

## **Chapter 23.40. UNINCORPORATED COMMUNITIES**

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### **23.40.010. Unincorporated Communities.**

The 1979 comprehensive plan designated the following rural service centers (RSC): Alfalfa, Brothers, Hampton, and Millican. La Pine, Whistle Stop, Wickiup Junction, Terrebonne, Wild Hunt and Tumalo. These areas were designated in that plan as exception areas from Goals 3 and 4. Zoning under the Comprehensive Plan allowed for a mix of residential uses and commercial uses to support nearby residential uses. The scope of those uses was never clearly defined but, until the early 1990's, was ever much of an issue since there was little development pressure.

In 1994, LCDC adopted a new administrative rule, OAR 660 Division 22 to clarify what uses could be allowed in “unincorporated communities” without violating Statewide Planning Goals 11 and 14 relating to public facilities and urban uses. The rule identifies 4 different kinds of rural communities: Resort Community, Urban Unincorporated Community, Rural Community and Rural Service Center. In addition to the RSCs listed above the following developments were identified as communities that Deschutes County has been required to review for compliance with the rule: Black Butte Ranch and Inn of the Seventh Mountain/Widgi Creek resorts, Deschutes Junction RSC, Spring River RSC, lands zoned for Rural Industrial development and the Deschutes River Woods Country Store development. The latter four areas will be zoned in 2002 for Rural Commercial or Rural Industrial uses because they do not meet the criteria of any of the four types of unincorporated communities.

The Pine Forest Rural Commercial area was zoned Rural Commercial in 2007 because it was recognized as a small rural center that was committed to rural commercial development in 1970, prior to the adoption of statewide zoning rules by Deschutes County and the application of rural residential zoning to the subject property. This zoning failed to recognize the commercial nature of this property. The small size and rural nature of the development in the Pine Forest Rural Commercial area make it appropriate to apply an RC designation.

The County changed zoning for the Rosland Rural Commercial area from Rural Residential (RR-10) to Rural Commercial in 2003 because the County recognized the Rosland area as a small rural center that was established prior to the adoption of statewide zoning rules by Deschutes County. The County designated the subject property as Rural Residential Exceptions Area on the 1979 PL-15 zoning maps. This designation did not reflect the nature of the historically committed land uses on the subject property.

Since 1979, state law regarding Rural Community Centers has changed. In 2002, the County changed the designation of the smallest acknowledged RSC areas throughout the County to Rural Commercial zoning to comply with the new state administrative rules for Rural Communities. The Rosland Rural Commercial area was mistakenly left off the 1979 PL-15 zoning maps.

The small size and the rural character and intensity of the development in the Rosland Rural Commercial area makes it appropriate to apply an RC rather than an RSC designation. Additionally, OAR 660-022-0010(10)(b) states that in order for an area to be zoned “Rural Service Center” under the Unincorporated Communities rule, it must be identified in a county’s acknowledged comprehensive plan as a “rural service center” prior to the adoption of OAR 660-022, which was on October 28, 1994, or be listed with the Department of Land Conservation and Development’s January 30, 1997 “Survey of Oregon’s Unincorporated Communities.” The Rosland Rural Commercial area does not meet either of these requirements.

The following table shows that the plan designation for each area is Unincorporated Community, and indicates which type of community the area is defined as and the year when review for compliance with OAR 660 Division 22 was completed.

(Ord. 2003-079 §1, Ord. 2002-001 §4; Ord. 2002-005 §1, 2002; Ord. 2001-047 §2; 2001; Ord. 2000-017 §1, 2000; Ord. 98-014 §1, 1998; Ord. 97-076 §2, 1997)

<b>COMMUNITY</b>	<b>PLAN DESIGNATION</b>	<b>UNINCORPORATED COMMUNITY TYPE</b>	<b>APPROVAL DATE</b>
La Pine	Unincorporated Community	Urban Unincorporated Community	1996
Wickiup Junction	Unincorporated Community	Rural Service Center	1996
Terrebonne		Rural Community	1997
Tumalo	Unincorporated Community	Rural Community	1997
Sun river	Unincorporated Community	Urban Unincorporated Community	1997
La Pine – expansion to include Wickiup Junction and BLM land	Unincorporated Community	Urban Unincorporated Community	2000
Black Butte Ranch	Unincorporated Community	Resort Community	2001
Inn of the 7 <sup>th</sup> Mountain/ Widgi Creek	Unincorporated Community	Resort Community	2001
Alfalfa	Unincorporated Community	Rural Service Center	2002
Brothers	Unincorporated Community	Rural Service Center	2002
Hampton	Unincorporated Community	Rural Service Center	2002
Millican	Unincorporated Community	Rural Service Center	2002

(Ord. 2002-001 §4; Ord. 2002-005 §1, 2002; Ord. 2001-047 §2; 2001; Ord. 2000-017 §1, 2000; Ord. 98-014 §1, 1998; Ord. 97-076 §2, 1997)

## **23.40.020. Urban Unincorporated Community – La Pine.**

### **A. Community overview**

#### **1. Planning history.**

Several characteristics that are unique to the La Pine area have shaped the La Pine community. The pattern of public and private land ownership has scattered the population and made the creation of a cohesive community difficult. In the 1960s through 70s, before statewide planning, over 12,000 lots were platted south of Sunriver. The majority of the lots have on-site sewage disposal systems and are less than two acres in size. The area surrounding La Pine is fairly level and the groundwater aquifer, the source of domestic water, is generally shallow. Water pollution problems identified in the core area of La Pine in the 1980's resulted in the construction of a sewage treatment facility. While the water quality in the core area has since improved, the potential for more widespread water pollution problems in the rural area surrounding La Pine was recognized in the mid 1990s. In addition, deer migration corridors in the area have been seriously affected and large areas of forestland have been converted to residential development.

A desire by local residents to be independent of Bend has created a demand for local commercial and public services. However, the low-density residential pattern spread over approximately 50 square miles has created serious challenges relating to public facilities and services planning, energy conservation and urbanization.

Under the 1979 comprehensive plan, La Pine was designated as a rural service center, with plan designations for residential, commercial, industrial and industrial reserve. Zoning largely reflected the comprehensive plan designations. Through a plan amendment and zone change in 1984, the industrial reserve areas were planned for industrial development in conjunction with the industrial park owned and operated by Deschutes County.

In 1996 the La Pine Rural Service Center (RSC) was designated an “urban unincorporated community” or “UUC” and the Wickiup Junction RSC retained its designation as a “rural service center” under statewide planning rules for unincorporated communities. At the same time, the County began working on the “Regional Problem Solving Project for South Deschutes County,” a planning project made possible through the Oregon legislature.

Through the Regional Problem Solving (RPS) planning process, community stakeholders identified regional problems. The four major concerns identified by the stakeholders were 1) the potential pollution of groundwater which adversely affects the primary source of drinking water in the area; 2) the loss of wildlife habitat; 3) increased threat from wildfire; and 4) impacts to air quality from dust from unpaved roads. (See Regional Problem Solving, Chapter 8, Section 4 of the Comprehensive Plan).

Groundwater flow models developed in 1996 by the Oregon Department of Environmental Quality indicated that nitrate levels in the groundwater could reach unhealthy levels in the near future if steps were not taken to limit the total number of on-site disposal systems in the area. The cost of a regional sewer system was analyzed and determined to be prohibitive. Other solutions, including a building moratorium or an increase in the minimum parcel size required for an on-site disposal system, were determined to be unacceptable options for the community.

One solution that emerged from the RPS project was to create a “new neighborhood” which would be primarily residential in character and be located between La Pine and Wickiup Junction. Future growth for the South County that would otherwise occur in existing subdivision lots in the surrounding area could be redirected to the new neighborhood.

The means to accomplish this change in the pattern of growth is through a transferable development credit (TDC) program that allows the owners of vacant lots to choose whether to build on their property or sell their “rights” to develop. A market will be created for these rights because of the requirement for TDCs to build in the new neighborhood, now known as the Neighborhood Planning Area in the La Pine UUC.

In August 2000 the La Pine UUC boundary was expanded to include the following additional

areas to implement the RPS project and meet other identified community needs:

Property	BLM Tract 38	Baldwin-Herndon Oregon Trust	Wickiup Junction RSC
Acreage	518	66	102

At the same time, three planning areas were created in the La Pine UUC encompassing the following acreage:

Planning Area	La Pine	Neighborhood	Wickiup Junction
Acreage	982	571*	102

\*Includes Hwy 97 & Huntington Rd. R-O-W

The La Pine Planning Area encompasses the former La Pine UUC plus 13 acres of the Baldwin-Herndon Oregon Trust Property. The Neighborhood Planning Area includes all of the BLM property identified as Tract 38 and 53 acres of the Baldwin-Herndon Oregon Trust property. The Wickiup Junction Planning Area is identical to the former Wickiup Junction RSC. The La Pine UUC and the three planning areas are shown on Figure 1.

The Neighborhood Planning Area will be developed with residential uses, including single-family and multi-family dwellings, a limited amount of commercial uses, a school, senior assisted living facilities and other community/civic uses, and open space and parks.

The 13 acres of Baldwin-Herndon Oregon Trust property, between Huntington and Couch Roads near the La Pine High School, was added to the La Pine Planning Area for future community uses, such as a pool, performing arts center and community education facilities. The need for these types of facilities was identified in design workshops held in 1998 as part of the Deschutes County Regional Problem Solving planning program and reaffirmed in a subsequent workshop conducted by the La Pine Community Action Team in April 2000. A new plan designation, "Community Facility", was created to include this property and the adjacent land that consists of the existing school site. This site was formerly designated as "Residential" in the La Pine Planning Area.

In 1998 a sewer line was extended from La Pine to Wickiup Junction and as of August 2000 there were approximately 34 developed properties in Wickiup Junction connected to the sewer system. There are plans to extend a water system to Wickiup Junction. Therefore, the Wickiup Junction area consisting of 102 acres was added as a third planning area in the La Pine UUC in 2000 and the designation of Wickiup Junction as rural service center was eliminated. The mixed commercial/residential comprehensive plan designation and zoning district were retained, however, in the Wickiup Junction Planning Area.

The expansion of the La Pine UUC boundary in 2000 was done under the auspices of Regional Problem Solving. It was completed by taking an exception to statewide planning Goal 4 and addressing the criteria for enlarging a UUC under the administrative rule for Unincorporated Communities, OAR 660, Division 22.

2. Planning under the Urban Unincorporated Community Regulations.

Under the Administrative Rule for Unincorporated Communities, OAR 660, Division 22, La Pine meets the definition of an "Urban Unincorporated Community." La Pine has the following characteristics that make it an "Urban Unincorporated Community" under the rule:

- a. Includes at least 150 permanent dwelling units including manufactured homes;
- b. Contains a mixture of land uses, including three or more public, commercial or industrial land uses;

- c. Includes areas served by a community sewer system;
- d. Includes areas served by a community water system; and
- e. Is unincorporated.

Under the administrative rule, rural unincorporated communities are required to have a public facilities plan. The public facilities plan for the La Pine UUC is set forth in the section immediately following this general discussion of the La Pine Urban Unincorporated Community.

As of 1996, 22 non-community public water systems and a public sewer system served the La Pine Planning Area. The La Pine Special Sewer District was established in 1980 to protect the groundwater in the La Pine rural area. The sewer district boundaries were expanded in 1996 to include the industrial area and again in 1998 to include the Wickiup Planning Area. Figure 2 shows the sewer district boundaries as of August 2000. The sewer treatment system allows wastewater generated in La Pine to be collected, treated and disposed of safely while at the same time allowing growth and development of the La Pine UUC.

Construction of a public water system for La Pine was started in 1998. It is expected to start providing water to the La Pine Planning Area in 2001. The La Pine Water District was established in 1997 to operate and maintain the water system. Figure 3 shows the water district boundaries as of August 2000.

The La Pine Rural Fire Protection District currently serves the La Pine Urban Unincorporated Community and surrounding rural area. Figure 4 shows the boundaries of the fire district. The district headquarters is located in La Pine. An additional fire station is located north of the La Pine UUC near Vandevent Road.

The native vegetation in the area consists primarily of lodgepole and ponderosa pines with an under story of grasses and shrubs. Much of the native vegetation in the surrounding area remains, except that trees have been thinned in conjunction with forest product operations and residential development.

The La Pine UUC is the primary service center for the surrounding rural residential development located south of La Pine State Park Road. The UUC also serves the needs of additional RR-10 development south of Sunriver and north of La Pine State Park Road. Figure 5 shows the rural area that surrounds the La Pine UUC.

The existing development in the La Pine Planning Area consists of a variety of uses which include: elementary school, high school, church, post office, library, community park, bank, motels, gas/service stations, medical offices and various retail stores, restaurants and other commercial businesses. There is also some residential development within the La Pine Planning Area.

The La Pine Planning Area also includes the Deschutes County industrial park in addition to privately owned industrial land. All the land in the Industrial District is included in the La Pine Special Sewer District. As of 1996, the sewer district had the capacity to serve the Industrial District at build out. Because the Industrial District is in the sewer district it is anticipated that new industrial uses will connect to the sewer.

In 1996 the La Pine Industrial Group, Incorporated (LIGI) requested that Deschutes County establish a Business Park District on a 40-acre parcel of land within the Industrial District and located east of Highway 97 and south of Reed Road. The County Commissioners agreed with the La Pine Industrial Group, Inc. that a need existed in the La Pine UUC for a mix of light industrial and commercial uses to provide further economic stability within the La Pine UUC and surrounding area. In 2001 the County rezoned the 40-acre parcel to La Pine Business Park District and amended DCC Title 18 to include the Business Park District within the La Pine UUC.

In 1996, the boundary of the UUC was expanded from the former boundary of the La Pine Rural Service Center to include a large tract that is occupied by the La Pine Special Sewer District for the treatment and disposal of its effluent. The resource designation for this tract was changed from Forest to Agriculture to recognize the fact that the tract had been cleared of trees and that treated effluent is used to grow hay crops as part of the disposal process.

The most contentious issue during the process of implementing the UUC designation in 1996 was whether a sufficient amount of land had been zoned for commercial use. The plan designations adopted as part of the 1996 UUC revision included an increase in designated commercial lands along the western boundaries of the La Pine Planning Area and some areas between Foss and Finley Butte Roads and along Foss Road.

Although there was a request that additional areas to the east of Highway 97 be zoned commercial, the County declined to designate those areas commercial, giving preference for commercial expansion along Huntington Road. Also, much of the residential development to be served by the UUC is located to the north and west of the UUC and there is a need to retain areas for future residential development within the La Pine core area.

The existing development in the Wickiup Junction Planning Area consists of a variety of commercial businesses including automotive services, restaurants, a bowling alley, motels and a gas station/convenience market. Two fraternal organizations are also located in the Wickiup Junction Planning Area. Some residential development also exists and recent land use actions and development within the Wickiup Junction Planning Area have converted existing buildings to new uses. A large truck stop for commercial haulers and other travelers on Highway 97 opened in 2000.

U.S. Highway 97 runs along the majority of the western boundary of the Wickiup Junction Planning Area. Burgess Road intersects Highway 97 along the southern boundary of the planning area. Both of these roads are two lanes and paved. Highway 97 is designated as a Primary Highway by Deschutes County while Burgess Road is classified as a Collector. Local streets provide internal access to the planning area. The Burlington Northern & Santa Fe Railroad railway runs parallel to Highway 97 west of the planning area boundary. There is an at-grade railway crossing of Highway 97 near the Burgess Road/Highway 97 intersection.

The Long Prairie Slough and its floodplain form the western boundary of the La Pine Planning Area. The floodplain area is used for agricultural purposes. The Division of State Lands completed a detailed wetland inventory in January 1996. The study found that there were no other wetlands located inside the La Pine Planning Area. Except for two historic structures, no Goal 5 resources have been identified or inventoried within the boundaries of the La Pine UUC.

Land surrounding the La Pine Urban Unincorporated Community boundary is zoned Rural Residential (10 acre minimum lot size), Forest Use 1, Forest Use 2 and Exclusive Farm Use (EFU – La Pine Sub-zone). Land to the east is federal land managed by the Bureau of Land Management. Land zoned Rural Residential lies to the north and west of the La Pine UUC. The comprehensive plan designation for the surrounding properties is Forest, Agriculture and Residential.

### 3. Comprehensive Plan Designations and Zoning.

In 2000, the La Pine Urban Unincorporated Community was expanded to include three planning areas:

- a. La Pine Planning Area (formerly the La Pine UUC plus a 13-acre expansion).
- b. Wickiup Junction Planning Area (formerly the Wickiup Junction Rural Service Center).
- c. Neighborhood Planning Area (formerly designated as forest resource land)

The La Pine Planning Area is divided into seven comprehensive plan designations: Residential, Commercial, Industrial, Business Park, Community Facility, Park/Open Space and Agriculture (see Figure 6). This planning area includes eight zoning districts: Residential, Commercial, Industrial, Business Park, Sewer Facility, Community Facility, Community Facility Limited and Flood Plain (see Figure 7). In addition, a portion of the residential district is identified with a commercial overlay on the zoning map. A policy is included in the plan for the eventual rezoning of this overlay area from residential to commercial.

The commercial overlay area was mapped in 1996 and applies to certain properties identified for future commercial expansion. These areas were identified in 1996 when the La Pine RSC became a UUC under the administrative rules for unincorporated communities. A Community Facility plan designation was created in 2000 to include the lands north of 1<sup>st</sup> Street already developed with schools and the 13-acre portion of the Baldwin-Herndon Oregon Trust property planned for other

community facilities. The former area is in the Community Facility Limited zone district whereas the 13-acre portion of the Baldwin-Herndon Oregon Trust has been zoned Community Facility.

