



## BOARD OF COMMISSIONERS

### BOARD OF COUNTY COMMISSIONERS MEETING

9:00 AM, WEDNESDAY, MAY 8, 2024

Barnes Sawyer Rooms - Deschutes Services Building - 1300 NW Wall Street – Bend  
(541) 388-6570 | [www.deschutes.org](http://www.deschutes.org)

### AGENDA

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

Members of the public may view the meeting in real time via YouTube using this link: <http://bit.ly/3mmlnzy>. **To attend the meeting virtually via Zoom, see below.**

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

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

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

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



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

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

## CALL TO ORDER

## PLEDGE OF ALLEGIANCE

**CITIZEN INPUT:** Citizen Input may be provided as comment on any topic that is not on the agenda.

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

## CONSENT AGENDA

1. Approval of Chair Signature of Document No. 2024-035, a Notice of Intent to Award Contract for the Paving of Old Bend-Redmond Hwy/S Canal Blvd: Tumalo Rd to Helmholtz Way Project
2. Approval of minutes of the BOCC April 15 and 17, 2024 meetings

## ACTION ITEMS

3. **9:10 AM** Cannabis/SUD/Mental Health Presentation
4. **9:55 AM** Workforce Housing Program for Median-Income Earners (HOME Fund)
5. **10:25 AM** Second Reading of Ordinance No. 2023-016 updating the Tumalo Community Plan for 2020-2040
6. **10:30 AM** 2024 Public Safety Campus Plan
7. **10:50 AM** Public Hearing: RVs as Rental Dwellings Text Amendments

## OTHER ITEMS

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

## RECESS



## Continued ACTION ITEMS

8. **5:30 PM** Continued Public Hearing: Draft 2020-2040 Deschutes County Comprehensive Plan

## EXECUTIVE SESSION

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

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

## ADJOURN



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: May 8, 2024

SUBJECT: Approval of Chair Signature of Document No. 2024-035, a Notice of Intent to Award Contract for the Paving of Old Bend-Redmond Hwy/S Canal Blvd: Tumalo Rd to Helmholtz Way Project

RECOMMENDED MOTION:

Move approval of Board Chair signature of Document No. 2024-035.

BACKGROUND AND POLICY IMPLICATIONS:

Deschutes County Road Department prepared bid solicitation documents for the Paving of Old Bend-Redmond Hwy/S Canal Blvd: Tumalo Rd to Helmholtz Way project. The project scope of work includes construction of new asphalt concrete pavement, cold plane pavement removal, installation of permanent pavement marking and delineation, and incidental work. The project was advertised in the Daily Journal of Commerce and The Bulletin on April 3, 2024. The Department opened bids at 2:00 P.M. on April 24, 2024.

Four (4) bids were received for this project. The bid results are as follows:

<u>BIDDER</u>	<u>TOTAL BID AMOUNT</u>
High Desert Aggregate and Paving	\$2,280,831.00
Knife River Corporation-NW	\$2,575,406.00
Brix Paving Northwest, Inc.	\$3,023,656.00
Granite Construction Company	\$3,211,661.00
Engineer's Estimate	\$2,899,054.00

This action issues a Notice of Intent to Award the contract to the apparent low bidder, High Desert Aggregate and Paving, and allows seven days for concerned parties to protest the award. If there is no protest within the seven-day period, the contract will be awarded to the apparent low bidder. The bid tabulation, including the Engineer's estimate, is attached.

**BUDGET IMPACTS:**

A portion of the project cost is budgeted in the Road Capital Improvement Plan (CIP) budget for Fiscal Year 2024. The remaining project cost is budgeted in the CIP budget for Fiscal Year 2025.

**ATTENDANCE:**

Cody Smith, County Engineer/Assistant Road Department Director



BOARD OF COUNTY COMMISSIONERS

May 8, 2024

\*\*Posted on the Deschutes County, Oregon Bids and RFPs website at <http://www.deschutescounty.gov/rfps> prior to 5:00 PM on the date of this Notice.\*\*

Subject: **Notice of Intent to Award Contract**  
Contract for Paving of Old Bend-Redmond Hwy/S Canal Blvd: Tumalo Rd to Helmholtz Way

To Whom It May Concern:

On May 8, 2024, the Board of County Commissioners of Deschutes County, Oregon considered proposals for the above-referenced project. The Board of County Commissioners determined that the successful bidder for the project was High Desert Aggregate and Paving, with a bid of Two Million Two Hundred Eighty Thousand Eight Hundred Thirty One and 00/100 Dollars (\$2,280,831.00).

This Notice of Intent to Award Contract is issued pursuant to Oregon Revised Statute (ORS) 279C.375. Any entity which believes that they are adversely affected or aggrieved by the intended award of contract set forth in this Notice may submit a written protest within seven (7) calendar days after the issuance of this Notice of Intent to Award Contract to the Board of County Commissioners of Deschutes County, Oregon, at Deschutes Services Building, 1300 NW Wall Street, Bend, Oregon 97703. **The seven (7) calendar day protest period will end at 5:00 PM on May 15, 2024.**

Any protest must be in writing and specify any grounds upon which the protest is based. Please refer to Oregon Administrative Rules (OAR) 137-047-0740. If a protest is filed within the protest period, a hearing will be held at a regularly-scheduled business meeting of the Board of County Commissioners of Deschutes County Oregon, acting as the Contract Review Board, in the Deschutes Services Building, 1300 NW Wall Street, Bend, Oregon 97703 within two (2) weeks of the end of the protest period.

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

If you have any questions regarding this Notice of Intent to Award Contract or the procedures under which the County is proceeding, please contact Deschutes County Legal Counsel: telephone (541) 388-6625; FAX (541) 383-0496; or e-mail to [david.doyle@deschutescounty.gov](mailto:david.doyle@deschutescounty.gov).

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

Sincerely,

\_\_\_\_\_  
Patti Adair, Chair

PAVING OF OLD BEND-REDMOND HWY/S CANAL BLVD:  
 TUMALO RD TO HELMHOLTZ WAY  
 DESCHUTES COUNTY, OREGON  
 PROJECT # W66141

**BID RESULTS**

**BID OPENING : 2:00 PM 4/24/2024**

				ENGINEER'S ESTIMATE		High Desert Aggregate & Paving PO Box 1929 Redmond, OR 97756		Knife River Corp.-NW 32260 Old Highway 34 Tangent, OR 97389	
ITEM	UNIT	QTY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	
1	Mobilization	LS	1	\$219,000.00	\$219,000.00	\$215,000.00	\$215,000.00	\$128,775.00	\$128,775.00
2	Temporary Protection and Direction of Traffic	LS	1	\$76,000.00	\$76,000.00	\$20,000.00	\$20,000.00	\$60,000.00	\$60,000.00
3	Temporary Signs	SQFT	649	\$30.00	\$19,470.00	\$34.00	\$22,066.00	\$24.00	\$15,576.00
4	Portable Changeable Message Signs	EACH	4	\$3,000.00	\$12,000.00	\$2,000.00	\$8,000.00	\$1,800.00	\$7,200.00
5	Flaggers	HOUR	1,048	\$74.00	\$77,552.00	\$75.00	\$78,600.00	\$68.00	\$71,264.00
6	Pilot Cars	HOUR	317	\$91.00	\$28,847.00	\$95.00	\$30,115.00	\$90.00	\$28,530.00
7	Stripe Removal	FOOT	1,000	\$10.00	\$10,000.00	\$5.25	\$5,250.00	\$6.00	\$6,000.00
8	Cold Plane Pavement Removal, 3 Inches Deep	SQYD	99,700	\$3.00	\$299,100.00	\$2.50	\$249,250.00	\$2.10	\$209,370.00
9	Aggregate Shoulders	TON	1,650	\$61.00	\$100,650.00	\$28.00	\$46,200.00	\$42.00	\$69,300.00
10	Level 3, 1/2 Inch ACP Mixture	TON	17,600	\$95.00	\$1,672,000.00	\$77.50	\$1,364,000.00	\$98.25	\$1,729,200.00
11	16 Inch Asphalt Concrete Pavement Repair	SQYD	200	\$120.00	\$24,000.00	\$45.00	\$9,000.00	\$90.00	\$18,000.00
12	Extra for Asphalt Approaches	EACH	12	\$1,000.00	\$12,000.00	\$500.00	\$6,000.00	\$1,100.00	\$13,200.00
13	Delineators, Type 1	EACH	264	\$65.00	\$17,160.00	\$75.00	\$19,800.00	\$125.00	\$33,000.00
14	Bi-Directional Yellow Type IAR Markers, Recessed	EACH	782	\$20.00	\$15,640.00	\$22.50	\$17,595.00	\$23.00	\$17,986.00
15	Thermoplastic, Sprayed Surface, Non-Profiled	FOOT	148,000	\$2.00	\$296,000.00	\$1.15	\$170,200.00	\$1.00	\$148,000.00
16	Pavement Bar, Type AB	SQFT	165	\$19.00	\$3,135.00	\$17.00	\$2,805.00	\$17.00	\$2,805.00
17	Pavement Legend, Type AB: "STOP"	EACH	7	\$1,000.00	\$7,000.00	\$1,100.00	\$7,700.00	\$1,100.00	\$7,700.00
18	Pavement Legend, Type AB: "STOP AHEAD"	EACH	5	\$1,900.00	\$9,500.00	\$1,850.00	\$9,250.00	\$1,900.00	\$9,500.00
				<b>TOTAL =</b>	<b>\$2,899,054.00</b>	<b>TOTAL =</b>	<b>\$2,280,831.00</b>	<b>TOTAL =</b>	<b>\$2,575,406.00</b>

PAVING OF OLD BEND-REDMOND HWY/S CANAL BLVD:  
 TUMALO RD TO HELMHOLTZ WAY  
 DESCHUTES COUNTY, OREGON  
 PROJECT # W66141

**BID RESULTS**

**BID OPENING : 2:00 PM 4/24/2024**

				ENGINEER'S ESTIMATE		Brix Paving Northwest, Inc. PO Box 2057 Tualatin, OR 97062		Granite Construction Co 16821 SE McGillivray Blvd., Ste # 210B Vancouver, WA 98683	
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Mobilization	LS	1	\$219,000.00	\$219,000.00	\$159,583.00	\$159,583.00	\$320,000.00	\$320,000.00
2	Temporary Protection and Direction of Traffic	LS	1	\$76,000.00	\$76,000.00	\$54,000.00	\$54,000.00	\$65,000.00	\$65,000.00
3	Temporary Signs	SQFT	649	\$30.00	\$19,470.00	\$15.00	\$9,735.00	\$40.00	\$25,960.00
4	Portable Changeable Message Signs	EACH	4	\$3,000.00	\$12,000.00	\$7,250.00	\$29,000.00	\$2,000.00	\$8,000.00
5	Flaggers	HOUR	1,048	\$74.00	\$77,552.00	\$89.00	\$93,272.00	\$105.00	\$110,040.00
6	Pilot Cars	HOUR	317	\$91.00	\$28,847.00	\$114.50	\$36,296.50	\$115.00	\$36,455.00
7	Stripe Removal	FOOT	1,000	\$10.00	\$10,000.00	\$6.07	\$6,070.00	\$6.00	\$6,000.00
8	Cold Plane Pavement Removal, 3 Inches Deep	SQYD	99,700	\$3.00	\$299,100.00	\$3.35	\$333,995.00	\$3.00	\$299,100.00
9	Aggregate Shoulders	TON	1,650	\$61.00	\$100,650.00	\$47.00	\$77,550.00	\$52.00	\$85,800.00
10	Level 3, 1/2 Inch ACP Mixture	TON	17,600	\$95.00	\$1,672,000.00	\$110.00	\$1,936,000.00	\$112.00	\$1,971,200.00
11	16 Inch Asphalt Concrete Pavement Repair	SQYD	200	\$120.00	\$24,000.00	\$180.00	\$36,000.00	\$71.00	\$14,200.00
12	Extra for Asphalt Approaches	EACH	12	\$1,000.00	\$12,000.00	\$2,600.00	\$31,200.00	\$3,500.00	\$42,000.00
13	Delineators, Type 1	EACH	264	\$65.00	\$17,160.00	\$85.00	\$22,440.00	\$78.00	\$20,592.00
14	Bi-Directional Yellow Type IAR Markers, Recessed	EACH	782	\$20.00	\$15,640.00	\$26.00	\$20,332.00	\$27.00	\$21,114.00
15	Thermoplastic, Sprayed Surface, Non-Profiled	FOOT	148,000	\$2.00	\$296,000.00	\$1.05	\$155,400.00	\$1.10	\$162,800.00
16	Pavement Bar, Type AB	SQFT	165	\$19.00	\$3,135.00	\$19.50	\$3,217.50	\$20.00	\$3,300.00
17	Pavement Legend, Type AB: "STOP"	EACH	7	\$1,000.00	\$7,000.00	\$1,270.00	\$8,890.00	\$1,300.00	\$9,100.00
18	Pavement Legend, Type AB: "STOP AHEAD"	EACH	5	\$1,900.00	\$9,500.00	\$2,135.00	\$10,675.00	\$2,200.00	\$11,000.00
				<b>TOTAL =</b>	<b>\$2,899,054.00</b>	<b>TOTAL =</b>	<b>\$3,023,656.00</b>	<b>TOTAL =</b>	<b>\$3,211,661.00</b>



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: May 8, 2024

SUBJECT: Cannabis/SUD/Mental Health Presentation

RECOMMENDED MOTION:

Presentation to provide information about emerging medical findings related to heavy cannabis use and the impacts on mental health in Deschutes County.

BACKGROUND AND POLICY IMPLICATIONS:

Deschutes County Behavioral Health and Public Health work together to provide comprehensive, community-based services and prevention support to people with substance use disorders or harmful substance use. This presentation will provide information about emerging medial findings, scientific data and the impacts of increased cannabis use among youth and its association with onset of psychotic symptoms and other issues. The presentation will cover the items listed below:

- Review of research/data on risks and benefits of marijuana use
- Impacts on patients and community
- Interventions with people with mental health disorders
- Prevention efforts that are currently in place
- Support for healthy messaging around risks
- Key take aways for parents and communities

BUDGET IMPACTS:

None

ATTENDANCE:

Janice Garceau, Deschutes County Health Services, Director
Sam Murray, Deschutes County Behavioral Health, Medical Director
Anne Linton, Deschutes County Behavioral Health, Psychiatrist
Jessica Jacks, Deschutes County Public Health, Prevention Program Manager



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: May 8, 2024

SUBJECT: Workforce Housing Program for Median-Income Earners (HOME Fund)

BACKGROUND AND POLICY IMPLICATIONS:

In May of 2023, the Board heard a proposal to establish a program to incentivize the building of new workforce homes which would remain affordable to qualified persons for 30 years by deed restriction. The program, called Workforce Home Ownership for Median-Income Earners (Workforce HOME) would provide a \$30,000 builder credit for each home which is within the price range affordable for buyers having 80-120% of area median income (AMI).

A Memorandum of Understanding has been drafted by the proposers, under which NeighborImpact would administer the program relating to the initial sale of the home by conducting outreach, determining the eligibility of developers and potential buyers, overseeing the application processes and funding commitments, and managing all other administrative functions, including submitting reports to the County.

However, the program as initially presented has materially changed to where it will be the County's responsibility to monitor and enforce violations for the duration of the 30-year deed restriction. Specifically, Section 12 of the deed restriction, is the County will need to avail itself of any remedies for a violation of the deed restriction. The only ongoing service provided by NeighborImpact pursuant to the deed restriction would be for it to mail annual form letters out to the initial property owners reminding them of the deed restrictions. There would be no annual compliance declaration by the property owners or verification by staff. Rather, it would be up to the County or its designee to request any information or report that may be required to demonstrate compliance. It will be up to the County to either perform the following tasks or hire someone to provide the following tasks: request and collect information from property owners, verify the information, and seek enforcement of the deed restrictions if violations are discovered.

County staff has requested NeighborImpact for estimated costs to perform these services, as the \$20,000 administrative fee to be paid to NeighborImpact will not cover these costs. It is important to note that the County does not currently have staff, staff with expertise, or a designee to provide the services.



**ATTENDANCE:**

Morgan Greenwood, Central Oregon Builders Association  
Nick Lelack, AICP, County Administrator and Legal, Finance and Administration staff

**Deschutes County Workforce Home Ownership for Median-income Earners (Workforce HOME) Fund  
Memorandum of Understanding  
UPDATED DRAFT 4/1/2024**

**OVERVIEW:**

NeighborImpact will implement the Home Ownership for Median-income Earners (HOME) Fund (“Program”) with initial funding from Deschutes County (“County”). Additional funding for the Program may be provided by additional alternate sources. The intent of the Program is to provide a Developer Incentive per “Workforce Home” (defined as a home built in Deschutes County and sold within a price range determined to be affordable to a buyer who makes above 80% and up to 120% area median income (“AMI”) in Deschutes County, as determined on an annual basis by the U.S. Department of Housing & Urban Development [“HUD”]). The buyer is required to a) make above 80% and up to 120% AMI for Deschutes County as determined by HUD, and b) be employed by or have an offer of employment from a Deschutes County employer (defined as a business or other enterprise [private or public] that has been in business in Deschutes County for at least 6 months from the date of buyer eligibility determination, and is registered by the Oregon Secretary of State with a principal place of business located in Deschutes County); in totality, these criteria comprise the definition of “Qualifying Income”. The Workforce Home sales price is considered affordable when no more than 30% of annual household income of the buyer is spent on housing, including mortgage principal and interest; taxes; property insurance; and mortgage insurance.

The Workforce Home will be built by a developer (“Developer”) or builder/developer (“Developer”). The Developer Incentive is a \$30,000 cash payment made payable to the Developer building the Workforce Home. The Developer Incentive will be paid to the Developer from an escrow account opened by NeighborImpact after a) the building permit has been submitted to the applicable jurisdiction for approval, and b) the Developer has submitted its application for a Developer Incentive to NeighborImpact declaring their intention to build a Workforce Home. The incentive can be utilized by the Developer at their discretion to offset the high cost of developing a Workforce Home in Deschutes County.

To ensure on-going affordability, a 30-year deed restriction will be recorded by a licensed title and escrow company against the lot on which the Workforce Home will be built, and signed by the Developer prior to dispersal of the Developer Incentive. If the Developer does not own the lot on which the Workforce Home will be built, the lot owner must consent in writing to the recording. The deed restriction will require the Workforce Home to be the buyer’s primary residence; place restrictions on the future Workforce Home sale price; and prohibit the buyer from obtaining a home equity line of credit or second mortgage, or refinancing the existing mortgage to take cash out. The deed restriction will require the buyer of a Workforce Home to contact HousingWorks prior to re-sale in order to determine the eligible sales price based on HUD-established AMI limits for Deschutes County for the year of sale. HousingWorks shall also provide a list of references of nonprofit housing providers who are capable of purchasing or assisting in the sale of the Workforce Home to a qualified buyer.

The Developer must a) submit Workforce Home building permit to the applicable jurisdiction for approval, and b) submit its application for a Developer Incentive to NeighborImpact declaring their intention to build a Workforce Home before NeighborImpact will open an escrow account to hold the Developer Incentive; the application for a Developer Incentive qualifies as a sales agreement, and allows for an escrow account to be opened. After the required deed restriction has been recorded, NeighborImpact will convey the funds to the escrow account, whereupon a licensed Deschutes County title and escrow company will distribute the Developer Incentive to the Developer.

Partners currently include NeighborImpact, Housing Works, Deschutes County and Central Oregon Builders Association (“Partners”). Additional Partners may be added if and when additional funding is secured.

**ROLES AND RESPONSIBILITIES OF PARTNERS:**

NeighborImpact shall be responsible for the following:

(A) Developer and Proposed Eligibility Determination

- Providing ongoing maintenance of the application process and affordability standards. Only the following can be considered in the housing costs: principal, interest, tax, and insurance costs as described in the Overview section above. The affordability standards will be regularly updated to reflect annual updates by HUD to Deschutes County AMI limits. The affordability standards will be attached to the Developer application and available at community development departments located in the County (“CDDs”) to provide Developers with up-to-date affordability data.
- Accepting applications from Developers and confirming that final sales price meets affordability standards.
- Communicating with CDDs and Developers as needed to track construction status and monitoring funding commitments.
- Maintaining oversight of Program funding commitments; communicating with CDDs and Partners if/when funding is fully committed.
- Mailing Workforce Home buyer confirmation letter on an annual basis to remind Workforce Home buyers of their Workforce Home’s status as a Workforce Home and their obligations for maintaining such status.

(B) Outreach and Workforce Home Buyer Eligibility Determination

- Ongoing outreach on Workforce Home purchase opportunities, including posting purchase opportunities on NeighborImpact website, outreach via newsletters and social media posts, and other methods.
- Verifying income of interested buyers.
- Verifying buyer’s employment is located in the County.
- Verifying that the Workforce Home will be buyer’s primary residence.
- Certification of eligible Workforce Home buyers.
- Providing Homebuyer Education classes, a requirement for interested Workforce Home buyers.
  - Homebuyer Education classes to be paid for by the interested Workforce Home buyers.
- Ensure buyer has signed off on appropriate documentation confirming their understanding of the deed restriction time frame; sales price limitation; primary residence; and mortgage restrictions.

(C) Developer Incentive Administration

- Upon application and building permit submittal, verifying Workforce Home eligibility
- Setting up escrow with a licensed Deschutes County title and escrow company to administer recording of a deed restriction and issuance of incentive.
- Issuance of 1099 form, and/or other required payment documents.
- At closing of initial sale, verifying Developer eligibility and buyer eligibility.
- Send check for Developer Incentive to the licensed Deschutes County title and escrow company to distribute to Developer.
- Verification to escrow company that Developer has satisfied program requirements.
- Maintain list of homes that have received Developer incentives, and convey updated list to HousingWorks on an annual basis.

(D) Administrative Functions

- Submitting reports to County and any additional funding partners in regard to Program status, funding commitments, and outcomes.
- Participating in efforts to secure new funding for the Program.

Central Oregon Builders Association shall be responsible for the following:

- Development of the initial Program application and affordability standards.

- Outreach and engagement with CDDs to establish Developer access to Program information and Program application materials during the building permit application process.
- Outreach to Developers and the building community to market the availability of the Program and encourage Developers to be involved.
- Creation of deed restriction template, agreed upon by County legal staff as the required deed restriction for the program.
- Outreach to licensed title and escrow companies in Deschutes County to explain program.

Housing Works (Regional Housing Authority) shall be responsible for the following:

- Participate as the contacting agent upon resale of the Workforce Home in the recorded deed restriction.
- Act as a resource for Workforce Home owner to determine eligible resales price based on HUD-established AMI for Deschutes County for the current year.
- Provide a list of references of nonprofit housing providers who are capable of purchasing or assisting in the sale of the Workforce Home to a qualified buyer.

**PROGRAM PROCESS:**

NeighborImpact will review application and deem complete. Developer incentives will generally be committed/obligated on a “first come, first served” basis for eligible applicants. Upon confirmation of Program eligibility the following items will be initiated by NeighborImpact.

Developer Items:

- Open an escrow account with a licensed Deschutes County title and escrow company.
- Provide confirmation to licensed title and escrow company that the Developer has submitted an application for a Developer incentive, and submitted a building permit to the applicable jurisdiction.
- Establish date of close of escrow
- Confirmation of \$30,000 incentive to be paid to the Developer and appropriate funds disbursement.
  - Include escrow recording duty
- Provide confirmation of recorded deed restriction on property with terms outlined to NeighborImpact and accepted on application.
- Developer is responsible to pay deed restriction recording fee and escrow fee.
- Developer must notify NeighborImpact when the workforce home is available for sale.

Listing Home to Eligible Buyers:

- Conduct outreach and communicate the workforce home purchase opportunity to the public in order to ensure compliance federal Fair Housing commitments.
- If Workforce Home is listed through Multiple Listing Service (MLS), confirm that the listing outlines income eligibility, Deschutes County employment requirements, and 30-year affordability requirement.
- MLS listing must include owner occupancy requirement.

At Closing of Initial Sale:

- Confirm that the Workforce Home has met the program eligibility requirements.
- Confirm that the Developer requirements outlined have been completed and considered satisfied and communicate to licensed title/escrow company.
- Verify buyer has met Qualifying Income requirements.

Program Maintenance:

- Annually, NeighborImpact will issue notification letters to all owners of Workforce Homes purchased through this Program. The purpose of the notification letter is to:
  - a. Request verification that the Workforce Home is occupied by the buyer certified at the time of sale;
  - and

- b. To provide information on the deed restriction and the resale process to ensure Workforce Home buyers are aware of the resale process and contact information for NeighborImpact and Housing Works.
- An annual report will be submitted to any and all funding partner(s) upon full expenditure of Program funding.

The information collected will be used to maintain record of the status of each workforce home and to identify any compliance issues or need for Workforce Home buyer technical assistance. If NeighborImpact determines through this notification process that a home was sold or otherwise transferred to a new buyer in contradiction to the deed restriction, NeighborImpact will notify Deschutes County of the potential need for legal action.

**DEFAULT:**

The Developer is considered in default if the Developer engages in a sale, transfer, or assignment in violation of the terms of this document, or changes the use of the property without NeighborImpact's prior written consent. In the event that the Developer does not satisfy the Program requirements by failing to sell the Workforce Home at a qualifying price to a qualified buyer, the deed restriction will be remain with the property. The Developer may be subject to litigation if the funding partner(s) decides to recoup their funds.

If, for any reason, NeighborImpact determines prior to closing that a Workforce Home buyer does not qualify for the purchase of a Workforce Home, the Developer will be notified. It is the Developer's responsibility to communicate this information to the listing agent. After becoming aware that the Workforce Home sale will not close, the Developer will ensure that any new prospective Workforce Home buyer is qualified by NeighborImpact prior to sale.

In the event of default by either the Developer, the Workforce Home buyer, or any subsequent owners, they may be subject to litigation if the funding partner(s) decides to recoup their funds, and the deed restriction will remain with the property. The Developer will acknowledge that in receiving the Incentive, the funding partner(s) has foregone other opportunities to fund projects that would have resulted in the long-term availability of Workforce Homes. In addition, the Developer, Workforce Home buyer, and any subsequent owners will acknowledge that the enforceability of the deed restriction is not specifically linked to the Developer Incentive amount, and that repaying the Developer Incentive amount is not a sufficient remedy for violating the terms of the deed restriction.

Any funding partner(s) may take such other action available at law, in equity, or otherwise as may appear necessary to enforce the covenants, conditions, agreements and/or obligations of the Developer, Workforce Home buyer, or any subsequent owners in this Declaration, in such order and manner as it may select, to recover monetary damages caused by such violation or attempted violation of any covenant, condition, agreement, and/or obligation. Such damages to include but not be limited to all costs, expenses including, but not limited to, staff and administrative expenses, fees including but not limited to all reasonable attorneys' fees and costs which may be incurred by the funding partner(s) or any other party in enforcing or attempting to enforce the deed restriction following any event of default on the part of the Developer, Workforce Home buyer, any subsequent owner or its successors, whether the same shall be enforced by suit or otherwise; together with all such costs, fees and expenses which may be incurred in connection with any amendment to the deed restriction or otherwise at the request of the Developer, Workforce Home buyer, and any subsequent owner.

No funding partner(s) has any obligation or requirement to enforce the deed restriction, or to seek any remedy under the terms outlined in the deed restriction.

**RESALE:**

The deed restriction will include all Program rules and eligibility factors, including the requirement that the Workforce Home be re-sold to a buyer who meets the employment eligibility requirements, and that all future

sales meet the affordability requirements of a Workforce Home, as outlined on Page 1 of this document. Prior to resale, Workforce Home owner must contact the regional housing authority (currently doing business as HousingWorks) in order to determine the new eligible sales price for that year based on HUD-established AMI for Deschutes County, and to receive a reference to nonprofit housing providers who are capable of purchasing or assisting in the sale of the Workforce Home to a qualified buyer.

**COMBINING PROGRAM WITH OTHER SHARED EQUITY PROGRAMS:**

NeighborImpact recognizes that Developer applicants for this Program may intend to bundle or combine this incentive with other affordable/workforce housing incentives. This is permissible under this Program. However, in instances when a Developer utilizes multiple programs or incentives, the Developer must agree to the 30 year deed restriction associated with this Program.

**SUCCESSORS**

This Memorandum of Understanding shall apply to any successors of the duties of NeighborImpact and/or Housing Works.

**INITIAL BUDGET:**

In 2023, Deschutes County committed \$500,000 of Transient Room Tax revenue to the Fund, with an additional commitment to allocate a further \$500,000 of Transient Room Tax revenue to the fund in 2024. These funds will be distributed to NeighborImpact from the County at the time of agreement execution between NeighborImpact and funding partner(s), and will be held by NeighborImpact in a restricted fund for Program purposes only.

**Deschutes County Funding:**

Upon allocation of the initial \$500,000 for the 2023 commitment from Deschutes County, the funds will be budgeted in the manner described in Table A, below. The additional \$500,000 that Deschutes County committed to allocating in 2024 will be budgeted in the same manner.

**Table A**

Description	Budget Amount
Developer Incentive Payments – 16 Workforce Homes	\$480,000
NeighborImpact Administration – Fiscal administration, legal support, fund commitment monitoring, Developer communication/coordination, title company coordination, and associated administrative management costs.	\$20,000
<b>TOTAL:</b>	<b>\$500,000</b>

**(B) Workforce Home Buyer Application Fee:**

NeighborImpact will charge interested Workforce Home purchasers an application fee of \$400 for income verification and employment eligibility documentation. This fee will cover the cost of NeighborImpact staff to document income and employment eligibility based on HUD income verification procedures.

The application fee will remain comparable to fees assessed for similar services provided by NeighborImpact to local nonprofit Workforce Home Developers. The \$400 fee amount will be effective until initial allocation of funding is fully committed, including receipt of additional \$500,000 from Deschutes County later in 2024. After the initial funding period, NeighborImpact may, at its discretion, adjust the application fee amount based on an assessment of costs for performing the income verification, Workforce Home eligibility and increased business costs due to inflation and other factors.

**CONTRACT PERIOD:**

NeighborImpact agrees to perform the duties enumerated herein for the amount identified in the "Initial Budget" section above until the initial allocation of funding is fully committed, including an additional \$500,000 from Deschutes County later in 2024, from which NeighborImpact shall receive an additional \$20,000. As additional funding is received from additional sources, NeighborImpact's administrative fee may be re-negotiated to ensure the Program remains viable and well-managed.

PARTNERS:

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

STATE OF OREGON        )  
                                  ) ss.  
County of \_\_\_\_\_)

This record was acknowledged before me on \_\_\_\_\_, 20\_\_, by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public for State of Oregon

STATE OF OREGON        )  
                                  ) ss.  
County of \_\_\_\_\_)

This record was acknowledged before me on \_\_\_\_\_, 20\_\_, by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public for State of Oregon

# The HOME Fund

*Deschutes County has a housing shortage.*

Be part of the solution. Build a workforce home and receive a **\$30,000 credit.**

## THE HOME FUND APPLICATION

### PROGRAM BACKGROUND

The HOME Fund provides a \$30,000 Developer Incentive to home builders to construct workforce homes and sell them to median-income earners making above 80% and up to 120% AMI who are employed in Deschutes County, as verified by NeighborImpact. The Developer Incentive offsets high land and construction costs in Deschutes County so more Workforce Homes can be built. A 30-year deed restriction on the property ensures the Workforce Home remains affordable in the future to middle-income earners earning above 80% and up to 120% Area Median Income who are employed in Deschutes County. Home builders receive the \$30,000 Incentive after recording the deed restriction.

### INSTRUCTIONS CHECKLIST

- Obtain this HOME Fund application along when you pick up your building application in the jurisdiction where the home is located (Deschutes County, City of Bend, City of Redmond, City of La Pine, City of Sisters, Sunriver)
- Complete this application.
- Submit this application to NeighborImpact (20310 Empire Ave, #A100, Bend, OR 97701)
- NeighborImpact will verify that your buyer is qualified for a Workforce Home
- NeighborImpact will provide the approved 30-year deed restriction, to be recorded at after this application and the building permit have been submitted
- Receive the \$30,000 credit at closing from escrow company
- Sell and close on the home

### HOME BUILDER INFORMATION

Company Name: \_\_\_\_\_

First and Last Name of Authorized Agent who will serve as primary contact for purposes of this application: \_\_\_\_\_

Phone of Authorized Agent: \_\_\_\_\_

Email of Authorized Agent: \_\_\_\_\_

Company Mailing Address: \_\_\_\_\_

### PROPOSED PROJECT DETAILS

Location/Address of Home: \_\_\_\_\_

Number of bedrooms: \_\_\_\_\_

Proposed Sale Price: \_\_\_\_\_



## PROJECT TIMELINE

Development and Construction Timeline: \_\_\_\_\_

Estimated Closing Date: \_\_\_\_\_

## BUILDER ATTESTATION

I \_\_\_\_\_ (agent with authority to sign) declare that \_\_\_\_\_ (company name) will comply with program rules and processes as found at **XXX website (accessible from COBA and NeighborImpact websites)**. I agree to protect affordability for this workforce home through a 30-year deed restriction implemented at closing. I pledge to require sale of this workforce home to an eligible home buyer as provided by NeighborImpact.

\_\_\_\_\_  
Printed First and Last Name of Authorized Agent

\_\_\_\_\_  
Signature of Authorized Agent

\_\_\_\_\_  
Date of signature

## HUD – 2024 DESCHUTES COUNTY HOME AFFORDABILITY MATRIX

**AFTER RECORDING RETURN TO:**

\_\_\_\_\_

**DECLARATION OF RESTRICTIVE COVENANT FOR WORKFORCE HOUSING**

This DECLARATION OF RESTRICTIVE COVENANT FOR WORKFORCE HOUSING (this “Declaration”) is made by \_\_\_\_\_ (“Owner”), the owner of the property located at \_\_\_\_\_ as more specifically described on Exhibit A (“Property”).

**RECITALS**

NeighborImpact or its successor or assign (“NI”) administers the Deschutes County Home Ownership for Middle-Income Employees (HOME) Fund to provide a \$30,000 incentive (“Incentive”) per Workforce Home. Workforce Home is defined as a home built in Deschutes County and sold within a price range determined to be affordable to a buyer who makes above 80% and no higher than 120% AMI in Deschutes County, as determined on an annual basis by the United States Department of Housing and Urban Development (“HUD”) on a per bedroom basis.

NI will determine the buyer’s eligibility and send yearly reminders of eligibility compliance to the Owner of the Workforce Home.

Incentives are granted to developers to encourage the construction of Workforce Homes in Deschutes County. As a condition of receiving the Incentive, the Property must be subject to a restrictive covenant ensuring the Property will be developed, conveyed, sold and occupied as a Workforce Home for thirty (30) years. Further, the buyer of the Workforce Home must meet certain employment, occupancy and income requirements at the initial and subsequent resale the Workforce Home. The sales price shall be restricted as provided in this Declaration.

Owner has applied for and been granted the Incentive and desires to restrict the Property as provided herein.

The Funding Partner for this Declaration is the Deschutes County, a political subdivision of the State of Oregon.

**DECLARATION**

Owner hereby declares that the Property shall be held, conveyed, hypothecated, encumbered, used, occupied, and improved subject to the following:

1. Qualifying Buyer. The Property shall be sold to an individual or individuals (a “Qualifying Buyer”) as their primary residence who is currently employed by or has an accepted offer of employment from a Deschutes County Employer with incomes, at the time of initial and any subsequent closing dates until the Expiration Date (as defined below), **above eighty percent (80%) and no higher than one hundred and twenty percent (120%) of area median income (“AMI”) for Deschutes County** as determined on an annual basis by the United States Department of Housing and Urban

Development (“HUD”). If HUD ceases to provide such estimates of AMI, then the AMI shall mean such comparable figure for Deschutes County, Oregon published or reported by a federal, state, or local agency as the County shall select. NI shall determine if an individual or individuals are a Qualifying Buyer.

2. Deschutes County Employer. For purposes of this Declaration, “Deschutes County Employer” is defined as a business or other enterprise (private or public) that has been in business in Deschutes County, Oregon for at least 6 months from the date of eligibility determination, and is registered by the Oregon Secretary of State with a principal place of business located in Deschutes County, or other official documentation that can verify the business location in Deschutes County.
  
3. Sales Price. For purposes of this Declaration, the sales price of the Workforce Home must be within a price range determined to be affordable to a buyer who makes above 80% and no higher than 120% AMI in Deschutes County, Oregon as determined by HUD (“Maximum Amount”) measured at the time the Qualifying Buyer takes title to or possession of the Property. Housing expense include mortgage principal and interest, taxes, property insurance, mortgage insurance, and any required association dues or assessments, if applicable.
  
4. Sale of the Property.
  - a. Initial Sale. The initial sale of the Property (i.e. the sale immediately subsequent to the date this Declaration is recorded), must be to a Qualifying Buyer for an amount not to exceed the Maximum Amount. For purposes of this Declaration, a “sale” is any conveyance or commitment to a future conveyance for consideration.
  
  - b. Voluntary Subsequent Sales. Following the initial sale of the Property, Owner may sell the Property at any time to (i) a party identified in Section 4.c. below, or (ii) a Qualifying Buyer provided that the actual sales price of the Property (after adjusting for any seller concessions) must not be more than the Maximum Amount. Seller is required to contact the regional housing authority in order to determine the Maximum Amount for the year of sale, and to receive a reference to nonprofit housing providers who are capable of purchasing or assisting in the sale of the Workforce Home to a Qualified Buyer.
  
  - c. Voluntary Sale to Affordable Housing Organization. Notwithstanding the foregoing, Owner may donate or sell (for any reasonable amounts determined by the parties) the Property to: (i) any non-profit organization whose mission and operations support affordable housing, or (ii) any governmental agency whose mission and operations support affordable housing; provided, however, that any subsequent sale or conveyance by such non-profit organization or governmental agency would be subject to sale to a Qualifying Buyer who is employed by a Deschutes County Employer where the actual sales price of the Property is not more than the Maximum Amount and the Workforce Home is owner-occupied.
  
  - d. Maximum Resale Price Determination. The Maximum Resale Price shall be determined by calculating the price that results from a mortgage expense which would be 30% of less of a Standard Households gross income. The Maximum Resale Price shall be

determined by applying the following factors: The 120% AMI Estimate published by HUD for the year of the resale for the Standard Households, the indexed mortgage rate currently used by the Oregon Bond Residential Loan Program and an assumed 15% down payment. If any of the index sources cease publishing, the regional housing authority shall have the absolute discretion to apply sales price factors from substitute sources.

- e. Permitted Transfers. The following are considered permitted transfers, not subject to the restrictions on price provided in Section 4.b.: (i) transfer of title by gift, devise, or inheritance to the Owner’s spouse or natural or adopted children; (ii) transfer of title due to the Owner’s death to a surviving joint tenant, tenant by entireties, or a surviving spouse of community property; (iii) transfer to a spouse as part of divorce or dissolution proceedings; (iv) transfer of title by the Owner into an inter-vivos trust in which the Owner is the beneficiary; or (v) transfer of title or an interest in the Property to the spouse in conjunction with marriage. Provided, however, that any subsequent sale or conveyance by such person would be subject to sale to a Qualifying Buyer who is employed by a Deschutes County Employer where the actual sales price of the Property is not more than the Maximum Amount and the Workforce Home is owner-occupied.
5. Owner Occupancy Requirement. The Property must be owner-occupied for the duration of this Declaration until the Expiration Date.
  6. No Discrimination. The Owner shall not give or allow to be given any preference to any particular group or class in selling the Workforce Home. The Owner shall not discriminate nor allow discrimination, in the provision of housing on the basis of race, creed, gender national origin, religion, marital status, sexual orientation, family status, age, or disability, or the receipt of public assistance.
  7. Reporting; Verification of Compliance. The Owner of the Property must ensure that the Property is occupied and remains in compliance with this Declaration. NI shall send Owner yearly letters on compliance requirements. The Owner of the Property agrees to submit to the Funding Partner or its designee such information and reports as the Funding Partner may reasonably require to demonstrate compliance with the terms of this Declaration, including, but not limited to: (i) verification that the Workforce Home is owner-occupied, (ii) verification that the Owner’s employment is with a Deschutes County Employer and (ii) proof of the Owner's income in the form of tax forms or pay stubs.
  8. Other Restrictions. The Qualifying Buyer may not obtain a home-equity line of credit or second mortgage or refinance the Property to take cash out of the Property prior to the Expiration Date. The Property may be subject to additional restrictions on, including the prohibition of transfer, sale or rental under other instruments recorded in the official records of Deschutes County, Oregon, so long as they are in addition to, and not in lieu of or in contravention to, the conditions and restrictions contained in this Declaration.
  9. Expiration. This Declaration will remain effective for a period of thirty (30) years commencing from the date on which the initial closing date of the Property (the “Expiration Date”). The terms, conditions and obligations of this Declaration shall automatically terminate on the Expiration

Date. All subsequent sales are subject to the conditions of this Declaration until the Expiration Date. Notwithstanding and without diminishing the automatic and self-executing nature of the termination provision, the Funding Partner shall, promptly upon the request of the Owner of the Property after the Expiration Date, execute an instrument reasonable acceptable to the Funding Partner that releases and quit claims its rights under this Declaration. The Owner of the property will solely be responsible for recording such instrument and for any associated costs.

10. Covenants Run with the Property. The Owner hereby declares its express intent that, during the term of this Declaration, the covenants, restrictions, agreement, and obligations set forth herein shall be deemed covenants running with the land and shall pass to and be binding upon the Owner's successors in title including any purchaser, grantee of any portion of the Property and any other person or entity having any right, title, or interest therein and upon the respective heirs, executors, administrators, devisees, successors and assigns of any purchaser, grantee, or lessee of any portion of the Property and any other person or entity having any right, title or interest therein. Each and every contract deed or other instrument hereafter executed covering or conveying the Property or any portion thereof or interest therein shall contain an express provision making such conveyance subject to the covenants, restrictions, charges and easements contained herein; provided, however, that any such contract, deed or other instrument shall conclusively be held to have been executed, delivered and accepted subject to such covenants, regardless of whether or not such covenants are set forth or incorporated by reference in such contract deed, or other instrument.

11. Owner Representations.

- a. Owner represents and warrants that the Incentive paid to it is an inducement to the Owner to comply with the terms of this Declaration and its application for the Incentive. Owner covenants, agrees and acknowledges that the Funding Partner providing the Incentive is a beneficiary of this Declaration and it relied upon the enforceability of this Declaration in providing the Incentive.
- b. Owner possesses all necessary power and authority to execute this Declaration, to subject the Property to the terms and conditions of this Declaration.
- c. The person executing this Declaration on behalf of the Owner has been duly authorized to act in such capacity and to take such other action as may be necessary to accomplish the purposes of this Declaration.
- d. Execution and delivery of this Declaration will not conflict with any provisions of the Owner's governing documents; breach any agreement to which Owner is a party; or violate any law, rule, regulation, covenant, conditions, restrictions, easements, or order to which Owner or the Property is subject in a manner that affects the enforceability of this Declaration; and
- e. This Declaration is the legal, valid and binding obligation of Owner, enforceable against Owner in accordance with its terms, except as enforceability may be limited by bankruptcy, insolvency, or other similar laws of general application, or by general principles of equity.

12. Default and Remedies. Funding Partner or its designee may enforce the provisions of this Declaration.

- a. Events of Default. Any of the following shall be an event of default under this Declaration:
  - i. Failure to perform or abide by any covenant, condition, or obligation of this Declaration.
  - ii. Engaging in the sale, transfer, change of use or assignment of the Property in violation of the terms of this Declaration.

b. Remedies. The following remedies are applicable to this Declaration in the event of a default hereunder:

- i. Funding Partner or its designee may, by mandamus or other suit, injunction, action or proceeding at law or equity, require Owner to perform its covenants, conditions, agreements and obligations in this Declaration or to abate, prevent, or enjoin any acts or things which may be unlawful or in violation of this Declaration.
- ii. Funding Partner or its designee may take such other action available at law, in equity, or otherwise as may appear necessary to enforce the covenants, conditions, agreements and/or obligations of the Owner in this Declaration, in such order and manner as it may select, to recover monetary damages caused by such violation or attempted violation of any covenant, condition, agreement, and/or obligation. Such damages to include but not be limited to all costs, expenses including, but not limited to, staff and administrative expenses, fees including but not limited to all reasonable attorneys' fees and costs which may be incurred by the Funding Partner or any other party in enforcing or attempting to enforce this Declaration following any event of default on the part of the Owner or its successors, whether the same shall be enforced by suit or otherwise; together with all such costs, fees and expenses which may be incurred in connection with any amendment to this Declaration or otherwise at the request of the Owner.
- iii. The remedies in this Section 12 are in addition to, and will not preclude any other remedy available under applicable law or equity. Remedies may be pursued consecutively or concurrently.
- iv. Funding Partner has no obligation to enforce this Declaration or seek any remedy hereunder.

13. Binding Effect. This Declaration shall run with the land and be binding upon and to take effect to all current and future interest holders in the Property until the Expiration Date.

14. Successors and Assigns. This Declaration shall be binding upon and shall inure to Owner's successors and assigns.

15. No Merger. The interests, rights, covenants, and obligation established by this Declaration shall not merge with the fee ownership of the Property.

16. Governing Law and Venue. This Declaration is governed by the laws of the State of Oregon, without giving effect to any conflict-of-law principle that would result in the laws of other

jurisdiction governing this Declaration. Any action, suit, or proceeding arising out of the subject matter of this Declaration will be litigated in courts located in Deschutes County, Oregon.

- 17. Attorney Fees. In the event of any suit, arbitration, or action arising from or related to this Declaration, the prevailing party in such suit, arbitration, or action arising from or related to this Declaration, shall be entitled to all costs and expenses incurred in connection with such suit, arbitration, or action, including title reports, expert witness fees, and such amount as the court may determine to be reasonable as attorney’s fees and costs, including those incurred by the prevailing party in any appeal.
- 18. Severability. If any term or provision of this Declaration shall, to any extent, be held invalid or unenforceable in any respect, such invalidity or unenforceable shall not affect such term or provision in any other respect nor affect the remaining terms and provisions. It is in the intention that this Declaration be held valid and enforced to the fullest extent permitted by law.
- 19. Waiver. No waiver of any breach of any of the provisions herein shall be construed as, or constitute, a waiver of any other breach or a waiver, acquiescence in, or consent to any further or succeeding breach of the same or any other easement, covenant, or agreement.
- 20. Time of Essence. Time is of the essence of each of the Owner’s obligations under this Declaration.

OWNER:

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

STATE OF OREGON            )  
  ) ss.  
County of \_\_\_\_\_)

This record was acknowledged before me on \_\_\_\_\_, 20\_\_, by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public for State of Oregon

STATE OF OREGON            )  
  ) ss.  
County of \_\_\_\_\_)

This record was acknowledged before me on \_\_\_\_\_, 20\_\_, by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public for State of Oregon





BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: May 8, 2024

SUBJECT: Second Reading of Ordinance No. 2023-016 updating the Tumalo Community Plan for 2020-2040

RECOMMENDED MOTIONS:

- 1. Move approval of second reading of Ordinance No. 2023-016 by title only.
2. Move adoption of Ordinance No. 2023-016.

BACKGROUND AND POLICY IMPLICATIONS:

The Planning Division is updating the 2010-2030 Tumalo Community Plan (TCP) to 2020-2040. The TCP provides a guide for development, capital improvements, and land use planning specific to the area within and surrounding the Tumalo unincorporated community. Following a public hearing on December 6, 2023 and the conclusion of deliberations on March 27, 2024, the Board approved adopting the TCP with amendments.

The full record is located on the project webpage:

https://www.deschutescounty.gov/cd/page/tumalo-community-plan-update-2020-2040-247-23-000509-pa-510-ta

BUDGET IMPACTS:

None

ATTENDANCE:

Tarik Rawlings, Senior Transportation Planner



COMMUNITY DEVELOPMENT

MEMORANDUM

**TO:** Deschutes County Board of Commissioners (Board)

**FROM:** Tarik Rawlings, Senior Transportation Planner

**DATE:** May 1, 2024

**SUBJECT:** Consideration of Second Reading of Ordinance 2023-016 – Deschutes County Tumalo Community Plan Update

The Board of County Commissioners (Board) will consider a second reading of Ordinance 2023-016 on May 8, 2024 related to the Deschutes County Tumalo Community Plan (TCP) Update covering the years 2020-2040. The second reading of the TCP follows the conclusion of Board deliberations on March 27, 2024, and the Board’s first reading on April 24, 2024.

**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 Oregon’s land use system, which began in 1973. 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.

In support of the TCP update, staff prepared a website, [www.deschutes.org/tumaloplan](http://www.deschutes.org/tumaloplan), which featured a StoryMap that provided a narrative of the project, the community’s history, the purpose of the TCP, surveys, and an opportunity to leave a contact email. Additionally, the full record including public and agency comments is included at the following project-specific website: <https://www.deschutescounty.gov/cd/page/tumalo-community-plan-update-2020-2040-247-23-000509-pa-510-ta>

Staff provided numerous methods for the public to provide input on what they wanted in the TCP, comments on the community vision, as well as specific draft goals and policies. The public outreach methods ranged from traditional meetings in the Tumalo School Gym to face-to-face meetings at a local coffeehouse to Zoom meetings. Public outreach included mailers to Tumalo residents initially.

<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.”

These were followed by emails via Constant Contact based on information from attendance sheets, contact info left at the website, or phone calls and/or emails to Planning staff. Outreach for specific events included:

- Tumalo StoryMap #1, April 27-May 25, 2022
- Tumalo Community Plan Open House #1, May 11, 2022 (Kick Off meeting)
- Meet A Planner, Tumalo Coffeehouse, Zoom, or phone, June 13-24, 2022
- Tumalo StoryMap #2, June 29-July 27, 2022
- Tumalo Community Plan Open House, #2, August 22, 2022 (Draft TCP, 1<sup>st</sup> version)
- Meet A Planner, Tumalo Coffeehouse, Zoom, or phone, May 2-9, 2023
- Tumalo StoryMap #3, April 23, 2023, to present
- Tumalo Open House #3, May 17, 2023, (Draft TCP, 2<sup>nd</sup> version)

The Planning Commission (PC) hosted the initial hearings for review of this update. Staff held a July 27, 2023, work session<sup>2</sup> with the Planning Commission to provide an overview of the updated TCP and the process to create it. The PC held a public hearing<sup>3</sup> on August 10, 2023, on the draft 2020-2040 TCP. The PC voted to continue the public hearing to August 24, 2023<sup>4</sup> and collected additional public comments. At the conclusion of oral testimony on August 24, 2023, the PC voted to close the oral and record and leave the written record open until 4 p.m. on September 7, 2023. Deliberations before the PC were initially held on October 12, 2023<sup>5</sup> with the PC voting to continue deliberations until October 26, 2023. The PC held continued deliberations on October 26, 2023<sup>6</sup>, ultimately making a recommendation to the Board to adopt the TCP document including amendments. The PC's recommendation was presented to the Board at a public hearing on December 6, 2023<sup>7</sup> and the Board voted to keep the written record open until December 13, 2023 at 4:00pm to collect any additional public input. Most recently, the Board held deliberations on the TCP, closed deliberations, and voted to approve the TCP with amendments on March 27, 2024<sup>8</sup>.

In anticipation of the Board's public hearing on December 6, 2023, notice was provided to the Department of Land Conservation and Development (DLCD) on July 6, 2023 with a Notice of Application sent to agency partners on July 21, 2023. Additionally, a Notice of Public Hearing was published in the Bulletin newspaper on November 19, 2023 and courtesy email notice was sent to participating parties on November 17, 2023. These relevant dates and events are outlined in Table 1, below.

---

<sup>2</sup> <https://www.deschutes.org/bc-pc/page/planning-commission-37>  
<sup>3</sup> <https://www.deschutes.org/bc-pc/page/planning-commission-38>  
<sup>4</sup> <https://www.deschutes.org/bc-pc/page/planning-commission-39>  
<sup>5</sup> <https://www.deschutes.org/bc-pc/page/planning-commission-41>  
<sup>6</sup> <https://www.deschutes.org/bc-pc/page/planning-commission-42>  
<sup>7</sup> <https://www.deschutes.org/bcc/page/board-county-commissioners-meeting-140>  
<sup>8</sup> <https://www.deschutes.org/bcc/page/board-county-commissioners-meeting-161>

**Table 1 – TCP Review Timeline**

Date	Event
July 6, 2023	Notice provided to the DLCDC in anticipation of the Board’s public hearing.
July 21, 2023	Notice of Application sent to agency partners.
July 27, 2023	Work session with the Planning Commission (PC) to overview the updated TCP.
August 10, 2023	Public hearing on the draft 2020-2040 TCP.
August 24, 2023	Continuation of public hearing and closure of oral testimony, written record left open.
September 7, 2023	Written record closed at 4 p.m.
October 12, 2023	Initial deliberations before the PC.
October 26, 2023	Continued deliberations and PC’s recommendation to adopt the TCP with amendments.
November 17, 2023	Courtesy email notice sent to participating parties.
November 19, 2023	Notice of Public Hearing published in the Bulletin newspaper.
December 6, 2023	Public hearing where the PC’s recommendation was presented to the Board.
December 13, 2023	Written record kept open until 4 p.m. for additional public input.
March 27, 2024	Board deliberations followed by vote to approve the amended version of the TCP.

**II. BOCC AMENDMENTS**

During the Board’s TCP deliberations on March 27, 2024, the Commissioners voted to include four amendments in the draft TCP related to multi-family housing density, river impacts, community engagement, and public art. Below is a summary of the Board’s amendments to the TCP and where they are located within the finalized TCP (attached as Exhibit C to Ordinance 2023-016):

1. Exhibit C pg. 32: Land Use Policy #5 (community engagement)
2. Exhibit C pg. 33: Natural Resources, Open Space, and Recreation Policy #10 (river impacts / replacing district policies previously included)
3. Exhibit C pg. 34: Residential Area Policy #4 (multi-family housing)
4. Exhibit C pg. 35: Economic Development Policy #8 (public art)

**III. SECOND READING**

The Board is scheduled to conduct the second reading of Ordinance 2023-016 on May 8, 2024, fourteen (14) days following the first reading.

**ATTACHMENTS:**

1. Draft Ordinance 2023-016 and Exhibits
  - Exhibit A: Comprehensive Plan Section 23.01 (adding)
  - Exhibit B: Comprehensive Plan Section 4.7 (amending)
  - Exhibit C: Comprehensive Plan Appendix B – Tumalo Community Plan (adding)
  - Exhibit D: Comprehensive Plan Section 5.12, Legislative History (amending)
  - Exhibit E: TCP Findings (findings)



Section 5. ADDING. Deschutes County Comprehensive Plan Appendix B, Tumalo Community Plan, is added as described in Exhibit “C”, attached and incorporated by reference herein.

Section 6. AMENDING. Deschutes County Comprehensive Plan Section 5.12, Legislative History, is amended to read as described in Exhibit “D”, attached and incorporated by reference herein, with new language underlined.

Section 7. FINDINGS. The Board adopts as its findings Exhibit “E”, attached and incorporated by reference herein.

Section 8. EFFECTIVE DATE. This Ordinance takes effect on the 90<sup>th</sup> day after the date of adoption or, if appealed, the date the ordinance is no longer subject to appeal.

Dated this \_\_\_\_\_ of \_\_\_\_\_, 2024

BOARD OF COUNTY COMMISSIONERS  
OF DESCHUTES COUNTY, OREGON

\_\_\_\_\_  
PATTI ADAIR, Chair

\_\_\_\_\_  
ANTHONY DeBONE, Vice Chair

ATTEST:

\_\_\_\_\_  
Recording Secretary

\_\_\_\_\_  
PHILIP CHANG, Commissioner

Date of 1<sup>st</sup> Reading: \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Date of 2<sup>nd</sup> Reading: \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Record of Adoption Vote:

Commissioner	Yes	No	Abstained	Excused
Patti Adair	___	___	___	___
Anthony DeBone	___	___	___	___
Philip Chang	___	___	___	___

Effective date: \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**TITLE 23 COMPREHENSIVE PLAN**

**CHAPTER 23.01 COMPREHENSIVE PLAN**

- A. The Deschutes County Comprehensive Plan, adopted by the Board in Ordinance 2011-003 and found on the Deschutes County Community Development Department website, is incorporated by reference herein.
- B. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2011-027, are incorporated by reference herein.
- C. [Repealed by Ordinance 2013-001, §1]
- D. [Repealed by Ordinance 2023-017]
- E. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2012-012, are incorporated by reference herein.
- F. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2012-016, are incorporated by reference herein.
- G. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2013-002, are incorporated by reference herein.
- H. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2013-009, are incorporated by reference herein.
- I. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2013-012, are incorporated by reference herein.
- J. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2013-007, are incorporated by reference herein.
- K. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2014-005, are incorporated by reference herein.
- L. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2014-006, are incorporated by reference herein.
- M. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2014-012, are incorporated by reference herein.
- N. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2014-021, are incorporated by reference herein.
- O. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2014-027, are incorporated by reference herein.
- P. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2015-021, are incorporated by reference herein.

- Q. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2015-029, are incorporated by reference herein.
- R. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2015-018, are incorporated by reference herein.
- S. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2015-010, are incorporated by reference herein.
- T. [Repealed by Ordinance 2016-027 §1]
- U. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2016-022, are incorporated by reference herein.
- V. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2016-005, are incorporated by reference herein.
- W. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2016-027, are incorporated by reference herein.
- X. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2016-029, are incorporated by reference herein.
- Y. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2017-007, are incorporated by reference herein.
- Z. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2018-002, are incorporated by reference herein.
- AA. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2018-006, are incorporated by reference herein.
- AB. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2018-011, are incorporated by reference herein.
- AC. [repealed by Ord. 2019-010 §1, 2019]
- AD. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2018-008, are incorporated by reference herein.
- AE. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2019-002, are incorporated by reference herein.
- AF. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2019-001, are incorporated by reference herein.
- AG. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2019-003, are incorporated by reference herein.
- AH. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2019-004, are incorporated by reference herein.



AI. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2019-011, are incorporated by reference herein.

AJ. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2019-006, are incorporated by reference herein.

AK. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2019-019, are incorporated by reference herein.

AL. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2019-016, are incorporated by reference herein.

AM. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2020-001, are incorporated by reference herein.

AN. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2020-002, are incorporated by reference herein.

AO. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2020-003, are incorporated by reference herein.

AP. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2020-008, are incorporated by reference herein.

AQ. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2020-007, are incorporated by reference herein.

AR. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2020-006, are incorporated by reference herein.

AS. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2020-009, are incorporated by reference herein.

AT. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2020-013, are incorporated by reference herein.

AU. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2021-002, are incorporated by reference herein.

AV. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2021-005, are incorporated by reference herein.

AW. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2021-008, are incorporated by reference herein.

AX. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2022-001, are incorporated by reference herein.

AY. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2022-003, are incorporated by reference herein.

AZ. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2022-006, are incorporated by reference herein.

BA. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2022-010, are incorporated by reference herein.

BB. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2022-011, are incorporated by reference herein. (superseded by Ord. 2023-015)

BC. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2022-013, are incorporated by reference herein.

BD. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2023-001, are incorporated by reference herein.

BE. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2023-007, are incorporated by reference herein.

BF. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2023-010 are incorporated by reference herein.

BG. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2023-018, are incorporated by reference herein.

BH. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2023-015, are incorporated by reference herein.

BI. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2023-025, are incorporated by reference herein.

BJ. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2024-001, are incorporated by reference herein.

BK. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2024-003, are incorporated by reference herein.

BL. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2023-017, are incorporated by reference herein.

BM. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2023-016, are incorporated by reference herein.

Click here to be directed to the Comprehensive Plan (<http://www.deschutes.org/compplan>)

HISTORY

*Amended by Ord. [2011-027](#) §10 on 11/9/2011*

*Adopted by Ord. [2011-003](#) §2 on 11/9/2011*

Amended by Ord. [2011-017](#) §5 on 11/30/2011  
Amended by Ord. [2012-012](#) §1, 2, 3, 4 on 8/20/2012  
Amended by Ord. [2012-005](#) §1 on 11/19/2012  
Amended by Ord. [2013-002](#) §1 on 1/7/2013  
Repealed by Ord. [2013-001](#) §1 on 1/7/2013  
Amended by Ord. [2013-005](#) §1 on 1/23/2013  
Amended by Ord. [2012-016](#) §1 on 3/4/2013  
Amended by Ord. [2013-009](#) §1 on 5/8/2013  
Amended by Ord. [2013-012](#) §1 on 8/8/2013  
Amended by Ord. [2013-007](#) §1 on 8/28/2013  
Amended by Ord. [2014-005](#) §2 on 2/26/2014  
Amended by Ord. [2014-006](#) §2 on 3/15/2014  
Amended by Ord. [2014-012](#) §1 on 8/6/2014  
Amended by Ord. [2014-021](#) §1 on 11/26/2014  
Amended by Ord. [2015-029](#) §1 on 11/30/2015  
Amended by Ord. [2015-010](#) §1 on 12/21/2015  
Amended by Ord. [2015-021](#) §1 on 2/22/2016  
Amended by Ord. [2015-018](#) §1 on 3/28/2016  
Amended by Ord. [2016-001](#) §1 on 4/5/2016  
Amended by Ord. [2016-022](#) §1 on 9/28/2016  
Repealed & Reenacted by Ord. [2016-027](#) §1, 2 on 12/28/2016  
Amended by Ord. [2016-005](#) §1 on 2/27/2017  
Amended by Ord. [2016-029](#) §1 on 3/28/2017  
Amended by Ord. [2017-007](#) §1 on 11/1/2017  
Amended by Ord. [2018-002](#) §1 on 1/25/2018  
Amended by Ord. [2018-005](#) §2 on 10/10/2018  
Amended by Ord. [2018-008](#) §1 on 10/26/2018  
Amended by Ord. [2018-008](#) §1 on 10/26/2018  
Amended by Ord. [2018-008](#) §1 on 10/26/2018  
Amended by Ord. [2018-006](#) §1 on 11/20/2018  
Amended by Ord. [2018-011](#) §1 on 12/11/2018  
Amended by Ord. [2019-004](#) §1 on 3/14/2019  
Amended by Ord. [2019-003](#) §1 on 3/14/2019  
Amended by Ord. [2019-002](#) §1 on 4/2/2019  
Amended by Ord. [2019-001](#) §1 on 4/16/2019  
Amended by Ord. [2019-010](#) §1 on 5/8/2019  
Amended by Ord. [2019-011](#) §1 on 5/17/2019  
Amended by Ord. [2019-006](#) §1 on 6/11/2019  
Amended by Ord. [2019-019](#) §2 on 12/11/2019  
Amended by Ord. [2020-001](#) §26 on 4/21/2020  
Amended by Ord. [2020-003](#) §1 on 5/26/2020  
Amended by Ord. [2020-002](#) §1 on 5/26/2020  
Amended by Ord. [2020-008](#) §5 on 9/22/2020  
Amended by Ord. [2020-007](#) §1 on 10/27/2020

*Amended by Ord. [2020-006](#) §1 on 11/10/2020*  
*Amended by Ord. [2020-009](#) §4 on 11/17/2020*  
*Amended by Ord. [2020-013](#) §1 on 11/24/2020*  
*Amended by Ord. [2021-002](#) §3 on 4/27/2021*  
*Amended by Ord. [2021-005](#) §1 on 6/16/2021*  
*Amended by Ord. [2021-008](#) §1 on 6/30/2021*  
*Amended by Ord. [2022-001](#) §2 on 7/12/2022*  
*Amended by Ord. [2022-003](#) §2 on 7/19/2022*  
*Amended by Ord. [2022-006](#) §2 on 7/22/2022*  
*Amended by Ord. 2022-010 §1 on 10/25/2022*  
*Amended by Ord. 2023-001 §1 on 3/1/2023*  
*Amended by Ord. 2022-013 §2 on 3/14/2023*  
*Amended by Ord. 2023-007 §19 on 4/26/2023*  
*Amended by Ord. 2023-010 §1 on 6/21/2023*  
*Amended by Ord. 2023-018 §1 on 8/30/2023*  
*Amended by Ord. 2023-015 §3 on 9/13/2023*  
*Amended by Ord. 2023-025 §1 on 11/29/2023*  
*Amended by Ord. 2024-001§1 on 01/31/2024*  
*Amended by Ord. 2024-003§3 on 02/21/2024*  
*Amended by Ord. 2023-017§1 on 03/20/2024*  
*Amended by Ord. 2023-016§3 on TBD*

# Section 4.7 Tumalo Community Plan

---

## Background

The Tumalo Community Plan was adopted in Ordinance ~~2010-027~~ 2023-016 and is hereby incorporated into this Plan as Appendix B.

Deschutes County

# Tumalo Community Plan

2020-2040



Deschutes County Community Development  
Updated 2024



# 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 (Section 4.7). The Community Plan may only be changed if it is reviewed through an official legislative plan amendment process. The Community Plan’s goals and policies provide a decision-making guide for land use planning, capital improvements, and physical development during the next 20 years (2020 – 2040). 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 an “Unincorporated Community” under OAR 660-022. Of the four types of unincorporated communities identified in OAR 660-022, Tumalo is a Rural Community. OAR 660-022 states a Rural Community is a place “which consists primarily of permanent residential dwellings but also has at least two other land uses that provide commercial, industrial, or public uses (including but not limited to schools, churches, grange halls, post offices) to the community, the surrounding rural area, or to persons traveling through the area.”



Image: Metal Statute, Photo Credit: Deschutes County Staff

Deschutes County plans and regulates land uses in Tumalo under this legal definition. The Deschutes River and U.S. 20 bisect Tumalo. Single-family home 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. This includes a more recent residential neighborhood with higher densities than previously found in Tumalo. 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.

The Tumalo Community School, within the Redmond School District, had originally served children between kindergarten and 8<sup>th</sup> grade, with an approximate attendance of 407 students in 2010. Beginning in 2020, due to decreasing student attendance numbers, the school transitioned away from a middle school model and began serving around 250 students between kindergarten and 5<sup>th</sup> grade. The school's geographic service area extends to the outlying areas of Bend, in addition to Tumalo.

Just one mile away, Tumalo State Park encompasses approximately 156 acres with an addition 52 acres of contiguous surrounding land also owned and operated by the Oregon State Parks system. The park offers camping, picnicking, fishing, hiking, and wildlife viewing and hosted approximately 517,000 visitors in 2021. Its location provides an excellent place to camp while enjoying Central Oregon's surrounding amenities and year-round recreation. A 2.4-mile segment of the 12-mile Deschutes River Trail is accessible from a day-use area parking lot within Tumalo. The trail follows the Deschutes River south 1.4 miles to Riley Ranch Nature Reserve, which offers additional trails.

Between 2010 and 2020, Tumalo has undergone significant changes in terms of land use activities and transportation improvements. Several artisan shops have opened along Cook Avenue, there is a thriving food cart pod, the Twin Bridges State Scenic Bikeway rolls through Tumalo, and a two-lane roundabout is due to open in 2023/24 at US 20/Cook-OB Riley intersection. The County anticipates an additional roundabout at Cline Falls Highway/Tumalo Road intersection. A small-scale sewer system has developed that serves the higher-density neighborhood in an area bounded by the south side of US 20, Bailey Road, and OB Riley Road. Based on residents' requests, the County hired a consultant to conduct a sewer feasibility study, which was conducted in 2022. The sewer feasibility study provides a high-level assessment of the costs and potential for sewer expansion throughout Tumalo as many properties are on older septic systems. The feasibility study provided information to residents on potential next steps if the community chooses to form a sewer district.

Based on the changes noted above and the population growth in the community, the County determined it was time to update the 2010-2030 TCP. The County also received a Transportation Growth Management (TGM) grant to focus on bicycling, walking, and transit, aka active transportation, in Tumalo. Both efforts involved extensive coordinated public outreach.

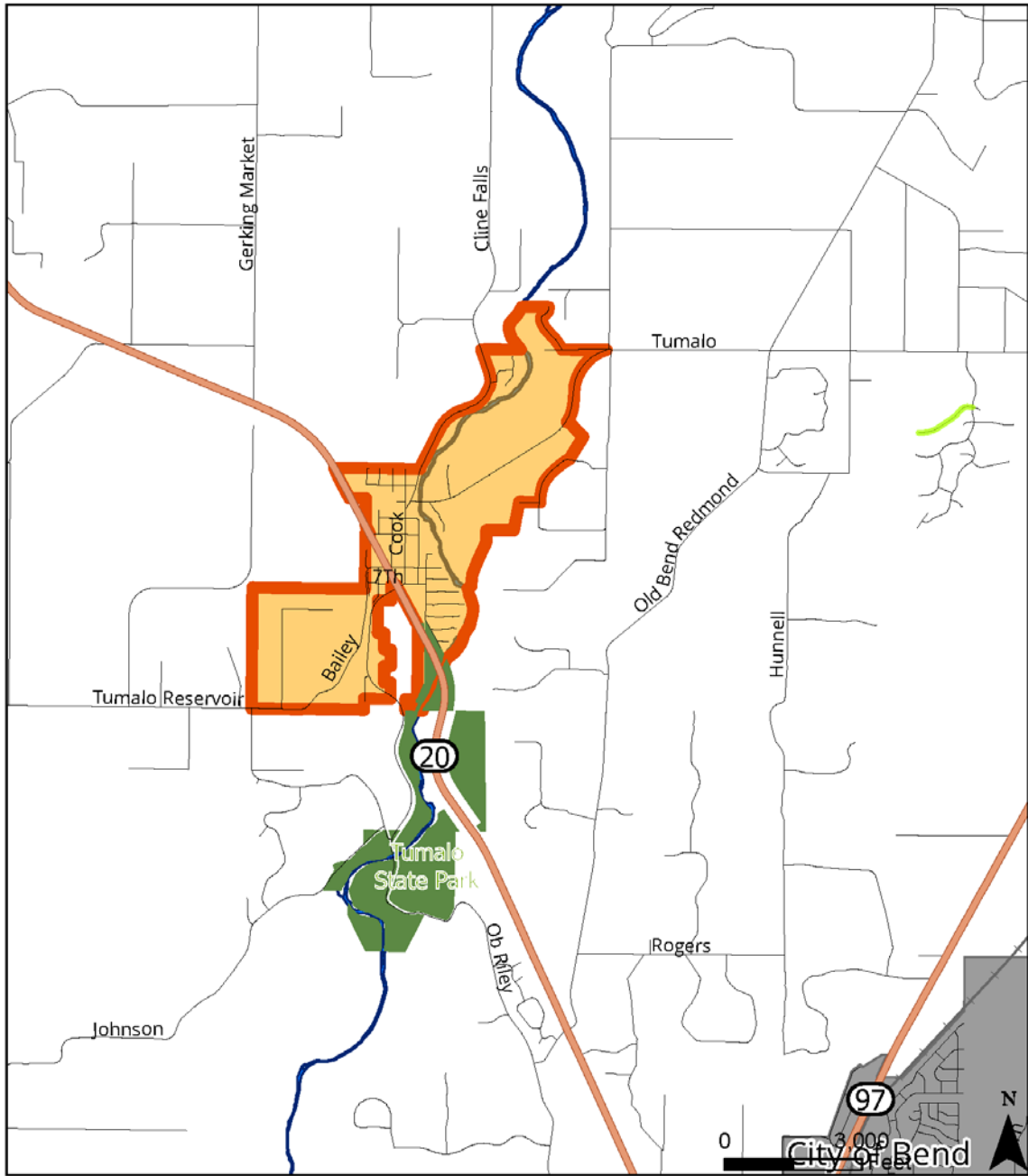


Exhibit C to Ordinance 2023-016 – Comprehensive Plan Appendix B – Tumalo Community Plan

The TCP Open Houses occurred in the Tumalo Community School gym on May 11, 2022 (kickoff meeting); August 8, 2022 (draft goals and policies); and May 17, 2023 (revised draft goals and policies). Additionally, staff held Meet A Planner one-on-one sessions in Tumalo from June 13-24, 2022 and again from May 2-9, 2023. Finally, staff created public web pages and online story maps to summarize the project, conduct surveys, and provide updates.

The TGM grant took a similar approach to public outreach, including a June 8, 2022, walking tour of downtown Tumalo where the public provided comments and suggestions. The TGM bike/ped/transit grant also included a story map, a website, and stakeholder advisory committee meetings. The TGM grant's recommendations for bike/ped/transit are incorporated into the TCP.

### Tumalo Vicinity Map



### Tumalo Vicinity Map

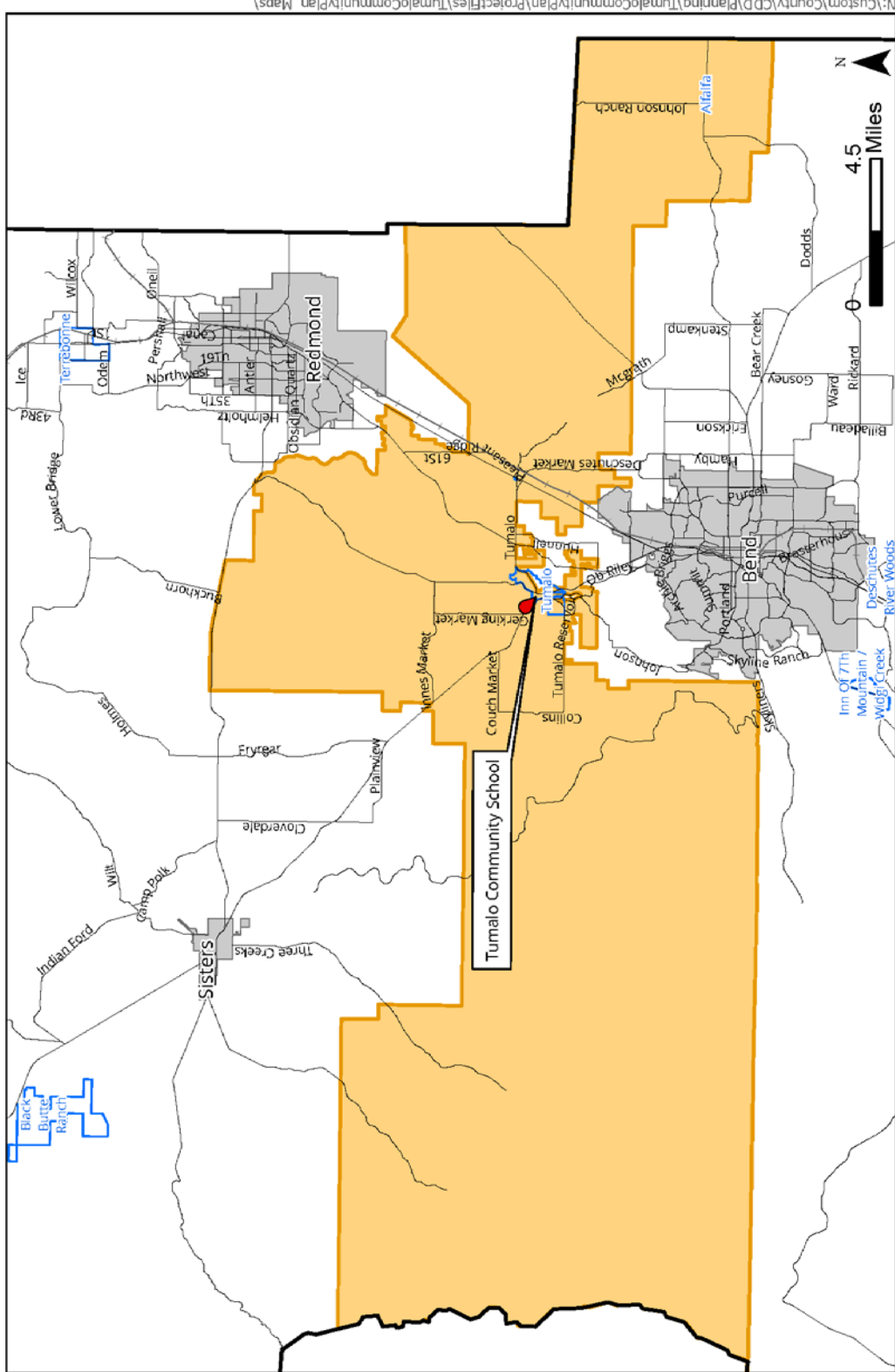
- Tumalo State Park
- City of Bend
- Unincorporated Community



6/15/2022



### Tumalo Community School Student Boundary Map



**Tumalo Community School  
Attendance Area**

6/23/2022

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

# Community Vision Statement

---

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

Tumalo residents’ input crafted this community vision for 2020 to 2040. It is their intent that the Community Plan, developed in cooperation with Deschutes County, will serve as a framework to realize this vision. The community input came from several public venues. These included public open houses, one-on-one meetings with County planners, public surveys, online comments, and e-mails to County staff. Input came from people who lived within the boundaries of Tumalo as well as those who live near Tumalo and either shop or work there or send their children to school there.

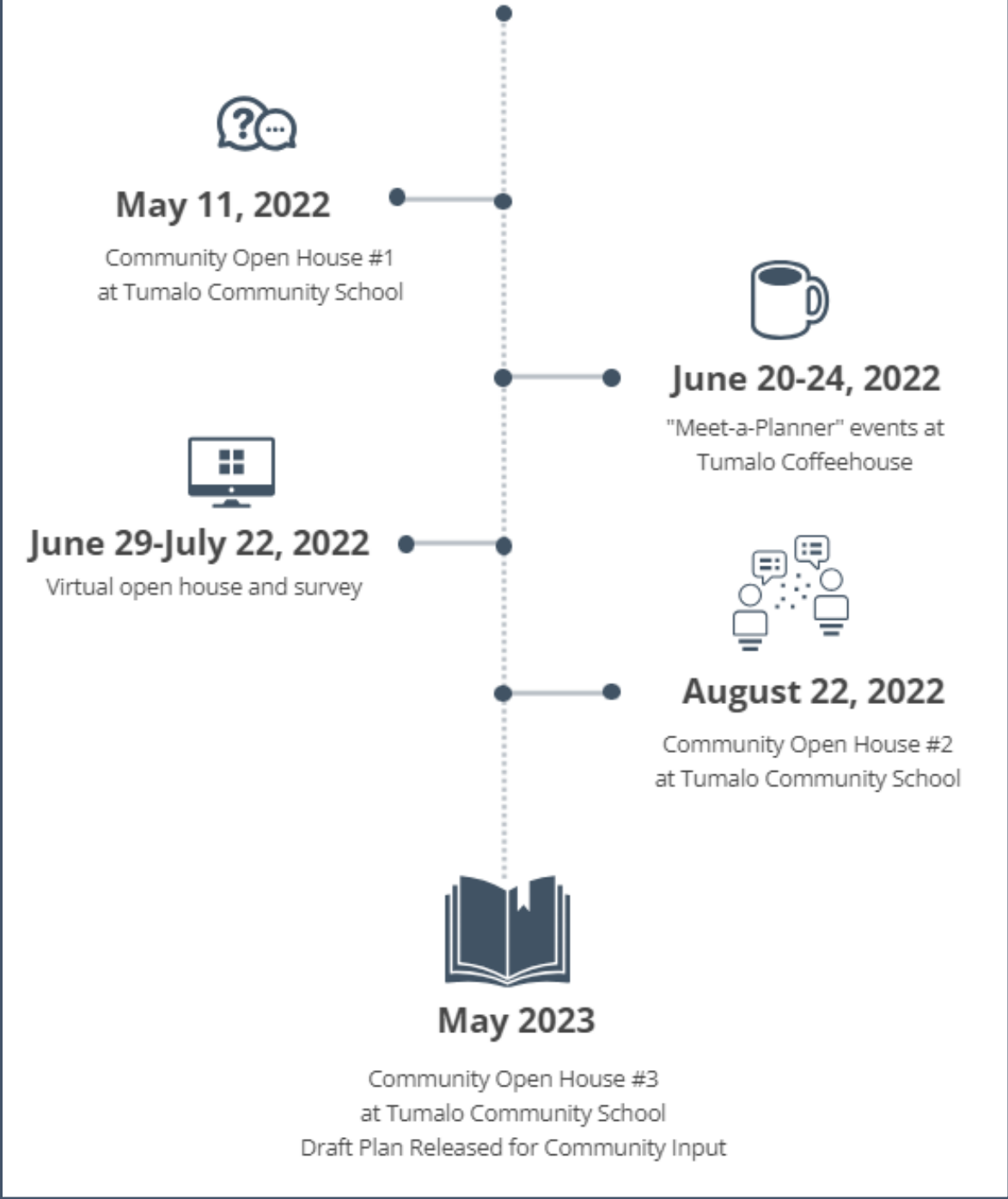
Notice of the first open house was mailed to every property (261 total) in Tumalo as well as flyers hung through the community. In-person open houses were held at the Tumalo Community School on May 11 and August 22, 2022, and averaged between 50 and 70 attendees at each meeting. A virtual open house and survey was held between June 29, 2022 - July 22, 2022, and gathered 55 responses related to the community vision and key issues facing Tumalo.

Staff held a one-on-one engagement series called “Meet A Planner”, in which community members could have a 30-minute conversation with a planner to express the key issues, challenges, and concerns facing Tumalo. Seven meetings occurred between June 20-24, 2022, either in person at Tumalo Coffeehouse or virtually.

The County developed an e-mail listserv for the project updates by collecting emails through sign-in sheets at the open houses or directly via the project website. As of June 1, 2023, 181 community members subscribed for project updates. Nine total project updates were sent throughout the process to advertise in-person and online engagement events.

The 2010-2030 and 2020-2040 Community Vision statements are practically identical. The only changes were directed at deletion of the hyphen in “small-town” and changing “rural community” to “rural area.” The latter relates to Oregon Administrative Rule (OAR) 660-022 and how that provision clarifies that the word “community” refers to a more geographically limited area. Overall, respondents expressed a strong desire to keep the vision statement unchanged and for Tumalo to remain rural in nature. The intent to keep the community rural is consistent with OAR 660-022.

