

## TITLE 17 SUBDIVISIONS

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### CHAPTER 17.04 GENERAL PROVISIONS

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#### 17.04.020 Purpose

- A. In accordance with the provisions of ORS 92, 197 and 215, DCC Title 17 sets forth the minimum standards governing the approval of land development, including, but not limited to, streets, roads, subdivisions and partitioning, as necessary to carry out the County comprehensive plan and to promote the public health, safety and general welfare. The purpose of these provisions and regulations are to:
1. Encourage well planned subdivision and partition development to the end that good livable neighborhoods with all needed amenities and community facilities may be created.
  2. Encourage development in harmony with the natural environment and within resource carrying capacities.
  3. Safeguard the interest of the public, the applicant-property owner and the future lot owner.
  4. Improve land records and boundary monumentation.

## Exhibit A – Ordinance 2025-008

5. ~~insure~~Ensure equitable processing of subdivision plats and partitioning ~~plat~~as, and accomplish to the greatest extent possible the goals and objectives of the comprehensive plan for the County.
  6. To regulate the orientation of streets, lots and parcels; the placement, height and bulk of ~~buildings~~structures; and the placement and growth of vegetation within the County to ~~insure~~ensure access to solar energy by reasonably regulating interests in property within the County, as authorized under ORS 215.044, 105.880 through 105.890 and 92.044 to promote and maximize the conservation of energy by preserving the option to utilize solar energy and to implement the comprehensive plan policies relating to solar energy.
  7. To encourage the design of new buildings, structures, and developments which use solar energy and protect future options to use solar energy by protecting solar access.
  8. To permit the validation of a unit of land not lawfully established pursuant to the provisions of ORS 92.176 and the creation of a parcel by less than all owners of a unit of land pursuant to the provisions of ORS 92.177.
  9. To ensure that public infrastructure and improvements, including facilities for transportation, water, sewer, and storm drainage, are provided to adequately serve development and to meet the County's design specifications.
- B. No person or entity may subdivide or partition land within the County except in accordance with ORS 92. and the provisions of DCC Title 17, and the applicable Titles of DCC 18, 19, 19A, 20, and 21.
- ~~C. The provisions of DCC Title 17 shall apply only to subdivisions and partitions within the County, unless otherwise noted. All references to "subdivisions" and "partitions" are made in that context unless otherwise noted.~~
- ~~D.C.~~ DCC Title 17 shall not apply to the lands lying outside the city limits of the city of Bend and within the Bend Urban Growth Boundary. The Ccity of Bend Subdivision Ordinance, as supplemented by such other supplementing and/or amending ordinances as might from time to time be adopted, shall apply to those lands instead.

### HISTORY

*Adopted by Ord. PL-14 §1.010 on 11/1/1979*

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

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

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

*Amended by Ord. 95-065 §1 on 10/11/1995*

*Amended by Ord. 98-041 §1 on 8/26/1998*

*Amended by Ord. 2008-030 §1 on 3/16/2009*

*Amended by Ord. 2017-009 §3 on 7/21/2017*

*Amended by Ord. 2025-008 §1 on X/X/XXXX*

#### 17.04.030 Interpretation

The provisions of DCC Title 17 shall be construed to effect the purposes set forth in DCC 17.04.020. These provisions are declared to be the minimum requirements fulfilling such objectives, ~~and the County may impose additional requirements deemed~~ necessary to promote the health, safety and general welfare, and to carry out the comprehensive plan of the County. Where conditions set forth in DCC 17.04 are less restrictive than comparative conditions imposed by any other provision of DCC Title 17, by provision of any other local ordinance, resolution or regulation, or by provision of state statute or administrative regulation, the more restrictive shall govern.

#### HISTORY

*Adopted by Ord. PL-14 §1.020 on 11/1/1979*

*Repealed & Reenacted by Ord. 81-043 §§1, 1.020, 3 on 12/31/1981*

*Amended by Ord. 95-065 §1 on 10/11/1995*

*Amended by Ord. 2025-008 §1 on X/X/XXXX*

#### 17.04.060 Review Pursuant To ORS 197A.400

For applications that involve the development of housing and are eligible to be reviewed pursuant to ORS 197A.400 and DCC 22.08.040:

- A. In each case where Title 17 contains alternative standards or criteria describing processes for: (1) Clear and Objective Standards or Criteria (i.e., review pursuant to ORS 197A.400 and DCC 22.08.040), and (2) General/Discretionary Standards or Criteria (i.e., review not pursuant to ORS 197A.400 and DCC 22.08.040), the applicant shall identify in the application materials which set of alternative standards/criteria the applicant elects to be reviewed under.
- B. The County shall review the application exclusively under the standards and criteria selected by the applicant – either the clear and objective standards/criteria or the discretionary standards/criteria.
- C. Any request to elect to use different standards/criteria than those identified in the application materials shall constitute a modification of application under DCC 22.20.055.

#### HISTORY

*Adopted by Ord. 2025-008 §1 on X/X/XXXX*