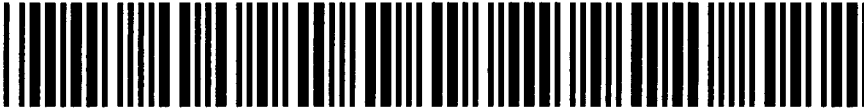


VOL: CJ2000 PAGE: 1034
RECORDED DOCUMENT

STATE OF OREGON
COUNTY OF DESCHUTES



*CJ2000-1034 * Vol-Page

Printed: 12/13/2000 15:35:14

DO NOT REMOVE THIS CERTIFICATE

(This certificate constitutes a part of the original instrument in accordance with ORS 205.180(2). Removal of this certificate may invalidate this certificate and affect the admissibility of the original instrument into evidence in any legal proceeding.)

I hereby certify that the attached instrument was received and duly recorded in Deschutes County records:

DATE AND TIME: Dec. 13, 2000; 1:07 p.m.

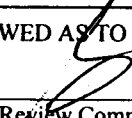
DOCUMENT TYPE: Ordinance (CJ)

NUMBER OF PAGES: 17

A handwritten signature in cursive script that reads "Mary Sue Penhollow".

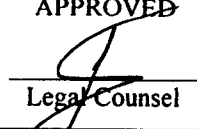
MARY SUE PENHOLLOW
DESCHUTES COUNTY CLERK

KEYBUNCHED
BN
DEC 13 2000

REVIEWED AS TO FORM

Code Review Committee

00 DEC 13 PM 1:07
MARY SUE PENHOLLOW
COUNTY CLERK

CJ 2000-1034

APPROVED

Legal Counsel

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Title 18, Deschutes, *
County Zoning Ordinance, of the Deschutes *
County Code, and Declaring an Emergency. *

ORDINANCE NO. 2000-033

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

Section 1. AMENDMENT. Section 18.36.030, Conditional uses permitted, of the Deschutes County Code, is amended to read as described in Exhibit "A," attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strikethrough~~.

Section 2. AMENDMENT. Section 18.40.030, Conditional uses permitted, of the Deschutes County Code, is amended to read as described in Exhibit "B," attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strikethrough~~.

Section 3. AMENDMENT. Section 18.84.090, Setbacks, of the Deschutes County Code, is amended to read as described in Exhibit "C," attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strikethrough~~.

Section 4. ADDING. Chapter 18.84, Landscape Management Combining Zone, of the Deschutes County Code, is amended by the addition of a new section to read as described in Exhibit "D," attached hereto and by this reference incorporated herein, with new language underlined.

Section 5. AMENDMENT. Section 18.96.020, Designated areas, of the Deschutes County Code, is amended to read as described in Exhibit "E," attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strikethrough~~.

Section 6. AMENDMENT. Section 18.96.080, Criteria to evaluate conditional uses, of the Deschutes County Code, is amended to read as described in Exhibit "F," attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strikethrough~~.

Section 7. AMENDMENT. Section 18.116.050, Manufactured homes, of the Deschutes County Code, is amended to read as described in Exhibit "G," attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strikethrough~~.

Section 8. AMENDMENT. Section 18.116.070, Placement standards for manufactured homes, of the Deschutes County Code, is amended to read as described in Exhibit "H," attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strikethrough~~.

Section 9. ADDING. Section 18.128.040, Specific use standards, of the Deschutes County Code, is amended to add a new subsection as described in Exhibit "I," attached hereto and by this reference incorporated herein, with new language underlined.

Section 10. REPEAL. Section 18.128.080, Time-share unit, of the Deschutes County Code, as described in Exhibit "J," attached hereto and by this reference incorporated herein, is hereby repealed, with language to be deleted in ~~strikethrough~~.

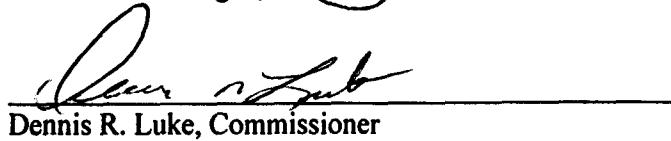
Section 11. AMENDMENT. Section 18.67.030, Residential-5 acre minimum (TuR5) District, of the Deschutes County Code, is amended to read as described in Exhibit "K," attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strikethrough~~.