# Community Input



# History

---

Situated at an elevation 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 originally 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 as 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, into the newly platted town. Assertions were also made that the Laidlaw community would benefit from connection to another rail line, one that followed the North Santiam River and crossed over the Cascades.

Ultimately, neither of these two projects came to fruition. At the end of 1909, the Columbia Southern Railroad still ended in Shaniko, and the Corvallis and Eastern rail lines remained stalled at the foothills west of the Cascades. Both rail line projects ultimately languished for approximately 15 years. Following the announcement in 1910 that the Columbia Southern Railroad was connecting to Bend instead of Laidlaw, Bend began outpacing Laidlaw 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. The post office eventually reopened in 1923 as the Tumalo Post Office, and the name of the town was changed to Tumalo.

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 as inventoried during the County’s 2010 update to the Tumalo Community Plan. Deschutes County Code (DCC) 18.67 implements land use zoning in Tumalo while DCC 18.67 Table A sets road standards.

Since the 2010 Deschutes County Comprehensive Plan update, including updates to the Tumalo Community Plan, the total number of tax lots has increased to 361. The increase in tax lots can be attributed to land use patterns in the area including land divisions, property line adjustments, and property-specific tax lot review related to the original Laidlaw Town Plat.

## Population and Demographic Data

Single-family residences are the predominant land use in Tumalo. Tables 1, 2 and 3 cite Deschutes County Assessor data and an adopted 20-year population forecast to estimate Tumalo’s 2021, future build out, and 2040 population.

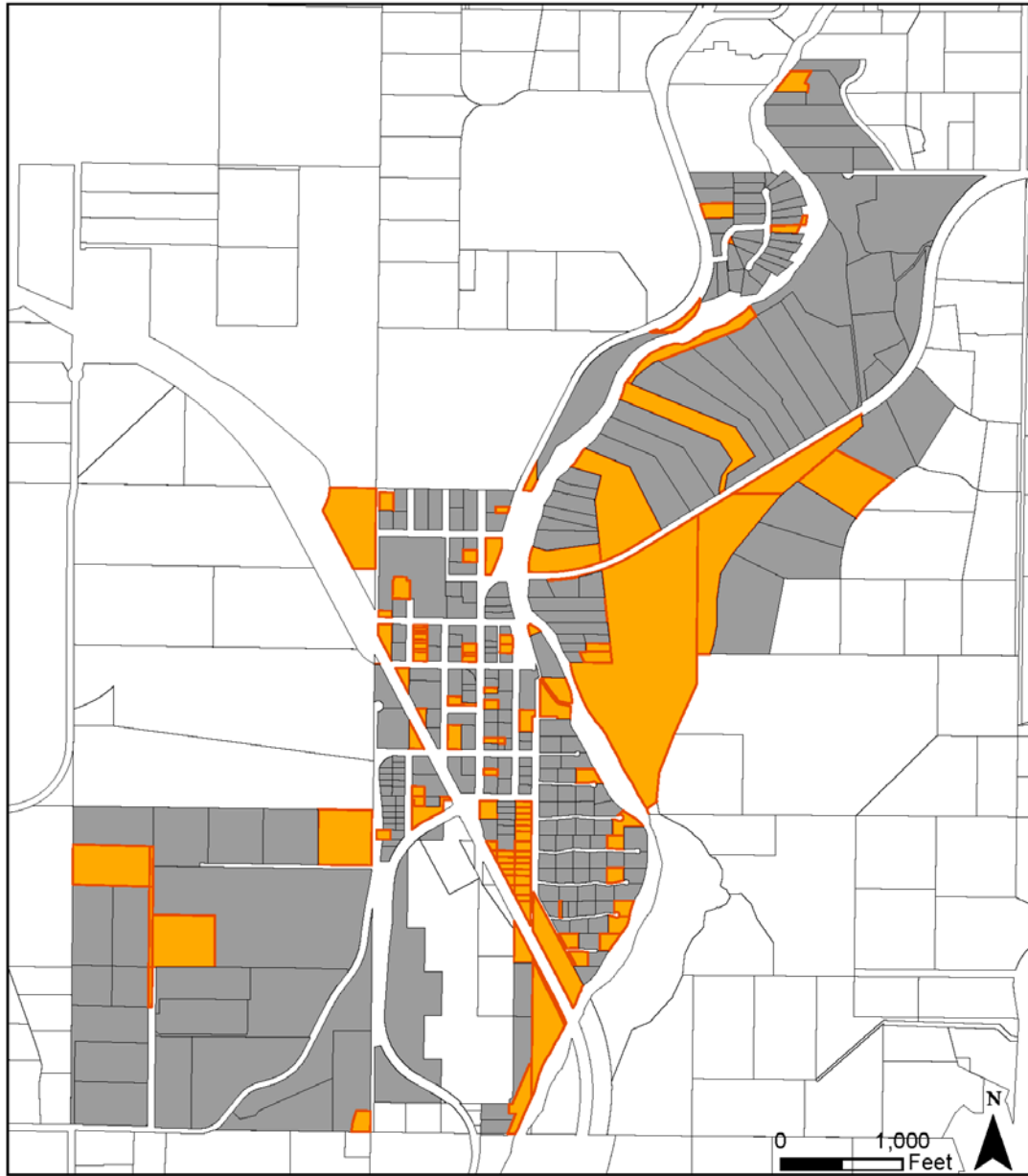
**Table 1 - 2021 Tumalo Population Estimate**

Housing Units*	Deschutes County 2020 Census (Persons Per House)	2021 Population Estimate
232	2.47*	574
*2021 Assessor's Data	*2020 Census Data	

**Table 2 - Tumalo Projected Build Out**

2021 Population Estimate	Potential Dwelling Units*	Deschutes County 2020 Census (Persons Per House)	Future Population on Undeveloped Lots	Build Out Population
<b>574</b>	101	2.47	<b>250</b>	<b>824</b>
*Assessor's Data 2021				

### Tumalo Vacant Parcels and Projected Build-Out Map (2020)



Orange Vacant  
Grey Built Out



6/15/2022



**Table 3 - Tumalo Population Forecast**

Year	Forecasted Population	Average Annual Growth Rate (AAGR)
2021	574	2.2%
2022	587	2.2%
2025	600	2.0%
2030	612	1.7%
2035	622	1.5%
2040	631	1.3%
2045	639	1.2%
2047	647	1.1%
2050	654	1.1%
2055	661	1.1%
2060	669	1.1%
2065	676	1.1%
2070	684	1.1%
2072	691	1.1%

County Population Forecast (Portland State University, 2022)

Tumalo’s projected population for 2040 is 631. This projection is extremely conservative due to limited wastewater infrastructure discussed below in Public Facilities and Services. As Table 2 illustrates (and further detailed in Table 6), a vacant lands inventory performed in 2021 identified 105 undeveloped residential lots capable of supporting up to 101 potential dwelling units. If all 105 undeveloped lots become developed and household unit size remains at 2.47, Tumalo’s population would increase by 250 people, bringing its total to 824. Under this scenario, Table 3 shows that full build out would not occur until after 2072. Since the 2020 Tumalo Community Plan adoption, Tumalo and the surrounding County jurisdiction are projected to experience the compounding factors of an aging population and a notably lower fertility rate. The age and fertility data combined with an overall expectation for increased population within cities and other sub-areas of Deschutes County results in a lower average annual growth rate than previous years. Other factors potentially affecting the relatively low forecasted population growth rate include housing availability and affordability challenges, the heightened cost of living, and the detrimental impacts of regional wildfires.

**Race and Ethnicity**

Tumalo is a predominantly white community, though the population growth over the past 10 years has seen an increase in racial and ethnic diversity, primarily among Hispanic or Latino community members. The percentage of Hispanic or Latino community members has increased from 3.3% (2010) to 6.6% (2020) of the total population. For the purposes of providing race and ethnicity data for Tumalo, population counts for the Tumalo Census Designated Place (CDP) are utilized below in Table 4, rather than the County’s population estimate provided in referenced Tables 1 and 2. The most significant difference between

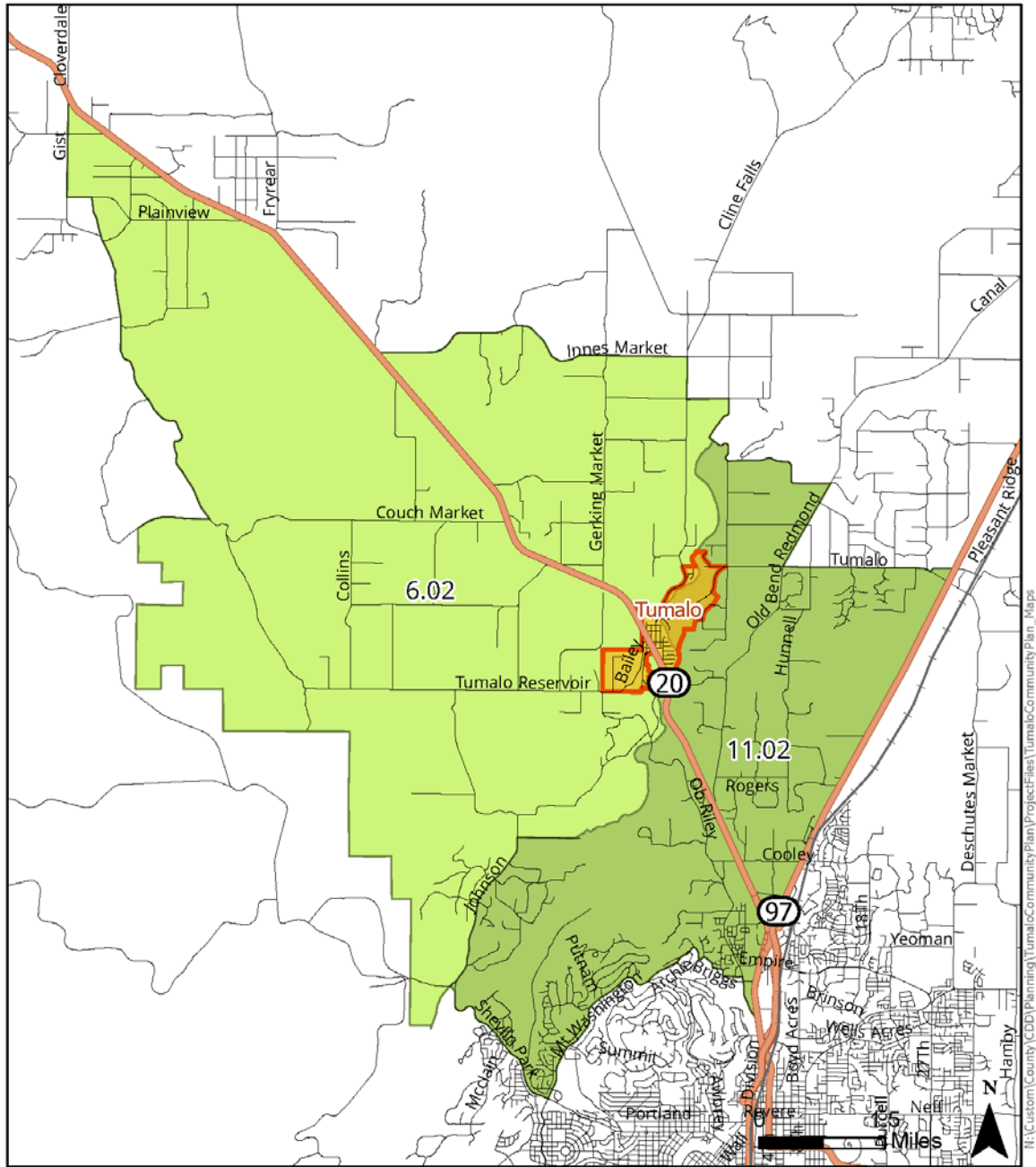
2010 and 2020 is seen in the “White alone” single-race individuals, with the percentage of individuals decreasing from 93.2% of the total population (2010) to 88.5% (2020).

**Table 4 - Tumalo CDP Race and Ethnicity (2010 and 2020)**

	<b>Tumalo (2010)</b>	<b>Tumalo (2020)</b>
<b>Total Population:</b>	488	558
Hispanic or Latino	16 (3.3%)	37 (6.6%)
Not Hispanic or Latino:	472 (96.7%)	521 (93.4%)
<b>Population of one race:</b>	460 (94.3%)	506 (90.7%)
White alone	455 (93.2%)	494 (88.5%)
Black or African American alone	1 (0.2%)	1 (0.2%)
American Indian and Alaska Native alone	3 (0.6%)	6 (1.1%)
Asian alone	1 (0.2%)	2 (0.4%)
Some Other Race alone	0	3 (0.5%)
<b>Two or More Races:</b>	12 (2.5%)	15 (2.7%)
<b>Population of two races:</b>	6 (1.2%)	12 (2.2%)
White; Black or African American	1 (0.2%)	1 (0.2%)
White; American Indian and Alaska Native	3 (0.6%)	6 (1.1%)
White; Asian	2 (0.4%)	0
White; Some Other Race	0	4 (0.7%)
Asian; Native Hawaiian and Other Pacific Islander	0	1 (0.2%)
<b>Population of three races:</b>	6 (1.2%)	3 (0.5%)
White; Asian; Native Hawaiian and Other Pacific Islander	6 (1.2%)	3 (0.5%)

*2010 and 2020 US Decennial Census, Tumalo CDP-specific data*

### Tumalo Census Designated Place (CDP) Map



Tumalo Census Designated Place

- Tumalo Unincorporated Community
- 11.02
- 6.02



6/23/2022

## Land Use Designations and Inventory

Deschutes County Comprehensive Plan designations identify general land uses for the community of Tumalo and provide the legal framework for establishing zoning districts. Zoning regulates land uses that are allowed in each respective district. Table 5 lists Tumalo comprehensive plan designations and corresponding zoning districts. Table 6 summarizes existing property inventories within those zoning districts, including those properties that may be encumbered by multiple zones. Detailed descriptions of the Tumalo Comprehensive Plan designations are provided below.

**Table 5 - Tumalo Land Use Designations**

<b>Comprehensive Plan Designations</b>	<b>Zoning Districts</b>
Commercial (TuC)	Commercial District (TuC)
Floodplain (FP)	Floodplain (FP)
Industrial (Tul)	Industrial District (Tul)
Research and Development (TURE)	Research and Development District (TURE)
Residential (TuR)	Residential District (TuR)
Residential 5 Acre Minimum (TUR5)	Residential Five Acre Minimum District (TUR5)

**Table 6 - Tumalo Land Use Inventory**

<b>Zone</b>	<b>Residential Units / Number of Lots</b>	<b>Commercial &amp; Industrial Developments / Number of Lots</b>	<b>Undeveloped Parcels</b>	<b>Total Number of Parcels</b>
TUC	43 Units / 36 Lots	31 Buildings / 28 Lots	51	115
TUR	80 Units / 78 Lots		18	96
TUR/TUC	3 Units / 3 Lots		2	5
TUR/FP	27 Units / 27 Lots		10	37
TUR5	57 Units / 54 Lots		12	66
TUR5/FP	27 Units / 24 Lots		8	32
TURE		1 Building / 1 Lot	1	2
TUI		13 Buildings / 5 Lots	1	6
FP			2	2
<b>Total</b>	<b>237 Units / 222 Lots</b>	<b>45 Buildings / 34 Lots</b>	<b>105</b>	<b>361</b>

Assessor's Data 2021/2022

**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 approximate intersection of Riverview Ave and Cedar Lane (bound by U.S. 20 to the west) to 3<sup>rd</sup> Street between Wood and Wharton Avenues. Commercial lands

also comprise an area west of U.S. 20 between 5<sup>th</sup> and 8<sup>th</sup> Streets, bound on the west by Strickler Ave and Bailey Road.

This designation was originally intended to accommodate a mixture of small-scale commercial and limited industrial uses that historically existed within the community. 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, extending 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 existing uses and structures into compliance with the commercial zone.

Currently, the core commercial area supports a variety of uses and development including cideries, a food cart pod, a greengrocer, the Tumalo Country Store gas station and general store, Tumalo Irrigation District office, a veterinary clinic, a second commercial complex at the intersection of 4<sup>th</sup> Street and Cook Ave, the Historic Tumalo Church buildings, vacant property owned and maintained by the Tumalo Community School, and a boutique leather goods manufacturer. The majority of these uses and structures have received land use approval within the past four years. The Tumalo commercial zoning district also allows for limited residential development and uses.



Photo: The Bite Food Cart Pod, Photo Credit: County Planning Staff

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.

In 2020, the Deschutes Basin Habitat Conservation Plan (HCP) was finalized and approved by the U.S. Fish and Wildlife Service. The HCP, which is a 30-year plan, was part of an application for an Endangered Species Act incidental take permit (ITP) that authorizes incidental take, aka death, of listed species (Oregon spotted frog, bull trout, steelhead trout, and sockeye salmon) caused by covered activities. Based on the HCP, Wickiup Reservoir will alter its operation to improve conditions in the Deschutes River between the reservoir and Bend. The minimum flow will be 100 cubic-feet per second (cfs) in Years 1 through 7, 300 cfs in Years 8 through 12, and 400 cfs (with provisions for up to 500 cfs) in Years 13 through 30. These increases in winter flows will likely change floodplain patterns within range of the Tumalo community. Additionally, enhanced lidar terrain data derived from the Oregon Department of Geological and Mineral Industries (DOGAMI) may indicate a changing floodplain component of the Deschutes River within Tumalo. The existing FP zoning district is subject to goals and policies within this community plan and the Comprehensive Plan, are directed at producing the most accurate floodplain data possible for the Tumalo community.

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 and properties suitable for limited amounts of additional industrial development. This designation is concentrated around the Knife River operation, which is technically outside of Tumalo, that fronts O.B. Riley Road and U.S. 20 and includes warehouse uses, mini-storage facilities, and other industrial-related development and uses.

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 zoning 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 platted between Riverview Avenue and

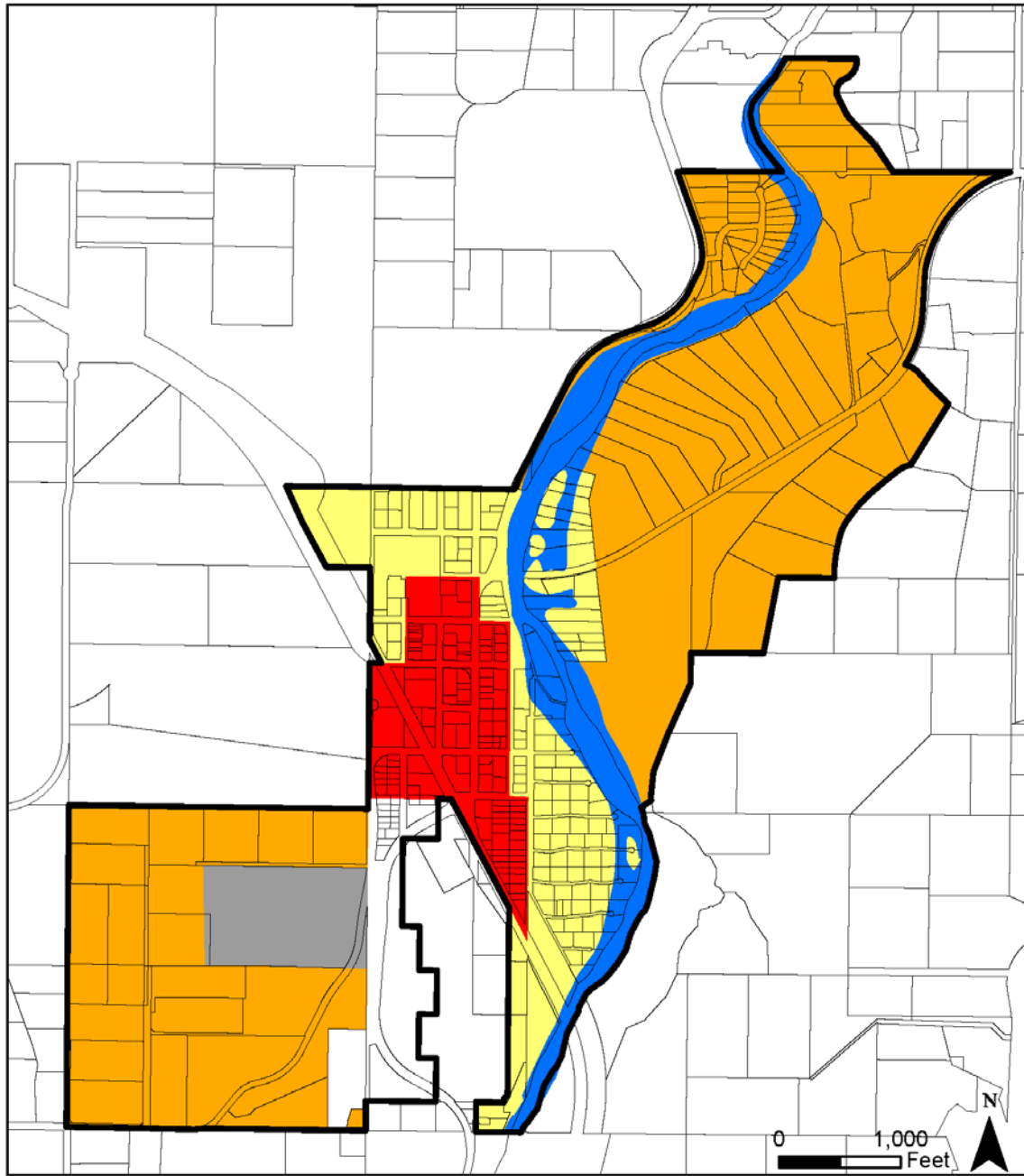


the Deschutes River. Today, it also includes the area surrounding the Knife River aggregate site south of U.S. 20.

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 southeast from Laidlaw Butte.



### Tumalo Comprehensive Plan Map



### Tumalo Comprehensive Plan 2020

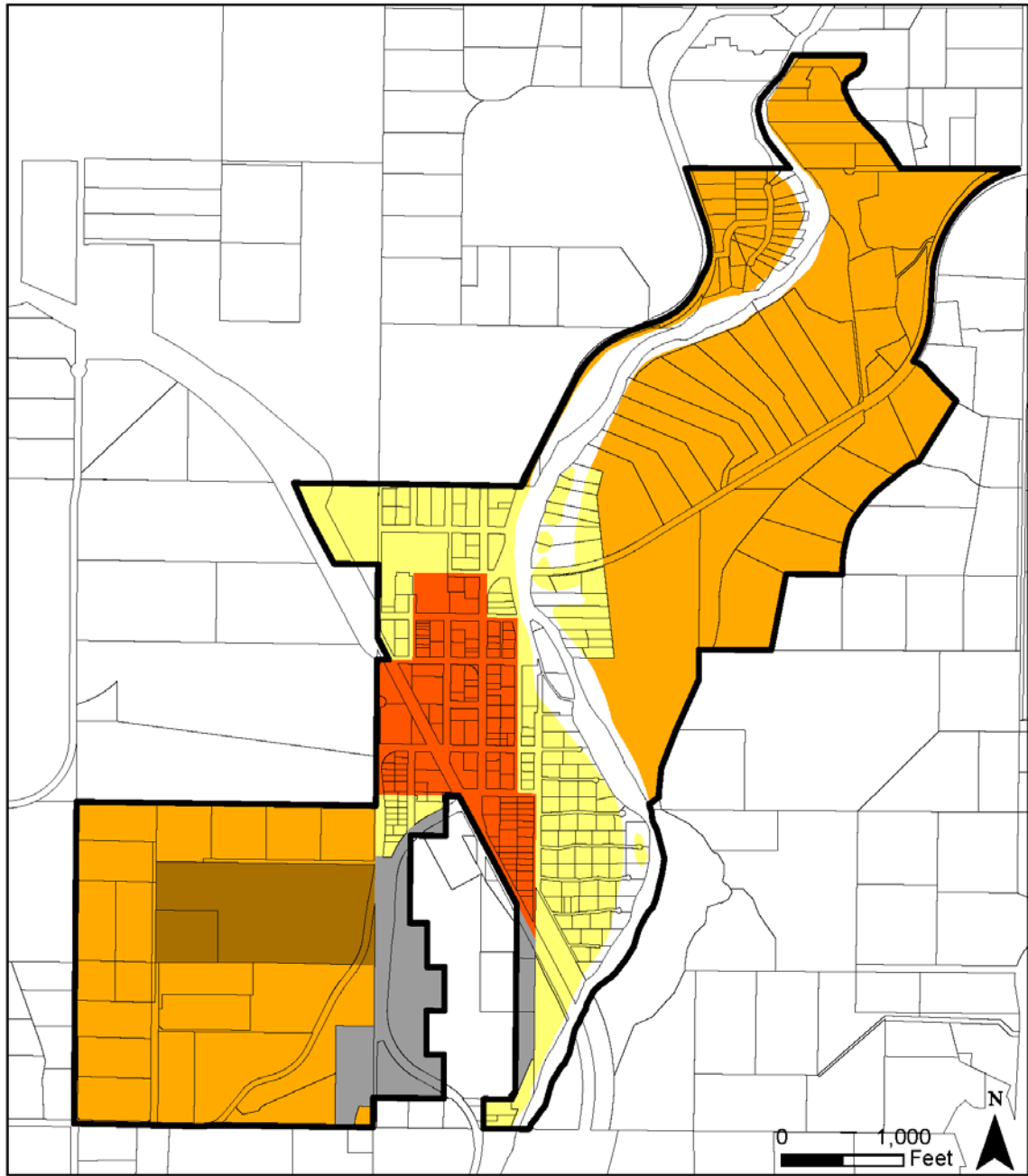
- FP - Flood Plain
- TUC - Tumalo Commercial
- TUR5 - Tumalo Residential 5 Acre Minimum
- TURD - Tumalo Research & Development
- TURM - Tumalo Residential - Medium Density



6/15/2022



### Tumalo Zoning Map



### Tumalo Zoning Map 2020

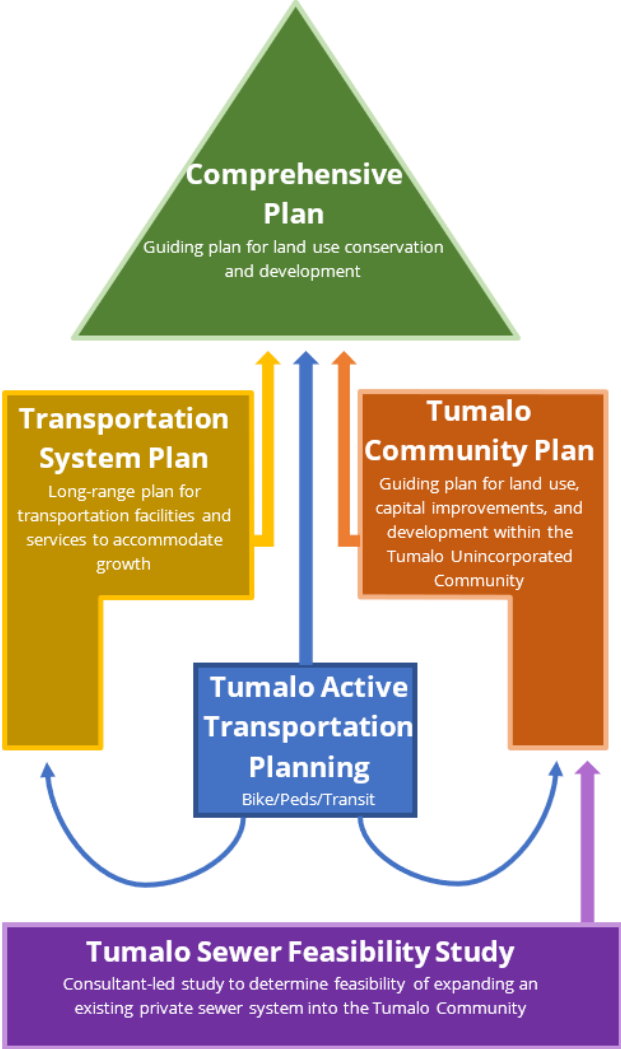
- TUC - Commercial
- TUR - Residential
- TUR5 - Residential 5 Acre Minimum
- TURE - Research & Development
- TUI - Industrial



6/15/2022

### Relevant Studies and Planning Processes

The Tumalo Community Plan, as a subset of the Deschutes County Comprehensive Plan, relates directly to other relevant county plans and policies. These plans and policies include, but are not limited to, the County Transportation System Plan (TSP), Tumalo Active Transportation Planning efforts, and a Tumalo sewer feasibility study. The TSP is a long-range plan that identifies improvements to the County’s transportation facilities and services to accommodate projected population and employment growth within the County over a 20-year period. The Tumalo Active Transportation update is an effort to update the transportation element of the Tumalo Community Plan, specifically regarding active transportation such as biking, pedestrian access, and public transit. The Tumalo Sewer Feasibility Study is a consultant-led study to evaluate three potential sewer options for Tumalo. The graphic below illustrates how these various plans interact with one another and fit within the larger regional planning efforts.



### Public Facilities and Services

Tumalo is served by six special districts: Laidlaw Water District; Deschutes County Rural Fire Protection District #2; Redmond School District; the Tumalo Town District Improvement Company, Tumalo Irrigation District (via the Rimrock Water Improvement District), and Swalley Irrigation District. 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), near Beaver Lane to the north of the core Tumalo community area. The power and authority given to Laidlaw Water Supply District as a government entity is vested and exercised by a board of 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 through noticing and the solicitation of agency comments. 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 Authority. Properties in Tumalo, but located outside Laidlaw District boundaries, rely on private domestic wells for drinking water. State law, Oregon Revised Statute 537.545, exempts private wells if domestic consumption is less than 15,000 gallons per day and irrigation of a lawn or noncommercial garden is less than one half-acre.

**Wastewater**

Tumalo does not have a community-wide wastewater facility. Instead, land uses in Tumalo currently rely on on-site wastewater systems, ranging from newer alternative treatment technologies (ATT) and filter systems, to older drainfields. Onsite systems in some cases, are insufficient and improper for a development site. According to the Deschutes County Onsite Wastewater 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 land uses to those which can be served by an Oregon Department of Environmental Quality (DEQ) approved onsite 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.

The exception to the above is a small, privately owned wastewater system (Tumalo Property Owners Association or TPOA) that was approved in 2018 to service a compact residential development on the south side of U.S. 20 between essentially Bailey Road and O.B. Riley

Road. This private system also serves a strip mall and several other small businesses on that same south side of U.S. 20. TPOA is a Septic Tank Effluent Pumping (STEP) system, meaning biosolids are pretreated, placed in a septic tank, then the effluent is pumped into a pressurized pipe and sent up to a holding tank located on property owned by the Laidlaw Water District.

In 2022, at the request of property and business owners in Tumalo, Deschutes County, used American Rescue Plan Act monies to fund a feasibility study to evaluate possible ways to provide sewer service to Tumalo. The County selected the engineering firm Murraysmith (later absorbed by CONSOR) to perform the wastewater feasibility study with the results presented to the Board on December 21, 2022.<sup>1</sup> The feasibility study reviewed the following scenarios, all of which would require crossing U.S. 20:

- 1. Expand the TPOA system; establish a separate collection and treatment system within Tumalo;
- 2. Install a collection and disposal system in Tumalo with a connection to the City of Bend’s North Interceptor line at Cooley Road/U.S. 20.

The feasibility study included additional concepts related to scale and/or phasing such as:

- 1. Providing service to only the commercial core along Cook Avenue;
- 2. Providing a larger system that would serve the Tumalo commercial core and residential areas west of the Deschutes River and north of U.S. 20.

The feasibility study provided cost estimates for construction and hook-up fees and monthly bills. The amounts vary widely depending on number of lots served, amount of grant funds acquired, connection fees, and monthly bills.

Community members have expressed concerns about being required to hook up to the system when a) their septic system begins to fail and b) the private system is within 300 feet or less to their property line and legally available. Staff received a massive stream of public comments expressing opposition toward a private system expanding into Tumalo and concerns about the private system being able to charge onerous fees to connect to the system. A smaller group, primarily those with commercial properties along Cook Avenue, supported the development of a sewer system.

The sewer feasibility study documented the estimated costs and timelines for a sewer system. Ultimately, whether a sewer authority is created, and a sewer system is provided in Tumalo will be a decision for the community, not the County.

<sup>1</sup> <https://online-voice.net/tumaloseweroptions/>

The formation of a sewer district is not a land use action and thus is outside the scope of the TCP. However, based on massive public input during the various TCP open houses, the TCP has added policy language specific to sewers.

**Emergency Services**

The Deschutes County Rural Fire Protection District #2, governed by an elected five-member volunteer Board of Directors, 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 140 square miles of suburban and forested land surrounding Bend and serves approximately 25,000 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 4<sup>th</sup> Street in Tumalo. The station was originally built in the early 1970s and a new building was constructed in 2019 to the immediate east. The station is staffed with an advance life support-equipped fire engine, brush/interface pumper, and an ambulance.





**Irrigation Water**

Tumalo Town District Improvement Company (also known as 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 43 customers and is used for irrigating lawns and gardens<sup>2</sup>.

North of the Tumalo commercial core, within the unincorporated community boundary, is a small residential enclave centered around Beaver Lane located within the Rimrock Water Improvement District. This District is owned and managed by a private water patron who distributes purchased water deliveries from Tumalo Irrigation District (TID) to the residential properties within this residential area. TID, first established through the construction of canal infrastructure in 1883 and organization as a district by 1922, diverts water from Tumalo Creek below Shevlin Park and the Deschutes River near Pioneer Park, with additional water storage through the Crescent Lake impoundment system. TID serves approximately 7,400 acres of irrigated lands to support livestock, hay, alfalfa, garlic, lavender and other crops and farm uses<sup>3</sup>. There are approximately 685 customers served by TID.

East of the Deschutes River, within the Tumalo unincorporated community boundary, are properties located within the Swalley Irrigation District. Swalley draws water based on a priority water right certificate dated September 1, 1899, and was incorporated as a municipal irrigation district in 1994 after 95 years of private ownership and operation. Swalley Irrigation District currently serves approximately 4,333 acres of irrigated lands around the vicinity of Tumalo, east of the Deschutes River and west of Highway 97. There are approximately 668 customers served by the Swalley Irrigation District.

**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 two 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 (DRT) 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 development of the Riley Ranch Nature Reserve between O.B. Riley Road and the Deschutes River at the north end of Bend has helped extend the DRT. The ultimate northern extent of the planned DRT follows the Deschutes River from the Bend Urban Growth Boundary to Tumalo State Park and on to Tumalo. The Park District continues to work with private property owners and the Oregon State Parks and Recreation Department in an ongoing

<sup>2</sup> <https://www.tumalo.org/files/98649cf93/Water+User%27s+Handbook.pdf>

<sup>3</sup> <https://www.tumalo.org/about-us>

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 and the County support 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 bank of the Deschutes River. The State Historic Preservation Office (SHPO) has identified archeological resources that will need to be protected during the trail’s construction and usage.

ODOT in 2022-23 is building a bicyclist/pedestrian-only underpass at U.S. 20/4<sup>th</sup> Street to make crossing the highway much easier. This multiuse path will connect to Bailey Road. The existing Twin Bridges State Scenic Bikeway would also utilize this shared-use path instead of the U.S. 20/Bailey-7<sup>th</sup> intersection as it does currently.

**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. ODOT has a two-lane roundabout at U.S. 20/Cook-O.B. Riley programmed for construction in 2023. The roundabout will add sidewalks along U.S. 20 for several hundred feet as well as along O.B. Riley and Cook. The roundabout will help lower speeds on U.S. 20, which is now posted at 45 mph down from the earlier posting of 55 mph.

There are three access points to U.S. 20: 5<sup>th</sup> Street; 7<sup>th</sup> Street/Bailey Road; and Cook Avenue/O.B. Riley Road. The first two have turn restrictions and only Cook/O.B. Riley will allow all movements. Within Tumalo, there are several paved and unpaved streets, totaling approximately 4.7 miles.

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

- 5<sup>th</sup> Street recorded 3,118 ADT (2022)
- Bailey Road, 1,234 ADT3 (2022)
- Cline Falls Hwy, 4,039 ADT (2022)
- Cook Avenue, 6,697 ADT (2022)
- Tumalo Road, 3,753 ADT (2022)
- O.B. Riley, 2,061 ADT (2022)
- U.S. 20, 0.10 miles east of Cline Falls Hwy, 10,276 ADT (2021)
- U.S. 20, 0.10 miles west of Cline Falls Hwy, 6,837 ADT (2021)

To protect the function of a highway, it is often necessary to limit access and control turning movements. ODOT limited the movements at U.S. 20/Bailey-7<sup>th</sup> to right-in, right-out only (RIRO) for 7<sup>th</sup> and RIRO and left-in at Bailey. There is also a raised refuge for bicyclists and pedestrians at U.S. 20/Bailey-7<sup>th</sup>. The two-lane roundabout will make U.S. 20/Bailey-7<sup>th</sup> into

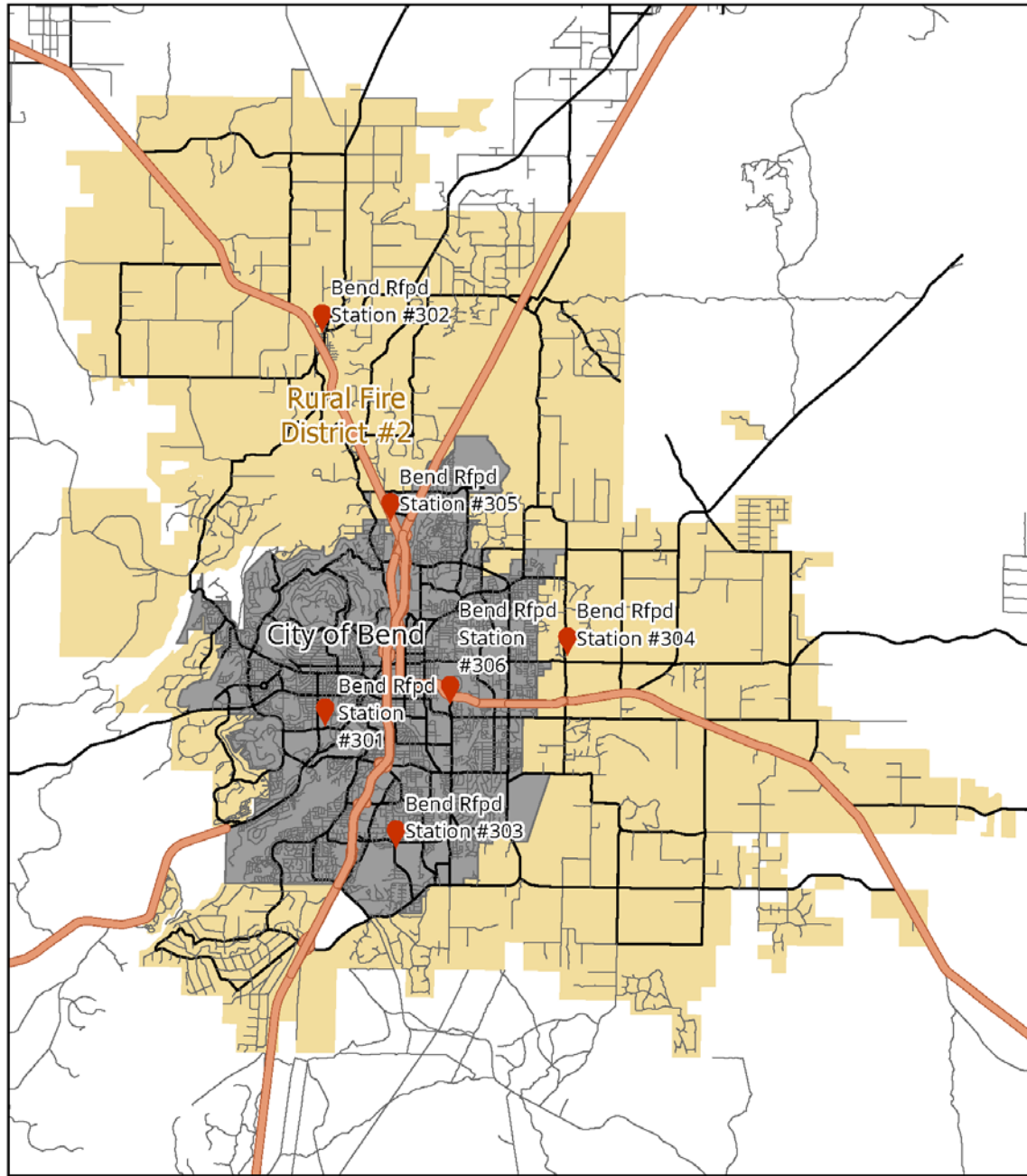
a RIRO intersection and Cook/8<sup>th</sup> will become a RIRO intersection as well. This will reduce the number of conflict points at these intersections. A conflict point is a location where vehicles turning or passing through can collide. By restricting turn movements or redirecting property access to side streets or alleys, the number of crashes on the highway and the local road system 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.

The County continues to provide sidewalk infill through both transportation improvements and requirements tied to land use approvals. Cascade East Transit (CET) master plan calls for examining a transit stop in Tumalo. Due to ADA requirements, the transit stop must be accessed via sidewalks. The current intent is to have the stop on Bruce Avenue between 5<sup>th</sup> and 7<sup>th</sup> once there is sidewalk.



The only change to the functional classification system was changing Cook Avenue from a collector to an arterial in the 2010-2030 Transportation System Plan (TSP).



### Rural Fire Protection District #2 Map



H:\Custom\County\CDD\Planning\TumaloCommunityPlan\ProjectFiles\TumaloCommunityPlan\_Maps

-  Fire Departments
-  Rural Fire District #2

### Tumalo Fire District



6/23/2022

# 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, attend church, or otherwise convene with other community members. The following Comprehensive Plan designations and related zoning districts are within a mile of the formal Tumalo unincorporated community boundary.

## Agriculture

An “Agricultural” designation and Exclusive Farm Use (EFU) zone protect farmlands 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 contained irrigated and non-irrigated land, as well as soils of different classes. The study identified seven agricultural subzones. For each subzone, standards determined minimum parcel sizes for farm divisions to protect the commercial agricultural land base. The subzone immediately adjacent to Tumalo is the Tumalo/Redmond/Bend subzone (EFUTRB). The minimum acreage for this subzone is 23 acres of irrigated land. Approximately 2.5 miles farther east, there are approximately fourteen (14) Alfalfa area subzone parcels (EFUAL) that allow a minimum of 36 acres of irrigated land. The EFUAL subzone parcels are intermixed with EFUTRB subzone parcels.

Since the latest Tumalo Community Plan update in 2010, there have been increased numbers of land divisions approved in the vicinity of Tumalo, some of which are designed to support both nonfarm and farm-related dwellings and accessory structures. Home Occupations, or home-based business uses have become increasingly common within the surrounding EFU lands. In addition to the increasing number of approved land divisions, EFU dwellings, and Home Occupations, the EFU lands surrounding Tumalo have also seen an increase in marijuana and hemp-related farm uses and structures since the statewide legalization of recreational marijuana and the passage of the 2018 farm bill allowing hemp production. Please 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. Approximately one-half mile south of Tumalo lies the Cascades Academy, located on MUA-10 zoned property. Cascades Academy is a pre-kindergarten through 12<sup>th</sup> grade independent private school<sup>4</sup>.

**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 in the immediate vicinity, 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. One additional surface mine designated property of approximately 75 acres is located 1 mile south of the Tumalo community boundaries.

**Flood Plain**

Several properties within the Tumalo unincorporated community and multiple parcels to the south and north are located within the Flood Plain Zoning District. These parcels are exclusively associated with the Deschutes River corridor and surrounding low-lying areas. The purpose of this zoning district is to protect the public from the hazards associated with flood plains; to conserve important riparian areas along rivers and streams for the maintenance of the fish and wildlife resources; and to preserve significant scenic and natural resources while balancing the public interests with those of individual property owners in the designated areas. Given the purpose of the zoning district, a majority of the flood plain designated areas outside of Tumalo are maintained as open spaces or otherwise undeveloped land, including portions of Tumalo State Park.

<sup>4</sup> <https://www.cascadesacademy.org/about>

**Open Space & Conservation**

Approximately one-half mile south of the Tumalo commercial core are properties within an “Open Space & Conservation” Zoning District, largely associated with the boundaries of Tumalo State Park and the contiguous Riley Ranch Nature Reserve, further south along the Deschutes River corridor. The purpose of this zoning district is to protect designated areas of scenic and natural resources; to restrict development in areas with fragile, unusual or unique qualities; to protect and improve the quality of the air, water and land resources and to plan development that will conserve open space<sup>5</sup>.



Photo: Tumalo State Park, Photo Credit: Hike Oregon

---

<sup>5</sup> DCC 18.48.010



# Conclusion

---

The TCP is the result of extensive outreach and interaction between staff and residents, business owners, property owners in Tumalo, and those who live near Tumalo and shop, recreate, or send their children to school there.

Nearly unanimously, respondents spoke of their deep affection for Tumalo and a sense of place. They valued the rural feel of Tumalo and appreciated the small-scale commercial core. Often they expressed a fear of not wanting Tumalo to become like Sisters or to be engulfed by Bend.

In updating the TCP, staff worked to balance the oft-expressed desire by the public for Tumalo to experience little to no change with a State land use system and County code that anticipates and legally must accommodate development. The Comprehensive Plan designations and the zoning designations for Tumalo in DCC 18.67 remain unchanged. Any application to amend the Comprehensive Plan or zoning designation would require public hearing before both the Deschutes County Planning Commission and the Board of County Commissioners. Those potential plan amendments and/or zone changes would have to demonstrate consistency with both the Comprehensive Plan and the TCP.

The TCP polices respond to public input regarding protecting the Deschutes River, concerns about the costs and timing of a future wastewater treatment system, the worries about traffic volumes, and the desire to protect the community and maintain its livability.

# Goals and Policies

---

The following policies are designed to address issues specific to the Tumalo Rural Unincorporated Community. The policies supplement existing Comprehensive Plan policies and were developed from input received by community members, stakeholders, and input from relevant agency partners.

The following policies and policies are designed to address issues specific to the Tumalo Rural Unincorporated Community. The policies supplement existing Deschutes County Comprehensive Plan policies and were developed from input received by community members, stakeholders, and input from relevant agency partners.

## Community Vision Statement

Retain the livability of Tumalo as a rural small town, through safe and efficient public services and collaborating with the surrounding rural area.

## Land Use Goal

Continue to implement a clear and transparent planning process and policy framework reflective of the community’s small-town rural character.

## 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 comply with state requirements for agricultural uses in the Exclusive Farm Use (EFU) zones.
3. Encourage the preservation of historical structures such as the Tumalo Community Church (1905) and the Laidlaw Bank and Trust (1910).
4. Review the Tumalo Community Plan periodically to determine if it meets the current and future needs of the area.
5. Encourage residents and community groups to reach out to Deschutes County for updates and information.

**Natural Resources, Open Space, and Recreation Goal**

Support the preservation and conservation of natural resources, cultural resources, and open space while providing ample and diverse opportunities for recreation.

**Natural Resources, Open Space, and Recreation Policies**

1. Continue to support Tumalo as a regional bicycle destination.
2. Support community and agency partners in planning and development of a multiuse trail system from Tumalo State Park to Tumalo.
3. Encourage consolidation of designated access points to the Deschutes River and education of trail users to preserve riparian areas.
4. Encourage voluntary designation of open space and public access to Deschutes River on adjacent private properties.
5. Provide County perspective and support for community-based restoration projects to protect the health and vitality of the Deschutes River and its tributaries.
6. Preserve publicly owned lands along the Deschutes River as designated open space.
7. Collaborate with public, private, and nonprofit organizations on infrastructure improvements near recreation areas including formal river access points, wayfinding signage, lighting, or sanitary facilities.
8. Support community efforts to designate the segment of the Deschutes River through Tumalo as an Oregon Scenic Waterway for its recreational values.
9. Coordinate with community partners on the development of a trails and recreation master plan.
10. Support community-led efforts to address concerns regarding recreational use of and impacts to the Deschutes River and its floodplain.
11. Coordinate with community partners on efforts to designate new parks and maintain local parks.
12. Encourage preservation or improvement of groundwater quality and the conservation of groundwater supplies.
13. Provide public educational outreach on the importance and benefits of water conservation, encouraging low water use, and drought tolerant landscaping.

- 14. Encourage Tumalo to become a fire-adapted community through the Firewise Program.

**Residential Area Goal**

Maintain the small-town character and feel of Tumalo, while accommodating the community’s residential growth.

**Residential Area Policies**

- 1. Encourage density and design features that are compatible with existing development.
- 2. Permit livestock in the residential districts subject to use limitations.
- 3. Plan and zone for a diversity of housing types and densities suited to the capacity of the land to accommodate water and sewage requirements.
- 4. Explore legislative changes to limit multi-family housing to 4 units in Tumalo.

**Economic Development Goal**

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

**Economic Development Policies**

- 1. 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.
- 2. Explore alternatives to the solar setback standards for development within the commercial zoning districts of Tumalo.
- 3. Allow residential uses and mixed residential/commercial uses, without inhibiting future commercial development opportunities in the Commercial Zoning Districts.
- 4. Support economic development initiatives and tourism in the Tumalo area.
- 5. Allow for existing and future uses without producing adverse effects upon water resources or wastewater disposal. Coordinate with relevant agencies to ensure industrial uses meet requirements for water availability and wastewater disposal.



- 6. Limit industrial activities to low-impact uses that rely on rural resources as defined in OAR 660-004-0022(3)(a).
- 7. Limit industrial activities to low-impact uses that rely on rural resources as defined in OAR 660-004-0022(3)(a).
- 8. Encourage opportunities for public art in Tumalo.

**Public Facilities Goal**

Ensure irrigation, domestic water, wastewater, and other utility systems are safe, efficient, and economical.

**Public Facility Policies**

- 1. Consider water and wastewater capacity when assessing development capabilities on individual lots in Tumalo.
- 2. Promote efficient water and wastewater systems in new development to manage water resources carefully.
- 3. Encourage early planning and acquisition of sites needed for public facilities.
- 4. 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, or connection to a public sewer system if available, consistent with the findings of the Tumalo Sewer Feasibility Study (2022).
- 5. Coordinate with local Irrigation Districts and the Tumalo Town Ditch to avoid adverse effects on their infrastructure and distribution systems.
- 6. Maintain efforts to ensure the Tumalo domestic water system complies with public health regulations and state and federal water quality regulations.
- 7. If Tumalo residents initiate district formation, coordinate with the residents and business owners on the creation of a public sewer district.
- 8. Explore legislative approaches to preclude non-voluntary connections to private sewer systems.
- 9. Explore with Department of Environmental Quality (DEQ) to determine whether a property owner can record a land use provision stating a private sewer is not lawfully available under Oregon Administrative Rule (OAR) 340-040-0160 unless the land owner voluntarily consents to the connection.

- 10. Prohibit private sewers in Tumalo, unless the property owners of the lots in the Laidlaw Plat, Deschutes River Tract, and Deschutes River Homesite Rimrock Addition form a district and vote on the issue.

**Transportation Goal**

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

**Road Network Policies**

- 1. Periodically review the Transportation System Plan policies and standards for Tumalo to reflect best practices.
- 2. Periodically review existing roadway design requirements to ensure complete streets which accommodate all modes of travel.
- 3. Collaborate with the Oregon State Police and Deschutes County Sheriff’s Office to address speeding within Tumalo.
- 4. Encourage ODOT to use its “Blueprint for Urban Design” for U.S. 20 projects to enhance the roadside environment by signage, accommodating alternate modes, roadside amenities, and landscaping.

**Road and Sidewalk Policies**

- 1. Implement road development standards for Tumalo that are consistent with the small-scale character of the community.
- 2. Utilize land development and grant funding opportunities to improve street segments identified for improvement in the Transportation System Plan.
- 3. Provide functional, cost-effective sidewalks within the commercial core while preserving the rural character of the residential areas.
- 4. Provide sidewalks or multiuse paths where they are needed for safety, as set forth in the Transportation System Plan.
- 5. Construct sidewalks specified on community roads without curbs and gutters and allow adequate room for utilities.
- 6. Provide wayfinding signage and maintenance best practices on County arterials and collectors to ensure safe and accessible routes for all users.

- 7. Review Deschutes County Code (DCC) 17.48, Table B, Minimum Bikeway Design Standards, and consider revising widths of multiuse paths from 8 feet to 10 feet and up to 12 feet in areas with high mixed use.

# Section 5.12 Legislative History

## Background

This section contains the legislative history of this Comprehensive Plan.

**Table 5.12.1 Comprehensive Plan Ordinance History**

Ordinance	Date Adopted/ Effective	Chapter/Section	Amendment
2011-003	8-10-11/11-9-11	All, except Transportation, Tumalo and Terrebonne Community Plans, Deschutes Junction, Destination Resorts and ordinances adopted in 2011	Comprehensive Plan update
2011-027	10-31-11/11-9-11	2.5, 2.6, 3.4, 3.10, 3.5, 4.6, 5.3, 5.8, 5.11, 23.40A, 23.40B, 23.40.065, 23.01.010	Housekeeping amendments to ensure a smooth transition to the updated Plan
2012-005	8-20-12/11-19-12	23.60, 23.64 (repealed), 3.7 (revised), Appendix C (added)	Updated Transportation System Plan
2012-012	8-20-12/8-20-12	4.1, 4.2	La Pine Urban Growth Boundary
2012-016	12-3-12/3-4-13	3.9	Housekeeping amendments to Destination Resort Chapter
2013-002	1-7-13/1-7-13	4.2	Central Oregon Regional Large-lot Employment Land Need Analysis
2013-009	2-6-13/5-8-13	1.3	Comprehensive Plan Map Amendment, changing designation of certain property from Agriculture to Rural Residential Exception Area
2013-012	5-8-13/8-6-13	23.01.010	Comprehensive Plan Map Amendment, including certain property within City of Bend Urban Growth Boundary
2013-007	5-29-13/8-27-13	3.10, 3.11	Newberry Country: A Plan for Southern Deschutes County

Exhibit “D” to Ordinance 2023-016 – Comprehensive Plan Section 5.12

2013-016	10-21-13/10-21-13	23.01.010	Comprehensive Plan Map Amendment, including certain property within City of Sisters Urban Growth Boundary
2014-005	2-26-14/2-26-14	23.01.010	Comprehensive Plan Map Amendment, including certain property within City of Bend Urban Growth Boundary
2014-012	4-2-14/7-1-14	3.10, 3.11	Housekeeping amendments to Title 23.
2014-021	8-27-14/11-25-14	23.01.010, 5.10	Comprehensive Plan Map Amendment, changing designation of certain property from Sunriver Urban Unincorporated Community Forest to Sunriver Urban Unincorporated Community Utility
2014-021	8-27-14/11-25-14	23.01.010, 5.10	Comprehensive Plan Map Amendment, changing designation of certain property from Sunriver Urban Unincorporated Community Forest to Sunriver Urban Unincorporated Community Utility
2014-027	12-15-14/3-31-15	23.01.010, 5.10	Comprehensive Plan Map Amendment, changing designation of certain property from Agriculture to Rural Industrial
2015-021	11-9-15/2-22-16	23.01.010	Comprehensive Plan Map Amendment, changing designation of certain property from Agriculture to Surface Mining.
2015-029	11-23-15/11-30-15	23.01.010	Comprehensive Plan Map Amendment, changing designation of certain property from Tumalo Residential 5-Acre Minimum to Tumalo Industrial
2015-018	12-9-15/3-27-16	23.01.010, 2.2, 4.3	Housekeeping Amendments to Title 23.

2015-010	12-2-15/12-2-15	2.6	Comprehensive Plan Text and Map Amendment recognizing Greater Sage-Grouse Habitat Inventories
2016-001	12-21-15/04-5-16	23.01.010; 5.10	Comprehensive Plan Map Amendment, changing designation of certain property from, Agriculture to Rural Industrial (exception area)
2016-007	2-10-16/5-10-16	23.01.010; 5.10	Comprehensive Plan Amendment to add an exception to Statewide Planning Goal II to allow sewers in unincorporated lands in Southern Deschutes County
2016-005	11-28-16/2-16-17	23.01.010, 2.2, 3.3	Comprehensive Plan Amendment recognizing non-resource lands process allowed under State law to change EFU zoning
2016-022	9-28-16/11-14-16	23.01.010, 1.3, 4.2	Comprehensive plan Amendment, including certain property within City of Bend Urban Growth Boundary
2016-029	12-14-16/12/28/16	23.01.010	Comprehensive Plan Map Amendment, changing designation of certain property from, Agriculture to Rural Industrial
2017-007	10-30-17/10-30-17	23.01.010	Comprehensive Plan Map Amendment, changing designation of certain property from Agriculture to Rural Residential Exception Area
2018-002	1-3-18/1-25-18	23.01, 2.6	Comprehensive Plan Amendment permitting churches in the Wildlife Area Combining Zone

Exhibit “D” to Ordinance 2023-016 – Comprehensive Plan Section 5.12

2018-006	8-22-18/11-20-18	23.01.010, 5.8, 5.9	Housekeeping Amendments correcting tax lot numbers in Non-Significant Mining Mineral and Aggregate Inventory; modifying Goal 5 Inventory of Cultural and Historic Resources
2018-011	9-12-18/12-11-18	23.01.010	Comprehensive Plan Map Amendment, changing designation of certain property from Agriculture to Rural Residential Exception Area
2018-005	9-19-18/10-10-18	23.01.010, 2.5, Tumalo Community Plan, Newberry Country Plan	Comprehensive Plan Map Amendment, removing Flood Plain Comprehensive Plan Designation; Comprehensive Plan Amendment adding Flood Plain Combining Zone purpose statement.
2018-008	9-26-18/10-26-18	23.01.010, 3.4	Comprehensive Plan Amendment allowing for the potential of new properties to be designated as Rural Commercial or Rural Industrial
2019-002	1-2-19/4-2-19	23.01.010, 5.8	Comprehensive Plan Map Amendment changing designation of certain property from Surface Mining to Rural Residential Exception Area; Modifying Goal 5 Mineral and Aggregate Inventory; Modifying Non-Significant Mining Mineral and Aggregate Inventory
2019-001	1-16-19/4-16-19	1.3, 3.3, 4.2, 5.10, 23.01	Comprehensive Plan and Text Amendment to add a new zone to Title 19: Westside Transect Zone.

2019-003	02-12-19/03-12-19	23.01.010, 4.2	Comprehensive Plan Map Amendment changing designation of certain property from Agriculture to Redmond Urban Growth Area for the Large Lot Industrial Program
2019-004	02-12-19/03-12-19	23.01.010, 4.2	Comprehensive Plan Map Amendment changing designation of certain property from Agriculture to Redmond Urban Growth Area for the expansion of the Deschutes County Fairgrounds and relocation of Oregon Military Department National Guard Armory.
2019-011	05-01-19/05-16/19	23.01.010, 4.2	Comprehensive Plan Map Amendment to adjust the Bend Urban Growth Boundary to accommodate the refinement of the Skyline Ranch Road alignment and the refinement of the West Area Master Plan Area I boundary. The ordinance also amends the Comprehensive Plan designation of Urban Area Reserve for those lands leaving the UGB.
2019-006	03-13-19/06-11-19	23.01.010,	Comprehensive Plan Map Amendment, changing designation of certain property from Agriculture to Rural Residential Exception Area
2019-016	11-25-19/02-24-20	23.01.01, 2.5	Comprehensive Plan and Text amendments incorporating language from DLCD's 2014 Model Flood Ordinance and Establishing a purpose statement for the Flood Plain Zone.



Exhibit “D” to Ordinance 2023-016 – Comprehensive Plan Section 5.12

2019-019	12-11-19/12-11-19	23.01.01, 2.5	Comprehensive Plan and Text amendments to provide procedures related to the division of certain split zoned properties containing Flood Plain zoning and involving a former or piped irrigation canal.
2020-001	12-11-19/12-11-19	23.01.01, 2.5	Comprehensive Plan and Text amendments to provide procedures related to the division of certain split zoned properties containing Flood Plain zoning and involving a former or piped irrigation canal.
2020-002	2-26-20/5-26-20	23.01.01, 4.2, 5.2	Comprehensive Plan Map Amendment to adjust the Redmond Urban Growth Boundary through an equal exchange of land to/from the Redmond UGB. The exchange property is being offered to better achieve land needs that were detailed in the 2012 SB 1544 by providing more development ready land within the Redmond UGB. The ordinance also amends the Comprehensive Plan designation of Urban Area Reserve for those lands leaving the UGB.
2020-003	02-26-20/05-26-20	23.01.01, 5.10	Comprehensive Plan Amendment with exception to Statewide Planning Goal 11 (Public Facilities and Services) to allow sewer on rural lands to serve the City of Bend Outback Water Facility.

2020-008	06-24-20/09-22-20	23.01.010, Appendix C	Comprehensive Plan Transportation System Plan Amendment to add roundabouts at US 20/Cook-O.B. Riley and US 20/Old Bend-Redmond Hwy intersections; amend Tables 5.3.T1 and 5.3.T2 and amend TSP text.
2020-007	07-29-20/10-27-20	23.01.010, 2.6	Housekeeping Amendments correcting references to two Sage Grouse ordinances.
2020-006	08-12-20/11-10-20	23.01.01, 2.11, 5.9	Comprehensive Plan and Text amendments to update the County's Resource List and Historic Preservation Ordinance to comply with the State Historic Preservation Rule.
2020-009	08-19-20/11-17-20	23.01.010, Appendix C	Comprehensive Plan Transportation System Plan Amendment to add reference to J turns on US 97 raised median between Bend and Redmond; delete language about disconnecting Vandevent Road from US 97.
2020-013	08-26-20/11/24/20	23.01.01, 5.8	Comprehensive Plan Text And Map Designation for Certain Properties from Surface Mine (SM) and Agriculture (AG) To Rural Residential Exception Area (RREA) and Remove Surface Mining Site 461 from the County's Goal 5 Inventory of Significant Mineral and Aggregate Resource Sites.
2021-002	01-27-21/04-27-21	23.01.01	Comprehensive Plan Map Designation for Certain Property from Agriculture (AG) To Rural Industrial (RI)

Exhibit “D” to Ordinance 2023-016 – Comprehensive Plan Section 5.12

2021-005	06-16-21/06-16-21	23.01.01, 4.2	Comprehensive Plan Map Amendment Designation for Certain Property from Agriculture (AG) To Redmond Urban Growth Area (RUGA) and text amendment
2021-008	06-30-21/09-28-21	23.01.01	Comprehensive Plan Map Amendment Designation for Certain Property Adding Redmond Urban Growth Area (RUGA) and Fixing Scrivener’s Error in Ord. 2020-022
2022-001	04-13-22/07-12-22	23.01.010	Comprehensive Plan Map Amendment, changing designation of certain property from Agriculture (AG) to Rural Residential Exception Area (RREA)
2022-003	04-20-22/07-19-22	23.01.010	Comprehensive Plan Map Amendment, changing designation of certain property from Agriculture (AG) to Rural Residential Exception Area (RREA)
2022-006	06-22-22/08-19-22	23.01.010	Comprehensive Plan Map Amendment, changing designation of certain property from Rural Residential Exception Area (RREA) to Bend Urban Growth Area
2022-011	07-27-22/10-25-22 (superseded by Ord. 2023-015)	23.01.010	Comprehensive Plan Map Designation for Certain Property from Agriculture (AG) To Rural Industrial (RI)
2022-013	12-14-22/03-14-23	23.01.010	Comprehensive Plan Map Designation for Certain Property from Agriculture (AG) to Rural Residential Exception Area (RREA)

2023-001	03-01-23/05-30-23	23.01.010, 5.9	Housekeeping Amendments correcting the location for the Lynch and Roberts Store Advertisement, a designated Cultural and Historic Resource
2023-007	04-26-23/6-25-23	23.01.010	Comprehensive Plan Map Designation for Certain Property from Agriculture (AG) to Rural Residential Exception Area (RREA)
2023-010	06-21-23/9-17-23	23.01.010	Comprehensive Plan Map Designation for Certain Property from Agriculture (AG) to Rural Residential Exception Area (RREA)
2023-018	08-30-23/11-28-23	23.01.010	Comprehensive Plan Map Designation for Certain Property from Agriculture (AG) to Rural Residential Exception Area (RREA)
2023-015	9-13-23/12-12-23	23.01.010	Comprehensive Plan Map Designation for Certain Property from Agriculture (AG) to Rural Industrial (RI)
2023-025	11-29-23/2-27-24	23.01.010	Comprehensive Plan Map Amendment, changing designation of certain property from Rural Residential Exception Area (RREA) to Bend Urban Growth Area
2024-001	01-31-24/4-30-24	23.01.010	Comprehensive Plan Map Amendment, changing designation of certain property from Rural Residential Exception Area (RREA) to Bend Urban Growth Area

Exhibit “D” to Ordinance 2023-016 – Comprehensive Plan Section 5.12

2024-003	2-21-24/5-21-24	23.01.010, 5.8	Comprehensive Plan Map Amendment, changing designation of certain property from Surface Mining (SM) to Rural Residential Exception Area (RREA); Modifying Goal 5 Mineral and Aggregate Inventory
2023-017	3-20-24/6-18-24	23.01(D) (repealed), 23.01(BL) (added), 3.7 (amended), Appendix C (replaced)	Updated Transportation System Plan
<u>2023-016</u>	<u>TBD/TBD</u>	<u>23.01(BM) (added), 4.7 (amended), Appendix B (replaced)</u>	<u>Updated Tumalo Community Plan</u>



COMMUNITY DEVELOPMENT

**STAFF FINDINGS**

**FILE NUMBER(S):** 247-23-000509-PA/510-TA

**SUBJECT PROPERTY/  
OWNER:** N/A

**APPLICANT:** Deschutes County Planning Division  
P.O Box 6005  
Bend, OR 97708

**REQUEST:** Replace the 2010-2030 Tumalo Community Plan with the 2020-2040 Tumalo Community Plan, including updated Goals and Policies

**STAFF CONTACT:** Tarik Rawlings, Senior Transportation Planner  
Phone: 541-317-3148  
Email: [Tarik.Rawlings@deschutes.org](mailto:Tarik.Rawlings@deschutes.org)

**RECORD:** Record items can be viewed and downloaded from:  
[www.buildingpermits.oregon.gov](http://www.buildingpermits.oregon.gov)

Record items can be viewed and downloaded from:  
<https://www.deschutescounty.gov/cd/page/tumalo-community-plan-update-2020-2040-247-23-000509-pa-510-ta>

**I. APPLICABLE CRITERIA**

Deschutes County Code (DCC)  
Title 22, Deschutes County Development Procedures Ordinance  
Chapter 22.012, Legislative Procedures

Oregon Administrative Rule (OAR)  
OAR 660-015, Statewide Planning Goals and Guidelines  
OAR 660-022, Unincorporated Communities

Deschutes County Comprehensive Plan – Title 23  
Chapter 1, Comprehensive Planning

## Chapter 4, Urban Growth Management

### II. **BASIC FINDINGS**

#### **PROPOSAL**

This is a legislative plan and text amendment to the Deschutes County Comprehensive Plan to remove the 2010-2030 Tumalo Community Plan (TCP) and replace it with the 2020-2040 TCP. Tumalo is a Rural Unincorporated Community under OAR 660-022-0010(7). The TCP is Section 4.7 within the Deschutes County Comprehensive Plan. The TCP provides a Community Vision Statement, goals, and polices unique to Tumalo. The 2020-2040 TCP update includes several new goals and policies; updates information for population, traffic volumes, land use consumption; recaps general changes within the community; and identified issues of public concern.

#### **BACKGROUND**

In 2010, County staff prepared a Community Plan for Tumalo. As that plan is now halfway through its lifespan and Tumalo has undergone several changes in population, different types of land uses, and increased tourism, the County began the process in 2022 to update the TCP. This update was done concurrently with an update of the bike, pedestrian, and transit components of the TCP.

#### **REVIEW CRITERIA**

Deschutes County lacks specific criteria in DCC Titles 18, 22, or 23 for reviewing a legislative plan and text amendment. Nonetheless, since Deschutes County is initiating one, the County bears the responsibility for justifying that the amendments are consistent with Statewide Planning Goals and the County's Comprehensive Plan.

### III. **FINDINGS & CONCLUSIONS**

#### **CHAPTER 22.12, LEGISLATIVE PROCEDURES**

Section 22.12.010.

#### ***Hearing Required***

**FINDING:** This criterion will be met because a public hearing will be held before the Deschutes County Planning Commission on August 10, 2023, and a future public hearing will be held before the Board of County Commissioners.

Section 22.12.020, Notice

**Notice****A. Published Notice**

- 1. Notice of a legislative change shall be published in a newspaper of general circulation in the county at least 10 days prior to each public hearing.**
- 2. The notice shall state the time and place of the hearing and contain a statement describing the general subject matter of the ordinance under consideration.**

**FINDING:** This criterion is met as notice was published in the Bend Bulletin newspaper on July 20<sup>th</sup>, 2023 for the Planning Commission public hearing and additional published notice will be sent for the Board of County Commissioners' public hearing.

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

**FINDING:** Posted notice was determined by the Planning Director not to be necessary.

**C. Individual notice. Individual notice to property owners, as defined in DCC 22.08.010(A), shall be provided at the discretion of the Planning Director, except as required by ORS 215.503.**

**FINDING:** Given the proposed legislative amendments do not apply to any specific property, no individual notices were sent.

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

**FINDING:** Notice was provided to the County public information official for wider media distribution. This criterion is met.

Section 22.12.030 Initiation of Legislative Changes.

**A legislative change may be initiated by application of individuals upon payment of required fees as well as by the Board of County Commissioners.**

**FINDING:** The application was initiated by the Deschutes County Planning Division at the direction of the Board of County Commissioners and has received a fee waiver. This criterion is met.

Section 22.12.040. Hearings Body

- A. The following shall serve as hearings or review body for legislative changes in this order:**
- 1. The Planning Commission.**
  - 2. The Board of County Commissioners.**



**B. *Any legislative change initiated by the Board of County Commissioners shall be reviewed by the Planning Commission prior to action being taken by the Board of Commissioners.***

**FINDING:** The Deschutes County Planning Commission held the initial public hearing on August 10, 2023. The Board will hold a public hearing on a future date to be determined. These criteria are or will be met.

Section 22.12.050 Final Decision

***All legislative changes shall be adopted by ordinance***

**FINDING:** The proposed legislative changes will be implemented by ordinance, number to be determined, upon approval and adoption by the Board of County Commissioners. This criterion will be met.

**OAR 660-015, Statewide Planning Goals and Guidelines**

Goal 1: Citizen Involvement:

**FINDING:** Deschutes County mailed notice to every property in Tumalo prior to Open House #1 (May 11, 2022) and posted flyers at various gathering centers. The latter locations included the bulletin boards for Tumalo's only gas station/convenience store, veterinary clinic, irrigation district offices, pizza parlor, Tumalo Community School, and post office. Open House #1 was the TCP kick off meeting and an opportunity for attendees to voice their opinions about vision statement, goals, policies, and issues of importance. Other opportunities for public comment and dialogue occurred via Meet A Planner meetings (June 20-24, 2022) which were scheduled face-to-face, one-on-one 30-minute sessions on the TCP update; County-held virtual open houses; and surveys (June 29-July 22, 2022). Open Houses #2 (August 22, 2022) and #3 (May 17, 2023) presented draft and final versions of the TCP with revisions based on public feedback. A second round of Meet A Planner meetings was offered (May 2-9, 2023). The County also created a website and an explanatory Story Map to garner public input throughout the process (<https://www.deschutes.org/cd/page/tumalo-community-plan-update>). The 2020-2040 TCP is therefore consistent with Goal 1.

Goal 2: Land Use Planning:

**FINDING:** The TCP 2020-2040 does not change any Comprehensive Plan designations or zoning designations in DCC 18.67, Tumalo Rural Community Zoning. The update is the subject of land use file 247-23-000509-PA/510-TA and will be processed under the County's procedures for a legislative amendment. On July 6, 2023, the County provided the required 35-day prior notice to the Department of Land Conservation and Development (DLCD) before the first evidentiary hearing. The 2020-2040 TCP is therefore consistent with Goal 2.

Goal 3: Agricultural Lands:

**FINDING:** Tumalo does not contain any lands with the Comprehensive Plan designation of Agriculture nor the zoning designation of Exclusive Farm Use (EFU). However, EFU properties abut

Tumalo and the following TCP 2020-2040 Land Use Policy #2 states that County plans and regulations must comply with state requirements for EFU lands. The TCP does not propose any changes to existing EFU zoning. The 2020-2040 TCP is therefore consistent with Goal 3.

Goal 4: Forest Lands:

**FINDING:** There are no lands designated Forest, either by Comprehensive Plan or DCC 18.67, within or abutting Tumalo. The TCP does not change any Forest zoning. Additionally, the majority of trees within the vicinity of Tumalo are juniper trees, which are not considered a commercially viable tree or a species that is commonly suitable for the production of merchantable trees. Therefore, either Goal 4 does not apply to the 2020-2040 or the application is consistent with Goal 4.

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

**FINDING:** The TCP 2020-2040 does not propose any changes to any Goal 5 resources. Two historic buildings in Tumalo are listed in the County's Goal 5 resources. The 2020-2040 TCP has a Natural Resources, Open Space, and Recreation Goal supporting the protection and conservation of natural resources, cultural resources, and open space. Various TCP polices address the elements and intent of Goal 5. Land Use Policy #3 encourages the preservation of historical structures in Tumalo such as the Tumalo Community Church (1905) and the Laidlaw Bank and Trust (1910). Natural Resources, Open Space, and Recreation Policies #4 and #6 address open space; Policies #3, #6-10 address the Deschutes River. The TCP proposes no changes to the County's Landscape Management (LM) overlay zone nor the Surface Mining Impact Area (SMIA) zones, which protect scenic view and aggregate mining, respectively. Therefore, the 2020-2040 TCP is consistent with Goal 5.

Goal 6: Air, Water and Land Resources Quality:

**FINDING:** The TCP has several goals and policies that address this goal. Specifically, Natural Resources, Open Space, and Recreation Policies #5, #13, and #14; Residential Policy #3; Economic Development Policies #1, #3, and #5-#7; the Public Facility Goal and Public Facility Policies #1-#10. In total, the policies will protect the quality of the air, water, and resources within Tumalo. Therefore, the 2020-2040 TCP is consistent with Goal 6.

Goal 7: Areas Subject to Natural Disasters and Hazards:

**FINDING:** The Comprehensive Plan in Section 3.5 lists the following natural hazards endemic to Deschutes County: wildfire, snowstorms, flooding, and volcanic eruptions and earthquakes. Tumalo has a fire station and the Natural Resources, Open Space, and Recreation Policy #15 encourages Tumalo to become a fire-adapted community through the Firewise Program. The Road Department plows County-maintained roads in Tumalo while ODOT plows U.S. 20. The TCP does not change any existing building codes regarding snow loads or structural resistance to earthquakes. Therefore, the 2020-2040 TCP is consistent with Goal 7.

Goal 8: Recreational Needs:

**FINDING:** The major recreational draws to Tumalo are the Deschutes River and the State-designated Twin Bridges Scenic Bikeway, which uses Bailey Road, Cook Avenue, and Cline Falls Road. The Natural Resources, Open Space, and Recreation Goal and its Policies #1-4; and #7-#12 address these needs specifically. The Transportation Goal references supporting recreational uses of the road and sidewalk system. Therefore, the 2020-2040 TCP is consistent with Goal 8.

Goal 9: Economic Development:

**FINDING:** The TCP will not change any of the uses allowed outright or conditionally in the residential, commercial, industrial, or research and development zones in DCC 18.67 (Tumalo Rural Community). The following goal and policies support economic development in Tumalo: Land Use Policy #4; Economic Development Goal and Economic Development Policies #1-#7. Economic Development Policies #3 and #4 particularly support development in the commercial core and supporting economic development initiatives and tourism as the latter brings revenues into the community. Therefore, the 2020-2040 TCP is consistent with Goal 9.

Goal 10: Housing:

**FINDING:** This goal is not applicable because unlike municipalities, unincorporated areas are not obligated to fulfill certain housing requirements. Tumalo is classified as a Rural Unincorporated Community under OAR 660-022-0010(7). The TCP does contain a Residential Goal and Residential Policies #1 and #3 to encourage a mix of housing types. Therefore, if it were applicable, the 2020-2040 TCP would be consistent with Goal 10.

Goal 11: Public Facilities and Services:

**FINDING:** The majority of Tumalo is on septic; there is a private wastewater system, Tumalo Property Owners Association (TPOA), which serves a small area on the south side of U.S. 20. Water, either for drinking or irrigation, is provided by private companies or private wells. The TCP contains a Public Facilities Goal as well as Public Facilities Policies #1-#10. The community was quite concerned about private sewers in Tumalo. Public Facilities Policies #3, #4, and #7 address public sewer systems while Policies #8, #9, and #10 address private sewer systems. Policies #1, #2, and #6 pertain to wastewater facilities regardless of public or private. Taken together, the Public Facilities goal and policies will protect Tumalo's current and future water and wastewater issues. The updated TCP does not propose any changes to the County's regulations regarding public facilities and services. Therefore the 2020-2040 TCP complies with Goal 11.

Goal 12: Transportation:

**FINDING:** The County's Transportation System Plan (TSP) is also being updated to 2040 to continue to provide a safe, convenient, and efficient economical transportation system. The TCP proposed Transportation Goal is to provide and encourage a safe, convenient, and economical transportation system. The Transportation Goal calls for such a transportation system for all modes and to support economic development, recreation, and community health. Of the specific transportation issues raised by the community, Road Network Policy #3 addresses speeding while Policy #4 calls for ODOT to use designs consistent with Tumalo's enduring vision of maintaining its small-town feel. Road and Sidewalk Policy #3 calls for sidewalks in the commercial core, but not in the residential neighborhoods to preserve their rural character. Road and Sidewalk Policies #6 and #7 will lead to a better experience for cyclists and pedestrians. The 2020-2040 TCP does not propose changes in the functional classification of any existing or planned transportation facility nor does it propose changes to any performance standards or access standards. Therefore, the 2020-2040 TCP is consistent with Goal 12.

Goal 13: Energy Conservation:

**FINDING:** As a Rural Unincorporated Community with a 30-foot height limit, Tumalo has minimal opportunities for infill or increased density, which can be used as a strategy for energy conservation. However, the various Transportation policies encourage energy-saving alternate modes, especially bicycling and walking. The small lots can make solar energy utilization impractical due to shadows from nearby structures. Economic Development Policy #2 addresses the issue. The 2020-2040 TCP does not propose to change the County's Plan or implementing regulations regarding energy conservation. Therefore, the 2020-2040 TCP is consistent with Goal 13.

Goal 14: Urbanization:

**FINDING:** Tumalo is a Rural Unincorporated Community under OAR 660-022-0010(7) and has no Urban Growth Boundary (UGB). As Tumalo by definition is rural, Goal 14 does not apply.

Goals 15 through 19

**FINDING:** These goals are not applicable to the proposed plan and text amendments because the County does not contain these types of lands.

**OAR 660-022, Unincorporated Communities**

**FINDING:** OAR 660-022-0030(1) requires counties to provide zoning designations for all properties within an unincorporated community. Deschutes County has done so via DCC 18.67. The 2020-2040 TCP is not adding any new zones nor changing any uses allowed either outright or conditionally. The 2020-2040 TCP is therefore consistent with OAR 660-022.

**Deschutes County Comprehensive Plan**

**FINDING:** The relevant portions of the Comprehensive Plan are Chapter 1 (Comprehensive Planning), which sets the goals and policies of how the County will involve the community and conduct land use planning. These are specified in Section 1.2 (Community Involvement) and Section 1.3 (Land Use Planning). Chapter 4 (Urban Growth Management) and Sections 4.3 (Unincorporated Communities) and 4.7 (Tumalo Community Plan) are also applicable.

Section 1.2 sets a goal for an open and active community involvement program that engages the public during development of land use policies and codes. Policy 1.2.2 designates the Planning Commission as the Committee for Community Involvement. Policies 1.2.3 and 1.2.4 detail procedures for public outreach and avenues of outreach. As described above, the County complied with DCC 22.12 for a legislative amendment, including notice to the public, DLCD, and relevant agencies. Both the Planning Commission and Board will conduct separate public hearings and objectively evaluate the facts. Additionally, staff conducted extensive public outreach via flyers, email, open houses, website, and work sessions with the PC and the Board, which were open to the public and broadcast online.

Section 1.3 sets a goal of an open and public land use process to reach fact-based decisions. Policies 1.3.1 calls for protection of private-property rights and Policies through 1.3.2 through 1.3.9 concern public involvement, record keeping, use of websites, and review periods for the Comprehensive Plan. The 2020-2040 TCP does not identify any properties to be transferred from private to public

ownership; policies state clearly what is voluntary if private property is involved; policies regarding private sewers also would protect rights of private property owners that could be served by a private sewer. For the development of the TCP, the County has done extensive public outreach using traditional methods (flyers, face-to-face meetings) and newer methods (website, online public meetings, electronic records, video meetings, etc.)

Section 4.3 defines, lists, and categorizes Unincorporated Communities. Tumalo is a Rural Community and was approved in 1997. Section 4.3 does not have any goals or policies.

Section 4.7 is the Tumalo Community Plan itself and is incorporated into the Comprehensive Plan as Appendix B.

Based on the above, the 2020-2040 TCP is consistent with the Deschutes County Comprehensive Plan.

#### **IV. CONCLUSION**

The proposed 2020-2040 TCP complies with all relevant Deschutes County and OAR requirements.



