



MEMORANDUM

TO: Deschutes County Board of Commissioners

FROM: Nicole Mardell, AICP, Senior Planner

DATE: May 14, 2025

SUBJECT: Consideration of Second Reading: Temporary Hardship Dwelling Text Amendments

On May 21, 2025, staff will present Ordinance No. 2025-005 to the Board of County Commissioners (Board) for consideration of second 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 Board conducted first reading of the ordinance on May 7, 2025. Second reading is scheduled for May 21, 2025.

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, 2025¹. The Commission held deliberations on March 27, 2025² 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 zones³.

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>.

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

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

³ As noted below, the package reviewed by the Board included this revision.

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 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- Amended outdated references;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

The ordinance will become effective 90 days following the second reading. The tentative effective date is August 19, 2025.

Attachments:

- Ordinance No. 2025-005 and Corresponding Exhibits