



COMMUNITY DEVELOPMENT

DESCHUTES COUNTY PLANNING COMMISSION

5:30 PM, THURSDAY, FEBRUARY 24, 2022

Barnes Sawyer Rooms - Deschutes Services Bldg - 1300 NW Wall St - Bend

(541) 388-6575 | www.deschutes.org

AGENDA

MEETING FORMAT

The Planning Commission will conduct this meeting in person, electronically, and by phone.

Members of the public may view the Planning Commission meeting in real time via the Public Meeting Portal at www.deschutes.org/meetings.

Members of the public may listen, view, and/or participate in this meeting using Zoom. Using Zoom is free of charge. To login to the electronic meeting online using your computer, copy this link:

<https://us02web.zoom.us/j/84272327776?pwd=UHYxazZBSzhNSG5QV2twSG1PR0RWUT09>

Passcode: 959899

Using this option may require you to download the Zoom app to your device.

Members of the public can access the meeting via telephone, dial: 1-312-626-6799. When prompted, enter the following Webinar ID: 842 7232 7776 and Passcode: 959899. Written comments can also be provided for the public comment section to planning@deschutes.org by 5:00 p.m. on February 24. They will be entered into the record.

I. CALL TO ORDER

II. APPROVAL OF MINUTES - January 13, 2021 and February 10, 2021

III. PUBLIC COMMENT

IV. ACTION ITEMS

- [1.](#) Water Resource Discussion Panel #1 (*Kyle Collins, Associate Planner*)
- [2.](#) Dark Skies Outdoor Lighting Update and Next Steps (*Tarik Rawlings, Associate Planner*)
- [3.](#) Update on Tumalo Community Plan; TGM Grant for Bike/Ped/Transit in Tumalo; rural trails in Sisters Country (*Peter Russell, Senior Transportation Planner*)

V. PLANNING COMMISSION AND STAFF COMMENTS

VI. ADJOURN



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, please call (541) 617-4747.

**MEMORANDUM**

TO: Deschutes County Planning Commission

FROM: Kyle Collins, Associate Planner

DATE: February 16, 2022

SUBJECT: Deschutes County Water Resource Discussion Panel – Part 1

I. Background

Following the completion of a four-part Water Panel series in December 2018, the Planning Commission directed staff to create a report to summarize the dialogue and key issues in water management as presented by the panelists. On October 28, 2021, the Planning Commission (Commission) expressed interest in convening a second Water Panel series in preparation for the Comprehensive Plan Update (*Deschutes 2040*), which will be initiated in Spring 2022.

II. Purpose

The panels are intended to be broadly informational for Commissioners and citizens, and will allow for an open-ended discussion with working professionals and researchers regarding current water conditions, future trends and challenges, and stakeholder perspectives. Staff acknowledges that these panel discussions are not intended to be extensive and exhaustive, but are intended to provide a framework for more detailed conversations during the formal Comprehensive Plan Update.

To provide a manageable discussion framework, the Commission elected for a series of two (2) panels, based on the following discussion categories:

1. Current Water Resource Conditions and Impacts
2. User Group Perspectives and Challenges

Each of these discussions will allow the Commission to thoroughly understand the major water resource issues currently facing Central Oregon from a scientific, regulatory, and environmental perspective. It will also enable various user groups to provide more nuanced perspectives through ground-level details of how water resources are affecting the region and how the Comprehensive Plan update can address these issues in a 20-year policy document.

III. First Panel Composition

The first panel discussion is slated for February 24, 2022, and will consist of the following members:

- Kyle Gorman - Oregon Water Resource Department
- Bridget Moran - U.S. Fish and Wildlife Service
- Stephen B. Gingerich, Ph.D - U.S. Geological Survey Oregon Water Science Center

Each member will begin with brief presentations covering their respective professional careers, research findings, and perspectives on various water resource issues in the Central Oregon region. The panelists will then be available to answer questions from the Commission or various community members.

IV. Next Steps

A second water panel discussion is slated for the Planning Commission meeting on April 14, 2022. That panel will consist of the following members:

- Kate Fitzpatrick - Deschutes River Conservancy
- Matt Cyrus – Deschutes County Farm Bureau
- Michael Buettner – City of Bend Utility Department
- Craig Horrell – Central Oregon Irrigation District

Additionally, the Commission should be aware that the Comprehensive Plan Update will convene forums to allow residents and stakeholders to familiarize themselves with water resources among other land use issues. Any water related topics that aren't fully vetted during the initial water discussion panels can be revisited during the Comprehensive Plan Update process.



MEMORANDUM

TO: Deschutes County Planning Commission

FROM: Tarik Rawlings, Associate Planner
Will Groves, Planning Manager

DATE: February 17, 2022

SUBJECT: Deschutes County Outdoor Lighting Ordinance – Panel Recap and Continued Discussion

Based on previous input from the public, the Planning Commission, and the Board of County Commissioners (Board), the Community Development Department is revisiting Deschutes County Code (DCC) Chapter 15.10, Outdoor Lighting Control.¹ As the Planning Commission explores a Dark Skies Program, staff seeks direction as to the level of support the Commission may wish to convey to the Board of County Commissioners (Board) for such a program. If the Planning Commission wishes to convey such support to the Board, staff will relay relevant information and ultimately initiate a discussion with the Board about their willingness to allot staff resources to a Dark Skies Program or other dark sky-related initiatives.

Staff notes that a detailed Planning Commission review of the existing ordinance, cost-benefit analysis of potential regulatory approaches, analysis of limitations to enforcement and implementation, and specific code recommendations are likely premature at this time and would most likely be better approached through a subsequent process, following Board input.

However, this memo does include some detailed analysis of issues raised in the panel discussion, in response to questions raised in the panel discussion.

I. Background

The Community Development Department's (CDD) FY 2021-2022 Work Plan considers amending DCC Chapter 15.10 to comply with new technologies and Dark Skies Best Practices.² On November 15, 2021, the Board approved the request to begin the process. On January 13, 2022, the Planning Commission reviewed preliminary information related to the County's existing Outdoor Lighting Ordinance and directed staff to assemble an 8-person panel reflecting varying perspectives related to dark skies and

¹ https://deschutescounty.municipalcodeonline.com/book?type=ordinances#name=CHAPTER_15.10_OUTDOOR_LIGHTING_CONTROL

² <https://www.deschutes.org/cd/page/work-plan-annual-report>. Page 34.

outdoor lighting. On February 10, 2022, the Planning Commission convened the Outdoor Lighting/Dark Skies Panel and discussed the importance of dark sky best practices and the increase of light pollution in the regional area from approximately 2012-2020. At the conclusion of the panel discussion, the Planning Commission expressed general support for dark skies best practices and potentially scheduling additional discussions and future action items related to a more detailed review of the County's existing Outdoor Lighting Ordinance.

II. Examples from Other Jurisdictions

There are several jurisdictions within Oregon, and more throughout the country, that currently support Dark Skies Programs. During the course of revisiting Deschutes County's existing Outdoor Lighting Ordinance, staff reviewed several examples of Dark Skies Programs and Outdoor Lighting code from these jurisdictions and noted the central aspects of the various programs. The table below provides a summary of the different jurisdictions reviewed by staff and the various aspects of dark skies, light pollution mitigation, or lighting review emphasized by each program. The "Emphasis" column, below, provides a brief summary of the review mechanism and design requirements specified in each jurisdiction's Dark Skies Programs.

Dark Sky Information from Other Jurisdictions

Jurisdiction	Program Emphasis	Resources
Multnomah County, OR ³	Downward Shielding/Separate Application Review	Applies only to new and replacement lighting fixtures or bulbs
Sisters, OR ⁴	Downward Shielding	Educational materials include quick-reference guide for acceptable lighting fixtures
Troutdale, OR ⁵	Downward Shielding/Separate Application Review/Light Level Ratings/Fixture Dimensions	Existing ordinance assigns shielding requirements based on lamp type and wattage
Redmond, WA ⁶	Separate Application Review/Light Trespass Prohibition/Vegetation Standards/Motion Sensors, Timers, Dimmers	Regulations generally focus on prescribing specific design and trespass standards based on conflicting zoning districts and surrounding uses

³ <https://multco-web7-psh-files-usw2.s3-us-west-2.amazonaws.com/s3fs-public/PC-2013-3056%20Worksession%202016.pdf>

⁴ <https://www.ci.sisters.or.us/community-development/page/dark-skies-standards>

⁵ https://www.troutdaleoregon.gov/sites/default/files/fileattachments/community_development/page/8431/tmc_ch_8.26_-_outdoor_lighting.pdf

⁶ <https://redmond.municipal.codes/RZC/21.34.070>

Dark Sky Ordinances from Other Jurisdictions

Jurisdiction	Program Emphasis	Resources
Bainbridge Island, WA ⁷	Downward Shielding/Light Trespass Prohibition/No Illumination of Public Water Bodies/Vegetation Standards	Existing ordinance includes reference guide for acceptable fixtures and light trespass compliance related to topographic variations, vegetation, and other terrain characteristics
Black Diamond, WA ⁸	Downward Shielding/Separate Application Review/Light Trespass Prohibition/IESNA Standards/Curfew/Light Level Ratings/Vegetation Standards	Applies only to new and replacement lighting fixtures or bulbs
Flagstaff, AZ ^{9,10}	Downward Shielding/Wattage Restrictions	World's first "Dark-Sky Community" (2001). Educational information is available through the local Flagstaff Dark Skies Coalition non-profit group in collaboration with the City
Malibu, CA ¹¹	Downward Shielding/Light Trespass Prohibition/Curfew/Motion Sensors, Timers, Dimmers/Light Temperature/Fixture Dimensions	Recently approved, the City Council has directed staff to include a robust educational campaign to emphasize the importance of outdoor lighting best practices and aid with compliance.
Ketchum, ID ¹²	Downward Shielding/Light Trespass Prohibition/Light Temperature/IESNA Standards/Fixture Dimensions	Educational materials include quick-reference guide for acceptable lighting fixtures

⁷ <https://www.darks skiesnorthwest.org/2009/12/08/city-of-bainbridge-island/>

⁸ <https://hudsonvalleyregionalcouncil.org/wp-content/uploads/2019/08/BlackDiamondLightingOrdinance.pdf>

⁹ <https://www.flagstaff.az.gov/3799/Dark-Sky-Community>

¹⁰ <http://www.flagstaffdarks skies.org/>

¹¹ <https://www.malibucity.org/705/Dark-Sky-Ordinance>

¹² https://www.ketchumidaho.org/sites/default/files/fileattachments/planning_amp_building/page/133/dark_sky.pdf

Currently, Deschutes County does not require an application for outdoor lighting review or any requirement for applicants to submit separate outdoor lighting plans in association with development proposals and application materials. In addition to design-specific shielding requirements and brightness limitations, the majority of reviewed outdoor lighting ordinances emphasize educational outreach. Dark Sky educational resources typically include example designs of dark sky-supportive outdoor lighting fixtures¹³, tips for working independently with neighbors to resolve outdoor lighting issues¹⁴, and a summary of dark sky benefits.

Since the Dark Skies Panel discussion on February 10, 2022, staff has reached out to representatives of City of Sisters, City of Troutdale, and Multnomah County (the three Oregon jurisdictions included in the table, above) concerning enforcement, fixture review, staff resources and other constraints related to the handling of their outdoor lighting regulations. For City of Troutdale and Multnomah County, both jurisdictions utilize a brief and simple preliminary review of building permit applications to ensure that the designs provide lighting fixtures that comply with the relevant code provisions. This review process largely mitigates any code enforcement issues for noncompliant fixtures associated with new structures or alterations to existing structures. City of Sisters emphasizes downward shielding associated with outdoor lighting fixtures, which tends to be a simpler design review process than assessing the potential brightness, color temperature, or other lighting characteristics. All three jurisdictions explained that, similar to Deschutes County, lighting-related code enforcement complaints are rare and are considered a low priority for code enforcement staff.

