

Eagle Crest Resort Text Amendments

Applicant: Oregon Resorts LLC

Planning Commission Work Session

September 10, 2015

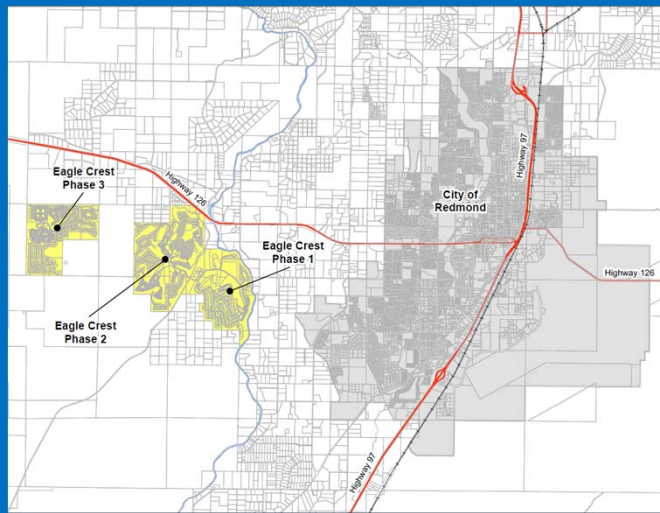


Overview

- Eagle Crest Resort land-use history
- Text amendment (247-15-000444-TA)
- Public Hearing scheduled for September 24, 2015



Eagle Crest Resort Phases



Eagle Crest Resort Land Use History

- **Phase 1**, approved in 1981, consists of 508 acres. It preceded Statewide Planning Goal 8, destination resort requirements
- **Phase 2**, approved in 1993, consists of 746 acres. Received approval for 497 single family homesites, 162 multi-family units, 120 timeshare townhouses and 226 hotel room facilities for a total of 891 new units and a total of 1,410 total units in both phases
- **Phase 3**, approved in 2001, consists of 480 acres. Received approval for up to 900 dwellings (including overnight units) as well as commercial uses and recreational amenities



Eagle Crest Resort Land Use History

- Conceptual Master Plans for Phases 2 and 3 acknowledge they are not planning on utilizing individual units to meet overnight lodging requirements, therefore none were deed restricted
- From 2002 to 2013, Eagle Crest submits 24 subdivision plats, counting individually-owned units without deed restrictions as overnight units
- County recognizes individually-owned units as overnight units without deed restrictions and approves subdivision plats
- Since 2006, Deschutes County requested Eagle Crest substantiate its overnight lodging units

Proposal - DCC 18.113(L)(3)

What does it accomplish?

- Brings the Resort into compliance with its overnight lodging requirements
- Documents annually availability of overnight lodging units for 38 week availability per year
- Requires compliance fee if annual reporting shows a deficit in overnight lodging units



Proposal – DCC 18.113(L)(3)

- Eagle Crest required to annually account for one overnight lodging unit for every 2.5 residential units
- Resort currently has a ratio of 4.78 individually owned residential units to overnight units
- Needs 261 overnight units to meet 2.5:1 ratio of individually owned residential units to overnight lodging units
- Overnight lodging units will be documented through monthly review of its central reservation system and 3rd party websites advertising individually-owned units available for overnight stays

Proposal - DCC 18.113(L)(3)

- Resort required to document weeks the units are advertised as being available and count as overnight units all units that meet or exceed the 38 week minimum
- If there is a deficiency of required units, based on 2.5 to 1 ratio, Resort assessed compliance fee equivalent to lost transient lodging tax that County would have collected from those units



Proposal - DCC 18.113(L)(3)

- If Resort applies to create more residential lots, it may not apply the compliance fee to meet the 2.5:1 ratio
- Resort will have to demonstrate compliance per the new reporting methods or construct more overnight lodging units in order to comply with the 2.5:1 ratio



Applicant's Justification

- County Code requires individually-owned units be deed restricted in order to count as overnight lodging units but State law does not, therefor County Code more restrictive than State Law
- Eagle Crest desires to update County reporting requirements associated with overnight lodging units in order to be responsive to the technological changes in the industry
- Narrowly tailored amendment that only applies to Eagle Crest and not to any of the other County Goal 8 destination resorts

Review Criteria

- No specific criteria outlined in County Code (Titles 18, 22, or 23) for reviewing a legislative text amendment
- Applicant bears burden for justifying text amendments are consistent with Statewide Planning Goals, State law and County Comprehensive Plan
- Evaluating text amendment based on adequate findings



Questions or Comments . . .