The Wickiup Junction Planning Area contains one plan designation and one zoning district: Commercial/Residential (see Figure 8). No changes were made to the boundary, plan policies or zone standards when this area became part of the La Pine UUC in 2000, except for the elimination of the policy that referred to expanding the sewer district boundary to serve this area and the placement of transportation policies into the overall La Pine UUC section.

The Neighborhood Planning Area contains four Neighborhoods. Each neighborhood is divided into four Quadrants. See the Quadrant Plan, Figure 11, for the generalized boundaries of the Neighborhoods and Quadrants. The Neighborhood Planning Area has plan designations-- Residential, Community Facility, Commercial and Park/Open Space (see Figure 9), and seven zoning districts-- Residential General, Residential Center, Community Facility, Community Facility Limited, Neighborhood Commercial, Neighborhood Park and Open Space (see Figure 10).

Plan policies and zoning standards were adopted in August 2000 and amended in September of 2001 to ensure that the Neighborhood Planning Area develops in accordance with the overall neighborhood plan and design documents produced for the Regional Problem Solving Project. Comprehensive plan and zoning maps were also adopted to help guide future planning and development in this planning area. In 2001 the County amended the Comprehensive Plan to refine the plan designations and adopt a quadrant planning process to allow flexibility in phased development in the four Neighborhoods. The boundaries of the plan designations and zoning area districts in the Neighborhood Planning Area may be adjusted during future refinements of the master plan for the entire planning area or when specific areas are addressed with Quadrant Plans during the subdivision plat process. The boundaries of the Zoning Districts are generalized locations that will be finalized during the Quadrant Plan approval process according to performance standards in the Neighborhood Planning Area zoning code and the policies in the this Plan.

The plan policies and zoning standards adopted in August 2000 and amended in 2001 are also intended to ensure that residential development in the Neighborhood Planning Area will include mixed housing types, provide affordable housing opportunities and require participation in a Transferable Development Credit Program.

4. Land use inventory.

The inventory information listed below is from the Deschutes County Assessor's Office data and the land use projections for the Neighborhood Planning Area compiled by the County GIS Service Center in July 2000 and is based on design work completed for Regional Problem Solving. The Neighborhood Planning Area acreages are guidelines for future development in this planning area. The final acreages will be determined when Quadrant Plans are approved for each of the four Neighborhoods in the planning area. Quadrant Plans will be required prior to any development in the Neighborhood Planning Area.

a. La Pine Planning Area:

Assessors Property Class	Tax Lots	Developed Tax Lots	Vacant Tax Lots	Centrally Assessed.
Miscellaneous	11	2	3	6
Commercial	123	86	37	
Industrial	27	21	6	
Business Park	96	0	96	0
Tract*	202	128	74	
Farm	2	0	2	
Exempt**	41	11	30	
Totals	502	248	248	6

Zoning Districts	Total Lots	Developed Lots	Vacant Lots
Commercial	133	88	45
Residential	223	129	94
Industrial	48	15	33
Community Facility	1	0	1
Business Park	96	0	96
Community Facility Limited	1	1	0
Flood Plain	1	0	1
Sewer Facility	1	1	0
Totals	504	234	270

\*Residential property or property used primarily for residential purposes.

\*\*Tax exempt properties, i.e., church, County or state government.

Maximum # Potential new lots	Approximately 1,269 - based on both public water and public sewer service. Approximately 306 - based on either public water or public sewer service.
Existing sewer connections:	181 connections.
Existing public water systems:	22 non-community water systems with 146 connections, serving 1,837 people.
Total area	982 acres
Road distance to nearest UGB	25 miles - Bend UGB

b. Wickiup Junction Planning Area:

Assessors Property Class	Tax Lots	Developed Tax Lots	Vacant Tax Lots
Commercial	40	25	15
Tract*	30	17	13
Exempt**	27	3	24
Miscellaneous	2	0	2
Totals	99	45	54

Zoning District	Tax Lots	Developed Tax Lots	Vacant Tax Lots
Commercial/ Residential	99	41	58

\*Residential property or property used primarily for residential purposes.

\*\*Tax exempt properties, i.e., church, County or state government.

Maximum # Potential new lots	92
Existing sewer connections	34
Existing public water system	One non-community system with one connection servicing 100 people
Total area	102 acres
Road distance to nearest UGB	22 miles – Bend UGB

Zoning Districts	Developed Lots	Vacant Lots
Residential General	0	All
Residential Center	0	All
Community Facility	0	All
Community Facility Limited	*1	2
Commercial	0	1
Park/Open Space	n/a	n/a
Collector r-o-w	n/a	n/a
Totals		

\*Includes local right-of-way

\*\*Park & Ride @ Burgess/Hwy 97 Intersection

Maximum # residential lots	1800, including senior housing
Existing sewer Connections	None; sewer line passes through district – connection will be required
Existing public water system	None; -- connection will be required
Total area	519 acres

Road distance to nearest UGB	23 miles – Bend UGB
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5. Population information.

Since 1989, Deschutes County has been the fastest growing County in the state on a percentage basis. The estimated population in 2000 for La Pine and the surrounding rural area is over 10,000 year-round residents (and a summer population upwards of 16,000). This would make this area the second largest city in Oregon east of the Cascades, exceeded only by Bend.

The La Pine area is currently experiencing rapid growth similar to the remainder of Deschutes County. The following population estimates for Deschutes County were made after the 1990 census:

Year	1990	2000	2005	2010
Population	74,958	106,671	117,887	128,868

Source: U.S. Census, 1990

Population estimates in 1990 for the La Pine UUC were as follows:

Year	1990	2000	2005	2010
Population	4,651	6,619	7,315	7,996

Source: Ratio projection model based on U.S. Census.

In 1998, Deschutes County adopted a coordinated population forecast with the cities of Bend, Redmond and Sisters in accordance with ORS 195.036. This forecast relied on information from Portland State University and the Oregon Office of Economic Analysis. The adopted forecast includes the following population estimates for Deschutes County and the incorporated cities.

Year	2000	2005	2010	2020
Population Estimate	113,23	132,23	151,43	182,35
	1	9	1	3

From 1995 through 1999, building permits, vacant lot sales and real estate sales of improved lots increased. Growth in the La Pine UUC and surrounding rural area was similar to growth experienced in the remainder of Deschutes County for this time period. This trend is expected to continue.

B. La Pine Community Public Facility Plan.

1. Introduction.

The public facilities plan describes the water, sewer and transportation systems that are needed to support the land uses designated in the planning areas in the La Pine Urban Unincorporated Community. The facilities plan includes:

- a. An inventory of the condition and capacity of existing facilities;
- b. An assessment of the level of facilities and services needed to adequately serve the planned build out within the community area boundary, including references to policies at the end of this chapter applicable to the future needs for facilities; and
- c. Coordination agreements with the special districts that operate and maintain facilities consistent with ORS Chapter 195.

This Community Facility plan is based extensively upon the *La Pine Facilities Plan for the La Pine Special Sewer District* (June 1985), the *La Pine Special Sewer District Annexation Study* (1991) and the *La Pine/Wickiup Junction Local Street, Bicycle and Pedestrian Plan* (1999). These documents are incorporated by reference as part of this community facility plan document. It is not the intent

of this document to duplicate previously developed materials. Rather, it will serve as a summary of public facilities improvements anticipated by the community of La Pine.

A *Water and Wastewater Feasibility Study for: New Neighborhood and Cagle Subdivision* (April 1999) determined that there is capacity in the water and wastewater systems to serve the initial phases of development in the Neighborhood Planning Area. The report analyzed the overall system needs and determined the timing of improvements to the water and wastewater systems that would be needed during the development of subsequent phases in the Neighborhood Planning Area. The County contracted with a consultant to prepare a more detailed Capital Facilities Plan in 2000 for the water and wastewater systems as a result of the addition of the Neighborhood and Wickiup Junction Planning Areas to the UUC. This revision will update the capacity of these systems, evaluate/compare existing and new technological alternatives to provide capacity at build out, develop improvement plans, develop a methodology for computing rates, hook up fees and potential systems development charges (SDCs), and analyze financing options for constructing, operating and maintaining improvements. A plan policy was adopted in 2000 that requires the capital facilities plan be completed before building permits are issued or the tracts of land are sold in the Neighborhood Planning Area.

2. Inventory of existing system facilities.

a. Sewer.

The La Pine Special Sewer District was formed on September 3, 1980, to implement construction, operation and maintenance of sewage facilities in the core area in order to solve the groundwater pollution problem and allow expansion of businesses.

As a result of expansion in 2000 the La Pine UUC consists of approximately 1,655 acres. The La Pine Special Sewer District currently operates and maintains a sewage collection system and treatment plant that provides service for residences and businesses within the La Pine and Wickiup Junction Planning Areas. District boundaries are shown on Figure 2. The District anticipates expanding its boundary to encompass the Neighborhood Planning Area. A plan policy in this chapter states that the La Pine Special Sewer District should annex all land in the UUC.

The facilities consist of on-site septic tanks and septic tank effluent pump (STEP) units, a small diameter gravity collection system with a main pump station, and a treatment and disposal system which stores the septic tank effluent during the winter and spray irrigates it during the summer. Each of the three major components is described in more detail in the *“La Pine Special Sewer District Annexation Study Request For Environmental Information Form” FMHA 1940-20*. Construction of the existing system was completed in 1988.

As of March 1996, the system was operating at approximately 40% of capacity. With the addition of the Wickiup Junction Planning Area and additional development that has occurred in the La Pine Planning Area since then, the system is estimated to be operating at approximately 75% of capacity as of August 2000. The treatment system for the Sewer District could be described as underutilized because groundwater is being appropriated and pumped to the lagoons to supplement incoming effluent. This is being done so there is adequate water for irrigation of an annual hay crop.

b. Water.

As of 1996, La Pine was served by 22 non-community, public water systems. “Public Water System” means a system for the provision to the public of piped water for human consumption, if such system has more than 3 service connections or supplies water to a public or commercial establishment which operates a total of at least 60 days per year and which is used by 10 or more individuals per day, or a facility licensed by the Division of Environmental Quality. The motels, supermarkets, restaurants and the La Pine Elementary, Junior and Senior High Schools are all served by public water systems within the La Pine Planning Area.

A community water system is being engineered as of 2000. A test well constructed in 1998 on property east of La Pine resulted in a reliable source of potable water. Construction of a

transmission line is anticipated in 2001. Additional storage tanks and one or two additional production wells will be needed in the future to meet the build out demands in the La Pine UUC. A comprehensive plan policy requiring a Capital Facilities Plan will ensure that the water system will be enlarged to meet future needs. An additional policy in this chapter states that the water district should expand to include all land within the UUC boundary.

c. Roads.

1) The La Pine Planning Area Street System.

(a) The Organizing Framework of La Pine-Highway 97 - The street system is the primary element that has shaped development in the La Pine Planning Area. The street system consists of a north-south/east-west grid of local streets bisected by the northeast southwest oriented Highway 97. Highway 97 is clearly the main “artery” of the community. Highway 97 is the center of commercial development. Residential and industrial users flow to, from and on Highway 97 when circulating about the community. Highway 97 is the primary route used to enter and exit La Pine, and is central Oregon’s major north-south transportation facility for transport of people and cargo.

(b) Street Inventory - The La Pine Planning Area street system currently consists of three street classifications, per the Deschutes County Transportation System Plan - Principal Arterial (State Highway 97); Rural Collectors (Huntington Road, Reed Road, Finley Butte Road, 1<sup>st</sup> Street, and 6<sup>th</sup> Street); and local streets. Table 1 identifies existing right-of-way, surface type, travel lanes, posted speed, parking, bicycle and pedestrian facilities. The streets were inventoried through site reconnaissance and review of existing transportation-related materials.

2) The Wickiup Junction Planning Area Street System. U.S. Highway 97 runs along the majority of the western boundary of the District. Burgess Road intersects Highway 97 along the southern boundary of the District. Both of these roads are two lanes and paved. Highway 97 is designated as a Primary Highway by Deschutes County while Burgess Road is classified as a Collector. Local streets provide internal access to Wickiup Junction. The Great Northern Railroad runs parallel to Highway 97 west of the District boundary. Wickiup Junction is within the La Pine Fire Protection District.

(a) The Organizing Framework of Wickiup Junction - Highway 97 & the BNSF Railroad: Highway 97 and the Burlington Northern & Santa Fe Railroad are the dominant physical elements of Wickiup Junction. The highway and railroad are adjacent and parallel to one another in a primarily north-south orientation. Development of the district has primarily occurred along Highway 97’s east frontage and the Highway 97/Burgess Road intersection at the south end of the district.

(b) Street Inventory: The Wickiup Junction street system currently consists of three street classifications, per the Deschutes County Transportation System Plan - Principal Arterial (State Highway 97), Rural Arterial (Burgess Road) and local streets. East of Highway 97, the street system consists of a frontage road and Drafter Road that parallel the highway. Rosland Road is an east-west oriented road that connects Highway 97 with the south end of Drafter Road. Drafter Road connects to Highway 97 at the north end of the district. ODOT owns a 300-foot wide unimproved right-of-way that extends along the entire eastern edge of the community.

Burgess Road is an east-west oriented road that extends west from its intersection with Highway 97. Burgess Road is the southern boundary of the planning area. Several north-south oriented streets extend north off Burgess Road.

Table 2 identifies existing right-of-way, surface type, travel lanes, posted speeds, parking, bicycle and pedestrian facilities. The streets were inventoried through site reconnaissance and review of existing transportation-related documents.

3) The Neighborhood Planning Area. The Neighborhood Planning Area is bounded by

Huntington Road to the west, Burgess Road to the south and Highway 97 to the east. Traffic analyses completed by consultants and County staff have been completed for this planning area as part of the Regional Problem Solving Project. As of 2000 there were no internal roads serving this planning area.

3. Facility and service Assessment – Build out needs.

a. Sewer and water.

With regard to groundwater quality and the protection of regional groundwater, there are important reasons for improvements in the existing services provide to the La Pine area:

The local groundwater flow system in the La Pine area occurs in shallow, unconsolidated alluvium of the La Pine basin under unconfined aquifer conditions. The water used for domestic, commercial and industrial purposes is drawn almost exclusively from shallow wells sunk into the uppermost layer of the permanent groundwater table. The majority of these wells are developed to depths of only 20 to 100 feet below the ground surface. The shallowness of these wells combined with the porous nature of the overlying alluvium make the aquifer highly susceptible to contamination from both surface and subsurface sources.

The major groundwater contaminant associated with the use and operation of septic tank/drain field sewage treatment systems is nitrate. Nitrates are found in household and industrial waste streams and are readily transferred to the groundwater via septic drain fields.

System improvements will help eliminate the immediate contamination and public health threat from point-source septic tank drain fields and thus improve local groundwater quality and reduce public health risks.

Future facility and service changes in the La Pine UUC include an annexation project for the La Pine Special Sewer District to service the Neighborhood Planning Area and annexation of the Neighborhood and Wickiup Junction Planning Areas into the La Pine Water District boundary.

As mentioned above, the capital facilities plan to be completed in 2000 will analyze in detail the capacity of the water and wastewater systems and alternative methods to improve these systems to meet the needs of the community at build out. Rate structures, financing and the methodology for collecting system development charges (Sacs) will be part of this study. A plan policy has been adopted that requires this plan to be completed before the County can sell tracts of land or issue building permits for development in the Neighborhood Planning area.

In 1995 development of a municipal water system was determined to be necessary to provide long-term assurance to the community that there will be an abundant supply of quality drinking water. The La Pine Water District was formed in 1997. The District acquired a private well in 1999 with assistance from the County. Detailed engineering work should be completed in 2000 and pipeline construction is anticipated to occur in 2001. The capital facilities plan to be completed in 2000 will determine future expansion needs to meet the water needs of the entire UUC at build out.

b. Transportation.

As a rural community located on a major highway, the La Pine UUC requires a transportation system that will accommodate local, commuter, regional, and interstate traffic. The local transportation system needs to balance the needs of through traffic with impacts on the community's livability and rural character. Accomplishing this goal requires integrated street, bicycle and pedestrian networks, appropriate street standards, safe access to Highway 97, and safe vehicular, bicycle, and pedestrian crossing of Highway 97.

1) Highway 97 Corridor.

Highway 97 is the primary transportation element of the community. Highway 97 is Central Oregon's major north-south facility for transport of people and cargo; therefore, it is important that efficient movement through the La Pine and Wickiup Junction Planning Areas is maintained. Aside from being the primary route for transportation through these planning areas, Highway 97 is the center of commercial development, and the primary

access for local residential and industrial users. While the importance of Highway 97 cannot be underestimated, it also bisects each community creating a barrier between the east and west sides.

People have a need to move throughout the communities. Currently, Highway 97 restricts safe and efficient east-west movement. The Deschutes County Transportation System Plan (TSP) identified that in unincorporated communities such as the La Pine UUC, traffic calming and pedestrian safety on Highway 97 are more important than through traffic movement.

Through technical review and public input conducted in the TSP planning process, the following key Highway 97 issues have been identified:

- (a) Vehicular, bicycle, and pedestrian movement across Highway 97 is unsafe and difficult;
  - (b) There is a community sense of excessive speeding on Highway 97, although speed studies have consistently shown that drivers are traveling within the accepted parameters of the posted speed;
  - (c) Vehicular turning movements across oncoming traffic are difficult and unsafe;
  - (d) There are odd-angled intersections in the La Pine Planning Area that create unsafe turning movements;
  - (e) Access to businesses and parking, to and from Highway 97, needs to be safe and convenient.
- 2) Street design standards.

