



BOARD OF COMMISSIONERS

BOARD OF COUNTY COMMISSIONERS MEETING

9:00 AM, WEDNESDAY, OCTOBER 22, 2025

Barnes Sawyer Rooms - Deschutes Services Building - 1300 NW Wall Street – Bend

(541) 388-6570 | www.deschutes.org

AGENDA

MEETING FORMAT: In accordance with Oregon state law, this meeting is open to the public and can be accessed and attended in person or remotely, with the exception of any executive session.

Members of the public may view the meeting in real time via YouTube using this link:

<http://bit.ly/3mmlnzy>. **To attend the meeting virtually via Zoom, see below.**

Citizen Input: The public may comment on any topic that is not on the current agenda. Alternatively, comments may be submitted on any topic at any time by emailing citizeninput@deschutes.org or leaving a voice message at 541-385-1734.

When in-person comment from the public is allowed at the meeting, public comment will also be allowed via computer, phone or other virtual means.

Zoom Meeting Information: This meeting may be accessed via Zoom using a phone or computer.

- To join the meeting via Zoom from a computer, use this link: <http://bit.ly/3h3oqdD>.
- To join by phone, call 253-215-8782 and enter webinar ID # 899 4635 9970 followed by the passcode 013510.
- If joining by a browser, use the raise hand icon to indicate you would like to provide public comment, if and when allowed. If using a phone, press *9 to indicate you would like to speak and *6 to unmute yourself when you are called on.
- When it is your turn to provide testimony, you will be promoted from an attendee to a panelist. You may experience a brief pause as your meeting status changes. Once you have joined as a panelist, you will be able to turn on your camera, if you would like to.



Deschutes County encourages persons with disabilities to participate in all programs and activities. This event/location is accessible to people with disabilities. If you need accommodations to make participation possible, call (541) 388-6572 or email brenda.fritsvold@deschutes.org.

Time estimates: The times listed on agenda items are estimates only. Generally, items will be heard in sequential order and items, including public hearings, may be heard before or after their listed times.

CALL TO ORDER

EXECUTIVE SESSION

At any time during the meeting, an executive session could be called to address issues relating to ORS 192.660(2)(e), real property negotiations; ORS 192.660(2)(h), litigation; ORS 192.660(2)(d), labor negotiations; ORS 192.660(2)(b), personnel issues; or other executive session categories.

Executive sessions are closed to the public; however, with few exceptions and under specific guidelines, are open to the media.

1. **9:00 AM** Executive Session under ORS 192.660 (2) (e) Real Property Negotiations

PLEDGE OF ALLEGIANCE

CITIZEN INPUT

The Board of Commissioners provides time during its public meetings for citizen input. This is an opportunity for citizens to communicate to the Commissioners on matters that are not otherwise on the agenda. Time is limited to 3 minutes.

The Citizen Input platform is not available for and may not be utilized to communicate obscene or defamatory material.

Note: *In addition to the option of providing in-person comments at the meeting, citizen input comments may be emailed to citizeninput@deschutes.org or you may leave a brief voicemail at 541.385.1734.*

COMMISSIONER ANNOUNCEMENTS

CONSENT AGENDA

2. Approval of an amendment to the intergovernmental agreement with the Oregon Health Authority for financing of Public Health services
3. Approval of Document No. 2025-1003, a Notice of Intent to Award a contract for the Deschutes County Solid Waste HVAC Replacement
4. Consideration of Board Signature on letter appointing Michelle Assia for service on the Two Rivers Special Road District Board
5. Approval of the minutes of the BOCC meetings of September 24 and 29 and October 1, 2025

ACTION ITEMS

- [6.](#) **9:30 AM** Public Hearing consider amendments to Deschutes County Code section 2.50, and possible action on Ordinance No. 2025-019
- 7. **9:45 AM** Approval to apply for and accept, if awarded, an Oregon Health Authority School-Based Health Center Expansion Grant for Youth-Led Projects
- [8.](#) **9:55 AM** Work Session and possible action on proposed updates to three County Policies: HR-14 Leave Policy, HR-16 Non-Represented Time Management Leave Policy, F-3 Purchasing Card Policy, and establishment of HR-19 Respectful Workplace Policy
- [9.](#) **10:15 AM** Public Hearing: Proposed text amendment to allow recreational vehicle (RV) parks as a conditional use in the Tumalo Commercial District

OTHER ITEMS

These can be any items not included on the agenda that the Commissioners wish to discuss as part of the meeting, pursuant to ORS 192.640.

ADJOURN



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: October 22, 2025

SUBJECT: Approval of an amendment to the intergovernmental agreement with the Oregon Health Authority for financing of Public Health services

RECOMMENDED MOTION:

Move approval of Document No. 2025-969, an amendment to the intergovernmental agreement with the Oregon Health Authority for financing of Public Health services (#185808-3).

BACKGROUND AND POLICY IMPLICATIONS:

Oregon Health Authority (OHA) intergovernmental agreement (IGA) 185808, approved by the Board of County Commissioners on July 23, 2025, outlined program descriptions and reporting requirements for Deschutes County, the Local Public Health Authority (LPHA), for fiscal year (FY) 2026 and 2027 and funding for FY 2026.

This amendment 3 provides an additional \$392,800 of anticipated funding for the following Program Elements (PE):

- \$30,000 for 44-01 School Based Health Clinic – Base.
- \$9,748 for PE 51-01 LPHA Leadership, Governance & Program Implementation.
- \$353,052 for PE 51-05 CDC PH Infrastructure. This is unspent funding rolled over from FY 2025.

BUDGET IMPACTS:

\$392,800 revenue for the term July 1, 2025 – June 30, 2026.

ATTENDANCE:

Heather Kaisner, Public Health Director

In compliance with the Americans with Disabilities Act, this document is available in alternate formats such as Braille, large print, audio recordings, Web-based communications and other electronic formats. To request an alternate format, please send an e-mail to dhs-oha.publicationrequest@state.or.us or call 503-378-3486 (voice) or 503-378-3523 (TTY) to arrange for the alternative format.

Agreement #185808

AMENDMENT TO OREGON HEALTH AUTHORITY 2025-2027 INTERGOVERNMENTAL AGREEMENT FOR THE FINANCING OF PUBLIC HEALTH SERVICES

This Third Amendment to Oregon Health Authority 2025-2027 Intergovernmental Agreement for the Financing of Public Health Services, effective July 1, 2025, (as amended the “Agreement”), is between the State of Oregon acting by and through its Oregon Health Authority (“OHA”) and Deschutes County, (“LPHA”), the entity designated, pursuant to ORS 431.003, as the Local Public Health Authority for Deschutes County. OHA and LPHA are each a “Party” and together the “Parties” to the Agreement.

RECITALS

WHEREAS, OHA and LPHA wish to modify the Financial Assistance Award set forth in Exhibit C of the Agreement.

WHEREAS, OHA and LPHA wish to modify information required by 2 CFR Subtitle B with guidance at 2 CFR Part 200 as set forth in Exhibit J of the Agreement;

NOW, THEREFORE, in consideration of the premises, covenants and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

AGREEMENT

1. This Amendment is effective on **September 1, 2025**, regardless of the date this amendment has been fully executed with signatures by every Party and when required, approved by the Department of Justice. However, payments may not be disbursed until the Amendment is fully executed.
2. The Agreement is hereby amended as follows:
 - a. Exhibit A “Definitions”, Section 18 “Program Element” is amended to replace the line items for PE03 as follows:

<u>PE NUMBER AND TITLE</u> • SUB-ELEMENT(S)	<u>FUND TYPE</u>	<u>FEDERAL AGENCY/ GRANT TITLE</u>	<u>CFDA#</u>	<u>HIPAA RELATED (Y/N)</u>	<u>SUB- RECIPIENT (Y/N)</u>
<u>PE03 Tuberculosis Services</u>					
<u>PE 03</u> Tuberculosis Case Management	GF	N/A	N/A	N	N
	FF	Tuberculosis Control & Elimination with Laboratory Services for the state of Oregon	93.116	N	N
<u>PE 03-02</u> Tuberculosis Case Management	FF	Tuberculosis Control & Elimination	93.116	N	Y

- a. Exhibit C, Section 1 of the Agreement, entitled “Financial Assistance Award” is hereby superseded and replaced in its entirety by Attachment B, entitled “Financial Assistance Award”,

attached hereto and incorporated herein by this reference. Attachment B must be read in conjunction with Section 2 of Exhibit C.

- b. Exhibit J of the Agreement entitled "Information required by 2 CFR Subtitle B with guidance at 2 CFR Part 200" is amended to add to the federal award information datasheet as set forth in Attachment C, attached hereto and incorporated herein by this reference.
3. LPHA represents and warrants to OHA that the representations and warranties of LPHA set forth in Section 4 of Exhibit F of the Agreement are true and correct on the date hereof with the same effect as if made on the date hereof.
4. Capitalized words and phrases used but not defined herein shall have the meanings ascribed thereto in the Agreement.
5. Except as amended hereby, all terms and conditions of the Agreement remain in full force and effect.
6. This Amendment may be executed in any number of counterparts, all of which when taken together shall constitute one agreement binding on all parties, notwithstanding that all parties are not signatories to the same counterpart. Each copy of this Amendment so executed shall constitute an original.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the dates set forth below their respective signatures.

7. Signatures.

STATE OF OREGON, ACTING BY AND THROUGH ITS OREGON HEALTH AUTHORITY

Approved by: _____

Name: /for/ Nadia A. Davidson

Title: Director of Finance

Date: _____

DESCHUTES COUNTY LOCAL PUBLIC HEALTH AUTHORITY

Approved by: _____

Printed Name: _____

Title: _____

Date: _____

DEPARTMENT OF JUSTICE – APPROVED FOR LEGAL SUFFICIENCY

Agreement form group-approved by Devon Thorson, Senior Assistant Attorney General, Tax and Finance Section, General Counsel Division, Oregon Department of Justice by email on August 11, 2025, copy of email approval in Agreement file.

REVIEWED BY OHA PUBLIC HEALTH ADMINISTRATION

Reviewed by: _____

Name: Rolonda Widenmeyer (or designee)

Title: Program Support Manager

Date: _____

Attachment A
Exhibit C - Financial Assistance Award

State of Oregon Oregon Health Authority Public Health Division		
1) Grantee Name: Deschutes County Street: 2577 NE Courtney Dr. City: Bend State: OR Zip: 97701-7638	2) Issue Date Monday, September 1, 2025	This Action Amendment
		FY 2026
	3) Award Period From July 1, 2025 through June 30, 2026	

4) OHA Public Health Funds Approved				
Number	Program	Previous Award Balance	Increase / Decrease	Current Award Balance
PE01-01	State Support for Public Health	\$58,471.25	\$0.00	\$58,471.25
PE01-12	ACDP Infection Prevention Training	\$1,517.82	\$0.00	\$1,517.82
PE03	Tuberculosis Case Management	\$3,800.00	\$0.00	\$3,800.00
PE12-01	Public Health Emergency Preparedness and Response (PHEP)	\$75,116.00	\$0.00	\$75,116.00
PE13	Tobacco Prevention and Education Program (TPEP)	\$491,951.50	\$0.00	\$491,951.50
PE36	Alcohol & Drug Prevention Education Program (ADPEP)	\$100,624.00	\$0.00	\$100,624.00
PE36-01	OSPTR Board Primary Prevention Funding	\$39,753.00	\$0.00	\$39,753.00
PE40-01	WIC NSA: July - September	\$219,999.00	\$0.00	\$219,999.00
PE40-02	WIC NSA: October - June	\$659,995.00	\$0.00	\$659,995.00
PE40-05	Farmer's Market	\$5,120.00	\$0.00	\$5,120.00
PE42-03	MCAH Perinatal General Funds & Title XIX	\$19,222.00	\$0.00	\$19,222.00
PE42-04	MCAH Babies First! General Funds	\$21,367.00	\$0.00	\$21,367.00
PE42-11	MCAH Title V	\$71,090.00	\$0.00	\$71,090.00
PE42-12	MCAH Oregon Mothers Care Title V	\$68,251.00	\$0.00	\$68,251.00
PE43-01	Public Health Practice (PHP) - Immunization Services	\$39,489.00	\$0.00	\$39,489.00

4) OHA Public Health Funds Approved				
Number	Program	Previous Award Balance	Increase / Decrease	Current Award Balance
PE44-01	SBHC Base	\$360,000.00	\$30,000.00	\$390,000.00
PE44-02	SBHC - Mental Health Expansion	\$412,154.00	\$0.00	\$412,154.00
PE46-05	RH Community Participation & Assurance of Access	\$32,742.00	\$0.00	\$32,742.00
PE50	Safe Drinking Water (SDW) Program (Vendors)	\$128,426.03	\$0.00	\$128,426.03
PE51-01	LPHA Leadership, Governance and Program Implementation	\$804,669.00	\$9,748.50	\$814,417.50
PE51-02	Regional Partnership Implementation	\$553,897.00	\$0.00	\$553,897.00
PE51-05	CDC PH Infrastructure Funding	\$0.00	\$353,051.63	\$353,051.63
PE60	Suicide Prevention, Intervention and Postvention	\$40,209.25	\$0.00	\$40,209.25
PE63	MCAH LPHA Community Lead Organizations	\$185,000.00	\$0.00	\$185,000.00
PE79	MRC-STTRONG	\$3,927.28	\$0.00	\$3,927.28
PE81-01	HIV/STI Statewide Services (HSSS) Federal Funds	\$85,152.00	\$0.00	\$85,152.00
PE81-02	HIV/STI Statewide Services (HSSS) Program Income	\$412,810.00	\$0.00	\$412,810.00
		\$4,894,753.13	\$392,800.13	\$5,287,553.26

5) Foot Notes:	
PE01-01	07/2025: funding available 7/1/25-9/30/25 only.
PE40-01	07/2025: funds available 7/1/25-9/30/2025 only
PE40-02	07/2025: funds available 10/1/25-6/30/26 only
PE42-11	07/2025: Indirect rate caps at 10%.
PE42-12	07/2025: Indirect rate caps at 10%.
PE79	08/2025: SFY26 funds must be spent by 05/31/2026.

Comments on following page.

6) Comments:	
PE36	08/2025: Prior comment null and void 07/2025: \$25,156.00 available 7/1/25 - 9/30/25 only.
PE36-01	07/2025: rollover unspent SFY25 funds of \$39,753
PE51-05	09/2025: Rollover unspent SFY25 funds of \$353,051.63.
PE60	07/2025: \$40,209.25 available 7/1/25-9/29/25 only (includes rollover unspent SFY25 funds of \$12,596, per grantee request)
PE79	08/2025: Rollover of SFY25 unspent funds of \$3,927.28
PE81-01	07/2025: \$78,056 available 7/1/25-5/31/26 only; \$7,096 available 6/1/26-6/30/26 only

7) Capital outlay Requested in this action:				
Prior approval is required for Capital Outlay. Capital Outlay is defined as an expenditure for equipment with a purchase price in excess of \$5,000 and a life expectancy greater than one year.				
Program	Item Description	Cost	PROG APPROV	

Attachment B**Exhibit J - Information required by CFR Subtitle B with guidance at 2 CFR Part 200****PE03 Tuberculosis Case Management**

Federal Award Identification Number:	NU52PS910280	NU52PS910280
Federal Award Date:	08/18/25	
Budget Performance Period:	01/01/2025-12/31/2025	01/01/2026-12/31/2026
Awarding Agency:	CDC	CDC
CFDA Number:	93.116	93.116
CFDA Name:	Tuberculosis Control & Elimination	Tuberculosis Control & Elimination
Total Federal Award:	543624	TBD
Project Description:	Tuberculosis Control & Elimination with Laboratory Services for the state of Oregon	Tuberculosis Control & Elimination with Laboratory Services for the state of Oregon
Awarding Official:	Mr. Shameer Poonja	Mr. Shameer Poonja
Indirect Cost Rate:	16.96%	TBD
Research and Development (T/F):	FALSE	FALSE
HIPPA	No	No

Agency	UEI	Amount	Amount	Grand Total:
Deschutes	SVJRCF7JN519	\$1,900.00	\$1,900.00	\$3,800.00

PE51-05 CDC PH Infrastructure Funding

Federal Award Identification Number:	NE11OE000080	NE11OE000080
Federal Award Date:		11/24/24
Budget Performance Period:	12/1/2025-11/30/2026	12/1/24-11/30/25
Awarding Agency:	CDC	CDC
CFDA Number:	93.967	93.967
CFDA Name:	CDC's Collaboration with Academia to Strengthen Public Health	CDC's Collaboration with Academia to Strengthen Public Health
Total Federal Award:	\$30,054,888	2339080
Project Description:	Oregon Health Authority, Public Health Division's application for Strengthening U.S. Public Health Infrastructure, Workforce, and Data Systems (CDC-RFA-OE22-2203)	OHA, PHD's application for Strengthening U.S. Public Health Infrastructure, Workforce, and Data Systems
Awarding Official:	Lauren Bartell Billick	Lauren Bartell Billick
Indirect Cost Rate:	4%	4%
Research and Development (T/F):	FALSE	FALSE
HIPPA	No	No

Agency	UEI	Amount	Amount	Grand Total:
Deschutes	SVJRCF7JN519	\$205,946.78	\$147,104.85	\$353,051.63



BOARD OF
COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: October 22, 2025

SUBJECT: Approval of Document No. 2025-1003, a Notice of Intent to Award a contract for the Deschutes County Solid Waste HVAC Replacement

RECOMMENDED MOTION:

Move approval of Document No. 2025-1003, a Notice of Intent to Award a contract for the Deschutes County Solid Waste HVAC Replacement.

BACKGROUND AND POLICY IMPLICATIONS:

Deschutes County Facilities Department prepared bid solicitation documents for the Deschutes County Solid Waste Admin building HVAC replacement project. The project scope includes the removal and replacement of the Solid Waste Admin building HVAC system which is served by six furnace/heat pump units and 1 P-TAK unit that serves the IT room. HVAC units #4 & 6 have failed and no longer provide cooling and are at the end of their service life. In addition to the Administration building, the HVAC unit that serves the Transfer Station breakroom will be replaced. All eight units are 19 years old and the typical life expectancy for this equipment is 15-20 years.

The project was advertised in the *Daily Journal of Commerce* and posted on the *Deschutes County website* on September 3 through 5, 2025. The Department reviewed the bids on October 9, 2025.

Three HVAC contractors attended the mandatory pre-bid site visit, and three bids were submitted. The three responsive bids are summarized below.

<u>BIDDER</u>	<u>TOTAL BID AMOUNT</u>
Cascade Heating & Specialties Inc.	\$254,961.00
Temp-Rite Mechanical LLC.	\$303,072.00
Alliant Systems Inc.	\$349,517.00

This action issues a Notice of Intent to Award the contract to the apparent low bidder, Cascade Heating and Specialties Inc., and allows seven days for concerned parties to protest the award. If there is no protest within the seven-day period, the contract will be awarded to the apparent low bidder.

BUDGET IMPACTS:

The project cost has been identified as part of Fund 613 Solid Waste Capital Project Reserve

ATTENDANCE:

Brent Harding, Facilities Project Coordinator

Shannon Ostendorff, Facility Operation Manager



BOARD OF COUNTY COMMISSIONERS

October 22, 2025

Sent via electronic mail & first class mail

Cascade Heating and Specialties Inc.
Attn: Seth Freeman
1507 NE 1st Street
Bend, OR. 97701
seth@cascadeheat.com

RE: Contract for Deschutes County – Deschutes County Solid Waste HVAC
Replacement

NOTICE OF INTENT TO AWARD CONTRACT

On October 22, 2025, the Board of County Commissioners of Deschutes County, Oregon, considered bids for the above-referenced project. The Board of County Commissioners determined that the successful proposer for the project was Cascade Heating and Specialties Inc.

This Notice of Intent to Award Contract is issued pursuant to Oregon Revised Statute (ORS) 279C.375. Any entity which believes that they are adversely affected or aggrieved by the intended award of contract set forth in this Notice may submit a written protest within seven (7) calendar days after the issuance of this Notice of Intent to Award Contract to the Board of County Commissioners of Deschutes County, Oregon at Deschutes Services Building, 1300 NW Wall Street, Bend Oregon, 97703.

The seven (7) calendar day protest period will expire at 5:00 PM on Wednesday, October 29, 2025

Any protest must be in writing and specify any grounds upon which the protest is based. Please refer to Oregon Administrative Rules (OAR) 137-049-0450. If a protest is filed within the protest period, a hearing will be held at a regularly scheduled business meeting of the Board of County Commissioners of Deschutes County, Oregon, acting as the Contract Review Board, in the Deschutes Services Building, 1300

NW Wall Street, Bend, Oregon 97703 within two (2) weeks of the end of the protest period.

If no protest is filed within the protest period, this Notice of Intent to Award Contract becomes an Award of Contract without further action by the County unless the Board of County Commissioners, for good cause, rescinds this Notice before the expiration of the protest period.

If you have any questions regarding this Notice of Intent to Award Contract or the procedures under which the County is proceeding, please contact Deschutes County Legal Counsel: telephone (541) 388-6625, Fax (541) 383-0496; or email to david.doyle@deschutes.org.

Be advised that if no protest is received within the stated time period, the County is authorized to process the contract administratively.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
DESCHUTES COUNTY, OREGON

Commissioner Anthony DeBone, Chair

Enclosure:
OAR 137-047-0610

Cc w/ enclosure

Alliant Systems Inc.
1320 SE Armour Rd. Suite B2
Bend, OR. 97702
r.notebaart@alliant-systems.com

Temp-Rite Mechanical LLC.
460 NE Hemlock Ave. Suite A
Redmond, OR. 97756
nick@tempritemechanical.com



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: October 22, 2025

SUBJECT: Public Hearing consider amendments to Deschutes County Code section 2.50, and possible action on Ordinance No. 2025-019

RECOMMENDED MOTIONS:

Following the public hearing,

1. Move approval of first and second reading of Ordinance 2025-019 by title only; and
2. Move emergency adoption of Ordinance 2025-019 to take effect immediately.