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: May 8, 2024

SUBJECT: 2024 Public Safety Campus Plan

RECOMMENDED MOTION:

Move approval and adoption of Document Number 2024-389 2024 Deschutes County Public Safety Campus Plan.

BACKGROUND AND POLICY IMPLICATIONS:

In 2022, Pinnacle Architecture and KMB architects were contracted by Deschutes County to develop a campus plan that anticipates future growth and establishes a clear vision for the services provided on the campus. The plan seeks to anticipate and meet needs for the near-term (0-5 years), mid-term (5-10 years), and long-term (11-20 years).

At the outset of the planning process, a steering committee comprised of senior leadership from six campus stakeholder groups was established along with core stakeholders from each office, department, and agency. Over the last 2 years, the steering committee and stakeholders have participated in an intentional and well-defined planning process that included group programming and planning charrettes as well as individual meetings to identify the key operational components and core services of each group on the campus.

As the Board is aware, there is a recent proposal from a community member to site a managed residential facility in the location of the proposed Oregon State Police storage facility. A managed residential facility was not proposed until the last 45-60 days and this use was not identified as a core service by the steering committee during the 2-year planning process. The County has a formal pre-application meeting scheduled with the City of Bend Planning Division on Thursday, May 9th to explore the feasibility of the proposal, if the Board supports expending resources to evaluate this proposal. If the Board supports further evaluation of this proposal and inclusion of this use in the Public Safety Campus Plan, staff will schedule a Board work session to discuss the process and resources necessary to update the Plan prior to Board consideration of adoption.

A draft of the 2024 Public Safety Campus Plan was sent on April 3, 2024 and on April 24, 2024 the team presented the vision, goals, and objectives of the 2024 Public Safety Campus

Plan for Board review and consideration. The team is returning to the Board for final approval and adoption of the plan.

**BUDGET IMPACTS:**

None at this time. Funding requests for individual projects identified in the plan will be presented to the Board through the typical budget process.

**ATTENDANCE:**

- Lee Randall, Facilities Director
- Eric Nielsen, Facilities Capital Improvement Manager
- Henry Alaman, OTAK
- Emily Freed, Pinnacle Architecture
- Greg Cook, KMB Architects



March 22, 2024









**Deschutes County**  
Public Safety Campus Plan

Final Report





## Table Of Contents

PROJECT DIRECTORY	ii	
ACKNOWLEDGMENTS	vii	
EXECUTIVE SUMMARY	1	
CAMPUS DEVELOPMENT NEEDS	14	
SPACE NEEDS	21	
SITE ANALYSIS	26	
CAMPUS DEVELOPMENT PRIORITIES	29	
COST ESTIMATE	37	

# PROJECT DIRECTORY

## Deschutes County Leadership

### Deschutes County Board of County Commissioners

Anthony DeBone, Chair  
Patti Adair, Vice-Chair  
Phil Chang, Commissioner

### Deschutes County Administration

Nick Lelack, Deschutes County Administrator  
Whitney Hale, Deputy Administrator  
Erik Kropp, Deputy Administrator

### Deschutes County Sheriff's Office

Sheriff L. Shane Nelson

### Deschutes County Facilities Department

Lee Randall, Director  
Eric Nielsen, Capital Improvement Manager

## Owners Representative

**Otak CPM**  
Henry Alaman, Project Manager

## Design Team

**Pinnacle Architecture (Architect of Record)**  
Peter Baer, Principal in Charge  
Emily Freed, Project Manager  
Victoria Tranca, Project Designer

**Emily Freed**  
Pinnacle Architecture, Project Manager  
EmilyF@parch.biz

**Gregory Cook**  
KMB architects, Design Lead  
GregoryCook@kmb-architects.com

**Sheri O'Brien**  
KMB architects, Design Lead  
SheriOBrien@kmb-architects.com



# Steering Committee

## Deschutes County Facilities Department

Lee Randall, Director  
Eric Nielsen, Capital Improvement Manager

## Deschutes County Sheriff's Office

Captain Michael Shults, Corrections Commander  
Jim Groves, Maintenance Supervisor  
Captain William Bailey, Patrol Division Commander  
Captain Paul Garrison, Division Commander  
Joe Brundage, Business Manager

## Deschutes County Community Justice

Deevy Holcomb, Director

## Deschutes County Behavioral Health and Crisis Services

Holly Harris, Director  
Janice Garceau, Past Director  
Christopher Weiler, Officer  
Adam Goggins, Manager

## Deschutes County 9-1-1

Sara Crosswhite, Director

## Deschutes County Property Management

Kristie Bollinger, Manager

## Oregon State Police

Gentry Richardson, Business Operations Supervisor



# Deschutes County Stakeholders

## Deschutes County Facilities Department

Josh Clawson, Past Facilities Project Coordinator  
Brian Hayward, Maintenance Specialist II

## Deschutes County Sheriff's Office (Station 9: Adult Jail)

Lieutenant Mike Gill, Corrections Administrative Lieutenant  
Lieutenant Joshua McGowan, Corrections Jail Programs  
Lieutenant John Jernigan, Corrections  
Sergeant Daniel Marsh, Corrections  
Sergeant Christopher Gibson, Corrections / Courts Transport  
Eden Aldrich, FNP, Corrections Medical Director

## Deschutes County Sheriff's Office (Station 10: Administrative & Supporting Services)

Lieutenant Zachary Neemann, IT & Digital Forensics  
Lieutenant Bryan Husband, Patrol  
Lieutenant Ty Rupert, Detectives  
Deputy Joshua Barker, Patrol  
Elsa Lilienthal, Records Supervisor  
Pete Martin, Automotive Supervisor & Fleet Manager  
Adam Lowrie, Fleet Technician  
Sergeant Nathan Garibay, Emergency Services Manager  
Lieutenant Mike Biondi, Search & Rescue Coordinator  
Deana Tucker, Evidence Technician  
Jennifer Hill, Civil Technician  
Thomas Lilienthal, Detective Sergeant, Digital Forensics  
Jennifer Mannix, Human Resources Specialist  
Rachel McKim, Office Assistant  
Sergeant Zachary Steward, Training Manager

## Deschutes County Community Justice

Trevor Stephens, Business Manager, Operations & Innovations  
Sonya Littledeer-Evans, Deputy Director, Juvenile  
Robert Gilman, Detention Manager  
Tanner Wark, Deputy Director, Adult Parole & Probation

## Deschutes County Behavioral Health

Kim Bohme, Administrative Analyst  
Jill Kaufmann, Supervisor, Stabilization Center

## Deschutes County 9-1-1

Chris Perry, Operations Manager  
Jonathan Spring, Tech Systems Manager  
Megan Craig, Training Manager

## Oregon State Police

Lieutenant Chris Seber, Patrol Commander  
Lieutenant Roberto Robles, East Region CID  
Brian Medlock, Forensic Division Director





# Other Community Stakeholders



### City of Bend

Aaron Henson, Senior Planner  
Chris Henningsen, Principal Engineer

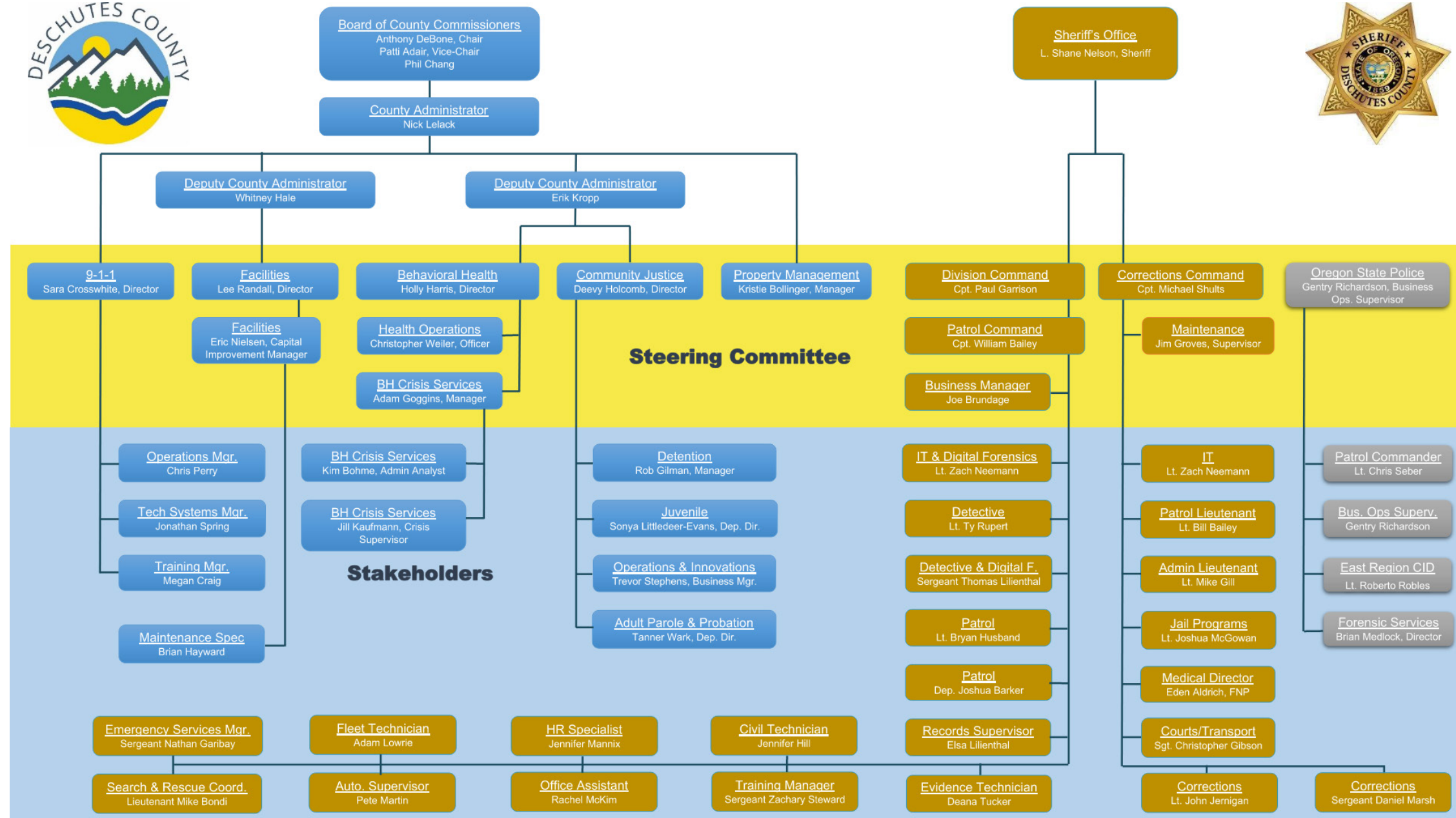
### Oregon Department of Transportation (ODOT)

Omar Ahmed, Region 4 Tech Center Manager  
Miranda Wells, Resident Engineer  
Richard Williams, Project Manager

### Swalley Irrigation District

Jer Camarata, general Manager & Board Secretary  
Karl Conklin, Operations Manager

# Deschutes County Public Safety Campus Organization Chart





# ACKNOWLEDGMENTS



**Pinnacle Architecture and KMB architects** are grateful to the members of the Deschutes County Pubic Safety Campus Steering Committee who participated in this campus development plan process and provided guidance, feedback, and direction. We are appreciative to all who gave time to walk us through their spaces and process, explain the challenges they experience, and met with us multiple times over the course of several months to discuss the current and future needs of their departments and the services they provide to the community.

This collaborative effort allowed our team to develop an understanding of each department's operational and spatial needs, and how departments work together on the campus. This understanding facilitated development of the programs and campus development plan concepts contained in this report.

The team would also like to acknowledge the previous studies that Deschutes County has completed; these studies provided valuable background information and helped focus our investigation and complete this campus development plan.





# Background

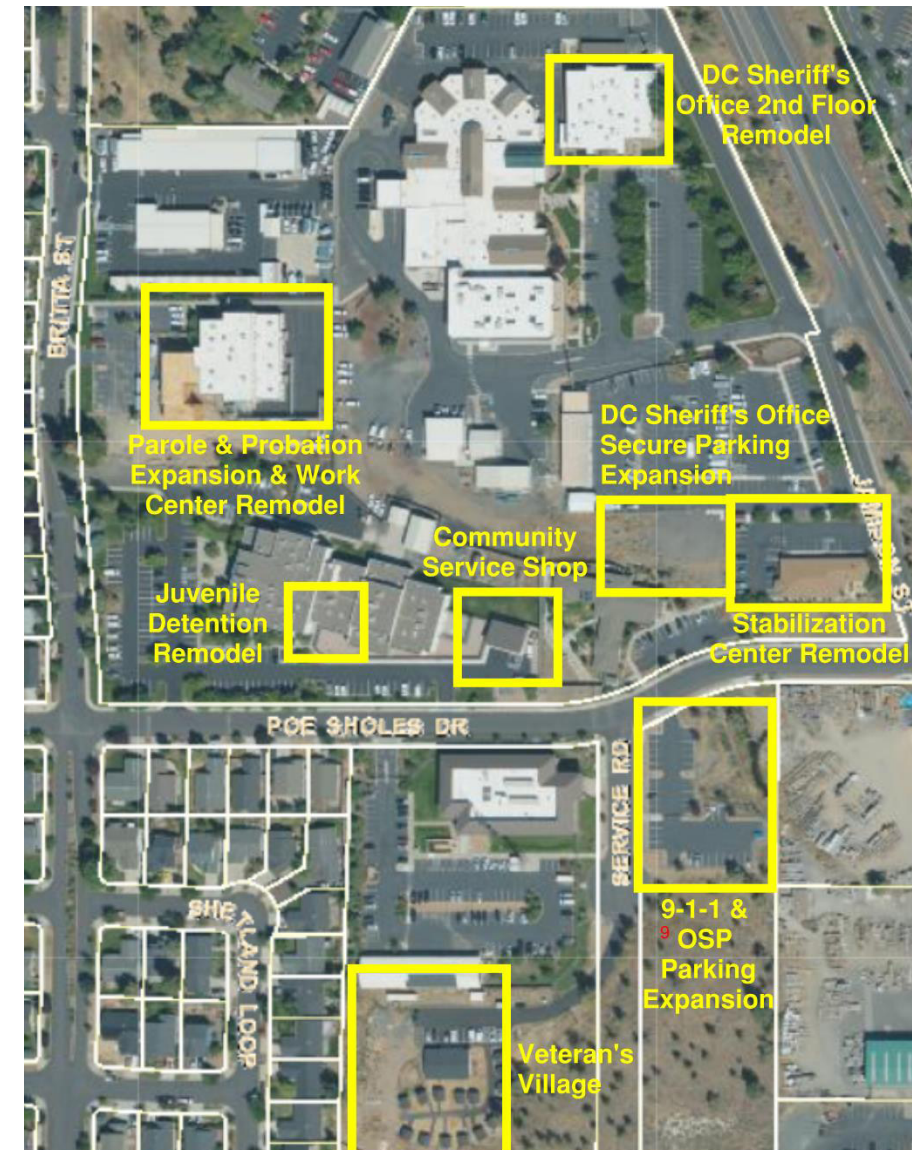
Several projects have been completed on the public safety campus since the development of the 2018 campus plan:

- Additional parking was added near the 9-1-1 & Oregon State Police facility.
- Existing Parole & Probation Programs building was remodeled to accommodate the Stabilization Center
- Community Service Shop was constructed.
- Veteran's Village opened on the south end of the campus.
- Parole & Probation was remodeled and expanded.
- Work Center was remodeled to include a fitness room.
- Unused juvenile detention space was remodeled for detention administration offices and meeting space.
- Additional secure parking has been provided for DCSO.

In 2018, Deschutes County completed a near-term campus plan to meet the immediate and near-term needs of the programs on the existing site. Because of the constrained nature of the site, it was determined that a long-term campus plan should be developed to ensure that incremental development on the site would not impede the long-term vision for County operations.

Prior to engaging with the Steering Committee, the Deschutes County Leadership & Project Management Team identified project goals and objectives to initiate the campus planning process:

- Design solutions must protect the safety of the public, individuals in-custody, and Sheriff's Office Security Personnel
- Design must be flexible, efficient, and durable
- Design solutions will consider life cycle costs, i.e., initial costs of proposed materials and systems will be balance against the cost of repair, maintenance, and replacement.
- Design solutions will consider and develop a campus vernacular.



# Deschutes County Goals & Objectives



- Protect the community through planning, preparedness, and delivery of coordinated services.**
- Provide safe and secure communities through coordinated public safety and crisis management services.
  - Reduce crime and recidivism and support victim restoration and wellbeing through equitable engagement, prevention, reparation of harm, intervention, supervision and enforcement.
  - Collaborate with partners to prepare for and respond to emergencies, natural hazards and disasters.



- Enhance and protect the health and well-being of communities and their residents.**
- Support and advance the health and safety of all Deschutes County's residents.
  - Promote well-being through behavioral health and community support programs.
  - Help sustain natural resources and air and water quality in balance with other community needs.
  - Continue to support pandemic response and community recovery, examining lessons learned to ensure we are prepared for future events.



- Provide solution-oriented service that is cost-effective and efficient.**
- Ensure quality service delivery through the use of innovative technology and systems.
  - Support and promote Deschutes County Customer Service "Every Time" standards.
  - Continue to enhance community participation and proactively welcome residents to engage with County programs, services and policy deliberations.
  - Preserve, expand and enhance capital assets, to ensure sufficient space for operational needs.
  - Maintain strong fiscal practices to support short and long-term county needs.
  - Provide collaborative internal support for County operations with a focus on recruitment and retention initiatives.



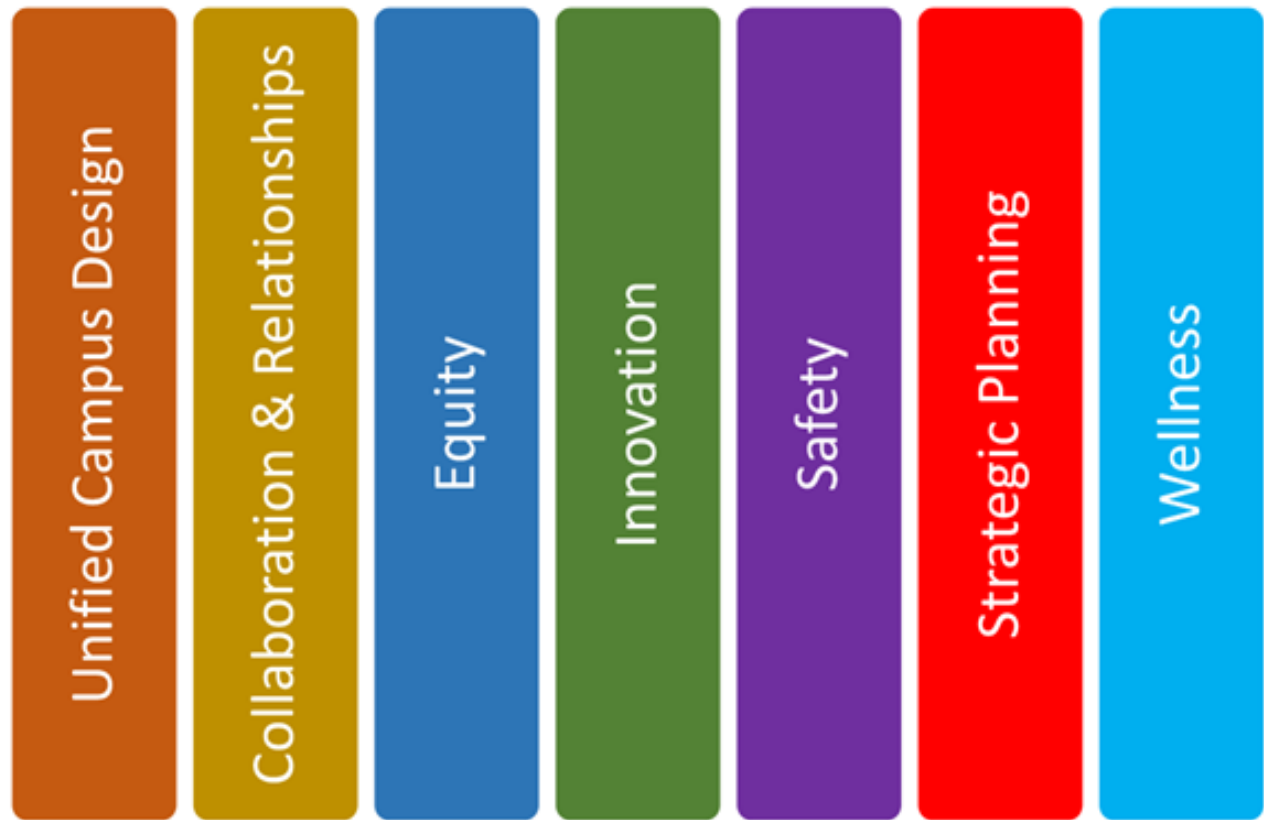
- Promote policies and actions that sustain and stimulate economic resilience and a strong regional workforce.**
- Update County land use plans and policies to promote livability, economic opportunity, disaster preparedness, and a healthy environment.
  - Maintain a safe, efficient and economically sustainable transportation system.
  - Manage County assets and enhance partnerships that grow and sustain businesses, tourism, and recreation.



- Support actions to increase housing production and achieve stability.**
- Expand opportunities for residential development on appropriate County-owned properties.
  - Support actions to increase housing supply.
  - Collaborate with partner organizations to provide an adequate supply of short-term and permanent housing and services to address housing insecurity.

# Campus Plan Guiding Principles

## Delivery of Core Services



**UNIFIED CAMPUS:** Develop a unified campus that reflects the culture and values of Deschutes County and creates non-institutional designs that support restoration, healing and an integrated approach to services. The campus should be flexible and prepare Deschutes County for the future. Create a welcoming campus that is planned for current services and future growth. Provide flexibility that allows the campus to adapt to changes over time. Increase pathways and connectedness across campus. Increase access to amenities and improve wayfinding across campus.

**COLLABORATION AND RELATIONSHIPS:** Enhance collaboration and stronger relationship between individual campus functions, community service partners, and the surrounding community. The campus should seek to be accessible and transparent to the community.

**EQUITY:** Go beyond design strategies and become operationalized. Everyone in the community must have a voice, and those impacted by services provided on the campus should have a meaningful voice in the planning process. The process and design should reach beyond a discussion only of diversity, equity and inclusion and identify tangible methods to provide increased DE&I.

**INNOVATION:** Promote creative thinking and be bold in planning for the future campus to provide for appropriate services and programs for our clients and increase staff recruitment and retention. Leverage technology to improve operations and the services we provide.

**SAFETY:** Maintain and enhance safety for the public, staff, and detainees. Include design features that are welcoming, trauma-informed, and people-centered.

**STRATEGIC PLANNING:** Strategize to make the best use of resources and integrate flexibility into the solution. Include champions in the community and in County executive leadership in the process from the start. Remain bold, and do not let the fear of conflict allow the process to lose momentum.

**WELLNESS:** The campus plan must integrate and prioritize spaces for staff wellness and incorporate spaces in the design that are organic, welcoming, and life-affirming for our clients.



# Campus Development Priorities

## Shared Building Needs

### High Priorities

- Training and Meeting Space
- Staff Wellness

### Medium Priorities

- Staff Dining / Food Service
- Child Care

### Low Priorities

- Central Facility Maintenance Building

## Shared Site Needs

### High Priorities

- Open Space (Low Maintenance)
- Secure Parking
- Pedestrian Circulation / Program Connectivity
- Consolidated Vehicular Access

### Medium Priorities

- Separated Vehicular Circulation

### Low Priorities

- Separated Pedestrian Circulation

## Site Improvements

### High Priorities

- Improved Wayfinding & Signage

### Medium Priorities

- Campus Security (Duress Signals, Lighting)
- Comprehensive Infrastructure (Technology & Operations)

### Low Priorities

- Shared Camera System

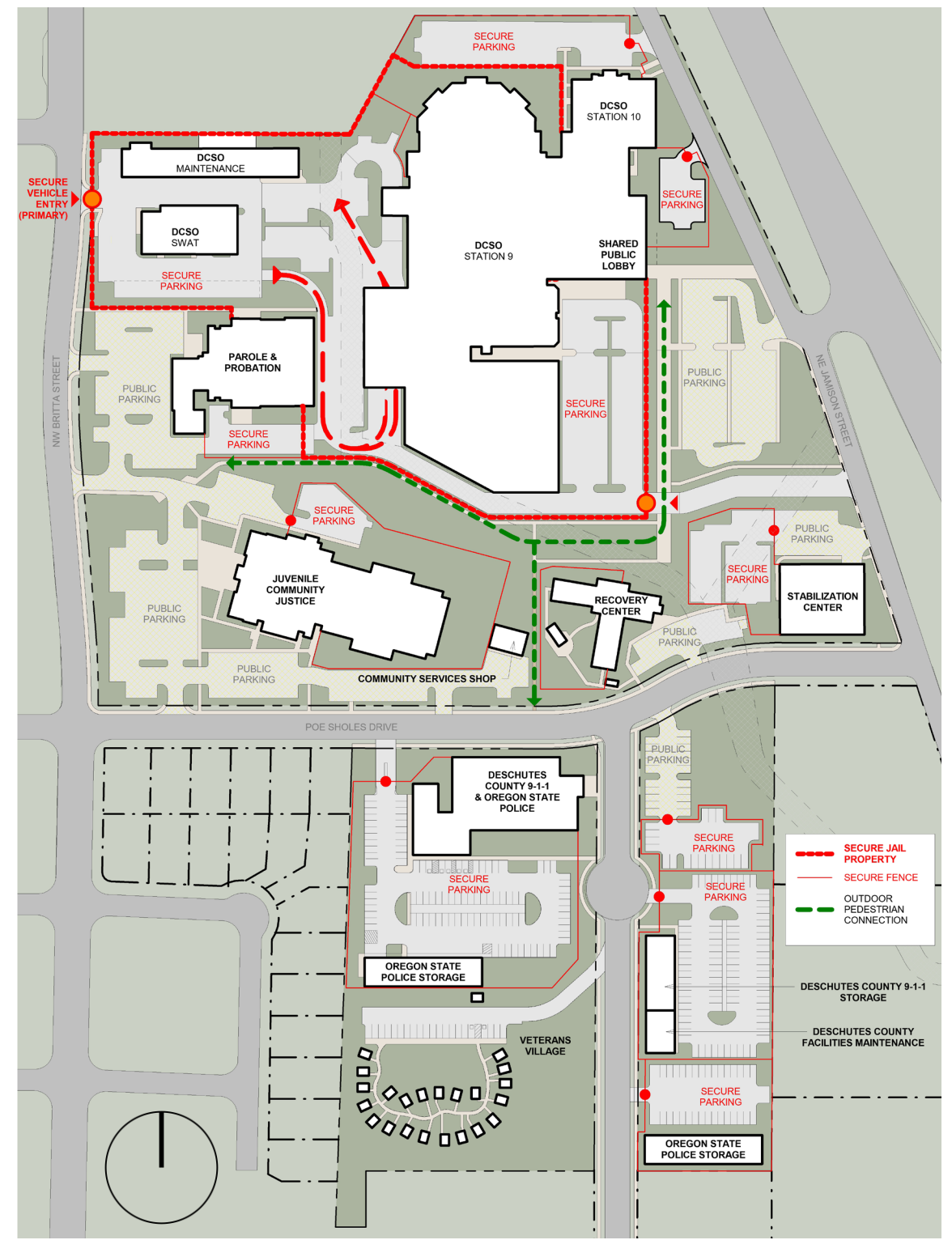
# Long-Term Campus Plan Vision

The Public Safety Campus is bounded on all sides and therefore unable to grow outward without potentially disconnecting core services on the site. Long-term growth of core services on the site will require the future relocation of functions that are essential to the county, but do not require direct proximity to the campus. To satisfy the campus development priorities of the County, DCSO vehicle maintenance and Search and Rescue (SAR) functions will be expanded elsewhere, allowing for significant future expansion of both DCSO Stations 9 and 10. The relocation of those functions allows circulation into and through the site to be reorganized and simplified, improving wayfinding and safety.

To create a safe and welcoming environment for visitors, public access to Stations 9 and 10 will be consolidated and accessed from a single public parking lot off of NE Jamison Street.

Other core services on the site, including Parole & Probation, Juvenile Community Justice, Recovery Center, Stabilization, Deschutes County 9-1-1, Oregon State Police, and Veteran's Village are all able to expand in place as needed. Additional secure parking and storage for Deschutes County 9-1-1 and Oregon State Police will be accommodated on the undeveloped parcel of land at the southeast corner of the site alongside a service road connecting Poe Sholes Dr. to Halfway Rd. to the south. Importantly, the connections between all services will be enhanced through improved pedestrian and vehicular circulation throughout the campus.

To create more open space in the heart of the campus, SWAT & DCSO Facility Maintenance operations will need to be relocated, but that can be done on the existing adjacent undeveloped parcel..



## Near-Term Development Priorities (0-5 Years)

### Sheriff's Office Adult Jail (Station 9)

#### Visitation & Arraignment

The most urgent need for the Adult Jail was for expanded and renovated visitation and arraignment space.

Visitation is used for both personal and professional visits, and there are currently only 3 professional visiting spaces. Professionals, including attorneys, are often left waiting in the lobby for a room to become available.

The old non-contact visiting area has become obsolete, and can be re-purposed for a better use. Non-contact visitation is currently provided to visitors via iPad from the Work Center. When the area in the Work Center becomes unavailable, visitation will need to be provided at the jail.

Video arraignment is currently done using holding cells and a mental health evaluation room. Pro se dependents are in need of video court rooms with additional technology.

### Sheriff's Office Administration & Support (Station 10)

#### On-Site Evidence Storage

The space provided at Station 10 does not currently provide adequate room or appropriate conditions for the secure storage of evidence. The near-term projection for growth will require more than twice the area currently used. Additionally, it is critical that evidence is stored in a safe and secure environment, which includes improvements to HVAC and fire protection systems, safety measures, and adequate locker storage for law enforcement officers to transfer possession of items to the storage area.

#### Concealed Handgun License Processing

CHL identification and processing happens in the public lobby next to the evidence storage space. Due to changes in Oregon state laws related to licensure, it is expected that the CHL space will need to expand to accommodate more visitors.

#### Administration

Additional space is required in the DCSO administrative office to meet current and projected needs. While some additional administrative space can be provided at DCSO substations, critical adjacencies at the PSC require specific functions to be collocated.

### Site Improvements

#### Improved Wayfinding

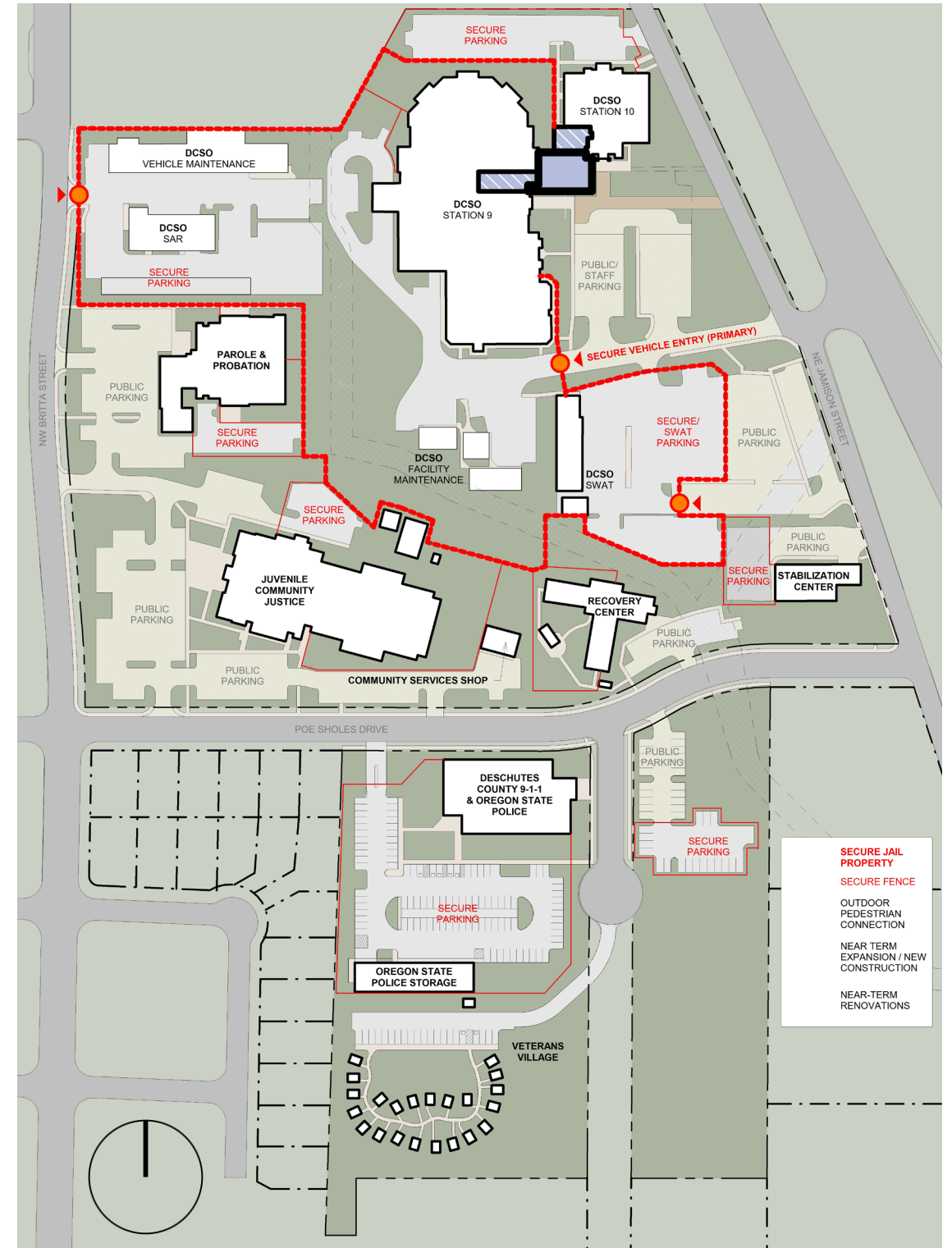
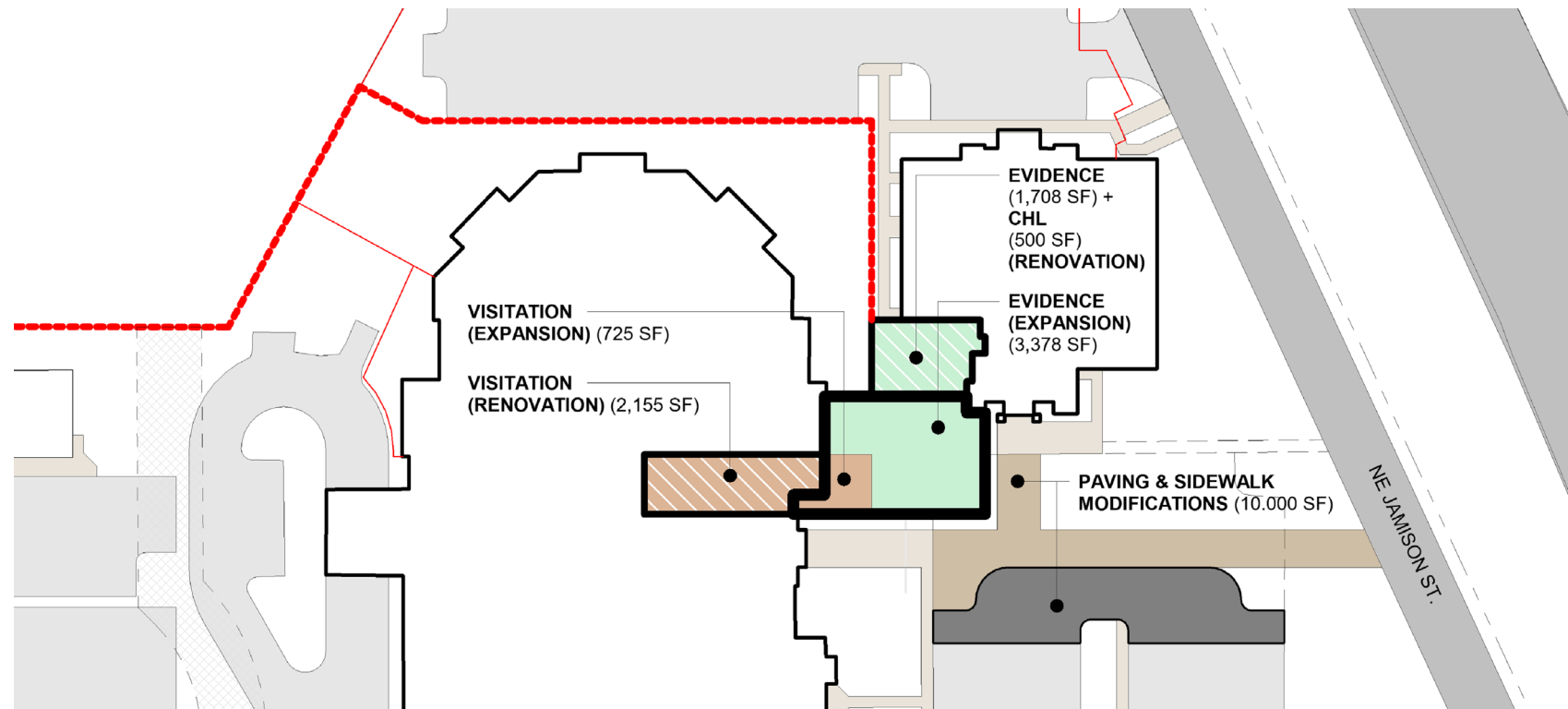
Wayfinding on the campus is confusing for visitors and can lead to unsafe conditions for staff. Providing clear signage and utilizing design elements that direct visitors to their point of entry is essential for public safety.

The desire to create a welcoming environment for visitors is deeply important to the public safety mission of the campus.

# Near-Term Campus Plan (0-5 Years)

Near-term development on the public safety campus will be limited to the area currently in between DCSO Station 9 and Station 10, and will include a connecting two-story expansion between the existing buildings.

Vehicular access to the site will remain unchanged in the near-term. The shared public / staff parking lot that currently serves Stations 9 and 10 will require modification to allow for the building expansion. The changes to the parking lot provide Deschutes County with an opportunity to reconsider the pedestrian connection to Jamison Street, and create a new identity for the Sheriff's Office.





## Mid-Term & Long-Term Development Priorities (6-20 Years)

### Sheriff's Office Adult Jail (Station 9)

#### Orientation & Mental Health Housing

The current jail lacks adequate space for housing inmates with mental health issues. The inclusion of therapeutic spaces that are trauma-informed aligns with the County's goals for public safety and wellness by preparing those in custody for successful treatment when they return to the community.

Orientation housing is an essential component of a jail facility in that it allows staff to better observe and understand inmates as they arrive to the facility. Through direct observation staff can be alerted to issues related to inmate and staff safety that need to be addressed.

#### Intake, Transfer & Release

Intake, transfer and release (ITR) functions for the jail are critical to operations and currently occupy a shared, undersized space in the facility. ITR is an active area and is directly connected to the vehicle sally port and the main corridor to the jail.

The proximity of inmates that are coming off of the street with those that are being transferred to other facilities or released to the community requires comprehensive security and separation of movement that can not be accommodated in the current facility.

#### Food Service & Laundry

The food service and laundry spaces in the jail were not expanded when additional housing was added in 2014, leaving them undersized for the current jail population.

#### Inmate Programs

Inmate programs are an effective way to improve safety in the jail and prepare inmates to successfully return to the community. Inmate program spaces include classrooms and covered outdoor areas for recreation. Classrooms should be designed to safely allow volunteers from the community to lead programs in the jail.

#### Work Center and Alternative Sentencing

The work center allows inmates to work under supervision in the community during the day while being housed in the jail at night. Currently, work center inmates are housed in the adjacent Parole & Probation building, which is not directly connected to the jail and creates redundancy with regards to security and the delivery of food. Attaching the work center to the jail improves safety and staff efficiency.

#### Administration & Lobby

The administrative spaces within the jail are undersized for the projected future staffing level and will need to be expanded.

As the administrative space is expanded, the connection to the public lobby will need to be moved, allowing for the creation of a safe, welcoming entry for visitors to the staff.



## Mid-Term & Long-Term Development Priorities (6-20 Years)

### Sheriff's Office Administration & Support (Station 10)

#### Vehicle Maintenance

Vehicle maintenance is not a core service for the public safety campus and requires significant expansion long-term. An alternative location will need to be identified for future expansion.

#### Search and Rescue | Emergency Management

Search and rescue (SAR) is not a core service for the public safety campus and requires significant expansion long-term. An alternative location will need to be identified for future expansion.

#### SWAT

While SWAT is not a core service of the public safety campus, it requires proximity to both Stations 9 and 10 and will need to expand on site. A facility assessment deemed the current SWAT building to be in poor condition.

#### IT

As other functions expand on site, IT services will continue to grow to meet the greater need.

#### Digital Forensics

Digital forensics has grown exponentially in recent years and will continue to grow long-term. Some specialized spaces and services will need to be provided in the long term.

#### Reception, Records, & Civil

The reception function for DCSO in Station 10, which provides access to the Records & Civil divisions, requires expansion. The creation of a new shared lobby for Station 9 and Station 10 long term provides an opportunity to create a safe and welcoming environment for visitors and will improve efficiency for DCSO staff.

#### Detectives & Patrol

Office space for detectives and patrol will need to be expanded to meet future needs. The proximity of detectives and patrol to on-site evidence storage and digital forensics is critical.

#### Shared Resources & Training

Support spaces for staff, including locker rooms, restrooms, conference rooms, and training spaces will be required to support the long-term growth of the public safety campus. Wherever possible, spaces should be designed to be multi-functional and should allow access from both Stations 9 and 10.

The CORE3 training facility will not alleviate the need for training space at the Public Safety Campus. Training and certification programs require specific spaces designed and dedicated to PSC services, and the proximity of PSC staff to the training space is critical.

# Mid-Term & Long-Term Development Priorities (6-20 Years)

## Campus Improvements

### Stabilization Center Addition and Parking Expansion

To meet future demands the Stabilization Center will require an expansion and light remodel in its current location, including additional public and secure staff parking.

### Juvenile Center Lobby Remodel

The Juvenile Center lobby should be re-imagined as a welcoming, supportive space. The building is currently underutilized and there could be opportunities to locate additional services if needed.

### On-site Pedestrian Circulation & Open Space

The creation of open space and the simplification of pedestrian circulation should be a primary driver of future design decisions for the campus. The Campus Plan envisions a pedestrian pathway through the heart of the campus that allows staff and visitors to move safely and benefit from the outdoors. Separation of pathways for inmate release, visitors and staff should be incorporated. Pedestrian circulation should included proper illumination and clear sight lines.

### Training & Wellness Center

Shared training & wellness & support space for the agencies on the campus will provide significant benefits to staff. Demand of training space on this campus is high due to requirements for certifications related to public safety, custody, and treatment.

### Deschutes County 9-1-1 & Oregon State Police Interior Remodels

OSP requires additional work stations and huddle space, additional storage bays, and small tenant improvements to improve security and functionality. 9-1-1 was designed to expand in its current footprint and will likely require an expansion in the future.

### County Maintenance Facility & Parking

County maintenance will require space on the campus, outside of the secure perimeter of the jail.

### Recovery Center Remodel or Relocation

The Campus Plan did not provide a recommendation as to the future of the Recovery Center.



# Mid-Term Campus Plan (6-10 Years)

Mid-term development on the Public Safety Campus reflects the priorities developed by the steering committee and user groups, and is comprised of several significant expansion and renovation projects on the site.

**Station 9** expansion will provide new Intake, Transfer & Release (ITR) space with a larger vehicle sallyport, orientation housing and housing designed for mental health treatment. Food service and laundry will expand into the former ITR space and will utilize the former vehicle sallyport for a dock and loading area. The medical clinic will expand into adjacent vacated housing units, and additional medical beds will be provided adjacent to the clinic. DCSO Vehicle Maintenance will be relocated off-site, allowing DCSO Facility Maintenance to move into the vacated space.

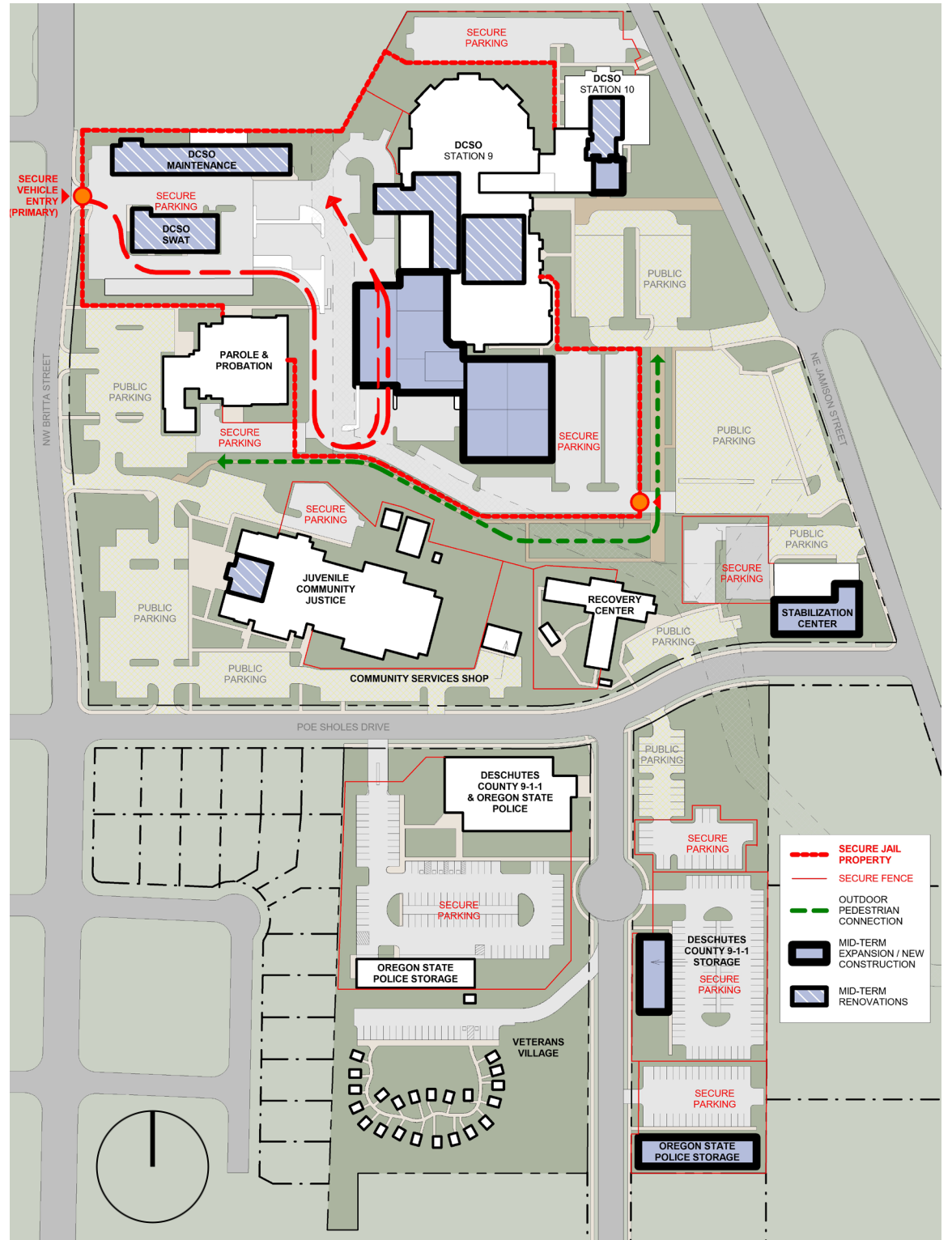
**Station 10** will further expand to provide additional space for Reception & Records, Civil, Concealed Handgun Licenses, Administration, Patrol, Detectives, and Digital Forensics. Search and Rescue will be relocated off-site, and the SWAT building will be demolished to allow for new DCSO secure parking, and SWAT functions will be relocated to the former Search and Rescue space.

**Juvenile Community Justice** will update the public lobby and public-facing functions to provide a safe, welcoming, and accessible space for visitors.

**Stabilization Center** will expand and lightly renovate existing space to provide necessary accommodations for existing and projected future needs.

**Deschutes County 9-1-1 and Oregon State Police** will occupy expanded secure parking and storage facilities on the undeveloped parcel of land across the extended service road.

Secure vehicle access to the adult jail will be moved to Britta Street, and the reconfiguration of secure parking around the adult jail will allow for the development of a pedestrian connection through the site.





# Long-Term Campus Plan (11-20 Years)

Long-term development on the Public Safety Campus reflects the priorities developed by the steering committee and user groups, and is comprised of several significant expansion and renovation projects on the site. Deschutes County Facility Maintenance will be provided a dedicated space away from the core functions of the campus to further expand central open space.

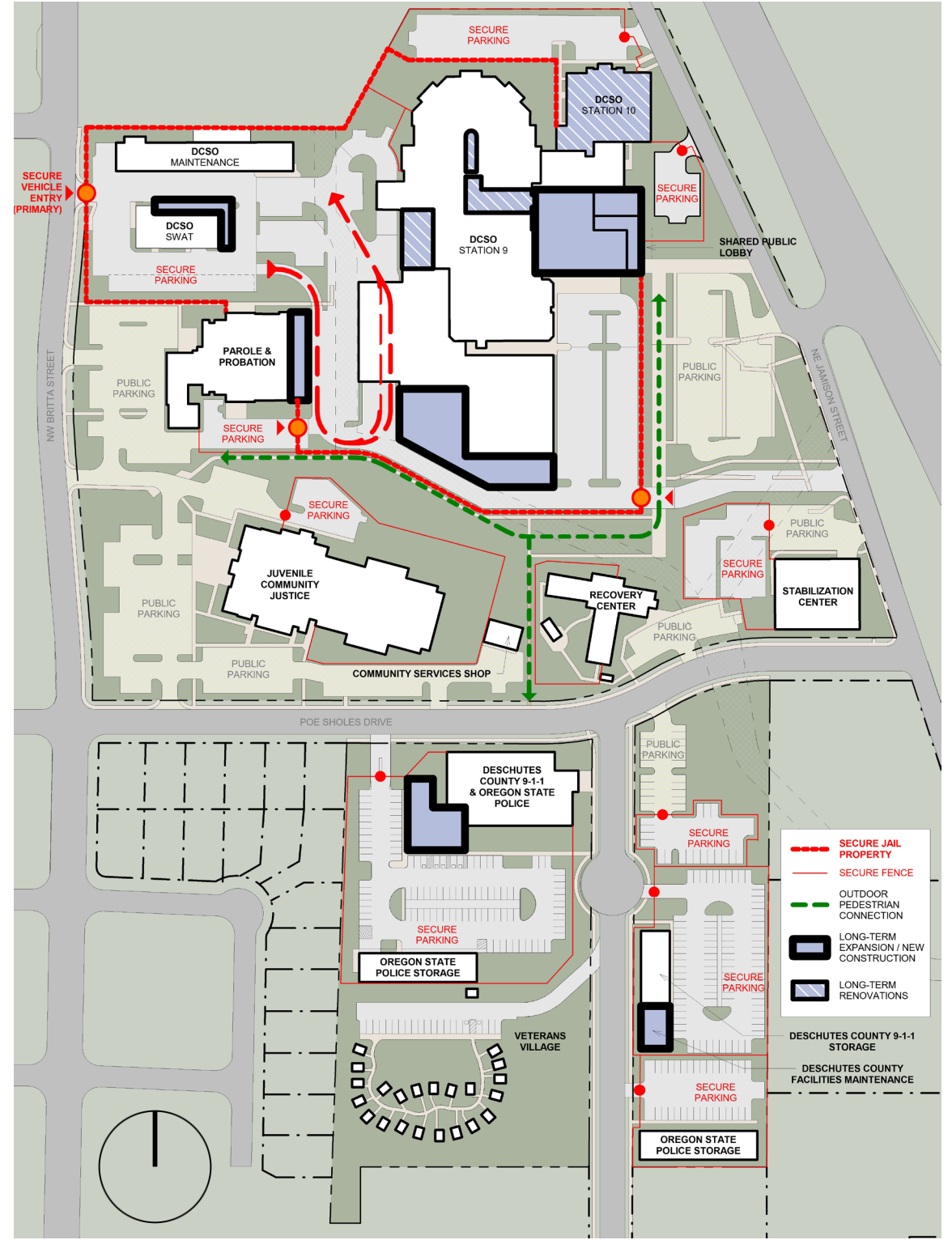
**Station 9** expansion includes new Work Center and Work Release Housing, connecting those functions to security operations in the Adult Jail. Jail Administration will be expanded in new construction and connect to a new shared lobby with Station 10. The former staff support spaces will be renovated to provide inmate programs and services.

**Station 10** will further expand administrative functions and connect to a new shared lobby with Station 9. Existing spaces for Patrol, Detectives, Digital Forensics, and Training will be renovated.

**Deschutes County 9-1-1** and **Oregon State Police** will expand in an addition to their current building.

**Deschutes County Facilities** will move into a new storage facility.

The long-term plan for the public safety campus completes an open pedestrian connection linking all of the functions on the campus.



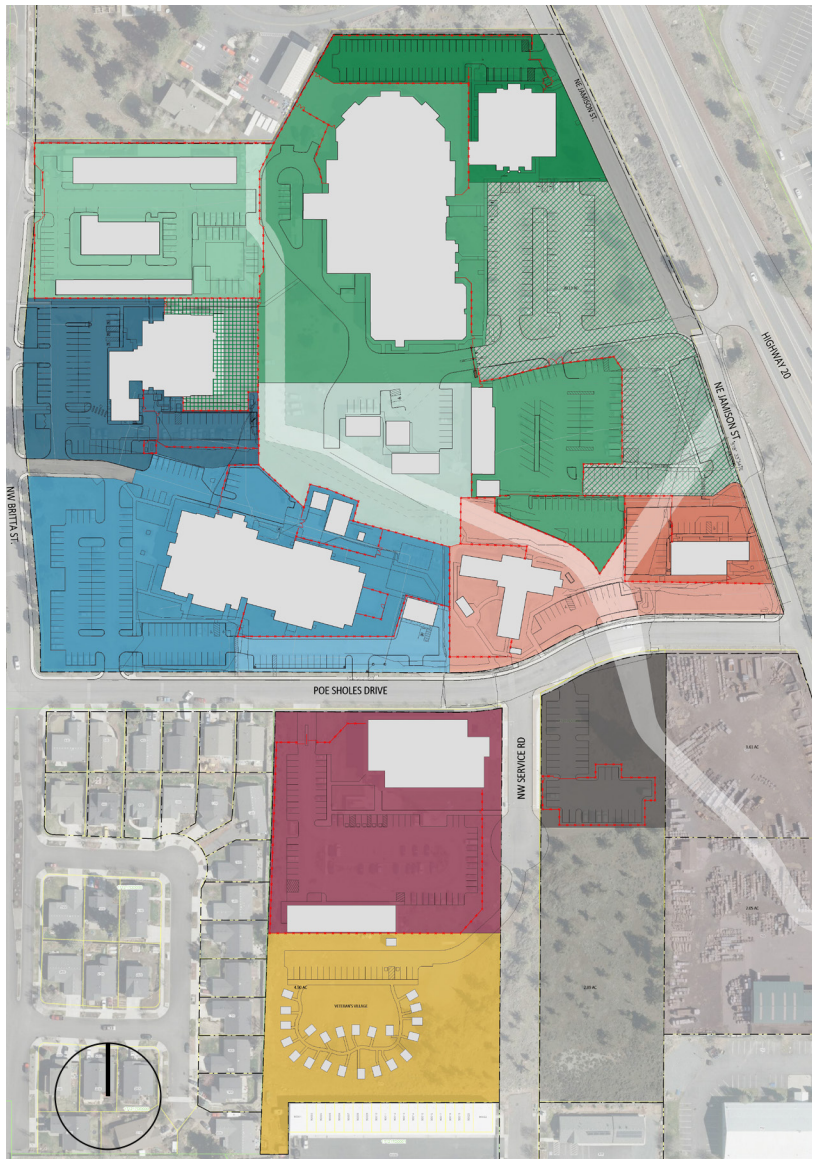
# CAMPUS DEVELOPMENT NEEDS

## Definition of Core Services

The Design Team, in collaboration with the Steering Committee, facilitated several workshops to identify the core services provided on the Public Safety Campus as a decision-making tool during the planning process. This involved identifying essential functions crucial for ensuring safety, security, and effective operations on the campus to best serve Deschutes County now and in the future.

By systematically evaluating community needs, engaging key stakeholders, and enhancing comprehensive services, this campus plan seeks to efficiently and effectively address the safety and security concerns of Deschutes County.

Core Services for the Public Safety Campus have been identified as Critical, Moderate, and Low Level.



### Critical

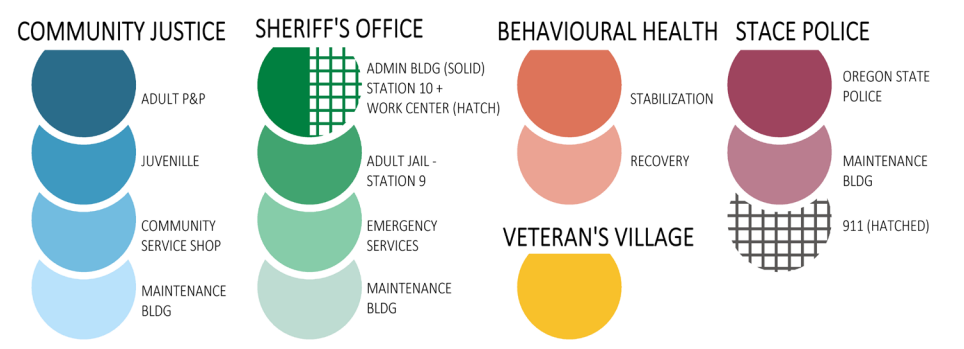
Essential services related to public safety that must remain on campus to continue effectively.

### Moderate

Services that benefit from adjacencies or previous County investment on the campus, but are not essential.

### Low

Services that provide minimal benefit to functions on the campus, or that may better serve the community in an alternate location.





## CURRENT CAMPUS SERVICES

### Behavioral Health:

- Stabilization Center- Provides children and adults who are in need of short-term, mental health crisis assessment and stabilization, that do not require the medical capabilities of an acute care hospital or longer-term residential care. Provides crisis walk-in appointments & adult respite services,
- Supporting Services- Forensic Diversion Programs, civil commitment peer support, mobile crisis assessment team, co-responder program, case management.
- Recovery Center- Provides a stable living environment for people who are transitioning from the state hospital or other secure facilities to a community-based program as a primary component of their mental health treatment.

### Community Justice:

- Adult Parole & Probation- Provides supervision and treatment resources for adult offenders.

- Juvenile- Provides supervision and treatment resources to at-risk and delinquent youth and families; includes detention, behavioral health services, supervision and skill development.
- Community Service workshop on campus to support the community service program for youth and adult offenders
- Partners with other Departments- DC Sheriff's Office Command Unit, Redmond & Bend Police, Fish & Wildlife, Forensics

### Deschutes County 9-1-1:

- Provides consolidated public safety dispatching for police, fire, and medical assistance in Deschutes County
- Provides standards-based lifesaving public emergency care.

### Oregon State Police:

- Main Operations- Patrol, Regional Forensics Lab, Vehicle Maintenance
- Special Services Provided- Back parking lot/SWAT Training, Community Training, Reconstruction Folks on Training

- Partners with other Departments- DC Sheriff's Office Command Unit, Redmond & Bend Police, Fish & Wildlife, Forensics
- Client Services- Provides registration for sex offenders and performs VIN inspections

### Sheriff's Office

- Civil Division- processes, serves and enforces court orders.
- Detective Division- investigates serious crimes against persons and property
- Records Division- takes incoming calls or provides in-person service, handles information for staff and community regarding police reports or police records, and maintains and distributes copies of records to authorized persons/agencies.
- Special Services- provides search and rescue, marine patrol, forest patrol, off highway vehicle patrol, emergency management.

- Patrol Division- patrols and responding to calls for service, both emergency and non-emergency.
- Other Services- Concealed Handgun Licenses, Crime Prevention, Safety, Community Programs
- Corrections Division- Adult jail with the capacity of 452 beds with programs designed to help inmates make positive changes in their behavior
- Vehicle Maintenance- For patrol vehicles (non-public facing)

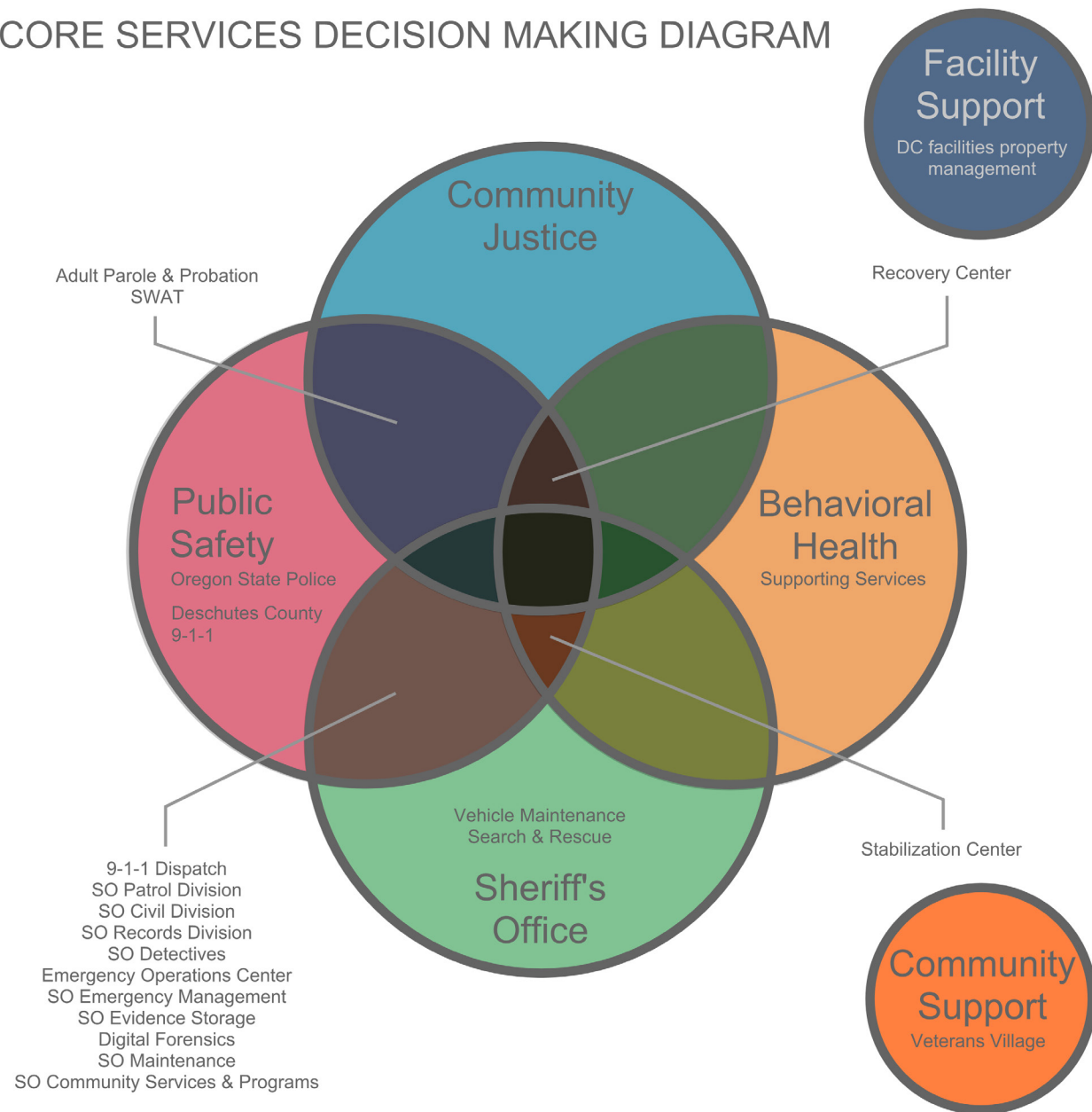
### Veterans Village:

- Transitional Housing- 15 tiny homes on campus
- Community Services- behavioral and physical health, social service programs, employment training and skill building, and housing placement



# CORE SERVICES DECISION-MAKING DIAGRAM

CORE SERVICES DECISION MAKING DIAGRAM



### Critical Level Services:

- Adult Jail (Station 9) including Building Maintenance and Work Center
- Sheriff's Office Administration (Station 10)
- SWAT and Mobile Field Force
- Adult Parole & Probation
- Juvenile Detention
- Stabilization Center
- Facility Support

### Moderate Level Services:

- Deschutes County Recovery Center
- 9-1-1

### Low Level Services:

- Oregon State Police
- Vehicle Maintenance
- Search & Rescue and Emergency Management
- Veterans Village

# CRITICAL ADJACENCIES

**Adult Jail (Station 9) ..... Stabilization Center**

- Shared Medical Services
- First Responder Law Enforcement Is available when needed
- Inmates released often go directly to Stabilization Center

**SWAT & Adult Jail (Station 9) ..... Sheriffs Office Admin (Station 10)**

- Provides Emergency response to jail, proximity is important
- Service personnel come from both corrections and patrol

**Sheriff's Office Maintenance ..... Adult Jail (Station 9)/Sheriffs Office Admin (Station 10)**

**Community Justice (Adult Parole & Probation/Juvenile Detention) ..... Adult Jail (Station 9)**

- Inmates released often go directly to Parole & Probation
- Arrests from Adult Parole & Probation are taken directly to Adult Jail (Station 9)
- Food Service to Juvenile Detention is provided by Adult Jail (Station 9)
- Juvenile Detention and Adult Parole & Probation share staffing, vehicles, and the community service shop





# CAMPUS DEVELOPMENT CHALLENGES

## Public Facing vs. Secure Programs

Public and private/secure spaces are often adjacent, which is disorienting for visitors and increases potential risk for staff.

### Public Facing Programs

- Stabilization Center
- Sheriff's Office (Station 10)
- Adult Jail (Station 9)
- Adult Parole & Probation
- Juvenile Services

### Semi-Public Facing Programs

- Oregon State Police

### Non-Public Facing Programs

- Recovery Center
- 9-1-1
- Maintenance & Storage Facilities
- Veterans Village

## Maintenance & Storage Facilities

Maintenance & storage facilities occupy the heart of the campus, constricting flow (public entries overlap with sheriff and law enforcement), interrupting critical adjacencies and greatly reducing the opportunity for campus connections.

### Wayfinding & Signage

Wayfinding doesn't clearly direct the public to their destination.

- Staff are constantly removed from their duties to give clients/visitors directions.
- Longer paths of travel with poor wayfinding adds to the trauma inflicted on the clients' receiving services who are traveling by foot or bike.

### Food Service:

Lunch hour traffic prohibits employees from leaving campus, and sworn officers are prohibited from leaving campus while on duty.

## Access to & from Site

Intersections at Hwy 20 and Empire are congested and dangerous, and do not allow staff to easily travel to and from site, especially for a limited lunch or dinner break.

### Pedestrian & Vehicular Circulation

Staff share pathways and a secure drive aisle with public and clients receiving services.

- Facility maintenance crews are required to pass through secure barriers
- There are no secure direct pathways through the core of the site for direct access between buildings and/or parking areas, creating unsafe conditions and inefficient flows for staff.

### Green Space & Walking Paths

Green spaces are desired for all and dedicated/secure walking paths are desired for employees.

## Wellness Facilities

Employees need safe and dedicated rooms to decompress indoors. Most staff respite areas have been converted to client service or administration space. A workout facility on campus was completed for Sheriff's Office sworn employees, and non-sworn employees have requested a fitness facility.

### Meeting Space

Most departments have outgrown their administration areas and are in need of meeting room space that can accommodate up to 50 people in a classroom arrangement.

### Training Space for Tactile & Self Defense:

Tactical / self-defense training is required for all campus sworn officers and most non-sworn employees, and is offered to public volunteers and community partners as well. Several departments report needing additional large meeting rooms for training that has direct exterior or lobby access.

## AGENCY NEEDS

### Adult Parole & Probation

- Construction completed for expansion intended to meet long-term needs
- If work center moves to jail proper, 1st floor space is underutilized and may be used for training and wellness functions

### Deschutes County 9-1-1

- No current space expansion needs
- Small tenant improvements to improve functionality
- Mildly underutilized space today, but accommodates for future expansion needs
- Has the room to grow, but will need to re-purpose wasted space when the time comes and provide separation between kitchen and quiet spaces
- Additional secure parking & onsite storage bays

### Juvenile Services

- Small tenant improvements to improve circulation and welcoming environment
- Underutilized space today in both first floor secure detention areas and second floor office/administration space
- Improved signage in lobbies for client wayfinding
- Provide accessible (replace elevator) and open stair access to the 2nd floor.
- Re-purpose large unused lobbies into inviting, family friendly waiting areas for all clients

### Oregon State Police

- Additional work stations and huddle space needed
- Additional secure parking & onsite storage bays needed
- Small tenant improvements to improve security and functionality
- Emergency generator backup for forensics lab and lobby signage.
- Improve lighting, site lines and relationship of front workstations to intercoms/ windows
- Reconfigure customer service window and employee workstations for direct line of communication
- Additional admin workspace for forensics and Patrol Division. Reconfigure layout to maximize space for permanent workstations.
- Ballistic resistant glazing and wall panels at vulnerable Forensic Lab
- Access control at public restroom

### Stabilization Center

- Small tenant improvements to improve minor functionality
- Identified increased need of 100% additional space (doubling of existing space)
- Secure parking
- Emergency generator backup for 24-hour critical care facility to be completed 2024
- Replacement of shower
- Double the number of recliners to 10, shelter area for client dogs, additional intake/counseling/calming room
- At least double the number of workstations currently provided today, not accounting for future growth
- Larger kitchen to serve 50-70 employees who use the facility between the three shifts.

## DEPARTMENTAL NEEDS

### Adult Jail (Station 9)

- Identified space need increase of 70% additional space
- Expand medical, kitchen, in-person visitation & booking to accommodate south housing expansion; also wants to plan for a work release program
- Direct supervision housing units for female and male inmates

### Sheriff's Office Administration (Station 10)

- Identified space need increase of 70% additional space
- More space for Search and Rescue for emergency services, operations and equipment
- Office & meeting space for forensic, patrol, detectives & 1st floor administration unit
- Safety
- More secure and covered parking for staff & improved parking lot efficiencies

### Vehicle Maintenance

- Identified space need increase of 200% additional space

### Campus Training Facility

- Identified space need increase of 520% additional space

### Search and Rescue

- Identified space need increase of 170% additional space

### Special Operations (SWAT and MFF)

- Identified space need increase of 150% additional space

### Recovery Center

- Unknown needs
- 10 years remaining on lease

### Community Service Shop

- Unknown needs

### Veterans Village

- Unknown needs
- 10 years remaining on lease

# SPACE NEEDS

## Establishing Near-Term (0-5 Years), Mid-Term (6-10 Years), and Long-Term (11-20 Years) Space Needs

Facility programming and planning is a process that involves comprehensive analysis, strategic decision-making, and design considerations to meet the functional needs and objectives of the intended users. Detailed analysis of functional requirements based on current and future projects was developed, which included spatial needs, workflow analysis, technical requirements, operational processes, and the relationships between different spaces.

The Design Team collaborated with stakeholders from Deschutes County Sheriff's Office Station 9 and Station 10 on a detailed assessment of future needs. Future needs for other campus functions were not reviewed in detail, and require additional study. Station 9 and Station 10 needs will be prioritized further to provide direction for near-term projects.

**Net Square Feet (NSF):** the usable or assignable square footage within a room or area (inside wall-to-wall dimensions).

**Department Gross Square feet (DGSF):** the actual footprint of a specific department or functional area. This includes the net square footage of all rooms/areas within the department plus the space occupied by intradepartmental circulation and the walls and partitions within the department.

**Building Gross Square Feet (BGSF):** the overall footprint of a floor or building, respectively, including shared public corridors and atriums, elevators, stairs, the space occupied by the building's exterior wall, and major mechanical spaces.

# STATION 9 SPACE NEEDS

DEPARTMENT	EXISTING		Near Term			Mid Term					
	NSF	BGSF	NSF	DGSF	GSF	NSF	DGSF	GSF	NSF	DGSF	GSF
<b>INCUSTODY HOUSING</b>											
DORMITORY HOUSING Northern Dorms - Original Bldg. Even Numbered Rooms	5,332		5,275	6,330	7,596	5,435	6,522	7,826	5,435	6,522	7,826
CELLED HOUSING Northern Housing - Original Building Odd Numbered Rooms	7,105		7,105	9,592	11,510	7,105	9,592	11,510	7,105	9,592	11,510
DORMITORY HOUSING - Central DORMS - Original Bldg.	1,311		1,311	1,770	2,124	-	-	-	-	-	-
MENTAL HEALTH & ORIENTATION HOUSING - Possibility to convert central housing area in original building with additional space need.	-		2,695	3,638	4,366	10,780	14,553	17,464	10,780	14,553	17,464
CELLED HOUSING Southern Housing - Double beds??? 2014 Addition	10,687		10,687	14,427	17,313	10,687	14,427	17,313	10,687	14,427	17,313
<b>INCUSTODY HOUSING Subtotal</b>	<b>24,435</b>		<b>27,073</b>	<b>35,757</b>	<b>42,909</b>	<b>34,007</b>	<b>45,094</b>	<b>54,113</b>	<b>34,007</b>	<b>45,094</b>	<b>54,113</b>
<b>WORK CENTER AND WORK RELEASE</b>											
WORK CENTER HOUSING - DORMITORY (M)	3,705		-	-	-	2,350	3,173	3,807	2,350	3,173	3,807
WORK CENTER HOUSING - DORMITORY (F)	-		-	-	-	555	749	899	1,075	1,451	1,742
WORK RELEASE HOUSING - DORMITORY (M)	-		-	-	-	695	938	1,126	695	938	1,126
WORK RELEASE HOUSING - DORMITORY (F)	-		-	-	-	415	560	672	415	560	672
WORK CENTER & RELEASE HOUSING SUPPORT	2,299		2,299	3,104	3,724	3,528	4,763	5,715	3,500	4,725	5,670
OUTDOOR RECREATION	6,500		6,500	7,150	8,580	800	880	1,056	800	880	1,056
WORK CREW EQUIP.STORAGE	240		400	400	480	400	400	480	400	400	480
<b>WORK CENTER AND WORK RELEASE Subtotal</b>	<b>12,744</b>		<b>9,199</b>	<b>10,654</b>	<b>12,784</b>	<b>8,743</b>	<b>11,463</b>	<b>13,756</b>	<b>9,235</b>	<b>12,127</b>	<b>14,553</b>
<b>INMATE PROGRAMS</b>											
PROGRAMS	436		2,515	3,395	4,074	2,515	3,395	4,074	2,515	3,395	4,074
OUTDOOR RECREATION	3,519		4,859	5,345	6,414	5,659	6,225	7,470	7,639	8,403	10,083
<b>INMATE PROGRAMS Subtotal</b>	<b>3,955</b>		<b>7,374</b>	<b>8,740</b>	<b>10,488</b>	<b>8,174</b>	<b>9,620</b>	<b>11,544</b>	<b>10,154</b>	<b>11,798</b>	<b>14,158</b>





# STATION 9 SPACE NEEDS

DEPARTMENT	EXISTING		Near Term			Mid Term					
	NSF	BGSF	NSF	DGSF	GSF	NSF	DGSF	GSF	NSF	DGSF	GSF
<b>JAIL ADMINISTRATION</b>											
RECEPTION: PUBLIC SIDE	1,203		1,572	2,122	2,547	1,572	2,122	2,547	1,572	2,122	2,547
JAIL ADMINISTRATION OFFICES @ RECEPTION: NONSECURE	961		2,492	3,364	4,037	2,492	3,364	4,037	2,796	3,775	4,530
JAIL ADMINISTRATION OFFICES: SECURE	436		1,080	1,458	1,750	1,080	1,458	1,750	1,200	1,620	1,944
JAIL ADMINISTRATION SUPPORT SPACE: NON-SECURE	2,674		3,710	5,009	6,010	4,322	5,835	7,002	4,406	5,948	7,138
<b>JAIL ADMINISTRATION Subtotal</b>	<b>5,274</b>		<b>8,854</b>	<b>11,953</b>	<b>14,343</b>	<b>9,466</b>	<b>12,779</b>	<b>15,335</b>	<b>9,974</b>	<b>13,465</b>	<b>16,158</b>
<b>VISITATION AND ARRAIGNMENT</b>											
VISITATION AND ARRAIGNMENT	1,002		1,605	2,167	2,600	1,605	2,167	2,600	1,605	2,167	2,600
<b>VISITATION AND ARRAIGNMENT Subtotal</b>	<b>1,002</b>		<b>1,605</b>	<b>2,167</b>	<b>2,600</b>	<b>1,605</b>	<b>2,167</b>	<b>2,600</b>	<b>1,605</b>	<b>2,167</b>	<b>2,600</b>
<b>JAIL OPERATIONS</b>											
CENTRAL CONTROL	818		1,444	1,949	2,339	1,440	1,944	2,333	1,440	1,944	2,333
TRAINING	-		-	-	-	-	-	-	-	-	-
<b>JAIL OPERATIONS Subtotal</b>	<b>818</b>		<b>1,444</b>	<b>1,949</b>	<b>2,339</b>	<b>1,440</b>	<b>1,944</b>	<b>2,333</b>	<b>1,440</b>	<b>1,944</b>	<b>2,333</b>
<b>HEALTH SERVICES</b>											
MEDICAL CLINIC	1,074		2,841	3,977	4,773	2,905	4,067	4,880	3,033	4,246	5,095
MEDICAL HOUSING	712		1,475	2,065	2,478	1,470	2,058	2,470	1,470	2,058	2,470
<b>HEALTH SERVICES Subtotal</b>	<b>1,786</b>		<b>4,316</b>	<b>6,042</b>	<b>7,251</b>	<b>4,375</b>	<b>6,125</b>	<b>7,350</b>	<b>4,503</b>	<b>6,304</b>	<b>7,565</b>
<b>INTAKE AND RELEASE</b>											
PRE-INTAKE	2,341		9,308	9,766	11,719	9,308	9,766	11,719	9,308	9,766	11,719
INTAKE AND BOOKING	10,113		2,720	3,672	4,406	2,720	3,672	4,406	2,720	3,672	4,406
PROPERTY AND CHANGING	708		1,340	1,809	2,171	1,340	1,809	2,171	1,340	1,809	2,171
RELEASE AND TRANSPORT	768		1,240	1,674	2,009	1,288	1,739	2,087	1,336	1,804	2,164
<b>INTAKE AND RELEASE Subtotal</b>	<b>13,930</b>		<b>14,608</b>	<b>16,921</b>	<b>20,305</b>	<b>14,656</b>	<b>16,986</b>	<b>20,383</b>	<b>14,704</b>	<b>17,050</b>	<b>20,460</b>
<b>SERVICES AND SUPPORT</b>											
JAIL WAREHOUSE/MAINTENANCE	5,785		5,785	7,810	9,372	8,470	11,435	13,721	8,470	11,435	13,721
LAUNDRY	502		1,260	1,449	1,739	1,260	1,449	1,739	1,260	1,449	1,739
FOOD SERVICE	2,099		4,635	5,330	6,396	4,635	5,330	6,396	4,635	5,330	6,396
COMMISSARY	275		480	552	662	480	552	662	480	552	662
UTILITIES   BUILDING SUPPORT	2,273		2,566	3,464	4,157	2,566	3,464	4,157	2,566	3,464	4,157
<b>SERVICES AND SUPPORT Subtotal</b>	<b>10,934</b>		<b>14,726</b>	<b>18,605</b>	<b>22,326</b>	<b>17,411</b>	<b>22,230</b>	<b>26,676</b>	<b>17,411</b>	<b>22,230</b>	<b>26,676</b>
<b>TOTAL</b>	<b>74,878</b>	<b>71,488</b>	<b>89,199</b>	<b>112,788</b>	<b>135,346</b>	<b>99,877</b>	<b>128,408</b>	<b>154,089</b>	<b>103,033</b>	<b>132,180</b>	<b>158,616</b>



# STATION 10 SPACE NEEDS

DEPARTMENT	EXISTING		Near Term		Mid Term		Long Term	
	NSF	GSF	DGSF	GSF	DGSF	GSF	DGSF	GSF
<b>ADMINISTRATION</b>								
ADMINISTRATION	2,738	3,286	3,699	4,439	8,663	10,396	9,677	11,612
<b>ADMINISTRATION Subtotal</b>	<b>2,738</b>	<b>3,286</b>	<b>3,699</b>	<b>4,439</b>	<b>8,663</b>	<b>10,396</b>	<b>9,677</b>	<b>11,612</b>
<b>RECEPTION, RECORDS, and CIVIL</b>								
RECEPTION   RECORDS	2,454	3,436	2,075	2,490	2,367	2,841	2,556	3,067
CIVIL	244	342	733	880	796	955	879	1,055
<b>RECEPTION, RECORDS, and CIVIL Subtotal</b>	<b>2,698</b>	<b>3,777</b>	<b>2,808</b>	<b>3,370</b>	<b>3,163</b>	<b>3,795</b>	<b>3,435</b>	<b>4,122</b>
<b>CONCEALED HANDGUN LICENSE (CHL) and ONSITE EVIDENCE</b>								
CONCEALED HANDGUN LICENSE (CHL)	265	371	556	668	738	886	920	1,104
EVIDENCE STORAGE ONSITE	1,465	2,051	4,410	5,292	5,424	6,508	6,271	7,525
<b>CONCEALED HANDGUN LICENSE (CHL) and ONSITE EVIDENCE Subtotal</b>	<b>1,730</b>	<b>2,422</b>	<b>4,966</b>	<b>5,959</b>	<b>6,162</b>	<b>7,394</b>	<b>7,192</b>	<b>8,630</b>
<b>EVIDENCE STORAGE OFFSITE</b>								
EVIDENCE STORAGE OFFSITE	1,880	2,632	11,131	13,357	14,911	17,893	16,711	20,053
<b>EVIDENCE STORAGE OFFSITE Subtotal</b>	<b>1,880</b>	<b>2,632</b>	<b>11,131</b>	<b>13,357</b>	<b>14,911</b>	<b>17,893</b>	<b>16,711</b>	<b>20,053</b>
<b>DIGITAL FORENSICS AND IT</b>								
DIGITAL FORENSICS	1,420	1,988	2,699	3,239	3,536	4,243	3,978	4,774
IT	385	539	1,144	1,373	1,326	1,591	1,456	1,747
<b>DIGITAL FORENSICS AND IT Subtotal</b>	<b>1,805</b>	<b>2,527</b>	<b>3,843</b>	<b>4,611</b>	<b>4,862</b>	<b>5,834</b>	<b>5,434</b>	<b>6,521</b>
<b>DETECTIVES</b>								
DETECTIVES	2,523	3,532	2,876	3,451	3,463	4,156	3,869	4,643
<b>DETECTIVES Subtotal</b>	<b>2,523</b>	<b>3,532</b>	<b>2,876</b>	<b>3,451</b>	<b>3,463</b>	<b>4,156</b>	<b>3,869</b>	<b>4,643</b>



# STATION 10 SPACE NEEDS

DEPARTMENT	EXISTING		Near Term		Mid Term		Long Term	
	NSF	GSF	DGSF	GSF	DGSF	GSF	DGSF	GSF
<b>PATROL</b>								
PATROL	1,573	2,202	2,925	3,510	3,202	3,842	3,375	4,050
<b>PATROL Subtotal</b>	<b>1,573</b>	<b>2,202</b>	<b>2,925</b>	<b>3,510</b>	<b>3,202</b>	<b>3,842</b>	<b>3,375</b>	<b>4,050</b>
<b>SHARED RESOURCES AND COMMUNITY PARTNERS</b>								
COMMUNITY PARTNERS	177	248	767	920	819	983	1,014	1,217
STAFF SUPPORT/SHARED RESOURCES	2,750	3,850	4,225	5,070	4,381	5,257	4,537	5,444
BUILDING SUPPORT	5,003	7,004	1,493	1,792	1,493	1,792	1,493	1,792
<b>SHARED RESOURCES AND COMMUNITY PARTNERS Subtotal</b>	<b>7,930</b>	<b>11,102</b>	<b>6,485</b>	<b>7,782</b>	<b>6,693</b>	<b>8,032</b>	<b>7,044</b>	<b>8,453</b>
<b>TRAINING</b>								
TRAINING	2,241	3,137	11,687	14,024	11,687	14,024	11,687	14,024
<b>TRAINING Subtotal</b>	<b>2,241</b>	<b>3,137</b>	<b>11,687</b>	<b>14,024</b>	<b>11,687</b>	<b>14,024</b>	<b>11,687</b>	<b>14,024</b>
<b>VEHICLE MAINTENANCE</b>								
VEHICLE MAINTENANCE	10,955	15,337	18,970	22,764	23,855	28,626	27,062	32,475
<b>VEHICLE MAINTENANCE Subtotal</b>	<b>10,955</b>	<b>15,337</b>	<b>18,970</b>	<b>22,764</b>	<b>23,855</b>	<b>28,626</b>	<b>27,062</b>	<b>32,475</b>
<b>SEARCH AND RESCUE EMERGENCY MANAGEMENT</b>								
SEARCH AND RESCUE and EMERGENCY MANAGEMENT SERVICES	6,590	9,226	12,742	15,290	14,490	17,388	14,798	17,758
<b>SEARCH AND RESCUE EMERGENCY MANAGEMENT Subtotal</b>	<b>6,590</b>	<b>9,226</b>	<b>12,742</b>	<b>15,290</b>	<b>14,490</b>	<b>17,388</b>	<b>14,798</b>	<b>17,758</b>
<b>SPECIAL OPERATIONS TEAM (SOT) - SWAT &amp; MFF</b>								
SOT   Special Operations Team SWAT and MFF	4,440	6,216	6,937	8,324	7,102	8,523	7,613	9,136
<b>SPECIAL OPERATIONS TEAM (SOT) - SWAT &amp; MFF Subtotal</b>	<b>4,440</b>	<b>6,216</b>	<b>6,937</b>	<b>8,324</b>	<b>7,102</b>	<b>8,523</b>	<b>7,613</b>	<b>9,136</b>
<b>TOTAL</b>		<b>65,397</b>		<b>106,881</b>		<b>129,904</b>		<b>141,476</b>





# SITE ANALYSIS

The Public Safety Campus comprises several County functions on approximately 28 acres north of downtown Bend. The campus is bounded by NE Jamison Street and Highway 20 on the east and NW Britta Street on the west, and is bisected by Poe Sholes Drive.