The TSP includes County road design standards that are specific to the La Pine and Wickiup Junction Planning Areas, while ODOT has design standards for Highway 97. The Deschutes County guidelines include design standards for arterial, collector, and local streets, as well as alleys and multi-use paths that are separated from roads.

In recent years, Deschutes County required urban street development standards in some unincorporated communities in the rural portions of the County. The urban standards required 30-36 feet of pavement, with curb-tight sidewalks and gutters. This urban standard was generally not practical or necessary in unincorporated communities. As road design standards were developed for rural Deschutes County, it became evident that these rural standards may not be adequate to serve the densities and variety of uses found in unincorporated communities.

Instead, unincorporated communities can benefit from street standards that are between rural and urban standards. Therefore, when the County prepared the TSP, interim road standards were established for the La Pine Planning Area. These road standards were to be considered interim until the completion of the La Pine/Wickiup Junction Local Street, Bicycle and Pedestrian Plan.

Existing streets in the La Pine and Wickiup Junction Planning Areas are classified as follows:

- (a) Principal Arterial - Highway 97;
- (b) Rural Arterial - Burgess Road;
- (c) Rural Collector - Huntington Road, 1<sup>st</sup> Street, 6<sup>th</sup> Street, Reed Road, Finley Butte Road;
- (d) Rural Local - remaining streets not identified above.

The road design standards identified in this plan for the La Pine and Wickiup Junction Planning Areas generally follow the interim road design standards identified in the TSP. Exceptions are variations to the local street standards to allow for reduced right-of-way and pavement widths and the addition of multi-use paths that are separated from streets. Local streets in commercial and transitional areas should have sidewalks, whereas local streets in residential areas should not have sidewalks.

The exceptions to this standard include Morson Street and Foss Road, which are single-family streets that should have bicycle and pedestrian facilities due to direct connections to

community activity centers, and any new or upgraded residential streets within or connecting to new subdivisions that have an average minimum lot size of 11,000 square feet or less. Figures 12 and 13 identify the functional classifications of roads and locations of existing and proposed pedestrian facilities within the La Pine Planning Area. Figure 14 identifies the functional road classifications within the Wickiup Junction Planning Area.

The Neighborhood Planning Area Street System will include a north-south Central Collector road connecting Bluewood Place to the south in the La Pine Planning Area and Burgess Road to the north. Perimeter Collector roads along the eastern edge of the neighborhood area, dividing the four Neighborhoods and east-west Neighborhood Collector roads. Figure 15 shows the conceptual street plan for the Neighborhood Planning Area. Figure 16 shows the non-motorized circulation plan including paved and unpaved and multi-use paths.

Two Perimeter Collector and three Neighborhood Collector roads will provide access from Huntington Road into the neighborhoods. The Central Collector and a Perimeter Collector will provide access from Burgess Road. The three Perimeter Collectors dividing the neighborhoods will be adjacent to open space corridors that provide buffers between the four Neighborhoods in the Neighborhood Planning Area. Driveway access will be limited onto the Central Collector and the Neighborhood Collectors. Parking in designated pullout areas will be provided along the collectors for access to open space, parks and residential lots. Direct access from residential lots onto the local streets and perimeter collectors will be permitted.

Shallow swales alongside the roads will provide for drainage. A network of multi-use paths will be developed parallel to many of the collector roads and in the open space buffer areas along Huntington Road and the eastern Perimeter Collector parallel to Highway 97.

The precise layout of these roads and multi-use paths will occur during the Quadrant Plan approval process as each Neighborhood and Quadrant are planned.

3) La Pine Planning Area Street System.

The existing street system within the La Pine Planning Area generally consists of a north-south/east-west grid of local and collector streets bisected by the northeast/southwest oriented Highway 97. The opportunity for new streets is primarily limited to undeveloped areas in the east and south sections of the community. Research and public input also identified some street realignment and intersection improvements that will increase safety and provide for enhanced traffic flow. These transportation improvements are identified below.

4) Street Maintenance. The need for ongoing street maintenance includes surface maintenance, shoulder maintenance, grading gravel streets, snow removal/storage, ice control, storm drainage, roadside vegetation management, and litter control.

5) Bicycles and Pedestrian System. There is a greater need for bicycle and pedestrian facilities in unincorporated communities than in other parts of the rural County. Generally, people are in closer proximity to destinations, therefore, there is a greater tendency to bicycle or walk. Bicycling and walking are also the only modes of transportation between destinations for some people, such as the young, elderly, and disabled population. Results of a questionnaire and comments received at community meetings during the preparation of the TSP indicate marginal support for a safely connected bicycle/pedestrian system within and between the La Pine and Wickiup Junction Planning Areas. However, the need was identified to provide safe bicycle/pedestrian connections from the La Pine and Wickiup Junction Planning Areas to the surrounding residential areas rather than just focusing on facilities within the planning areas themselves.

6) Bikeways. There are three types of bikeways appropriate in rural areas:

- (a) Shoulder bikeways are paved shoulders that allow for bicycle traffic on collector and arterial streets;

- (b) Shared bikeways are typically local streets with low traffic volumes that allow for bicycles to share the roadway with automobiles;
- (c) Bicycle/pedestrian are multi-use paths that are separated from streets. Multi-use paths are typically located along utility easements or in designated open spaces such as parallel to a drainage way. Bicycle/pedestrian paths are most often used for recreation, but also can connect activity centers and destinations. (In general, ODOT's 1995 Bicycle and Pedestrian Plan includes language that discourages the building of separated multi-use paths due to maintenance difficulties, lack of usage, and design challenges where paths need to cross streets and driveways.)

For the La Pine and Wickiup Junction Planning Areas, shoulder bikeways are appropriate on Highway 97, Burgess Road, Huntington Road, 1<sup>st</sup> Street, 6<sup>th</sup> Street, Reed Road, Finley Butte Road, and Hinkle Way (when the extension is completed). Shared bikeways are appropriate on the local roads. There are opportunities for bicycle/pedestrian multi-use paths that are separated from streets and included in the transportation recommendations.

The multi-use paths in the Neighborhood Planning Area alongside collector roads and in the open space buffers along Huntington Road and the eastern edge road parallel to Highway 97 will provide for shared bicycle/pedestrian use that is separated from the streets. The Non Motorized Circulation Plan, Figure 16 shows the general locations for the multi-use path in the Neighborhood Planning Area.

- 7) Walkway. Local streets in rural areas typically have low traffic volumes and therefore, are able to safely accommodate pedestrians, similar to the shared bikeway. On collector and arterial roads with higher traffic volumes it is appropriate to provide pedestrian facilities, i.e. sidewalks or paths separated from the traffic. Where not provided on collectors and arterials, paved shoulders should be wide enough to accommodate both pedestrians and bicyclists.

As stated in the Deschutes County TSP, moving pedestrians across arterial roads may be more important than pedestrian travel along roads. It is important to provide safe pedestrian crossings and ensure that motorists are well aware of pedestrians crossing roads. The number of at-grade crossings needs to be considered. Pedestrian crossings where no traffic signal exists can provide a false sense of security.

It is important to provide pedestrian facilities for a range of users. Within a community, pedestrian connections are needed from residential areas to schools, parks, and commercial areas. Pedestrian facilities need to connect commercial areas to and from parking.

- 8) Public Transportation System.

There is interest in increasing public transportation services between La Pine/Wickiup Junction and Bend. Currently there is a Dial-A-Ride provider that serves La Pine, and a rideshare facility located at the northwest corner of Highway 97 and Burgess Road in Wickiup Junction. There is the potential for a County-established rural transit district, which could provide fixed-route shuttle services between communities, i.e. La Pine and Bend.

Rail transportation. The Burlington Northern & Santa Fe Railroad provides significant transportation of freight through Central Oregon, including the segment through La Pine and Wickiup Junction. Railroad conflicts with other modes of transportation need to be minimized. Currently the only remaining at-grade railroad crossing of Highway 97 in Oregon is at the south end of the Wickiup Junction Planning Area near Burgess Road. Critical to the success of the eventual bypass and the function of the local street network, will be the continued operation of the existing at-grade railroad crossing. The County will work towards keeping this crossing open as a local road connecting the Neighborhood and Wickiup Planning Areas after the separated grade and highway relocation improvements are completed.

#### 4. Coordination Agreements Consistent with ORS 195.

The Environmental Quality Commission adopted a groundwater protection rule for the Deschutes Basin Water Quality Management Plan in June 1983. This rule states that the wastewater generated within the core area of the community of La Pine shall be collected, treated and disposed of in a manner, which prevents pollution of the groundwater by not later than January 1, 1987.

The La Pine Special Sewer District Board of Directors approved a resolution on May 23, 1985 adopting final alternatives for the collection, treatment and disposal of sewage for the La Pine Core area.

5. Memoranda of Understanding.

As part of Regional Problem Solving the County entered into a separate Memorandum of Understanding (MOU) in 2000 with the La Pine Water District and the La Pine Special Sewer District. The MOUs state that the County and the districts recognize that the collaborative work done under Regional Problem Solving will continue so that water and wastewater systems will be expanded in an efficient manner to serve the entire La Pine UUC at build out.

A similar MOU recognizes that the County and the Bend-La Pine School District will cooperate on the planning of a new school site that is in compliance with the District's facilities plan. An additional MOU between the County and the La Pine Rural Fire Protection District establishes that fire suppression and prevention will be addressed in a cooperative fashion in the planning and design of the Neighborhood Planning Area.

C. La Pine Urban Unincorporated Community Plan Policies.

1. General.

- a. The La Pine UUC shall contain the following planning areas: La Pine, Neighborhood and Wickiup Junction.
- b. Expansion of the boundary of the Urban Unincorporated Community (UUC) will require demonstration of a long-term need for housing and employment. Need shall be based upon population growth estimates from a reputable forecast service (such as Portland State University). Estimates shall be coordinated with those for other cities and communities in the County and shall consider:
  1. Plans to extend facilities and services to existing community land; and
  2. The infill potential of existing land in the community.
- c. An expansion undertaken under this policy shall follow the requirements listed in OAR 660-22-040.
- d. When reviewing individual site plans, buildings shall be sited so as to protect significant trees wherever practicable.
- e. Site plan criteria shall require landscaping for all new commercial and industrial development.
- f. Conditional use permits shall be required for fill and removal activities in designated wetlands.
- g. The County shall assist the community in reviewing incorporation alternatives.

2. Transportation.

- a. The County shall coordinate with the Oregon Department of Transportation to:
  - 1) Provide safe vehicular, bicycle, and pedestrian movement across Highway 97 in La Pine;
  - 2) Reduce speeds on Highway 97 through La Pine;
  - 3) Seek funding to design and implement a four-lane section with landscaped center median between 1st and 6th streets.
  - 4) Provide safe vehicular turning movements across oncoming traffic in La Pine;
  - 5) Consider intersection realignments to provide safer turning movements at odd-angled intersections in La Pine;
  - 6) Explore safer and more convenient access, parking and pedestrian circulation to businesses fronting Highway 97;
  - 7) Participate in an access management plan for La Pine;
  - 8) Support the extension of the four-lane highway section north and south of La Pine to enable vehicle passing in advance of reaching the community;

- 9) Explore the potential of a future Highway 97 bypass around La Pine.
  - b. Improvements to the public rights-of-way shall conform to the design standards contained in DCC Title 17 and 18.
  - c. The County shall consider improvements to the following intersections to provide for improved traffic flow, and increased vehicular, bicycle, and pedestrian safety: Huntington Road/1st Street;
  - d. The County shall consider reconfiguring the intersection of 6th Street/Morson Street/Highway 97/Finley Butte Road to provide safer connections to the state highway, and a more viable intersection that may ultimately become signalized.
  - e. The County will determine specific transportation-related improvements to Huntington Road as commercial development/redevelopment occurs.
  - f. Where new development requires the establishment of new streets, such streets shall connect to and extend the current grid street system.
  - g. The County shall establish a safe, connected bicycle/pedestrian system throughout La Pine.
  - h. The County shall pursue a countywide bicycle/pedestrian plan that provides connections to the La Pine UUC.
  - i. The County shall explore the potential for scheduled fixed-route public transportation between La Pine/Wickiup Jct. and Bend.
  - j. The County will ensure that adequate transportation facilities are provided between the La Pine and the Neighborhood Planning Areas as development occurs. Before phase one of the Neighborhood Planning Area is completed and prior to the start of phase two a traffic signal should be installed at the intersection of 1st Street and Highway 97. The County shall contribute a proportional share of the cost, based on the number of trips generated and distribution of trips to this intersection.
  - k. Planning for bicycle and pedestrian traffic shall be incorporated in new street designs.
  - l. The County shall work with the Oregon Department of Transportation to slow traffic to posted speeds, using a combination of enforcement and traffic calming techniques (extended curbs, landscaping, raised medians, etc.) along Highway 97 through the La Pine UUC.
  - m. The County shall work with the Oregon Department of Transportation to adopt and implement consistent standards regarding left turn lanes, raised medians, driveway spacing, acceleration/deceleration lanes, turn refuges and means to enhance the local street network to handle local traffic and relieve congestion along Highway 97 within the La Pine Urban Unincorporated Community.
  - n. Sidewalks shall be buffered from the streets with adequate landscaping, shoulders and/or on-street parking.
  - o. Streets shall be designed to carry anticipated traffic volumes, and rights-of-way shall provide enough space for an adequate planting strip and sidewalks or bikeways.
  - p. The County shall encourage truck traffic generated from the Industrial District to access the Highway 97 corridor via Reed Road.
  - q. The County shall explore development of a Systems Development Charge (SDC) program for transportation facilities within the La Pine UUC.
3. Public Facility and Services.
- a. New development should locate in areas where facilities are available or can be provided at least cost.
  - b. The La Pine Special Sewer District should annex all land within the UUC boundary.
  - c. The County shall support the development, re-development and expansion of a single domestic water system maintained and operated by the La Pine Water District so that cumulative development will not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations. The La Pine Water District should annex all land within the UUC boundary.
  - d. Consistent with Goal 11, the County shall support the development, re-development and

expansion of the La Pine Special Sewer District's sewer system so that cumulative development will not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations.

- e. The County site plan criteria shall require that all new developments include a drainage system that protects water quality. Alternative drainage options shall be allowed where shallow water table prohibits use of a drywell.
- f. The County shall encourage early planning and acquisition of sites for needed public facilities (e.g., fire stations, schools, parks, roads, etc.).
- g. The County shall cooperate with agencies and citizen's groups in improving water quality and the condition of the watershed.
- h. A large tract to the north of the La Pine core area that is used by the La Pine Sewer District for disposal and treatment of effluent shall be designated as Agriculture under Goal 3 on the plan. It shall be zoned for sewer treatment and disposal and the uses allowed in the zoning district shall be limited to those that are consistent with Goal 3.

D. The La Pine Planning Area.

1. General.

The La Pine Planning Area shall contain the following plan designations: Residential, Commercial, Industrial, Business Park, Park/Open Space, Agriculture and Community Facility. The following zone districts shall exist in the La Pine Planning Area: Residential, Commercial, Community Facility, Community Facility Limited, Flood Plain, Industrial and Sewer Treatment. A commercial overlay area shall be applied on the zoning map to that portion of the residential district designated as commercial on the comprehensive plan.

2. Residential District.

- a. The County shall encourage a diversity of housing options for community residents.
- b. All new residential subdivisions and partitions shall provide public, semipublic and/or private open space as part of the development, or fee in lieu of land to the extent allowed by law.
- c. Areas designated residential on the comprehensive plan shall be zoned residential district on the zoning map.
- d. New subdivisions, cluster developments, and manufactured home parks shall be connected to a Department of Environmental Quality permitted community or municipal sewer system.

3. Commercial District.

- a. The Commercial District shall be developed with small-scale, low-impact uses as defined under the Administrative Rule for Unincorporated Communities, OAR 660, Division 22. Small-scale, low impact commercial use is one that takes place in a building or buildings not exceeding 8,000 square feet of floor space.
- b. The Commercial District shall be developed with uses intended to serve the community and surrounding rural area or the travel needs of people passing through the area. The surrounding rural area includes the area south of La Pine State Park Road to the Klamath County line that is zoned Rural Residential, Forest and Exclusive Farm Use. See Figure 3.
- c. Buildings in the Commercial District shall be limited to thirty feet in height to retain the rural character of the area and preserve views of the mountains, unless an exception is allowed under zoning regulations.
- d. Community infrastructure, including sewer, water, streets, sidewalks and other transportation improvements identified in the Deschutes County Transportation System Plan shall be developed.
- e. Future commercial development shall be encouraged along Huntington Road.
- f. Future public uses should be located near the junction of Huntington Road and 1st Street, close to where existing public uses including school, County, office, public, park and fire stations have already been developed.
- g. The County shall support transfer of federal and state land to private ownership within the Commercial District whenever feasible.

