



## COMMUNITY DEVELOPMENT

### DESCHUTES COUNTY PLANNING COMMISSION

5:30 PM, THURSDAY, JUNE 23, 2022

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

(541) 388-6575 | [www.deschutes.org](http://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](http://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/85946814274?pwd=emVmeGVxbWxQVG96TUhhQVJ0dEJKUT09>

**Passcode:** 714955

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: 859 4681 4274 and Passcode: 714955. Written comments can also be provided for the public comment section to [planning@deschutes.org](mailto:planning@deschutes.org) by 5:00 p.m. on June 23. They will be entered into the record.

#### I. CALL TO ORDER

#### II. APPROVAL OF MINUTES - May 26

#### III. PUBLIC COMMENT

#### IV. ACTION ITEMS

- [1.](#) Measure 109 / Psilocybin (*Tanya Saltzman, Senior Planner*)
- [2.](#) Debrief on Tumalo Community Plan survey results, walking tour (*Peter Russell, Senior Transportation Planner*)
- [3.](#) Deschutes 2040 - Comprehensive Plan Update Briefing (*Nicole Mardell, Senior 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.

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## MEMORANDUM

**TO:** Deschutes County Planning Commission

**FROM:** Tanya Saltzman, AICP, Senior Planner

**DATE:** June 16, 2022

**SUBJECT:** Measure 109 / Psilocybin

The purpose of this memorandum is to update the Planning Commission on the Board of County Commissioners' (Board) direction concerning Measure 109/psilocybin. On June 13, 2022, the Board directed staff to hold a public hearing on July 13 for an ordinance referring an opt out of the psilocybin program to voters in the November 2022 general election.<sup>1</sup> A summary of the proceedings leading up to this decision is provided below.

On June 1, 2022, staff provided the Board with an overview of Measure 109, which legalized psilocybin in Oregon subject to the criteria noted in the measure and subsequent rulemaking.<sup>2</sup> The memorandum (footnoted below) provided an introduction to the origin of the measure, the types of licenses that will be available, the role of the Oregon Health Authority (OHA) and its committees, and the rulemaking process. During the discussion, staff noted the compressed timeline: OHA is currently in the process of rulemaking, which may not be complete until December 2022, yet OHA is due to begin accepting applications for licenses on January 2, 2023. As noted, OHA licenses will require a Land Use Compatibility Statement (LUCS) to be issued by the County. This timeline places the Board—as well as the industry and the public—in a difficult position of not knowing key aspects of the program in advance of the program beginning.

Measure 109 does contain limited basic criteria pertaining to land use. For instance, psilocybin service centers may not be located within 1,000 feet of elementary or secondary schools (500 feet if there is a physical or geographic barrier), and manufacturing facilities may not be located outdoors. Staff continues to monitor the rulemaking process and is coordinating with Association of Oregon Counties as well as the Department of Land Conservation and Development on any pertinent developments to the program.

As noted in Measure 109, counties are automatically opted in to the psilocybin program, but counties can refer an opt out measure to the voters in the next general election. In consultation with Legal Counsel, staff has determined that given the associated timelines, it was necessary for the Board to determine as soon as possible if it wanted to refer an opt out ordinance to the voters on November 8.

<sup>1</sup> <https://www.deschutes.org/bcc/page/board-county-commissioners-meeting-60>

<sup>2</sup> <https://www.deschutes.org/bcc/page/board-commissioners-meeting>

Proceeding with an opt out ballot measure requires several steps in order to file a ballot title with the County Clerk by the required August 19 deadline, including a public hearing to consider an opt out ordinance (ORS 475A.718(1)), and adequate public notice for that hearing. Given that OHA rulemaking is not expected to be complete until the end of the year and therefore no new information on the program is expected in the near future, staff chose to elevate this decision point to the Board to ensure enough time for the ballot measure process, if that option was selected.

