

HOUSEKEEPING TEXT AMENDMENTS

FILE NO. 247-15-000256-TA

Planning
Commission
Public Hearing
July 9, 2015



HEARING PROCEDURE

- The Planning Commission's recommendation on this application will be based upon the record, the staff report, and the testimony and evidence presented at this hearing.
- The hearing will be conducted in the following order:
 1. Staff will provide a brief report.
 2. The applicant will present its testimony and evidence.
 3. Opponents and proponents will testify and present evidence.
 4. Other interested persons will then present testimony or evidence.
 5. The applicant presents rebuttal testimony.
 6. Staff will be afforded an opportunity to make any closing comments.



PROPOSAL/BACKGROUND

PURPOSE

- Correct Errors
- Adds Omissions
- Provide Clarification

IMPACT

- No changes to permitted uses or use standards
- No state statutes, administrative rules, or land use goals apply to these changes.



PROPOSED AMENDMENTS

TITLE 9 - PUBLIC PEACE & WELFARE

- 9.04. DRUG PARAPHERNALIA



CHAPTER 9.04 DRUG PARAPHERNALIA

- **Section 9.04.04. Controlled Substances**
 - Removes section related to moratorium on medical marijuana dispensaries that was repealed May 1, 2015.

■ **EXHIBIT A**



PROPOSED AMENDMENTS

TITLE 11 - COUNTY OWNED LAND & PROPERTY

- 11.12. TRANSFERABLE DEVELOPMENT CREDIT PROGRAM



CHAPTER 11.12

TRANSFERABLE DEVELOPMENT CREDIT PROGRAM

- **Section 11.12.020. TDC Transactions.**
 - **Corrects erroneous reference in 11.12.020(B)(3)(c).**
 - **Currently refers to 11.12.010, Definitions, and not the correct section of 11.12.020(B)(3)(b).**

■ **EXHIBIT B**



PROPOSED AMENDMENTS

TITLE - 17 SUBDIVISIONS

- 17.48. TABLE A MINIMUM DESIGN STANDARDS



TITLE 17 SUBDIVISIONS

- **17.48. Table A Minimum Design Standards**
 - Removes references to areas now located within the city limits of La Pine.

■ **EXHIBIT C**



PROPOSED AMENDMENTS

TITLE 18 - ZONING

- 18.04. TITLE, PURPOSE AND DEFINITIONS
- 18.16. EXCLUSIVE FARM USE ZONES
- 18.60. RURAL RESIDENTIAL ZONE - RR-10
- 18.67. TUMALO RURAL COMMUNITY ZONING DISTRICTS
- 18.84. LANDSCAPE MANAGEMENT COMBINING - LM ZONE
- 18.108. URBAN UNINCORPORATED COMMUNITY ZONE - SUNRIVER
- 18.113. DESTINATION RESORTS ZONE - DR
- 18.128. CONDITIONAL USE



CHAPTER 18.04

TITLE, PURPOSE AND DEFINITIONS

- Section 18.04.030. Definitions.
 - Removes definitions relevant to areas now located within the city limits of La Pine.

■ EXHIBIT D



CHAPTER 18.16

EXCLUSIVE FARM USE ZONES

- **Section 18.16.040. Limitations on Conditional Uses.**
 - Adds reference to other applicable uses in **18.16.031** and **18.16.033**.
 - **ORS 215.296 and 18.128, Conditional Use, are applicable to the listed uses.**

- **EXHIBIT E**



CHAPTER 18.60

RURAL RESIDENTIAL ZONE – RR-10

- **Section 18.60.090. Oregon Water Wonderland Unit 2 Sewer District Limited Use Combining Zone.**
 - Revises reference to the Comprehensive Plan to reflect new format of the plan adopted in 2011.

■ **EXHIBIT F**



CHAPTER 18.67

TUMALO RURAL COMMUNITY ZONING DISTRICTS

- **Section 18.67.080. Standards for All Districts.**
 - **Corrects river setback standards in 18.67.080(G) which currently only refers to structures within 100-feet of the river.**
 - **Amendment includes required 100-foot setback from the river.**

■ EXHIBIT G



CHAPTER 18.84

LANDSCAPE MANAGEMENT COMBINING - LM ZONE

- **Section 18.84.050. Use limitations.**
 - Makes only exterior alterations subject to LM standards.
 - Removes irrelevant reference to 18.124, Site Plan Review.

