

Section 4. AMENDING. Deschutes County Code Chapter 18.40, Forest Use Zone; F-2, is amended to read as described in Exhibit “D”, attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strikethrough~~.

Section 5. AMENDING. Deschutes County Code Chapter 18.60, Rural Residential Zone, RR-10, 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. AMENDING. Deschutes County Code Chapter 18.65, Rural Service Center, Unincorporated Community Zone, 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. AMENDING. Deschutes County Code Chapter 18.66, Terrebonne Rural Community Zoning Districts, 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. AMENDING. Deschutes County Code Chapter 18.67, Tumalo Rural Community Zoning Districts, 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. AMENDING. Deschutes County Code Chapter 18.74, Rural Commercial Zone, is amended to read as described in Exhibit “I”, attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strikethrough~~.

Section 10. AMENDING. Deschutes County Code Chapter 18.108, Unincorporated Community Zone; Sunriver, is amended to read as described in Exhibit “J”, attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strikethrough~~.

Section 11. AMENDING. Deschutes County Code Chapter 18.110, Resort Community Zone, 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. AMENDING. Deschutes County Code Chapter 18.116, Supplementary Provisions, is amended to read as described in Exhibit “L”, attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strikethrough~~.

Section 13. FINDINGS. The Board adopts as its findings Exhibit “M,” attached and incorporated by reference herein.


Dated this 21st of May, 2025

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON


ANTHONY DeBONE, Chair


PATTI ADAIR, Vice Chair

ATTEST:


Recording Secretary


PHILIP CHANG, Commissioner

Date of 1st Reading: 7th day of May, 2025.

Date of 2nd Reading: 21st day of May, 2025.

Record of Adoption Vote:

Commissioner	Yes	No	Abstained	Excused
Anthony DeBONE	<u>X</u>	—	—	—
Patti Adair	<u>X</u>	—	—	—
Philip Chang	<u>X</u>	—	—	—

Effective date: 19th day of August, 2025.

18.16.050 Standards For Dwellings In The EFU Zones

Dwellings listed in DCC 18.16.025 and 18.16.030 may be allowed under the conditions set forth below for each kind of dwelling, and all dwellings are subject to the landowner for the property upon which the dwelling is placed, signing and recording in the deed records for the County, a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

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H. Temporary hardship dwelling.

1. A temporary hardship dwelling listed in DCC 18.16.030 is allowed ~~under the following conditions: subject to DCC 18.116.090, and the requirements of this chapter.~~
 - a. ~~The dwelling is an existing building, or is a manufactured dwelling or recreational vehicle that is used in conjunction with an existing dwelling on the lot or parcel. For the purposes of this section, "existing" means the building was in existence on or before March 29, 2017;~~
 - b. ~~The manufactured dwelling or recreational vehicle would be temporarily sited on the lot or parcel only for the term of a hardship suffered by the existing resident or relative of the resident. The manufactured dwelling shall be removed or demolished within three months of the date the hardship no longer exists. The recreational vehicle shall not be occupied once the term of the medical hardship is completed, except as allowed under DCC 18.116.095. A temporary residence approved under this section is not eligible for replacement under DCC 18.16.020(J);~~
 - c. ~~The existence of a medical hardship is verified by a written doctor's statement, which shall accompany the permit application; and~~
 - d. ~~The temporary manufactured dwelling uses the same subsurface sewage disposal system used by the existing dwelling, provided that the existing disposal system is adequate to accommodate the additional dwelling. If the manufactured home will use a public sanitary sewer system, such condition will not be required.~~
 - e. ~~If a recreational vehicle is used as a medical hardship dwelling, it shall be required to have a bathroom, and shall meet the minimum setbacks established under DCC 18.16.070.~~
2. ~~Permits granted under DCC 18.16.050(H) shall be subject to the provisions of DCC 18.116.090 and shall be required to meet any applicable DEQ review and removal requirements as a condition of approval.~~

3. ~~As used in DCC 18.16.050(H), the term "hardship" means a medical hardship or hardship for the care of an aged or infirm person or persons.~~
4. ~~As used in DCC 18.16.050(H), the term "relative" means grandparent, step-grandparent, grandchild, parent, step-parent, child, step-child, brother, sister, sibling, step-sibling, niece, nephew, uncle, aunt, or first cousin of the existing resident.~~
5. ~~The proposed hardship dwelling or recreational vehicle shall meet the criteria under DCC 18.16.040(A)(1-2) and DCC 18.16.020(J)(1).~~
2. A temporary hardship dwelling approved under this section is not eligible for replacement under DCC 18.16.020(J);

HISTORY

Adopted by Ord. PL-15 on 11/1/1979
Repealed & Reenacted by Ord. 91-020 §1 on 5/29/1991
Amended by Ord. 91-038 §§1 and 2 on 9/30/1991
Amended by Ord. 92-065 §3 on 11/25/1992
Amended by Ord. 94-026 §1 on 5/11/1994
Amended by Ord. 95-007 §15 on 3/1/1995
Amended by Ord. 98-030 §1 on 5/13/1998
Amended by Ord. 98-033 §1 on 12/2/1998
Amended by Ord. 2004-001 §2 on 7/14/2004
Amended by Ord. 2004-013 §2 on 9/21/2004
Amended by Ord. 2004-020 §1 on 10/13/2004
Amended by Ord. 2008-001 §2 on 5/6/2008
Amended by Ord. 2009-014 §1 on 6/22/2009
Amended by Ord. 2012-007 §2 on 5/2/2012
Amended by Ord. 2014-010 §1 on 4/28/2014
Amended by Ord. 2018-006 §5 on 11/20/2018
Amended by Ord. 2021-013 §4 on 4/5/2022
Amended by Ord 2025-002 §4 on 3/28/2025
Amended by Ord. 2025-005 §1 on 5/21/2025

CHAPTER 18.32 MULTIPLE USE AGRICULTURAL ZONE; MUA

18.32.010 Purpose

18.32.020 Uses Permitted Outright

18.32.030 Conditional Uses Permitted

18.32.035 Destination Resorts

18.32.040 Dimensional Standards

18.32.050 Setbacks

18.32.060 Ordinary High Water Mark Setbacks

18.32.070 Rimrock Setback

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18.32.020 Uses Permitted Outright

The following uses and their accessory uses are permitted outright:

- A. Agricultural uses as defined in DCC Title 18.
- B. A single-unit dwelling, or a manufactured dwelling subject to DCC 18.116.070.
- C. Propagation or harvesting of a forest product.
- D. Class I and II road or street project subject to approval as part of a land partition, subdivision or subject to the standards and criteria established by DCC 18.116.230.
- E. Class III road or street project.
- F. Noncommercial horse stables, excluding horse events.
- G. Horse events, including associated structures, involving:
 - 1. Fewer than 10 riders;
 - 2. Ten to 25 riders, no more than two times per month on nonconsecutive days; or
 - 3. More than 25 riders, no more than two times per year on nonconsecutive days. Incidental musical programs are not included in this definition. Overnight stays by participants, trainers or spectators in RVs on the premises is not an incident of such horse events.
- H. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.
- I. Type 1 Home Occupation, subject to DCC 18.116.280.
- J. A historic accessory dwelling unit, subject to DCC 18.116.350.
- K. A residential accessory dwelling unit, subject to DCC 18.116.355.
- L. Residential Home.

M. A recreational vehicle as a rental dwelling, subject to 18.116.095(D).

N. Temporary Hardship Dwelling, subject to DCC 18.116.090.

HISTORY

Adopted by Ord. PL-15 on 11/1/1979

Amended by Ord. 91-002 §6 on 2/6/1991

Amended by Ord. 91-005 §18 on 3/4/1991

Amended by Ord. 91-020 §1 on 5/29/1991

Amended by Ord. 91-038 §1 on 9/30/1991

Amended by Ord. 93-001 §1 on 1/27/1993

Amended by Ord. 93-043 §4 on 8/25/1993

Amended by Ord. 94-008 §10 on 6/8/1994

Amended by Ord. 2001-016 §2 on 3/28/2001

Amended by Ord. 2001-039 §2 on 12/12/2001

Amended by Ord. 2004-002 §3 on 4/28/2004

Amended by Ord. 2019-009 §1 on 9/3/2019

Recorded by Ord. 2019-009 §1 on 9/3/2019

Adopted by Ord. 2023-014 §1 on 12/1/2023

Amended by Ord. 2024-008 §4 on 1/7/2025

Amended by Ord. 2025-002 §6 on 3/28/2025

Amended by Ord. 2025-004 §2 on 5/7/2025

Amended by Ord. 2025-005 §2 on 5/21/2025

CHAPTER 18.36 FOREST USE ZONE; F-1

18.36.010 Purpose

18.36.020 Uses Permitted Outright

18.36.030 Conditional Uses Permitted

18.36.040 Limitations On Conditional Uses

18.36.050 Standards For Single-Unit Dwellings

18.36.060 Siting Of Dwellings And Structures

18.36.070 Fire Siting Standards For Dwellings And Structures

18.36.080 Fire Safety Design Standards For Roads

18.36.085 Stocking Requirement

18.36.090 Dimensional Standards

18.36.100 Setbacks

18.36.110 Ordinary High Water Mark Setbacks

18.36.120 State Law Controls

18.36.130 Rimrock Setbacks

18.36.140 Restrictive Covenants

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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, DCC 18.36.040 and other applicable sections of DCC Title 18.

