Hearings Body finds:
1. That the intended customers for the proposed use will come from the Sunriver community and surrounding rural area. The surrounding rural area is the area identified as all property

within five miles of the boundary of the Sunriver Urban Unincorporated Community; and/or

2. The use will meet the needs of the people passing through the area.

D. Form of Ownership/List of Uses.

1. Any lawful form of ownership is allowed in the TC District.
2. The listing of uses permitted in the TC District is not intended to prohibit other uses allowed elsewhere in Sunriver.
3. When a general use listed in the TC District includes a use or type of ownership that is more specifically described in another zone in Sunriver, the specific listing elsewhere does not prohibit that use from being conducted in the TC District.

E. Use Limits.

1. Commercial uses, except for Type 1 home occupations as defined in DCC 18.116.280, are not allowed in Multi-family Residential buildings or Townhomes.
2. Notwithstanding subsection (E)(1), above, the following uses are allowed in Multi-family Residential buildings or Townhomes:
 - a. Live/work residences.
 - b. Lock-off areas.
 - c. Accessory uses to the residential use of the building, such as parking and storage areas.
3. In a Mixed Use Structure, any ground floor unit that has primary frontage along a public plaza approved as part of a Conceptual Site Plan shall be used only for commercial, recreational or community/governmental uses, but not for hotel units.
4. A live/work residence is subject to the following conditions.
 - a. One or more walls of the residence adjoin another residential or commercial building.
 - b. The first floor above the garage is the ground floor, where a parking garage is provided below a residence, below the average finished grade and is completely obscured from view on at least one side of the building.
 - c. The commercial area of the live/work residence may not exceed fifty percent (50%) of the square footage of the entire unit, excluding the garage.
 - d. The commercial area shall not exceed 8,000 square feet in combination with other commercial uses in the same building unless the building has been approved as a part of a Large Scale Use pursuant to DCC 18.108.055(C).

F. Building Height Regulations.

1. Except as provided in subsection (2), below, no Mixed Use Structure shall be erected, enlarged or structurally altered to exceed 60 feet in height.
2. One Mixed Use Structure shall be permitted with a maximum height not to exceed 75 feet in height, so long as the building footprint of that portion of said building that exceeds 60 feet in height is not greater than 40,000 square feet of the footprint.
3. Townhomes may not exceed 40 feet in height.
4. Multi-family Residential buildings that are not Mixed Use Structures may not exceed 50 feet in height.
5. The height of all other buildings for uses other than those described in subsections (F)(1)-(4), above, may not exceed 45 feet in height.
6. Where a parking garage is provided beneath buildings or structures described in subsection (F)(1) and (2), above, the height of the building shall be measured from the highest point of the roof to one of the following points:

- a. A point equal to the elevation of the highest adjoining sidewalk or ground surface within a five foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest elevation adjacent to the building; or
 - b. A point equal to the elevation that is 10 feet higher than the lowest grade from the sidewalk or ground surface described in subsection (a), above, when the sidewalk or ground surface described in subsection (a) is more than 10 feet above lowest grade adjacent to the building.
- 7. Projections and architectural elements such as chimneys, spires, clock towers, skylights, atriums, flag poles, mechanical equipment and screens and other similar items that do not add habitable interior floor area may be allowed to exceed the height limit by a maximum of 10 feet.
 - 8. Buildings that comply with the height limitations of this subsection also comply with the view protection requirement imposed by DCC 18.124.060(A).
- G. Lot Requirements. The following lot requirements shall be observed.
- 1. Front yard: the front yard shall be a minimum of 10 feet.
 - a. Where a lot has more than one front yard, only one front yard must meet the 10 feet minimum.
 - b. Below-grade parking structures that are built under private streets do not need to meet front yard setback requirements.
 - 2. Side yard: 0 feet.
 - 3. Rear yard: 0 feet.
 - 4. Frontage: 0 feet.
 - 5. Road Access.
 - a. Each lot shall have access to any required parking areas and driveways, and to a private road, via a perpetual easement recorded for the benefit of the subject lot.
- H. District Setback.
- 1. All development, including structures and sight-obstructing fences over three feet in height, shall be set back from exterior TC District boundaries by the following distances:
 - a. Where the TC District boundary borders an RS or RM District, the minimum setbacks will be:
 - 1) 15 feet from the TC District boundary for any portion of a building that is 45 feet or lower
 - 2) 20 feet from the TC District boundary for any portion of a building that is over 45 feet in height and that does not exceed 50 feet in height.
 - 3) 50 feet from the TC District boundary for any portion of a building that is over 50 feet in height.
 - b. Where the TC District boundary borders a CL District, the minimum setbacks will be:
 - 1) Five feet from the TC District boundary for any portion of a building that is 45 feet or lower.
 - 2) 10 feet from the TC District boundary for any portion of a building that is over 45 feet in height and that does not exceed 50 feet in height.
 - 3) 20 feet from the TC District boundary for any portion of a building that is over 50 feet in height and that does not exceed 60 feet in height.
 - 4) 50 feet from the TC District boundary for any portion of a building that is over 60 feet in height.

- c. Where the TC District boundary borders any other zoning district, the minimum setback will be:
 - 1) 10 feet from the TC District boundary for any portion of a building that is 45 feet in height or lower.
 - 2) 15 feet from the TC District boundary for any portion of a building that is over 45 feet in height and that does not exceed 50 feet in height.
 - 3) 20 feet from the TC District boundary for any portion of a building that is over 50 feet in height.
 - 2. Items allowed in the District Setback include, but are not limited to, parking, roads, signage, pedestrian pathways, street trees, planters, driveways, landscaping, and outdoor seating.
- I. Floor Area Ratio.
- 1. The maximum Floor Area Ratio in the TC District is 1.0.
 - 2. Floor Area Ratio is determined by dividing the enclosed floor area of all floors of all buildings that are proposed by a Conceptual Site Plan by the land area to be bound by the Conceptual Site Plan.
 - 3. The following areas are not a part of the “enclosed floor area of all buildings”:
 - a. Below-grade parking garages and mechanical rooms and storage areas located on the same floor as the parking garage.
 - b. Crawl spaces and attics that are not suited to human occupancy.
- J. Zone Coverage.
- 1. The total square footage of the building footprints of buildings and enclosed structures is limited to fifty percent (50%) of the gross acreage bound by a Conceptual Site Plan in the TC District.
 - 2. The total square footage of the building footprints of Multi-family Residential and Townhome buildings allowed by DCC 18.108.055(A)(6) and (12) is limited to a maximum of twenty percent (20%) of the gross acreage of the TC District.
 - 3. When calculating the building footprint, buildings and enclosed structures include any deck that is more than 12 inches above finished grade and all areas within any screened enclosure permanently affixed to the ground.
 - 4. The following are not included as building or structures for purposes of calculating building footprint:
 - a. Eaves and any driveway, road, walkway, deck, patio, plaza, or porch that is 12 inches or less above finished grade (except with affixed improvements that exceed 12 inches); and
 - b. Parking areas on or below finished grade.
- K. Conceptual Site Plan.
- 1. Prior to or concurrent with approval of a site plan or conditional use permit, an applicant must file for approval of a Conceptual Site Plan.
 - 2. A Conceptual Site Plan shall provide a master plan that depicts the approximate location of all of the applicant’s proposed land uses.
 - 3. All land owned or controlled by the applicant in the TC District must be shown on and will be bound by the applicant’s Conceptual Site Plan.
 - 4. A Conceptual Site Plan application must include all of the following information:
 - a. Types of uses.
 - b. Site circulation.

- c. Pedestrian Facilities.
- d. Traffic impact study, as described in DCC 17.16.115.
- e. The following additional information:
 - 1) An analysis of site access points to Abbott Drive and Beaver Drive by a registered professional engineer who specializes in traffic analysis work that describes operational, capacity and sight distance issues of those access points and the impact of Conceptual Site Plan development on those access points.
 - 2) Identification of street system improvements needed to support the proposed development based on the information provided by the reviews required by this subsection (d).
 - 3) A schedule for the construction of needed street improvements, if any, keyed to development benchmarks.
- f. Approximate location of phase boundaries, if phased development is proposed, and notation of the phasing sequence.
- g. The projected location and projected range of building or structure size, in square feet, for commercial uses.
- h. The projected location and projected range of the number of dwelling units for residential use.
- i. The projected location and approximate size, in square feet, of plazas and public gathering areas.
- j. Elevations throughout the site that represent general elevations of each use.
 - 1) Examples of uses for which such elevations should be shown on the Conceptual Site Plan are residential, hotel or commercial structures, pedestrian plazas, parking areas, road intersections, and at length along all roadways.
 - 2) Such elevations must show existing and projected finished elevations.
- k. The projected footprint and location of new buildings or parking areas. The exact footprints and locations of buildings and parking areas shall be determined during site plan review.
- l. Existing uses on lands owned or controlled by persons other than the applicant.
- 5. A Conceptual Site Plan shall be approved if it demonstrates that future development is located on the subject property so that, in addition to the requirements of DCC 18.108.055, the following standards can be met at the time of site plan review:
 - a. DCC 23.40.025; and
 - b. DCC 18.124.060 (A) - (E) and (I); interpreted as described in DCC 23.40.025(E)(1)(d)(3).
- 6. Approval of a Conceptual Site Plan does not authorize uses or development.
- 7. An applicant shall commence development within five years of the date of final approval of the Conceptual Site Plan unless an extension of the duration of approval of the Conceptual Site Plan has been granted pursuant to DCC 22.36.010(C).
- 8. Substantial construction of a Conceptual Site Plan development, for purposes of DCC 22.36.020(A)(2), occurs when the first building authorized by the Plan has been substantially constructed, as defined by DCC 22.36.020(B).
- L. Application and approval process.
 - 1. A site plan or conditional use application shall be consistent with the Conceptual Site Plan with the following exceptions.

- a. Existing structures or features can be used or altered to meet the requirements of subsections (5) and (10)-(13) of this subsection.
 - b. If the existing structures or features were included in a site plan approval under DCC 18.108.055 and the existing structures or features are proposed to be altered by subsequent site plan, that subsequent site plan must demonstrate compliance with the requirements of subsections (5) and (10)-(13) of this subsection.
2. A site plan application shall include the number of all uses by type, their ITE code and their pm peak hour trips.
3. Each site plan, cumulatively with any previously approved site plan, shall demonstrate that the development will not generate traffic at a rate that will exceed the number of pm peak hour vehicle trips for residential and commercial uses assumed in the traffic study required by subsection (K)(4) above.
4. Adjustments may be made to building locations, sizes, footprints, unit counts and phase boundaries shown on the Conceptual Site Plan during site plan review if such adjustments do not constitute a change requiring modification of approval of the Conceptual Site Plan pursuant to DCC 22.36.040.
5. An applicant seeking site plan approval shall demonstrate that, when the development that is subject to the site plan approval is complete, a ratio of 150 square feet of commercial space to one dwelling unit will be met.
6. The term “dwelling unit” used in subsection (5), above, includes:
 - a. All hotel and residential dwelling units, including Multi-family Dwellings and Townhomes.
 - b. Lock-off Areas shall be counted as a half dwelling unit for purposes of calculating the ratio described in subsection (5), above.
7. The development in the TC District, cumulatively with any previously approved site plan, must meet the ratio in subsection (5) above.
8. When a second or subsequent site plan is approved a commercial area shown on a prior site plan may be counted toward meeting the required ratio in Subsection (5) above only if construction of the commercial area approved on a prior site plan has been commenced.
9. The site plan shall include the projected finished and existing grade elevations of the site indicating every foot of elevation change on the subject property.
10. Each site plan, cumulatively with all previously approved site plans, shall demonstrate compliance with the fifteen percent (15%) lot area landscaping requirement of DCC 18.124.070(B)(1)(a).
 - a. Landscape areas existing as of the adoption of Ordinance 2008-105 may be used to determine compliance with the fifteen percent (15%) rule as long as the existing landscaping is included in the site plan.
 - b. In the TC District, plazas available to the public may be included to demonstrate compliance with the fifteen percent (15%) landscaping requirement.
11. Each site plan, cumulatively with all previous site plans, shall demonstrate compliance with the FAR requirements of DCC 18.108.055(I).
12. Each site plan, cumulatively with all previously approved site plans, shall demonstrate compliance with the recreation space requirements of DCC 18.124.070(A)(2).
13. Each site plan, cumulatively with all previously approved site plans, shall demonstrate compliance with the zone coverage requirements of DCC 18.108.055(J).

14. Where improved bike paths cross land proposed for site plan development, the applicant shall retain or relocate and rebuild the bike path.
- M. Any application for a zone change to the Town Center District shall include a copy of a signed development agreement between the property owner, the applicant, if different than the property owner, and the homeowners association.
(Ord. 2016-015 §9, 2016; Ord. 2015-004 §9, 2015; Ord. 2008-015 §2, 2008)

18.108.060. Resort - R District.

- A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright in the R District:
1. Resort facility developed in a building or buildings of any size which house any combination of:
 - a. Meeting room, convention and banquet facility.
 - b. Resort recreation facilities.
 - c. Property sales and rental office.
 - d. Hotel, motel and lodging facility with up to 100 units in a single building.
 - e. Maintenance facility associated with resort and recreation operations.
 - f. Storage building necessary for and associated with resort, recreation and/or property development.
 - g. Administrative offices, support and service facilities commonly associated with resort and recreation development and operations.
 2. Restaurant, bar and cocktail lounge including entertainment and catering facilities which are included within the same building as any of the uses listed in DCC 18.108.060(A)(1).
 3. Retail sales, rental and repair services commonly associated with and included within the same building as any of the uses listed in DCC 18.108.060(A)(1).
 4. Interval ownership and/or time-share unit or the creation thereof.
 5. Multiple family residential dwelling units subject to and consistent with the standards of the RM District.
 6. Recreational path.
 7. Residential home.
 8. Residential facility.
 9. A building or buildings each not exceeding 8,000 square feet of floor space which conform with the height regulations and lot requirements of the R District and house any combination of:
 - a. New restaurant, bar and cocktail lounge, including entertainment and catering facilities which are not included within the same building as those uses listed in DCC 18.108.060(A)(1).
 - b. New retail sales, rental and repair services commonly associated with uses permitted outright or conditionally in the R District which are not included within the same building as those uses listed in DCC 18.108.060(A)(1).
- B. Conditional Uses Permitted. The following conditional uses may be permitted subject to DCC 18.128 and a conditional use permit:
1. Public buildings and public utility buildings and structures as they may be appropriate to the R District.
 2. Church, club or fraternal organization.
 3. School.
- C. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 40 feet in height.
- D. Lot Requirements. The following lot requirements shall be observed:
1. Lot Area. No requirements.
 2. Lot Width. No requirements.
 3. Lot Depth. 100 feet.

4. Front Yard. The front yard shall be a minimum of 10 feet.
 5. Side Yard. None, except when a side lot line is adjoining a lot in an RS or RM District, and then the side yard shall be a minimum of 10 feet. The required side yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.
 6. Rear Yard. None, except when a rear lot line is adjoining a lot in an RS or RM District, and then the rear yard shall be a minimum of 10 feet. The required rear yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.
 7. Lot Coverage. No requirements.
- (Ord. 97-078 §2, 1997)

18.108.070. Resort Marina - RA District.

- A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright in the RA District:
 1. Marina.
 2. Park, playground and picnic and barbecue area.
 3. Recreational path.
 4. Restaurant, bar and cocktail lounge existing as of March 31, 1998.
 - B. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 30 feet in height.
 - C. Lot Requirements. The following lot requirements shall be observed:
 1. Lot Area. No requirements.
 2. Lot Width. No requirements.
 3. Lot Depth. 100 feet.
 4. Front Yard. The front yard shall be a minimum of 10 feet.
 5. Side Yard. None, except when a side lot line is adjoining a lot in an RS or RM District, and then the side yard shall be a minimum of 10 feet. The required side yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.
 6. Rear Yard. None, except when a rear lot line is adjoining a lot in an RS or RM District, and then the rear yard shall be a minimum of 10 feet. The required rear yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.
 7. Lot Coverage. No requirements.
- (Ord. 97-078 §2, 1997)

18.108.080. Resort Golf Course - RG District.

- A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright in the RG District:
 1. Golf course.
 2. Golf course accessory uses.
 3. Recreational path.
- B. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 30 feet in height.
- C. Lot Requirements. The following lot requirements shall be observed:
 1. Lot Area. No requirements.
 2. Lot Width. No requirements.
 3. Lot Depth. 100 feet.
 4. Front Yard. The front yard shall be a minimum of 10 feet.
 5. Side Yard. None, except when a side lot line is adjoining a lot in an RS or RM District, and then the side yard shall be a minimum of 10 feet. The required side yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.

6. Rear Yard. None, except when a rear lot line is adjoining a lot in an RS or RM District, and then the rear yard shall be a minimum of 10 feet. The required rear yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.
 7. Lot Coverage. No requirements.
- (Ord. 97-078 § 2, 1997)

18.108.090. Resort Equestrian - RE District.

- A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright in the RE District:
 1. Equestrian facility.
 2. Recreational path.
 3. Park, playground and picnic and barbecue area.
 4. A building or buildings each not exceeding 8,000 square feet of floor space which house any combination of:
 - a. Retail sales, rental and repair services commonly associated with equestrian facilities.
 - B. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 30 feet in height.
 - C. Lot Requirements. The following lot requirements shall be observed:
 1. Lot Area. No requirements.
 2. Lot Width. No requirements.
 3. Lot Depth. 100 feet.
 4. Front Yard. The front yard shall be a minimum of 10 feet.
 5. Side Yard. None, except when a side lot line is adjoining a lot in an RS or RM District, and then the side yard shall be a minimum of 10 feet. The required side yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.
 6. Rear Yard. None, except when a rear lot line is adjoining a lot in an RS or RM District, and then the rear yard shall be a minimum of 10 feet. The required rear yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.
 7. Lot Coverage. No requirements.
- (Ord. 97-078 § 2, 1997)

18.108.100. Resort Nature Center - RN District.

- A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright in the RN District:
 1. Nature center.
 2. Recreational path.
 3. Observatory.
 4. A building or buildings each not exceeding 8,000 square feet of floor space which conform with the height regulations and lot requirements of the RN District and house any combination of:
 - a. Restaurant and food service commonly associated with and customarily appurtenant to the uses permitted outright in the RN District.
 - b. Retail sales, rental and repair services commonly associated with uses permitted outright in the RN District.
- B. Use Limits. The following limitations and standards shall apply to uses listed in DCC 18.108.100(A).
 1. All structures shall be sited on those portions of the property which contain mature trees.
 2. Mature trees shall be retained to the maximum extent possible considering physical constraints associated with developing the property.
 3. Development within the treed area shall occur in a manner whereby a minimum of 50 percent of a finished structure will be screened from surrounding properties and portions of the subject property which do not contain mature trees.

4. The Planning Director or Hearings Body may require the establishment of additional landscape material to ensure that 50 percent of a finished structure will be screened from surrounding properties and portions of the subject property which do not contain mature trees.
 - C. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 30 feet in height.
 - D. Lot Requirements. The following lot requirements shall be observed:
 1. Lot Area. No requirements.
 2. Lot Width. No requirements.
 3. Lot Depth. 100 feet.
 4. Front Yard. The front yard shall be a minimum of 10 feet.
 5. Side Yard. None, except when a side lot line is adjoining a lot in an RS or RM District, and then the side yard shall be a minimum of 10 feet. The required side yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.
 6. Rear Yard. None, except when a rear lot line is adjoining a lot in an RS or RM District, and then the rear yard shall be a minimum of 10 feet. The required rear yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.
 7. Lot Coverage. No requirements.
- (Ord. 97-078 § 2, 1997)

18.108.110. Business Park - BP District.

- A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright:
 1. Residential uses existing as of March 31, 1997.
 2. Administrative, educational and other related facilities in conjunction with a use permitted outright.
 3. Library.
 4. Recreational path.
 5. Post office.
 6. Church in building or buildings not exceeding 5,000 square feet of floor area.
 7. Child care facilities, nurseries, and/or preschools.
 87. A building or buildings each not exceeding 8,000 square feet of floor space housing any combination of:
Retail/rental store, office and service establishment, including but not limited to the following:
 - a. Automobile, motorcycle, boat, recreational vehicle, trailer or truck sales, rental, repair or maintenance business, including tire stores and parts stores.
 - b. Agricultural equipment and supplies.
 - c. Car wash.
 - d. Contractor's office, including but not limited to, building, electrical, plumbing, heating and air conditioning, painter, etc..
 - e. Construction equipment sales, rental and/or service.
 - f. Exterminator services.
 - g. Golf cart sales and service.
 - h. Lumber yard, home improvement or building materials store.
 - i. Housekeeping and janitorial service.
 - j. Dry cleaner and/or self-service laundry facility.
 - k. Marine/boat sales and service.
 - l. Restaurant, bar and cocktail lounge including entertainment.

- p. Marijuana processing cannabinoid concentrates and cannabinoid products, subject to the provisions of DCC 18.116.330.
 - q. Marijuana wholesaling, office only. There shall be no storage of marijuana items or products at the same location.
98. A building or buildings each not exceeding 20,000 square feet of floor space housing any combination of:
- a. Scientific research or experimental development of materials, methods or products, including engineering and laboratory research.
 - b. Light manufacturing, assembly, fabricating or packaging of products from previously prepared materials, including but not limited to cloth, paper, leather, precious or semi-precious metals or stones, etc.
 - c. Manufacture of food products, pharmaceuticals and the like, but not including the production of fish or meat products, or the rendering of fats and oils.
 - d. Warehouse and distribution uses in a building or buildings each less than 10,000 square feet of floor area.
- B. Conditional Uses Permitted. The following conditional uses may be permitted subject to DCC 18.128 and a conditional use permit:
- 1. Public buildings and public utility structures and yards, including railroad yards.
 - 2. A dwelling unit for a caretaker or watchman working on a developed property.
 - 3. Law enforcement detention facility.
 - 4. Parking lot.
 - 5. Radio and television broadcast facilities.
 - 6. A building or buildings each not exceeding 8,000 square feet of floor space housing any combination of:
 - a. Bowling alley.
 - b. Theater.
 - c. Veterinary clinic and/or kennel.
 - d. Marijuana processing including cannabinoid extracts, subject to the provisions of DCC 18.116.330.
 - e. Marijuana retailing, subject to the provisions of DCC 18.116.330.
 - 7. A building or buildings each not exceeding 20,000 square feet of floor space housing any combination of:
 - a. Warehouses and distribution uses in a building or buildings exceeding 10,000 square feet of floor area.
 - b. Distillery and beer/ale brewing facility, including wholesale sales thereof.
 - c. Self/mini storage.
 - d. Trucking company dispatch/terminal.
 - e. Solid waste/garbage operator, not including solid waste disposal or other forms of solid waste storage or transfer station.
- C. Use Limits. The following limitations and standards shall apply to uses listed in DCC 18.108.110(A) or (B):
- 1. A use expected to generate more than 30 truck-trailer or other heavy equipment trips per day to and from the subject property shall not be permitted to locate on a lot adjacent to or across the street from a lot in a residential district.
 - 2. Storage, loading and parking areas shall be screened from residential zones.