### **Next Steps**

As noted above, the Board determined at its June 13 meeting that it would like to hear from the public about a potential opt out measure. A public hearing with the Board will be held on July 13 on an ordinance referring the matter to the November general election. It should be noted that this is not a land use hearing about any proposed development regulations governing psilocybin, but rather a hearing to solicit input on allowing the public to vote its preference for either moving forward with the psilocybin program or opting out of the program. Staff will continue to update the Planning Commission as the process proceeds.



## MEMORANDUM

**DATE:** June 15, 2022

**TO:** Planning Commission

**FROM:** Peter Russell, Senior Transportation Planner

**RE:** June 23, 2022, update on Tumalo Community Plan process

The Planning Division is updating the 2010-2030 Tumalo Community Plan (TCP) to 2020-2040 due to changes in the community and passage of time. Additionally, the County received a \$75,000 Transportation Grant Management (TGM) from the State of which \$50,000 was dedicated to update the bike/ped/transit, aka Active Transportation, element of the TCP. The County hired Kittelson and Associates (KAI) to do the work for the TGM grant.

The purpose of this memo is to summarize the public comments received either in person or online, provide a recap of the June 8 walking tour for the TGM grant, and summarize the County's continuing public outreach.

### 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 Community<sup>1</sup> 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.

Staff prepared a website, [www.deschutes.org/tumaloplan](http://www.deschutes.org/tumaloplan), which went live on April 27, and was referenced at the May 11 open house in the Tumalo Community School gym. The website includes a StoryMap that provided a narrative of the TCP's history, purpose, and process; a survey asking

<sup>1</sup> 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.

about major topics pertinent to Tumalo; and a box to provide for the public to provide e-mail contact info. The website accepted comments until May 25 and received responses from 55 individuals.

## II. ONLINE SURVEY #1 RESULTS

The 15 questions included basic demographic questions, what people did or did not like Tumalo, and opportunities for open-ended comments. The survey was not limited to just residents or property owners in Tumalo.

**Question 1: Where approximately do you live in Tumalo?** Of the 47 who provided geographic information, about half lived within the boundaries and half lived outside town. Of those lived outside Tumalo, it was about a 2:1 ratio of living north of Tumalo vs. living south.

The results below came from 55 respondents.

**Question 2: How long have you lived in Tumalo?** The recent development of Tumalo also reveals itself in how long respondents have lived there, although the attractiveness of the area is indicated by the percentage of those who have lived there for decades.

- 1-5 years 35%
- 20+ years 25%
- 5-10 years 16%
- 10-15 years 9%
- 15-20 years 7%
- Don't live there 7%

**Question 3: How long do you intend to live in Tumalo?** The appeal of Tumalo also shows in the responses about how long people intend to remain. Nearly 90% of respondents plan to never leave or stay for at least a decade.

- Do not intend to move 54%
- 10+ years 33%
- I don't live there 5%
- 1-5 years 4%
- 6-10 years 4%

**Question 4: Do you own or rent where you live in Tumalo?** Nearly 90% of the respondents own their home where they live in Tumalo. More respondents did not live in Tumalo than rented in Tumalo.

- Own home 89%
- Do not live in Tumalo 7%
- Rent 4%

**Question 5: Where do you physically work?** A slight majority of Tumalo residents are retired while the second-largest group work in Tumalo either in person or remotely from Tumalo.

- Retired 45%
- Work in or from Tumalo 38%
- Bend 15%
- Elsewhere in Des. Co. 2%

**Question 6: What are the major issues/challenges facing Tumalo today?** The plurality of respondents felt traffic was the major challenge facing Tumalo. Other concerns were drought and the community's rapid rate of growth. As respondents could pick multiple answers, the total exceeds 100%.