Section 12. EMERGENCY. This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Ordinance takes effect on its passage.

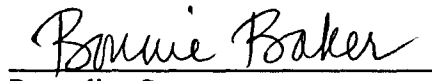
DATED this 6th day of December, 2000.

BOARD OF COUNTY COMMISSIONERS OF
DESCHUTES COUNTY, OREGON


Linda L. Swearingen, Chair


Dennis R. Luke, Commissioner

ATTEST:


Recording Secretary

- excused -
Tom DeWolf, Commissioner

EXHIBIT "A"

18.36.030. Conditional uses permitted.

The following uses and their accessory uses may be allowed in the Forest Use Zone, subject to applicable provisions of the Comprehensive Plan, section 18.36.040 of this title and other applicable sections of this title.

- A. Private hunting and fishing operations without any lodging accommodations.
- B. Caretaker residences for public parks and fish hatcheries.
- C. Temporary forest labor camps limited to the duration of the forest operation requiring its use.
- D. Exploration for and production of geothermal, gas, oil and other associated hydrocarbons, including the placement and operation of compressors, separators and other customary production equipment for an individual well adjacent to the well head.
- E. Log scaling and weigh stations.
- F. Disposal site for solid waste for which the Department of Environmental Quality has granted a permit under Oregon Revised Statutes 459.245, together with equipment, facilities or buildings necessary for its operation.
- G. Parks and campgrounds. For the purpose of this section a campground is an area devoted to overnight temporary use for vacation, recreational or emergency purposes, but not for residential purposes. A camping site may be occupied by a tent, travel trailer or recreational vehicle. Campgrounds shall not include intensively developed recreational uses such as swimming pools, tennis courts, retail stores or gas stations.
- H. Mining and processing of oil, gas or other subsurface resources, as defined in Oregon Revised Statutes chapter 520.005, and not otherwise permitted under subsection (D) of this section.
- I. Television, microwave and radio communication facilities and transmission towers.
- J. Fire stations for rural fire protection.
- K. Utility facilities for the purpose of generating power. A power generation facility shall not preclude more than 10 acres from use as a commercial forest operation unless an exception is taken pursuant to Oregon Administrative Rules 660, Division 4.
- L. Aids to navigation and aviation.
- M. Water intake facilities, related treatment facilities, pumping stations and distribution lines.
- N. Reservoirs and water impoundments.
- O. Cemeteries.
- P. New electric transmission lines with right-of-way widths of up to 100 feet as specified in Oregon Revised Statutes 772.210. New distribution lines (e.g. electrical, gas, oil, geothermal) with rights of way 50 feet or less in width.
- Q. Temporary asphalt and concrete batch plants as accessory uses to specific highway projects.
- R. Home occupations as defined in section 18.04.575 and subject to section 18.128.040(G) of this title.
- S. Expansion of existing airports.
- T. Public road and highway projects as described as Oregon Revised Statutes 215.283(2)(p) through (r) and 215.283(3).
- U. Private accommodations for fishing occupied on a temporary basis subject to other applicable sections of this title and the following requirements:
 - 1. Accommodations are limited to no more than 15 guest rooms as that term is defined in the Oregon Structural Specialty Code;
 - 2. Only minor incidental and accessory retail sales are permitted;

