

CHAPTER 18.88 WILDLIFE AREA COMBINING ZONE; WA

18.88.050 Dimensional Standards – General/Discretionary Standards

18.88.051 Dimensional Standards – Clear and Objective Standards Pursuant To DCC 22.08.040

18.88.010 Purpose

The purpose of the Wildlife Area Combining Zone is to conserve important wildlife areas in Deschutes County; to protect an important environmental, social, and economic element of the area; and to permit development compatible with the protection of the wildlife resource.

HISTORY

Adopted by Ord. [PL-15](#) §4.190(1) on 11/1/1979

Amended by Ord. [93-043](#) §§13 and 13A on 8/25/1993

[Amended by Ord. 2025-009 §7 on 6/18/2025](#)

18.88.020 Application Of Provisions

The provisions of DCC 18.88 shall apply to all areas identified in the Comprehensive Plan as a winter deer range, significant elk habitat, antelope range, or deer migration corridor. Unincorporated ~~communities~~ Communities are exempt from the provisions of DCC 18.88.

HISTORY

Adopted by Ord. [PL-15](#) §4.190(2) on 11/1/1979

Amended by Ord. [92-042](#) §1 on 8/5/1991

Amended by Ord. [96-003](#) §6 on 3/27/1996

Amended by Ord. [2004-013](#) §9 on 9/21/2004

[Amended by Ord. 2025-009 §7 on 6/18/2025](#)

18.88.040 Uses Permitted Conditionally

- A. Except as provided in DCC 18.88.040(B), in a zone with which the WA Zone is combined, the conditional uses permitted shall be those permitted conditionally by the underlying zone subject to the provisions of the Comprehensive Plan, DCC 18.128 and other applicable sections of this title. To minimize impacts to wildlife habitat, the County may include conditions of approval limiting the duration, frequency, seasonality, and total number of all outdoor assemblies occurring in the WA Zone, whether or not such outdoor assemblies are public or private, secular or religious.
- B. The following uses are not permitted in that portion of the WA Zone designated as deer winter ranges, significant elk habitat, or antelope range:
 1. Golf course, not included in a destination resort;
 2. Commercial dog kennel;
 3. Public or private school;

4. Bed and breakfast inn;
 5. Dude ranch;
 6. Playground, recreation facility or community center owned and operated by a government agency or a nonprofit community organization;
 7. Time share unit;
 8. Veterinary clinic;
 9. Fishing lodge.
- C. Subject to DCC 18.88.040(E), the following uses are permitted in that portion of the WA zone designated as the Bend/La Pine Deer Migration Corridor as conditional uses:
1. Religious institutions or assemblies;
 2. Public or private school;
 3. Bed and breakfast inn;
 4. Playground, recreation facility or community center owned and operated by a government agency or a nonprofit community organization;
- D. Subject to DCC 18.113, destination resorts are allowed as a conditional use in that portion of the WA zone designated as the Bend/La Pine Deer Migration Corridor as long as the property is not in an area designated as "Deer Migration Priority Area" on the 1999 ODFW map submitted to the South County Regional Problem Solving Group.
- E. Use limitations. The uses listed in DCC 18.88.040(C) are subject to the applicable provisions of DCC 18.116 and 18.124 and the following criteria:
1. The lot or parcel shall be zoned RR-10;
 2. The lot or parcel shall be located within one-quarter mile of a rural service center and abut a rural collector or a rural arterial identified on the Deschutes County Transportation Plan;
 3. The lot or parcel shall have a lot area not less than one acre and no more than five acres;
 4. The lot or parcel shall be farther than 100 feet from identified wetlands, floodplains, or riparian areas.
 5. The ~~lot or parcel~~property shall be outside areas designated as "Existing High Use Migration Areas" or "Important Connective Areas Through Existing Developed Areas" on the 1997 ODFW map submitted to the South County Regional Problem Solving Group.
 6. Fences developed as part of the conditional uses listed in DCC 18.88.040(C) shall be built from posts and poles or smooth wire and shall have a minimum bottom pole or wire height of 18 inches from the ground and a maximum top pole or wire height of 40 inches

from the ground. Fences exempted from these standards shall be constructed in accordance with the provisions of DCC 18.88.070(B).

