

CHAPTER 17.16 APPROVAL OF SUBDIVISION TENTATIVE PLANS AND MASTER DEVELOPMENT PLANS

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17.16.010 Application; Submission

Any person proposing a subdivision, or ~~their~~ ~~his~~ authorized agent or representative, shall include with an application and filing fee for a subdivision, a tentative plan, together with improvement plans and other supplementary material as may be required ~~in accordance with DCC 17.16.030~~. A master development plan may also be required in accordance with DCC 17.16.050. ~~The applicant must submit 20 copies of any plan required, together with all required accompanying material to the Planning Department.~~

HISTORY

Adopted by Ord. [PL-14](#) §3.010 on 11/1/1979

Repealed & Reenacted by Ord. [81-043](#) §§1, 3.015, 3 on 12/31/1981

Amended by Ord. [90-003](#) §1, Exhibit A on 1/8/1990

~~Amended by Ord. 2025-008 §4 on X/X/XXXX~~

17.16.020 Scale Of Tentative Plan

The tentative plan of a proposed subdivision shall be drawn ~~on a sheet~~ at a scale not greater than one inch per 400 feet, ~~or as approved by the Planning Department.~~

HISTORY

Adopted by Ord. [PL-14](#) §3.050 on 11/1/1979

Repealed & Reenacted by Ord. [81-043](#) §§1, 3.020, 3 on 12/31/1981

Amended by Ord. [90-003](#) §1, Exhibit A on 1/8/1990

~~Amended by Ord. 2025-008 §4 on X/X/XXXX~~

17.16.030 Informational Requirements

The following information shall be shown on the tentative plan or provided in accompanying materials. No tentative plan shall be considered complete unless all such information is provided.

Exhibit D – Ordinance 2025-008

A. General Information Required.

1. Proposed name of the subdivision;
2. Names, addresses and phone numbers of the owners of record, authorized agents or representatives, ~~Professional Engineer~~ or surveyor, and any assumed business names filed or to be filed with the ~~Corporation Commission~~Secretary of State – Corporate Division by the applicant;
3. Date of preparation, true north, scale and gross area of the proposed subdivision;
4. ~~Appropriate identification of~~Labeling of the drawing as a tentative plan for a subdivision;
5. Location and tract designation sufficient to define its location and boundaries, and a legal description of the tract boundaries in relation to existing plats and streets;
6. Title report or subdivision guarantee.

B. Information Concerning Existing Conditions.

1. Location, names and widths of existing improved and unimproved streets and roads in relation to existing right-of-way, bikeways and access corridors in the proposed subdivision and within 200 feet of the proposed subdivision;
2. Location of any existing features, such as section lines, section corners, special district boundary lines and survey monuments;
3. Location of existing structures, irrigation canals and ditches, pipelines, waterways, railroads and any natural features, such as rock outcroppings, marshes, wooded areas and natural hazards, and including features detailed in DSL's Statewide Wetlands Inventory;
4. Location and direction of watercourses, and the location of areas subject to flooding and high water tables;
5. Location, width, and use or purpose of any existing easement or right of way for utilities, bikeways, and access corridors within and adjacent to the proposed subdivision;
6. Existing sewer lines, water mains, culverts, and other underground and overhead utilities within and adjacent to the proposed subdivision, together with pipe sizes, grades, and locations;
7. ~~Contour lines related to some established benchmark or other engineering acceptable datum and~~Ground elevations shown by contour lines having minimum intervals of two feet for slopes of less than five percent, 10 feet for slopes of five to 20 percent, and 20 feet for slopes greater than 20 percent;
8. Zoning classifications of lands within and adjacent to the proposed subdivision;
9. A map showing the location of any site zoned SM, Surface Mining, under DCC Title 18, within one-half mile of the proposed ~~subdivision or partition boundary~~lot line;

10. The structures, trees, rock outcroppings, or other shade producing objects, if the object will cast shade from or onto the subdivision.