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- X. ~~An existing building, or a manufactured dwelling 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 ORS 215.283. For the purposes of this section, "existing" means the building was in existence on or before March 29, 2017. Temporary hardship dwelling in conjunction with an existing dwelling.~~
1. ~~A temporary hardship dwelling is conditionally allowed subject to the provisions in DCC 18.116.090, as well as DCC 18.36.040 and 18.36.060 of this chapter. As used in this section, "hardship" means a medical hardship or hardship for the care of an aged or infirm person or persons.~~
 2. ~~The use shall be subject to the review criteria in DCC 18.116.090, as well as DCC 18.36.040 and 18.36.060 of this chapter.~~
 3. ~~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.~~
 4. ~~If the manufactured dwelling will use a public sanitary sewer system, such condition will not be required.~~

A temporary hardship dwelling residence approved under this subsection is not eligible for replacement under OAR 660-006-025.

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HISTORY

Adopted by Ord. PL-15 on 11/1/1979

Amended by Ord. 86-018 §8 on 6/30/1986

Amended by Ord. 90-014 §28 on 7/12/1990

Amended by Ord. 92-025 §2 on 4/15/1991

Amended by Ord. 91-038 §1 on 9/30/1991

Amended by Ord. 92-068 §1 on 12/7/1992

Amended by Ord. 94-038 §1 on 10/5/1994

Amended by Ord. 2000-033 §1 on 12/6/2000

Amended by Ord. 2004-020 §6 on 10/13/2004

Amended by Ord. 2007-020 §4 on 2/6/2008

Amended by Ord. 2012-007 §4 on 5/2/2012

Amended by Ord. 2018-006 §7 on 11/20/2018

Amended by Ord. 2020-007 §11 on 10/27/2020

Amended by Ord 2025-002 §7 on 3/28/2025

Amended by Ord. 2025-005 §3 on 5/21/2025

CHAPTER 18.40 FOREST USE ZONE: F-2

18.40.010 Purpose

18.40.020 Uses Permitted Outright

18.40.030 Conditional Uses Permitted

18.40.040 Limitations On Conditional Uses

18.40.050 Standards For Single-Unit Dwellings

18.40.060 Siting Of Dwellings And Structures

18.40.070 Fire Siting Standards For Dwellings And Structures

18.40.080 Fire Safety Design Standards For Roads

18.40.085 Stocking Requirement

18.40.090 Dimensional Standards

18.40.100 Setbacks

18.40.110 Ordinary High Water Mark Setbacks

18.40.120 State Law Controls

18.40.130 Rimrock Setback

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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, DCC 18.40.040 and other applicable sections of DCC Title 18:

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- Z. ~~An existing building, or a manufactured dwelling 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 ORS 215.283. For the purposes of this section, "existing" means the building was in existence on or before March 29, 2017.~~ Temporary Hardship Dwelling
 - 1. ~~A temporary hardship dwelling is conditionally allowed subject to the provisions in 18.116.090, as well as DCC 18.40.040, and 18.40.060 of this chapter. As used in this section, "hardship" means a medical hardship or hardship for the care of an aged or infirm person or persons.~~
 - 2. ~~The use shall be subject to the review criteria in DCC 18.116.090, as well as DCC 18.40.040 and 18.40.60.~~
 - 3. ~~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.~~
 - 4. ~~If the manufactured dwelling will use a public sanitary sewer system, such condition will not be required.~~

- 5: A temporary residence approved under this subsection is not eligible for replacement under OAR 660-006-025.

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HISTORY

Adopted by Ord. PL-15 on 11/1/1979

Amended by Ord. 86-018 §8 on 6/30/1986

Amended by Ord. 90-014 §28 on 7/12/1990

Amended by Ord. 92-025 §2 on 4/15/1991

Amended by Ord. 91-038 §1 on 9/30/1991

Amended by Ord. 92-068 §1 on 12/7/1992

Amended by Ord. 94-038 §1 on 10/5/1994

Amended by Ord. 2000-033 §1 on 12/6/2000

Amended by Ord. 2004-020 §6 on 10/13/2004

Amended by Ord. 2007-020 §4 on 2/6/2008

Amended by Ord. 2012-007 §4 on 5/2/2012

Amended by Ord. 2018-006 §7 on 11/20/2018

Amended by Ord. 2020-007 §11 on 10/27/2020

Amended by Ord. 2025-002 §8 on 3/28/2025

Amended by Ord. 2025-005 §4 on 5/21/2025

CHAPTER 18.60 RURAL RESIDENTIAL ZONE; RR-10

18.60.010 Purposes

18.60.020 Uses Permitted Outright

18.60.030 Conditional Uses Permitted

18.60.035 Destination Resorts

18.60.040 Setback Requirements

18.60.050 Ordinary High Water Mark Setback

18.60.060 Dimensional Standards

18.60.070 Limitations On Conditional Uses

18.60.080 Rimrock Setback

18.60.090 Oregon Water Wonderland Unit 2 Sewer District Limited Use Combining Zone

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18.60.020 Uses Permitted Outright

The following uses and their accessory uses are permitted outright.

- A. A single-unit dwelling, or a manufactured dwelling subject to DCC 18.116.070.
- B. Utility facilities necessary to serve the area including energy facilities, water supply and treatment and sewage disposal and treatment.
- C. Community center, if shown and approved on the original plan or plat of the development.
- D. Agricultural use as defined in DCC Title 18.
- E. Class I and II road or street project subject to approval as part of a land partition, subdivision or subject to the standards and criteria established by DCC 18.116.230.
- F. Class III road or street project.
- G. Noncommercial horse stables as defined in DCC Title 18, excluding horse events.
- H. Horse events, including associated structures, involving:
 - 1. Fewer than 10 riders;
 - 2. Ten to 25 riders, no more than two times per month on nonconsecutive days; or
 - 3. More than 25 riders, no more than two times per year on nonconsecutive days. Incidental musical programs are not included in this definition. Overnight stays by participants, trainers or spectators in RVs on the premises is not an incident of such horse events.
- I. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.
- J. Type 1 Home Occupation, subject to DCC 18.116.280.

- K. A historic home accessory dwelling unit, subject to DCC 18.116.350.
- L. A residential accessory dwelling unit, subject to DCC 18.116.355.
- M. Residential Home.
- N. A recreational vehicle as rental dwelling, subject to 18.116.095(D).
- O. Temporary Hardship Dwelling, subject to DCC 18.116.090.