3. Accommodations are occupied temporarily for the purpose of fishing during fishing seasons authorized by the Oregon Fish and Wildlife Commission; and
 4. Accommodations must be located within one-quarter mile of fish-bearing Class I waters as defined in Oregon Administrative Rules 629-24-101(7).
- V. Forest management research and experimentation facilities as defined by Oregon Revised Statutes 526.215 or where accessory to forest operations.
- W. Excavation, grading and fill and removal within the bed and banks of a stream or river or in a wetland, subject to sections 18.120.050 and 18.128.040(W) of this title.
- X. A manufactured home in conjunction with an existing dwelling as a temporary use for the term of a hardship suffered by the existing resident or a relative as defined in Oregon Revised Statutes 215.283. The use shall be subject to the review criteria in section 18.116.090 of this title, as well as sections 18.36.040 and 18.36.060 of this chapter. The manufactured home shall use the same subsurface sewage disposal system used by the existing dwellings if that disposal system is adequate to accommodate the additional dwelling.
- Y. Single-family dwellings or manufactured homes as specified in DCC 18.116.070, pursuant to as specified in section 18.36.050 of this chapter.
 (Ord. 2000-033 § 1, 2000; Ord. 94-038 § 1, 1994; Ord. 92-068 § 1, 1992; Ord. 92-025 § 2, 1992; Ord. 91-038 § 1, 1991; Ord. 90-014 § 28, 1990; Ord. 86-018 § 8, 1986)

EXHIBIT "B"

18.40.030. Conditional uses permitted.

The following uses and their accessory uses may be allowed in the Forest Use Zone, subject to applicable provisions of the Comprehensive Plan, section 18.40.040 and other applicable sections of this title:

- A. Private hunting and fishing operations without any lodging accommodations.
- B. Caretaker residences for public parks and fish hatcheries.
- C. Temporary forest labor camps limited to the duration of the forest operation requiring its use.
- D. Destination Resorts where mapped in a DR zone and subject only to the provisions of chapter 18.113 and other applicable provisions of Title 18 and the Comprehensive Plan not contained in this chapter.
- E. Exploration for and production of geothermal, gas, oil and other associated hydrocarbons, including the placement and operation of compressors, separators and other customary production equipment for an individual well adjacent to the well head.
- F. Log scaling and weigh stations.
- G. Disposal site for solid waste for which the Department of Environmental Quality has granted a permit under Oregon Revised Statutes 459.245, together with equipment, facilities or buildings necessary for its operation.
- H. Parks and campgrounds. For the purpose of this section, a campground is an area devoted to overnight temporary use for vacation, recreational or emergency purposes, but not for residential purposes. A camping site may be occupied by a tent, travel trailer or recreational vehicle. Campgrounds shall not include intensively developed recreational uses such as swimming pools, tennis courts, retail stores or gas stations.
- I. Mining and processing of oil, gas or other subsurface resources, as defined in Oregon Revised Statutes chapter 520.005, and not otherwise permitted under subsection (E) of this section.
- J. Television, microwave and radio communication facilities and transmission towers.
- K. Fire stations for rural fire protection.
- L. Utility facilities for the purpose of generating power. A power generation facility shall not preclude more than 10 acres from use as a commercial forest operation unless an exception is taken pursuant to Oregon Administrative Rules 660, Division 4.
- M. Aids to navigation and aviation.
- N. Water intake facilities, related treatment facilities, pumping stations and distribution lines.
- O. Reservoirs and water impoundments.
- P. Cemeteries.
- Q. New electric transmission lines with right-of-way widths of up to 100 feet as specified in Oregon Revised Statutes 772.210. New distribution lines (e.g. gas, oil, geothermal) with rights of way 50 feet or less in width.
- R. Temporary asphalt and concrete batch plants as accessory uses to specific highway projects.
- S. Home occupations as defined in section 18.04.575 and subject to section 18.128.040(G) of this title.
- T. Expansion of existing airports.
- U. Public road and highway projects as described as Oregon Revised Statutes 215.283(2)(p) through (r) and 215.283(3).
- V. Private accommodations for fishing occupied on a temporary basis subject to other applicable sections of this title and the following requirements:

