



## MEMORANDUM

**TO:** Deschutes County Board of Commissioners

**FROM:** Nicole Mardell, AICP, Senior Planner

**DATE:** April 30, 2025

**SUBJECT:** Consideration of First Reading: Temporary Hardship Dwelling Text Amendments

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On May 7, 2025, staff will present Ordinance No. 2025-005 to the Board of County Commissioners (Board) for consideration of first reading. On April 23, 2025, the Board conducted a public hearing and deliberations to consider legislative text amendments to Title 18 of the Deschutes County Code relating to temporary hardship dwellings (file no. 247-25-000078-TA). The Board voted 2-0 to adopt the proposed package as drafted by staff. The ordinance attached hereto will formally adopt the amendment package.

Staff submitted a Post-Acknowledgement Plan Amendment (PAPA) notice to the Department of Land Conservation and Development (DLCD) on February 6, 2025. The Planning Commission held a public hearing on March 13, 2025<sup>1</sup>. The Commission held deliberations on March 27, 2025<sup>2</sup> and voted 6-0 to recommend approval of the proposed amendments drafted by staff, with a revision to exclude the use of existing buildings as a hardship dwelling type in the RR-10 and MUA-10 zones<sup>3</sup>.

### I. RECORD

The record, which contains all memoranda, notices, and written testimony received, is available at the following website: <https://bit.ly/25-78-TA>.

### II. OVERVIEW OF ORDINANCE

This is a legislative text amendment to Deschutes County Code (DCC), Title 18, County Zoning. The primary purpose of the amendment is to conform local requirements to state law and

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<sup>1</sup> <https://www.deschutes.org/bc-pc/page/planning-commission-63>

<sup>2</sup> <https://www.deschutes.org/bc-pc/page/planning-commission-64>

<sup>3</sup> As noted below, the package reviewed by the Board included this revision.

provide consistency for the review of hardship dwellings across multiple county zones. Notable changes include:

- Reorganized content for readability;
- Amended outdated references;
- Clarified hardship dwelling can be used for the “aged” as well as the “infirm”;
- Clarified “existing building” use and definition for the purpose of the section;
- Clarified hardship dwelling can be the only second dwelling on the property;
- Amended renewal requirement from every one year to two years;
- Listed the use in all permissible zones for readability.

The original version of the amendments, reviewed by the Planning Commission, proposed to expand use of an existing building as a hardship dwelling type to several zones, including the RR-10 and MUA-10 zones. OAR 660-004-0040(8)(f) provides specific guidance for hardship dwellings in these zones, noting the dwelling type must be either a Recreational Vehicles (RVs) or manufactured home. Upon discovering this provision, the Planning Commission (in consultation with staff) recommended the Board exclude this proposed allowance. Staff updated the proposed text amendment package to reflect the recommendation prior to the Board’s public hearing.

### **III. NEXT STEPS**

Staff will return on Wednesday, May 21, 2025, for Second Reading of Ordinance 2025-005

#### Attachments:

- Ordinance No. 2025-005 and Corresponding Exhibits