3. No use requiring air contaminant discharge permits shall be approved by the Planning Director or Hearings Body prior to review by the applicable state or federal permit reviewing authority, nor shall such uses be permitted adjacent to or across the street from a residential lot.
- D. Special Requirements for Large Scale Uses.
Any of the uses listed in DCC 18.108.110(A)(6) or (B)(6) may be allowed in a building or buildings each exceeding 8,000 square feet of floor space if the Planning Director or Hearings Body finds:
1. That the intended customers for the proposed use will come from the community and surrounding rural area, or the use will meet the needs of the people passing through the area. For the purposes of DCC 18.108.110, the surrounding rural area shall be that area identified as all property within five miles of the boundary of the Sunriver Urban Unincorporated Community;
 2. The use will primarily employ a work force from the community and surrounding rural area; and
 3. That it is not practical to locate the use in a building or buildings under 8,000 square feet of floor space.
- E. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 45 feet in height.
- F. Lot Requirements. The following lot requirements shall be observed:
1. Lot Area. No requirements.
 2. Lot Width. No requirements.
 3. Lot Depth. Each lot shall have a minimum depth of 100 feet.
 4. Front Yard. The front yard shall be a minimum of 25 feet.
 5. Side Yard. No side yard required, except when adjoining a lot in an RS or RM District and then the required side yard shall be 50 feet. No side yards are required on the side of a building adjoining a railroad right of way.
 6. Rear Yard. No rear yard required, except when adjoining a lot in an RS or RM District and then the rear yard shall be 50 feet. No rear yard is required on the side of a building adjoining a railroad right of way.
 7. Lot Coverage. The maximum lot coverage by buildings and structures shall be 50 percent of the total lot area.
- (Ord. 2019-008 §1, 2019; Ord. 2016-015 §9, 2016; Ord. 2015-004 §9; 2015; Ord. 2012-002 §1, 2012; Ord. 97-078 §2, 1997)

18.108.120. Community General - CG District.

- A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright:
1. School.
 2. Utility substation, utility equipment storage and repair yard, and pump station.
 3. Golf course.
 4. Tennis court.
 5. Swimming pool.
 6. Park, playground and picnic and barbecue area.
 7. Nature center.
 8. Putting green.
 9. Recreational path.

10. Equestrian facility.
 11. Boat dock.
 12. Health and fitness facilities.
 13. Amphitheater.
 14. Observatory.
 15. Administrative and office facility associated with a community association or community use.
 16. Police facility.
 17. Fire station.
 18. Public works facility.
 19. Community center.
 20. Church.
 21. Warehouse and storage facilities accessory to and in conjunction with any use permitted outright in this district.
 22. Residential home.
 23. Residential facility.
 24. A building or buildings each not exceeding 8,000 square feet of floor space which conform with the height regulations and lot requirements of the CG District and house any combination of:
 - a. Limited food and beverage service customarily accessory to and in conjunction with any use permitted outright or conditionally in this district.
 - b. Retail sales, rental and repair services commonly associated with uses permitted outright or conditionally in the CG District.
 - B. Conditional Uses Permitted. The following uses may be permitted subject to DCC 18.128 and a conditional use permit:
 1. Wireless telecommunications facilities, except those facilities meeting the requirements of DCC 18.116.250(A).
 - C. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 30 feet in height.
 - D. Lot Requirements. The following lot requirements shall be observed:
 1. Lot Area. No requirements.
 2. Lot Width. No requirements.
 3. Lot Depth. 100 feet.
 4. Front Yard. The front yard shall be a minimum of 10 feet.
 5. Side Yard. None, except when a side lot line is adjoining a lot in an RS or RM District, and then the side yard shall be a minimum of 10 feet. The required side yard shall be increased by one half foot for each foot by which the building height exceeds 20 feet.
 6. Rear Yard. None, except when a rear lot line is adjoining a lot in an RS or RM District, and then the rear yard shall be a minimum of 10 feet. The required rear yard shall be increased by one half foot for each foot by which the building height exceeds 20 feet.
 7. Lot Coverage. No requirements.
- (Ord. 2014-020 §1, 2014; Ord. 97-078 §2, 1997)

18.108.130. Community Recreation - CR District.

- A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright:
 1. Park, playground and, picnic and barbecue area.
 2. Swimming pool.
 3. Tennis court.
 4. Basketball court.
 5. Ball fields, including but not limited to, football, baseball, softball and soccer.
 6. Running track.
 7. Health and fitness facility.

8. Racquetball court.
 9. Recreational path.
 10. Winter sports facilities, including but not limited to ice skating rink and/or cross country ski center.
 11. Facilities developed in conjunction with and which are customarily accessory to any use permitted outright or conditionally in this district, including but not limited to restrooms, storage facilities, parking areas and pavilions/shelters.
 12. A building or buildings each not exceeding 8,000 square feet of floor space which conform with the height regulations and lot requirements of the CR District and house any combination of:
 - a. Limited food and beverage service customarily accessory to and in conjunction with any use permitted outright or conditionally in this district.
 - b. Retail sales, rental and repair services commonly associated with uses permitted outright or conditionally in the CG District.
- B. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 30 feet in height.
- C. Lot Requirements. The following lot requirements shall be observed:
1. Lot Area. No requirements.
 2. Lot Width. No requirements.
 3. Lot Depth. 100 feet.
 4. Front Yard. The front yard shall be a minimum of 10 feet.
 5. Side Yard. None, except when a side lot line is adjoining a lot in an RS or RM District, and then the side yard shall be a minimum of 10 feet. The required side yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.
 6. Rear Yard. None, except when a rear lot line is adjoining a lot in an RS or RM District, and then the rear yard shall be a minimum of 10 feet. The required rear yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.
 7. Lot Coverage. No requirements.
- (Ord. 97-078 §2, 1997)

18.108.140. Community Limited - CL District.

- A. Uses Permitted Outright. The following uses are permitted outright:
1. Picnic and barbecue areas, including picnic tables and benches.
 2. Recreational path.
- B. Lot Requirements. The following lot requirements shall be observed:
1. Lot Area. No requirements.
 2. Lot Width. No requirements.
 3. Lot Depth. 100 feet.
 4. Front Yard. The front yard shall be a minimum of 10 feet for bike and pedestrian paths, and picnic tables and benches fixed to the ground.
 5. Side Yard. None, except when a side lot line is adjoining a lot in an RS or RM District, and then the side yard for bike and pedestrian paths, and picnic table and benches fixed to the ground shall be a minimum of 10 feet.
 6. Rear Yard. None, except when a side lot line is adjoining a lot in an RS or RM District, and then the side yard for bike and pedestrian paths, and picnic table and benches fixed to the ground shall be a minimum of 10 feet.
 7. Lot Coverage. No requirements.
- (Ord. 97-078 §2, 1997)

18.108.150. Community Neighborhood- CN District.

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

2. Utility substation, pump station and, utility equipment storage and repair yard.
 3. Sewage treatment facility.
 4. Tennis court.
 5. Swimming pool.
 6. Park, playground and picnic and barbecue area.
 7. Recreational path.
 8. Equestrian facility.
 9. Health and fitness facility.
 10. Amphitheater.
 11. Observatory.
 12. Church.
 13. Residential home.
 14. Residential facility.
 15. Daycare facility.
 16. Administrative and office facility associated with a community association or community use.
 17. Community center.
 18. Police facility.
- B. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 30 feet in height.
- C. Lot Requirements. The following lot requirements shall be observed:
1. Lot Area. No requirements.
 2. Lot Width. No requirements.
 3. Lot Depth. 100 feet.
 4. Front Yard. The front yard shall be a minimum of 10 feet.
 5. Side Yard. None, except when a side lot line is adjoining a lot in an RS or RM District, and then the side yard shall be a minimum of 10 feet. The required side yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.
 6. Rear Yard. None, except when a rear lot line is adjoining a lot in an RS or RM District, and then the rear yard shall be a minimum of 10 feet. The required rear yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.
 7. Lot Coverage. No requirements.
- (Ord. 98-016 §3, 1998; Ord. 97-078 §2, 1997)

18.108.160. Airport - A District.

- A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright:
1. Runway, fuel storage and sales and emergency repair.
 2. Facilities approved or mandated by the FAA or Oregon State Aeronautics Division.
 3. Farm use as defined in DCC Title 18.
 4. Related uses which are customarily appurtenant to airports, including but not limited to hangars, tie-down areas and parking facilities.
- B. Conditional Uses Permitted. The following conditional uses may be permitted subject to DCC 18.128 and a conditional use permit:
1. Farm accessory buildings and uses.
 2. Utility facility necessary for public service, except landfills.
 3. Golf course.
 4. Park, playground, other recreational site or facility or community service facility.
 5. Excavation, grading and fill and removal within the bed and banks of a stream or river or in a wetland subject to DCC 18.120.050 and/or DCC 18.128.270.
- C. Use Limitations. In an A District, the following limitations and standards shall apply to all uses permitted:

1. The height of any plant growth or structure or part of a structure such as chimneys, towers, antennas, powerlines, etc., shall not exceed 35 feet.
 2. In approach zones beyond the clear zone areas, no meeting place designed to accommodate more than 25 persons for public or private purposes shall be permitted.
 3. All parking demand created by any use permitted by DCC 18.108.160 shall be accommodated on the subject premises entirely off-street.
 4. No use permitted by DCC 18.108.160 shall require the backing of traffic onto a public or private street or road right of way.
 5. No power lines shall be located in clear zones.
 6. No use shall be allowed which is likely to attract a large quantity of birds, particularly birds which normally fly at high altitudes.
- D. Dimensional Standards. In an A District, the following dimensional standards shall apply:
1. The minimum lot size shall be determined subject to the provisions of DCC 18.108.160 relative to setback requirements, off-street parking and loading requirements, lot coverage limitations or as deemed necessary by the Planning Director or Hearings Body to maintain air, land and water resource quality, protect adjoining and area land uses and to ensure resource carrying capacities are not exceeded.
 2. An airport related use or structure located adjacent to or across the street from an existing residential use or platted residential lot shall not exceed 70 percent lot coverage and shall require off-street parking and loading areas.
 3. The minimum setback between any structure and an arterial right of way shall be 100 feet. The minimum setback between any structure and a collector right of way shall be 50 feet. The minimum setback between any structure and all local streets shall be 20 feet.
 4. The minimum setback between any structure and a property line adjoining a residential use or lot shall be 50 feet.
 5. The minimum lot frontage shall be 50 feet.
 6. The minimum side setback between any structure and a property line shall be three feet, and the minimum total of both side setbacks shall be 12 feet.
 7. The minimum rear setback between any structure and a rear property line shall be 25 feet.
 8. Utility Runway Visual Approach Zone. Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary runway surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
 9. Runway Larger than Utility with a Visibility Minimum Greater than Three-Fourths Mile Nonprecision Instrument Approach Zone. Slopes 34 feet outward for each foot upward beginning at the end of and at the same elevation as the primary runway surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.
 10. Transitional Zones. Slopes seven feet outward for each foot upward beginning at the side of and at the same elevation as the primary runway surface and approach surface, and extending to a height of 150 feet above the airport elevation. In addition to the foregoing, there are established height limits beginning at the sides of and at the same elevation as they approach surface and extending to where they intersect the conical surface.
 11. Horizontal Zone. Established at 150 feet above the airport elevation.
 12. Conical Zone. Slopes 20 feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation.

(Ord. 97-078 §2, 1997)

18.108.170. Utility - U District.

- A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright:
1. Utility substation, utility equipment storage and repair yard, and pump station.

2. Sewage treatment facility.
 3. Utility transmission lines.
 4. Water treatment facility.
 5. Wells, pumping equipment and related facilities for the provision of water within the Sunriver UUC.
 6. Public buildings, public utility structures and yards, including railroad yards.
 7. Administrative, office and storage facilities appurtenant to a use permitted outright.
 8. Irrigation systems and irrigation ponds.
 9. Facilities similar to those listed above which are mandated by the Oregon Department of Environmental Quality (DEQ).
 10. Cable television facility, including but not limited to office and equipment buildings, satellite dish, antennas, etc.
 11. Wireless telecommunications facility.
 12. Microwave and radio communication towers.
- B. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 45 feet in height.
- C. Lot Requirements. The following lot requirements shall be observed:
1. Lot Area. No requirements.
 2. Lot Width. No requirements.
 3. Lot Depth. 100 feet.
 4. Front Yard. The front yard shall be a minimum of 10 feet.
 5. Side Yard. None, except when a side lot line is adjoining a lot in an RS or RM District, and then the side yard shall be a minimum of 10 feet. The required side yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.
 6. Rear Yard. None, except when a rear lot line is adjoining a lot in an RS or RM District, and then the rear yard shall be a minimum of 10 feet. The required rear yard shall be increased by one-half foot for each foot by which the building height exceeds 20 feet.
 7. Lot Coverage. No requirements.
- (Ord. 97-078 §2, 1997)

18.108.175. Utility – U District / Limited Use Combining District

A fire training facility is permitted subject to the applicable provisions of DCC 18.116 and 18.124.
(Ord. 2014-022 §1, 2014)

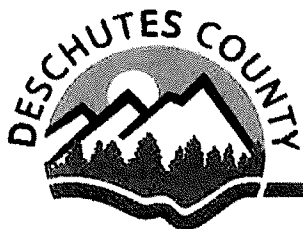
18.108.180. Forest - F District.

- A. Uses permitted outright. The following uses and their accessory uses are permitted outright, subject to applicable provisions of DCC 18.36, Forest Use-F1 Zone, and to applicable provisions of the comprehensive plan:
1. Forest operations or forest practices including, but not limited to, reforestation of forest land, road construction and maintenance, harvesting of a forest tree species, application of chemicals and disposal of slash.
 2. Temporary on-site structures which are auxiliary to and used during the term of a particular forest operation. As used here, temporary structures are those which are portable and/or not placed on a permanent foundation, and which are removed at the conclusion of the forest operation requiring its use.
 3. Physical alterations to commercial forest land auxiliary to forest practices including, but not limited to, those made for purposes of exploration, mining, commercial gravel extraction and processing, landfills, dams, reservoirs, road construction or recreational facilities. Gravel extraction and processing not covered by DCC 18.108.180 is governed by DCC 18.52.

4. Uses to conserve soil, air and water quality and to provide for wildlife and fisheries resources.
 5. Farm use as defined in ORS 215.203.
 6. Local distribution lines (e.g., electric, telephone, natural gas, etc.) and accessory equipment (e.g., electric distribution transformers, poles, meter cabinets, terminal boxes, pedestals), or equipment which provides service hookups, including water service hookups.
 7. Temporary portable facility for the primary processing of forest products. The facility shall not be placed on a permanent foundation and shall be removed at the conclusion of the forest operation requiring its use.
 8. Exploration for mineral and aggregate resources as defined in ORS 517.
 9. Towers and fire stations for forest fire protection.
 10. Widening of roads within existing rights of way in conformance with the transportation element of the comprehensive plan including public road and highway projects as described in ORS 215.283(1)(k) through (n).
 11. Water intake facilities, canals and distribution lines for farm irrigation and ponds.
 12. Uninhabitable structures accessory to fish and wildlife enhancement.
- B. Conditional uses permitted. The following uses and their accessory uses may be allowed in the Forest District, subject to applicable provisions of DCC 18.36, Forest Use-F1 Zone, and to applicable provisions of the comprehensive plan:
1. Television, microwave and radio communication facilities and transmission towers.
 2. Water intake facilities, related treatment facilities, pumping stations and distribution lines.
 3. Reservoirs and water impoundments.
 4. New electric transmission lines with right-of-way widths of up to 100 feet as specified in ORS 772.210. New distribution lines (e.g. electrical, gas, oil, geothermal) with rights of way 50 feet or less in width.
 5. Forest management research and experimentation facilities as defined by ORS 526.215 or where accessory to forest operations.
 6. Disposal site for solid waste, not including a land disposal site, for which the Oregon Department of Environmental Quality has granted a permit or a similar approval, together with equipment, facilities or buildings necessary for operation. Uses permitted under this category are limited to commercial composting, subject to DCC 18.128.015 and 18.128.120.
- (Ord. 2001-040 §1, 2001; Ord. 98-016 §2, 1998; Ord. 97-078 §2, 1997)

18.108.190. Flood Plain - FP Combining District.

- A. Designated Areas. The Flood Plain Combining District includes all areas within the Sunriver UUC designated as “Special Flood Hazard Areas” in the report entitled “The Flood Insurance Study for Deschutes County, Oregon and Incorporated Areas,” dated September 28, 2007, with accompanying flood insurance rate maps.
 - B. Conditional Uses. Uses permitted either outright or conditionally in the underlying district with which the FP Combining District is combined shall be allowed as conditional uses in the FP Combining District, subject to the provisions of DCC 18.108.190(C) and DCC 18.128 and other applicable sections of this title.
 - C. Use Limits. All uses proposed within the FP Combining District shall be subject to DCC 18.96.060 through 18.96.085 and DCC 18.96.100, 18.96.120 through 18.96.140.
 - D. Height Regulations. The height regulations for the FP Combining District shall be those which are established in the underlying district with which the FP Combining District is combined.
 - E. Lot Requirements. The lot dimension and yard requirements for the FP Combining District shall be those which are established in the underlying district with which the FP Combining District is combined.
- (Ord. 2007-019 §2, 2007; Ord. 97-078 §2, 1997)



PLAN/ZONE/TEXT AMENDMENT

ZONE MAP AMENDMENT: _____ FEE: _____	PLAN MAP AMENDMENT: _____ FEE: _____	TEXT AMENDMENT: _____ FEE: _____
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Applicant's Name (print): Wayne and Peggy Lowry Phone: (541) 647-2998

Mailing Address: 20585 Woodside North City/State/Zip: Bend / OR / 97702

Property Owner's Name (if different): _____ Phone: () _____

Mailing Address: _____ City/State/Zip: _____

Property Description: Township _____ Range _____ Section _____ Tax Lot _____

Lot of Record? (state reason): NA - Legislative Text Amendment

Current Zoning: NA Proposed Zoning: NA

Current Plan Designation: NA Proposed Designation: NA

Applicable State Goals: 1, 2, 9 Exception Proposed? Yes No

Size of Affected Area: _____ Acres

INSTRUCTIONS FOR COMPLETING THIS APPLICATION:

1. Complete this application form including the appropriate signatures. If color exhibits are submitted, black and white copies with captions or shading delineating the color areas shall also be provided.
2. Include a detailed statement describing the proposal and how it meets all requirements of the appropriate State rules and statutes, and County codes and Comprehensive Plan policies. Text amendment applications must include the proposed language and the basis for the change.
3. If multiple properties are involved in this application, then identify each property on a separate page and follow with the property owners' signatures.
4. Submit the correct application fee.
5. Submit a copy of the current deed(s) for the property(ies).

A PRE-APPLICATION APPOINTMENT IS REQUIRED FOR ALL AMENDMENTS

Applicant's Signature: *Wayne Lowry* Date: 2/6/18

Property Owner's Signature (if different)*: _____ Date: _____

Agent's Name (if applicable): Blackmore Planning and Development Services, LLC Phone: (541) 419-1455

Mailing Address: 19454 Sunshine Way City/State/Zip: Bend / OR / 97702

***If this application is not signed by the property owner, a letter authorizing signature by the applicant must be attached. By signing this application, the applicant understands and agrees that Deschutes County may require a deposit for hearings officers' fees prior to the application being deemed complete; and if the application is heard by a hearings officer, the applicant will be responsible for the actual costs of the hearings officer.**

Burden of Proof Statement
Deschutes County Zoning Ordinance Text Amendment
Sunriver Unincorporated Community - Business Park District

Applicant #1: Wayne and Peggy Lowry
20585 Woodside North Drive
Bend, OR 97702

Applicant #2: Donald Pope
5053 Foothills, Unit E
Lake Oswego, OR 97034

Planning Consultant: Blackmore Planning and Development Services, LLC
Greg Blackmore, Principal Planner
19454 Sunshine Way
Bend, OR 97702

Request: Amendment to the Deschutes County Zoning Ordinance Section 18.108.110 (A), to identified preschools, child care facilities, and nurseries as permitted uses in the Sunriver Urban Unincorporated Community Business Park District.

I. Applicable Criteria, Standards, and Procedures:

Title 18 - Deschutes County Zoning Ordinance

- Chapter 18.04 - Title, Purpose and Definitions
- Chapter 18.108 - Unincorporated Community Zone - Sunriver
- Chapter 18.136 - Amendments

Title 22 - Deschutes County Development Procedures Ordinance

- Chapter 22.04 - Introduction and Definitions
- Chapter 22.08 - General Provisions
- Chapter 22.12 - Legislative Procedures

Deschutes County Comprehensive Plan

Oregon Statewide Planning Goals

II. General Facts:

1. BACKGROUND: This application originated from a desire to address the need for childcare in Deschutes County (generally) and in Sunriver (in particular). While searching properties for a child care facility in the Sunriver area, the applicant located a property located at 56890 Venture that is well suited for the use. In fact, in 1989, the referenced property received Conditional Use and Site

Plan approval for a child care center. However the child care center use was never initiated and subsequent to approval (in 1997) the Sunriver Urban Unincorporated Community was established, with a Business Park District that did not identify child care centers as permitted uses. Given that the applicant desires to provide child care in Deschutes County and Sunriver, a text amendment (as proposed) has been determined to be a viable, reasonable and logical solution.

2. SUNRIVER BUSINESS PARK DISTRICT LOCATION: The Sunriver Urban Unincorporated Community Business Park District lies at the southern end of the Sunriver Unincorporated Community boundary. It is physically separated from the majority of the Sunriver Unincorporated Community by Spring River Road.



3. SUNRIVER BUSINESS PARK DISTRICT USES: The Sunriver Urban Unincorporated Community Business Park District was originally created to accommodate light industrial development, to support the employment needs of the community and surrounding area. However, the Deschutes County

Comprehensive Plan notes, since the inception of zoning regulations for Sunriver, development in the Business Park District has been primarily commercial in nature, rather than industrial. Existing uses include a mix of retail, office, restaurant and other commercial uses. Also, a portion of the Three Rivers Elementary School is located within the northern portion of the Business Park District.

4. SURROUNDING ZONING AND DEVELOPMENT: The Sunriver Urban Unincorporated Community Business Park District is surrounded by the Sunriver Urban Unincorporated Community to the north and west and Forest Zoned (F-2) lands to the south and east. The nearby properties of the Sunriver Urban Unincorporated Community include:

- North and West
 - Community Neighborhood (SUCN) District (south of Spring River Road); developed with the Three Rivers Elementary School
 - Single Family Residential (SURS) District (north of Spring River Road); developed with single-family homes
 - Multi-family Residential (SURM) District (north and west of Spring River Road); developed with townhouses
 - Community Recreation (SUCR) District (west of Spring River Road); developed with tennis courts
 - Community Limited (SUCL) District (to the west, on the east side of Spring River Road); owned by Mid-State Electric and providing access to a power substation.
- South and East
 - The properties to the south are zoned Forest (F-2) and developed with open space, a golf course and residential uses of Caldera Springs.
 - There is an area of Multi-family Residential (SURM) District to the south that is developed with the Powder Village Condominiums.
 - A large property to the southeast is Zoned Forest (F-2) and undeveloped
 - The property to the east is zoned Forest (F-2) and maintained as a portion of the Deschutes National Forest.

5. PROPOSAL: Amendment to the Deschutes County Zoning Ordinance Section 18.108.110 (A), to identified preschools, child care facilities, and nurseries as permitted uses in the Sunriver Urban Unincorporated Community Business Park District.