- h. Residential use in conjunction with commercial uses shall be encouraged. Land divisions for residential purposes shall not be allowed in the commercial district.
  - i. Lands designated Commercial on the comprehensive plan that are not served by sewer, a municipal or community water system and abutted by roads constructed to County standards shall be given Residential zoning and be identified as Commercial Overlay on the zoning map. Notwithstanding and in place of the criteria set forth in DCC 18.136.030 regarding quasi-judicial zones changes, at such time as the sewer and water are in the street adjacent to the subject property and the road abutting the subject property is brought to County standards, a zone change for such lands shall, upon application to the County, be granted from Residential to Commercial. Such changes shall be subject to applicable post-acknowledgement provisions of ORS 197.510 through 197.625. (See Figure 5 for areas identified for future commercial expansion.)
4. Community Facility Limited District. Land located west of Coach Road and north of 1<sup>st</sup> Street shall be used for schools and their associated uses.
  5. Community Facility District. Land located between Huntington and Coach Roads shall be used for community and public uses identified in the design workshop conducted by LCAT in April 2000, or for other community/civic uses identified in a future public process. These uses include a senior center, performing arts center, community health center, community college education facilities and a swimming pool.
  6. Industrial District.
    - a. In order to maximize land available for industrial uses, new uses in the Industrial District that meet the criteria for an Oregon Department of Environmental Quality (DEQ) water pollution control facility (WPCF) permit, shall be required to connect to the La Pine Sewer Treatment Facility in lieu of obtaining a WPCF permit.
    - b. New industrial uses shall be limited to those that will not exceed the capacity of water and sewer service available to the site on December 5, 1994, or, if such services are not available to the site, the capacity of the site itself to provide water and absorb sewage.
    - c. Industrial development shall not degrade the quality of surface or groundwater.
    - d. Sitting criteria shall require adequate traffic circulation, off-street parking, and loading and service area.
    - e. The community shall attempt to diversify its industrial base.
    - f. Where the Industrial District abuts a residential district, special development standards relating to setbacks, screening, signs and building height shall be established.
    - g. Industrial zoning shall protect industrial lands from incompatible commercial development.
  7. Business Park District.
    - a. A variety of commercial and industrial uses which support the needs of the community and surrounding rural area.
    - b. Allow small scale, low-impact commercial uses in conformance with the requirements of OAR Chapter 660, Division 22. Larger more intense commercial uses shall be permitted if they are intended to serve the community, the surrounding rural area and the travel needs of people passing through the area.
    - c. Small-scale, low-impact industrial uses should be allowed in conformance with the requirements of OAR Chapter 660, Division 22. No more intensive industrial uses shall be allowed.
  8. Flood Plain District.
    - a. The area within the boundaries of the La Pine UUC that is within the flood plain mapped by Flood Emergency Management Agency (FEMA) shall be given a plan designation of "Commercial" and shall be given a zoning designation of "Flood Plain District." Notwithstanding and in place of the criteria set forth in DCC 18.136.030 regarding quasi-judicial zones changes, the owner of such property may apply for and shall receive a zone change to Commercial at such time as the owner obtains from FEMA a letter of map

- amendment (LOMA) or a letter of map revision (LOMR) verifying that the area is not located within the Special Flood Hazard Area (100 year flood plain). Such changes shall be subject to applicable post-acknowledgement provisions of ORS 197.510 through 197.625.
- b. The County shall request that FEMA conduct a detailed flood elevation survey for the floodplain adjacent to the La Pine UUC.
9. Agriculture District. The tract of land to the north of the core area that is used by the La Pine Special Sewer District for disposal and treatment of effluent shall be designated as Agriculture on the plan map and be zoned Sewer Treatment District, for sewer treatment and disposal. The uses allowed in the zoning district shall be limited to those that are consistent with Goal 3.
- E. The Wickiup Junction Planning Area.
1. General.
    - a. The Wickiup Junction Planning Area shall contain one plan designation, Commercial/Residential and one zone district shall be established, Commercial/Residential, for residential and small-scale commercial uses.
    - b. The County shall encourage mixed residential and commercial uses.
  2. Transportation.
    - a. The County shall support traffic safety improvements to Burgess Road where it connects with Highway 97.
    - b. The County shall work with the Oregon Department of Transportation to slow traffic to posted speeds using a combination of enforcement and traffic-calming techniques (extended curbs, landscaping, raised medians, etc.) along Highway 97 through the Wickiup Junction Planning Area.
    - c. The County shall work with the Oregon Department of Transportation to adopt and implement consistent standards regarding left turn lanes, raised medians, driveway spacing, acceleration/deceleration lanes, turn refuges and means to enhance the local street network to handle local traffic and relieve congestion in the Wickiup Junction Planning Area.
    - d. An applicant for a new use other than a use that is permitted outright must demonstrate that the affected transportation facilities are adequate to serve the proposed use, considering the functional classifications, capacity and the level of service of such facilities.
    - e. The County shall require curbs and sidewalks for new development in the Commercial/Residential District, except on Highway 97, to the extent allowed by law.
    - f. The County shall coordinate with the Oregon Department of Transportation to:
      - 1) Reduce speeds on Highway 97 through the Wickiup Junction Planning Area;
      - 2) Provide safe vehicular turning movements across oncoming traffic in the Wickiup Junction Planning Area;
      - 3) Explore safer and more convenient access, parking and pedestrian circulation to businesses fronting Highway 97; and
      - 4) Participate in an access management plan for the Wickiup Junction Planning Area.
    - g. Improvements to the public rights-of-way shall conform to the applicable design standards in the Deschutes County Zoning Ordinance, Title 18 of the County Code.
    - h. The County shall consider improvements to the following intersection to provide for improved traffic flow, and increased vehicular, bicycle, and pedestrian safety: Huntington Road/Burgess Road;
    - i. Per the Deschutes County TSP, the County shall pursue the Highway 97 realignment and grade-separated railroad crossing in the Wickiup Junction Planning Area. The northern phase of the Neighborhood Planning Area should not be constructed before the bypass is constructed or the capacity to the Burgess Road/ Highway 97 intersection is increased by some other method or ODOT and the County determine at that time that it is acceptable to proceed.
    - j. Where new development requires the establishment of new streets, such streets shall connect to and extend the current grid street system.
    - k. The County shall establish a safe, connected bicycle/pedestrian system throughout Wickiup

Junction.

- l. The County shall ensure that adequate transportation facilities are provided between the Wickiup Junction and Neighborhood Planning Areas as development occurs.
- m. The County shall pursue methods of acquiring right-of-way needed to connect Pam Way to Drafter Road.

F. The Neighborhood Planning Area.

- 1. General.
  - a. The Neighborhood Planning Area shall contain the following plan designations – Residential, Community Facility, Open Space/Park and Commercial.

	Maximum Density Units/ac.	Minimum Density Units/ac	Lot Size Range Single-family
<b>NEIGHBORHOOD 1</b>			
Neighborhood Center	12	8	2,400 – 4,500 s.f.
Neighborhood General	6	3	4,000 – 7,000 s.f.
<b>NEIGHBORHOOD 2, 3 &amp; 4</b>			
Neighborhood Center	12	6	2,400 – 7,000 s.f.
Neighborhood General	6	2	7,000 – 15,000 s.f.

- b. The Neighborhood Planning Area shall have the following zones: Community Facility, Community Facility Limited, Community Commercial, Neighborhood Center, Neighborhood General, Neighborhood Park and Open Space.
- c. The Neighborhood Planning Area shall be divided into four Neighborhoods. The boundaries of the Neighborhoods shall be defined by Corridor Open Space and Perimeter Collector streets. Each Neighborhood shall be divided into four quadrants. The boundaries of the quadrants shall be defined by the collector street system and generally correspond to the Quadrant Plan map (Figure 11).
- d. Approval of a Quadrant Plans as defined in the La Pine Neighborhood Planning Area zoning ordinance shall be required prior to any development in the Neighborhood Planning Area. At a minimum a quadrant plan shall include the following:
  - 1) Zoning boundaries for each of the zones depicted on the zoning map and meeting the performance standards for minimum acreage or dimensions for the Neighborhood Center, Neighborhood Park Zones and Open Space Districts.
  - 2) Lot configuration meeting the lot and density requirements of the zoning code and a tentative plan for the first phase.
  - 3) Locations of all collector and local streets and alleys.
- e. The Plan designations and depicted on Figure 9 and the zoning boundaries depicted on Figure 10 are generalized locations that will be defined with Quadrant Plan approval.
- f. The Quadrant Plans shall guide the development of the Neighborhood Planning Area to guide overall development towards meeting the land use and residential density guidelines set forth in the following tables:

Land Use	Acres	Percentage of total area	Total dwelling units	Density (units/ac.)
Single-family	208	40%	1326	6.4
Multi-family	29	5.6%	324	11.2
Senior housing	7	1.3%	75	10.7
Baldwin-Herndon	7	1.3%	75	10.7

Sr. Housing				
Subtotal	251	48.2%	1800	7.2
School	13	2.5%	n/a	n/a
Commercial	1	0.2%	n/a	n/a
Senior/Civic Medical/Facilities	10	1.9%	n/a	n/a
Community facility	8	1.5%	n/a	n/a
Open Space/ Parks	48	9.2%	n/a	n/a
Collector right-of- way	72	13.9%	n/a	n/a
Local right-of-way	116	22.4%	n/a	n/a
Totals	519	*99.8%	N/A	N/A

\*Total does not equal 100% due to rounding.

Zoning Districts	Acres	Total Lots	Developed Lots	Vacant Lots
Residential General	*323	1110	0	All
Residential Center	*28	280	0	All
Community Facility	31	150	0	All
Community Facility Limited	20	3	**1	2
Commercial	2	1	0	1
Park/Open Space	60	n/a	n/a	n/a
Collector r-o-w	55	n/a	n/a	n/a
Totals	519	1800		

\*Includes local right-of-way

\*\*Park & Ride @ Burgess/Hwy 97 Intersection

Zoning Districts	Acres
Neighborhood General	Variable after Neighborhood Center, parks and open space zones are designated
Neighborhood Center	3 - 6 acres per Quadrant
Community Facility	Minimum of 10 acres in Neighborhood 1
Community Facility Limited	= / -20
Neighborhood Commercial	2 - 4 acres in Neighborhood 3
Neighborhood Park	2 – 5 acres per Neighborhood
Open Space	Variable based on Quadrant Plan

- g. The County shall approve design guidelines for the Neighborhood Planning Area prior to development of the first phase. The design guidelines shall be developed as a component of the first Quadrant Plan and shall encourage a variety of housing types and styles and quality building materials.
- h. After approval of a Quadrant Plan, each phase subsequently proposed for development shall be reviewed, prior to platting any additional lots, to ensure that it is developed in conformance with the Quadrant Plan.
- i. The County shall, to the maximum extent allowed by law, reinvest net proceeds from the development or sale of real property in the Neighborhood Planning Area into future improvements such as: roads, parks and open space development and maintenance, public buildings, and on-site and off-site water and wastewater facility improvements or expansion in the La Pine UUC, that will service the Neighborhood Planning Area, the La Pine UUC or the Regional Problem Solving study area.
- j. Before issuing any building permits or selling any tracts of land in the Neighborhood Planning Area, the TDC program will recognize the Neighborhood Planning Area as the “receiving area” for transfer of development credits and will indicate the number of credits required for an individual to obtain a building permit or the number of credits required for a developer to purchase a tract of land in the Neighborhood Planning Area. TDCs shall not be required for designated senior housing units in the Community Facility District.
- k. Before selling tracts of land or issuing building permits in the Neighborhood Planning Area, the County shall work with the La Pine Water District and the La Pine Special Sewer District to complete a capital facilities plan for community water and wastewater systems to:
  - 1) Evaluate existing technology and new alternatives to provide capacity for growth at build out in the La Pine UUC;
  - 2) Establish and implement a methodology for hook up fees or systems development charges (SDCs) for water and wastewater services; and
  - 3) Seek funding opportunities for needed improvements and expansion to the water and wastewater facilities.
- l. The Neighborhood Planning Area shall be developed to meet the Quality Development Objectives established by Executive Order 97-22 to:
  - 1) Give priority to the quality mix development that addresses the economic and community goals of the community and region.
  - 2) Encourage mixed use, energy efficient development designed to encourage walking, biking and opportunities for multi-modal transit use.
  - 3) Develop facilities that are compatible with the community’s ability to provide adequate public facilities and services.
  - 4) Provide facilities that are compatible with the community and regional environmental concerns and available natural resource (e.g. available water, air quality and protection of wildlife corridors).

- 5) Support development that provides for a balance of jobs and affordable housing within the community to reduce the need to commute long distances between home and work, thereby minimizing personal commuting cost as well as the public and societal cost of expanding transportation infrastructure.
- m. All new development in the Neighborhood Planning Area shall be connected to the La Pine Water District water system and the La Pine Special Sewer District sewage treatment facility or other Department of Environmental Quality approved sewage treatment facility. Fire hydrants shall be provided.
  - n. Industrial uses shall not be allowed.
  - o. Commercial development shall be limited to small-scale, low impact uses as defined in OAR 660-022. The zoning ordinance shall restrict commercial development to uses that are intended to primarily serve the Neighborhood Planning Area and shall limit the building size to less than 4,000 square feet for commercial uses.
  - p. Hotels and motels shall not be allowed.
  - q. Residential uses may include home occupations with restrictions as set forth by zoning standards.
  - r. Manufactured homes shall be allowed as single-family dwelling units, subject to zoning regulations.
  - s. Travel trailer parks shall not be allowed uses.
  - t. The keeping of livestock shall be limited to uses approved through site plan review in areas designated as Community Facility.
  - u. The County shall coordinate with the owners of the Baldwin-Herndon Oregon Trust property to complete a lot line adjustment or land exchange that will result in the County owning the western two quadrants in Neighborhood 1 and the Baldwin-Herndon Trust owning and amount of land in the eastern quadrants of Neighborhoods 1 and 2 that the County and the Trust through negotiations agree is an equitable boundary adjustment.
  - v. The southwest Quadrant of Neighborhood 1 shall be zoned Community Facility and be used for an assisted living facility, senior housing, health care facilities or other community uses. The County shall make the land it acquires in this area available for future development of such uses at a cost that reflects the pro rata share of land purchase and infrastructure development.
  - w. The County shall coordinate with the Bend La Pine School District to dedicate land in the Community Facility Limited District that is suitable for a school site at a cost that reflects the pro rata share of land purchase and infrastructure development.
  - x. The County shall coordinate with the La Pine Rural Fire Protection District and the Oregon Department of Forestry to create defensible space to diminish the possibility of wildfire in and around the Neighborhood Planning Area and assist in developing design guidelines that reduce the risk of fire to structures and open space.
  - y. The County shall coordinate with the Oregon Department of Housing and Community Services to provide affordable housing opportunities in the Neighborhood Planning Area.
  - z. The County shall coordinate with the Oregon Department of Fish and Wildlife, the Oregon Department of Parks and Recreation and the La Pine Recreation District for technical assistance for natural resource protection and recreational facility development in the design and development of the Neighborhood Planning Area.
  - aa. The County shall coordinate with the Oregon Department of Economic and Community Development in securing funding for public facilities in the Neighborhood Planning Area.
  - bb. The County shall coordinate with the Oregon Department of Transportation to implement mutually agreed upon road improvement projects related to the development of the Neighborhood Planning Area. The County shall determine the pro rata share of the Neighborhood Planning Area for Burgess Road/Highway 97 separated grade improvements prior to developing phase two of the Neighborhood Planning Area.

- cc. Phasing of development in the Neighborhood Planning Area should generally begin in the south and proceed to the north as infrastructure, including sewer, water and streets are extended. The phasing should generally follow the Neighborhood Planning Area Phasing Plan depicted in Figure 18. The Board of County Commissioners may approve deviations from the Neighborhood Planning Area Phasing Plan based on infrastructure funding and phasing or community needs.
2. Neighborhood Planning Area Park Policies. The La Pine Neighborhood Planning Area is designed to include four developed neighborhood parks, undeveloped open space and a network of interconnected pathways for pedestrians and cyclists. The neighborhood parks are centrally located in each neighborhood within walking or biking distances of homes. Open space has been planned to separate neighborhoods, create a rural feel and buffer homes from busy streets and the state highway. Neighborhood centers are connected with paved paths on both sides of the central connector street. Sidewalks are provided in the commercial areas and in the neighborhood centers to connect higher density uses to the paved multi use path network. Soft surface paths are located in the perimeter open space and in the corridor open space separating the neighborhoods.
    - a. Public neighborhood parks shall be located in the central area of each neighborhood in the La Pine Neighborhood Planning Area. The size of a neighborhood park shall be a minimum of two acres and a maximum of five acres. The purpose of the neighborhood parks is to provide recreation opportunities in for all groups and abilities within walking distance of most homes in the neighborhoods. The neighborhood parks also provide green, open space for the neighborhood and a place for neighborhood social gatherings.
    - b. The developer or the County shall construct the Neighborhood Parks at the time the adjacent land is developed according to the Quadrant Plan.
    - c. The neighborhood parks shall be maintained by a neighborhood homeowner's association, the La Pine Park District or a Park District established for the Neighborhood Planning Area. The entity to maintain the park shall be determined as a requirement for Quadrant Plan approval.
    - d. A neighborhood park shall be located in each of the four Neighborhoods in La Pine Neighborhood Planning Area as generally depicted on the La Pine Neighborhood Planning Area Parks Plan, Figure 17. The park shall be bordered on at least three sides by public streets. Two of the public streets shall be collector streets. The park shall be accessed by the multi-use path system or sidewalks.
    - e. Neighborhood park elements may include:
      - 1) Signage.
      - 2) Picnic Areas with tables.
      - 3) Tot Play area.
      - 4) Children's play area.
      - 5) Paved Walkways.
      - 6) Open lawn play area.
      - 7) Trees.
      - 8) Basketball court or half court.
      - 9) Multi purpose court.
      - 10) Picnic shelter.
      - 11) Other small-scale recreations facilities.
      - 12) Open Space for passive recreation.
- Park is developed to serve pedestrians and bicyclists. Parking and restrooms are not typically provided.
- f. Should funding become available a Regional Park between 10 and 25 acres in size may be established in neighborhood 3 or 4 to provide recreational facilities to serve the needs of the La Pine Unincorporated Community and the greater La Pine Region.
  - g. The optional Regional Park must be located adjacent to at least two collector streets or one collector street and Huntington or Burgess Roads. The park shall have direct access to a

- paved multi-use path.
- h. Regional Park elements may include:
    - 1) Any of the elements permitted in the Neighborhood Park.
    - 2) Athletic fields and grandstands.
    - 3) Aquatic Center.
    - 4) Amphitheater.
    - 5) Equestrian Facility.
    - 6) Water Feature.
    - 7) Fitness center.
  - 3. Neighborhood Planning Area Open Space Policies.
    - a. A minimum 200-foot wide buffer for open-space, multi use paths, passive recreation, visual and noise screening (earthen berm and/or vegetation) shall be provided along Highway 97.
    - b. A minimum 75-foot wide perimeter open space shall be provided adjacent to Huntington and Burgess Roads as depicted in the La Pine Neighborhood Planning Area Park Plan, Figure 17. The open space may be used for multi use paths passive recreation and visual screening.
    - c. A perimeter open space at least 50 feet wide shall be provided between the school site and existing residential lots along Huntington Road at the northwest corner of the Neighborhood Planning Area.
    - d. Open space corridors shall be established between the neighborhoods along the Neighborhood Collector streets. The Neighborhood Collector streets shall be within or adjacent to the open space corridors. The width and precise location of the open space corridor shall be established with Quadrant Plan approval. The minimum width for the open space corridor shall be 200 feet. An Open Space Buffer will not be established between Neighborhood 1 and the La Pine Planning Area.
  - 4. Neighborhood Planning Area Transportation Policies.
    - a. A network of collector streets generally depicted in Figure 15, Neighborhood Planning Area Street Plan, will define the boundaries of the four neighborhoods in the Planning Area. The precise location of the collector street rights of way shall be determined with approval of quadrant plans for each neighborhood.
    - b. Lots fronting the Central Collector and Neighborhood Collectors will have vehicle access off of alleys to enhance pedestrian and bicycle safety on the parallel multi-use paths.
    - c. Driveway access from residential lots onto the local streets and Perimeter Collectors may be permitted.
    - d. In the Neighborhood Commercial, Community Facility, Community Facility Limited and Residential Center Districts, where a paved multi-use path is not provided as required in Figure 16 (Non-Motorized Plan), sidewalks at least five feet wide shall be installed at the time of development. The sidewalks shall be property line tight and meet ADA accessibility requirements. The sidewalks shall be connected to the required paths identified on Figure 16, the Non-Motorized Plan.