1. Accommodations are limited to no more than 15 guest rooms as that term is defined in the Oregon Structural Specialty Code;
 2. Only minor incidental and accessory retail sales are permitted;
 3. Accommodations are occupied temporarily for the purpose of fishing during fishing seasons authorized by the Oregon Fish and Wildlife Commission; and
 4. Accommodations must be located within one-quarter mile of fish-bearing Class I waters as defined in Oregon Administrative Rules 629-24-101(7).
- W. Forest management research and experimentation facilities as defined by Oregon Revised Statutes 526.215 or where accessory to forest operations.
- X. Single-family dwellings or manufactured homes as specified in DCC 18.116.070, pursuant to section 18.40.050 of this chapter.
- Y. Excavation, grading and fill and removal within the bed and banks of a stream or river or in a wetland, subject to sections 18.120.050 and 18.128.040(W) of this title.
- Z. A manufactured home in conjunction with an existing dwelling as a temporary use for the term of a hardship suffered by the existing resident or a relative as defined in Oregon Revised Statutes 215.283. The use shall be subject to the review criteria in section 18.116.090 of this title, as well as sections 18.40.040 and 18.40.60 of this chapter. The manufactured home shall use the same subsurface sewage disposal system used by the existing dwellings if that disposal system is adequate to accommodate the additional dwelling.

(Ord. 2000-033, § 2, 2000; Ord. 94-038 § 2, 1994; Ord. 92-025 § 3, 1992; Ord. 91-038 § 1, 1991; Ord. 91-037 § 1, 1991; Ord. 91-020 § 1, 1991; Ord. 91-005 §§ 22, 23 & 24, 1991; Ord. 90-014 §§ 29 & 36, 1990; Ord. 86-018 § 9, 1986; Ord. 84-015 § 2, 1984; Ord. 83-033 § 3, 1983)

EXHIBIT "C"

18.84.090. Setbacks.

- A. Except as provided in this section, minimum setbacks shall be those established in the underlying zone with which the LM Zone is combined.
- B. Road Setbacks. All new structures or additions to existing structures on lots fronting a designated landscape management road shall be set back at least 100 feet from the edge of the designated road unless the Planning Director or Hearings Body finds that:
 - 1. A location closer to the designated road would more effectively screen the building from the road; or protect a distant vista; or
 - 2. The depth of the lot makes a 100-foot setback not feasible; or
 - 3. Buildings on both lots abutting the subject lot have front yard setbacks of less than 100 feet and the adjacent buildings are within 100 feet of the lot line of the subject property, and the depth of the front yard is not less than the average depth of the front yards of the abutting lots.

If the above findings are made, the planning director or hearings body may approve a less restrictive front yard setback which will be appropriate to carry out the purpose of the zone.

- C. River and Stream Setbacks. All new structures or additions to existing structures shall be set back 100 feet from the ordinary high water mark of designated streams and rivers or obtain a setback exception in accordance with section 18.120.030. For the purpose of this section, decks are considered part of a structure and must conform with the setback requirement.

The placement of on-site sewage disposal systems shall be subject to joint review by the Planning Director or Hearings Body and the Deschutes County Environmental Health Division. The

placement of such systems shall minimize the impact on the vegetation along the river and shall allow a dwelling to be constructed on the site as far from the stream or lake as possible. Sand filter systems may be required as replacement systems when this will allow a dwelling to be located further from the stream or to meet the 100-foot setback requirement. (Formerly section 18.84.080(E))

- D. Rimrock Setback. New structures (including decks or additions to existing structures) shall be set back 50 feet from the rimrock in an LM Zone. An exception to this setback may be granted to as close as 20 feet of the rimrock pursuant to the provisions of subsection (E) of this section.
- E. Rimrock Setback Exceptions. An exception to the 50-foot rimrock setback may be granted by the Planning Director or Hearings Body, subject to the following standards and criteria:
 - 1. An exception shall be granted when the Planning Director or Hearings Body finds that:
 - a. A lesser setback will make the structure less visible or completely screened from the river or stream; or
 - b. The subject lot or parcel was a lot of record prior to the adoption of this ordinance; or
 - c. Dwellings (including decks) on both lots or parcels abutting the subject lot within 50 feet of the rimrock and the adjacent buildings are within 100 feet of the lot line of the subject property; or
 - d. Adherence to the 50-foot setback would prevent the structure from being sited on the lot.
 - 2. A dwelling qualifying for a rimrock setback exception under the criteria set forth above shall be located as follows:
 - a. The structure shall be designed and sited to minimize the visual impact when viewed from the ordinary high

water mark on the far side of the river. This shall be determined by viewing the property from the ordinary high water mark immediately across from the center of the river frontage on which the structure is proposed with like evaluations being made 300 feet upstream and downstream on either side of that point over the entire length of river frontage on which the structure is proposed.