6. EXHIBITS: In addition to this burden of proof statement, the applicant submits the following Exhibits in support of this proposal:

- Application Form and Fee
- Area Map

- Article - BUILDing Strong Foundations - Build Initiative, August 27, 2018
- Article - Mapping America's Child Care Deserts - Center for American Progress
- Article - Bend Bulletin - "Many Oregon kids aren't in preschool", June 18, 2018
- Article - Bend Bulletin - "Child care policies headed for Bend City Council", June 28, 2018
- Article - Bend Bulletin - "In Bend, child care may be harder to find than housing", June 19, 2018
- Article - KTVZ - "Effort underway to ease Central Oregon 'child care desert'", November 8, 2018
- Article - KTVZ - "Bend Chamber survey: Child care issues impact business", July 9, 2018
- Email from Denise Hudson, Child Care Resource Specialist - NeighborImpact, December 05, 2018
- Email from Carol Petersen - State of Oregon - Child Care Specialist, November 29, 2018
- Email from Molly Hartley, Director of People Services - Sunriver Resort, November 29, 2018
- Census Data
- Deschutes County Decision SP-89-45 and CU-89-76

III. DESCHUTES COUNTY ZONING ORDINANCE

TITLE 18 OF THE DESCHUTES COUNTY CODE, COUNTY ZONING.

A. CHAPTER 18.04, TITLE, PURPOSE AND DEFINITIONS

Response: This section provides introductory information, a purpose statement and definitions. While nothing in this chapter establishes approval criteria or review standards, this section includes definitions that are relevant to this application, namely:

"Child care center" means a child care facility that is certified to care for thirteen or more children or a child care facility that was not constructed as single family home that is certified to care for 12 or fewer children.

"Nursery, day" means a facility providing day care to three or more children, aged 14 years or under, but not including any:

- A. Facility providing care that is primarily educational unless provided to a preschool child for more than four hours a day;
- B. Facility providing care that is primarily supervised training in a specific subject, including but not limited to dancing, drama, music

- C. Facility providing care that is primarily an incident of group athletic or social activities sponsored by or under the supervision of an organized club or hobby group;
- D. Facility operated by a school district or governmental agency; or
- E. Residential facility licensed under ORS 443.400 to 443.445 and 443.991(2).

B. CHAPTER 18.108 - UNINCORPORATED COMMUNITY ZONE - SUNRIVER

1. Section 18.108.010, Purpose

The purpose of the Urban Unincorporated Community (UUC) Zone - Sunriver is to provide standards and review procedures for the future development of the urban unincorporated community of Sunriver. The UUC Zone -Sunriver is composed of 17 separate zoning districts and one combining zone district, each with its own set of allowed uses and distinct regulations, as further set forth in DCC 18.108.

Response: This purpose statement does not include any approval criteria.

2. Section 18.108.020, Standards in All Districts

A. Approval Required. Any use in an RM, C, R, TC, RA, RG, RE, RN, BP, CG, CR, CL, CN, A, U or F District shall be subject to DCC 18.124. All uses listed as conditional uses within the RS District are also subject to the requirements of DCC 18.124.

Response: The applicant is requesting a text amendment to allow child care centers and nurseries in the Business Park (BP) District of the Sunriver Urban Unincorporated Community. The applicant is requesting that the uses be permitted outright, which pursuant to this section, would require review under DCC 18.124.

B. Solar Setbacks.

- 1. **The setback from the north lot line shall meet the solar setback requirements of DCC 18.116.180, with the exception of land in the TC District described in subsection (B)(2), below.**
- 2. **The development of land located within the TC District is exempt from the requirements of the solar setback requirements of DCC 18.116.180 unless a proposed building casts a shadow on land:**

- a. Located outside of the C or TC Districts, other than roadway areas; or
 - b. Described in DCC 18.108.050(C)(1) as eligible for residential development.
3. All development shall take advantage of passive solar to the extent practicable.

C. Building Code Setbacks. In addition to the setbacks set forth herein, any greater setbacks required by applicable building or structural codes adopted by the State of Oregon and/or Deschutes County under DCC 15.04 shall be met.

D. Off-Street Parking and Loading. Off-street parking and loading shall be provided subject to the parking provisions of DCC18.116.

E. Outdoor Lighting. All outdoor lighting shall be installed in conformance with DCC 15.10.

F. Excavation, Grading and Fill and Removal. Excavation, grading and fill and removal within the bed and banks of a stream or river or in a wetland shall be subject to DCC 18.120.050 and/or DCC 18.128.270.

G. Signs. All signs shall be constructed in accordance with the provisions of DCC 15.08.

Response: The standards of subsections (B)-(F) apply to development. The proposal does not include any development. These standards are not applicable to the "use-specific" legislative text amendment that is currently proposed.

3. Section 18.108.110, Business Park - BP District

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

- 1. Residential uses existing as of March 31, 1997.
- 2. Administrative, educational and other related facilities in conjunction with a use permitted outright.
- 3. Library.
- 4. Recreational path.
- 5. Post office.
- 6. Church in building or buildings not exceeding 5,000 square feet of floor area.
- 7. A building or buildings each not exceeding 8,000 square feet of floor space housing any combination of: Retail/rental store, office and service establishment, including but not limited to the following:

- a. **Automobile, motorcycle, boat, recreational vehicle, trailer or truck sales, rental, repair or maintenance business, including tire stores and parts stores.**
- b. **Agricultural equipment and supplies.**
- c. **Carwash**
- d. **Contractor's office, including but not limited to, building, electrical, plumbing, heating and air conditioning, painter, etc.**
- e. **Construction equipment sales, rental and/or service.**
- f. **Exterminator services.**
- g. **Golf cart sales and service.**
- h. **Lumber yard, home improvement or building materials store.**
- i. **House keeping and janitorial service.**
- j. **Dry cleaner and/or self-service laundry facility.**
- k. **Marine/boat sales and service.**
- l. **Restaurant, bar and cocktail lounge including entertainment.**
- p. **Marijuana processing cannabinoid concentrates and cannabinoid products, subject to the provisions of DCC 18.116.330.**
- q. **Marijuana wholesaling, office only. There shall be no storage of marijuana items or products at the same location.**

8. A building or buildings each not exceeding 20,000 square feet of floor space housing any combination of:

- a. **Scientific research or experimental development of materials, methods or products, including engineering and laboratory research.**
- b. **Light manufacturing, assembly, fabricating or packaging of products from previously prepared materials, including but not limited to cloth, paper, leather, precious or semi-precious metals or stones, etc.**
- c. **Manufacture of food products, pharmaceuticals and the like, but not including the production of fish or meat products, or the rendering of fats and oils.**
- d. **Warehouse and distribution uses in a building or buildings each less than 10,000 square feet of floor area.**

B. Conditional Uses Permitted. The following conditional uses may be permitted subject to DCC 18.128 and a conditional use permit:

- 1. Public buildings and public utility structures and yards, including railroad yards.**

2. A dwelling unit for a caretaker or watchman working on a developed property.
3. Law enforcement detention facility.
4. Parking lot.
5. Radio and television broadcast facilities.
6. A building or buildings each not exceeding 8,000 square feet of floor space housing any combination of:
 - a. Bowling alley.
 - b. Theater.
 - c. Veterinary clinic and/or kennel.
 - d. Marijuana processing including cannabinoid extracts, subject to the provisions of DCC 18.116.330.
 - e. Marijuana retailing, subject to the provisions of DCC 18.116.330.
7. A building or buildings each not exceeding 20,000 square feet of floor space housing any combination of:
 - a. Warehouses and distribution uses in a building or buildings exceeding 10,000 square feet of floor area.
 - b. Distillery and beer/ale brewing facility, including wholesales ales thereof.
 - c. Self/ministorage.
 - d. Trucking company dispatch/terminal.
 - e. Solidwaste/garbage operator, not including solid waste disposal or other forms of solid waste storage or transfer station.

Response: As detailed in these sections, the Sunriver Business Park District does not currently permit child care centers or nurseries, either outright or with a Conditional Use Permit. This application proposes to add child care centers and nurseries as permitted uses under DCC 18.108.110(A).

C. Use Limits. The following limitations and standards shall apply to uses listed in DCC 18.108.110(A) or (B):

1. A use expected to generate more than 30 truck-trailer or other heavy equipment trips per day to and from the subject property shall not be permitted to locate on a lot adjacent to or across the street from a lot in a residential district.
2. Storage, loading and parking areas shall be screened from residential zones.
3. No use requiring air contaminant discharge permits shall be approved by the Planning Director or Hearings Body prior to review by the applicable state or federal permit

Response: The proposal would not alter these standards. Additionally, child care centers and/or nurseries are not uses that are expected to trigger these use

limitations¹.

D. Special Requirements for Large Scale Uses. Any of the uses listed in DCC 18.108.110(A)(6) or (B)(6) may be allowed in a building or buildings each exceeding 8,000 square feet of floor space if the Planning Director or Hearings Body finds:

1. That the intended customers for the proposed use will come from the community and surrounding rural area, or the use will meet the needs of the people passing through the area. For the purposes of DCC 18.108.110, the surrounding rural area shall be that area identified as all property within five miles of the boundary of the Sunriver Urban Unincorporated Community;
2. The use will primarily employ a workforce from the community and surrounding rural area; and
3. That it is not practical to locate the use in a building or buildings under 8,000 square feet of floor space.

Response: The proposal would not alter these standards. Additionally, child care centers and/or nurseries are not uses that are expected to be large scale uses².

E. Height Regulations. No building or structure shall be hereafter erected, enlarged or structurally altered to exceed 45 feet in height.

F. Lot Requirements. The following lot requirements shall be observed:

1. Lot Area. No requirements.
2. Lot Width. No requirements.
3. Lot Depth. Each lot shall have a minimum depth of 100 feet.
4. Front Yard. The front yard shall be a minimum of 25 feet.

¹ In the event the size and scale of a future child care center or nursery did trigger these use

² In the event the size and scale of a future child care center or nursery did trigger these provisions, they would apply.

5. **Side Yard.** No side yard required, except when adjoining a lot in an RS or RM District and then the required side yard shall be 50 feet. No side yards are required on the side of a building adjoining a railroad right of way.
6. **Rear Yard.** No rear yard required, except when adjoining a lot in an RS or RM District and then the rear yard shall be 50 feet. No rear yard is required on the side of a building adjoining a railroad right of way.
7. **Lot Coverage.** The maximum lot coverage by buildings and structures shall be 50 percent of the total lot area.

Response: These standards apply to development and would not be altered by the proposed "use" text amendment.

C. CHAPTER 18.136 - AMENDMENTS

1. Section 18.136.010, Amendments

DCC Title 18 may be amended as set forth in DCC 18.136. The procedures for text or legislative map changes shall be as set forth in DCC 22.12. A request by a property owner for a quasi-judicial map amendment shall be accomplished by filing an application on forms provided by the Planning Department and shall be subject to applicable procedures of DCC Title 22.

Response: As detailed below, the proposal conforms to the provisions of DCC 18.136, as they are not applicable. Furthermore, a review of DCC 22.12 is included in Section IV below. As detailed in that section, it is anticipated that the County will review the application in accordance with all applicable procedures of that DCC 22.12. Given compliance with this DCC 18.136, and anticipated compliance with the procedures of DCC 22.12 (which are carried out by the County), the proposal complies with this section.

2. Section 18.136.020, Rezoning Standards

3. Section 18.136.030, Resolution of Intent to Rezone

Response: The application does not include a rezone; therefore these sections do not apply.

IV. DESCHUTES COUNTRY PROCEDURES ORDINANCE **TITLE 22 OF THE DESCHUTES COUNTY CODE, DEVELOPMENT** **PROCEDURES ORDINANCE.**

A. CHAPTER 22.12 - LEGISLATIVE PROCEDURES

1. Section 22.12.010, Hearing Required

No legislative change shall be adopted without review by the Planning Commission and a public hearing before the Board of County Commissioners. Public hearings before the Planning Commission shall be set at the discretion of the Planning Director, unless otherwise required by state law.

2. Section 22.12.020, Notice.

A. Published Notice.

1. **Notice of a legislative change shall be published in a newspaper of general circulation in the county at least 10 days prior to each public hearing.**
2. **The notice shall state the time and place of the hearing and contain a statement describing the general subject matter of the ordinance under consideration.**

B. Posted Notice. Notice shall be posted at the discretion of the Planning Director and where necessary to comply with ORS 203.045.

C. Individual Notice. Individual notice to property owners, as defined in DCC 22.08.010(A), shall be provided at the discretion of the Planning Director, except as required by ORS 215.503.

D. Media Notice. Copies of the notice of hearing shall be transmitted to other newspapers published in Deschutes County.

Response: The procedures identified in these sections are required to be carried out by Deschutes County. It is expected that the procedures of this section will be followed in the processing of this application.

3. 22.12.030, Initiation of Legislative Changes.

A legislative change may be initiated by application of individuals upon payment of required fees as well as by the Board of Commissioners or the Planning Commission.

Response: The application is being initiated by individuals, as evidenced by the application form and payment of fees. Individuals are allowed to submit for a legislative text amendment, as detailed in this section.

4. Section 22.12.040, Hearings Body.

A. The following shall serve as hearings or review body for legislative changes in this order:

- 1. The Planning Commission.**
- 2. The Board of County Commissioners.**

B. Any legislative change initiated by the Board of County Commissioners shall be reviewed by the Planning Commission prior to action being taken by the Board of Commissioners.

Response: The applicant anticipates that the text amendment application will be heard first by the Planning Commission and then by the Board of County Commissioners. The application is initiated by individuals; therefore subsection B is not applicable.

5. Section 22.12.050. Final Decision.

All legislative changes shall be adopted by ordinance.

Response: It is expected that the text amendment, once approved, will be adopted by ordinance, as required by this section,

6. Section 22.12.060. Corrections.

The County's comprehensive plans and zoning ordinances, subdivision ordinance, and development procedures ordinance may be corrected by order of the Board of County Commissioners to cure editorial and clerical errors.

Response: The proposal is not submitted to cure an editorial or clerical error; therefore this section does not apply.

V. DESCHUTES COUNTY COMPREHENSIVE PLAN

While not specifically referenced as an approval criterion of any Section of the Zoning or Procedures Ordinances, Legislative Amendments require review for consistency with the Deschutes County Comprehensive Plan. This section addresses the relevant provisions of the Comprehensive Plan.

The Deschutes County Comprehensive Plan is a statement of issues, goals and policies meant to guide the future of land use in the County. The Comprehensive Plan is intended to recognize the expectations and rights of property owners and the community as a whole.

As noted in the Comprehensive Plan Introduction, the Comprehensive Plan is a tool for addressing changing conditions, markets and technologies. The plan is used in multiple ways, including:

- To strengthen communication with the public.

- To guide public decisions on land use policy when developing land use codes, such as zoning or land divisions.
- As a basis for the development of public programs and budgets.
- As a basis for the measurement and evaluation of changes in the physical, social, environmental or economic makeup of the County. Modifications of the Plan itself may result from this process.
- To promote inter-government coordination, collaboration and partnerships.

The Plan does not prioritize one goal or policy over another. Implementation of the plan requires flexibility because the weight given to the goals and policies will vary based on the issue being addressed. The Plan is not intended to be used to evaluate specific development projects. Instead, the Plan is a 20-year blueprint to guide growth and development.

The Deschutes County Comprehensive Plan is organized into five chapters:

- *Chapter 1* Comprehensive Planning
- *Chapter 2* Resource Management
- *Chapter 3* Rural Growth Management
- *Chapter 4* Urban Growth Management
- *Chapter 5* Supplemental Sections

Chapters 1-4 contain the following:

Background: Information providing context for the reason and process for including the goals and policies.

Goals: A general description of what Deschutes County wants to achieve. The County will direct resources and/or support partner agencies and organizations to implement the goals over the 20-year Plan timeframe.

Policies: Statements of principles and guidelines to aid decision making by clarifying and providing direction on meeting the Goals.

References: A list of resources used in the preparation of each chapter is included at the end of each chapter.

The Comprehensive Plan establishes Goals and Policies at the end of each chapter and Section. The Applicant has consulted with the County Planning Department in the preparation of this application and in identifying the relevant Comprehensive Plan Goals and Policies. As described below, the proposed Text Amendments conform to all relevant Comprehensive Plan Goals and Policies. In the event that the Planning Director or other interested party believes that additional Goals or Policies are relevant and warrant discussion, the Applicant will supplement the record with written documentation of conformance, as necessary.

Chapter 1 Comprehensive Planning

Section 1.1 Introduction

The Introduction Section provides background information, a purpose statement, summary data, a legal framework of the Comprehensive Plan, information about Statewide Planning Goals, a history of the planning commission, a summary of the plan development process, and information regarding future updates. This section does not include any goals or policies; therefore it does not include any principles or guidelines to assess consistency with.

Section 1.2 Community Involvement

The Community Involvement section describes the Community Involvement program in Deschutes County. The Goals and Policies of this section strive to ensure an active and open community involvement program. The application is being processed in accordance with the procedures in the adopted Deschutes County Procedures Ordinance, which implement these Goals and Policies, as well as all applicable State Statutes and Rules. Processing this Zoning Ordinance Text Amendment application in accordance with the adopted Deschutes County Land Use Procedures Ordinance will ensure consistency with the Goals and Policies of this Section.

Section 1.3 Land Use Planning

This section details land ownership in Deschutes County, jurisdictional authority within the County, Comprehensive Plan designations, zoning, and intergovernmental coordination. As it relates to the current Zoning Ordinance Text Amendment, this section requires that the land use decision is made "based on an adequate factual basis". The adopted and acknowledged Deschutes County Zoning Ordinance and Deschutes County Land Use Procedures Ordinance have been adopted to ensure decisions are based upon a factual basis. The application is being processed in accordance with the adopted Land Use Procedures Ordinance, which is consistent with these Goals and Policies, as well as all applicable State Statutes and Rules. Processing the application in accordance with the adopted Zoning and Land Use Procedures Ordinances will ensure consistency with the Goals and Policies of this Section.

Chapter 2 Resource Management

Resources identified in this Chapter include:

- . Agricultural Lands
- . Forest Lands
- . Goal 5 Resources
- . Water Resources
- . Wildlife Resources

- . Open Space, Scenic Views and Sites
- . Energy Resources
- . Environmental Quality
- . Mineral and Aggregate Resources
- . Historic and Cultural Resources

The Sunriver Business Park District is only located within an Urban Unincorporated Community, thus changes thereto will not impact Agricultural or Forest resource lands. Furthermore, Goals and Policies of these sections are implemented through development standards of the Deschutes County Zoning Ordinance, along with actions of Deschutes County. Allowing new uses (child care centers and nurseries) in the Sunriver Business Park District will not impact any resource land or resources that are referenced in this Chapter.

Chapter 3 Rural Growth Management

This Chapter addresses development within rural portions of Deschutes County. The zone that is proposed to be modified is the Sunriver Business Park District, a District within an Urban Unincorporated Community. The Sunriver Urban Unincorporated Community Business Park District is a type of urban development (directed by Chapter 4 Urban Growth Management) and not Rural Development (directed by this chapter). Therefore, the provisions of this chapter are not applicable to the current Zoning Ordinance Text Amendment proposal.

Chapter 4 Urban Growth Management **Section 4.1 Introduction**

This Section addresses Cities with Urban Growth Boundaries and Urban Reserve Areas within Deschutes County, in addition to locations around the County that contain urban levels of development. As noted on Page 2 of Section 4.1

These areas [areas that contain urban levels of development] generally existed before the Oregon land use system was enacted in the early 1970s. In 1994 the Land Conservation and Development Commission wrote a new Oregon Administrative Rule (OAR), 660-22, to classify and regulate these unincorporated communities. The OAR created four categories of unincorporated communities and required the County to evaluate existing rural developments under the new Rule.

Purpose

The Urban Growth Management chapter, in concert with the other chapters of this Plan, specifies how Deschutes County will work with cities and unincorporated communities to accommodate growth while preserving rural character and resource lands.

This Chapter contains background information, along with Goals and Policies that are most relevant and applicable to the current Zoning Ordinance text amendment application.

Section 4.2 Urbanization

This section addresses coordination of Urban Growth Boundaries and Urban Reserve Areas. The currently proposed Zoning Ordinance Text Amendment affects only the Business Park District of the Sunriver Urban Unincorporated Community. The proposal does not affect the types of urbanized areas addressed in this section; therefore this Section does not apply.

Section 4.3 Unincorporated Communities

This section provides a history and background of the establishment of Unincorporated Communities within and around Deschutes County. Table 4.3.1 identifies Sunriver as an Urban Unincorporated Community that was approved in 1997. This Section notes that policies for unincorporated communities are individually established for each unincorporated community.

Section 4.5 Sunriver

This section discusses location, history, population, growth, land uses, public services and facilities, and Comprehensive Plan designations, within the Sunriver Urban Unincorporated Community.

A few items to note regarding the Sunriver Urban Unincorporated Community:

From the Comprehensive Plan

- During the establishment of the Sunriver Urban Unincorporated Community designation and zoning process (in the early 1990's), Community Stakeholders specifically elected to be considered an Unincorporated Community instead of a Resort Community because the Unincorporated Community designation provided the greatest degree of flexibility for future growth and development.
- In 1997, a 1982 Master Plan was repealed and replaced with Comprehensive Plan findings and policies for the Sunriver Unincorporated Community.
- In 2008 Sunriver Urban Unincorporated Community Provisions of the Comprehensive Plan and Zoning Ordinance were updated to provide guidelines related to the restructuring the core commercial area. This was accomplished through the creation of a new Town Center District.
- In terms of population and growth
 - 2010 County GIS data showed Sunriver having 4,138 residential tax lots. 182 residential lots were vacant.
 - [In 2010] The Sunriver Owners Association estimated the number of homes with permanent residents at 475.
 - The Deschutes County 2004 Coordinated Population Forecast

estimates 1.9 persons/household. Using the estimate of 475 full-time dwellings, a permanent population of around 900 persons was estimated.

- The predominant land use in Sunriver is residential, the majority of which is single-family residential development. However, since Sunriver was originally developed as a planned community, a number of other uses exist, making it somewhat self-reliant. Uses which support the residential components include a commercial core, which contains a variety of retail businesses developed in a pedestrian mall setting, as well as a business park. A large component of development in Sunriver includes resort related amenities such as golf courses, a lodge, convention facilities and overnight accommodations. A fire station, police station and public works facility have also been developed to support these uses.

Additional Information

- Permanent residents of Sunriver are currently estimated at 957 by the US Census (see Census Exhibit)
- Employment in the Sunriver is estimated at 500 employees in the non-peak season and 950 in the peak season (See Molly Hartley email Exhibit)
- Number of licensed child care providers Sunriver (see Carol Petersen email Exhibit)
- In addition to Sunriver, the surrounding residential development (including platted lots and Caldera) continue to grow
- Within the Sunriver Urban Unincorporated Community child care uses are permitted within only the Commercial District, the Town Center District and the Community Neighborhood District
- While child care centers are permitted in the Town Center District, the 2008 changes to Town Center have refocused development in those areas on tourism and tourists, decreasing the ability to provide child care.

The Comprehensive Plan Designation for the Business Park District states:

The Sunriver Business Park lies at the southern end of the community boundary and is physically separated from the remainder of the community by Spring River Road. This plan designation was originally created to accommodate light industrial development to support the employment needs of the community and surrounding area. Since the inception of zoning regulations for this area, development has been primarily commercial in nature rather than industrial. The zoning ordinance was modified in 1997 to reflect the existing businesses and the trend for commercial development while still allowing for industrial uses to develop.

Ultimately, while the Business Park designation was originally established to accommodate industrial style development, the facts are:

- Population is growing
- Employment is growing
- The type of employment opportunities are more focused on commercial, recreation and tourism than industrial
- The need and appropriateness for child care facilities in the Business Park District is increased.

Below is a list of the general Urban Unincorporated Community Policies, along with Sunriver specific Urban Unincorporated Community Policies, and responses thereto.

Goals and Policies No goals have been defined for the Sunriver Urban Unincorporated Community.

Policy 4.5.1 Land use regulations shall conform to the requirements of OAR 660 Division 22 or any successor.