BACKGROUND AND POLICY IMPLICATIONS:

Staff has identified a need to amend DCC 2.50 to better clarify the process for initiation of dog board hearings, and also to make clear the quorum requirements/process. A work session was held on October 6th.

BUDGET IMPACTS:

None

ATTENDANCE:

County Legal

REVIEWED

LEGAL COUNSEL

REVIEWED

LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Title 2.50, Board of Supervisors, of the Deschutes County Code.

- * *
- * *
- * *

ORDINANCE NO. 2025-019

WHEREAS, the Deschutes County Code (DCC) contains rules and regulations duly enacted through ordinance by Deschutes County and the Deschutes County Board of Commissioners; and

WHEREAS, from time-to-time the need arises to make amendments, including new enactments to the DCC; and

WHEREAS, staff from the Legal Department have identified a need to amend DCC 2.50 to clarify processes; and

WHEREAS, the Board of County Commissioners of Deschutes County considered this matter at a duly noticed Board hearing on October 22, 2025, and determined that DCC 2.50 should be amended; now therefore,

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

Section 1. AMENDMENT. DCC 2.50 is amended to read as described in Exhibit “A,” attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strikethrough~~.

Section 2. EMERGENCY. This Ordinance being necessary for the preservation of the public peace, health and safety, an emergency is declared to exist, and this Ordinance takes effect on October 22, 2025.

III

Dated this _____ of _____, 2025

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

ANTHONY DeBONE, Chair

PATTI ADAIR, Vice Chair

ATTEST:

Recording Secretary

PHIL CHANG, Commissioner

Date of 1st Reading: 22nd day of October, 2025.

Date of 2nd Reading: 22nd day of October, 2025.

<u>Commissioner</u>	<u>Yes</u>	<u>No</u>	<u>Record of Adoption Vote</u> <u>Abstained</u>	<u>Excused</u>
Patti Adair				
Phil Chang				
Anthony DeBone				

Effective date: 22nd day of October, 2025.

EXHIBIT A

(To Ordinance 2025-019)

CHAPTER 2.50 BOARD OF SUPERVISORS

2.50.010 Board Name

2.50.020 Board Membership

2.50.025 Lack Of Quorum Due To Vacancy

2.50.030 Compensation; Expense Reimbursement

2.50.040 Meetings, Attendance And Quorum

2.50.050 Powers And Duties

2.50.060 Conflicts Of Interest

2.50.070 Appeal

2.50.080 Remand

2.50.010 Board Name

The name of the board shall be the Deschutes County Board of Supervisors, hereinafter in this chapter called "the board," or "the Dog Board."

HISTORY

Adopted by Ord. 95-013 §1 on 3/29/1995

Amended by Ord. 2025-019 §1 on 10/22/2025

2.50.020 Board Membership

- A. The membership of the board shall consist of **no less than three and no more than** five residents of the County. At least two members shall be directly or indirectly connected with the livestock industry.
- B. Members shall be appointed by the Board of Commissioners for a term of two years, except that each membership may be terminated by a majority vote of the Board of Commissioners.
- C. Appointments shall be made on a staggered basis, with each beginning on July 1 of the year of appointment, incumbents to serve until regularly replaced.
- D. At the expiration of the term of any member, the Board of Commissioners shall appoint a new member or may reappoint a member for a term of two years. If a vacancy occurs, the appointing body shall appoint a new member for the unexpired term.
- E. The Board of Commissioners may appoint one or more alternate board members who are residents of the County. Alternate board members shall be appointed for terms of two years beginning on July 1 of the year of appointment. If more than one

alternate board member is appointed, the appointments shall be on a staggered basis. Any alternative board member's membership may be terminated by a majority vote of the Board of Commissioners.

- F. When an alternate board member is sitting on the board for the purpose of conducting board business, the alternate board member shall be deemed to be a board member, and shall have all the rights, duties and obligations of a board member appointed pursuant to DCC 2.50.020.

HISTORY

Adopted by Ord. 95-013 §1 on 3/29/1995

Amended by Ord. 99-005 §1 on 1/27/1999

Amended by Ord. 2025-019 §1 on 10/22/2025

2.50.025 Lack Of Quorum Due To Vacancy

If the board ceases for any reason to have a quorum of three members due to vacancy ~~or unavailability~~, the Board of County Commissioners shall ~~designate an interim member in order to establish act as the board until~~ a quorum ~~is appointed~~.

HISTORY

Adopted by Ord. 97-011 §3 on 3/19/1997

Amended by Ord. 2025-019 §1 on 10/22/2025

2.50.030 Compensation; Expense Reimbursement

No board member shall receive compensation, but shall be reimbursed for authorized expenses.

HISTORY

Adopted by Ord. 95-013 §1 on 3/29/1995

2.50.040 Meetings, Attendance And Quorum

- A. The board shall convene a hearing promptly:

1. Upon ~~notice~~ written request of any livestock owner claiming that an identified dog(s), presently secured at impound, has engaged in killing, wounding, or chasing livestock, and provided that the Sheriff's Office is supportive of proceeding with a hearing ~~of a damage claim filed under DCC 6.12.070;~~

2. ~~After completion of any tests administered pursuant to DCC 6.12.040(B), to determine whether a dog has been engaged in killing, wounding or chasing livestock. Upon referral from the Sheriff or the District Attorney as further described in DCC 2.50.050 C.~~
- B. Involved dog owners, ~~and~~ livestock owners, ~~and other identified persons~~ shall be given reasonable notice of hearings.
- C. Members absent three consecutive hearings may be asked to resign, enabling the Board of County Commissioners to appoint a replacement.
- D. ~~Three members~~ ~~A majority of the board~~ shall constitute a quorum. ~~When necessary for a quorum, if a majority of the board is unavailable to meet,~~ any or all alternative board members ~~or interim members~~ may sit on the board to provide a board of three or more board members. A board of three board members, including one or more alternative board members ~~and/or interim board members~~, shall also constitute a quorum.

HISTORY

Adopted by Ord. 95-013 §1 on 3/29/1995

Amended by Ord. 99-005 §2 on 1/27/1999

Amended by Ord. 2025-019 §1 on 10/22/2025

2.50.050 Powers And Duties

As provided in ORS 609.030~~(2)~~, the Board of County Commissioners vests in the board the following responsibilities:

- A. To conduct hearings to determine whether an impounded dog has been engaged in killing, wounding, injuring or chasing livestock in accordance with ~~applicable sections of DCC 6.12 and/or ORS 609.050-060.~~
- ~~B.~~ To conduct damage claims hearings in accordance with DCC 6.12.080.
- ~~C.~~ To conduct hearings, upon referral from the Sheriff's Office or the District Attorney's Office, to determine whether an impounded dog has engaged in conduct constituting nuisance, menacing, potentially dangerous dog, or dangerous dog as provided in DCC 6.08 and/or ORS 609, and thereafter to order proper disposition.
- ~~B.D.~~ Determinations made by the Dog Board shall be supported by reliable, probative and substantial evidence, and may be appealed as provided for in ORS 609.090 or ORS 609.165.

HISTORY

Adopted by Ord. ~~95-013~~ §1 on 3/29/1995

~~Amended by Ord. 2025-019 §1 on 10/22/2025~~

2.50.060 Conflicts Of Interest

A member of the board shall not participate in any board proceeding or action in which any of the following have a direct, substantial financial interest: the member or his spouse, brother, sister, child, parent, father-in-law, mother-in-law, or any business with which he is negotiating for or has an arrangement or understanding concerning prospective investment or employment. Any actual or potential interest shall be disclosed at the meeting of the board where the matter is being considered.

HISTORY

Adopted by Ord. ~~95-013~~ §1 on 3/29/1995

2.50.070 Appeal

The decision of the board shall be the final decision of the County, except in the case of remand after appeal or review by a court, ~~or as otherwise provided by law.~~

HISTORY

Adopted by Ord. ~~95-013~~ §1 on 3/29/1995

Amended by Ord. ~~97-011~~ §3 on 3/19/1997

~~Amended by Ord. 2025-019 §1 on 10/22/2025~~

2.50.080 Remand

If a decision of the board is remanded after appeal or review by a court, the Board of County Commissioners shall conduct a new hearing under the law in effect at the time of the new hearing. For the new hearing under DCC 2.50.080, the term “board” shall mean Board of County Commissioners.

HISTORY

Adopted by Ord. ~~97-011~~ §3 on 3/19/1997



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: October 22, 2025

SUBJECT: Work Session and possible action on proposed updates to three County Policies: HR-14 Leave Policy, HR-16 Non-Represented Time Management Leave Policy, F-3 Purchasing Card Policy, and establishment of HR-19 Respectful Workplace Policy

RECOMMENDED MOTION:

Recommend authorization of County Administrator signature on proposed policy updates as presented by staff.

BACKGROUND AND POLICY IMPLICATIONS:

County Human Resources is proposing policy updates to HR-14 Leave Policy, HR-16 Non-Represented Time Management Leave Policy. Human Resources is also proposing the creation of a new policy, HR-19, Respectful Workplace Policy. County Finance requests approval of the revised Purchasing Card (P-Card) Policy, F-3.

Attached for review are redlined versions and 'clean' versions of the revised policies. All policy updates and development have been vetted with the County's Policy Advisory Committee and Department / Office leadership.

The proposed policy changes are summarized below:

HR-14: Leave Policy

Establishes the County's paid time-management leave for vacation and sick time and sets expectations for responsible use, including supervisor approval of scheduled leave only from existing leave balances. It gives employees general guideline to ensure compliance with county leave requirements. Clarifies when leave without pay may be used after exhausting accruals and how protected leaves (PLO/FMLA/OFLA) are handled within scheduling and approval processes.

HR-16: Non-Represented Time Management Leave Policy

This policy outlines the county's leave-with-pay program, so that it's easily understood and administered. Defines the sick leave bank and sick leave vault and outlines eligibility, usage, and payout rules to promote faithful attendance and program integrity.

HR-19: Respectful Workplace Policy

This policy gives general guidelines to employees to ensure they understand the what the county defines as appropriate and inappropriate workplace behavior. Details responsibilities for reporting and addressing inappropriate behavior, includes anti-retaliation protections, and outlines potential disciplinary consequences.

F-3: Purchasing Card Policy

This policy ensures control and oversight of P-Card usage while empowering employees to make necessary purchases efficiently. The purpose of this policy is to provide a framework for the issuance, use, and management of P-Cards to ensure efficient procurement processes for small-dollar transactions and the proper stewardship of public funds.

The P-Card Policy includes the following updates:

- Allows for individual named cards and a general department named card with an assigned custodian.
- Clarifies responsibilities for cardholders, department custodians and reconcilers, department users, and approvers.
- Removes the ability to obtain and use store issued credit cards.
- Allows the P-Card Program Administrator (Procurement Manager, or designee) to approve P-Cards limits up to \$25,000.

With this revised policy, Finance is also proposing to delete a separate policy (also numbered F-3) County Issued Credit Cards – Sheriff's Office, dated March 19, 2007. This policy is no longer needed as it was in place prior to a Countywide purchasing card program. The Sheriff's Office (SO) no longer needs this policy and the revised Countywide P-Card policy covers their needs. If the SO does have exceptions (more restrictive), they will include them in their General Orders. Any department can have a separate and more restrictive P-Card policy, but not less restrictive than the general County policy while still meeting all the requirements of the policy.

BUDGET IMPACTS:

None

ATTENDANCE:

Susan DeJoode, Human Resources Director
Robert Tintle, Chief Financial Officer



Deschutes County Administrative Policy No. F-3
~~Effective Date~~Original Adoption: 09/20/2017
 Revised Adoption: xx/xx/2025

PURCHASING CARDS

I. **STATEMENT OF POLICY**

It is the policy of Deschutes County to provide County-issued Purchasing ~~C~~cards to designated County staff and elected officials ~~in certain limited situations to be used~~ for the efficient and appropriate transaction of County Business.

II. **APPLICABILITY**

This policy applies ~~to all Purchasing c~~Cards issued by the County to staff and elected officials issued Purchasing Cards by the County for use in conductingtransacting official County business.

III. **POLICY AND PROCEDURE**

~~The following reimbursement guidelines will apply:~~

A. **Types of Purchasing Cards**

1. **Individual Purchasing Card**

A general-purpose purchasing card issued in the name of the employee and Deschutes County. It may be used to purchase goods and services for individual transactions under \$25,000. The card must not be shared with other employees, although cardholders may make purchases on behalf of others.

2. **Department Purchasing Card (DPC)**

A Department Purchasing Card is issued in the name of the Department and Deschutes County. It may be used to purchase goods and services for individual transactions under \$25,000. The DPC will be assigned to a designated Department Custodian(s) and may be checked out to department employees.

B. **Card Requests, ~~and Issuance,~~ and Temporary or Permanent Increases**

Departments requesting ~~P~~purchasing ~~C~~cards for use in transacting County business shall provide a written request to the Chief Financial OfficerFinance Director, or designee, using the Purchasing Card Request Form and Purchasing Card Agreement (available on the County Intranet site). Cardholders requesting a limit increase, temporary or permanent, shall make the request on the Purchasing Card Request for Credit Limit Increase form. The Procurement Manager, or designee, may approve requests up to \$25,000. The Chief Financial Officer shall approve all requests over \$25,000, clearly setting forth the purpose and intended use of each card. Such request shall include the anticipated efficiencies to be gained by the use of such cards.Only one individually named card will be issued to a single card holder. Multiple Department Purchasing Cards may be issued to a single individual, as department custodian, if authorized by the Department Director and Chief Financial Officer, or designee. Cards may only be issued to current County employees and elected officials. Volunteers, interns, and non-employee committee members are not eligible.

Deschutes County financial policy F-14, section 4(d) authorizes the Finance Director/Treasurer to evaluate requests and issue cards in consultation with the County Administrator.

C. **Purchasing Cardholder Responsibilities**

1. CThe assigned cardholders areis responsible for;

- a. ~~Completing and signing the Purchasing Card Request Form and Purchasing Card Agreement.~~
- b. ~~handling the card with the utmost care including u~~Using the card in compliance with County Purchasing Rules and this Policy. ~~The cardholder is responsible for f~~
- c. ~~Following all procedures required by the County Finance Department.~~
- d. ~~and to e~~Ensuring the secure storage of the card by taking extra caution to keep it separate from personal debit and charge cards.
- e. ~~The cardholder is also expected to m~~Maintaining the security of the card number.
- f. ~~Reporting lost or stolen cards immediately to both the issuing bank and the card program administrator.~~
- g. ~~Maintaining and submitting proper receipts and documentation for all transactions.~~
- h. ~~Monthly reconciliation of card transactions in the County's designated system.~~
- i. ~~Promptly reporting any suspicious or unauthorized activity to the issuing bank and the card program administrator.~~
- j. ~~Resolving suspected fraudulent transactions and initiating timely contact with the issuing bank's fraud department when notified of potentially fraudulent activity. All fraudulent activity must be reported to the card program administrator.~~

2. Individual Purchasing Card Custodian Reconciler:

~~Individual Cardholders are authorized to designate a Department Custodian Reconciler to manage the reconciliation of the Purchasing Card on their behalf. The cardholder is responsible for providing requisite supporting receipts and documentation to the Custodian Reconciler. Any deficiencies in documentation remain with the Cardholder who is ultimately accountable and subject to disciplinary measures~~action for non-compliance with the policy, ~~and-not the Custodian Reconciler.~~

3. Department Purchasing Card Department Custodian:

~~Custodians bear the same responsibilities of a Purchasing Cardholder. In addition to those responsibilities, they are accountable for:~~

- a. ~~Ensuring users are trained and have signed the Purchasing Card Agreement.~~
- b. ~~Maintaining a check-out log.~~
- c. ~~Securing the card when not in use.~~
- d. ~~Obtaining receipts and proper documentation from users.~~

~~Users of the Department Purchasing Card are responsible for submitting all receipts and proper documentation to the Department Custodian. Users are accountable for any lost or missing receipts and completing any required forms. Failure to submit proper documentation may result in user privileges being revoked, potential reimbursement of charges, and disciplinary action.~~

~~Users of Department Purchasing Cards are strictly prohibited from manually or virtually recording, or writing down and storing, any credit card information, including the full card number (Primary Account Number - PAN), expiration date, cardholder name, CVV2/CVC2 (the three or four-digit security code), or PIN. This applies to all forms of physical or digital records, including, but not limited to notes, computers, spreadsheets, personal devices, smart phones, email, text messages, or any unsecure storage location. Users of Department Purchasing Cards must check-out the Department Purchasing Card from the Department Custodian for each use. Users of Department Purchasing Cards are not allowed to set up recurring payments using a Department Purchasing Card.~~

4. Cardholders and the department Purchasing Card Approversmanagers are responsible for:

- a. ~~a~~Adhering to all policies and procedures related to County issued Purchasing Cards,
- b. ~~Reviewing and approving all charges promptly and ensuring each charge is accurately assigned the appropriate account coding.~~reviewing all charges in a timely manner not less frequently than weekly and assigning the appropriate account coding to each charge. ~~They are also responsible for~~

ensuring that each purchase is appropriate and in compliance with County purchasing rules and this policy

c. ~~Ensuring each charge is an acceptable use for conducting County business.~~

d. ~~Ensuring and maintaining proper documentation is attached.~~

a-e. ~~Individual Purchasing Cardholders are not permitted to approve their own transactions. Approvals will fall to their direct supervisor or designee for approval.~~

D. Finance Department Responsibilities

The County Finance Department shall be responsible for:

1. ~~Administering the County Purchasing Card program.~~

2. ~~for m~~ Maintaining the relationship with the bank.

3. ~~m~~ Making the electronic payment each period.

4. ~~and for d~~ Developing and maintaining controls, procedures and software applications necessary to carry out the program.

5. ~~Finance shall also e~~ Establishing procedures that must be followed by department staff for the administration of the program.

1-6. ~~Handling card access and security issues, such as fraud, compromised accounts, and stolen/lost cards, by working with Cardholders.~~

E. Appropriate Uses

Purchasing Cards ~~may be used~~ issued under this policy shall only be used to transact official County Business and must be used to complement and not circumvent existing purchasing rules and processes.

Acceptable uses for County business are limited to the following:

2-1. Travel arrangements for staff or elected officials attending conferences or meetings requiring an overnight stay ~~limited to for~~ lodging and transportation. Purchasing ~~C~~cards may not be used for travel related ~~incidentals and~~ meals. (See Policy F-1 Reimbursement for Miscellaneous Expenses Incurred While Traveling on County Business).

2. Registration fees for conferences, meetings or training events.

3. Dues for memberships.

4. Online purchases for County business that can only be transacted with a ~~credit~~ purchasing card due to vendor requirements.

5. Emergency situations generally described as unforeseen and immediate that require a time frame that cannot be accommodated by the County's normal accounts payable schedule.

6. Purchases of materials and supplies in the field to that facilitate the needs of County staff or clients.

7. Fuel - for rental vehicles only.

6-8. Invoice payments, provided the vendor does not impose processing or credit card surcharge fees.

D.F. Prohibited Uses

Purchasing Card transactions prohibited by this policy include but are not limited to:

1. Purchase of fuel for personal or County- owned -vehicles.

2. Cash advances.

3. Purchases related to Alcohol, Tobacco, Firearms, and Casinos, and lotteries.

4. Personal expenses of any kind, items

5. Meals while on travel status.

6. Charitable donations.

7. Any item not allowed by cardholder department policies or procedures.

5-8. Any item not allowed by sponsoring agency related to grant reimbursements.

E.G. Other Provisions

1. Purchasing Cards may be used for transactions conducted in person or to purchase goods and services by phone, fax, e-mail or through the internet.
2. Purchasing Cards are the County's official credit mechanism. The issuing bank has been vetted by the Finance Department. Use of alternative store credit lines are prohibited unless explicitly authorized by the Chief Financial Officer.
3. Cards with high-dollar limits may be issued for emergencies. Cardholders must follow all County Code and relevant policies regarding emergency procedures for all purchases.
4. Employees issued Ppurchasing Ccards will be required to sign an Purchasing Card Agreement acknowledging ingment that they have read and understand this policy and all related procedures.
5. Violations of the Purchasing Rules; or this policy may result in temporary suspension and remedial training, revocation of the right to use a Purchasing Card, repayment for any unauthorized purchases, and may result in disciplinary action by the authorizing supervisor (up to and including termination).
- 3-6. Departments and Offices may elect to establish policies or General Orders that are more restrictive of, but not less than, this policy.

Approved by the Deschutes County Board of Commissioners on XX/XX/2025.

Tom Anderson Nick Lelack, County Administrator

~~Deschutes County, Oregon
Purchasing Card Request Form
(County Policy F-3)~~

This Form is to be completed for each County Staff member requesting the issuance of a Purchasing Card. Please read County Financial Policy F-3 prior to completing this request form.

Requesting Employee: _____ Cell Phone: _____

Employee Direct Supervisor: _____ Phone: _____
 Requesting Department/Division: _____

Please explain why a purchasing card is being requested for this employee. How will it be used? What purchases will be made with it? How will a purchasing card make the work of this employee more efficient?

[illegible]

I have read and understand the policies and procedures of Deschutes County related to purchasing cards and I agree to comply with them and be bound by them.

Employee Requesting Purchase Card **Date Signed**

Direct Supervisor _____ **Date Signed** _____

Department Head _____ **Date Signed** _____

Issuance of Purchasing Card ☒ **Approved** ☐ **Denied**

~~Chief Financial Officer~~ ~~Date Signed~~

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FINANCE DEPARTMENT

Deschutes County Purchasing Card Cardholder Agreement

Employee Responsible (Cardholder): _____
Department Responsible: _____
Credit Card Number (Last 4 & Expiration): _____

By signing below, the County Employee is certifying and agreeing to the following:

1. I am responsible for the physical security of the credit card that has been issued to me. I will ensure that the card is stored in a secure location and that it can't be accessed by anyone else without my permission.
2. I have reviewed the County policy (F-3 Purchasing Card Policy) and procedures related to the use of County purchasing cards and promise to abide by them.
3. I am responsible for the use of the credit card. I understand that I may grant other County employees access to the credit card and it is my responsibility to inform them on its proper use.
4. I understand that any improper use of the card must be reported immediately to the Finance Department.
5. I am responsible for maintaining all records related to the use of this credit card, including the keeping of all original credit card receipts, packing slips, and any other related documents for each purchase.
6. Upon receipt of the Purchasing Card Statement within Munis, I am responsible for reviewing all charges for compliance within a timely manner, attaching all supporting documentation within Munis, and ensuring the appropriate Department approvals are made on a timely basis.
7. I understand that any inappropriate use of this County credit card may result in the cancellation of the card by the Finance Department and may also result in discipline by the authorizing supervisor (up to and including termination).

