

Dated this 5th of August, 2009

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

Tammy Baney
TAMMY BANEY, CHAIR

Dennis R. Luke
DENNIS LUKE, VICE CHAIR

Alan Unger
ALAN UNGER, COMMISSIONER

ATTEST:
Bonnie Baker
Recording Secretary

Date of 1st Reading: 20th day of July, 2009.

Date of 2nd Reading: 5th day of August, 2009.

Record of Adoption Vote

Commissioner	Yes	No	Abstained	Excused
Tammy Baney	<u>✓</u>	___	___	___
Dennis R. Luke	<u>✓</u>	___	___	___
Alan Unger	<u>✓</u>	___	___	___

Effective date: 5th day of November, 2009.

ATTEST:
Bonnie Baker
Recording Secretary

Chapter 18.32. MULTIPLE USE AGRICULTURAL ZONE - MUA

18.32.030. Conditional Uses Permitted.

The following uses may be allowed subject to DCC 18.128:

- A. Public use.
- B. Semipublic use.
- C. Commercial activities in conjunction with farm use. The commercial activity shall be associated with a farm use occurring on the parcel where the commercial use is proposed. The commercial activity may use, process, store or market farm products produced in Deschutes County or an adjoining County.
- D. Dude ranch.
- E. Kennel and/or veterinary clinic.
- F. Guest house.
- G. Manufactured home as a secondary accessory farm dwelling, subject to the requirements set forth in DCC 18.116.070.
- H. Exploration for minerals.
- I. Private parks, playgrounds, hunting and fishing preserves, campgrounds, motorcycle tracks and other recreational uses.
- J. Personal use landing strip for airplanes and helicopter pads, including associated hangar, maintenance and service facilities. No aircraft may be based on a personal-use landing strip other than those owned or controlled by the owner of the airstrip. Exceptions to the activities permitted under this definition may be granted through waiver action by the Aeronautics Division in specific instances. A personal use landing strip lawfully existing as of September 1, 1975, shall continue to be permitted subject to any applicable regulations of the Aeronautics Division.
- K. Golf courses.
- L. Type 2 or Type 3 Home Occupation, subject to DCC 18.116.280.
- M. A facility for primary processing of forest products, provided that such facility is found to not seriously interfere with accepted farming practices and is compatible with farm uses described in ORS 215.203(2). Such a facility may be approved for a one-year period which is renewable. These facilities are intended to be only portable or temporary in nature. The primary processing of a forest product, as used in DCC 18.32.030, means the use of a portable chipper or stud mill or other similar method of initial treatment of a forest product in order to enable its shipment to market. Forest products, as used in DCC 18.32.030, means timber grown upon a parcel of land or contiguous land where the primary processing facility is located.
- N. Destination resorts.
- O. Planned developments.
- P. Cluster developments.
- Q. Landfills when a written tentative approval by the Department of Environmental Quality (DEQ) of the site is submitted with the conditional use application.
- R. Time-share unit or the creation thereof.
- S. Hydroelectric facility, subject to DCC 18.116.130 and 18.128.260.
- T. Storage, crushing and processing of minerals, including the processing of aggregate into asphaltic concrete or portland cement concrete, when such uses are in conjunction with the maintenance or construction of public roads or highways.
- U. Bed and breakfast inn.
- V. Excavation, grading and fill and removal within the bed and banks of a stream or river or in a wetland subject to DCC 18.120.050 and 18.128.270.
- W. Churches, subject to DCC 18.124 and 18.128.080.
- X. Private or public schools, including all buildings essential to the operation of such a school.
- Y. Utility facility necessary to serve the area subject to the provisions of DCC 18.124.

Z. Cemetery, mausoleum or crematorium.

AA. Commercial horse stables.

BB. Horse events, including associated structures, not allowed as a permitted use in this zone.

CC. ~~CC.~~—Manufactured home park or recreational vehicle park on a parcel in use as a manufactured home park or recreational vehicle park prior to the adoption of PL-15 in 1979 and being operated as of June 12, 1996, as a manufactured home park or recreational vehicle park, including any expansion of such uses on the same parcel, as configured on June 12, 1996.