III. CDD Input

A memorandum to the Planning Commission dated December 30, 2021 (included in attachments) explains some constraints related to the review and enforcement of non-compliant outdoor lighting. Staff reiterates these constraints below.

Legal Authority

State and federal laws prohibit a county from adopting retroactive ordinances that impose new standards upon uses that exist on the date that new regulations are adopted. For example, Deschutes County does not have the legal authority to require all existing exterior lighting in Deschutes County to come into compliance by a certain date. However, Deschutes County does have the authority to require outdoor lighting compliance for all new and replacement lighting associated with a proposed development application.

Legal Counsel continues to reiterate the heightened risk of applying retroactive review to existing fixtures as both a constitutional legal principle and a codified rule within state statute. Based on this legal guidance, staff will recommend to the Planning Commission that any reworking of DCC 15.10.170(A) be designed to clarify that light fixtures lawful on the date of installation will continue to be lawful under any new ordinance until such fixtures are eventually replaced. Only new and replacement fixtures may be the subject of any new regulation.

¹³ <https://www.darksky.org/our-work/lighting/lighting-for-industry/fsa/fsa-products/>

¹⁴ <https://www.darksky.org/our-work/lighting/lighting-for-citizens/my-neighbors-lighting/>

Building Safety Capacity

The Building Safety Division administers and implements state and federal building codes. Plan reviewers and building inspectors do not have the capacity to review or inspect outdoor lighting fixtures through a separate application for lighting review. Their priorities focus on structural, mechanical, plumbing and electrical requirements and corresponding permits. Currently, every building permit reviewed by the Building Safety Division Plan is stamped with a notation that exterior lighting must comply with Deschutes County's lighting regulations. At final inspection, however, not everything noted or stamped on a building plan is inspected. Nonetheless, if the expectations of the Planning Commission are to create such review through the Building Safety Division, this level of review will require hiring additional plans examiners and building inspectors, raising fees, likely delaying the issuance of building permits and the final inspection process. These actions could lead to unintended consequences relating to increasing housing costs, among others.

Code Compliance Capacity

The Board has established the following priorities for code violations:

1. Violations that present an imminent threat to public life, health and safety;
2. Violations which impact rivers, streams, floodplains, and wetlands;
3. Solid Waste Code violations, Environmental Soils violations, and Building Code violations consisting of ongoing non-permitted construction or failure to obtain permits; and
4. Land use violations.¹⁵

As detailed above and in past memorandums to the Planning Commission, lighting-related code enforcement violations are not considered a top priority. Throughout 2021, only five (5) code complaints were received related to outdoor lighting violations. No complaints were substantiated, due to the difficulty in quantifying potential violations from off-site and the low priority assigned to these violations.

IV. Next Steps and Board Recommendations

Based on the Planning Commission's level of support for dark sky best practices, the next steps in this process would likely involve conveying such support to the Board.

As part of this Board outreach, the Planning Commission may recommend additional panel discussions (including differing perspectives from the initial panelists), changes to the County's existing Outdoor Lighting Ordinance, non-regulatory programming such as educational campaigns and informational materials related to dark skies and light pollution, regulatory programming recommendations related to enforcement and lighting fixture review, or any additional recommendations envisioned by the Planning Commission.

¹⁵https://www.deschutes.org/sites/default/files/fileattachments/community_development/page/11842/code_compliance_policy_and_procedures_manual.pdf. Page 5.

Staff notes the future exploration of a Dark Skies program would likely span several months and entail convening a diverse stakeholder panel consisting of dark skies advocates and representatives from the building industry to discuss the different approaches local governments are taking to preserve dark skies and mitigate light pollution.

Following the Planning Commission discussion of Dark Skies to date, staff will present details of the Planning Commission's recommendations and engage the Board about their willingness to expend staff and budgetary resources on this program.

ATTACHMENTS:

1. 2021-12-30 PC Outdoor Lighting Memo



MEMORANDUM

TO: Deschutes County Planning Commission

FROM: Tarik Rawlings, Associate Planner
Will Groves, Planning Manager

DATE: December 30, 2021

SUBJECT: Deschutes County Outdoor Lighting Ordinance – Update and Panelist Selection

Based on previous input from the public, the Planning Commission, and the Board of County Commissioners (Board), the Community Development Department is revisiting Deschutes County Code (DCC) Chapter 15.10, Outdoor Lighting Control.¹ Staff input relating to the existing outdoor lighting standards is provided below. Also included is a tentative list of panelist positions for the Planning Commission's consideration for a February 10 discussion.

I. Background

The Community Development Department's (CDD) FY 2021-2022 Work Plan considers amending DCC Chapter 15.10 to comply with new technologies and Dark Skies Best Practices.² On November 15, 2021, the Board approved the request to begin the process.

II. Dark Skies Ordinance

Many local governments in the United States have enacted what is popularly called a Dark Skies Ordinance. It requires that most outdoor lighting face downward to the ground in an effort to reduce lighting pollution which have a detrimental effect on astronomical observations and public enjoyment of the night sky. The International Dark-Sky Association (IDA) currently lists over 50 US jurisdictions that have been designated as Dark Sky communities, parks, or reserves as of 2020.³ Support for the benefits of dark skies and the adoption of dark sky legislation has been expressed by policymakers, designers, public safety professionals, wildlife biologists, and land use planning entities across the country.

¹ https://deschutescounty.municipalcodeonline.com/book?type=ordinances#name=CHAPTER_15.10_OUTDOOR_LIGHTING_CONTROL

² <https://www.deschutes.org/cd/page/work-plan-annual-report>. Page 34.

³ <https://www.darksky.org/our-work/conservation/idsp/communities/>

III. Chapter 15.10, Outdoor Lighting Control

Deschutes County's Outdoor Lighting Ordinance was adopted in 1994.⁴ The ordinance received broad-based support in testimony to the Board in 1994. It continues to receive recognition today.

Several elements combine to make Central Oregon attractive for stargazers. East of the Cascade Mountains the lack of any large metropolitan cities makes for a darker night sky. Even with nearby Bend, Oregon's rapid growth, outdoor lighting standards are helping to keep light pollution and associated sky glow minimized. Deschutes County adopted an outdoor lighting ordinance which limits the types of lighting that can be used in order to help keep the rural skies sparkling with stars and the Milky Way. Locals know that they're lucky to live in an area with community support that will help to keep these dark night skies unspoiled. Even from their own backyards they are able to view thousands of stars.⁵

CDD produced a frequently asked questions factsheet.⁶ Ordinance 94-024 requires that:

- All private and commercial outdoor lighting fixtures installed after August 10, 1994 or replacing a fixture installed before that date 120 or brighter watt incandescent bulb (1,800 lumens) located in the unincorporated areas must be shielded by design or modification that directs light downward, and must limit direct line-of-sight of the fixture's lamp to the property on which the fixture is installed.

There are exceptions:

- Motion-sensitive lights which shine for not longer than 20 minutes.
- Decorative holiday lighting which shines for not more than 45 days.
- See the text of the ordinance for other exemptions which apply in certain circumstances.

Currently, Deschutes County does not require an application for outdoor lighting review nor any requirement for applicants to submit separate outdoor lighting plans in association with development proposals and application materials. In addition to design-specific shielding requirements and brightness limitations, the majority of outdoor lighting ordinances reviewed in comparison to Deschutes County utilize some amount of educational outreach. Dark Sky educational resources typically include example designs of dark sky-supportive outdoor lighting fixtures⁷, tips for working independently with neighbors to resolve outdoor lighting issues⁸, and a summary of dark sky benefits as related to local resources.

⁴ Ordinance 94-024. https://s3-us-west-2.amazonaws.com/municipalcodeonline.com-new/deschutescounty/ordinances/documents/1620317553_1994-34738-Ordinance%20No.%2094-024%20Recorded%209_1_1994.pdf

⁵ <https://www.darkskydefenders.org/blog/sunriver-designated-first-international-dark-sky-place-in-oregon>.

⁶ https://www.deschutes.org/sites/default/files/fileattachments/community_development/page/770/outdoor_lighting_-_frequently_asked_questions.pdf

⁷ <https://www.darksky.org/our-work/lighting/lighting-for-industry/fsa/fsa-products/>

⁸ <https://www.darksky.org/our-work/lighting/lighting-for-citizens/my-neighbors-lighting/>

IV. Preliminary Research and CDD Input

On December 10, representatives from CDD and County Legal Counsel met to discuss DCC Chapter 15.10 as it relates to reviewing and enforcing non-compliant outdoor lighting. Three constraints were identified, which are discussed in further detail below:

1. Deschutes County's legal authority related to outdoor lighting;
2. CDD Building Division capacity to review and/or inspect lighting fixtures; and
3. CDD Code Compliance capacity to enforce potential violations.

Legal Authority

State and federal laws prohibit a county from adopting retroactive ordinances that impose new standards upon uses that exist on the date that new regulations are adopted. For example, Deschutes County does not have the legal authority to require all existing exterior lighting in Deschutes County to come into compliance by a certain date. However, Deschutes County does have the authority to require outdoor lighting compliance for all new and existing lighting associated with a proposed development application.

The aforementioned legal constraints related to retroactive review of outdoor lighting features are not uncommon for Oregon jurisdictions. The following municipalities have outdoor lighting provisions that limit the application of outdoor lighting standards to outdoor lighting installations constructed after the effective date of their respective ordinances:

- City of Ashland⁹
- City of Dundee¹⁰
- City of Eugene¹¹
- City of Sisters¹²

These legal constraints are incorporated similarly into standards outside of Oregon in jurisdictions such as Goochland County, Virginia,¹³ and Coconino County, Arizona.¹⁴

Building Safety Capacity

The Building Safety Division administers and implements state and federal building codes. Plan reviewers and building inspectors do not have the capacity to review or inspect outdoor lighting fixtures. Their priorities focus on structural, mechanical, plumbing and electrical requirements and corresponding permits.

⁹ <https://ashland.municipal.codes/LandUse/18.4.4.050>

¹⁰ <https://www.codepublishing.com/OR/Dundee>. Hard copy obtained from Dundee City Recorder on December 21, 2021

¹¹ <https://eugene.municipal.codes/EC/9.6725>

¹² <https://www.codepublishing.com/OR/Sisters/#!/SistersDevCode02/SistersDevCode0215.html%232.15.2400>

¹³ <https://www.goochlandva.us/DocumentCenter/View/5632/Article-25--Outdoor-Lighting>

¹⁴ <https://www.coconino.az.gov/DocumentCenter/View/3004/Section17>

Code Compliance Capacity

The Board has established the following priorities for code violations:

1. Violations that present an imminent threat to public life, health and safety;
2. Violations which impact rivers, streams, floodplains, and wetlands;
3. Solid Waste Code violations, Environmental Soils violations, and Building Code violations consisting of ongoing non-permitted construction or failure to obtain permits; and
4. Land use violations.¹⁵

There is limited capacity for the Code Compliance Division to review outdoor lighting violations. Furthermore, according to code compliance staff, it is difficult to substantiate outdoor lighting complaints related to downward shielding. Currently, unshielded lighting may be in violation when in excess of regulated threshold (120 watt / 1,800 lumens). Throughout 2021, only five (5) code complaints were received related to outdoor lighting violations. No complaints were substantiated, due to the difficulty in quantifying the brightness of a given outdoor light from off-site and the low priority assigned to these violations.

V. Outdoor Lighting Panel

On February 10, the Planning Commission will convene a panel to discuss DCC Chapter 15.10 and any potential changes. Panelists could include representatives from partner agencies, CDD divisions, as well as Dark Skies experts from nonprofit or similar groups. A tentative list of suggested panelists are included below. Staff seeks feedback on the composition of the panel:

1. International Dark Sky Association (IDA)
2. Astronomer(s)
3. Wildlife Expert (ODFW / USFWS)
4. Audubon Society
5. Central Oregon Builders Association (COBA)
6. CDD Code Compliance

VI. Next Steps

Based on feedback from the Planning Commission, panelists will convene as the Deschutes County Outdoor Lighting Panel on February 10, 2022. Afterwards, staff will engage the Planning Commission to discuss next steps.