C. Information Concerning Proposed Subdivision.

1. Location, names, width, typical improvements, cross-sections, bridges, culverts, approximate grades, curve radii, and centerline lengths of all proposed streets, and the relationship to all existing and proposed streets;
2. Location, width, and purpose of all proposed easements or rights of way for roads, utilities, bikeways, and access corridors, and relationship to all existing easements and rights of way;
3. Location of at least one temporary benchmark within the subdivision ~~boundary~~ lot line;
4. Location, approximate lot area, and dimensions of each lot, and proposed lot numbers;
5. Location, approximate lot area, and dimensions of any lot or area proposed for public use, the use proposed, and plans for improvements or development thereof;
6. Proposed use, location, approximate lot area, and dimensions of any lot intended for nonresidential use;
7. Phase boundaries outlined in bold lines, if phasing is ~~contemplated~~ proposed for the subdivision;
8. Source, method, and preliminary plans for domestic and other water supplies, sewage disposal, solid waste disposal, and all utilities;
9. Description and location of any proposed community facility;
10. Storm water and other drainage facility plans;
11. Statement from each utility company proposed to serve the subdivision, stating that each such company is able and willing to serve the subdivision as set forth in the tentative plan;
12. Proposed fire protection system for the subdivision;
13. Solar access:
 - a. Provide a statement ~~relative to the solar access to be provided by the subdivision plan, indicating how the subdivision plan conforms to the requirements of DCC 17.36.210.~~
 - b. Determine the location and type of street trees, if proposed.
14. Location and design of all proposed bicycle and pedestrian facilities;
15. Location and design of all proposed facilities providing for public transit.
16. ~~Appropriate~~ Traffic Impact Study as specified in 17.16.115.

Exhibit D – Ordinance 2025-008

- D. Information for lots located in DCC 18.56 Surface Mining Impact Area (SMIA) zones. For each lot located wholly or partially within a SMIA zone, an applicant shall submit a site plan, accompanied by appropriate site plan fees, indicating the location of proposed noise or dust sensitive uses (as defined in DCC Title 18), the location and dimensions of any mitigating berms or vegetation and data addressing the standards of DCC 18.56, as amended, with respect to proposed noise or dust sensitive uses.

HISTORY

Adopted by Ord. PL-14 §3.060 on 11/1/1979

Repealed & Reenacted by Ord. 81-043 §§1, 3.025, 3 on 12/31/1981

Amended by Ord. 83-039 §§3-5 on 6/1/1983

Amended by Ord. 90-003 §1, Exhibit A on 1/8/1990

Amended by Ord. 93-012 §15 on 8/4/1993

Amended by Ord. 2006-004 §1 on 6/20/2006

Amended by Ord. 2006-007 §2 on 8/29/2006

Amended by Ord. 2008-030 §3 on 3/16/2009

Amended by Ord. 2025-008 §4 on X/X/XXXX

17.16.035 Application Review

Following submission of an application for a land subdivision, the application shall be reviewed in accordance with the procedures established in DCC Title 17 and DCC Title 22.

HISTORY

Adopted by Ord. 2025-008 §4 on X/X/XXXX

17.16.040 Protective Covenants And Homeowner Association Agreements

Landowner covenants, conditions, and restrictions and homeowner association agreements are not relevant to approval of subdivisions ~~and partitions~~ under DCC Title 17, unless such covenants, conditions, and restrictions and homeowner association agreements otherwise determined by the County to carry out ~~certain~~ conditions of prior County approvals, such as road maintenance or open space preservation. Any provisions in such agreements not in conformance with the provisions of DCC Title 17 or applicable zoning ordinances are void.