DD. The full or partial conversion from a manufactured home park or recreational vehicle park described in DCC 18.32.030 (CC) to a manufactured home park or recreational vehicle park on the same parcel, as configured on June 12 1996.

~~DEE.~~ Wireless telecommunications facilities, except those facilities meeting the requirements of DCC 18.116.250(A) or (B).

~~EFF.~~ Guest lodge.

~~FGG.~~ Surface mining of mineral and aggregate resources in conjunction with the operation and maintenance of irrigation systems operated by an Irrigation District, including the excavation and mining for facilities, ponds, reservoirs, and the off-site use, storage, and sale of excavated material.

(Ord. 2009-018 § 1, 2009; Ord. 2004-002 §4, 2004; Ord. 2001-039 §2, 2001; Ord. 2001-016 §2, 2001; Ord. 97-063 §3, 1997; Ord. 97-029 §2, 1997; Ord. 97-017 §2, 1997; Ord. 96-038 §1, 1996; Ord. 94-053 §2, 1994; Ord. 94-008 §11, 1994; Ord. 93-043 §§4A and B, 1993; Ord. 92-055 §2, 1992; Ord. 91-038 §1, 1991; Ord. 91-020 §1, 1991; Ord. 90-014 §§27 and 35, 1990; Ord. 91-005 §§19 and 20, 1991; Ord. 91-002 §7, 1991; Ord. 86-018 §7, 1986; Ord. 83-033 §2, 1983; Ord. 80-206 §3, 1980)

Chapter 18.60. RURAL RESIDENTIAL ZONE - RR-10

18.60.030. Conditional Uses Permitted.

The following uses may be allowed subject to DCC 18.128:

- A. Public park, playground, recreation facility or community center owned and operated by a government agency or nonprofit community organization.
- B. Dude ranch.
- C. Type 2 or Type 3 Home Occupation, subject to DCC 18.116.280.
- D. Personal use landing strip for airplanes and helicopter pads, including associated hangar, maintenance and service facilities. A personal use landing strip as used in DCC 18.60.030 means an airstrip restricted, except for aircraft emergencies, to use by the owner and, on an infrequent and occasional basis, by invited guests. No aircraft may be based on a personal-use landing strip other than those owned or controlled by the owner of the airstrip. Exceptions to the activities permitted under this definition may be granted through waiver action by the Aeronautics Division in specific instances. A personal-use landing strip lawfully existing as of September 1, 1975, shall continue to be permitted subject to any applicable regulations of the Aeronautics Division.
- E. Planned development.
- F. Cluster development.
- G. Recreation-oriented facility requiring large acreage such as off-road vehicle track or race track, but not including a rodeo grounds.
- H. Landfill when a written tentative approval by Department of Environmental Quality (DEQ) of the site is submitted with the application.
- I. Cemetery.
- J. Time-share unit or the creation thereof.
- K. Hydroelectric facility, subject to DCC 18.116.130 and 18.128.260.
- L. Bed and breakfast inn.
- M. Golf course.
- N. Excavation, grading and fill and removal within the bed and banks of a stream or river or in a wetland subject to DCC 18.120.050 and 18.128.270.
- O. Church.
- P. Public Uses.
- Q. Semipublic Uses.
- R. Commercial horse stables.
- S. Private or public school, including all buildings essential to the operation of such a school.
- T. Manufactured home park or recreational vehicle park on a parcel in use as a manufactured home park or recreational vehicle park prior to the adoption of PL-15 in 1979 and being operated as of June 12, 1996 as a manufactured home park or recreational vehicle park, including expansion, conversion and combination of such uses on the same parcel, as configured on June 12, 1996.
- U. The full or partial conversion from a manufactured home park or recreational vehicle park described in DCC 18.60.030 (T) to a manufactured home park or recreational vehicle park on the same parcel, as configured on June 12, 1996.
- UV. Wireless telecommunications facilities, except those facilities meeting the requirements of DCC 18.116.250(A) or (B).
- VW. Surface mining of mineral and aggregate resources in conjunction with the operation and maintenance of irrigation systems operated by an Irrigation District, including the excavation and mining for facilities, ponds, reservoirs, and the off-site use, storage, and sale of excavated material.