- Traffic 73%
- Drought 64%
- Growing too fast 40%
- Septic vs. sewer 36%
- Risk of wildfire 38%
- Cost of housing 31%
- Other 30%

**Question 7: What appeals to you about Tumalo?** Respondents rank-ordered seven variables from highest to lowest. As in the 2010-2030 TCP, the small town aspect of Tumalo led as 79% of respondents scored that the highest.

- Small town feel 6.6/7
- Close to river, state park, recreation 5.0/7
- Proximity to Bend 4.9/7
- Quality of Tumalo School 3.8/7
- Family lives nearby 3.3/7
- Ability to walk everywhere 3.0/7
- Affordability 2.9/7

**Question 8: What would you change about Tumalo?** Respondents had two polar opposite reactions. One can be viewed as pro-development and the other expressed a desire to keep things as they are now. Again, respondents could pick more than one choice, so the percentages will exceed 100%.

- Restrict development 49%
- Add more restaurants 42%
- Add more bike lanes 33%
- Add more sidewalks 31%
- Add bus stop for CET 29%
- Add sewer system 29%
- Oher 26%

- Add more businesses 20%

**Question 9: What would you retain about Tumalo?** Respondents leaned toward keeping building's at pedestrian scale and the commercial core remain on Cook. Again, respondents could pick more than once choice so the percentages will exceed 100%.

- Small size of buildings 84%
- Businesses are locally owned 75%
- Commercial core stays on Cook 64%
- Leaved unpaved streets unpaved 18%
- Other 15%
- Areas w/o sidewalks stay that way 9%

**Question 10: What would you like Tumalo to look like in 20 years?** While many wanted a trail along the Deschutes River, there was also a strong sentiment that 2040 Tumalo should resemble 2022 Tumalo. Again, respondents could pick more than one choice so the percentages will exceed 100%.

- Trails along Deschutes River 56%
- 2040 Tumalo resembles 2022 49%
- More roundabouts 29%
- Other 24%
- Business on Bruce, Wharton, 5<sup>th</sup>, 7<sup>th</sup> 15%
- More 2-story buildings on Cook 13%
- More single-family homes 7%
- Small apartments, duplexes 7%

**Question 11: What do you call a resident of Tumalo?** This was done more as an icebreaker or change of pace.

- There is no actual term 58%
- Other 14%
- Tumaloite 13%
- Tumaloean 11%
- Tumalooer 2%
- Tumalord 2%

**Question 12: What is your age?** As would be expected in a community that skews toward the retired, the age of respondents was predominantly middle-aged or older.

- 6-19 years 0%
- 20-39 years 9%
- 40-59 years 42%
- 60-79 years 44%
- 80 or older 5%



**Question 13: How do you identify?**

- Female 62%
- Male 29%
- Prefer not to answer 9%

**Question 14: Is there anything else you think we should know about Tumalo and to make the 2040 plan a success?** The 33 responses ranged from very specific suggestions to more generalized ideas. These major themes emerged: 1) keeping Tumalo as small and unchanged as possible; 2) if there will be sufficient water; 3) desire to maintain businesses being local rather than franchises; 4) desire to protect the Deschutes River; 5) accommodate bicyclists and pedestrians; 6) concerns about traffic volumes and speeds. Several also mentioned opposition to Thornburgh Resort, which is beyond – both geographically and legally – the scope of the Tumalo Community Plan.

**III. ASK A PLANNER**

For the week of June 13-17, the website listed appointments to meet informally one-on-one with a long range planner to talk about Tumalo. The meetings were either face to face or via Zoom. Staff will be meeting with approximately eight people as of this writing. Staff will present an oral summary to the PC.

**IV. TUMALO WALKING TOUR**

Karen Swirsky (KAI) assisted by Katie Popp (KAI) led a group of 20-25 people on stroll and chat through the core. County staff (Tarik Rawlings and myself) assisted as well. The route began at the fire station at Cook/4<sup>th</sup>, went west to edge of US 20, looped north to Tumalo Community School, then went east to Cline Falls Hwy and south on Cook to the Bite. As this done as part of the TGM grant, the approximately 90-minute walking tour focused on bike/ped/transit issues, aka Active Transportation. The group watched the afternoon release of students from the school, which is K-5, and uses buses at the back (south) end of school and a parent pick up/drop off area on the front (north) side of the school.