Print Name _____

Signature _____ Date _____

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Deschutes County Administrative Policy No. F-3
Original Adoption: 09/20/2017
Revised Adoption: xx/xx/2025

PURCHASING CARDS

I. **STATEMENT OF POLICY**

It is the policy of Deschutes County to provide County-issued Purchasing Cards to designated County staff and elected officials for the efficient and appropriate transaction of County Business.

II. **APPLICABILITY**

This policy applies to staff and elected officials issued Purchasing Cards by the County for use in conducting official County business.

III. **POLICY AND PROCEDURE**

A. **Types of Purchasing Cards**

1. **Individual Purchasing Card**

A general-purpose purchasing card issued in the name of the employee and Deschutes County. It may be used to purchase goods and services for individual transactions under \$25,000. The card must not be shared with other employees, although cardholders may make purchases on behalf of others.

2. **Department Purchasing Card (DPC)**

A Department Purchasing Card is issued in the name of the Department and Deschutes County. It may be used to purchase goods and services for individual transactions under \$25,000. The DPC will be assigned to a designated Department Custodian(s) and may be checked out to department employees.

B. **Card Requests, Issuance, and Temporary or Permanent Increases**

Departments requesting Purchasing Cards for use in transacting County business shall provide a written request to the Chief Financial Officer, or designee, using the Purchasing Card Request Form and Purchasing Card Agreement (available on the County Intranet site). Cardholders requesting a limit increase, temporary or permanent, shall make the request on the Purchasing Card Request for Credit Limit Increase form. The Procurement Manager, or designee, may approve requests up to \$25,000. The Chief Financial Officer shall approve all requests over \$25,000. Only one individually named card will be issued to a single card holder. Multiple Department Purchasing Cards may be issued to a single individual, as department custodian, if authorized by the Department Director and Chief Financial Officer, or designee. Cards may only be issued to current County employees and elected officials. Volunteers, interns, and non-employee committee members are not eligible.

C. **Purchasing Card Responsibilities**

1. Cardholders are responsible for:

- a. Completing and signing the Purchasing Card Request Form and Purchasing Card Agreement.
- b. Using the card in compliance with County Purchasing Rules and this Policy.
- c. Following all procedures required by the County Finance Department.
- d. Ensuring the secure storage of the card by taking extra caution to keep it separate from personal debit and charge cards.
- e. Maintaining the security of the card number.

- f. Reporting lost or stolen cards immediately to both the issuing bank and the card program administrator.
 - g. Maintaining and submitting proper receipts and documentation for all transactions.
 - h. Monthly reconciliation of card transactions in the County's designated system.
 - i. Promptly reporting any suspicious or unauthorized activity to the issuing bank and the card program administrator.
 - j. Resolving suspected fraudulent transactions and initiating timely contact with the issuing bank's fraud department when notified of potentially fraudulent activity. All fraudulent activity must be reported to the card program administrator.
2. Individual Purchasing Card Custodian Reconciler:
Individual Cardholders are authorized to designate a Department Custodian Reconciler to manage the reconciliation of the Purchasing Card on their behalf. The cardholder is responsible for providing requisite supporting receipts and documentation to the Custodian Reconciler. Any deficiencies in documentation remain with the Cardholder who is ultimately accountable and subject to disciplinary action for non-compliance with the policy, not the Custodian Reconciler.
3. Department Purchasing Card Department Custodian:
Custodians bear the same responsibilities of a Cardholder. In addition to those responsibilities, they are accountable for:
- a. Ensuring users are trained and have signed the Purchasing Card Agreement.
 - b. Maintaining a check-out log.
 - c. Securing the card when not in use.
 - d. Obtaining receipts and proper documentation from users.

Users of the Department Purchasing Card are responsible for submitting all receipts and proper documentation to the Department Custodian. Users are accountable for any lost or missing receipts and completing any required forms. Failure to submit proper documentation may result in user privileges being revoked, potential reimbursement of charges, and disciplinary action.

Users of Department Purchasing Cards are strictly prohibited from manually or virtually recording, or writing down and storing, any credit card information, including the full card number (Primary Account Number - PAN), expiration date, cardholder name, CVV2/CVC2 (the three or four-digit security code), or PIN. This applies to all forms of physical or digital records, including, but not limited to notes, computers, spreadsheets, personal devices, smart phones, email, text messages, or any unsecure storage location. Users of Department Purchasing Cards must check-out the Department Purchasing Card from the Department Custodian for each use. Users of Department Purchasing Cards are not allowed to set up recurring payments using a Department Purchasing Card.

4. Purchasing Card Approvers are responsible for:
- a. Adhering to all policies and procedures related to County issued Purchasing Cards.
 - b. Reviewing and approving all charges promptly and ensuring each charge is accurately assigned the appropriate account coding.
 - c. Ensuring each charge is an acceptable use for conducting County business.
 - d. Ensuring proper documentation is attached.
 - e. Individual Cardholders are not permitted to approve their own transactions. Approvals will fall to their direct supervisor or designee for approval.

D. Finance Department Responsibilities

The County Finance Department shall be responsible for:

1. Administering the County Purchasing Card program.
2. Maintaining the relationship with the bank.
3. Making the electronic payment each period.
4. Developing and maintaining controls, procedures and software applications necessary to carry out the program.
5. Establishing procedures that must be followed by department staff for the administration of the program.
6. Handling card access and security issues, such as fraud, compromised accounts, and stolen/lost cards, by working with Cardholders.

E. Appropriate Uses

Purchasing Cards may be used only to transact official County Business and must be used to complement and not circumvent existing purchasing rules and processes. Acceptable uses for County business are limited to the following:

1. Travel arrangements for staff or elected officials attending conferences or meetings requiring an overnight stay for lodging and transportation. Purchasing Cards may not be used for travel-related meals. (See Policy F-1 Reimbursement for Miscellaneous Expenses Incurred While Traveling on County Business).
2. Registration fees for conferences, meetings or training events.
3. Dues for memberships.
4. Online purchases for County business that can only be transacted with a purchasing card due to vendor requirements.
5. Emergency situations generally described as unforeseen and immediate that require a time frame that cannot be accommodated by the County's normal accounts payable schedule.
6. Purchases of materials and supplies that facilitate the needs of County staff or clients.
7. Fuel - for rental vehicles only.
8. Invoice payments, provided the vendor does not impose processing or credit card surcharge fees.

F. Prohibited Uses

Purchasing Card transactions prohibited by this policy include but are not limited to:

1. Purchase of fuel for personal or County-owned vehicles.
2. Cash advances.
3. Purchases related to alcohol, tobacco, firearms, casinos, and lotteries.
4. Personal expenses of any kind.
5. Meals while on travel status.
6. Charitable donations.
7. Any item not allowed by cardholder department policies or procedures.
8. Any item not allowed by sponsoring agency related to grant reimbursements.

G. Other Provisions

1. Purchasing Cards may be used for transactions conducted in person or by phone, fax, e-mail or through the internet.
2. Purchasing Cards are the County's official credit mechanism. The issuing bank has been vetted by the Finance Department. Use of alternative store credit lines are prohibited unless explicitly authorized by the Chief Financial Officer.
3. Cards with high-dollar limits may be issued for emergencies. Cardholders must follow all County Code and relevant policies regarding emergency procedures for all purchases.

4. Employees issued Purchasing Cards will be required to sign a Purchasing Card Agreement acknowledging that they have read and understand this policy and all related procedures.
5. Violations of the Purchasing Rules or this policy may result in temporary suspension and remedial training, revocation of the right to use a Purchasing Card, repayment for any unauthorized purchases, or disciplinary action by the authorizing supervisor.
6. Departments and Offices may elect to establish policies or General Orders that are more restrictive of, but not less than, this policy.

Approved by the Deschutes County Board of Commissioners on XX/XX/2025.

Nick Lelack, County Administrator



Deschutes County Administrative Policy No. HR-14

Effective Date: December 9, 2009

Updated: July 21, 2025

LEAVE POLICY

STATEMENT OF POLICY

It is the policy of Deschutes County to provide paid leave to employees for vacation and sick time and to require that employees responsibly manage their leave.

APPLICABILITY

This policy applies to all regular County employees that accrue leave. Departments may adopt stricter leave policies that are consistent with this policy. In the event of a conflict between this policy and a collective bargaining agreement, the terms of the collective bargaining agreement shall prevail.

POLICY AND PROCEDURE

General

Time management leave is a combined leave bank for vacation and sick leave. The program is designed to eliminate abuses of sick leave while rewarding employees for faithful attendance. Employees are encouraged to maintain a reasonable leave balance in the event of an illness.

Employees who are ill are encouraged to use leave to become well and to prevent spread of the illness to co-workers (if applicable). A supervisor may require that an employee with an illness leave the workplace. A decision to send a sick employee home must be based on observable symptoms and behaviors that lead a reasonable person to conclude that the employee is unable to perform their basic job duties or presents a threat of infection to co-workers or the public. Supervisors should consider the seriousness of the illness (for example, a common cold generally would not be included) and the relative risk to the work group. If the employee disagrees with the supervisor's assessment, the County may require the employee to visit urgent care. If the employee receives documentation from the urgent care physician approving an immediate return to work, the County shall pay for the urgent care visit and the time associated with the urgent care visit shall be counted as time worked.

Procedure

Scheduled Leave

- The County shall make reasonable efforts to grant requests for leave, but shall have no obligation to do so, except for Paid Leave Oregon (PLO), (Federal Medical Leave Act (FMLA), or Oregon Family Leave Act (OFLA) qualifying leave and other protected leaves as defined in Chapter 3.36 of the Personnel Rules.
- Scheduled leave includes vacations, personal appointments, and other leave that is requested in advance of the leave. Employees are required to request scheduled time off from their supervisor at least one work-day in advance. Department operations may require more notice depending on the amount of leave requested and to maintain minimum staffing levels. Employees must confirm that their time off has been approved prior to taking time off.

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- Supervisors shall only approve scheduled leave for hours that are currently in the employee's leave bank (leave banks are credited with that month's leave at the beginning of the month, as reflected on the employee's time sheet). Leave accrued in the month is available to be used anytime during the month. However, supervisors shall not approve scheduled leave contingent upon future accumulation/credit to the leave bank.

Leave Without Pay

- Leave without pay is discouraged and may not be requested or granted until all accrued leave, including compensatory time, has been exhausted.
- Leave without pay shall only be used in situations such as the death of an immediate family member (as defined in ORS 659A), a personal or family medical emergency (as defined in County Policy HR-12, Family and Medical Leave), or an extreme hardship (such as an employee that has severe fire damage to their residence).** A department head may grant a leave of absence without pay up to 30 calendar days (or up to 90 days when contained in an applicable collective bargaining agreements). Leave without pay for periods in excess of 30 days must be approved by the County Administrator – except for PLO/FMLA/OFLA qualifying leave. Factors that will be considered for leave without pay are the nature of the request, the employee's previous leave use history, relevant discipline (if applicable), probationary status, and workload.
- Except in cases of PLO/FMLA/OFLA qualifying leave, an employee on leave without pay for more than 40 hours in a pay period shall be required to pay a pro-rated portion of their full health insurance premium. Employees on leave without pay status shall only accrue paid leave on a pro-rated basis for actual paid hours during the pay period.

Unscheduled Leave

- Employees are responsible for regular attendance at their jobs, per Chapter 3.20 of the Personnel Rules. Excessive unscheduled absences create a burden on the other members of the work team and can negatively impact service to our customers.
- Unscheduled leave is any non-qualifying PLO/FMLA/OFLA leave (as defined in Administrative Policy HR-12, Family and Medical Leave Policy) that is not approved in advance. Unscheduled leave is most often related to an employee or a family member becoming ill, but it also includes unexpected events that result in an absence. If an employee is required to leave work due to an illness, the incident shall be considered unscheduled leave. Supervisors are responsible for closely monitoring unscheduled leave.
- Supervisors have the discretion to waive an incident due to extenuating circumstances.
- Supervisors may require documentation from a health care provider for any unscheduled leave equal to or greater than three consecutive regular work shifts.
- Inappropriate or excessive use of unscheduled leave may be cause for disciplinary action. Inappropriate use includes feigning illness, deceitful use of sick leave, or failure to provide requested documentation for an absence. **Excessive unscheduled leave is defined as seven occurrences during a rolling twelve-month period.** PLO/FMLA/OFLA qualifying leave shall **not** be included in calculating excessive unscheduled leave.
- An employee who takes excessive unscheduled leave, as defined above, may be required to provide documentation of the reason for any additional unscheduled leave of any length of time within a 12-month rolling period.
- For Performance Evaluations, an employee must have no more than six unscheduled leave occurrences, as defined above, to receive a "Meets Standards" on the Attendance factor.

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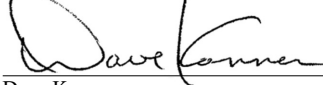
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—An absence of more than one day for the same reason is considered one occurrence. If the days are not consecutive, a doctor’s note may be requested to establish that the absences are linked.

Bereavement Leave

- 1. Employees shall be entitled to sixteen (16) hours of bereavement leave per occurrence to grieve and address matters related to the death of an immediate family member.
- 2. "Immediate family member" is defined as spouse, registered domestic partner (as defined by Oregon law), parent (to include step), child (to include step), brother (to include step), sister, (to include step), mother-in-law, father-in-law, grandparent, grandchild, and any member of the employee's immediate household.
- 3. The initial sixteen (16) hours of bereavement leave shall not require the use of accrued time off.
- Any additional time off beyond sixteen (16) hours may be charged to accrued time off

Approved by the Deschutes County Board of Commissioners on December 9, 2009.


Dave Kanner
County Administrator

Commented [SD3]: Adjust language to match personnel rules: Non-represented employees shall be eligible for a maximum of twenty-four (24) hours of paid bereavement leave per occurrence, prorated for part-time employees in the event of the death of an immediate family member and the deceased individual resides in Oregon. In the event that the deceased individual resides outside of the State of Oregon, all non-represented employees shall be eligible for up to forty (40) hours of paid bereavement leave per occurrence, prorated for part-time employees. If additional bereavement leave is needed, an employee shall be allowed to use accrued leave, or leave without pay. Management reserves the right to request documentation for use of bereavement leave.

An "immediate family member" includes your spouse, same-sex domestic partner (as recognized under Oregon law), parent, child, sibling, mother-in-law, father-in-law, grandparent, grandchild, and any person residing in your household.

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LEAVE POLICY

I. STATEMENT OF POLICY

It is the policy of Deschutes County to provide paid leave to employees for vacation and sick time and to require that employees responsibly manage their leave.

II. APPLICABILITY

This policy applies to all regular County employees that accrue leave. Departments may adopt stricter leave policies that are consistent with this policy. In the event of a conflict between this policy and a collective bargaining agreement, the terms of the collective bargaining agreement shall prevail.

III. POLICY AND PROCEDURE

General

Time management leave is a combined leave bank for vacation and sick leave. The program is designed to eliminate abuses of sick leave while rewarding employees for faithful attendance. Employees are encouraged to maintain a reasonable leave balance in the event of an illness.

Employees who are ill are encouraged to use leave to become well and to prevent spread of the illness to co-workers (if applicable). A supervisor may require that an employee with an illness leave the workplace. A decision to send a sick employee home must be based on observable symptoms and behaviors that lead a reasonable person to conclude that the employee is unable to perform their basic job duties or presents a threat of infection to co-workers or the public. Supervisors should consider the seriousness of the illness (for example, a common cold generally would not be included) and the relative risk to the work group. If the employee disagrees with the supervisor's assessment, the County may require the employee to visit urgent care. If the employee receives documentation from the urgent care physician approving an immediate return to work, the County shall pay for the urgent care visit and the time associated with the urgent care visit shall be counted as time worked.

Procedure

Scheduled Leave

- The County shall make reasonable efforts to grant requests for leave, but shall have no obligation to do so, except for Paid Leave Oregon (PLO), (Federal Medical Leave Act (FMLA)),

or Oregon Family Leave Act (OFLA) qualifying leave and other protected leaves as defined in Section 10 of the Personnel Rules.

- Scheduled leave includes vacations, personal appointments, and other leave that is requested in advance of the leave. Employees are required to request scheduled time off from their supervisor at least one workday in advance. Department operations may require more notice depending on the amount of leave requested and to maintain minimum staffing levels. Employees must confirm that their time off has been approved prior to taking time off
- Supervisors shall only approve scheduled leave for hours that are currently in the employee's leave bank (leave banks are credited with that month's leave at the beginning of the month, as reflected on the employee's time sheet). Leave accrued in the month is available to be used anytime during the month. However, supervisors shall not approve scheduled leave contingent upon future accumulation/credit to the leave bank.

Leave Without Pay

- Leave without pay is discouraged and may not be requested or granted until all accrued leave, including compensatory time, has been exhausted.
- Leave without pay shall only be used in situations such as the death of an immediate family member (as defined in ORS 659A), a personal or family medical emergency (as defined in County Policy HR-12, Family and Medical Leave), or an extreme hardship (such as an employee that has severe fire damage to their residence). A department head may grant a leave of absence without pay up to 30 calendar days (or up to 90 days when contained in an applicable collective bargaining agreements). Leave without pay for periods in excess of 30 days must be approved by the County Administrator – except for PLO/FMLA/OFLA qualifying leave. Factors that will be considered for leave without pay are the nature of the request, the employee's previous leave use history, relevant discipline (if applicable), probationary status, and workload.
- Except in cases of PLO/FMLA/OFLA qualifying leave, an employee on leave without pay for more than 40 hours in a pay period shall be required to pay a pro-rated portion of their full health insurance premium. Employees on leave without pay status shall only accrue paid leave on a pro-rated basis for actual paid hours during the pay period.

Unscheduled Leave

- Employees are responsible for regular attendance at their jobs, per Chapter 3.20 of the Personnel Rules. Excessive unscheduled absences create a burden on the other members of the work team and can negatively impact service to our customers.
- Unscheduled leave is any non-qualifying PLO/FMLA/OFLA leave (as defined in Administrative Policy HR-12, Family and Medical Leave Policy) that is not approved in advance. Unscheduled leave is most often related to an employee or a family member

- becoming ill, but it also includes unexpected events that result in an absence. If an employee is required to leave work due to an illness, the incident shall be considered unscheduled leave. Supervisors are responsible for closely monitoring unscheduled leave.
- Supervisors have the discretion to waive an incident due to extenuating circumstances.
 - Supervisors may require documentation from a health care provider for any unscheduled leave equal to or greater than three consecutive regular work shifts.
 - Inappropriate or excessive use of unscheduled leave may be cause for disciplinary action. Inappropriate use includes feigning illness, deceitful use of sick leave, or failure to provide requested documentation for an absence. Excessive unscheduled leave is defined as seven occurrences during a rolling twelve-month period. PLO/FMLA/OFLA qualifying leave shall not be included in calculating excessive unscheduled leave.
 - An employee who takes excessive unscheduled leave, as defined above, may be required to provide documentation of the reason for any additional unscheduled leave of any length of time within a 12-month rolling period.
 - For Performance Evaluations, an employee must have no more than six unscheduled leave occurrences, as defined above, to receive a "Meets Standards" on the Attendance factor.
 - An absence of more than one day for the same reason is considered one occurrence. If the days are not consecutive, a doctor's note may be requested to establish that the absences are linked.

Bereavement Leave

- Non-represented employees shall be eligible for a maximum of twenty-four (24) hours of paid bereavement leave per occurrence, prorated for part-time employees in the event of the death of an immediate family member and the deceased individual resides in Oregon. In the event that the deceased individual resides outside of the State of Oregon, all non-represented employees shall be eligible for up to forty (40) hours of paid bereavement leave per occurrence, prorated for part-time employees. If additional bereavement leave is needed, an employee shall be allowed to use accrued leave or leave without pay. Management reserves the right to request documentation for use of bereavement leave.
- An "immediate family member" includes your spouse, same-sex domestic partner (as recognized under Oregon law), parent, child, sibling, mother-in-law, father-in-law, grandparent, grandchild, and any person residing in your household.
- Any additional time off may be charged to accrued time off.

Approved by the Deschutes County Board of Commissioners on October XX, 2025.

Nick Lelack
County Administrator



Deschutes County Administrative Policy HR-16
Effective Date: 7/1/12
Updated: X/X/25

NON-REPRESENTED EMPLOYEES
TIME MANAGEMENT LEAVE PROGRAM

STATEMENT OF POLICY

It is the policy of Deschutes County to provide non-represented employees with a leave-with-pay program that is easily understood, responsive to individual needs, and easy to administer. This program is also intended to eliminate any abuse of sick leave while rewarding employees for faithful attendance and productivity.

APPLICABILITY

This policy applies to all non-represented Deschutes County employees. Employees covered by a collective bargaining agreement will accrue leave time in accordance with the terms of the applicable collective bargaining agreement.

DEFINITIONS

For the purpose of this policy, the following definitions shall apply:

“Sick leave bank” is leave available for use when an employee is sick and absent from work for the equivalent of three entire workdays due to an illness or injury. Leave accrued above the annual maximum and not sold back is transferred to the sick leave bank. Sick leave is not paid out. Sick leave bank hours are eligible for up to 14 days two weeks per occurrence with a maximum of four weeks taken in a given year of approved bereavement leave, as defined in HR-X.

Commented [WH1]: @Susan DeJoode can we follow-up here.

“Sick leave vault” is leave available for use when an employee is sick and absent from work for the equivalent of three entire workdays due to an illness or injury. One-half of the sick leave vault hours will be paid to the employee upon termination of employment.