- b. Existing trees and shrubs which reduce the visibility of the proposed structure shall be retained.
- c. The height of the structure shall not exceed the setback from the edge of the rimrock.
- d. No structure (including decks) shall be located closer than 20 feet from the edge of the rimrock unless the Planning Director or Hearings Body finds that the lesser setback will

make the structure less visible or the structure is completely screened from the river or stream.

- e. Where multiple nonagricultural structures are proposed on a lot or parcel, the structures shall be grouped or clustered so as to maintain a general appearance of open landscape for the affected area. This shall require a maintenance of at least 65 percent open space along rimrocks within subject lots or parcels.

~~f. Seenie Waterways. Approval of all structures in a State Seenie Waterway shall be conditioned upon receipt of approval of the State Parks Department.~~

(Ord. 2000-033 § 3, 2000; Ord. 92-034 § 2, 1992)

Section 18.84.100. Repealed by Ord. 98-066, 1998

EXHIBIT "D"

18.84.095. Scenic waterways.

Approval of all structures in a State Scenic Waterway shall be conditioned upon receipt of approval of the Oregon Department of Parks and Recreation.

(Ord. 2000-033 § 4, 2000)

EXHIBIT "E"

18.96.020. Designated areas.

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The "Flood Insurance Study for Deschutes County, Oregon and Incorporated Areas" ~~dated August 16, 1988~~ revised June 8, 1998, with accompanying Flood Insurance Rate Maps is hereby adopted by reference and incorporated herein by this reference. The Flood Insurance Study is on file at the Deschutes County Community Development Department.

The Flood Plain Zone shall include all areas designated as "Special Flood Hazard Areas" by the Flood Insurance Study for Deschutes County. When base flood elevation data has not been provided in the Flood Insurance Study, the Planning Division will obtain, review and reasonably utilize any base flood elevation or floodway data available from federal, state or other sources, in determining the location of a flood plain or floodway.

(Ord. 2000-033 § 5, 2000; Ord. 88-030 § 4, 1988)

EXHIBIT "F"

18.96.080. Criteria to evaluate conditional uses.

- A. A conditional use permit in a Flood Plain Zone shall not be approved unless all standards established by the Federal Emergency Management Agency and this title are addressed and findings are made by the Hearings Body or Planning Director that each of the standards and criteria are satisfied.
- B. A conditional use permit shall be based upon findings which relate to the property and existing and proposed structure(s). They shall not pertain to the property owner, inhabitants, economic or financial circumstances.
- C. All structures in the flood plain shall meet the following standards.
 - 1. Anchoring.
 - a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.
 - b. All manufactured homes must be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors, ~~(see FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques, on file with the Planning Division).~~
 - 2. Construction Materials and Methods.
 - a. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
 - b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
 - c. Electrical, heating, ventilation, plumbing and air-conditioning

equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

- 3. Utilities.
 - a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
 - b. New and replacement sanitary systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharge from the system into flood waters.
 - c. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

(Ord. 2000-033 § 6, 2000; Ord. 95-075 § 1, 1995; Ord. 95-022 § 1, 1995; Ord. 93-043 § 15B, 1993; Ord. 93-002 §§ 6-8, and 9, 1993; Ord. 91-020 § 1, 1991; Ord. 89-009 § 7, 1989; Ord. 88-030 § 4, 1988)

EXHIBIT "G"

18.116.050. Manufactured homes.

Manufactured Home Classes. For purposes of these regulations, manufactured homes are divided into the following types:

A. A Class A manufactured home shall:

1. Have more than 1,000 square feet of occupied space in a double section or larger multisection unit;
2. Be placed on a foundation or support system, as specified by the manufacturer. Skirting shall be required;
3. Have wheels, axles and hitch mechanisms removed;
4. Have utilities connected subject to the requirements of the Building Codes Agency and manufacturer's specifications;
5. Bear an insignia of compliance with the Manufactured Housing and Construction and Safety Standards Code as of June 15, 1976;
6. Have roofing materials of a type customarily used on site-constructed residences, including wood shakes or shingles, asphalt or fiberglass shingles, corrugated mat-finish colored metal and tile materials, but not including high-gloss corrugated aluminum or fiberglass panels. The roof pitch shall be a minimum of two over twelve;
7. Have siding materials of a type customarily used on site-constructed residences such as clapboard, horizontal vinyl or aluminum lap-siding, cedar or other wood siding, brick or stone, and not including high-gloss finished material, corrugated metal or fiberglass, or metal or plastic panels.