HISTORY

Adopted by Ord. PL-15 on 11/1/1979

Amended by Ord. 91-005 §§30 & 31 on 3/4/1991

Amended by Ord. 91-020 §1 on 5/29/1991

Amended by Ord. 93-043 §8 on 8/25/1993

Amended by Ord. 94-008 §12 on 6/8/1994

Amended by Ord. 2001-016 §2 on 3/28/2001

Amended by Ord. 2001-039 §5 on 12/12/2001

Amended by Ord. 2004-002 §7 on 4/28/2004

Amended by Ord. 2019-009 §2 on 9/3/2019

Recorded by Ord. 2019-009 §2 on 9/3/2019

Adopted by Ord. 2023-014 §2 on 12/1/2023

Amended by Ord. 2024-008 §7 on 1/7/2025

Amended by Ord. 2025-002 §12 on 3/28/2025

Amended by Ord. 2025-004 §3 on 5/7/2025

Amended by Ord. 2025-005 §5 on 5/21/2025

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CHAPTER 18.65 RURAL SERVICE CENTER; UNINCORPORATED COMMUNITY ZONE

18.65.010 Purpose

18.65.020 RSC; Commercial/Mixed Use District (Brothers, Hampton, Millican, Whistlestop And Wildhunt)

18.65.021 Alfalfa RSC; Commercial/Mixed Use District

18.65.022 Alfalfa RSC; Residential District

18.65.023 RSC; Open Space District

18.65.030 Standards For All Districts

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18.65.020 RSC; Commercial/Mixed Use District (Brothers, Hampton, Millican, Whistlestop And Wildhunt)

A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright, subject to applicable provisions of this chapter:

1. A single-unit dwelling or a manufactured dwelling, subject to DCC 18.116.070.
2. Type 1 Home Occupation, subject to DCC 18.116.280.
3. Residential home.
4. A duplex.
5. Agricultural uses, as defined in DCC Title 18, and excluding livestock feed lot or sales yard, and hog or mink farms.
6. Class I and II road or street project subject to approval as part of a land partition, subdivision or subject to the standards and criteria established by DCC 18.116.230.
7. Class III road and street project.
8. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.
9. Temporary Hardship Dwelling, subject to DCC 18.116.090.

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HISTORY

Adopted by Ord. 2002-002 §2 on 6/5/2002

Amended by Ord. 2002-028 §1 on 7/24/2002

Amended by Ord. 2004-002 §11 on 4/28/2004

Amended by Ord. 2015-004 §2 on 4/22/2015

Amended by Ord. 2016-015 §4 on 7/1/2016

Amended by Ord. 2018-006 §8 on 11/20/2018

Amended by Ord. 2020-001 §6 on 4/21/2020

Amended by Ord. 2022-014 §2 on 4/4/2023
Amended by Ord. 2024-008 §8 on 1/7/2025
Amended by Ord. 2025-002 §14 on 3/28/2025
Amended by Ord. 2025-005 §6 on 5/21/2025

18.65.021 Alfalfa RSC; Commercial/Mixed Use District

In Alfalfa, the following uses and their accessory uses are permitted:

A. Uses Permitted Outright.

1. A single-unit dwelling or a manufactured dwelling, subject to DCC 18.116.070.
2. Type 1 Home Occupation, subject to DCC 18.116.280.
3. Residential home.
4. Residential facility.
5. A duplex.
6. Agricultural uses, as defined in DCC Title 18, and excluding livestock feed lot or sales yard, and hog or mink farms.
7. Class I and II road or street project subject to approval as part of a land partition, subdivision or subject to the standards and criteria established by DCC 18.116.230.
8. Class III road and street project.
9. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.
10. Temporary Hardship Dwelling, subject to DCC 18.116.090.

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HISTORY

Adopted by Ord. 2002-002 §2 on 6/5/2002
Amended by Ord. 2018-006 §8 on 11/20/2018
Amended by Ord. 2020-001 §6 on 4/21/2020
Amended by Ord. 2022-014 §2 on 4/4/2023
Amended by Ord. 2024-008 §8 on 1/7/2025
Amended by Ord. 2025-002 §14 on 3/28/2025
Amended by Ord. 2025-005 §6 on 5/21/2025

18.65.022 Alfalfa RSC; Residential District

- A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright, subject to the applicable provisions of this chapter:

1. Agricultural uses, as defined in DCC Title 18, subject to the restrictions in DCC 18.65.021(D), and excluding livestock feed lot or sales yard, and hog or mink farms.
2. A single-unit dwelling, or a manufactured dwelling subject to DCC 18.116.070.
3. A duplex.
4. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.
5. Class I and II road or street project subject to approval as part of a land partition, subdivision or subject to the standards and criteria established by DCC 18.116.230.
6. Class III road or street project.
7. Type 1 Home Occupation, subject to DCC 18.116.280.
8. Residential home.
9. Temporary Hardship Dwelling, subject to DCC 18.116.090.

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HISTORY

Adopted by Ord. 2002-002 §2 on 6/5/2002

Amended by Ord. 2002-028 §1 on 7/24/2002

Amended by Ord. 2004-002 §12 on 4/28/2004

Amended by Ord. 2020-001 §6 on 4/21/2020

Amended by Ord. 2020-010 §2 on 7/3/2020

Amended by Ord. 2024-008 §8 on 1/7/2025

Amended by Ord. 2025-002 §14 on 3/28/2025

Amended by Ord. 2025-005 §6 on 5/21/2025

CHAPTER 18.66 TERREBONNERURAL COMMUNITY ZONING DISTRICTS

18.66.010 Purpose

18.66.020 Residential (TeR) District

18.66.030 Residential-5 Acre Minimum (TeR5) District

18.66.040 Commercial (TeC) District

18.66.050 Commercial-Rural (TeCR) District

18.66.060 Standards For All Districts

18.66.070 Right-Of-Way Development Standards

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18.66.020 Residential (TeR) District

The Terrebonne Residential District allows a mixture of dwelling types and densities suited to the level of available water and sewer facilities. The purpose of this district is to allow new residential development that is compatible with the rural character of the area.

- A. Permitted uses. The following uses and their accessory uses are permitted outright and do not require site plan review under DCC 18.124:
1. A single-family dwelling or a manufactured dwelling subject to DCC 18.116.070.
 2. A duplex.
 3. Type 1 Home Occupation, subject to DCC 18.116.280.
 4. Agricultural uses as defined in DCC 18.04, involving:
 - a. Keeping of cows, horses, goats, sheep or similar farm animals, provided that the total number of such animals over the age of six months is limited to the lot area divided by 20,000 square feet.
 - b. Keeping of chickens, fowl, rabbits or similar farm animals, provided that the total number of such animals over the age of six months does not exceed one for each 500 square feet of lot area.
 5. 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 18.66.070 and 18.116.230.
 6. Class III road or street project.
 7. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.
 8. Residential home.
 9. Temporary Hardship Dwelling, subject to 18.116.090.

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HISTORY

Adopted by Ord. 97-003 §2 on 6/4/1997

Amended by Ord. 97-063 §3 on 11/12/1997

Amended by Ord. 2004-002 §13 on 4/28/2004

Amended by Ord. 2020-001 §7 on 4/21/2020

Amended by Ord. 2020-010 §3 on 7/3/2020

Amended by Ord. 2024-008 §9 on 1/7/2025

Amended by Ord. 2025-002 §15 on 3/28/2025

Amended by Ord. 2025-005 §7 on 5/21/2025

18.66.030 Residential-5 Acre Minimum (TeR5) District

The purpose of the Terrebonne Residential-5 Acre Minimum District is to retain large rural residential lots or parcels where community sewer and water are not available.

A. Permitted Uses. The following uses and their accessory uses are permitted outright and do not require site plan review under DCC 18.124:

1. A single-unit dwelling or a manufactured dwelling subject to DCC 18.116.070.
2. A duplex.
3. Type 1 Home Occupation, subject to DCC 18.116.280.
4. Agricultural uses as defined in DCC 18.04, involving:
 - a. Keeping of cows, horses, goats, sheep or similar farm animals, provided that the total number of such animals over the age of six months is limited to the lot area 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 lot area
5. 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 18.66.070 and 18.116.230.
6. Class III road or street project.
7. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.
8. Residential home.
9. Temporary Hardship Dwelling, subject to DCC 18.116.090.

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HISTORY

Adopted by Ord. 97-003 §2 on 6/4/1997

Amended by Ord. 97-063 §3 on 11/12/1997

Amended by Ord. 2004-002 §14 on 4/28/2004

Amended by Ord. 2020-001 §7 on 4/21/2020

Amended by Ord. 2020-010 §3 on 7/3/2020

Amended by Ord. 2024-008 §9 on 1/7/2025

Amended by Ord. 2025-002 §15 on 3/28/2025

Amended by Ord. 2025-005 §7 on 5/21/2025

18.66.040 Commercial (TeC) District

The Terrebonne Commercial District is intended to allow a range of commercial and limited industrial uses to serve the community and surrounding rural area.