- F. Expansion of any use listed in DCC 18.88.040(B) that was lawfully established prior to August 5, 1992, is allowed, subject to provisions of DCC Title 18 applicable to the establishment of such uses. Expansion of golf courses under DCC 18.88.040 shall be limited to a final size of 18 holes.

HISTORY

Adopted by Ord. [PL-15](#) §4.190(4) on 11/1/1979

Amended by Ord. [92-042](#) §1 on 8/5/1991

Amended by Ord. [95-001](#) §3 on 3/29/1995

Amended by Ord. [95-075](#) §1 on 11/29/1995

Amended by Ord. [98-013](#) §1 on 1/28/1998

Amended by Ord. [2001-019](#) §1 on 4/25/2001

Amended by Ord. [2018-003](#) §1 on 1/25/2018

Amended by Ord. [2020-001](#) §11 on 4/21/2020

Amended by Ord. [2025-002](#) §21 on 2/26/2025

[Amended by Ord. 2025-009 §7 on 6/18/2025](#)

18.88.050 Dimensional Standards – General/Discretionary Standards

In a WA Zone, the following dimensional standards shall apply:

- A. In the Tumalo, Metolius, North Paulina, and Grizzly deer winter ranges designated ~~on~~ the Comprehensive Plan Resource Element County's official zoning map, the minimum lot size for new lots or parcels shall be 40 acres except as provided in DCC 18.88.050(D).
- B. In areas designated as significant elk habitat in the ~~Comprehensive Plan Resource Element~~ County's official zoning map, the minimum lot size for new lots or parcels shall be 160 acres.
- C. In areas designated as antelope range in the ~~Comprehensive Plan Resource Element~~ County's official zoning map, the minimum lot size for new lots or parcels shall be 320 acres.
- D. Residential land divisions, including partitions, in deer winter range where the underlying zone is RR-10 or MUA-10, shall not be permitted except as a planned development or cluster development conforming to the following standards:
1. The minimum lot area for a planned or cluster development shall be at least 40 acres.
 2. The planned or cluster development shall retain a minimum of 80 percent of the lot area as open space and conform with the provisions of DCC 18.128.200 or DCC 18.128.210.
 3. Notwithstanding ~~the provisions of DCC 18.128.200, or DCC 18.128.210, or DCC 18.60.060(C)~~ other provisions in Title 18, the total number of dwelling units in a cluster development may not exceed the density permitted in the underlying zone.
- E. Residential land divisions, including partitions, in the Bend/La Pine Deer Migration Corridor designated on the County's official zoning map where the underlying zone is RR-10 shall not be permitted except as a cluster development conforming to the following standards:

1. The minimum lot area for a cluster development shall be at least 20 acres.
2. The cluster development shall retain a minimum of 80 percent of the lot area as open space and conform with the provisions of DCC 18.128.200 or 210.
3. Notwithstanding other provisions in Title 18~~the provisions of DCC 18.128.200, or DCC 18.60.060(C)~~, the total number of dwelling units in the cluster development may not exceed the density permitted in the underlying zone.

HISTORY

Adopted by Ord. [PL-15](#) §4.190(6) on 11/1/1979

Amended by Ord. [92-042](#) §1 on 8/5/1991

Amended by Ord. [95-075](#) §1 on 11/29/1995

Amended by Ord. [2025-002](#) §21 on 2/26/2025

Amended by Ord. [2025-009](#) §7 on 6/18/2025

18.88.051 Dimensional Standards – Clear and Objective Standards Pursuant To DCC 22.08.040

In a WA Zone, the following dimensional standards shall apply:

- A. In the Tumalo, Metolius, North Paulina, and Grizzly deer winter ranges designated on the County's Official Zoning map, the minimum lot for new lots or parcels shall be 40 acres except as provided in DCC 18.88.051(D).
- B. In areas designated as significant elk habitat in the designated ~~in~~on the County's Official Zoning map, the minimum lot size for new lots or parcels shall be 160 acres.
- C. In areas designated as antelope range in the designated on the County's Official Zoning map, the minimum lot size for new lots or parcels shall be 320 acres.
- D. Land divisions creating lots or parcels eligible for a dwelling unit in deer winter range where the underlying zone is RR-10 or MUA-10, are not permitted.
- E. Land divisions creating lots or parcels eligible for a dwelling unit in the Bend/La Pine Deer Migration Corridor designated on the County's Official Zoning map where the underlying zone is RR-10 are not permitted.

HISTORY

Adopted by Ord. [2025-009](#) §7 on 6/18/2025

18.88.060 Siting Standards

- A. Setbacks shall be those described in the underlying zone with which the WA Zone is combined.
- B. Dwelling Unit Placement.
 1. General/Discretionary Standard: The structural footprint, including decks and porches, for new dwelling units shall be located entirely within 300 feet of public roads, private

roads, or recorded easements for vehicular access existing as of August 5, 1992, unless it can be found that:

- a. Habitat values (i.e., browse, forage, cover, access to water) and migration corridors are afforded equal or greater protection through a different development pattern; or,
- b. The siting within 300 feet of such roads or easements for vehicular access would force the dwelling unit to be located on irrigated land, in which case, the dwelling unit shall be located to provide the least possible impact on wildlife habitat considering browse, forage, cover, access to water, and migration corridors, and minimizing length of new access roads and driveways; or,
- c. The dwelling unit has a maximum setback of no more than 50 feet from the edge of a driveway that existed as of August 5, 1992.

2. Clear and Objective Standard pursuant to DCC 22.08.040: The structural footprint, including decks and porches, for dwelling unit shall be located entirely within 300 feet of public roads, private roads, or recorded easements for vehicular access existing as of August 5, 1992.

B.C. General/Discretionary Standards: Submitting evidence fFor purposes of DCC 18.88.060(B)(1):

1. A private road, easement for vehicular access, or driveway will conclusively be regarded as having existed prior to August 5, 1992, if the applicant submits any of the following:
 - a. A copy of an easement recorded with the County Clerk prior to August 5, 1992, establishing a right of ingress and egress for vehicular use;
 - b. An aerial photograph with proof that it was taken prior to August 5, 1992, on which the road, easement, or driveway allowing vehicular access is visible;
 1. An aerial photograph will be found to meet DCC 18.88.060(C)(1)(b) if and only if a continuous, improved, or cleared vehicular travel surface of at least 10 feet in width is clearly visible on such photograph.

b.c. A map published prior to August 5, 1992, or a Assessor's map from prior to August 5, 1992, showing the road (but not showing a mere trail or footpath).

2. An applicant may submit any other evidence thought to establish the existence of a private road, easement for vehicular access, or driveway as of August 5, 1992, which evidence need not be regarded as conclusive.

D. Clear and Objective Standards pursuant to DCC 22.08.040: Submitting evidence for purposes of DCC 18.88.060(B)(2):

1. A private road, easement for vehicular access, or driveway will conclusively be regarded as having existed prior to August 5, 1992, if the applicant submits any of the following:

- a. A copy of an easement recorded with the County Clerk prior to August 5, 1992, establishing a right of ingress and egress for vehicular use;
- b. United States Geological Survey Topographic Map published prior to August 5, 1992 showing the road (but not showing a mere trail or footpath).

HISTORY

Amended by Ord. [92-042](#) §1 on 8/5/1991

Amended by Ord. [95-001](#) §3 on 3/29/1995

Amended by Ord. [2025-002](#) §21 on 2/26/2025

Amended by Ord. [2025-009](#) §7 on 6/18/2025