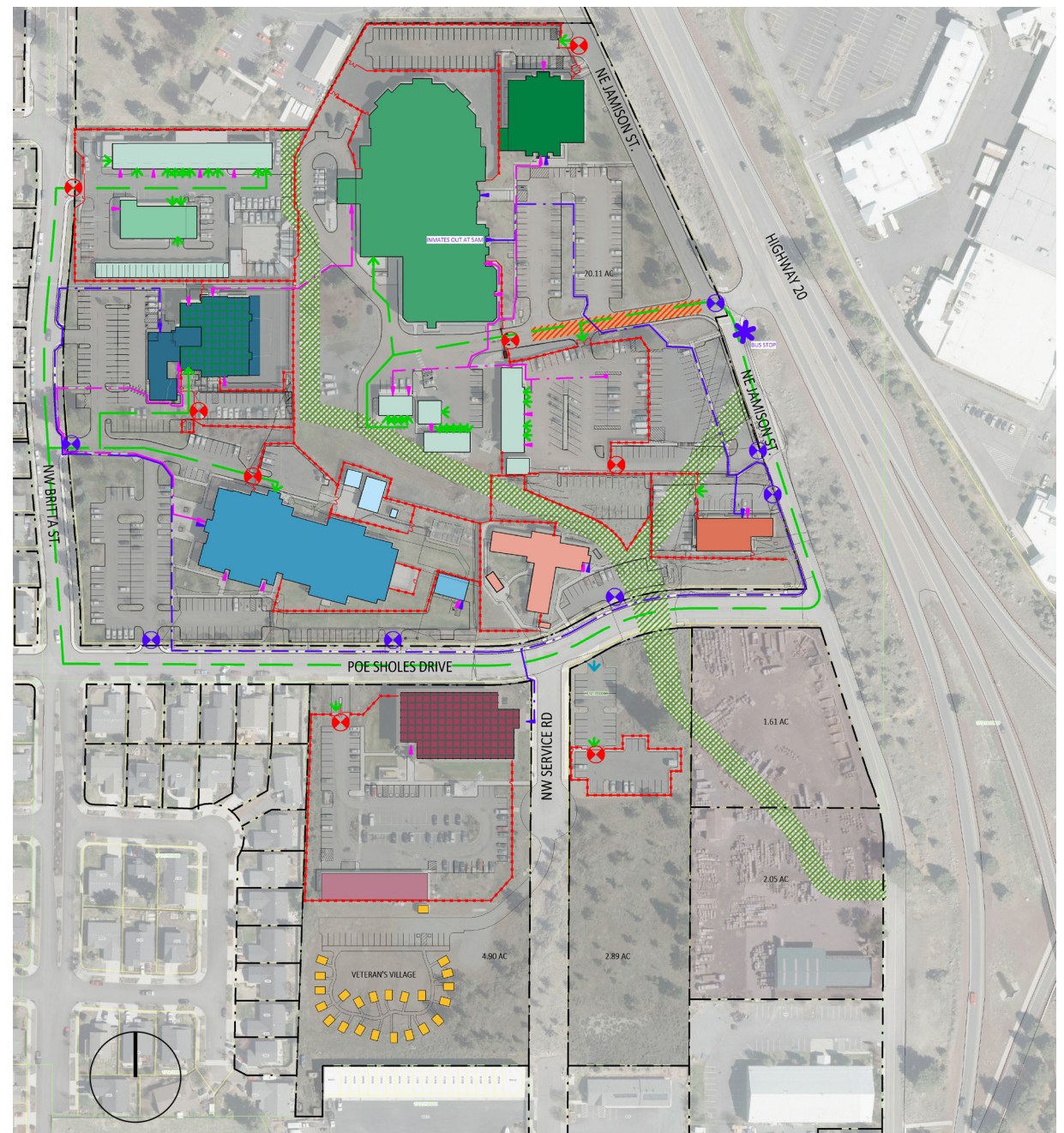
The campus is surrounded by residential developments on the west and south, as well as some commercial property closer to Highway 20. Bend Fire Department has a station and training facility directly north of the campus.

Swalley Irrigation District has an easement that impacts a significant portion of the center of the site.





# EXISTING SITE ANALYSIS

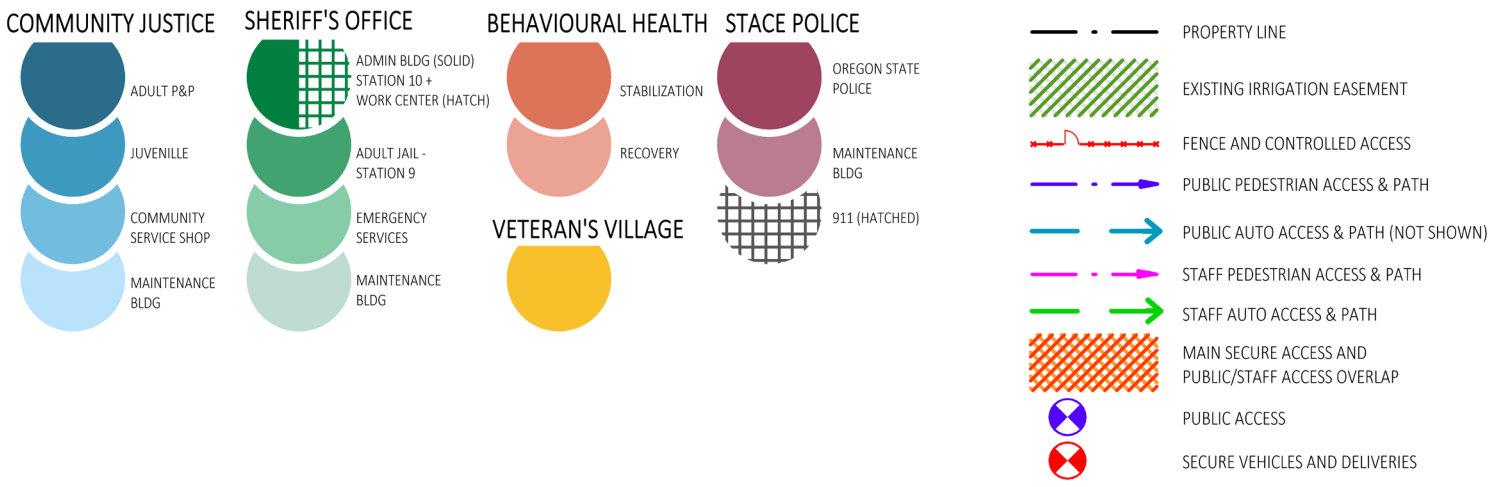


## Challenges & Opportunities

The campus has been partitioned and compartmentalized in such a manner that connections between agencies and services have become increasingly difficult. The Swalley Irrigation District easement has been an additional barrier to development and of interior connections on the site.

In an effort to enhance connectivity, future development on the site should seek to simplify access to the site for public and staff, creating clear zoning for secure operations.

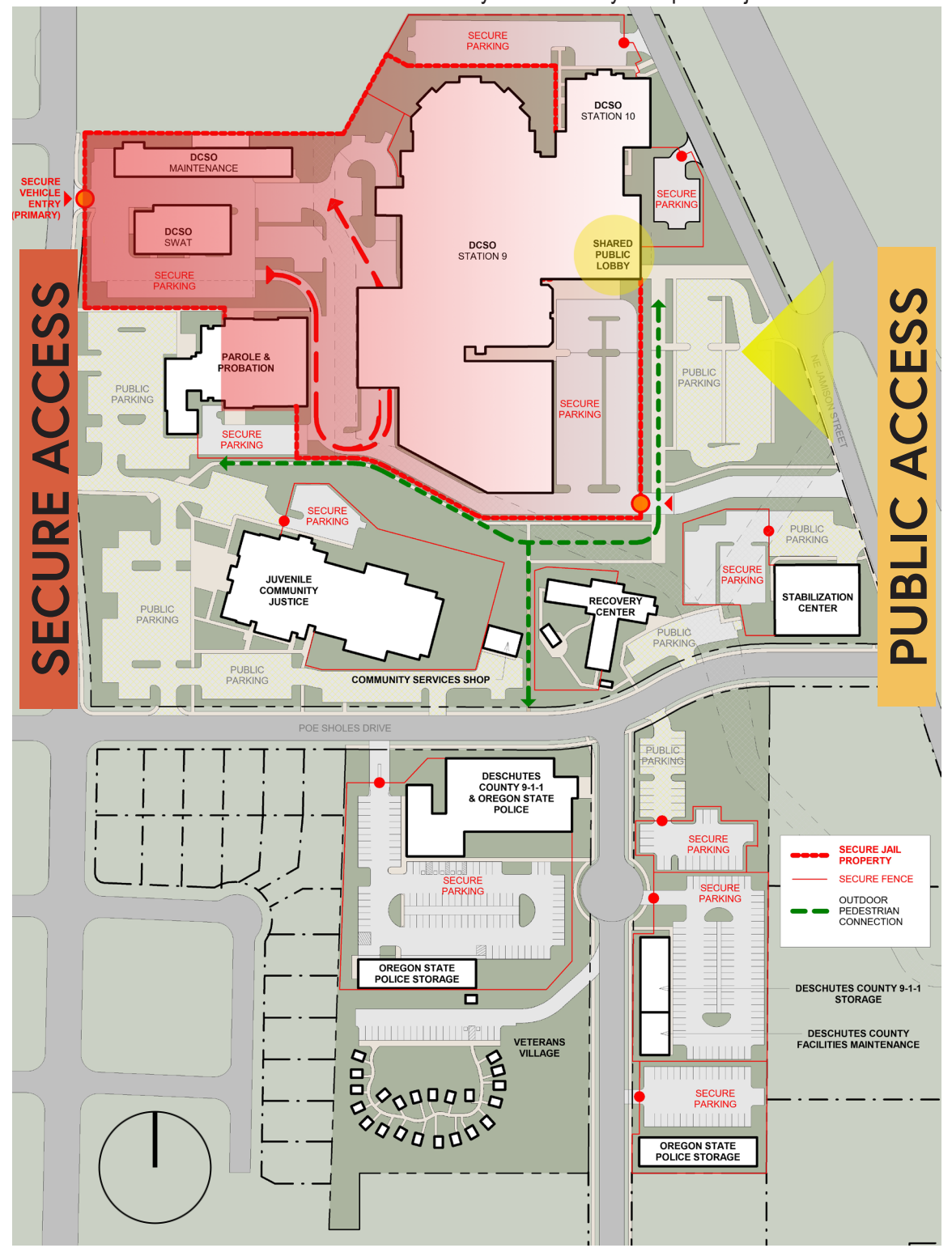
The campus plan envisions the easement not as an impediment but as an opportunity to create an outdoor connection between facilities that promotes collaboration and supports staff and visitor well-being.



### Section 4: SITE ANALYSIS Deschutes County Public Safety Campus Projects

## LONG-TERM SITE PLANNING

The long-term vision for the Public Safety Campus creates separate zones for public and secure site access. This is intended to clarify wayfinding on the campus and improve safety for both staff and visitors. A new shared lobby for Station 9 and Station 10 is envisioned to provide a dignified public image for the campus, representing the importance of the core services provided to Deschutes County by the agencies located here.







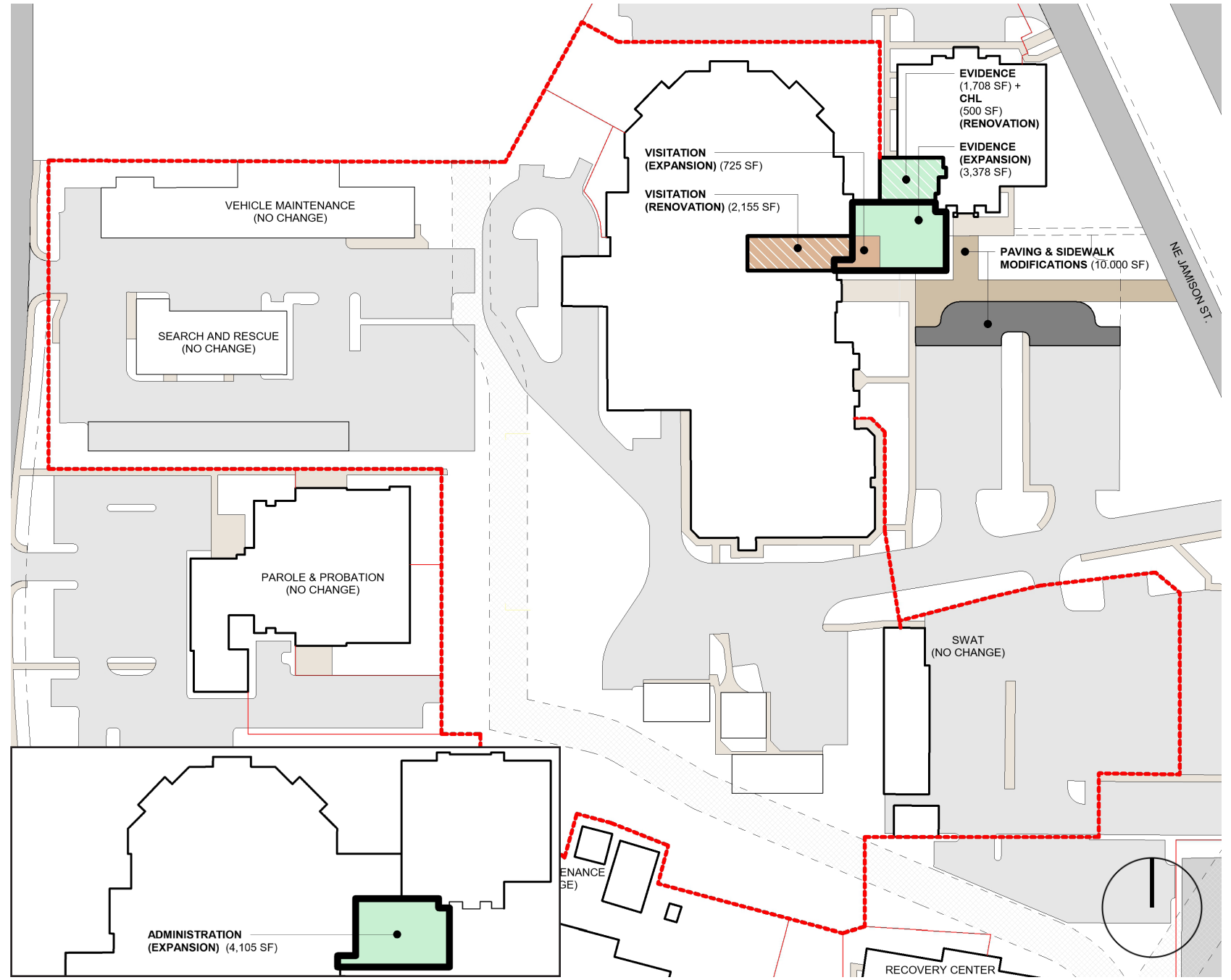
## Near-Term Priorities (0-5 Years)

### SHERIFF'S OFFICE ADULT JAIL (STATION 9)

	AREA (SF)	COST/SF	TOTAL (\$)
<b>Visitation &amp; Arraignment</b>			
New Construction	725	\$ 1,303	\$ 944,675
Heavy Renovation	2,155	\$ 1,264	\$ 2,723,920
<b>Site Modifications</b>			
Paving & Sidewalk	10,000	\$ 46	\$ 460,000
<b>STATION 9 NEAR TERM SUBTOTAL</b>		\$	<b>4,128,595</b>

### SHERIFF'S OFFICE ADMINISTRATION & SUPPORT SERVICES (STATION 10)

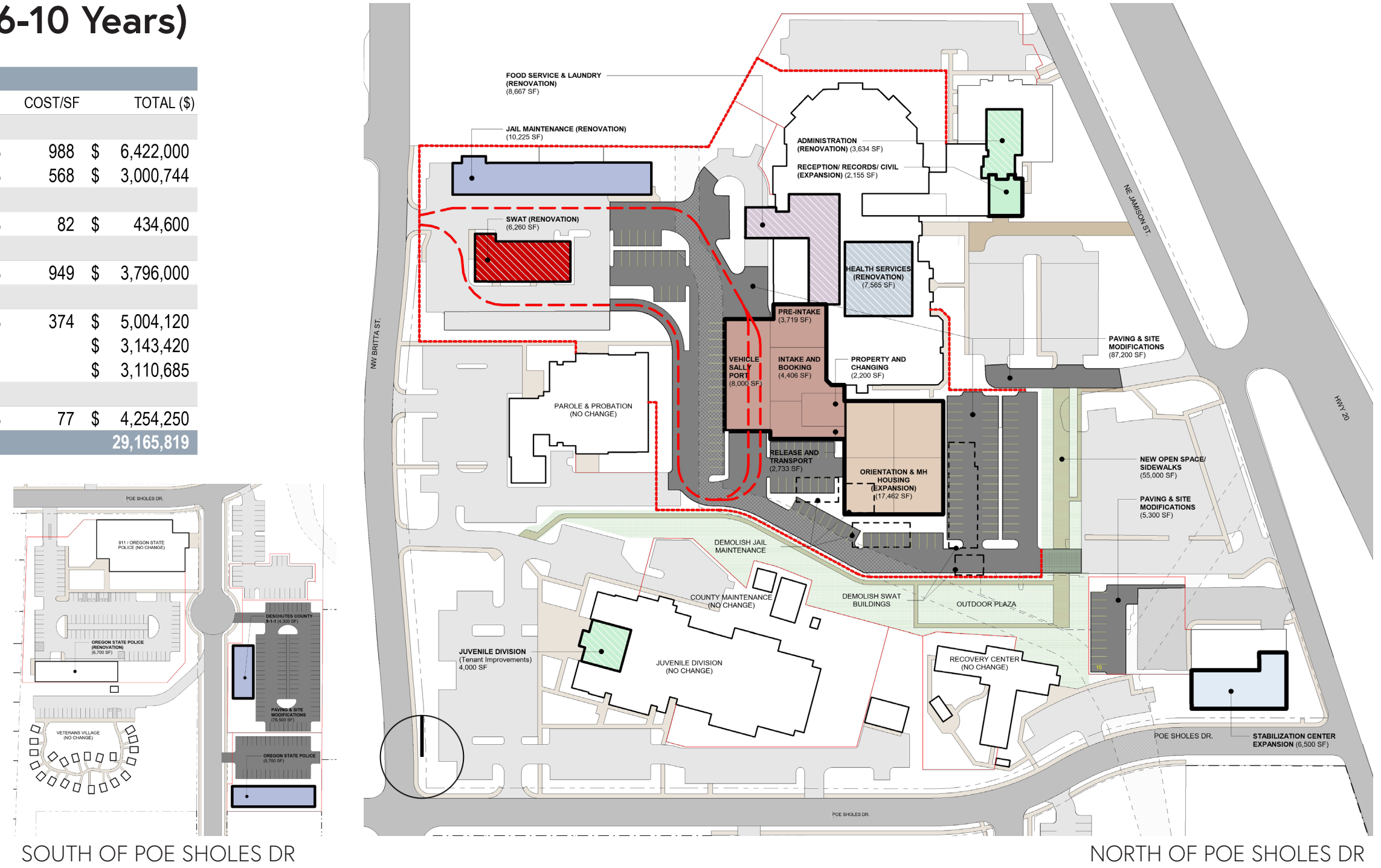
	AREA (SF)	COST/SF	TOTAL (\$)
<b>Evidence Storage</b>			
New Construction	3,378	\$ 975	\$ 3,293,550
Heavy Renovation	1,708	\$ 1,264	\$ 2,158,912
<b>CHL Expansion</b>			
Heavy Renovation	500	\$ 997	\$ 498,500
<b>Administration</b>			
New Construction	4,105	\$ 893	\$ 3,664,410
<b>STATION 10 NEAR TERM SUBTOTAL</b>		\$	<b>9,615,372</b>



SECOND FLOOR PLAN

## Mid-Term Priorities (6-10 Years)

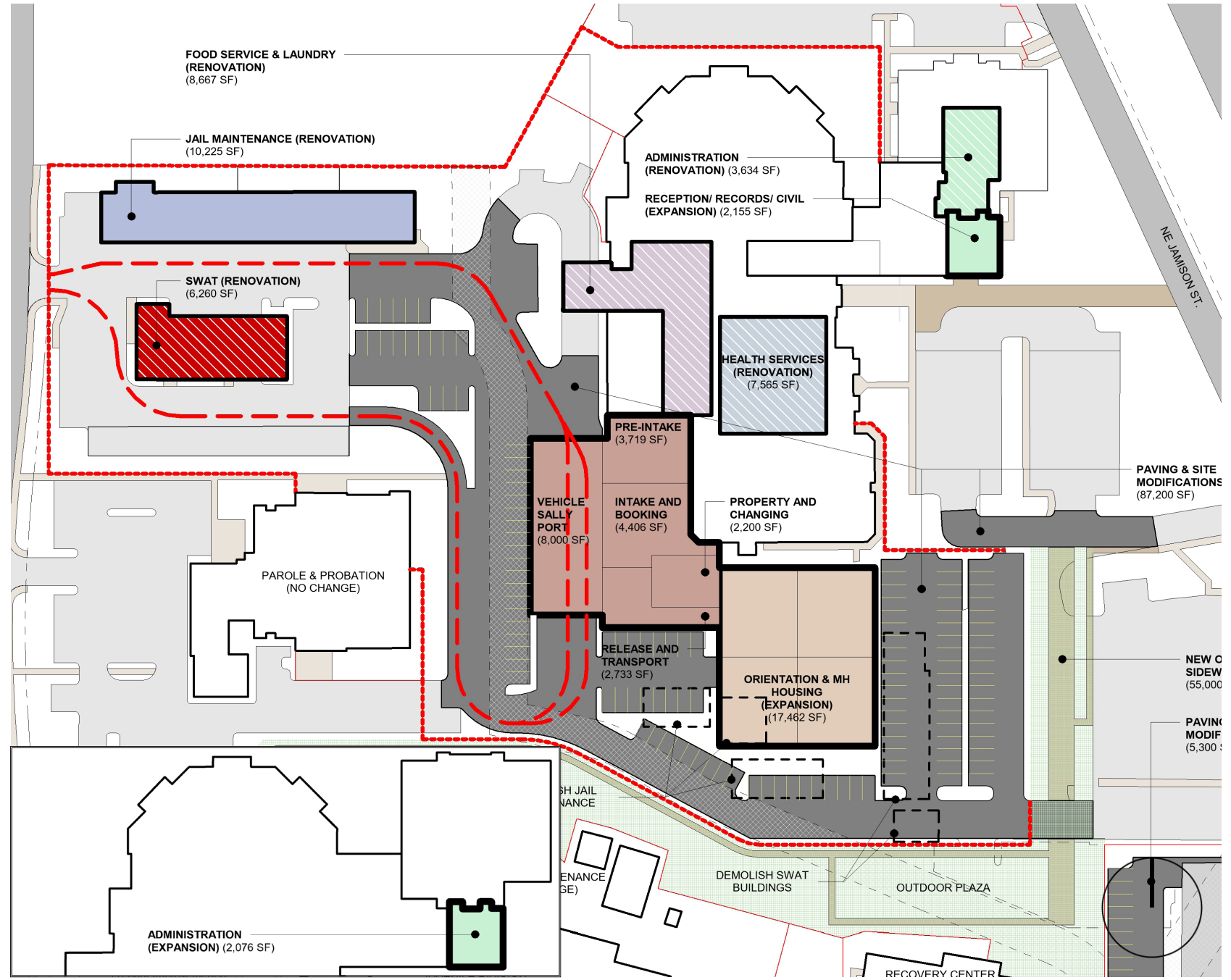
CAMPUS IMPROVEMENTS			
	AREA (SF)	COST/SF	TOTAL (\$)
<b>Stabilization Center Expansion</b>			
New Construction	6,500	\$ 988	\$ 6,422,000
Heavy Renovation	5,283	\$ 568	\$ 3,000,744
<b>Stabilization Center Secure Parking</b>			
Site Modifications (Uncovered)	5,300	\$ 82	\$ 434,600
<b>Juvenile Division T1</b>			
Heavy Renovation	4,000	\$ 949	\$ 3,796,000
<b>Deschutes County 9-1-1 and Oregon State Police</b>			
New Construction	13,380	\$ 374	\$ 5,004,120
Secure Parking			\$ 3,143,420
NW Service Road			\$ 3,110,685
<b>Outdoor / Landscape Modifications</b>			
Site Modifications	55,250	\$ 77	\$ 4,254,250
<b>CAMPUS MID TERM SUBTOTAL</b>		<b>\$</b>	<b>\$ 29,165,819</b>





## Mid-Term Priorities (6-10 Years)

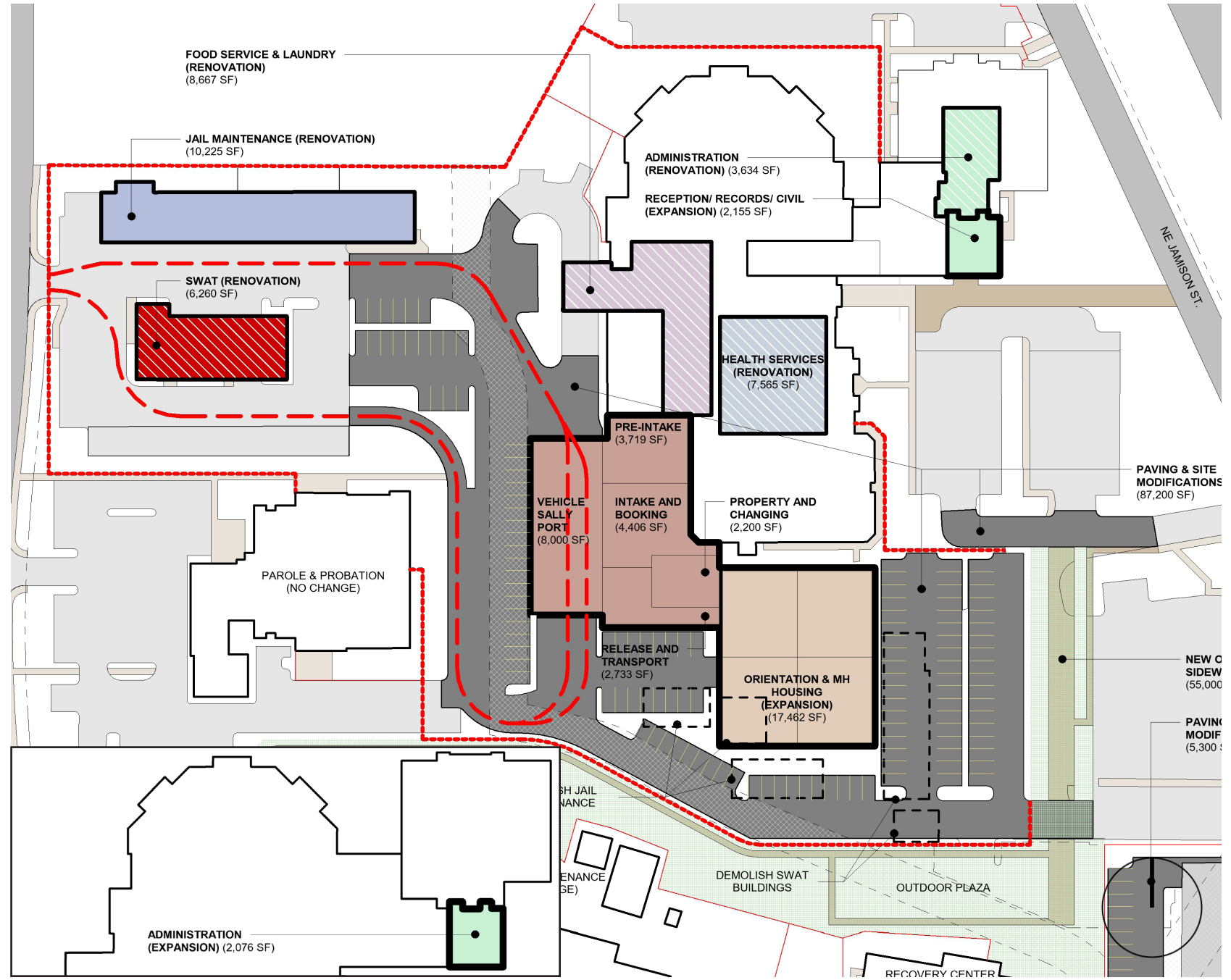
SHERIFF'S OFFICE ADMINISTRATION & SUPPORT SERVICES (STATION 10)			
	AREA (SF)	COST/SF	TOTAL (\$)
<b>Relocate SWAT</b>			
Demolish	5,535	\$ 55	\$ 304,425
Light Renovation	6,260	\$ 632	\$ 3,956,320
<b>Vehicle Maintenance Off-Site</b>			
New Construction	28,626	\$ 759	\$ 21,727,134
<b>VM Fueling Station Off-Site</b>			
New Construction, Covered Only	3,000	\$ 755	\$ 2,265,000
<b>Reception / Records / Civil</b>			
New Construction	2,155	\$ 1,098	\$ 2,366,190
<b>Administration</b>			
New Construction	2,076	\$ 988	\$ 2,051,088
Light Renovation	3,634	\$ 632	\$ 2,296,688
<b>Search &amp; Rescue Off-Site</b>			
New Construction	17,388	\$ 1,142	\$ 19,857,096
<b>Search &amp; Rescue Covered Parking Off-Site</b>			
New Construction	10,600	\$ 558	\$ 5,914,800
<b>Search &amp; Rescue Uncovered Parking Off-Site</b>			
New Paving	23,800	\$ 55	\$ 1,309,000
<b>Existing Station 10</b>			
Light Refresh	117,337	\$ 55	\$ 6,453,535
<b>STATION 10 MID TERM SUBTOTAL</b>		\$	<b>68,501,276</b>



SECOND FLOOR PLAN

## Mid-Term Priorities (6-10 Years)

SHERIFF'S OFFICE ADULT JAIL (STATION 9)			
	AREA (SF)	COST/SF	TOTAL (\$)
<b>Relocate Jail Maintenance</b>			
Demolish	7,810	\$ 55	\$ 429,550
Light Renovation	10,225	\$ 404	\$ 4,130,900
<b>Intake / Release</b>			
New Construction	13,058	\$ 1,584	\$ 20,683,872
<b>Vehicle Sallyport</b>			
New Construction	8,000	\$ 878	\$ 7,024,000
<b>Health Services</b>			
Heavy Renovation	7,565	\$ 1,268	\$ 9,592,420
<b>Food Service &amp; Laundry</b>			
Heavy Renovation	8,667	\$ 1,319	\$ 11,431,773
<b>Mental Health &amp; Orientation Housing</b>			
New Construction	17,462	\$ 1,584	\$ 27,659,808
<b>Site Modifications</b>			
Paving & Sidewalk	87,200	\$ 55	\$ 4,796,000
<b>Existing Station 9</b>			
Light Refresh	151,055	\$ 55	\$ 8,308,025
<b>STATION 9 MID TERM SUBTOTAL</b>		\$	<b>94,056,348</b>

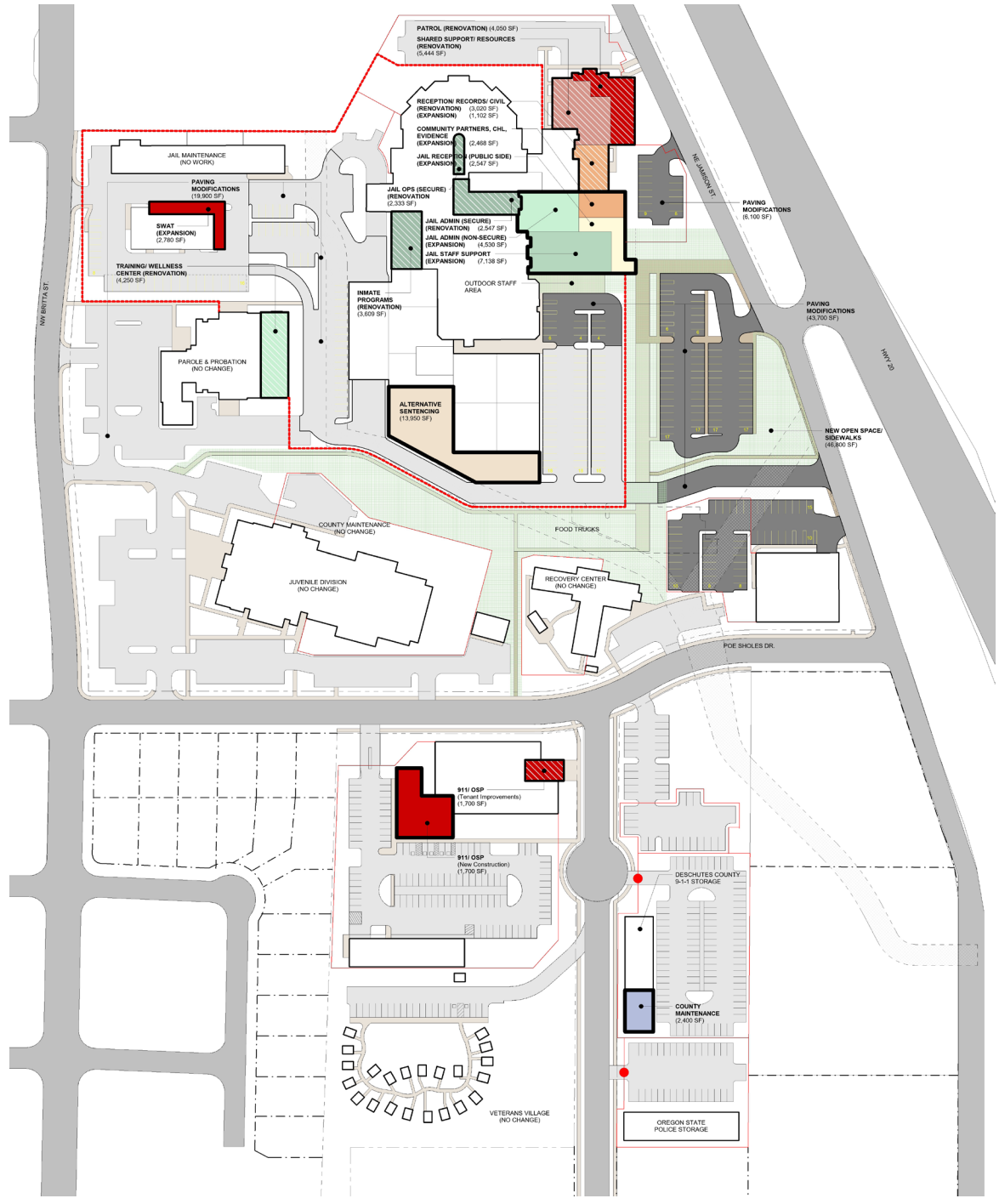
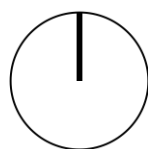


SECOND FLOOR PLAN



# Long-Term Priorities (11-20 Years)

CAMPUS IMPROVEMENTS			
	AREA (SF)	COST/SF	TOTAL (\$)
<b>Stabilization Center Parking (Uncovered)</b>			
Site Modifications	15,500	\$ 82	\$ 1,271,000
<b>County Maintenance Buildings</b>			
Site Modifications (Uncovered)	2,400	\$ 1,127	\$ 2,704,800
<b>County Maintenance Parking</b>			
New Paving	3,000	\$ 82	\$ 246,000
<b>Training &amp; Wellness Center</b>			
Heavy Renovation	4,205	\$ 1,565	\$ 6,580,825
<b>Deschutes County 9-1-1 &amp; Oregon State Police</b>			
Light Renovation	1,700	\$ 937	\$ 1,592,900
<b>Recovery Center</b>			
Heavy Renovation	7,900	\$ 1,467	\$ 11,589,300
<b>Recovery Center Parking (Uncovered)</b>			
New Paving	6,500	\$ 82	\$ 533,000
<b>Deschutes County 9-1-1 and Oregon State Police</b>			
New Construction	12,522	\$ 2,525	\$ 31,618,050
<b>Outdoor / Landscape Modifications</b>			
Site Modifications	46,750	\$ 115	\$ 5,376,250
<b>CAMPUS LONG TERM SUBTOTAL</b>		<b>\$</b>	<b>61,512,125</b>

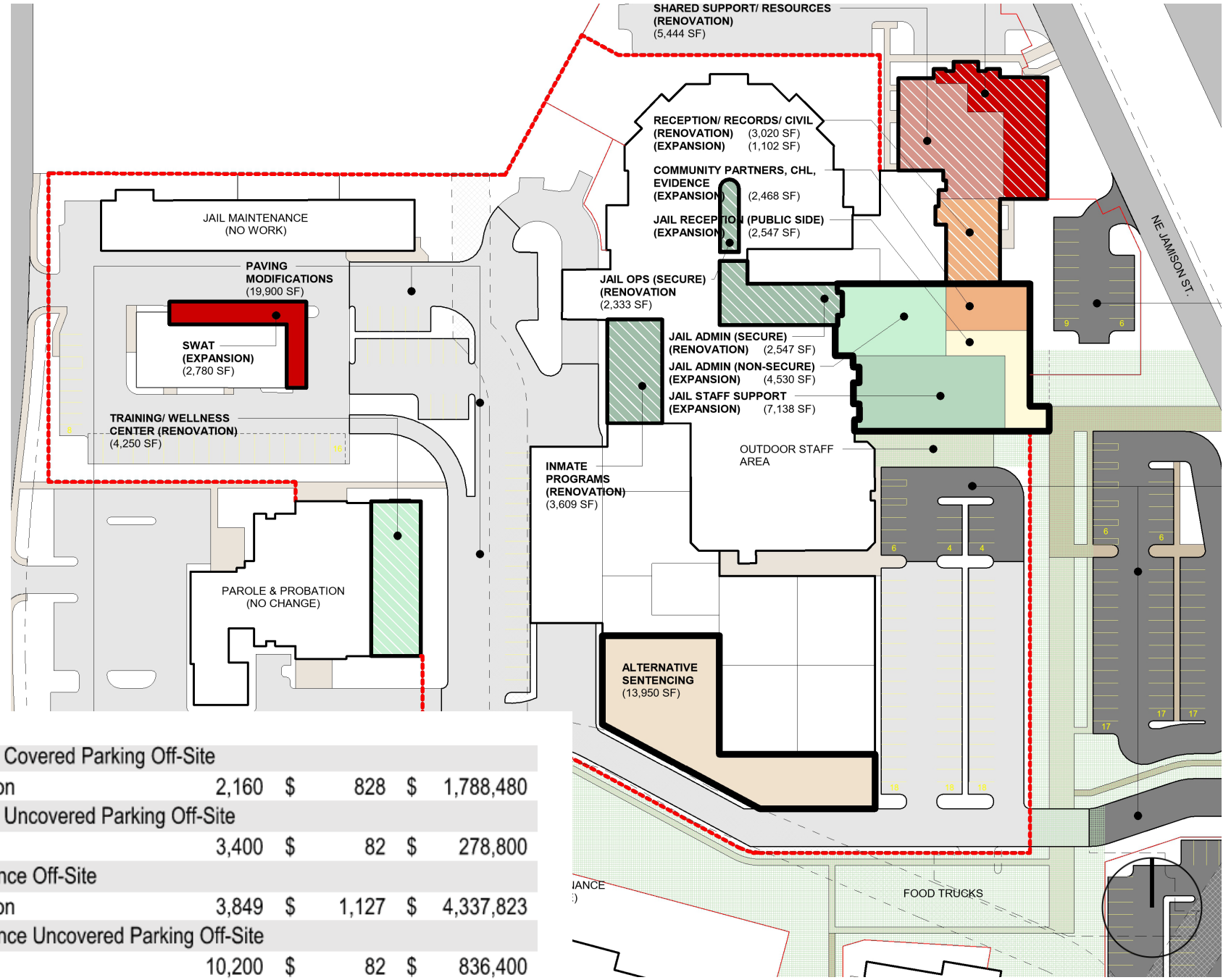


## Long-Term Priorities (11-20 Years)

### SHERIFF'S OFFICE ADMINISTRATION & SUPPORT SERVICES (STATION 10)

	AREA (SF)	COST/SF	TOTAL (\$)
<b>Patrol</b>			
Light Renovation	4,747	\$ 937	\$ 4,447,939
<b>Shared Support / Resources</b>			
Heavy Renovation	6,334	\$ 1,565	\$ 9,912,710
<b>Reception / Records / Civil</b>			
New Construction	2,155	\$ 1,098	\$ 2,366,190
Heavy Renovation	3,020	\$ 1,690	\$ 5,103,800
<b>Community Partners, CHL &amp; Evidence</b>			
New Construction	2,469	\$ 1,760	\$ 4,345,440
<b>Detectives</b>			
Light Renovation	4,648	\$ 937	\$ 4,355,176
<b>Administration</b>			
Light Renovation	9,979	\$ 937	\$ 9,350,323
<b>Digital Forensics &amp; IT</b>			
New Construction	6,521	\$ 1,760	\$ 11,476,960
<b>Training</b>			
New Construction	9,774	\$ 1,760	\$ 17,202,240
<b>Evidence Storage Off-Site</b>			
New Construction	20,053	\$ 1,760	\$ 35,293,280
<b>SWAT</b>			
New Construction	2,876	\$ 937	\$ 2,694,812
<b>Existing Station 10</b>			
Light Refresh	60,130	\$ 163	\$ 9,801,190
<b>Secure Parking (Uncovered)</b>			
Site Modifications	6,109	\$ 80	\$ 488,720
<b>Search &amp; Rescue Off-Site</b>			
New Construction	370	\$ 1,695	\$ 627,150

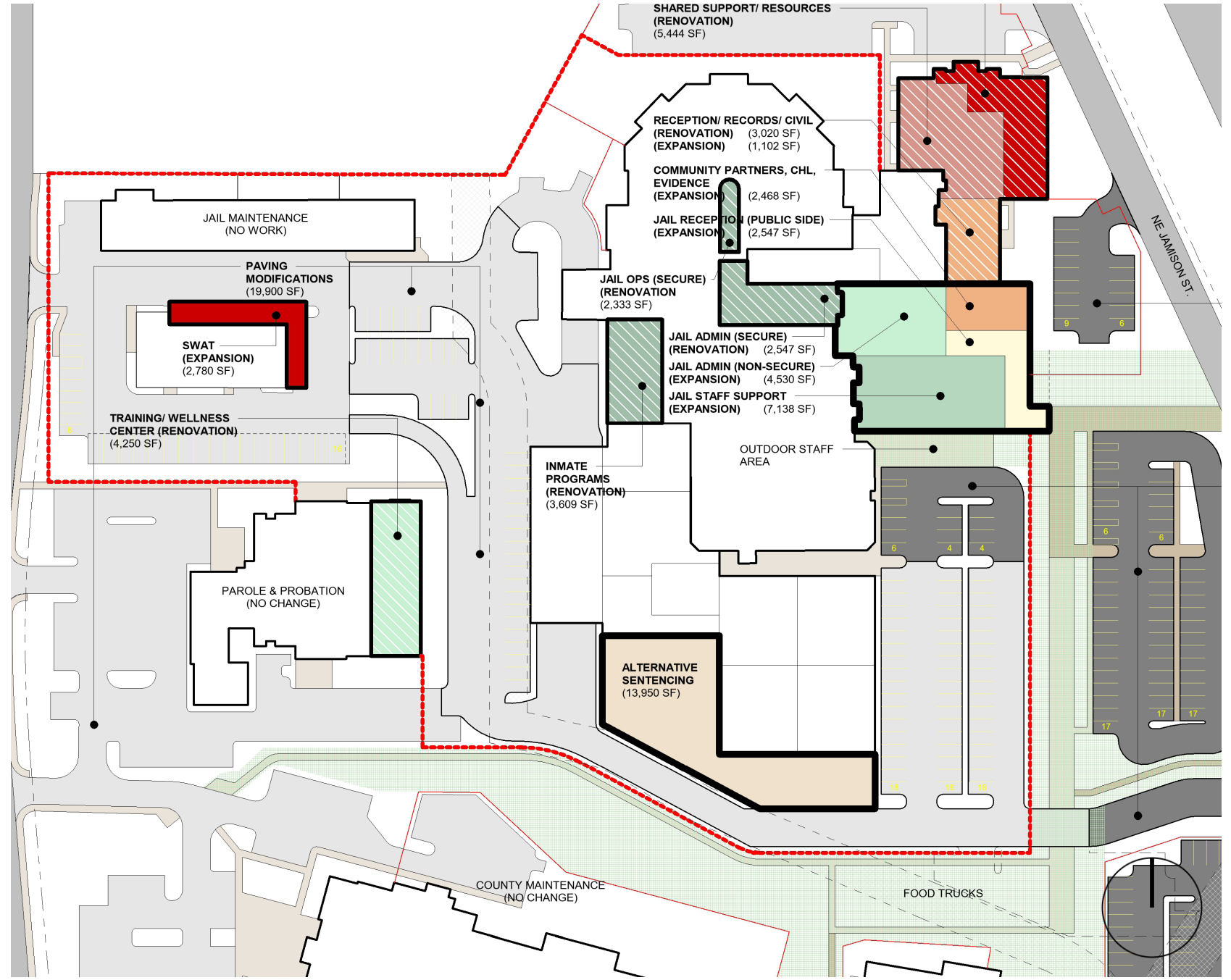
<b>Search &amp; Rescue Covered Parking Off-Site</b>			
New Construction	2,160	\$ 828	\$ 1,788,480
<b>Search &amp; Rescue Uncovered Parking Off-Site</b>			
New Paving	3,400	\$ 82	\$ 278,800
<b>Vehicle Maintenance Off-Site</b>			
New Construction	3,849	\$ 1,127	\$ 4,337,823
<b>Vehicle Maintenance Uncovered Parking Off-Site</b>			
New Paving	10,200	\$ 82	\$ 836,400
<b>STATION 10 LONG TERM SUBTOTAL</b>		\$	<b>124,707,433</b>





## Long-Term Priorities (11-20 Years)

SHERIFF'S OFFICE ADULT JAIL (STATION 9)			
	AREA (SF)	COST/SF	TOTAL (\$)
<b>Inmate Programs</b>			
Heavy Renovation	3,609	\$ 2,282	\$ 8,235,738
<b>Jail Administration (Secure)</b>			
Heavy Renovation	2,547	\$ 2,282	\$ 5,812,254
<b>Jail Operations</b>			
Heavy Renovation	2,333	\$ 2,282	\$ 5,323,906
<b>Jail Administration (Non-Secure)</b>			
New Construction	4,503	\$ 1,760	\$ 7,925,280
<b>Jail Reception</b>			
New Construction	2,547	\$ 1,760	\$ 4,482,720
<b>Staff Support (Non-Secure)</b>			
New Construction	7,138	\$ 1,760	\$ 12,562,880
<b>Alternative Sentencing</b>			
New Construction	13,951	\$ 1,760	\$ 24,553,760
<b>Site Modifications</b>			
Paving Modifications	63,538	\$ 82	\$ 5,210,116
<b>Existing Station 9</b>			
Light Refresh	121,834	\$ 163	\$ 19,858,942
<b>STATION 9 LONG TERM SUBTOTAL</b>		\$	<b>93,965,596</b>



# COST ESTIMATE

Conceptual estimates were done for the purpose of prioritizing campus needs and potential projects. Potential project costs include numerous assumptions and variables that will likely change over time. These estimates are to be taken as a best guess estimate figures that lie within a possible range. No detailed design studies have been conducted. The program areas and construction types estimated are reasonable assumptions based on group discussions with Deschutes County. Therefore these estimate figures are only to be used for high level decision making and next steps planning. They are not to be used for capital funding requests. More study is needed.

## **BASIS OF COST ESTIMATE**

### **Pricing is based on the following general conditions of construction:**

- The general contract procurement method will be CM/GC
- Pricing assumes a minimum of (3) bidders in all trades
- There will not be small business set aside requirements
- Key subcontractors will be brought on as trade partners
- The contractor will be required to pay prevailing wages

### **Exclusions:**

- Oregon BOLI fees
- Allowance for Percent for Art
- Adjustments for workforce training/PLA/MWESB
- Ground improvements or special foundations
- Hazardous material handling, disposal and abatement except as identified
- Compression of schedule, premium or shift work, and restrictions on the contractor's working hours
- Assessments, taxes, finance, legal and development charges
- Land and easement acquisition
- Environmental impact mitigation





NEAR TERM (5-YEAR) PROJECTS (2028-2032)						
Department	Construction Type	Quantity	Unit	Rate	Total	Additional Notes
<b>DC Sheriff's Office: Adult Jail (Station 9)</b>						
A1	Construction Costs					
	Visitation & Arraignment					
	New Construction	725	sf	\$1,303.00	\$944,675	Secure / Detention
	Heavy Renovation	2,155	sf	\$1,264.00	\$2,723,920	Secure / Detention
	Site Modifications					
	Paving Modifications	10,000	sf	\$46.00	\$460,000	Measured extent of paving, sidewalks, and landscape modifications. Does not include total area of disturbance.
	<b>Total Construction Costs</b>	<b>12,880</b>	<b>sf</b>		<b>\$4,128,595</b>	
<b>DC Sheriff's Office: Admin Building &amp; Support Services (Station 10)</b>						
A2	Construction Costs					
	Evidence Storage					
	New Construction	3,378	sf	\$975.00	\$3,293,550	Secure / Law Enforcement
	Heavy Renovation	1,708	sf	\$936.00	\$1,598,688	Secure / Law Enforcement
	Concealed Handgun License (CHL)					
	Heavy Renovation	500	sf	\$997.00	\$498,500	50% Secure Law Enforcement / 50% Admin
	Administration					
	New Construction	4,105	sf	\$892.67	\$3,664,425	Admin Offices
	<b>Total Construction Costs</b>	<b>9,691</b>	<b>sf</b>		<b>\$9,055,163</b>	
B	Construction Cost Contingency					
	Estimating Contingency	0%	of A1 & A2 Total		\$0	Estimate reflects contingency
	Owner Construction Contingency	10%	of A1 & A2 Total		\$1,318,376	
	Escalation (add 5% for each year after 2032)	0%	of A1 & A2 Total		\$0	Estimate reflects 5% per year to midpoint of each phase (44% factored for near-term), compound rates
	<b>Total Construction Cost Contingency</b>				<b>\$1,318,376</b>	
C	Soft Costs					
	A&E Fees, Permits, Inspections, Owner's Insurance	25%	of A1 & A2 Total		\$3,295,939	
D	Interior Costs					
	Furniture, Fixtures & Equipment	\$30	per sq ft A1 + A2 Total		\$677,130	
E	Total Project Costs					
	Total Construction Costs		A1+A2		\$13,183,758	
	Total Construction Cost Contingency		B		\$1,318,376	
	Total Soft Costs		C		\$3,295,939	
	Total Interior Costs		D		\$677,130	
	<b>Total Near-Term Project Costs</b>				<b>\$18,475,203</b>	



<b>MID TERM (10-YEAR) PROJECTS (2033-2037)</b>						
Department	Construction Type	Quantity	Unit	Rate	Total	Additional Notes
<b>DC Sheriff's Office: Adult Jail (Station 9)</b>						
A1	<b>Construction Costs</b>					
<b>Relocate Jail Maintenance</b>						
	Demolish	7,810	sf	\$55.00	\$429,550	Demolition of existing facilities
	Light Renovation	10,225	sf	\$404.00	\$4,130,900	Warehouse / Utility Space
<b>Intake / Release</b>						
	New Construction	13,058	sf	\$1,584.00	\$20,683,872	Secure / Detention
<b>Vehicle Sallyport</b>						
	New Construction	8,000	sf	\$878.00	\$7,024,000	25% Secure / Detention & 75% Enclosed Exterior Space
<b>Health Services</b>						
	Heavy Renovation	7,565	sf	\$1,268.00	\$9,592,420	Secure / Detention
<b>Food Service &amp; Laundry</b>						
	Heavy Renovation	8,667	sf	\$1,319.00	\$11,431,773	Secure / Detention
<b>Mental Health &amp; Orientation Housing</b>						
	New Construction	17,462	sf	\$1,584.00	\$27,659,808	Secure / Detention
<b>Site Modifications</b>						
	Paving Modifications	87,200	sf	\$55.00	\$4,796,000	Measured extent of paving, sidewalks, and landscape modifications. Does not include total area of disturbance.
<b>Existing Station 9</b>						
	Light Refresh	151,055	sf	\$55.00	\$8,308,025	Paint & minor repairs of areas not included in near-term work
<b>Total Construction Costs</b>		<b>311,042</b>	<b>sf</b>		<b>\$94,056,348</b>	



DC Sheriff's Office: Admin Building & Support Services (Station 10)						
A2 Construction Costs						
<b>Relocate SWAT</b>						
	Demolition	5,535	sf	\$55.00	\$304,425	Demolition of existing facilities
	Light Renovation	6,260	sf	\$632.00	\$3,956,320	Secure Law Enforcement
<b>Vehicle Maintenance, Off-Site</b>						
	New Construction	28,626	sf	\$759.00	\$21,727,134	Warehouse / Utility Space. New development of future off-site location. Includes excavation of relatively flat site, utility infrastructure, street improvements, paving, landscaping, secure fencing with (1) vehicle gate. Assume future offsite location doesn't require demolition of existing facilities. Doesn't include acquisition costs.
<b>Vehicle Maintenance Fueling Station, Off-Site</b>						
	New Construction, Covered Only	3,000	sf	\$755.00	\$2,265,000	
<b>Reception / Records / Civil</b>						
	New Construction	2,155	sf	\$1,098.00	\$2,366,190	Admin Offices
<b>Administration</b>						
	New Construction	2,076	sf	\$988.00	\$2,051,088	Admin Offices
	Light Renovation	3,634	sf	\$632.00	\$2,296,688	Admin Offices
<b>Search &amp; Rescue, Off-Site</b>						
	New Construction	17,388	sf	\$1,142.00	\$19,857,096	Warehouse / Utility / Admin space. New development of future off-site location adjacent to vehicle maintenance. Doesn't include acquisition costs.
<b>Search &amp; Rescue Covered Parking, Off-Site</b>						
	New Construction	10,600	sf	\$558.00	\$5,914,800	
<b>Search &amp; Rescue Uncovered Parking, Off-Site</b>						
	New Paving	23,800	sf	\$55.00	\$1,309,000	
<b>Existing Station 10</b>						
	Light Refresh	117,337	sf	\$55.00	\$6,453,535	Paint & minor repairs of areas not included in near-term work
<b>Total Construction Costs</b>		<b>220,411</b>	<b>sf</b>		<b>\$68,501,276</b>	



Campus Improvements						
<b>A3</b>	<b>Construction Costs</b>					
	<b>Stabilization Center Expansion</b>					
	New Construction	6,500	sf	\$988.00	\$6,422,000	Admin Offices, expansion of current location
	Light Renovation	5,283	sf	\$568.00	\$3,000,744	Remodel to accommodate addition
	<b>Stabilization Center Secure Uncovered Parking</b>					
	Site Modifications	5,300	sf	\$82.00	\$434,600	Measured extent of paving, sidewalks, and landscape modifications. Does not include total area of disturbance.
	<b>Juvenile Division TI</b>					
	Heavy Renovation	4,000	sf	\$949.00	\$3,796,000	Remodel of existing lobby/waiting & public vertical circulation.
	<b>Outdoor / Landscape Modifications</b>					
	Site Modifications	55,250	sf	\$77.00	\$4,254,250	Measured extent of sidewalks and landscape modifications. Includes single plaza with additional landscaping. Does not include total area of disturbance.
	<b>911 Storage &amp; Secure Parking</b>					
	New Construction	6,690	sf	\$374.00	\$2,502,060	PEMB building w/ freeze protection
	Secure Parking	30,520	sf	\$67.00	\$2,061,232	Includes 777 LF of 8' H chain link fencing, (1) vehicular gate, (1) man gate, utility infrastructure and excavation
	<b>Oregon State Police Storage &amp; Secure Parking</b>					
	New Construction	6,690	sf	\$374.00	\$2,502,060	PEMB building w/ freeze protection
	Secure Parking	13,638	sf	\$79.00	\$1,082,188	Includes 512 LF of 8' H chain link fencing, (1) vehicular gate, (1) man gate, utility infrastructure and excavation
	<b>NW Service Road</b>					
	Road Extension	435	lf	\$7,151.00	\$3,110,685	Assumes 36' wide road with ROW improvements
	<b>Total Construction Costs</b>	<b>134,306</b>	<b>sf</b>		<b>\$29,165,819</b>	
<b>B</b>	<b>Construction Cost Contingency</b>					
	Estimating Contingency	0%	of A1, A2 & A3 Total		\$0	Estimate reflects contingency
	Owner Construction Contingency	10%	of A1, A2 & A3 Total		\$19,172,344	
	Escalation (add 5% for each year after 2032)	0%	of A1, A2 & A3 Total		\$0	Estimate reflects 5% per year to midpoint of each phase (84% factored for near-term), compound rates
	<b>Total Construction Cost Contingency</b>				<b>\$19,172,344</b>	
<b>C</b>	<b>Soft Costs</b>					
	A&E Fees, Permits, Inspections, Owner's Insurance	25%	of A1, A2 & A3 Total		<b>\$47,930,861</b>	
<b>D</b>	<b>Interior Costs</b>					
	Furniture, Fixtures & Equipment	\$30	per sq ft A1 + A2 + A3 Total		<b>\$19,972,770</b>	
<b>E</b>	<b>Total Project Costs</b>					
	Total Construction Costs		A1+A2+A3		\$191,723,443	
	Total Construction Cost Contingency		B		\$19,172,344	
	Total Soft Costs		C		\$47,930,861	
	Total Interior Costs		D		\$19,972,770	
	<b>Total Mid-Term Project Costs</b>				<b>\$278,799,418</b>	



LONG TERM (20-YEAR) PROJECTS (2043-2047)						
Department	Construction Type	Quantity	Unit	Rate	Total	Additional Notes
DC Sheriff's Office: Adult Jail (Station 9)						
A1 Construction Costs						
Inmate Programs						
	Heavy Renovation	3,609	sf	\$2,282.00	\$8,235,738	Secure / Detention
Jail Administration, Secure						
	Heavy Renovation	2,547	sf	\$2,282.00	\$5,812,254	Secure / Detention
Jail Operations						
	Heavy Renovation	2,333	sf	\$2,282.00	\$5,323,906	Secure / Detention
Jail Administration, Non-Secure						
	New Construction	4,503	sf	\$1,760.00	\$7,925,280	Non-Secure / Detention
Jail Reception						
	New Construction	2,547	sf	\$1,760.00	\$4,482,720	Non-Secure / Detention
Staff Support Space, Non-Secure						
	New Construction	7,138	sf	\$1,760.00	\$12,562,880	Non-Secure / Detention
Alternative Sentencing						
	New Construction	13,951	sf	\$1,760.00	\$24,553,760	Secure / Detention
Site Modifications						
	Paving Modifications	63,538	sf	\$82.00	\$5,210,116	Measured extent of paving, sidewalks, and landscape modifications. Does not include total area of disturbance. Includes 2 new secure vehicle gates and ~500' of secure fencing.
Existing Station 9						
	Light Refresh	121,834	sf	\$163.00	\$19,858,942	Paint & minor repairs of areas not included in mid-term work
<b>Total Construction Costs</b>		<b>222,000</b>	<b>sf</b>		<b>\$93,965,596</b>	





DC Sheriff's Office: Admin Building & Support Services (Station 10)						
A2	Construction Costs					
<b>Patrol</b>						
	Light Renovation	4,747	sf	\$937.00	\$4,447,939	Secure Law Enforcement
<b>Shared Support / Resources</b>						
	Heavy Renovation	6,334	sf	\$1,565.00	\$9,912,710	Admin Offices
<b>Reception / Records / Civil</b>						
	New Construction	1,102	sf	\$1,760.00	\$1,939,520	Admin Offices
	Heavy Renovation	3,020	sf	\$1,690.00	\$5,103,800	Admin Offices
<b>Community Partners, CHL &amp; Evidence</b>						
	New Construction	2,469	sf	\$1,760.00	\$4,345,440	Secure Law Enforcement
<b>Detectives</b>						
	Light Renovation	4,648	sf	\$937.00	\$4,355,176	Secure Law Enforcement
<b>Administration</b>						
	Light Renovation	9,979	sf	\$937.00	\$9,350,323	Admin Offices
<b>Digital Forensics &amp; IT</b>						
	New Construction	6,521	sf	\$1,760.00	\$11,476,960	Secure Law Enforcement
<b>Training</b>						
	New Construction	9,774	sf	\$1,760.00	\$17,202,240	Admin Offices
<b>Evidence Storage, Off-Site</b>						
	New Construction	20,053	sf	\$1,760.00	\$35,293,280	Secure Law Enforcement
<b>SWAT</b>						
	New Construction	2,876	sf	\$1,760.00	\$5,061,760	Secure Law Enforcement
<b>Existing Station 10</b>						
	Light Refresh	60,130	sf	\$163.00	\$9,801,190	Paint & minor repairs of areas not included in mid-term work
<b>Secure Parking Uncovered</b>						
	Site Modifications	6,109	sf	\$80.00	\$488,720	On-site secure parking expansion
<b>Search &amp; Rescue, Off-Site</b>						
	New Construction	370	sf	\$1,695.00	\$627,150	50% Secure Law Enforcement & 50% Admin Offices, expansion of mid-term improvements
<b>Search &amp; Rescue Covered Parking, Off-Site</b>						
	New Construction	2,160	sf	\$828.00	\$1,788,480	Expansion of building from mid-term
<b>Search &amp; Rescue Uncovered Parking, Off-Site</b>						
	New Paving	3,400	sf	\$82.00	\$278,800	Expansion of parking from mid-term
<b>Vehicle Maintenance, Off-Site</b>						
	New Construction	3,849	sf	\$1,127.00	\$4,337,823	Expansion of building from mid-term
<b>Vehicle Maintenance Uncovered Parking, Off-Site</b>						
	New Paving	10,200	sf	\$82.00	\$836,400	Expansion of parking from mid-term
<b>Total Construction Costs</b>		<b>157,741</b>	<b>sf</b>		<b>\$126,647,711</b>	





Campus Improvements						
<b>A3</b>	<b>Construction Costs</b>					
	<b>Stabilization Center Parking Uncovered</b>					
	Site Modifications	15,500	sf	\$82.00	\$1,271,000	Expansion of parking from mid-term
	<b>County Maintenance Buildings</b>					
	New Construction	2,400	sf	\$1,127.00	\$2,704,800	Warehouse / Utility space. Includes only site county facility storage buildings, excludes central county maintenance facility.
	<b>County Maintenance Parking</b>					
	New Paving	3,000	sf	\$82.00	\$246,000	on-site dedicated parking for maintenance
	<b>Training &amp; Wellness Center</b>					
	Heavy Renovation	4,205	sf	\$1,565.00	\$6,580,825	Conversion of former work crew space to new use for entire campus
	<b>911 &amp; Oregon State Police TI</b>					
	Light Renovation	1,700	sf	\$937.00	\$1,592,900	Secure Law Enforcement.
	<b>Recovery Center Remodel</b>					
	Heavy Renovation	7,900	sf	\$1,467.00	\$11,589,300	Remodel for aged building improvements
	<b>Outdoor / Landscape Modifications</b>					
	Site Modifications	46,750	sf	\$115.00	\$5,376,250	Measured extent of sidewalks and landscape modifications. Includes single plaza with additional landscaping. Does not include total area of disturbance.
	<b>911 &amp; Oregon State Police Addition</b>					
	New Construction	12,522	sf	\$2,524.00	\$31,605,528	2-story addition
	<b>Total Construction Costs</b>	<b>93,977</b>	<b>sf</b>		<b>\$60,966,603</b>	
<b>B</b>	<b>Construction Cost Contingency</b>					
	Estimating Contingency	0%	of A1, A2 & A3 Total		\$0	Estimate reflects contingency
	Owner Construction Contingency	10%	of A1, A2 & A3 Total		\$28,157,991	
	Escalation (add 5% for each year after 2032)	0%	of A1, A2 & A3 Total		\$0	Estimate reflects 5% per year to midpoint of each phase (200% factored for near-term), compound rates
	<b>Total Construction Cost Contingency</b>				<b>\$28,157,991</b>	
<b>C</b>	<b>Soft Costs</b>					
	A&E Fees, Permits, Inspections, Owner's Insurance	25%	of A1, A2 & A3 Total		<b>\$70,394,978</b>	
<b>D</b>	<b>Interior Costs</b>					
	Furniture, Fixtures & Equipment	\$30	per sq ft A1 + A2 + A3 Total		<b>\$14,211,540</b>	
<b>E</b>	<b>Total Project Costs</b>					
	Total Construction Costs		A1+A2+A3		\$281,579,910	
	Total Construction Cost Contingency		B		\$28,157,991	
	Total Soft Costs		C		\$70,394,978	
	Total Interior Costs		D		\$14,211,540	
	<b>Total Long-Term Project Costs</b>				<b>\$394,344,419</b>	





BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: May 8, 2024

SUBJECT: Public Hearing: RVs as Rental Dwellings Text Amendments

RECOMMENDED MOTION:

At the conclusion of the public hearing, the Board may:

- Continue the hearing to a date certain;
• Close the hearing and leave the written record open to a date certain;
• Close the hearing and set a date for deliberations; or
• Close the hearing and commence deliberations.

BACKGROUND AND POLICY IMPLICATIONS:

The Board will hold a public hearing concerning legislative text amendments to Deschutes County Code Title 18, County Zoning, and Title 19, Bend Urban Growth Boundary Zoning Ordinance. The primary purpose of the amendments is to allow RVs as rental dwellings subject to certain criteria per the adoption of SB 1013.

BUDGET IMPACTS:

None

ATTENDANCE:

Tanya Saltzman, Senior Planner



MEMORANDUM

**TO:** Deschutes County Board of Commissioners

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

**DATE:** May 1, 2024

**SUBJECT:** Public Hearing: Senate Bill 1013 / Recreational Vehicles as Rental Dwellings

---

The Board of County Commissioners (Board) will hold a public hearing on May 8 concerning legislative text amendments to Deschutes County Code (DCC), Title 18, County Zoning, and Title 19, Bend Urban Growth Boundary Zoning Ordinance. The primary purpose of the amendments is to allow RVs as rental dwellings subject to certain criteria per the adoption of SB 1013.

**I. Procedural Background**

Staff submitted a Post-Acknowledgement Plan Amendment (PAPA) notice to the Department of Land Conservation and Development (DLCD) on October 4, 2023. Staff presented information on the proposed amendments at a Planning Commission work session on October 12, 2023.<sup>1</sup> The Planning Commission held an initial public hearing on November 9, 2023,<sup>2</sup> which was continued to December 14, 2023.<sup>3</sup> At that time, the hearing was closed, and the written record was held open until December 28 at 4:00 p.m. The Planning Commission began deliberating on January 11, 2024<sup>4</sup> and elected to continue the discussion to January 23 to form a complete recommendation to forward to the Board.

After deliberating, the Planning Commission voted to **not** recommend adoption by the Board. In addition, the Planning Commission chose to provide recommendations concerning the draft amendments if the Board chooses to move forward with adoption.

Staff provided a summary of the amendments and the process thus far at a February 28 work session<sup>5</sup> to the Board and followed up with additional information on several topics on March 27,<sup>6</sup> at which time the Board directed staff to proceed with a public hearing.

---

<sup>1</sup> <https://www.deschutes.org/bc-pc/page/planning-commission-41>  
<sup>2</sup> <https://www.deschutes.org/bc-pc/page/planning-commission-40>  
<sup>3</sup> <https://www.deschutes.org/bc-pc/page/planning-commission-43>  
<sup>4</sup> <https://www.deschutes.org/bc-pc/page/planning-commission-44>  
<sup>5</sup> <https://www.deschutes.org/bcc/page/board-county-commissioners-meeting-157>  
<sup>6</sup> <https://www.deschutes.org/bcc/page/board-county-commissioners-meeting-161>

The record, which contains all memoranda, notices, and written testimony received, is available at the following website: [www.deschutes.org/rvamendments](http://www.deschutes.org/rvamendments).

**II. RVs as Rental Dwellings Background**

Rural residential zones exist throughout Oregon. By definition, rural residential zones exist outside of urban growth boundaries (UGBs) but are excluded from the state’s resource land (farm and forest zone) protections. With certain exceptions, those protections allow residential uses only in conjunction with a farm or forest use. However, in rural residential zones, a dwelling can be a primary use of the land. Currently, state law allows counties to permit an additional dwelling on a property containing a house built prior to 1945, and allows accessory dwelling units in rural residential areas. However, unlike in urban zones, rural residential zones do not have any other by-right accessory dwelling options, making inter-generational and alternative housing options difficult to achieve.

The Oregon Legislature adopted SB 1013 into law on July 23, 2023; the law became effective January 1, 2024. SB 1013 authorizes a county to allow an owner of a lot or parcel in a rural area to site on the property one recreational vehicle that is used for residential purposes and is subject to a residential rental agreement and additional criteria outlined below. SB 1013 does not obligate a county to allow RVs as rental dwellings. SB 1013 shares some criteria with recent rural ADU legislation in SB 391, such as the requirement to provide sewage disposal, and differs in other ways—for instance, no fire hardening requirements are written into SB 1013.

SB 1013 only authorizes RVs as rental dwellings in “rural areas.” For the purposes of SB 1013, a rural area has two definitions: either an area zoned for rural residential use as defined in ORS 215.501, or land that is within the urban growth boundary of a metropolitan service district, but not within the jurisdiction of any city, and zoned for residential use. Deschutes County’s jurisdiction only includes lands outside of UGBs, so only the first component of the definition applies. Areas zoned for rural residential use are defined by ORS 215.501 to mean “land that is not located inside a UGB as defined in ORS 195.060 (Definitions) and that is subject to an acknowledged exception to a statewide land use planning goal relating to farmland or forestland and planned and zoned by the county to allow residential use as a primary use.” The applicable zoning designations in Deschutes County for these lands are Multiple Use Agricultural (MUA-10), Rural Residential (RR-10), Suburban Low Density Residential (SR 2.5), Urban Area Reserve (UAR-10), and Westside Transect Zone (WTZ).

**III. Deschutes County RVs as Rental Dwellings Amendments**

In addition to only applying to lands recognized as rural residential exception areas, SB 1013 contains minimum criteria that must be met for a lot or parcel to qualify for an RV as rental dwelling. The proposed amendments also contain additional criteria not included in SB 1013, for reasons of safety as well as compatibility, developed in consultation with staff.

Table 1 provides a summary of each provision of the amendments that are required by SB 1013.

**Table 1 – SB 1013 Requirements**

Topic	SB 1013 Requirements	Comment
<b>Single Family Dwelling</b>	SB 1013 Section 2(2)(b) requires one single-family dwelling that is occupied as the primary residence to be located on the lot or parcel.	DCC 18.116.095(D)(1)(a) and DCC 19.92.170(A)(1)(a) are consistent with SB 1013.
<b>Urban Reserve Area</b>	SB 1013 Section 2(2)(a) requires that the lot or parcel is not located within an area designated as an urban reserve as defined in ORS 195.137.	DCC 18.116.095(D)(1)(b) and DCC 19.92.170(A)(1)(b) are consistent with SB 1013.
<b>Vacation Occupancy</b>	SB 1013 Section 2(2)(d) prevents an RV allowed in this law from being used for vacation occupancy as defined in ORS 90.100 or other short-term uses.	DCC 18.116.095(E) and DCC 19.92.170(A)(3) are consistent with SB 1013.  Both require a restrictive covenant be recorded to ensure compliance.
<b>Other Dwelling Units</b>	SB 1013 Section 2(2)(c) requires that there are no other dwelling units on the property and no portion of the single-family dwelling is rented as a residential tenancy.	DCC 18.116.095(D)(1)(d) and DCC 19.92.170(A)(1)(d) are consistent with SB 1013.
<b>RV Ownership</b>	SB 1013 Section 2(2)(e) requires the RV to be owned or leased by the tenant.	DCC 18.116.095(D)(2)(b) and DCC 19.92.170(A)(2)(b) are consistent with SB 1013. The RV may either be owned by the tenant or leased by the tenant from the property owner.
<b>Essential Services</b>	<p>SB 1013 Section 2(2)(f) requires that the property owner provides essential services to the RV space, as defined in ORS 90.100(13)(b).</p> <p>ORS 90.100(13)(b) defines “essential services” as:                      “For a tenancy consisting of rental space for a manufactured dwelling, floating home or recreational vehicle owned by the tenant or that is otherwise subject to ORS 90.505 (Definitions for ORS 90.505 to 90.850) to 90.850 (Owner affidavit certifying compliance with requirements for sale of facility):</p> <p>(A) Sewage disposal, water supply, electrical supply and, if required by applicable law, any drainage system; <b>and</b></p> <p>(B) Any other service or habitability obligation imposed by the rental agreement or ORS 90.730 (Landlord duty to maintain rented space, vacant spaces and common areas in habitable condition), the lack or violation of which creates a serious threat to the tenant’s health, safety or property or makes the rented space unfit for occupancy.”</p>	<p>DCC 18.116.095(D)(1)(f) and DCC 19.92.170(A)(1)(f) are consistent with SB 1013.</p> <p>In addition, these sections require the water supply to be frost protected and for a “Will Serve” letter to be provided if the recreational vehicle is to be served by any water source other than an onsite domestic well.</p>

Topic	SB 1013 Requirements	Comment
<p><b>Reasonable appearance, repair, inspection, or siting standards</b></p>	<p>SB 1013 Section 2(3)(d) allows counties to require that the RV complies with any reasonable appearance, repair, inspection, or siting standards adopted by the county.</p>	<p>DCC 18.116.095(D) and DCC 19.92.170(A) contain the following appearance, repair, inspection, or siting standards developed at the local level:</p> <p>DCC 18.116.095(D)(1)(c) and DCC 19.92.170(A)(1)(c) require the lot area to be at least one acre in size.</p> <p>DCC 18.116.095(D)(2)(c) and DCC 19.92.170(A)(2)(c) require that the recreational vehicle include an operable toilet and sink.</p> <p>DCC 18.116.095(D)(1)(h) and DCC 19.92.170(A)(1)(h) require that if the recreational vehicle is located within a structure, the structure must be entirely open on two or more sides.</p> <p>DCC 18.116.095(D)(1)(e) and DCC 19.92.170(A)(1)(e) require that the recreational vehicle maintains a setback of at least 10 feet from the primary residence.</p> <p>DCC 18.116.095(D)(1)(g) and DCC 19.92.170(A)(1)(g) require that the property owner provide a parking pad for the recreational vehicle.</p> <p>DCC 18.116.095(D)(1)(e) requires that for properties located within the Wildlife Area Combining Zone, recreational vehicles are considered a structure and therefore must comply with the siting standards in 18.88.060(B).</p>

Using the baseline eligibility criteria of SB 1013 plus the 1-acre lot size criteria suggested by staff, approximately 12,410 properties meet the zoning requirement, are at least one acre in size, and already have a single-family dwelling on the property. An additional 2,909 properties are currently vacant but meet the other baseline criteria.

**Additional Options for Consideration**

SB 1013 provides the following additional options for counties, which were deemed not necessary by the Planning Commission based on public testimony received.



**SB 1013 Section 2(3) allows counties these options to require from the property owner:**

- Register the use with the county.
- Limit the amount of payments that the property owner may accept from the tenant under ORS 90.140 to those reasonably necessary to cover the owner’s costs or losses.

Ultimately, public testimony concerning these or other matters will inform the Board’s decision on whether to adopt and if so, which criteria to include. Examples of other criteria not built into SB 1013 could include, but are not limited to, fire protection and snow protection (ramada).

**IV. Public Comments**

As of the date of submittal of this memorandum, (May 1), nine comments have been received from members of the public, and one from an agency (Sisters-Camp Sherman Fire District). These comments do not include those submitted during the Planning Commission process, nor those submitted to the Board concerning whether to hold a hearing. All comments, however, are available in the record at [www.deschutes.org/rvamendments](http://www.deschutes.org/rvamendments).

**V. Next Steps**

At the conclusion of the public hearing, the Board may:

- Continue the hearing to a date certain;
- Close the hearing and leave the written record open to a date certain;
- Close the hearing and set a date for deliberations; or
- Close the hearing and commence deliberations.