A. Permitted Uses. The following uses and their accessory uses are permitted outright and do not require site plan review under DCC 18.124:

1. A single-unit dwelling or a duplex on a lot or parcel existing on June 4, 1997.
2. A manufactured dwelling on a lot or parcel existing on June 4, 1997, subject to DCC 18.116.070.
3. Type 1 Home Occupation, subject to DCC 18.116.280.
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 18.66.070 and 18.116.230.
5. Class III road or street project.
6. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.
7. Residential home on a lot or parcel existing on June 4, 1997.
8. Temporary Hardship Dwelling, subject to DCC 18.116.090.

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HISTORY

Adopted by Ord. 97-003 §2 on 6/4/1997

Amended by Ord. 97-063 §3 on 11/12/1997

Amended by Ord. 2004-002 §15 on 4/28/2004

Amended by Ord. 2015-004 §3 on 4/22/2015

Amended by Ord. 2016-015 §5 on 7/1/2016

Amended by Ord. 2020-001 §7 on 4/21/2020

Amended by Ord. 2020-010 §3 on 7/3/2020

Amended by Ord. 2021-004 §3 on 5/27/2021

Amended by Ord. 2022-014 §3 on 4/4/2023
Amended by Ord. 2024-008 §9 on 1/7/2025
Amended by Ord. 2025-002 §15 on 3/28/2025
Amended by Ord. 2025-005 §7 on 5/21/2025

18.66.050 Commercial-Rural (TeCR) District

The Terrebonne Commercial-Rural District allows a mix of commercial and industrial uses common to a farming community.

A. Permitted Uses. The following uses and their accessory uses are permitted outright and do not require site plan review under DCC 18.124:

1. A single-unit dwelling on a lot or parcel existing on June 4, 1997.
2. A manufactured dwelling on a lot or parcel existing on June 4, 1997, subject to DCC 18.116.070.
3. Type 1 Home Occupation, subject to DCC 18.116.280.
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 18.66.070 and 18.116.230.
5. Class III road or street project.
6. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.
7. Residential home on a lot or parcel existing on June 4, 1997.
8. Temporary Hardship Dwelling, subject to DCC 18.116.090.

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HISTORY

Adopted by Ord. 97-003 §2 on 6/4/1997
Amended by Ord. 2001-016 §2 on 3/28/2001
Amended by Ord. 2001-039 §7 on 12/12/2001
Amended by Ord. 2004-002 §16 on 4/28/2004
Amended by Ord. 2015-004 §4 on 4/22/2015
Amended by Ord. 2016-015 §5 on 7/1/2016
Amended by Ord. 2020-001 §7 on 4/21/2020
Amended by Ord. 2021-004 §3 on 5/27/2021
Amended by Ord. 2024-008 §9 on 1/7/2025
Amended by Ord. 2025-002 §15 on 3/28/2025
Amended by Ord. 2025-005 §7 on 5/21/2025

CHAPTER 18.67 TUMALO RURAL COMMUNITY ZONING DISTRICTS

18.67.010 Purpose

18.67.020 Residential (TuR) District

18.67.030 Residential-5 Acre Minimum (TuR5) District

18.67.040 Commercial (TuC) District

18.67.050 Research And Development (TuRE) District

18.67.060 Industrial (Tul) District

18.67.070 Flood Plain (TuFP) District

18.67.080 Standards For All Districts

18.67.090 Right-Of-Way Development Standards

...

18.67.020 Residential (TuR) District

The Tumalo Residential (TuR) District allows a mixture of housing types and densities suited to the level of available water and sewer facilities. The purpose of this district is to allow new residential development that is compatible with the rural character of the area.

- A. Permitted Uses. The following uses and their accessory uses are permitted outright and do not require site plan review under DCC 18.124.
1. A single-unit dwelling, or a manufactured dwelling subject to DCC 18.116.070.
 2. A duplex.
 3. Type 1 Home Occupation, subject to DCC 18.116.280.
 4. Agricultural uses as defined in DCC Title 18, involving:
 - a. Keeping of cows, horses, goats, sheep or similar farm animals, provided that the total number of such animals over the age of six months is limited to the lot area divided by 20,000 square feet.
 - b. Keeping of chickens, fowl, rabbits or similar farm animals, provided that the total number of such animals over the age of six months does not exceed one for each 500 square feet of lot area
 5. 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.
 6. Class III road or street project.
 7. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.
 8. Residential home.
 9. Temporary Hardship Dwelling, subject to DCC 18.116.090.

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HISTORY

Adopted by Ord. 97-033 §2 on 6/25/1997

Amended by Ord. 97-063 §3 on 11/12/1997

Amended by Ord. 2001-016 §2 on 3/28/2001

Amended by Ord. 2001-039 §8 on 12/12/2001

Amended by Ord. 2004-002 §17 on 4/28/2004

Amended by Ord. 2020-001 §8 on 4/21/2020

Amended by Ord. 2020-010 §4 on 7/3/2020

Amended by Ord. 2021-013 §8 on 4/5/2022

Amended by Ord. 2024-008 §10 on 1/7/2025

Amended by Ord. 2025-002 §16 on 3/28/2025

Amended by Ord. 2025-005 §8 on 5/21/2025

18.67.030 Residential-5 Acre Minimum (TuR5) District

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

- A. Permitted Uses. The following uses and their accessory uses are permitted outright and do not require site plan review under DCC 18.124.
1. A single-unit dwelling or a manufactured dwelling subject to DCC 18.116.070.
 2. Type 1 Home Occupation, subject to DCC 18.116.280.
 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 lot area 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 lot area.
 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.
 6. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.
 7. Residential home.
 8. Temporary Hardship Dwelling, subject to DCC 18.116.090.

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HISTORY

Adopted by Ord. 97-033 §2 on 6/25/1997

Amended by Ord. 97-063 §3 on 11/12/1997

Amended by Ord. 2000-033 §11 on 12/6/2000

Amended by Ord. 2001-016 §2 on 3/28/2001

Amended by Ord. 2001-039 §8 on 12/12/2001

Amended by Ord. 2004-002 §18 on 4/28/2004

Amended by Ord. 2020-001 §8 on 4/21/2020

Amended by Ord. 2020-010 §4 on 7/3/2020

Amended by Ord. 2024-008 §10 on 1/7/2025

Amended by Ord. 2025-002 §16 on 3/28/2025

Amended by Ord. 2025-005 §8 on 5/21/2025

18.67.040 Commercial (TuC) District

The Tumalo Commercial District is intended to allow a range of limited commercial and industrial uses to serve the community and surrounding area.

- A. Permitted Uses. The following uses and their accessory uses are permitted outright and do not require site plan review under DCC 18.124.
1. A single-unit dwelling or duplex.
 2. A manufactured dwelling subject to DCC 18.116.070.
 3. Type 1 Home Occupation, subject to DCC 18.116.280.
 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 18.67.060 and 18.116.230.
 5. Class III road or street project.
 6. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.
 7. Residential home.
 8. Temporary Hardship Dwelling, subject to DCC 18.116.090.

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HISTORY

Adopted by Ord. 97-033 §2 on 6/25/1997

Amended by Ord. 97-063 §3 on 11/12/1997

Amended by Ord. 2000-033 §11 on 12/6/2000

Amended by Ord. 2001-016 §2 on 3/28/2001

Amended by Ord. 2001-039 §8 on 12/12/2001

Amended by Ord. 2004-002 §19 on 4/28/2004

Amended by Ord. 2004-013 §7 on 9/21/2004

Amended by Ord. 2015-004 §5 on 4/22/2015

Amended by Ord. 2016-015 §6 on 7/1/2016
Amended by Ord. 2020-001 §8 on 4/21/2020
Amended by Ord. 2020-010 §4 on 7/3/2020
Amended by Ord. 2021-004 §4 on 5/27/2021
Amended by Ord. 2021-013 §8 on 4/5/2022
Amended by Ord. 2022-014 §4 on 4/4/2023
Amended by Ord. 2024-008 §10 on 1/7/2025
Amended by Ord. 2025-002 §16 on 3/28/2025
Amended by Ord. 2025-005 §8 on 5/21/2025

CHAPTER 18.74 RURAL COMMERCIAL ZONE

18.74.010 Purpose

18.74.020 Uses Permitted; Deschutes Junction And Deschutes River Woods Store

18.74.025 Uses Permitted; Spring River

18.74.027 Uses Permitted; Pine Forest And Rosland

18.74.030 Development Standards

18.74.050 Maps

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18.74.020 Uses Permitted; Deschutes Junction And Deschutes River Woods Store

A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright and do not require site plan review under DCC 18.124:

1. A single-unit dwelling.
2. A manufactured home subject to DCC 18.116.070.
3. A duplex
4. Type 1 Home Occupation, subject to DCC 18.116.280.
5. Agricultural uses.
6. Class I and II road or street project subject to approval as part of a land partition or subdivision, or subject to the standards and criteria established in DCC 18.116.230.
7. Class III road or street project.
8. A lawfully established use existing as of 11/05/02, the date this chapter was adopted, not otherwise permitted by this chapter.
9. Residential home.
10. Temporary Hardship Dwelling, subject to DCC 18.116.090.