POLICY AND PROCEDURES

A. Leave-with-pay provisions.

1. Leave earned during the month cannot be used until the first day of the following month.
2. **Non-exempt employees:** Full-time, non-exempt employees will earn leave in accordance with the following schedule:

Months of Service	Hours of Leave per Year	Earned Leave Accumulation
0 – 48 months	168 hours	14 hours/month
49 – 108 months	192 hours	16 hours/month
109 – 168 months	216 hours	18 hours/month
169 – 228 months	240 hours	20 hours/month
229 – 288 months	264 hours	22 hours/month
289+ months	288 hours	24 hours/month

3. **Exempt employees.** Full-time, exempt (salaried) employees will earn leave in accordance with the following schedule:

Months of Service	Hours of Leave per Year	Earned Leave Accumulation
0 – 48 months	216 hours	18 hours/month
49 – 108 months	240 hours	20 hours/month
109 – 168 months	264 hours	22 hours/month
169 – 228 months	288 hours	24 hours/month
229+ months	312 hours	26 hours/month

4. For regular part-time employees, leave accrual shall be pro-rated by comparing the number of work hours designated for the employee with the designated number of hours for a full-time position. Employees working less than half-time shall not accrue leave.
5. Employees may accumulate earned leave to a maximum of twice the employee's annual time management leave accumulation. On March 31 of each year, any employee credited with accrued and unused leave greater than twice his or her annual leave accumulation shall have the amount above the maximum accumulation transferred to his/her sick leave bank. If the employee does not have a sick leave bank, a sick leave bank will be established for the employee. Any adjustment to the employee's leave bank based upon the employee exceeding the maximum accumulation will be made in April of each year. An employee who has reached or exceeded the maximum allowable earned leave may continue to accumulate leave for the balance of the following year (from April to March). However, the employee must use sufficient leave to reduce his/her accumulated leave to the maximum allowed prior to the following March 31. The excess will be transferred to the employee's sick leave bank.
6. Upon termination of employment, all of the employee's accumulated and unused time management leave shall be paid to the employee at the employee's rate of pay in effect at the time of termination. Upon termination of employment, sick leave banks will not be paid out.
7. Upon the death of an employee, all of the employee's accrued and unused time management leave shall be paid in accordance with state law at the employee's current rate of pay in effect at the time of death.
8. During the first five years of employment, employees shall be required to take a minimum of one week of time management leave per year. Thereafter, employees shall be required to take a minimum of two weeks of time management leave per year.

B. _____

9. In the prior November of each calendar year and subject to Department Head approval and budgetary restrictions, an employee may make an irrevocable election to sell-back up to eighty (80) hours of earned Time Management Leave (TML) for the following calendar year.
10. To be eligible, an employee must:
- Have been employed continuously for at least one year.
 - Maintain at least one year's worth of accrued TML after cash out.
 - Have used the minimum TML specified in Section 7.

TML for sell-back will be deducted from TML accrued in the calendar year following the employee's irrevocable election. The employee will receive payment for their election in the following year on their June paycheck at their base rate of pay. If the employee has insufficient TML hours to cover their election, the remaining hours will be paid on their December paycheck. This may cause an employee's TML balance to drop below the required minimum.

After one year of continuous employment, full-time employees may elect to receive payment of up to 80 hours of accrued time management leave. To be eligible, an employee must have a minimum balance of 12 months accrual of earned time management leave and must have used the minimum time management leave specified in section 7 above. Regular part-time employees may opt to receive payment of accrued time management leave on a pro-rated basis by comparing the number of work hours designated for the employee with the designated number of hours for a full-time position. (Example: a half-time employee may only receive payment for a maximum of 40 hours). Request to sell leave ~~forms outreach~~ will be distributed to employees by the ~~Personnel~~ Human Resources Department during the first full week of April each year each November. The request form must be submitted to Personnel by no later than April 15 and payment will be included in the employee's April paycheck.

~~B.~~ During the last three years prior to retirement, employees may sell up to 200 hours of time management accrual each fiscal year at the current rate of pay. No employee will be entitled to this option in more than three years prior to retirement. This paragraph is not subject to any of the limitations expressed in sections 7 and 8 of this policy. Each calendar year during the last three years prior to retirement, employees may make an irrevocable election to sell up to an additional 200 hours of accrued leave which will be earned in the following calendar year at the employee's base rate of pay. Extensions of an employee's scheduled retirement date notwithstanding, no employee will be entitled to this option in more than three years. This irrevocable election will occur in November of each calendar year. On the pay day for the first pay period in June of the following year, the employee will receive payment for the amount of leave the employee irrevocably elected to sell back in the prior year. If the employee does not have sufficient leave to cover their election in June, the remaining hours will be automatically converted in December.

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~~D.C.~~ Prior sick leave accumulation.

1. Employees with an existing sick leave bank as of the date this policy is signed shall have those hours moved to a "sick leave vault." One-half of the employee's sick leave vault balance will be paid to the employee upon termination of employment or, upon death of the employee (in accordance with state law). No additional hours will be transferred to the sick leave vault.
2. When an employee transfers to a position covered by the time management program, the employee's existing sick leave accrual will be accounted for separately from time management leave in a sick leave bank. No additional sick leave will be earned or accrued. Employees will be allowed to convert up to 100 hours of existing sick leave to the employee's time management leave bank on a two-for-one basis. (Example: 100 hours of sick leave will convert to 50 hours of earned time management leave).
3. No compensation for accrued sick leave in the sick leave bank will be provided to any employee for any reason.

~~E.D.~~ Use of Accrued Leave Due to Illness or Injury. Unless otherwise required by law, the sick leave bank and sick leave vault may only be used by the employee after the employee has been absent from work for the equivalent of three entire workdays due to the same illness or injury. Time off during the first three (3) days will be deducted from the employee's accrued and unused time management leave or, if the employee does not have sufficient time management leave, will be deducted from accrued compensatory time or any other paid leave time.

~~F.E.~~ Employees covered by the provisions of this program shall not be eligible for separate vacation or sick leave benefits.

Approved by the Deschutes County Board of Commissioners ~~July 1, 2012~~ September X, 2025


 Erik Kropp
 Interim County Administrator

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NON-REPRESENTED EMPLOYEES TIME MANAGEMENT LEAVE PROGRAM

I. STATEMENT OF POLICY

It is the policy of Deschutes County to provide non-represented employees with a leave-with-pay program that is easily understood, responsive to individual needs, and easy to administer. This program is also intended to eliminate any abuse of sick leave while rewarding employees for faithful attendance and productivity.

II. APPLICABILITY

This policy applies to all non-represented Deschutes County employees. Employees covered by a collective bargaining agreement will accrue leave time in accordance with the terms of the applicable collective bargaining agreement.

III. DEFINITIONS

For the purpose of this policy, the following definitions shall apply:

“Sick leave bank” is leave available for use when an employee is sick and absent from work for the equivalent of three entire workdays due to an illness or injury. Leave accrued above the annual maximum and not sold back is transferred to the sick leave bank. Sick leave is not paid out. Sick leave bank hours are eligible for up to two weeks (defined as 14 days) per occurrence with a maximum of four weeks taken in a given year of approved bereavement leave, as defined in HR-14.

“Sick leave vault” is leave available for use when an employee is sick and absent from work for the equivalent of three entire workdays due to an illness or injury. One-half of the sick leave vault hours will be paid to the employee upon termination of employment.

IV. RELEVANT POLICIES

V. POLICY AND PROCEDURE

A. Leave-with-pay provisions.

1. Leave earned during the month cannot be used until the first day of the following month.
2. **Non-exempt employees:** Full-time, non-exempt employees will earn leave in accordance with the following schedule:

Months of Service	Hours of Leave Per Year	Earned Leave Accumulation
0 – 48 months	168 hours	14 hours/month
49 – 108 months	192 hours	16 hours/month
109 – 168 months	216 hours	18 hours/month
169 – 228 months	240 hours	20 hours/month
229 – 288 months	264 hours	22 hours/month
289+ months	288 hours	24 hours/month

3. **Exempt employees.** Full-time, exempt (salaried) employees will earn leave in accordance with the following schedule:

Months of Service	Hours of Leave Per Year	Earned Leave Accumulation
0 – 48 months	216 hours	18 hours/month
49 – 108 months	240 hours	20 hours/month
109 – 168 months	264 hours	22 hours/month
169 – 228 months	288 hours	24 hours/month
229+ months	312 hours	26 hours/month

4. For regular part-time employees, leave accrual shall be pro-rated by comparing the number of work hours designated for the employee with the designated number of hours for a full-time position. Employees working less than half-time shall not accrue leave.
5. Employees may accumulate earned leave to a maximum of twice the employee's annual time management leave accumulation. On June 30th of each year, any employee credited with accrued and unused leave greater than twice his or her annual leave accumulation shall have the amount above the maximum accumulation transferred to his/her sick leave bank. If the employee does not have a sick leave bank, a sick leave bank will be established for the employee. Any adjustment to the employee's leave bank based upon the employee exceeding the maximum accumulation will be made in April of each year. An employee who has reached or exceeded the maximum allowable earned leave may continue to accumulate leave for the balance of the following year (from April to March). However, the employee must use sufficient leave to reduce his/her accumulated leave to the maximum allowed prior to the following March 31. The excess will be transferred to the employee's sick leave bank.
6. Upon termination of employment, all of the employee's accumulated and unused

- time management leave shall be paid to the employee at the employee's rate of pay in effect at the time of termination. Upon termination of employment, sick leave banks will not be paid out.
7. Upon the death of an employee, all of the employee's accrued and unused time management leave shall be paid in accordance with state law at the employee's current rate of pay in effect at the time of death.
 8. During the first five years of employment, employees shall be required to take a minimum of one week of time management leave per year. Thereafter, employees shall be required to take a minimum of two weeks (defined as 14 days) of time management leave per year.
 9. In the prior November of each calendar year and subject to Department Head approval and budgetary restrictions, an employee may make an irrevocable election to sell-back up to eighty (80) hours of earned Time Management Leave (TML) for the following calendar year.
 10. To be eligible, an employee must:
 - Have been employed continuously for at least one year.
 - Maintain at least one year's worth of accrued TML after cash out.
 - Have used the minimum TML specified in Section 7.

TML for sell-back will be deducted from TML accrued in the calendar year following the employee's irrevocable election. The employee will receive payment for their election in the following year on their June paycheck at their base rate of pay. If the employee has insufficient TML hours to cover their election, the remaining hours will be paid on their December paycheck. This may cause an employee's TML balance to drop below the required minimum.

Regular part-time employees may opt to receive payment of accrued time management leave on a pro-rated basis by comparing the number of work hours designated for the employee with the designated number of hours for a full-time position. (Example: a half-time employee may only receive payment for a maximum of 40 hours). Request to sell leave outreach will be distributed to employees by the Human Resources Department each November.

- B. Each calendar year during the last three years prior to retirement, employees may make an irrevocable election to sell up to an additional 200 hours of accrued leave which will be earned in the following calendar year at the employee's base rate of pay. Extensions of an employee's scheduled retirement date notwithstanding, no employee will be entitled to this option in more than three years. This irrevocable election will occur in November of each calendar year. On the pay day for the first pay period in June of the following year, the employee will receive payment for the amount of leave the employee irrevocably elected to sell back in the prior year. If the employee does not have sufficient

leave to cover their election in June, the remaining hours will be automatically converted in December.

C. Prior sick leave accumulation.

1. Employees with an existing sick leave bank as of July 1, 2012, shall have those hours moved to a "sick leave vault." One-half of the employee's sick leave vault balance will be paid to the employee upon termination of employment or, upon death of the employee (in accordance with state law). No additional hours will be transferred to the sick leave vault.
2. When an employee transfers to a position covered by the time management program, the employee's existing sick leave accrual will be accounted for separately from time management leave in a sick leave bank. No additional sick leave will be earned or accrued. Employees will be allowed to convert up to 100 hours of existing sick leave to the employee's time management leave bank on a two-for-one basis. (Example: 100 hours of sick leave will convert to 50 hours of earned time management leave).
3. No compensation for accrued sick leave in the sick leave bank will be provided to any employee for any reason.

D. Use of Accrued Leave Due to Illness or Injury. Unless otherwise required by law, the sick leave bank and sick leave vault may only be used by the employee after the employee has been absent from work for the equivalent of three entire workdays due to the same illness or injury. Time off during the first three (3) days will be deducted from the employee's accrued and unused time management leave or, if the employee does not have sufficient time management leave, will be deducted from accrued compensatory time or any other paid leave time.

E. Employees covered by the provisions of this program shall not be eligible for separate vacation or sick leave benefits.

VI. ROLES AND RESPONSIBILITIES

Approved by the Deschutes County Board of Commissioners on (INSERT DATE HERE).

Nick Lelack
County Administrator



RESPECTFUL WORKPLACE POLICY

I. STATEMENT OF POLICY

Mutual respect between and among employees, including elected officials, temporary employees, contractors and volunteers, is an integral value of Deschutes County. Only when all individuals work together can we create and maintain a culture of belonging and a work environment that is respectful and free from inappropriate workplace behavior.

We recognize the demands of our jobs and challenges in our personal lives can occasionally lead to stress. However, it is never appropriate to vent frustrations by acting in a demeaning, threatening, or verbally abusive manner. Yelling or cursing at others, or engaging in intimidating behaviors are examples of violations of our respectful workplace expectations. Use good judgment and do not act in ways likely to diminish others' sense of safety, inclusion, and respect in the workplace.

II. APPLICABILITY

This policy applies to all elected officials, employees, volunteers, contractors, third-party vendors, and others acting on behalf of the County.

III. DEFINITIONS

Professional Workplace Behavior: Supporting the values and mission of Deschutes County and your department, building positive relationships with others, communicating in a respectful manner, holding oneself accountable and pursuing change within the system.

Inappropriate Workplace Behavior: Unwelcome or unwanted conduct or behavior that causes a negative impact or disruption to the workplace or the business of the County, or results in the erosion of employee morale and is not associated with an employee's protected class.

Examples of inappropriate workplace behavior include, but are not limited to, comments, actions or behaviors of an individual or group that bully, embarrass, humiliate, intimidate, disparage, demean, or show disrespect for another employee, a manager, a subordinate, a volunteer, a customer, a contractor or a visitor in the workplace.

Inappropriate workplace behavior does not include actions of performance management such as giving supervisory instructions, setting expectations, giving feedback, administering disciplinary actions, or conducting investigatory meetings.

Inappropriate workplace behavior does not include assigned, requested or unsolicited constructive peer feedback on projects or work.

Inappropriate workplace behavior as defined in this policy is differentiated from harassment, sexual harassment, and discrimination as defined in policy HR-10 in that the inappropriate behavior is not determined to be related to one or more “protected class” established by Oregon or federal law.

IV. POLICY AND PROCEDURE

Employees of all types as well as temporary employees and volunteers at every level of the organization must foster an environment that encourages appropriate workplace interactions between employees and discourages disrespectful behavior. All employees, temporary employees, and volunteers must behave respectfully.

Deschutes County is committed to assisting its employees in adhering to appropriate workplace behavior and maintaining a work environment that promotes the following values:

1. Treat all people we encounter with dignity, respect and courtesy.
2. Reflect thoughtful concern in how our words and behaviors impact others.
3. Retain confidentiality with private information.
4. Work to resolve conflict proactively and act with positive intent.
5. Practice healthy work communications by being honest, direct and helpful.
6. Maintain appropriate and respectful relationships with co-workers based on mutual trust and respect.

Addressing Inappropriate Workplace Behavior

- A. Supervisors must address inappropriate behavior they observe or experience and should do so as close to the time of the occurrence as possible and appropriately.
- B. If an employee, temporary employee, or volunteer observes or experiences inappropriate workplace behavior, they may:
 - a. Redirect inappropriate conversations or behavior to workplace business.
 - b. Tell the offending employee, temporary employee, or volunteer their behavior is offensive and ask them to stop.
 - c. Report the observation or experience to a manager, Human Resources, or other designated individuals.

V. ROLES AND RESPONSIBILITIES

Reporting Inappropriate Workplace Behavior

Any employee aware of or experiencing inappropriate behavior in the workplace should report that information immediately. The report may be made verbally or in writing to the employees’

immediate supervisor, department leadership or Human Resources. All employees are encouraged to document any incidents involving inappropriate workplace behavior as soon as possible.

Inappropriate workplace behavior must be addressed and corrected before it becomes pervasive, causes further workplace disruption or lowers morale.

Retaliation Protections

Deschutes County prohibits retaliation against any employee for filing a complaint regarding conduct in violation of this policy. Deschutes County will not tolerate retaliation against any employee for raising a good faith concern, for providing information related to a concern, or for otherwise cooperating in an investigation of a reported violation of this policy. Any employee who retaliates against anyone involved in an investigation is subject to disciplinary action, up to and including termination of employment.

Penalties

Deschutes County will not tolerate inappropriate workplace behavior. Any individual found to have engaged in such conduct may face disciplinary action up to, and including, termination of employment. The County may also subject managers and supervisors who fail to take prompt, appropriate corrective action to disciplinary action, up to and including termination of employment.

Approved by the Deschutes County Board of Commissioners on October XX, 2025.

Nick Lelack
County Administrator



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: October 22, 2025

SUBJECT: Public Hearing: Proposed text amendment to allow recreational vehicle (RV) parks as a conditional use in the Tumalo Commercial District

RECOMMENDED MOTION:

At the conclusion of the public hearing, the Board can choose one of the following options:

- Continue the hearing to a date and time certain;
- Close the oral portion of the hearing and leave the written record open to a date and time certain;
- Close the hearing and commence deliberations; or
- Close the hearing and schedule deliberations for a date and time to be determined.

BACKGROUND AND POLICY IMPLICATIONS:

The Board of Commissioners will hold a public hearing for a proposed text amendment (file no. 247-25-000106-TA). The applicant requests amending Deschutes County Code to allow RV parks as a conditional use in the Tumalo Commercial District, and also proposes siting standards for new RV parks in this zone.

A public hearing was held before a Hearings Officer on June 16, 2025. On September 3, 2025, the Board voted to hold a *de novo* hearing for this application.

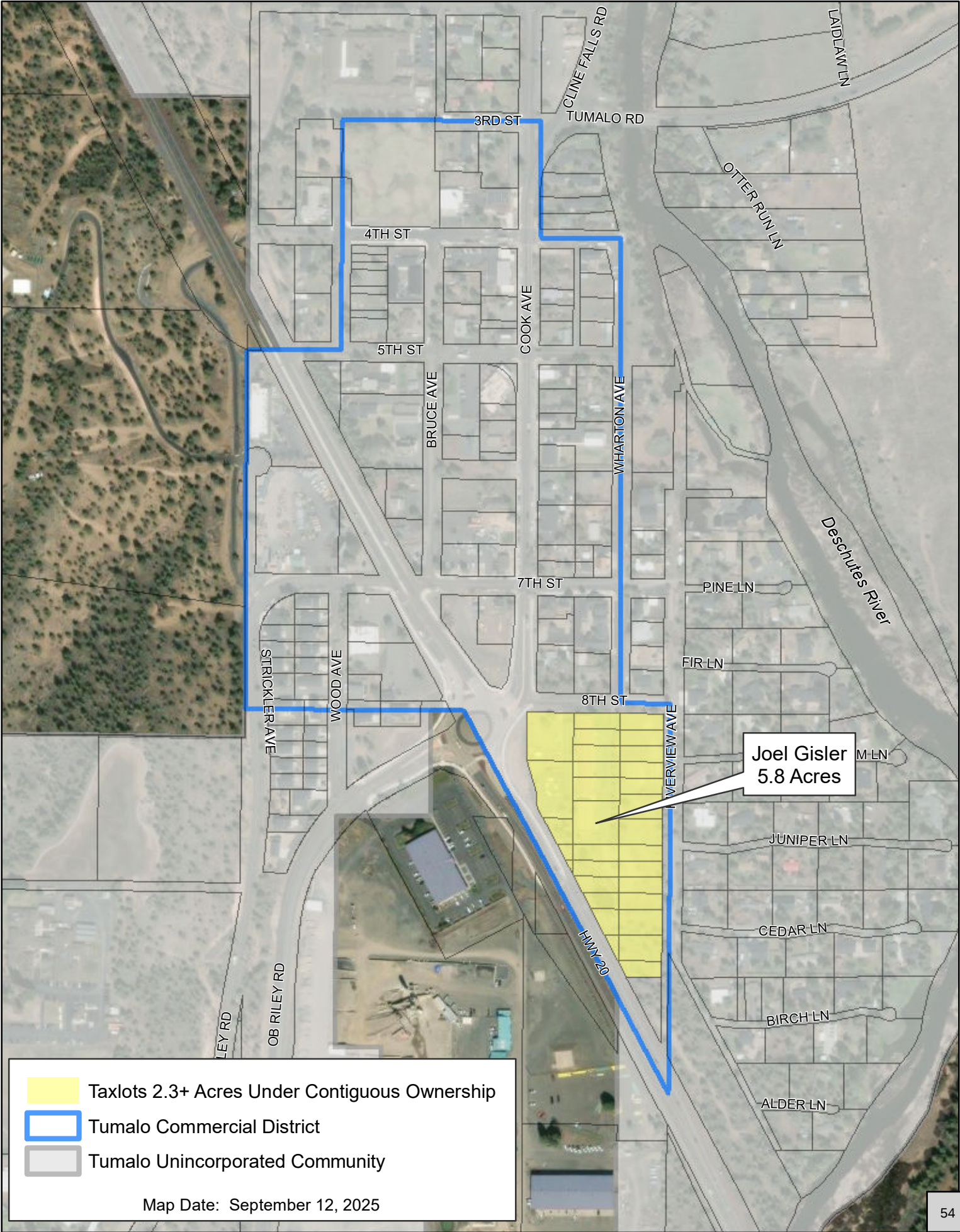
The full record is available at the following link: <https://www.deschutes.org/cd/page/247-25-000106-ta-tumalo-rv-park-text-amendment>

BUDGET IMPACTS:

None

ATTENDANCE:

Audrey Stuart, Associate Planner



**DECISION, FINDINGS AND RECOMMENDATION OF
THE DESCHUTES COUNTY HEARINGS OFFICER**

FILE NUMBERS: 247-25-000106-TA

HEARING DATE: June 16, 2025, 1:00 p.m.