ATTACHMENTS:

1. Deschutes County Outdoor Lighting Control – DCC Chapter 15.10

¹⁵https://www.deschutes.org/sites/default/files/fileattachments/community_development/page/11842/code_compliance_policy_and_procedures_manual.pdf. Page 5.



MEMORANDUM

DATE: February 16, 2022

TO: Planning Commission

FROM: Peter Russell, Senior Transportation Planner

RE: February 24 update on Tumalo Community Plan (TCP) 2020-2040 and Transportation Growth Management Grant (TGM) for Bike/Ped/Transit Element of TCP

The Planning Division is embarking on three major planning efforts in 2022-2023. One is to update the Comprehensive Plan, known as Deschutes 2040, using both staff and a consultant. The Comprehensive Plan update will be discussed at a later work session. The second and third efforts are interrelated. The second undertaking is to update the entire Tumalo Community Plan (TCP), to be completed internally by staff. The third effort will utilize a consultant and staff to update the bike/ped/transit element, aka Active Transportation, of the TCP as one element of a TGM (Transportation Growth Management) grant. The other part of the TGM grant will be to plan for rural trails in the Sisters Country.

I. BACKGROUND

Tumalo is an Unincorporated Community under Oregon Administrative Rule (OAR) 660-022, meaning the land use pattern is quasi-urban in terms of density and land uses and predated the state's land use system. The state classifies Tumalo as a Rural Unincorporated Community¹ and the County administers it under Deschutes County Code (DCC) 18.67. The Tumalo Community Plan is Section 4.7 of the Comprehensive Plan and appears as Appendix B of the Comprehensive Plan. Of the \$75,000 TGM grant, \$50,000 is earmarked for the bike/ped/transit segment of the TCP.

II. TUMALO COMMUNITY PLAN

The TCP contains a history of the community and its land uses, public facilities, and surrounding land uses. The TCP via its goals and policies sets a framework for growth over the next 20 years in

¹ OAR 660-020-010(7) "Rural Community" is 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 area, or to persons traveling through the area.

the community. (Please see attachment.) The TCP summarizes the community input that resulted in the goals and policies for Land Use; Public Facilities; and Transportation. Community Policy #4, which calls for a review of the goals and policies every five years. The TCP is not a compendium, however, of approval criteria for land use applications. Land uses are reviewed against DCC 18.67.

Given recent changes to Tumalo in economic development, presence of a small-scale sewer system south of US 20, and the impending US 20/Cook-OB Riley roundabout, staff determined a timely re-examination of the TCP was necessary.

Staff is crafting a timeline to update the overall TCP, which will include public open houses, a website and online presence, a survey, and community outreach. Preliminary work anticipates an open house to kick off the project in late winter/early spring. Staff will return to brief the PC and the Board of County Commissioners periodically through the TCP Update process. Ultimately, the final draft of the TCP will come before the PC and the Board in public hearings. The PC will make a recommendation to the Board regarding amending the Deschutes County Comprehensive Plan to replace the 2010-2030 TCP with the 2020-2040 version.

III. TGM GRANT FOR TUMALO BIKE/PED/TRANSIT; RURAL TRAILS BY SISTERS

As described above, the TCP has several major elements: Land Use, Public Facilities and Services, Surrounding Land Uses, and Community Input. Transportation is a subset of Public Facilities and Services.

Within the Transportation subsection, the consultant and staff will update the portions relating to what is generally referred to as Active Transportation. This area focuses on bicycling, walking, and riding transit. The TGM grant focuses on these three in the TCP. Staff and the consultant, Kittelson and Associates, are working on timeline that will mesh with the overall update of the entire TCP.

The second part of the TGM grant pertains to implementing the rural trails portion of the Sisters Country Vision Action Plan. Previously, the City of Sisters, Deschutes National Forest, and the County collaborated on a Vision Plan for Sisters Country, which is defined by the attendance boundaries of the Sisters School District. The Action Plan identified roles and responsibilities for implementation; under Livability one result was improved trails in the rural unincorporated lands outside of Sisters with the County identified as having a key role.

Both the Active Transportation component of the TCP and the rural trails of Sisters Country will involve public outreach to the community and relevant state and federal agencies. Ultimately, the final products can include amendments to the goals and policies of both the TCP and the Bike/Ped section of the Deschutes County Transportation System Plan (TSP).

IV. CONCLUSION

Staff is prepared to answer any questions.

Attachment: Tumalo Community Plan, 2010-2030



Tumalo

Community



Plan

2010-2030





Tumalo

Community Plan

2010-2030

Introduction	1
Community Vision Statement	4
History	5
Land Use	6
Population	6
Land Use Designations and Inventory.....	8
Public Facilities and Services	12
Domestic Water	12
Wastewater	12
Emergency Services	13
Irrigation Water	13
Recreational Trail	13
Transportation	14
Surrounding Land Uses	16
Agriculture	16
Rural Residential	16
Surface Mining	17
Community Input	18
Community Planning Process	18
Community Character and Features	19
Residential Development	19
Commercial Development	19
Recreational Development	19
Traffic and Circulation	20
Health Impact Assessment	20

Goals and Policies..... 23

- Land Use Goal 23
 - Community Policies 23
 - Open Space and Recreation Policies 23
 - Land Use Policies 24
 - Residential Area Policies 24
 - Commercial Area Policies 24
 - Industrial Area Policies 25
- Public Facilities Goal 26
 - Public Facilities and Services Policies 26
- Transportation Goal 27
 - Road Network Policies 27
 - Road and Sidewalk Policies 27
 - U.S. 20 Policies 27

Maps

- Tumalo Vicinity Map 2
- Tumalo Community School Student Attendance Area Map 3
- Tumalo Comprehensive Plan Map 10
- Tumalo Zoning District Map 11
- Rural Fire Protection District #2 Map 15

Tables

- Table 1, 2009 Tumalo Population Estimate 6
- Table 2, Tumalo Projected Build Out 6
- Table 3, Tumalo Population Forecast 7
- Table 4, Tumalo Land Use Designations 8
- Table 5, Tumalo Land Use Inventory 8

Figures

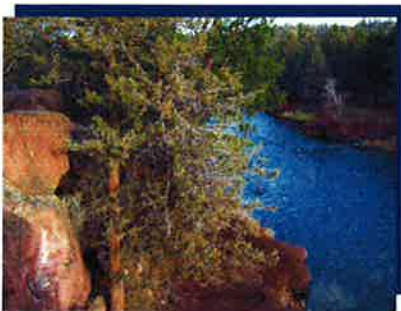
- Figure 1, Visioning Exercise 21
- Figure 2, Pathway Between Improving Safety and Accessibility of U.S. 20
and Community Health 22
- Figure 3, Pathway Between Multi-modal Trail Systems, Recreation and
Community Health 22

Introduction

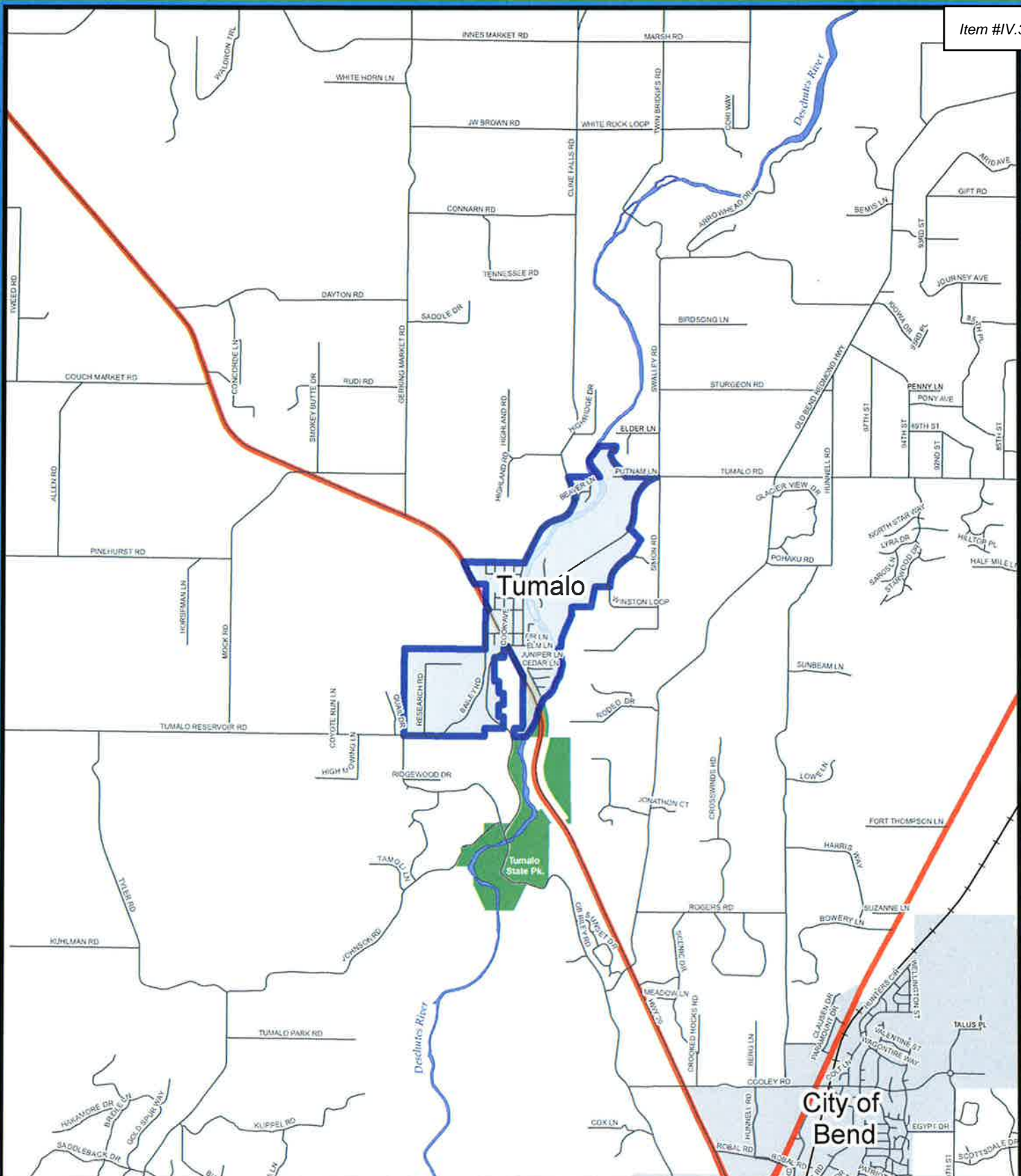
The Tumalo Community Plan (Community Plan) is an integral part of the Deschutes County Comprehensive Plan and, upon adoption by the Board of County Commissioners, constitutes an official chapter. It can only be changed if the Community Plan goes through an official legislative plan amendment process. The Community Plan's goals and policies provide a guide to decision making for land use planning, capital improvements, and physical development during the next 20 years (2010 – 2030). It is anticipated that Deschutes County, Oregon Department of Transportation (ODOT), special districts, residents, and community leaders will consult the Community Plan when preparing land use or transportation projects in Tumalo.

Tumalo is a small rural community located approximately three miles northwest of Bend in the center of Deschutes County. Oregon Administrative Rules recognize areas in Deschutes County like Tumalo as a "Rural Unincorporated Community." Deschutes County plans and regulates land uses in Tumalo under this legal definition because it is recognized as a longstanding rural service center. The Deschutes River and U.S. 20 bisect Tumalo. Residential neighborhoods, a small commercial node, as well as Tumalo Community School all lie north of the highway and west of the river. Additional commercial and industrial properties are located on the south side of the highway. Although this Community Plan only addresses lands within the Tumalo boundary, access to U.S. 20, local businesses, district offices, Tumalo Community School, and Tumalo State Park create a hub that attracts nearby residents and visitors.

