

## **Chapter 18.76. AIRPORT DEVELOPMENT ZONE – A-D**

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### **18.76.010. Purpose.**

The purpose of the Airport Development (AD) Zone is to allow for development compatible with ongoing airport use consistent with the most recently adopted Deschutes County Year Comprehensive Plan and the most recently approved Bend Airport Master Plan, while providing for public review of proposed development likely to have significant impact on surrounding lands. The AD Zone is composed of three separate zoning districts, each with its own set of allowed uses and distinct regulations, as further set forth in DCC 18.76.

(Ord. 2020-018 §1, 2020; Ord. 2003-036 §2, 2003; Ord. 91-020 §1, 1991)

### **18.76.015. Definitions.**

The following definitions apply only to Chapter 18.76.

"Air Traffic Control Tower" means a terminal facility which, through the use of air/ground communications, visual signaling, and other devices, provides air traffic control services to airborne aircraft operating in the vicinity of an airport and to aircraft operating on the airport movement area.

“Customary and usual aviation-related activities” include, but are not limited to, takeoffs, landings, aircraft hangars, tiedowns, construction and maintenance of airport facilities, fixed-base operator facilities, a residence for an airport caretaker or security officer, and other activities incidental to the normal operation of an airport. Residential, commercial, industrial, manufacturing, and other uses, except as provided in this rule, are not customary and usual aviation-related activities and may only be authorized pursuant to OAR 660-013-0110.

“Fixed-base operator or FBO” means a commercial business granted the right by the airport sponsor to operate on an airport and provide aeronautical services such as fueling, hangaring, tie-down and parking, aircraft rental, aircraft maintenance, flight instruction, etc.

“Hangar” means an airport structure intended for the following uses:

- A. Storage of active aircraft.
- B. Shelter for maintenance, repair, or refurbishment of aircraft, but not the indefinite storage of non-operational aircraft.
- C. Construction of amateur-built or kit-built aircraft

- D. Storage of aircraft handling equipment, e.g., tow bar, glider tow equipment, workbenches, and tools and materials used to service, maintain, repair or outfit aircraft; items related to ancillary or incidental uses that do not affect the hangars' primary use.
- E. Storage of materials related to an aeronautical activity, e.g., balloon and skydiving equipment, office equipment, teaching tools, and materials related to ancillary or incidental uses that do not affect the hangars' primary use; storage of non-aeronautical items that do not interfere with the primary aeronautical purpose of the hangar (for example, televisions, furniture).
- F. A vehicle parked at the hangar while the aircraft usually stored in that hangar is flying, subject to local airport rules and regulations.
- G. A hangar may include restrooms, pilot lounge, offices, briefing rooms, and crew quarters.  
([Ord. 2023-027 §1, 2023](#); Ord. 2020-018 §1, 2020)

**18.76.020. Standards in All Districts.**

- A. Approval Required. Any use in an AOD, ASD, or ARID District shall be subject to DCC 18.124.
  - 1. Hangars not associated with a commercial or industrial use are exempt from DCC 18.124.
  - 2. Airfield improvements including but not limited to runways, taxiways, taxilanes, aircraft parking aprons, service roads, navigational aids, and runway and safety facilities required by the Federal Aviation Administration (FAA) are not subject to County review.
- B. Solar Setbacks. The setback from the north lot line shall meet the solar setback requirements of DCC 18.116.180.
- C. Building Code Setbacks. In addition to the setbacks set forth herein, any greater setbacks required by applicable building or structural codes adopted by the State of Oregon and/or Deschutes County under DCC 15.04 shall be met.
- D. Off-Street Parking and Loading. Off-street parking and loading shall be provided subject to the parking provisions of DCC 18.116.
- E. Outdoor Lighting. All outdoor lighting shall be installed in conformance with DCC 15.10.
- F. Excavation, Grading and Fill and Removal. Excavation, grading and fill and removal within the bed and banks of a stream or river or in a wetland shall be subject to DCC 18.120.050 and/or DCC 18.128.270.
- G. Signs. All signs shall be constructed in accordance with the provisions of DCC 15.08.
- H. Notification. Deschutes County shall provide notification of all land use applications in an AD zone to the airport manager owner's designee in accordance with the provisions of DCC Title 22.  
(Ord. 2020-018 §1, 2020; Ord. 2003-036 §2, 2003)