HEARING LOCATION: Videoconference and
Barnes & Sawyer Rooms
Deschutes Services Center
1300 NW Wall Street
Bend, OR 97708

APPLICANT: Joel Gisler

SUBJECT PROPERTIES: The Tumalo Commercial Zone encompasses multiple properties

REQUEST: Applicant requests text amendments to Deschutes County Code Chapter 18.67, Tumalo Rural Community Zoning Districts. The proposed text amendments would modify the Code to add recreational vehicle parks as a conditional use in the Tumalo Commercial (TUC) zone. The proposed amendments also include specific siting standards and modifications to road access standards.

HEARINGS OFFICER: Tommy A. Brooks

SUMMARY OF DECISION: The Hearings Officer finds that the Applicant’s request satisfies all procedural and substantive criteria necessary to approve the Applicant’s request for amendments to the text of the Deschutes County Code as modified during this proceeding and by this Recommendation. The Hearings Officer recommends the Deschutes County Board of County Commissioners adopt by ordinance the language set forth in this Recommendation as Exhibit B.

I. APPLICABLE STANDARDS AND CRITERIA

Deschutes County Code and Comprehensive Plan

Title 18, Deschutes County Zoning Ordinance
Chapter 18.67, Tumalo Rural Community Zoning District
Chapter 18.128, Conditional Use
Chapter 18.136, Amendments

Title 22, Deschutes County Development Procedures Ordinance
Title 23, Deschutes County Comprehensive Plan

II. BACKGROUND AND PROCEDURE

A. Background

The Applicant requests amendment of the Deschutes County Code (“DCC” or “Code”) to add a conditionally allowable use of recreational vehicle (“RV”) parks in the Tumalo Commercial (TUC) zone. The TUC zone is one of six zones in the County’s Tumalo Rural Community Zoning Districts governed by CDC Chapter 18.67.¹ Under current Code provisions, RV parks are already allowed as a conditional use in the TUC zone, but only “on a lot or parcel in use as a manufactured dwelling 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 dwelling park or recreational vehicle park, including any expansion of such uses on the same lot or parcel as configured on June 12, 1996.”² The Applicant requests a text amendment for the purpose of eventually seeking an entitlement to develop an RV park on one specific property in the TUC zone.

The Applicant’s proposal initially requested the following text amendments to DCC 18.67.040: (1) a revised purpose statement; (2) revisions to DCC 18.67.040(C)(8) and a proposed additional section – DCC 18.67.040(C)(14) – intended to allow RV parks as conditional uses without the current temporal requirements; and (3) a proposed new section – DCC 18.67.040(J) – establishing various siting standards for RV parks. The Applicant included its requested text amendments in the Application. After the Hearing, and in response to some of the comments made at the Hearing, the Applicant submitted revisions to the specific text amendments it seeks. This Recommendation will refer to the Applicant’s final version of the proposed text amendments, attached as Exhibit A, as the “Text Amendments.”

Prior to the Hearing, Staff from the County’s Community Development Department (“Staff”) issued a Staff Report describing the Application and the applicable criteria (“Staff Report”). The Staff Report does not make a recommendation, but the Staff Report does address the applicable criteria and makes certain findings.

B. Notice and Hearing

On April 3, 2025, the County issued a Notice of Application seeking comments on the Application. On May 15, 2025, the County issued a Notice of Public Hearing (“Hearing Notice”) for this matter. The County mailed the Hearing Notice to all owners of property within 250 feet of the TUC Zone, to the Department of Land Conservation and Development, and to other public agencies. The County also published the Hearing Notice in the Bend Bulletin on May 18, 2025.

Pursuant to the Hearing Notice, I presided over the Hearing as the Hearings Officer on June 16, 2025, beginning at approximately at 1:14 p.m. The Hearing took place in a hybrid format, with the Applicant, Staff, and other participants present in the Hearing Room, while the Hearings Officer and other participants participated remotely.

¹ DCC 18.67.010.

² DCC 18.67.040(C)(8).

At the beginning of the Hearing, I noted for the record that this phase of review of the requested Text Amendments would be quasi-judicial in nature and, therefore, I directed participants to direct comments to the approval criteria and standards, and to raise any issues a participant wanted to preserve for appeal if necessary. At the conclusion of the evidentiary Hearing, and at the request of the Applicant, I announced that the record would remain open for written materials as follows: (1) any participant could submit additional materials until June 30, 2025; (2) any participant could submit rebuttal materials until July 14, 2025; and (3) the Applicant could submit a final legal argument without new evidence by July 28, 2025. Participants were further instructed that all submittals must be received by the County by 4:00 p.m. on the applicable due date. The Hearing concluded at approximately 3:43 p.m.

At the beginning the Hearing, participant Nunziata Gould stated a preliminary objection to the time the Hearing was held and to any time limits placed on participants. The Hearing was held as set forth in the Hearing Notice, and participant Gould did not assert that the Hearing Notice or the time of the Hearing are in violation of the Code or any other legal requirements. Further, the Hearing followed the procedures set forth in DCC Chapter 22. While I indicated that public comments would be limited to three minutes each during the Hearing, some individuals, including participant Gould, were given additional time. No participant asserted that the actual time allotted to each was insufficient or in any way impaired a substantial right. Based on the foregoing, I find no action was required to further address participant Gould's preliminary objection.

C. Nature of Decision

The Text Amendments propose revisions only to the language of the Code, and not a map amendment. The adoption of Code language is generally legislative in nature. Because the Code allows individuals to request text amendments to the Code and establishes a procedure for processing an application, the adoption of Code language could also be viewed as quasi-judicial in nature when requested by an individual. As explained below, this is a unique situation in which the Text Amendments are both legislative and quasi-judicial in nature. DCC 18.136.010 governs amendments to the Code:

DCC Title 18 may be amended as set forth in DCC 18.136. The procedures for text or legislative map changes shall be as set forth in DCC 22.12. A request by a property owner for a quasi judicial map amendment shall be accomplished by filing an application on forms provided by the Planning Department and shall be subject to applicable procedures of DCC Title 22.

By its express terms, this provision states that the process for a text amendment is as set forth in DCC 22.12. But DCC 22.12 broadly governs "legislative" procedures. DCC 22.04.020 defines legislative changes as follows:

Legislative changes generally involve broad public policy decisions that apply to other than an individual property owner. These include, without limitation, amendments to the text of the comprehensive plans, zoning ordinances, or the subdivision or partition ordinance and changes in zoning maps not directed at a small number of property owners.

As Staff points out in the Staff Report (attached to this decision as Exhibit C), the Text Amendments do not fit squarely within this definition. Further, the Code does not expressly define “text amendment” in the context of legislative changes or in the context of a quasi-judicial land use application, even though DCC 22.12.030 allows an individual to seek legislative changes through an application process. The Staff Report suggests that the Text Amendments should be processed in the same manner as a quasi-judicial plan amendment, which is governed by DCC 22.28.030.

In support of its conclusion, Staff provides a detailed analysis under *Strawberry Hill 4 Wheelers v. Benton Co. Bd. of Comm.*, 287 Or 591, 601 P2d 769 (1979) (“*Strawberry Hill 4 Wheelers*”). In that case, the Oregon Supreme Court set out a multi-factor test to determine what process applies to a land use application:

Generally, to characterize a process as adjudication presupposes that the process is bound to result in a decision and that the decision is bound to apply preexisting criteria to concrete facts. The latter test alone [applying preexisting criteria to concrete facts] proves too much; there are many laws that authorize the pursuit of one or more objectives stated in general terms without turning the choice of action into an adjudication. Thus a further consideration has been whether the action, even when the governing criteria leave much room for policy discretion, is directed at a closely circumscribed factual situation or a relatively small number of persons. The coincidence both of this factor and of preexisting criteria of judgment has led the court to conclude that some land use laws and similar laws imply quasijudicial procedures for certain local government decisions. *Strawberry Hill 4 Wheelers* at 602-03.

As Staff correctly notes, the *Strawberry Hill 4 Wheelers* decision sets out three factors which must be considered:

1. Is the inquiry bound to result in a decision?
2. Are there preexisting criteria that are applied to concrete facts?
3. Is the inquiry directed at a closely circumscribed factual situation or a relatively small number of persons?

I agree with Staff that the three factors listed above, in this case, warrant following a quasi-judicial process for the Application, at least initially. First, even if the Text Amendments are legislative changes, the Code provides an opportunity for an individual to make an application to initiate amendments. Whether the County approves or denies that application, a decision will result, so the inquiry is bound to result in a decision. Second, the Code contains preexisting criteria applicable to the Applicant’s request. Although those Code provisions are largely procedural, the quasi-judicial process can determine if those requirements are met. Third, this matter is directed at a relatively small number of persons because the Text Amendments, as initially proposed, contain siting criteria that effectively limit the impact of the changes to only two properties.

At the same time, the Text Amendments carry the qualities of a legislative act. The language in DCC 22.04.020 provides that legislative changes “generally involve broad public policy decisions that apply to other than an individual property owner” (emphasis added), and that definition does not state that decisions applicable to only one individual property owner cannot be legislative. Indeed, that Code provision goes on to list examples of legislative decisions, including amendments to the text of zoning ordinances.

An important component of DCC 22.12 is DCC 22.12.050, addressing final decisions. That Code provision states that “[a]ll legislative changes shall be adopted by ordinance.” That language does not distinguish between purely legislative changes and those legislative changes that may be processed using a quasi-judicial process. This makes sense because the DCC is adopted by ordinance, and any changes to the text of the Code requires an amendment to that adopted ordinance. It also makes sense because ORS 215.503(2) requires that “[a]ll legislative acts relating to comprehensive plans, land use planning or zoning adopted by the governing body of a county shall be by ordinance” (emphasis added).

Based on the foregoing, I find that, in this case, the adoption of text amendments proposed by an applicant is a two-step process. In the first step of the process, the Applicant has a right under the Code to submit and to have considered an application to amend the Code’s text. This phase of the process is quasi-judicial in nature, and it is appropriate to have a hearing and to build a record following the principles of a quasi-judicial process. As part of that process, the Hearings Officer addresses the application only of the County’s exiting laws. The second step of the process is for the Deschutes County Board of Commissioners (“County Board”) to adopt an ordinance to incorporate any text amendments to the Code. Amendments to the text of a zoning ordinance are a change in the County’s law, and only the County Board can make such a change. In other words, the Hearings Officer is without authority to issue a decision that amends the County’s Code. The Hearings Officer, however, can make a recommendation to the County Board based on what develops in the quasi-judicial phase of the process. The County Board is free to accept, modify, or reject the Hearings Officer’s recommendation.

III. FINDINGS AND CONCLUSIONS

A. Adoption and Incorporation of Findings in Staff Report

The Staff Report contains a comprehensive discussion and conclusion of the criteria applicable to the Application. Many of the conclusions in the Staff Report are not challenged in this proceeding. In some areas of the Staff Report, Staff requests that the Hearings Officer either modify Staff’s findings or make the findings directly. I find that the Staff Report correctly lists the applicable criteria, and I hereby adopt the discussion and conclusions in the Staff Report as my findings. The remainder of the findings in this Recommendation are intended to supplement the Staff Report and to address specific issues raised during this proceeding. To the extent any of the findings in this Recommendation conflict with the discussion and conclusions in the Staff Report, the findings set forth in this Recommendation control anything to the contrary in the Staff Report.

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B. Issues Raised in Opposition to the Application and in the Staff Report

Several participants submitted comments to the record in opposition to the Application. The vast majority of those comments did not address specific Code provisions. Instead, those comments introduced general concerns about RV parks. In the findings below, I examine the specific criteria that were addressed by participants, and I attempt to identify and address criteria that may be invoked by the participants who testified in opposition to the Application. These findings also address the issues raised in the Staff Report.

1. Sewage Disposal Services

Multiple participants expressed concern over how a new RV park in the TUC zone would handle wastewater disposal. DCC 18.128.170 regulates wastewater disposal in RV parks and is applicable in all zones. Under that Code provision, each RV space in an RV park is to be provided with piped potable water and sewage disposal service, and the RV park must provide a laundry facility.

The Applicant initially proposed language that would require any parcel proposed as an RV park to be “located in a sewer district,” but also proposed creating an exception to certain provisions of DCC 18.128.170, such that an RV park in the TUC zone would not have to comply with the sewage disposal and laundry requirements “until a sewer district is willing and able to provide service.” As acknowledged by the Applicant, an RV park that developed under that proposal could rely on septic systems until a sewer system became available.

The concerns raised by some participants generally asserted that septic systems in the TUC zone are not sufficient and that reliance on that technology would pose environmental and health risks. While these comments did not identify any particular criterion to which they are relevant, and did not provide supporting evidence addressing the adequacy of septic systems, the Applicant nevertheless modified the proposed Code changes to address these concerns. Specifically, the final version of the Text Amendments remove the originally-proposed exceptions to DCC 18.128.170, while also clarifying that an RV Park must be located in a sewer district or otherwise provide confirmation that “a sewerage system that can serve the proposed sewage flow from the Recreational Vehicle Park is both legally and physically available.” According to the Applicant, this proposed revision will ensure that each space in an RV park will be connected to a central sewer system, thereby negating the need to address the sufficiency of septic systems.

I agree with the Applicant that the removal of the originally-proposed exception to DCC 18.128.170 will address any sewage disposal concerns. Before a conditional use permit for an RV park may be approved, an applicant must demonstrate that a central sewer system is legally and physically available. Under DCC 18.128.170, the owner of the RV park would then have to ensure that each space in an RV park is actually connected to an available sewer system. That being said, I recommend that the County Board slightly modify the proposed language if it approves the Text Amendments. As proposed, the language refers to a “sewer district.” The actual district that exists in the area is the Tumalo Sanitary District, and “sanitary district” is the term used in ORS Chapter 450 that allows such districts. I also note that ORS Chapter 450 allows the creation of a “sanitary authority.” I recommend that the Board adhere to that more precise description by modifying the Applicant’s language to read as follows for DCC 18.67.040(J)(1)(b):

b. The parcel(s) shall all be located in the boundaries of a sewer sanitary district or sanitary authority, or confirmation shall be provided that a sewerage sewage collection and disposal system that can serve the proposed sewage flow from the Recreational Vehicle Park is both legally and physically available; and

2. Comprehensive Plan Policies

The Applicant identified several provisions in the County's Comprehensive Plan ("Plan") as potentially relevant to the Application. Staff recites those Plan provisions on pages 13 through 16 of the Staff Report and asks the Hearings Officer to determine if the Applicant has demonstrated compliance with those provisions.

Participant Kris Cranston submitted comments asserting that the Text Amendments are not compatible with the County's Plan, which comments were repeated verbatim by other participants. Those comments, however, simply state that the Plan emphasizes the protection of the rural residential character and the promotion of orderly, compatible development. Participant Cranston (and others) does not identify any specific Plan policies on which those comments are based, and, to the contrary, simply state that the proposed Text Amendments would "violate" Deschutes County Code Title 18 – County Zoning. Other comments in the record similarly invoke the Plan in broad terms, without reference to specific Plan provisions. I find that participant Cranston's arguments (and similar or identical arguments of other participants) are not developed enough for me to address in this Recommendation with respect to consistency with the Plan. I therefore find that the Applicant's assertions with respect to the Plan provisions identified on pages 13 through 16 of the Staff report are sufficient to demonstrate compliance with the Plan.

The Applicant and multiple participants also address the Tumalo Community Plan ("Community Plan"), which is a component of the Plan. The Applicant points to the economic development goal of the Community Plan, which is to "[r]etain the economic vibrancy of Tumalo's historic core and industrial areas while providing economic development opportunities that are compatible with the small town rural character of the community." Policy 4 under that Goal is to support economic development initiatives and tourism in the Tumalo area. The Staff Report finds that the proposed Text Amendments are consistent with that policy. Participants in opposition to the Application do not address the economic development portion of these goals and policies and, instead, assert that an RV park does not preserve the rural or "small town" character of the community.

Having reviewed and considered all comments submitted by participants, I find that the Text Amendments are not inconsistent with the Community Plan. Evidence in the record supports a finding that RV parks exist in rural areas. Indeed, RV parks are already allowed (albeit in limited circumstances) in the TUC zone. Further, the Community Plan expressly contemplates that commercial activities should be encouraged. The Community Plan, as with most Plan provisions, requires a balance between competing considerations. Based on the record before me, I find that the development of RV parks in the TUC zone can achieve that balance, and there is nothing inherent about such a development that would require the prohibition of RV parks in the TUC zone. I also note that the County will still have to review specific

development proposals through a conditional use process, during which impacts to surrounding areas will be considered and a decision will be made based on a fact-specific proposal. At this stage, where the County is simply determining if some new RV parks may be conditionally allowable in the TUC zone, I find that the Applicant has demonstrated that they can be, and there is a sufficient basis for the Board to approve the Text Amendments for that purpose.³

3. Statewide Planning Goals and Administrative Rules

Multiple participants mentioned Statewide Planning Goals (“Goals”), but did not specifically address those goals. For example, participant Brady submitted comments stating that “the project may be inconsistent with Statewide Planning Goals 2 (Land Use Planning) and 14 (Urbanization), which prioritize the containment of high-intensity uses within Urban Growth Boundaries.” That assertion was repeated verbatim by other participants. Because these comments are couched in terms of generalized allegations that the proposal “may be” inconsistent with the Goals, but do not offer evidence or any specific argument to support such allegations, I find that these arguments are not sufficiently developed for a response in this Recommendation.

One Goal that some participants seemed to invoke is Statewide Planning Goal 12 (“Goal 12”), which relates to transportation. In the context of a text amendment to a land use regulation, the applicable part of Goal 12 is set forth in OAR 660-012-0060, the Transportation Planning Rule (“TPR”). Under the TPR, the County must consider whether a proposed text amendment will significantly affect a transportation facility. The Applicant submitted an engineering analysis that concludes the proposal will not significantly affect a transportation facility. The County’s Senior Transportation Planner reviewed and agreed with the assumptions, methodologies, and conclusions in the Applicant’s report.

The majority of comments in the record relating to transportation assert that an RV park will cause unwanted traffic impacts, both in terms of volume and safety. None of those comments credibly assert that traffic resulting from the Text Amendments will significantly affect a transportation facility as that term is defined in OAR 660-012-0060, nor do they provide any analysis that disputes the findings in the Applicant’s report. At best, those comments questioned some of the assumptions in the report. Having reviewed the entire record, I find that the Applicant’s has met its burden of proving that the Text Amendments satisfy the TPR and are consistent with Goal 12.

The Staff Report notes that OAR 660-022-0030 imposes certain requirements the County must follow when planning unincorporated communities. Among those requirements, OAR 660-022-0030(8) requires that zoning of rural communities must ensure that cumulative development will not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations and will not exceed the carrying capacity of the soil or of existing water supply resources and

³ The Applicant and the Staff Report also highlight Policy 5 of the Community Plan’s economic development goal, which guards against adverse effects on water resources and wastewater disposal. As discussed above, I find that the Applicant has adequately addressed waste water disposal. I also find that the evidence in the record supports a finding that amending the TUC zone to conditionally allow RV parks will not adversely affect water resources. The Applicant has documented the availability of municipal water to the properties where RV parks could be developed.

sewer services. The Staff Report asks the Hearings Officer to determine if the Text Amendments satisfy the rule language. While other participants addressed broad concerns relating to public health, environment, water resources, and wastewater disposal, no participant asserted that the Text Amendments will violate OAR 660-022-0030 generally, or subsection (8) of that rule specifically.

Based on the information provided by the Applicant, I find that OAR 660-022-0030(8) is satisfied. As concluded above, the Applicant has adequately addressed water resources and wastewater disposal. Further, no participant asserts that the Text Amendments will cause development that, cumulatively, will violate state or federal water quality regulations, or that will exceed the carrying capacity of the soil.

4. Policy-Related and Development-Specific Issues

The majority of comments submitted in opposition to the Text Amendments expressed a desire that the County not allow new RV parks in the Tumalo area. Those comments center around statements regarding what the County “should” or “should not” do as a matter of policy. Similar comments addressed site-specific concerns based on assumptions of how a specific RV park would be developed, even though no development proposal has been submitted

I find that these comments are not relevant at this time. In the context of a proposed text amendment, the County Board must eventually make a policy decision as to what uses may be allowed outright and conditionally in the TUC zone. If the Board does approve the Text Amendments, review of a future conditional use permit application will be the appropriate venue for addressing site-specific or development-specific concerns.

V. CONCLUSION AND RECOMMENDATION

Based on the Findings above, which augment the findings and conclusions in the Staff Report, I find that the Applicant’s proposed amendments to DCC Chapter 18.67 comply with the County’s provisions for amending the Code. However, I find that one portion of the Text Amendments could be revised by the Board of Commissioners in its adoption of an Ordinance approving the application and amending the Code to better reflect statutory language related to sanitary districts. I therefore recommend that the Deschutes County Board of Commissioners adopt the proposed text amendments presented in Exhibit A, as modified in Exhibit B by ordinance, unless the Board of Commissioners determines there is a legislative/policy reason not to adopt the amendments.

Dated this 2nd day of September 2025



Tommy A. Brooks
Deschutes County Hearings Officer

Attachment:

Exhibit A – Text Amendments (Applicant’s Version)

Exhibit B – Modified Text Amendments (Hearings Officer’s Version)

Exhibit C – Staff Report

EXHIBIT A

APPLICANT'S TEXT AMENDMENTS

DCC 18.67.040 Commercial (TuC) District

* * *

J. Additional Standards for Recreational Vehicle Parks

1. Recreational Vehicle Parks shall only be allowed on a single parcel or contiguous parcels under common ownership that meet the following requirements:

- a. The area of the parcel(s) proposed for development shall exceed 2.3 acres but no more than 5 acres;
- b. The parcel(s) shall all be located in a sewer district or confirmation shall be provided that a sewerage system that can serve the proposed sewage flow from the Recreational Vehicle Park is both legally and physically available; and
- c. The single parcel or at least one of the contiguous parcels under common ownership shall be adjacent to State Highway 20.