During the tour, participants spoke on the following topics:

- Current drop off/pick up system at Tumalo school is much better than the previous method which had buses in front and parents in back.
- The fitness track just west of the school is popular with many residents, especially older ones. The informal trail from 4<sup>th</sup> Street to the fitness track could be a potential path to the upcoming ODOT project to build a bike/ped underpass of US 20 at 4<sup>th</sup>, which will connect to Strickland. There is an underground Laidlaw District waterline that will need replacing in 5-10 years in the vicinity of the path.

- Cline Falls Hwy/Cook Avenue/Tumalo Road is problematic for several reasons. Drivers are traveling too fast on Cline Falls; could be possible location for a roundabout; need wider shoulders for bicyclists on Cline Falls Hwy; posted speed needs to be lowered.
- General comments on pedestrian facilities were neither supportive nor opposed to more sidewalks throughout Tumalo, although there was sentiment for closing sidewalk gaps on Cook Avenue from 4<sup>th</sup> Street to Tumalo Road. There also needs to be improved pedestrian facilities leading to/from the put in/take out to the Deschutes River at the Cline Falls/Tumalo Road intersection.
- General commenters on bicycling mentioned the narrow shoulders on Cline Falls Hwy and Tumalo Road mentioned several times. Group noted not many bicyclists are pedaling through the core area other than those using the Twin Bridges State Scenic Bike Route. Some would like to see more accommodations for cyclists within Tumalo for Tumalo residents.
- General comments on transit strongly opposed a potential bus stop in Tumalo for Cascades East Transit (CET). This was especially true for any stops near the Tumalo Community School. One attendee suggested an alternative location for the stop be by Knife River on the south side of US 20 by O.B. Riley Road. The concern was homeless people would use the bus to come to Tumalo.

## **V. NEXT STEPS**

Staff is synthesizing the public comments received in the various forums mentioned above as well as stakeholder interview in June to update the StoryMap in July. The July StoryMap will contain Technical Memo #1, which includes a summary of existing conditions, major changes since 2010-2030, seek public comment, and have draft policies in reaction to the public's input.

The next TCP in-person open house will be in late August, tentatively.

Staff will also meet with the TGM stakeholders committee on June 16.

## **V. CONCLUSION**

Staff is prepared to answer any questions.



## MEMORANDUM

**TO:** Deschutes County Planning Commission

**FROM:** Nicole Mardell, Senior Planner – Long Range  
Will Groves, Planning Manager

**DATE:** June 16, 2022

**SUBJECT:** Deschutes 2040 – Comprehensive Plan Update Briefing

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### I. PROJECT BACKGROUND

Deschutes County is kicking off the Deschutes 2040 project, a two-year process to update its Comprehensive Plan. The Comprehensive Plan is Deschutes County's policy document for guiding growth and development within the county over a 20-year planning period. The plan's purpose is to provide a policy framework for zoning and land use regulations, demonstrate consistency with statewide goals, rules, and laws, and serve as a cohesive vision for future planning activities.

Over the last ten years, the Comprehensive Plan has been updated in a piecemeal manner with various applicant and staff-initiated legislative amendments. Although many of the goals and policies of the current Plan still hold value, the fundamental data, trends, and land use issues are becoming outdated. The updated Comprehensive Plan needs to incorporate community input to craft new and updated goals and policies regarding agriculture, forestry, housing, recreation, natural resources, natural hazards, economic development, and transportation. An updated community vision will carefully discuss and balance these values.