**18.76.030. Uses Permitted Outright.**

The following uses and their accessory uses are permitted outright in all of the Airport Districts:

- A. Class I and II road or street project subject to approval as part of a land partition, subdivision or subject to the standards and criteria established by DCC 18.116.230.
- B. Class III road or street project.
- C. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.
- D. Farm use as defined in DCC Title 18.
- E. Customary and usual aviation-related activities.
- F. Hangars are subject to the standards and criteria established by DCC 18.76.105.
- G. [A single air traffic control tower in the Airport Development Zone, no higher than 115 feet in height.](#)  
([Ord. 2023-027 §1, 2023](#); Ord. 2020-018 §1, 2020; Ord. 2003-036 §2, 2003; Ord. 2001-039 §10, 2001; Ord. 2001-016 §2, 2001; Ord. 93-043 §11, 1993; Ord. 91-020 §1, 1991)

#### **18.76.040. Conditional Uses.**

The following uses may be allowed in all of the Airport Districts subject to DCC 18.128.

- A. Farm accessory buildings and uses, excluding residential uses.
  - B. Utility facility necessary for public service except landfills.
  - C. Excavation, grading and fill and removal within the bed and banks of a stream or river or in a wetland subject to DCC 18.120.050 and/or DCC 18.128.270.
- (Ord. 2003-036 §2, 2003; Ord. 2001-039 §10, 2001; Ord. 2001-016 §2, 2001; Ord. 91-038 §1, 1991)

#### **18.76.050. Use Limitations.**

The following limitations and standards shall apply to all permitted uses in the Airport Districts:

- A. The height of any plant growth or structure or part of a structure such as chimneys, towers, antennas, power lines, etc., shall not exceed 35 feet.
  - ~~B.~~ B. A single air traffic control tower up to 115 feet in height shall not require a height exception or variance.
  - ~~B~~C. In approach zones beyond the clear zone areas, no meeting place designed to accommodate more than 25 persons for public or private purposes shall be permitted.
  - ~~C~~D. All parking demand created by any use permitted by DCC 18.76 shall be accommodated on the subject premises entirely off-street.
  - ~~D~~E. No use permitted by DCC 18.76 shall require the backing of traffic onto a public or private street or road right of way.
  - ~~E~~F. No power lines shall be located in clear zones.
  - ~~F~~G. No use shall be allowed which is likely to attract a large quantity of birds, particularly birds which normally fly at high altitudes.
- (Ord. 2023-027 §1, 2023; Ord. 2003-036 §2, 2003; Ord. 91-020 §1, 1991)

#### **18.76.060. Dimensional Standards.**

The following dimensional standards shall apply in the Airport Districts:

- A. The minimum lot size shall be determined subject to the provisions of DCC 18.76 relative to setback requirements, off-street parking and loading requirements, lot coverage limitations or as deemed necessary by the Planning Director or Hearings Body to maintain air, land and water resource quality, protect adjoining and area land uses, and to ensure resource carrying capacities are not exceeded.
- B. An airport related use or structure located adjacent to or across the street from an existing residential use or platted residential lot shall not exceed 70 percent lot coverage and shall require off-street parking and loading areas.
- C. The minimum setback between any structure and an arterial or collector right of way shall be 50 feet. The minimum setback between any structure and all local streets shall be 20 feet.
- D. The minimum setback between any structure and a property line adjoining a residential use or lot shall be 50 feet.
- E. The minimum lot frontage shall be 50 feet.
- F. The minimum side setback between any structure and a property line shall be three feet, and the minimum total of both side setbacks shall be 12 feet.
- G. The minimum rear setback between any structure and a rear property line shall be 20 feet.
- H. The minimum setback from internal airport streets, access roads, and drives shall be 10 feet from the edge of pavement.

(Ord. 2020-018 §1, 2020; Ord. 2003-036 §2, 2003; Ord. 94-008 §24, 1994; Ord. 91-020 §1, 1991)

#### **18.76.070. Airfield Operations District (AOD).**

Uses Permitted Outright. The uses permitted outright are those listed under DCC 18.76.030.