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HISTORY

Adopted by Ord. 2002-019 §2 on 8/7/2002

Amended by Ord. 2004-002 §20 on 4/28/2004

Amended by Ord. 2008-008 §1 on 3/18/2008

Amended by Ord. 2015-004 §7 on 4/22/2015

Amended by Ord. 2016-015 §7 on 7/1/2016

Amended by Ord. 2020-001 §9 on 4/21/2020

Amended by Ord. 2020-010 §5 on 7/3/2020

Amended by Ord. 2021-013 §9 on 4/5/2022

Amended by Ord. 2022-014 §5 on 4/4/2023
Amended by Ord. 2024-008 §11 on 1/7/2025
Amended by Ord. 2025-002 §17 on 3/28/2025
Amended by Ord. 2025-005 § 9 on 5/21/2025

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CHAPTER 18.108 URBAN UNINCORPORATED COMMUNITY ZONE; SUNRIVER

18.108.010 Purpose

18.108.020 Standards For All Districts

18.108.030 Single Unit Residential; RS District

18.108.040 Multiple Unit Residential; RM District

18.108.050 Commercial; C District

18.108.055 Town Center; TC District

18.108.060 Resort; R District

18.108.070 Resort Marina; RA District

18.108.080 Resort Golf Course; RG District

18.108.090 Resort Equestrian; RE District

18.108.100 Resort Nature Center; RN District

18.108.110 Business Park; BP District

18.108.120 Community General; CG District

18.108.130 Community Recreation; CR District

18.108.140 Community Limited; CL District

18.108.150 Community Neighborhood; CN District

18.108.160 Airport; A District

18.108.170 Utility; U District

18.108.175 Utility; U District/Limited Use Combining District

18.108.180 Forest; F District

18.108.190 Flood Plain; FP Combining District

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18.108.030 Single Unit Residential; RS District

A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright:

1. Single-unit dwelling.
2. Recreational path.
3. Residential home.
4. Temporary Hardship Dwelling, subject to DCC 18.116.090.

...

HISTORY

Repealed & Reenacted by Ord. 97-078 §2 on 12/31/1997

Amended by Ord. 98-035 §2 on 6/10/1998

Amended by Ord. 2004-013 §11 on 9/21/2004

Amended by Ord. 2020-001 §12 on 4/21/2020

Amended by Ord. 2024-008 §13 on 1/7/2025

Amended by Ord. 2025-002 §26 on 3/28/2025

Amended by Ord. 2025-005 §10 on 5/21/2025

18.108.110 Business Park; BP District

- A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright, subject to the applicable provisions of DCC 18.116 and DCC 18.124:
1. Residential uses existing as of March 31, 1997.
 2. Administrative, educational and other related facilities in conjunction with a use permitted outright.
 3. Library.
 4. Recreational path.
 5. Post office.
 6. Religious institutions or assemblies.
 7. Child care facilities, nurseries, and/or preschools.
 8. A building or buildings each not exceeding 8,000 square feet of floor area including any combination of:
Retail/rental store, office and service establishment, including but not limited to the following:
 - a. Automobile, motorcycle, boat, recreational vehicle, trailer or truck sales, rental, repair or maintenance business, including tire stores and parts stores.
 - b. Agricultural equipment and supplies.
 - c. Car wash.
 - d. Contractor's office, including but not limited to, building, electrical, plumbing, heating and air conditioning, painter, etc.
 - e. Construction equipment sales, rental, and/or service.
 - f. Exterminator services.
 - g. Golf cart sales and service.
 - h. Lumber yard, home improvement or building materials store.
 - i. Housekeeping and janitorial service.
 - j. Dry cleaner and/or self-service laundry facility.
 - k. Marine/boat sales and service.
 - l. Restaurant, bar and cocktail lounge including entertainment.

- m. Marijuana wholesaling, office only. There shall be no storage of marijuana items or products at the same location.
9. A building or buildings each not exceeding 20,000 square feet of floor area including any combination of:
- a. Scientific research or experimental development of materials, methods or products, including engineering and laboratory research.
 - b. Light manufacturing, assembly, fabricating or packaging of products from previously prepared materials, including but not limited to cloth, paper, leather, precious or semi-precious metals or stones, etc.
 - c. Manufacture of food products, pharmaceuticals and the like, but not including the production of fish or meat products, or the rendering of fats and oils.
 - d. Warehouse and distribution uses in a building or buildings each less than 10,000 square feet of floor area.
10. Employee housing structures.
11. Temporary Hardship Dwelling, subject to DCC 18.116.090.

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HISTORY

Repealed & Reenacted by Ord. 97-078 §2 on 12/31/1997

Amended by Ord. 2012-002 §1 on 2/27/2012

Amended by Ord. 2015-004 §9 on 4/22/2015

Amended by Ord. 2016-015 §9 on 7/1/2016

Amended by Ord. 2019-008 §1 on 3/6/2019

Amended by Ord. 2020-004 §1 on 2/19/2020

Amended by Ord. 2020-001 §12 on 4/21/2020

Amended by Ord. 2021-004 §6 on 5/27/2021

Amended by Ord. 2021-013 §12 on 4/5/2022

Amended by Ord. 2025-002 §26 on 3/28/2025

Amended by Ord. 2025-005 §10 on 5/21/2025

CHAPTER 18.110 RESORT COMMUNITY ZONE

18.110.010 Purpose

18.110.020 Seventh Mountain/Widgi Creek And Black Butte Ranch Resort Districts

18.110.030 Widgi Creek Residential District

18.110.040 Black Butte Ranch Surface Mining/Limited Use Combining District

18.110.050 Black Butte Ranch-Utility/Limited Use Combining District

18.110.060 Development Standards

...

18.110.020 Seventh Mountain/Widgi Creek And Black Butte Ranch Resort Districts

A. Uses permitted outright. The following uses and their accessory uses are permitted subject to the applicable provisions of DCC 18.110.050:

1. A single-unit dwelling.
2. Residential home.
3. Timeshare units existing as of January 1, 1984 at Black Butte Ranch.
4. Timeshare units at the Inn of the Seventh Mountain.
5. The following resort recreational facilities: Recreational path, picnic and barbecue area, park, playground, and sport courts for basketball, volleyball, and similar small-scale recreation activities.
6. Livestock and horse grazing on common area in Black Butte Ranch.
7. Police or security facility.
8. Temporary Hardship Dwelling, subject to DCC 18.116.090.

HISTORY

Adopted by Ord. 2001-048 §2 on 12/10/2001

Amended by Ord. 2014-009 §1 on 8/6/2014

Amended by Ord. 2014-025 §1 on 9/15/2014

Amended by Ord. 2020-001 §13 on 4/21/2020

Amended by Ord. 2024-008 §14 on 1/7/2025

Amended by Ord. 2025-002 §27 on 3/28/2025

Amended by Ord. 2025-005 §11 on 5/21/2025

18.110.030 Widgi Creek Residential District

The following uses and their accessory uses are permitted subject to the applicable provisions of DCC 18.110.060:

- A. A single-unit dwelling.

- B. Residential home.
- C. Residential facility.
- D. Timeshare units.
- E. Temporary Hardship Dwelling, subject to DCC 18.116.090.