| (Ord. 2009-018 § 2, 2009; Ord. 2004-002 §8, 2004; Ord. 2001-039 §5, 2001; Ord. 2001-016 §2, 2001; Ord. 97-063 §3, 1997; Ord. 97-017 §3, 1997; Ord. 96-038 §2, 1996; Ord. 96-021 §1, 1996; Ord. 94-008 §13, 1994; Ord. 93-043 §§8A and 8B, 1993; Ord. 92-004 §10, 1992; Ord. 91-038 §1, 1991; Ord. 91-020 §1, 1991; Ord. 91-005 §32, 1991; Ord. 90-014 §22, 1990; Ord. 86-018 §13, 1986; Ord. 83-033 §5, 1983)

Chapter 18.128. CONDITIONAL USE

18.128.150. Manufactured Home Park.

A manufactured home park shall be built to state standards in effect at the time of construction, or in the case of pre-existing parks in MUA-10 and RR-10 zones, at the time of permitting under DCC 18.128.150, and the following provisions:

- A. Evidence that the park will be eligible for a certificate of sanitation as required by state law.
- B. The space provided for each manufactured home shall be provided with piped potable water and electrical sewerage connections.
- C. The number of spaces for manufactured homes shall not exceed 12 for each acre of the total acres in the manufactured home park. The Planning Director or Hearings Body may vary this density as follows:
 1. If dedicated open space equals 50 percent or more of the total area of the park, a 10 percent increase in units per acre may be granted.
 2. If, in addition to the amenity in DCC 18.128.150(C)(1), a maintained playground area with approved equipment such as goalposts, swings, slides, etc., is provided, an additional 5 percent increase in units per acre may be granted.
 3. If, in addition to the amenities in DCC 18.128.150(C)(1) and (2), a recreation/community building is provided, an additional 10 percent increase in units per acre may be granted. (Maximum total increase of units through application of DCC 18.128.150(C) = 25 percent.)
- D. A manufactured home pad shall occupy not more than 40 percent of the contiguous space provided for the exclusive use of the occupants of the home, exclusive of space provided for the common use of tenants, such as roadways, general use structure, parking spaces, walkways and areas for recreation and landscaping.
- E. No manufactured home pad in the park shall be located closer than 15 feet from another manufactured home pad or from a general use building in the park. No manufactured home accessory building or other building or structure on a manufactured home space shall be closer than 10 feet from a manufactured home accessory building or other building or structure on another manufactured home space. No manufactured home pad or other building or structure shall be within 25 feet of a public street property boundary or 10 feet of another property boundary.
- F. Facilities shall be provided to assure that there will be no outdoor storage of furniture, tools, equipment, building materials or supplies belonging to the management of the park.
- G. The land which is used for park purposes shall be surrounded, except at entry and exit places, by a sight-obscuring fence or hedge not less than six feet in height.
- H. If the park provides spaces for 50 or more manufactured home units, each vehicular way in the park shall be named and marked with signs which are similar in appearance to those used to identify public streets. A map of the named vehicular ways shall be provided to the fire department.
- I. The park shall have water supply mains designed to serve fire hydrants and hydrants shall be provided within 500 feet of such space or structure. Each hydrant within the park shall be located on a vehicular way.
- J. A minimum of at least 2,500 square feet plus 100 square feet per manufactured home space shall be provided for recreational play area, group or community activities. The Planning Director or Hearings Body may require this area to be protected from streets, parking areas or the like by a fence or the equivalent that conforms to fence regulations, but is at least 30 inches in height where allowed by fence ordinances. Unless otherwise approved, no required open space area shall contain less than 2,500 square feet. Recreation areas shall be improved with grass, plantings, surfacings or buildings suitable for recreational use. No recreation facility

created within a manufactured home park only to satisfy the requirements of DCC 18.128.150 shall be open to the general public.