Tumalo Community School, which is within the Redmond School District, draws 407 students spanning kindergarten through 8th grade. The school's geographic area in addition to Tumalo extends to the outlying areas of Bend.



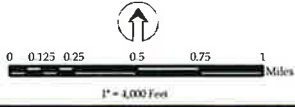
Just one mile away, Tumalo State Park encompasses 115 acres. The park offers camping, picnicking, fishing, hiking, and wildlife viewing and hosts approximately 200,000 visitors per year. Its location provides an excellent place to camp while enjoying Central Oregon's surrounding amenities and year-round recreation.



Tumalo Vicinity Map

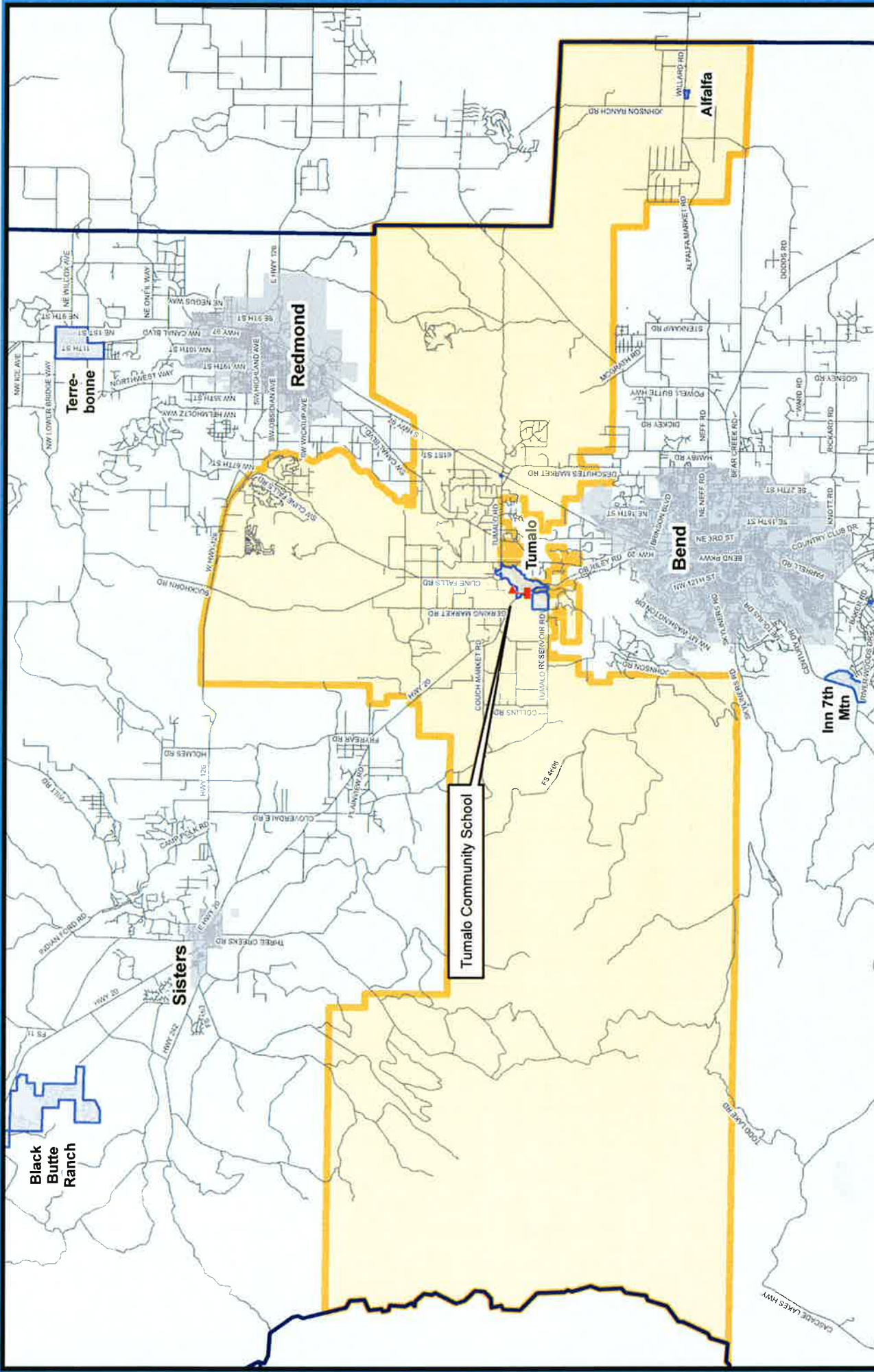
-  Railroad
-  State Highway
-  Tumalo Unincorporated Community
-  Tumalo State Park
-  City of Bend

For More Information Contact:
 Deschutes County Community Development Department
 117 NW Lafayette Bend, OR 97701
 541-388-6575 www.co.deschutes.or.us/cdd







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 May 18, 2010



Tumalo Community School Attendance Area

-  Tumalo Community School
-  Tumalo School Attendance Area
-  Unincorporated Community
-  County Boundary

For More Information Contact:
 Deschutes County Community Development Department
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 541-304-5275 www.co.deschutes.or.us/edd



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Map 11 2011

Community Vision Statement

Tumalo residents craft this community vision for the next 20 years. It is their intent that the Community Plan, developed in cooperation with Deschutes County, will serve as a framework to realize this vision.

Retain the livability of Tumalo as a rural small-town, by ensuring safe and efficient public services and collaborating with the surrounding rural community.

This vision statement is created to ensure that with vigilance and foresight, the unique rural character of Tumalo will be maintained and enjoyed by present and future generations.



History

Situated at an altitude of approximately 3,200 feet, Tumalo lies in the middle of the Upper Deschutes River Basin (river miles 157 and 158). The commercial core of Tumalo lies on an alluvial bowl bounded by the Laidlaw Butte and the bluff of the Deschutes River canyon. The Deschutes River bisects the community. Originally named Laidlaw, Tumalo was platted by the Laidlaw Townsite Company in 1904. However, development actually began in 1899 when the Three Sisters Irrigation Company incorporated. Under the Carey Act, they made plans for diverting water from Tumalo Creek and the Deschutes River to irrigate approximately 60,000 acres of arid land. As the town grew, it became a voting precinct in 1906, with 65 registered voters compared to Bend's 66. Out of nearly 900 platted lots, a third were sold by 1907.

Town founder A.W. Laidlaw of Portland and his investors believed that Tumalo would become the heart of Central Oregon. By 1909, the Laidlaw community aspired to establish the junction of two railroads, and thereby creating a new "metropolis" in Central Oregon. There were reasons for optimism. Railroad magnates James Hill and E. H. Harriman, were competing to finish a rail line from the mouth of the Deschutes River to Central Oregon. Mr. Laidlaw assumed the rail line would come south, up the Deschutes River canyon right into the newly platted town. Assertions were also made that the Laidlaw community would benefit from another rail line, one that followed the North Santiam River and crossed over the Cascades.

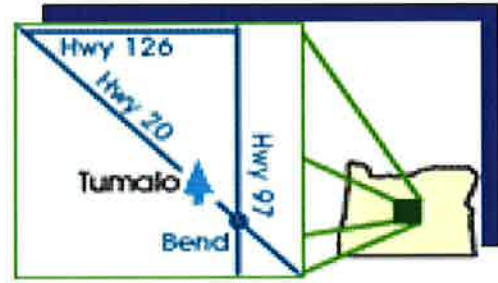
Ultimately, neither of these two projects came to fruition. The Columbia Southern Railroad at the end of 1909 still ended in Shaniko, and the Corvallis and Eastern rail lines remained stalled at the foothills, west of the Cascades, where both languished for approximately 15 years. Following the announcement in 1910 that the Columbia Southern Railroad was coming to Bend instead of Laidlaw, Bend began moving ahead in population. As a result, Laidlaw's population decreased to 250 people, with many businesses relocating to Bend. The small town remained as Laidlaw until the Laidlaw Post Office closed in 1913. It eventually reopened in 1923 as the Tumalo Post Office, and the name of the town changed forever.



In those early days, Laidlaw had a weekly newspaper, a barbershop, two-story hotel, lawyers' offices, wallpaper company, bakery, feed stores and bank. Today, legacy buildings include the Laidlaw Bank and Trust Property and Tumalo Community Church.

Land Use

The 1979 Deschutes County Comprehensive Plan designated Tumalo as a Rural Service Center because it contained a concentration of residential and commercial properties. A 1979 inventory showed Tumalo consisting of 491 acres and 288 tax lots. In 1994, the Oregon Land Conservation and Development Commission adopted a new Oregon Administrative Rule for unincorporated communities, instituting new land use requirements for Tumalo (OAR 660, Division 22). As part of periodic review, in 1997 Deschutes County updated its Comprehensive Plan and implemented zoning regulations to comply with these state requirements. Based on public input, Tumalo's boundary was amended to accommodate 504.11 acres and 321 tax lots. A 1999 amendment removed three tax lots that were accidentally included, leaving Tumalo with 318 tax lots.



Population

Single-family residences are the predominant land use in Tumalo. Tables 1, 2 and 3 cite Deschutes County Assessor data and an adopted twenty year population forecast to estimate Tumalo's 2009, future build out, and 2030 population.

Table 1 - 2009 Tumalo Population Estimate

Developed Residential Tax Lots *	2000 Census for Unincorporated County (Persons per Household)	2009 Population Estimate
196	1.9	372
* Assessor's Data 2009		

Table 2 - Tumalo Projected Build Out

2009 Population Estimate	Potential Dwelling Units *	2000 Census for Unincorporated County (Persons per Household)	Future Population Based on Undeveloped Lots	Build Out Population
372	122	1.9	232	604
* Assessor's Data 2009 / Based on land divisions and the number of units per acre allowed in each zone				

Table 3 - Tumalo Population Forecast

Year	2.2% Forecast	Average Annual Growth Rate *
2010	372	2.2%
2011	380	2.2%
2012	389	2.2%
2013	397	2.2%
2014	406	2.2%
2015	415	2.2%
2016	424	2.2%
2017	433	2.2%
2018	443	2.2%
2019	452	2.2%
2020	462	2.2%
2021	473	2.2%
2022	483	2.2%
2023	494	2.2%
2024	504	2.2%
2025	516	2.2%
2026	527	2.2%
2027	539	2.2%
2028	550	2.2%
2029	562	2.2%
2030	575	2.2%
2031	588	2.2%
2032	600	2.2%
2033	614	2.2%
County Population Forecast (Ordinance 2004-012)		

Tumalo's population projection for 2030 is 575. As Table 2 illustrates, a vacant lands inventory performed in 2009 identified 122 undeveloped residential lots. If all 122 undeveloped lots become developed and average household size remains at 1.9 persons per household, Tumalo's population would increase by 232 people, bringing its total to 604. Under this scenario, Table 3 shows that full build out would occur in 2033.

Land Use Designations and Inventory

Deschutes County Comprehensive Plan designations identify general land uses for Tumalo and provide the legal framework for establishing zoning districts. Zoning regulates land uses that are allowed in each respective district. Table 4 lists Tumalo comprehensive plan designations and corresponding zoning districts. Table 5 summarizes existing property inventories within those zoning districts. Tumalo Comprehensive Plan designations are then described in greater detail.

Table 4 - Tumalo Land Use Designations

Comprehensive Plan Designations	Zoning Districts
Commercial (TUC)	Commercial District (TUC)
Floodplain (FP)	Floodplain (FP)
Research and Development (TURE)	Industrial District (TUI)
Residential (TUR)	Research and Development District (TURE)
Residential 5 Acre Minimum (TUR5)	Residential District (TUR)
	Residential Five Acre Minimum District (TUR5)

Table 5 - Tumalo Land Use Inventory *

Zone	Residential Units	Commercial / Industrial Developments	Undeveloped Parcels	Total Number of Parcels
TUC	28	17	57	102
TUR	93	0	37	127
TUR5	75	0	28	100
TURE	0	2	1	3
TUI	0	2	0	2
Total	196	21	123	334

* Assessor's Data 2009

Commercial (TUC). A “Commercial” designation allows a range of limited commercial and industrial uses to serve Tumalo and the surrounding area. In general, the designation extends north from the intersection of Cook Avenue and U.S. 20 to 3rd Street between Wood and Wharton Avenues. Commercial lands also comprise an area west of U.S. 20 between 5th and 8th Streets.



