



Community Development Department

Planning Division Building Safety Division Environmental Soils Division

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MEMORANDUM

DATE: February 2, 2017

TO: Planning Commission

FROM: Peter Russell, Senior Transportation Planner

RE: Adding Forest (F-1, F-2) Zone to text amendment that would allow an existing building in the Exclusive Farm Use (EFU) Zone to be used as temporary dwelling in the case of medical hardship (BOCC Ord. 2017-001; File 247-16-000511-TA)

The Planning Commission on November 10, 2016, recommended approval of File 247-16-000511-TA, which amends Deschutes County Code (DCC) 18.116.090. The amendment would allow an existing building in the EFU Zone to be used temporarily as a residential dwelling in the case of a medical hardship. This is allowed under Oregon Revised Statute (ORS) 215.283(2)(L).

Prior to staff holding a January 23, 2017 workshop with the Board of County Commissioners on this text amendment, a citizen contacted the Board and requested the Forest Zones (F-1 and F-2) also be included in the text amendment. Staff researched the issue and ORS 215.755(2) does allow an existing building in the Forest Zone to be converted to a temporary dwelling in the case of a medical hardship. At the work session, the Board indicated the proposal had merit.

At the January 30, 2017 public hearing, the Board accepted public testimony and continued the hearing until February 22. Staff will re-notice the hearing and amend Ordinance 2017-001 and its exhibits to reflect the addition of the Forest zoned lands to the proposal.

In addition, the Board asked staff what constitutes an "existing" building under law and how other counties define "existing buildings." Staff is currently researching this issue and will present its findings to the Planning Commission and Board.

The Planning Commission is requested to review the proposal and offer comments, if any. No formal action is required.