- K. A parking space shall be provided for each manufactured home space on the site. Additional guest parking spaces shall be provided in every manufactured home park within 200 feet of the manufactured home spaces served, at a ratio of one parking space for each two manufactured home spaces. Parking spaces shall have durable and dustless surfaces adequately maintained for all-weather use and shall be properly drained.
- L. All manufactured home parks over 10 acres in area shall be located with access on a street designated as a collector street.
- M. All manufactured home parks containing a total site area of five acres or more shall provide a secondary access to the trailer park. Such secondary access shall enter the public street system at least 150 feet from the primary access.
- N. Lighting shall be installed along the access ways of the manufactured home park and the recreation area with lights of 100 watts or better not over 100 feet apart. Wires for service to light poles and manufactured home spaces shall be underground.
- O. Roadways within the park shall be improved with an all-weather dustless surface and shall be not less than 30 feet in width if parking is permitted on the margin of the roadway, or less than 20 feet in width if parking is not permitted on the edge of the roadway and an adequate designated area is provided and improved for guest parking and tenant recreational vehicles.
- P. All manufactured home parks shall have a minimum lot size of one acre.
- Q. When expanding an existing manufactured home park with additional manufactured home or recreational vehicles spaces in MUA-10 or RR-10 zones as permitted therein, the park shall satisfy all of the criteria of DCC 18.128.150 and 18.128.170 as applicable as to the existing developed areas as well as in the expansion area.

(Ord. 2009-018 § 3, 2009; Ord. 2006-008 §9, 2006; Ord. 96-038 §3, 1996; Ord. 95-075 §1, 1995; Ord. 91-020 §1, 1991)

Chapter 18.128. CONDITIONAL USE

18.128.170. Recreational Vehicle Park.

A recreational vehicle park shall conform to state standards in effect at the time of construction, or in the case of pre-existing parks in the MUA-10 and RR-10 zone, at the time of permitting under DCC 18.128.170, and the following conditions:

- A. The space provided for each recreational vehicle shall be not less than 700 square feet exclusive of any space used for common areas such as roadways, general use structures, walkways, parking spaces for vehicles other than recreational vehicles and landscaped areas.
- B. Roadways shall be not less than 30 feet in width if parking is permitted on the margin of the roadway, or not less than 20 feet in width if parking is not permitted on the edge of the roadway and shall be paved with asphalt, concrete or similar impervious surface and designed to permit easy access to each recreational vehicle space.
- C. A space provided for a recreational vehicle shall be covered with crushed gravel or paved with asphalt, concrete, or similar material and be designed to provide for the control of runoff of surface water. The part of the space which is not occupied by the recreational vehicle, not intended as an access way to the recreational vehicle or part of an outdoor patio, need not be paved or covered with gravel provided the area is landscaped or otherwise treated to prevent dust or mud.
- D. A recreational vehicle space shall be provided with piped potable water and sewage disposal service. A recreational vehicle staying in the park shall be connected to the water and sewage service provided by the park if the vehicle has equipment needing such service.
- E. A recreational vehicle space shall be provided with electrical service.
- F. Trash receptacles for the disposal of solid waste materials shall be provided in convenient locations for the use of guests of the park and located in such number and of such capacity that there is no uncovered accumulation of trash at any time.
- G. No recreational vehicle shall remain in the park for more than 30 days in any 60-day period.
- H. The total number of parking spaces in the park, except for the parking provided for the exclusive use of the manager or employees of the park, shall be one space per recreational vehicle space. Parking spaces shall be covered with crushed gravel or paved with asphalt, concrete or similar material.
- I. The park shall provide toilets, lavatories and showers for each sex in the following ratios: For each 15 recreational vehicle spaces or any fraction thereof, one toilet, one urinal, one lavatory and one shower for men; two toilets, one lavatory and one shower for women. The toilets and showers shall afford privacy and the showers shall be provided with private dressing rooms. Facilities for each sex shall be located in separate buildings, or, if in the same building, shall be separated by a soundproof wall.
- J. The park shall provide one utility building or room containing one clothes washing machine, one clothes drying machine and 15 square feet of space for clothes drying lines for each 10 recreational vehicle spaces or any fraction thereof, unless such facilities are available within a distance of three miles and are adequate to meet these standards.
- K. Building spaces required by DCC 18.128.170(I) and (J) shall be lighted at all times of night and day, shall be ventilated, shall be provided with heating facilities which shall maintain a room temperature of 68 degrees Fahrenheit, shall have floors of waterproof material, shall have sanitary ceiling, floor and wall surfaces and shall be provided with floor drains adequate to permit easy cleaning.
- L. Except for the access roadway into the park, the park shall be screened on all sides by a sight-obscuring fence not less than six feet in height, unless otherwise approved by the Planning Director or Hearings Body.