This designation was originally intended to accommodate a mixture of small-scale commercial and limited industrial uses. The core commercial area initially encompassed lands adjacent to Cook Avenue, north of U.S. 20. The designation was ultimately expanded between Cook and Wharton Avenues that extends south to U.S. 20. This area includes the “Tumalo Mall,” an

existing commercial and retail complex. The use of this building received authorization as a nonconforming use in 1986 and site plan alterations in 1987 and 1988. These land use actions brought the uses into compliance with the commercial zone.

Floodplain (FP). A “Floodplain” designation protects the public and private property from hazards associated with floodplains; conserves important riparian areas along rivers and streams for fish and wildlife resources; and preserves significant scenic and natural resources. This designation follows the channel of the Deschutes River that bisects Tumalo. The areas of special flood hazard are identified by the Federal Insurance Administration in a report titled *Flood Insurance Study for Deschutes County, Oregon and Incorporated Areas*. This report was revised in September 2007, and includes accompanying Flood Insurance Rate Maps. The Flood Insurance Study is on file at the Deschutes County Community Development Department.



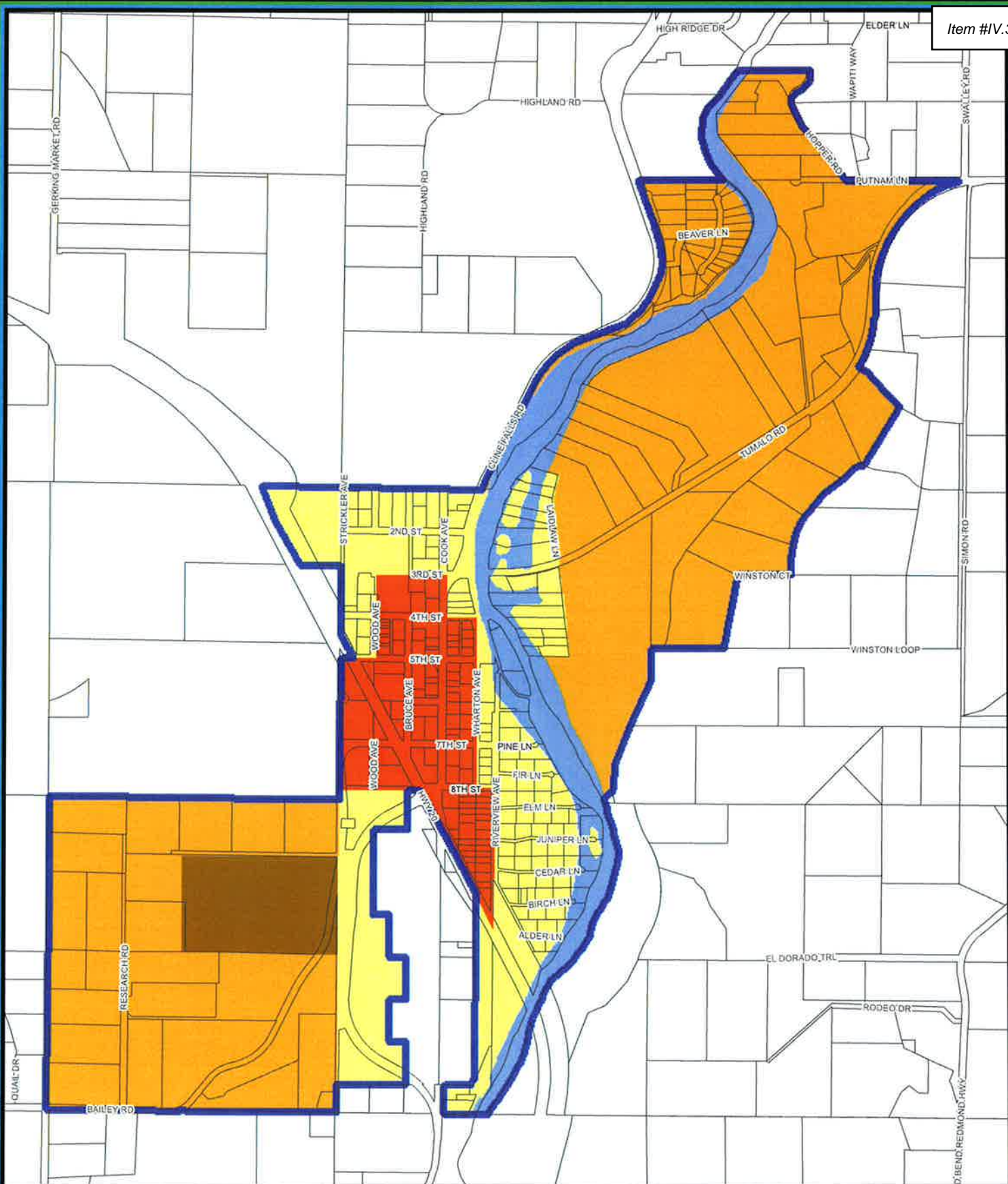
Industrial (TUI). An “Industrial” designation allows a limited range of industrial uses to serve Tumalo and the surrounding area. The designation recognizes nonconforming industrial uses related to surface mining activities located outside of Tumalo in a Surface Mining zone. It applies to the Knife River operation that fronts O’B Riley Road and U.S. 20.

Research and Development (TURE). A “Research and Development” designation allows research and development facilities requiring a more rural, non-industrial location to be sited in Tumalo. This designation contains two parcels in one ownership located on the southeast slope of Laidlaw Butte. It was originally created to accommodate a research and development site and associated uses predating Deschutes County’s 1979 zoning ordinance.

Residential (TUR). A “Residential” designation allows a mixture of housing types and densities suited to the level of available water and wastewater facilities. The purpose of this district is to allow new residential development that is compatible with the rural character of the area. Originally, the residential district boundary coincided with the boundary of the old Laidlaw Plat including the Deschutes River Homesites plats between Riverview Avenue and the Deschutes River. Today, it also includes the area surrounding the Knife River aggregate site south of U.S. 20.

Residential 5-Acre (TUR-5). A “Residential 5 Acre Minimum” designation retains large rural residential lots. The lands designated Residential-5 acre minimum include the larger parcels east of the Deschutes River and the west slope of Laidlaw Butte.





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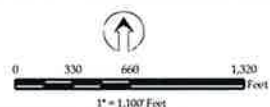
- FP - Flood Plain
- TUC - Commercial
- TUR - Residential
- TUR5 - Residential 5 Acre Minimum
- TURE - Research & Development

Tumalo Comprehensive Plan

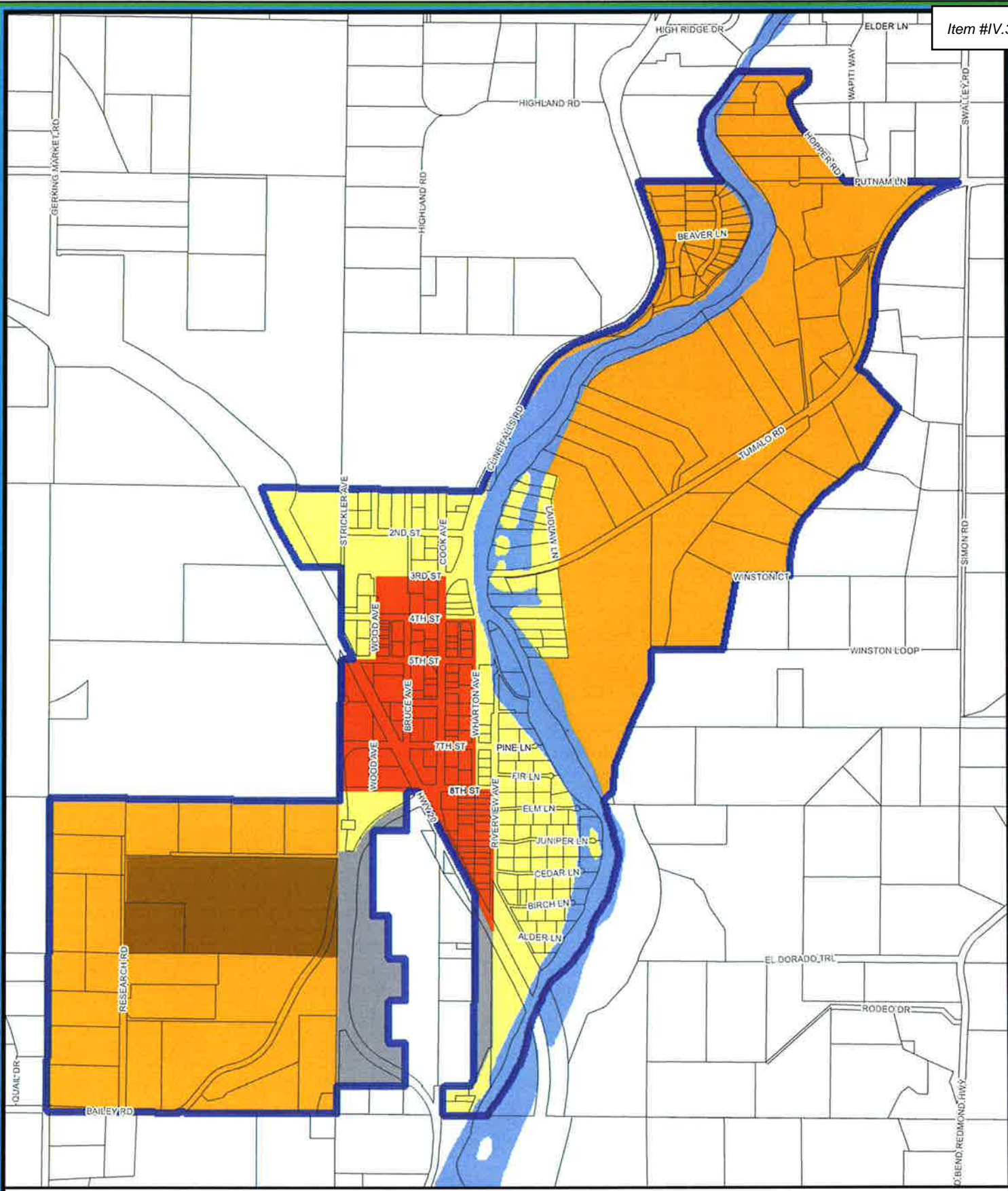
For More Information Contact:
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 541-388-6575 www.co.deschutes.or.us/cdd



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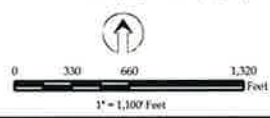
- TUC - Commercial
- TUR - Residential
- TUR5 - Residential 5 Acre Minimum
- TURE - Research & Development
- TUI - Industrial
- FP - Flood Plain

Tumalo Zoning

For More Information Contact:
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Public Facilities and Services

Tumalo is served by four special districts: Laidlaw Water District; Deschutes County Rural Fire Protection District #2; Redmond School District; and, Tumalo Town Ditch Company. Tumalo's public facilities and services are described below in greater detail.