Response: OAR 660 Division 22 addresses Unincorporated Communities and the provisions of OAR 660-022 allow for commercial uses, without Goal Exceptions. Child care centers and nurseries are permitted within Unincorporated Communities (in general) and the Sunriver Unincorporated Community (in particular), as evidenced by the fact that child care facilities are permitted within the Commercial, Town Center, and Community Neighborhood Districts of the Sunriver Urban Unincorporated Community. The proposed text amendment therefore conforms to OAR 660 Division 22 and with this reference policy.

Policy 4.5.2 County comprehensive plan policies and land use regulations shall ensure that new uses authorized within the Sunriver Urban Unincorporated Community do not adversely affect forest uses in the surrounding Forest Use Zones.

Response: The proposal does not modify any comprehensive plan policy and only makes a slight modification to the land use regulation that directs uses within Business Park District of the Sunriver Urban Unincorporated Community. The Sunriver Urban Unincorporated Community allows the proposed use within other districts, including the Commercial, Town Center, and Community Neighborhood Districts. Thus, the use has not been determined to adversely affect forest uses in the surrounding Forest Use Zone and the proposal is consistent with this policy.

Policy 4.5.3 To protect scenic views and riparian habitat within the community, appropriate setbacks shall be required for all structures built on properties with frontage along the Deschutes River.

Response: The proposal does not alter setbacks; therefore is consistent with

this policy.

Policy 4.5.4 Open space and common area, unless otherwise zoned for development, shall remain undeveloped except for community amenities such as bike and pedestrian paths, and parks and picnic areas.

Response: The proposal will not impact open space or common areas; therefore is consistent with this policy.

Policy 4.5.5 Public access to the Deschutes River shall be preserved.

Response: The proposal will not impact access to the Deschutes River; therefore is consistent with this policy.

Policy 4.5.6 The County supports the design review standards administered by the Sunriver Owners Association.

Response: The use within a building does not impact the design; therefore the proposal is consistent with this policy.

Business Park District Policies

Policy 4.5.16 A variety of commercial uses which support the needs of the community and surrounding rural area, and not uses solely intended to attract resort visitors, should be encouraged.

Response: As evidenced by the attached Exhibits and comments above, there is a documented need for child care in Deschutes County and Sunriver. Child care is a supportive commercial use that directly accommodates the needs of the Sunriver community and the surrounding area. Given that the proposed uses enhance the variety of commercial uses in the Business Park District and will support the needs of the Sunriver community and surrounding area, this policy indicates that the new uses should be encouraged.

Policy 4.5.17 Allow small-scale, low-impact commercial uses in conformance with the requirements of OAR Chapter 660, Division 22. Larger more intense commercial uses shall be permitted if they are intended to serve the community, the surrounding rural area and the travel needs of people passing through the area.

Response: The typical size of a child care facility is 2,000-4,000 square feet in size; child care facilities are generally small scale and low impact. As evidenced by the fact that the use is permitted within other Districts of the Sunriver Urban Unincorporated Community Zone, the use is permitted by OAR Chapter 660 Division 22. Furthermore, as detailed above, DCC 18.108.110 includes provisions for larger more intense commercial uses. In the event that the size

and scale of a proposed child care center or nursery was found to be a "larger more intense" use, then the adopted development standards of, DCC 18.108.110 would apply, to implement conformance with this policy. The proposed use in addition to the adopted Zoning Ordinance Provisions therefore assures conformance with this policy.

Policy 4.5.18 Small-scale, low-impact industrial uses should be allowed in conformance with the requirements of OAR Chapter 660, Division 22.

Response: The proposed uses are not industrial uses; therefore this policy is not applicable.

Chapter 5 Supplemental Sections

This chapter provides supplemental elements and information, none of which are directly applicable to the current proposal.

VI. STATEWIDE PLANNING GOALS

While not specifically referenced in any Zoning or Land Use Procedures Ordinance, Legislative Amendments, including Text Amendments are required to be reviewed for consistency with Oregon's Statewide Planning Goals. This section addresses the relevant Statewide Planning Goals. In the event that the Planning Director or other interested party believes that additional Goals Statutes, or Rules are relevant and warrant discussion, the Applicant will supplement the record with written documentation of conformance, as necessary.

Goal 1 - Citizen Involvement

Response: Goal 1 establishes that a jurisdiction's planning process must involve the citizenry generally, and more specifically calls for any adopted comprehensive plan to include a strategy which clearly defines the processes by which the public will be involved in the on-going planning process. Consistency with this goal requires that a system of citizen outreach, notification, and public meetings or hearings be established to review quasi-judicial and legislative land use actions.

Deschutes County has adopted procedural requirements for amending the Zoning Ordinance text. As these procedural requirements are part of the acknowledged comprehensive plans of Deschutes County, an application processed under these auspices are by implication consistent with Goal 1. For these reasons, the proposal is consistent with Goal 1.

Goal 2 – Land Use Planning

Response: Goal 2 is the primary framework upon which all other planning goals rest. It requires that local governments establish a comprehensive plan and implementing measures to govern the uses of land within their jurisdiction and which may be urbanized in the future. It also requires that land use decisions be made "based on an adequate factual basis." Evaluation of a particular proposal in term of Goal 2 is based on two important considerations: 1. the local government's own land use plan, and 2. the extent to which the proposal is consistent with that plan or other applicable planning framework. Goal 2 also sets forth criteria for allowing an exception to other statewide planning goals, but such an exception is not requested in this case as the proposal is to modify a Zoning Ordinance text within an Unincorporated Community.

Deschutes County has an acknowledged comprehensive plan, as required by Goal 2. The plan is implemented by zoning codes, growth management mechanisms, and environmental regulations, all of which have been acknowledged for Goal consistency purposes. Furthermore, implementation programs include established decision-making criteria, which require that proposals demonstrate compliance with applicable review criteria for all land use decisions. This proposal includes comprehensive evaluation of the proposal in terms of all applicable elements of the county's comprehensive plan. The Zoning Ordinance Text Amendment relies upon evidence in the record, which includes evidence of the need and benefit. In summary, sufficient evidence has been provided to demonstrate that the Zoning Ordinance Text Amendment can be reviewed and approved through a planning process and policy framework that is appropriate under Goal 2 and the decision to amend the text has an adequate factual base. For this reason and because the proposal is based on an acknowledged comprehensive plan, it is consistent with Goal 2.

Goal 3 - Agricultural Land

Response: The proposal adds uses allowed within Business Park District of the Sunriver Urban Unincorporated Community; it does not impact Agricultural Lands.

Goal 4 - Forest Land

Response: The proposal adds uses allowed within Business Park District of the Sunriver Urban Unincorporated Community; it does not impact Forest Lands.

Goal 5 - Natural Resources

Response: Goal 5 is a wide-ranging policy initiative intended to protect natural resources and open spaces, and is typically implemented through inventories of significant natural resources, including streams, riparian corridors, and wetlands, and establishing development standards intended to protect such resources. The proposal adds uses allowed within Business Park District of the Sunriver Urban Unincorporated Community; it does not impact any natural resources.

Goal 6 – Air, Water, and Land Resource Quality

Response: Intended to “maintain and improve the quality of the air, water and land resources,” Goal 6 primarily addresses site-specific pollution generators and wastewater discharges, and requires cities to only allow development where sewerage is available and, in the case of pollution-causing uses, where such activities would have the lowest possible impact on air, water, and land resources. Like most jurisdictions throughout Oregon, the County has adopted policies to protect these resources and to situate pollution-causing development accordingly.

The adopted regulations of the County ensure consistency with Goal 6.

Goal 7 - Areas Subject to Natural Hazards

Response: Goal 7 requires local governments to adopt comprehensive plans intended to reduce the risk to people and property from natural hazards, including floods, landslides, earthquakes, wildfires, and erosion.

The proposal adds uses allowed within Business Park District of the Sunriver Urban Unincorporated Community; it does not additionally expose any property to natural hazards. Adopted regulations of the County ensure consistency with Goal 7.

Goal 8 – Recreational Needs

Response: Goal 8 is “[t]o satisfy the recreational needs of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.” No land within the boundaries the Business Park District are planned for or intended to supply future parks or recreational facilities. Therefore, Goal 8 is deemed to be inapplicable to this matter.

Goal 9 - Economic Development

Response: Intended to provide adequate opportunities throughout the state for a variety of economic activities, Goal 9 requires that land be designated for commercial and industrial uses according to the needs of the local and regional economy, current economic base, workforce, availability of land, availability of key public facilities, etc. Practically speaking, Goal 9 has required communities to preserve employment and industrial land for future business uses. The proposal would allow for commercial uses on commercially zoned land to meet the child care needs of the economy, the economic base and the work force; therefore the proposed Zoning Ordinance Text Amendment is consistent with this Goal.

Goal 10 - Housing

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Response: This proposal entails neither a reduction nor an increase of residential land and has no effect on residential land throughout the County. This goal is therefore inapplicable.

Goal 11 - Public Facilities and Services

Response: Goal 11 requires local governments to establish public facilities plans in order to provide for the “timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.” This Goal is one that is implemented by Chapter 4.5 of the Deschutes Comprehensive Plan, the Deschutes County Zoning Ordinance and the Deschutes County Land Use Procedures Ordinance, which has adopted public facilities plans and standards for Sunriver.

The proposed uses have similar public facilities needs and impacts to existing permitted uses, thus the proposal is consistent with Goal 11.

Goal 12 -Transportation

Response: Goal 12 requires that the subject property be consistent with adopted transportation plans and that development of the subject property can be served with public transportation facilities.

Although the majority of the policies set forth in Goal 12 relate to the establishment of a comprehensive transportation system plan (TSP), the application of Goal 12 to proposed Zoning Ordinance Text Amendment requires an application to demonstrate that a proposal is consistent with the Transportation Planning Rule (TPR), as implemented through OAR 660-012-0060(1), which states that, “Amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility.”

Under OAR 660-012-0060, no further consideration of traffic is required if the impacts from a potential land use action are deemed not to be significant. The proposed uses are permitted in other Districts of the Sunriver Urban Unincorporated Community and have similar (or lesser) impacts as other use that are permitted in the Business Park District, such as a library, a church, a retail store, a dry cleaner, or a restaurant. Based on this discussion, transportation impacts are determined to not be significant and therefore the proposal is in compliance with Goal 12 and the TPR.

Goal 13 - Energy Conservation

Response: This goal requires that land use patterns be established to provide a logical transition of high-density to low-density development which takes

advantages of the existing transportation network and underdeveloped properties whenever possible. It also encourages development to adopt measures to limit their energy consumption.

Providing a variety of commercial uses within an area and providing supportive commercial services in an area that people live, work, and drive allows for efficiencies to be achieved, by utilizing existing transportation and utility infrastructure (rather than requiring the costly and energy-intensive extension of public and private utilities). Additionally, allowing child care facilities areas with urban levels of development (with improved local streets, water, sewer, and utilities) will increasing energy efficiency and reduce vehicle miles traveled, as it allows for linking trips.

Ultimately, the proposal is consistent with Goal 13 by allowing for efficient use of land and potentially reducing vehicles miles traveled.

Goal 14 - Urbanization

Response: This Goal establishes that within unincorporated communities outside urban growth boundaries counties may approve uses, public facilities and services more intensive than allowed on rural lands by Goal 11 and 14, either by exception to those goals, or as provided by commission rules which ensure such uses do not adversely affect agricultural and forest operations and interfere with the efficient functioning of urban growth boundaries. Sunriver is adopted as an Urban Unincorporated Community. This Goal allows Counties to approve urban uses without a Goal Exception. As stated in a review of Section 4.5 of the Deschutes County Comprehensive Plan, Community Stakeholders desired the designation that allowed the most flexibility. Given that Goal 14 allows the County to establish uses, the Sunriver Urban Unincorporated Community was established to provide the most flexibility, and there is a documented need for the proposed uses, allowing additional uses would be desirable and is consistent with this policy.

VII. COMMUNITY NEED AND BENEFIT

As detailed in the attached Exhibits and noted above, Deschutes County and the Sunriver Area have a need for child care options:

- Permanent residents of Sunriver are currently estimated at 957 by the US Census (see Census Exhibit)
- Employment in the Sunriver is estimated at 500 employees in the non-peak season and 950 in the peak season (See Molly Hartley email Exhibit)
- Number of licensed child care providers Sunriver (see Carol Petersen email Exhibit)
- In addition to Sunriver, the surrounding residential development (including platted lots and Caldera) continue to grow

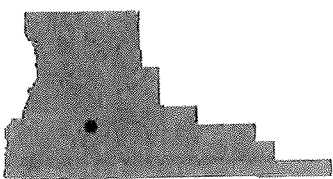
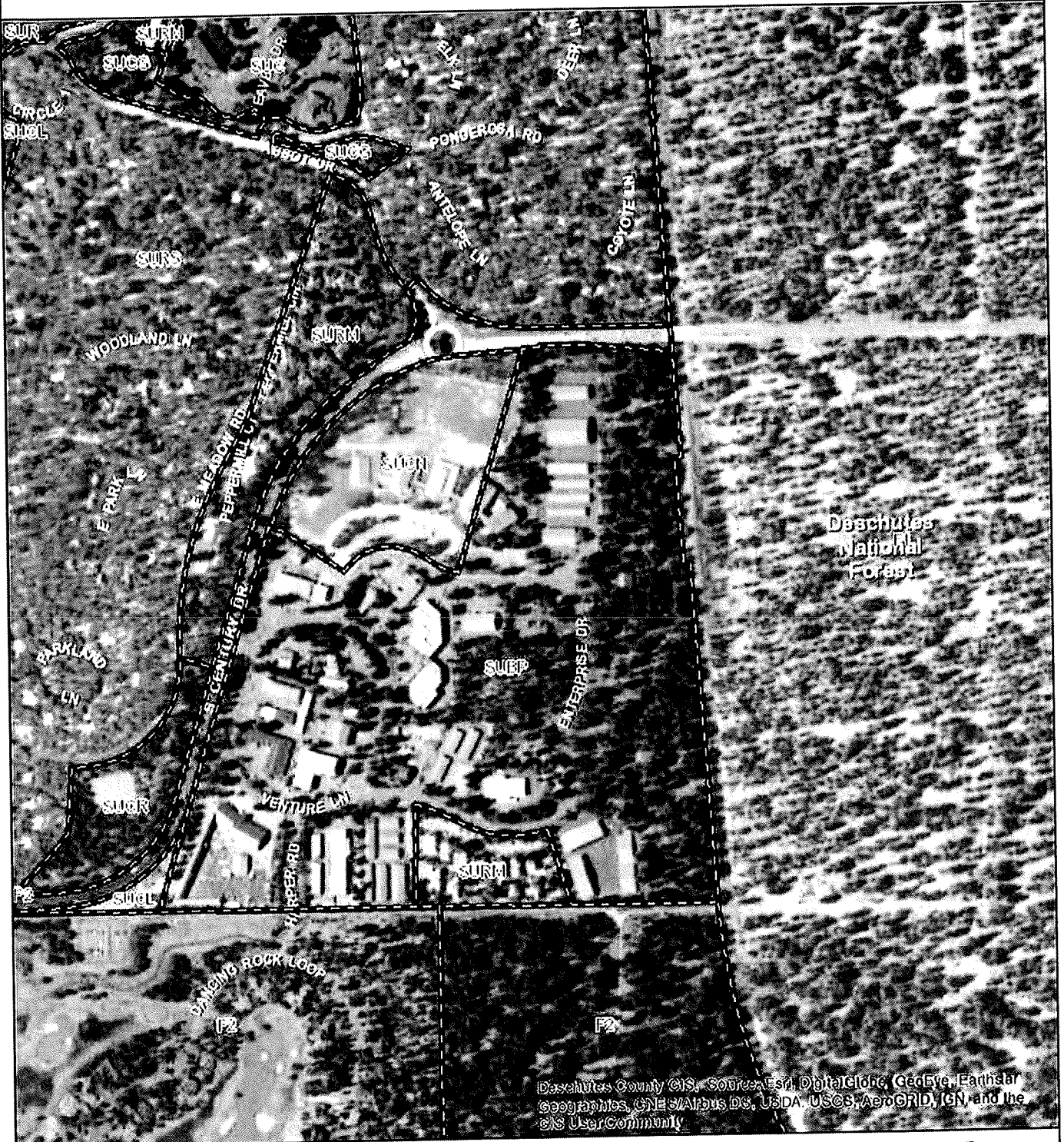
- Within the Sunriver Urban Unincorporated Community child care uses are permitted within only the Commercial District, the Town Center District and the Community Neighborhood District
- While child care centers are permitted in the Town Center District, the 2008 changes to Town Center have refocused development in those areas on tourism and tourists, decreasing the ability to provide child care.

The proposal addresses the need and provides a benefit to the community by establishing implementing ordinances that address the child care need in Sunriver. The proposal will allow uses that have historically been allowed in the area, and are allowed elsewhere in the Sunriver Urban Unincorporated Community, to again be permitted in the Business Park District. Allowing the child care uses will benefit residents, employees and employers in Sunriver, because properly located and readily available child care, increases the ability of individuals to pursue work (benefiting employees and residents), and it also makes it easier to attract employees (benefiting employers). Furthermore, having supportive commercial services that are conveniently located (near the school, near other commercial uses, near employment) lessens the need to make multiple trips to various location, thereby reducing vehicle miles traveled.

VIII. Summary and Conclusion

The preceding sections document that the proposed Zoning Ordinance Text Amendment conforms to the applicable approval criteria of Title 18 and Title 22 of the Deschutes County Code, The Deschutes Comprehensive Plan, and Oregon Statewide Planning Goals. Because the proposal conforms to all applicable criteria and standards, addresses a need, and provides a benefit, the applicant respectfully requests that the County approve the proposed Zoning Ordinance Text Amendment as proposed.

Map





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BUILDing Strong Foundations

Baby Promise: A Plan to Provide Quality Early Care and Education Opportunities for Oregon's Infants and Toddlers

8/27/2018 12:00:00 AM

Posted by: Build Initiative

The new Child Care and Development Block Grant (CCDBG) funding represents an enormous opportunity to improve access to and quality of child care for infants, toddlers, their families, and the teachers and programs that work with them. With funding from the Pritzker Children's Initiative, a project of the JB and MK Pritzker Family Foundation, the BUILD Initiative is organizing a series of webinars and blogs in partnership with ZERO TO THREE and the Center for Law and Social Policy for state policy leaders, decision makers and advocates. Information on the series, including blogs, webinar registration, archives, and CCDBG resources can be found here.

By Miriam Calderon, Early Learning Systems Director,

Oregon Early Learning

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Oregon is experiencing a true crisis in infant and toddler child care. The state lacks a supply of quality child care options for our youngest

children. The data shows that every county in our state, except for one, is a child care desert for infant and toddler care. In these deserts, families experience long wait lists, limited choices of providers, and costs of care that rival the cost of college tuition, among other stressors. Our current system isn't targeted, stable, or substantial enough to bring about a sustainable supply of high-quality infant and toddler care.

The new Child Care and Development Block Grant (CCDBG) funds provide an opportunity for Oregon to launch a pilot of Baby Promise, a new initiative that aims to serve communities where there is a dearth of quality, affordable, accessible infant and toddler child care options, particularly for low-income families and other priority populations, such as families experiencing homelessness or those in the child welfare system. Baby Promise will offer what families want and need – quality, affordable infant and toddler child care in a variety of settings that honor parent choice and preference.

The Concept

Baby Promise is based on the following premises:

Creating a system of Infant-Toddler Specialists to provide supports and professional development for networks of providers who are participating to ensure implementation of quality, relational care.

Building salary guidelines and standards associated with infant and toddler care best practices will result in adequate compensation for providers; contracting will allow us to ensure that salary guidelines are implemented.

Targeting will ensure reach into communities with an extreme shortage of child care as well

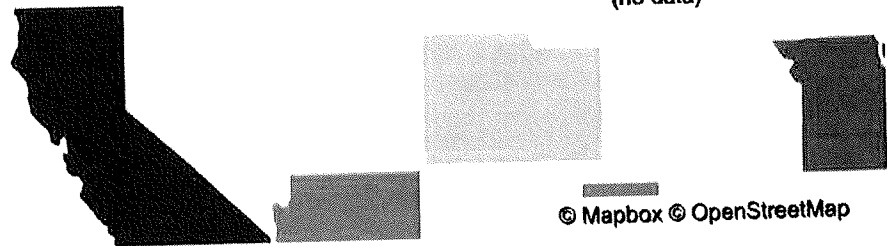
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Percent living in a child care desert

- 60%+
- 50-60%
- 40-50%
- 30-40%
- 30%
- (no data)



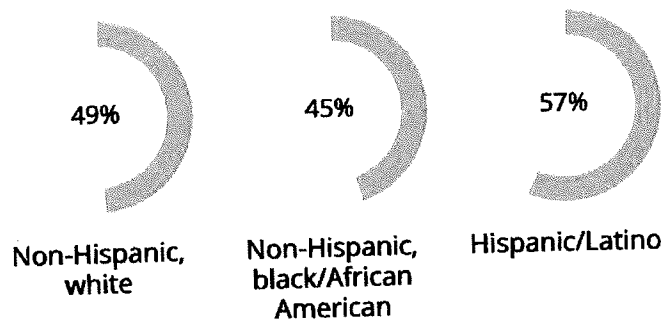
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All states ▼

51 percent of people in these states live in a child care desert.

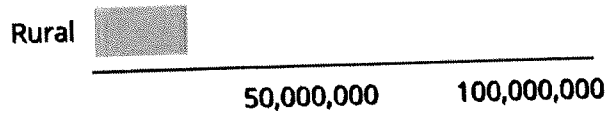
A child care desert is any census tract with more than 50 children under age 5 that contains either no child care providers or so few options that there are more than three times as many children as licensed child care slots.

Share of people in child care deserts, by race

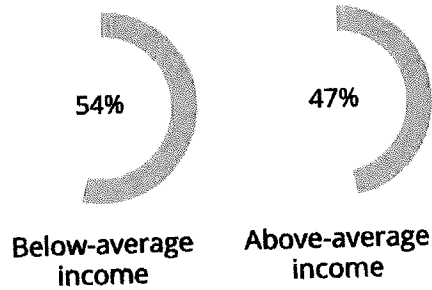


Share of people in child care deserts, by urbanicity

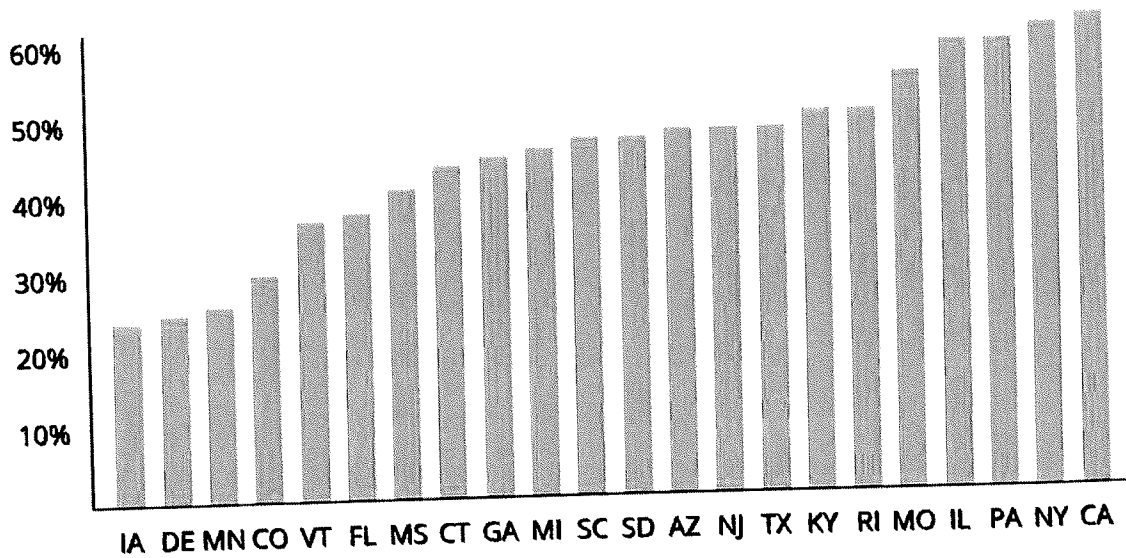




Share of people in child care deserts, by income



Share of people in child care deserts, by state



Child Care Access in All States

CAP analyzed the locations of licensed child care providers in 22 states, covering two-thirds of the U.S. population, and found that approximately half of Americans live in "child care deserts." Specifically, this analysis defines child care deserts as neighborhoods or communities that are either lacking any child care options or have so few child care providers that there are more than three children for every licensed child care slot. According to research published by the U.S. Census Bureau, one-third of children under age 5 are regularly in nonrelative care; therefore, in places where there are more than

three children for every child care slot, there may be child care waiting lists, unlicensed child care arrangements, or effects on parents' employment decisions.