HISTORY

Adopted by Ord. 2001-048 §2 on 12/10/2001

Amended by Ord. 2025-002 §27 on 3/28/2025

Amended by Ord. 2025-005 §11 on 5/21/2025

18.116.090 A Manufactured Dwelling Or Recreational Vehicle As A Temporary Hardship Dwelling

- A. As used in this section, "hardship" means a medical hardship or hardship for the care of an aged or infirmed person or persons experienced by the existing resident or relative.
- B. As used in this section, "relative" means a grandparent, step-grandparent, grandchild, step-grandchild, parent, step-parent, child, step-child, brother, sister, sibling, step-sibling, either blood or legal relationship, niece, nephew, uncle, aunt, or first cousin.
- C. ~~Unless otherwise allowed pursuant to DCC 18.116.095(G), a~~ A temporary use permit for the term of the hardship for one of the following hardship dwelling types may be granted on a lot or parcel in addition to conjunction with an existing primary dwelling unit:
1. One manufactured dwelling of any class;
 2. ~~or~~ One recreational vehicle subject to the criteria under subsection (F); or
 3. ~~on a lot or parcel in addition to a~~ The temporary residential use of an existing building subject to the following:
- a. ~~An existing dwelling building is one that was constructed at least two years prior to the date of application for the subject temporary residential use permit. For the purposes of this section, "constructed" means the Building Division approved the final inspection at least two years prior to the date of application for the subject temporary use permit. Any modifications to the existing building for the hardship dwelling must be contained within the existing building-floor area.~~
 - a.b. This type of hardship dwelling is not permitted on properties within the Multiple Use Agricultural (MUA-10) or Rural Residential (RR-10) zones. ~~may be granted when a medical condition exists. In the Exclusive Farm Use and Forest zones only, an existing building may be used as a temporary dwelling. For the purposes of this section, "existing" means the building was in existence on or before March 29, 2017.~~
- A.D. The hardship dwelling must use the same onsite septic disposal system used by the existing primary dwelling unit, provided that the existing onsite septic system is adequate to accommodate the hardship dwelling. If the hardship dwelling will be connected to a community sewer system this requirement does not apply. ~~The person with a medical condition must be either one of the property owners or a relative of one of the property owners.~~
- B.E. Prior to initiating the use, the property owner must obtain all necessary permits from the Deschutes County Building and Onsite Wastewater Divisions. ~~For the purposes of this section, a relative is defined as a grandparent, step-grandparent, grandchild, parent, step-~~

~~parent, child, step-child, brother, sister, sibling, step-sibling, either blood or legal relationship, niece, nephew, uncle, aunt or first cousin.~~

F. A recreation vehicle hardship dwelling must comply with all of the following requirements:

1. The recreational vehicle must have a sink and toilet;
2. The recreational vehicle must comply with all setbacks of the underlying zone(s);
3. The recreational vehicle must be fully licensed;
4. The recreational vehicle must be ready for highway use, on its wheels or jacking system, and must be attached to the site only by quick disconnect type utilities and security devices;
5. A recreational vehicle hardship dwelling located in a special flood hazard area must comply with DCC 18.96; and
6. Permanent attached additions are prohibited.

G. One temporary use permit for a hardship dwelling is permitted provided there is no guest house, recreational vehicle as a rental dwelling, or accessory dwelling unit on the subject lot or parcel. A recreational vehicle permitted under DCC 18.116.095(C) is allowed in addition to a hardship dwelling. Such medical condition must be verified by a doctor's written statement, which shall accompany the permit application.

~~G.H. The hardship shall be verified by a state-licensed medical practitioner's written statement.~~

~~D. I. The temporary use permit shall be reviewed annually every two years to ensure ongoing for compliance with the terms of DCC 18.116.090.~~

J. Within three months of the end of the hardship, one of the following must occur:

1. The manufactured dwelling shall be removed, demolished, or converted to an allowed use in the underlying zone(s);
2. ~~or~~ The recreational vehicle shall be vacated; and disconnected from any electric, water or septic/sewer facility connection; or
3. ~~for which a permit has been issued not later than 90 days following the date the medical condition requiring the temporary use permit ceases to exist. In the Exclusive Farm Use and Forest zones the~~ For an existing building used as a hardship dwellings, the building must ~~will~~ be converted to a permitted non-residential use in the underlying zone(s). ~~within 90 days following the date the medical condition requiring the temporary use permit ceases to exist.~~

~~E. If a recreational vehicle is used as a medical hardship dwelling, it shall have a bathroom; and shall meet the minimum setbacks for the zone in which it is located.~~

~~F.—The applicant shall obtain all necessary permits from the County Building and Environmental Health Divisions prior to initiating the use.~~

~~G.—A recreational vehicle shall be fully licensed and ready for highway use, on its wheels or jacking system, shall be attached to the site only by quick disconnect type utilities and security devices, and shall have no permanently attached additions.~~

~~H.—As identified in this section, a single recreational vehicle located within a special flood hazard area is subject to the standards and criteria established by DCC-18-96.~~

HISTORY

Adopted by Ord. PL-15 on 11/1/1979

Amended by Ord. 89-004 §5 on 3/24/1989

Amended by Ord. 91-005 §45 on 3/4/1991

Amended by Ord. 2008-022 §2 on 11/10/2008

Amended by Ord. 2012-007 §5 on 5/2/2012

Amended by Ord. 2017-001 §1 on 2/27/2017

Amended by Ord. 2023-001 §16 on 5/30/2023

Amended by Ord. 2025-002 §30 on 3/28/2025

Amended by Ord. 2025-004 §2 on 5/7/2025

Amended by Ord. 2025-005 §12 on 5/21/2025

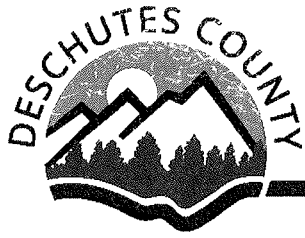


Exhibit M to Ordinance 2025-005 FINDINGS HARDSHIP DWELLING TEXT AMENDMENTS

I. APPLICABLE CRITERIA:

Title 22, Deschutes County Development Procedures Ordinance

II. BACKGROUND:

This is a legislative text amendment to Deschutes County Code (DCC), Title 18, County Zoning. The primary purpose of the amendment is to conform local requirements to state law and provide consistency for the review of hardship dwellings across multiple county zones. Notable changes include:

- Reorganized content for readability;
- Amended outdated references;
- Clarified hardship dwelling can be used for the “aged” as well as the “infirm”;
- Clarified “existing building” use and definition for the purpose of the section;
- Clarified hardship dwelling can be the only second dwelling on the property;
- Amended renewal requirement from every one year to two years;
- Listed the use in all permissible Title 18 zones for readability.

Since 1979, Deschutes County has allowed property owners to obtain a temporary use permit for a secondary dwelling on a property, with the intent the dwelling would be used for the care of a property owner or relative of the property owner with a medical condition. This would allow for the person with the medical condition to maintain independence and continue to live on a rural property while also receiving necessary medical attention.

The current requirements for hardship dwellings were drafted in 2008. Since that time, the state has undergone rulemaking in farm and forest (resource) zones, providing more detailed guidance on the eligibility and requirements for establishing the use.

OAR 660-004-0040(8)(f) provides limited guidance on hardship dwellings in rural residential exception areas, only noting that the dwelling type for such use is limited to Recreational Vehicle (RV)s and manufactured dwellings. To staff's understanding there is no other state guidance for regulation of temporary hardship dwellings in zones that allow for a single-unit dwelling as a permitted use and are outside of farm, forest, and rural residential exception areas.

The purpose of this proposal is to amend the code for greater consistency with state rules and statutes and to establish a consistent review process for hardship dwelling applications across all County zones in which the use is permitted.

III. STATE REQUIREMENTS AND LOCAL INTERPRETATIONS

As noted above, the state of Oregon regulates hardship dwellings in both Oregon Administrative Rule (OAR) and in Oregon Revised Statute (ORS). These regulations only apply to hardship dwellings in resource zones - the Exclusive Farm Use Zone (DCC 18.16) and Forest Zones (18.32 and 18.40).