2. Compliance with DCC 18.128.170.

- a. To ensure compliance with DCC 18.128.170(G) which prohibits any recreational vehicle remaining in a park for more than 30 days in a 60 day period, Recreational Vehicle Parks in the Tumalo Commercial District shall only provide temporary lodging with no recreational vehicles utilized as permanent “residential dwellings” as that term is used in ORS 197.493.
- b. Compliance with DCC 18.128.170(O) requiring that access to a Recreational Vehicle Park shall be from an arterial or collector street shall not be applicable in the Tumalo Commercial District so long as an applicant instead demonstrates that the street providing direct access to the proposed Recreational Vehicle Park shall not be unreasonably impacted. To demonstrate compliance with this standard, an applicant shall address traffic capacity and flow, geometric design, pavement design, livability impacts on local residents, and accessibility and convenience to amenities and state highways.
- c. Recreational Vehicle Parks in the Tumalo Commercial District shall impose quiet hours from 10:00 pm to 7:00 am daily.

EXHIBIT B MODIFIED TEXT AMENDMENTS

DCC 18.67.040 Commercial (TuC) District

* * *

J. Additional Standards for Recreational Vehicle Parks

1. Recreational Vehicle Parks shall only be allowed on a single parcel or contiguous parcels under common ownership that meet the following requirements:

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- b. The parcel(s) shall all be located in the boundaries of a sewer sanitary district or sanitary authority, or confirmation shall be provided that a sewerage sewage collection and disposal system that can serve the proposed sewage flow from the Recreational Vehicle Park is both legally and physically available; and
- c. The single parcel or at least one of the contiguous parcels under common ownership shall be adjacent to State Highway 20.

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- c. Recreational Vehicle Parks in the Tumalo Commercial District shall impose quiet hours from 10:00 pm to 7:00 am daily.

EXHIBIT C
STAFF REPORT



COMMUNITY DEVELOPMENT

STAFF REPORT TUMALO RV PARK TEXT AMENDMENT

FILE NUMBER(S): 247-25-000106-TA

SUBJECT PROPERTY: The Tumalo Commercial Zone encompasses multiple properties.

APPLICANT: Joel Gisler

APPLICANT'S ATTORNEY: Adam Smith, of Schwabe, Williamson and Wyatt

REQUEST: Amendments to Deschutes County Code (DCC) Chapter 18.67, Tumalo Rural Community Zoning Districts. The proposed amendments will modify the Deschutes County Code (DCC) to add recreational vehicle (RV) parks as a conditional use in the Tumalo Commercial (TUC) Zone. The proposed amendments include siting standards for new RV parks in the TUC Zone, including that the development area must be two-to-five acres in size, contiguous to Highway 20, and located within a sewer district. In addition, the proposed amendments will modify the standards for road access and wastewater facilities for RV parks in the TUC Zone.

STAFF CONTACT: Audrey Stuart, Associate Planner
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RECORD: Record items can be viewed and downloaded from:
<https://www.deschutes.org/cd/page/247-25-000106-ta-tumalo-rv-park-text-amendment>

I. APPLICABLE CRITERIA

Deschutes County Code (DCC)

Title 18, Deschutes County Zoning Ordinance:

Chapter 18.67, Tumalo Rural Community Zoning Districts

Chapter 18.128, Conditional Use

Chapter 18.136, Amendments

Title 22, Deschutes County Development Procedures Ordinance

II. BASIC FINDINGS

LOT OF RECORD: DCC 22.04.040(B) does not require lot of record verification for Text Amendment applications. The proposed amendments will apply to all properties within the TUC Zone. Any future development of an RV park would require property-specific land use review, and lot of record findings would be made at that time.

SITE DESCRIPTION: The TUC Zone is located within the unincorporated community of Tumalo, which is located along Highway 20 to the northwest of the City of Bend. The TUC Zone is predominantly located to the north of Highway 20, but also includes approximately 8.7 acres located to the south of Highway 20. The development pattern within the TUC Zone includes a variety of small-to-medium size commercial uses such as food cart pods, a gas station, eating and drinking establishments, and two small strip malls. The TUC Zone also includes a number of undeveloped lots as well as existing residential development.

PROPOSAL: The applicant proposes to amend section 18.67.040, regarding the Tumalo Commercial (TUC) Zone. The proposed language of the Text Amendment is included as Exhibit 1 and summarized as follows:

- The Applicant proposes to modify the Purpose statement of the TUC Zone to include the travel needs of people passing through the area.
- The Applicant proposes to add an RV park as a new conditional use within the zoning district.
- The Applicant proposes siting standards for new RV parks in the TUC Zone and also proposes certain exceptions to the standards of DCC 18.128.170 for RV parks in the TUC Zone. Specifically, new RV parks in the TUC Zone would not require road access from a collector or arterial, and would not be required to provide laundry facilities and sewage disposal until sewer service is available to the property.

The submitted Burden of Proof provides the following background on the proposed Text Amendment:

This application is submitted in anticipation of two upcoming companion conditional use applications. The subject text amendment to DCC Title 18, Chapter 18.67.040, TuC District is intended to only allow RV Parks on a limited number of parcels in the TuC District owned by the Applicant, with the two upcoming conditional use applications then seeking approval for related uses on the Applicant's parcels.

PUBLIC AGENCY COMMENTS: The Planning Division mailed notice on April 3, 2025, to several public agencies and received the following comments:

Deschutes County Senior Transportation Planner, Tarik Rawlings

I have reviewed the transmittal materials for 247-25-000106-TA for a text amendment request to DCC Chapter 18.67 (Tumalo Rural Community Zoning Districts) to add recreational vehicle (RV) parks as a conditional use in the Tumalo Commercial District (TUC).

I have reviewed the application materials for potential Transportation Planning Rule (TPR) OAR 660-012 effects, including the applicant's transportation memorandum produced by Transight Consulting, LLC, (dated January 8, 2025) and I agree with its assumptions, methodology, and conclusions. The memorandum adequately addresses reasonable worst case scenario analysis through a comparison of the existing outright allowed uses (utilizing ITE category 822 for Strip Retail Plaza as an aggregate category encompassing eating/drinking establishments, small retail, and offices each totaling less than 10,000 square-feet) to the proposed Campground/RV Park (ITE 416) use and ultimately concludes that no significant impacts will be anticipated with the proposed text amendment. Staff notes that, should the proposed text amendment receive approval, further traffic analysis may be required at the time of future development depending on the future development's vehicle trip generation potential. While the current text amendment does not absorb County road capacity, any future proposal for the development of a Campground/RV Park under the proposed use category must demonstrate compliance with the transportation analysis requirements of DCC 18.116.310, including p.m. peak hour vehicle trips related to System Development Charges (SDCs), mitigations, and adequacy of access.

Thanks for the opportunity to provide comment and please let me know if you have any questions.

Deschutes County Onsite Wastewater Manager, Todd Cleveland

This proposal would allow an RV park without full connections for sewer, water and not require a central comfort station. This would not require connection to a community wastewater system. However, once a wastewater treatment system becomes available in the Tumalo , it would be beneficial to provide full connections and services at RV locations. The lack of sewer connections would limit the length of stay because RV users would need to take their RV to an approved dump station.

Onsite prefers to have facilities that will promote proper wastewater treatment and disposal conveniently available. Hopefully, this facility will be able to be connected as soon as possible when a community wastewater treatment facility becomes available.

Onsite wastewater permits would be unlikely to be approved for the proposed site.

Being in the Tumalo Sanitary District, when sewer becomes both legally and physically available to this location the only option would be to connect to the sanitary system. An onsite system could not be permitted once sewer is available (OAR 340-071-0160(4)).

Deschutes County Building Division, Krista Appleby, June 4, 2025 Comments

OAR 650 is applicable to Recreation Parks & Organizational Camps. Per OAR 918-650-0005(12) definition of ‘recreational vehicle park’ falls under the Recreation Park requirements. Referenced Table attached as PDF.

Among other [requirements in] OAR 650, toilets are required – see clip below. Referenced Table 3-RV is attached as PDF.

Building Codes Division - Chapter 918

Division 650

RECREATION PARKS AND ORGANIZATIONAL CAMPS

918-650-0050

Toilets

(1) Toilet facilities must be provided in every recreation park or organizational camp. They must be convenient and accessible and must be located within 500 feet of any recreational vehicle space or camping site not provided with an individual toilet facility or sewer connection.

EXCEPTION: The requirement for toilets in picnic parks, campgrounds and organizational camps may be waived by the regulating authority for areas not accessible by road.

(2)(a) Sanitary facilities must be as required in Table 3-RV;

(b) Toilet Bowls. Toilet bowls for public use must be elongated bowls with open-front seats. Any room with flush toilets must be provided with a floor drain as required in the Oregon Plumbing Specialty Code;

(c) Signs. Toilets must either be marked for the designated sex or be provided with a privacy lock. If not apparent, the location of toilets must be indicated by appropriate direction signs;

(d) Flush Toilets and Showers. Flush toilets and showers and the buildings containing them must be constructed in accordance with the State Building Code;

(e) Unisex Toilets. Toilet facilities designed to serve an occupant load of 15 persons or less may serve both sexes. Such toilet facilities must be equipped with a urinal.

(3) Nonwater-Carried Toilets. Nonwater-carried toilets, including, but not limited to, chemical or vault toilets or pit privies, must be constructed and located in accordance with the requirements of the Department of Environmental Quality.

Deschutes County Building Division, Randy Scheid, April 3, 2025 Comments

The Deschutes County Building Safety Divisions code mandates that Access, Egress, Setbacks, Fire & Life Safety, Fire Fighting Water Supplies, etc. must be specifically addressed during the appropriate plan review process with regard to any proposed structures and occupancies.

Accordingly, all Building Code required items will be addressed, when a specific structure, occupancy, and type of construction is proposed and submitted for plan review.

918-650-0010
Scope and Purpose

(1) OAR chapter 918, division 650 establishes minimum safety standards for the design and construction of recreation parks and organizational camps as authorized in ORS 455.680.

(2) These rules establish design and construction requirements for recreation parks and organizational camps for the purpose of protecting the life, health, safety and welfare of persons using these facilities.

EXCEPTIONS:

1- These rules do not apply to parking areas offering access to beaches, marinas, boat ramps, piers, ski areas, rivers, trails and similar facilities, where no recreational vehicle utility connections are provided.

2- The area development permit does not include permits or related fees for buildings, mobile home setups, mechanical, plumbing or electrical systems, boiler, or elevators, or permits required by other agencies.

Statutory/Other Authority: ORS 455.020, 455.110 & 455.680

Statutes/Other Implemented: ORS 455.680

History:

BCD 26-2011, f. 9-30-11, cert. ef. 10-1-11

BCA 10-1987, f. & ef. 9-18-87, Renumbered from 814-029-0050

918-650-0020

Permit Required

No person may establish or enlarge the facilities of any recreation park or organizational camp or do any construction within the recreation park or organizational camp or cause the same to be done without first obtaining all required permits from the building official and paying the prescribed permit fees. Multiple permits may be required when the proposed work involves two or more code areas (i.e., structural, electrical, plumbing, or mechanical).

EXCEPTION: Applications for permits, submission of plans and payment of fees are not required for additions, alterations, relocation and maintenance of picnic tables, play equipment, fire pits and similar facilities in existing parks.

Statutory/Other Authority: ORS 455.020, 455.110 & 455.680

Statutes/Other Implemented: ORS 455.680

History:

BCD 26-2011, f. 9-30-11, cert. ef. 10-1-11

BCA 10-1987, f. & ef. 9-18-87, Renumbered from 814-029-0065

The following agencies did not respond to the notice: Bend Fire Department, Deschutes County Assessor, Deschutes County Road Department, Laidlaw Water District, Oregon Department of Transportation, and Tumalo Irrigation District.

PUBLIC COMMENTS: The Planning Division mailed notice of the application to all property owners within the TUC Zone and within a 250-foot buffer around the TUC Zone on April 3, 2025. As of the date of this staff report, 62 comments have been submitted by members of the public in opposition to the proposal. Concerns raised in the public comments included:

- Impacts to neighborhood livability and the transient nature of RV park residents.
- The density of an RV park being incompatible with the rural nature of Tumalo.

- Increased traffic and whether the local roads are sufficient to accommodate RV's.
- Lack of existing sewage facilities to treat the wastewater from an RV park.
- Whether the Text Amendment conflicts with the Tumalo Community Plan, which was updated in 2024.
- Impacts to natural resources such as the nearby section of the Deschutes River.
- Whether the proposal is necessary given the nearby facilities at Tumalo State Park.

NOTICE REQUIREMENT: On May 15, 2025, the Planning Division mailed a Notice of Public Hearing to all property owners within the TUC Zone and within 250 feet of the TUC Zone, as well as to public agencies. A Notice of Public Hearing was published in the Bend Bulletin on Sunday, May 18, 2025. Notice of the first evidentiary hearing was submitted to the Department of Land Conservation and Development on May 12, 2025.

REVIEW PERIOD: According to Deschutes County Code 22.20.040(D), the review of the proposed quasi-judicial Text Amendment application is not subject to the 150-day review period.

III. **FINDINGS & CONCLUSIONS**

Amendments

The Applicant proposes to amend section 18.67.040 of Deschutes County Code to allow RV parks as a new conditional use within the TUC Zone. The amendments also set forth standards for new RV parks within the zone, including specific wastewater standards. Currently, wastewater disposal within RV parks is regulated by DCC 18.128.170, which are conditional use standards that apply to all zones governed by Title 18. DCC 18.128.170(D) requires each RV space to be provided with piped potable water and sewage disposal service. The relevant text of the proposed amendments is copied below, and it would allow the developer of an RV park to only provide sewage disposal service once a sewer district is able and willing to serve the property. The full text of the proposed amendments is included as Exhibit 1.

J. ***Additional Standards for Recreational Vehicle Parks***

...

2. ***Compliance with DCC 18.128.170.***

- A. ***For sewage disposal service and laundry facilities only, Recreational Vehicle Parks in the Tumalo Commercial District shall not be required to comply with DCC 18.128.170(D) and (J) until a sewer district is willing and able to provide service to the proposed project. The County may include conditions of approval requiring Recreational Vehicle Parks to provide sewer connection to each recreational vehicle space and to provide laundry facilities as outlined in DCC 18.128.170(J) once sewer service is available from a sewer district.***

Staff notes that agency comments from the Deschutes County Onsite Wastewater Division and

Deschutes County Building Division raise questions about the facilities that would be required under the proposed amendments. Though it is not an applicable land use approval criterion, comments from Building Division staff cite concerns regarding compliance with State Building Code if toilet facilities are not provided within an RV park. Staff notes these concerns would be addressed at the time a specific development proposal is submitted. However, staff asks the Hearings Officer to address these comments as they see fit and as they pertain to applicable approval criteria.

Title 18 of the Deschutes County Code, County Zoning

Chapter 18.136, Amendments

Section 18.136.010, Amendments

DCC Title 18 may be amended as set forth in DCC 18.136. The procedures for text or legislative map changes shall be as set forth in DCC 22.12. A request by a property owner for a quasi-judicial map amendment shall be accomplished by filing an application on forms provided by the Planning Department and shall be subject to applicable procedures of DCC Title 22.

FINDING: The Applicant, as the property owner, has requested a quasi-judicial Text Amendment and filed the corresponding application. The Applicant has filed the required land use application forms for the proposal. The application will be reviewed utilizing the applicable procedures contained in Title 22 of the Deschutes County Code.

DCC 22.04.020 includes the following definition:

"Quasi-judicial" zone change or plan amendment generally refers to a plan amendment or zone change affecting a single or limited group of property owners and that involves the application of existing policy to a specific factual setting. (The distinction between legislative and quasi-judicial changes must ultimately be made on a case-by-case basis with reference to case law on the subject.)

The subject application is not a request to change the zoning or Comprehensive Plan designation of the subject property. However, as described below, the quasi-judicial process of a Comprehensive Plan Amendment is the most applicable guidance regarding Text Amendments that are not squarely legislative. Therefore, staff includes the definition of a quasi-judicial process above for reference and also addresses the provisions of DCC 22.28.030, regarding final action on Comprehensive Plan amendments. The application materials include the following analysis of the process for the subject Text Amendment:

The subject text amendment application is not an application for a quasi-judicial map amendment, as this text amendment will not alter the County's zoning map if it is approved. Existing case law and the DCC allow for flexibility where text amendments may be processed

as quasi-judicial or legislative. See *Strawberry Hill 4 Wheelers v. Benton County*, 287 Or 591 (1979).

Strawberry Hill 4 Wheelers sets forth certain factors determining when applications are quasi-judicial or legislative: (1) the process is bound to result in a decision; (2) the decision is bound to apply preexisting criteria to concrete facts; and (3) the action is directed at a closely circumscribed factual situation or a relatively small number of persons. *Id.* The more definitely the questions are answered in the negative, the more likely the decision under consideration is a legislative land use decision. *Id.* Each of the factors must be weighed, and no single factor is determinative. *Id.*

Here, the subject text amendment application satisfies the first prong as the process is bound to result in a decision. Either the Text Amendment will be approved or denied. The second factor is also answered in the positive because the proposed text amendment applies preexisting criteria from the applicable provisions of the DCC and the Statewide Land Use Planning Goals to concrete facts i.e., whether the proposed amendments meet those criteria. Last, and most strongly, the third factor is answered in the positive. The proposed text amendment applies to a closely circumscribed factual situation and a small number of persons. The TuC District itself only applies to a small geographic area of the unincorporated community of Tumalo. Narrowing the scope even more, the text amendment will then only apply to parcels in the TuC District that are adjacent to Hwy 20, under common ownership, and collectively between 2 and 5 acres in size. The land use consequences are disproportionately concentrated on a relatively small pool of persons (if not only the Applicant), as opposed to a larger region or the general population, therefore a quasi-judicial procedure is the correct option according to the existing case law. *Id.*; *Van Dyke v. Yamhill County*, __ Or LUBA __ (LUBA No 2018-61, Dec 20, 2018) (slip op at 4).

Indeed, this is also consistent with the DCC itself. “Legislative changes” are defined as those that “generally involve broad public policy decisions that apply to other than an individual property owner. These include, without limitation, amendments to the text of the comprehensive plans, zoning ordinances, or the subdivision or partition ordinance and changes in zoning maps not directed at a small number of property owners.” See DCC 22.04.020. The DCC also defines “legislative” as “a planning or zoning action resulting in a general rule or policy which is applicable to an open class of individuals or situations.” See DCC 18.04.030. By design, the subject text amendment application only applies to a narrow scope of properties in a zoning district that is unique to Tumalo and not applicable elsewhere in the entire county. Based on the *Strawberry Hill 4 Wheelers* factors, this is a quasi-judicial application and not a legislative application.

Recently, the Planning Commission used this exact reasoning as part of its basis to recommend that the Board of County Commissioners deny a proposed text amendment to allow mini-storage use in the MUA-10 zone along Highway 20. The Planning Commission recommended denial after specifically determining that the proposed text amendment only affected a small number of parcels and therefore, in the Planning Commission’s opinion, should have been proposed as a quasi-judicial text amendment. Subsequently, the Board of

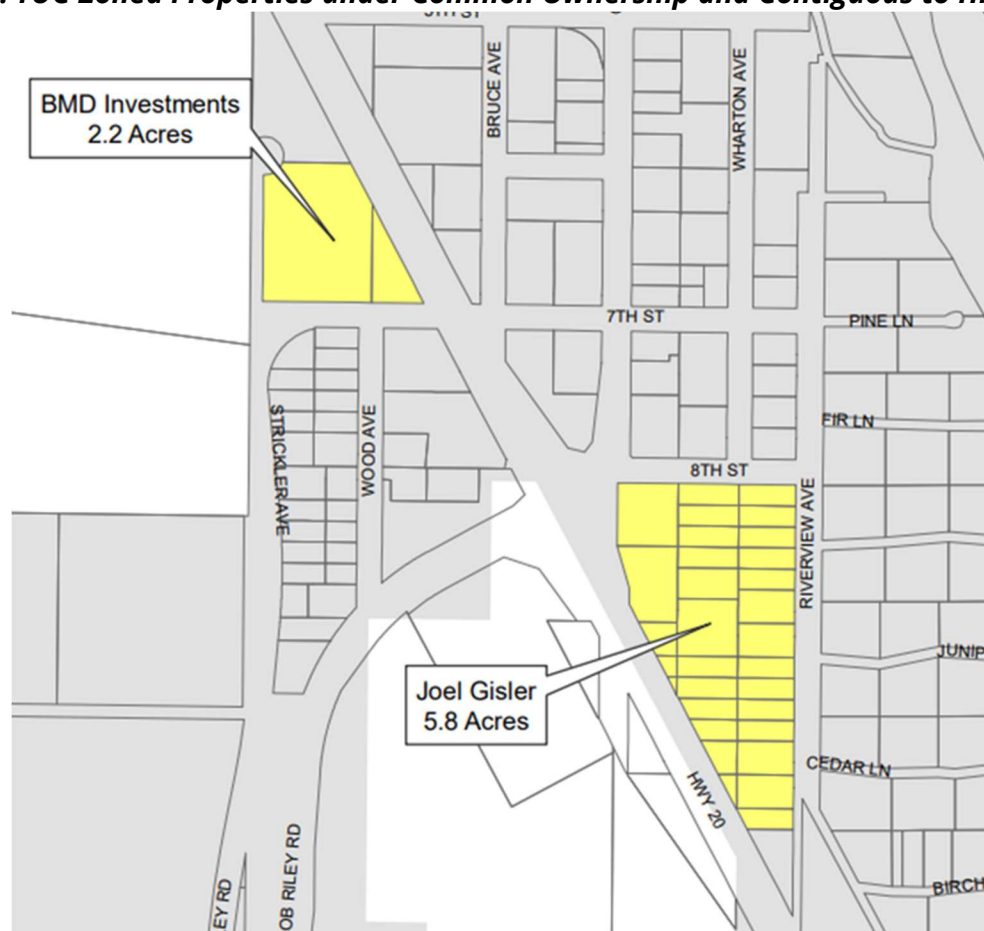
County Commissioners apparently agreed with the Planning Commission and denied this application. See County Planning File No. 247-24-000044-TA.