This study finds that 58 percent of rural census tracts qualify as child care deserts, while only 44 percent of suburban neighborhoods fit the definition. Urban areas where the median family income is below average also have high rates of child care deserts. Additionally, Hispanic/Latino and American Indian and Alaska Native (AIAN) communities are disproportionately represented in child care deserts, with roughly 60 percent of their combined population living in areas with a low supply of child care. More than 75 percent of the rural AIAN population lives in a child care desert.


Child care deserts have, on average, maternal labor force participation rates 3 percentage points lower than communities where there is adequate child care supply. In communities where median family incomes are below the national average, this maternal employment gap is even wider.

About the Data

CAP collected data on the location and licensed capacity of nearly 150,000 licensed or registered child care providers from 22 states. The authors included all child care centers; family child care providers; Head Start providers; and public and private preschools in these states in order to get a full picture of the supply of licensed child care options available to nearby communities.

Each child care provider was geocoded based on the physical address provided on their license, giving the authors a precise latitude and longitude for every provider. In cases where the precise address was not available, the authors used the ZIP code to approximate the address. The authors then grouped providers by census tract and added up the total licensed capacity of the locations in each tract. This information was merged with a variety of census estimates on population demographics, population density, family income, poverty, and maternal labor force participation, among other variables. All data are publicly available, and a list of data sources and census variables can be found in the accompanying report's Appendix.

Using this original dataset, the authors applied the child care deserts definition to more than 45,000 census tracts, a geographic unit sometimes used by city planners to approximate neighborhoods. Census tracts generally have a population size of between 1,200 and 8,000 people, with most tracts housing around 4,000 people. These geographic units usually cover a contiguous area, and their boundaries commonly follow identifiable features.

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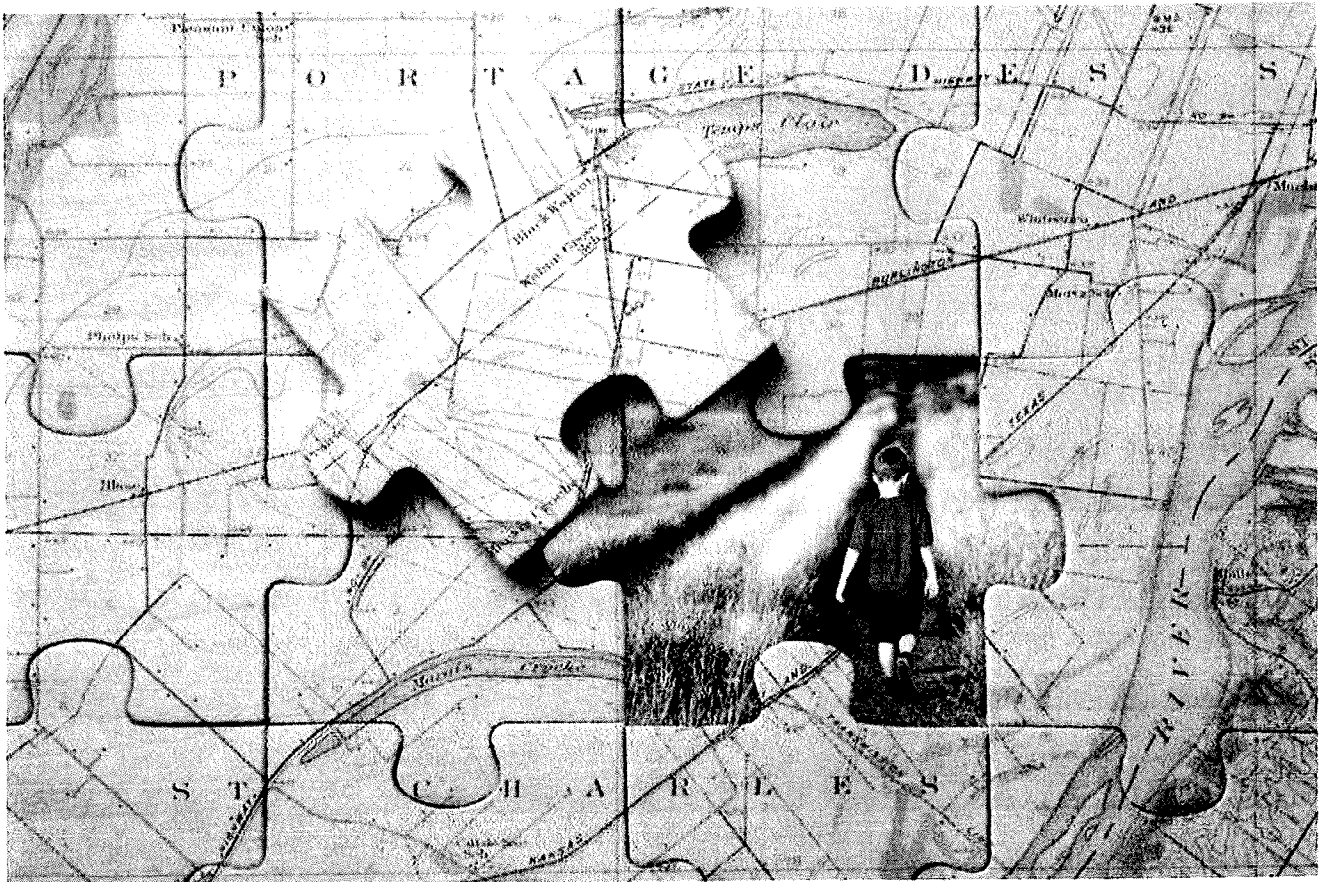
Center for American Progress



EARLY CHILDHOOD

Mapping America's Child Care Deserts

By Rasheed Malik and Katie Hamm Posted on August 30, 2017, 9:30 am



CAP/Chester Hawkins

More than half of the population across the 22 states studied—51 percent—live in neighborhoods classified as child care deserts.

OVERVIEW

CAP's geographic study of child care markets finds that approximately half of Americans across 22 states live in areas with an undersupply of child care options.



This report contains a correction.

[Click here to view the full-size version of the interactive in this report.](#)

Introduction and summary

On a Saturday in August 2016, Samantha Harmon received a shocking email. Her son Nathan's child care center would close permanently, effective on Monday. Without backup care, Samantha immediately took off work to try to find another child care provider.¹ The Harmons live in a middle-class suburb of Rochester, New York, where licensed child care is hard to find. Local news station WHAM interviewed the Harmons and other parents whose children attended the Creative Kidz Child Care Center. These parents described themselves as being in panic mode while they scrambled to arrange backup care, and they had good reason to worry. Like 60 percent of New Yorkers, they live in a child care desert with a severe undersupply of licensed child care.

Fifty miles to the south, in Livingston County, New York, licensed child care is even sparser. The area is largely rural, with small towns and cities scattered among rolling hills and farmland. Many families only have one or two licensed child care providers from which to choose—if they are fortunate. In the Livingston County seat of Geneseo, a city of roughly 10,000 residents, there are only three licensed child care providers, with a combined capacity to care for fewer than 75 children. In areas such as these, parents are forced to make difficult decisions that might include finding unlicensed child care, leaving the workforce, or patching together a network of family and friends. For many families, these options are not ideal for children or for parents.

The effects of this undersupply have shown up in several nationally representative surveys of parents. In 2015, a national poll conducted by *The Washington Post* found that more than three-quarters of mothers and half of fathers had passed up work opportunities, switched jobs, or quit their job due to a lack of paid leave or child care.² Last year, a study by NPR, the Robert Wood Johnson Foundation, and the Harvard T.H. Chan School of Public

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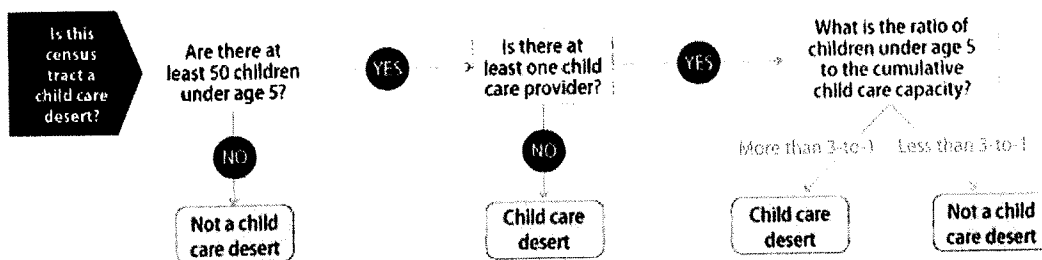
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Health found that roughly two-thirds of parents said they had “only one” or “just a few” realistic child care options.³

Over the past few decades, the percentage of families in which all parents work outside the home has increased dramatically.⁴ During the same period, a growing body of research has assessed and affirmed the role of early care and education in shaping children’s educational, health, and social outcomes.⁵ In most markets, these coinciding factors should produce a thriving market for quality child care. Certain places—usually affluent suburbs—have indeed seen supply rise to meet demand. As this study finds, however, many neighborhoods, small towns, and rural communities across the country have inadequate child care options.

This report analyzes the locations of licensed child care providers in 22 states—covering two-thirds of the U.S. population—and finds that approximately half of Americans live in “child care deserts.” This term, adopted recently by the Center for American Progress and Child Care Aware of America, is taken from terminology used to discuss the problem of “food deserts.” In this report, the authors describe child care deserts as areas with little or no access to quality child care.⁶ (see Figure 1)

FIGURE 1
A working definition for child care deserts



Note: Child Care Aware defines child care deserts as “areas or communities with limited or no access to quality child care.”
Source: Dionne Dobbins and others, “Child Care Deserts: Developing Solutions to Child Care Supply and Demand” (Arlington, VA: Child Care Aware of America, 2016), available at <http://usa.childcareaware.org/wp-content/uploads/2016/09/Child-Care-Deserts-report-FINAL2.pdf>.



Specifically, this analysis defines child care deserts as neighborhoods or communities that are either lacking any child care options or have so few child care providers that there are more than three children for every licensed child care slot.⁷ According to research published by the U.S. Census Bureau, one-third of children under age 5 are regularly in nonrelative care;⁸ therefore, in places where there are more than three children for every child care slot, there may be child care waiting lists, unlicensed child care arrangements, or effects on parents’ employment decisions.

Key findings in this report include:

- More than half of the population across the 22 states studied—51 percent—live in neighborhoods classified as child care deserts.
- Fifty-eight percent of rural tracts qualify as child care deserts, while only 44 percent of suburban neighborhoods fit the definition. Urban areas where the median family income is below average also have high rates of child care deserts.
- Hispanic/Latino and American Indian and Alaska Native (AIAN) communities are disproportionately represented in child care deserts, with roughly 60 percent of their combined populations living in areas with a low supply of child care. More than 75 percent of the rural AIAN population lives in a child care desert.
- Child care deserts have, on average, maternal labor force participation rates 3 percentage points lower than communities where there is adequate child care supply. In communities where median family incomes are below the national average, this maternal employment gap is even wider.

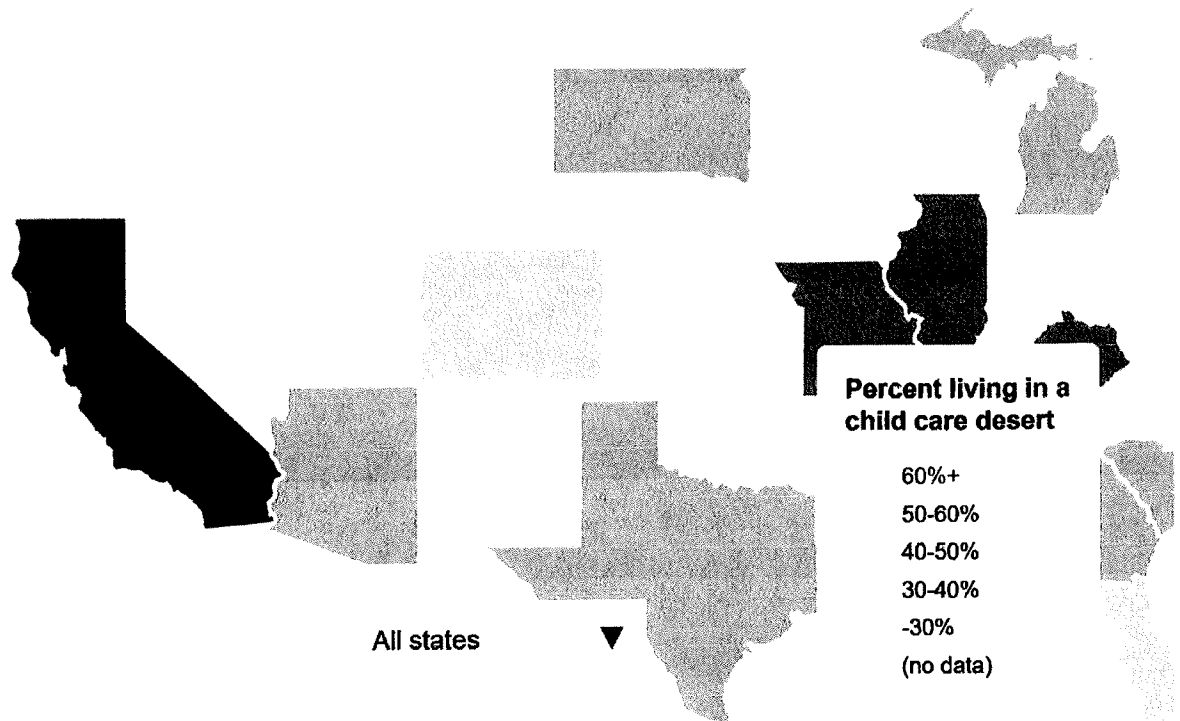
Choosing a child care program is a complex decision for families. Factors such as cost, location, operating schedule, and personal preferences influence child care choices. A rich body of research documents the high cost of child care and the barrier that cost presents for most families, but supply issues are not as well-understood.⁹ Previous research suggests that the location of child care programs is especially salient for low-income parents, who may rely on public transportation or have limited job flexibility.¹⁰ This report provides a tool for analyzing child care supply across 22 states and sheds light on some of the most important characteristics associated with low child care supply. These data provide only a snapshot of child care shortages, not a complete picture of child care supply and demand in every community. Thus, this analysis is not designed to understand the directionality of the relationship between supply and demand. However, understanding proximity to licensed child care is an important component of child care access and can be used as a springboard for policy solutions that help families find high-quality child care that meets their needs.

This report also proposes policy recommendations designed to address the scarcity of high-quality child care providers. Child care is an essential part of employment infrastructure; as with roads and bridges, parents require child care to get to work. By investing in child care infrastructure as much as it does in bridges and roads, the federal government can support economic growth and family economic security.

Findings

o CAP collected and analyzed data on the location and capacity of the licensed or registered child care providers in 22 states (see Methodology text box and Appendix for further specifics about the analysis). The study found that 51 percent of people live in child care deserts. These 22 states, which contain roughly two-thirds of the U.S. population, were included in the study because they feature downloadable databases of all their licensed child care providers on a publicly accessible state website. The rates of child care desert prevalence vary greatly from state to state. As shown in the interactive, the proportion of residents living in child care deserts ranges from 24 percent in Iowa to 62 percent in California.

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1 [Click here to view the full-size version of this interactive.](#)

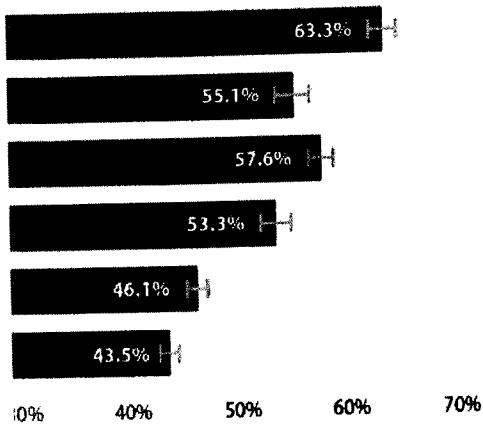
Rural areas with below-average incomes are most frequently child care deserts

- 2 Each community in this study is assigned to one of three urbanicity types—rural, suburban, or urban—based on a measure of household density, which takes into account the number of occupied households per square mile.¹¹ Using this measure, about 20 percent of the population is categorized as rural; 25 percent lives in high-density urban neighborhoods; and 55 percent resides in suburban, medium-density neighborhoods. The estimate of the rural population is in line with other estimates of the proportion of Americans living in rural areas, including that of the U.S. Census Bureau.¹²
- 3 Overall, rural census tracts are the most likely to be classified as child care deserts, with 58 percent of rural communities meeting that definition. Even with the inclusion of family child care providers, there is a vast undersupply of child care infrastructure in rural areas, despite the fact that home-based child care is the most common child care setting in rural areas.¹³ Since many family child care homes are only licensed to serve between six and 12 children, an area may contain several small providers while still qualifying as a child care desert.¹⁴
- 4 Urban neighborhoods are also more likely to be child care deserts than not, with about 55 percent of urban census tracts showing child care supply gaps. While suburban neighborhoods are relatively less likely to be child care deserts, more than 40 percent of suburban families find themselves in neighborhoods with too few child care options, and waiting lists can still be common, especially for infant and toddler care.

When the analysis breaks down these urbanicity categories by whether the typical family in a tract falls above or below the median family income nationwide, a more nuanced picture emerges. (see Figure 3) Using these subcategories, nearly two-thirds of rural communities with median family incomes below the national average are child care deserts. Notably, urban areas with below-average incomes have the second-highest rate of child care deserts, exceeding the rate of rural areas with above-average incomes. As shown in Figure 3, higher-income neighborhoods fare better within each category, and suburban tracts with median family incomes above the national average are the least likely to be child care deserts.

er-income rural areas

95 percent confidence interval



* Is below the national median family income (\$62,400). *High
banicity is determined by household density.
ta from the U.S. Census Bureau. See U.S. Census Bureau,
r.census.gov/faces/nav/jsf/pages/index.xhtml (last accessed



These trends may reflect imperfections in the child care market, from capital market constraints for lower-income parents to the fact that education carries high fixed costs, which may be prohibitive in small or rural communities. While further research is needed to understand child care supply fully, these findings suggest that low-income children are less likely to be in geographic proximity to licensed child care, which could inhibit the ability to access it.

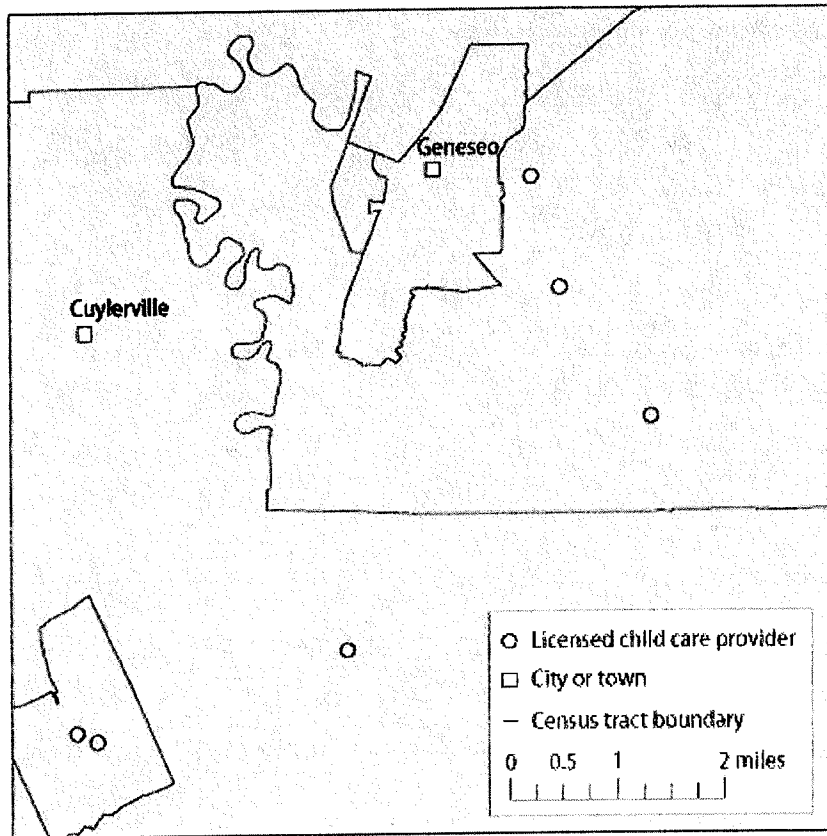
Methodology

CAP collected data on the location and licensed capacity of nearly 150,000 licensed or registered child care providers from 22 states. The authors included all child care centers; family child care providers; Head Start providers; and public and private preschools in these states in order to get a full picture of the supply of licensed child care options available to nearby communities.

FIGURE 4

Example of geocoded locations within census tracts

Geneseo, New York, and surrounding areas



CAP

Each child care provider was geocoded based on the physical address provided on their license, giving the authors a precise latitude and longitude for every provider. In cases where the precise address was not available, the authors used the ZIP code to approximate the address. The authors then grouped providers by census tract and added up the total licensed capacity of the locations in each tract. This information was merged with a variety of census estimates on population demographics, population density, family income, poverty, and maternal labor force participation, among other variables. All data are publicly available, and a list of data sources and census variables can be found in the Appendix.

Using this original dataset, the authors applied the child care deserts definition to thousands of census tracts, a geographic unit sometimes used by city planners to approximate neighborhoods.¹⁵ Census tracts generally have a population size of between 1,200 and 8,000 people, with most tracts housing around 4,000 people. These geographic

1,200 and 8,000 people, with most tracts housing around 4,000 people. These geographic units usually cover a contiguous area, and their boundaries commonly follow identifiable features.¹⁶

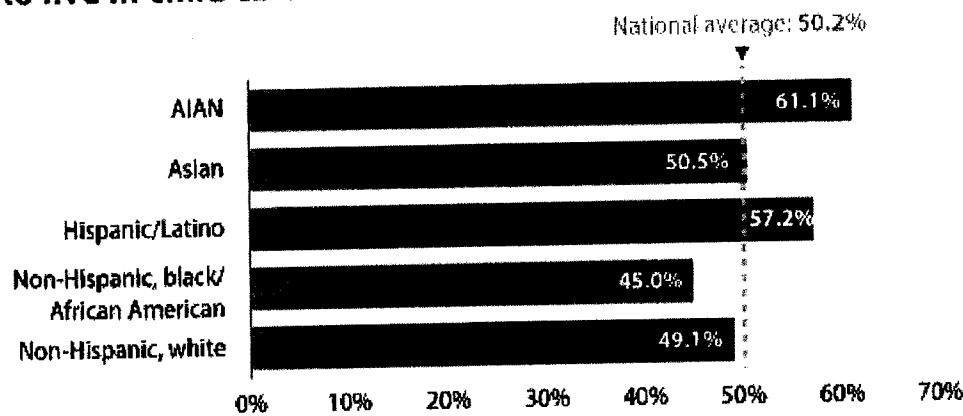
The child care market underserves Hispanic/Latino and AIAN communities

- Using geographic estimates of population by race and ethnicity, this study estimates the proportion of different racial and ethnic groups living in child care deserts. The data show that Hispanic/Latino and AIAN populations are vastly overrepresented in child care deserts.¹⁷ As seen in Figure 5, the group with the smallest proportion residing in child care deserts is black Americans or African Americans, while non-Hispanic white Americans and Asian Americans hover right around the overall total of the population living in child care deserts in the 22 states. It is important to note, however, that proximity to licensed child care does not mean that people have access to programs. Families across each racial and ethnic group face economic barriers such as high costs, low wages, and historic disenfranchisement.¹⁸
- This analysis cannot determine the relationship between child care supply and demand, but supply is certainly one factor that should be considered in any child care policy. Evidence of differing levels of supply, depending on the racial and ethnic composition of a neighborhood, may not be purely a function of different communities' demand or need for quality child care.