ORS 215.283(2)(L) - Uses Permitted in Exclusive Farm Use Zones and ORS 215.755(2) - Other Forestland Dwellings require:

- The use is subject to ORS 215.296 (Farms Impacts Test) for the EFU zone.
- *One manufactured dwelling, recreational vehicle, or temporary residential use of an existing building, in conjunction with the existing dwelling as a temporary use for the term of a hardship suffered by the existing resident or a relative of the resident.*
- *Within three months of the end of the hardship, the manufactured dwelling or recreational vehicle shall be removed or demolished or in the case of the existing building, the building shall be removed or returned to an allowed nonresidential use.*
- *The governing body or designee shall provide for periodic review of the hardship claimed under this paragraph.*
- *A temporary residence is not eligible for replacement under subsection (1)(p) of this section.*

OAR 660-006-0025(4)(t) – Forest Lands – Uses Authorized in Forest Zones and OAR 660-033-0130(10) -Agricultural Lands – Minimum Standards for Permitted and Conditional Uses require:

- *As used in this section, "hardship" means a medical hardship or hardship for the care of an aged or infirm person or persons experienced by the existing resident or relative as defined in ORS chapter 215.*
 - *ORS 215 definition for relative: a relative is defined as a grandparent, step-grandparent, grandchild, parent, step-parent, child, step-child, brother, sister, sibling, step-sibling, either blood or legal relationship, niece, nephew, uncle, aunt or first cousin.*
- *The temporary residence may include a manufactured dwelling, or recreational vehicle, or the temporary residential use of an existing building.*
- *A manufactured dwelling shall use the same subsurface sewage disposal system used by the existing dwelling, if that disposal system is adequate to accommodate the additional dwelling. If the manufactured home will use a public sanitary sewer system, such condition will not be required.*
- *Governing bodies shall review the permit authorizing such manufactured homes every two years.*
- *Within three months of the end of the hardship, the manufactured dwelling or recreational vehicle shall be removed or demolished or, in the case of an existing building, the building shall be removed, demolished or returned to an allowed nonresidential use.*
- *Department of Environmental Quality review and removal requirements also apply.*

The state provides limited guidance on regulations pertaining to hardship dwellings on non-resource lands. The requirement below, which was presented to the Planning Commission during the deliberation process, applies to rural residential exception areas (MUA-10 and RR-10 zones) but does not provide guidance for the use in other nonresource zones, such as in unincorporated communities.

OAR 660-004-0040(8)(f) – Application of Goal 14 to Rural Residential Areas requires:

Except as provided in subsection (e) of this section or section (10) of this rule, a local government shall not allow more than one permanent single-family dwelling to be placed on a lot or parcel in a rural residential area. Where a medical hardship creates a need for a second household to reside temporarily on a lot or parcel where one dwelling already exists, a local government may authorize the temporary placement of a manufactured dwelling or recreational vehicle.

In approaching the amendments, staff has integrated state requirements where possible, for all zones in Title 18 in which a hardship dwelling is permitted, to ensure a consistent and clear process for property owners and county staff.

Deschutes County can provide local interpretation of requirements that are not expressly addressed in OAR or ORS. In coordination with the County's Building, Code Enforcement, Coordinated Services, and Onsite Wastewater Divisions, staff identified several policy choices for consideration.

Use of Existing Building as a Temporary Hardship Dwelling

Property owners can currently utilize an RV or manufactured dwelling for a temporary hardship dwelling in all zones. In farm and forest zones, existing buildings (sheds, accessory structures, barns) are also permitted to be converted for use as a temporary hardship dwelling, per the OAR and ORS.

The proposed text amendment package proposes to allow the use of existing buildings in the following zones, which currently allow for single-unit dwellings:

- 18.65.020, 021, 022: Rural Service Center Unincorporated Community Zones
- 18.66.020, 030, 040, 050: Terrebonne Rural Community Zones
- 18.67.020, 030, 040: Tumalo Rural Community Zones
- 18.74.020: Rural Commercial Zone
- 18.108.030, 110: Sunriver Unincorporated Community Zones
- 18.110.020, 030: Resort Community Zones

During Planning Commission deliberations, staff discovered the restriction in OAR 660-004-040 noted above and amended the original proposal to exclude the use of existing buildings as hardship dwellings in the RR-10 and MUA-10 zones. To staff's understanding, there are no state restrictions on the zones listed above.

Existing Building Definition

State regulations do not define "existing buildings" for temporary hardship dwellings. Currently, the code definition is a building "in existence on or before March 29, 2017". To provide additional flexibility, while still seeking to avoid a scenario in which a new building is constructed for temporary

use, the proposed text amendments alter the definition to be a rolling eligibility date of two years from the date of final inspection of a building to the submittal date of the temporary use permit for a hardship dwelling. If the application is submitted prior to the two-year date, it does not constitute an "existing building."

Modification of Existing Buildings

The proposed text amendments would add a restriction on the modification of existing buildings to be used as temporary hardship dwellings. The intent of the requirement is to limit modifications to minor improvements in the existing building floor area (such as the installation of kitchen facilities) to ensure the use can be converted back to a nonresidential use if the temporary hardship dwelling is no longer needed. The limitation is drafted as follows: "*Any modifications to the existing building for the hardship dwelling must be contained within the existing building-floor area.*"

RV Component Requirements

Code Enforcement has processed several cases involving non-operational RVs that are unfit for habitation. The text amendments preserve existing requirements related to the necessary components and siting of an RV and also clarify that an RV must have a sink and a toilet. Although more restrictive than state law, CDD staff are supportive of carrying forward these requirements to ensure RVs are safe for occupants when used as a temporary hardship dwelling. The proposed text amendments include the following component language:

A recreational vehicle hardship dwelling must comply with all of the following requirements:

- 1. The recreational vehicle must have a sink and toilet;*
- 2. The recreational vehicle must comply with all setbacks of the underlying zone(s);*
- 3. The recreational vehicle must be fully licensed;*
- 4. The recreational vehicle must be ready for highway use, on its wheels or jacking system, and must be attached to the site only by quick disconnect type utilities and security devices;*
- 5. A recreational vehicle hardship dwelling located in a special flood hazard area must comply with DCC 18.96.*
- 6. Permanently attached additions are prohibited.*

The Planning Commission supported the proposed text amendment package in its entirety, with the minor amendment to exclude the use of existing buildings as a hardship dwelling type in the MUA-10 and RR-10 zones. Staff requests the Board evaluate these policy options during the hearing process.

IV. BASIC FINDINGS:

The Planning Division determined minor changes were necessary to clarify existing standards and in various sections of the Deschutes County Code (DCC). Staff initiated the proposed changes and notified the Oregon Department of Land Conservation and Development on February 6, 2025 (File no. 247-24-000078-TA). As demonstrated in the findings below, the amendments remain consistent with the Deschutes County Code, the Deschutes County Comprehensive Plan, and the Statewide Planning Goals.

V. **FINDINGS:**

CHAPTER 22.12, LEGISLATIVE PROCEDURES

Section 22.12.010.

Hearing Required

No legislative change shall be adopted without review by the Planning Commission and a public hearing before the Board of County Commissioners. Public hearings before the Planning Commission shall be set at the discretion of the Planning Director, unless otherwise required by state law.

FINDING: This criterion will be met because a public hearing was held before the Deschutes County Planning Commission (Commission) on March 13, 2025, and a public hearing was held before the Board of County Commissioners (Board) on April 23, 2025.

Section 22.12.020, Notice

Notice

A. *Published Notice*

- 1. Notice of a legislative change shall be published in a newspaper of general circulation in the county at least 10 days prior to each public hearing.***
- 2. The notice shall state the time and place of the hearing and contain a statement describing the general subject matter of the ordinance under consideration.***

FINDING: This criterion will be met as notice will be published in *The Bulletin* newspaper at least 10 days prior to each public hearing.

B. *Posted Notice. Notice shall be posted at the discretion of the Planning Director and where necessary to comply with ORS 203.045.*

FINDING: Posted notice was determined by the Planning Director not to be necessary.

C. *Individual notice. Individual notice to property owners, as defined in DCC 22.08.010(A), shall be provided at the discretion of the Planning Director, except as required by ORS 215.503.*

FINDING: The proposed amendments are legislative and do not apply to any specific property. Therefore, individual notice is not required.

D. *Media notice. Copies of the notice of hearing shall be transmitted to other newspapers published in Deschutes County.*

FINDING: Notice was provided to the County public information official for wider media distribution. This criterion has been met.

Section 22.12.030 Initiation of Legislative Changes.

A legislative change may be initiated by application of individuals upon payment of required fees as well as by the Board of County Commissioners.

FINDING: The application was initiated by the Deschutes County Planning Division at the direction of the Board and has received a fee waiver. This criterion has been met.

Section 22.12.040. Hearings Body

- A. *The following shall serve as hearings or review body for legislative changes in this order:***
 - 1. *The Planning Commission.***
 - 2. *The Board of County Commissioners.***
- B. *Any legislative change initiated by the Board of County Commissioners shall be reviewed by the Planning Commission prior to action being taken by the Board of Commissioners.***

FINDING: This criterion is met as the Commission held a public hearing on March 13, 2025. The Board held a public hearing on April 23, 2025.