B. A Class B manufactured home shall:

1. Have at least 750 square feet of occupied space in a single, double, expand or multisection unit;
2. Be placed on a foundation, as specified by the manufacturer. Skirting shall be required;

3. Have wheels, axles and hitch mechanisms removed;
4. Have utilities connected subject to the requirements of the Building Codes Agency and manufacturer's specifications;
5. Bear an insignia of compliance with the Manufactured Housing and Construction and Safety Standards Code as of June 15, 1976;
6. Have roofing materials of a type customarily used on site-constructed residences, including wood shakes or shingles, asphalt or fiberglass shingles, corrugated mat-finish colored metal and tile materials, but not including high-gloss corrugated aluminum or fiberglass panels. The roof pitch shall be a minimum of two over twelve;
7. ~~Have nonreflective siding materials and trim typical of site-constructed residences.~~ Have siding materials of a type customarily used on site-constructed residences such as clapboard, horizontal vinyl or aluminum lap-siding, cedar or other wood siding, brick or stone, and not including high-gloss finished material, corrugated metal or fiberglass, or metal or plastic panels.

C. A Class C manufactured home shall:

1. Have at least 576 square feet of occupied space, excluding tipouts and hitches;
2. Be placed on a foundation or support system, as specified by the manufacturer. Skirting shall be required;
3. Bear an insignia of compliance with the Manufactured Housing and Construction and Safety Standards Code as of June 15, 1976, or bear the Oregon Department of Commerce "Insignia of Compliance;"
4. Have utilities connected subject to the requirements of the Building

Codes Agency and manufacturer's specifications.

- D. A Class D manufactured home shall:
1. Have more than 320 square feet of occupied space;
 2. Be placed on a foundation or support system, as specified by the manufacturer. Skirting shall be required;
 3. Have utilities connected subject to requirements of the Building Codes Agency and manufacturer's specifications.

(Ord. 2000-033 § 7, 2000; Ord. 93-043 §§ 19B-E, 1993; Ord. 91-038 § 4, 1991; Ord. 91-017 §§ 1-3 and 4, 1991; Ord. 91-005 §§ 38-40, and 41, 1991; Ord. 89-004 §§ 3 and 5, 1989; Ord. 81-042 § 1-3 and 4)

EXHIBIT "H"