(Ord. 2003-027 §1, 2003; Ord. 2002-005 §1, 2002; Ord. 2001-046 §§1 & 2, 2001; Ord. 2001-036 §1, 2001; Ord. 2000-017 §1, 2000)

Table 1

LA PINE PLANNING AREA - EXISTING STREET INVENTORY							
Street	Road Classification	Right Of Way	Paved Width/ Type	# of Travel Lanes	Bicycle Facility Type	Side-walks	Features/ Conditions
<b>HIGHWAY 97</b>							
UUC Boundary to Reed/1 <sup>st</sup>	Principal Arterial	300'	40' AC	2	shoulder		Two 12' travel lanes w/ 8' paved shoulders; no center median. Transition from 2 lanes to 3.
Reed/1 <sup>st</sup> to Foss	Principal Arterial	100'	41' AC	3	shoulder	both sides	Center turn lane, two 12' travel lanes w/ 1'-8' paved shoulders, no median; conc. 5' sidewalk on e. Side; mix of concrete and ac sidewalks w/ some parking on w. Side.
Foss to 6 <sup>th</sup>	Principal Arterial	100'	63' AC	5	shared	both sides	Center turn lane; 8' planter strips; s. Of Morson southbound from 2 to 1 travel lanes, northbound from 1 to 2 travel lanes. No shoulder, 5' sidewalks.
6 <sup>th</sup> to UUC Boundary	Principal Arterial	100'	40' AC	2	shared	5' e. Side	A sidewalk fronts the Thriftway Market. 9' shoulder on east side, 5' shoulder on west side. Transition from 3 lanes to 2.
<b>HUNTINGTON ROAD</b>							
UUC Boundary to 1 <sup>st</sup> St.	Rural Collector	60'	36' AC	2	shoulder	Partial	Some sidewalks
1 <sup>st</sup> to 3 <sup>rd</sup>	Rural Collector	60'	36' AC	2	shoulder	5' Side only	Planter strip on west side- not landscaped; curb only on e. Side
3 <sup>rd</sup> to Hwy. 97	Rural Collector	60'	36' AC	2	shoulder	5' Side w/ planter	Curb only on e. Side; bike lanes not designated
Hwy. 97 to UUC Boundary	Rural Collector	60'	20' AC	2	shoulder	Limited	Sidewalk/curb w. Side behind Thriftway; sidewalk e. Side near Finley Butte
<b>1<sup>ST</sup> STREET</b>							
Hwy. 97 to Huntington	Collector	60'	30' AC	2	shared	5' n. Side	Storm drain (catch basin) on n. Side
Huntington to Coach	Rural Local	60'	24' AC	2	shared	5' s. Side	Additional pavement taper on s. Side; sidewalk adjacent to park

Coach to Morson	Rural Local	60'	28' AC	2	shared	5' n. Side	
Morson to end	Rural Local	60'	28' AC	2	shared	5' n. Side	

Street	Road Classification	Right Of Way	Paved Width/ Type	# of Travel Lanes	Bicycle Facility Type	Side-walks	Features/ Conditions
<b>2<sup>ND</sup> STREET</b>							
2 <sup>nd</sup> Street	Rural Local	60'	gravel	2	shared		Unimproved between Huntington & Morson
<b>3<sup>RD</sup> STREET</b>							
West of Huntington	Rural Local	80'	20' AC	2	shared	No	Gravel shoulders, appears ROW is adequate
East of Huntington	Rural Local	80'	20' AC	2	shared	5' n. Side	
<b>4<sup>TH</sup> STREET</b>							
Huntington to Hwy 97	Rural Local	60'	24' AC	2	shared	5' both sides	New sidewalks
Huntington to Morson	Rural Local	60'	28' AC	2	shared	No	
<b>OTHER STREETS WEST OF HIGHWAY 97</b>							
6 <sup>th</sup> Street	Rural Collector	60'	34'-36' AC	2	shared	No	45 mph posted speed; broken curb near Hwy 97
Stillwell Street	Rural Local	60'	28' gravel	2	shared	No	No ditches, compacted gravel
Morson	Rural Local	60'	20'-22' AC	2	shared	No	Sidewalk/curb only fronting Carol's Tax/Bookkeeping; no ditches
Coach Rd.	Rural Local	60'	30' AC	2	shared	8' AC w. Side	Sidewalk in front of school w/ curb & 15' lawn between sidewalk and curb.
Bluewood	Rural Local	60'	36' AC	2	shared	5' both sides	No sidewalk on undeveloped w. Side property; curbs w/ storm drainage
Bluewood Pl.	Rural	60'	36' AC	2	shared	5' both	

	Local					sides	
Main Street	Rural Local	60'	20' AC	2	shared	No	Dead ends near Huntington/3 <sup>rd</sup> intersection; ac in bad shape
<b>OTHER STREETS EAST OF HIGHWAY 97</b>							
Reed Road	Rural Collector	80'	36' AC	2	shared	No	45 mph posted speed; industrial zoning; ditches
Foss Rd.	Rural Local	60'	21' AC	2	shared	No	Commercial, residential and industrial zoning; ditches

Street	Road Classification	Right Of Way	Paved Width/ Type	# of Travel Lanes	Bicycle Facility Type	Side-walks	Features/ Conditions
Finley Butte Rd.	Rural Collector	60/80'	24' AC	2	shared	No	2-10' travel lanes, 1'-AC outside fog line; 80' ROW in industrial area; 35 mph posted speed
Preble Way	Rural	60'	24' AC	2	shared	No	Residential; no ditches
Bonnie Way	Rural Local	50'	20' AC	2	shared	No	Residential; no ditches; Commercial zoning west side
Telegraph Rd.	Rural Local	?	15' gravel	1-2	shared	No	Residential; accessed south side of Foss Rd., e. Of Evans
Evans Way	Rural Local	50/60'	20' AC	2	shared	No	Residential; no ditches; 50' ROW n. Of Finley Butte, 60' ROW s. Of Fin. Butte
Hinkle Way	Rural Local	30'	20' AC	2	shared	No	Residential; no ditches
Walling Lane	Rural Local	30'	20' gravel	2	shared	No	Opposite Hinkle, s. Of Finley Butte; entrance to Community Park
Railroad frontage rd.	Rural Local	?	20' gravel	2	shared	No	Barricade s. Of Finley Butte
Russell Rd.	Rural Local	60'	36' AC	2	shared	No	Industrial area; ditches

Table 2

WICKIUP JUNCTION PLANNING AREA - EXISTING STREET INVENTORY							
Street	Road Classification	Right Of Way	Paved Width/ Type	# of Travel Lanes	Bicycle Facility Type	Side-walks	Features/ Conditions
<b>HIGHWAY 97</b>							
	Principal Arterial		40' AC	2	Shoulder	No	Two 12' travel lanes w/ 8' paved shoulders, no center median
<b>STREETS EAST OF HIGHWAY 97</b>							
Hwy 97 Frontage Rd.	Rural Local	50'	20' AC	2	Shared	No	
Rosland Road	Rural Local	60'	20' AC	2	Shared	No	
Pam Way	Rural Local	60'	30' Dirt	2	Shared	No	
Drafter Road	Rural Local	60'	30' Gravel	2	Shared	No	
<b>STREETS WEST OF HIGHWAY 97</b>							
Burgess Road	Rural Arterial	80'	32' AC	2	Shared	No	Two 13' travel lanes w/ 3' paved shoulders
"Old" Burgess	Rural Local	50'	24-30' AC	2	Shared	No	1 block street was Burgess prior to realignment with Hwy. 97
Railroad Street	Rural Local	50'	20-24' Grav.	2	Shared	No	
Skidgel Road	Rural Local	50'	20-24' Grav.	2	Shared	No	Section from new Burgess to old Burgess is paved at 28'+.
Antler Lane	Rural Local	50'	20-24' Grav.	2	Shared	No	
Doe Lane	Rural Local	50'	20-24' Grav.	2	Shared	No	
Pine Drive	Rural Local	50'	20-24' Grav.	2	Shared	No	
Cagle Road	Rural Local	50'	20-24' Grav.	2	Shared	No	
Murray Drive	Rural Local	50'	20-24' Grav.	2	Shared	No	
Santa Barbara Drive	Rural Local	50'	20-24' Grav.	2	Shared	No	
Elm Lane	Rural Local	50'	20-24' Grav.	2	Shared	No	
Oak Lane	Rural Local	50'	20-24' Grav.	2	Shared	No	
Ash Lane	Rural Local	50'	20-24' Grav.	2	Shared	No	

(Ord. 2003-027 §1, 2003; Ord. 2002-001, §4, 2002; Ord. 2002-005 §1, 2002; Ord. 2001-046 §1 & 2, 2001; Ord. 2001-036 §1, 2001; Ord. 2000-017 §1, 2000)

### **23.40.025. Urban Unincorporated Community - Sunriver.**

Under OAR 660, Division 22, Unincorporated Communities, Sunriver meets the definition for both an “Urban Unincorporated Community” and a “Resort Community.” With the help of a stakeholder advisory committee comprised of key members of the community who represent a multitude of property owners and development interests, the decision was made to proceed with the planning process for Sunriver as an Urban Unincorporated Community. It was the consensus of the committee that the provisions allotted for Urban Unincorporated Communities under the rule offered the greatest practical degree of flexibility for future growth and development in Sunriver. Subsection OAR 660.22.010(8) defines “Urban Unincorporated Community” as;

“[a]n unincorporated community which has the following characteristics:

1. Includes at least 150 Permanent dwelling units including manufactured homes;
2. Contains a mixture of land uses, including three or more public, commercial or industrial land uses;
3. Includes areas served by a community sewer system; and,
4. Includes areas served by a community water system.

#### **A. Comprehensive Plan Findings and Policies - General.**

##### **1. Background.**

###### **a. Historical background.**

Sunriver is located in the central portion of Deschutes County, approximately 15 miles south of the city limits of Bend. Sunriver lies in the Upper Deschutes River Basin, with the Deschutes River generally forming the western boundary of the community. Sunriver includes approximately 3,374 acres which are bounded by the Deschutes National Forest on the east, west and north sides. Small lot residential subdivision development is the predominant land use to the south of the community boundary. However, Crosswater, a private residential/resort community has also recently been developed in the area immediately south of Sunriver.

Development of Sunriver began in 1967 and the first subdivision plat within Sunriver was filed in 1968. Development in Sunriver began during a period of time when the unincorporated areas of Deschutes County were not zoned. In 1972, when the County first adopted a zoning ordinance (PL-5) and Comprehensive Plan, the area identified as Sunriver was zoned A-1-T and designated “planned development” on the Comprehensive Plan map. In 1973, a zone change to planned development (PD) was applied for and granted. As part of the zone change application, a “Master Plan” was developed. The Master Plan consisted of a map showing the proposed development of Sunriver. The original area of Sunriver encompassed approximately 5,500 acres. Development occurred in accordance with the PD Zone of PL-5 and the density of development was determined to be 1.5 units per acre overall.

In 1977, approximately 2,200 acres of property originally contemplated for development as part of Sunriver were sold to the U.S. Forest Service. Following the sale, a revised Master Plan for Sunriver Phase II was prepared for the undeveloped portion of Sunriver. In October 1978, the County approved the revised Sunriver Phase II Master Plan with the same PD Zoning designation.

In 1980, after a controversy over a land use application submitted for development within Sunriver, the viability of the Sunriver Master Plan was called into question. This was compounded by the fact that PL-15, the County Zoning Ordinance adopted in 1979 to replace PL-5, did not include any provisions for “planned communities.” As a result, the developer of Sunriver agreed to develop a Planned Community (PC) zoning ordinance text and new Master Plan for Sunriver subject to County review and approval. In November 1982, the County adopted an ordinance amending PL-15 to add a section providing for the Planned Community (PC) Zone and approving a new Sunriver Master Plan. Since 1982, the PC Zoning Ordinance

Text and Master Plan remained relatively unchanged and were the guiding documents for the majority of existing development in Sunriver.

The PC zone adopted in 1982 included seven (7) separate district designations within the community. The districts included the following:

Single Family Residential District -RS

Multiple Family Residential District -RM

Commercial District - C

Resort District - R

Industrial District - I

Community Property -CP

Airport District -A

Approximately 80 percent of the area within the Sunriver community boundary has already been developed under the past zoning ordinances and Master Plans. Past development has included a mixture of single family and multi-family residences, commercial businesses, resort and recreational amenities and public service buildings.

In 1997, the 1982 Master Plan was repealed by Ordinance No. 97-076 and replaced by comprehensive plan findings and policies for the Sunriver Urban Unincorporated Community. The Sunriver Urban Unincorporated Community zoning districts were adopted at this time and multi-family residential development was allowed in the Commercial District. In 2008, a new mixed use zoning district, the Town Center District – TC was adopted for the core commercial area of Sunriver.

b. Population and growth.

The current population of Sunriver is difficult to ascertain. This is due to the large number of vacation and second homes within the community that are occupied for only part of the year. According to statistics compiled by the Sunriver Owners Association, the number of full time, year round residents of Sunriver is estimated to be 1,654 persons. During the peak tourist season, the population of Sunriver, including guests who do not own property but are renting residences within the community, is estimated to be 12,664 persons.

While the number of residential lots (both single family and multi-family) within the community and the density of development can be determined with a great degree of accuracy, the rate of future population growth in Sunriver is difficult to estimate due to the large number of residences that serve as second and/or vacation homes. Approximately 80 percent of the existing dwellings are vacant for large periods of time throughout the year. However, during the peak tourist seasons, the majority of the dwellings are occupied. Thus, Sunriver typically experiences a fluctuating population comprised of both year round and part time residents.

At the end of 1996, Sunriver had an 80 percent buildout of single-family residential lots with 2,575 single-family homes and a 95 percent buildout of townhomes and condominiums with 896 residences. When adding these together, there are a total of 3,428 single-family residences in Sunriver. When using the 1990 Census figure which estimates an average of 2.54 persons per household, the population figure is approximately 8,707 persons. Upon total buildout of the residential lots in Sunriver, the estimated population could be expected to total 10,455 persons. This does not take into account the resort/vacation component of Sunriver and the fact that many dwellings are not occupied full time. Based on information compiled by the Sunriver Owners Association, approximately 19 percent of the single family residences existing as of 1996 are occupied on a year round basis. Thus, a more accurate estimate of full time residents is 1,654 persons. If the percentage of full time residents holds relatively constant as it has in the past, the population of full time residents could be expected to be 1,906 persons upon buildout of all residential lots. Upon buildout, it is expected that the population growth will become substantially stagnant since there are no plans for expanding the community boundaries at this time.