- **Section 18.84.080. Design review standards.**
 - Corrects typo in 18.84.080(D).
 - Corrects 18.84.080(E) which erroneously exempts agricultural structures within 50 feet of rimrock from the standards of the section.
 - Updates name of Whychus Creek in 18.84.080(J).

- **EXHIBIT H**



CHAPTER 18.108

URBAN UNINCORPORATED COMMUNITY ZONE - SUNRIVER

- **Section 18.108.055. Town Center – TC District.**
 - Revises reference to the Comprehensive Plan to reflect new format and section number of the plan adopted in 2011.

■ EXHIBIT I



CHAPTER 18.113

DESTINATION RESORTS ZONES - DR

- **Section 18.113.060. Standards for Destination Resorts.**
 - Updates ratio of 2.5:1 for residential to overnight units approved by Ord. 2013-008.

■ **EXHIBIT J**



CHAPTER 18.128

CONDITIONAL USE

- **Section 18.128.200. Cluster Development (Single-Family Residential Uses Only).**
 - Revises reference to the Comprehensive Plan to reflect new format of the plan adopted in 2011.

■ EXHIBIT K



PROPOSED AMENDMENTS

TITLE 22 PROCEDURES

- 22.08. GENERAL PROVISIONS
- 22.28. LAND USE ACTION DECISIONS
- 22.32. APPEALS
- 22.34. PROCEEDINGS ON REMAND
- 22.36. LIMITATIONS ON APPROVALS



CHAPTER 22.08

GENERAL PROVISIONS

- **Section 22.08.020. Acceptance of Application.**
 - Allows staff to request hearings officer fee after an application is deemed complete.

CORRECTION: Fee must be collected BEFORE application is deemed complete. County Counsel supports moving to 22.08.010, Application Requirements.

- **EXHIBIT L**



CHAPTER 22.28

LAND USE ACTION DECISIONS

- **Section 22.28.020. Notice of Decision.**
 - Allows mailing only the notice of decision to all parties and not the entire decision.

■ **EXHIBIT M**



CHAPTER 22.32

APPEALS

- **Section 22.32.015. Filing Appeals.**
 - Simplifies language of filing fee payment options by referencing “acceptable forms” of payment.
- **Section 22.32.024. Transcript requirement.**
 - Allows the appeal hearings body to waive the requirement of submitting a transcript of previous hearing.
- **EXHIBIT N**



CHAPTER 22.34

PROCEEDINGS ON REMAND

- **Section 22.34.030. Notice of Hearings Requirements.**
 - Clarifies the 90-day decision time period begins upon request from the applicant.
 - Provides applicants opportunity to request an extension of the time period.

- **EXHIBIT O**



CHAPTER 22.36

LIMITATIONS ON APPROVALS

- **Section 22.36.0110. Expiration of Approval.**
 - Corrects the duration of approval for replacement dwelling land use decisions in the Exclusive Farm Use (EFU) zone from 4 to 2 years.

■ EXHIBIT P



PROPOSED AMENDMENTS

COMPREHENSIVE PLAN

- CHAPTER 4 URBAN GROWTH MANAGEMENT
- APPENDIX C TRANSPORTATION SYSTEM PLAN



COMPREHENSIVE PLAN

CHAPTER 4 URBAN GROWTH MANAGEMENT

■ Section 4.3 Unincorporated Communities

Table 4.3.1 – Deschutes County Unincorporated Communities 2010

- Corrects reference to the Tumalo and Terrebonne portions of this section of the Comprehensive Plan.

■ EXHIBIT Q



COMPREHENSIVE PLAN

APPENDIX C – TRANSPORTATION SYSTEM PLAN

- **Section 2.2 Existing Transportation System and Current Needs**
 - Adds reference to and description of SE 27th Street located southeast of the City of Bend.

■ **EXHIBIT R**



QUESTIONS?



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HEARING PROCEDURE

- **At the Conclusion of Testimony the Planning Commission can:**
 - 1. Continue the Hearing to a Date Certain;**
 - 2. Close the Hearing and Leave the Record Open to a Date Certain;
or**
 - 3. Close the Hearing, Commence Deliberations, and Consider Recommendation to BOCC.**