- M. A neat appearance shall be maintained at all times. Except for vehicles, there shall be no outside storage of materials or equipment belonging to the park or to any guest of the park.
 - N. Evidence shall be provided that the park will be eligible for a certificate of sanitation as required by state law.
 - O. Access to the recreational vehicle park shall be from an arterial or collector street.
 - P. When expanding a recreational vehicle park with additional recreational vehicle or manufactured home spaces in the MUA-10 or RR-10 zone, the park shall satisfy all of the criteria of DCC 18.128.150 and 18.128.170 as applicable, as to the existing developed areas as well as in the expansion area.
- (Ord. 2009-018 § 4, 2009; Ord. 95-075 §1, 1995; Ord. 91-038 §1, 1991; Ord. 91-020 §1, 1991)

TA-09-1 FINDINGS

This is an applicant initiate text amendment to allow the expansion and conversion of recreational vehicle and manufactured home spaces in both Recreational Vehicle Parks and Manufactured Home Parks in the MUA-10 and RR-10 zone subject to specific development provisions to DCC Sections 18.32.030 *Multiple Use Agriculture MUA-10* zone, 18.60.030 *Rural Residential RR-10* zone, 18.128.050 *Manufactured Home Park* and 18.128.170, *Recreational Vehicle Park*. Currently, the expansion or conversion of existing Recreation Vehicle parks is not permitted in Deschutes County.

The Planning Commission held a public hearing on June 11, 2009 and recommended approval of the proposed text amendment with out changes.

The Board held a public hearing and first reading on July 20, 2009

DESCHUTES COUNTY COMPREHENSIVE PLAN:

The Deschutes County Comprehensive Plan, Chapter 23 does not specifically address recreational vehicle and manufactured home parks, however the county code allows manufactured homes in established manufactured home parks prior to PL-15 1979. The Comprehensive Plan sections that apply to this text amendment include: 23.16 Rural Development, 23.48 Urbanization, 23.60 Transportation, 23.64 Transportation System Plan, 23.72 Recreation.

The pre-existing manufactured home and recreational vehicle parks found in Exhibit 1, *The 1995 Inventory of Manufactured Home and RV Parks*, are legally operating in the MUA-10 and RR-10 zones, as valid nonconforming uses. This list was completed for the purpose of periodic review prior to the adoption of Ordinance 96-038 on June 12, 1996. As a result of this inventory it was found that many of the parks were established in the early 1970's prior to the creation of the statewide planning program and county regulations for such uses.

A recent review of the 1995 *Mobile Home and RV Park Inventory* identified 24 of the 33 listed parks located in the unincorporated areas of Deschutes County, continue to operate and prove to be economically viable residential uses. These residential uses address a need for affordable housing in Deschutes County, therefore it is recognized that allowing for the expansion and/or conversion of existing manufactured home and recreational vehicle parks within their existing boundaries through a conditional use process would help provide affordable housing.

A review of existing 1970's and pre-1970's manufactured home and recreational vehicle parks in MUA-10 and RR-10 zones indicates they do not generally pose neighborhood compatibility problems. The 14 existing parks located in the MUA-10 and RR-10 zones that this text amendment would affect, will not create a significant change in traffic. Any potential change to traffic from a conversion or expansion within the park boundaries would be addressed during the Deschutes County conditional use permit process. In addition, there is a significant cost involved in the conversion or expansion of a manufactured home or recreational vehicle park that would be a limiting factor for park changes. These costs could include; planning permit fees, environmental health fees, and the building permit fees along with the cost of construction of any type of

conversion, expansion or combination required for meeting the current state and county regulations.

Any expansion or conversion of the existing recreational vehicle parks would satisfy recreation needs of visitors to Deschutes County. Although the County does not have its own parks and recreation department it is important to Deschutes County to provide adequate lands available for recreation to be maintained.

The proposed amendments to the Deschutes County Code would satisfy the goals and policies of the 2000 Comprehensive Plan.