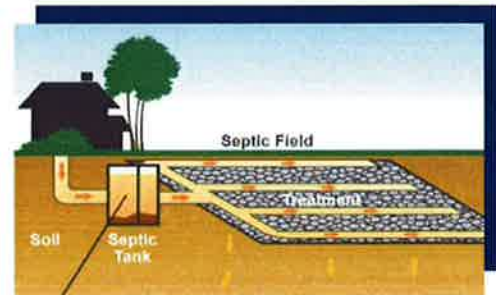
Domestic Water

The Laidlaw Water District serves the area identified as the old Laidlaw Plat, and the area described as T16S R12E section 29 (W1/2 SW1/4), section 30 (E1/2 SW 1/4), (SW 1/4 SE 1/4), and section 31 (NE1/4, N1/2 SE1/4). The power and authority given to Laidlaw Water Supply District as a government entity is vested and exercised by a board of five commissioners, each of whom is an elector of the district. These commissioners have the authority under ORS Chapter 264 to determine rates and the type and extent of water supply facilities. Deschutes County coordinates with the Laidlaw Water Supply District when a property owner initiates a land use application within their district. During the land use process, Laidlaw Water Supply District identifies conditions they will impose on the development proposal. The Laidlaw Domestic Water District currently depends on three groundwater wells. The District's groundwater source does not exceed current EPA maximum contaminant limits. No treatment is performed and none has been required by the Oregon Health Division. However, a proposed U.S. Environmental Protection Agency groundwater disinfection rule would require continuous disinfection of the water supply. Properties in Tumalo but located outside District boundaries rely on private domestic wells for drinking water. State law, Oregon Revised Statute 537.54 exempts private wells as long as domestic consumption is less than 15,000 gallons per day and irrigation of a lawn or noncommercial garden is less than one-half acre.

The Oregon Department of Water Resources (WRD) has stated that there is an abundant supply of potable water in multiple water bearing zones based upon a report prepared by a geologist for the Oregon Department of Geology and Mineral Industries, *Geology and Mineral Resources Map of the Tumalo Dam Quadrangle*. Limitations are imposed by the lack of capacity of domestic pumps, not the aquifer. The WRD has not identified Tumalo as a groundwater limited or groundwater critical area.

Wastewater

Tumalo does not have a community wastewater facility. Instead, land uses in Tumalo rely on onsite wastewater systems, ranging from newer alternative treatment technologies (ATT) and filter systems, to old drainfields. Onsite systems in some cases, are insufficient and improper for a development site. According to the Deschutes County Environmental Health Division, most of Tumalo's soils are rapidly draining, with rapid or very rapid permeability. Given these soil characteristics, standard septic systems can only be sited on lots greater than an acre. Smaller lots, between a half acre and an acre are obligated to site more expensive onsite systems such as sand filters and ATTs. Additionally, there are



circumstances in Tumalo where certain lots cannot be developed or redeveloped because they are too small or lack sufficient area to meet setback requirements for septic system drainfields. Deschutes County zoning regulations restrict the type and intensity of allowed uses to those which can be served by an Oregon Department of Environmental Quality (DEQ) approved on-site wastewater disposal system. The County does not allow uses or densities that are unable to obtain a permit for a DEQ approved onsite system. In addition, County zoning regulations set minimum lot sizes to ensure the onsite systems do not exceed soil capacity of treating wastewater effluent. These circumstances have prompted residents and business owners to express support for exploring funding opportunities to establish a community wastewater facility to maintain surface and groundwater quality.

Emergency Services

The Deschutes County Rural Fire Protection District #2 was established in 1952 to provide fire prevention, protection, and suppression services to residents living outside municipalities and areas not already served by established fire protection districts. In 1991, the district added emergency medical services. Today, District #2 covers approximately 220 square miles of suburban and forested land surrounding Bend, and serves approximately 20,000 constituents. The average population of the district greatly increases seasonally due to tourism.



The actual delivery of fire and emergency medical services to district constituents is provided through a contract with the City of Bend Fire Department. Station 302 is located on 4th Street in Tumalo. The station was built in the early 1970s and is staffed with an advance life support equipped fire engine, brush/interface pumper, and ambulance. It is staffed with two personnel. All personnel respond from their assigned station based on calls for their specific response areas.

Irrigation Water

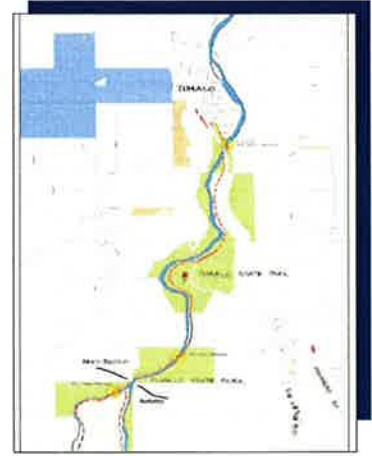
The Tumalo Town Ditch Company draws irrigation water based on three water right certificates with priority dates of 1904, 1905, 1938, 1950 and 1952. The system consists of a three mile ditch that begins near the bridge at Tumalo State Park, parallels the river, crossing Bailey Road at the Tumalo Feed Company Restaurant, then continuing under U.S. 20 to the commercial district. The ditch serves approximately 35 customers and is used for irrigating lawns and gardens.

Recreational Trail

The Bend Metro Park and Recreation District (Park District) provides parks, trails and recreation programming for residents encompassing the Bend Urban Area. Tumalo is located outside the district boundary by approximately 2 miles. However, the Park District does have recreational interests that extend outside its current boundary. In 2002, the Park District and the City of



Bend collaborated on the development of the Deschutes River Trail Action Plan. This plan identified the desire to complete the Deschutes River Trail through Bend and connect it on both ends to destinations outside the urban area. The northern extent of the planned trail follows the Deschutes River from the Bend Urban Growth Boundary to Tumalo State Park and onto Tumalo. The Park District continues to work with private property owners and the Oregon State Parks and Recreation Department in an ongoing effort to assemble a continuous publicly-owned corridor for the trail. Fortunately, the portions of the trail corridor closest to Tumalo are already in public ownership. The Park District supports the development of this trail corridor between Tumalo and Tumalo State Park as a hard-surfaced shared-use path that utilizes the current grade-separated crossing underneath the U.S. 20 bridge on the west side of the Deschutes River.



Transportation



Tumalo requires a transportation network that provides safe and efficient through movements for traffic traveling on U.S. 20. Equally important is maintaining local access to residential and commercial areas, as well as the Tumalo Community School. U.S. 20 runs diagonally east-west through Tumalo and contains two travel lanes and a center turn lane. Its volumes and speed make north-south street connections challenging.

There are three access points to U.S. 20: 5th Street; 7th Street/Bailey Road; and Cook Avenue/O'B Riley Road. The posted speed on U.S. 20 through Tumalo is 45 mph. Within Tumalo, there are several paved and unpaved streets, totaling approximately 4.7 miles.

Average daily traffic (ADT) counts measured the following vehicles:

2008

- 5th Street recorded 2,007 ADT
- U.S. 20, 9,700 ADT

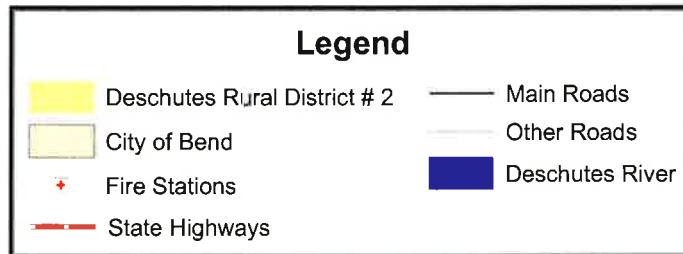
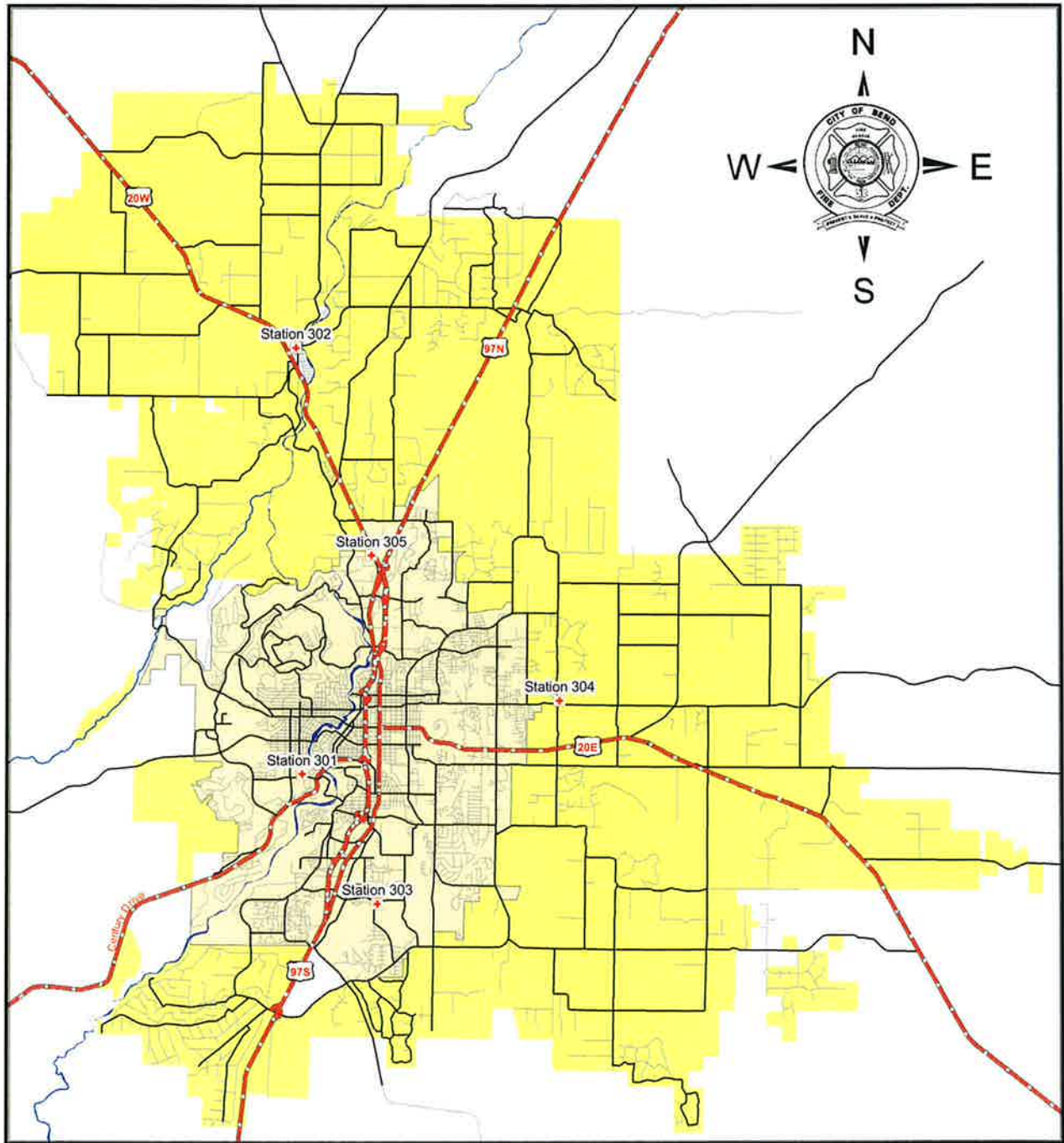
2009

- Cline Falls Highway recorded 2,104 ADT
- Cook Avenue, 5,130 ADT
- O'B Riley Road, 1,182 ADT



To protect the function of a highway, it is often necessary to limit access and control turning movements, Deschutes County and ODOT are strategizing an access control solution for U.S. 20. Access control, which normally limits the number of driveways or public streets to a state highway like U.S. 20, reduces the conflict points. A conflict point is a location where vehicles turning or passing through can collide. By redirecting property access to side streets or alleys, the number of crashes on the highway can be lowered. Implementing additional measures such as traffic calming, improved pedestrian crossings, or reducing the travel speed on the highway can benefit an entire community.

Deschutes Rural Fire Protection District #2



Surrounding Land Uses

Residents outside Tumalo identify with the area because it is where many buy certain goods and services, send their children to Tumalo Community School, or attend church. The following Comprehensive Plan designations and related zoning districts are within a mile of Tumalo.

Agriculture

An “Agricultural” designation and Exclusive Farm Use (EFU) zone protect farm lands in Deschutes County pursuant to Statewide Planning Goal 3 (Agricultural Lands). As discussed in the Agricultural Lands Section of the Comprehensive Plan, protecting farmlands is one of the primary goals of Oregon’s land use system. When the Comprehensive Plan was first adopted in 1979, there was general consensus for an agricultural goal:



“To preserve agricultural land in Deschutes County for the production of farm and forestry products, as well as the public need for open space.”