18.116.070. Placement standards for manufactured homes.

- A. As defined in section 18.116.050 of this chapter, Class A and B manufactured homes shall be permitted as follows, subject to the requirements of the underlying zone:
1. In the following zones, except where there is a Conventional Housing Overlay Zone (CH): Any EFU zone, MUA-10, F-1, F-2, RR-10, any area zoned as an unincorporated community (as that term is defined herein), RSR-M, RSR-5, and FP as the primary dwelling, and R-I and SM as a caretaker's residence.
 2. In manufactured home parks and subdivisions.
 3. As permitted in sections 18.116.080 and 18.116.090 of this chapter.
 4. Class A and B manufactured homes are not permitted in any historic district or on any historic site.
- B. Class C manufactured homes shall be permitted as follows:
1. Except as otherwise allowed in this subsection, on parcels 10 acres in size or larger.
 2. As a secondary accessory farm dwelling.
 3. In manufactured home parks and manufactured home subdivisions.
 4. As permitted in sections 18.116.080 and 18.116.090 of this chapter.
 5. As a replacement to an existing nonconforming manufactured home destroyed by fire or other natural act, or as an upgrade to an existing manufactured home.
 6. In the following subdivisions: Rockview II, Tetherow Crossing, Chaparral Estates, Crystal Acres, Hidden Valley Mobile Estates, Johnson Acres, Seven Peaks, Sun Mountain Ranches, Deschutes River Homesites Rimrock Addition, Happy Acres, Rancho El Sereno, Whispering Pines, Bend Cascade View Estates, Raintree, Holmes Acres, La Pine Meadows North, Pine Crest Ranchettes, Dora's Acres, Pierce Tracts, Roan Park, South Forty, Tomes, Crooked River Ranch, Dale Acres, Replat/Hillman, Lake Park Estates, Mary K. Falls Estates.
7. Class C manufactured homes are not permitted in any historic district or on any historic site.
- C. An exception may be granted by the Planning Director or Hearings Body to allow a Class C manufactured home to be placed in a subdivision which is not listed in paragraph (B)(6), above, where all of the following conditions exist:
1. The manufactured home is specifically designed or has been substantially modified for wheelchair or handicapped access (handicapped accessible manufactured home).
 2. There are Class C manufactured homes in the subdivision located within one-quarter mile of the lot upon which the manufactured home will be placed.
 3. The handicapped-accessible manufactured home and lot upon which the manufactured home is to be placed were purchased by the applicant prior to February 22, 1989.
- D. Class D manufactured homes shall be permitted as follows:
1. In manufactured home parks and subdivisions.
 2. As permitted in sections 18.116.080 and 18.116.090 of this chapter.
 3. Class D manufactured homes are not permitted in any historic district or on any historic site.

(Ord. 2000-033 § 8, 2000; Ord. 96-003 § 8, 1996; Ord. 91-020 § 1, 1991; Ord. 91-005 §§ 42 and 43, 1991; Ord. 89-016 § 1, 1989; Ord. 89-014 § 1, 1989; Ord. 89-004 §§ 3 and 5, 1989; Ord. 81-042 § 5, 1981)

EXHIBIT "I"

18.128.040. Specific use standards.

A conditional use shall comply with the standards of the zone in which it is located and with the standards and conditions set forth in this section.

GG. Time-share unit.

A time-share unit established under this subsection shall meet the following conditions:

1. Any time-share unit project shall have its primary access on an arterial or collector street.
2. New time-share units may be developed in vacant areas in the applicable zoning districts provided that such developments comply with (1) above, and the following:
 - a. That such development has a minimum site size of 10 acres, except within the UUC-Sunriver Zone.
 - b. That such development is appropriately buffered by the use of yards, landscaping, etc., from adjoining properties as determined during site plan review considering the need for privacy and the effects of noise.
3. The Planning Director or Hearings Body may require bonds to assure installation and maintenance of landscaping, parking and facilities that are part of the buffering scheme. It may also require that an adequate mechanism will exist, such as an owners' association, that will assure maintenance of such facilities.
4. No structure shall be utilized as a time-share unit unless all the units in the structure or particular phase of the development are used as time-share units for this purpose.

1997; Ord. 96-003 § 9, 1996; Ord. 95-075 § 1, 1995; Ord. 95-046 § 3, 1995; Ord. 94-053, § 6, 1994; Ord. 94-008 § 15, 1994; Ord. 93-043 §§ 23A-J, 1993; Ord. 93-005 §§ 9, 10 and 11, 1993; Ord. 92-025 §§ 6 and 7, 1992; Ord. 92-004 § 12, 1992; Ord. 91-038 §§ 1 and 3, 1991; Ord. 91-020 § 1, 1991; Ord. 91-005 §§ 46 and 47, 1991; Ord. 90-014 §§ 39 and 40, 1990; Ord. 89-008 § 1, 1989; Ord. 87-032 § 1, 1987; Ord. 86-056 §§ 3 and 4, 1986; Ord. 86-018 § 1, 1986; Ord. 85-002 § 9, 1985; Ord. 84-023 § 4, 1984; Ord. 84-015 § 3, 1984; Ord. 80-206 § 4, 1980)

Note: DCC 18.128.040(FF) is repealed December 31, 2001.