Attachments:

1. Draft Amendments
2. Draft Findings

**CHAPTER 16.12 ADDRESS NUMBERING**

[16.12.020 Procedures And Standards For Assigning New Address Numbers](#)

[16.12.030 Procedures And Standards For Changing Existing Address Numbers](#)

[16.12.040 Posting Of Address Numbers](#)

\* \* \*

**[16.12.020 Procedures And Standards For Assigning New Address Numbers](#)**

The procedures for assigning new address numbers are as follows:

- A. When a building permit is issued for a new dwelling or other structure on a lot or parcel that does not have an address, the Community Development Department shall assign an address number based on the street location of the structure's access and its location in the Deschutes County Grid System.
- B. A new dwelling or structure with its access point on a North/South road will be assigned an address number based on its relationship to the grid system and where the access meets the road.
- C. A new dwelling or structure with its access point on an East/West road will be assigned an address number based on its relationship to the grid system and where the access meets the road.
- D. A new dwelling or structure with access on a North/South road will have an even address number assigned to it if it is on the East side of the road, and an odd address number assigned to it if it is on the West side of the road.
- E. A new dwelling or structure with access on an East/West road will have an even address number assigned to it if it is on the North side of the road, and an odd address number assigned to it if it is on the South side of the road.
- F. The numbers assigned to new dwellings or structures shall increase sequentially going North on a North/South road, and shall increase sequentially going East on an East/West road.
- G. New dwellings or structures on cul-de-sacs shall be numbered in a consecutive alternating sequence with even and odd numbers, as illustrated in [Appendix "B,"](#) attached hereto.
- H. New dwellings or structures on circles or loops shall be numbered as illustrated in [Appendix "C,"](#) attached hereto.
- I. Each new single-family dwelling or recreational vehicle as rental dwelling shall have one address number.
- J. New duplexes, triplexes and four-plexes shall be given an address number for each living unit.

- K. New apartment complexes, mobile home parks and other multi-unit complexes shall be given an address number as one dwelling. The owner of each such multi-unit establishment shall assign unit address numbers in a manner that is acceptable to the Community Development Department.
- L. After the effective date of Ordinance 2011-009, for the areas served by Redmond Fire and Rescue:
  - 1. A new dwelling or structure with access on an East/West road will have an odd number assigned to it on the North side of the road, and an even number assigned to it on the South side of the road, to the extent possible, consistent with existing addresses in the immediate area; and
  - 2. The addresses shall increase going north of Antler Avenue and shall increase going south of Antler Avenue.
  - 3. Numbers shall increase going east of 1st Street, and shall increase going west of 1st Street.

HISTORY

*Adopted by Ord. [89-010](#) §1 on 12/20/1989*

*Amended by Ord. [2012-009](#) §2 on 5/2/2012*

*[Amended by Ord. 2024-xxx §x on x/x/2024](#)*

**[16.12.030 Procedures And Standards For Changing Existing Address Numbers](#)**

The provisions of DCC 16.12.020 shall apply. In addition, the following procedures and standards shall apply to the changing of existing address numbers.

- A. The changing of an existing address number may be initiated by the Community Development Department, or by application by the property owner or any public agency that may be affected by the address number.
- B. All changes in address numbers shall conform to the County Grid System and the standards for address numbers set forth in DCC 16.12.020. Any application or proposed change not in conformance with these standards shall be denied.
- C. An existing address number may be changed by the Community Development Department if it is not in conformance with the County Grid System and the standards for address numbers set forth in DCC 16.12.020. Proposed address number changes shall be carried out pursuant to the procedures set forth in DCC 16.12.030(F) through (I).
- D. An application to change an address number shall be made to the Community Development Department and shall include, at a minimum, the following:
  - 1. Name of applicant;
  - 2. Location of dwelling or structure;

3. Existing address number;
  4. Reason for address number change; and
  5. Fee, if any, as established by the Board.
- E. The Community Development Department shall evaluate any proposed change to determine whether it conforms to the standards set forth in DCC 16.12.020. If it does not, the application shall be denied. If the Community Development Department determines that the application is consistent with the standards set forth in DCC 16.12.020, it shall proceed consistent with the procedures set out in DCC 16.12.030(F) through (I).
- F. Notice of a proposed address number change shall be provided to the property owner and occupant. The notice shall inform the property owner and occupant of the County's intent to change the subject address 30 days from the date of the notice and the reason for the change. The property owner and occupant shall be given 10 days from the date of the notice to comment in writing on the proposal.
- G. The proposed address change shall become effective 30 days from the date of the notice provided for in DCC 16.12.030(F), unless the County determines from the comments received in response to the notice provided under DCC 16.12.030(F) that the proposed change does not conform to the standards set forth herein.
- H. Within 10 days of receipt of timely comments, notice shall be sent to commenting owners or occupants informing them of whether the proposed address number change was corrected in response to their comments. In cases where proposed address number changes are corrected in response to comments, the corrected address number shall become effective as of the effective date proposed in the original notice of proposed address change, unless the corrected address is the address already in use by the owner or occupant.
- I. The Community Development Department shall notify the offices of the County Clerk, County Assessor, Road Department, Postmaster and any affected public safety departments of a changed address number within 30 days of the date the new number becomes effective. In addition, on a monthly basis, the Community Development Department shall publish a list of changed address numbers in a newspaper of general circulation designated for the purpose by the Board.

#### HISTORY

Adopted by Ord. [89-010](#) §1 on 12/20/1989

#### [16.12.040 Posting Of Address Numbers](#)

- A. General Requirements.
1. All property located outside the incorporated cities of Bend, Redmond and Sisters on which a structure is located shall display an address number.
  2. Such address numbers shall be permanently affixed in a location on the property that is clearly visible from the road used as the basis for numbering. The numbers shall not be less than three inches in height, shall be painted upon or affixed to the dwelling or

structure in a contrasting and visible color, and shall comply with zoning or other ordinance standards for signs.

- 3. In cases where the dwelling or structure is not visible from the access road and where the mailbox is not located at the end of the access driveway, the applicable fire district or emergency services agency, if any, shall be contacted to determine another location for address display so that emergency vehicles can quickly locate the house or building.
  - 4. All construction sites or structures under construction shall display a street address number. The numbers as displayed shall conform to the requirements in DCC 16.12.040(B) and (C), except that the numbers may be affixed to a sign visible from the road used as the basis for numbering.
  - 5. Every owner or commercial lessee of any structure shall be responsible for having the address number displayed thereon in conformance with the requirements of DCC 16.12.040(A).
- B. Assigned or Changed Address Numbers. Address numbers assigned or changed by the County under DCC 16.12 shall comply with the requirements of DCC 16.12.040 in addition to the requirements of DCC 16.12.040(B)(1).
- 1. Address numbers assigned or changed by the County must be displayed within 30 days from the date on which construction begins or on which the address becomes effective, as provided in DCC 16.12.030(G), except that address numbers assigned to sites with new construction shall be displayed from the start of construction on site.
  - 2. Address numbers assigned by the County to structures erected after the effective date of DCC Title 16 must be permanently displayed before occupancy or use. At the time of final inspection of a new structure, the building official or his designee shall verify that assigned address numbers have been affixed as required above.
  - 3. Every owner or commercial lessee shall be responsible for ensuring that the address number as assigned or changed by the County is displayed in accordance with the requirements of DCC 16.12.040(B).
- C. Failure to display an address number in conformance with the requirements set forth in DCC 16.12.040, or the display of an address number other than one assigned or changed in accordance with the provisions of DCC 16.12, shall be a violation.

HISTORY

Adopted by Ord. [89-010](#) §1 on 12/20/1989

**CHAPTER 18.04 TITLE, PURPOSE AND DEFINITIONS**

**18.04.030 Definitions**

**18.04.030 Definitions**

\* \* \*

"Recreational vehicle" means a vehicle with or without motive power that is designed for human occupancy and as further defined, by rule, by the Director of Transportation, at OAR 735-022-0140.

~~mobile unit which is designed for temporary human occupancy and licensed as a motor home, recreational trailer or camper by the Oregon Motor Vehicles Division or similar units licensed by another state. This mobile unit is designed to be:~~

- ~~A. self propelled or permanently towable by a light duty truck;~~
- ~~B. built on a single chassis; and~~
- ~~C. 400 square feet or less when measured at the largest horizontal projection~~

**HISTORY**

- Adopted by Ord. [PL-15](#) on 11/1/1979*
- Amended by Ord. [82-013](#) §1 on 5/25/1982*
- Amended by Ord. [83-037](#) §2 on 6/1/1983*
- Amended by Ord. [83-033](#) §1 on 6/15/1983*
- Amended by Ord. [84-023](#) §1 on 8/1/1984*
- Amended by Ord. [85-002](#) §2 on 2/13/1985*
- Amended by Ord. [86-032](#) §1 on 4/2/1986*
- Amended by Ord. [86-018](#) §1 on 6/30/1986*
- Amended by Ord. [86-054](#) §1 on 6/30/1986*
- Amended by Ord. [86-056](#) §2 on 6/30/1986*
- Amended by Ord. [87-015](#) §1 on 6/10/1987*
- Amended by Ord. [88-009](#) §1 on 3/30/1988*
- Amended by Ord. [88-030](#) §3 on 8/17/1988*
- Amended by Ord. [88-030](#) §4 on 8/17/1988*
- Amended by Ord. [89-004](#) §1 on 3/24/1989*
- Amended by Ord. [89-009](#) §2 on 11/29/1989*
- Amended by Ord. [90-014](#) §2 on 7/12/1990*
- Amended by Ord. [91-002](#) §11 on 2/6/1991*
- Amended by Ord. [91-005](#) §1 on 3/4/1991*
- Amended by Ord. [92-025](#) §1 on 4/15/1991*
- Amended by Ord. [91-020](#) §1 on 5/29/1991*
- Amended by Ord. [91-038](#) §§3 and 4 on 9/30/1991*
- Amended by Ord. [92-004](#) §§1 and 2 on 2/7/1992*
- Amended by Ord. [92-034](#) §1 on 4/8/1992*
- Amended by Ord. [92-065](#) §§1 and 2 on 11/25/1992*
- Amended by Ord. [92-066](#) §1 on 11/25/1992*
- Amended by Ord. [93-002](#) §§1, 2 and 3 on 2/3/1993*



Amended by Ord. [93-005](#) §§1 and 2 on 4/21/1993  
Amended by Ord. [93-038](#) §1 on 7/28/1993  
Amended by Ord. [93-043](#) §§1, 1A and 1B on 8/25/1993  
Amended by Ord. [94-001](#) §§1, 2, and 3 on 3/16/1994  
Amended by Ord. [94-008](#) §§1, 2, 3, 4, 5, 6, 7 and 8 on 6/8/1994  
Amended by Ord. [94-041](#) §§2 and 3 on 9/14/1994  
Amended by Ord. [94-038](#) §3 on 10/5/1994  
Amended by Ord. [94-053](#) §1 on 12/7/1994  
Amended by Ord. [95-007](#) §1 on 3/1/1995  
Amended by Ord. [95-001](#) §1 on 3/29/1995  
Amended by Ord. [95-075](#) §1 on 11/29/1995  
Amended by Ord. [95-077](#) §2 on 12/20/1995  
Amended by Ord. [96-003](#) §2 on 3/27/1996  
Amended by Ord. [96-082](#) §1 on 11/13/1996  
Amended by Ord. [97-017](#) §1 on 3/12/1997  
Amended by Ord. [97-003](#) §1 on 6/4/1997  
Amended by Ord. [97-078](#) §5 on 12/31/1997  
Amended by Ord. [2001-037](#) §1 on 9/26/2001  
Amended by Ord. [2001-044](#) §2 on 10/10/2001  
Amended by Ord. [2001-033](#) §2 on 10/10/2001  
Amended by Ord. [2001-048](#) §1 on 12/10/2001  
Amended by Ord. [2003-028](#) §1 on 9/24/2003  
Amended by Ord. [2004-001](#) §1 on 7/14/2004  
Amended by Ord. [2004-024](#) §1 on 12/20/2004  
Amended by Ord. [2005-041](#) §1 on 8/24/2005  
Amended by Ord. [2006-008](#) §1 on 8/29/2006  
Amended by Ord. [2007-019](#) §1 on 9/28/2007  
Amended by Ord. [2007-020](#) §1 on 2/6/2008  
Amended by Ord. [2007-005](#) §1 on 2/28/2008  
Amended by Ord. [2008-015](#) §1 on 6/30/2008  
Amended by Ord. [2008-007](#) §1 on 8/18/2008  
Amended by Ord. [2010-018](#) §3 on 6/28/2010  
Amended by Ord. [2010-022](#) §1 on 7/19/2010  
Amended by Ord. [2011-009](#) §1 on 10/17/2011  
Amended by Ord. [2012-004](#) §1 on 4/16/2012  
Amended by Ord. [2012-007](#) §1 on 5/2/2012  
Amended by Ord. [2013-008](#) §1 on 7/5/2013  
Amended by Ord. [2014-009](#) §1 on 8/6/2014  
Amended by Ord. [2015-004](#) §1 on 4/22/2015  
Amended by Ord. [2016-015](#) §1 on 7/1/2016  
Amended by Ord. [2016-026](#) §1 on 11/9/2016  
Amended by Ord. [2016-006](#) §1 on 2/27/2017  
Amended by Ord. [2017-015](#) §1 on 11/1/2017  
Repealed by Ord. [2018-005](#) §8 on 10/10/2018

Amended by Ord. [2018-006](#) §4 on 11/20/2018  
Amended by Ord. [2019-010](#) §1 on 5/8/2019  
Amended by Ord. [2019-016](#) §1 on 2/24/2020  
Amended by Ord. [2020-001](#) §1 on 4/21/2020  
Amended by Ord. [2020-010](#) §1 on 7/3/2020  
Amended by Ord. [2020-007](#) §7 on 10/27/2020  
Amended by Ord. [2021-013](#) §3 on 4/5/2022  
Amended by Ord. [2023-001](#) §2 on X/XX/2023  
Amended by Ord. 2024-xxx §x on X/XX/2024

**CHAPTER 18.116 SUPPLEMENTARY PROVISIONS**

18.116.095 Recreational Vehicle As A Residence On An Individual Lot

\* \* \*

**18.116.095 Recreational Vehicle As A Residence On An Individual Lot**

- A. A single recreational vehicle, as defined in DCC Title 18, may be located on a lot or parcel in a manufactured dwelling park, mobile home park or recreational vehicle park, consistent with ORS 197.493(1), provided that:
  - 1. The recreational vehicle is occupied as a residential dwelling; and
  - 2. The recreational vehicle is lawfully connected to water and electrical supply systems and a sewage disposal system.
  
- B. A single recreational vehicle, as defined in DCC Title 18, may be located on a lot or parcel not containing a dwelling unit and not within in a manufactured dwelling park, mobile home park or recreational vehicle park and used as a temporary dwelling unit:
  - 1. For a period totaling not more than 30 days in any consecutive 60-day period without obtaining a land use permit from the Deschutes County Planning Division; or
  - 2. For a total period not to exceed six months in a calendar year by obtaining a temporary use permit under the terms of DCC 18.116.095 from the Deschutes County Planning Division. A temporary use permit may be renewed annually for use of a recreational vehicle under the terms of DCC 18.116.095 on the same lot or parcel.
  
- C. A single recreational vehicle, as defined in DCC Title 18, may be located on a lot or parcel containing a manufactured dwelling or single-family dwelling, where such dwelling is uninhabitable due to damages from natural disasters, including wildfires, earthquakes, flooding or storms, until no later than the date:
  - 1. The dwelling has been repaired or replaced and an occupancy permit has been issued;
  - 2. The local government makes a determination that the owner of the dwelling is unreasonably delaying in completing repairs or replacing the dwelling; or
  - 3. Twenty-four months after the date the dwelling first became uninhabitable.

**D. In the RR-10 and MUA-10 Zones, a single recreational vehicle, as defined in DCC Title 18, may be established as a rental dwelling provided the following requirements are met:**

- 1. Prior to locating any recreational vehicle as a rental dwelling on a lot or parcel, the property owner must obtain County siting approval for the area of the lot or parcel upon which the recreational vehicle will be located and demonstrate compliance with the following standards:**
  - a. The subject lot or parcel contains a single-family dwelling or manufactured dwelling that is occupied as the primary residence of the property owner;**

- i. As used in this section, “siting approval” includes County approval and/or property owner application for review of the proposed area for a recreational vehicle as a rental dwelling;
  - ii. As used in this section, “primary residence” means a dwelling occupied by the property owner on a long-term or permanent basis.
- b. The property is not within an area designated as an urban reserve in the Deschutes County Comprehensive Plan;
- c. The lot area is at least one acre in size;
- d. There are no other dwelling units, guest houses, or occupied recreational vehicles on the property and no portion of the manufactured dwelling or single-family dwelling is rented for residential tenancy. This prohibition does not apply to RVs under 18.116.095(C).
- e. The recreational vehicle shall maintain a setback of at least 10 feet from other structures;
- f. The property owner will provide essential services to the recreational vehicle space including:
  - i. Sewage disposal, frost protected water supply, electrical supply and, if required by applicable law, any drainage system, all installed with permits and to applicable codes;
  - ii. Any other service or habitability obligation imposed by the rental agreement or ORS 90.730 (Landlord duty to maintain rented space, vacant spaces and common areas in habitable condition), the lack or violation of which creates a serious threat to the tenant’s health, safety or property or makes the rented space unfit for occupancy; and
  - iii. A letter confirming that the supplier of water is “Willing and Able to Serve” the recreational vehicle shall be provided if the recreational vehicle is to be served by any water source other than an onsite domestic well.
- g. The property owner shall provide a parking pad for the recreational vehicle with a surface material of compacted gravel with a minimum thickness of 4”, concrete with a minimum thickness of 3.5”, or asphalt with a minimum thickness of 3”;
- h. If the recreational vehicle will be located within a structure, the structure shall be entirely open on two or more sides;
- i. For properties located in the Wildlife Area Combining Zone, a recreational vehicle approved under this section is subject to DCC 18.88.060(B); and



Amended by Ord. [95-075](#) §1 on 11/29/1995

Amended by Ord. [98-062](#) §1 on 12/9/1998

Amended by Ord. [2007-019](#) §4 on 9/28/2007

Amended by Ord. [2023-001](#) §16 on 5/30/2023

Amended by Ord. 2024-0XX §XX on X/XX/2024

DRAFT



**CHAPTER 18.120 EXCEPTIONS**

**18.120.020 Nonconforming Lot Sizes**

\* \* \*

**18.120.020 Nonconforming Lot Sizes**

- A. Any parcel of land or portion thereof which is to be dedicated to a public or other entity for a road, canal, railroad, utility or other public use shall be exempt from the minimum lot size requirements set forth by DCC Title 18.
- B. Whereas land sections in the County are affected by survey adjustments, minimum requirements relative to lot sizes, where applicable, shall be considered as standard metes and bounds land section division, (i.e., 160 acres, 80 acres, 40 acres, 20 acres, etc.); lot sizes, therefore, may be reasonably smaller than set forth by DCC Title 18 if a total section acreage reduction is due to a survey adjustment or other man made barriers over which the applicant has had no control.
- C. Any lot or parcel that is smaller than the minimum area required in any zone may be occupied by an allowed use in that zone provided that:
  - 1. The lot or parcel is a lot of record, as defined in DCC 18.04.030, Lot of record.
  - 2. The use conforms to all other requirements of that zone.
  - 3. If there is an area deficiency, residential use shall be limited to a single dwelling unit.
    - a. For residential uses with minimum acreage standards specified elsewhere in Title 18, those standards shall prevail.
  - 4. All necessary permits are obtained.
- D. Lots or parcels within the Rural Residential Zone (RR-10) that are separated by an arterial right of way created after June 30, 1993, shall be exempt from the minimum lot dimension of 10 acres in size. Such parcels may be partitioned only as separated by the right of way and shall not be smaller than one acre.

**HISTORY**

*Adopted by Ord. [PL-15](#) §6.020 on 11/1/1979*  
*Amended by Ord. [87-015](#) §§1 and 2 on 6/10/1987*  
*Amended by Ord. [93-034](#) §2 on 6/30/1993*  
*Amended by Ord. [2017-015](#) §2 on 11/1/2017*  
*[Amended by Ord. 2024-xxx §x on x/x/2024](#)*

**CHAPTER 19.04 TITLE, COMPLIANCE, APPLICABILITY AND DEFINITIONS**

19.04.040 Definitions

**19.04.040 Definitions**

\* \* \*

“Recreational vehicle” means a vehicle with or without motive power that is designed for human occupancy and as further defined, by rule, by the Director of Transportation, at OAR 735-022-0140.

HISTORY

- Adopted by Ord. [80-217](#) §1 Exhibit A on 12/18/1980*
- Amended by Ord. [82-011](#) on 8/9/1982*
- Amended by Ord. [83-041](#) §2 on 6/1/1983*
- Amended by Ord. [86-032](#) §1 on 4/2/1986*
- Amended by Ord. [86-033](#) §1 on 4/2/1986*
- Amended by Ord. [86-017](#) §1 Exhibit a on 6/30/1986*
- Amended by Ord. [86-055](#) §1 on 6/30/1986*
- Amended by Ord. [86-058](#) §1 on 6/30/1986*
- Amended by Ord. [88-042](#) §3 on 12/19/1988*
- Amended by Ord. [90-038](#) §1 on 10/3/1990*
- Repealed & Reenacted by Ord. [90-007](#) §1 on 12/7/1990*
- Amended by Ord. [91-001](#) §1 on 1/28/1991*
- Amended by Ord. [91-029](#) §§1, 8, 9 and 10 on 8/7/1991*
- Amended by Ord. [92-043](#) §1 on 5/20/1992*
- Amended by Ord. [93-018](#) §1 on 5/19/1993*
- Amended by Ord. [94-005](#) §§1 & 2 on 6/15/1994*
- Amended by Ord. [95-045](#) §15 on 6/28/1995*
- Amended by Ord. [96-071](#) §1D on 12/30/1996*
- Amended by Ord. [97-017](#) §1 on 3/12/1997*
- Amended by Ord. [97-038](#) §1 on 8/27/1997*
- Amended by Ord. [99-001](#) §§2-4 on 1/13/1999*
- Repealed & Reenacted by Ord. [2009-002](#) §1,2 on 2/11/2009*
- Amended by Ord. [2013-013](#) §1 on 7/25/2013*
- Amended by Ord. [2014-016](#) §1 on 12/29/2014*
- Amended by Ord. [2016-016](#) §1 on 6/1/2016*
- Amended by Ord. [2017-009](#) §7 on 7/21/2017*
- Amended by Ord. [2020-001](#) §17 on 4/21/2020*
- Amended by Ord. [2020-010](#) §8 on 7/3/2020*
- Amended by Ord. [2021-009](#) §2 on 6/18/2021*
- Amended by Ord. [2024-xxx](#) §x on x/x/2024*

**CHAPTER 19.76 SITE PLAN REVIEW**

**19.76.020 Site Plan Requirements**

\* \* \*

**19.76.020 Site Plan Requirements**

In all zones, except for a single-family dwelling, accessory dwelling unit, duplex or triplex unit on one lot, all new uses, buildings, recreational vehicles as rental dwellings, outdoor storage or sales areas and parking lots or alterations thereof shall be subject to the provisions of DCC 19.76.020. Site plan approval shall not be required where a proposed alteration of an existing building does not exceed 25 percent of the size of the original structure unless the Planning Director finds the original structure or proposed alteration does not meet the requirements of DCC Title 19 or other ordinances of the County.

HISTORY

*Adopted by Ord. PL-11 on 7/11/1979*

*Repealed & Reenacted by Ord. 90-038 §1 on 10/3/1990*

*Amended by Ord. 2024-0XX §XX on X/XX/2024*

**CHAPTER 19.92 INTERPRETATIONS AND EXCEPTIONS**

**19.92.170 Recreational Vehicles as Rental Dwellings In UAR-10, SR-2 ½, And WTZ Zones**

\* \* \*

**19.92.170 Recreational Vehicles as Rental Dwellings In UAR-10, SR-2 ½, And WTZ Zones**

A. In the UAR-10, SR 2 ½, and WTZ Zones, a single recreational vehicle, as defined in DCC 19.04, may be established as a rental dwelling provided the following requirements are met:

1. Prior to locating any recreational vehicle as a rental dwelling on a lot or parcel, the property owner must obtain County siting approval for the area of the lot or parcel upon which the recreational vehicle will be located and demonstrate compliance with the following standards:

- a. The subject lot or parcel contains a single-family dwelling or manufactured dwelling that is occupied as the primary residence of the property owner;
  - i. As used in this section, “siting approval” includes County approval and/or property owner application for review of the proposed area for a recreational vehicle as a rental dwelling;
  - ii. As used in this section, “primary residence” means a dwelling occupied by the property owner on a long-term or permanent basis.
- b. The property is not within an area designated as an urban reserve in the Deschutes County Comprehensive Plan;
- c. The lot area is at least one acre in size;
- d. There are no other dwelling units, guest houses, or occupied recreational vehicles on the property and no portion of the manufactured dwelling or single-family dwelling is rented for residential tenancy;
- e. The recreational vehicle shall maintain a setback of at least 10 feet from other structures;
- f. The property owner will provide essential services to the recreational vehicle space including:
  - i. Sewage disposal, frost protected water supply, electrical supply and, if required by applicable law, any drainage system, all installed with permits and to applicable codes; and
  - ii. Any other service or habitability obligation imposed by the rental agreement or ORS 90.730 (Landlord duty to maintain rented space, vacant spaces and common areas in habitable condition), the lack or



5. A permit shall be obtained from the Deschutes County Onsite Wastewater Division before disposing any wastewater or sewage on-site.
6. A recreational vehicle shall meet the same setbacks required of a manufactured dwelling or single-family dwelling on the subject lot.
7. A recreational vehicle shall be fully licensed and ready for highway use, on its wheels or jacking system, shall be attached to the site only by quick disconnect type utilities and security devices, and shall have no permanently attached additions.
8. As identified in this section, a recreational vehicle located within a special flood hazard area is subject to the standards and criteria established by DCC 19.72.

HISTORY

Adopted by Ord. 2024-00x §x on [date]

DRAFT





## FINDINGS

### I. PROPOSAL

This is a legislative text amendment to Deschutes County Code (DCC), Title 18, County Zoning, and Title 19, Bend Urban Growth Boundary Zoning Ordinance. The primary purpose of the amendments is to allow RVs as rental dwellings subject to certain criteria per the adoption of SB 1013. The proposal creates two new subsections (effectively the same but pertaining to different zones in Titles 18 and 19) that govern the criteria for RVs as rental dwellings.

### II. BACKGROUND

#### A. Senate Bill 1013

The Oregon Legislature adopted SB 1013 into law on July 23, 2023; the law becomes effective January 1, 2024. SB 1013 authorizes a county to allow an owner of a lot or parcel in a rural area to site on the property one recreational vehicle that is used for residential purposes and is subject to a residential rental agreement and additional criteria outlined below. SB 1013 does not obligate a county to allow RVs as rental dwellings. SB 1013 shares some criteria with recent rural ADU legislation in SB 391, such as the requirement to provide sewage disposal, and differs in other ways—for instance, no fire hardening requirements are written into SB 1013.

Rural residential exception areas and their corresponding zones exist throughout Oregon. By definition, rural residential zones exist outside of urban growth boundaries (UGBs) but are excluded from the state’s resource land (farm and forest zone) protections. With certain exceptions, those protections allow residential uses only in conjunction with a farm or forest use. However, in rural residential zones, a dwelling can be a primary use of the land. State law allows counties to permit an additional dwelling on a property containing a house built prior to 1945 and SB 391 more generally allows accessory dwelling units in rural residential areas. However, unlike in urban zones, rural residential zones do not have any other by-right accessory dwelling options, making inter-generational and alternative housing options difficult to achieve.

SB 1013 only authorizes RVs as rental dwellings in “rural areas.” For the purposes of SB 1013, a rural area has two definitions: either an area zoned for rural residential use as defined in ORS 215.501, or land that is within the urban growth boundary of a metropolitan service district, but not within the jurisdiction of any city, and zoned for residential use. Deschutes County’s jurisdiction only includes lands outside of UGBs, so only the first component of the definition applies. Areas zoned for rural residential use are defined by ORS 215.501 to mean “land that is not located inside a UGB as defined in ORS 195.060 (Definitions) and that is subject to an acknowledged exception to a statewide land use planning goal relating to farmland or forestland and planned and zoned by the county to allow residential use as a primary use.” The applicable zoning designations in Deschutes

County for these lands are Multiple Use Agricultural (MUA-10), Rural Residential (RR-10), Suburban Low Density Residential (SR 2.5), Urban Area Reserve (UAR-10), and Westside Transect Zone (WTZ).

**B. Deschutes County Residential RV Amendments**

In addition to only applying to lands recognized as rural residential exception areas, SB 1013 also contains minimum criteria that must be met for a lot or parcel to qualify for an RV residential dwelling. As noted above, SB 1013 shares some similarities with SB 391, which allows for rural accessory dwelling units. In certain cases, the proposed amendments echo components of the zoning code developed in Deschutes County for rural ADUs. Lastly, the proposed amendments also contain additional criteria not included in SB 1013, for reasons of safety as well as compatibility.

Table 1 provides a summary of each provision of the amendments that are required by SB 1013.

**Table 1 - SB 1013 Requirements**

Topic	SB 1013 Requirements	Comment
<b>Single Family Dwelling</b>	SB 1013 Section 2(2)(b) requires one single-family dwelling that is occupied as the primary residence to be located on the lot or parcel.	DCC 18.116.095(D)(1)(a) and DCC 19.92.170(A)(1)(a) are consistent with SB 1013.
<b>Urban Reserve Area</b>	SB 1013 Section 2(2)(a) requires that the lot or parcel is not located within an area designated as an urban reserve as defined in ORS 195.137.	DCC 18.116.095(D)(1)(b) and DCC 19.92.170(A)(1)(b) are consistent with SB 1013.
<b>Vacation Occupancy</b>	SB 1013 Section 2(2)(d) prevents an RV allowed in this law from being used for vacation occupancy as defined in ORS 90.100 or other short-term uses.	DCC 18.116.095(E) and DCC 19.92.170(A)(3) are consistent with SB 1013.  Both require a restrictive covenant be recorded to ensure compliance.
<b>Other Dwelling Units</b>	SB 1013 Section 2(2)(c) requires that there are no other dwelling units on the property and no portion of the single-family dwelling is rented as a residential tenancy.	DCC 18.116.095(D)(1)(d) and DCC 19.92.170(A)(1)(d) are consistent with SB 1013.
<b>RV Ownership</b>	SB 1013 Section 2(2)(e) requires the RV to be owned or leased by the tenant.	DCC 18.116.095(D)(2)(b) and DCC 19.92.170(A)(2)(b) are consistent with SB 1013. The RV may either be owned by the tenant or leased by the tenant from the property owner.
<b>Essential Services</b>	SB 1013 Section 2(2)(f) requires that the property owner provides essential services to the RV space, as defined in ORS 90.100(13)(b).  ORS 90.100(13)(b) defines “essential services” as: “For a tenancy consisting of rental space for a manufactured dwelling, floating home or recreational vehicle owned by the tenant or	DCC 18.116.095(D)(1)(f) and DCC 19.92.170(A)(1)(f) are consistent with SB 1013.  In addition, these sections require the water supply to be frost protected and for a “Will Serve” letter to be provided if the recreational vehicle is to be

Topic	SB 1013 Requirements	Comment
	<p>that is otherwise subject to ORS 90.505 (Definitions for ORS 90.505 to 90.850) to 90.850 (Owner affidavit certifying compliance with requirements for sale of facility):</p> <p>(A) Sewage disposal, water supply, electrical supply and, if required by applicable law, any drainage system; <b>and</b></p> <p>(B) Any other service or habitability obligation imposed by the rental agreement or ORS 90.730 (Landlord duty to maintain rented space, vacant spaces and common areas in habitable condition), the lack or violation of which creates a serious threat to the tenant’s health, safety or property or makes the rented space unfit for occupancy.”</p>	<p>served by any water source other than an onsite domestic well.</p>

Topic	SB 1013 Requirements	Comment
<p><b>Reasonable appearance, repair, inspection, or siting standards</b></p>	<p>SB 1013 Section 2(3)(d) allows counties to require that the RV complies with any reasonable appearance, repair, inspection, or siting standards adopted by the county.</p>	<p>DCC 18.116.095(D) and DCC 19.92.170(A) contain the following appearance, repair, inspection, or siting standards developed at the local level:</p> <p>DCC 18.116.095(D)(1)(c) and DCC 19.92.170(A)(1)(c) require the lot area to be at least one acre in size.</p> <p>DCC 18.116.095(D)(2)(c) and DCC 19.92.170(A)(2)(c) require that the recreational vehicle include an operable toilet and sink.</p> <p>DCC 18.116.095(D)(1)(h) and DCC 19.92.170(A)(1)(h) require that if the recreational vehicle is located within a structure, the structure must be entirely open on two or more sides.</p> <p>DCC 18.116.095(D)(1)(e) and DCC 19.92.170(A)(1)(e) require that the recreational vehicle maintains a setback of at least 10 feet from the primary residence.</p> <p>DCC 18.116.095(D)(1)(g) and DCC 19.92.170(A)(1)(g) require that the property owner provide a parking pad for the recreational vehicle.</p> <p>DCC 18.116.095(D)(1)(e) requires that for properties located within the Wildlife Area Combining Zone, recreational vehicles are considered a structure and therefore must comply with the siting standards in 18.88.060(B).</p>

Using the baseline eligibility criteria of SB 1013 plus the lot size criteria suggested by staff, approximately 12,410 properties meet the zoning requirement, are at least one acre in size, and already have a single-family dwelling on the property. An additional 2,909 properties are currently vacant but meet the other baseline criteria.

**III. REVIEW CRITERIA**

Deschutes County lacks specific criteria in DCC Titles 18, 19, 22, or 23 for reviewing a legislative text amendment. Nonetheless, since Deschutes County is initiating one, the County bears the

responsibility for justifying that the amendments are consistent with Statewide Planning Goals and its existing Comprehensive Plan.

**IV. FINDINGS**

**CHAPTER 22.12, LEGISLATIVE PROCEDURES**

Section 22.12.010.

***Hearing Required***

**FINDING:** This criterion will be met because a public hearing was held before the Deschutes County Planning Commission and Board of County Commissioners.

Section 22.12.020, Notice

***Notice***

***A. Published Notice***

- 1. Notice of a legislative change shall be published in a newspaper of general circulation in the county at least 10 days prior to each public hearing.***
- 2. The notice shall state the time and place of the hearing and contain a statement describing the general subject matter of the ordinance under consideration.***

**FINDING:** This criterion will be met as notice was published in the Bend Bulletin newspaper for the Planning Commission public hearing, and the Board of County Commissioners' public hearing.

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

**FINDING:** Posted notice was determined by the Planning Director not to be necessary.

***C. Individual notice. Individual notice to property owners, as defined in DCC 22.08.010(A), shall be provided at the discretion of the Planning Director, except as required by ORS 215.503.***

**FINDING:** Given the proposed legislative amendments do not apply to any specific property, no individual notices were sent.

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

**FINDING:** Notice was provided to the County public information official for wider media distribution. This criterion is met.

Section 22.12.030 Initiation of Legislative Changes.

***A legislative change may be initiated by application of individuals upon payment of required fees as well as by the Board of County Commissioners.***

**FINDING:** The application was initiated by the Deschutes County Planning Division at the direction of the Board of County Commissioners and has received a fee waiver. This criterion is met.

Section 22.12.040. Hearings Body

- A. *The following shall serve as hearings or review body for legislative changes in this order:***
  - 1. The Planning Commission.***
  - 2. The Board of County Commissioners.***
- B. *Any legislative change initiated by the Board of County Commissioners shall be reviewed by the Planning Commission prior to action being taken by the Board of Commissioners.***

**FINDING:** The Deschutes County Planning Commission held the initial public hearing on November 9. The Board then held a public hearing on [DATE TBD]. These criteria are met.

Section 22.12.050 Final Decision

***All legislative changes shall be adopted by ordinance***

**FINDING:** The proposed legislative changes will be implemented by Ordinance No. [number TBD] upon approval and adoption by the Board of County Commissioners. This criterion will be met.

**B. Statewide Planning Goals and Guidelines**

Goal 1: Citizen Involvement: The amendments do not propose to change the structure of the County's citizen involvement program. Notice of the proposed amendments was provided to the *Bulletin* for the Board public hearing.

Goal 2: Land Use Planning: This goal is met because ORS 197.610 allows local governments to initiate post acknowledgments plan amendments (PAPA). An Oregon Land Conservation and Development Department 35-day notice was initiated on October 4, 2023. The Planning Commission held a public hearing on November 9, 2023 and the Board of County Commissioners held a public hearing on [DATE TBD]. The Findings document provides the adequate factual basis for the amendments.

Goal 3: Agricultural Lands: No changes related to agricultural lands are proposed as part of the text amendments. This goal does not apply.



Goal 4: Forest Lands: No changes related to forest lands are proposed as part of the text amendments. This goal does not apply.

Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources: By adopting SB 1013 in 2023, the Oregon Legislature added a new use, recreational vehicle as residential tenancy (or rental dwelling), to rural residential exception areas. Local governments can choose to allow this use by amending their zoning codes and complying with SB 1013’s development standards. Goal 5 does not apply.

However, to the extent it is determined that Goal 5 does apply, local governments apply Goal 5 to a PAPA when the amendment allows a new use and the new use could be a conflicting use with a particular Goal 5 resource site on an acknowledged resource list. Certain areas in rural Deschutes County, zoned MUA-10 and RR-10, contain Goal 5 resources because they are overlaid with a Wildlife Area Combining Zone. These two zones are being amended to allow RVs as rental dwellings and are therefore subject to an ESEE Analysis. No other changes to the code warrant specific ESEE Analysis as they are not adding new uses that conflict with Goal 5 resources. The ESEE analysis is included in *Appendix A* which is attached to this document.

Goal 6: Air, Water and Land Resources Quality: The proposed text amendments do not propose changes to the County’s Comprehensive Plan policies or implementing regulations for compliance with Goal 6, and therefore are in compliance. However, it is worth noting that the amendments require a minimum lot size of 1 acre in an effort to protect sensitive groundwater resources that can be further stressed by the wastewater disposal of denser development patterns. To further protect these resources, SB 1013 requires that the property owner provide sewage disposal, and applicants must receive a permit from Deschutes County Onsite Wastewater Division before disposing any wastewater or sewage on-site.

Goal 7: Areas Subject to Natural Disasters and Hazards: The proposed text amendments do not propose to change the County’s Comprehensive Plan or implementing regulations regarding natural disasters and hazards; therefore, they are in compliance.

Goal 8: Recreational Needs: Recreational vehicles as rental dwellings are not a recreational use or need, but rather are intended to provide housing. This goal does not apply.

Goal 9: Economic Development: Recreational vehicles as rental dwellings are not primarily economic in nature. This goal does not apply.

Goal 10: Housing: This goal is not applicable because unlike municipalities, unincorporated areas are not obligated to fulfill certain housing requirements.

Goal 11: Public Facilities and Services: Recreational vehicles as rental dwellings in the rural county typically rely on domestic wells and onsite wastewater treatment systems. A Goal 11 exception would be required for a centralized sewer system and would need to be applied on a property specific, needs related basis. This goal does not apply.

Goal 12: Transportation: By adopting SB 1013 in 2023, the Oregon Legislature added a new use, recreational vehicles as rental dwellings, to rural residential exception areas. Local governments can choose to allow this use by amending their zoning codes and complying with SB 1013's development standards. Staff does not anticipate that the addition of recreational vehicles as rental dwellings on approximately 12,410 currently eligible lots will create a significant or adverse effect to the County transportation system and thus complies with the TPR.

Goal 13: Energy Conservation: The proposed text amendments do not propose to change the County's implementing regulations regarding energy conservation. This goal does not apply.

Goal 14: Urbanization: The purpose of Goal 14 is to direct urban uses to areas inside UGBs. As the proposed amendments do not seek to allow urban uses on rural land, nor do they seek to expand an existing urban growth boundary, this goal does not apply.

Goals 15 through 19: Deschutes County does not contain any of the relevant land types included in Goals 15-19. Therefore, these goals do not apply.

**C. Deschutes County Comprehensive Plan**

**Chapter 3, Rural Growth**

Section 3.3, Rural Housing

*Goal 1 Maintain the rural character and safety of housing in unincorporated Deschutes County.*

*Policy 3.3.5 Maintain the rural character of the County while ensuring a diversity of housing opportunities, including initiating discussions to amend State Statute and/or Oregon Administrative Rules to permit accessory dwelling units in Exclusive Farm Use, Forest and Rural Residential zones.*

**FINDING:** Implementing SB 1013, which allows recreational vehicles as rental dwellings to be sited in rural residential exception areas, is consistent with Policy 3.3.5, providing a needed housing option in the rural county.

**V. CONCLUSION:**

Based on the information provided herein, the staff recommends the Board of County Commissioners approve the proposed text amendments to allow an owner of a lot or parcel within a rural residential exception area to site a recreational vehicle as rental dwelling subject to certain restrictions and limitations.

# Recreational Vehicles as Rental Dwellings Text Amendment

## Appendix A: ESEE Analysis Document to File No. 247-23-000700-TA

Deschutes County Community Development

October 4, 2023

# Table of Contents

- Chapter 1: Overview of Goal 5 and ESEE Analyses ..... 11
- Chapter 2: Deschutes County Goal 5 Inventory and Methodology ..... 14
- Chapter 3: Conflicting Use Analysis ..... 16
- Chapter 4: Impact Areas ..... 19
- Chapter 5: ESEE Analysis ..... 20
- Chapter 6: ESEE Decision ..... 27
- Chapter 7: Program to Achieve Goal 5 ..... 28

## References

- Attachment 1 – Deschutes County Goal 5 Inventory Summary Table
- Attachment 2 – Inventory Site Maps

# Chapter 1: Overview of Goal 5 and ESEE Analyses

## Introduction

This appendix report was prepared to supplement the findings document associated with File No. 247-22-000700-TA. Deschutes County is amending Deschutes County Code (DCC), Titles 18 and 19 to allow recreational vehicles (RV) as rental dwellings consistent with Senate Bill (SB) 1013 (2023) in Multiple Use Agricultural (MUA-10), Rural Residential (RR-10), Suburban Low Density Residential (SR 2.5), Urban Area Reserve (UAR-10), and Westside Transect Zones (WTZ). DCC Chapter 18.88 is the Wildlife Area (WA) Combining Zone, which recognizes four Goal 5 inventories: Antelope Range, Deer Migration Corridor, Deer Winter Range, and Significant Elk Habitat. Certain areas in rural Deschutes County, zoned MUA-10 and RR-10, are overlaid with a Deer Migration Corridor, Deer Winter Range, and/or Significant Elk Habitat.

In addition, there are some areas zoned MUA-10 and RR-10 that contain Goal 5 riparian resources and their associated fish, furbearer, waterfowl, and upland game bird habitat. Recognizing that an RV as rental dwelling is a new conflicting use in the WA Combining Zone, Deschutes County is applying Goal 5 in consideration of this Post Acknowledgment Plan Amendment (PAPA). The full findings document provides additional detail and background information regarding the intent of the amendments and compliance with other applicable local and state regulations outside of Statewide Land Use Planning Goal 5 – *Natural Resources, Scenic and Historic Areas, and Open Spaces*.

## Deschutes County Goal 5 Program

The purpose of Goal 5 is “to protect natural resources and conserve scenic and historic areas and open spaces.” Local governments, as part of the Comprehensive Planning process, are required to inventory the extent, location, quality, and quantity of significant natural resources within their jurisdictional boundaries. Following this inventory, local governments then conduct an economic, social, environmental, and energy (ESEE) analysis to determine the extent to which land uses should be limited in order to adequately protect significant resources. Following an ESEE analysis, governments then establish a program to protect significant natural resources. Deschutes County established its initial Goal 5 natural resource inventory, ESEE analyses, and protection programs between the years of 1988-1994, as part of periodic review.

In reviewing this document, it is important to acknowledge there are six policies and development standards within the Deschutes County Comprehensive Plan and DCC that were established through ESEEs over time that could still limit the development of RVs as rental dwellings near inventoried Goal 5 resources. Deschutes County finds the proposed amendments do not alter the following existing protections.

1. Setback Protections: 100-foot structural setback from the ordinary high water mark (OHWM) of rivers and streams.

2. Scenic Protections: Development near rivers in the Landscape Management Combining Zone must be reviewed for aesthetic compatibility.
3. Wetland Protections: Prohibition of fill or removal of any material or wetland vegetation, regardless of the amount, within the bed and banks of any stream or river or in any wetland unless approved as a conditional use.
4. Mitigation Protections: Impacts to any wetland or riverbank impacts to be fully mitigated, as evaluated by Oregon Department of Fish and Wildlife (ODFW).
5. Flood Plain Protections: All new construction, expansion or substantial improvement of an existing dwelling, an agricultural related structure, a commercial, industrial or other non-residential structure, or an accessory building in a designated Flood Plain must obtain a conditional use permit.
6. Combining Zone Requirements: Deer Migration Corridor, Deer Winter Range, Elk Habitat, and Sensitive Bird and Mammal Habitat have site specific requirements including development setbacks and/or seasonal construction requirements to prevent impacts to sensitive species and habitat.

## Required Steps and Discretionary Review

Local governments are required to comply with Goal 5 when a PAPA allows a new use and the new use “could be” a conflicting use with a particular Goal 5 resource site on an acknowledged resource list.<sup>1</sup> Deschutes County is amending the MUA-10, RR-10, SR 2.5, UAR-10 and WTZ zoning chapters to allow recreational vehicles as rental dwellings consistent with SB 1013 (2023).

Residential RVs have the potential to generate a certain level of noise and habitat alteration. As this new use could potentially impact Goal 5 resources, Deschutes County is conducting an ESEE Analysis to identify potential consequences and protections related to the amendments. RVs as rental dwellings will be added as a new permitted use in the MUA-10, RR-10, SR 2.5, UAR-10 and WTZ zones. As shown below, only two of those zones, MUA-10 and RR-10, contain Goal 5 resources and are being reviewed as part of this ESEE analysis.

**Table 2: Zones Containing Goal 5 Resources**

Contain Goal 5 Resources	Do Not Contain Goal 5 Resources
<ul style="list-style-type: none"> <li>• DCC Chapter 18.32, Multiple Use Agricultural Zone</li> <li>• DCC Chapter 18.60, Rural Residential Zone</li> </ul>	<ul style="list-style-type: none"> <li>• DCC Chapter 19.12, Urban Area Reserve Zone</li> <li>• DCC Chapter 19.20, Suburban Low Density Residential Zone</li> <li>• DCC Chapter 19.22, Westside Transect Zone</li> </ul>

<sup>1</sup> OAR 660-023-0250(3)(b)



ESEEs are meant to be analytical tools. The content of the ESEE is discretionary and is intended to be conducted by planning staff using existing information. An ESEE is not meant to focus exclusively on environmental impacts such as an Environmental Impact Statement (EIS) under the National Environmental Policy Act (NEPA). Additionally, Goal 5 explains “the ESEE analysis need not be lengthy or complex, but should enable reviewers to gain a clear understanding of the conflicts and the consequences to be expected.”<sup>2</sup> In utilizing this analytical tool, there are a few steps jurisdictions must include and address in accordance with OAR 660-023 – *Procedures and Requirements for Complying with Goal 5*:

1. Identify Conflicting Uses – Does the land use or activity negatively impact natural resources?
2. Determine Impact Area – What is the geographic extent to which land uses or activities adjacent to natural resources could negatively impact those resources?
3. Analyze ESEE Consequences – What are the positive and negative consequences (both for development and natural resources) of a decision to fully protect natural resources, fully allow conflicting uses, or limit conflicting uses?
4. Develop a program – How and to what extent will the natural resources be protected based on the ESEE analysis?

A response to each of these steps is included throughout this report. The relevant page and chapter can be found in the table of contents.

---

<sup>2</sup> OAR 660-023-0040(1)

# Chapter 2: Deschutes County Goal 5 Inventory and Methodology

## 660-23-0030 – Inventory Goal 5 Resources

Stemming from periodic review, Deschutes County adopted inventories for a variety of Goal 5 natural resources (Attachment 1). Some of these resources have mapped geographic boundaries such as Deer Winter Range, whereas others are described as being located in general areas – such as furbearer habitat in riparian corridors. The inventories were produced at a countywide scale, with additional detail for the Deschutes River and its tributaries through the Deschutes County/City of Bend River Study. County staff digitized these habitat boundaries into Geographic Information Systems (GIS) shape files in the 2000s for public awareness. The shape files were created from hard copy maps and descriptions found in the ordinances establishing the County’s Goal 5 program, in consultation with the Oregon Department of Fish and Wildlife (ODFW).

Maps provided in this document include inventoried habitat that spatially overlaps with the MUA-10 and RR-10 zones impacted by the proposed text amendments (Attachment 2). The habitat areas include: deer migration corridor, deer winter range, elk habitat, flood plain, and wetlands. Staff utilized the County’s WA Combining Zone layers to determine the general extent of habitat for big game species as the Combining Zone was designed to cover a larger area than the habitat itself (Ordinance 92-046). Inventoried streams and rivers are shown on the map, as well as wetlands and flood plains. Goal 5 Riparian areas (flood plain, wetlands and 100 feet measured from ordinary high water mark) associated with these water bodies is also the habitat area for fish, furbearers, waterfowl, and upland game birds (Ordinance 92-041, 94-007). As the proposed text amendments are legislative and do not impact any specific properties, staff did not review Goal 5 impacts on an individual parcel level basis. Instead, staff identified the following potential resource sites in which the allowance of RVs as rental dwellings could potentially intersect with Goal 5 resources:

Riverine Resources: Some properties in the MUA-10 and RR-10 zones are located in relative proximity to the Deschutes River, Little Deschutes River, Paulina Creek, and Whychus Creek and its associated Goal 5 Riparian Area.<sup>3</sup> Ordinance 92-041 stated the following additional Goal 5 resources depend on riparian corridors for habitat: furbearer, waterfowl, and upland game bird habitat. As the extent of the habitat locations for these species are not detailed in a boundary description or on a map, staff assumes the species habitat is found entirely inside the Riparian Area boundary shown in Attachment 2.

Wildlife Area Combining Zone: The WA Combining Zone was adopted as a protection measure for antelope, deer, and elk in Deschutes County. As an overlay zone, the mapped area conservatively identified typical habitat and migration areas and provided additional development requirements to ensure impacts to wildlife are properly mitigated alongside the underlying base zone regulations.

---

<sup>3</sup> There are 404 RR-10 tax lots that are one acre or larger with a single-family dwelling and 247 that are vacant that abut the Little Deschutes River or Deschutes River. There are 479 tax lots one acre or larger that are split-zoned RR-10 or MUA-10 with the Flood Plain Zone that contain a single-family dwelling and 291 that are vacant. The Flood Plain Zone is not recognized as a rural residential exception area. RR-10 and MUA-10 split zoned properties will be required to contain the minimum lot or parcel area to qualify for an RV as rental dwelling.

The zone encompasses the previously inventoried area for Antelope Range, Deer Migration Corridor, Deer Winter Range, and Significant Elk Habitat. The proposed amendments add a conflicting use, RVs as rental dwellings, which affect three habitat ranges in MUA-10 and RR-10: Deer Migration Corridor, Deer Winter Range, and Significant Elk Habitat. These habitat ranges are shown in Attachment 2. The maps include federal land; however, these properties are not subject to Deschutes County land use regulations.

The Deschutes County Goal 5 inventory also includes scenic and open space sites such as Landscape Management Rivers and Streams, State Scenic Waterways and Federal Wild and Scenic Rivers, and Ecologically and Scientifically Significant Natural Areas - Little Deschutes River / Deschutes Confluence (Attachment 1). Protection of these resources is focused on mitigating visual impacts of individual development proposals. Staff finds these resources are not impacted by the proposed amendments and therefore are not reviewed in this document.

### Chapter 3: Conflicting Use Analysis

**660-023-0040(2): Identify conflicting uses. Local governments shall identify conflicting uses that exist, or could occur, with regard to significant Goal 5 resource sites. To identify these uses, local governments shall examine land uses allowed outright or conditionally within the zones applied to the resource site and in its impact area. Local governments are not required to consider allowed uses that would be unlikely to occur in the impact area because existing permanent uses occupy the site.**

Deschutes County is proposing to add RVs as rental dwellings in the MUA-10 and RR-10 zones in the WA Combining Zone. RVs could be a conflicting use to significant Goal 5 resources as they generate vehicle trips and noise. Other uses that are allowed in the two zones are shown below.

**Table 3: Allowed Uses**

Zoning	Outright Uses	Conditional Uses
MUA-10	Agricultural uses Single family dwelling or manufactured home Harvesting a forest product Class I and II road or street projects subject to land division standards Class III road or street project Noncommercial horse stables Horse events Operation, maintenance and piping of canals Type I Home occupation Historic accessory dwelling units	Public use Semipublic use Dude ranch Kennel and/or veterinary clinic Guest house Manufactured home as a secondary accessory farm dwelling Exploration for minerals Private parks Personal use airstrip Golf course Type 2 or 3 Home occupation Destination resorts Planned developments Cluster developments Landfills Timeshare Hydroelectric facility Storage, crushing and processing of minerals Bed and breakfast inn Excavation, grading and fill Religious institutions Private or public schools Utility facility Cemetery Commercial horse stables Horse events Manufactured home park or RV park Wireless telecommunication facilities Guest lodge Surface mining in conjunction with operation and maintenance of irrigation system

Zoning	Outright Uses	Conditional Uses
RR-10	Single family dwelling or manufactured home Utility facility Community center Agricultural use Class I and II road or street projects subject to land division standards Class III road or street project Noncommercial horse stables Horse events Operation, maintenance and piping of canals Type I Home occupation Historic accessory dwelling units	Public park Dude ranch Personal use airstrip Planned developments Cluster developments Recreation-oriented facility Landfills Cemetery Timeshare Hydroelectric facility Bed and breakfast inn Golf course Excavation, grading and fill Religious institutions Public use Semipublic use Commercial horse stables Private or public schools Manufactured home park or RV park Wireless telecommunication facilities Surface mining in conjunction with operation and maintenance of irrigation system

**General Impacts of Conflicting Uses**

The proposed amendments would allow RVs as rental dwellings in inventoried Goal 5 resources. As part of the ESEE review “a local government may conduct a single analysis for two or more resource sites that are within the same area or that are similarly situated and subject to the same zoning”.<sup>4</sup> In reviewing the proposed amendments, Deschutes County finds that the impacts from RVs in the MUA-10 and RR-10 zones as they relate to Deer Migration Corridor, Deer Winter Range, and Significant Elk Habitat are of such a similar nature that the impacts for these areas may be reviewed together via the general impacts described below.

- *Noise and Light*

RVs as a secondary dwelling may distress inventoried wildlife, as they seek to avoid noise and light.

- *Habitat Removal*

Preparing an appropriate site on a lot for an RV could require removal of upland vegetation, grading, and soil compaction that could alter drainage and runoff patterns. This could increase peak runoff, cause bank erosion, flooding, or increase the flow of sediment into water bodies. The removal of upland vegetation could also reduce tree canopy and understory vegetation which could be utilized by wildlife, outside of their primary habitat.

<sup>4</sup> OAR 660-023-0040(4)

- *Introduction of Invasive, Nonnative Plants*

RVs may contribute to the spread of invasive, nonnative plants which could replace and degrade native vegetation of which many species depend.

- *Habitat Fragmentation*

Additional human development may result in fences, roads, traffic and other barriers to the movement of terrestrial wildlife that is critical to their survival.

Greater detail on these potential conflicts and their consequences is provided below.



# Chapter 4: Impact Areas

**660-023-0040(3): Determine the impact area. Local governments shall determine an impact area for each significant resource site. The impact area shall be drawn to include only the area in which allowed uses could adversely affect the identified resource. The impact area defines the geographic limits within which to conduct an ESEE analysis for the identified significant resource site.**

This step is discretionary and allows for the local jurisdiction to define which areas are the most vulnerable and/or most likely to be affected by the proposed amendments. The impact area for this ESEE analysis are properties that are within the Deer Migration Corridor, Deer Winter Range, and Significant Elk Habitat in the MUA-10 and RR-10 zones. As this ESEE is not for any specific property, but instead reflects changes to the code generally, there is no individual property specific data.

Properties in this impact area can be found in Attachment 2 – *Impact Area Maps*

## Impact Area Methodology

To understand the impact of the proposed amendments within the areas of significance noted above, an estimate of the number of parcels in those areas that meet the baseline RV as rental dwelling criteria and are non-federal (i.e. subject to Deschutes County zoning) is shown in Table 4 below. The table also provides an estimate for vacant parcels that meet the other eligibility criteria; these properties would not be eligible until a single-family dwelling is constructed first.

**Table 4: Number of Affected Non-Federal Properties in Impact Area**

Zone	Deer Migration	Deer Winter	Elk
Properties Containing One Single-Family Dwelling	4,059	518	169
Vacant Properties (Not Yet Eligible)	1,317	185	104
<b>Total</b>	<b>5,376</b>	<b>703</b>	<b>273</b>

# Chapter 5: ESEE Analysis

**660-023-0040(4): Analyze the ESEE consequences. Local governments shall analyze the ESEE consequences that could result from decisions to allow, limit, or prohibit a conflicting use. The analysis may address each of the identified conflicting uses, or it may address a group of similar conflicting uses. A local government may conduct a single analysis for two or more resource sites that are within the same area or that are similarly situated and subject to the same zoning. The local government may establish a matrix of commonly occurring conflicting uses and apply the matrix to particular resource sites in order to facilitate the analysis. A local government may conduct a single analysis for a site containing more than one significant Goal 5 resource. The ESEE analysis must consider any applicable statewide goal or acknowledged plan requirements, including the requirements of Goal 5. The analyses of the ESEE consequences shall be adopted either as part of the plan or as a land use regulation.**

## Background

Deschutes County is choosing to conduct a single analysis for all resource sites as the impacts from RVs as rental dwellings could have very similar impacts to both riparian areas and fish and wildlife that depend on the riparian area for their habitat, and for big game including deer and elk.

As described above, the potential impacts fall into four general areas:

- *Noise and Light*

RVs as a rental dwelling may distress inventoried wildlife, as they seek to avoid noise and light.

- *Habitat Removal*

Preparing an appropriate site on a lot for an RV could require removal of upland vegetation, grading, and soil compaction that could alter drainage and runoff patterns. This could increase peak runoff, cause bank erosion, flooding, or increase the flow of sediment into water bodies. The removal of upland vegetation could also reduce tree canopy and understory vegetation which could be utilized by wildlife, outside of their primary habitat.

- *Introduction of Invasive, Nonnative Plants*

RVs may contribute to the spread of invasive, nonnative plants which could replace and degrade native vegetation of which many species depend.

- *Habitat Fragmentation*

Additional human development may result in fences, roads, traffic and other barriers to the movement of terrestrial wildlife that is critical to their survival.

This step is discretionary. The purpose of an ESEE analysis is to provide a qualitative exercise for local governments to weigh the positive and negative consequences of three scenarios in order to determine a preferred outcome. Governments may choose to use quantitative data as necessary but are not required to gather new information or hire wildlife biologists, economists, sociologists, or energy consultants.

**ESEE Scenario Descriptions**

*Scenario (A) – Allow the Conflicting Use*

In this scenario, the local government may decide that a conflicting use should be allowed fully, without any restrictions, no matter the potential impacts on the inventory site(s). In this instance, the Goal 5 rule would require the government to determine the conflicting use is of such importance compared to the site that the use should be allowed without any protections or limitations. In choosing this scenario, the local government could still use other tools to protect the inventories that are currently in place.

*Scenario (B) – Prohibit the Conflicting Use*

In this scenario, the local government may decide that the inventory site is of such importance or the conflicting use has the potential to be so detrimental to the inventory site(s), that the conflicting use should be entirely prohibited.

*Scenario (C) – Limit the Conflicting Use*

In this scenario, the local government may decide that the inventory site and the conflicting use are both important when compared to each other, and the use should be allowed with limitations to balance the impacts to the inventory site(s).

**RVs as Rental Dwellings ESEE Analysis**

**Scenario (A) Allow the Conflicting Use**

In this scenario, Deschutes County would allow RVs as rental dwellings in MUA-10 and RR-10 zones without any additional requirements to protect the inventoried resources.

***Economic Consequences:***

Permitting RVs as rental dwellings would have positive consequences by allowing a second dwelling on a property. Deschutes County is experiencing a housing shortage. Allowing RVs, which are generally small in size and cannot be used as vacation rentals, could help address work force housing shortages in the region and provide a housing type that has not historically been readily available in the rural county. It could reduce commuting costs for those workers that live in adjoining Crook, Jefferson and Klamath counties, and coupled with other workforce housing strategies, attract businesses and employment opportunities in Central Oregon.

Allowing RVs could also have negative consequences. The development of RVs as rental dwellings in MUA-10 and RR-10 zones could increase land value, which could price out low and middle-income residents from the opportunity to own a home. Previous testimony from ODFW estimates that hunting and wildlife viewing contributed more than \$50 million to the Deschutes County economy

annually. Deschutes County is proposing to allow RVs in some areas that contain riparian areas and species that rely on the riparian area for habitat including fish, furbearers, upland game birds, and waterfowl. Allowing RVs near these areas could reduce income associated with wildlife viewing and hunting of these species.

In some parts of the county, mule deer populations have declined up to 70% since 2000 as a result of human caused habitat reduction, fragmentation, and disturbance on winter range. By allowing RVs in Deer Migration Corridor, Deer Winter Range, and Significant Elk Habitat, there is the potential for greater disturbance of deer and elk populations that could reduce hunting and viewing opportunities.

**Social Consequences:**

Permitting RVs as rental dwellings could have positive consequences by allowing property owners with an existing single family dwelling to rent out an RV that accommodates aging parents or family members, farm help for those that are working on MUA-10 zoned agricultural properties or nearby Exclusive Farm Use zoned properties. By providing affordable housing, it could help lift people out of poverty and increase economic mobility. It could bring a positive impact on the surrounding community, encouraging social connections and lowering crime rates.

It could also have negative consequences by allowing RVs as rental dwellings in rural areas with inadequate access to employment, schools, food markets, medical facilities and parks. This could lead to higher automobile dependence and vehicle emissions caused by more people driving to and from rural areas. Based on previous testimony from ODFW, there could also be negative impacts due to the potential loss of wildlife habitat. Many residents, advocacy organizations, and wildlife agencies continue to express concerns regarding the loss of fish and wildlife habitat due to the region’s rapid growth and development. There is a recognition that increases in human activity, especially in rural areas, displace habitat and diminish, however incrementally, Deschutes County’s rural character and quality of life. The proposed amendments could have negative consequences due to increased human presence and infrastructure near the inventoried Goal 5 resources, which could lead to a reduced level of access and enjoyment for recreationalists.

**Environmental Consequences:**

In this scenario, RVs as rental dwellings would be permitted outright. As stated previously, RVs could present negative impacts as they have the potential to increase noise and light near fish and wildlife habitats, and in turn cause distress to inventoried Goal 5 species.

Developing an appropriate site for an RV may require removal of upland vegetation, grading, and soil compaction that could alter drainage and runoff patterns. This could increase peak runoff, cause bank erosion, flooding, or increase the flow of sediment into water bodies. The removal of upland vegetation could also reduce tree canopy and understory vegetation which could be utilized by wildlife, outside of their primary habitat. Given the relatively small footprint of RVs, however, these impacts may be minor compared to other development types. Permitting RVs could create negative impacts to designated habitat for Deer Migration Corridor, Deer Winter Range, and Significant Elk Habitat. Based on previous testimony from ODFW, mule deer populations have declined up to 70% since 2000. Their testimony identified other elements contributing to reductions

in mule deer populations tied to human caused habitat reduction, fragmentation, and disturbance on winter range.

As previously stated, the following Goal 5 protections established during the creation of the initial inventory would remain in place:

1. Setback Protections: 100-foot structural setback from the ordinary high water mark of rivers or streams.
2. Scenic Protections: Development near rivers in the Landscape Management Combining Zone must be reviewed for aesthetic compatibility.
3. Wetland Protections: Prohibition of fill or removal of any material or wetland vegetation, regardless of the amount, within the bed and banks of any stream or river or in any wetland unless approved as a conditional use.
4. Mitigation Protections: Impacts to any wetland or riverbank impacts to be fully mitigated, as evaluated by ODFW.
5. Flood Plain Protections: All new construction, expansion or substantial improvement of an existing dwelling, an agricultural related structure, a commercial, industrial or other non-residential structure, or an accessory building in a designated Flood Plain shall obtain a conditional use permit.
6. Combining Zone Requirements: Deer Migration Corridor, Deer Winter Range, Significant Elk Habitat and Sensitive Bird and Mammal Habitat have site specific requirements including development setbacks and seasonal construction requirements to prevent impact to sensitive species and habitat.

Existing protections would prevent riparian areas from being developed with ADUs established near them. As the existing Goal 5 measures in place today protect riparian areas and the fish and wildlife within that habitat area, the addition of ADUs near these areas will be neutral.

**Energy Consequences:**

RVs as rental dwellings are unlikely to cause any major energy consequences. Per SB 1013, the property owner must provide essential services, which includes electricity and wastewater disposal, to the RV site. It can also rely on an existing domestic well.

A potential negative consequence of the proposed amendments could be additional development in rural Deschutes County. Depending on the location of the RV, it could lead to additional Vehicle Miles Traveled and greater congestion on county-owned roads for employment, education, and basic services.

**Scenario (B) Prohibit the Conflicting Use**

In this scenario, Deschutes County would not allow RVs as rental dwellings in the MUA-10 and RR-10 zones associated with the WA Combining Zone and Deer Migration Corridor, Deer Winter Range, and Significant Elk Habitat.

***Economic Consequences:***

Prohibiting RVs could have negative economic consequences, as it prevents certain property owners from using their land and having a secondary dwelling unit. This could contribute to workforce housing deficiencies in the region and compel residents to commute from adjoining areas in Crook, Jefferson, and Klamath Counties.

It could also have neutral consequences based on previous testimony from ODFW. Prohibiting RVs could contribute to stabilizing mule deer populations, thereby maintaining economic benefits from wildlife viewing or hunting. Wildlife viewing, hunting, and fishing experiences in Deschutes County are major economic assets to the region. Prohibiting RVs could minimize further habitat fragmentation and help maintain wildlife viewing, hunting, and fishing revenues in Deschutes County.

***Social Consequences:***

Prohibiting ADUs could have negative social consequences. Many residents and multi-generational families in Deschutes County need affordable housing and are rent-burdened. Limiting the potential supply of a unique housing type could exacerbate Central Oregon’s housing crisis by forcing some residents to pay higher rents, commute longer distances for basic services, or relocate. Those circumstances could lead to further mental and physical stress.

It could also have positive consequences. Many residents express their appreciation for undisturbed landscapes because they contribute to Deschutes County’s rural character and quality of life. Prohibiting RVs, which generate noise and light would continue to limit disturbance to existing fish and wildlife habitats.

***Environmental Consequences:***

There are 404 RR-10 tax lots, one acre or larger with a single-family dwelling and 247 that are vacant that abut the Little Deschutes River or Deschutes River. There are 479 tax lots one acre or larger that are split-zoned RR-10 or MUA-10 with the Flood Plain Zone that contain a single-family dwelling and 291 that are vacant. These properties contain a Goal 5 Riparian Area which is also the habitat for Goal 5 inventoried waterfowl, upland game bird, furbearers, and fish. The WA Combining Zone contains Deer Migration Corridor, Deer Winter Range, and Significant Elk Habitat. By prohibiting RVs and maintaining the status quo, these species will continue to be protected against habitat fragmentation and distress from second dwellings. The environmental consequences are therefore neutral.

***Energy Consequences:***

Energy consumption would have neutral consequences as this scenario maintains the status quo. Development associated with RVs may be displaced to other areas of rural Deschutes County, which could still have demands on utilities.



**Scenario (C) Limit the Conflicting Use**

In this scenario, Deschutes County would allow RVs as rental dwellings in the MUA-10 and RR-10 zones, with additional limitations to protect the inventoried resources, outside of existing protections. For example, a limitation could require the RV to be within a certain distance of the existing dwelling.

***Economic Consequences:***

Permitting RVs as rental dwellings would have positive consequences by allowing a second dwelling on a property. Deschutes County is experiencing a housing shortage. Allowing RVs, which are generally small in size and cannot be used as vacation rentals, could help address work force housing shortages in the region. It could reduce commuting costs for those workers that live in adjoining Crook, Jefferson and Klamath counties and coupled with other work force housing strategies, attract businesses and employment opportunities in Central Oregon.

Compared to scenario (a) where there is no required area in relation to the primary residence in which the RV must be sited, the addition of limitations could lessen the impact by minimizing the buildable footprint and ultimately, the number of eligible properties, recognizing that some may not have enough area to accommodate an RV depending on site constraints. This could positively impact the hunting and wildlife viewing economy in Central Oregon, valued at \$50 million annually. While such measures could lessen impacts, the overall burden caused by allowing RVs nevertheless may still overall impact wildlife and thereby impact revenue generated from the recreation economy.

In comparison to scenario (a), which would allow the use outright, Deschutes County finds that this scenario would provide a limitation to reduce the amount of impacts, even if those impacts still exist.

***Social Consequences:***

The positive social consequences in this scenario are very similar to scenario (a). Permitting RVs could have positive consequences by allowing property owners with an existing single-family dwelling to have a dwelling that accommodates aging parents or family members, farm help for those that are working on MUA-10 zoned agricultural properties or nearby Exclusive Farm Use zoned properties. By providing affordable housing, it could help lift people out of poverty and increase economic mobility. It could bring a positive impact on the surrounding community, encouraging social connections and lowering crime rates.

Adding a limitation requiring the RV to be within a certain distance of the existing dwelling (or other limitation) could establish a negative consequence, depending on siting, of RVs in rural areas with inadequate access to employment, schools, food markets, medical facilities and parks. This could lead to higher automobile dependence and vehicle emissions caused by more people driving to and from rural areas. Based on previous testimony from ODFW, there could also be negative impacts due to the potential loss of wildlife habitat stemming from the possible removal of habitat areas and construction of structures and their associated human presence. Many residents, advocacy

organizations, and wildlife agencies continue to express concerns regarding the loss of fish and wildlife habitat due to the region’s rapid growth and development. There is a recognition that increases in human activity, especially in rural areas, displace habitat and diminish, incrementally, Deschutes County’s rural character and quality of life. The proposed amendments could have negative consequences due to increased human presence and infrastructure near or within the inventoried Goal 5 resources, which could lead to a reduced level of access and enjoyment for recreationalists.

**Environmental Consequences:**

RVs as rental dwellings could present negative consequences as they have the potential to increase activity, noise, and light near fish and wildlife habitats, and in turn cause distress to inventoried Deer Migration Corridor, Deer Winter Range, and Significant Elk Habitat.

Siting of an RV may require removal of upland vegetation, grading, and soil compaction that could alter drainage and runoff patterns. This could increase peak runoff, cause bank erosion, flooding, or increase the flow of sediment into water bodies. The removal of upland vegetation could also reduce tree canopy and understory vegetation which could be utilized by fish and wildlife species, outside of their primary habitat. Given the relatively small footprint of RVs, however, these impacts may be minor compared to other development types. Permitting RVs could result in further negative impacts to the Deer Migration Corridor, Deer Winter Range, and Significant Elk Habitat. Based on recent testimony from ODFW, mule deer populations have declined up to 70% since 2000. Their testimony identified other elements contributing to reductions in mule deer populations tied to human caused habitat reduction, fragmentation, and disturbance on winter range.

Existing protections in place today (discussed above) would prevent Goal 5 riparian areas from being developed when RVs are nearby. The establishment of RVs in these areas would likely be neutral.

By limiting the RV to within a certain distance of the existing dwelling, the negative environmental consequences associated with RVs could be mitigated to a certain extent.

**Energy Consequences:**

The energy consequences in this scenario are the same as in scenario (a). Limiting the RV to within a certain distance of the existing dwelling could decrease the amount of energy used to operate the RV, considering the essential services that are required to be provided.

# Chapter 6: ESEE Decision

**660-023-0040(5): Develop a program to achieve Goal 5. Local governments shall determine whether to allow, limit, or prohibit identified conflicting uses for significant resource sites. This decision shall be based upon and supported by the ESEE analysis. A decision to prohibit or limit conflicting uses protects a resource site. A decision to allow some or all conflicting uses for a particular site may also be consistent with Goal 5, provided it is supported by the ESEE analysis. One of the following determinations shall be reached with regard to conflicting uses for a significant resource site:**

**(c) A local government may decide that the conflicting use should be allowed fully, notwithstanding the possible impacts on the resource site. The ESEE analysis must demonstrate that the conflicting use is of sufficient importance relative to the resource site, and must indicate why measures to protect the resource to some extent should not be provided, as per subsection (b) of this section.**

The graphic below is meant to be a simplified representation to balance each of the ESEE factors. As stated in the ESEE analysis, there are a variety of positive, negative, and neutral consequences associated with each scenario. Deschutes County finds that the issue of allowing an RV as rental dwellings in MUA-10 and RR-10 zones are both a social and economic issue that outweighs the other ESEE consequences. The County considered allowing the use with limitations by limiting the siting of the RV to within a certain distance of the existing dwelling, but this practice could limit the number of affordable housing opportunities. Therefore, the County is choosing scenario (a), which will allow the use fully, notwithstanding the possible impacts on the resource sites.

**Table 5: ESEE Factors**

<b>ESEE Factors</b>	<b>Support habitat functions (Environmental, economic, social)</b>	<b>Support Affordable Housing (Social, economic)</b>	<b>Support Recreational Economy (Economic, Social)</b>	<b>Preserves Rural Character (Social, economic)</b>	<b>Transportation (Energy)</b>
<b>Prohibit conflicting use</b> (No code change)	<b>0</b>	<b>-</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Allow conflicting use</b> Allow RVs with no additional requirements	<b>-</b>	<b>+</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Limit conflicting use</b> Allow RVs with additional limitation	<b>-</b>	<b>+</b>	<b>-</b>	<b>-</b>	<b>-</b>

## Chapter 7: Program to Achieve Goal 5

**660-023-0050(1):** *For each resource site, local governments shall adopt comprehensive plan provisions and land use regulations to implement the decisions made pursuant to OAR 660-023-0040(5). The plan shall describe the degree of protection intended for each significant resource site. The plan and implementing ordinances shall clearly identify those conflicting uses that are allowed and the specific standards or limitations that apply to the allowed uses. A program to achieve Goal 5 may include zoning measures that partially or fully allow conflicting uses (see OAR 660-023-0040(5)(b) and (c)).*

**660-023-0050(2):** *When a local government has decided to protect a resource site under OAR 660-023-0040(5)(b), implementing measures applied to conflicting uses on the resource site and within its impact area shall contain clear and objective standards. For purposes of this division, a standard shall be considered clear and objective if it meets any one of the following criteria:*

- (a) It is a fixed numerical standard, such as a height limitation of 35 feet or a setback of 50 feet;*
- (b) It is a nondiscretionary requirement, such as a requirement that grading not occur beneath the dripline of a protected tree; or ...*

Deschutes County has determined that allowing RVs as rental dwellings within the MUA-10 and RR-10 zones and within the Deer Migration Corridor, Deer Winter Range, and Significant Elk Habitat should be allowed fully, notwithstanding the possible impacts on the inventoried resources. The implementing measures do not include alternative, discretionary procedures for compliance.