In 1992, Deschutes County completed a farm study report. The purpose of the study was to ensure that EFU zoning and standards for farm divisions and dwellings were consistent with Goal 3 and relevant administrative rules. The study found that farms in Deschutes County usually contain irrigated and non-irrigated land, as well as soils of different classes. The study identified 7 agricultural subzones. For each subzone, standards determine minimum parcel sizes for farm divisions to protect the commercial agricultural land base. The subzone that is immediately adjacent to Tumalo is the Tumalo/Redmond/Bend subzone (EFUTRB). The minimum acreage for this subzone is 23 acres of irrigated land. About a half-mile farther east, there are approximately six Alfalfa area subzone parcels (EFUAL) that allow a minimum of 35 acres of irrigated land intermixed with the EFUTRB subzone. Refer to the Agricultural Lands section of the Comprehensive Plan for more details about agricultural land in Deschutes County.

Rural Residential



A “Rural Residential Exception Area” designation and corresponding Multiple Use Agriculture (MUA-10) zone apply to lands for which Deschutes County justified an “exception” to Statewide Planning Goal 3. Multiple Use Agriculture applies to agricultural lands that have been demonstrated to be unsuitable for commercial farming but retain enough agricultural practices that are compatible with rural development. The minimum lot size for new subdivisions in this zoning district is ten acres. There are several MUA-10 subdivisions within a mile of Tumalo.

Surface Mining

Located just outside Tumalo, a “Surface Mining” designation and corresponding Surface Mining (SM) zone authorize surface mining activities. This district allows development and use of mineral and aggregate resources consistent with Statewide Planning Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces). It applies to two properties, one at the north end of Tumalo, west of the Deschutes River and the other, adjacent to U.S. 20 and bisected by O’B. Riley Road, known as the Knife River operation. The Knife River properties are allowed through a limited combining zone to store, crush, process, sell and distribute aggregate minerals.



Community Input

Community Planning Process

At the request of the Deschutes County Board of Commissioners, the Community Development Department in 2008 engaged Tumalo residents in the Comprehensive Plan Update process. Staff began that process in the fall, with the first of four community meetings in Tumalo. These meetings provided opportunities to meet with residents and stakeholders, answer questions, and explain Oregon land use planning and Deschutes County's existing Comprehensive Plan. In February 2009 at the second meeting, staff asked Tumalo residents if they supported the creation of a Community Plan and if so, to describe their land use values and expectations for the area. Residents and stakeholders introduced the following issues:

- Tumalo's influence is greater than its rural community boundary;
- Maintain Tumalo's rural character, using long-term planning to address future growth;
- Create Tumalo's first park;
- Consider several transportation alternatives for U.S. 20; and,
- Water and sewer limitations affect the community's ability to accommodate growth.



A stakeholder group of Tumalo residents was subsequently established in Spring 2009 to discuss with staff a Community Plan that would address land use opportunities over the next twenty years. This group met three times. The purpose was to strategize the format of future community meetings by discussing existing conditions, alternatives for the area and community sentiment. These meetings were beneficial to staff for ultimately presenting growth related options to Tumalo residents and business owners.

The issues highlighted above were discussed in small groups during a Fall 2009 community meeting, using several different planning stations. Each station allowed area residents and business owners to ask questions and share ideas or insights. Participants could place a dot on a board showing their preferred land use option, and fill out a questionnaire that most reflected their values for Tumalo over the next 20 years. The outcome of these public involvement techniques revealed, qualitatively, an overwhelming desire for little or no change, with one exception. Tumalo residents emphasized the importance of pursuing funding opportunities to establish a community wastewater facility to maintain surface and groundwater quality.

The basis for developing the goals and policies cited in this Community Plan are now described below in greater detail. Planning for growth and preparing for its impact represents the best course of action to maintain Tumalo's unique rural character.

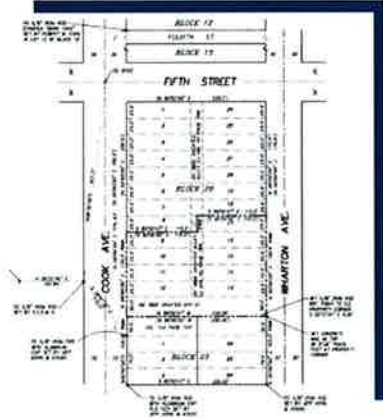


Community Character and Features

Agricultural activity and rural open spaces help define Tumalo. Residents clearly stated the importance of maintaining the area’s agricultural land base. The Community Plan emphasizes the importance of protecting natural features such as ridgelines and the Deschutes River, while supporting opportunities for rural development.

Residential Development

Residential development is likely to increase in Tumalo over the next 20 years due to Central Oregon’s reputation as a desirable place to live and conduct business. While residents expressed concerns that new development could change the rural character of Tumalo, planning for housing and infrastructure will enable the community to understand their costs and respond proactively to changing circumstances. Land use planning implemented through Deschutes County policies and zoning will enable residents, stakeholders, and property owners to integrate the large number of vacant residential lots into the community.



Commercial Development



Tumalo residents support locally owned businesses and share a common value that future commercial development be modest in scale and incorporate facade designs used by newer businesses adjoining U.S. 20 and Cook Avenue. Located in the core of the community along Cook Avenue, commercial businesses include a market, restaurants, real estate offices, small commercial/retail complex, irrigation district offices and various other small-scale retail businesses. Based on a 2009 buildable land inventory, at the present time, there is an adequate supply of commercial and light industrial

land. Of the 102 commercially zoned properties in Tumalo, just 45 are developed with 28 of the 45 containing single family dwellings.

Recreational Development



Tumalo residents support public spaces that accommodate recreational programs for all age groups, including seniors and school-aged children. Creating Tumalo’s first community park including ball fields and play structures would be an extraordinary asset. While some have expressed a desire to rezone commercial lands along Cook Avenue, others support creating a park along the Deschutes River. There

exists undeveloped public access to the Deschutes River from Tumalo Road. However,

residents, businesses, the Oregon Parks and Recreation Department and the Bend Metro Park and Recreation District support a complete trail system that accommodates non-motorized access for bicyclists and pedestrians along the Deschutes River between Tumalo and Tumalo State Park. Access improvements could also assist recreational river users with a safe, convenient take-out location after they run the middle section of the Deschutes River from Bend's Robert W. Sawyer Park.

Traffic and Circulation

As noted earlier, the transportation system in Tumalo is dominated by U.S. 20, a state highway that bisects the community. Traffic is a major issue for Tumalo residents because the highway traffic volume creates unsafe crossings and long delays for motorized and non-motorized users entering U.S. 20 from 5th Street, 7th Street, Cook Avenue, and O'B Riley Road. Deschutes County and ODOT are currently working on a long-term plan to address the needs of Tumalo and the state highway. The goal is to maintain safe and convenient uses of U.S. 20.

In summer 2010, ODOT constructed a raised median at the intersection of 7th-Bailey and U.S. 20. The raised median limited 7th Street to right-in, right-out turns only and limited Bailey to right-in, right-out, and left-in turns. The raised median has a Z-shaped opening to enable bicyclists and pedestrians to cross U.S. 20 one lane at a time while simultaneously providing a refuge.

Health Impact Assessment

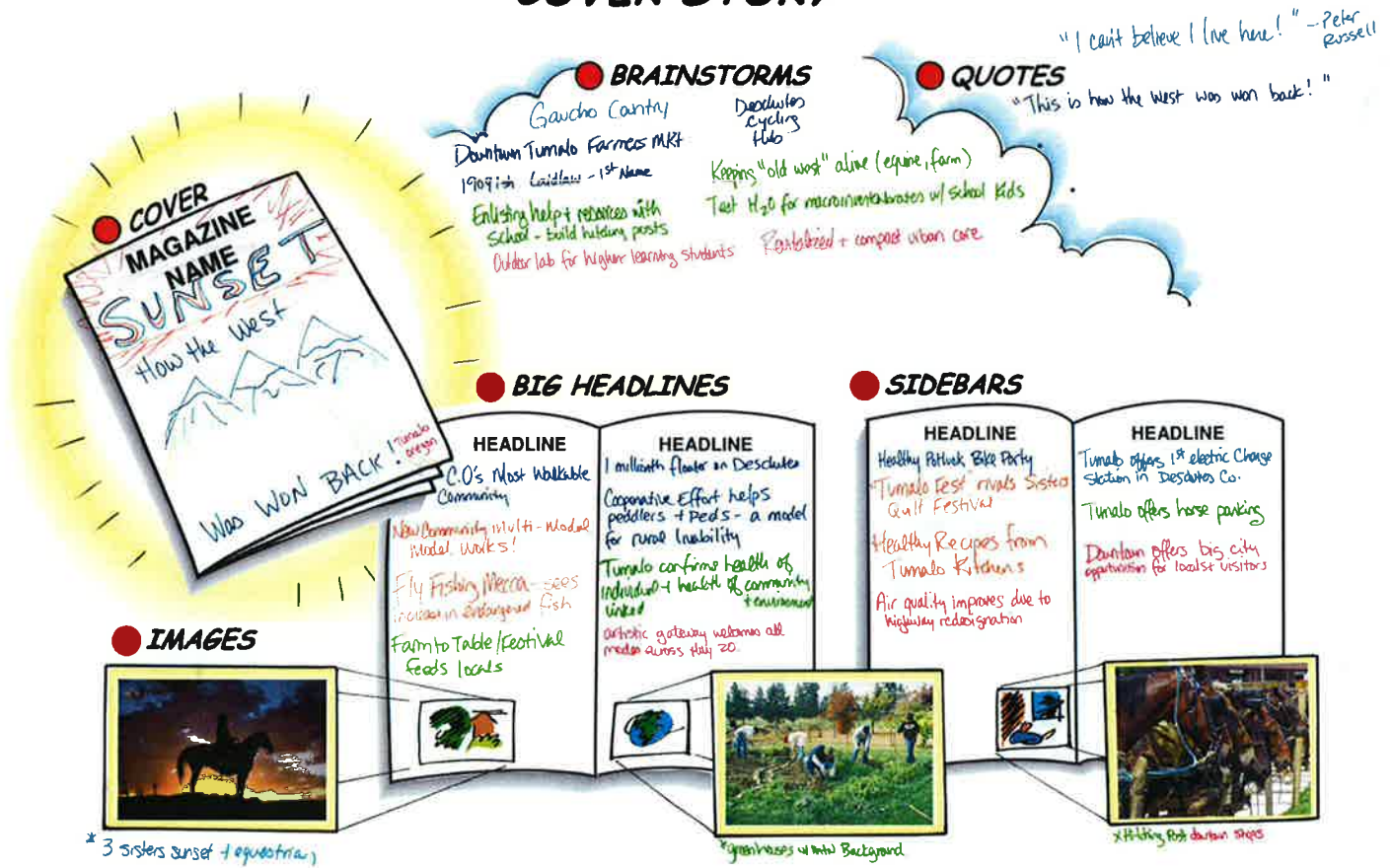
Health Impact Assessment (HIA) is an emerging practice in the United States, widely promoted by the Centers for Disease Control and Prevention as a tool to influence policy, projects and programs that have short and long-term health consequences. With funding support, training and technical assistance from the Oregon Department of Environmental Health and Deschutes County Health Services, a team of community partners in 2010 chose to implement a HIA through the Community Plan. The HIA evaluated and refined the Community Plan by evaluating the policies contained within it.

County Health Services formed an advisory committee consisting of representatives from the Community Development Department, healthcare sectors, Tumalo area residents and community advocates. The committee organized community listening sessions and focused the HIA around three policy areas: safety and accessibility of U.S. 20; access to parks and recreational amenities; and the development of a multi-modal trail system. Figure I encapsulates how residents and members of the advisory committee envision the area at the end of the Community Plan timeline (2030). The committee presented residents, with varying perspectives of rural livability, at listening sessions in April 2010.