(Ord. 2000-033 § 9, 2000; Ord. 98-056 § 2, 1998. Ord. 98-013 §§ 2, 3, 4 & 5, 1998; Ord. 97-063 § 2, 1997; Ord. 97-029 § 3, 1997; Ord. 97-022 § 1, 1997; Ord. 97-017 § 8,

EXHIBIT "J"

~~18.128.080. Time share unit.~~

~~A. Any time share unit project shall have its primary access on an arterial or collector street.~~

~~B. New time share units may be developed in vacant areas in the applicable zoning districts provided that such developments comply with (A), above, and the following:~~

~~1. That such development has a minimum site size of 10 acres, except within the Planned Community (PC) Zone.~~

~~2. That such development is appropriately buffered by the use of yards, landscaping, etc., from adjoining properties as determined during site plan review considering the need for privacy and the effects of noise.~~

~~C. The Planning Director or Hearings Body may require bonds to assure installation and maintenance of landscaping, parking and facilities that are part of the buffering scheme. It may also require that an adequate mechanism will exist, such as an owners' association, that will assure maintenance of such facilities.~~

~~D. No structure shall be utilized as a time share unit unless all the units in the structure or particular phase of the development are used as time share units for this purpose.~~

~~(Ord. 91-020 § 1, 1991; Ord. 83-033 § 11, 1983)~~

Section 18.128.080. Repealed by Ord. 2000-033, 2000

EXHIBIT "K"

18.67.030. Residential-5 acre minimum (TuR5) District.

The purpose of the ~~Terrebonne~~ Tumalo Residential-5 Acre Minimum District is to retain large rural residential lots.

A. Permitted Uses. The following uses and their accessory uses are permitted outright and do not require site plan review.

1. Single-family dwelling or a manufactured home subject to DCC 18.116.070.
2. Home occupation that:
 - a. Is carried on within a dwelling only by members of the family who reside in the dwelling;
 - b. Does not serve clients or customers onsite;
 - c. Does not produce odor, dust, glare, flashing lights or noise;
 - d. Does not occupy more than 25 percent of the floor area of the dwelling; and
 - e. Does not involve the on-premise display or sale of stock in trade.
3. Agricultural uses as defined in DCC 18.04, involving:
 - a. Keeping of cows, horses, goats, sheep or similar farm animals, provided that the total numbers of such animals over the age of six months is limited to the square footage of the lot or parcel divided by 20,000 square feet.
 - b. Keeping of chickens, fowl, rabbits or similar farm animals over the age of six months, provided that the total numbers of such animals does not exceed one for each 500 square feet of property.
4. Class I and II road or street project subject to approval as part of a land partition, subdivision or subject to the standards of DCC 18.67.080 and 18.116.230.
5. Class III road or street project.

B. Conditional Uses. The following uses and their accessory uses are permitted

subject to the applicable provisions of DCC 18.116, 18.124, and 18.128:

1. Church.
2. Home occupation as defined in chapter 18.04 of title 18
3. Public or private school.
4. Child care center
5. Park.
6. Public or semi-public building.
7. Utility facility.
8. Water supply or treatment facility.
9. Wireless telecommunications facilities, except those facilities meeting the requirements of DCC 18.116.250(A) or (B).

C. Lot Requirements. The minimum lot or parcel size in the TuR5 District is five (5) acres.

D. Yard Standards.

1. Front Yard. The front yard shall be 20 feet for a property fronting on a local street right-of-way, 30 feet for a property fronting on a collector right-of-way, and 80 feet for a property fronting on an arterial right-of-way.
2. Side Yard. A side yard shall be a minimum of five feet and the sum of the two side yards shall be a minimum of 15 feet, subject to DCC 18.67.030(E)(4).
3. Rear Yard. The minimum rear yard shall be 20 feet, subject to DCC 18.67.030(D)(4).
4. Exception to Yard Standards. Any new structure requiring a building permit on a lot adjacent to EFU-zoned land that is receiving special assessment for farm use shall be set back a minimum of 100 feet from the common property line.

(Ord. 2000-033 § 11, 2000; Ord. 97-063 § 3, 1997; Ord. 97-033 § 2, 1997)