- c. Periodic review.  
In the fall of 1994, the Oregon Land Conservation and Development Commission adopted a new administrative rule, OAR 660.22, Unincorporated Communities, which required counties to update land use plans and regulations for such communities. As part of Periodic Review, the County updated the Comprehensive Plan and implementing regulations for Sunriver to comply with the rule.
- d. “Urban Unincorporated Community.”  
Sunriver meets the definition because it has historically included land developed with a mixture of residential, commercial and industrial uses. Sunriver utilities operate both a community sewer and water system which are in place and serve the existing development. Sunriver is served by its own fire and police departments and also has essential services such as a school. The Comprehensive Plan designates Sunriver as an Urban Unincorporated Community and provides for future growth and development accordingly.
- e. Sunriver Urban Unincorporated Community Boundary.  
Since 1977, Sunriver has included approximately 3,374 acres of land. Within this area, there are 4,700 total tax lots, including common areas. The community boundary is generally formed by the Deschutes River on the west, Spring River Road/South Century Drive on the south and the Deschutes National Forest on the north and east. This boundary has remained unchanged since 1977.  
During the 1997 update, the Sunriver Urban Unincorporated Community boundary has been amended in the following way: Three hundred sixty-six acres were added to the Sunriver Urban Unincorporated Community along the east boundary to include an area that is to be used for sewage effluent storage and disposal. This area has been added per Oregon Department of Environmental Quality requirements. The effluent and storage capabilities of the existing sewage system are at or near capacity seasonally. Thus, this expansion of the community boundary was necessary to provide adequate sewage disposal services to the existing community at buildout. This area is not intended to provide additional sewer capacity to serve areas outside of the historic community boundaries. This area, currently part of the Deschutes National Forest, was changed from a plan designation of Forest to Urban Unincorporated Community - Forest.

B. Land use planning.

1. Existing land uses.

The predominant land use in Sunriver is residential, the majority of which is single-family residential development. However, since Sunriver was originally developed as a planned community, a number of other uses exist which make Sunriver a community which is somewhat self-reliant. Uses which support the residential components include a commercial core which contains a variety of retail businesses developed in a pedestrian mall setting, as well as a business park. A large component of development in Sunriver includes resort related amenities such as golf courses, a lodge, convention facilities and overnight accommodations. A fire station, police station and public works facility have also been developed in support of all uses.

Land bordering Sunriver on the north, east and west is zoned Forest Use (F-1) and is within the Deschutes National Forest. The National Forest land remains undeveloped and is primarily used for recreational purposes such as hiking, hunting, fishing, snowmobiling, etc. The forest lands and the recreational opportunities that they offer enhance the resort component of Sunriver. Land to the south of Sunriver includes primarily private property which is zoned Rural Residential (RR-10). The majority of the RR-10 properties include small lot (one-half to one acre parcels) subdivisions which were created prior to any zoning laws.

2. Comprehensive Plan Designations.

The 1997 Deschutes County Comprehensive Plan for the Sunriver Urban Unincorporated Community created eight comprehensive plan designations. In 2008, a ninth plan designation, the Town Center District was added to the plan. The comprehensive plan designations for the Sunriver

Urban Unincorporated Community, except for the Town Center District that will be added at a later date if the County receives an application for such a designation, are shown on the comprehensive plan map attached as Map “A” at the end of this chapter and are described as follows:

- a. Residential District. The Residential District designation on the Comprehensive Plan Map includes the Single Family Residential and Multiple Family Residential Districts as shown on the Zoning Map for the Sunriver Urban Unincorporated Community. This plan designation includes all properties which were previously designated for residential development under the previous Planned Community designation. No change to residential boundaries have been made.
- b. Commercial District. The land designated Commercial is located in two areas of the community. One district lies near the Town Center District. It includes commercial areas not included in the Town Center District such as the Fremont Crossing Phase 2 residential development and the community church. An additional Commercial District is located at the north end of the community and is developed with a grocery store and gas station.
- c. Town Center District. The Town Center District was created in an effort to preserve and enhance the area around the commercial core of Sunriver, formerly referred to as the Sunriver Village Mall. The objective for the Town Center District is to combine a mixture of complementary land uses that may include retail, offices, commercial services, residential housing and civic uses to create a vital commercial core that will support the tourist component of the community and residents living within Sunriver. The Town Center District is designed to strengthen the commercial core area of Sunriver as the heart of the community, to improve the community’s economic base and to enhance the appearance of the area through high-quality design.
- d. Resort District. In general, the Resort plan designation includes properties which are developed with amenities such as the Sunriver Lodge and Great Hall, golf courses, the equestrian and marina facilities and the nature center. These amenities have been developed to foster the recreation and tourist component of Sunriver. For the most part, this designation includes the properties which are owned and managed by Sunriver Resort.
- e. Business Park District. The Sunriver Business Park lies at the southern end of the community boundary and is physically separated from the remainder of the community by Spring River Road. This plan designation was originally created to accommodate light industrial development to support the employment needs of the community and surrounding area. Since the inception of zoning ordinance regulations for this area, development has been primarily commercial in nature rather than industrial. The zoning ordinance has been modified to reflect the existing businesses and the trend for commercial development while still allowing for industrial uses to develop.
- f. Community District. The Community plan designation includes properties which are primarily developed with public service uses which support all facets of the community. Development includes the fire station, school, community center, corporation/public works facility. Properties with this designation are primarily owned and administered by the Sunriver Owners Association.
- g. Airport District. The Airport plan designation includes areas which are currently developed with airport related amenities, such as runways, hangars, fueling stations and maintenance facilities. This district also includes areas surrounding the actual airport development which are considered to be in the sphere of influence of the airport and in which airport related impacts and risks are associated. Development in the airport district shall be limited with respect to heights of structures, public gathering places and other potential risks to persons or property related to airport uses.
- h. Utility District. This plan designation includes properties which are currently developed with amenities such as sewage pump stations, water treatment facilities, water distribution facilities and associated utility improvements. The utility plan designation is intended to provide for the

development and expansion of necessary utility facilities on properties which are already devoted to such uses.

- i. Forest District. The previous boundary for Sunriver was expanded by approximately 370 acres to include an area of land to the east that has historically been zoned for forest uses and is within the Deschutes National Forest. A recent decision by the U.S. Forest Service to permit an effluent storage pond and effluent irrigation site on approximately 50 acres in this area and a potential land transfer by which ownership would be transferred to the Sunriver Utilities Company prompted inclusion of this area within the community boundary. By including this area within the community boundary, future expansion of the sewage disposal system to include the application of biosolids in addition to the effluent irrigation site and storage pond would be permitted. This will enable Sunriver to meet Oregon Department of Environmental Quality regulations for treated wastewater storage and disposal into the future, through buildout of properties in Sunriver. An exception to Goal 4 has not been taken because the only uses allowed in the expansion area are uses that are permitted in the Forest zone, consistent with Goal 4. (Ord. 98-014).

### C. Public Facility Planning.

#### 1. Utilities.

Water and sewer service within the Sunriver Urban Unincorporated Community is provided by the Sunriver Utilities Company (SRUC). SRUC is under the jurisdiction of the Public Utility Commission of Oregon. The SRUC was established as a private water and wastewater company and has provided water and sewer services within the community boundary since 1969. SRUC is the largest private water/wastewater company in the State of Oregon.

- a. Water. SRUC currently operates three main wells which are capable of pumping over 7.5 million gallons of water each day. In addition, reservoir capacity for water storage is 2 million gallons per day. This volume of water production and storage exceeds the needs of the community within the boundaries of Sunriver.

As of 1997, SRUC serves a total 3603 water customers. This total includes the following types of service connections: 2630 residential; 753 condominiums; 125 commercial; and, 95 for irrigation purposes. All service connections are metered to measure the amount of water that is being used. The meter service sizes range from typical 3/4" residential lines to 6" lines for irrigation, commercial and industrial uses.

- b. Sewer. Sunriver's wastewater facility is under the jurisdiction of the Oregon Department of Environmental Quality (DEQ). Sewage treatment facilities are capable of handling/treating 2 million gallons of wastewater per day. This includes the 1997 expansion of effluent storage ponds on a U.S. Forest Service parcel along the eastern boundary of Sunriver. The design and flow accommodations will facilitate build out of all 4,600 lots within the community.

#### 2. Public Services.

- a. Police. Sunriver's police department is responsible for law enforcement within the boundary of the Sunriver Urban Unincorporated Community. In special circumstances, at the request of the Deschutes County Sheriff, the department will assist with law enforcement outside of the community boundary.

- b. Fire. All areas within the boundary of the Sunriver Urban Unincorporated Community, except for the Business Park, are served by the Sunriver Fire Department. The Business Park is provided with fire protection by the La Pine Rural Fire Protection District.

The Sunriver Fire Department provides fire protection and ambulance service within the Sunriver community boundary, north of South Century Drive. Additionally, the department provides these same services to areas outside of the community boundary to the east, west and north. The department has a mutual agreement with the La Pine Rural Fire Protection District to provide secondary services within each other's service boundaries on an as needed basis.

The La Pine Rural Fire Protection District provides fire protection and ambulance service to the portion of the Sunriver community known as the Business Park. The La Pine Rural Fire

Protection District has a new station located along South Century Drive approximately 1 ½ mile south of the community boundary.

- c. Schools. Three Rivers Elementary School, which is under the direction of the Bend-La Pine School District, is currently the sole school within the boundary of the Sunriver Urban Unincorporated Community. Three Rivers Elementary offers schooling from kindergarten through 5<sup>th</sup> grade and has an enrollment of approximately 270 students. The school accepts pupils from both inside and outside the boundary of the Sunriver Unincorporated Community.
3. Other.
- a. Sunriver Owners Association. The Sunriver Owners Association has the day-to-day responsibility of overseeing the majority of the community operations. The association is governed by a Board of Directors and a General Manager. The services and departments operated by the Sunriver Owners Association, as well as the primary function of each, include:
    - 1) Public Works and Fleet Services – Maintenance of roads, recreational paths and recreational amenities under the direction of the Sunriver Owners Association.
    - 2) Design and Compliance Department – Design review for new structures, aesthetic quality of new development and compliance with development standards.
    - 3) Environmental Services – Administration of fire and fuels regulations as well as any other environmental issues of the community.
    - 4) Fire and Police Services – The Sunriver Fire Department and Police Department described above, operate under the direction of the Sunriver Owners Association.
    - 5) Administration – The administrative offices oversee the day-to-day functions of each component of the association.

The Sunriver Owners Association publishes a monthly newspaper distributed to members of the association and the public.

D. Transportation planning.

1. Background/Existing Transportation Facilities in Sunriver. The Sunriver Urban Unincorporated Community is accessed via public roadways. These include: South Century Drive and Cottonwood Road. Both of these roadways lie within public rights-of-way and are maintained by Deschutes County. South Century Drive and Cottonwood Road connect to Highway 97 which is the primary corridor for vehicular travel throughout central Oregon. South Century Drive enters Sunriver near the southern community boundary and extends to the residentially developed areas to the south and west. Cottonwood Road enters Sunriver near the northern Sunriver boundary and ends within the community.

Internal roads within Sunriver, except for roads within the Business Park, are private roads which are open to the public, and are maintained by the Sunriver Owners Association. These roads are paved and are generally 20 feet in width. Roads within the Business Park are public roads which are maintained by the County. The internal roadway network was developed as part of the original design and master plan for Sunriver. The network consists of a series of internal traffic circles or roundabouts, from which spur roads lead to various areas within the community. All areas within the community boundary are currently accessed by the privately maintained roadways.

A bicycle/pedestrian path system has been developed and integrated throughout the community. Aside from the recreational opportunities provided by the path system, the paths serve as an alternative to vehicular travel as they connect the residential, commercial, school and recreation areas of the community. The paths are paved, maintained in good condition by the Sunriver Owners Association and are used extensively during times of the year when weather permits.

2. Future Transportation Needs.

The existing privately maintained roads and bicycle/pedestrian paths adequately serve the travel needs of the residents and visitors to Sunriver. The existing roads and pathways provide access to all platted and developed areas within the community. There is no projected need for future roads to serve the anticipated development except, possibly within the Sunriver Business Park. Currently, there is only one ingress/egress point from South Century Drive to the Business Park. Future

development within the Business Park may warrant an additional entrance to the Business Park from South Century Drive or improvements to the existing entrance from South Century Drive in the future.

South Century Drive and Cottonwood Road are both operating at levels below the vehicular capacity and at acceptable levels of service. In the area between the entrance to the Sunriver Village Mall and the Business Park, the 1996 average daily traffic figures for South Century Drive were approximately 3,380 trips per day. This figure is below the general capacity of 7,000 trips per day. Many of the vehicles traveling this roadway are passing through the community, not necessarily to Sunriver, as this road provides a direct link from Highway 97 to the surrounding rural subdivisions. Cottonwood Road, which only extends between Highway 97 and the community boundary, is not subject to the same volume of pass through traffic that occurs on South Century Drive. Thus, the traffic figures for this roadway are much lower at approximately 2,600 trips per day.

Road widening improvements were completed in 1996 by the County for the segment of South Century Drive between Highway 97 and the entrance to the Sunriver Business Park. Improvements to the entrance of the Business Park itself were also completed. The improvements were done to improve the safety and longevity of the roadway. Improvements to County roads outside of Sunriver, including the intersection of South Century Drive and Highway 97 were completed in 2007 as part of the County Transportation System Plan.

#### E. Policies.

##### 1. Land use policies.

###### a. General Land Use Policies.

- 1) Land use regulations shall conform to the requirements of OAR 660 Division 22 or any successor.
- 2) County comprehensive plan policies and land use regulations shall ensure that new uses authorized within the Sunriver Urban Unincorporated Community do not adversely affect forest uses in the surrounding Forest Use Zones.
- 3) To protect scenic views and riparian habitat within the community, appropriate setbacks shall be required for all structures built on properties with frontage along the Deschutes River.
- 4) Open space and common area shall remain undeveloped except for community amenities such as bike and pedestrian paths, and parks and picnic areas.
- 5) Public access to the Deschutes River shall be preserved.
- 6) The County supports the design review standards administered by the Sunriver Owners Association.

###### b. Residential District Policies.

Areas designated residential on the comprehensive plan map shall be developed with single family or multiple family residential housing.

###### c. Commercial District Policies.

- 1) Small-scale, low-impact commercial uses shall be developed in conformance with the requirements of OAR Chapter 660, Division 22. Larger, more intense commercial uses shall be permitted if they are intended to serve the community, the surrounding rural area and the travel needs of people passing through the area.
- 2) No additional land shall be designated Commercial until the next periodic review.
- 3) Multiple-family residences and residential units in commercial buildings shall be permitted in the commercial area for the purpose of providing housing which is adjacent to places of employment. Single-family residences shall not be permitted in commercial areas.
- 4) Approval standards for conditional uses in the commercial district shall take into consideration the impact of the proposed use on the nearby residential and commercial uses and the capacity of the transportation system and public facilities and services to serve the proposed use.

- d. Town Center District Policies.
  - 1) Small-scale, low-impact commercial uses shall be developed in conformance with the requirements of OAR Chapter 660, Division 22. Larger, more intense commercial uses shall be permitted if they are intended to serve the community, the surrounding rural area or the travel needs of people passing through the area.
  - 2) Development standards in the town center district should encourage new development that is compatible with a town center style of development that serves as the commercial core of the Sunriver Urban Unincorporated Community. The following policies should guide development in the Town Center District in Sunriver:
    - (a) Combine a mixture of land uses that may include retail, offices, commercial services, residential housing and civic uses to create economic and social vitality and encourage pedestrian use through mixed use and stand alone residential buildings.
    - (b) Develop a commercial mixed-use area that is safe, comfortable and attractive to pedestrians.
    - (c) Encourage efficient land use by facilitating compact, high-density development that minimizes the amount of land that is needed for development.
    - (d) Provide both formal and informal community gathering places.
    - (e) Provide visitor accommodations and tourism amenities appropriate to Sunriver.
    - (f) Provide design flexibility to anticipate changes in the marketplace.
    - (g) Provide access and public places that encourage pedestrian and bicycle travel.
    - (h) Provide road and pedestrian connections to residential areas.
    - (i) Facilitate development (land use mix, density and design) that supports public transit where applicable.
    - (j) Develop a distinct character and quality design appropriate to Sunriver that will identify the Town Center as the centerpiece/focal point of the community.
  - 3) Development within the TC District will be substantially more dense than development elsewhere in Sunriver. This increased density will require changes to existing topography and vegetation in the TC District to allow for screened, underground parking. The requirements of the County's site plan ordinance shall be interpreted to reflect this fact.
- e. Resort district policies.  
 Areas designated resort on the comprehensive plan map shall be designated resort, resort marina, resort golf course, resort equestrian or resort nature center district on the zoning map to reflect a development pattern which is consistent with resort uses and activities.
- f. Business park district policies.
  - 1) A variety of commercial uses which support the needs of the community and surrounding rural area, and not uses solely intended to attract resort visitors, should be encouraged.
  - 2) Allow small-scale, low-impact commercial uses in conformance with the requirements of OAR Chapter 660, Division 22. Larger more intense commercial uses shall be permitted if they are intended to serve the community, the surrounding rural area and the travel needs of people passing through the area.
  - 3) Small-scale, low-impact industrial uses should be allowed in conformance with the requirements of OAR Chapter 660, Division 22. No more intensive industrial uses shall be allowed.
- g. Community district policies.
  - 1) Areas designated community on the comprehensive plan map shall be designated community general, community recreation, community limited or community neighborhood district on the zoning map to reflect a development pattern which is consistent community uses and activities.
  - 2) Lands designated community shall be developed with uses which support all facets of community needs, be they those of year round residents or part time residents and tourists.
  - 3) Development shall take into consideration the unique physical features of the community

and be sensitive to the residential development within which the community areas are interspersed.

- h. Airport district policies.
  - 1) Future development shall not result in structures or uses which, due to extreme height or attraction of birds, would pose a hazard to the operation of aircraft.
  - 2) Future development should not allow uses which would result in large concentrations or gatherings of people in a single location.