Figure I - Visioning Exercise

COVER STORY



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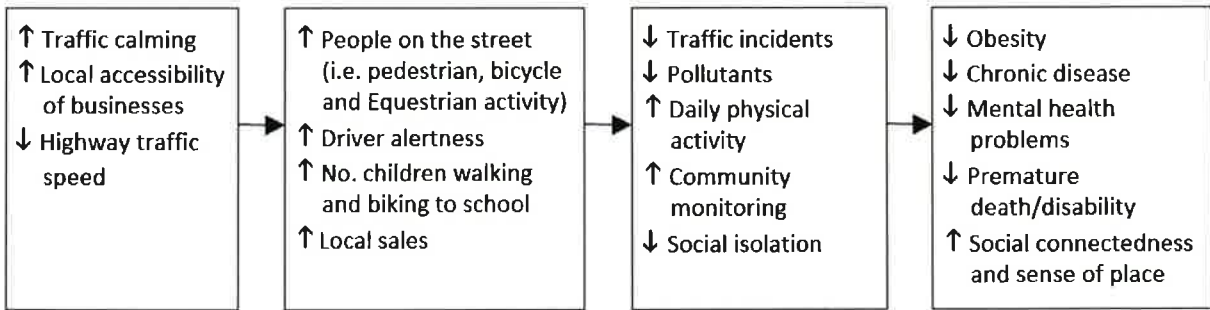
An inherent challenge in addressing growth related issues such as traffic congestion is the need to balance land-use and transportation strategies with public interest – which in Tumalo’s case is maintaining rural character. Health however, is not always at the forefront of decision making processes. The intent of the advisory committee was to bring health considerations to light as an influencing factor when discussing Tumalo’s land-use and economic sector development policies.

Improving public health is linked directly to encouraging physical activity, which is of particular concern to populations with few transportation options, such as the elderly, disabled and children. Well designed, integrated transportation infrastructure, including the adoption of complete street policies and multi-modal trail systems, can positively impact the economic and environmental health of a community. It can reduce vehicle use and health care costs, promote tourism, conserve natural landscapes and support the characteristics and values of rural living.

Principal Findings and Recommendations

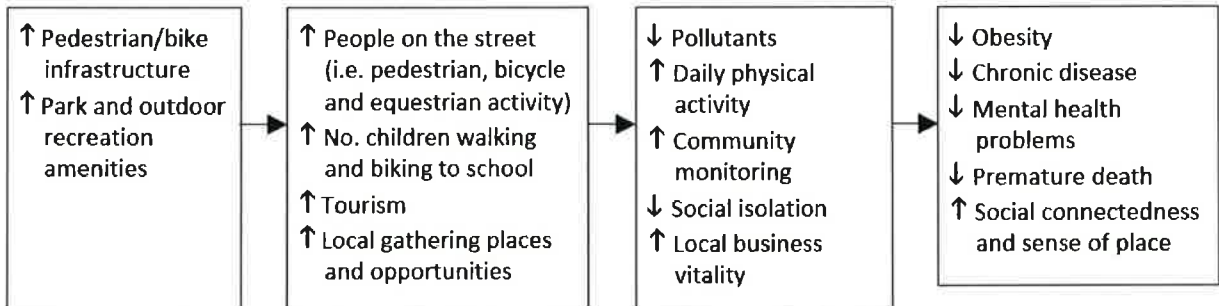
The HIA’s principal findings and policy recommendations, illustrated in Figures 2 and 3, focus on three areas to promote positive outcomes: improving traffic safety on U.S. 20; establishing a multi-modal trail system; and maximizing nearby recreational assets.

Figure 2 - Pathway Between Improving Safety and Accessibility of U.S. 20 and Community Health



Improving Traffic Safety on U.S. 20: U.S. 20 accessibility for all transportation modes is an important issue in Tumalo. Though the speed limit through Tumalo on the highway is reduced at 45 MPH, there are few measures in place to enforce it. Related to this, traffic safety continues to be a barrier to rural livability and optimal community health. The County and ODOT have developed a short-term strategy to reduce traffic hazards by constructing a raised median near 7th and Bailey Streets which will improve conditions greatly. Ultimately however, broader measures such as grade separated crossings across U.S. 20 could provide Tumalo with a myriad of benefits, including improved public safety, greater access to local destinations, new opportunities for physical activity and increases in private investment.

Figure 3 - Pathway Between Multi-modal Trail Systems, Recreation and Community Health



Establishing a Multi-modal Trail System and Maximizing Nearby Recreational Assets: Many Tumalo residents are concerned about user groups degrading the Deschutes River due to inadequate public facilities. Overcrowded parking and congestion along rural roads, vandalism, littering, loss of sensitive wetland and riparian areas, and public trespassing on private lands warrant investments for a multi-modal trail system. Linking local destinations like Tumalo State Park, with a sufficient transportation network including a multi-modal trail system that ties into the one managed by the Bend Metro Park and Recreation District, can generate immediate benefits for the entire community. Tumalo residents could access miles of trails along the Deschutes River, while local businesses could experience increased economic activity based on a new regional recreational asset.



Goals and Policies

The following goals and policies were developed from community and stakeholder meetings, and input from ODOT and the Oregon Department of Land Conservation and Development. Staff also revisited Deschutes County's existing Comprehensive and Transportation System Plans, as well as applicable state law and administrative rules.

Land Use Goal

Protect and enhance the rural small-town character of Tumalo by supporting public services, healthy active lifestyles and social connections among residents and stakeholders.

Community Policies

1. Consider adding Tumalo State Park to the Tumalo Rural Community boundary.
2. Coordinate with community groups and organizations that are working to improve the livability, economy and access to Tumalo.
3. Support economic development initiatives and tourism in the Tumalo area.
4. Review the Tumalo community goals and policies every five years to determine if they meet the current and future needs of the area.
5. Support the school district in improving opportunities to use Tumalo Community School facilities for education, recreation and enrichment programs for students, parents and area residents.

Open Space and Recreation Policies

6. Establish Tumalo as a regional bicycle destination through land use, transportation and recreation policies and programs.
7. Encourage parks and open space, and where feasible, acquire land for open space.
8. Preserve public access to the river.
9. Preserve publically owned lands along the Deschutes River by designating them as open space.
10. Support infrastructure improvements including formal river access points, public signage, lighting, sanitary facilities and improved parking conditions.
11. Establish a multi-use trail system from Tumalo State Park to Tumalo.
12. Support community efforts to create and maintain local parks.
13. Coordinate implementation of bikeways with signs and best maintenance practices on County arterials and collectors.
14. Support community efforts to designate the segment of the Deschutes River through Tumalo as an Oregon Scenic Waterway for its recreational values.

15. Support the development of a trails and recreation master plan.
16. Explore the future expansion of the Bend Metro Park and Recreation District to include the Tumalo area.

Land Use Policies

1. Conform land use regulations to the requirements of Unincorporated Communities as defined in OAR 660 Division 22 or any successor.
2. Ensure County plans and land use regulations require that new uses authorized within Tumalo do not adversely affect agricultural uses in the surrounding exclusive farm use zones.
3. Apply setbacks for homes built along the rim forming the Deschutes River Canyon and Laidlaw Butte to protect scenic views visible from the community.
4. Coordinate with Tumalo Community Association, Tumalo Business Association and similar local organizations on land use issues, where appropriate.
5. Encourage the preservation of historical structures such as the Tumalo Community Church (1905) and the Laidlaw Bank and Trust (1910).

Residential Area Policies

6. Designate residential lands on the comprehensive plan map with a corresponding residential district on the zoning map.
7. Designate residential lands so they are proximate to the commercial area.
8. Designate Residential 5 acre lands on the perimeter of the community.
9. Designate higher density residential lands in the bowl formed by the Deschutes River canyon.
10. Permit livestock in the residential districts subject to use limitations.
11. Plan and zone for a diversity of housing types and densities suited to the capacity of the land to accommodate water and sewage requirements.

Commercial Area Policies

12. Limit access from U.S. 20 so it is safe and economically viable.
13. Encourage design standards in the commercial district so new development is compatible with the rural character of the community and reduces negative impacts on adjacent residential districts.
14. Prohibit livestock from being permanently stabled in the commercial districts.
15. Prohibit additional lands from being designated commercial until an economic analysis review is completed.

16. Allow residential uses and mixed residential/commercial uses, while preventing residential uses from dominating or setting development standards in the commercial district.
17. Utilize approval standards for conditional uses in the commercial district to consider the impact on nearby residential and commercial uses and the capacity of public facilities and services.
18. Prohibit replatting for exclusively residential purposes in the commercial district.

Industrial Area Policies

19. Allow only the following new or expanded industrial uses in the Tumalo rural community boundary:
 - a. Uses authorized under Goals 3 and 4 (farm and forest uses);
 - b. Expansion of a use existing on the date of this rule;
 - c. Small-scale, low impact uses;
 - d. Uses that require proximity to rural resource, as defined in OAR 660-004-0022(3)(a);
 - e. New uses that will not exceed the capacity of water and sewer service available to the site on the effective date of this rule; or, if such services are not available to the site, the capacity of the site itself to provide water and absorb sewage;
 - f. New uses more intensive than those allowed under subsection (a) through (e) of this section, provided an analysis set forth in the Comprehensive Plan demonstrates, and land use regulations ensure:
 - i. That such uses are necessary to provide employment that does not exceed the total projected work force within the community and the surrounding rural area;
 - ii. That such uses would not rely upon a work force employed by uses within urban growth boundaries; and
 - iii. That the determination of the work force of the community and surrounding rural area considers the total industrial and commercial employment in the community and is coordinated with employment projections for nearby urban growth boundaries.

Public Facilities Goal

Ensure water and sewage treatment systems encompass the appropriate scale and cost.

Public Facility Policies

1. Determine residential minimum lot sizes by the capacity of the land to accommodate available water and wastewater facilities.
2. Encourage high quality fire protection in Tumalo and the surrounding area.
3. Encourage early planning and acquisition of sites needed for public facilities (e.g. school, roads, water supply facility, parks).
4. Coordinate development within the Laidlaw Water District to determine if connection to its water system is required.
5. Support replatting of lots in the area comprising the Laidlaw Plat and other lands designated commercial to create lots large enough to accommodate a DEQ approved on-site sewage disposal system.
6. Support the protection of the Tumalo Town Ditch easement and its distribution system.
7. Support the development and management of the domestic water system for Tumalo so that cumulative development will not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations.
8. Coordinate with the Tumalo residents and business owners on the creation of a sewer district, if the community initiates district formation.

Transportation Goal

Provide a safe and efficient system for all modes of transportation, including active modes, to support local economic development, recreational uses, and community health.

Road Network Policies

1. Review the existing Transportation System Plan policies and standards for Tumalo.
2. Review existing roadway design requirements to ensure complete streets which accommodate all modes of travel.

Road and Sidewalk Policies

3. Implement road development standards for Tumalo that minimize pavement width and are consistent with the small-scale character of the community.
4. Utilize land development and grant funding opportunities to improve street segments identified for improvement in the Transportation System Plan.
5. Provide functional, cost effective sidewalks that are consistent with the rural character of the community.
6. Provide sidewalks or multi-use paths where they are needed for safety, as set forth in the Transportation System Plan.
7. Construct sidewalks specified on community roads without curbs and gutters, distant from property lines, to allow room for utilities.

U.S. 20 Policies

8. Coordinate with the Tumalo community and Oregon Department of Transportation to implement both short and long-term improvements to solve transportation problems, including at the Cook Avenue and U.S. 20 intersection.
9. Enhance the roadside environment, through tree planting, signage or other means.
10. Promote safe access and slower speeds on U.S. 20 through Tumalo.
11. Retain and enhance access across U.S. 20 using above, below, or at grade crossings to support pedestrian, bicycle and equestrian access to recreation and community services.