(Ord. 2020-018 §1, 2020; Ord. 2003-036 §2, 2003)

**18.76.080. Aviation Support District (ASD).**

- A. Uses Permitted Outright. The uses permitted outright are those listed under DCC 18.76.030.
  - B. Conditional Uses Permitted. The following conditional uses may be permitted subject to DCC 18.128 and a conditional use permit:
    - 1. Restaurant, which may include a bar or cocktail lounge as an accessory use. One restaurant per airport. Restaurant, including any accessory use, to be 2,500 square feet or less in size.
    - 2. Airport or aviation-related businesses that benefit from an on-airport location.
- (Ord. 2020-018 §1, 2020; Ord. 2004-013 §8, 2004; Ord. 2003-036 §2, 2003)

**18.76.090. Aviation-Related Industrial District (ARID).**

Uses Permitted Outright. The uses permitted outright are those listed under DCC 18.76.030.

- A. Airport or aviation-related commercial or industrial businesses that benefit from an on-airport location.
- (Ord. 2020-018 §1, 2020; Ord. 2003-036 §2, 2003)

**18.76.100. Design and Use Criteria.**

The following dimensional standards shall apply in the Airport Districts:

The Planning Director or Hearings Body shall take into account the impact of any proposed conditional use within the AD Zone on nearby residential and commercial uses, and on the capacity of transportation and other public facilities and services. In approving a proposed conditional use, the Planning Director or Hearings Body shall find that:

- A. The proposed use is in compliance with the Comprehensive Plan, including the current version of the adopted Bend Airport Master Plan.
- B. The proposed use is in compliance with the intent and provisions of DCC Title 18.
- C. Any adverse social, economical, physical or environmental impacts are minimized.
- D. The proposed use is not sensitive to noise of the character anticipated by the current and expected noise level contours of the airport.
- E. The proposed use is compatible with adjacent agricultural and residential uses.
- F. There are sufficient public facilities and services to support the proposed use.
- G. The location and site design of the proposed facility will not be hazardous to the safety and general welfare of surrounding properties, and that the location will not unnecessarily restrict existing and future development of surrounding lands as indicated in the Comprehensive Plan.
- H. The use shall make the most effective use reasonably possible of the site topography, existing landscaping and building placement so as to preserve existing trees and natural features, preserve vistas and other views from public ways, minimize visibility of parking, loading and storage areas from public ways and neighboring residential uses, and minimize intrusion into the character of existing developments and land uses in the immediate vicinity of the proposed use.

(Ord. 2018-006 §9, 2018; Ord. 2003-036 §2, 2003; Ord. 91-020 §1, 1991)

**18.76.105. Hangars.**

- A. Review Process.
  - 1. Hangars, as defined in section 18.76.015, shall be processed as a development action pursuant to DCC 22.16 and are not subject to DCC 18.124.
  - 2. Hangars intended to support fixed based operators, flight schools, paint shops, and other commercial and industrial uses are subject to DCC 18.124.
- B. Hangar Approval Criteria.

1. The location and height of proposed structures must be clear of FAA protected surfaces including runway safety area, runway protection zone, runway object free area, taxiway/taxilane object free area, FAA Part 77 surfaces, FAA TERPS surfaces, and other clear areas identified on the currently adopted Airport Layout Plan.
2. No above ground utility installations shall be allowed
3. All exterior lighting shall be shielded so that direct light does not project off site pursuant to DCC 15.10.
4. Parking Requirement.
  - a. Hangars under 10,000 square feet of floor space are not subject to the parking requirement under DCC 18.116.030(8).
  - b. Hangars greater than or equal to 10,000 square feet of floor space are subject to the parking requirement under DCC 18.116.030(8). This required vehicle parking can be accommodated inside the hangar.

(Ord. 2020-018 §1, 2020)

#### **18.76. 110. Additional Requirements.**

As a condition of approval for any conditional use proposed within the AD Zone, the Planning Director or Hearings Body may require:

- A. An increase in required setbacks.
- B. Additional off-street parking and loading facilities and building standards.
- C. Limitations on signs or lighting, hours of operation, points of ingress and egress and building heights.
- D. Additional landscaping, screening and other improvements.
- E. Glare-resistant materials in construction or other methods likely to reduce operating hazards.
- F. Other conditions considered necessary to achieve compliance and policies of the Comprehensive Plan.

(Ord. 2003-036 §2, 2003; Ord. 91-020 §1, 1991; Ord. 80-221 §1, 1980)