



MEMORANDUM

TO: Deschutes County Planning Commission
FROM: Kyle Collins, Associate Planner
DATE: October 7, 2021
SUBJECT: 2021 Housekeeping Amendments – Work Session

The Planning Commission will conduct a work session on October 14, 2021 at 5:30 P.M. at the Deschutes Services Center, 1300 Wall Street, Barnes and Sawyer rooms to consider housekeeping amendments (file no. 247-21-000862-TA). This work session is in preparation for a public hearing on October 28, 2021 to consider text amendments correcting minor errors in the Deschutes County Code. Attached to this memorandum are the proposed text amendments (Exhibit A) and a staff report summarizing the changes (Exhibit B). The public hearing will be conducted in-person, electronically, and by phone.¹

I. BACKGROUND

The Planning Division regularly amends Deschutes County Code (DCC) and the Comprehensive Plan to correct minor errors identified by staff, other County departments, and the public. This process, commonly referred to as housekeeping, also incorporates updates from rulemaking at the state level through amendments to Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR). The last time Deschutes County adopted housekeeping amendments occurred in July 2020.²

II. OVERVIEW OF AMENDMENTS

The proposed text amendments will affect the following chapters of the Deschutes County Code:

Title 15, Buildings and Construction
Chapter 15.04. BUILDINGS AND CONSTRUCTION CODES AND REGULATIONS

¹ See Deschutes County Planning Commission October 28, 2020 Agenda for more information:
<https://www.deschutes.org/bc-pc/page/planning-commission-5>

² Ordinance 2020-007.

Title 17, Subdivisions
Chapter 17.24. FINAL PLAT

Title 18, County Zoning
Chapter 18.04. TITLE, PURPOSE AND DEFINITIONS
Chapter 18.16. EXCLUSIVE FARM USE ZONES
Chapter 18.32. MULTIPLE USE AGRICULTURAL ZONE – MUA
Chapter 18.36. FOREST USE ZONE – F-1
Chapter 18.40. FOREST USE ZONE – F-2
Chapter 18.67. TUMALO RURAL COMMUNITY ZONING DISTRICTS
Chapter 18.74. RURAL COMMERCIAL ZONE
Chapter 18.80. AIRPORT SAFETY COMBINING ZONE - AS
Chapter 18.84. LANDSCAPE MANAGEMENT COMBINING – LM ZONE
Chapter 18.108. URBAN UNINCORPORATED COMMUNITY ZONE; SUNRIVER
Chapter 18.116. SUPPLEMENTARY PROVISIONS
Chapter 18.120. EXCEPTIONS

Title 19, Bend Urban Growth Boundary Zoning Ordinance
Chapter 19.76. SITE PLAN REVIEW
Chapter 22.28. LAND USE ACTION DECISIONS

Title 22, Deschutes County Development Procedures Ordinances
Chapter 22.04. INTRODUCTION AND DEFINITIONS
Chapter 22.24. LAND USE ACTION HEARINGS

III. UPCOMING NON-HOUSEKEEPING AMENDMENTS

A number of additional text amendments are forthcoming associated with changes made during the 2019, 2020, and 2021 legislative sessions. Additional amendments have been proposed by County staff to address multifaceted issues encountered during normal community development operations. Due to the complexity associated with each of these legislative changes, they require additional discussion and move beyond items typically associated with housekeeping amendments. A brief summary of the forthcoming amendments are described below:

- **DCC 18.04.030 – Definitions; DCC 18.128.320 - Campgrounds:** Conflicts exist between the definitions of “campground” and the specific Conditional Use standards governing campgrounds. The primary conflict result from differing definitions for allowed durations of stay in designated campgrounds.
- **DCC 18.36; DCC 18.40 – Forest Zones:** Over time, County Code has fallen out of compliance with the relevant standards of OAR 660-006, which deals with development and land uses in lands designated for forest use. Amendments would alter County Code to broadly conform with the standards required by state administrative rule.

- **DCC 18.61 – Urban Unincorporated Community Zone; La Pine:** As the City of the La Pine is officially incorporated, Deschutes County has no land use authority within these areas. Amendment would remove all references to the La Pine Unincorporated Community Zone
- **DCC 18.80.044 – Land Use:** Deschutes County Code currently prohibits all residential uses within Transitional Areas associated with registered airports. Alterations are needed to ensure that residential development is allowed in transitional areas under certain circumstances by altering 18.80.044(D).
- **DCC 18.120.030 – Exceptions to Yard Requirements; 18.120.035 – Exceptions to River Setback Requirements:** Required amendments to address what types of structures must be excepted, or should be excepted from various yard and river setback standards.
- **House Bill (HB) 2809:** Will add language to allow temporary replacement RV housing after a designated natural disaster.
- **HB 2469:** A permissive bill to allow forest relative dwellings as a second dwelling on forest zoned parcels to assist with forest management.
- **HB 2329:** A permissive bill altering ORS 215.283, EFU uses for nonmarginal lands counties. Would allow photovoltaic solar power generation facilities on high-value farmland as a commercial utility facility. Specifically, renewable energy facilities defined in ORS 215.446 may be established as a commercial utility facility.

IV. NEXT STEPS

A work session with the Planning Commission is scheduled for October 14, 2021, and a public hearing for the text amendments is scheduled for October 28, 2021.

Attachments

- 1) Exhibit A: Proposed Text Amendments
- 2) Exhibit B: Staff Report