HISTORY

Adopted by Ord. 90-003 §1, Exhibit A on 1/8/1990

Amended by Ord. 93-012 §16 on 8/4/1993

Amended by Ord. 2025-008 §4 on X/X/XXXX

17.16.050 Master Development Plan

An overall master development plan shall be submitted for all developments affecting land under the same ownership for which phased development is ~~contemplated~~ proposed. At a minimum, the master plan shall include, ~~but not be limited to,~~ the following elements:

- A. Overall development plan, including phase or unit sequence;

- B. Show compliance with the comprehensive plan and implementing land use ordinances and policies;
- C. Schedule of improvements, initiation and completion;
- D. Overall transportation and traffic pattern plan, including bicycle, pedestrian and public transit transportation facilities, and access corridors;
- E. Program timetable projection;
- F. Development plans for any common elements or facilities;
- G. For applications reviewed under Clear and Objective Standards pursuant to ORS 197A.400 and DCC 22.08.040, master development plans shall comply with the following requirement. When the proposed development abuts unplatted land capable of being divided under current zoning requirements, the master plan shall include a future street plan that shows the pattern of proposed streets within the master development plan property lines, proposed connections to abutting land, and extension of streets to abutting land within a 1,000 foot radius of the master development plan. The future street plan shall demonstrate that maximum block length standards in Section 17.36.150 will not be exceeded when streets are extended onto abutting land in the future.
- G.H. For applications reviewed under General/Discretionary Standards, master development plans shall comply with the following requirement. If the proposed subdivision has an unknown impact upon adjacent lands or lands within the general vicinity, the Planning Director or Hearings Body may require a potential development pattern for streets, bikeways and access corridors for adjoining lands to be submitted together with the tentative plan as part of the master development plan for the subject subdivision.

HISTORY

Adopted by Ord. [PL-14](#) §3.085 on 11/1/1979

Repealed & Reenacted by Ord. [81-043](#) §§1, 3.030, 3 on 12/31/1981

Amended by Ord. [93-012](#) §17 on 8/4/1993

Amended by Ord. 2025-008 §4 on X/X/XXXX

[17.16.060 Master Development Plan; Approval](#)

The Planning Director or Hearings Body shall review a master development plan at the same time the tentative plan for the first phase is reviewed. The Planning Director or Hearings Body shall review the master development plan for consistency with applicable provisions of DCC Title 17. The Planning Director or Hearings Body may approve, modify, or disapprove the master plan and shall set forth findings for such decision. The Planning Director or Hearings Body may also attach conditions necessary to bring the plan into compliance with all applicable land use ordinances and policies. Any tentative plan submitted for the plan area shall conform to the master plan unless approved otherwise by the County. Master plan approval shall be granted for a specified time period by the Planning Director or Hearings Body, and shall be included in the conditions of approval. For applications approved under clear and objective standards pursuant to ORS 197A.400 and DCC 22.08.040, the duration of approval shall be as specified in DCC 22.36.

Exhibit D – Ordinance 2025-008

HISTORY

Adopted by Ord. [81-043](#) §§1, §3.030 on 12/31/1981

Amended by Ord. [90-003](#) §1 on 1/8/1990

Amended by Ord. [93-012](#) §18 on 8/4/1993

~~Amended by Ord. 2025-008 §4 on X/X/XXXX~~

[17.16.070 Development Following Approval](#)

Once a master plan is approved by the County, the master plan shall be binding upon both the County and the developer; provided, however, after five years from the date of approval of the master plan, the County may initiate a review of the master plan for conformance with applicable County regulations. If necessary, the County may require changes in the master plan to bring it into conformance.

HISTORY

Adopted by Ord. [81-043](#) §§1, 3.040 on 12/31/1981

~~Amended by Ord. 2025-008 §4 on X/X/XXXX~~

[17.16.080 Tentative Plan As A Master Plan](#)

- A. As an alternative to the filing of a master plan for phased development, the applicant may file a tentative plan for the entire development. The tentative plan must comply with the provisions of DCC Title 17 for tentative plans.
- B. If the applicant proposed to phase development, ~~he shall provide sufficient information regarding the overall development plan and phasing sequence when submitting the tentative plan.~~ a phasing plan shall be submitted with the tentative plan indicating when each phase will occur and which lots will be in each phase. The tentative plan must meet all requirements of DCC Title 17 for each phase.
- C. If the tentative plan is approved with phasing, the final plat for each phase shall be filed in accordance with DCC 17.24.~~020 through 17.24.110.~~