**Attachment 1 - Deschutes County Significant Goal 5 Resources**

Inventoried Resource	Flood Plain Relationship	Conflicts	Comments	Relevant Ordinances
<p><b>Fish Habitat</b> (Inventory – Ord. No. 92-041, page 18; creeks, rivers and lakes)</p>	<p><b>Yes</b></p>	<p>Major conflicts are removal of riparian vegetation, fill and removal activities within the bed and banks of streams or wetlands, hydroelectric, rural residential development and water regulation</p>	<p>Floodplain zone recognized as program to achieve the goal to conserve fish habitat (Ordinance Nos. 88-030, 88-031, 89-009).</p> <p>Others include: fill and removal permits, wetland removal regulations, hydro prohibitions, rimrock setbacks, 100’ setback from OHW, conservation easements and restrictions on boats and docks.</p>	<p>Ordinance Nos. 86-018, 86-053, 86-054, 86-056, 88-030, 88-031, 89-009, 92-040, 92-041</p>
<p><b>Deer Winter Range</b> (Inventory – Ord. No. 92-041, page 22; Metolius, Tumalo, North Paulina, and Grizzly ranges identified by ODFW)</p>	<p><b>Yes</b></p>	<p>Major conflicts are dwellings, roads, and dogs. Activities which cause deterioration of forage quality and quantity or cover are conflicting uses. Fences which impede safe passage are also a conflicting use.</p>	<p>Floodplain zone recognized as a program to achieve the goal to protect deer winter range (Ordinance Nos. 88-030, 88-031, 89-009).</p> <p>Others include Wildlife Area Combining Zone. Requires 40-acre minimum lot size for all new residential land divisions. Underlying zoning in most of the deer winter range is: EFU, Forest, and Floodplain. These zones provide for large lot sizes and limit uses that are not compatible with farm or forest zones.</p>	<p>Ordinance Nos. 88-030, 88-031, 89-009, 92-040, 92-041, 92-042, 92-046</p>
<p><b>Deer Migration Corridor</b> (Inventory – Ord. No. 92-041, page 26; Bend-La Pine migration corridor identified by ODFW)</p>	<p><b>Yes</b></p>	<p>Major conflicts are dwellings, roads, and dogs. Fences which impede safe passage are also a conflicting use.</p>	<p>Wildlife Area Combining Zone was recognized as the only program to achieve the goal to protect the deer migration corridor. Underlying zoning is RR-10. It was amended to require cluster development for all land divisions in the RR-10 zone in the Bend/La Pine migration corridor (92-042). A 20-acre parcel is the minimum size required for a cluster development. Siting and fencing standards also apply in the deer migration corridor. Migration corridor includes some EFU, Forest, and Floodplain zoned land. These resource zones provide for large lot sizes and limit uses that are not compatible with farm or forest zones.</p>	<p>Ordinance Nos. 92-040, 92-041, 92-042, 92-046</p>

Inventoried Resource	Flood Plain Relationship	Conflicts	Comments	Relevant Ordinances
<p><b>Elk Habitat</b> (Inventory – Ord. No. 92-041 – page 32; identified by USFS and ODFW)</p>	<p><b>Yes</b></p>	<p>Major conflict is the loss of habitat due to increased residential densities in the habitat areas. Increased human disturbance can cause conflict with elk. The use of land which necessitates the removal of large amounts of vegetative cover can also alter the quality of elk habitat.</p>	<p>Wildlife Area Combining Zone was recognized as the only program to achieve the goal to protect the elk habitat.</p> <p>It was amended to require a 160-acre minimum lot size for areas identified as significant elk habitat. Siting standards are required to minimize conflicts of residences with habitat protection.</p> <p>Underlying zoning in the elk habitat areas is either Floodplain, Forest, or Open Space and Conservation. These resource zones restrict high density residential development and prohibit industrial and commercial uses.</p> <p>* Some lands are zoned RR10, including lots that are split zoned with flood plain. They are already parcelized, preventing future land divisions.</p>	<p>Ordinance Nos. 88-030, 88-031, 89-009, 92-040, 92-041, 92-042, 92-046</p>
<p><b>Antelope Habitat</b> (Inventory – Ord. No. 92-041 – page 38; identified by ODFW)</p>	<p><b>No</b></p>	<p>Land use or development activities which would result in the loss of habitat, and animal harassment and disturbance associated with human activity.</p>	<p>To achieve the goal to conserve antelope habitat, uses conflicting with antelope habitat are limited to the Wildlife Area Combining Zone. In antelope range, the minimum lot size is 320 acres. Except for rural service centers, the antelope habitat is zoned EFU or F1.</p>	<p>Ordinance Nos. 92-040, 92-041, 92-042, 92-046</p>
<p><b>Habitat for Sensitive Birds</b> (Inventory – Ord. No. 92-041 – page 41 and Table 5; identified by ODFW, ODF, OSU, Oregon Natural Heritage Data Bases).</p> <p>The area required for each nest site varies between species.</p>	<p><b>No</b></p>	<p>Nest sites are found in Forest, EFU and Open Space and Conservation zones. Uses that could conflict with the habitat site are surface mining, residential use, recreation facilities, roads, logging, and air strips.</p> <p>Any activity which would disturb the nesting birds, including intensive recreational use or removal of trees or</p>	<p>The Sensitive Bird and Mammal Combining Zone achieves the goal to protect sensitive bird sites.</p>	<p>Ordinance Nos. 92-040, 92-041, 92-042, 92-046</p>



Inventoried Resource	Flood Plain Relationship	Conflicts	Comments	Relevant Ordinances
		vegetation could conflict with the habitat site.		
<p><b>(UPDATE -</b> Inventory – Ord. No. 94-004 –pages 3 to 140 Site specific ESEE analysis and decisions follow each site.</p>	<b>No</b>	See above.	<p>Habitat areas for sensitive birds of the Fish and Wildlife Element, adopted in No. 92-041 is repealed and replaced by inventories in Exhibit 1. Area required around each nest site needed to protect the nest from conflict varies between species. It’s called “sensitive habitat area.”</p> <p>Note: Northern bald eagle, osprey, golden eagle, prairie falcon, and great blue heron rookeries are located on federal land. Classified as “2A” Goal 5 Resources. Great Grey owl site no longer exists. Some bald eagle, golden eagle sites are controlled by the Sensitive Bird and Mammal Combining Zone.</p>	Ordinance Nos. 94-004, 94-005 and 94-021
<p><b>Waterfowl Habitat</b> (Inventory – Ord. No. 92-041 – page 56; includes all rivers, streams, lakes and perennial wetlands and ponds identified on the 1990 US Fish and Wildlife Wetland Inventory Maps; ODFW provided lists of all bird species; Co/City of Bend River Study provides additional information)</p>	<b>Yes</b>	Future resort and vacation home development, human activity associated with recreation along rivers and lakes, timber-cutting around sensitive habitats, fill and removal of material in wetlands and within the bed and banks of rivers and streams, and removal of riparian vegetation are conflicting uses.	<p>Floodplain zone recognized as program to achieve the goal to conserve waterfowl habitat (Ordinance Nos. 88-030, 88-031, 89-009).</p> <p>Others include: fill and removal permits, wetland removal regulations, rimrock setbacks, 100’ setback from OHW, conservation easements, restrictions on boats and docks, landscape management, state and federal scenic water regulations. In addition, the Forest and EFU zones require large minimum lot size which limits the potential density of development in the areas adjacent to many of the rivers, streams, wetlands, and ponds used for waterfowl habitat.</p>	Ordinance Nos. 86-018, 86-054, 86-056, 88-030, 88-031, 89-009, 92-040, 92-041, 92-042- 92-045, 92-046

Inventoried Resource	Flood Plain Relationship	Conflicts	Comments	Relevant Ordinances
<p><b>Upland Game Bird Habitat</b>                      (Inventory – Ord. No. 92-041 – page 60; ODFW did not identify critical habitat for any of the upland game species except for the sage grouse; habitat for upland game birds is dispersed throughout the county in riparian, forest, agricultural, and rangeland areas)</p>	<p><b>Yes</b></p>	<p>Pheasant and quail are affected whenever agricultural land is taken out of production through urban sprawl, road construction, industrial development and other land clearing activities.</p> <p>Farming practices on existing agricultural lands also have an impact. Fence row, woodlots, and riparian vegetation are constantly being removed at the expense of upland bird use.</p> <p>Chapter 6 of County/City of Bend River Study identifies conflicting uses with upland bird habitat.</p>	<p>For all of the upland game birds except sage grouse, the habitat is adequately protected by the existing EFU and Forest zoning and the provisions to protect wetlands and riparian areas to achieve the goal of protecting upland game birds.</p> <p>County provisions to protect riparian areas and wetlands protect one of the most significant components of upland game habitat.</p> <p>Note: conflicts with sage grouse are limited by EFU zoning with a 320 acre minimum parcel size. Sensitive Bird and Mammal Combining Zone pertaining to sage grouse and leks have been repealed due to LCDC enacted rules in OAR 660, Division 23.</p>	<p>Ordinance Nos. 86-018, 86-053, 86-054, 86-056, 88-030, 88-031, 89-009, 92-040, 92-041, 92-042, 92-046</p>
<p><b>UPDATE</b> - Inventory – Ord. No. 94-004 – pages 156-201.</p>	<p><b>Yes</b></p>	<p>See above.</p>	<p>Habitat areas for Upland Game Bird Habitat, adopted in No. 92-041 is repealed and replaced and further amended in Exhibit 4 with the ESEE Analysis and inventory for upland game bird habitat.</p> <p>Conflicts with sage grouse are reduced by the limitations on uses in the EFU and Floodplain zone, by the 320 acre minimum lot size and predominance of BLM lands.</p> <p>Note: conflicts with sage grouse are limited by EFU zoning with a 320 acre minimum parcel size. Sensitive Bird and Mammal Combining Zone pertaining to sage grouse and leks have been repealed due to LCDC enacted rules in OAR 660, Division 23.</p>	<p>Ordinance Nos. 94-004 and 94-021</p>

Inventoried Resource	Flood Plain Relationship	Conflicts	Comments	Relevant Ordinances
<p><b>Furbearer Habitat</b> (Inventory – Ord. No. 92-041 – page 65; ODFW has not identified any specific habitat sites other than riparian and wetland areas that are critical for the listed species.</p>	<p><b>Yes</b></p>	<p>The conflicting uses are those activities or development which would degrade or destroy habitat, or disturb the animals causing them to relocate.</p> <p>Conflicts between furbearers and other land uses are minimal in the county.</p>	<p>Furbearer habitat is adequately protected by the existing EFU and Forest zoning and the provisions to protect farm use and forest zoning, and the provisions to protect wetlands and riparian areas to achieve the goal to protect furbearers.</p> <p>The farm and forest zones require large minimum lot sizes and many uses are permitted only as conditional uses. The measures to protect riparian and wetland habitat are detailed in this plan in the Riparian and Wetland Habitat section.</p>	<p>Ordinance Nos. 86-018, 86-053, 86-054, 86-056, 88-030, 88-031, 89-009, 92-040, 92-041</p>
<p><b>Habitat Areas for Townsend’s Big-Eared Bats</b> (Inventory – Ord. No. 92-041 – page 69; identified by ODFW, ODF, OSU, Oregon Natural Heritage Data Bases)</p>	<p><b>No</b></p>	<p>Caves located in EFU zones. Uses permitted in those zones that could conflict with the habitat site are surface mining, recreation facilities including golf courses and destination resorts, roads, logging, and air strips.</p>	<p>Program to achieve the goal is Sensitive Bird and Mammal Combining Zone</p>	<p>Ordinance No. 92-041 and 042</p>
<p><b>UPDATE</b> - Inventory – Ord. No. 94-004 – pages 140 to 155 Site specific ESEE analysis and decisions follow each site.</p>	<p><b>No</b></p>	<p>See above.</p>	<p>Habitat areas for Townsend Bats, adopted in No. 92-041 is repealed and replaced and further amended in Exhibit 2. The ESEE for Townsend’s big-eared bats is amended for additional bat sites in Exhibit 3.</p>	<p>Ordinance Nos. 94-004 and 94-021</p>

Inventoried Resource	Flood Plain Relationship	Conflicts	Comments	Relevant Ordinances
<p><b>Wetlands and Riparian Areas</b> (Inventory – Ord. No. 92-041 – page 73; identified on USFWS NWI)</p>	<p><b>Yes</b></p>	<p>Conflicting uses include fill and removal of material, including vegetation which could cause a reduction in the size or quality or function of a wetland, or cause destruction or degradation of the riparian habitat and vegetation.</p> <p>Structural development in wetlands or riparian areas would reduce the habitat and the use of the structure could cause conflicts such as harassment or disturbance or wildlife dependent on the habitat. Cutting of riparian vegetation can remove important shade for streams, eliminate habitat for various waterfowl, furbearers, and nongame bird species, and can increase the potential for erosion or bank instability in riparian areas.</p>	<p>Floodplain zone recognized as program to achieve the goal to conserve wetland and riparian habitat (Ordinance Nos. 88-030, 88-031, 89-009).</p> <p>Others include: fill and removal permits, wetland removal regulations, hydro prohibitions, 100’ setback from OHW, conservation easements, restrictions on boats and docks, and landscape management.</p>	<p>Ordinance Nos. 86-018, 86-054, 86-056, 88-030, 88-031, 89-009, 92-040, 92-041, 92-045</p>

Inventoried Resource	Flood Plain Relationship	Conflicts	Comments	Relevant Ordinances
<p><b>UPDATE – Riparian inventory</b> – Ord. No. 94-007; Significant riparian habitat is located in three areas:</p> <p>Area within 100’ of OHW of an inventoried stream or river;</p> <p>Area adjacent to an inventoried river or stream and located within a flood plain mapped by FEMA and zoned Floodplain by the county (Deschutes River, Little Deschutes River, Paulina Creek, Fall River, Indian Ford Creek, Tumalo Creek, Squaw (Whychus) Creek, and Crooked River</p> <p>Area adjacent to a river or stream and inventoried as a wetland on the NWI</p>	<p><b>Yes</b></p>	<p>Conflicting uses:</p> <p>Locating septic systems in riparian area could cause pollution of ground and surface water systems. The potential for this conflict depends on the characteristics of the soil.</p> <p>Locating structural development in riparian areas can reduce the habitat and the use of structures could cause conflicts such as harassment or disturbance of wildlife dependent on habitat.</p> <p>Recreational use of the riparian area including boat landing areas, formal and informal trails, and camping areas can alter soil composition and cause destruction of vegetation.</p> <p>Increase in density of residential lots in or adjacent to riparian areas could result in a decrease of habitat effectiveness because of disturbance to wildlife.</p>	<p>Riparian Areas inventory and ESEE analysis adopted by Ordinance No. 92-041 is deleted and replaced by an inventory and ESEE contained in Exhibit A.</p> <p>New parcels meeting the minimum lot size in the resource zones (EFU, Forest, non-exception flood plain) will not cause an increase in residential density that would conflict with riparian habitat values.</p> <p>In RR10, MUA-10, and Floodplain zones found adjacent to inventoried riparian areas, the creation of new 10 acre parcels would not significantly increase the overall density of residential use adjacent to riparian areas because the areas where new parcels could be created, with the exception of Tumalo Creek, are already divided into lots considerably smaller than 10 acres.</p> <p>Program to achieve Goal 5 for Riparian Habitat: fill and removal regulations to protect wetlands, 100’ setback from OHW, Floodplain zone (regulates docks too), Landscape Management zone, Conservation easements, State Scenic Waterway</p>	<p>Ordinance Nos. 94-007</p>

Inventoried Resource	Flood Plain Relationship	Conflicts	Comments	Relevant Ordinances
<p><b>UPDATE – Wetland Inventory</b> – Ord. No. 94-007, Exhibit B – inventory is NWI (Ord. No. 92-045)</p>	<p><b>Yes</b></p>	<p>Conflicting uses include fill and removal of material, including vegetation, which could cause reduction in the size, quality or function of a wetland.</p> <p>Locating structural development in wetlands could reduce the habitat and the use of the structure could cause conflicts such as harassment or disturbance of wildlife dependent on the habitat.</p> <p>Draining wetlands for agriculture of other development purposes destroys the hydrological function of the wetland and alters the habitat qualities that certain wildlife depend on.</p> <p>Cutting wetland vegetation adjacent to streams can remove important shade for streams, eliminate habitat for various waterfowl, furbearers, and nongame bird species, and can also increase the potential for erosion or bank instability in riparian areas.</p>	<p>Wetlands Inventory and ESEE analysis adopted by Ordinance No. 92-041 is deleted and replaced by an inventory and ESEE contained in Exhibit B, Wetlands.</p> <p>Program to achieve Goal 5 for Wetland Habitat:</p> <ul style="list-style-type: none"> <li>• Fill and removal regulations to protect wetlands</li> <li>• 100’ setback from OHW</li> <li>• Flood plain zone (regulates docks too)</li> <li>• DSL Removal / Fill law</li> </ul>	<p>Ordinance Nos. 94-007</p>



Inventoried Resource	Flood Plain Relationship	Conflicts	Comments	Relevant Ordinances
<p><b>Ecologically and Scientifically Significant Natural Areas * Little Deschutes River / Deschutes River Confluence</b>                      (Inventory – Ord. No. 92-052, Exhibit B, Page 1; identified by Oregon Natural Heritage Program); Analysis of Pringle Falls and Horse Ridge Research Areas, West Hampton Butte and Davis Lakes excluded b/c they’re on federal land and/or not related to flood plains.</p>	<p><b>Yes</b></p>	<p>Resort and vacation home development, recreational uses, livestock grazing, and fill and removal in wetlands are conflicting uses.</p>	<p>Programs for resource protection include the zoning of the property, the provisions of the flood plain, wetlands and the river corridor.</p> <p>The implementing measures which protect and regulate development in the confluence area are: EFU zoning, Floodplain zoning, conservation easements, and fill and removal permits.</p> <p>The confluence area is located in the undeveloped open space area of the Sunriver development (Crosswater). 80% of the property is retained as open space.</p> <p>Today, zoning is Floodplain and Forest Use.</p>	<p>Ordinance Nos. 86-018, 86-054, 86-056, 88-030, 88-031, 89-009, 92-040, 92-041, 92-045</p>
<p><b>Landscape Management Rivers and Streams</b>                      (Inventory – Ord. No. 92-052, Exhibit C, Page 3; identified by state and federal wild and scenic corridors; and within 660’ of OHW of portions of Deschutes River, Little Deschutes River, Paulina Creek, Fall River, Spring river, Tumalo Creek, Squaw (Whychus) Creek, and Crooked River not on the state or federal scenic designations)</p>	<p><b>Yes</b></p>	<p>Uses conflicting with open space and scenic resources along the designated Landscape Management rivers and streams include land management activities that result in habitat loss or development within river or stream corridors which would excessively interfere with the scenic or natural appearance of the landscape as seen from the river or stream or alteration of existing natural landscape by removal of vegetative cover.</p>	<p>Program for resource protection includes: Floodplain zone and restrictions, fill and removal permits, wetland removal regulations, hydro prohibitions, rimrock setbacks, conservation easements, restrictions on boats and docks, and landscape management.</p>	<p>Ordinance Nos. 86-018, 86-053, 86-054, 86-056, 88-030, 88-031, 89-009, 92-033, 93-034</p>

Inventoried Resource	Flood Plain Relationship	Conflicts	Comments	Relevant Ordinances
<p><b>Lakes and Reservoirs</b>                      (Inventory – Ord. No. 92-052, Exhibit C, Page 10; includes Upper Tumalo Reservoir; remaining are on federal land)</p>	<p><b>No</b></p>	<p>Conflicting uses with the open space and scenic values of the land adjacent to the inventoried lakes include development which would cause a loss of open space or a decrease in the aesthetic and scenic resources, and land management activities resulting in the removal of natural vegetation which provides wildlife habitat and scenic value.</p>	<p>Conflicting uses around Tumalo Reservoir are specifically limited by Title 18.48, Open Space Conservation Zone and a 100’ setback for any structure from OHW.</p>	<p>Ordinance No. 91-020</p>
<p><b>State Scenic Waterways and Federal Wild and Scenic Rivers</b>                      (Inventory – Ord. No. 92-052, Exhibit E, Page 1;</p>	<p><b>Yes</b></p>	<p>See County / City of Bend River Study and 1986 River Study Staff Report. Both referenced in Ord. 92-005, Exhibit E.</p>	<p>Program for resource protection includes:                      Floodplain zone and restrictions, fill and removal permits, wetland removal regulations, hydro prohibitions, rimrock setbacks, conservation easements, restrictions on boats and docks, and landscape management.</p>	<p>Ordinance Nos. 86-018, 86-053, 86-054, 86-056, 88-030, 88-031, 89-009, 92-033, 93-034</p>
<p><b>Wilderness Areas, Areas of Special Concern, Energy Sources (Ord. No 92-052), and Groundwater Resources (Ord. No. 94-003)</b> not analyzed because they’re on federal land or don’t relate to flood plains.</p>	<p><b>No</b></p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>

**Attachment 2 - Inventory Site Maps**



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: May 8, 2024

SUBJECT: Continued Public Hearing: Draft 2020-2040 Deschutes County Comprehensive Plan

RECOMMENDED MOTION:

Continue public hearing to gather testimony on the draft Deschutes County 2040 Comprehensive Plan update.

BACKGROUND AND POLICY IMPLICATIONS:

At 5:30 pm, the Board will continue a public hearing to gather testimony on the draft Deschutes County 2040 Comprehensive Plan.

The full record is located on the project hearing page:

<https://www.deschutes.org/cd/page/247-23-000644-pa-deschutes-county-2040-comprehensive-plan-update-hearing-page>.

BUDGET IMPACTS:

n/a

ATTENDANCE:

Nicole Mardell, AICP, Senior Long Range Planner  
Will Groves, Planning Manager



## MEMORANDUM

**TO:** Deschutes County Board of County Commissioners

**FROM:** Nicole Mardell, AICP, Senior Planner

**DATE:** May 1, 2024

**RE:** Continued Public Hearing: Draft 2020-2040 Deschutes County Comprehensive Plan

The Board of County Commissioners (“Board”) will conduct a continued public hearing on May 8, 2024, at 5:30 pm in the Barnes and Sawyer Rooms, 1300 NW Wall Street, Bend, to consider legislative amendments to repeal and replace the 2030 Comprehensive Plan with the Deschutes County 2040 Comprehensive Plan (file no. 247-23-000644-TA). Additional background material can be found in the staff memorandum for the April 10, 2024, initial Board hearing<sup>1</sup>, April 23, 2024, continued hearing in Sunriver<sup>2</sup>, and April 30, 2024 continued hearing in Sisters<sup>3</sup>.

## I. BACKGROUND

The Comprehensive Plan is Deschutes County’s policy document for guiding growth, development, and resource protection 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 all applicable statewide goals, rules, and laws, and serve as a cohesive vision for future planning activities. The project was initiated in April 2022 and progressed through four phases:

- Phase 1 - Project Initiation: Hiring of consultant (MIG, Inc), review of background documents, creation of Community Engagement Plan, project website, and branding materials.
- Phase 2 – Initial round of community engagement – visioning, review of existing policies with Planning Commission, review of policy best practices in drafting new text.
- Phase 3 – Second round of community engagement – policy approaches, finalizations of goal and policies with Planning Commission, update of maps.

<sup>1</sup> <https://www.deschutes.org/bcc/page/board-county-commissioners-meeting-162>

<sup>2</sup> <https://www.deschutes.org/bcc/page/public-hearing-2020-2040-comprehensive-plan-update>

<sup>3</sup> <https://www.deschutes.org/bcc/page/public-hearing-2020-2040-comprehensive-plan-update-0>

- Phase 4 – Compilation of final Comprehensive Plan document and findings package.

The project has now entered Phase 5, which focuses on the adoption of the updated document. Extensive information from the previous phases, including open house summaries, outreach materials, and iterative versions of policies can be found on the project website process page: [www.deschutes.org/2040](http://www.deschutes.org/2040).

The full record including public and agency comments is included on the project hearings page: <https://www.deschutes.org/cd/page/247-23-000644-pa-deschutes-county-2040-comprehensive-plan-update-hearing-page>.



## II. PLANNING COMMISSION REVIEW AND INITIAL BOARD HEARING

The Planning Commission conducted three public hearings and ultimately voted approval of the plan subject to the revisions in Attachment A, which have also been incorporated into the revised draft document in Attachment B. The Board conducted their initial hearing on April 10, 2024, and a continued hearing on April 23, 2024. In total, approximately 289 public comments and eight agency comments have been received as of the date of this memo. Major topics of community interest include:

- Water availability monitoring, planning, and management.
- Voluntary or required measures to conserve water.
- Protection of private property rights and use of incentives to address issues related to growth and development.
- Rezoning of farmland and allowed uses on farmland.
- Dark skies protections.
- Wildlife protection.
- County role in housing production, including affordable housing opportunities.
- Destination resort siting and development.
- Trail development – including the SW Bend UGB bridge, Sisters to Black Butte Ranch, and outreach processes for trail and park projects.
- Renewable energy.



- Prioritization of Newberry Country Plan.
- Enforcement of existing codes, public safety, and homelessness concerns.
- Specific redline edits to Comprehensive Plan narrative, goals, and policy language.

Commissioner Chang has provided redlined suggested revisions into the hearing record. The item is under the 'BOCC Hearing – Public Comments' section of the project website. Staff is working with Commissioners Adair and DeBone to enter their redline edits into the record as well.

### III. NEXT STEPS

The Board will hold the continued public hearing at the following time and location:

- Wednesday, May 8, 5:30 pm, Barnes and Sawyer Rooms  
1300 NW Wall Street, Bend, OR 97703

Following the hearing the Board could choose to:

- Keep the oral and written record open and continue the hearing to a date certain;
- Close the oral record and hold the written record open to a date certain;
- Close both the oral and written record and set a date certain for deliberations; or
- Close both the oral and written record and begin deliberations.

Attachments:

- A. Planning Commission Recommended Edits
- B. Deschutes 2040 Draft Comprehensive Plan – 3.15.2024 updated version
- C. Deschutes 2040 Draft Findings
- D. Policy Tracker 2030 vs. 2040 language

**Attachment A**

~~Strikeout~~ signifies deletions.  
Underline signifies additions.

**Chapter 2 - Land Use Regional Coordination**

- Amend policy 2.1.1 as follows:  
Balance the consideration of private property rights and the economic impacts of land use decisions on property owners with incentives to preserve agricultural and forest land, wildlife habitat, ground and surface water resources, wetlands, riparian areas, open areas and other community goals identified in the Comprehensive Plan.
- Amend policy 2.2.6 as follows:  
Collaborate with federal agencies on land management issues, including homelessness, wildlife habitat restoration, water quality, road networks, energy projects, the impacts of recreation and the expansion of sustainable recreation opportunities-expansion, and energy projects.

**Chapter 3 - Farm and Forest Lands**

- Amend policy 3.2.4 as follows:
  - Work cooperatively with irrigation districts, public agencies and representatives and landowners to promote and support agricultural uses and operations, including through use of rural reserves, conservations easements, transfer of development rights programs, land acquisitions, and other preservation strategies consistent with existing Federal and State Law
- Amend policy 3.2.6 as follows:
  - Continue to review and revise county code as needed to be and consistent with state code, rules, and regulations to permit alternative and supplemental farm activities that are compatible with farming, such as agritourism ~~or commercial renewable energy projects~~ or other small scale sustainable activities.
- Amend narrative on page 3-3 Water Supply and Irrigation as follows:
  - Much of Deschutes County is served by six irrigation districts (Map 3-1) – these are special entities created for the purpose of delivering water to their patrons. These districts are ~~effectively non-profit water user associations-quasi-municipal corporations~~ chartered under Oregon law that operate as political subdivisions of the State of Oregon. In addition to irrigation, these districts also supply other services including municipal, industrial, and pond maintenance. ~~The total water available for irrigation and other human uses in Deschutes County is fixed under the current water regime. No additional water rights can be issued without the decommissioning of a previous claim. Therefore, there is limited opportunity to expand irrigated farming in the~~

~~County. Existing farms with senior water rights in general have relatively generous irrigation rights, which have rarely been fully utilized, and are expected to have sufficient water to cope with increasing temperatures and drought conditions in the future. In most cases, these districts are holders of senior water rights with shares then distributed to their patrons. As is the case with all water rights, the irrigation districts' water rights are managed by the Oregon Water Resources Department and subject to "beneficial use" requirements to prevent the waste of the water resource. The total water available for irrigation and other human uses in Deschutes County is fixed under the current water regime, and there is little opportunity to expand irrigated farming in the County. Irrigation districts with more junior water rights junior water right holders, associated with such as Arnold Irrigation District and North Unit Irrigation District (operating north of Deschutes County), have recently seen challenges with water delivery due to limited availability and drought.~~

- Amend narrative on page 3-3 Changes in Climate Conditions as follows:
  - Because the total volume of water available for agricultural and human use is fixed, strategies to decrease water usage (capping or piping irrigation channels, irrigation timing strategies, water conservation) will become more crucial. Deschutes County is committed to working with irrigation districts and holders of water rights to increase water conservation efforts throughout the County in a manner consistent with existing legal frameworks established by State and Federal law.
- **Remove** sentences on page 3-3 Conflicts with Other Uses
  - ~~Agricultural uses continue to be affected by conflicts with adjacent or surrounding non-farm uses (primarily new rural homes). In some cases, new residents object to impacts of common farming practices, such as noise, dust, and odors related to farm activity.~~

**Chapter 5 – Natural Resources**

- Amend water resources narrative on page 5-3 as follows:
  - The high desert climate of Central Oregon poses many challenges with water supply and allocation. ~~Water laws are seen as antiquated by many and issues related to water level in private residential wells, irrigation allocation to farmers, and protection of habitat areas for dependent species arise frequently.~~

A 2021 report by the Oregon Department of Water Resources found that groundwater levels through Deschutes County are declining, by as much as 50 feet of total decline in the central part of the basin. This decline is considered "excessively declined" per state statute and is attributed toward a

shift in overall drier conditions since the late 1990s, a warming trend in the basin, and decreased snowpack. ~~Ongoing development and piping of canals (which limits artificial groundwater recharge while conserving canal water) also exacerbate this issue~~ To address these issues, irrigation districts and other entities are engaged in ongoing efforts to pipe canals and modernize irrigation systems to increase their efficiency. Due to water transmission losses in irrigation canals from seepage into groundwater and evaporation, piped canals typically require only half the amount of water to be diverted from the river or stream to deliver the same volume of water to the end user compared to open canals. Community members have expressed concern that piping canals contribute to aquifer declines.

~~Deschutes County has limited jurisdiction of water use, instead playing~~ plays a coordination role along with the Oregon Department of Water Resources, irrigation districts, water users, and owners of private wells to address these water resource issues.

- Addition of narrative to Chapter 5, Natural Resources, Wildlife section providing a brief description of the 2021-2023 Mule Deer Inventory Process.
  - Page 5-4 revise second paragraph to the following:
    - ~~A summary of Deschutes County's wildlife protection program follows:~~ A snapshot of Deschutes County's wildlife protection program is included below. Extensive information is included in Appendix A – the County's Goal 5 inventory.
  - Page 5-4, between first and second paragraphs, add new paragraph as follows;
    - From 2021-2023, Deschutes County explored an update to the county's mule deer inventory, which included extensive community participation including through the public record. Ultimately, the decision was made not to update.
  
- Amend Sensitive Birds - Page 5-4 as follows:
  - remove “northern” from “northern bald eagle”.
  - End of paragraph – add sentence: USFW works closely with ODFW on eagle-related issues and enforces federal guidelines to ensure protection of bald and golden eagles.
  
- Statewide Planning Goals - Page 5-5, add additional sentence at end of last paragraph:
  - Accordingly, it is imperative that local land use policies align with Federal and State laws governing the community's water resources.
  
- Regulatory Agencies - Page 5-5 add to end of paragraph

- Numerous sections of the Deschutes River in Deschutes County hold a special status as a federal wild and scenic river, as well as a state scenic waterway. These areas carry additional regulations through the 1996 Upper Deschutes Wild and Scenic River and State Scenic Waterway Comprehensive Plan, requiring additional agency coordination with the Oregon Parks and Recreation Department and the US Forest Service on development impacting these sections.
- Reservoirs – Page 5-8, revise to the following:
  - The majority of the irrigation in Deschutes County comes from reservoirs which are mostly spring fed from the Cascades. These reservoirs are primarily spring fed from the Cascades. Reservoirs serve the dual purpose of supplying water for irrigation and ensuring sufficient streamflow in the lower Deschutes River. The water levels in these lakes have been low in recent years due to drought in the region. When water is limited, the supply rate is determined by the age of water rights, with the more senior water permits having priority over the youngest. The Swalley and Central Irrigation Districts are the most senior in the County, while the North Unit Irrigation District is the most junior. Regional droughts in recent years have resulted in lower water levels in these reservoirs.
- Key Community Considerations – Page 5-9, amend last paragraph as follows:
  - The topic of habitat conservation and water availability came up frequently, with most respondents participants saying that further protections are needed. However, there was also some push back related to the burden these protections may put on property owners. recognition of the burden these protections may put on property owners. Deschutes County does not have the authority or expertise to reevaluate water rights as part of its land use planning efforts, leading the County to instead work with the Oregon Department of Water Resources, irrigation districts, and holders of water rights to increase the efficiency of water distribution throughout the community.
- Amend Goal 5.1 as follows:
  - Develop–Support regional, comprehensive water management solutions policies that balance the diverse needs of water users and recognize Oregon water law.
- Amend policy 5.1.1.a as follows:
  - Work cooperatively with appropriate federal, state, tribal and local agency resource managers, such as The Confederated Tribes of the Warm Springs Reservation of Oregon, the Oregon Water Resources Department (OWRD), irrigation districts, and other stakeholders and nonprofit water organizations,

such as the Deschutes Basin Water Collaborative, the County Soil and Water Conservation District;

- ~~Remove policy 5.1.3. Consider potential impacts on water quality and availability in surrounding areas as part of the siting, planning, and approval processes for Destination Resorts and other large-scale developments.~~
- Amend policy 5.11.5. as follows:
  - Develop and implement a Climate Action Plan to address the potential future impacts of climate change on Deschutes County through incentives and or regulations.
- Add new policy to Chapter 5, Natural Resources, Water section
  - Encourage state agencies to identify local areas of concern for water availability and explore additional regulations or requirements to ensure water capacity is not negatively impacted by development.
- Add new policy and narrative to Chapter 5, Natural Resources, Water section
  - Revisit recommendations of 1996 Upper Deschutes Wild and Scenic River and State Scenic Waterway Comprehensive Plan, or its successor, and consider implementation of voluntary recommendations into the county code.

## **Chapter 6 – Historic and Cultural Resources**

- Add paragraph to Opportunities, Challenges, Considerations – Page 6-12
  - Deschutes County owns the National Register listed Reid School and invests in supporting the Deschutes County Historical Society as a research and educational facility through a zero-cost lease and maintenance support for the purposes of running the museum and research center.
- Add to end second paragraph – Page 6-12
  - Deschutes County has several partners involved in drafting and implementing this strategic plan – those partners include the Deschutes County Historical Society, High Desert Museum, Archaeological Society of Central Oregon, Three Sisters Historical Society, and Redmond Historical Society.
- Amend context paragraph – Page 6-12 as follows:
  - These sites receive special protections to avoid land use or development activity that may disturb the historical ~~or educational~~ and cultural resources existing on site.
- Amend Locally significant sites – Page 6-12 as follows:

- Deschutes County has 35 locally significant sites including cemeteries, ranches, dams, bridges, schools, and granges among numerous historic homesteads and homesites. The State of Oregon has initiated a process to identify culturally significant archaeological sites and sites of indigenous importance. This process will likely be incorporated into the County's local inventory in the next five years.
- Nationally registered sites – Page 6-13 remove second paragraph. ~~One of the primary sites of historic and cultural learning in the county is the nationally acclaimed High Desert Museum. The museum is dedicated to broadening the understanding of the High Desert's wildlife, culture, art, and natural resources. In doing so, it strives to promote thoughtful decision making to sustain the region's natural and cultural heritage.~~
- Amend Policy 6.1.3. as follows:
  - Coordinate with The Confederated Tribes of the Warm Springs Reservation of Oregon, Burns-Paiute Tribe, Klamath Tribes, Archaeological Society of Central Oregon, and SHPO to adopt a program to identify and protect archaeological and cultural resources, as appropriate, and prevent conflicting uses from disrupting the value of known sites.

**Chapter 7 – Natural Hazards**

- Revise wildfire summary in on page 7-3 to the following:
  - Wildfire. Historically, wildland fires have shaped the forests and wildlands valued by residents and visitors. These landscapes, however, are now significantly altered due to increased rural development, warmer and dried conditions, and a general lack of large-scale treatments due to outdated forest management practices, resulting in increased event of wildfires that burn more intensely than in the past.

**Chapter 8 - Recreation**

- Amend policy 8.1.2 as follows:
  - Collaborate with partners to develop a regional system of trails and open spaces, prioritizing balancing recommendations from local park districts, County, state, and federal recreation plans and studies and property owner considerations, particularly for projects adjacent to farm and forest lands.

**Chapter 9 – Economic Development**

- Page 9-5 Resource Land – replace paragraph with the following:
  - **Resource Land Construction and Development**  
While much of the County's economic activity occurs in urban areas, ~~County administration of farmland, forest land, and natural resources plays a vital role~~



in protecting and enhancing the economic development potential of the area. agricultural, forestry, and construction industries also provide economic growth in Deschutes County. Construction of rural housing can support additional workforce in areas outside of city limits while also utilizing local trade industries. Construction of rural industrial or commercial projects provide economic opportunities that serve rural communities, without a trip into an adjacent city.

**Chapter 11 – Unincorporated Communities and Destination Resorts**

- Amend policy 11.7.2. to following:
  - ~~Create and implement additional limitations on the siting and development of destinations resorts that go beyond current state regulations to~~ Ensure protection of water quality, recreational resources, and other County resources and values.
  
- Add paragraph to page 11-3 under destination resort section
  - Destination resorts are a key economic development strategy for Deschutes County. Many community members and visitors enjoy the recreational amenities and accommodations that Destination Resorts provide.
  
- Amend third paragraph, key community considerations, page 11-3 to the following:
  - Destination Resort development continues to be a contentious issue. Community members have expressed concern regarding the water use of large-scale development – specifically the effects to groundwater for neighboring property owners. ~~Many community members have expressed a desire to further limit destination resorts, golf courses, and visitor accommodations in order to preserve water access and availability for year-round residents.~~Other community members express support for the economic and amenity benefits of destination resorts, noting that the current requirements sufficiently address natural resource concerns. Additional community conversations will be valuable to understand the diversity of perspectives on this topic.

**Chapter 12 – Irrigation Districts**

Amend narrative under Irrigation Districts section – Pages 12-4-5

- “Irrigation districts in Oregon are organized as Special Districts under ORS Chapter 545. Six irrigation districts operate in Deschutes County: Arnold, Central Oregon, North Unit, Swalley, Tumalo, and Three Sisters Irrigation Districts. They are quasi-municipal public corporations under Oregon Law, with prescribed rules for purpose, boards, elections, staffing, charges, etc. The districts ~~are~~ operate as political subdivisions of the State of Oregon created for the purpose of delivering water to their patrons. ~~As such they are effectively non-profit water user associations.~~ In addition to irrigation uses, these districts also supply a number of other services,

including municipal, industrial, and pond maintenance, warranting coordination with municipalities.”

**Chapter 14 - Energy**

Add new policy:

- Include evaluation of adverse impacts to natural resources as part of renewable energy siting processes.
  
- **Remove** text below – Hydroelectric energy generation page 14-4
  - ~~Several water districts in Deschutes County have implemented hydropower projects to harness the energy of moving water. These projects may have impacts on wildlife habitat and migration, as well as construction, visual, and noise impacts.~~
  - Revise remaining text in section to following:  
 Currently, Deschutes County has three approved “in conduit” hydroelectric facilities that are owned and operated by irrigation districts within existing irrigation district canals. Approval of these facilities have previously been contentious, with community members expressing concern about wildlife and impacts to other basin users. Irrigation districts ~~have expressed interest in reducing barriers to permitting these types of developments to promote renewable energy development using manmade waterways.~~ noted challenges in utilizing the existing county code for these projects, which were drafted to address “in channel” hydroelectric facilities. To promote renewable energy development using man-made waterways, irrigation districts have expressed interest in helping the County update the Deschutes County Code to more appropriately address “in conduit” hydroelectric facilities separate and apart from “in-channel” hydroelectric facilities”.

# Deschutes County Comprehensive Plan



DESCHUTES  
COUNTY  
**2040**



**Draft - Revised March 15, 2024**

# Acknowledgements

## BOARD OF COUNTY COMMISSIONERS

- Patti Adair, Chair
- Anthony DeBone, Vice Chair
- Phil Chang

## DESCHUTES COUNTY PLANNING COMMISSION

- Jessica Kieras, Chair
- Nathan Hovekamp, Vice Chair
- Matt Cyrus
- Susan Altman
- Kelsey Kelley
- Patrick Trowbridge
- Toni Williams
- Dale Crawford (through June, 2023)
- Maggie Kirby (through June 2023)

## STAFF

- Peter Gutowsky, AICP, Community Development Director
- William Groves, Planning Manager
- Nicole Mardell, AICP, Senior Planner

## CONSULTANT TEAM

- MIG
- Parametrix
- Letz Consulting
- Kittelson and Associates

**Adopted** \_\_\_\_\_

# Table of Contents

- Acknowledgements** ..... i-2
- Introduction** ..... i-4
- 1. Community**
- Engagement** ..... 1-1
  - Opportunities, Challenges, and Considerations.....1-2
  - Context .....1-2
  - Key Community Issues.....1-6
  - Goals and Policies .....1-6
- 2. Land Use and Regional Coordination** ..... 2-1
  - Context .....2-3
  - Key Community Considerations .....2-7
  - Goals and Policies .....2-9
- 3. Farm and Forest Resources** ..... 3-1
  - Opportunities, Challenges, and Considerations.....3-2
  - Context .....3-3
  - Key Community Considerations .....3-6
  - Goals and Policies .....3-7
- 4. Mineral and Aggregate Resources** ..... 4-1
  - Opportunities, Challenges, and Considerations.....4-2
  - Context .....4-2
  - Key Community Considerations .....4-4
  - Goals and Policies .....4-4
- 5. Natural Resources** ..... 5-1
  - Opportunities, Challenges, and Considerations.....5-2
  - Context .....5-3
  - Key Community Considerations .....5-9
  - Goals and Policies ..... 5-10
- 6. Historic and Cultural Resources** ..... 6-11
  - Opportunities, Challenges, and Considerations..... 6-12
  - Context ..... 6-13
  - Key Community Considerations ..... 6-13
  - Goals and Policies ..... 6-14
- 7. Natural Hazards** ..... 7-1
  - Opportunities, Challenges, and Considerations.....7-2
  - Context .....7-3
  - Key Community Considerations .....7-6
  - Goals and Policies .....7-7
- 8. Recreation** ..... 8-1
  - Opportunities, Challenges, and Considerations.....8-2
  - Context .....8-4
  - Key Community Considerations .....8-5
  - Goals and Policies .....8-6
- 9. Economic Development** ..... 9-1
  - Context .....9-2
  - Opportunities, Challenges, and Considerations.....9-2
  - Key Community Considerations .....9-5
  - Economic Development Goals and Policies .....9-6
- 10. Housing** ..... 10-1
  - Context ..... 10-2
  - Opportunities, Challenges, and Considerations..... 10-2
  - Key Community Considerations ..... 10-4
  - Goals and Policies ..... 10-6
- 11. Unincorporated Communities and Destination Resorts** ..... 11-1
  - Context ..... 11-2
  - Opportunities, Challenges, and Considerations..... 11-2
  - Key Community Considerations ..... 11-4
  - Goals and Policies ..... 11-4
- 12. Public Facilities** ..... 12-1
  - Opportunities, Challenges, and Considerations..... 12-2
  - Context ..... 12-3
  - Key Community Considerations ..... 12-6
  - Goals and Policies ..... 12-7
- 13. Transportation** ..... 13-1
- 14. Energy** ..... 14-1
  - Opportunities, Challenges, and Considerations..... 14-2
  - Context ..... 14-3
  - Key Community Considerations ..... 14-5
  - Goals and Policies ..... 14-5
- Appendix A - Terrebonne Community Plan** ..... A-1
- Appendix B - Tumalo Community Plan** ..... B-1
- Appendix C - Transportation System Plan** ..... C-1
- Appendix D - Newberry Country Plan** ..... D-1
- Appendix E - Goal 5 Supplemental Sections** ..... E-1



# Introduction

The purpose of the Deschutes County Comprehensive Plan is to provide a blueprint for land use conservation and development. This is accomplished through goals and policies that tell a cohesive story of where and how development should occur and what places should remain undeveloped. The Plan provides a legal framework for establishing more specific land use actions and regulations such as zoning. The goals and policies are based on existing conditions and trends, community values and the statewide planning system. The Plan must provide clear policy direction yet remain flexible.

The County's most recent Comprehensive Plan was adopted in 2011. Since then, the County has grown substantially and experienced many demographic and economic shifts. Between April 2010 and July 2020, the County's population grew from 157,730 residents to 198,253 residents. This growth - 25.7% over ten years - is over twice the 10.6% increase that the State of Oregon experienced as a whole. The latest projections from Portland State University's Population Research Center suggest strong continued growth throughout Deschutes County.

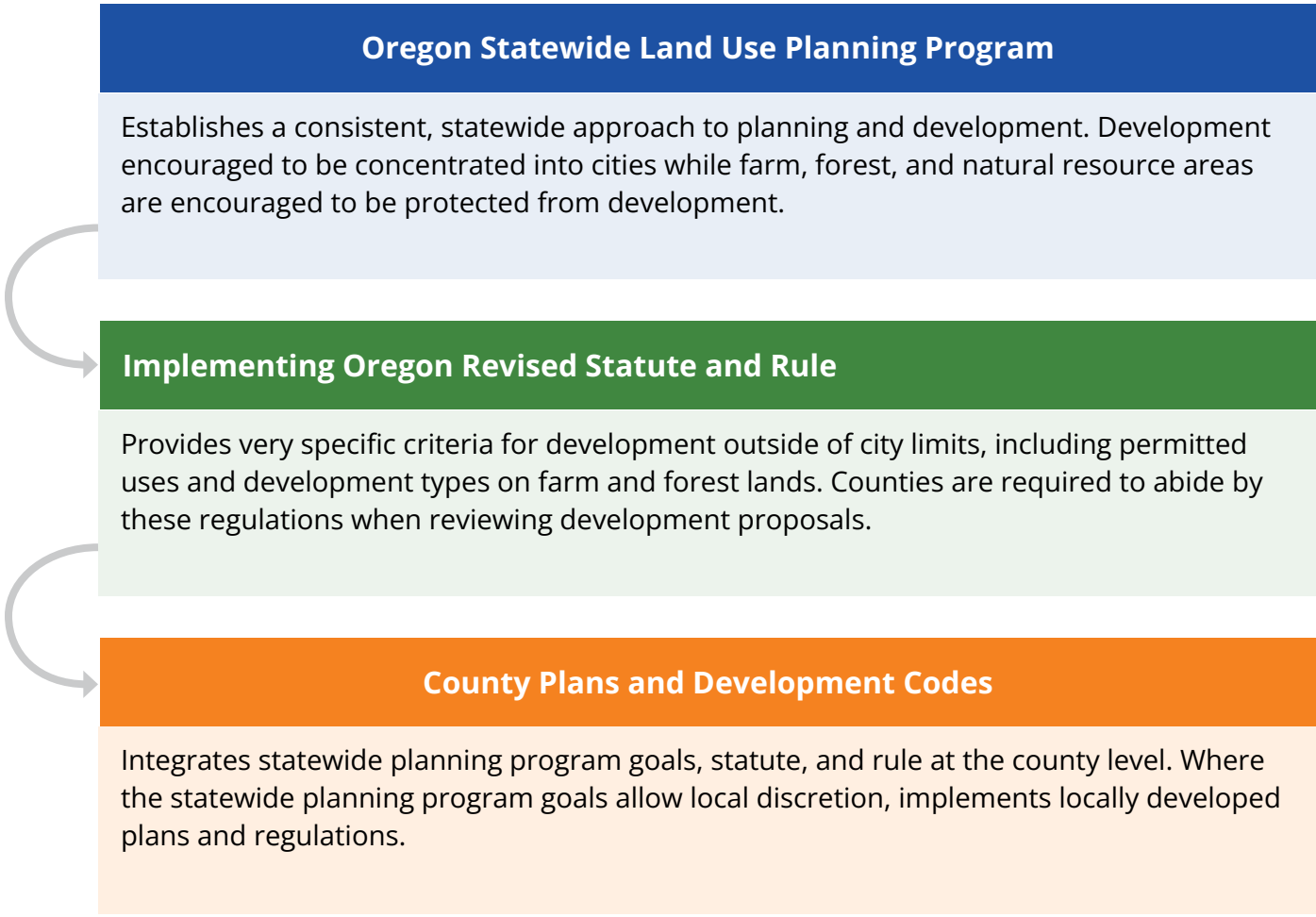
An updated Comprehensive Plan is necessary to address current needs of the communities in the County, as well as to guide the anticipated growth and development of Deschutes County over the next twenty years. Although many of the goals and policies of the 2011 Plan still hold value, fundamental data, trends, and land use issues have become 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.



In Oregon, comprehensive plans must comply with the statewide planning system, which was adopted in 1973 to ensure consistent land use policies across the State. While compliance with the statewide system is required, it is also important for a comprehensive plan to reflect local needs and interests. This Plan balances statewide requirements and local land use values.

The Comprehensive Plan is the County’s long-range plan for how it will grow and serve its community members in the future. Oregon state law requires all counties and cities to adopt and regularly update Comprehensive Plans that are consistent with state and regional goals, laws, administrative rules and other requirements and guidelines. The Comprehensive Plan addresses topics such as land use, housing, economic

development, transportation, parks and recreation, and natural resources, with a strong emphasis on how land is used, developed, and/or conserved. Other topics in the plan include citizen involvement, natural hazards, and public infrastructure and facilities, and more. The Plan describes conditions related to each element of the community and provides overarching guidance for future County decisions in the form of a set of goals, objectives, and policies. These policies will drive future decisions and actions undertaken by County staff, advisory groups, and elected decision-makers.





# Deschutes County Timeline



**1859**  
Oregon Statehood



**1905**  
City of Bend incorporated



**1916**  
Deschutes County created from a portion of Crook County



**1937**  
County Courthouse and most early records destroyed by fire



**1941**  
Roberts Airfield completed allowing flights to Central Oregon for the first time



**1970**  
"Deschutes County to 1990" Comprehensive Plan



**1973**  
SB100 and Oregon Land Use Planning System Enacted



**1979**  
"Deschutes County Year 2000" Comprehensive Plan



**1988 to 2003**  
Periodic Review and updates to Comprehensive Plan



**2010**  
"Deschutes County 2030" Comprehensive Plan Update



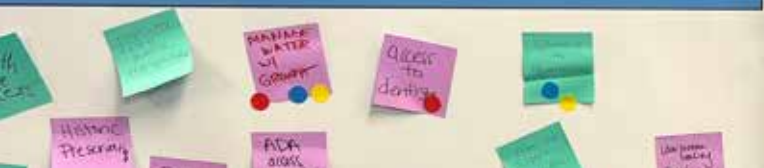
**2023**  
"Deschutes 2040" Comprehensive Plan Update

*City of Bend photo courtesy of DowntownBend.org*

# 1

## Community Engagement





## Opportunities, Challenges, and Considerations

Public engagement is the touchstone of planning in Oregon. As Deschutes County grows and its population changes over the course of the next 20 years, the County must be prepared to find innovative ways to keep community members involved in the planning process and provide ample and accessible ways to find and digest information. Challenges including funding, resources, and ongoing state appeals might pose barriers to this work. The County has an opportunity to plan for adequate resources and staffing to support this work.

## 2023 Comprehensive Plan Update

A far-reaching community conversation was a vital part of updating the Deschutes County Comprehensive Plan. This effort included:

- Two phases of engagement – one focusing on long-range vision, opportunities, and challenges; and another phase focusing on important and controversial topics.
- Outreach events in all parts of the County.
- A deliberate audit of engagement activities to learn and build on successes.

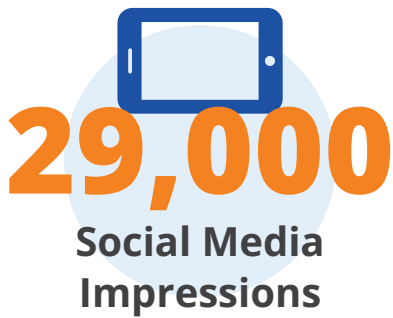
## Context

Involving the public in planning is a critical part of Oregon's land use system. Statewide Planning Goal 1 - Citizen Involvement, is intended to ensure that the public has the opportunity to be meaningfully involved in all phases of the land use planning process. Creating these opportunities requires time and energy on the part of County staff, as well as systems to incorporate that input in a meaningful way.

To participate in planning actions, the public needs to be notified of the proposal or project, understand the legal framework for the decision and understand the implications of the decision. Local governments need to be aware of changing technologies and best practices to involve the community and share project information. Community engagement can take many forms, such as focus groups for a larger planning project, email notification lists for department activities, or mailed notices of public hearings.



# Summary of Engagement for the 2023 Update



## Regulatory Framework

Statewide Planning Goal 1 – Citizen Involvement lays the groundwork for the County’s public involvement program. Jurisdictions are required to establish a Citizen Involvement Program that provides widespread community involvement, two-way communication with appropriate feedback mechanisms, opportunities for engagement in all phases of the planning process, technical information available in an intelligible form, and is adequately funded.

### Statewide Planning Goal 1

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

## Deschutes County’s Community Involvement Program

Statewide Planning Goal 1 is implemented by Deschutes County’s Community Involvement Program, as described in the following section.

### DESCHUTES COUNTY PLANNING COMMISSION

The Deschutes County Planning Commission serves as the County’s Committee for Community Involvement (CCI). The Planning Commission is composed of seven volunteer

members appointed to four-year terms by the Board of County Commissioners (Board).

Membership of the commission is representative of the various geographic areas of the County. Members are selected through an open process that aims to balance the diverse views of Deschutes County residents.

The purpose of the CCI is to create a direct and transparent connection between County decision-making and the public by providing regular updates, speakers, panel discussions, and handouts on land use law and policy. The CCI aims to make materials intelligible and convenient for the public and to provide a venue for civil discourse on important issues for the County.

### HISTORIC LANDMARKS COMMISSION

The Historic Landmarks Commission serves as a hearings body for matters concerning historical districts, structures and sites within unincorporated Deschutes County as well as the city of Sisters. The Landmarks Commission is composed of nine voting and several non-voting ex-officio members who have demonstrated expertise in historic preservation related disciplines. Commissioners serve four-year terms.



## OTHER LAND USE RELATED ADVISORY GROUPS

Project Wildfire is a committee formed to coordinate, develop and implement strategies to mitigate the effects of losses due to natural disasters that strike Deschutes County. Project Wildfire is composed of 15 to 27 members who reside or represent agencies within Deschutes County. All members are appointed by the Board and serve four years (see also Chapter X, Natural Hazards).

The Deschutes River Mitigation and Enhancement Program helps achieve Oregon Department of Fish and Wildlife (ODFW) habitat and management goals and objectives within the Upper Deschutes River sub-basin, consistent with an agreement between the Central Oregon Irrigation District (COID) and ODFW. As part of that agreement COID provides ODFW with funds to develop and implement a fish and wildlife habitat mitigation and enhancement program for the Upper Deschutes River Basin. The Deschutes River Mitigation and Enhancement Committee

has seven voting members appointed to three-year terms by the Board (see also Section 2.5).

In addition to convening these groups, Deschutes County engages with the public through numerous methods, including:

- Conducting regular work sessions and hearings
- Providing timely public notice of important items
- Maintaining the County Website, including the department's "Community Engagement Center" page.
- Advertising events and engaging with constituents through social media channels
- Coordinating with media organizations, such as local newspapers.
- Meeting with individuals and small groups to get feedback on important issues.

These activities were part of the most recent update of this Comprehensive Plan.







## Key Community Issues

Deschutes County is changing and community members are seeking new ways to share their ideas on key issues. To provide ample opportunities to engage, new tools and technologies will be needed to involve new groups. Issues that the policies in this section address include:

- Continuing to simplify materials to use plain language and be accessible to a variety of audiences
- Continuing to maintain a presence throughout the County, including holding meetings and events throughout the County
- Supporting engagement activities that allow community members to participate virtually and at the time of their choosing.

With these issues in mind, Deschutes County has adopted the following goals and policies:

## Goals and Policies

**Goal 1.1:** Provide for a robust community involvement program that includes all members of the community, including those who are commonly under-represented, by ensuring access to information, encouraging community collaboration, identifying and addressing barriers to involvement, and promoting efficient and transparent planning processes.

**Policy 1.1.1.** Convene the Deschutes County Planning Commission as the County's Committee for Community Involvement in order to provide a direct and transparent connection between County decision-making and the public.

**Policy 1.1.2.** Write all County planning documents to be understandable, intuitive, and easily available to the general public, using simplified language where possible, with acronyms spelled out and technical language explained.



**Policy 1.1.3.** Hold area-specific comprehensive plan and zoning text amendment public hearings in locations and at times convenient and accessible to area residents, as appropriate.

**Policy 1.1.4.** Provide property information to the public in an intuitive and easy-to-use manner.

**Policy 1.1.5.** Consult and coordinate with developers before submitting applications as required or recommended by the County Development Code to identify and discuss project requirements and impacts.

**Policy 1.1.6.** Invest in and support land use educational resources for community members including information related to rural living, agricultural practices, natural resources, and natural hazards.

**Policy 1.1.7.** Promote opportunities for community members to have civil dialogue around key community issues.

**Policy 1.1.8.** Explore new and innovative ways to reach community members and promote participation in the planning process.

**Goal 1.2:** Support the activities of the Committee for Community Involvement

**Policy 1.2.1.** Maintain adequate funding and staffing support for the Committee.

**Policy 1.2.2.** Provide regular updates, speakers, panel discussions, and handouts on land use law and policy.

**Policy 1.2.3.** Appoint members through an open and public process to reflect the diverse geographic regions, demographics, and values of Deschutes County residents.

**Policy 1.2.4.** Meet with the Board of County Commissioners at least once a year to coordinate planning policies and activities.

**Policy 1.2.5.** Complete periodic reports on community involvement implementation for the State Citizen Involvement Advisory Committee, the Board of County Commissioners, and the public.

**Policy 1.2.6.** Maintain open and civil discourse among Committee members and with the public.



# 2

## Land Use and Regional Coordination







### Opportunities, Challenges, and Considerations

Deschutes County has been one of the most rapidly growing parts of Oregon for many years. This growth can cause tension and highlight trade-offs between community priorities, such as the need for housing, preservation of natural resources, adequate infrastructure, and intergovernmental collaboration. To manage this growth, the County partners with its cities, special districts, and state and federal agencies to ensure a collaborative approach to development activities. As the County continues to navigate emerging issues, intergovernmental agreements and new partnerships will be key.

One purpose of the Deschutes County Comprehensive Plan is to provide a blueprint for land use throughout the County. This is accomplished through goals and policies that tell a cohesive story of where and how development should occur and what places are expected to remain undeveloped. The Plan provides a legal framework for establishing more specific land use actions and regulations.

Deschutes County regulates and manages the use of land in the unincorporated parts of the County. This is accomplished by:

- Implementing state policy and laws and furthering local planning goals by maintaining, updating and applying County land use policies, standards and regulations in its zoning codes and this Comprehensive Plan.
- Reviewing development and land use proposals and help applicants to navigate the application process.
- Coordinating with other local jurisdictions on issues of regional growth management, infrastructure, and public services.
- Coordinating land use and transportation planning efforts in rural areas including planning for farm and forest lands and natural resource management and protection.
- Administering land use regulations for unincorporated communities in the County.



The policies contained in this chapter, as well as all chapters in this Plan, establish the legislative policy basis for the County’s land use planning program. The program is implemented primarily through application of the County’s Zoning Code, regulatory maps, and development permitting application and approval procedures. In addition, these policies establish important criteria to be used when initiating regulatory changes or reviewing and developing code, map, and policy amendments.

*Note: Official comprehensive plan and zoning maps, including overlay zone maps, included in are available on Deschutes Count Dial Property Information System.*

## Context

### Comprehensive Plan Designations

Comprehensive Plan designations provide a high-level policy basis for more detailed zoning regulations – each Comprehensive Plan designation may be implemented by one or more specific zones.

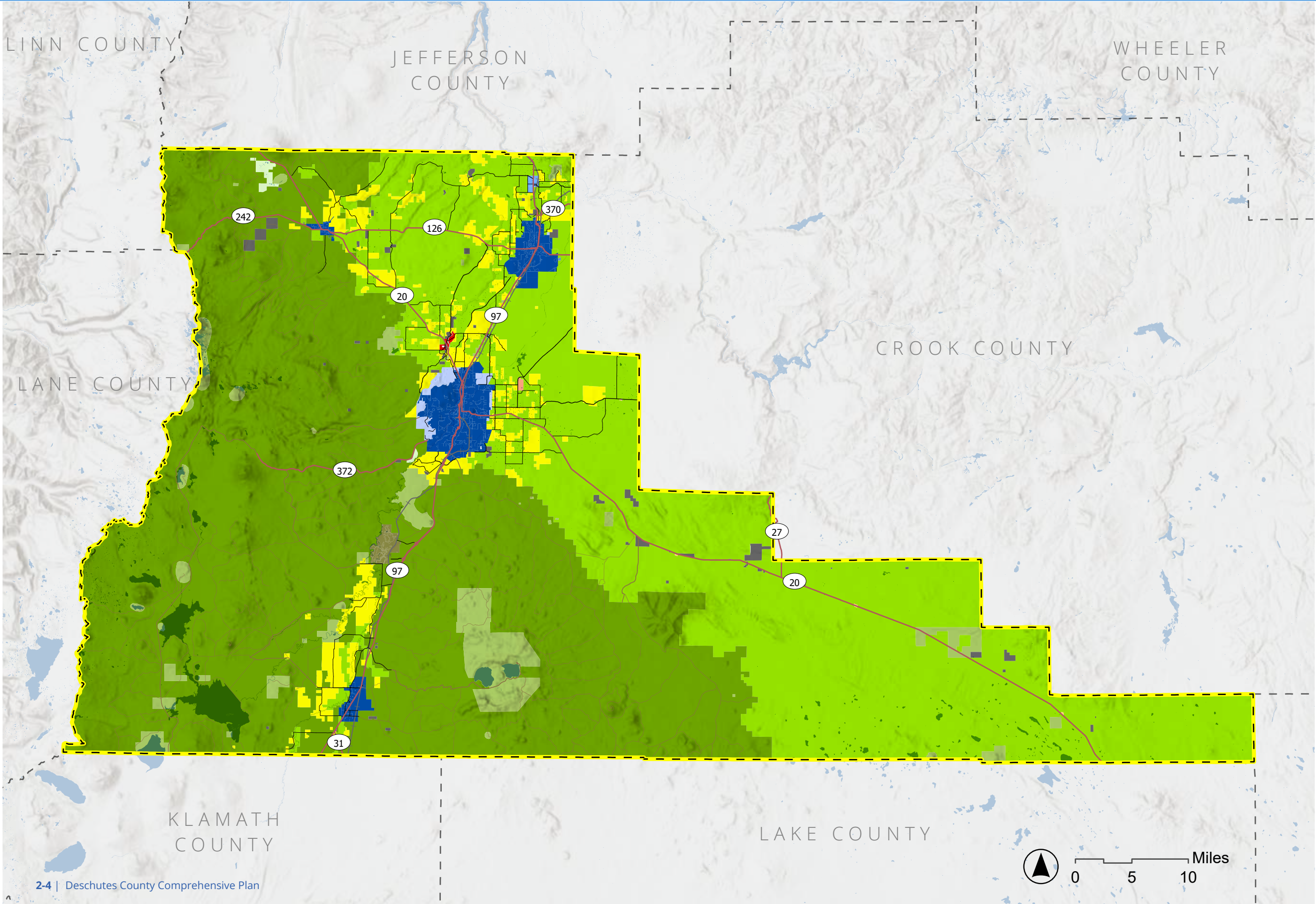
Comprehensive plan designations in Deschutes County are shown in Map 2-1 and described in the preceding table. Comprehensive Plan designations within the Bend, Redmond, Sisters, and La Pine Urban Growth Boundaries are excluded – local jurisdictions have responsibility for comprehensive planning within their Urban Growth Boundaries.

Comprehensive Plan Designation	Purpose Statement
<b>County-wide Designations</b>	
Agriculture	To preserve and maintain agricultural lands for farm use.
Airport Development	To allow development compatible with airport use while mitigating impacts on surrounding lands.
Forest	To conserve forest lands for multiple forest uses.
Open Space & Conservation	To protect natural and scenic open spaces, including areas with fragile, unusual or unique qualities.
Rural Residential Exception Area	To provide opportunities for rural residential living outside urban growth boundaries and unincorporated communities, consistent with efficient planning of public services.
Surface Mining	To protect surface mining resources from development impacts while protecting development from mining impacts.
Resort Community	To define rural areas with existing resort development that are not classified as a destination resort.
Rural Community	To define rural areas with limited existing urban-style development.
Rural Service Center	To define rural areas with minimal commercial development as well as some residential uses, based on Oregon Administrative Rule 660-22 or its successor.
Urban Unincorporated Community	To define rural areas with existing urban development, based on Oregon Administrative Rule 660-22 or its successor.
<b>Urban Designations</b> Deschutes County coordinates with cities to adopt comprehensive plan designations for areas within Urban Growth Boundaries or as part of Urban Reserves Areas in the City of Redmond area. These designations are reflected in the Deschutes County GIS database.	
<b>Area Specific Designations</b> Parts of Deschutes County (Sunriver for example) have area-specific Comprehensive Plan designations. These are detailed in Chapter 11, Unincorporated Communities.	



# COMPREHENSIVE PLAN DESIGNATION

## Map 2-1



A PLAN FOR THE FUTURE

- Water Bodies
- County Boundary

### Transportation

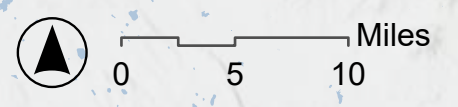
- State Routes
- Railroad
- County Lines
- Arterial
- Collector
- Forest Highway

### Comprehensive Plan Designation

- Airport
- Agriculture
- Forest
- Flood Plain
- Open Space & Conservation
- Rural Commercial
- Resort
- Rural Industrial
- Rural Residential Exception Area
- Surface Mining
- Terrabone Districts
- Tumalo Districts
- Unincorporated Community
- Mixed Use / Commercial
- Mixed Use / Commercial Future Expansion Area

### Other

- Urban Growth Boundary
- Urban Reserve
- Urban Unincorporated Community



This map is for information purposes only. The County's official zoning and comprehensive plan maps can be accessed through the Deschutes County Dial Property Information System. Please note that these maps do not represent all of the County's combining and overlay zones.



## Zoning Designations

Zoning designations in Deschutes County are shown in Map 2-2. Zones within the Bend, Redmond, Sisters, and La Pine Urban Growth Boundaries are excluded - local jurisdictions have responsibility for zoning within Urban Growth Boundaries.

### OVERLAY ZONES

Deschutes County has the following overlay zones, which apply in addition to the base zone of a given property.

- **Airport Safety:** The purpose of the AS Zone is to restrict incompatible land uses and airspace obstructions around airports in an effort to maintain an airport's maximum benefit.
- **Destination Resort:** The purpose of the Destination Resort Combining Zone is to identify lands eligible for siting a Destination Resort and establish procedures and standards for establishing this type of development.
- **Landscape Management:** The purposes of the Landscape Management Combining Zone are to maintain scenic and natural resources of the designated areas and to maintain and enhance scenic vistas and natural landscapes as seen from designated roads, rivers, or streams.
- **Greater Sage-Grouse Combining Zone.** The purpose of the Greater Sage-Grouse Combining Zone is to fulfill obligations of OAR 660-23-0115. This state rule requires seven Oregon counties to mitigate impacts of large-scale development on sage-grouse habitat.
- **Sensitive Bird and Mammal Habitat:** The purpose of the Sensitive Bird and Mammal Combining Zone is to insure that sensitive habitat areas identified in the County's Goal 5 sensitive bird and mammal inventory as critical for the survival of the northern bald eagle, great blue heron, golden eagle, prairie falcon, osprey, great grey owl, and

## Land Use Planning in Oregon

The foundation of statewide program for land use planning in Oregon is a set of 19 Statewide Land Use Planning Goals. The goals express the state's policies on land use and related topics, like citizen involvement, housing, and natural resources.

Oregon's statewide goals are achieved through local comprehensive planning. State law requires each city and county to adopt a comprehensive plan and the zoning and land-division ordinances needed to put the plan into effect.

Local comprehensive plans must be consistent with the Statewide Planning Goals. Plans are reviewed for such consistency by the state's Land Conservation and Development Commission (LCDC). When LCDC officially approves a local government's plan, the plan is said to be acknowledged. It then becomes the controlling document for land use in the area covered by that plan.

The goals relevant to Deschutes County are:

- **Goal 1 Citizen Involvement**
- **Goal 2 Land Use Planning**
- **Goal 3 Agricultural Lands**
- **Goal 4 Forest Lands**
- **Goal 5 Natural Resources, Scenic and Historic Areas, and Open Spaces**
- **Goal 6 Air, Water and Land Resources Quality**
- **Goal 7 Areas Subject to Natural Hazards**
- **Goal 8 Recreational Needs**
- **Goal 9 Economic Development**
- **Goal 10 Housing**
- **Goal 11 Public Facilities and Services**
- **Goal 12 Transportation**
- **Goal 13 Energy Conservation**
- **Goal 14 Urbanization**



the Townsend’s big-eared bat are protected from the effects of conflicting uses or activities which are not subject to the Forest Practices Act.

- **Surface Mining Impact Area:** The purpose of the SMIA zone is to protect the surface mining resources of Deschutes County from new development which conflicts with the removal and processing of a mineral and aggregate resource while allowing owners of property near a surface mining site reasonable use of their property.
- **Wildlife Area:** The purpose of the Wildlife Area Combining Zone is to conserve important wildlife areas in Deschutes County; to protect an important environmental, social and economic element of the area; and to permit development compatible with the protection of the wildlife resource.

**CITY COORDINATION**

Deschutes County includes the following jurisdictions, each with their own authority and needs. The role of the County is largely one of coordination across these multiple communities.

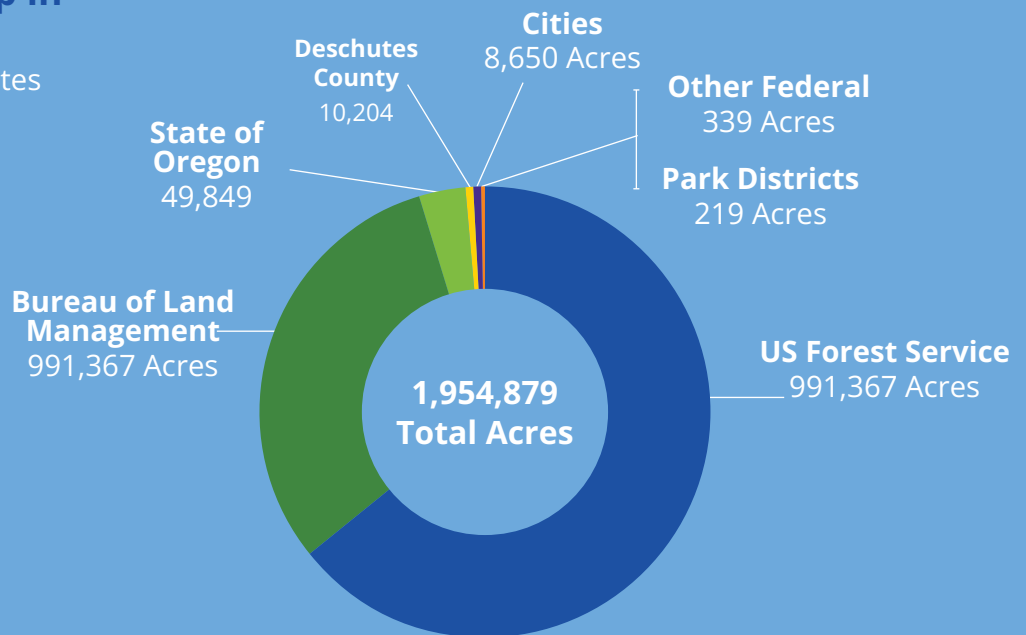
Deschutes County contains four incorporated cities. The County, per statute, is responsible for coordinating with cities on growth related issues including urban growth boundary and urban reserve planning. The County maintains intergovernmental agreements with each city to define land use authority for lands outside of city limits and within urban growth boundaries.

**City of Bend**

Bend is the largest incorporated area in Deschutes County. It is centrally located in the county, with Highways 20 and 97 crossing paths through the center of the city. Bend has experienced rapid growth in the last few years, accelerated by the COVID-19 pandemic and “Zoom Town” remote working trends. The 2022 estimated population of the Bend UGB is 103,976. The Bend UGB accounts for most of the population share among all UGBs in Deschutes County with a population of 225,619 (57.4% of the population) by 2072.

**Public Land Ownership in Deschutes County**

Approximately **79%** of Deschutes County is public land.



**City of La Pine**

The City of La Pine is located close to the southern edge of the county along Hwy. 97. The current (2022) estimated population of the La Pine UGB is 2,736. The population of the La Pine UGB is projected to increase by 87% to 5,129 in 2047. By 2072, the population is projected to be 8,336.

**City of Redmond**

Redmond is located northeast of Bend with Hwy. 97 running through the center of town. The current (2022) estimated population of the Redmond UGB is 37,342. The population of the Redmond UGB is projected to increase by 121% to 82,601 in the next 50 years. By 2047 it is estimated that the population of the Redmond UGB will increase to 60,060.

**City of Sisters**

Sisters is located on the eastern edge of the Willamette National Forest and Cascade Mountains. The current (2022) estimated population of the Sisters UGB is 3,437. The Sisters UGB is projected to increase by 130%, to 7,911 in 2047, and to 14,881 by 2072.

**TRIBAL COORDINATION**

In the Treaty of 1855, the Confederated Tribes of Warm Springs ceded approximately 10.2 million acres to the United States Government in exchange for creation of the Warm Springs Reservation. As part of this agreement, the Tribes maintained rights to hunt, fish, gather, and graze on these ceded lands. The map below identifies the location of these ceded areas in Deschutes County, which primarily intersect with publicly owned lands. Coordination with the Confederated Tribes of Warm Springs on growth and development related issues is important to ensure consistency with these treaty rights.

**Key Community Considerations**

The rapid pace of growth in Deschutes County and its impacts on urban, rural, natural, and recreational areas has been one of the most significant – and at times the most controversial – topics of discussion among the community. Some topics and comments include:

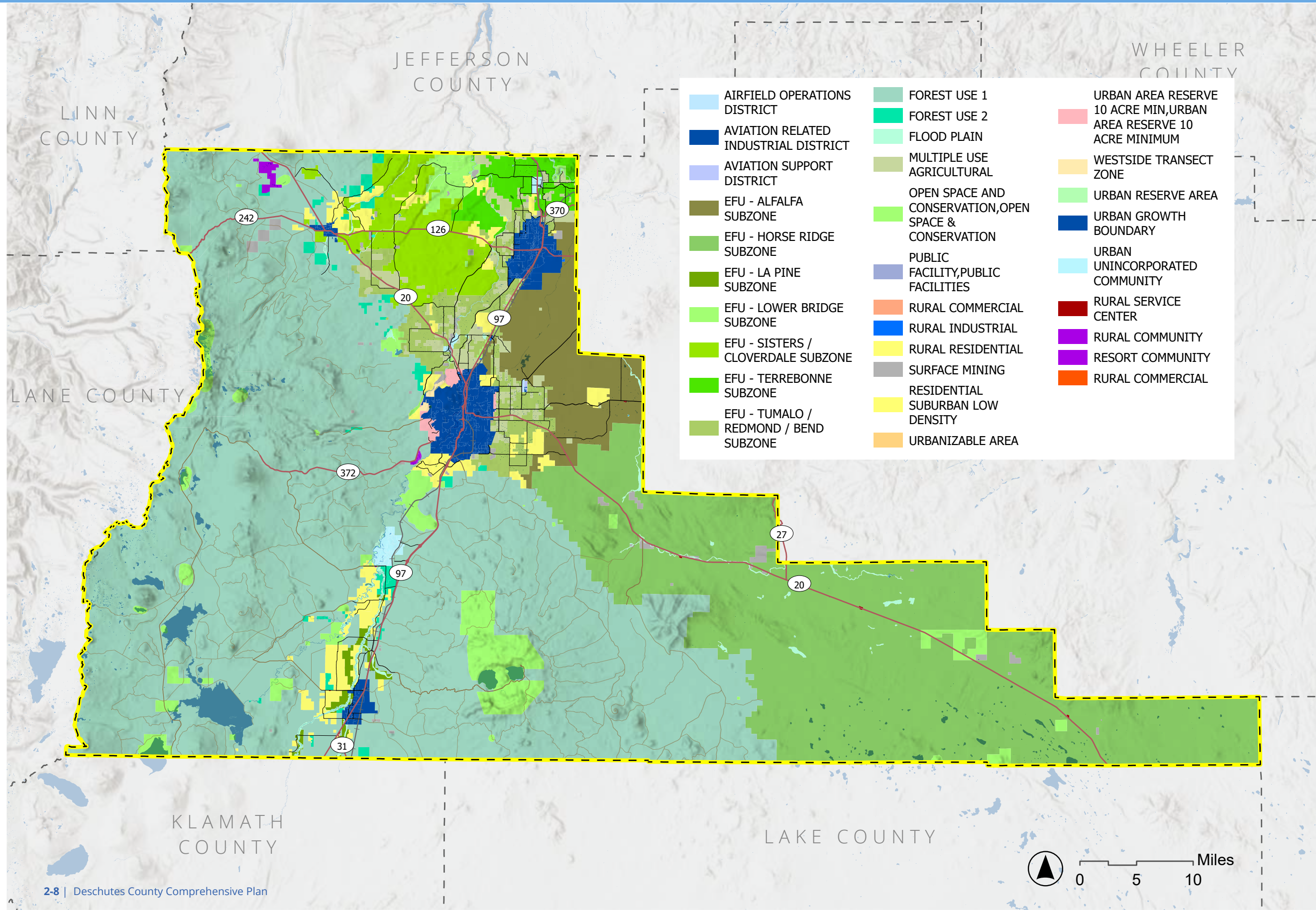
- Strong desire by some for greater densities in urban areas, in order to accommodate growth while preserving open space and resource land in rural areas.
- A similarly strong feeling by some that the cities in Deschutes County are becoming too urban already.
- Concern about the amount and distribution of benefits and burdens created by destination resorts and tourism-related activities in rural areas.
- Strong desire for interagency collaboration to manage growth in a coordinated manner.

With these ongoing conversations in mind, Deschutes County drafted and refined the following goals and policies to guide the growth of our community for the next 20 years.





# ZONING DESIGNATIONS



A PLAN FOR THE FUTURE

- Water Bodies
- County Boundary

### Transportation

- State Routes
- Railroad
- County Lines



This map is for information purposes only. The County's official zoning and comprehensive plan maps can be accessed through the Deschutes County Dial Property Information System. Please note that these maps do not represent all of the County's combining and overlay zones.



## Goals and Policies

**Goal 2.1:** Maintain an open and public land use process in which decisions are based on substantial evidence and a balancing of community needs.

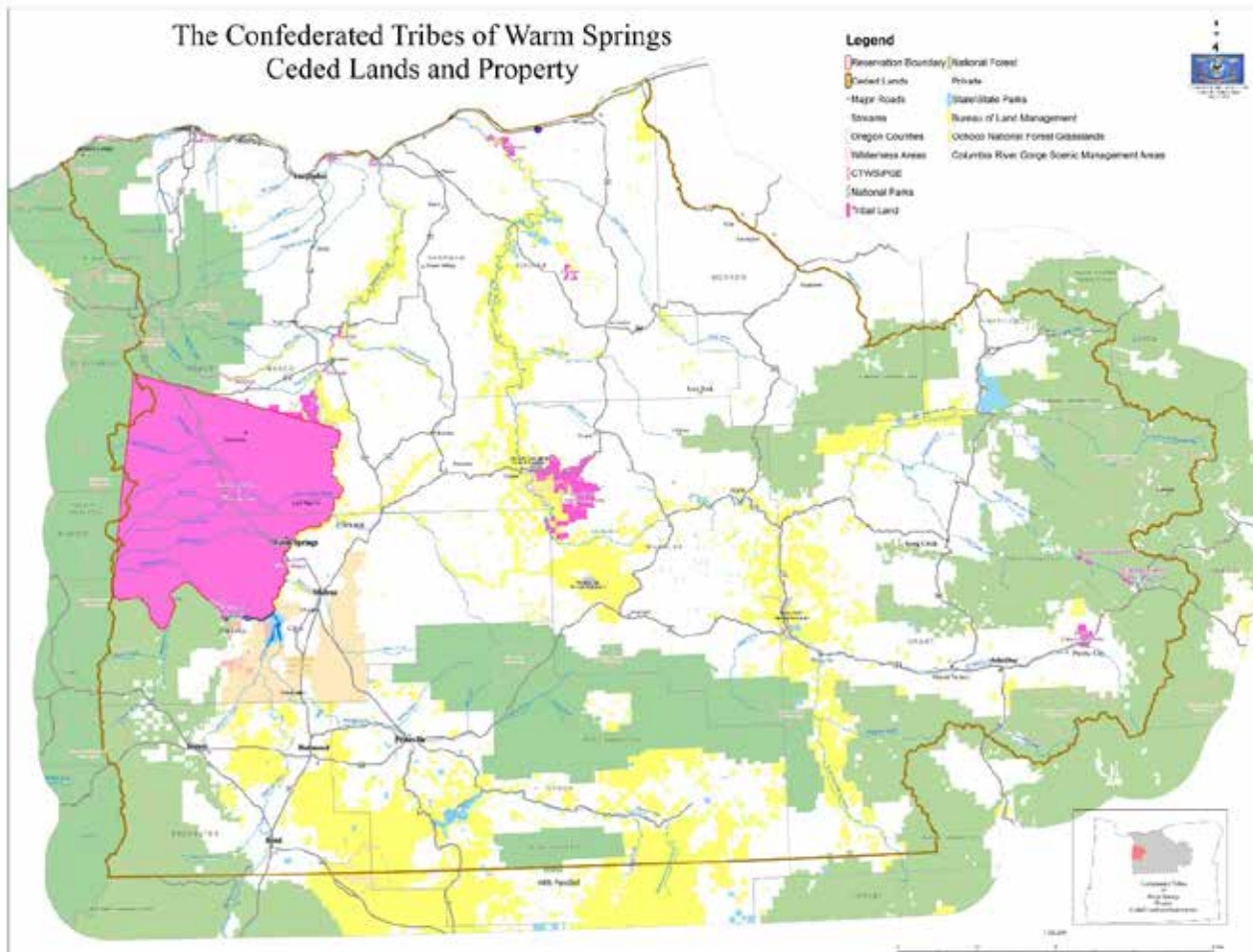
**Policy 2.1.1.** Balance the consideration of private property rights and the economic impacts of land use decisions on property owners with incentives to preserve agricultural and forest land, wildlife habitat, ground and surface water resources, wetlands, riparian areas, open areas and other community goals identified in the Comprehensive Plan.

**Policy 2.1.2.** Review the Comprehensive Plan periodically in order to address current conditions, issues, and opportunities.

**Policy 2.1.3.** The Deschutes County Comprehensive Plan Map will be retained in official replica form as an electronic map layer within the County Geographic Information System and is adopted as part of this Plan.

**Policy 2.1.4.** Implement Comprehensive Plan policies through the Community Development Department’s annual work plan and other actions by the Department and the Board of County Commissioners.

**Policy 2.1.5.** Explore methods to integrate carrying capacity into County land use decision making.



**Goal 2.2:** Coordinate and support regional planning efforts relating to growth, natural resources, recreation, and major infrastructure investments.

**Policy 2.2.1.** Periodically review and update intergovernmental and urban management agreements to coordinate land use review on land inside urban growth boundaries and outside city limits.

**Policy 2.2.2.** Help coordinate regional planning efforts with other agencies on land use policies and actions that impact their jurisdictions.

**Policy 2.2.3.** Support the use of high value natural resource and recreational lands for public purposes, whether through acquisition, easements, or other means.

**Policy 2.2.4.** Support the implementation of long-range plans of Deschutes County jurisdictions, incorporating elements of those plans into the County's Comprehensive Plan as appropriate.

**Policy 2.2.5.** Encourage cities to conduct, in collaboration with Deschutes County, urban reserve planning to facilitate orderly and thoughtful management of growth and infrastructure needs.

**Policy 2.2.6.** Collaborate with federal agencies on land management issues, including homelessness, wildlife habitat restoration, water quality, road networks, energy projects, the impacts of recreation and the expansion of sustainable recreation opportunities.

**Policy 2.2.7.** Support efforts to reduce barriers to regional infrastructure projects with community benefit while mitigating negative impacts.

**Policy 2.2.8.** Support updates to unincorporated community area plans.

**Policy 2.2.9.** In accordance with OAR 660-024-004 and 0045, Deschutes County, fulfilling coordination duties specified in ORS 195.025, shall approve and update its comprehensive plan when participating cities within their jurisdiction legislatively or through a quasi-judicial process designate regionally significant sites.

**Policy 2.2.10.** The County and City shall periodically review the agreement associated with the Redmond Urban Reserve Area (RURA). The following land use policies guide zoning in the RURA.

- a. Plan and zone RURA lands for rural uses, in a manner that ensures the orderly, economic and efficient provision of urban services as these lands are brought into the urban growth boundary.
- b. Parcels shall be a minimum of ten acres.
- c. Until lands in the RURA are brought into the urban growth boundary, zone changes or plan amendments shall not allow more intensive uses or uses that generate more traffic, than were allowed prior to the establishment of the RURA.
- d. For Exclusive Farm Use zones, partitions shall be allowed based on state law and the County Zoning Ordinance.
- e. New arterial and collector rights-of-way in the RURA shall meet the right-of-way standards of Deschutes County or the City of Redmond, whichever is greater, but be physically constructed to Deschutes County standards.
- f. Existing and future arterial and collector rights-of-way, as designated on the County's Transportation System Plan, shall be protected from development.

- g. A single-family dwelling on a legal parcel is permitted if that use was permitted before the RURA designation. Additionally, the County will coordinate planning efforts and development goals with the City of Redmond prior to bringing County-owned property into Redmond's urban growth boundary.

**Goal 2.3:** Manage county-owned lands to balance the needs of the community as articulated in the goals and policies of this Plan and other supporting planning documents.

**Policy 2.3.1.** Manage lands with a park designation consistent with the goals and policies in Chapter 5 Natural Resources.

**Policy 2.3.2.** Support the efforts of park districts, state and/or federal agencies to identify additional properties along rivers, streams, or creeks, or containing significant wildlife, scenic resources, or open space resources to designate as park land.

**Goal 2.4:** Minimize onerous barriers to land use application and development review processes.

**Policy 2.4.1.** Explore opportunities to build or obtain specialty planning knowledge and experience among staff within CDD in related fields such as wildlife, natural resources, and/or agricultural practices.

**Policy 2.4.2.** Explore measures to reduce development costs for projects related to agriculture and addressing houselessness, including fee reductions and expedited land use applications.



# 3

## Farm and Forest Resources





## Opportunities, Challenges, and Considerations

Farm and forestry resources and operations continue to play an important role in the character and economy of Deschutes County. However, a variety of ongoing and forecasted trends will impact the viability and vitality of these industries and the people who contribute to them. A number of these trends and challenges are described below and more information about some issues is found in the Water Resources section of this Plan (see Chapter 5: Natural Resources).

### PREVALENCE OF SMALL FARMING OPERATIONS AND HOBBY FARMS

The 2022 Census of Agriculture profiles Deschutes County as primarily consisting of small acreage, hobby farms and other relatively small agricultural operations. As of 2022 there were approximately 1,572 farms, an increase of 5% from 2017. Although the average size of a farm in Deschutes County is 97 acres, the majority of acreage (about 85%) is in farms of 50 acres or less in size.

