



MEMORANDUM

TO: Deschutes County Planning Commission

FROM: Rachel Vickers, Associate Planner

DATE: June 8, 2023

SUBJECT: Preparation for Public Hearing: Conventional Housing Combining Zone Repeal

Staff will present proposed text amendments to the Planning Commission on June 8, 2023, in preparation for a June 22, 2023 public hearing concerning legislative amendments to repeal the Conventional Housing Combining Zone (file no. 247-23-000391-TA).

I. BACKGROUND

The CHC Zone serves as an overlay zone and restricts placement of manufactured or prefabricated homes in specific areas of the County with the following stated purpose:

"To provide a variety of residential environments in rural areas by maintaining areas reserved for conventional and modular housing permanently attached to real property".

Deschutes County adopted the CHC Zone in 1979 as part of Ordinance PL-15, the County's Zoning Ordinance. The CHC Zone applies to three areas – an area to the east of Tumalo, west of Tumalo and east of Bend as shown in the map in Attachment 3. From staff research, this overlay zone appears to have been created by petition of property owners, although specific findings for the intent of the zone and its location are not available in county records.

In 2020, the County produced a Rural Housing Profile, which outlined several potential strategies for removing barriers to housing production in rural Deschutes County. The repeal of the CHC Zone was listed as a strategy as it would give those properties the potential to provide affordable housing in the form of mobile or manufactured homes, which are less expensive alternatives to stick-built or modular housing.

In addition to this, on March 23, 2022, Oregon House Bill 4064 became effective. The bill amended several sections of Oregon Revised Statute which clarified that local governments may not prohibit siting of prefabricated structures in residential zones where traditional single-family homes or other common dwelling types were allowed. Although the amendments were primarily targeted toward cities and urban growth boundaries, Section 4, ORS 197.312 OR was revised to limit both city and county jurisdictions' ability to prohibit manufactured prefabricated homes in residential zones.

The purpose of these amendments is twofold: to implement the recommendation of the 2020 housing profile to allow for an affordable housing option where stick-built residential structures are otherwise allowed and also to bring the Deschutes County Code into compliance with HB 4064 by specifically removing this combining zone from residentially zoned properties.

II. PROPOSAL

This is a legislative text amendment to Deschutes County Code (DCC), Title 18 County Zoning, to repeal Chapter 18.92, Conventional Housing Combining (CHC) Zone.

Staff is proposing the following revisions to complete this text amendment:

- Repeal of section 18.92 Conventional Housing Combining Zone from the Deschutes County Code
- Zoning Map Amendment to repeal the Conventional Housing Combining Zone

The applicant, in this case Deschutes County Community Development, has provided the draft text amendments and findings as attachments to this memorandum. The findings summarize the amendments and demonstrate compliance with the Statewide Planning Goals, and applicable policies of the Deschutes County Comprehensive Plan.

III. NEXT STEPS

A public hearing with the Planning Commission is scheduled for June 22, 2023.

Attachments:

1. Proposed Text Amendments
2. Proposed Findings
3. CHC Zone Map