HISTORY

Adopted by Ord. [81-043](#) §§1, 3.045 on 12/31/1981

~~Amended by Ord. 2025-008 §4 on X/X/XXXX~~

[17.16.090 Tentative Plan Approval](#)

- A. The Planning Director or Hearings Body shall review the application and any comments submitted by other appropriate County, state, or federal agencies and shall render a decision in accordance with DCC 17.16.100, setting forth findings supporting its decision.
- B. Approval of the tentative plan shall not constitute final acceptance of the plat of the proposed subdivision for purposes of recording; however, approval of such tentative plan shall be binding upon the County for the purposes of preparation and review of the final plat. Upon review of the final plat, the County may require compliance with the terms of its tentative plan approval of the proposed subdivision and the terms of DCC Title 17.

Exhibit D – Ordinance 2025-008

HISTORY

Adopted by Ord. [PL-14](#) §3.090 on 11/1/1979

Repealed & Reenacted by Ord. [81-043](#) §§1, 3.055(1), 3 on 12/31/1981

Amended by Ord. [90-003](#) §1 on 1/8/1990

Amended by Ord. 2025-008 §4 on X/X/XXXX

17.16.100 Required Findings For Tentative Plan Approval: General/Discretionary Criteria

A tentative plan for a proposed subdivision shall not be approved unless the Planning Director or Hearings Body finds that the subdivision as proposed or modified will meet the requirements of DCC Title 17 and DCC Title 18 through 21 ~~and the following approval criteria, and is in compliance with the comprehensive plan. Such findings shall include, but not be limited to, the following:~~

- A. The subdivision contributes to orderly development and land use patterns in the area, and provides for the preservation of natural features and resources such as streams, lakes, natural vegetation, special terrain features, agricultural and forest lands, and other natural resources.
- B. The subdivision will not create excessive demand on public facilities and services, and utilities required to serve the development.
- C. The tentative plan for the proposed subdivision meets the requirements of ORS 92.090.
- D. For subdivisions or portions thereof proposed within a [DCC Chapter 18.56](#) Surface Mining Impact Area (SMIA) zone ~~under DCC Title 18~~, the subdivision creates lots on which noise or dust sensitive uses can be sited consistent with the requirements of DCC [Chapter 18.56](#), as amended, as demonstrated by the site plan and accompanying information required under DCC 17.16.030.
- E. The subdivision name has been approved by the County Surveyor.

HISTORY

Adopted by Ord. [PL-14](#) §3.100 on 11/1/1979

Repealed & Reenacted by Ord. [81-043](#) §§1, 3.060, 3 on 12/31/1981

Amended by Ord. [90-003](#) §1 on 1/8/1990

Amended by Ord. [93-012](#) §19 on 8/4/1993

Amended by Ord. 2025-008 §4 on X/X/XXXX

17.16.101 Tentative Plan Approval: Clear and Objective Criteria

- A. The tentative plan for the proposed subdivision meets the requirements of ORS 92.090. Compliance with final plat requirements under ORS 92.090 shall be included as conditions of any approval.
- B. The tentative plan for the proposed subdivision shall:
 - 1. Not result in unreasonable risk of fire, flood, geological hazards, or other public health and safety concerns. This shall be documented by submittal of all of the following materials at the time of application:

- a. Written confirmation from the responding fire protection district verifying the subject property referenced in the tentative plan is included within the fire protection district's response area.
 - b. A written statement from a Professional Engineer registered in the State of Oregon verifying the tentative plan will not result in unreasonable risk of flood, geological hazards, or other public health and safety concerns.
 - c. Demonstrate compliance with DCC 18.96 (Flood Plain (FP) Zone) and/or DCC 19.72 (Flood Plain (FP) Combining Zone); in DCC 18.96.020 and/or DCC 19.72.020 designated areas.
2. Demonstrate that the subdivision will be served by adequate water supply, sewage disposal, drainage, fire protection, education, and other public facilities and services, and utilities. This shall be documented by submittal of all of the following materials at the time of application:
 - a. A will-serve letter from a water supply district or written confirmation from the Oregon Water Resources Department verifying:
 1. The tentative plan lots are eligible to be served by exempt wells;; or
 2. All water permits have been obtained for the tentative plan lots and are legally available for the proposed uses.
 - b. A will-serve letter from a sewer or sanitary district or written confirmation from a Deschutes County Onsite Wastewater Specialist verifying the tentative plan lots can individually be provided with onsite wastewater services in accordance with applicable Department of Environmental Quality regulations.
 - c. A written statement from a Professional Engineer registered in the State of Oregon verifying the tentative plan will comply with the Central Oregon Stormwater Manual.
 - d. Written verification that the subject property is included within the response area of a fire protection district.
 - e. A will-serve letter from any other public utilities or district anticipated to serve the tentative plan lots.
3. Demonstrate the subdivision will be served by adequate transportation systems. This shall be documented by submittal of all of the following materials:
 - a. Written confirmation from the Road Department Director verifying the submitted traffic impact study complies with DCC 18.116.310.
 - b. Written confirmation from the Road Department Director verifying the development will comply with DCC Chapters 17.36, 17.48, and Title 12.

C. For subdivisions or portions thereof proposed within a DCC Chapter 18.56 Surface Mining Impact Area (SMIA) zone, the applicant shall demonstrate that the subdivision creates lots on which noise or dust sensitive uses can be sited consistent with the requirements of DCC Chapter 18.56.

D. The proposed subdivision includes the dedication of land, or a fee in-lieu of land as required in DCC Chapter 17.44.

HISTORY

Adopted by Ord. 2025-008 §4 on X/X/XXXX

17.16.105 Access To Subdivisions

No proposed subdivision shall be approved unless it would be accessed by roads constructed to County standards provided in DCC Chapters 17.36, 17.48, and Title 12 and by roads under one of the ~~following~~ conditions: in either (A) or (B), below, and in conformance with subsection (C).

- A. Public roads with maintenance responsibility accepted by a unit of local or state government or assigned to landowners or homeowners association by covenant or agreement. ~~;~~
- B. Private roads, as permitted by DCC Title 18, with maintenance responsibility assigned to landowners or homeowners associations by covenant or agreement pursuant to ORS 105. ~~;~~
- C. This standard is met if the subdivision would have direct access to an improved collector or arterial or in cases where the subdivision has no direct access to such a collector or arterial, by demonstrating that the road accessing the subdivision from a collector or arterial meets relevant County standards that maintenance responsibility for the roads has been assigned as required by this section.

NOTE: Minor scrivener's changes made to B. when Ord. 2019-005 was added to this section.

HISTORY

Adopted by Ord. 93-012 §19(A) on 8/4/1993

Amended by Ord. 2019-005 §1 on 6/4/2019

Amended by Ord. 2025-008 §4 on X/X/XXXX

17.16.110 Resubmission Of Denied Tentative Plan

- A. If the tentative plan for a subdivision is denied, resubmittal thereof shall not be accepted for a period of six months after the date of the final action denying such plan. Upon resubmission, the applicant shall consider all items upon which the prior denial was based, and the resubmission shall be accompanied by ~~a~~ new filing fees.
- B. A tentative plan resubmitted in accordance with DCC 17.16.110 shall be reviewed in the same manner as any other tentative plan.

HISTORY

Adopted by Ord. PL-14 §3.110 on 11/1/1979

Repealed & Reenacted by Ord. 81-043 §§1, 3.035, 3 on 12/31/1981

Amended by Ord. 90-003 §1 on 1/8/1990

Exhibit D – Ordinance 2025-008

Amended by Ord. 2025-008 §4 on X/X/XXXX

17.16.115 Traffic Impact Study

- A. The traffic impact studies will comply with DCC 18.116.310.

HISTORY

Adopted by Ord. 2006-004 §1 on 6/20/2006

Amended by Ord. 2010-014 §1 on 10/12/2010

Amended by Ord. 2014-001 §1 on 9/24/2014

Amended by Ord. 2025-008 §4 on X/X/XXXX