### MARGINAL OR LOW PRODUCTIVITY SOILS

While a large proportion of the County is zoned for exclusive farm use, much of the land in these areas has marginal soils which provide limited productivity, particularly for higher value crops. Limited access to water rights and irrigation can further hamper productivity in some areas. Deschutes County attempted to reclassify certain agricultural lands through a nonresource lands program. This approach was rejected at the state level. Since that time, some landowners have successfully redesignated property, primarily to residential zones, through an applicant-initiated process.

### FINANCIAL CHALLENGES

According to the 2022 Agricultural Census, agricultural producers in Deschutes County are often operating in the red. The per-farm average of market value of products sold was \$25,437, a 23% increase from 2017, and average production expenses of \$39,918. This results in a deficit of approximately \$14,481 per farm per year. Government payments help cover a portion of this deficit, with the average farm receiving \$17,959 in assistance. The costs of operating continue to be a major challenge for small family operations, resulting in approximately 48% of farms in Deschutes County reporting under \$2,500 in sales.

### DECLINING FOREST PRODUCTS INDUSTRY

Approximately 1,032,436 acres of Deschutes County area are zoned for Forest Use. Historically, forestry on public and private land was a primary industry in Central Oregon with key mill sites along the Deschutes River in Bend. Over time, species protections, international competition, and new technologies have reduced the overall footprint of the timber industry in Central Oregon. Recently, land uses are shifting toward recreation and residential development in these natural resource areas.





### WATER SUPPLY AND IRRIGATION

Much of Deschutes County is served by six irrigation districts (Map 3-1) – these are special entities created for the purpose of delivering water to their patrons. These districts are quasi-municipal corporations chartered under Oregon law that operate as political subdivisions of the State of Oregon. In addition to irrigation, these districts also supply other services including municipal, industrial, and pond maintenance. In most cases, these districts are holders of senior water rights with shares then distributed to their patrons. As is the case with all water rights, the irrigation districts’ water rights are managed by the Oregon Water Resources Department and subject to “beneficial use” requirements to prevent the waste of the water resource. The total water available for irrigation and other human uses in Deschutes County is fixed under the current water regime, and there is little opportunity to expand irrigated farming in the County. Irrigation districts with more junior water rights such as Arnold Irrigation District and North Unit Irrigation District (operating north of Deschutes County), have recently seen challenges with water delivery due to limited availability and drought.

### CHANGES IN CLIMATE CONDITIONS

Because the total volume of water available for agricultural and human use is fixed, strategies to decrease water usage (capping or piping irrigation channels, irrigation timing strategies,

water conservation) will become more crucial. Deschutes County is committed to working with irrigation districts and holders of water rights to increase water conservation efforts throughout the County in a manner consistent with existing legal frameworks established by State and Federal law.

### Context

#### Agriculture

Agriculture and ranching operations in Deschutes County vary widely based on water availability, soil, and microclimate. The following subzones were created through a commercial farm study conducted in 1992. This study concluded that irrigation is a key factor to viability of operations, which enabled the County to establish smaller acreages than allowed by state law to provide additional flexibility.

Additional information about farm and forest resources is provided in the tables and charts below.

#### Forest Lands

Deschutes County classifies Forest land in one of two zones. Forest 1 zoning is intended for land that is primarily used for forest management or commercial forestry, with a lot size over 160 acres, and not developed with residential or non-forest uses. Forest 2 zoning is intended for land that does have residential or non-forest uses, is less than 160 acres, and may contain roads or other public facilities that serve the property.

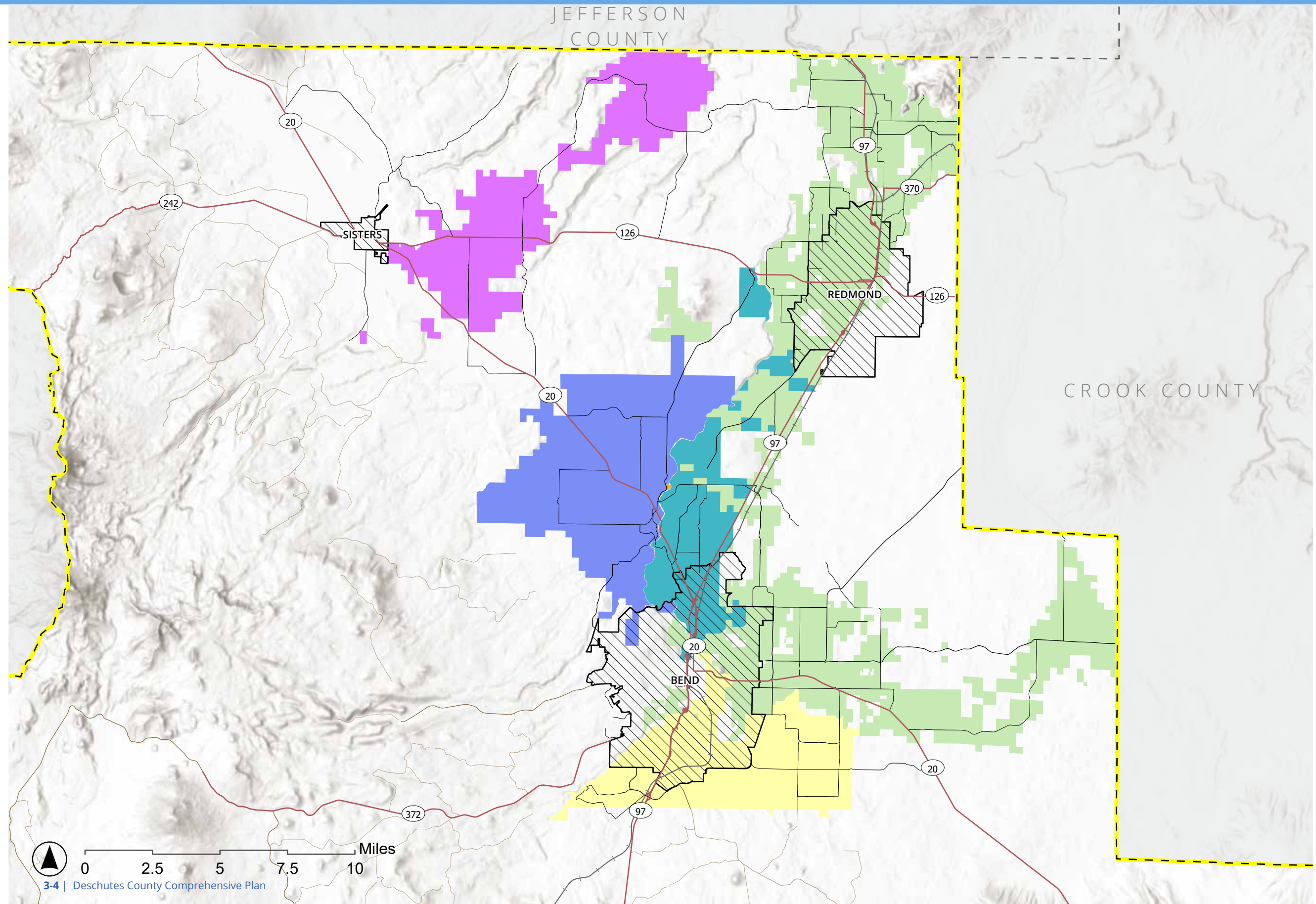
State regulations limit residential and non-forestry related development on forest lands and the County sees only a few applications for

### Days Above 90 Degrees in Brothers



# IRRIGATION DISTRICTS

## Map 3-1



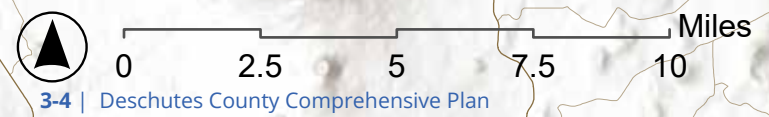
A PLAN FOR THE FUTURE

### Irrigation Districts

- Arnold Irrigation District
- Central Oregon Irrigation District
- Rimrock Water Improvement District
- Swalley Irrigation Dist (DRIC)
- Three Sisters Irrigation District
- Tumalo Irrigation District
- State Routes

### Transportation

- Arterial
- Collector
- Forest Highway
- Railroad
- Urban Growth Boundaries
- County Boundary



Prepared by   
 Revised 8/1/2023

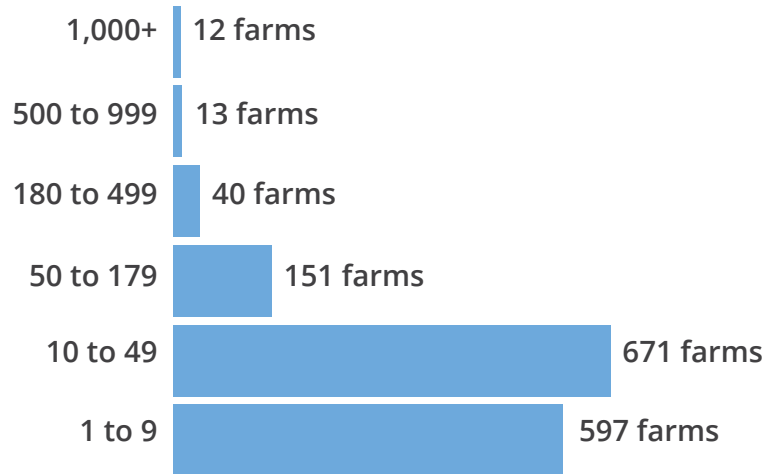
*This map is for information purposes only. The County's official zoning and comprehensive plan maps can be accessed through the Deschutes County Dial Property Information System. Please note that these maps do not represent all of the County's combining and overlay zones.*



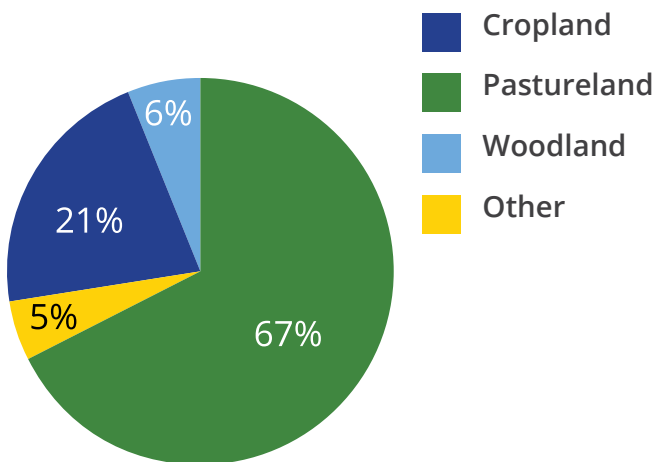
development in these areas each year. Even with this limitation on development, forest managers and service providers continue to express concern with wildfire risk associated with residential development in heavily wooded areas.

Most lands in either of these classifications within Deschutes County are federally owned and managed by the US Forest Service. Historically, forest lands were used for timber production. As timber harvesting decreases, other uses for forest lands are emerging. State regulations permit five general types of uses, including forest operations; environmental, agricultural or recreational uses; two types of

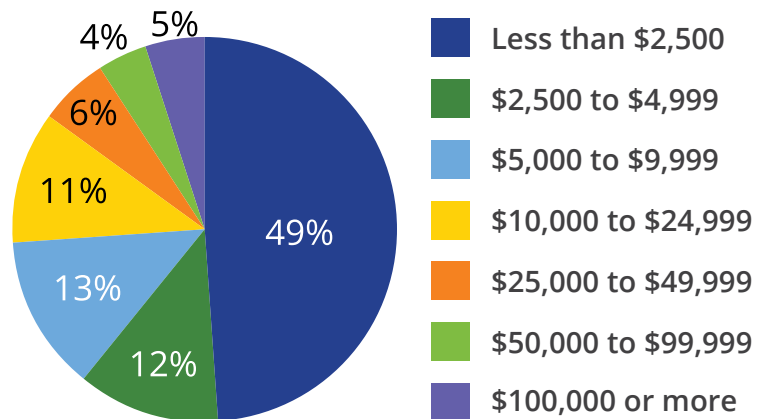
### Farms By Size (acres)



### Land in Farms by Use



### Farms By Value of Sales



Subzone Name	Minimum Parcel Size (for farm divisions and farm-related dwellings)	v
Lower Bridge	130	Irrigated field crops, hay pastures
Sisters/Cloverdale	63	Irrigated alfalfa, hay and pastures, wooded grazing and some field crops
Terrebonne	35	Irrigated hay and pasture
Tumalo/Redmond/Bend	23	Irrigated pasture and some hay
Alfalfa	36	Irrigated hay and pasture
La Pine	37	Riparian meadows, grazing and meadow hay
Horse Ridge East	320	Rangeland grazing

dwelling and locally dependent uses. Permitted uses are defined and clarified in OAR 660-006. The following uses are major forest uses in Deschutes County:

- **Secondary forest products (forest operations):** There is an increasing use of secondary forest products, such as hog fuel (chipped wood) or wood slash. This type of product is generally seen as providing dual benefit, by providing economic opportunity while also reducing wildfire risk through thinning projects.
- **Alternative Energy:** Biomass is an emerging technology for renewable energy and can also be integrated with these products. The first biomass facility in the County is currently under development through a partnership with Mt. Bachelor Ski Resort and the US Forest Service.
- **Recreation (environmental, agricultural and recreation uses):** The proximity of federal forests for hiking, mountain biking, skiing, hunting, fishing, wildlife viewing and other outdoor recreation draws tourists and residents alike. Skyline Forest, a 33,000-acre privately owned property in the Forest 1 zone has been identified as a potential community asset, with several groups and nonprofits seeking to acquire and utilize the property as a community forest. In 2022, Deschutes Land Trust facilitated a community visioning process to identify preferred community uses if land were to be purchased as a privately held recreational asset.

## Key Community Considerations

Given the range of issues and conditions discussed above and, this plan includes a variety of policies to support farm and forest operations in Deschutes County. Additional related policies also are found in Chapter 2: Land Use and Regional Coordination, Chapter 5: Natural Resources, and Chapter 9: Economic Development. These strategies are underpinned by the following results of Comprehensive Plan outreach efforts.

- Community members opposed rezoning low productivity farmland with poor soil to allow greater opportunities for housing, while supporting rezoning of this land to preserve open space.
- There is strong support for conducting educational outreach to encourage water conservation and on-farm efficiency measures.
- Community members also strongly support allowing greater flexibility for income-producing supplemental activities on farms such as farm-to-table dinner, farm stands, weddings, or similar events.
- Outreach participants expressed support for investment in the agricultural economy through grants or exploring a farmland conservation program.



## Goals and Policies

**Goal 3.1:** Preserve and maintain agricultural lands, operations, and uses to support Deschutes County's agricultural economy

**Policy 3.1.1.** Retain agricultural lands through Exclusive Farm Use zoning.

**Policy 3.1.2.** Continue to apply Exclusive Farm Use sub- consistent with the County's most up-to-date adopted studies of agricultural land and as implemented through the County Development Code.

**Policy 3.1.3.** Develop comprehensive plan policy criteria and code to provide clarity on when and how EFU parcels can be converted to other designations.

**Policy 3.1.4.** Regularly review farm regulations to ensure compliance with changes to State Statute, Oregon Administrative Rules and case law.

**Goal 3.2:** Promote a diverse, sustainable, and thriving agricultural sector.

**Policy 3.2.1.** Encourage farming by promoting the raising and selling of crops, livestock and/or poultry.

**Policy 3.2.2.** Support agriculture through the use of grant funds, research, and other resources dedicated to agricultural community members and stakeholders, including but not limited to farmers, agricultural researchers, farm bureaus, and other organizations in studying and promoting economically viable agricultural opportunities and practices.

**Policy 3.2.3.** Support and encourage small farming enterprises through a variety of related strategies and programs, including, but not limited to, niche markets, organic farming, food council, buy local, farmers markets, farm-to-table activities, farm stands or value-added products, or other programs or strategies.

**Policy 3.2.4.** Work cooperatively with irrigation districts, public agencies and representatives, and landowners to promote and support agricultural uses and operations, including through use of rural reserves, conservation easements, transfer of development rights programs, land acquisition, and other preservation strategies consistent with existing Federal and State Law.

**Policy 3.2.5.** Support efforts to control noxious weeds and invasive species.

**Policy 3.2.6.** Continue to review and revise county code as needed to be and consistent with state code, rules, and regulations to permit alternative and supplemental farm activities that are compatible with farming, such as agritourism or other small-scale sustainable activities.

**Policy 3.2.7.** Work with the State to review and revise their regulations when a desired alternative or supplemental use identified by the County is not permitted by State regulations.



**Policy 3.2.8.** Use land use policy and development code requirements, including right-to-farm provisions, as well as coordination with other jurisdictions to minimize conflicts between residential uses and agricultural uses and continue to promote the viable operation of agricultural uses.

**Policy 3.2.9.** Provide resources such as technical assistance and access to grants to support on-site efficiency upgrades relating to agriculture.

**Goal 3.3:** Ensure Exclusive Farm Use policies, classifications, and codes are consistent with local and emerging agricultural conditions and markets.

**Policy 3.3.1.** Identify and retain accurately designated agricultural lands.

**Policy 3.3.2.** Continue to explore new methods of identifying and classifying agricultural lands.

- a. Apply for grants to review and, if needed, update farmland designations.
- b. Study County agricultural designations considering elements such as water availability, farm viability and economics, climatic conditions, land use patterns, accepted farm practices, and impacts on public services.
- c. Lobby for changes to State Statute regarding agricultural definitions specific to Deschutes County that would allow some reclassification of agricultural lands.

**Policy 3.3.3.** Address land use challenges in the Horse Ridge subzone, specifically:

- a. The large number of platted lots not meeting the minimum acreage;
- b. The need for non-farm dwellings and location requirements for farm dwellings;

- c. Concerns over the impact on private property from off-road vehicles, facilities, and trails located on adjacent public lands.

**Policy 3.3.4.** Continue to work with the State to review and revise accessory farm dwelling requirements to address the needs of local farmers.

**Policy 3.3.5.** Encourage coordination between agricultural interests and fish and wildlife management organizations, including public agencies, non-governmental organizations and others.

**Policy 3.3.6.** Explore the evaluation and potential redesignation of lands with a farm designation and poor soils and low productivity for protected open space, development of needed housing, or other uses that support community goals as follows.

- a. Allow comprehensive plan and zoning map amendments, including for those that qualify as non-resource land, for individual EFU parcels as allowed by State Statute, Oregon Administrative Rules and this Comprehensive Plan.
- b. Explore creation of a new zoning classification intended to balance value of high desert environment while allowing for limited housing opportunities and applying this designation through coordination with interested and willing property owners.

**Goal 3.4:** Protect and maintain forest lands for multiple uses and objectives, including forest products, watershed protection, conservation, recreation, wildlife habitat protection, carbon sequestration, forest health, and wildfire resilience.

**Policy 3.4.1.** Retain forest lands through Forest 1 and Forest 2 zoning.

**Policy 3.4.2.** To conserve and maintain unimpacted forest lands, retain Forest 1 zoning for those lands with the following characteristics:

- a. Consist predominantly of ownerships not developed by residences or non- forest uses;
- b. Consist predominantly of contiguous ownerships of 160 acres or larger;
- c. Consist predominantly of ownerships contiguous to other lands utilized for commercial forest or commercial farm uses;
- d. Are accessed by roads intended primarily for forest management; and
- e. Are primarily under forest management.

**Policy 3.4.3.** To conserve and maintain impacted forest lands, retain Forest 2 zoning for those lands with the following characteristics:

- a. Consist predominantly of ownerships developed for residential or non-forest uses;
- b. Consist predominantly of ownerships less than 160 acres;
- c. Consist of ownerships generally contiguous to tracts containing less than 160 acres and residences, or adjacent to acknowledged exception areas; and
- d. Provide a level of public facilities and services, including roads, intended primarily for direct services to rural residences.”

**Policy 3.4.4.** Notwithstanding any other quasi-judicial plan or zone change criteria, lands designated as Forest under this Plan and zoned Forest 2 may upon application be redesignated and rezoned from Forest 2 to Exclusive Farm Use if such lands:

- a. Do not qualify under State Statute for forestland tax deferral,
- b. Are not necessary to permit forest operations or practices on adjoining lands and do not constitute forested lands that maintain soil, air, water and fish and wildlife resources,
- c. Have soils on the property that fall within the definition of agricultural lands as set forth in Goal 3,
- d. Are a tract of land 40 acres or less in size,
- e. Do not qualify under State Statute and the terms of the Forest 2 zone for a dwelling, and;
- f. Were purchased by the property owner after January 1, 1985 but before November 4, 1993.

Such changes may be made regardless of the size of the resulting EFU zoning district. Such changes shall be processed in the same manner as other quasi- judicial plan or zoning map changes.

**Policy 3.4.5.** Ensure that criteria for and designation of Forest Lands are consistent with state administrative rules and statutes.

**Policy 3.4.6.** Coordinate and cooperate with the U.S. Forest Service, the Bureau of Land Management and other public agencies to promote sustainable forest uses, including recreation and biomass facilities, on public forest land, including currently adopted Forest and Land Management Plans prepared by the US Forest Service (USFS) and US Bureau of Land Management (BLM).

- a. Using the Deschutes National Forest Land and Resource Management Plan, or its successor, as the basis for mutual coordination and cooperation with the U.S. Forest Service;



- b. Using the Prineville Bureau of Land Management Upper Deschutes Resource Management Plan, or its successor, as the basis for mutual coordination and cooperation with the Bureau of Land Management.

**Policy 3.4.7.** Notify affected agencies and tribal governments when reviewing land use applications and proposals for development that could impact Federal or State forest lands.

**Policy 3.4.8.** Support economic development opportunities that promote forest health, create opportunities for local production of related forest products, and reduce the prevalence of invasive plant species that adversely affect forest health and soil quality.

**Policy 3.4.9.** Provide input on public forest plans that impact Deschutes County.

**Policy 3.4.10.** Coordinate with community stakeholders to support forest management plans and projects that are consistent with the policies of this chapter and with local community forest management and wildfire protection plans.

- a. Promote forest health and resilience to wildfire.
- b. Contribute to public safety by treating wildland hazardous fuels particularly in the designated Wildland Urban Interface as identified in the Community Wildfire Protection Plans described in Chapter 13, Natural Hazards, of this Plan.
- c. Retain fish and wildlife habitat.

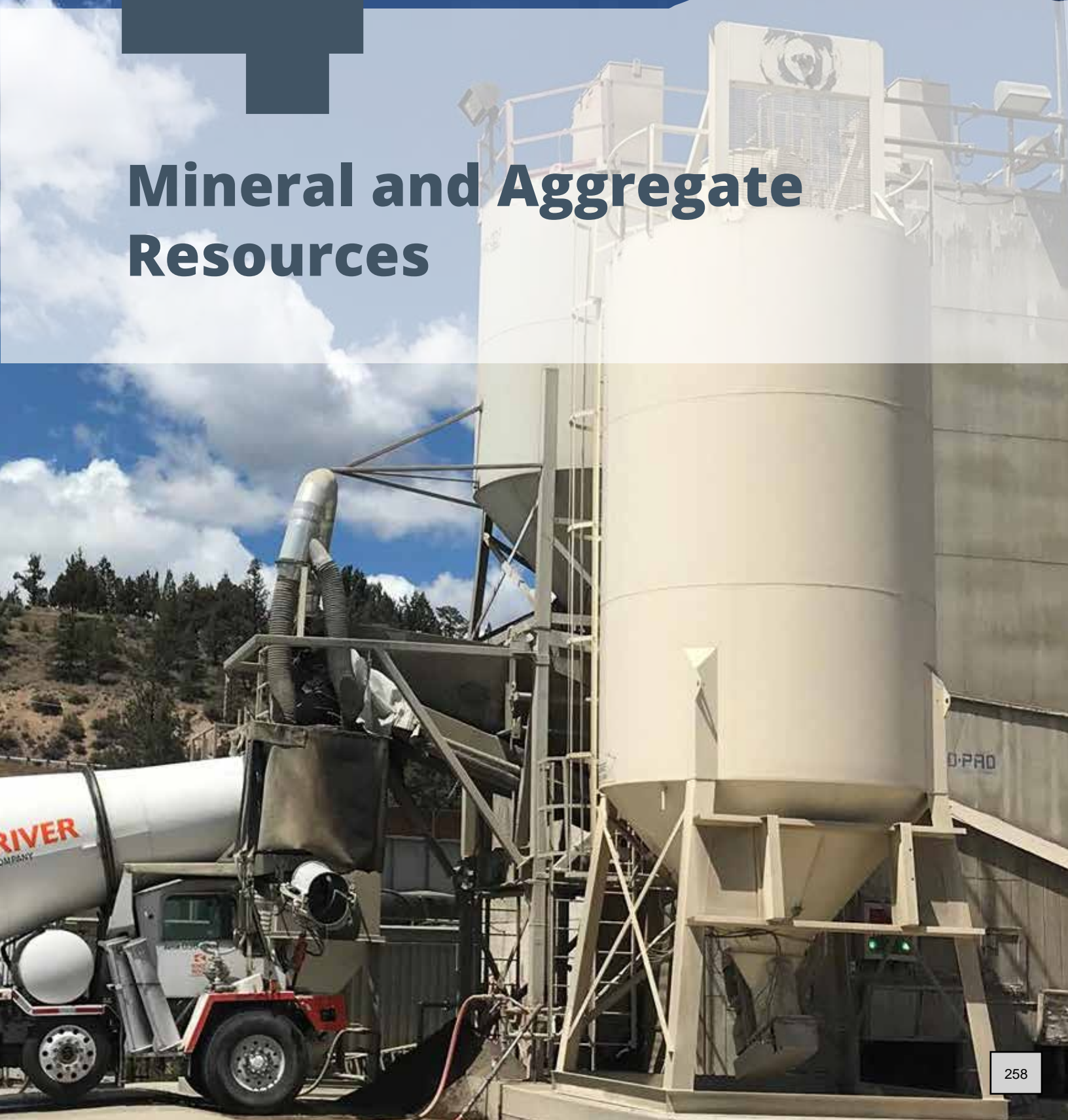
**Policy 3.4.11.** Continue to review and revise the County Code as needed to ensure development in forest zones minimizes and/or mitigates impacts on fish and wildlife habitat, forest health, and wildfire resiliency.





# 4

## Mineral and Aggregate Resources







### Opportunities, Challenges, and Considerations

Surface mining provides non-renewable resources, such as pumice, cinders, building stone, sand, gravel and crushed rock. The extraction of these materials provides employment as well as products important to local economic development. However, mining of mineral and aggregate resources creates noise, dust and traffic and potential pollution that can conflict with neighboring land uses, particularly residential uses.

The Oregon Department of Geology and Mineral Industries (DOGAMI) regulates surface mining sites in Deschutes County. The last available published analysis of mineral resources in Deschutes County was completed by DOGAMI in 1976. No updates have been completed during that time due to limited staff. A continued challenge is monitoring the availability of these resources. However, it is likely that Deschutes County has enough mineral resources to meet demand for the next 20 years.

When a mineral resource is exhausted, the site is required to submit a reclamation plan to Deschutes County and DOGAMI. This plan identifies how the site will be closed for mineral operations, environmental impacts will be mitigated, and steps to be taking to return the site to a new use. As mineral and aggregate resources are exhausted, property owners often rezone the site from the "Surface Mine" designation to a new zone (often a residential zone), to allow for new development to occur. Coordination with DOGAMI and property owners is imperative to ensure this reclamation process occurs in an efficient and environmentally focused manner.

### Context

Surface mining is protected through Statewide Planning Goal 5, Natural Resources, Scenic and Historic Areas and Open Spaces and the associated Oregon Administrative Rule (OAR) 660-023 (this rule replaced 660-016 in 1996). Mineral and aggregate resources are included on the list of Statewide Goal 5 resources that the County must inventory and protect.

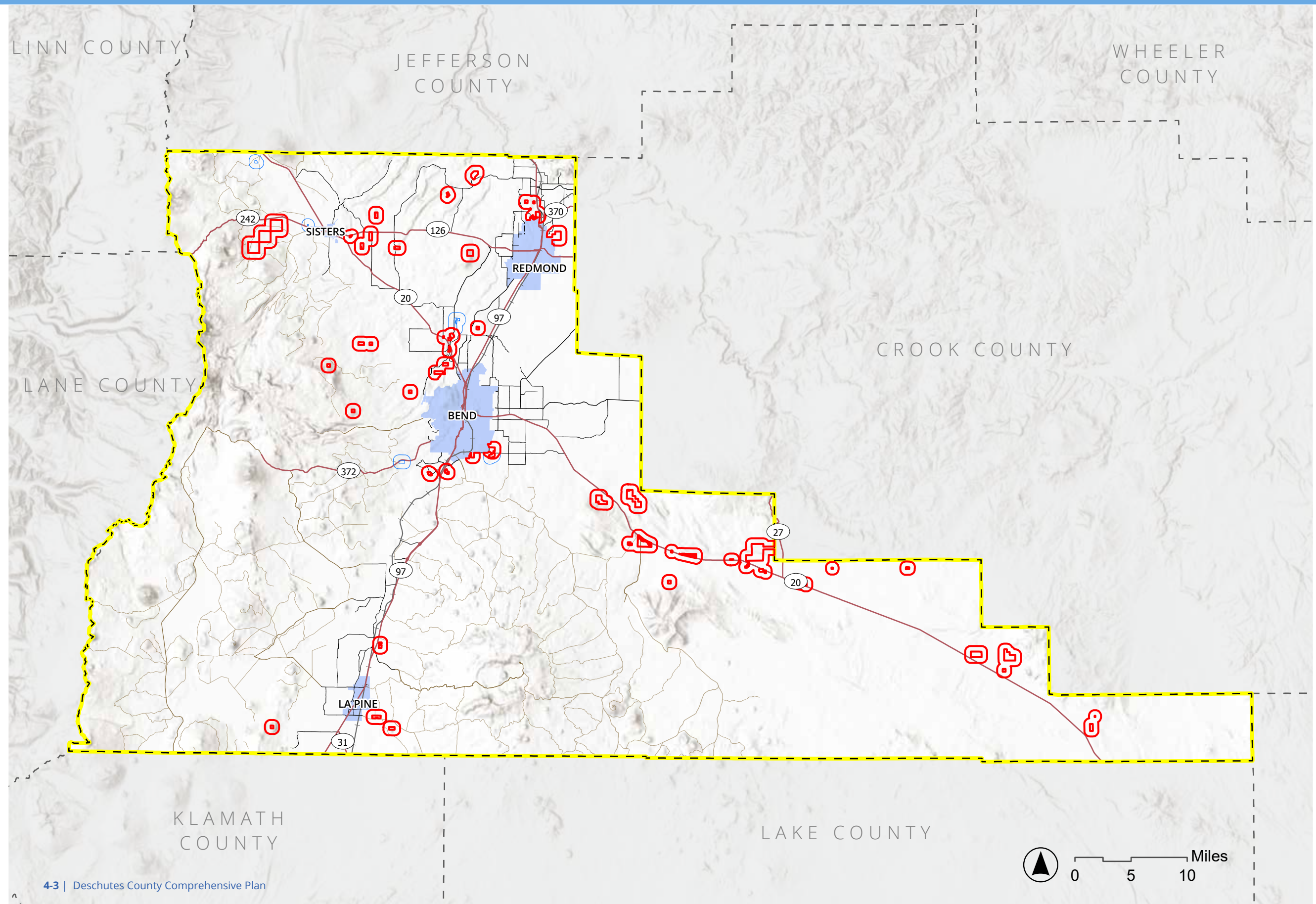
The County maintains an inventory of surface mining sites as part of its Goal 5 program, shown in Map 4-1. There are currently 59 mining sites identified in the Deschutes County GIS data, and 8 sites that have been reclaimed.

Mining sites are subject to a Surface Mining Impact Area Combining Zone that applies within ½ mile of the mining site boundary. This combining zone limits new uses and expansion of existing uses that may be impacted by mining activities and are not in compliance with the site-specific Economic, Social, Environmental, and Energy (ESEE) analysis for nearby mining sites. In certain cases, a waiver of nonremonstrance may also be required in this zone.



# SURFACE MINING

## Map 4-1



A PLAN FOR THE FUTURE

- County Boundary
- Urban Growth Boundaries

### Zoning Surface Mining Impact Area

- Surface Mining Impact Area
- Reclaimed - Surface Mining Impact Area

### Transportation

- State Routes
- Railroad
- County Lines

This map is for information purposes only. The County's official zoning and comprehensive plan maps can be accessed through the Deschutes County Dial Property Information System. Please note that these maps do not represent all of the County's combining and overlay zones.

## Key Community Considerations

Transportation agencies expressed concern regarding the impact of depleting mineral resources on road operations, including the use of cinder for winter maintenance and other resources for use in new road projects. The topic of mineral and aggregate resources was not a focus of community discussion as part of this Comprehensive Plan update, though the priorities of a diverse economy and protected natural areas for habitat and open space are interrelated with this subject. The following goals and policies represent a balance of these community interests.

## Goals and Policies

**Goal 4.1:** Protect and utilize mineral and aggregate resources while minimizing adverse impacts of extraction, processing and transporting the resource.

**Policy 4.1.1.** Implement adopted Goal 5 Surface Mining inventories.

**Policy 4.1.2.** Coordinate with the Oregon Department of Geology and Mineral Industries (DOGAMI) on mining regulations and studies.

**Policy 4.1.3.** Balance protection of mineral and aggregate resources with conflicting resources and uses.

**Policy 4.1.4.** Support the required reclamation of mining sites following mineral extraction.

### Surface Mining in 2023

59

Active Mining Sites

8

Reclaimed Sites

9,235

Acres in Surface Mining Zone

including Black Butte Ranch Surface Mine/Limited Use Zone

58,881

Acres in the Surface Mining Impact Area Combining Zone (SMIA)

Source: Deschutes County GIS information



# 5

# Natural Resources







## Opportunities, Challenges, and Considerations

Natural resources in Deschutes County are abundant. Wildlife, scenic views of forests and peaks, and open spaces to preserve habitat and native vegetation are among the County’s top assets.

Oregon Statewide Planning Goal 5 governs Natural Resources, Scenic and Historic Areas, and Open Spaces. Through this goal, the County maintains inventories and regulatory protections to preserve these many resources. These regulations are created by weighing Economic, Social, Environmental, and Energy (ESEE) consequences associated with protection of a resources.

Topics covered in this chapter include:

- Protected Wildlife Resources
- Open Space and Scenic Views
- Water Resources

### PROTECTED WILDLIFE RESOURCES

Deschutes County has some of the broadest and most robust wildlife protections in the state, covering a variety of species. The County has development protections within and surrounding numerous wildlife habitats. Some of these habitats have mapped geographic boundaries such as Deer Winter Range, Deer Migration Range, Antelope Habitat, Golden Eagle – Sensitive Bird Habitat, and Elk Habitat.

Other species are commonly found in protected riparian areas, such as wetlands and floodplains. Deschutes County contains general habitats for fish, fur-bearing animals, waterfowl, and upland game birds.

A continued challenge to wildlife resources is rural development and impacts on habitat. Mule deer are seeing steady declines, approximately 10% each year per Oregon Department of

Fish and Wildlife biologists. These declines in population are due to a variety of factors, including but not limited to loss of habitat, predation, and disease.

### SCENIC VIEWS AND OPEN SPACE

The 2010 Greenprint for Deschutes County listed protection of scenic viewsheds as one of the top five community priorities for conservation in the rural County, and the protection of open space has been one of the key topics of discussion during the most recent update of this Comprehensive Plan. The County has several designated scenic corridors, including several scenic bikeways, highways, and wild and scenic river sections.

With close to 80% of the County under public ownership, many community members enjoy access to natural resources on public lands. A perennial issue among community members is

preserving scenic views and open spaces closer to home on undeveloped private properties.

**WATER RESOURCES**

The high desert climate of Central Oregon poses many challenges with water supply and allocation.

A 2021 report by the Oregon Department of Water Resources found that groundwater levels through Deschutes County are declining, by as much as 50 feet of total decline in the central part of the basin. This decline is considered “excessively declined” per state statute and is attributed toward a shift in overall drier conditions since the late 1990s, a warming trend in the basin, and decreased snowpack. To address these issues, irrigation districts and other entities are engaged in ongoing efforts to pipe canals and modernize irrigation systems to increase their efficiency. Due to water transmission losses in irrigation canals from seepage into groundwater and evaporation, piped canals typically require only half the amount of water to be diverted from the river or stream to deliver the same volume of water to the end user compared to open canals. Community members have expressed concern that piping canals contribute to aquifer declines.

Deschutes County plays a coordination role along with the Oregon Department of Water Resources, irrigation districts, water users, and owners of private wells to address these water resource issues.

**Context**

**Protected Wildlife Resources**

Wildlife diversity is a major attraction of Deschutes County. The key to protecting wildlife is protecting the habitats each species needs for food, water, shelter, and reproduction. Also important is retaining or enhancing connectivity between habitats to protect migration routes and avoid isolated populations.

**Statewide Planning Goal 5**

Oregon land use planning protects wildlife with Statewide Planning Goal 5 and the associated Oregon Administrative Rule (OAR) 660-023. Goal 5 includes a list of resources which each local government must inventory, including wildlife habitat.

The Goal 5 process requires local governments to inventory wildlife habitat and determine which items on the inventory are significant. For sites identified as significant, an Economic, Social, Environmental and Energy (ESEE) analysis is required. The analysis leads to one of three choices: preserve the resource, allow proposed uses that conflict with the resource or strike a balance between the resource and the conflicting uses. A program must be provided to protect the resources as determined by the ESEE analysis.

**Appendix A** of the Comprehensive Plan contains the full ESEE ordinances for the County’s protected Goal 5 resources.



In considering wildlife habitat, counties rely on the expertise of the Oregon Department of Fish and Wildlife (ODFW) and U.S. Fish and Wildlife Service (USFWS). Those agencies provide information for the required wildlife inventory and recommendations on how to protect wildlife habitat on private lands.

A summary of Deschutes County's wildlife protection programs follows:

### MULE DEER

Migration corridors and winter range are essential habitats needed to support mule deer in Deschutes County. The Bend/La Pine migration corridor is approximately 56 miles long and 3 to 4 miles wide and parallels the Deschutes and Little Deschutes Rivers. The corridor is used by deer migrating from summer range in the forest along the east slope of the Cascades to the North Paulina deer winter range. Deschutes County adopted a "Deer Migration Priority Area" based on a 1999 ODFW map submitted to the South County Regional Problem Solving Group. This specific sub-area is precluded from destination resorts.

From 2021-2023, Deschutes County explored an update to the county's mule deer inventory, which included extensive community participation including through the public record. Ultimately, the decision was made not to update.

A snapshot of Deschutes County's wildlife protection program is included below. Extensive information is included in Appendix E, the County's Goal 5 inventory.

### SENSITIVE BIRDS

Nest sites for the bald eagle, osprey, golden eagle, prairie falcon, great grey owl, greater sage-grouse, and great blue heron rookeries are inventoried by the County. The area required for each nest site varies between species. The minimum area required for protection of nest sites has been identified by the ODFW in their management guidelines for protecting colony

nesting birds, osprey, eagles, and raptor nests. The USFWS works closely with ODFW on eagle-related issues and enforces federal guidelines to ensure protection of bald and golden eagles.

### ELK

The Land and Resource Management Plan for the Deschutes National Forest identifies 6 key elk habitat areas in Deschutes County. The ODFW also recognizes these areas as critical elk habitat for calving, winter or summer range. The following areas are mapped on the Big Game Habitat Area map and in the Deschutes National Forest Land and Resource Management Plan:

- Tumalo Mountain
- Kiwa
- Ryan
- Crane Prairie
- Fall River
- Clover Meadow

### ANTELOPE

The Bend and Ochoco District offices of the ODFW provided maps of the antelope range and winter range. The available information is adequate to indicate that the resource is significant. The antelope habitat is mapped on Deschutes County's Big Game Habitat-Wildlife Area Combining Zone Map.





## Scenic Views and Open Space

Deschutes County has a rich abundance of open space. Open spaces are generally undeveloped areas that are being maintained for some other purpose, such as farms, parks, forests, or wildlife habitat. Besides the value that stems from the primary use of the land, open spaces provide aesthetically pleasing undeveloped landscapes. Because these areas are undeveloped, they also provide additional benefits such as water recharge, buffers from habitat, and safety zones from natural hazards such as flooding.

Open spaces and scenic views are an important draw for visitors and are often mentioned as important to the area's quality of life. The backdrop of the Cascade Mountains, with its vast forest and sagebrush landscapes and riparian and wetland habitats, all provide an inspirational setting for visitors and residents alike. Statewide Planning Goal 5 recommends, but does not require, creating an inventory and protections for open spaces, scenic views and sites. Oregon Administrative Rule (OAR) 660-023 defines open space designations as parks, forests, wildlife preserves, nature sanctuaries, and golf courses.

Open spaces are protected through an Open Space and Conservation map designation and zoning district. Scenic view protection is implemented through the Landscape Management Combining Zone regulations.

## Water Resources

Deschutes County's Role in Water Management is described below.

### REGULATORY AGENCIES

The primary state regulator of water availability is the Oregon Water Resources Department (OWRD). The Oregon Department of Environmental Quality (DEQ) leads the monitoring and enforcement of water quality standards. The Oregon DEQ is required to comply with the Federal Environmental Protection Agency. Numerous sections of the

Deschutes River in Deschutes County hold a special status as a federal wild and scenic river, as well as a state scenic waterway. These areas carry additional regulations through the 1996 Upper Deschutes Wild and Scenic River and State Scenic Waterway Comprehensive Plan, requiring additional agency coordination with the Oregon Parks and Recreation Department and the US Forest Service on development impacting these sections.

### STATEWIDE PLANNING GOALS

There are two Statewide Planning Goals relating to the protection of water resources. Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces) requires an inventory and protection of the following water resources. In Deschutes County, these inventories have been completed and acknowledged by the Land Conservation and Development Commission (See Appendix A for Goal 5 Inventories). Goal 6 (Air, Land, and Water Resources Quality) requires comprehensive plans to be consistent with state and federal pollution regulations. Accordingly, it is imperative that local land use policies align with Federal and State laws governing the community's water resources.



The policies in this section relating to water provide the framework for evaluating land use actions and define the responsibility of the County to work in partnership with cities, agencies, non-profits and others to achieve efficient use of water resources and effective management of water quality in the Upper Deschutes Basin.

It is important to underscore that the primary water resource management process occurs outside of the state land use planning system. Oregon land use and water management are not integrated; there are no overarching administrative rules that consider statewide water management in conjunction with land use planning.

**WATER USE**

The Deschutes aquifer has a recharge rate of roughly 3 million acre feet per year. The current water usage comes to roughly 720 thousand acre feet per year. Roughly 40 to 50 thousand acre feet of that water goes toward municipal and non-agricultural use, while the remaining goes toward crop and pasture irrigation. The majority of that municipal water use goes towards outdoor watering (gardens, sports fields, etc.). As an example: the City of Bend uses 5 times as much water in the summer as in the winter.

**SNOWPACK**

Although there is expected to be a slight increase in winter precipitation by the middle of the century, snowpack is expected to decline throughout the Cascades. The decline in snowpack (which has already been observed, see figure below)<sup>1</sup> is due largely to increasing temperatures causing some precipitation to fall as rain rather than snow. This has the double effect of decreasing snowfall and melting the previously fallen snow. At the Mt Bachelor Ski Resort, April snowpack is expected to decline between 11% and 18% by the middle of the

<sup>1</sup> Adapted from Mote, P.W., Li, S., Lettenmaier, D.P. et al. Dramatic declines in snowpack in the western US. *npj Clim Atmos Sci* 1, 2 (2018). <https://doi.org/10.1038/s41612-018-0012-1>

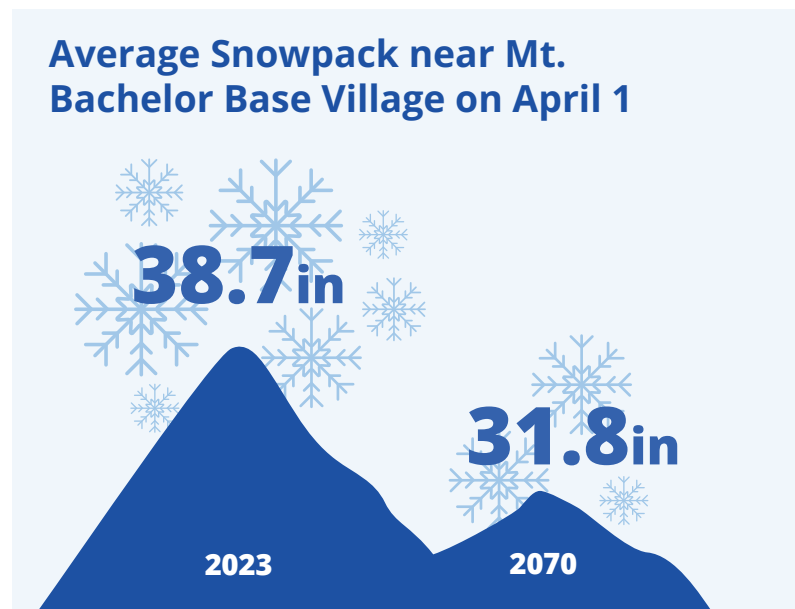
century and between 18% and 43% by the end of the century.

**LAVA SPONGE**

Deschutes county is fortunate to be underlain on the Western side by relatively young volcanic lava sponge. This sponge is highly porous and is able to absorb large quantities of water during the wet season and gradually release it via abundant springs along the eastern slope. The great advantage this provides is that the resulting summer flows into the Deschutes basin are not as dependent on overground flow of snowmelt, and therefore are expected to maintain a relatively stable water supply even as snowpack decreases into the next century.

**GROUNDWATER**

The groundwater aquifer is roughly 1000 feet thick and is replenished yearly by the Cascades’ precipitation. Recent years of “exceptional drought” have lowered the aquifer level by roughly 30 feet, resulting in a small percentage of wells running dry, and raising concerns about available groundwater for new developments. Although it is likely that some wells will need to be deepened to cope with increasing temperatures and drought frequency, there is likely to remain ample sustainable groundwater supply.



Because the groundwater in the Deschutes Basin is directly connected to the flow of the Deschutes River, all additional groundwater use must be mitigated by decreased use of groundwater elsewhere through the Oregon Water Resources Department's Deschutes Groundwater Mitigation program. This can include retiring of other water rights, or the release of water into the waterway. A mitigation permit must be obtained before a new groundwater right can be accessed.<sup>2</sup>

Generally, groundwater quality in Deschutes County is generally classified as being 'good,' providing high quality drinking water to most of its residents. However, several productive aquifers lie in shallow alluvial sediments that are vulnerable to contamination from human activities and development.

The Department of Environmental Quality (DEQ) Laboratory and Water Quality Divisions' Groundwater Quality Report for the Deschutes Basin (March 2006) identifies areas of concern for groundwater contamination based on various sources of data and groundwater quality studies. Based on collected data, development patterns and the geology of the underlying aquifer, the report makes recommendations for a couple of areas in the County. The report notes the groundwater aquifer in the Redmond area is vulnerable to contamination from human activities and recommends further study by the DEQ. The La Pine aquifer in the southern portion of the county from the Sunriver area to the Klamath County line between Newberry Caldera and the Cascades is an area of particular concern because of data collected through several studies and the high level of development in the area. The report also identifies underground injection systems that could contaminate the aquifer with pollutants from stormwater drywells or sewage drillholes.

In South Deschutes County, the concern for groundwater quality arises from nitrate

<sup>2</sup> Information from the Oregon Water Resources Board Mitigation Program.

## Deschutes Basin Hydrogeology

The Deschutes River Basin, from its headwaters to the Columbia River, encompasses 10,400 square miles of the north central part of the State. Nearly 91% of Deschutes County lies within the Deschutes Basin. The upper Deschutes River Basin is characterized by recent volcanic activity and strong and rapid groundwater flows. The geologic conditions lead to a strong connection between surface and ground water (see also Section 3.10).

Groundwater flows eastward from the Cascade Range through permeable volcanic rocks out into the basin and then generally northward. Groundwater recharge comes from precipitation in the Cascade Range, inter-basin flow and leaking irrigation canals. No long-term water-level declines attributable to groundwater pumping were found in the upper Deschutes Basin. Approximately one-half of the ground water flowing from the Cascade Range discharges to spring-fed streams along the margins of the range. The remaining groundwater flows through the subsurface, and eventually discharges to streams near the confluence of the Deschutes, Crooked, and Metolius Rivers.

The large amount of groundwater discharge in the confluence area is primarily caused by geologic factors. The Deschutes River flows north through permeable rock until it hits a region of low-permeable rock near the confluence area. There the permeable rock strata terminates, forcing water to the surface. Virtually all of the regional groundwater in the upper Deschutes Basin discharges to streams south of the area where the Deschutes River enters this low-permeability terrain, at roughly the location of Pelton Dam.

contamination associated with on-site wastewater treatment (septic) systems discharging to the shallow unconfined aquifer. The issue is small lots with highly permeable rapidly draining soils and a high groundwater table with relatively cold water temperatures. Combined with the fact that the majority of lots are served by on-site wastewater treatment systems and individual wells, concern arose that nitrates from the septic systems could contaminate local wells and the river system.

Considerable work has gone into studying the groundwater in South County. In 1999 Deschutes County and the Department of Environmental Quality (DEQ) identified the need for a better understanding of the processes that affect the movement and chemistry of nitrogen in the aquifer underlying the La Pine area. In response, the U.S. Geological Service (USGS), in cooperation with Deschutes County and DEQ, began a study to examine the hydrologic and chemical processes that affect the movement and chemical transformation of nitrogen within the aquifer. A primary objective was to provide tools for evaluating the effects of existing and future residential development on water quality and to develop strategies for managing groundwater quality.

Field research from the USGS study shows that in a 250-square-mile study area near La Pine the groundwater underlying the La Pine sub-basin is highly vulnerable and being polluted by continued reliance on traditional onsite systems. Environmental impacts from residential development include higher nitrate concentrations in groundwater that is tapped for domestic water supply and discharges to rivers. Nitrates are regulated by the federal Environmental Protection Agency and DEQ as a human health concern. Vulnerability of the shallow aquifer to contamination led to concern that wastewater from septic systems poses a threat to the primary drinking water supply and local river systems. The Upper Deschutes and

Little Deschutes Sub-basins have abundant, natural sources of phosphorus from volcanic soils and rocks so the rivers are naturally nitrogen limited. Nitrogen-limited rivers are sensitive to low concentrations of available nitrogen until some other component becomes limiting, and that may lead to ecological impacts.

In 2008 the County used the research on nitrates to adopt a 'local rule' that required South County residents to convert their septic systems over a period of 14 years to alternative sewage system technology designed to reduce nitrates. New septic systems were also required to use alternative technologies. The County created a process to assist residents in funding the conversions.

Many South County residents expressed concern over the costs involved with converting their septic systems and disputed the science behind the rule. Placed on the ballot by petition, the local rule was rescinded by voters in March 2009.

As of 2010 the DEQ is leading the effort to address nitrates in South County, with the full cooperation of the County. One solution being considered is creating a sewer system or extending Sunriver's to serve some of the nearby areas. Sewer systems are tightly restricted on rural lands by Statewide Planning Goal 11 and OAR 660-11, so the Department of Land Conservation and Development is also involved in these efforts.

## RESERVOIRS

The majority of the irrigation in Deschutes County comes from reservoirs. These reservoirs are primarily spring fed from the Cascades. Reservoirs serve the dual purpose of supplying water for irrigation and ensuring sufficient streamflow in the lower Deschutes River. Regional droughts in recent years have resulted in lower water levels in these reservoirs.



## ALGAL BLOOMS

Algal blooms have been a problem for recreational lakes in the cascade mountains in recent years. Since 2007, the Wickiup Reservoir, Crane Prairie Reservoir, and Paulina Lake have experienced algal or bacteria blooms that required a health advisory.<sup>3</sup>

Although not all algal blooms are toxic, they interfere with recreation and aesthetic enjoyment. In general, algal blooms are caused by elevated nutrients, elevated temperature, and still water. Algal blooms in other parts of the state have led to drinking water concerns, but Deschutes County cities are supplied by groundwater and so the risk in algal blooms is mainly to recreation.

## Key Community Considerations

Natural resources for recreation, passive enjoyment, habitat protection, and economic production are a fundamental part of life in Deschutes County, and as such were a key part of the community conversation in this Comprehensive Plan update. Highlights of this conversation include:

- Concern about the ability of the County's water supply to accommodate more residents, visitors, and water-intensive jobs in the future
- Interest in a re-evaluation of water rights for urban, agricultural, and "hobby farm" uses.
- A robust discussion around wildlife inventories, habitat conservation, open space regulations, and impacts on private property owners.

The topic of habitat conservation and water availability came up frequently, with most participants saying that further protections are needed. However, there was also recognition of the burden these protections may put on property owners. Deschutes County does not have the authority or expertise to reevaluate water rights as part of its land use planning efforts, leading the County to instead work with the Oregon Department of Water Resources, irrigation districts, and holders of water rights to increase the efficiency of water distribution throughout the community.



<sup>3</sup> <https://www.oregon.gov/oha/PH/HEALTHYENVIRONMENTS/RECREATION/HARMFULALGAE/BLIOMS/Pages/archive.aspx>



## Goals and Policies

### Water Goals and Policies

**Goal 5.1:** Support regional, comprehensive water management solutions that balance the diverse needs of water users and recognize Oregon water law.

**Policy 5.1.1.** Participate in Statewide and regional water planning including, but not limited to:

- a. Work cooperatively with appropriate federal, state, tribal and local agency resource managers, such as The Confederated Tribes of the Warm Springs Reservation of Oregon, the Oregon Water Resources Department (OWRD), irrigation districts, and other stakeholders and nonprofit water organizations, such as the Deschutes Basin Water Collaborative, the County Soil and Water Conservation District;
- b. Support the development and implementation of Upper Deschutes Basin Study, Habitat Conservation Plan, and Biological Opinion from National Marine Fisheries Service for the middle and lower Deschutes Rivers.

**Policy 5.1.2.** Support grants for water system infrastructure improvements, upgrades, or expansions.

**Policy 5.1.3.** Develop better understanding of The Confederated Tribes of the Warm Springs Reservation of Oregon's treaty-protected rights to co-manage the water resources of the Deschutes Basin.

**Policy 5.1.4.** Encourage state agencies to identify local areas of concern for water availability and explore additional regulations or requirements to ensure water capacity is not negatively impacted by development.

**Goal 5.2:** Increase water conservation efforts.

**Policy 5.2.1.** Support efficient water use through targeted conservation, educational and, as needed, regulatory or incentive programs.

- a. Encourage new development incorporates efficient water use practices for all water uses.
- b. Encourage the reuse of grey water for landscaping.
- c. Encourage and educate the community about the relative impacts of thinning or reduction of plant species that adversely impact forest health, water availability, and soil quality.
- d. Encourage and educate the community about on-farm efficiency measures, including upgrades to equipment.
- e. Encourage and educate the community about use of voluntary metering of water use to monitor seasonal impacts on water use.
- f. Provide access to educational materials and tools related to water conservation including publications, information about grant opportunities, and/or partner with organizations on educational events.
- g. Encourage and educate community members on stewardship of wetlands and waterways.
- h. Provide access to educational materials about water-wise gardening and xeriscaping.

**Policy 5.2.2.** Promote coordinated regional water conservation efforts and implementation by regional, tribal, and local organizations and agencies, including increasing public awareness of and implementing water conservation tools, incentives, and best practices.

**Policy 5.2.3.** Support conservation efforts by irrigation districts, property owners and other water users, including programs to provide incentives for water conservation, such as piping of canals and laterals, water banking, exchanges of water rights, voluntary transfers of in-stream flows, onsite efficiency measures, and other means.

**Goal 5.3:** Maintain and enhance a healthy ecosystem in the Deschutes River Basin.

**Policy 5.3.1.** Notify the Oregon Department of State Lands, The Confederated Tribes of the Warm Springs Reservation of Oregon, and other state and federal agencies as appropriate of any development applications for land within a wetland identified on the statewide wetland inventory maps.

**Policy 5.3.2.** Work with The Confederated Tribes of Warm Springs Reservation of Oregon and other federal, state, and local agency resource managers to restore, maintain and/or enhance healthy river and riparian ecosystems and wetlands, including the following:

- a. Cooperate to improve surface waters, especially those designated water quality impaired under the federal Clean Water Act;
- b. Support research on methods to restore, maintain and enhance river and riparian ecosystems and wetlands;
- c. Support restoration efforts for river and riparian ecosystems and wetlands;
- d. Inventory and consider protections for cold water springs;
- e. Evaluate waterways in coordination with OPRD for possible designation under the Scenic Waterways program;

- f. In collaboration with appropriate federal, state, tribal and local agency resource managers stakeholders, map channel migration zones and identify effective protections;
- g. Develop comprehensive riparian management or mitigation practices that enhance ecosystems, such as criteria for removal of vegetation that adversely impacts water availability and soil health.

**Policy 5.3.3.** Support studies of the Deschutes River ecosystem and incorporate strategies from current watershed studies that provide new scientific information and indigenous knowledge about the Deschutes River ecosystem.

**Policy 5.3.4.** Support educational efforts and identify areas where the County could provide information on the Deschutes River ecosystem, including rivers, riparian areas, floodplains and wetlands.

- a. Support efforts to educate property owners to understand regulations pertaining to rivers, riparian areas, floodplains and wetlands.

**Policy 5.3.5.** Revisit recommendations of 1996 Upper Deschutes Wild and Scenic River and State Scenic Waterway Comprehensive Plan, or its successor, and consider implementation of voluntary recommendations into the county code

**Goal 5.4:** Maintain and enhance fish and riparian-dependent wildlife habitat.

**Policy 5.4.1.** Coordinate with The Confederated Tribes of Warm Springs Reservation of Oregon and other federal, state, and local agency resource managers and stakeholders to protect and enhance fish and wildlife habitat in river and riparian habitats and wetlands.

**Policy 5.4.2.** Promote healthy fish populations through incentives and education.

**Policy 5.4.3.** Support healthy native salmonid fish populations through coordination with stakeholders, including, but not limited to, The Confederated Tribes of the Warm Springs Reservation of Oregon and other federal, state, and local agency resource managers who provide fish habitat management and restoration.

- a. Review, and apply where appropriate, strategies for protecting fish and fish habitat for native salmonid species.
- b. Promote native salmonid species recovery through voluntary incentives and encouraging appropriate species management and associated habitat conservation and restoration.

**Policy 5.4.4.** Update and implement policies to support federally approved Habitat Conservation Plans for species listed under the Endangered Species Act

- a. Spawning and rearing areas for salmonid species should be considered significant habitat and should be protected in rivers and streams.
- b. Cooperate with covered parties in restoring or enhancing spawning and rearing areas for salmonid species, where feasible.
- c. Support efforts to address riparian restoration associated with streamflow management under approved plans.

**Policy 5.4.5.** Use a combination of incentives and/or regulations to avoid, minimize, and mitigate development impacts on river and riparian ecosystems and wetlands.

**Policy 5.4.6.** Support plans, cooperative agreements, education, water quality monitoring and other tools that protect watersheds, reduce erosion and runoff, enhance riparian vegetation, and protect other natural or engineered water systems/ processes that filter and/or clean water and improve and/or and preserve water quality.

**Policy 5.4.7.** Coordinate with the Oregon Department of Environmental Quality and other stakeholders on regional water quality maintenance and improvement efforts such as identifying and abating point (single-source) and non-point (unidentified or multiple-source) pollution or developing and implementing Total Maximum Daily Load and Water Quality Management Plans.

**Policy 5.4.8.** Coordinate with The Confederated Tribes of Warm Springs Reservation of Oregon and other federal, state, and local agency resource managers to address water-related public health issues.

- a. Support amendments to State regulations to permit centralized sewer systems in areas with high levels of existing or potential development or identified water quality concerns.
- b. If a public health hazard is declared in rural Deschutes County, expedite actions such as legislative amendments allowing sewers or similar infrastructure.

**Policy 5.4.9.** Continue to evaluate and/or implement regulations, such as a wellhead protection ordinance for public water systems, in accordance with applicable Federal and/or State requirements.

**Policy 5.4.10.** Coordinate and work with the Oregon Department of Agriculture, agricultural uses, and available voluntary programs to support and implement proven new technologies and best practices to maintain and enhance water quality,

such as minimizing nitrate contamination, maintaining streamside vegetation, reducing streambank soil erosion and runoff, reducing fish passage barriers, managing return flows, limiting livestock access to riparian areas, and minimizing weeds and bare patches in grazing areas.

**Policy 5.4.11.** Support regulations, education programs, and cleaning procedures at public and private boat landings.

**Goal 5.5:** Coordinate land use and water policies to address management and allocation of water in Deschutes County.

**Policy 5.5.1.** Coordinate with other affected agencies when a land use or development application may impact rivers or riparian ecosystems or wetlands.

**Policy 5.5.2.** Regulate land use patterns and promote best practices to preserve the integrity of the natural hydrologic system, recognize the relationship between ground and surface water, recognize basin-wide impacts, and address water impacts of new land uses and developments, including water-intensive uses.

**Policy 5.5.3.** Support OWRD’s efforts to update and modernize Oregon’s groundwater allocation rules and policies to protect existing surface water and groundwater users and to maintain sustainable groundwater resources.

**Policy 5.5.4.** Support efforts by the OWRD in collaboration with Central Oregon Cities Organization, The Confederated Tribes of the Warm Springs Reservation of Oregon, and non-governmental organizations to revisit the Deschutes Basin Groundwater Mitigation Program.

**Policy 5.5.5.** Coordinate with the irrigation districts to ensure irrigated land partitions and lot line adjustments are not approved without notice to the affected district.

**Policy 5.5.6.** Utilize Central Oregon Stormwater Manual to apply appropriate stormwater management practices land use decisions.

**Policy 5.5.7.** Allow for development of wastewater facilities and improvements where needed or required to address water quality issues and maintain water quality, consistent with state and local wastewater system requirements.

### Open Space and Scenic Views Goals & Policies

**Goal 5.6:** Coordinate with property owners to protect open spaces, scenic views, and scenic areas and corridors through a combination of incentives and/or educational programs.

**Policy 5.6.1.** Work with stakeholders to create and maintain a system of connected open spaces while balancing private property rights with community benefits.

**Policy 5.6.2.** Work to maintain the visual character and rural appearance of open spaces such as the area along Highway 97 that separates the communities of Bend and Redmond or lands that are visually prominent.

**Policy 5.6.3.** Work to maintain and protect the visual character and rural appearance of visually prominent open spaces within the County, particularly those that are identified in the Goal 5 inventory.

**Policy 5.6.4.** Seek to protect the cultural identity of rural communities, such as the Highway 97 area/corridor between Bend and Redmond, and others.

**Policy 5.6.5.** Protect significant open spaces, scenic views, and scenic sites by encouraging new development to be sensitive to these resources.

**Policy 5.6.6.** Incentivize the placement of structures in a way that is sensitive of view corridors to maintain the visual character of the area.

### Wildlife Goals and Policies

**Goal 5.7:** Maintain and enhance a diversity of wildlife and habitats.

**Policy 5.7.1.** Promote stewardship of wildlife habitats through incentives, public education, and development regulations.

**Policy 5.7.2.** Ensure Goal 5 wildlife inventories and habitat protection programs are up-to-date through public processes, expert sources, and current or recently adopted plans and studies.

**Policy 5.7.3.** Provide incentives for new development to be compatible with and to enhance wildlife habitat.

**Policy 5.7.4.** Require, incentivize, or encourage clustering of development in inventoried wildlife areas to reduce impacts to wildlife populations.

**Policy 5.7.5.** Develop better understanding of The Confederated Tribes of the Warm Springs Reservation of Oregon’s treaty-protected rights to co-manage the wildlife resources of the Deschutes Basin.

**Goal 5.8:** Balance protection of wildlife and habitat with the economic and recreational benefits of wildlife and habitat.

**Policy 5.8.1.** Encourage responsible and sustainable wildlife related tourism and recreation.

**Policy 5.8.2.** Coordinate with stakeholders to ensure access to appropriate recreational opportunities within significant wildlife and riparian habitat through public or non-profit ownership.

**Policy 5.8.3.** Coordinate with Confederated Tribes of the Warm Springs Reservation of Oregon and State agencies to develop strategies to support sound wildlife management science and principals for the benefit of the wildlife resource.

**Goal 5.9:** Comply with federal and state regulations related to sensitive, threatened, and endangered species, including the Endangered Species Act, the Bald and Golden Eagle Protection Act, the Migratory Bird Treaty Act, and others as applicable.

**Policy 5.9.1.** Coordinate with Federal and State agencies to develop strategies to protect Federal or State Threatened or Endangered Species, or Species of Concern.

**Policy 5.9.2.** Mitigate conflicts between large-scale development and sage grouse habitat.

**Policy 5.9.3.** Consider adopting recommendations from Oregon Department of Fish and Wildlife, the Confederated Tribes of the Warm Springs Reservation of Oregon, and the Deschutes River Mitigation and Enhancement Program in dock construction.

### Environmental Quality Goals and Policies

**Goal 5.10:** Maintain and improve upon the quality of air and land in Deschutes County.

**Policy 5.10.1.** Use building techniques, materials, and technologies in existing and future County operations and capital facilities that help maintain and improve environmental quality.



**Policy 5.10.2.** Implement a dark skies educational and or incentive program and periodically update the Dark Skies ordinance to reduce the impacts of light pollution and reduce lighting impacts on adjacent properties.

**Policy 5.10.3.** Coordinate with agency partners to educate residents about controlled burning projects and air quality concerns.

**Policy 5.10.4.** Use public education, education for County departments, and regulations to control noxious weeds and invasive species.

**Goal 5.11:** Promote sustainable building practices that minimize the impacts of development on the natural environment.

**Policy 5.11.1.** Use the County Code and educational materials to promote the use of resource-efficient building and landscaping techniques, materials, and technologies that minimize impacts to environmental quality.

**Policy 5.11.2.** Encourage and support reuse and recycling of consumer goods, green waste, construction waste, hazardous waste, and e-waste through education and enhanced recycling opportunities through the Recycling Program.

**Policy 5.11.3.** Support the process for siting new County solid waste management facilities in rural Deschutes County, consistent with facility needs and County standards for the location and approval of such facilities.

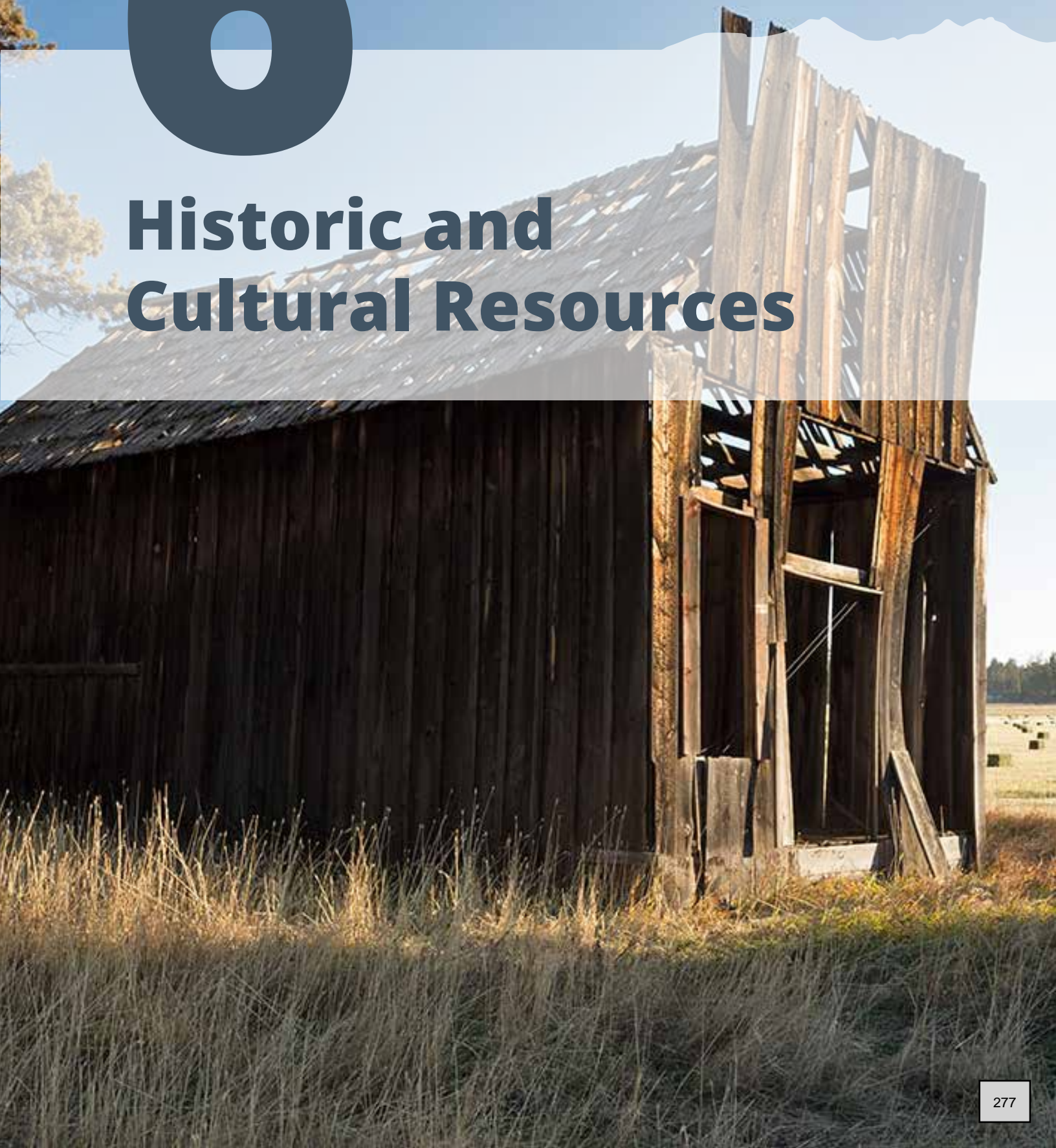
**Policy 5.11.4.** Implement best practices in solid waste management throughout the County.

**Policy 5.11.5.** Develop and implement a Climate Action Plan to address the potential future impacts of climate change on Deschutes County through incentives and/or regulations.

**Policy 5.11.6.** Promote and incentivize green infrastructure in new development to improve stormwater management.

# 6

## Historic and Cultural Resources





## Opportunities, Challenges, and Considerations

Deschutes County is a certified local government (CLG), as designated by the State of Oregon Historic Preservation Office. This certification recognizes the County's commitment to implementing and maintaining a formal historic resources program. Deschutes County has 13 nationally registered historic and cultural sites and 35 locally significant historic sites. The County currently administers grant programs and zoning requirements to preserve and restore these sites. Deschutes County owns the National Register listed Reid School and invests in supporting the Deschutes County Historical Society as a research and educational facility through a zero-cost lease and maintenance support for the purposes of running the museum and research center.

Historic resources are recognized by Statewide Planning Goal 5, Natural Resources, Scenic Views and Historic Areas and Open Spaces, and Oregon Administrative Rule (OAR) 660-023. The Statewide Goal and OAR recommend cities and counties inventory and protect historic and cultural sites. Recognizing the value and importance of having a connection to our past, Deschutes County chose to implement and maintain a historic preservation program and Historic Preservation Strategic Plan (Adopted 2022).

The 2022 Historic Preservation Strategic Plan identified three overarching goals to guide historic and cultural resource preservation in Deschutes County: collaborate, coordinate, and educate. The plan identifies opportunities to strengthen relationships between historic preservation and community partners, and to involve community members in historical and cultural preservation efforts. Improving access to historic resource information and providing content in an easily accessible format will be paramount to preservation efforts and increase

community appreciation for resources. Along with improved educational resources, more outreach and education opportunities could be explored. Deschutes County has several partners involved in drafting and implementing this strategic plan – those partners include the Deschutes County Historical Society, High Desert Museum, Archaeological Society of Central Oregon, Three Sisters Historical Society, and Redmond Historical Society.





## Context

Deschutes County has several notable historical and cultural sites. These sites receive special protections to avoid land use or development activity that may disturb the historical and cultural resources existing on site.

### LOCALLY SIGNIFICANT HISTORIC SITES

Deschutes County has 35 locally significant sites including cemeteries, ranches, dams, bridges, schools, and granges among numerous historic homesteads and homesites. The State of Oregon has initiated a process to identify culturally significant archaeological sites and sites of indigenous importance. This process will likely be incorporated into the County's local inventory by 2029.

### NATIONALLY REGISTERED SITES

Deschutes County has 13 sites that have completed the national register process, including highways, bridges, lodges, and rock gardens.

## Key Community Considerations

As part of the 2023 Comprehensive Plan update, community members shared their vision for the protection of historic and cultural resources.

Comments included:

- The importance of county-wide coordination on cultural and historic, as well as increased representation of the indigenous history of Central Oregon.
- Acknowledging previous landowners and preserving the County's historical and cultural resources are both important.
- A county-wide historic and cultural resource signage program was also suggested.
- The community shared an interest in capitalizing on the High Desert Museum to continue to support indigenous culture and Central Oregon's history.

## Goals and Policies

**Goal 6.1:** Promote the preservation of designated historic and cultural resources through education, incentives, and voluntary programs.

**Policy 6.1.1.** The Historic Landmarks Commission shall take the lead in promoting historic and cultural resource preservation as defined in DCC 2.28.

- a. Support incentives from the State Historic Preservation Office (SHPO), The Confederated Tribes of the Warm Springs Reservation of Oregon Tribal Historic Preservation Office (THPO), or other agencies for private landowners to protect and restore historic resources.
- b. Support the Historic Landmarks Commission to promote educational programs to inform the public of the values of historic preservation.
- c. Support improved training for the Historic Landmarks Commission.
- d. Support the goals, objectives, and actions of the Historic Preservation Strategic Plan.

**Policy 6.1.2.** Coordinate cultural and historic preservation with the Oregon State Historic Preservation Office and The Confederated Tribes of the Warm Springs Reservation of Oregon Tribal Historic Preservation Office.

- a. Maintain Deschutes County as a Certified Local Government, which includes the City of Sisters.

**Policy 6.1.3.** Encourage private property owners to coordinate with the State Historic Preservation Office and The Confederated Tribes of the Warm Springs Reservation of Oregon Tribal Historic Preservation Office. Coordinate with The Confederated Tribes of the Warm Springs Reservation of Oregon, Burns-Paiute Tribe, Klamath Tribes, Archaeological Society of Central Oregon, and SHPO to adopt a program to identify and protect archaeological and cultural resources, as appropriate, and prevent conflicting uses from disrupting the value of known sites.



# 7

# Natural Hazards





### Opportunities, Challenges, and Considerations

Central Oregon is a dynamic region formed and shaped by the powerful forces of nature. Deschutes County residents and visitors rely on the County and its partners to plan for hazardous events and limit harm to people and property.

Continued rapid population growth, development in wildfire-prone areas, and an increased frequency of natural hazard events make planning for and mitigating risks ever more important. As temperatures rise globally, Central Oregon will face challenges due to drought, wildfire, heat events, and storms. The impacts a major Cascadia Subduction Zone earthquake would have on Deschutes County would be substantial as well.

In order to plan for and address natural hazards, Deschutes County has partnered with local jurisdictions to create its Natural Hazards Mitigation Plan (NHMP). Additional opportunities exist to create greater defensible spaces, encourage fire hardening, utilize grant programs, and pursue education measures to reduce these impacts over time.

According to the NHMP, the hazards with greatest risk in Deschutes County are:

- **Winter Storm.** Destructive storms producing heavy snow, ice and cold temperatures occurred throughout the County's history. Increases in population and tourism make potential impacts to shelter, access to medical services, transportation, utilities, fuel sources, and telecommunication systems more acute. The relative frequency of these events combined with their widespread impacts make winter storms the highest-ranked hazard in the NHMP.

- **Wildfire.** Historically, wildland fires have shaped the forests and wildlands valued by residents and visitors. These landscapes, however, are now significantly altered due to increased rural development, warmer and dried conditions, and a general lack of large-scale treatments due to outdated forest management practices, resulting in increased event of wildfires that burn more intensely than in the past.

Statewide Planning Goal 7 requires local comprehensive plans to address Oregon's natural hazards. Protecting people and property from natural hazards requires knowledge, planning, coordination, and education. Good planning does not put buildings or people in harm's way. Planning, especially for the location of essential services like schools, hospitals, fire and police stations, is done with sensitivity to the potential impact of nearby hazards.

- **Windstorm.** A windstorm is generally a short duration event involving straight-line winds and/or gusts in excess of 50 mph. Although windstorms can affect the entirety of Deschutes County, they are especially dangerous in developed areas with significant tree stands and major infrastructure, especially above ground utility lines.
- **Drought.** Periods of drought can have significant impacts on public health, agriculture, and industry. Many counties in eastern Oregon are experiencing more frequent and severe droughts than is historically the norm, and many climate predictions see this trend continuing into the future.
- **Earthquake.** The Pacific Northwest is located at a convergent plate boundary, called the Cascadia Subduction Zone, where the Juan de Fuca and North American tectonic plates meet. This fault line is subject to rare but potentially very large

earthquakes. Such an event would impact Deschutes County communities both directly through damage to infrastructure and property, as well as economically and socially as the broader region recovers from the disaster.

## Context

Informed by an understanding of natural hazards, Deschutes County can reduce the risks to property, environmental quality, and human safety through land use planning and review of specific development proposals. The County's policies provide the framework for the County's natural hazards review program. This includes: identification of areas subject to natural hazards, regulations for evaluating land use actions for how they may result in exposure to potential harm from natural hazards, and programmatic elements including partnerships and funding opportunities to support natural hazard risk reduction.

Deschutes County has taken on a number of proactive projects, including:

- 2021 Natural Hazards Mitigation Plan (NHMP)
- 2019 Wildfire Mitigation Advisory Committee
- Project Wildfire, a County-led wildfire education and mitigation program has been in operation since 2012 and has been very successful in changing attitudes towards wildfire and prevention.
- Community Wildfire Protection Plans (CWPP) for many communities, including:
  - » Greater Bend CWPP (2016, expected revision 2021)
  - » Greater La Pine CWPP (2020, expected revision 2025)
  - » Greater Redmond CWPP (2018, expected revision 2023)
  - » Greater Sisters Country CWPP (2019, expected revision 2024)





- » Sunriver CWPP (2020, expected revision 2025)
- » East and West Deschutes County CWPP (2018, expected revision 2023)
- » Upper Deschutes River Coalition CWPP (2018, expected revision 2023)

In addition, dozens of neighborhoods are pursuing or have received FireWise certification through the National Fire Protection Association. The County also supports the Heart of Oregon and Youth Conservation Corps crews in fuels reduction work and other mitigation efforts, with financial assistance from other entities.

## Wildfire

According to the Natural Hazards Mitigation Plan, wildfire is the second most significant hazard to the county (after winter storms) and was the most discussed natural hazard discussed during outreach events. Throughout the 20<sup>th</sup> century, the years with warm and dry conditions corresponded with larger fires that have burned greater areas. Overall increases in heat will also lengthen growing seasons - building greater fuel loads and decreasing soil and fuel moisture, thereby increasing the likelihood of larger fires. By mid-century, the annual potential for very

large fires is projected to increase by at least 350% over the 20<sup>th</sup> century average.<sup>1</sup>

The annual frequency of very high and extreme fire danger days is expected to increase by 10-15 additional days per year by mid-century<sup>4</sup> (up from 36 currently). These trends are due to exacerbated conditions with a combination of high air temperatures and very low fuel moisture, which increases the likelihood of fire starts that can spread. As Deschutes County communities have experienced, increased fire activity - even at quite a distance - will impact air quality, increasing public health risks and impacting aspects of everyday life.

Research indicates that in regions where fire has moved through the landscape with increased severity, regrowth is changing the species composition of the forests, which are likely to be more resilient to future fires.<sup>2</sup> Other compounding factors, like drought and pest outbreaks, will continue to build fuel loads in the forests and change the forest's composition. Post-fire landscapes in Deschutes County will likely see increases in the prevalence of invasive and pioneer tree species, and a reduction in fire-susceptible species such as western hemlock, subalpine fir, and some spruce. Fire resistant species like mature Douglas fir and western larch will have greater survival capacity to fire,<sup>3</sup> but perhaps not to other stressors. Larger fires that occur over shorter intervals will negatively impact seed dispersion capacity, and reduced moisture available in ponderosa forest regions will be vulnerable to reforestation failures, leading to conversion to other ecosystem types. In the mountain forests, the average yearly area burned is expected to nearly double by mid-century, while the area burned in the grass/shrub plateau areas is likely to decrease slightly by mid-century. This is partly due to extended

<sup>1</sup> Halofsky, J. Peterson, D, Harvey, B. "Changing Wildfire, changing forests: the effects of climate change on fire regimes and vegetation in the Pacific Northwest, USA. Fire Ecology. 2020.

<sup>2</sup> Sebastian U. Busby, Kevan B. Moffett, Andrés Holz. High severity and short interval wildfires limit forest recovery in the Central Cascade Range. Ecosphere, 2020; 11 (9) DOI: 10.1002/ecs2.3247

<sup>3</sup> 6 Halofsky et al. 2020.