Although clearly a quasi-judicial application, DCC Chapter 22.24 does not include specific provisions governing the proposed quasi-judicial text amendment. The closest comparison is a quasi-judicial zone change or plan amendment, and the Applicant accordingly recommends that the County utilizes the procedures governing such applications in this matter. Notably, those procedures require a public hearing in front of the Hearings Officer with a decision issued thereafter. See DCC. 22.24.020. DCC 22.24.030 sets forth the basic notice requirements for the hearing. Notably, DCC 22.28.030(A) and (B) clarify that the Board of County Commissioners then adopts the Hearings Officer's decision without further argument or testimony unless a separate appeal of that decision is filed.

Staff agrees with the applicant's analysis of *Strawberry Hill 4 Wheelers* and notes the subject application will result in a decision, utilizes preexisting criteria, and will impact a limited number of properties.

Deschutes County staff conducted a preliminary analysis to identify the properties in the TUC Zone that may be potentially eligible for an RV park under the proposed amendments. This analysis identified properties in the TUC Zone that consist of parcels under common ownership which are two-to-five acres in size and contiguous to Highway 20. The results of this analysis are shown in the figure below and identify two properties that may potentially be eligible for an RV park under the proposed Code language. Staff notes this analysis is only intended to identify the number of properties impacted by the proposed amendments, and does not guarantee the eligibility or development potential of the identified properties.

Figure 1: TUC-Zoned Properties under Common Ownership and Contiguous to Highway 20



Based on the findings above, the subject request will impact the development potential of approximately two properties. Therefore, staff finds the subject request complies with the third component of the Strawberry Hill 4 Wheelers test and may be categorized as quasi-judicial based on the small number of persons who will be affected.

When the factors above are considered in combination, staff finds they indicate the subject Text Amendment is appropriately subjected to a quasi-judicial process. For these reasons, staff finds the request meets the three-part test outlined in *Strawberry Hill 4 Wheelers* as well as the intent of a quasi-judicial process.

Title 22 of the Deschutes County Code, Development Procedures Ordinance

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: As described above, staff finds the subject request is a quasi-judicial Text Amendment. However, the procedural steps will be similar to those of previous quasi-judicial Text Amendments, where Hearings Officers have determined that they also carry the qualities of a legislative act. The subject amendments will be adopted through an ordinance, consistent with the process for a legislative amendment. The Planning Director has exercised their discretion not to set a hearing before the Planning Commission.

Section 22.12.020, 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.***

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

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.*

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

FINDING: Notice of the proposed Text Amendment was published in the Bend Bulletin. Staff mailed a Notice of Application and a subsequent Notice of Public Hearing to property owners within the TUC Zone and within 250 feet of the TUC Zone. At the discretion of the Planning Director, posted notice was not required since the subject request is not property-specific. Staff notes a future application to develop an RV park on a specific property would require posted notice pursuant to DCC 22.24.030(B).

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 Commissioners or the Planning Commission.

FINDING: The applicant has submitted the required fees and requested a Text Amendment. Staff finds the applicant is granted permission under this criterion to initiate a legislative change and has submitted the necessary fee and materials.

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.***

FINDING: As described above, the subject application meets the definition of a quasi-judicial application. For this reason, this application was referred to a Hearings Officer rather than the Planning Commission for a recommendation. The adoption of the proposed text amendments will follow a legislative process because it must be approved by the Board. For the purpose of this criterion, staff notes the application has properties of both a quasi-judicial and legislative amendment.

- 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: The subject application was not initiated by the Board. Staff finds this criterion does not apply.

Section 22.12.050, Final Decision

All legislative changes shall be adopted by ordinance.

FINDING: Staff finds this criterion requires action by the Board to effect any legislative changes to Deschutes County Code. If the proposed Text Amendment is approved, it will become effective through the Board adoption of an ordinance.

Chapter 22.28, Land Use Action Decisions

Section 22.28.030, Decision On Plan Amendments And Zone Changes

- A. *Except as set forth herein, the Hearings Officer or the Planning Commission when acting as the Hearings Body shall have authority to make decisions on all quasi-judicial zone changes and plan amendments. Prior to becoming effective, all quasi-judicial plan amendments and zone changes shall be adopted by the Board of County Commissioners.***
- B. *In considering all quasi-judicial zone changes and those quasi-judicial plan amendments on which the Hearings Officer has authority to make a decision, the Board of County Commissioners shall, in the absence of an appeal or review initiated by the Board, adopt the Hearings Officer's decision. No argument or further testimony will be taken by the Board.***

FINDING: As detailed above, staff finds the proposal should be viewed as a quasi-judicial plan amendment. For this reason, staff finds these criteria apply. This application is being referred to a Hearings Officer for a decision. If an appeal is not filed and the Board does not initiate review, the Board shall adopt the Hearings Officer's decision as the decision of the county.

- C. *Plan amendments and zone changes requiring an exception to the goals or concerning lands designated for forest or agricultural use shall be heard de novo before the Board of County Commissioners without the necessity of filing an appeal, regardless of the determination of the Hearings Officer or Planning Commission. Such hearing before the Board shall otherwise be subject to the same procedures as an appeal to the Board under DCC Title 22.***

FINDING: The subject Text Amendment does not require a goal exception and does not concern lands designated for forest or agricultural use. For this reason, a de novo hearing before the Board is not required.

- D. *Notwithstanding DCC 22.28.030(C), when a plan amendment subject to a DCC 22.28.030(C) hearing before the Board of County Commissioners has been consolidated for hearing before the hearings Officer with a zone change or other permit application not requiring a hearing before the board under DCC 22.28.030(C), any party wishing to obtain review of the Hearings Officer's decision on any of those other applications shall file an appeal. The plan amendment shall be heard by the Board consolidated with the appeal of those other applications.***

FINDING: No other application is being consolidated with the subject Text Amendment. Staff finds this criterion does not apply.

Deschutes County Comprehensive Plan

FINDING: The Applicant identified the following Comprehensive Plan policies as relevant to the subject proposal. The identified sections of the Comprehensive Plan and the Applicant's responses are included below:

Chapter 3: Rural Growth

Section 3.4: Rural Economy Policies

Goal 1: Maintain a stable rural economy, compatible with rural lifestyles and a healthy environment.

Policy 3.4.1: Promote rural economic initiatives, including home-based businesses, that maintain the integrity of the rural character and natural environment. a. Review land use regulations to identify legal and appropriate rural economic development opportunities.

a. Review land use regulations to identify legal and appropriate rural economic development opportunities.

RESPONSE: The proposed amendment is consistent with the County's mandate to review land use regulations to identify legal and appropriate economic development opportunities. This amendment provides a new rural economic development opportunity within specific areas of the TuC District while maintaining the integrity of the rural character and natural environment by requiring conditional use approval and expressly limiting where in the TuC District RV Parks can be located.

Policy 3.4.2: Work with stakeholders to promote new recreational and tourist initiatives that maintain the integrity of the natural environment.

RESPONSE: Allowing RV Park development in certain areas of the TuC District will support new and existing recreational and tourist initiatives in the area. Such RV Park development is consistent with maintaining the integrity of the natural environment as it provides for less permanent building and changes to the existing landscape than several other uses permitted within the TuC District.

Policy 3.4.7: Within the parameters of State land use regulations, permit limited local-serving commercial uses in higher-density rural communities.

RESPONSE: Approval of the subject application will allow for a new local-servicing commercial use in higher-density rural communities located in close proximity to adjacent state highways. Visitors of the any potential RV Parks in the TuC District bring additional customers and revenue to other businesses in the TuC District.

Section 3.5: Natural Hazard Policies

Goal 1: Protect people, property, infrastructure, the economy and the environment from natural hazards.

RESPONSE: This goal is met. Any RV Parks created via a conditional use permit within the TuC District will provide for a development that protects people, property, infrastructure, the economy from natural hazards.

The County itself recently commissioned a feasibility study that specifically found "A scarcity of camping opportunities in Central Oregon, including for recreational vehicles (RV), not only reduces total visitation but also contributes to increased dispersed camping in undeveloped forestland and along roads. While visitation and population have both rapidly grown over recent decades, there has been no corresponding increase in camping capacity. This, in turn, results in added forest maintenance and damage to natural habitats, such as sanitation issues, problems with trash management, and increased fire risk." Exhibit 1 at page 1. That statement from the County's own study speaks directly to this Goal.

Stated simply, there is a serious demand for additional RV Parks within Deschutes County and the current lack thereof presents significant issues that can most directly be addressed by providing more RV Parks and campgrounds. In fact, per local news coverage of recent

County Commissioner meetings where the above-mentioned feasibility study was the focus of deliberations, the Commissioners noted there is an “incredible demand” for more RV Parks, and that very few, if any, have been built in the past 40 years in Deschutes County. See Exhibit 2 (news article).

Further, County Planning staff previously included in its 2022-2023 annual work plan an update regarding RV park opportunities, but appeared to stop short of exploring whether existing County zoning may be the main obstacle to developing more RV Parks. See Exhibit 3 at page 34. Examining existing zoning closely, this appears to be true. In Tumalo, potential for development of any RV Parks has effectively been prohibited due to the historical limitation that no RV Parks are allowed if they were not in existence before 1979. The Applicant’s own research suggests that this limitation was originally put in place because of the lack of central sewer services in the area, a concern that is likely to be address in Tumalo in the near future. However, even if that now-dated historical limitation were removed, other applicable conditional use standards in DCC chapter 18.128 make it very difficult for any new RV Parks to be feasible in Tumalo or elsewhere in the County. This proposed Text Amendment seeks to resolve these issues, at least for several properties within the TuC District. (The Applicant has no objection to the County addressing these concerns with a broader text amendment, but specifically limits the subject applicant to only the TuC District as the subject application is applicant-initiated and intended to be quasi-judicial.)

On a more local level in Tumalo itself, the County’s feasibility study cites data from the Oregon Parks and Recreation Department showing the nearby Tumalo State Park frequently reaches close to its 100% capacity which further exacerbate the issues outlined above. Exhibit 1 at page 10. The area proposed to be affected by the Text Amendment will specifically provide opportunities to help mitigate these issues and ease some of the high volume of visitors at Tumalo State Park that may cause capacity issues.

Chapter 4: Urban Growth Management

Section 4.9: Rural Service Center Policies.

Policy 4.9.11: Recreational vehicle or trailer parks and other uses catering to travelers shall be permitted.

RESPONSE: While Tumalo itself is no longer characterized as a “Rural Service Center” by the County, its TuC District shares many similarities. The Comprehensive Plan defines Rural Service Centers as “an unincorporated community consisting primarily of commercial or industrial uses providing goods and services to the surrounding rural area or persons traveling through the area, but which also includes some permanent residential dwellings.” While Tumalo is more broadly defined as a “Rural Community,” its TuC District is in essence a concentrated Rural Service Center with its purpose (as proposed to be amended) being to provide commercial uses providing goods and services to the surrounding rural area or persons traveling through the area. The Comprehensive Plan explicitly mandates that RV Parks catering to travelers shall be permitted in Rural Service Centers and naturally they shall

also be in the TuC District due to the aligned purposes of the two rural districts.

This is why the proposed Text Amendment seeks to amend the TuC District's purpose statement. The County Commissioners past actions and comments align with allowing uses in the TuC District that further this policy goal as set forth in state rules. OAR 660.022.0010(7) (defining Rural Community as "an unincorporated community which consists primarily of permanent residential dwellings but also has at least two other land uses that provide commercial, industrial, or public uses (including but not limited to schools, churches, grange halls, post offices) to the community, the surrounding rural area, or to persons traveling through the area.")

In reality, there are hundreds of thousands of people that travel through Tumalo each year and the numbers will likely keep increasing. Hwy 20 is the major highway travelers use when travelling to Tumalo State Park, between Sisters and Bend, and to other attractions in this portion of Deschutes County. Being adjacent to Hwy 20, the TuC is the zoning district within Tumalo that most practically should include the purpose of serving the travel needs of people passing through the area.

Arguably more than any other use, an RV Park clearly "serves the travel needs of people passing through the area" by providing lodging and access to other recreational and commercial opportunities in the Tumalo area. The proposed Text Amendment finally brings the TuC District into consistency with this policy.

FINDING: Staff requests the Hearings Officer amend these findings as they see fit, and determine whether the Applicant has demonstrated compliance with applicable Comprehensive Plan provisions.

Appendix B- Tumalo Community Plan

RV Parks in the Tumalo Community Plan

FINDING: As detailed in the record, there are several public comments which point out that the Tumalo Community Plan does not appear to contemplate an RV park. Consequently, members of the public argue the proposed text amendment does not conform to the Tumalo Community Plan. Staff asks the Hearings Officer to determine whether these objections are relevant.

Economic Development Goal

Retain the economic vibrancy of Tumalo's historic core and industrial areas while providing economic development opportunities that are compatible with the small town rural character of the community.

Economic Development Policies

Policy 4: Support economic development initiatives and tourism in the Tumalo area.

FINDING: Staff finds the proposed use is consistent with this policy of the Tumalo Community Plan. As detailed in the application materials, allowing an RV park as a conditional use in the TUC Zone would provide economic opportunities within the unincorporated community and would support tourism by expanding lodging options.

Policy 5: Allow for existing and future uses without producing adverse effects upon water resources or wastewater disposal. Coordinate with relevant agencies to ensure industrial uses meet requirements for water availability and wastewater disposal.

FINDING: As described herein, the proposed amendments would create new wastewater standards that only apply to RV parks within the TUC Zone. Specifically, the amendments would not require a property owner to provide laundry facilities or a sewer connection to each RV space until a sewer district is willing and able to provide service. In the interim, it appears to staff that the proposed amendments would allow an RV park to commence operations before sewer connections are established. Staff asks the Hearings Officer to make findings regarding the proposed amendments regarding wastewater disposal within RV parks in the TUC Zone, and whether this future use would have an adverse impact upon water resources or wastewater disposal.

Staff notes that an RV park is not an industrial use, and the proposed amendments are therefore not subject to the second part of this policy.

OREGON ADMINISTRATIVE RULES CHAPTER 660, LAND CONSERVATION AND DEVELOPMENT DEPARTMENT

Division 22, Unincorporated Communities

OAR 660-022-0030 Planning and Zoning of Unincorporated Communities

- (4) County plans and land use regulations may authorize only the following new commercial uses in unincorporated communities:**
 - (c) Uses intended to serve the community and surrounding rural area or the travel needs of people passing through the area.**

FINDING: The proposed amendments would create a new use within the unincorporated community of Tumalo, and is therefore subject to these provisions. The application materials state that an RV park would serve the travel needs of people passing through the area. Staff finds the proposed commercial use may be authorized within an unincorporated community.

- (8) Zoning applied to lands within unincorporated communities shall ensure that the cumulative development:**
 - (A) Will not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations; and**

- (B) Will not exceed the carrying capacity of the soil or of existing water supply resources and sewer services.**

FINDING: Any future development of an RV park within the TUC Zone would be subject to review by the Deschutes County Onsite Wastewater Division and/or the Department of Environmental Quality to ensure that wastewater disposal complies with applicable state standards. As described above, comments from the Deschutes County Onsite Wastewater Division indicate concerns regarding the ability of the Applicant's property to obtain an onsite wastewater (septic) permit. The proposed amendments would allow a property owner to establish an RV park and wait to install sewage disposal until a sewer district is able to serve the property. Staff notes the capacity of the sewer district would be addressed at the time a development proposal is submitted for a specific property. However, staff finds it may also be relevant in addressing these criteria and determining whether the proposed use would have a cumulative impact that exceeds the capacity of the sewer system or the carrying capacity of the soil. Staff asks the Hearings Officer to make specific findings for this section.

Division 12, Transportation Planning

OAR 660-012-0060 Plan and Land use Regulation Amendments

- (1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:**
- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);**
 - (b) Change standards implementing a functional classification system; or**
 - (c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.**
 - (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;**
 - (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or**

(C) *Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.*

FINDING: This above language is applicable to the proposal because it involves an amendment to a land use regulation, specifically the permitted uses within the TUC Zone. The proposed amendment would allow an RV park as a conditional use on properties that are two-to-fives acres in size and contiguous to Highway 20. While the Applicant is not proposing any land use development of a specific property at this time, the application materials indicate the intent is follow the Text Amendment with a subsequent Conditional Use Permit application to establish an RV park.

The submitted application materials include a traffic memorandum dated January 8, 2025, prepared by Joe Bessman of Transight Consulting LLC. The traffic memo analyzes a vacant parcel owned by the Applicant, which consists of 19 adjacent tax lots in the TUC Zone, and would potentially be eligible for development of an RV park under the amendments. The memo compares the uses that are currently permitted in the TUC Zone to an RV park to determine whether there would be a significant increase in trip generation with the new use category. As the memo notes, the TUC Zone currently allows for a range of commercial uses such as eating and drinking establishments, retail, and small office buildings.

Based on comparison of current allowable uses within the TuC zoning, the addition of RV park reflects a lower-intensity use. Accordingly, the proposed text amendment does not have the potential to create a significant impact on the transportation system...

Key findings of this Transportation Planning Rule analysis that would allow RV parks as a conditional use within the Tumalo Commercial (TuC) zoning includes the following:

- The proposed text amendment would conditionally allow an RV Park on 19 contiguous lots currently zoned TuC within the unincorporated Tumalo community.
- With a reduction in trips compared to allowable uses, a comparative analysis would show that all surrounding intersections and corridors will operate better with the text amendment, and a significant impact does not occur.
- While the siting of the RV Park complies with the comparative analysis required to satisfy the Transportation Planning Rule, future entitlements will need to assess the net system impacts as required by DCC 18.116.310. This analysis will need to demonstrate that adequate system capacity is available to serve these uses.

The traffic memo was reviewed by the County Senior Transportation Planner, who agreed with the report's conclusions. Staff finds that the proposed Text Amendment will be consistent with the identified function, capacity, and performance standards of the County's transportation facilities in the area. The proposed amendments will not change the functional classification of any existing or planned transportation facility or change the standards implementing a functional classification system. The County Transportation Planner provided the following comments in an email dated April 14, 2025:

I have reviewed the application materials for potential Transportation Planning Rule (TPR) OAR 660-012 effects, including the applicant's transportation memorandum produced by Transight Consulting, LLC, (dated January 8, 2025) and I agree with its assumptions, methodology, and conclusions. The memorandum adequately addresses reasonable worst case scenario analysis through a comparison of the existing outright allowed uses (utilizing ITE category 822 for Strip Retail Plaza as an aggregate category encompassing eating/drinking establishments, small retail, and offices each totaling less than 10,000 square-feet) to the proposed Campground/RV Park (ITE 416) use and ultimately concludes that no significant impacts will be anticipated with the proposed text amendment. Staff notes that, should the proposed text amendment receive approval, further traffic analysis may be required at the time of future development depending on the future development's vehicle trip generation potential. While the current text amendment does not absorb County road capacity, any future proposal for the development of a Campground/RV Park under the proposed use category must demonstrate compliance with the transportation analysis requirements of DCC 18.116.310, including p.m. peak hour vehicle trips related to System Development Charges (SDCs), mitigations, and adequacy of access.

Based on the County Senior Transportation Planner's comments and the traffic memo prepared by Transight Consulting LLC, staff finds compliance with the Transportation Planning Rule has been effectively demonstrated.

DIVISION 15, STATEWIDE PLANNING GOALS AND GUIDELINES

OAR 660-015, Division 15, Statewide Planning Goals and Guidelines

FINDING: The Statewide Planning Goals and the Applicant's findings are quoted below:

Goal 1: Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

RESPONSE: The amendments do not propose to change the structure of the County's citizen involvement program. Notice of the proposed amendments will be provided in accordance with the requirements of the DCC. The public hearing on this application will provide the opportunity for any resident to participate in the land use process. Goal 1 is met.

Goal 2: Land Use Planning

Part I – Planning. To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

RESPONSE: Goals policies, and processes related to this application are included in the Deschutes County Comprehensive Plan, Title 23, and Deschutes County Code, Title 18 and Title 22. Compliance with these processes, policies, and regulations are documented within the subject application. Goal 2 is met.

Goal 3: Agricultural Lands

To preserve and maintain agricultural lands.

RESPONSE: No lands will be rezoned as part of this application, furthering the purpose of Goal 3. The purpose of TuC District, as proposed to be amended, is to “allow a range of limited commercial and industrial uses to serve the community and surrounding area or the travel needs of people passing through the area.” Tumalo does not contain any lands with the Comprehensive Plan designation of Agriculture nor the zoning designation of Exclusive Farm Use (EFU). Goal 3 is met.

Goal 4: Forest Lands

To conserve forest lands by maintaining the forest land base and to protect the state’s forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

RESPONSE: The amendments do not propose to rezone or alter forest lands. Further, there are no lands designated Forest, either by Comprehensive Plan or DCC 18.67, within or abutting Tumalo. Goal 4 is met.

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

To protect natural resources and conserve scenic and historic areas and open spaces.

RESPONSE: The properties potentially affected by the proposed Text Amendment are not located in the Landscape Management Overlay Zone for the Hwy 20 corridor as that zone specifically does not overlay the TuC District. Several properties in the TuC District, however, are within 660 feet of the ordinary high-water mark of the Deschutes River such that those properties are then within that Landscape Management Overlay Zone. Nevertheless, the subject Text Amendment does not introduce a new conflicting use to the Landscape Management Overlay Zone thereby requiring an economic, social, environmental, and energy (“ESEE”) analysis. As noted above, historic RV Parks have always been allowed within the TuC District. Importantly, the proposed Text Amendment does not alter or change that any proposed RV Park on properties within the Landscape Management Overlay Zone will still be required to fully comply with DCC Chapter 18.84. Goal 5 is met.

Goal 6: Air, Water and Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the state.

RESPONSE: The proposed text amendment will not impact the quality of the air, water, or land resources. Goal 6 is met.