Section 22.12.050 Final Decision

All legislative changes shall be adopted by ordinance

FINDING: The proposed legislative changes included in file no. 247-25-000078-TA will be implemented by ordinances upon approval and adoption by the Board.

ORAR 660-015, STATEWIDE PLANNING GOALS AND GUIDELINES

Goal 1: Citizen Involvement:

FINDING: The amendments do not propose to change the structure of the County's citizen involvement program. Notice of the proposed amendments was provided to the *Bulletin* for the Board public hearing.

Goal 2: Land Use Planning:

FINDING: The purpose of the amendment is to integrate requirements from Oregon Administrative Rule and Oregon Revised Statutes. The proposal has a factual base and is consistent with the intent of the Comprehensive Plan and zoning districts. This goal is met.

Goal 3: Agricultural Lands:

FINDING: The proposed amendments integrate requirements from Oregon Administrative Rule and Oregon Revised Statute for hardship dwellings on agricultural lands. Additionally, the rules provide more express guidance for hardship dwellings on non-agricultural lands to avoid conflicts to farm operations on neighboring properties. This goal is met.

Goal 4: Forest Lands:

FINDING: The proposed amendments integrate requirements from Oregon Administrative Rule and Oregon Revised Statute for hardship dwellings on forest lands. Additionally, the rules provide more express guidance for hardship dwellings on non-forest lands to avoid conflicts to forest operations on neighboring properties. This goal is met.

Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources:

FINDING: The proposed amendments do not include changes to the County's Comprehensive Plan policies or implementing regulations for compliance with Goal 5. This goal does not apply.

Goal 6: Air, Water and Land Resources Quality:

FINDING: The proposed amendments do not include changes to the County's Comprehensive Plan policies or implementing regulations for compliance with Goal 6. This goal does not apply.

Goal 7: Areas Subject to Natural Disasters and Hazards:

FINDING: The proposed amendments do not include changes to the County's Comprehensive Plan policies or implementing regulations for compliance with Goal 7. This goal does not apply.

Goal 8: Recreational Needs:

FINDING: The proposed amendments do not include changes to the County's Comprehensive Plan policies or implementing regulations for compliance with Goal 8. This goal does not apply.

Goal 9: Economic Development:

FINDING The proposed amendments do not include changes to the County's Comprehensive Plan policies or implementing regulations for compliance with Goal 9. This goal does not apply.

Goal 10: Housing:

FINDING: The proposed amendments provide more flexibility for hardship dwellings, as allowed by state law. The amendments will provide clarity on a housing type for vulnerable populations in the rural county. This goal is met.

Goal 11: Public Facilities and Services:

FINDING: The proposed amendments do not include changes to the County's Comprehensive Plan policies or implementing regulations for compliance with Goal 11. This goal does not apply.

Goal 12: Transportation:

FINDING: The proposed amendments do not include changes to the County's Comprehensive Plan policies or implementing regulations for compliance with Goal 12. This goal does not apply.

Goal 13: Energy Conservation:

FINDING: The proposed amendments do not include changes to the County's Comprehensive Plan policies or implementing regulations for compliance with Goal 13. This goal does not apply.

Goal 14: Urbanization:

FINDING: The proposed amendments integrate requirements from Oregon Administrative Rule and Oregon Revised Statute for hardship dwellings. The use is already permitted in the underlying zoning districts, there is no alteration to allowance of development density on rural lands. This goal does not apply.

Goals 15 through 19

FINDING: These goals are not applicable to the proposed plan and text amendments because the County does not contain these types of lands.

2011 DESCHUTES COUNTY COMPREHENSIVE PLAN

Chapter 3 Rural Growth Management, Section 3.3. Rural Housing Policies

Policy 3.3.5 Maintain the rural character of the County while ensuring a diversity of housing opportunities, including initiating discussions to amend State Statute and/or Oregon Administrative Rules to permit accessory dwelling units in Exclusive Farm Use, Forest and Rural Residential Zones.

FINDING: The intent of the text amendment is to amend regulations for temporary hardship dwellings to be consistent with state law and administrative rule for resource zones. The amendments will also provide a consistent process for regulation of hardship dwellings in both nonresource and resource zones. These requirements will ensure development continues to comply with all state rules and will maintain the rural character of the County through intentional placement of temporary housing associated with a hardship.

VI. CONCLUSION:

Based on the information provided herein, the staff recommends the Board of County Commissioners approve the proposed text amendments as drafted.



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: May 21, 2025

SUBJECT: Consideration of second reading of Ordinance No. 2025-005: Temporary Hardship Dwelling Text Amendments

RECOMMENDED MOTIONS:

1. Move to conduct second reading of Ordinance No. 2025-005 by title only.
2. Move to adopt Ordinance No. 2025-005.

BACKGROUND AND POLICY IMPLICATIONS:

On May 21, 2025, staff will present Ordinance No. 2025-005 to the Board for consideration of second reading and adoption.

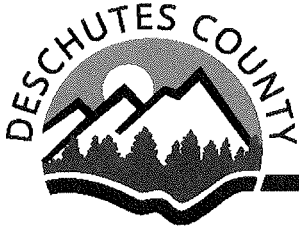
On April 23, 2025, the Board conducted a public hearing and deliberations to consider legislative text amendments to Title 18 of the Deschutes County Code relating to temporary hardship dwellings (file no. 247-25-000078-TA). The Board voted 2-0 to adopt the proposed package as drafted by staff. The Board conducted first reading of the ordinance on May 7, 2025.

BUDGET IMPACTS:

None

ATTENDANCE:

Will Groves, Planning Manager



MEMORANDUM

TO: Deschutes County Board of Commissioners

FROM: Nicole Mardell, AICP, Senior Planner

DATE: May 14, 2025

SUBJECT: Consideration of Second Reading: Temporary Hardship Dwelling Text Amendments

On May 21, 2025, staff will present Ordinance No. 2025-005 to the Board of County Commissioners (Board) for consideration of second reading. On April 23, 2025, the Board conducted a public hearing and deliberations to consider legislative text amendments to Title 18 of the Deschutes County Code relating to temporary hardship dwellings (file no. 247-25-000078-TA). The Board voted 2-0 to adopt the proposed package as drafted by staff. The Board conducted first reading of the ordinance on May 7, 2025. Second reading is scheduled for May 21, 2025.

Staff submitted a Post-Acknowledgement Plan Amendment (PAPA) notice to the Department of Land Conservation and Development (DLCD) on February 6, 2025. The Planning Commission held a public hearing on March 13, 2025¹. The Commission held deliberations on March 27, 2025² and voted 6-0 to recommend approval of the proposed amendments drafted by staff, with a revision to exclude the use of existing buildings as a hardship dwelling type in the RR-10 and MUA-10 zones³.

I. RECORD

The record, which contains all memoranda, notices, and written testimony received, is available at the following website: <https://bit.ly/25-78-TA>.

¹ <https://www.deschutes.org/bc-pc/page/planning-commission-63>

² <https://www.deschutes.org/bc-pc/page/planning-commission-64>

³ As noted below, the package reviewed by the Board included this revision.

II. OVERVIEW OF ORDINANCE

This is a legislative text amendment to Deschutes County Code (DCC), Title 18, County Zoning. The primary purpose of the amendment is to conform local requirements to state law and provide consistency for the review of hardship dwellings across multiple county zones. Notable changes include:

- Reorganized content for readability;
- Amended outdated references;
- Clarified hardship dwelling can be used for the “aged” as well as the “infirm”;
- Clarified “existing building” use and definition for the purpose of the section;
- Clarified hardship dwelling can be the only second dwelling on the property;
- Amended renewal requirement from every one year to two years;
- Listed the use in all permissible zones for readability.

The original version of the amendments, reviewed by the Planning Commission, proposed to expand use of an existing building as a hardship dwelling type to several zones, including the RR-10 and MUA-10 zones. OAR 660-004-0040(8)(f) provides specific guidance for hardship dwellings in these zones, noting the dwelling type must be either a Recreational Vehicles (RVs) or manufactured home. Upon discovering this provision, the Planning Commission (in consultation with staff) recommended the Board exclude this proposed allowance. Staff updated the proposed text amendment package to reflect the recommendation prior to the Board’s public hearing.

III. NEXT STEPS

The ordinance will become effective 90 days following the second reading. The tentative effective date is August 19, 2025.

Attachments:

- Ordinance No. 2025-005 and Corresponding Exhibits