- i. Utility district policies.

Lands designated utility shall allow for development of administrative offices, substations, storage/repair yards, distribution lines and similar amenities for services such as water, sewer, telephone, cable television and wireless telecommunications.

- j. Forest district policies.

Uses and development on property designated forest that are within the Sunriver Urban Unincorporated Community boundary shall be consistent with uses and development of other lands outside of the community boundary which are also designated forest on the Deschutes County comprehensive plan map.

Forest district property shall be used primarily for effluent storage ponds, spray irrigation of effluent, biosolids application and ancillary facilities necessary to meet Oregon Department of Environmental Quality sewage disposal regulations.

The development of resort, residential or non-forest commercial activities on Forest district lands shall be prohibited unless an exception to Goal 14 is taken.

- 2. Public facility policies.
  - a. General public facility planning policies.
    - 1) Residential minimum lot sizes and densities shall be determined by the capacity of the water and sewer facilities to accommodate existing and future development and growth.
    - 2) New uses or expansion of existing uses within the Sunriver Urban Unincorporated Community which require land use approval shall be approved only upon confirmation from the Sunriver Utility Company that water and sewer service for such uses can be provided.
  - b. Water Facility Policies.

Water service shall continue to be provided by the Sunriver Utilities Company.
  - c. Sewer Facility Policies.

Sewer service shall continue to be provided by the Sunriver Utilities Company.
- 3. Transportation policies.
  - a. Transportation system maintenance policies.
    - 1) Privately-maintained roads within the Sunriver Urban Unincorporated Community boundary shall continue to be maintained by the Sunriver Owners Association.
    - 2) The bicycle/pedestrian path system shall continue to be maintained by the Sunriver Owners Association.
    - 3) The County will encourage the future expansion of bicycle/pedestrian paths within the Sunriver Urban Unincorporated Community boundary in an effort to provide an alternative to vehicular travel.
    - 4) All public roads maintained by the County shall continue to be maintained by the County. Improvements to County maintained public roads shall occur as described the County Transportation System Plan.

(Ord. 2008-013 §1, 2008; Ord. 2003-027 §1, 2003; Ord. 2002-005 §1, 2002; Ord. 2000-017 §1, 2000; Ord. 98-014 §1, 1998; Ord. 97-076 §2, 1997)

### **23.40.030. UNINCORPORATED COMMUNITIES**

#### **23.40.030. Rural Communities – Terrebonne.**

The Terrebonne Community Plan, adopted by the Board in Ordinance 2010-012, is incorporated by reference herein.

(Ord. 2010-012 §1, 2010; Ord. 2006-014 §1, 2006; Ord. 2002-005 §1, 2002; Ord. 2000-017 §1, 2000; Ord. 97-001, 1997; Ord. 92-051, §3, 1997; PL-20, 1979) (Ord. 2002-001, §4, 2002; Ord. 2002-005 §1, 2002; Ord. 2000-017 §1, 2000; Ord. 97-001, 1997; Ord. 92-051, §3, 1997; PL-20, 1979)

### **Rural Communities – Tumalo.**

The Tumalo Community Plan, adopted by the Board in Ordinance 2010-027, is incorporated by reference herein.

(Ord. 2010-027 §1, 2010)

### **23.40.040 Rural Service Centers – Alfalfa, Brothers, Hampton, Millican, Whistlestop and Wildhunt.**

A Rural Service Center is characterized as an unincorporated community consisting primarily of commercial or industrial uses providing goods and services to the surrounding rural area or to persons traveling through the area, but which also includes some permanent residential dwellings.

#### **A. Introduction.**

The predominant land use in the areas surrounding the Alfalfa, Brothers, Hampton and Millican, Rural Service Centers is farming and ranching. The predominant land use in the areas surrounding Whistlestop and Wildhunt is forest, ranching and rural residential. The unincorporated rural service centers serve the needs of the surrounding rural areas as well as the needs of the traveling public. Three of the communities are located on Highway 20 east of Bend. Millican is 26 miles, Brothers is 42 miles and Hampton is 64 miles east of Bend. Alfalfa is located approximately 11 miles east of Bend on Willard Road.

Whistlestop is located approximately 30 miles southwest of Bend on Burgess Road. Wildhunt is located approximately 26 miles south of Bend at the junction of Highway 97 and Highway 31.

The communities of Alfalfa, Brothers and Hampton have approved public water systems that serve the school and combination store/café/post office in Brothers and the stores in Alfalfa and Hampton. The Central Oregon Irrigation District provides water for agricultural uses surrounding Alfalfa. The land around Millican, Brothers and Hampton is part of large ranches or is Bureau of Land Management land. Most of the land is used for dry land grazing. Well water provides irrigation for land adjacent to Hampton. Millican Brothers and Hampton are surrounded by land that is designated as antelope habitat. The area surrounding these communities is sparsely populated. Each community has a few residences within its boundary.

#### **1. Periodic Review**

In order to comply with OAR 660-022, Deschutes County updated the Comprehensive Plan and implementing zoning regulations in 2002 for the communities of Alfalfa, Brothers, Hampton, Millican, Whistlestop and Wildhunt. The Comprehensive Plan and zoning map boundaries for all of the Rural Service Centers were amended to comply with the requirements of the administrative rule and to reconcile historic mapping inconsistencies between the plan designation and zoning and inconsistencies between community boundaries and historic development patterns.

#### **2. Community Boundary**

The Alfalfa Rural Service Center boundary includes 21.83 acres, with Willard Road as the predominant northern boundary and the remainder surrounded by agricultural lands zoned Exclusive Farm Use.

The Brothers Rural Service Center boundary includes 48.95 acres. Highway 20 bisects the community from east to west, while Camp Creek Road enters from the north and connects with the highway. The entire community is surrounded by agricultural land zoned Exclusive Farm Use.

The Hampton Rural Service Center boundary includes 35.37 acres. Highway 20 forms the southern boundary with the remainder surrounded by agricultural lands zoned Exclusive Farm Use.

The Millican Rural Service Center boundary includes 29.55 acres. Highway 20 forms the northern boundary with the remainder surrounded by agricultural lands zoned Exclusive Farm Use.

The Whistlestop Rural Service Center boundary includes 7.93 acres. Burgess Road runs east/west and dissects the community from north to south with forest and rural residential uses to the north and east. The Wildhunt Rural Service Center boundary includes 11.29 acres. Highway 97 forms the western boundary. Highway 31 forms the southern boundary, with forest and rural residential uses to the north and east.

## B. Land Use Planning

### 1. Existing Land Uses

The existing land uses in the eastern Rural Service Centers of Alfalfa, Brothers, Hampton and Millican is commercial and residential surrounded by agricultural uses. In addition to a few residences each of the communities includes commercial development. Alfalfa has a store/gas station and a church/community hall. Brothers includes a school, a combination market/café/post office/gas station, a state highway maintenance field office, and a highway rest area. Hampton has a café and recreational vehicle park. Millican has a market/gas station.

The existing land uses in the rural Service Centers of Whistlestop and Wildhunt is commercial and residential surrounded by forest.

### 2. Comprehensive Plan Designations

The Deschutes County Comprehensive Plan designates each of the communities of Alfalfa, Brothers, Hampton, Millican as an Unincorporated Community.

## C. Policies

1. Land use regulations shall conform to the requirements of OAR 660, Division 22 or any successor.
2. Rural Service Center zoning shall be applied to Alfalfa and Brothers and shall consist of three districts: Commercial/Mixed Use; Residential; and Open Space.
3. Rural Service Center zoning shall be applied to Hampton, Whistlestop and Wildhunt and shall consist of a single Commercial/Mixed Use District.
4. The area in the Brothers Rural Service Center Boundary that is north of Highway 20 and east of Camp Creek Road shall be zoned as Rural Service Center - Open Space District (RSC-OS).
5. In April 2002, Alfalfa area residents expressed a desire to keep the community “the way it is” and to limit commercial activity to 2-acres south of Willard Road that is the site of the Alfalfa Community Store and the community water system. These two acres are designated as a mixed used commercial district in the Comprehensive Plan and shall be zoned mixed use commercial. The remaining 20 acres of the Rural Service Center will continue to be zoned Rural Service Center – Residential District, with a 5-acre minimum lot size.  
Since the Board of County Commissioners finds it may be necessary to accommodate the need for future commercial expansion 2 acres north of Willard Road are being designated on the Comprehensive Plan for future commercial uses. A zone change to mixed use commercial can be considered only for a specific use and upon findings that the existing commercial area is fully developed.
6. County Comprehensive Plan policies and land use regulations shall ensure that new uses authorized within the Alfalfa, Brothers, Hampton, Millican, Whistlestop and Wildhunt Rural Service Centers do not adversely affect agricultural and forest uses in the surrounding areas.
7. Zoning in the area shall promote the maintenance of the area’s rural character. New commercial uses shall be limited to small-scale, low impact uses that are intended to serve the community and surrounding rural area or the travel needs of people passing through the area. The Commercial/Mixed use zoning regulations shall allow a mixed use of residential or small-scale commercial uses.
8. Residential and commercial uses shall be served by DEQ approved on-site sewage disposal

systems.

9. Residential and commercial uses shall be served by on site wells or public water systems.

10. Community water systems, motels, hotels and industrial uses shall not be allowed.

11. Recreational vehicle or trailer parks and other uses catering to travelers shall be permitted.

12. The County shall consider ways to improve services in the area consistent with the level of population to be served.

(Ord. 2002-027 § 1, 2002; Ord. 2002-001 § 4, 2002; Ord. 2002-005 § 1, 2002; Ord. 2000-017 § 1, 2000; Ord. 96-045, 1996)

**23.40.050. Resort Communities – Black Butte Ranch and Inn of the Seventh Mountain/Widgi Creek.**

A Resort Community is characterized as an unincorporated community that was established primarily for, and continues to be used primarily for recreation and resort purposes (OAR 660-022-0010)(6)). It includes residential and commercial uses and provides for both temporary and permanent residential occupancy, including overnight lodging and accommodations. (Ord. 2001-047, § 2,2001)

## **Black Butte Ranch and Inn of the Seventh Mountain/Widgi Creek**

### **A. General Information**

#### **1. Historical Background:**

##### **Black Butte Ranch:**

Black Butte Ranch is located in the northwestern portion of Deschutes County, 8 miles west of the city limits of Sisters. Black Butte Ranch is in the Indian Ford Creek watershed, a tributary to Whychus Creek, itself a tributary to the Deschutes River, and is surrounded by lands within Deschutes National Forest. Since the late 1800's Black Butte Ranch has been a cattle ranch. Cattle operations continue today.

Black Butte Ranch includes 1,830 acres developed in the early 1970's as a planned residential development with both permanent and vacation homes on 1,252 lots and three separate condominium areas. Recreation amenities include two 18-hole golf courses, four swimming pools, 23 tennis courts, horse stables, a sports field, basketball courts and trails for bicycling, jogging and cross country skiing. Conference rooms, a restaurant, lounge and property sales in the Main Lodge, a general store and pro shops at both golf courses provide additional amenities for residents, guests and visitors.

Black Butte Ranch allows public access to its restaurant, golf courses and horse stables, but is primarily oriented to its year-round residents and seasonal guests. Black Butte Ranch is considered by many people to be a "destination resort", however development at Black Butte Ranch precedes the adoption of statewide Goal 8 and the County's mapping of lands for the siting of destination resorts. Approximately 96 percent of the area within Black Butte Ranch community boundary has already been developed.

Development of Black Butte Ranch began in 1970 and the first subdivision plat within Black Butte Ranch was filed in 1970. In 1972, when the County first adopted a zoning ordinance (PL-5) and comprehensive plan, the area identified as Black Butte Ranch, although smaller than today, was zoned "Planned Development" and designated as a "Destination Resort" on the comprehensive plan map. In 1979 the County adopted revised zoning and comprehensive plan maps. Black Butte Ranch, in its current configuration, was zoned Rural Residential, RR-10, and was designated "Destination Resort" on the comprehensive plan map. In 1992 Black Butte Ranch was designated as a rural residential exception area on the comprehensive plan map (Ord No. 92-061).

##### **Inn of the Seventh Mountain/Widgi Creek:**

The Inn of the Seventh Mountain and Widgi Creek Golf community are located approximately 5 miles southwest of the Bend Urban Growth Boundary on Century Drive and bounded by the Deschutes River on the south.

The site for Inn of the Seventh Mountain (Inn) has been developed since the late 1960s and has historically been considered to be a stand-alone resort community with overnight lodging and recreation facilities for tourists. It currently has 230 condominium units, spread among 22 buildings. The initial boundary was established in 1972 and encompasses 22.65 acres. The Inn includes horse stables, tennis courts, golf course, skating rink, swimming pools and other recreation amenities, and a restaurant, meeting rooms and multi-story lodging units for resort guests. Many of the dwelling units at Inn are occupied seasonally but some residences are occupied year round. Commercial uses open to overnight guests and the public includes the restaurant, skating rink and golf course, guided raft trips on the Deschutes River and a retail/rental sport shop.

Widgi Creek was approved in 1983 as a 237-acre expansion to the Inn including a golf course with surrounding residential lots consisting of 107 lots for single-family dwellings and 103 lots for condominium units.

The use of the site as a destination resort was initiated previous to implementation of the statewide planning goals in Deschutes County. Upon implementation of the statewide planning goals, the property was designated as "forest" in compliance with Goal 4, and the use continued to be permitted as a "destination resort". However, in 1993 HB 3661 estimated destination resorts as a use in the forest zone except as allowed under Goal 8. This property was not approved as a

destination resort pursuant to Goal 8 until the year 2001 when a "built and committed" exception was taken for the entire Inn/Widgi community.

2. Population and Growth:

**Black Butte Ranch**

The population of Black Butte Ranch is difficult to ascertain due to the large number of vacation and second homes within the community that are occupied for only part of the year. In 2001, the Black Butte Ranch Association estimated the number of full time, year round residents at 337 persons. During the peak tourist season, the population, including guests who do not own property but are renting residences within the community, is estimated to rise to 5,000 persons.

**Inn of the Seventh Mountain/Widgi Creek**

Almost all of the residential use at the Inn of the Seventh Mountain is tourist accommodations. During the peak tourist season, the population, including guests who do not own property but are renting residences within the community is estimated to be approximately 500 people.

In 2001, the number of full time and part time residents at Widgi Creek is approximately 120, consisting of 80 single-family residents and 39 condo residents. Since there are only 4 condo units available for rental, there is no significant increase in the population during the peak tourist season. As currently planned, when the development is fully built out, the population increase to a total of 200 full time and part time residents in 107 single family homes and 46 condominium units.

3. Periodic Review

In the fall of 1994, the Oregon Land Conservation and Development Commission adopted a new administrative rule, OAR 660, Division 22, entitled Unincorporated Communities. The rule requires counties to update land use plans and regulations for such communities. Deschutes County has updated land use plans and regulations for such communities. Deschutes County has updated the Comprehensive Plan and implementing zone regulations for Black Butte Ranch and the Inn/Widgi Creek to comply with the rule as part of periodic review.

4. "Resort Community" Defined

Black Butte Ranch and the Inn of the Seventh Mountain/Widgi Creek meet the definition of "resort community" because they have historically developed with a mixture of residential and recreation or resort amenities. Commercial-type uses also exist, such as the restaurant and stables. Other retail operations, such as the golf pro shops and retail sales at the tennis shop are associated with specific recreation activities and are not designed as stand alone retail operations intended by themselves to attract the traveling public to Black Butte Ranch or the Inn/Widgi.

Black Butte Ranch operates both a community sewer and water system that are in place and serve the existing development. Black Butte Ranch is served by its own fire and police departments. The Comprehensive Plan designates Black Butte Ranch as a Resort Community and provides for future growth and development accordingly.

The Inn/Widgi sewer service (except approved on-site septic systems) and fire protection is provided for Inn/Widgi by the City of Bend. Water is provided by on-site wells, security service is provided by the Inn/Widgi Resort Community and Deschutes County Sheriff provides police services.

5. Community Boundary

**Black Butte Ranch:**

The Black Butte Ranch community boundary includes a total of 1912 acres consisting of: 1) 1830 acres including the main resort development, the resort's recreational amenities, and the residential areas, and 2) 82 acres located contiguous to the northwest corner of the other land within the resort community used for industrial uses in support of Ranch operations. The community boundary abuts Highway 20 on the northeast. National Forest Service lands and private landholders bound it on the south and west.

**Inn of the Seventh Mountain/Widgi Creek**

The Inn of the Seventh Mountain/Widgi Creek community boundary includes 260 acres (23 for the Inn and 237 for Widgi Creek). The property is used for the resort's recreational amenities, rental and

residential units. The western boundary is the Century Drive. The south boundary is generally the Deschutes River canyon. The entire resort community is bordered by the Deschutes National Forest.

6. Land Use Planning

(a) Existing Land Uses

**Black Butte Ranch:** The predominant land use in Black Butte Ranch is residential, the majority of which is single-family residential development. However, since Black Butte Ranch was originally developed as a planned community, a number of other uses exist which make Black Butte Ranch a community that is somewhat self-reliant. Uses that support the residential components include a commercial core, which contains a variety of retail businesses developed in a pedestrian mall setting, as well as a business park. A significant component of development in Black Butte Ranch includes recreation amenities such as golf courses, and resort facilities, such as a lodge, meeting facilities and a restaurant. A fire station and public works facilities for sewage treatment and water delivery have also been developed in support of all uses. The Black Butte Fire Department serves all areas within the boundary of Black Butte Ranch. Utility services will continue to be provided in the current manner.