Goal 7: Areas Subject to Natural Disasters and Hazards

To protect people and property from natural hazards.

RESPONSE: To the extent that lands in the TuC District are in areas subject to natural disasters and hazards, the subject application will serve to mitigate the risk of harm from such disasters on the property of Deschutes County citizens via the conditional use permit process and applicable codes and standards. Goal 7 is met.

Goal 8: Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

RESPONSE: While Goal 8 itself is most often discussed in relation to destination resorts, it more broadly directs local jurisdictions to inventory their existing recreation areas, facilities, and opportunities to determine the existing and future recreational needs of citizens and visitors, and to plan for recreational opportunities in proportion to the demand for them. Development of RV Parks helps satisfy this goal.

As aforementioned herein and as evidenced by the County's own feasibility study, there is a lack of existing RV Parks in Tumalo and its surrounding areas where the existing zoning limits the opportunities for their development despite the well documented and growing demand for such uses. The County itself documented that its existing zoning directly limits where RV Parks may be developed, and the County's existing conditional use requirements in Chapter 18.128 further make such developments not economically feasible. Requiring applicants to provide full amenities such as showers, sewer, and laundry makes RV Parks practically and economically infeasible in most locations throughout the County, and then requires all RV Parks to cater to limited clientele actually seeking such high-end services. Several publicly owned RV Parks, including Tumalo State Park, La Pine State Park, and the County-owned Jefferson County RV Park do not include the full list of amenities that are required for new privately-owned RV Parks in Deschutes County. It is telling that so few RV Parks have recently been developed in Deschutes County, resulting in the County commissioning its own feasibility study as discussed above. The proposed Text Amendment will loosen these requirements to provide new opportunities for RV Parks on at least certain properties in the TuC District. This better satisfies the recreational needs of Deschutes County citizens and visitors by providing for siting of RV vehicles and promoting access to nearby recreational

sites including Tumalo State Park, which is estimated to be more than 200,000 visitors a year according to the Tumalo Community Plan and is increasing annually. Goal 8 is met.

Goal 9: Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

RESPONSE: Although the applicability of Goal 9 is debatable in this context, the County's current code provisions governing the TuC District nevertheless clearly do not provide the same economic opportunity as would otherwise be allowed by state rules. Specifically, state rules allow uses in the TuC District that are intended to serve the travel public. DCC 18.67.040's purpose statement notably omits similar language, instead only allowing uses that serve the community and surrounding area. Considering the TuC District's location adjacent to Hwy 20 within the Tumalo community and between Bend and Sisters, omitting uses that also serve the traveling public undeniably then restricts economic development within the district. One clear example of a uses that would otherwise be allowed by state rules and that would otherwise further economic development within the TuC District is an RV park.

Accordingly, the proposed text amendment complies with Goal 9 because it will permit a new and varied economic activity i.e., RV Parks, within the TuC District that will allow property owners within the TuC District an additional opportunity for prosperity. Economic Development Policy 4 of the Tumalo Community Plan is specifically to "Support economic development initiatives and tourism in the Tumalo area" which is exactly what this Text Amendment will do. Goal 9 is met.

Goal 10: Housing

To provide for the housing needs of citizens of the state.

RESPONSE: The subject application does not propose to change to housing. Goal 10 is met, to the extent it is applicable. Further, because Tumalo is classified as a Rural Unincorporated Community under OAR-660-022-0010(7) it is not obligated to fulfill certain housing requirements.

Goal 11: Public Facilities and Services

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

RESPONSE: The proposed text amendment will have no adverse effect on the provision of public facilities and services. In fact, to the extent the Tumalo Basin Sewer District creation moves forward, it can proceed in lockstep with the new opportunities presented by this Text Amendment application. Unless and until a sewer district is installed and functioning,

applicants for RV Parks still should be allowed the opportunity as a business decision to develop and maintain on-site septic systems that are capable of handling the demands of an RV Park with on-site bathrooms and showers. Increased flexibility for RV Park proposals is essential if more are ever to be developed in Deschutes County. Goal 11 is met.

Goal 12: Transportation

To provide and encourage a safe, convenient and economic transportation system.

RESPONSE: The proposed amendment will not impact transportation facilities within the County. The Applicant engaged a traffic engineer, Joe Bessman of Transight Consulting, LLC, who prepared a TPR Analysis (attached as Exhibit 4) and will provide a further Traffic Impact Analysis when future Conditional Use Permit applications for an RV Park are submitted by the Applicant. Among the findings of the TPR is that an “RV park is a much less intense use than what is currently permitted within [the TuC District] and therefore does not create a significant transportation impact. The listing of this use as Conditional will require additional analysis to ensure that the use is consistent with County and State requirements.”

Further, allowing properties in the TuC District to be utilized for RV Parks even if accessed off something other than an arterial or collector street clearly provides more development opportunities for RV Parks. Applicants who are capable of meeting all applicable road standards except for being off an arterial or collector road ought to be provided the same development opportunity and RV Parks should not be arbitrarily prohibited in such circumstances. Stated simply, in its current form DCC 18.128.170(O) is blatantly over regulatory because it prohibits RV Parks on properties that could otherwise meet all applicable road standards. Rather than instead requiring compliance with those applicable road standards, DCC 18.128.170(O) elevates access off of an arterial or collector street as a proxy for those road standards. A property not having access off an arterial or collector is an arbitrary requirement that has directly contributed to the lack RV Parks being developed throughout the County.

The County’s current policy stance was clarified in a written response received by the Applicant from County staff after requesting a meeting to discuss DCC 18.128.170(O). The email communication is included as Exhibit 6. Rather than meeting to discuss the issue, County staff more directly defended in that written response that DCC 18.128.170(O) in its current form “aligns with transportation planning principles by balancing accessibility, safety, and minimal disruption to surrounding communities.” However, County staff also noted that “RV park access and traffic circulation on local roads is not desirable in many situations” (emphasis added). But something not being desirable in many situations is not the same thing as not being desirable in all situations, confirming then that DCC 18.128.170(O) in its current form is over regulatory. Further, County staff assumed that the only other option would be RV Park access off of local access roads, and failed to address that DCC 18.128.170(O) mandates access off of only arterial or collector streets therefore also prohibiting access off a state highway, for example. More importantly, County staff’s written response suggested that although they would be “opposed to eliminating [DCC

18.128.170(O)] outright,” County staff suggested that they would not then be opposed to modifying that provision so long as the following listed factors were instead addressed: (1) traffic capacity and flow; (2) geometric design; (3) pavement design; (4) livability impacts on local residents; and (5) accessibility and convenience to amenities and state highways. Although the Applicant questions if the last two aforementioned factors are best addressed as part of traffic and road issues, to honor County staff’s recommendation the Applicant, as part of the subject Text Amendment, proposes replacing the currently over regulatory DCC 18.128.170(O)—at least within the TuC District—with the same listed factors recommend by County staff. The intended outcome would be that RV Parks within the TuC District could be approved off of something other than arterial and collector streets after consideration of these factors. The proposed text amendment does not eliminate the purposes of DCC 18.128.170(O) outright as County staff cautioned, rather it provides more flexibility and opportunity for development of RV Parks when the County itself has determined that such uses are severely lacking throughout our community. Stated simply, when the County Commissioners themselves have expressed they want to foster RV Park development throughout the County, any blatantly over regulatory code provision that unnecessarily prohibits RV Parks on otherwise qualifying properties should be re-examined.

As a final comment, the impact of DCC 18.128.170(O) on RV Park development should not be lost on the County. The County’s very own feasibility study discussed above identified three properties where the County itself may consider developing an RV Park. Two out of three sites identified by that feasibility study would not meet DCC 18.128.170(O), yet those two sites were not then immediately excluded from further consideration. Specifically, the Crooked River Ranch Site’s only means of access is via NW 8th Court, a “Rural Local” road. The Fort Thompson Site’s only means of access is off Oregon State Highway 97 which also is not an “arterial or collector street.” If pursued further, both aforementioned sites would likely require zone changes and/or text amendments before RV Parks would be viable options. Assuming the County would then pursue legislative amendments allowing RV Parks as conditional uses on those two aforementioned properties, then the County would be in the very same position as the Applicant when it comes to the addressing DCC 18.128.170(O). If the County’s intention is to staunchly defend that RV Parks should only be developed on properties with direct access from arterial or collector streets, then presumably the County’s own feasibility study would not have wasted resources analyzing two properties that do not meet that overly stringent standard.

Goal 12 is met.

Goal 13: Energy Conservation

To conserve energy.

RESPONSE: The proposed amendment will have a de minimis effect on the provision of public facilities and services. To the extent Goal 13 is applicable, new RV Parks developed in the TuC District will be designed and constructed with best practices for the modern-day construction industry, including energy efficient design standards, as well as the ability to

accommodate vehicles that are of the “van-life” variety and less consumptive than larger traditional RVs of both the motorized and trailer variety.

Goal 14: Urbanization

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

RESPONSE: Goal 14 concerns the provision of urban and rural land uses to ensure efficient use of land and livable communities. The proposed amendment does not amend an urban growth boundary, and RV Parks are permitted as a conditional use in several other rural zones throughout the County. Like the TuC District, these other zones serve rural communities. RV Parks are not exclusively an “urban use” and RV Parks significantly contribute to rural recreational opportunities. The subject application proposes to limit RV Parks to lands in the TuC District that are located in close proximity to the adjacent State Hwy 20, thereby promoting an orderly and efficient transition from rural to urban land use to the extent applicable. Goal 14 is met.

Goals 15-19

RESPONSE: Goals 15 through 19 do not apply (Goal 15 Willamette River Greenway; Goal 16 Estuarine Resources; Goal 17 Coastal Shorelands; Goal 18 Beaches and Dunes; and Goal 19 Ocean Resources).

Staff generally accepts the Applicant’s responses and finds compliance with the applicable Statewide Planning Goals has been effectively demonstrated.

IV. CONCLUSION & RECOMMENDATION

Staff requests the Hearings Officer determine if the Applicant has met the burden of proof necessary to justify the proposed Text Amendment through effectively demonstrating compliance with the applicable criteria of DCC Title 18 (the Deschutes County Zoning Ordinance), the Deschutes County Comprehensive Plan, and applicable sections of OAR and ORS.

DESCHUTES COUNTY PLANNING DIVISION


Written by: Audrey Stuart, Associate Planner

Anthony Raguine

Reviewed by: Anthony Raguine, Principal Planner

Attachments: 1) Proposed Text Amendments

Attachment A: Proposed Text Amendments

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 or the travel needs of people passing through 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 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.
- B. Uses Permitted, Subject to Site Plan Review. The following uses and their accessory uses are permitted subject to the applicable provisions of DCC 18.67, 18.116, and 18.124:
 1. A building or buildings, none of which exceeds 4,000 square feet of floor area to be used by any combination of the following uses:
 - a. Retail or service business.
 - b. Eating and/or drinking establishment.
 - c. Offices.
 - d. A dwelling unit permitted outright or conditionally, in the same building as a use permitted in DCC 18.67.040.
 - e. Marijuana wholesaling, office only. There shall be no storage of marijuana items or products at the same location.
 2. Any of the uses listed under DCC 18.67.040 proposing to occupy more than 4,000 square feet of floor area in a building subject to the provisions of DCC 18.67.040(E).
 3. Child care facility and/or preschool.
- C. Conditional Uses. The following uses and their accessory uses are permitted subject to the applicable provisions of DCC 18.116, 18.124, and 18.128:
 1. Religious institutions or assemblies.
 2. Bed and breakfast inn.
 3. Type 2 or Type 3 Home Occupation, subject to DCC 18.116.280.
 4. Park.
 5. Public or semi-public building.
 6. Utility facility.
 7. Water supply or treatment facility.
 8. Manufactured dwelling, ~~RV park~~ on a lot or parcel in use as a manufactured dwelling 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 dwelling park ~~or recreational vehicle park~~, including any expansion of such uses on the same lot or parcel as configured on June 12, 1996.
 9. The following uses and their accessory uses may be conducted in a building or buildings not to exceed 4,000 square feet of floor area.
 - a. Farm equipment, sales, service, or repair.
 - b. Trailer sales, service, or repair.

- c. Vehicle service or repair.
 - d. Veterinary clinic.
- 10. The following uses may be conducted in a building or buildings not to exceed 10,000 square feet of floor area:
 - a. Manufacturing or production.
 - b. Wholesale sales.
 - c. Marijuana retailing, subject to the provisions of DCC 18.116.330.
- 11. Wireless telecommunications facilities, except those facilities meeting the requirements of DCC 18.116.250(A) or (B).
- 12. 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.
- 13. Psilocybin service centers, subject to the provisions of DCC 18.116.380.
- 14. Recreational Vehicle Parks.**
- D. Use Limitations. The following use limitations shall apply to the uses listed in DCC 18.67.040(C)(10).
 - 1. Compatibility.
 - a. Any use expected to generate more than 50 truck-trailer and/or heavy equipment trips per day to and from the subject property shall not be permitted to locate on a lot or parcel abutting or across a local or collector street from a lot or parcel in a residential district.
 - 2. Traffic and Parking.
 - a. A use that generates more than 20 auto or truck trips during the peak hour of the day to and from the premises shall document with facts that the affected transportation facilities are adequate to serve the proposed use, considering the functional classification, capacity, and level of service of the affected transportation facility.
 - b. All parking demand generated by uses permitted by DCC 18.67 shall be accommodated entirely on the premises.
- E. Requirements for Large Scale Uses.
 - 1. All uses listed in DCC 18.67.040(B) may have a total floor area exceeding 4,000 square feet but not greater than 10,000 square feet if the Planning Director or Hearings Body finds:
 - a. The use is intended to serve the community and surrounding rural area, or the traveling needs of people passing through the area;
 - b. The use will primarily employ a work force from the community and surrounding rural area; and
 - c. It is not practical to contain the proposed use within 4,000 square feet of the floor area.
 - 2. This provision does not apply to uses listed in DCC 18.67.040(C)(10).
 - 3. For the purposes of DCC 18.67.040, the surrounding rural area is described as the following: extending north to the Township boundary between Townships 15 and 16; extending west to the boundary of the public lands managed by the U.S. Forest Service in T16S-R11E; extending south to the south section lines of T17S-R12E sections 4,5,6 and T17S-R11E sections 1,2,3; and extending east to Highway 97.

- F. Design Standards. Ground Floor Windows. The following criteria for ground floor windows apply to new buildings in the TuC district except those uses listed in DCC 18.67.040(C)(10) and any residential use. The provisions of DCC 18.124 also apply.
1. The windows must be at least 50 percent of the length of the ground level wall area and 25 percent of height of the ground level wall area. Ground level wall area includes all exterior wall area up to nine feet above the finished grade. The window requirement applies to the ground level of exterior building walls which abut sidewalks or streets.
 2. Required window areas shall be either windows that allow views into working areas, lobbies, pedestrian entrances or display windows.
- G. Lot Area Requirements. The minimum lot area is 10,000 square feet. In addition, lot area requirements for this district shall be determined by spatial requirements for sewage disposal, required landscaped areas, and off-street parking.
- H. Lot Coverage Standards.
1. Lot Coverage: No lot coverage requirements, provided spatial requirements for parking, sewage disposal, and landscaping are satisfied.
 2. No use listed in DCC 18.67.040(C)(10) that is abutting or across a local or collector from a lot or parcel in a residential district shall exceed 70 percent lot coverage, including outside storage, and off-street parking and loading areas.
- I. Setback Standards.
1. Front Setback. The front setback shall be a maximum of 15 feet, except as otherwise allowed by DCC 18.124.070 (D)(3). The front setback for structures may be reduced, but not increased, to the average setback distance of existing structures on abutting lots or parcels.
 2. Side Setback. No requirement, subject to DCC 18.67.040(I)(4).
 3. Rear Setback. No specific requirement, subject to DCC 18.67.040 (I)(4).
 4. Exceptions to Setback Standards.
 - a. Lot line(s) abutting a residential zone. For all new structures or substantial alterations of a structure requiring a building permit, on a lot or parcel abutting a residential district, the setback shall be a minimum of 15 feet. The required setback will be increased by one foot for each foot by which the structure height exceeds 20 feet.
 - b. Lot line(s) abutting an EFU zone. Any structure requiring a building permit, on a lot or parcel abutting EFU-zoned land receiving special assessment for farm use, shall have a minimum setback of 100 feet from any shared lot line.
- J. **Additional Standards for Recreational Vehicle Parks**
1. **Recreational Vehicle Parks shall only be allowed on a single parcel or contiguous parcels under common ownership that meet the following requirements:**
 - a. **The area of the parcel(s) proposed for development shall exceed 2 acres but no more than 5 acres;**
 - b. **The parcel(s) shall all be located in a sewer district; and**
 - c. **The single parcel or at least one of the contiguous parcels under common ownership shall be adjacent to State Highway 20.**
 2. **Compliance with DCC 18.128.170.**
 - a. **For sewage disposal service and laundry facilities only, Recreational Vehicle Parks in the Tumalo Commercial District shall not be required to comply with DCC 18.128.170(0) and (J) until a sewer district is willing and able to provide service to the proposed project. The County may include conditions of approval requiring Recreational Vehicle Parks to provide sewer connection to each**

recreational vehicle space and to provide laundry facilities as outlined in DCC 18.128.170(J) once sewer service is available from a sewer district

- b. To ensure compliance with DCC 18.128.170(G), Recreational Vehicle Parks in the Tumalo Commercial District shall only provide temporary lodging with no recreational vehicles utilized as permanent "residential dwellings" as that term is used in ORS 197.493.
- c. Compliance with DCC 18.128.170(0) requiring that access to a Recreational Vehicle Park shall be from an arterial or collector street shall not be applicable in the Tumalo Commercial District so long as an applicant instead demonstrates that the street providing direct access to the proposed Recreational Vehicle Park shall not be unreasonably impacted. To demonstrate compliance with this standard, an applicant shall address traffic capacity and flow, geometric design, pavement design, livability impacts on local residents, and accessibility and convenience to amenities and state highways.



COMMUNITY DEVELOPMENT

MEMORANDUM

TO: Board of County Commissioners

FROM: Audrey Stuart, Associate Planner

DATE: October 15, 2025

SUBJECT: October 22nd Public Hearing for RV Park Text Amendment

The Board of County Commissioners ("Board") will conduct a public hearing on October 22, 2025, to consider a Text Amendment (file no. 247-25-000106-TA) impacting the Tumalo Commercial District.

I. BACKGROUND

The applicant is requesting amendments to Chapter 18.67 of Deschutes County Code, to allow a recreational vehicle (RV) park as a conditional use in the Tumalo Commercial District. The applicant proposes the following siting standards for new RV parks in this zone:

- a. The area of the parcel(s) proposed for development shall exceed 2.3 acres but no more than 5 acres;
- b. The parcel(s) shall all be located in a sewer district or confirmation shall be provided that a sewerage system that can serve the proposed sewage flow from the Recreational Vehicle Park is both legally and physically available; and
- c. The single parcel or at least one of the contiguous parcels under common ownership shall be adjacent to State Highway 20.

Based on these proposed siting standards there appears to be one property that could qualify for an RV park, which is a 5.8-acre group of taxlots owned by the applicant. Staff notes the Text Amendment does not approve the establishment of an RV park on a specific property, and any future proposal would undergo a site-specific review through a Conditional Use Permit and Site Plan Review.

The applicant also proposes new road access standards that would apply to RV parks in the Tumalo Commercial District. Currently DCC 18.128.170 applies to RV parks in all zones and requires the property to be accessed by a road that is classified as an arterial or collector. The applicant proposes an exception to allow an RV park in the Tumalo Commercial District to be accessed by a local road if the developer can demonstrate that road will not be unreasonably impacted. In addition, the

applicant proposes language requiring quiet hours and clarifying that the RV park will not create permanent residential dwellings.

Currently, DCC 18.67.040(C)(8) allows for the continued use or expansion of a manufactured home or RV park that existed as of 1996, but does not allow for the creation of a new RV park in the Tumalo Commercial District. The proposed Text Amendment is limited to the Tumalo Commercial District and would not modify the standards that apply to RV parks in other zones.

II. PUBLIC COMMENTS

Seventy-six (76) written comments were submitted prior to the initial public hearing before the Hearings Officer. Eight members of the public testified in opposition at the Hearings Officer hearing. The written record was left open following the close of that hearing, and 36 comments were submitted during this open record period. Since the Hearings Officer recommendation was mailed on September 3, 2025, staff has received 16 additional written comments.

The public comments are in opposition and general themes include road capacity and traffic safety; impacts to the Deschutes River; impacts to the rural nature of Tumalo; conformance with the Tumalo Community Plan; and impacts to surrounding properties such as noise and increased crime.

III. HEARINGS OFFICER RECOMMENDATION

The Deschutes County Hearings Officer held a public hearing on May 9, 2025, and following the hearing the written record was left open until July 28, 2025. On September 3, 2025, the Hearings Officer issued a recommendation for approval of the proposed Plan Amendment and Zone Change evaluating compliance with all applicable review criteria. The Hearings Officer recommended a minor wording change to replace “sewer district” with “sanitary district or sanitary authority” to better align with language used in State regulations. The Hearings Officer’s proposed edits are included in Exhibit B of the Hearings Officer Recommendation.

IV. BOARD CONSIDERATION

The request includes an amendment to Deschutes County Code, which can only be modified by an ordinance from the Board. Therefore, the Board is required to take action on this application. Per DCC Section 22.20.040(D), the review of this application is not subject to the 150-day review period typically associated with land use decisions. The record for this file is available through the following link:

<https://www.deschutes.org/cd/page/247-25-000106-ta-tumalo-rv-park-text-amendment>

V. NEXT STEPS

At the conclusion of the public hearing, the Board can choose one of the following options:

- Continue the hearing to a date and time certain;
- Close the oral portion of the hearing and leave the written record open to a date and time certain;

- Close the hearing and commence deliberations; or
- Close the hearing and schedule deliberations for a date and time to be determined.

ATTACHMENT(S):

1. Location Map
2. Hearings Officer Recommendation—includes proposed Code language as 'Exhibit A'