### II. CONSULTANT SELECTION

On May 5, 2022, the Board of County Commissioners approved a professional services agreement with Moore, Iacofanco, Goltsman (MIG, Inc.)<sup>1</sup> to provide consulting services for the Comprehensive Plan, along with a scope of work and project budget. Notable elements of the scope of work include:

- Experienced project management: consultant will drive the project forward, including development of technical reports and materials for community engagement events, facilitation of advisory committee, and assistance in creation of narratives, goals, and policies within the final comprehensive plan document.

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<sup>1</sup> MIG recently merged with Angelo Planning Group (APG). APG was the original party on the RFP submittal.

- Extensive community engagement: consultant will develop a comprehensive community engagement strategy to reach all community members, including targeted efforts to hear perspectives of: all parts of the county (geographic coverage), residents not typically involved in planning processes, youth, people of color, low-income residents, persons with disabilities, and veterans.
- Technical expertise: consultant will provide technical expertise to help shape policy surrounding agricultural practices, housing, and economic development, among other issues.
- Design: consultant will use a variety of tools to create vibrant and visually appealing materials to use throughout the document. The consultant will emphasize project branding and design in a “coffee table” style final document that is clear and engaging to all users.

### **III. PLANNING COMMISSION ROLE**

The Planning Commission will serve as the advisory body overseeing the Comprehensive Plan update. Staff and the consultant will return to a future meeting to identify a regular meeting schedule and define the decision-making framework and guidelines for this project.

### **IV. NEXT STEPS**

Staff has included a project visual as an attachment to this memorandum, which outlines the five general phases of the project, notable activities, and desired outcomes. Staff will provide additional information on this graphic and ongoing efforts by the consultant and staff during the meeting.

Staff notes an e-mail mailing list has been created for this project and will be utilized to provide key updates to community members on engagement events and project materials. Parties can sign up for this mailing list on the project webpage: <https://www.deschutes.org/cd/page/deschutes-2040>.

# Deschutes 2040 - Project Visual



Activities	Project Initiation	Policy Development	Policy Finalization	Comp Plan Development	Adoption
	Project Kickoff	Start Community Engagement - Vision/Issues	Engagement Deepens - Policy/Detail Outreach	Compilation - Final Comp Plan Document	DLCD notice
	County - Assemble Background Docs	Open House Set 1 - Vision/Issue Focus	Open House Set 2 - Policies/Details	Staff Review/Input	PC Hearing
	MIG - Review Background Docs	PC - Advisory Committee Mtgs Begin	County/MIG Final Policy List Review	Revisions x 2	BOCC Hearings
	Establish PMT Mtg Schedule	County Review of Existing Plan - Keep, Change, Remove, Gaps	MIG Drafts - Background Summaries	PC Input - Document Layout	
	Input on Community Engagement Plan	County/MIG Drafts New Goals/Policies	Begin Update of Maps/Graphics	Action Plan Development	
	Update to BOCC/PC	MIG Review - Policy Best Practice	PC Review of Final Draft - Goals/Policies	County - Findings Package Draft	
	Training for Staff - Engagement			MIG Review - Findings Package	

Outcomes	Phase 1	Phase 2	Phase 3	Phase 4	Phase 5
	Overall/Short-Term Schedules	Compiled Vision/Issue Feedback	Compilation of Policy/Detail Feedback	Receive Final Comp Plan Doc	PC Approval
	Establish standing PMT meeting	Existing Policy Review (keep/change/delete)	Final Draft - Goals/Policies	PC/BOCC OK to Initiate Adoption Process	BOCC Approval
	Project Brand/Website	Draft List of New Policies	Finalized Background summaries (8)	PC Approval - Action Plan	No Appeals/Effective Date Reached
	County Training - Engagement	PC Review - Vision/Key Issues	Begin Project Doc Formation	Completion of Findings Package	
	Final Community Engagement Plan	BOCC - Check In	Community Engagement Audit		
	BOCC/PC ok on Engagement Plan		BOCC/PC OK on Final Goal/Policy Draft		