**Inn of the Seventh Mountain/Widgi Creek**

The predominant land use at the Inn is resort use with overnight lodging and recreation facilities for tourists, in addition to a restaurant, meeting rooms and a retail/rental sport shop. The predominant land use for Widgi Creek is residential, with single-family residential development and condominium units, in addition to a golf course. Fire and sewer services are currently provided by the City of Bend, with water service provided by on-site well. Utility services will continue to be provided in the current manner.

7. Comprehensive Plan Designations

The 2001 Deschutes County Comprehensive Plan designates Black Butte Ranch and the Inn of the Seventh Mountain/Widgi Creek as a Resort Communities.

8. Land Use Policies

(a) General resort Community Policies

- 1) Land use regulations shall conform to the requirements of OAR 660 Division 22 or any successor.
- 2) County comprehensive plan policies and land use regulations shall ensure that new uses authorized within the Black Butte Ranch Resort Community do not adversely affect forest uses in the surrounding Forest Use Zones.
- 3) Designated open space and common area shall remain undeveloped except for community recreation uses. Areas developed as golf courses shall remain available for that purpose or for open space/recreation uses.
- 4) The provisions of the Landscape Management Overlay Zone shall apply in Resort Communities where the zone exists along Century Drive, Highway 26 and the Deschutes River.
- 5) Residential minimum lot sizes and densities shall be determined by the capacity of the water and sewer facilities to accommodate existing and future development and growth.
- 6) The resort facility and resort recreation uses permitted in the zoning for Black Butte Ranch and the Inn of the Seventh Mountain/Widgi Creek shall serve the resort community.

**Black Butte Ranch Policies**

- 1) The County supports the design review standards administered by the Architectural Review Committee.
- 2) Residential, resort and utility uses shall continue to be developed in accordance with the Master Design for Black Butte Ranch and the respective Section Declarations.
- 3) Industrial activities, including surface mining, shall only occur in the area zoned Black Butte Ranch Surface Mining, Limited Use Combining District (Black Butte Ranch SM/LU) located in the northwest corner of Black Butte Ranch.
- 4) Employee housing shall be located in the area zoned Black Butte Ranch-Utility/Limited Use Combining District (Black Butte Ranch-U/LU).

- 5) Any amendment to the allowable use(s) in either the Resort Community District or the Limited Use Combining District shall require an exception in accordance with applicable statewide planning goal(s), OAR 660-04-018/022 and DCC 18.112 or any successor.
- 6) The westerly 38-acres zoned Black Butte Ranch Surface Mining, Limited Use Combining District (Black Butte Ranch SM/LU) shall be used for the mining and storage of aggregate resources. Uses that do not prevent the future mining of these resources, such as disposal of reclaimed effluent and woody debris disposal from thinning and other forest practices may be allowed concurrently. Other resort maintenance, operational and utility uses, such as a solid waste transfer station, maintenance facility or equipment storage may be allowed only after mining and reclamation have occurred.
- 7) The 18.5 acres zoned Black Butte Ranch-Utility/Limited Use Combining District (Black Butte Ranch-U/LU) may be used for the disposal of reclaimed sludge.
- 8) The area west of McCallister Road and east of the area zoned Black Butte Ranch may be used for large equipment storage, general storage, maintenance uses, RV storage, telephone communications, administration offices, housekeeping facilities and employee housing.
- 9) Employee housing shall be set back at least 250 feet from the eastern boundary of the area zoned Black Butte Ranch Surface Mining, Limited Use Combining District (Black Butte Ranch SM/LU).
- 10) Surface mining within the Black Butte Ranch community boundary shall adhere to the following Goal 5 ESEE "Program to Meet Goal" requirements:
  - 11) Only the western most 38 acres of the site shall continue to be mined.
  - 12) Setbacks shall be required for potential conflicting residential and other development. A minimum 50-foot setback shall be maintained from the perimeter of tax lot 202 for all surface mining activity.
  - 13) Noise impact shall be mitigated by buffering and screening.
  - 14) Hours of operation shall be limited to between 7:00 a.m. and 6:00 p.m. weekdays. No operations shall be allowed on weekends and holidays.
  - 15) Processing shall be limited to 45 days in any one year, to be negotiated with Deschutes County in the site plan process in consultation with the Oregon Department of Fish and Wildlife (ODFW).
  - 16) The conditions set forth in the August 10, 1989, letter of ODFW shall be adhered to.
  - 17) Extraction at the site shall be limited to five acres at a time with on-going incremental reclamation (subject to DOGAMI review and approval).
  - 18) Mining operations, siting of equipment, and trucking of product shall be conducted in such a manner that applicable DEQ standards are met and minimizes noise and dust.
  - 19) DOGAMI requirements for a permit once mining affects more than five acres outside the 8.6-acre exemption are shall be met.
  - 20) A conditional use permit shall be obtained from Deschutes County, under the provisions of section 18.128.280. Surface mining of resources exclusively for on-site personal, farm or forest use or maintenance of irrigation canals, before mining activity affects more than five acres outside the 8.6-acre exempt area.

**Inn of the Seventh Mountain/Widgi Creek Policies**

1. Any amendment to the allowable uses(s) in either the Resort Community District or the Widgi Creek Residential District shall require an exception in accordance with applicable statewide planning goal(s), OAR 660-04-018/022 or any successor, and DCC 18.112 or any successor.
2. Public Facility Policies
  - (a) General Public Facility Planning Policies
 

Police protection services for both communities shall be provided under contract with the Deschutes County Sheriff.

### **Black Butte Ranch**

- 1) The Black Butte Ranch Water Distribution Company and the Black Butte Ranch Corporation shall confirm the water and sewer service, respectively, can be provided for new uses or expansion of existing uses that require land use approval.
- 2) The Black Butte Ranch Water Distribution Company shall provide water service for the Black Butte Ranch Resort Community.
- 3) The Black Butte Ranch Corporation shall provide sewer service for Black Butte Ranch.
- 4) The Black Butte Ranch Fire Protection District shall provide fire protection services for Black Butte Ranch.
- 5) The roads and the bicycle/pedestrian path system within the Black Butte Ranch Resort Community boundary shall be maintained by the Black Butte Ranch Owners Association.

### **Inn of the Seventh Mountain/Widgi Creek**

- 1) Water service shall be supplied by on-site wells for the Inn/Widgi Resort Community.
- 2) New uses or expansion of existing uses that require land use approval shall be approved only upon confirmation from the City of Bend that sewer service can be provided.
- 3) Fire protection services for the Inn/Widgi shall be provided through a contract with the City of Bend until such time as Inn/Widgi develops another plan to provide adequate fire protection.
- 4) The Resort Community, not Deschutes County, shall maintain roads in the community.
- 5) The bicycle/pedestrian path system shall be maintained by the Inn/Widgi Owners Association.
- 6) Emergency access between Widgi Creek and the Inn of the Seventh Mountain shall be provided in accordance with the approved development plan for the Elkai Woods town homes. The respective resort property owners shall maintain emergency access between the Inn and Widgi Creek.

(Ord. 2001-047 §2, 2002)

### **23.40.060. Rural Commercial – Deschutes Junction, Deschutes River Woods Store, Pine Forest, Rosland and Spring River**

The Rural Commercial plan designation is applicable to residential and commercial lands located outside unincorporated communities and urban growth boundaries.

The County has also applied the new Rural Commercial plan designation to the Pine Forest and Rosland commercial centers which have historically been committed to commercial type uses and have served the area as such since prior to adoption of zoning regulations. No new exceptions are required as the subject properties are in an acknowledged exception area.

#### **A. Introduction**

The 1979 Comprehensive Plan designated the areas of Deschutes Junction, Deschutes River Woods Store and Spring River as Rural Service Centers. Since that time, the Unincorporated Communities Rule (OAR 660-022) has defined “rural service centers” in such a way that these areas no longer qualify as rural service centers. As a part of Periodic Review, Deschutes County is applying a new comprehensive plan designation of Rural Commercial to Deschutes Junction, Deschutes River Woods Store and Spring River.

No new exceptions to Goals 3 or 4 or new non-resource lands were taken as a result of the change in designation from Rural Service Center to Rural Commercial. The Rural Commercial designation is only applied to acknowledged exception areas.

The rural uses and services are limited in size and scope and are intended to serve the immediate rural area and travelers passing through the area. The plan policies and zoning standards restrict new commercial uses to those that are less intensive than those authorized in other types of unincorporated communities. The uses and densities are limited by the zoning, thereby maintaining these areas as rural lands.

#### **1. Periodic Review**

In order to comply with state rules for Periodic Review (OAR 660-025), Deschutes County has reviewed and updated the County comprehensive plan and land use regulations for the areas of Deschutes Junction, Deschutes River Woods Store and Spring River. Each of these communities

was identified as an unincorporated community under OAR 660-022, Unincorporated Communities. OAR 660-022 defines several types of unincorporated communities and provides limitations on the types and sizes of uses permitted, generally restricting uses that are inappropriate considering available water, sewer, and transportation service, or uses that would tend to undermine the viability of nearby urban areas.

During its review of lands identified as rural service centers, the County determined that Deschutes Junction, Deschutes River Woods Store and Spring River do not qualify as any of the four types of unincorporated communities identified under OAR 660-022. The Rural Commercial plan designation and zoning brings each of these three areas into compliance with state rules by adopting zoning to ensure that they remain rural and that the uses allowed are less intensive than those allowed in unincorporated communities as defined in OAR 660-022.

As part of Periodic Review, the Comprehensive Plan and zoning map boundaries for all of the Rural Commercial areas were amended to comply with the requirements of the administrative rules and to reconcile historic mapping inconsistencies between the plan and the zoning maps.

## 2. Post-Acknowledgment Plan Amendments

The owner of the Rosland commercial center sought approval of a post-acknowledgment plan amendment in 2002. The amendment was sought to confirm her right to continue to operate the commercial center as it has been operated since 1973. The center was recognized because it is small and rural in character and would qualify for a goal exception as the land is physically developed with rural commercial uses.

The owners of the Pine Forest commercial center sought approval of a post-acknowledgment plan amendment in 2006. The amendment was sought to confirm their right to continue to operate the commercial center as it has been operated since 1970. The center was recognized because it is small and rural in character and would qualify for a goal exception as the land is physically developed with a rural commercial use and is needed for infrastructure to support the existing commercial use.

## 3. Rural Commercial

The Deschutes Junction Rural Commercial boundary includes 1.77 acres, bounded by Tumalo Road on the South, Highway on the East, with the remainder surrounded by agricultural lands (EFU).

The Deschutes River Woods Store Rural Commercial boundary includes 4.99 acres bounded by Baker Road on the North, Highway 97 on the East, railroad tracks and Cheyenne Road on the West and Morningstar Christian School on the South. The surrounding land is zoned Rural Residential (RR-10). The Deschutes River Woods residential subdivision is adjacent to this property.

The Pine Forest Rural Commercial boundary includes approximately 2.0 acres bounded by Pine Forest Drive and Burgess Road. The remainder is surrounded by exceptions land zoned RR-10.

The Rosland Rural Commercial boundary includes approximately 4.5 acres near the intersection of Burgess and River Pine Roads. The remainder is surrounded by exceptions land zoned RR-10.

The Spring River Rural Commercial boundary includes 9.16 acres bounded by Spring River Road on the North, Lunar Drive on the East and additional commercial and residential uses on the South and West. The surrounding land is zoned Rural Residential (RR-10).

## B. Land Use Planning

### Existing Land Uses

The existing land uses in all of the Rural Commercial areas are primarily commercial with a few residences existing in conjunction with businesses. The surrounding zoning is agricultural, forest, and Rural Residential.

The Deschutes County Comprehensive Plan designates Deschutes Junction, Deschutes River Woods Store, Pine Forest, Rosland and Spring River as Rural Commercial.

## C. Policies

1. Land use regulations shall ensure that the uses allowed are less intensive than those allowed for in unincorporated communities in OAR 660, Division 22 or any successor.
2. Rural Commercial zoning shall be applied to Deschutes Junction, Deschutes River Woods Store,

Pine Forest, Rosland and Spring River.

3. In Spring River, there shall be a Limited Use Combining zone.
  4. County Comprehensive Plan policies and land use regulations shall ensure that new uses authorized within the Deschutes Junction, Deschutes River Woods Store, Pine Forest, Rosland and Spring River areas do not adversely affect agricultural and forest uses in the surrounding areas.
  5. Zoning in the area shall ensure that the uses allowed are rural as required by Goal 14, Urbanization, and less intensive than those allowed for unincorporated communities as defined in OAR 660-022. New commercial uses shall be limited to those that are intended to serve the surrounding rural area or the travel needs of people passing through the area.
  6. New commercial uses shall be limited in size to 2500 square feet, or 3500 square feet, if for an agricultural or forest-related use.
  7. A lawful use existing on or before November 5, 2002, not otherwise allowed in a Rural Commercial zone, may continue to exist subject to the county's nonconforming use regulations.
  8. An existing lawful use may expand up to 25 percent of the total floor area existing on November 5, 2002.
  9. The Rural Commercial zoning regulations shall allow a mixed use of residential or rural commercial uses.
  10. Residential and commercial uses shall be served by DEQ approved on-site sewage disposal systems.
  11. Residential and commercial uses shall be served by on site wells or public water systems.
  12. Community sewer systems, motels, hotels and industrial uses shall not be allowed.
  13. Recreational vehicle or trailer parks and other uses catering to travelers shall be permitted.
- (Ord. 2007-006 §1, 2007; Ord. 2003-079 §1, 2003; Ord. 2002-018 §2, 2002; Ord. 2002-005 §1, 2002; Ord. 2000-017 §1, 2000; Ord. 96-045, 1996)

#### **23.40.070. Rural Industrial.**

The Rural Industrial plan designation is applicable to industrial lands located outside unincorporated communities and urban growth boundaries. The purpose of the Rural Industrial designation is to recognize existing industrial uses in rural areas of the county and to allow the appropriate development of additional industrial uses that are consistent with the rural character, facilities and services.

##### **A. Periodic Review**

In order to comply with state rules for Periodic Review (OAR 660-025), Deschutes county has reviewed and updated the county comprehensive plan and land use regulations for the rural industrial sites of: Redmond Military, Deschutes Junction, Bend Auto Recyclers and Wickiup Junction. OAR 660-022, the State Unincorporated Communities Rule, defines the types of unincorporated communities and specifies that industrial uses be limited to buildings containing no more than 10,000 square feet of floor space. Rural industrial uses outside of unincorporated communities must be less intense than those allowed within an incorporated community.

##### **B. Rural Industrial Designated Area Descriptions**

The Redmond Military site consists of tax lot 1513000000116 and is 35.42 acres, bounded by the Redmond Urban Growth Boundary to the west and Exclusive Farm Use lands surrounding the remainder of the property.

The Deschutes Junction site consists of the following tax lots:

161226C000107 (9.05 acres), 161226C000106 (4.33 acres), 161226C000102 (1.41 acres), 161226C000114 (2.50 acres), portions 161226C000300 (12.9 acres), 161226C000301 (8.93 acres), 161226A000203 (1.5 Acres) and those portions of 161226A000111 located west of the Burlington Northern-Santa Fe railroad tracks (16.45 acres). Generally, the Deschutes Junction site is bordered on the west by Highway 97, on the east by the Burlington Northern Railroad, on the north by Nichols Market Road (except for a portion of 161226A000111), and on the south by EFU-zoned property owned by the City of Bend.

Bend Auto Recyclers consists of tax lot 1712030000111 and is 13.41 acres, bounded by Highway 97 to the west, and Multiple Use Agricultural lands to east, north and south.

Wickiup Junction consists of tax lot 2110360000104 and is 12.67 acres, bounded by Rosland Road on the southwest with forest lands surrounding the remainder of the property.

C. Policies

1. To assure that urban uses are not permitted on rural industrial lands, land use regulations in the Rural Industrial zones shall ensure that the uses allowed are less intensive than those allowed for unincorporated communities in OAR 660, Division 22 or any successor.
2. Limited Use Combining zones shall be applied to the Redmond Military (Tax lot 1513000000116), Deschutes Junction (Tax lot 161226C000301, Tax lot 161226C00300, Tax lot 161226C00111, and 161226A00203), and Wickiup Junction (Tax lot 2110360000104) to ensure that permitted uses are compatible with surrounding farm and forest lands.
3. Land use regulations shall ensure that new uses authorized within the Rural Industrial sites do not adversely affect agricultural and forest uses in the surrounding areas.
4. New industrial uses shall be limited in size to a maximum floor area of 7,500 square feet per use within a building, except for the primary processing or raw materials produced in rural areas, for which there is no floor area per use limitation.
5. A lawfully established use that existed on or before February 2, 2003, not otherwise allowed in a Rural Industrial zone, may continue to exist subject to the county's nonconforming use regulations
6. A lawfully established use that existed on or before February 2, 2003 may be expanded to occupy a maximum of 10,000 square feet of floor area or an additional 25 percent of the floor area currently occupied by the existing use whichever is greater.
7. Residential and industrial uses shall be served by DEQ approved on-site sewage disposal systems.
8. Residential and industrial uses shall be served by on-site wells or public water systems.
9. Community sewer systems shall not be allowed in Rural Industrial zones.

( Ord. 2010-030, §2, 2010, Ord. 2002-126, §1, 2002)

**23.40.080. Maps.**

(Ord. 2007-006 §2, 2007; Ord. 2003-079, §1, 2003; Ord. 2002-026, §1, 2002; Ord. 2002-018, §X, 2002; Ord. 2002-001 §4, 2002; Ord. 20001-047 §2, 2001; Ord. 2000-017 §1, 2000)