

REVIEWED  
LEGAL COUNSEL

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

1984 AUG -1 PM 3:14  
MARY SUE PENHOLLOW  
COUNTY CLERK

An Ordinance Amending Ordinance No. PL-15, the Deschutes Zoning Ordinance of 1979, as Amended, to Allow Shopping Complexes as a Conditional Use in a Rural Service Center (RSC) Zone, and Declaring an Emergency. \*

ORDINANCE NO. 84-023

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, ORDAINS as follows:

Section 1. Section 1.030, Definitions, of PL-15, Deschutes County Zoning Ordinance of 1979, as amended, is amended by the addition of the following:

(114b) Shopping Complex. A group of commercial establishments planned, constructed and managed as a total entity with customer and employee parking on site and aesthetic considerations which integrate it with the surrounding area."

Section 2. Subsection 3 of Section 2.010, Compliance, of PL-15, Deschutes County Zoning Ordinance of 1979, is amended to read as follows:

"(3) Except as specifically provided by this Ordinance, no lot area, yard or open space which is required by this Ordinance for one use shall be used as the required lot area, yard or open space for another use."

Section 3. Subsection 3 of Section 4.130, Rural Service Center Zone, RSC, of Ordinance PL-15, Deschutes County Zoning Ordinance of 1979, is amended by the addition of the following:

"(0) Shopping complex subject to a master plan and consistent with the specific use standards established by Section 8.050(20)."

Section 4. Section 8.050, Specific Use Standards, of Ordinance No. PL-15, Deschutes County Zoning Ordinance of 1979, is amended by the addition of the following:

KEYFOUNDED  
APR 04 1995

"(20)Shopping Complex.

- A. Such uses may be authorized as a conditional use only after a determination is made by the Hearings Body;
1. That the public interest will be served by the approval of the proposal considering the following factors: environmental, social and economic impacts likely to result from the development, including impacts on public facilities such as roads, water, sewer systems, police and fire protection, etc.
  2. That the entire complex shall be completed within one year or a master plan shall be submitted that explains the phased development of the project. The master plan shall specify a timetable of completion for all phases of the project. The master plan shall be fully implemented within five years or extended in accordance with the terms of the Deschutes County Procedural Ordinance.
  3. That there is adequate area for the buildings, landscaping, parking, spetic systems and access to serve the proposed development.
  4. That the use is consistent with the character of the area and is not detrimental to the land use pattern of the area.
  5. That the proposed shopping complex is to be developed and managed as a total entity, with a plan for maintenance of all elements of the site plan.
  6. The proposed shopping complex is appropriate for serving the needs of rural residents in the area.
  7. The proposed shopping complex will not attract residents outside the rural area to be serviced.

Section 5. Section 11.090, Lot Size Requirements, of Ordinance PL-15, Deschutes County Zoning Ordinance of 1979, is amended to read as follows:

"SECTION 11.090. LOT SIZE REQUIREMENTS. Except as otherwise provided in this Ordinance, the minimum lot sizes required by this Ordinance shall be met for each use established on an area of land."

Section 6. That in support of this Ordinance the Board of County Commissioners of Deschutes County, Oregon, adopt findings as set forth in Exhibit "A", attached hereto and by this reference incorporated herein.

Section 7. This Ordinance being necessary for the immediate preservation of public peace, health and safety, an emergency is declared to exist, and this Ordinance takes effect on its passage.

DATED this 1st day of Aug, 1984.

BOARD OF COUNTY COMMISSIONERS  
OF DESCHUTES COUNTY, OREGON

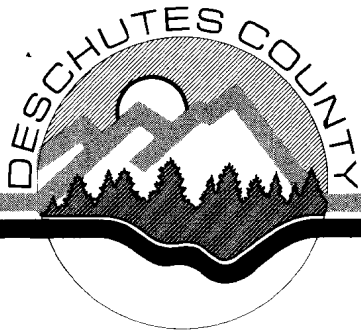
Albert A. Young  
ALBERT A. YOUNG, Chairman

Lois Bristow Prante  
LOIS BRISTOW PRANTE, Commissioner

Laurence A. Tuttle  
LAURENCE A. TUTTLE, Commissioner

ATTEST:

Annette Pearson  
Recording Secretary



## Community Development Department

Courthouse Annex / Bend, Oregon 97701

Building Safety / (503) 388-6575  
Environmental Health / (503) 388-6561  
Planning / (503) 388-6556

## DESCHUTES COUNTY COMMUNITY DEVELOPMENT PLANNING DIVISION

## STAFF REPORT ADDITION

DATE: AUGUST 1, 1984

REGARDING: An ordinance text amendment which would  
allow shopping complexes as a conditional  
use in a RSC zone.

FILE: Z-84-1

The planning staff would recommend that if the subject change is made the Board of County Commissioner's consider the adoption of the following findings in support of this action.

1. That a problem exists in the current zoning ordinance as illustrated by the request of Jack Baker (see file Z-84-1). Currently only one principal structure is allowed on a lot in a RSC, Rural Service Center Zone. This promotes inefficient development and commercial sprawl. The proposed change would allow more than one principal structure on a lot, which would consolidate development and create less pressure to develop additional rural lands for commercial purposes.
2. That the proposed conditional use process and the criteria to evaluate shopping complexes provide an appropriate method to insure that such development will serve the needs of the rural community. This process will also allow the evaluation of a shopping complex considering the purpose of the RSC Zone and the intent of the Deschutes County Comprehensive Plan.
3. That the RSC Zones are currently sufficiently limited to rural levels due to the small amount of commercial land available within them. The proposed change adds criteria which will be used to further insure that these uses serve the rural areas that they are located in.

4. That this change will have no effect on any specific uses currently allowed within the RSC Zone. The Deschutes County Comprehensive Plan has been acknowledged by the LCDC. The Board takes the position that the RSC Section of the Comprehensive Plan in the Zoning Ordinance complies with the state-wide planning goals and guidelines. The proposed change will further implement the policies of the Rural Service Center Section of the Comprehensive Plan.
5. The proposed changes are not amendments to the Comprehensive Plan as expressed in the letter of Opposition provided by 1000 Friends of Oregon, Attorney Robert Liberty.

GR:jg