Hispanics/Latinos are the fastest growing racial/ethnic group in the United States, yet these families are more likely to live in areas with fewer child care options. Currently, one-quarter of all children in the United States are Hispanic/Latino, and they are projected to constitute one-third of the child population by 2050.¹⁹ Any structural changes to the supply of child care in America will need to remedy the fact that child care seems to be consistently harder to find in communities with a high concentration of Hispanics/Latinos.

FIGURE 5

Hispanic/Latino and AIAN populations are more likely to live in child care deserts



Source: Authors' calculations are based on state administrative data and census tract data from the U.S. Census Bureau. See U.S. Census Bureau, "American Community Survey, 2015 ACS 5-Year Estimates," available at <https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml> (last accessed August 2017). See Appendix for full list of data sources.



- 7 For many years, child care researchers and advocates have speculated about whether Hispanic/Latino families may exhibit a cultural preference for informal or relative care over formal or nonrelative child care arrangements. A series of recent studies by researchers at the National Research Center on Hispanic Children and Families investigated many of these assumptions, finding that Hispanic/Latino parents' perceptions of different types of child care arrangements are generally similar to those of black Americans or African American and white non-Hispanic parents. Using data from the 2012 National Survey of Early Care and Education, these researchers found very little difference between Hispanic/Latino children's participation in early care and education and that of children from other racial/ethnic groups between ages 3 and 5.²⁰ They also found that Hispanic/Latino parents generally have the same perceptions of center-based care as other racial/ethnic groups and even perceive relative care as less favorable than do non-Hispanic white parents.²¹
- 8 However, among children younger than age 3 in low-income families, the researchers did find significant differences in rates of participation in early care and education programs between immigrant and nonimmigrant Hispanic/Latino households.²² They also found that Hispanic/Latino households are more likely to need care during nonstandard hours and are more likely to have a grandparent or teen living in the household.²³ These findings suggest that Hispanic/Latino families have diverse child care needs and preferences, and they speak to the need for caution in assuming

that Hispanic/Latino families do not need or want licensed child care. They also suggest that higher rates of child care deserts in Hispanic/Latino communities should not be attributed entirely to lack of demand.

- 3 In this study, the AIAN population is predominantly located in low-density rural areas, making its members less likely to have proximate child care options. The census estimates used in this study included only those people who identify as AIAN alone, which may undercount that population. Further research will depend on more and better data, which is a chronic problem in tribal social service provision. The poverty rate for AIAN families with children under age 5 is estimated to be 74 percent higher than the rate for the rest of the U.S. population, underscoring the deep need for high-quality child care in these communities.²⁴
- 4 It is unclear whether child care supply is lower in Hispanic/Latino and AIAN communities because there is less demand or whether reduced demand stems from a sustained lack of supply. Additionally, there may be sizeable differences in attitudes and child care preferences by generational cohort, resulting in a child care market that has been slow to recognize a considerable, emerging client base. This issue warrants further study, both qualitatively and quantitatively.

Child care deserts are associated with lower rates of maternal labor force participation

From a public policy standpoint, improved access to consistent and affordable high-quality early care and education accomplishes two important objectives: In addition to promoting healthy child development, these programs enable parents to continue working or to re-enter the workforce. This is especially true for women, as mothers traditionally spend more time on caregiving than fathers do and are more likely to leave the labor force to care for children.²⁵

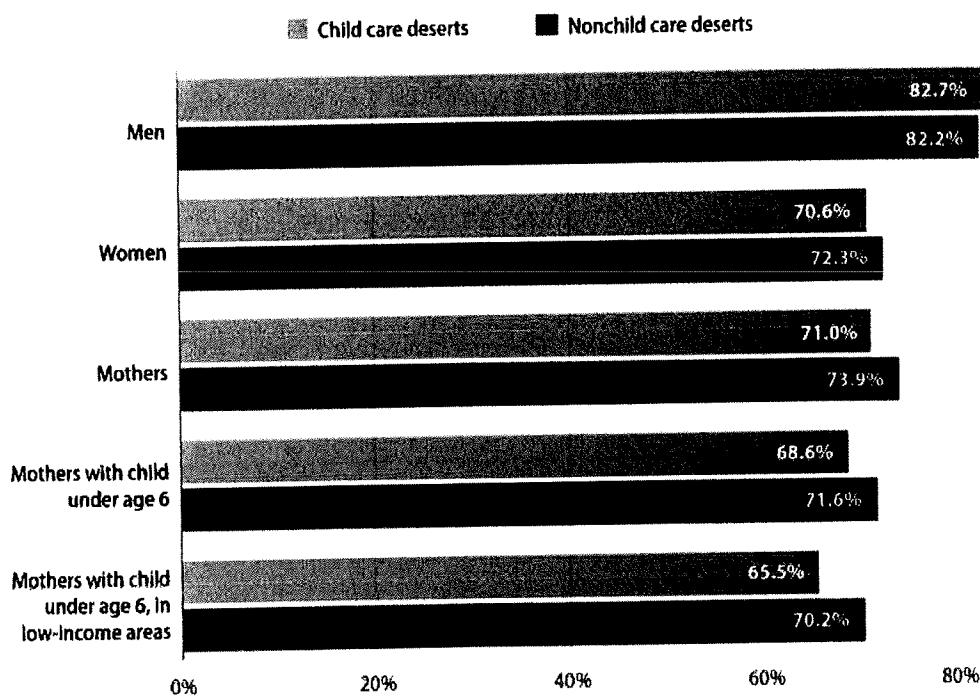
- 2 In addition to looking at racial and ethnic patterns of child care availability, this study examines the relationship between child care deserts and parental labor force participation. The labor force participation rate is a measure that describes the proportion of adults who are either currently employed or actively looking for work. Using local estimates of labor force participation by gender and parental status from the U.S. Census Bureau, and weighting the estimates by the population of parents in each census tract, this analysis compares parental labor force participation between child care deserts and nondeserts.

13 This report finds that child care deserts are associated with maternal labor force participation rates that are 3 percentage points lower than those in neighborhoods with greater child care supply. As shown in Figure 6, this difference is not observed in male labor force participation rates. It is most pronounced among mothers with children under age 6—in other words, mothers with children for whom quality child care could potentially affect their ability to work.²⁶ When the sample is restricted to census tracts for which the median family income is lower than the national average, this labor force participation gap becomes even more pronounced. Among these lower-income areas, child care deserts are associated with maternal labor force participation rates that are nearly 5 percentage points lower than in nondeserts.

FIGURE 6

Maternal labor force participation is lower in child care deserts

Share of civilian population, ages 20 to 64, employed or seeking employment



Note: According to the U.S. Census Bureau's American Community Survey, low-income areas are defined as census tracts where the median family income is below the national median family income of \$62,400.

Source: Authors' calculations are based on state administrative data and census tract data from the U.S. Census Bureau. See U.S. Census Bureau, "American Community Survey, 2015 ACS 5-Year Estimates," available at <https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml> (last accessed August 2017). See Appendix for full list of data sources.



14 These associations are statistically significant, but they should not be interpreted as evidence of a one-way, direct causal relationship. As previously stated, this analysis cannot disentangle the complicated relationship between child care demand and supply. For example, it may be that child care providers are not attracted to regions where mothers are less inclined to work outside the home while their children are younger than school age.

- 5 Nevertheless, previous research literature suggests a linkage between the availability of child care and maternal labor force participation, indicating that a reduction in the cost of child care or the availability of public options may lead to an increase in maternal employment.²⁷ Researchers have also found evidence that expanding full-day kindergarten increases the likelihood that mothers will work full time.²⁸
- 6 The impact of child care supply alone is not well-understood, but these findings suggest a need for more research to examine how local availability of child care slots may interact with parents' decisions on when to return to work after the birth or adoption of a child and how many hours they work. Increasing labor force participation is often a goal of policymakers who seek to improve family economic security and promote equal opportunities for women. These initial findings suggest that improving child care supply may be part of a larger effort to improve access to child care for working families.

Policy recommendations

- 7 Experts have shown in study after study that high-quality early care and education produce external benefits that are abundant and long-lasting.²⁹ Quality child care may be costly, but many of its associated benefits spill over into society over time, reducing inequality in educational, health, and social outcomes. Yet while parents' private child care spending serves the public good, the government invests relatively little in subsidies to encourage such spending.³⁰
- 8 Working families across the country deserve more quality choices when it comes to child care. Early childhood researchers, parents of young children, and child care providers have acknowledged the important role that quality child care plays in a child's development. Without a healthy marketplace of child care options, however, many families must make compromises, either in their ability to work or in their children's early education.
- 9 First, the federal government must make a substantial and sustained investment that helps low-income and middle-class working families afford child care. Until families have the resources to afford child care, the market will be driven by parents' ability to pay, leaving communities of color and those living in rural areas behind. Several organizations, including CAP, have put forward

proposals that would limit the amount that families pay for child care, improve child care quality, and provide resources to support a professional and effective workforce.³¹

- ⑩ In addition, the federal government should specifically invest in child care and early education infrastructure just as it invests in public safety, public parks, and public schools. This report questions whether the market for child care can naturally and efficiently allocate quality early care and education. That is why CAP has previously called for a child care infrastructure investment that provides resources to states, tribes, and communities to address child care deserts.³² A child care infrastructure investment should support construction and renovation of early childhood facilities; help build a professional and effective workforce; and provide resources to support licensed child care providers.
- ⑪ While this study begins to demonstrate the undersupply of child care in the United States, additional research is needed to understand and address the issue fully. For example, future research should seek to better understand cultural preferences of racial and ethnic groups and families with nontraditional schedules so that policy solutions can adequately meet the needs of diverse families.
- ⑫ In addition, future research should examine the relationship between workforce participation and child care supply. Incentivizing employment is often a goal for policymakers who seek to improve economic security for families. However, the lack of affordable and accessible child care is too often a barrier for families. A better understanding of the role of child care supply would help inform policy solutions.

Conclusion

- ⑬ In the case of the stranded Rochester families whose child care center abruptly closed in 2016, a desperate situation was followed by an unusual solution. One of the families decided to buy Creative Kidz Child Care, renovating and investing in the center before reopening nine months later, with many of the same employees and children.³³ With few other options in the area, these parents chose to invest directly in their community—not for personal profit, but rather for the educational and social impact that high-quality child care provides. As admirable as that may be,

however, it is not a long-term or replicable solution to expanding access to high-quality, affordable child care.

- 14 When analyzed on the scale of the American economy, the difficult choices that families are forced to make for their young children add up to sizeable economic effects. In recent remarks at Brown University, Federal Reserve Board Chair Janet Yellen noted that raising the female labor participation rate to that of men could raise the U.S. gross domestic product by 5 percent—which amounts to nearly \$1 trillion in economic production.³⁴ Yellen pointed out that while the United States used to lead most other industrialized nations in female labor force participation, it has recently fallen to 17th place out of 22 advanced economies.³⁵
- 15 One of the major differences between countries with growing female labor force participation and the United States is that many of these countries adopted policies to improve the availability of child care.³⁶ The United States will undergo many changes in the coming years as the population ages and as children of color become a larger portion of the U.S. population. The country will also need to take steps to reduce the growing economic inequality that has made some people in rural areas and small towns feel left behind as jobs move overseas and automatization replaces workers. It is important for leaders and policymakers to consider how the supply of child care can help grow the economy and support a more diverse America. An investment in the infrastructure of child care supply would be an excellent place to start.

Appendix: Methodology, data sources, and limitations

- 16 The authors collected data on the location and maximum capacity of all licensed or registered child care providers in 22 states. (see Table A1 for data sources) This includes child care centers; family child care providers; Head Start and Early Head Start providers; and pre-K classes. The 22 states that have been included in the study publish fully downloadable tables of their licensing databases on a government website, usually within a department of human services or child and family services. The states not included in this study were excluded because they do not make their complete child care licensing databases downloadable or because they do not have a searchable online child care licensing database.

TABLE A 1**State child care licensing data sources**

State	Data source
Arizona	Arizona Department of Health Services
California	California Department of Social Services
Colorado	Colorado Department of Human Services
Connecticut	Connecticut Office of Early Childhood
Delaware	Delaware Department of Services for Children, Youth and Their Families
Florida	Florida Department of Children and Families
Georgia	Georgia Department of Early Care and Learning
Illinois	Illinois Department of Children and Family Services
Iowa	Iowa Department of Human Services
Kentucky	Kentucky Center for Education and Workforce Statistics
Michigan	Michigan Department of Education
Minnesota	Minnesota Department of Human Services
Mississippi	Mississippi State Department of Health
Missouri	Missouri Department of Health and Senior Services
New Jersey	New Jersey Department of Children and Families
New York	New York State Office of Children and Family Services; New York City Department of Health and Mental Hygiene
Pennsylvania	Pennsylvania Department of Human Services
Rhode Island	Rhode Island Department of Children, Youth and Families
South Carolina	South Carolina Department of Social Services
South Dakota	South Dakota Department of Social Services
Texas	Texas Department of Family and Protective Services
Vermont	Vermont Department for Children and Families

Source: Data used are from states' department websites.



Once this information was collected, the authors cleaned the data to remove any duplicates and child care providers whose licenses had expired or been suspended. All summer camps or after-school care providers were excluded, because this study looks at the supply of child care for children from birth to age 5, except in cases where child care providers also offered after-school capacity. In these cases, the number of school-age children was deducted from the overall capacity of the child care location. In total, this analysis included roughly 145,000 child care locations, with a combined total capacity of approximately 6.2 million child care slots.

- Next, the authors used geocoding software to convert the location data from street addresses to precise latitude and longitude coordinates. These coordinates were then plotted, retaining their associated licensed capacity data, using Esri ArcGIS software. Using TIGER/Line shapefiles downloaded from the U.S. Census Bureau, these locations were spatially joined to the surrounding census tract in ArcGIS. This resulted in a dataset with a count of child care locations and a sum of capacity for each census tract in the 22 states studied. In total, the analysis included 46,532 census tracts.
- This dataset of child care locations and capacity, by census tract, was then merged with variables from 10 census tables, all of which are listed in Table A2. Not all variables listed were used in the analysis, but they are presented here nonetheless. Once these variables were merged with the counts of child care locations and capacity, the authors generated a binary variable to identify child care deserts using CAP's working definition for child care deserts, as shown in Figure 1. For all statements of statistical significance, a significance level of $p < 0.05$ was used, unless otherwise noted.

Jarvey's 2015 five-year estimates

ates

come (SSI), Cash Public Assistance Income,
! Months by Household Type for Children

vn Children Under 18 years

2 Months (in 2015 Inflation-Adjusted Dollars)

the Past 12 Months

s

es in the study, for a total of 220 tables.
available at <https://factfinder.census.gov/faces/nav/jsf/>



- One of the goals of this research was to analyze whether rural, suburban, or urban areas have differing levels of child care supply. Since, to a certain extent, these categories are a subjective

evaluation, this question poses a formidable challenge. Inspired by research by economist Jed Kolko, this study uses household density—that is, the number of occupied households per square mile—to categorize each census tract as rural, suburban, or urban.³⁷ The results were analyzed by mapping the resulting dataset in ArcGIS.

1 This study has some limitations, largely related to the assumptions that are used to define child care deserts. As with any complex analysis, the underlying assumptions will not suit every scenario. This analysis, and the working definition of a child care desert, assumes that families prefer child care that is closer to their home. While this may be true for many, or even most, families, some child care arrangements work better when they are closer to a parent’s employer or school. Besides location, there are other factors that figure into a child care decision that this analysis cannot fully model. For instance, child care is often driven by hours of need or a child’s age. While, in the aggregate, this study may accurately estimate the overall undersupply of licensed child care, the problem is likely worse for those seeking child care during nonstandard hours, including weekends and evenings.³⁸

2 Some of the analysis’ limitations result from incomplete data. While the authors were able to collect a large amount of data from 22 states, this report does not cover the entire U.S. child care market. More data may show that the overall problem is worse or better than currently estimated. Additionally, a few state databases do not include complete data, requiring some imputation on the part of the authors. California does not publish the complete addresses of large family child care providers, though it does list their ZIP codes. These large family child care providers could therefore not be geocoded and placed into census tracts. Instead, these providers were probabilistically assigned to a census tract within their ZIP code, using the share of the ZIP code contained within that tract to determine the probability that the provider would be placed there. Additionally, California does not release any public record of small family child care providers. As a result, this analysis does not include small family child care providers in California. Including these providers in the analysis could affect the number of child care deserts in that state.* In Pennsylvania, South Carolina, and South Dakota, some portion of child care providers did not report their full licensed capacity. In these cases, the authors imputed the maximum licensed capacity for that type of child care provider.

About the authors

3 **Rasheed Malik** is a policy analyst for Early Childhood Policy at the Center for American Progress, where he focuses on child care infrastructure and supply, the economic benefits of child care, and the disparate impacts of early childhood policy. Malik received his Master of Public Policy from the Gerald R. Ford School of Public Policy at the University of Michigan. Prior to graduate school, Malik was a government affairs and communications associate for the Waterfront Alliance, an organization with the goal of making the New York Harbor a shared, resilient, and accessible resource for all New Yorkers.

4 **Katie Hamm** is the vice president of Early Childhood Policy at the Center. Prior to joining the Center, Hamm worked as a program examiner at the Office of Management and Budget on federal child care and early education programs, including the Race to the Top–Early Learning Challenge, the Child Care and Development Fund, and the Head Start program. Her work focused on developing budget proposals to strengthen the quality of and access to early childhood programs. She also worked on international issues in early childhood while on detail to the Organisation for Economic Co-operation and Development. Earlier in her career, Hamm worked at the Center for Law and Social Policy and the Institute for Women’s Policy Research on child care and early education issues.

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6 ***Correction, September 20, 2017:** *The appendix of this report has been updated to provide more detailed information regarding the number of California’s child care providers.*











Endnotes










1. Patrice Walsh, “Irondequoit daycare closes without warning,” 13 WHAM-abc, August 8, 2016, available at <http://13wham.com/news/top-stories/irondequoit-daycare-closes-without-warning>.











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Many Oregon kids aren't in preschool

Statewide, affordability is issue: In Bend, there's lack of space, too



Preschoolers at the Growing Tree work on painting their art projects during class on Friday, June 16, 2017. (Ryan Brennecke/Bulletin photo)

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A high percentage of Oregon's 3- and 4-year-olds aren't attending preschool, according to a 2017 report offering an overview of kids' well-being across the nation. Experts say affordability is likely the biggest cause for lack of enrollment. In Bend, limited space is an issue too.

About 57 percent of Oregon's 3- and 4-year-olds are not attending preschool, according to the 2017 Kids Count Data Book, issued by the Annie E. Casey Foundation. The Baltimore-based, private philanthropic foundation advances research and makes grants to help federal agencies, states, counties, cities and other communities respond to issues negatively affecting children.

The data book's information on preschool attendance was taken from the U.S. Census Bureau's 2015 American Community Survey. Oregon fared better than Idaho and Washington, where 69 percent and 60 percent of young children are not in preschool, but

worse than California and the nation as a whole, where 52 percent and 53 percent of 3- and 4-year-olds aren't in preschool. Overall, Oregon ranked 40th in education across the nation in the 2017 Kids Count Data Book, which also looked at proficiency in reading and math as well as high school graduation rates.

When children have access to high-quality preschool, they're more likely to be prepared socially and academically later on, according to a state legislative report prepared by the Oregon Early Learning Division.

While the high percentage of kids not attending preschool is disappointing, it's not exactly surprising, according to Donna Schnitker, Oregon Head Start Association President. Head Start is a U.S. Department of Health and Human Services early childhood education program that serves low-income families through local agencies. The Oregon Head Start Association lobbies for issues and money to increase the number of children who have access to the program.

The bottom line criteria for families to qualify for Head Start is that they earn at or below the federal poverty guideline. For a two-person household, that's \$16,240 per year.

"At 100 percent of poverty, I don't even know how they survive, personally," Schnitker said.

The federal poverty guidelines are so low, many families are left in a gap, Schnitker said. Families may make more than the federal guidelines, but still not nearly enough to afford to send their children to preschool, she said.

"In Oregon our minimum wage has increased, so if anybody is working that usually bumps you out of poverty," Schnitker said. "You'd have to pay for preschool and you can't."

Schnitker said there's a group of families that may suffer especially from this equation: The population between 100 and 300 percent of the federal poverty guideline. In addition to not being able to enroll their children in preschool, those families may be struggling to provide the basics, she said.

"Those families don't have time to read to their children at night — they're struggling to survive," Schnitker said.

In the state's 2015 legislative session, the Oregon Head Start Association worked with the Children's Institute to start Preschool Promise, a program designed to expand access to preschool. The Children's Institute is a Portland-based policy advocacy organization with the goal of strengthening early learning services from before birth through third grade.

Preschool Promise is meant to ensure families at up to 200 percent of the federal poverty guideline can enroll their 3- and 4-year-olds in preschool for free, Schnitker said.

"It hasn't totally worked out the way we planned," Schnitker said.

Preschool Promise providers can be childcare centers, community-based organizations, school districts or other facilities that meet the state's strict guidelines, Schnitker said.

Families at up to 200 percent poverty can take advantage of the Preschool Promise, while families at up to 100 percent poverty can send their kids to Head Start or a Preschool Promise provider.

It's a positive that families with the lowest incomes have choices, Schnitker said, but by sending their child to a Preschool Promise provider instead of Head Start, a family may be bumping a child at 200 percent poverty from attending preschool at all.

"We'll get there, it's just a struggle now to figure it out," Schnitker said.

The conflict is another barrier to enrolling all of Oregon's 3- and 4-year olds in preschool, Schnitker said. In addition to being president of the Oregon Head Start Association, Schnitker is director of early childhood programs for Harney Education Service District and director of the Frontier Early Learning Hub, which serves Grant and Harney counties.

Viewing numbers like the 57 percent of 3- and 4-year-olds missing out on preschool, Schnitker and others working in early education are reminded existing help from the state and federal government isn't enough.

"Even at 200 percent, we're still not going to be reaching enough of the low-income families that should have access to preschool," Rafael Otto, senior communications and policy associate with the Children's Institute said.

In its first year, Preschool Promise enrolled 1,300 kids.

"That's a clear impact and a very positive impact, but it's also a small sliver of the kids who would be eligible," Otto said.

He, too, acknowledged the concern that families that qualify for Preschool Promise but not Head Start may be getting bumped when families with lower income choose Preschool Promise providers over Head Start programs.

"We've seen that, and we know that's being raised by Head Start now," Otto said. "Some families are choosing by location. We want to ensure families have as much choice as they can ... That's sort of a recognized tension in the system."

In Bend, where the population continues to grow rapidly, there's another kind of strain on preschool availability that's not necessarily related to affordability.

It's not uncommon for preschool waiting lists in Bend to have hundreds of names on them, according to Tammy Rundle, executive director of the nonprofit Growing Tree Children's Center. And if a child doesn't make it to the top of a waitlist, those 3- and 4-

year-olds can also contribute to the 57 percent not in preschool.

“I have over 500 kids on my waitlist,” Rundle said.

The Bend preschool, which enrolls infants to 5-year-olds not yet in kindergarten, currently has 100 kids.

“We had a waiting list even through the recession, but this is the first year I have felt a panic about it,” Rundle said, adding she sometimes “feels terrible” even answering the phone, because it’s often another parent desperate for childcare.

“I have parents who have been on my list three years, and they’re just upset,” Rundle said. “In our center, children don’t leave.”

Once a family gets into Growing Tree Children’s Center, they’ll keep their child enrolled there until kindergarten, Rundle said. And infants born to families with children already enrolled in the center take priority over the rest of the waitlist so families can stay together, she said.

Two of the babies under the care of January Irene Neatherlin, a Bend day-care operator facing more than 100 charges related to the alleged mistreatment of children in her care (<http://www.bendbulletin.com/localstate/bend/5342856-151/bend-daycare-operator-declines-to-enter-plea>), were on the Growing Tree Children’s Center’s waitlist, Rundle said.

“I know they didn’t take that spot knowing it was unsafe,” Rundle said.

Instead, she acknowledged families may turn to different kinds of day cares than are their first choice because of the high need in Bend. Her wish is that the city would build a community building for more preschool to be offered.

“We cannot afford to build another school,” Rundle said.

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Child care policies headed for Bend City Council

Reducing fees, helping providers find buildings considered



Amy Harpole talks to toddlers as they play outside at Growing Tree Children's Center on Tuesday, June 19, 2018, in Bend. (Joe Kline/Bulletin photo)

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Bend could reduce developer fees to build new child care centers and help would-be child care providers find usable space as city officials try to tackle a communitywide child care shortage.

Construction costs, business costs and state and local regulations are some of the biggest deterrents to opening and maintaining child care facilities in Central Oregon, child care providers and city employees told Bend's Economic Development Advisory Board this week. The shortage results in parents failing to take jobs they intended to accept or not moving to Bend for job opportunities, two things Bend Economic Development Director Carolyn Eagan says are detriments to the city's economic growth.

"Child care is a massive workforce issue," Eagan said. "I can't have individuals at the highest-producing years of their lives staying at home when they wish to be in the workforce because child care is a problem."

Eagan said she asked Mayor Casey Roats to put city policies relating to child care on a City Council discussion agenda, though a discussion likely won't take place until August. By then, the Bend Chamber of Commerce will have final results of a survey of employers and workers that runs through Sunday.

About 160 workers and 100 employers had responded to the survey, online at bendchamber.org, (<http://bendchamber.org>) by the end of last week.

Oregon State University, which tracks child care availability and cost at the county level, reports there are 17 spots in child care centers or home-based care facilities for every 100 children in Deschutes County.

This means thousands of children need spots in facilities, said Karen Prow, associate director of child care resources at NeighborImpact.

"The infant and toddler need hit us first in this area," she said. "Then it really hit at preschool age, and now it's at after-school care."

The city of Bend has 27 registered child care facilities in town. NeighborImpact knows of about 280 in Central Oregon, most of which are family-run services provided in homes.

The family programs tend to be more flexible, Prow said. Individuals providing child care from their homes can take children earlier in the morning or let them stay later in the evening. They're also smaller, accepting up to 10 or 16 children depending on their level of certification.

Central Oregon's housing crisis has negatively affected the number of in-home child care services, Prow said. Landlords can be choosier about their tenants and deny them the ability to set up an in-home child care business, she said. Also, people who might previously have provided child care in their homes are now seeking higher-paying outside jobs with fewer hours and more benefits, she said.

“What I’ve seen over the past five years is that as rent has gone up and as the price of homes have gone up, people who were renting and were providing child care from the rental have lost their opportunity to do that,” she said. “A lot of programs that have been in-home have closed.”

Many homeowners associations also prohibit in-home child care, but a state law passed in 2017 prevents them from doing that.

Employment in child care lags population growth and is far behind total employment growth, according to Damon Runberg, Central Oregon’s regional economist with the state Employment Department. In 2017, Deschutes County had 69 child care businesses with formal payrolls, and they employed 428 people, according to Runberg.

While there is a need for child care facilities, the city’s planning department hasn’t seen many proposals to build them, said Russ Grayson, the city’s community development director.

Part of this might result from high developer fees, he said. Transportation system development charges, which are based on the number of new vehicle trips a new business or home are expected to generate, are at about \$14,500 per 1,000 square feet for child care facilities. Those fees are far higher for child care than for other uses, Grayson said, and they’ll increase after Sunday because of a City Council decision to hike fees to fund the completion of two major roads in Bend.

“Transportation SDCs are a killer,” Grayson said. “They’re extremely high.”

If child care facilities take over existing buildings, they have to pay the difference in system development charges. They’re also responsible for higher safety standards, said Billy Staten, Bend’s assistant building official.

For instance, a child care center that tries to locate in empty space in a strip mall might have to add firewalls, alarms and sprinklers because child care centers typically have kitchens to prepare food for children and come with higher fire risks.

“From our perspective, permits might not be over-the-top expensive, but the amount of work you have to do can be a lot,” Staten said.

Staten said the city could work with real estate offices to identify spaces that might work better for child care facilities because they already meet higher safety standards. Building officials also already do free walk-throughs of commercial properties with potential tenants to help them figure out what improvements they’d need to make to meet codes.

The economic development advisory board also plans to create a FAQ for people who want to open child care centers to know what they need to do.

It also could help match businesses like Hydro Flask and St. Charles Bend, which say child care is a need for their employees, with potential child care providers who can’t find space.

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In Bend, child care may be harder to find than housing

Workers and employers alike feel crunch of long child care waiting lists



Amy Harpole talks to toddlers during lunch while making notes to their parents on what they ate and did throughout the day at Growing Tree Children's Center on Tuesday, June 19, 2018, in Bend. (Joe Kline/Bulletin photo)

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When Wintress Lovering decided to return to work and started looking for child care for her young daughter in February, she heard the same response from several centers: they were full, but maybe she could try in the fall — of 2019.

Lovering eventually found a program that will take her two children — a preschooler and a first-grader — for four hours, three days a week. It's enough child care that she's now able to work part-time from home, but she spent months in a limbo of waiting lists.

Child care survey

The Bend Chamber of Commerce is surveying employers and employees to learn how a lack of available and affordable child care affects Central Oregon's economy. The survey, which runs until July 1, is available at <https://bendchamber.org/community/child-care-needs-survey/>

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“It definitely felt constricting not being able to go in one direction or the other,” Lovering said.

Her experience is similar to those of many families in Deschutes County, where more than 60 percent of children younger than 6 have either two working parents or a single parent who’s working. Child care facilities have waiting lists with at least 100 students and Oregon State University, which tracks child care availability and cost county-by-county, reports that there are 17 spots in child care centers or home-based care facilities for every 100 children in Deschutes County. And those are just available spots, not necessarily affordable ones. The median annual cost of child care for a toddler in Deschutes County is about \$8,800 a year, according to Oregon State University. That’s about 8 percent of the annual income for a median family of four in the county, 43 percent of the annual earnings of a minimum wage worker and more expensive than a year of in-state tuition at one of Oregon’s public universities.

For Lovering, the cost of half-day care three days a week is about \$600 a month. Other Bend residents who responded to a survey released last week by the Bend Chamber of Commerce said child care is their second-highest expense, behind only rent or mortgage payments, said Jamie Christman, the chamber’s executive vice president for government affairs.

Like housing, a lack of access to quality child care affects Bend families across the economic spectrum, Christman said. The chamber’s survey, which had about 160 responses from employees and 100 from employers, aimed to gauge how a child care shortage affects workers and businesses trying to recruit and retain workers in a market where child care anecdotally sounds as hard or harder to find than housing.

“We have parents and families who are running out of options,” Christman said.

City Manager Eric King, responding to a question at last week's state of the city address, said a lack of child care does make it harder to attract workers to Bend.

"If both spouses are working, child care is a key decision about moving here and creating jobs," he said.

King suggested that people who want to help solve the child care problem find a way to work with the Bend Economic Development Advisory Board, a board of business leaders that advises the City Council on economic policy. The Chamber also has a task force researching the issue and possible policy changes.

The area's largest employer, St. Charles Bend, is participating in the task force. Hospital spokeswoman Lisa Goodman said St. Charles Bend allows employees to contribute pre-tax money to flexible spending accounts to use for child care, but it doesn't provide an on-site day care or much help to employees who need to find child care.

"We know anecdotally that some of our caregivers have expressed a difficulty finding child care," Goodman said. "We certainly acknowledge the shortage of affordable quality child care."

Seeing whether businesses will help employees pay their child care costs or set aside some business space for on-site child care is one option the chamber's task force is looking at, said Kara Tachikawa, executive director of Inspire Early Learning Centers. Tachikawa reached out to the chamber last year to look for connections with other people and businesses who could help find solutions to long waiting lists at the preschool she runs, as well as others in Bend.

Inspire Early Learning Centers takes children from 6 months to 5 years old and can have up to 99 children at its east side location on Conners Avenue and 94 at its Simpson Avenue site. One location has a waiting list of 150 children, while the other has about 200, and there's a prospect of a few spots opening when older kids graduate to kindergarten in the fall.

The child care shortage affects children across the board, but there's more need for infants and toddlers because more preschools only accept children older than 2, Tachikawa said. But she said child care at all levels needs people and businesses to invest in facilities and resources to avoid scare stories like that of January Neatherlin, the Bend woman who was sentenced to more than 21 years in prison earlier this year after pleading guilty to drugging and abandoning children at her illegal day care center to go tanning.

"Hopefully we'll get some businesses behind us and developers that want to help us fix this problem," Tachikawa said.

At the Growing Tree Children's Center in central Bend, executive director Tammy Rundle is facing the largest demand she's seen in the 20 years she's worked there. The Growing Tree, one of Bend's largest child care centers, is licensed to have up to 92 children ages 6 weeks through 5 years old.

"My waiting list was 500 kids long, and I've now closed it because there is just no way they'll ever get in," she said.

Rundle said the Growing Tree has always had a long waiting list, but it's escalated dramatically in the past five years. And because the center gives priority to siblings of children who are already enrolled, it's hard for children to get in even if they're on a waiting list.

"Everybody needs child care, but they're not talking about it," she said.

The Growing Tree owns its building, which was designed and built as a child care facility with help from Mt. Bachelor ski area founder Bill Healy. That allows the center to focus most of its fees — five full days a week costs \$1,035 a month for infants and \$770 a month for preschoolers — to services and paying living wages to employees, Rundle said.

As about 2,380 acres outside of current city limits are annexed and developed during the next two decades, city planners have stressed the need for complete neighborhoods: areas with homes, businesses, schools, parks, stores and restaurants in close proximity. The concept of complete neighborhoods should include quality child care facilities as well, Rundle said.

“If every large neighborhood had a child care center, those parents are not going to be traveling across the city to pick up and drop off their children and making traffic worse,” she said. “(Neighborhoods) do need restaurants and shops, and they also need child care.”

Along with planning at the city level, Rundle said she’s holding out hope that new philanthropists will follow Healy’s lead.

In the meantime, many parents in Bend are stuck on waiting lists, searching for alternative means of child care, shifting their work schedules so a parent can always be at home or stepping away from their jobs because child care isn’t available or affordable.

The federal Family and Medical Leave Act guarantees employees of companies with at least 50 workers up to 12 unpaid weeks off to care for new babies or family medical conditions. Some companies also offer paid maternity or paternity leave.

Shanti O’Connor, a counselor and mother of a 7 year old and a 4 year old who runs women’s groups in downtown Bend, said she tells working mothers they need to begin searching for child care while they’re still pregnant. The long waiting lists and the short amount of time many mothers have with their children before returning to work, combined with an influx of new families moving to Bend and a shortage of enough trained professional caregivers, makes finding care hard, O’Connor said.

“I’m constantly telling them that you’ve got to start searching for what you’ll need a year or two out,” she said.

— Reporter: 541-633-2160; jshumway@bendbulletin.com

News

Effort underway to ease Central Oregon 'child care desert'

Proposed Bend fee reduction could spur options

By:

[Lauren Melink](https://www.ktvz.com/meet-the-team/lauren-melink/88372936) (https://www.ktvz.com/meet-the-team/lauren-melink/88372936)

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🐦 (https://twitter.com/@Lauren_KTVZ)

Posted: Nov 08, 2018 06:34 PM PST

Updated: Nov 08, 2018 06:34 PM PST



Child care shortage demands attention

BEND, Ore. - Bend is in the process of making it easier for child care facilities to open and expand -- a key issue that has prompted pleas for assistance due to costly development fees.

Families and providers are calling Central Oregon a "child care desert." That's because only about 3,000 child care spots are available to about 9,000 children who need care in Deschutes County, according to study by Oregon State University and Portland State University.

To encourage current child care facilities to expand and new facilities to open, a proposal has been put to the Bend City Council to reduce system development charges by 70 percent for child care facilities.

Currently, a facility could face tens of thousands of dollars in charges. Not only does that discourage new facilities, but the cost is passed along to Central Oregon families who are faced with a big decision.

Stephanie Senner is the chair of the Bend Economic Development Advisory Board. She's also a parent who had to make a tough call when she and her family moved to Bend.

"My husband's a stay-at-home father because we were unable to find available, affordable child care," Senner said. "And at the end of the day, we need people in Bend to work. One of the biggest inhibitors to growth for local Bend businesses is not being able to find people to work."

"If we have available and affordable child care, then people can go to work more than part-time or as much as they want to. And that way, we're giving people the option to bring in the kind of money they need for their family."

System development charges are collected to offset the cost of development on existing public infrastructure and, according to Russ Grayson, Bend's development services director, those fees can get very high.

"That current rate is over \$18,000 per thousand square foot of facility. So it's a significant figure," Grayson said. "So you're talking 20, 30, 40, \$50,000 for someone trying to open a day care. And for that business model, that's a pretty significant charge."

The Bend Chamber conducted a survey over the summer to better understand how child care affects a community. Chamber President Katy Brooks spoke at Wednesday night's city council meeting to encourage councilors to look at options to ease the burden of child care. Several parents also spoke to the council, as well as a child care center owner facing large fees after moving to a new location.

"This is a huge issue for families. It can cost more than your mortgage every month, depending on how many kids," Brooks said. "And in addition to that, it really dictates whether or not you enter the workforce. From the employer stance, it impacts productivity, it impacts your ability to grow."

Along with child care being expensive to provide and pay for, it's a struggle for families to even find child care.

At Inspire Early Learning Centers in Bend, there are 54 unborn children on the waiting list, and other facilities have wait lists of more than a year.

Executive Director Kara Tachikawa said the conversation around child care is due for a change.

"Child care is not just a women's issue. It's not just a young families issue. It really is an economic issue that is affecting our workforce in Central Oregon," she said. "So if we are able to start providing more options for child care, higher quality, we're increasing families opportunities right now, employers opportunities to have more employees."

City Manager Eric King told councilors Wednesday that they will be presented with the ordinance to reduce fees for child care facilities by 70 percent at their next meeting, on Dec. 5. At that time they can pass it as an emergency or take an official vote at the following meeting.



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By CompareCards

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News

Bend Chamber survey: Child care issues impact business

Troubles nearly universal; solutions need partners

By:

KTVZ.COM news sources

Posted: Jul 09, 2018 04:56 PM PDT

Updated: Jul 09, 2018 05:03 PM PDT



BEND, Ore. - The Bend Chamber of Commerce released results Monday of two surveys on child care, one from employers and hiring managers and the other targeted to employees, that found nearly universal problems with finding adequate child care.

The purpose of the survey was to better understand whether child care needs are impacting businesses to attract and retain employees, and how child care affects the workforce.

Respondents for the survey were from Bend and the region, and included 128 employers and hiring managers, and 333 employees, according to a news release summarizing the findings, which continues below:

Employers are feeling the impact of child care shortages on their business, with 96% responding that it is at least somewhat to very difficult for employees to find and afford child care.

Child care challenges affect companies in a variety of ways, with 92% of employer respondents citing attendance as the top issue, 57% stating impacts to productivity and 54% saying employee retention is directly affected.

"It is clear that child care is a significant factor for employers in attracting and retaining talent," said Katy Brooks, Bend Chamber of Commerce CEO. Of the employer respondents, 37% said that at least a quarter (up to more than half) of their workforce needed child care services.

Employees are also feeling the impact of child care shortages in Central Oregon, with 73% responding it is very difficult. It is also impacting budgets and the cost of living. Over 20% of employee respondents say that childcare takes 25% of their income, with 21% saying it takes 50% or greater of their total income to pay for care.

Comments in the survey conveyed the difficulties of finding child care and the impacts to family expenses, often stating that it is the second-highest family expense behind paying mortgage or rent. Survey comments indicated that salary, housing and discretionary spending was greatly impacted by child care costs.

“From our conversations with employers and those working in and around the child care industry, this is a challenge that will require a collaborative effort, with both public and private sectors, to tackle,” said Brooks.

Providers in the region say that the major contributors to the high cost of providing child care include requirements for ratios of infants, children and teachers that accumulate labor costs. Operational and facility costs are also steep in the industry, where insurance and liability coverages/regulatory requirements, permit fees and facility rental and mortgage expenses further increase costs to providers.

The Chamber is part of a larger group of providers, employers and experts in the child care field who have formed a task force to form a strategy to ease the issue. The city of Bend is also evaluating methods of reducing costs for child care facilities and will be discussing options in the following months.

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By CompareCards

FW: Sunriver Information

Karen Prow <karenp@neighborimpact.org>
To: margaret Lowry <teatimeanytime2@gmail.com>

Wed, Dec 5, 2018 at 10:25 AM

Hi Peggy,

Here is information on current services provided in Sunriver. We have only one program.

I will look back and see what other data you were looking for.

Thanks,

Karen

From: Denise Hudson <deniseh@neighborimpact.org>
Sent: Wednesday, December 5, 2018 9:06 AM
To: Karen Prow <karenp@neighborimpact.org>
Subject: Sunriver Information

Child Care in Sunriver

1 RF

10 slots full

0 Vacancies

Desired Capacity of program: 1 infant

1 toddler

4 preschool

4 school age

Hours of care: 5am-6pm M-F

Denise Hudson

Child Care Resources Projects Specialist

NeighborImpact

Child Care Resources

541-323-6518

deniseh@neighborimpact.org

Like us on Facebook: <https://www.facebook.com/NeighborImpactccr>

www.neighborimpact.org

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margaret Lowry <teatimeanytime2@gmail.com>

Update?

PETERSEN Carol A - ELD <carol.a.petersen@state.or.us> Thu, Nov 29, 2018 at 9:38 AM
To: margaret Lowry <teatimeanytime2@gmail.com>

Hi Peggy,

I suggest that you contact Child Care Resources for some of the answers to your questions. The number you can call is 541-323-6518.

As of right now, there are not any licensed child care providers in Sunriver proper. However, there are several home providers that are in the outskirts of Sunriver.

Thank you,

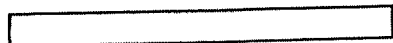
Carol

From: margaret Lowry <teatimeanytime2@gmail.com>
Sent: Thursday, November 29, 2018 9:28 AM
To: PETERSEN Carol A - ELD <carol.a.petersen@state.or.us>
Subject: Fwd: Update?

Good morning Carol,

[Quoted text hidden]

[Quoted text hidden]
[Quoted text hidden]
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[Quoted text hidden]





margaret Lowry <teatimeanytime2@gmail.com>

Update?

margaret Lowry <teatimeanytime2@gmail.com>
To: mhartley@destinationhotels.com

Fri, Nov 30, 2018 at 9:49 AM

Thank you, Molly, for resending the information. This is very helpful. I will definitely check with EDCO. Neighbor Impact is providing a lot of information on the "Child Care Desert", as they label this area. Your survey is perfect for the other piece of the zoning attachments. Thank you again!
Peggy

On Thu, Nov 29, 2018 at 10:26 AM Hartley, Molly <mhartley@destinationhotels.com> wrote:

Hi Peggy

The only thing I have to share is the survey results that we compiled this past summer. Attached are the results.

It terms of employment numbers for the resort: We have about 500 employees in the non-peak season (winter) and 950 employee in the peak season (summer). Not sure about all the other businesses in the Sunriver area.

Have you spoken with anyone at EDCO? I bet they might be able to help with data research as well.

Molly Hartley, PHR, SHRM-CP

DIRECTOR OF PEOPLE SERVICES | SUNRIVER RESORT
17600 Center Drive, Sunriver, OR 97707

Post Office Box 3609
O: 541.593.4816 F: 541.593-4411

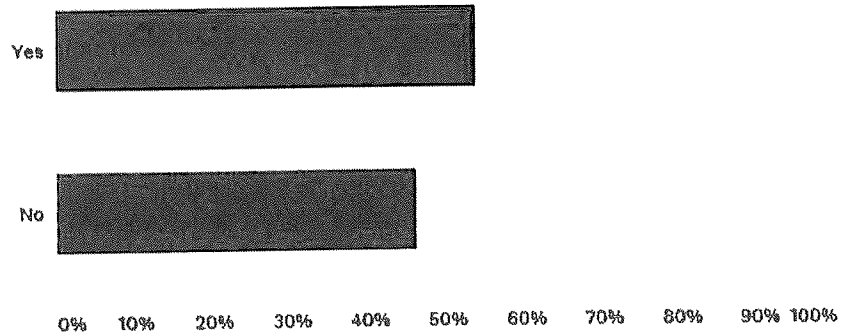
SUNRIVER-RESORT.COM

Q1

Customize Export

Would your household be interested in a qualified daycare program (serving children under age 6) offered in the Sunriver Business Park? (Not managed by Sunriver Resort)

Answered: 39 Skipped: 0



ANSWER CHOICES

- Yes
- No

Total Respondents: 39

RESPONSES

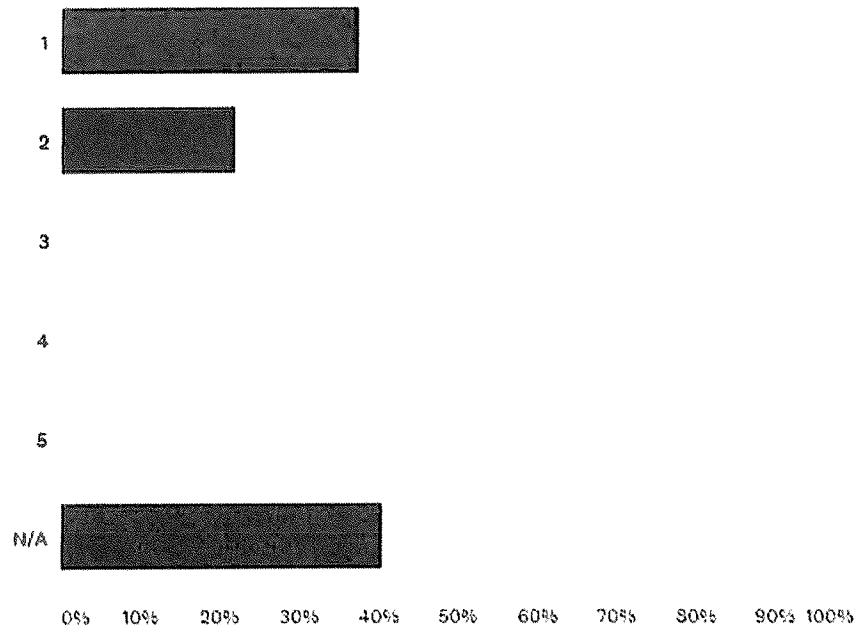
Response	Percentage	Count
Yes	53.85%	21
No	46.15%	18

Q2

Customize Export

If you answered yes to question 1, how many children would you consider for enrollment?

Answered: 32 Skipped: 7



ANSWER CHOICES

- ▼ 1
- ▼ 2
- ▼ 3
- ▼ 4
- ▼ 5
- ▼ N/A

TOTAL

▼ RESPONSES

37.50%	12
21.88%	7
0.00%	0
0.00%	0
0.00%	0
40.63%	1
	32

Thank you for looking into this option. I believe the cost per child/hour would need to be reasonable. Early mornings and late nights would be helpful for larger departments.

7/28/2018 7:58 PM [View respondent's answers](#)

Would be an amazing option to have all days of the week, because I work weekends as well as week days. Child care would be a huge benefit to my family and would definitely sign up for it if/when it becomes available.

7/27/2018 5:09 PM [View respondent's answers](#)

I think this is a really impactful idea and would support the families in this area, therefore strengthening our community in Sunriver/Three Rivers South.

7/27/2018 10:08 AM [View respondent's answers](#)

It would a lot of peoples lives so much easier, especially the people that work here at the resort and live in Sun River or La Pine.

7/27/2018 8:18 AM [View respondent's answers](#)

Vital to all mothers daycare is next to impossible to find at least 3 month waiting period

7/27/2018 7:48 AM [View respondent's answers](#)

No kids but I know there are multiple people on my team that would be interested.

7/27/2018 7:17 AM [View respondent's answers](#)

I work at The Main Lodge. My wife stays at home in Bend with our 9 month daughter. If there was an affordable day care she could get a part time job at Sunriver and the second income for any family is necessary.

7/27/2018 12:53 AM [View respondent's answers](#)

Affordable rates is important. Most daycares in Bend average \$1200. That is too expensive for the majority of hourly employees to afford.

7/26/2018 6:26 PM [View respondent's answers](#)

PLEASE

7/26/2018 5:09 PM [View respondent's answers](#)

Not at this time.

7/26/2018 4:57 PM [View respondent's answers](#)

We have several employees that would use this service although they are not in roles that receive emails

7/26/2018 4:52 PM [View respondent's answers](#)

Sorry I do not have kids.

7/26/2018 4:52 PM [View respondent's answers](#)

Child Care is very limited in this area , when my grandchildren visit I struggle to find someone to watch them for a few hours .

7/26/2018 4:44 PM View respondent's answers

The one GREAT thing about Mount Bachelor was having daycare for employees. It's a needed thing for sure and would help in our coverage for F&B for sure. I HIGHLY recommend it.

7/26/2018 4:21 PM View respondent's answers

I don't have kids, but do think this would be a great addition to Sunriver!

7/26/2018 4:17 PM View respondent's answers

I do not have children but if I did I would definitely want to take them close to where I work. I think it is a great idea.

7/26/2018 4:16 PM View respondent's answers

Desperately in need.

7/26/2018 4:03 PM View respondent's answers

While I do not currently have children, but plan to in the near future, this would be beneficial to have available in close proximity to work

7/26/2018 4:03 PM View respondent's answers

IF there would have been when I was first expecting children, then yes, I would have been interested. Now that we have established daycare, I would not pull them out

7/26/2018 4:02 PM View respondent's answers

Next week, we start bringing our 2.5 year old all the way to Bend for child care. Since we live in the Sunriver area, this will require us to drive to and from Bend twice per day. We would be very interested in child care options here in Sunriver/Three Rivers area. Thank you!

7/26/2018 4:02 PM View respondent's answers

Resort guests often inquire about childcare. Are typically referred to SROA for a list of qualified sitters. Might be a better jumping point if they have any data.

7/26/2018 4:00 PM View respondent's answers

Molly, fortunately I do not need child care anymore but I hear it all the time from associates at the resort and other Sunriver business employees about how hard it is to find child care in this area. I know there are people on waiting lists now and there seems to be a big demand for weekend child care and some place that is open later into the evening. I'm sure if they opened up in the business park they would be flooded with interested families. Not sure if this helps at all but thought I would put my two cents worth in.

7/26/2018 8:35 PM View respondent's answers



(https://www.census.gov)

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Enter a state, county, city, town, or zip code:

e.g., Atlanta, GA

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Sunriver CDP, Oregon

Population

2017 ACS 5-Year Population Estimate

957

Source: 2013-2017 American Community Survey 5-Year Estimates (/bkmk/table/1.0/en/ACS/17_5YR/DP05/1600000US4171250)

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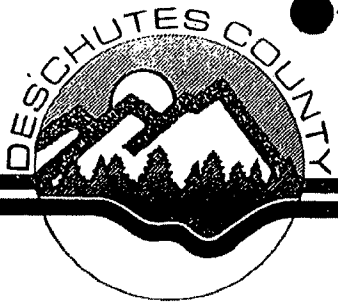
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Community Development Department

Administration Bldg./1130 N.W. Harriman/Bend, Oregon 97701
(503) 388-6575

Planning Division
Building Safety Division
Environmental Health Division

FINDINGS AND DECISION

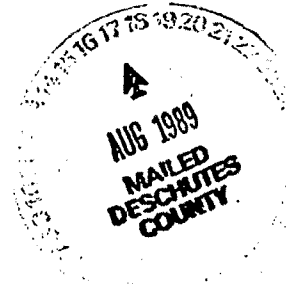
FILE NUMBER: SP-89-45 and CU-89-76

APPLICANT: Ed Willard
Post office Box 4194
Sunriver, Oregon 97707

PROPERTY OWNER: Sunray
56890 Venture Lane
Sunriver, Oregon 97707

REQUEST: An application for a Conditional Use Permit and a Site Plan Review for office space, day care center, laundromat and warehouse space.

REVIEWER Anita Yap Powell



BURDEN OF PROOF:

1. Deschutes County Comprehensive Plan Year 2000.
2. Deschutes County Zoning Ordinance 4.240 Planned Community Zone, Industrial District.
3. Deschutes County Zoning Ordinance, Article 8, Conditional Uses.
4. Section 7.010 - Site Plan Review.

BASIC FINDINGS

1. **LOCATION:** The subject parcel is located near the intersection of Enterprise Drive and Venture Lane in the Sunriver Business Park, 56890 Venture Lane, 20-11-5D-1300.
2. **ZONING:** The subject parcel is zoned PC (I) Planned Community Zone, Industrial District and is designated Planned Community in the Deschutes County Comprehensive Plan.

SP-89-45/CU-89-76

3. **SITE DESCRIPTION:** The subject parcel is generally flat, densely wooded with healthy lodgepole pines and sagebrush. Enterprise Drive is an unimproved road.

4. The applicant is proposing an 8,510 square foot building. The proposed usages are:

1/300 = 11	Property Management Offices	3450 square feet
1/600 = 2	Day Care Center	1946 square feet
1/2000 = 1	Laundromat/Housekeeping	1503 square feet
1/2000 = 1	Warehouse space	558 square feet
	Maintenance	1053 square feet

5. The Planning Division has received the following transmittals:

A. Deschutes County Public Works Department:

1. All surface water from the roof and paved areas is to be drained to DEQ approved dry wells on the site and not drained onto either Venture Drive or Enterprise Drive.
2. The sight distances to the two shown access drives are to be preserved by keeping the landscaping and signage from blocking or reducing the site distances at these two locations.
3. The proposed access to be taken from Enterprise Drive is to be coordinated with the circular drive accesses to the new starter public school to be located on the north side of Enterprise Drive.
4. The play yard for the proposed day care center is to be fenced on all three sides away from the building to reduce the chance of non-supervised small children getting in to the parking lot.
5. A designated clearly signed and striped drop-off area is to be provided for vehicles bringing children to the day care center.

B. US West Communications:

Telephone facilities will be provided by US West Communicatins per tariffs filed with P.U.C.

C. Deschutes County Building Division:

All plans including Site Plan to be stamped by a State licensed architect or engineer.

D. Sunriver Owners Association:

The Sunriver Owners Association is for the most part largely in favor of the construction of this facility. However, we wish to convey our concerns involving the lack of details as to landscaping, privacy fence around playground area, and playground equipment. No elevations were submitted that were complete and we would like to see a structure that is architecturally compatible with the surrounding area.

6. The Planning Division received three letters in favor of the proposed development.

CONCLUSIONARY FINDINGS:

1. Conformance with Section 4.240 Planned Community Zone, Industrial District E(2)(e).

"Commercial uses which are consistent with the Planned Communities Master Plan and which will not conflict with the uses permitted within the I Zone."

The applicant is proposing:

1. A property management office for Sunray, Inc.
2. Day Care Center.
3. Laundromat and housekeeping facility and maintenance area.
4. Warehouse.

The proposed uses appear to be consistent with the Planned Communities Master Plan and do not conflict with the uses permitted in the I Zone.

2. As outlined in the Site Plan:

- A. Access will be from Enterprise Lane, Venture Lane and an adjacent parking lot to the east.
- B. Forty-two (42) parking spaces.

- C. A 25-foot x 65-foot play yard on the east side of the building.
- D. A 20-foot x 22-foot screened courtyard on the west side of the building.
- E. Signage located at the north entrance at Enterprise Drive and Venture Lane on the south entrance.
- F. Sidewalks surrounding the building.
- G. Delivery area on the north side of the building.

CONCLUSIONS:

Based on the above findings and the applicant's Burden of Proof Statement, it appears that all relevant criteria and standards established for Site Plan Review have been satisfied by the applicant, or can be satisfied if certain conditions are met.

DECISION:

APPROVAL

CONDITIONS OF APPROVAL:

1. The applicant shall meet all requirements of the Deschutes County Building Safety Division and/or the State of Oregon.
2. The applicant shall meet all requirements of the Deschutes County Environmental Health Division and/or State of Oregon Department of Environmental Quality.
3. The applicant shall submit a detailed Landscape Plan meeting County standards.
4. The landscaping shall be continuously maintained and kept alive and attractive.
5. All surface water from the roof and paved areas is to be drained to DEQ approval dry wells on the site and not drained onto either Venture Drive or Enterprise Drive.
6. The site distances to the two shown access drives are to be preserved by keeping the landscaping and signage from blocking or reducing the sight distances at these two locations.

7. The proposed access to be taken from Enterprise Drive is to be coordinated with the circular drive accesses to the new starter public school to be located on the north side of Enterprise Drive.
8. The play yard for the proposed day care center is to be fenced on all three sides away from the building to reduce the chance of non-supervised small children getting into the parking lot.
9. A designated clearly signed and striped drop-off area is to be provided for vehicles bringing children to the day care center.
10. The applicant shall apply to Deschutes County Planning Division for any signs to be located on the property.
11. The applicant shall submit a surface water drainage plan.
12. The applicant shall submit an exterior lighting plan.
13. The applicant shall submit an amended Site Plan showing curb cuts for handicapped access, trash disposal areas and the drop-off area for the day care center.
14. The Site Plan approval shall be for a period of one (1) year.
15. The applicant shall sign and enter into a Development Agreement with Deschutes County to ensure all elements of the Site Plan shall be installed and maintained as approved. This Development Agreement shall be approved and recorded with the Deschutes County Clerk prior to issuance of any building permits for any of the proposed units.
16. Improvements to the site shall be completed prior to the issuance of any occupancy permit for any of the proposed units, or the applicant shall submit a bond or other form of security approved by County Legal Counsel for 110 percent of the estimated costs of improvement. (Improvements are defined as landscaping, irrigation systems, parking area, and other common area improvements.)

This decision becomes final ten (10) days after the date mailed, unless appealed by a party of interest.

DESCHUTES COUNTY PLANNING DIVISION

George J. Read
George J. Read, Interim Planning Director
AYP:mic
SP-89-45/CU-89-76



Date: January 16, 2019
To: Greg Blackmore, Blackmore Planning and Development Services, LLC
From: Joe Bessman, PE
Project Reference No.: 1280
Project Name: Sunriver Business Park Text Amendment

The purpose of this memorandum is to address Deschutes County transportation requirements for the proposed text amendment to allow a child care facility within the Sunriver Business Park. This text amendment would allow preschools, child care facilities, and nurseries as permitted uses in the Sunriver Urban Unincorporated Community Business Park District. This would impact the area highlighted in red within Figure 1.

Effectively, this text amendment needs to demonstrate compliance with the Transportation Planning Rule. This analysis must show that the inclusion of this use will not change the findings or needs of the supporting transportation infrastructure (creating an unmitigated "significant impact") as identified within the County's adopted Transportation System Plan.

TRANSPORTATION PLANNING RULE COMPLIANCE

Compliance with the Transportation Planning Rule requirements are commonly prepared by first assessing the potential impact of the zone change, text amendment, or plan amendment on the transportation system. Land use changes that result in less intense uses than those that are already allowed would be considered insignificant. Accordingly, a review was conducted of the allowed uses within the current Sunriver Urban Unincorporated Community Business Park District to identify the types of uses allowed today, and how these would compare to the proposed child care facilities. This comparison is typically based on trip generation comparison on a weekday daily and weekday p.m. peak hour basis.

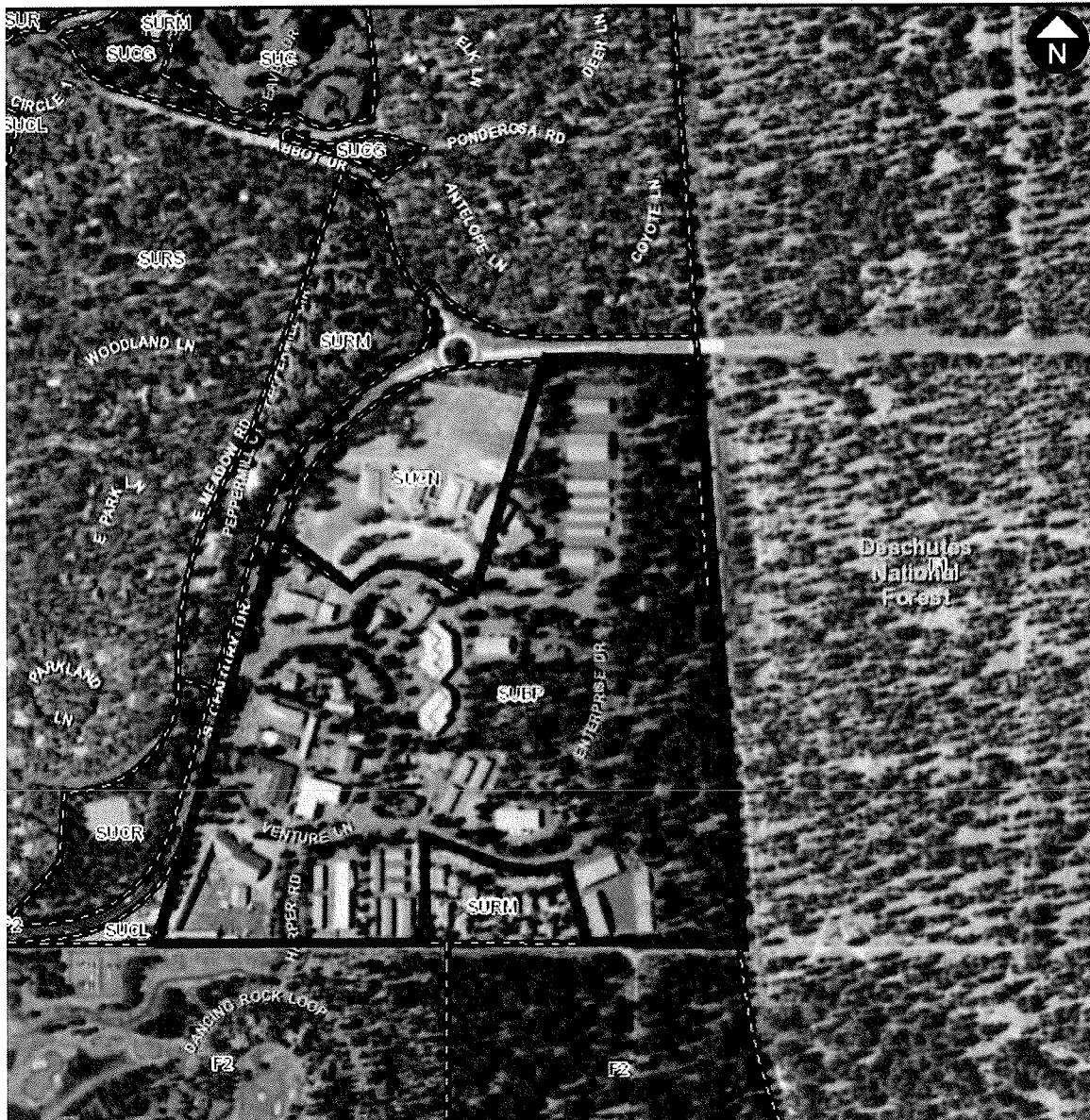


Figure 1. Location of the Sunriver Urban Unincorporated Community Business Park District.

Sunriver Business Park Allowable Uses

Deschutes County Code 18.108.110 identifies the uses permitted outright within the Business Park Zoning District. Table 1 summarizes these allowable land uses. Of these allowable uses, the most intense uses would be a retail building or buildings that could each include up to 8,000 square-foot of overall building space within a parcel. The Code indicates that this could provide multiple smaller buildings within any given parcel. Within an area such as the Sunriver Business Park an overall density between 0.20 and 0.25 would be considered typical within one- and two-story buildings with surface parking. Theoretically, a child care center could be as large as other retail buildings, so trip rates of the more intense allowable uses allowed outright within this zoning were reviewed. Table 2 provides a summary of the resultant trip

rates, some of which are identified outright in the zoning code, others that could be applicable, and others that are already located within the Sunriver Business Park.

Table 1. Summary of Allowable Land Uses and Trip Rates within Business Park (BP) District

Outright Allowable Use
Existing Residential
Administrative, Educational, Other in conjunction with outright use
Library
Recreational Path
Post Office
Church (less than 5,000 square-feet)
A building less than 8,000 square-feet with various retail/rental uses, office and service establishment, including but not limited to the following: <ul style="list-style-type: none"> Motor vehicle maintenance and repair Carwash Contractor's office Construction Equipment Sales/Rental Golf Cart Sales Lumber Yard/Home Improvement Housekeeping/Janitorial Dry cleaner/Laundry Marine/Boat sales and service Restaurant, bar, cocktail lounge including entertainment Marijuana Processing/wholesaling
A building or buildings each not exceeding 20,000 square-feet of floor space housing any combination of: <ul style="list-style-type: none"> Scientific Research Light manufacturing Food products manufacturing Warehousing

Table 2. Summary of ITE Trip Rates for Higher-Intensity Uses Permitted Outright

Outright Allowable Use	Daily Trip Rate	Weekday PM Peak Hour Trip Rate
Day Care Center (ITE 565)	47.62 Trips per 1,000 SF	11.12 Trips per 1,000 SF
High Turnover (Sit-Down) Restaurant (ITE 934)	112.18 Trips per 1,000 SF	9.77 Trips per 1,000 SF
United States Post Office (ITE 732)	103.94 Trips per 1,000 SF	11.21 Trips per 1,000 SF
Shopping Center (ITE 820)	37.75 Trips per 1,000 SF	3.81 Trips per 1,000 SF
Convenience Market with Gasoline Pumps (ITE 853)	624.20 Trips per 1,000 SF	49.29 Trips per 1,000 SF
Supermarket (ITE 850)	106.78 Trips per 1,000 SF	9.24 Trips per 1,000 SF
Pharmacy/Drugstore without Drive-Through Window (ITE 880)	323.69 Trips per 1,000 SF	26.79 Trips per 1,000 SF
Fast-Food Restaurant without Drive-Through Window (ITE 933)	346.23 Trips per 1,000 SF	28.34 Trips per 1,000 SF
Automated Car Wash (ITE 948)	No Data	14.20 Trips per 1,000 SF
Car Wash and Detail Center (ITE 949)	156.20 Trips per Stall (Approx 2,000 SF)	13.60 Trips per 1,000 SF

Table 2 shows that there are a variety of uses with more intense weekday daily and weekday p.m. peak hour trip rates. The uses in Table 2 do not account for pass-by or diverted trips, though all of these uses (to include child care facilities) are expected to be relatively short-length trips either from Century Drive or the surrounding Sunriver area. Some of the uses (such as the Convenience Market with Gasoline Pumps) may not be nonconforming uses within the zoning with the Code revisions that occurred in 1990, but the pharmacy classification reflects the prior site use.

Code Compliance

OAR Section 660-012-0060 of the Transportation Planning Rule (TPR) sets forth the relative criteria for evaluating plan and land use regulation amendments such as the proposed text amendment. Table 3 summarizes the criteria in Section 660-012-0060 and the applicability to the proposed text amendment application.

Table 3. Summary of Criteria in OAR 660-012-0060

Section	Criteria	Applicable?
1	Describes how to determine if a proposed land use action results in a significant impact.	Yes, see response below
2	Describes measures for complying with Criterion #1 where a significant impact is determined.	No
3	Describes measures for complying with Criteria #1 and #2 without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility.	No
4	Determinations under Criteria #1, #2, and #3 are coordinated with other local agencies.	No (No other agencies are impacted)
5	Indicates that the presence of a transportation facility shall not be the basis for an exception to allow development on rural lands.	No
6	Indicates that local agencies should credit developments that provide a reduction in trips.	No
7	Outlines requirements for a local street plan, access management plan, or future street plan.	No
8	Defines a mixed-use, pedestrian-friendly neighborhood.	No
9	Outlines requirements under which a local government may find that an amendment to a zoning map does not significantly affect an existing and planned transportation facility.	No
10	Outlines requirements under which a local government may amend a plan without applying performance standards related to motor vehicle traffic congestion, delay or travel time.	No
11	Outlines requirements under which a local government may approve an amendment with partial mitigation.	No

As noted in Table 3, there are eleven criteria that apply to Plan and Land Use Regulation Amendments. Of these, only Criterion 1 is applicable to the proposed text amendment. This criterion is provided below in italics with responses shown in standard font.

OAR 660-012-0060 (1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule, to assure that allowed land uses are consistent with the identified function, capacity,

and performance standards (e.g. level of service, volume-to-capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) As measured at the end of the planning period identified in the adopted transportation system plan:

(A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

Response: The proposed text amendment allows uses that generate levels of trips that are similar or lower than other outright uses within the Sunriver Business Park zone. The proposed text amendment would not change the types of travel or functional classification of any of the existing or planned transportation facilities within the City's Transportation System Plan.

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standard identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standard identified in the TSP or comprehensive plan.

Response: The trip generation potential of a day care center will be generally consistent with other uses allowed within the Sunriver Business Park. The proposed use and building size limitations that are already in place will not alter long-term system needs.

NEXT STEPS

I trust that these materials address how the proposed text amendment complies with the Transportation Planning Rule. This shows that while day care centers contain relatively high driveway trip rates, other uses allowed within the Business Park Zoning District have similar or higher trip rates. Accordingly, the impact of allowing this proposed use would not result in a significant transportation impact.

Please note that supplemental transportation materials summarizing a review of the specific site being considered for child care facilities will be provided under separate cover. Please let me know if you have any questions on these materials at joe@transightconsulting.com or at (503) 997-4473.