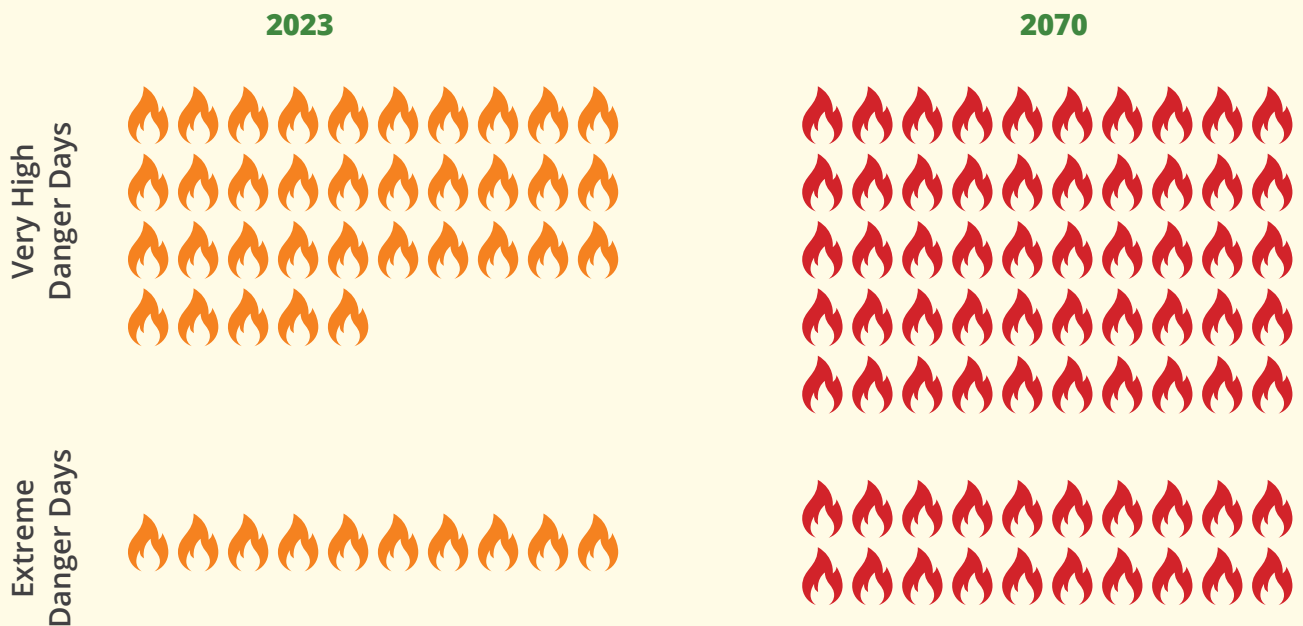
drought decreasing plant growth and therefore available fuel. The risk of unusually severe fires is expected to increase across large swaths of Oregon, including Deschutes County.<sup>4</sup>

**WILDFIRE AND HEAT**

By the middle of this century, increasing temperatures are expected to drive increasing wildfire risk, especially in the Cascades. The yearly percentage of area burned is likely to increase in the mountains and the interval of return (years between fires) is expected to decrease across the county. Both the highest and lowest summer temperatures will increase, leading to more extreme heat days and reducing the historical nighttime cooling effect of the high desert.

Under all change projections, there will be an increase in the number of days with a heat index above both 90° and 100°F by mid-century.<sup>8</sup> By 2100, Deschutes County can expect summer maximum temperatures to be 12°F hotter than current highs. Overall, extreme heat is not considered a human health risk in Deschutes County because of low night temperatures and the low humidity in the region. However, the Redmond airport, which sees the hottest temperatures in the county, will likely start to see occasional temperatures above 105° every few years by mid-century, and at least once a year by 2100. In addition, summer night lows are likely to increase by up to 5° degrees by mid-century, reducing the cooling effect of the high desert climate.

**Fire Danger near Mt. Bachelor Village**



4 Oregon Forest Resources Institute Fact Sheet



## Key Community Considerations

Community conversations related to natural hazards have centered around the following topics:

- **Impacts of Climate Change.** Throughout the community engagement process, community members spoke to the importance of recognizing and addressing the impacts of climate change in Deschutes County and its relationship with natural hazard events.
- **Education and Communication.** Providing information about potential risks to residents and visitors can help the community as a whole be more prepared for natural hazards.
- **Development Code Regulations and Incentives.** Some community members expressed a desire for stricter regulations and additional incentives about “fire-wise” construction and defensible space practices.
- **Limiting Development in hazard-prone areas.** Increased development in remote areas of the County, where life-saving services may be scarce and human impacts may exacerbate risks, was a concern for some.

## Vulnerable Populations

The socio-demographic qualities of the community population such as language, race and ethnicity, age, income, and educational attainment are significant factors that can influence the community's ability to cope, adapt to and recover from natural disasters. A disproportionate burden is placed upon special needs groups, particularly children, the elderly, the disabled, minorities, and low-income persons. Population vulnerabilities can be reduced or eliminated with proper outreach and community mitigation planning. For planning purposes, it is essential that Deschutes County and the cities of Bend, La Pine, Redmond, and Sisters consider both immediate and long-term socio-demographic implications of hazard resilience.



## Goals and Policies

**Goal 7.1:** Develop policies, partnerships, and programs to increase resilience and response capacity in order to protect people, property, infrastructure, the economy, natural resources, and the environment from natural hazards.

**Policy 7.1.1.** Partner with county, state, and regional partners to regularly update and implement the Deschutes County Natural Hazards Mitigation Plan.

**Policy 7.1.2.** Collaborate with federal, state, and local partners to maintain updated mapping of high wildfire risk areas, floodplains, and other natural hazard areas within the county.

**Policy 7.1.3.** Communicate and cooperate with federal, state, and local entities to clarify responsibilities regarding wildfire mitigation and suppression to improve fire protection services.

**Policy 7.1.4.** Use the development code to provide incentives and regulations to manage development in areas prone to natural hazards.

**Policy 7.1.5.** Work with agency partners to address and respond to increased episodes of poor air quality resulting from wildfires in the region.

**Policy 7.1.6.** Protect wildlife with wildland fire mitigation measures on private lands.

**Policy 7.1.7.** Address wildfire risk, particularly in the wildland urban interface.

**Policy 7.1.8.** Identify all areas not protected by structural fire protection agencies and promote discussions to address fire protection in unprotected lands in the County.

**Policy 7.1.9.** Support forest management practices that reduce wildfire risk.

**Policy 7.1.10.** Support local fire protection districts and departments in providing and improving fire protection services.

**Policy 7.1.11.** Continue to review and revise County Code as needed to:

- a. Ensure that land use activities do not aggravate, accelerate or increase the level of risk from natural hazards.
- b. Require development proposals to include an impact evaluation that reviews the ability of the affected fire agency to maintain an appropriate level of service to existing development and the proposed development.
- c. Minimize erosion from development and ensure disturbed or exposed areas are promptly restored to a stable, natural and/or vegetated condition using natural materials or native plants.
- d. Ensure drainage from development or alterations to historic drainage patterns do not increase erosion on-site or on adjacent properties.
- e. Reduce problems associated with administration of the Floodplain Zone.
- f. Require new subdivisions and destination resorts to achieve FireWise Standards or other currently accepted fire mitigation standards from the beginning of the projects and maintain those standards in perpetuity.

**Goal 7.2:** Ensure the County's built environment and infrastructure are adequately prepared for natural disasters.

**Policy 7.2.1.** Increase the quality, resiliency, diversity, and redundancy of utility and transportation infrastructure to increase chances of continued service following a natural disaster.

**Policy 7.2.2.** Prohibit the development of new essential public facilities and uses that serve vulnerable populations from being located within areas at high risk of flooding and wildfire, and aim to relocate existing uses in these areas.

**Policy 7.2.3.** Support siting of Central Oregon Ready, Responsive, Resilient (CORE3) regional coordinated emergency services training facility.

**Policy 7.2.4.** Coordinate with emergency service providers when new development is proposed to ensure that response capacity can meet the needs of the new development.

**Policy 7.2.5.** Require new development to follow home hardening, defensible space, and other resilient design strategies in areas prone to wildfires and other natural hazards.

**Policy 7.2.6.** Encourage and incentivize development that exceeds minimum building code standards and promote retrofitting of existing development for better natural disaster resiliency.

**Policy 7.2.7.** Require development to be designed to minimize alteration of the natural landform in areas subject to slope instability, drainage issues or erosion.

**Policy 7.2.8.** Regulate development in designated floodplains identified on the Deschutes County Zoning Map based on Federal Emergency Management Act regulations.

- a. Continue evaluation of participation in and implementation of the Community Rating System as part of the National Flood Insurance Program.
- b. Cooperate with other stakeholders to identify alternatives for acquiring and/or relocating existing structures prone to flooding.

- c. Continue to coordinate with stakeholders and agency staff to correct mapping errors.

**Goal 7.3:** Develop programs that inform the public about the increased risks from natural hazards.

**Policy 7.3.1.** Identify high risk, high need populations and ensure equitable access to emergency preparedness and recovery services.

**Policy 7.3.2.** Increase outreach and education for hazard awareness and natural disaster preparedness, especially for low-income, elderly, non-English speaking, and other vulnerable populations.

**Policy 7.3.3.** Expand partnerships with government agencies, utilities, and other groups that can help Deschutes County residents prepare for natural disasters.

**Policy 7.3.4.** Work with regional partners to establish and maintain adequate support for a Deschutes County Community Emergency Response Team (CERT) to aid in responding to natural hazard events.

**Policy 7.3.5.** Promote and support business resilience planning.





# 8

## Recreation







### Opportunities, Challenges, and Considerations

Recreation is an important quality of life issue for Deschutes County and recreational tourism is a key part of the local economy. Both residents and visitors are drawn by the County’s extensive public lands, seasonal climate, and wide variety of activities and settings. Recreational opportunities include places set aside for specific activities such as campgrounds or sports fields as well as passive spaces such as natural areas.

The primary focus of recreation in rural Deschutes County is outdoor recreation. Outdoor activities promote healthy communities by encouraging people to enjoy an active lifestyle and by providing opportunities to reconnect with the natural world.

Deschutes County does not have a parks department; instead, it coordinates with the federal and state agencies, local park districts, and private entities that provide park and recreational opportunities. Coordination assures that resources are used efficiently, and duplication is avoided. With a holistic view of recreation in Deschutes County, the County can also provide other agencies and jurisdictions with guidance for service gaps to fill.

Statewide Planning Goal 8, Recreation and Oregon Administrative Rule (OAR) 660-034 address recreation, but do not require local governments to provide park and recreation services. Several agencies and special districts already provide recreation services in Deschutes County. These include Bend Parks and Recreation District, La Pine Parks and Recreation District, Sunriver Parks and Recreation District, and Oregon Parks and Recreation Department.

The health of the County’s recreational assets and industry is inexorably tied to the health of the land, forests, and waterways of Central Oregon. The effects of human activity - from development pressures and overuse of recreational facilities to resource extraction and climate change – will have a significant impact on recreation in Deschutes County. Some of these impacts include:

- Changes in precipitation affecting the timing and conditions for winter sports
- Loss of habitat
- Wildfire and risk of wildfire limiting recreational access
- Increased number of dangerously warm days

### Future Challenges to Recreation

The health of the County’s recreational assets and industry is inexorably tied to the health of the land, forests, and waterways of Central Oregon. The effects of human activity - from development pressures and overuse of recreational facilities to resource extraction and



climate change – will have a significant impact on recreation in Deschutes County.

There are several environmental concerns that may affect parks and recreation in Deschutes County in the future. Activities such as hiking, hunting, fishing, swimming, and foraging are an important part of recreation in Deschutes County - these activities are likely to be impacted by future changes to the climate.

Fishing may be impacted by drought as water bodies warm and seasonally drop. Foraging animals, like deer and elk, may express changing behavior like earlier-season high elevation foraging and increased interactions with agricultural communities due to drought. Drought also severely reduces the prominence of fruiting fungi for annual mushroom hunters, and may increase pressure on the remaining harvest areas. Fungi are crucial to the health of the forest ecosystem, adapting and responding to changing conditions and disease.

These conditions may also lead to greater frequency and severity of algal and bacterial blooms in fresh water. Algal blooms in other parts of the state have led to drinking water concerns, but Deschutes County cities are supplied by groundwater and so the risk in algal blooms is mainly to recreation – boaters, swimmers, anglers, and campers may be less motivated to visit.

## Winter Sports

Snow sports are a significant component of recreation in Deschutes County. Overall decline in snow pack is expected in the coming decades, which will heavily impact winter sports that rely on snowpack in the Cascades. At the Mt. Bachelor Ski Resort, April Snowpack is expected to decline between 11% and 18% by the middle of the century and between 18% and 43% by the end of the century. Additionally, inconsistent snowpack buildup will increase due to more precipitation falling as rain instead of snow throughout the season, making winter sports seasons less predictable.

## Summer Recreation

The summer outdoor season has additional risks from degraded to severely degraded air quality due to wildfire throughout the west coast. With degraded air quality, outdoor recreators may avoid the region, impacting regional income and generally degrading the perception of the county as a retreat to the natural world. Additionally, an increase in the frequency of very high temperature days may impact the safety and desirability of outdoor recreation.



## Context

Deschutes County does not directly provide parks and recreation services. The only public parks the County maintains are a section of the County Fairgrounds and the Worrell Wayside in downtown Bend. Although there is no County parks department, there are County-owned properties which are designated as park lands. Parks and recreation services are provided by the following entities.

### OREGON PARKS AND RECREATION DEPARTMENT

OPRD owns and manages several key parks and scenic areas in the County. These include state parks such as line Falls State Scenic Viewpoint, La Pine State Park, Pilot Butte State Scenic Viewpoint, Smith Rock State Park, and Tumalo State Park. In addition, they also manage the Upper and Middle Deschutes River Scenic Waterway segments, and Cascade Lakes and McKenzie Pass-Santiam Pass Scenic Byways.

### THE BEND PARKS AND RECREATION SPECIAL DISTRICT (BPRD)

BPRD owns and maintains approximately 3,035 acres of parkland including 81 parks and 70 miles of trails. The largest park district in the County, the taxing district follows the City of Bend Urban Growth Boundary closely, although extends past the UGB to the west and east to include several properties outside of city limits.

### THE LA PINE PARKS AND RECREATION SPECIAL DISTRICT

This district operates in 85 square miles and 11 parks and recreation facilities in southern Deschutes County including the City of La Pine.

### THE REDMOND AREA PARKS AND RECREATION SPECIAL DISTRICT

The District operates five recreational facilities including the Cascade Swim Center and extends beyond city limits to Tetherow Crossing. In 2022, the district received voter approval for a general obligation bond to build a new community center with a variety of recreational, fitness, and therapeutic activities.

### THE SISTERS PARK AND RECREATION SPECIAL DISTRICT

Operates approximately 15 acres of land within City of Sisters city limits, including Bike Park 242, Hyzer Pines Disc Golf Course, a playground, a skatepark, and Coffield Community Center. The district boundary extends far past city limits, serving approximately 14,000 residents through programming and activities.

### THE U.S. FOREST SERVICE, BUREAU OF LAND MANAGEMENT

Approximately 76% of the County's total land area is owned by the federal government, primarily these two agencies. Community members seek out extensive recreation activities in these areas, including skiing, mountain biking, hiking, backpacking, fishing, hunting, kayaking, and off-road vehicle riding.

### COUNTY-OWNED OPEN SPACE

Starting in 1994 the County received donation of several properties along rivers, creeks, or streams or with wildlife, wetlands, or other value as park lands. The intent of this donation was not to develop these lands for park use but rather to preserve lands with valuable resources, which were protected through deed restrictions. The park designation means that the lands would be retained in public ownership unless



Photo Credit: Visit Bend ([www.visitbend.com](http://www.visitbend.com))

there was a public hearing and the Board of County Commissioners determined that selling was in the best interest of the public.

ORS 275.330 governs the disposal of these lands, stating that if they are sold the proceeds must be dedicated to park or recreation purposes. As of 2009, there were approximately 70 properties designated as park lands.

**COUNTY FAIRGROUND AND EXPO CENTER**

The 132-acre County Fairground and Expo Center site is located southwest of the Redmond airport, and it is placed strategically at the hub of the tri-county area (Deschutes, Jefferson, Crook Counties). The facility is used for a variety of public and private events. Each of its lawn areas can be rented exclusively by groups for different events, which range from weddings, picnics, reunions, car shows, RV / motorcycle rallies, animal shows, and outdoor trade shows, among others.

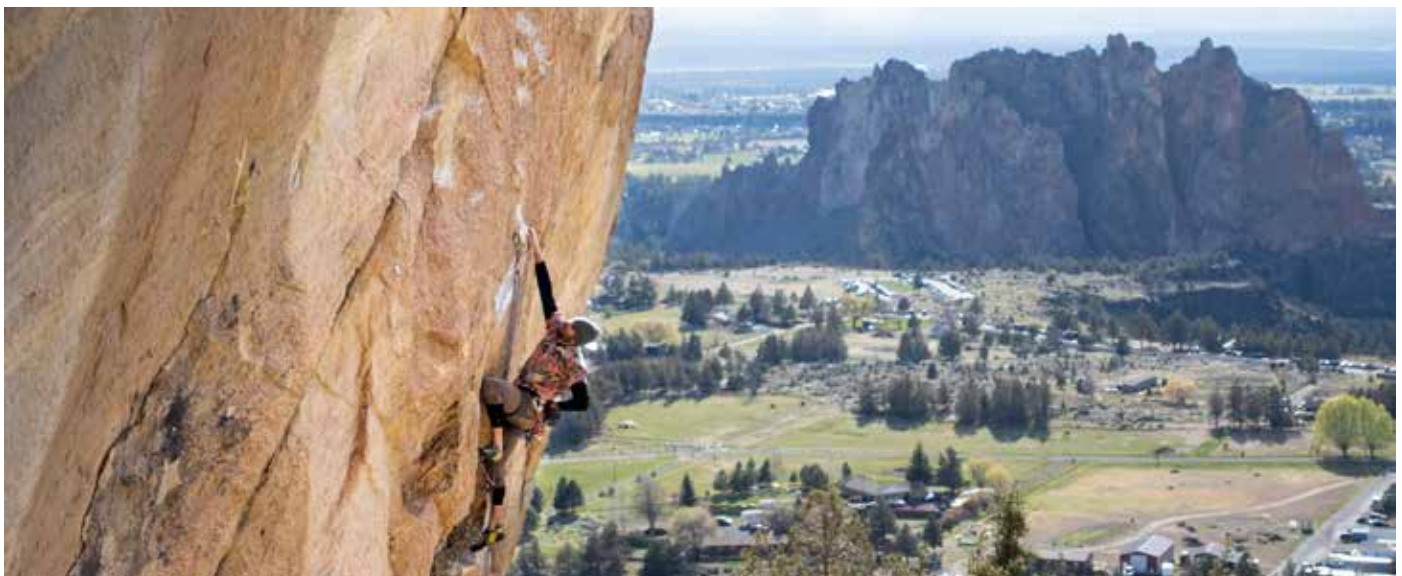
**Key Community Considerations**

Recreation and access to nature is a key component of life in Deschutes County and a primary attraction for both residents and visitors. As part of this Comprehensive Plan update, community members noted concerns about increasing recreational use or overuse, conflicts among different users, and the need for permitting or other strategies to manage use, particularly in popular locations.

Because the county does not have a parks and recreation department, community members have identified service gaps and lack of continuity of trail networks, habitat and species preservation, and land access policies. Residents are concerned with private recreation development and use of natural resources such as land and water.

The tension between resource use of forest land and water, recreational use of these areas, and natural resource protection is evident among members of the community

Community members also noted that it is imperative for all special districts and agencies providing park services to coordinate on integrated services. These partnerships will be key to ensure sustainable recreation and land stewardship as the County continues to grow.





## Goals and Policies

**Goal 8.1:** Increase affordable, sustainable, and diverse recreation opportunities through partnerships with government and private entities.

**Policy 8.1.1.** Reduce barriers to regional parks and recreation projects in Deschutes County, including acknowledgement or adoption of federal, state and local parks district trail and facility plans.

**Policy 8.1.2.** Collaborate with partners to develop a regional system of trails and open spaces, balancing recommendations from local park districts, County, state, and federal recreation plans and studies and property owner considerations, particularly for projects adjacent to farm and forest lands.

**Policy 8.1.3.** Encourage coordination between the U.S. Forest Service, the Bureau of Land Management and recreational use interest groups to minimize environmental degradation, agricultural fragmentation and user conflicts on public and private land.

**Policy 8.1.4.** Support the creation and improvement of accessible park and recreation opportunities in compliance with the Americans with Disabilities Act.

**Policy 8.1.5.** Support efforts to coordinate recreation planning between the County, park and recreation districts, school districts, irrigation districts, unincorporated communities, and cities.

**Policy 8.1.6.** Support the development of parks and trails identified in locally-adopted plans.

**Policy 8.1.7.** Coordinate with unincorporated communities to identify opportunities for parks, trails, open spaces, and community centers.

**Policy 8.1.8.** Establish trail design standards and identify specific funding sources for trails as part of future transportation system planning efforts to ensure development of identified priority rural trail segments and bicycle routes.

**Policy 8.1.9.** Explore creation of a County Parks and Recreation Department to increase the County's role in recreation and natural resource management and implement if deemed appropriate.

**Policy 8.1.10.** Support community efforts for acquisition and management of Skyline Forest as a community amenity.

**Policy 8.1.11.** Work with stakeholders to promote new recreational and tourist initiatives that maintain the integrity of the natural environment.



# 9

## Economic Development





## Opportunities, Challenges, and Considerations

Statewide Planning Goal 9 provides guidance on economic development for Oregon jurisdictions. This goal is intended to “provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon’s citizens.” For Deschutes County, implementing Goal 9 is focused on ensuring opportunities for economic development, while protecting rural land uses.

In Deschutes County, several areas are designated for rural industrial and rural commercial activities to allow for activities such as manufacturing or resource processing. Additionally, unincorporated communities and rural service centers allow for limited commercial opportunities, including restaurants, services, and retail stores.


Economic development agencies in Central Oregon cite the tremendous natural resource access and amenities to be essential for drawing in new businesses and workers. As the County grows, childcare will continue to be challenge for rural residents along with access to high speed and reliable internet services.

A continued challenge for Deschutes County will be to balance adequate economic opportunity for rural residents, with protection of natural resource lands. Community members have expressed interest in providing for new and emerging economic opportunities through renewable energy development, including potential for biomass, solar, geothermal, and wind projects that may be compatible with rural uses.


### Context

Deschutes County's economy was initially built around farming and logging. As those sectors declined in the 20<sup>th</sup> century, recreation and tourism increased as people were drawn to the beauty and opportunities to recreate on public lands. Deschutes County's high quality of life became a draw for employers and employees alike. In the 2000's, the building sector boomed as new housing was built to meet both increased housing demand and the real estate speculation that followed. Housing prices rose so high that workforce housing became a limiting factor in economic growth. The period of strong growth ended with the national recession that began in late 2007, leading to falling housing prices and rising unemployment. The 2010's and early 2020's have proven to be another period of booming economic growth for Deschutes County, exacerbated by the COVID-19 pandemic and the dramatic increase in remote work.


Deschutes County's economy remains strong compared to Oregon as a whole, as shown in the statistics below.



**\$74,082**  
Median Household Income  
(\$70,084 in Oregon)

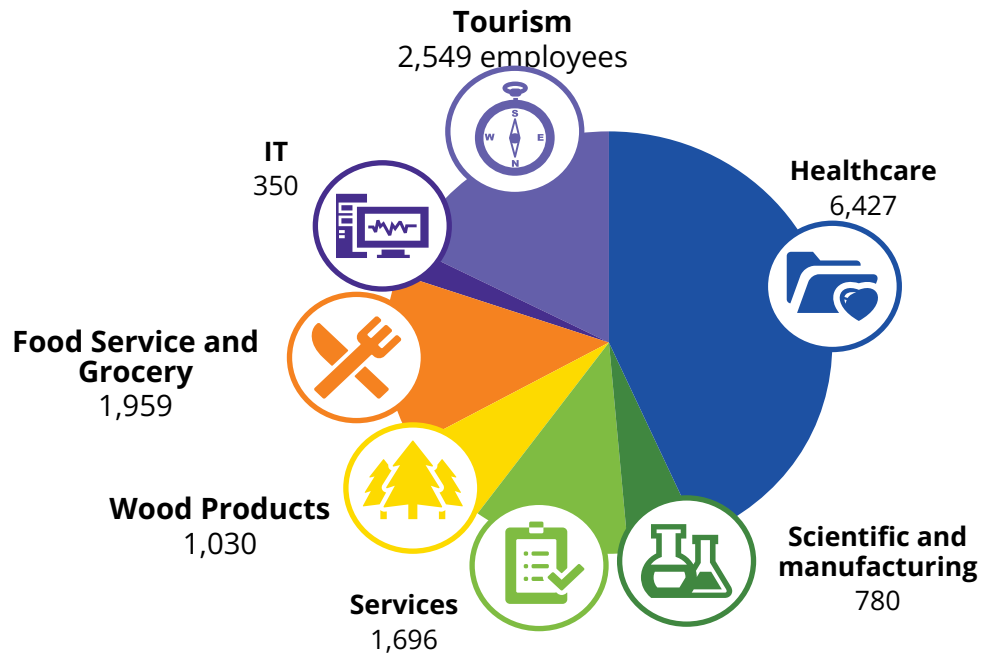


**9.4%**  
of county population experiencing poverty  
(12.1% in Oregon)



**63.3%**  
of population in civilian workforce  
(62.6% in Oregon)

## 2022 Central Oregon Largest Private Employers by Industry



## 2022 Central Oregon Largest Private Employers

Rank	Employees	Employer
1	4,509	St. Charles Health System regional
2	1,030	Bright Wood Corporation regional
3	1,000	Sunriver Resort 1,000 1,000 940
4	916	Les Schwab Headquarters & Tire Centers regional
5	894	Mt. Bachelor
6	714	Safeway regional
7	640	NC Fred Meyer regional
8	628	Summit Medical Group regional
9	605	McDonald's regional
10	440	Lonza, formerly Bend Research
11	415	Rosendin Electric
12	391	Mosaic Medical regional
13	375	Black Butte Ranch
14	365	ibex
15	350	Meta Platforms, Inc. - Facebook Data Center
16	340	BasX
17	336	PacificSource
18	296	High Lakes Health Care regional
19	280	Brasada Ranch
20	267	Medline ReNewal

### Primary Industries

Deschutes County is known for its abundant natural resources, though the County continues to balance its economy through a variety of industries. The top 10 industries overall in Deschutes County (including those within urban areas) are:

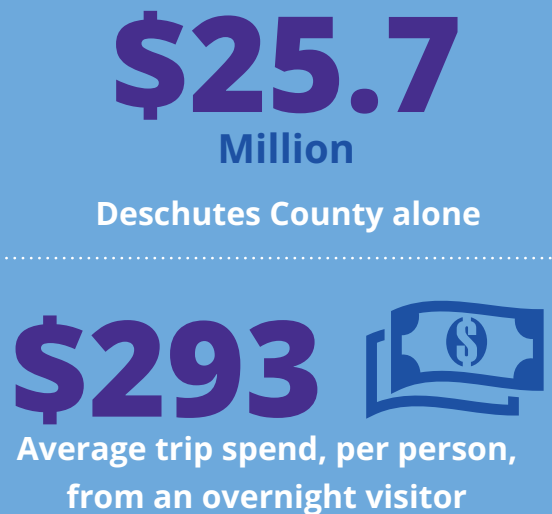
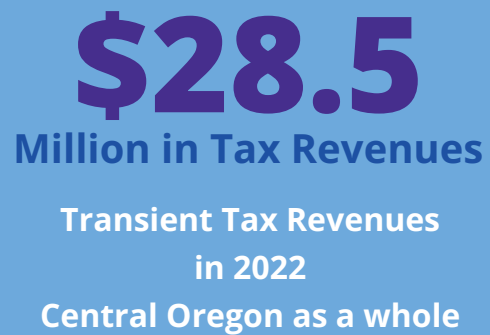
1. Trade, transportation, utilities (15,742 jobs)
2. Education/Health Services (13,479 jobs)
3. Goods-producing (13,169 jobs)
4. Leisure and hospitality (12,990 jobs)
5. Health care and social assistance (12,541 jobs)
6. Retail trade (11,714 jobs)
7. Accommodation and food services (10,718 jobs)
8. Professional/business services (10,067 jobs)
9. Food services/drinking places (8,304 jobs)
10. Local government (7,396 jobs)

### Tourism

Tourism continues to be a major facet of Central Oregon’s economy, with approximately 4.5 million visitors entering Central Oregon each year. The majority of those visitors travel to Bend and Deschutes County in particular but other communities in the County also are popular destinations, including Sisters, Redmond and Terrebonne, as well as destination resort such as Sunriver, Eagle Crest, Pronghorn and others. In addition, recreational opportunities throughout the County also attract a multitude of visitors, from skiing on Mt. Bachelor, hiking in the Three Sisters Wilderness, and rafting the Deschutes River, to fishing, hunting and camping at dispersed sites on National Forest and BLM land throughout the County.



### Tourism Impacts



Source: Oregon Travel Impacts, 2022 by Dean Runyan Associates for the Oregon Tourism Commission

## Construction and Development

While much of the County's economic activity occurs in urban areas, staff notes that agricultural, forestry, and construction industries also provide economic growth in Deschutes County. Construction of rural housing can support additional workforce in areas outside of city limits while also utilizing local trade industries. Construction of rural industrial or commercial projects provide economic opportunities that serve rural communities, without a trip into an adjacent city.

## Coordination

A key partner for the County in promoting a healthy economy is Economic Development for Central Oregon (EDCO). This private non-profit organization is dedicated to diversifying the tri-county regional economy by attracting new investment and jobs. This organization also tracks the local economy.

Between 2010 and 2013, Deschutes, Crook, and Jefferson counties, and their respective cities established a regional large lot industrial land need analysis, ultimately leading to changes to state law, OAR 660-024-0040 and 45. This rule provides that that the large lot industrial land need analysis agreed upon by all of the parties, once adopted by each of the participating governmental entities, would be sufficient to demonstrate a need for up to nine large industrial sites in Central Oregon. Six of the sites will be made available initially. Three more sites may be added under the rule as the original sites are occupied. Intergovernmental agreements were formed with the regions jurisdictions and Central Oregon Intergovernmental Council in 2013 to provide oversight of this new regional large lot industrial lands program. Participating local governments will review the program after all nine sites have been occupied, or after ten years, whichever comes first.

## Connections to Other Comprehensive Plan Chapters

Much of the County's economic development activity is directly related to farmland (Chapter 3), forest land (Chapter 3), mineral and aggregate resources (Chapter 4), and natural resources (Chapter 5). Additional information can be found in these sections.

## Key Community Considerations

As part of this comprehensive plan update, community members expressed the following:

- A recognition that tourism is an important industry in the County, but some concern that the interests of tourism-related activity play an outsized role in the County.
- Desire for a strong and diverse economy that benefits local residents.
- Strong interest in expanding access to childcare for rural residents, especially those who travel into incorporated cities for employment.
- Interest in exploring new economic opportunities including renewable energy development.
- Desire for additional educational and job training opportunities, including expansion of colleges and universities.





## Economic Development Goals and Policies

**Goal 9.1:** Maintain a stable, and sustainable, and thriving rural economy, compatible with rural lifestyles and a healthy environment.

**Policy 9.1.1.** Promote rural economic initiatives, including home-based businesses, that maintain the integrity of the rural character and natural environment.

**Policy 9.1.2.** Support a regional approach to economic development in concert with Economic Development for Central Oregon or and similar organizations.

**Policy 9.1.3.** Support growth and expansion of colleges and universities, regional educational facilities, and workforce training programs.

**Policy 9.1.4.** Support renewable energy generation as an important economic development initiative, while taking other community goals and concerns into consideration.

**Policy 9.1.5.** Support and participate in master planning for airports in Deschutes County, including expansion of noise impact boundaries and upgrades to facilities as airports continue to grow.

**Policy 9.1.6.** Within the parameters of State land use regulations, permit limited local-serving commercial uses in higher-density rural communities. Support limited and locally-serving commercial uses in appropriate locations.

**Policy 9.1.7.** Support expansion of high-speed internet in rural areas and integrate infrastructure such as fiber-optic cables into new development and road projects.

**Policy 9.1.8.** Support funding and development of childcare locations across the County to support families in the workforce.

**Policy 9.1.9.** Explore need for master planning for rural economic development lands, including Deschutes Junction.

**Policy 9.1.10.** Recognize the importance of maintaining a large-lot industrial land supply that is readily developable in Central Oregon, and support a multi-jurisdictional cooperative effort to designate these sites.

**Goal 9.2:** Support creation and continuation of rural commercial areas that support rural communities while not adversely affecting nearby agricultural and forest uses.

**Policy 9.2.1.** Allow for new Rural Commercial zoning designations if otherwise allowed by Oregon Revised Statute, Administrative Rule, and this Comprehensive Plan.

**Policy 9.2.2.** In Spring River there shall be a Limited Use Combining Zone.

**Policy 9.2.3.** Ensure new uses permitted on Rural Commercial lands do not adversely affect nearby agricultural and forest uses.

**Policy 9.2.4.** Ensure new commercial uses on Rural Commercial lands are limited to those intended to serve the surrounding rural area and/or the needs of the traveling public.

**Policy 9.2.5.** New commercial uses shall be limited in size to 2,500 square feet or if for an agricultural or forest-related use, 3,500 square feet.

**Policy 9.2.6.** A lawful use existing on or before November 5, 2002 that is not otherwise allowed in a Rural Commercial zone, may continue to exist subject to the county's nonconforming use regulations.



**Policy 9.2.7.** An existing lawful use may expand up to 25 percent of the total floor area existing on November 5, 2002.

**Policy 9.2.8.** The Rural Commercial zoning regulations shall allow a mixed use of residential or rural commercial uses.

**Policy 9.2.9.** Residential and commercial uses shall be served by DEQ approved on-site sewage disposal systems.

**Policy 9.2.10.** Residential and commercial uses shall be served by on-site wells or public water systems.

**Policy 9.2.11.** Community sewer systems, motels, hotels and industrial uses shall not be allowed.

**Policy 9.2.12.** Recreational vehicle or trailer parks and other uses catering to travelers shall be permitted.

**Goal 9.3:** Support the creation and continuation of rural industrial areas that support rural communities while not adversely affecting nearby agricultural and forest uses.

**Policy 9.3.1.** Update the policies for lands designated Rural Industrial as needed to limit and control industrial uses through the use of the Rural Industrial designation and development standards.

**Policy 9.3.2.** To assure that urban uses are not permitted on rural industrial lands, land use regulations in the Rural Industrial zones shall ensure that the uses allowed are less intensive than those allowed for unincorporated communities in OAR 660-22 or any successor.

**Policy 9.3.3.** Limited Use Combining zones shall be applied to the Redmond Military (Tax lot 1513000000116), Deschutes Junction (Tax lot 161226C000301, Tax lot 161226C000300,

Tax lot 161226C000111 and Tax lot 161226A000203) to ensure permitted uses are compatible with surrounding farm and forest lands.

**Policy 9.3.4.** To ensure that the uses in Rural Industrial zone on tax lot 16-12-26C-301, as described in Exhibit "C" and depicted on Exhibit "D" attached to Ordinance 2009-007 and incorporated by reference herein, are limited in nature and scope, the Rural Industrial zoning on that site shall be subject to a Limited Use Combining Zone which will limit the uses to storage, crushing, processing, sale and distribution of minerals.

**Policy 9.3.5.** To ensure that the uses in Rural Industrial zone on tax lot 16-12-26C-301, as described in Exhibit "C" and depicted on Exhibit "D" attached to Ordinance 2009-007 and incorporated by reference herein, are limited in nature and scope, the Rural Industrial zoning on that site shall be subject to a Limited Use Combining Zone which will limit the uses to storage, crushing, processing, sale and distribution of minerals

**Policy 9.3.6.** To ensure that the uses in the Rural Industrial Zone on Tax Lot 300 on Assessor's Map 16-12-26C-300 and Tax Lot 203 on Assessor's Map 16-12-26A-300 and portions of Tax Lot 111 on Assessor's Map 16-12-26C-111 as described in Exhibit 'D' and depicted in Exhibit 'E' attached to Ordinance 2010-030 and incorporated by reference herein, are limited in nature and scope, the Rural Industrial zoning on the subject parcel shall be subject to a Limited Use Combining Zone, which will limit the uses to storage, crushing, processing, sale and distribution of minerals, subject to conditional use and site plan approval

**Policy 9.3.7.** Ensure new uses on Rural Industrial lands do not adversely affect nearby agricultural and forest uses.

**Policy 9.3.8.** A lawfully established use that existed on or before February 2, 2003 not otherwise allowed in a Rural Industrial zone may continue to exist subject to the county's non-conforming use regulations.

**Policy 9.3.9.** A lawfully established use that existed on or before February 2, 2003 may be expanded to occupy a maximum of 10,000 square feet of floor area or an additional 25 percent of the floor area currently occupied by the existing use, whichever is greater.

**Policy 9.3.10.** Ensure new uses on Rural Industrial lands are served by on-site sewage disposal systems approved by the Department of Environmental Quality (DEQ).

**Policy 9.3.11.** Residential and industrial uses shall be served by on-site wells or public water systems.

**Policy 9.3.12.** Community sewer systems shall not be allowed in Rural Industrial zones.

**Policy 9.3.13.** A 2009 exception (Ordinance 2009-007) included an irrevocably committed exception to Goal 3 and a reasons exception to Goal 14 to allow rural industrial use with a Limited Use Combining Zone for storage, crushing, processing, sale and distribution of minerals.

**Policy 9.3.14.** A 2010 exception (Ordinance 2010-030) took a reasons exception to Goal 14 with a Limited Use Combining Zone for storage, crushing, processing, sale and distribution of minerals.

**Policy 9.3.15.** Properties for which a property owner has demonstrated that Goals 3 and 4 do not apply may be considered for Rural Industrial designation as allowed by State Statute, Oregon Administrative rules and this Comprehensive Plan. Rural Industrial zoning shall be applied to a new property that is approved for the Rural Industrial Plan designation.

## Rural Service Center Policies

**Goal 9.4:** Support the creation and continuation of rural service centers that support rural communities while not adversely affecting nearby agricultural and forest uses.

**Policy 9.4.1.** Rural Service Centers in Alfalfa, Brothers, Hampton, Wilstlestop, and Wildhunt are identified on the Comprehensive Plan Map and shall have zoning consistent with Comprehensive Plan designations.

**Policy 9.4.2.** In Alfalfa, the remaining 20 acres of the Rural Service Center will continue to be zoned Rural Service Center – Residential District, with a 5-acre minimum lot size. A zone change to mixed use commercial can be considered only for a specific use and upon findings that the existing commercial area is fully developed.

**Policy 9.4.3.** Ensure that land uses at Rural Service Centers do not adversely affect agricultural and forest uses in the surrounding areas.

**Policy 9.4.4.** Zoning in rural service areas shall promote the maintenance of the area's rural character. New commercial uses shall be limited to small-scale, low impact uses that are intended to serve the community and surrounding rural area or the travel needs of people passing through the area. The commercial/mixed use zoning regulations shall allow a mixed use of residential or small-scale commercial uses such as health and retail services.

**Policy 9.4.5.** Residential and commercial uses shall be served by DEQ approved on-site sewage disposal systems.

**Policy 9.4.6.** Residential and commercial uses shall be served by onsite wells or public water systems.

**Policy 9.4.7.** Community water systems, motels, hotels and industrial uses shall not be allowed.

**Policy 9.4.8.** Recreational vehicle or trailer parks and other uses catering to travelers shall be permitted.





# 10

## Housing







### Opportunities, Challenges, and Considerations

Deschutes County faces a variety of housing demands, issues, and challenges. The County continues to be a desirable and attractive place to live, with access to jobs, recreation, beautiful natural landscapes, and a variety of other amenities. The County’s population is projected to continue to grow in the coming decades. At the same time, there are several challenges to the development of housing in the County. Some of the key issues the County faces today include increased demand for rural housing; housing affordability; state planning requirements related to Urban Growth Boundaries, farm and forest land, destination resorts, and others; water availability; and issues related to homelessness.

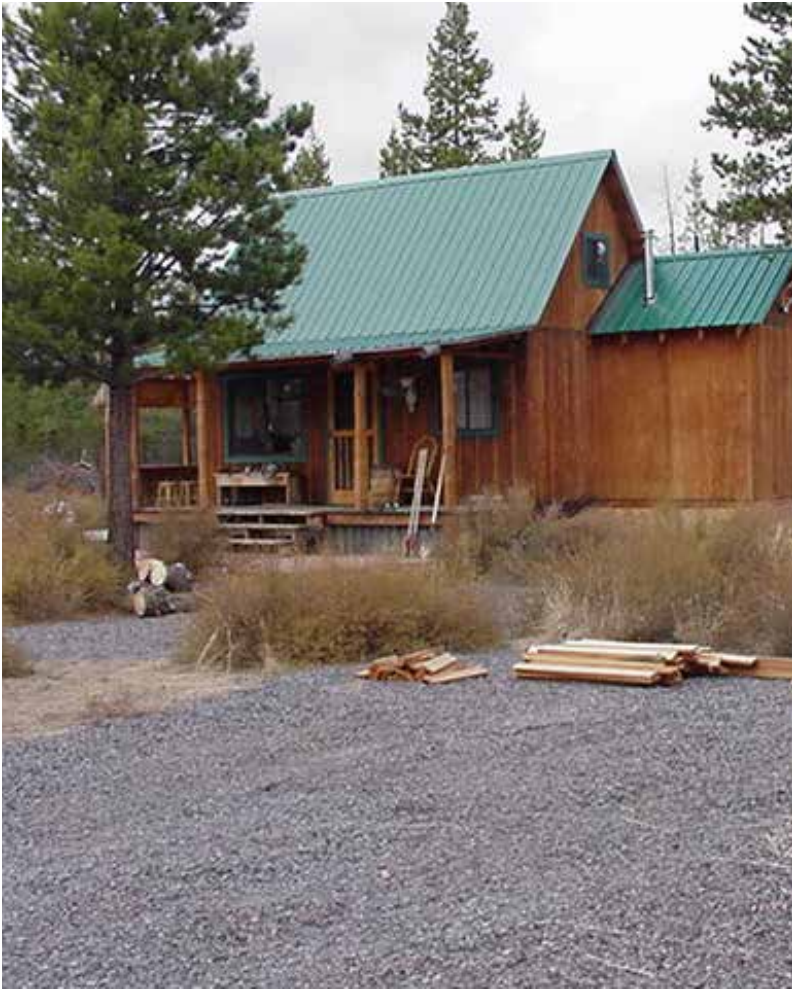
### Context

#### PROJECTED POPULATION GROWTH IN UNINCORPORATED DESCHUTES COUNTY

Deschutes County is one of the fastest growing counties in Oregon, and that trend is expected to continue. Significant growth is expected to occur in Deschutes County in the coming years (over 90,000 new residents in the next 25 years). However, the majority of this growth is forecasted to happen in urban areas with a more modest amount occurring in unincorporated parts of the County (about 5,000 additional people during the same period). (Source: Portland State University Population Research Center)

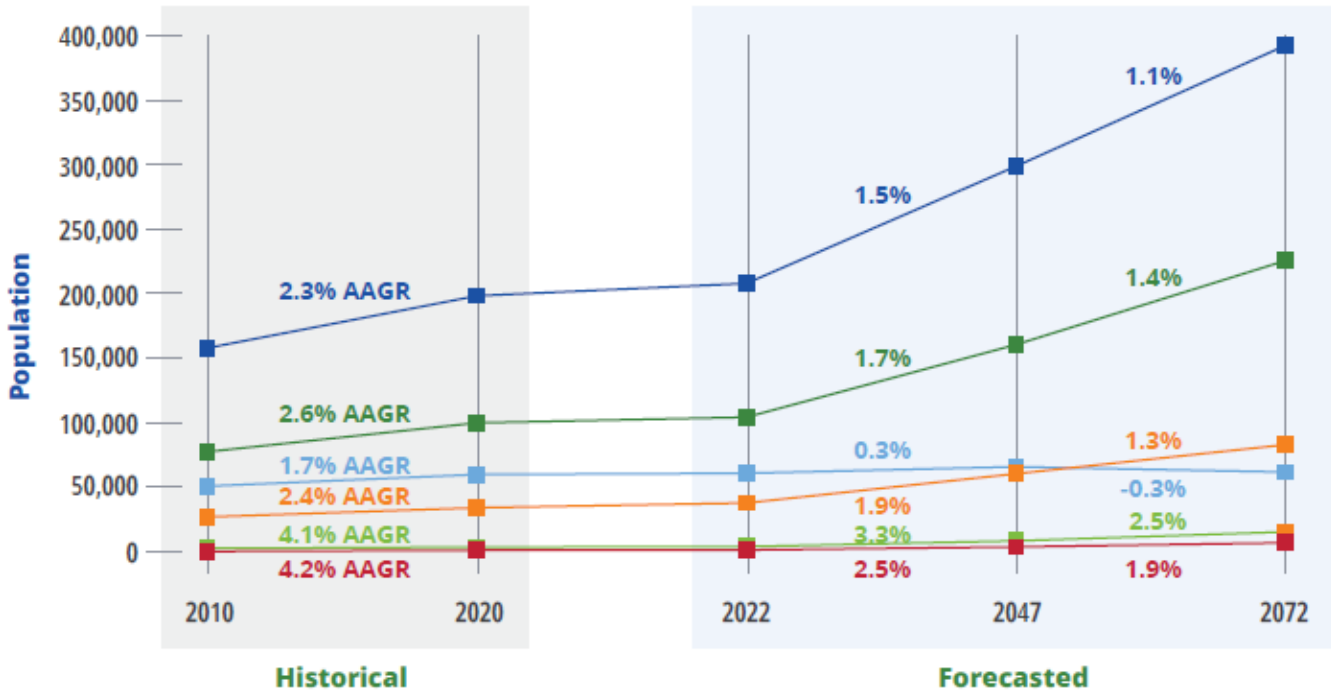
#### INCREASED DEMAND FOR RURAL HOUSING

Between 2010 and 2022, Deschutes County processed seven applications to rezone approximately 1,200 acres of property from a non-residential zone to a residential zone, with several more applications recently submitted and under review. Most of these applicants requested rezonings of farmland due to poor soil quality for farming. This trend is likely to continue.





## Historical and Forecasted Population and Average Annual Growth Rate in Deschutes County and its Sub-Areas



### HOUSING AFFORDABILITY

The median value of owner-occupied housing units in Deschutes County (including cities), is significantly higher than that of the State of Oregon (\$435,600 compared to \$362,200 according to 2017-2021 Census figures), and consistently increasing. In July 2023, Becon Appraisal Group reported an all-time high median home value for Bend area homes, in the amount of \$785,000. The same report estimated a median home price as \$694,000 for Sisters area homes, \$473,000 for Redmond area homes, and \$401,000 for La Pine area homes. Given that median income is generally on par with the state as a whole, high housing prices are likely an indicator of an inadequate supply of housing affordable to many residents of the Deschutes County, particularly those with low to moderate incomes.

### STATE PLANNING REQUIREMENTS

Although Deschutes County has numerous prospects to expand residential development, some of these opportunities face challenges with respect to state rules and regulations. The Oregon land use system is designed to concentrate most growth within Urban Growth Boundaries. A variety of statewide planning goals, laws, and administrative rules designed to protect farm and forest land, regulate destination resorts, and ensure cost-effective provision of infrastructure limit where and how housing can be built outside of urban areas.

### WATER AVAILABILITY AND CONSUMPTION

A growing demand for water for residential, business, recreation, and agricultural uses; changes in water table depth; allocation of water rights; and potential future changes in water supply related to climate change all may impact the availability of water to support new housing. Water resources are discussed in Chapter 5 in more detail.

*Vacant Lots in Resort Areas*

Resort Area	Number of Vacant Lots
<b>Destination Resorts</b>	
Caldera Springs	101
Eagle Crest	139
Pronghorn	285
Tetherow	200
<b>Resort Communities</b>	
Black Butte	27
In of the 7th Mountain/Widgi Creek	12
<b>Urban Unincorporated Area</b>	
Sunriver	118
<b>Total Vacancies, Resort Areas</b>	<b>887</b>

*Vacant Lots in Rural Residential Areas*

Rural Residential Areas	Number of Vacant Lots
<b>Rural Residential Zones</b>	
Rural Residential	2,139
Multiple use Agriculture	518
Suburban Low Density Rural Residential	32
Urban Area Reserve	292
<b>Rural Communities</b>	
Tumalo (TUR/TUR5)	32
Terrebonne (TER/TER5)	134
<b>Total Vacancies, Rural Residential Areas</b>	<b>3,447</b>

*Future Opportunities for Rural Residential Lots*

Rural Residential Areas	Count
Thornburgh Destination Resort	950
Caldera Springs Destination Resort Phase 2	340
West Side Transect	187
Tumalo Irrigation District Rezoned Parcel	72
Gopher Gulch (North of Bend)	10
<b>Total Vacancies, Rural Residential Areas</b>	<b>1,559</b>

**HOMELESSNESS**

The incidence and impacts of homelessness have been rising in Deschutes County, as well as across the state and nation in recent years. A variety of factors have contributed to this trend, including rising housing costs, increasing income disparities, and limited transitional housing and supportive resources. As a result, impacts on both urban areas and natural resources have increased, with elevated levels of community concern and support for more action by the County and its partners to address these issues.

**BALANCING DEVELOPMENT OPPORTUNITIES WITH VISITOR ACCOMMODATIONS**

Although population growth in unincorporated Deschutes County is forecasted to be relatively limited, rural parts of the County, including several destination resorts, include significant capacity for new residential development. Community members have expressed concern regarding the use of these homes as primary residences, second homes, or vacation rentals.

**RECENT CHANGES IN COUNTY HOUSING RULES**

The County has recently adopted and/or is currently considering new rules related to development and regulation of different types of housing. These include:

- Changes to where accessory dwelling units are allowed.
- Repeal of the County's "Conventional Housing Combining Zone" which prohibited manufactured homes in three large unincorporated areas east and west of Tumalo and east of Bend.

### What type of housing is allowed in unincorporated Deschutes County?

Residential development in Deschutes County is less dense than the Cities of Bend, La Pine, Redmond and Sisters due to state land use rules. Single family homes are most common type of housing throughout the county in all zones. Recreational vehicles are allowed to be placed on property for temporary living situations or as medical hardship dwellings for family members but are not intended to be permanent living situations. Accessory Dwelling Units or ADUs, also known as “granny flats” or “carriage houses” are smaller secondary residences on a property. In 2021, the Oregon legislature passed Senate Bill 391 which allows for rural ADUs with certain parameters, and Deschutes County is currently in the process of implementing this legislation.

### Key Community Considerations

Given the range of issues and conditions discussed related to this important topic, the Comprehensive Plan includes a variety of policies to guide future development of housing and address impacts to residents in rural areas. Additional related policies are found in Chapter 2 (Land Use) and Chapter 13 (Transportation). These strategies are underpinned by community sentiment, as described below.

- Some community members expressed support for allowing or encouraging growth in rural areas, particularly to alleviate housing pressure and provide larger-lot options. However, engagement showed greater opposition to residential development outside of Urban Growth Boundaries.
- Overall support for allowing a wider range of types of housing (e.g., accessory dwelling units, manufactured homes, recreational vehicles, etc.), but concerns about the quality of this housing and additional rural residential development in general.
- Concern about homelessness and its impacts, coupled with strong support for a proactive approach by the County to work with partner agencies and groups to address this issue.
- Relatively strong opposition for rezoning low productivity farmland with poor soil to allow greater opportunities for housing, due to negative impact on open space, habitat, transportation, and active farm practices.



## Goals and Policies

**Goal 10.1:** Support housing opportunities and choices for rural County residents in unincorporated Deschutes County, while meeting health and safety concerns, minimizing environmental and resource land impacts.

**Policy 10.1.1.** Incorporate annual farm and forest housing reports into a wider system for tracking the cumulative impacts of rural housing development.

**Policy 10.1.2.** Continue to update the County zoning ordinance and work with partnering organizations to address health and safety issues associated with housing.

**Policy 10.1.3.** Encourage and/or require, where consistent with County policies and requirements, new subdivisions to incorporate alternative development patterns, such as cluster development, that mitigate community and environmental impacts.

**Policy 10.1.4.** Implement legislation allowing accessory dwelling units in rural areas to expand housing choices.

**Policy 10.1.5.** Create and encourage opportunities for flexibility in rural housing including development of manufactured home parks, safe parking sites, and RV parking areas.

**Policy 10.1.6.** Reduce barriers to housing development and supporting services (such as locally serving medical offices or similar uses) in unincorporated communities.

**Policy 10.1.7.** Explore grants and funding opportunities for ongoing maintenance and rehabilitation of existing housing stock.

**Policy 10.1.8.** Evaluate the impacts of short-term rentals and consider regulations to mitigate impacts, as appropriate.

**Goal 10.2:** Support agencies and non-profits that provide affordable housing.

**Policy 10.2.1.** Support Central Oregon Regional Housing Authority and other stakeholders to meet the housing needs of all Deschutes County residents by assisting, as needed, in coordinating and implementing housing assistance programs.

**Policy 10.2.2.** Utilize block grants and other funding to assist in providing and maintaining low- and moderate-income housing in partnership with Housing Works and other housing agencies and providers in Deschutes County.

**Goal 10.3:** Regulate the location and density of housing in the area located between the Bend UGB and Shevlin Park through Westside Transect policies

**Policy 10.3.1.** Protect the sensitive ecosystems and interrelationships of the urban/rural interface on the west side of Bend between the urban area and Shevlin Park and the public and forestlands to the west.

**Policy 10.3.2.** Protect natural resources and environmentally sensitive areas and provide special setbacks between development and Shevlin Park, Tumalo Creek, and forestlands.

**Policy 10.3.3.** Development patterns shall reflect the protection of land with environmental significance and fire-wise and other fire prevention community design best practices.

**Policy 10.3.4.** Limit residential development to 200 single-family residential lots.

**Policy 10.3.5.** Manage all areas outside of the structural building envelopes on residential lots for wildfire mitigation and wildlife habitat in accordance with coordinated plans prepared by professionals, reviewed annually with reports submitted to the County every three years. The wildfire mitigation and



wildlife habitat plans shall be funded through homeowner assessments and administered and enforced by a homeowners association established at the time of creation of any residential lots.

**Policy 10.3.6.** Reduce the impact of construction by using best management practices to minimize site disturbance during construction and construction impacts (i.e., erosion) on Shevlin Park, Tumalo Creek, and forestlands.

**Policy 10.3.7.** Coordinate with the City of Bend for mitigation of impacts to City infrastructure from development within the Transect.

**Goal 10.4:** Participate in regional efforts to plan for housing.

**Policy 10.4.1.** Collaborate with cities and private sector partners on innovative housing developments to meet the region’s housing needs.

**Policy 10.4.2.** Partner with cities to incentivize development within urban growth boundaries and reduce infrastructure costs for workforce and affordable housing.

**Policy 10.4.3.** Partner with local, state, and federal agencies to address and limit nuisance and public health issues related to homelessness.

**Policy 10.4.4.** Utilize County owned land in city limits for affordable and workforce housing, where appropriate.

**Policy 10.4.5.** Promote regional housing planning, including urban reserve planning for cities, to allow for longer term and multi-jurisdictional housing strategies.

**Policy 10.4.6.** Limit parcelization and development adjacent to cities or in conflict with planned and/or known road/utility corridors to preserve land for future urban development.





# 11

## Unincorporated Communities and Destination Resorts





## Opportunities, Challenges, and Considerations

Deschutes County is home to numerous unincorporated communities, which contain urban levels of development outside of city limits. Many of these communities provide services and amenities to rural residents. As the county continues to grow, many residents are concerned about increasingly dense development in these unincorporated areas which may feel out of scale with the surrounding rural uses. However, many residents also see the need for more opportunities for small-scale rural services and retail opportunities to serve existing and future community members. Deschutes County will need to continue to refine the vision and guidelines for development in these areas while balancing infrastructure needs, protection of natural resources and rural land uses, and community desires.

In addition to these unincorporated communities, Destination Resorts are another form of development outside of urban areas. In recent years, community members have expressed concern about the creation of new resorts for a variety of reasons. While Destination Resorts are an opportunity for economic development and housing in the rural County, many residents have expressed opposition to additional development of this type.

### Context

#### Unincorporated Communities

Deschutes County's unincorporated communities generally pre-date Oregon's statewide land use system and have more urban-scale uses in out-lying rural areas, within a defined geographic boundary.

In 1994, Oregon Administrative Rules (OARs) were amended to define unincorporated communities and the types of uses that could be allowed in these areas. The OARs established

four types of unincorporated communities, all of which were required to be in existence at the time of the change - the Rule did not allow for new rural communities to be established. These community types are described below.

#### URBAN UNINCORPORATED COMMUNITY

This is a community which contains at least 150 permanent dwelling units, a mixture of land uses, and contains a community water and sewer system. Sunriver is an Urban Unincorporated community. One parcel just outside of the City of La Pine was mistakenly left outside of the City's urban growth boundary, and is technically under this classification as well.

#### RURAL COMMUNITY

This is a community which consists of permanent residential dwellings and at least two other types of land uses – such as commercial, industrial, or public uses provided to the community or travelers. Terrebonne and Tumalo are Rural Communities.



**RESORT COMMUNITY**

This type of community was established for a recreation-related use on private land prior to 1989 when the state adopted its Destination Resort rules. Black Butte Ranch and Inn of the 7<sup>th</sup> Mountain/Widgi Creek are Resort Communities. It's important to note that there are several other resort style developments in the County on private lands called "Destination Resorts." See the next section for more information.

**RURAL SERVICE CENTER**

This is an unincorporated community that has primarily commercial or industrial uses that provide goods and services to the surrounding rural area and travelers. These are the most common type of unincorporated community in Deschutes County and include Alfalfa, Brothers, Hampton, Millican, Whistlestop, and Wildhunt.

**Destination Resorts**

Since 1979 destination resorts have increased in importance to the economy of Deschutes County. In 1989, recognizing the importance of tourism to the economy of the State of Oregon, the state legislature and the Land Conservation and Development Commission (LCDC) took steps to make it easier to establish destination resorts on rural lands in the state. Statewide Planning Goal 8, the recreation goal, was amended to specify a process for locating destination resorts on rural land without taking an exception to Goals 3, 4, 11 and 14, which govern development in rural resource lands. Under these changes, destination resorts may be sited in EFU zones where they weren't previously allowed. In 1990, LCDC amended the rule for siting destination resorts on forest lands as well.

Eagle Crest Resort, although it had existed prior to these changes, applied for legislative changes to comply with these new rules and expand onto adjacent lands.

In 2010, Deschutes County completed an amendment to its destination resort

mapping process, adding "clear and objective" requirements for eligible and ineligible sites, and the process for amending the destination resort map based on changes in state law. Since that time, Pronghorn, Caldera Springs, and Tetherow resorts have gone through the siting process. Resorts existing prior to the legislative change, such as Black Butte, Sunriver, and the Inn of the Seventh Mountain have also expanded and been rezoned to Urban Unincorporated Community and Resort Community, respectively. Thornburgh Resort has received preliminary approvals, but has not yet broken ground.

Destination resorts are a key economic development strategy for Deschutes County. Many community members and visitors enjoy the recreational amenities and accommodations that Destination Resorts provide.



## Key Community Considerations

Unincorporated Communities are limited in their development potential due to their specific geographic footprint. Protecting open space and natural resources while providing economic opportunities in these unincorporated areas continues to be a balancing act.

As additional rural development occurs, so does the demand for services and goods that can be reached without having to drive to an incorporated city. Aging residents have expressed a desire for additional medical care and offices in rural areas to support aging in place. On the other hand, many residents would prefer limiting development in unincorporated communities in order to preserve the rural of the area.

Destination Resort development continues to be a contentious issue. Community members have expressed concern regarding the water use of large-scale development – specifically the effects to groundwater for neighboring property owners. Other community members express support for the economic and amenity benefits of destination resorts, noting that the current requirements sufficiently address natural resource concerns. Additional community conversations will be valuable to understand the diversity of perspectives on this topic.



## Goals and Policies

### Resort Community Policies

#### General Resort Community Policies

**Policy 11.1.1.** Land use regulations shall conform to the requirements of OAR 660 Division 22 or any successor.

**Policy 11.1.2.** Designated open space and common area, unless otherwise zoned for development, shall remain undeveloped except for community amenities such as bike and pedestrian paths, park and picnic areas. Areas developed as golf courses shall remain available for that purpose or for open space/recreation uses.

**Policy 11.1.3.** The provisions of the Landscape Management Overlay Zone shall apply in Resort Communities where the zone exists along Century Drive, Highway 26 and the Deschutes River.

**Policy 11.1.4.** Residential minimum lot sizes and densities shall be determined by the capacity of the water and sewer facilities to accommodate existing and future development and growth.

**Policy 11.1.5.** The resort facility and resort recreation uses permitted in the zoning for Black Butte Ranch and the Inn of the Seventh Mountain/Widgi Creek shall serve the resort community.

#### Black Butte Ranch General Policies

**Policy 11.2.1.** County comprehensive plan policies and land use regulations shall ensure that new uses authorized within the Black Butte Ranch Resort Community do not adversely affect forest uses in the surrounding Forest Use Zones.

**Policy 11.2.2.** The County supports the design review standards administered by the Architectural Review Committee.

**Policy 11.2.3.** Residential, resort and utility uses shall continue to be developed in accordance with the Master Design for Black Butte Ranch and the respective Section Declarations.

**Policy 11.2.4.** Industrial activities, including surface mining, shall only occur in the area zoned Black Butte Ranch Surface Mining, Limited Use Combining District (Black Butte Ranch SM/LU) located in the northwest corner of Black Butte Ranch.

**Policy 11.2.5.** Employee housing shall be located in the area zoned Black Butte Ranch-Utility/Limited Use Combining District (Black Butte Ranch-U/LU).

**Policy 11.2.6.** Any amendment to the allowable use(s) in either the Resort Community District or the Limited Use Combining District shall require an exception in accordance with applicable statewide planning goal(s), OAR 660-04-018/022 and DCC 18.112 or any successor.

**Policy 11.2.7.** The westerly 38-acres zoned Black Butte Ranch Surface Mining, Limited Use Combining District (Black Butte Ranch SM/LU) shall be used for the mining and storage of aggregate resources. Uses that do not prevent the future mining of these resources, such as disposal of reclaimed effluent and woody debris disposal from thinning and other forest practices may be allowed concurrently. Other resort maintenance, operational and utility uses, such as a solid waste transfer station, maintenance facility or equipment storage may be allowed only after mining and reclamation have occurred.

**Policy 11.2.8.** The 18.5 acres zoned Black Butte Ranch-Utility/Limited Use Combining District (Black Butte Ranch-U/LU) may be used for the disposal of reclaimed sludge.

**Policy 11.2.9.** The area west of McCallister Road and east of the area zoned Black Butte Ranch may be used for large equipment storage, general storage, maintenance uses, RV storage, telephone communications, administration offices, housekeeping facilities and employee housing.

**Policy 11.2.10.** Employee housing shall be set back at least 250 feet from the eastern boundary of the area zoned Black Butte Ranch Surface Mining, Limited Use Combining District (Black Butte Ranch SM/LU).

**Policy 11.2.11.** Surface mining within the Black Butte Ranch community boundary shall adhere to the following Goal 5 ESEE “Program to Meet Goal” requirements:

- a. Only the western most 38 acres of the site shall continue to be mined.
- b. Setbacks shall be required for potential conflicting residential and other development. A minimum 50-foot setback shall be maintained from the perimeter of tax lot 202 for all surface mining activity.
- c. Noise impact shall be mitigated by buffering and screening.
- d. Hours of operation shall be limited to between 7:00 a.m. and 6:00 p.m. weekdays. No operations shall be allowed on weekends and holidays.
- e. Processing shall be limited to 45 days in any one year, to be negotiated with Deschutes County in the site plan process in consultation with the Oregon Department of Fish and Wildlife (ODFW).
- f. The conditions set forth in the August 10, 1989, letter of ODFW shall be adhered to.
- g. Extraction at the site shall be limited to five acres at a time with on-going incremental reclamation (subject to DOGAMI review and approval).



- h. Mining operations, siting of equipment, and trucking of product shall be conducted in such a manner that applicable DEQ standards are met and minimizes noise and dust.
- i. DOGAMI requirements for a permit once mining affects more than five acres outside the 8.6-acre exemption area shall be met.
- j. A conditional use permit shall be obtained from Deschutes County, under the provisions of section 18.128.280. Surface mining of resources exclusively for on-site personal, farm or forest use or maintenance of irrigation canals, before mining activity affects more than five acres outside the 8.6-acre exempt area.

**Black Butte Ranch Public Facility Policies**

**Policy 11.3.1.** Police protection services shall be provided by the Black Butte Ranch Police Services District.

**Policy 11.3.2.** The Black Butte Ranch Water Distribution Company and the Black Butte Ranch Corporation shall confirm the water and sewer service, respectively, can be provided for new uses or expansion of existing uses that require land use approval.

**Policy 11.3.3.** The Black Butte Ranch Water Distribution Company shall provide water service for the Black Butte Ranch Resort Community.

**Policy 11.3.4.** The Black Butte Ranch Corporation shall provide sewer service for Black Butte Ranch.

**Policy 11.3.5.** The Black Butte Ranch Fire Protection District shall provide fire protection services for Black Butte Ranch.

**Policy 11.3.6.** The roads and the bicycle/ pedestrian path system within the Black Butte Ranch Resort Community boundary shall be maintained by the Black Butte Ranch Owners Association.

**Inn of the 7th Mountain Widgi Creek General Policies**

**Policy 11.4.1.** Any amendment to the allowable uses in either the Resort Community District or the Widgi Creek Residential District shall require an exception in accordance with applicable statewide planning goal(s), OAR 660-04-018/022 or any successor, and DCC 18.112 or any successor.

**Policy 11.4.2.** The County shall encourage and support land exchanges efforts by and between private property owners, public agencies, and public trusts for the purpose of fostering public access to and protection of natural resources, such as rivers, streams, caves, areas/features of historical importance and other natural features.

**Inn of the 7th Mountain/Widgi Creek Public Facility Policies**

**Policy 11.5.1.** Police protection services shall be provided under contract with the Deschutes County Sheriff.

**Policy 11.5.2.** Water service shall be supplied by on-site wells for the Inn/Widgi Resort Community.

**Policy 11.5.3.** New uses or expansion of existing uses that require land use approval shall be approved only upon confirmation from the City of Bend that sewer service can be provided.

**Policy 11.5.4.** Fire protection services for the Inn/Widgi shall be provided through a contract with the City of Bend until such time as Inn/Widgi develops another plan to provide adequate fire protection.

**Policy 11.5.5.** The Resort Community, not Deschutes County, shall maintain roads in the community.

**Policy 11.5.6.** The bicycle/pedestrian path system shall be maintained by the Inn/Widgi Owners Association.

**Policy 11.5.7.** Emergency access between Widgi Creek and the Inn of the Seventh Mountain shall be provided in accordance with the approved development plan for the Elkai Woods town homes. The respective resort property owners shall maintain emergency access between the Inn and Widgi Creek

**Policy 11.7.2.** Ensure protection of water quality, recreational resources, and other County resources and values.

**Policy 11.7.3.** Ensure that destination resort developments support and implement strategies to provide workers with affordable housing options within or in close proximity to the resorts.

**Policy 11.7.4.** Mapping for destination resort siting.

a. To assure that resort development does not conflict with the objectives of other Statewide Planning Goals, destination resorts shall pursuant to Goal 8 not be sited in Deschutes County in the following areas:

- 1) Within 24 air miles of an urban growth boundary with an existing population of 100,000 or more unless residential uses are limited to those necessary for the staff and management of the resort;
- 2) On a site with 50 or more contiguous acres of unique or prime farm land identified and mapped by the Soil Conservation Service or within three miles of farm land within a High-Value Crop Area;
- 3) On predominantly Cubic Foot Site Class 1 or 2 forest lands which are not subject to an approved Goal exception;
- 4) On areas protected as Goal 5 resources in an acknowledged comprehensive plan where all conflicting uses have been prohibited to protect the Goal 5 resource;

**Destination Resorts Policies**

**Goal 11.6:** Provide for development of destination resorts in the County in a manner that will be compatible with farm and forest uses, existing rural development, and in a manner that will maintain important natural features including habitat of threatened or endangered species, streams, rivers, and significant wetlands.

**Policy 11.6.1.** Provide a process for the siting of destination resorts facilities that enhance and diversify the recreational opportunities and economy of Deschutes County, on lands that have been mapped by Deschutes County as eligible for this purpose.

**Goal 11.7:** Provide for development of destination resorts consistent with Statewide Planning Goal 12 in a manner that will ensure the resorts are supported by adequate transportation facilities.

**Policy 11.7.1.** Destination resorts shall only be allowed within areas shown on the “Deschutes County Destination Resort Map” and when the resort complies with the requirements of Goal 8, ORS 197.435 to 197.467, and Deschutes County Code 18.113.

- 5) Especially sensitive big game habitat, and as listed below, as generally mapped by the Oregon Department of Fish and Wildlife in July 1984 and as further refined through development of comprehensive plan provisions implementing this requirement.
  - i. Tumalo deer winter range;
  - ii. Portion of the Metolius deer winter range;
  - iii. Antelope winter range east of Bend near Horse Ridge and Millican;
- 6) Sites less than 160 acres.
- b. To assure that resort development does not conflict with Oregon Revised Statute, destination resorts shall not be sited in Deschutes County in Areas of Critical State Concern.
- c. To assure that resort development does not conflict with the objectives of Deschutes County, destination resorts shall also not be located in the following areas:
  - 1) Sites listed below that are inventoried Goal 5 resources, shown on the Wildlife Combining Zone, that the County has chosen to protect:
    - i. Antelope Range near Horse Ridge and Millican;
    - ii. Elk Habitat Area; and
    - iii. Deer Winter Range;
  - 2) Wildlife Priority Area, identified on the 1999 ODFW map submitted to the South County Regional Problem Solving Group;
  - 3) Lands zoned Open Space and Conservation (OS&C);
  - 4) Lands zoned Forest Use 1 (F-1);
  - 5) Irrigated lands zoned Exclusive Farm Use (EFU) having 40 or greater contiguous acres in irrigation;
  - 6) 6. Non-contiguous EFU acres in the same ownership having 60 or greater irrigated acres;
  - 7) Farm or forest land within one mile outside of urban growth boundaries;
  - 8) Lands designated Urban Reserve Area under ORS 195.145;
  - 9) Platted subdivisions;
- d. For those lands not located in any of the areas designated in Policy 3.9.5(a) through (c), destination resorts may, pursuant to Goal 8, Oregon Revised Statute and Deschutes County zoning code, be sited in the following areas:
  - 1) Forest Use 2 (F-2), Multiple Use Agriculture (MUA-10), and Rural Residential (RR-10) zones;
  - 2) Unirrigated Exclusive Farm Use (EFU) land;
  - 3) Irrigated lands zoned EFU having less than 40 contiguous acres in irrigation;
  - 4) Non-contiguous irrigated EFU acres in the same ownership having less than 60 irrigated acres;
  - 5) All property within a subdivision for which cluster development approval was obtained prior to 1990, for which the original cluster development approval designated at least 50 percent of the development as open space and which was within the destination resort zone prior to the effective date of Ordinance 2010-024 shall remain on the eligibility map;
  - 6) Minimum site of 160 contiguous acres or greater under one or multiple ownerships;

- e. The County shall adopt a map showing where destination resorts can be located in the County. Such map shall become part of the Comprehensive Plan and Zoning Ordinance and shall be an overlay zone designated Destination Resort (DR).

**Policy 11.7.5. Ordinance Provisions**

- a. The County shall ensure that destination resorts are compatible with the site and adjacent land uses through enactment of land use regulations that, at a minimum, provide for the following:
  - 1) Maintenance of important natural features, including habitat of threatened or endangered species, streams, rivers, and significant wetlands; maintenance of riparian vegetation within 100 feet of streams, rivers and significant wetlands; and
  - 2) Location and design of improvements and activities in a manner that will avoid or minimize adverse effects of the resort on uses on surrounding lands, particularly effects on intensive farming operations in the area and on the rural transportation system. In order to adequately assess the effect on the transportation system, notice and the opportunity for comment shall be provided to the relevant road authority.
  - 3) Such regulations may allow for alterations to important natural features, including placement of structures, provided that the overall values of the feature are maintained.
- b. Minimum measures to assure that design and placement of improvements and activities will avoid or minimize the adverse effects noted in Policy 3.9.4(a) shall include:

- 1) The establishment and maintenance of buffers between the resort and adjacent land uses, including natural vegetation and where appropriate, fenced, berms, landscaped areas, and other similar types of buffers.
- 2) Setbacks of structures and other improvements from adjacent land uses.
- c. The County may adopt additional land use restrictions to ensure that proposed destination resorts are compatible with the environmental capabilities of the site and surrounding land uses.
- d. Uses in destination resorts shall be limited to visitor- oriented accommodations, overnight lodgings, developed recreational facilities, commercial uses limited to types and levels necessary to meet the needs of visitors to the resort, and uses consistent with preservation and maintenance of open space.
- e. The zoning ordinance shall include measures that assure that developed recreational facilities, visitor-oriented accommodations and key facilities intended to serve the entire development are physically provided or are guaranteed through surety bonding or substantially equivalent financial assurances prior to closure of sale of individual lots or units. In phased developments, developed recreational facilities and other key facilitated intended to serve a particular phase shall be constructed prior to sales in that phase or guaranteed through surety bonding.

**SUNRIVER POLICIES**

**General Sunriver Policies**

**Policy 11.8.1.** Land use regulations shall conform to the requirements of OAR 660 Division 22 or any successor.

**Policy 11.8.2.** County comprehensive plan policies and land use regulations shall ensure that new uses authorized within the Sunriver Urban Unincorporated Community do not adversely affect forest uses in the surrounding Forest Use Zones.

**Policy 11.8.3.** To protect scenic views and riparian habitat within the community, appropriate setbacks shall be required for all structures built on properties with frontage along the Deschutes River.

**Policy 11.8.4.** Open space and common area, unless otherwise zoned for development, shall remain undeveloped except for community amenities such as bike and pedestrian paths, and parks and picnic areas.

**Policy 11.8.5.** Public access to the Deschutes River shall be preserved.

**Policy 11.8.6.** The County supports the design review standards administered by the Sunriver Owners Association.

**Sunriver Residential District Policies**

**Policy 11.9.1.** Areas designated residential on the comprehensive plan map shall be developed with single family or multiple family residential housing.

**Sunriver Commercial District Policies**

**Policy 11.10.1.** Small-scale, low-impact commercial uses shall be developed in conformance with the requirements of OAR Chapter 660, Division 22. Larger, more intense commercial uses shall be permitted if they are intended to serve the community, the surrounding rural area and the travel needs of people passing through the area.

**Policy 11.10.2.** No additional land shall be designated Commercial until the next periodic review.

**Policy 11.10.3.** Multiple-family residences and residential units in commercial buildings shall be permitted in the commercial area for the purpose of providing housing which is adjacent to places of employment. Single-family residences shall not be permitted in commercial areas.

**Policy 11.10.4.** Approval standards for conditional uses in the commercial district shall take into consideration the impact of the proposed use on the nearby residential and commercial uses and the capacity of the transportation system and public facilities and services to serve the proposed use.

**Sunriver Town Center District Policies**

**Policy 11.11.1.** Small-scale, low-impact commercial uses shall be developed in conformance with the requirements of OAR Chapter 660, Division 22. Larger, more intense commercial uses shall be permitted if they are intended to serve the community, the surrounding rural area or the travel needs of people passing through the area.

**Policy 11.11.2.** Development standards in the town center district should encourage new development that is compatible with a town center style of development that serves as the commercial core of the Sunriver Urban Unincorporated Community. The following policies should guide development in the Town Center District in Sunriver:

- a. Combine a mixture of land uses that may include retail, offices, commercial services, residential housing and civic uses to create economic and social vitality and encourage pedestrian use through mixed use and stand alone residential buildings.
- b. Develop a commercial mixed-use area that is safe, comfortable and attractive to pedestrians.



- c. Encourage efficient land use by facilitating compact, high-density development that minimizes the amount of land that is needed for development.
- d. Provide both formal and informal community gathering places.
- e. Provide visitor accommodations and tourism amenities appropriate to Sunriver.
- f. Provide design flexibility to anticipate changes in the marketplace.
- g. Provide access and public places that encourage pedestrian and bicycle travel.
- h. Provide road and pedestrian connections to residential areas.
- i. Facilitate development (land use mix, density and design) that supports public transit where applicable.
- j. Develop a distinct character and quality design appropriate to Sunriver that will identify the Town Center as the centerpiece/focal point of the community.

**Policy 11.11.3.** Development within the Town Center (TC) District will be substantially more dense than development elsewhere in Sunriver. This increased density will require changes to existing topography and vegetation in the TC District to allow for screened, underground parking. The requirements of the County’s site plan ordinance shall be interpreted to reflect this fact.

**Sunriver Resort District Policies**

**Policy 11.12.1.** Areas designated resort on the comprehensive plan map shall be designated resort, resort marina, resort golf course, resort equestrian or resort nature center district on the zoning map to reflect a development pattern which is consistent with resort uses and activities.

**Sunriver Business Park District Policies**

**Policy 11.13.1.** A variety of commercial uses which support the needs of the community and surrounding rural area, and not uses solely intended to attract resort visitors, should be encouraged.

**Policy 11.13.2.** Allow small-scale, low-impact commercial uses in conformance with the requirements of OAR Chapter 660, Division 22. Larger more intense commercial uses shall be permitted if they are intended to serve the community, the surrounding rural area and the travel needs of people passing through the area.

**Policy 11.13.3.** Small-scale, low-impact industrial uses should be allowed in conformance with the requirements of OAR Chapter 660, Division 22.



### Sunriver Community District Policies

**Policy 11.14.1.** Areas designated community on the comprehensive plan map shall be designated community general, community recreation, community limited or community neighborhood district on the zoning map to reflect a development pattern which is consistent community uses and activities.

**Policy 11.14.2.Policy 11.9.2.** Lands designated community shall be developed with uses which support all facets of community needs, be they those of year-round residents or part-time residents and tourists.

**Policy 11.14.3.Policy 11.9.3.** Development shall take into consideration the unique physical features of the community and be sensitive to the residential development within which the community areas are interspersed.

### Sunriver Airport District Policies

**Policy 11.15.1.** Future development shall not result in structures or uses which, due to extreme height or attraction of birds, would pose a hazard to the operation of aircraft.

**Policy 11.15.2.** Future development should not allow uses which would result in large concentrations or gatherings of people in a single location.

### Sunriver Utility District Policies

**Policy 11.15.3.** Lands designated utility shall allow for development of administrative offices, substations, storage/repair yards, distribution lines and similar amenities for services such as water, sewer, telephone, cable television and wireless telecommunications.

### Sunriver Forest District Policies

**Policy 11.16.1.** Uses and development on property designated forest that are within the Sunriver Urban Unincorporated Community boundary shall be consistent with uses and development of other lands outside of the community boundary which are also designated forest on the Deschutes County comprehensive plan map.

**Policy 11.16.2.** Forest district property shall be used primarily for effluent storage ponds, spray irrigation of effluent, biosolids application and ancillary facilities necessary to meet Oregon Department of Environmental Quality sewage disposal regulations.

**Policy 11.16.3.** The development of resort, residential or non-forest commercial activities on Forest district lands shall be prohibited unless an exception to Goal 14 is taken.

### Sunriver General Public Facility Policies

**Policy 11.17.1.** Residential minimum lot sizes and densities shall be determined by the capacity of the water and sewer facilities to accommodate existing and future development and growth.

**Policy 11.17.2.** New uses or expansion of existing uses within the Sunriver Urban Unincorporated Community which require land use approval shall be approved only upon confirmation from the Sunriver Utility Company that water and sewer service for such uses can be provided.

**Policy 11.17.3.** Expansion of the Sunriver Water LLC/Environmental/LLC Water and Sewer District outside of the historic Sunriver boundaries shall adequately address the impacts to services provided to existing property owners.

### Sunriver Water Facility Policies

**Policy 11.18.1.** Water service shall continue to be provided by the Sunriver Utilities Company.

### Sunriver Sewer Facility Policies

**Policy 11.19.1.** Sewer service shall continue to be provided by the Sunriver Utilities Company.

### Sunriver Transportation System Maintenance Policies

**Policy 11.20.1.** Privately-maintained roads within the Sunriver Urban Unincorporated Community boundary shall continue to be maintained by the Sunriver Owners Association.

**Policy 11.20.2.** The bicycle/pedestrian path system in Sunriver shall continue to be maintained by the Sunriver Owners Association or as otherwise provided by a maintenance agreement.

**Policy 11.20.3.** The County will encourage the future expansion of bicycle/pedestrian paths within the Sunriver Urban Unincorporated Community boundary in an effort to provide an alternative to vehicular travel.

**Policy 11.20.4.** All public roads maintained by the County shall continue to be maintained by the County. Improvements to County maintained public roads shall occur as described the County Transportation System Plan.

# 12

## Public Facilities

**DESCHUTES  
COUNTY**





### **Opportunities, Challenges, and Considerations**

Public facilities and services provide the basic infrastructure for urban and rural development. These systems include water and sewer systems, police and fire protection, health and social services, schools, and libraries. The transportation system is also a public facility – the County has developed and maintains a Transportation System Plan that is included as Appendix B.

These public services are provided by a variety of entities, each with their own jurisdiction, funding sources, and regulatory requirements. Overall, the provision of facilities and services is more efficient and cost-effective in urban areas than in rural development, where ratepayers may be few and far between. In some areas of the County, particularly east County, available services are limited due to lower population density and distance from urban centers. Many of the people who choose to reside there consider the limited availability of services and facilities as an acceptable tradeoff for a rural lifestyle.

Statewide Planning Goal 11, Public Facilities and Services and the associated Oregon Administrative Rule 660-011 specify that facilities and services should be appropriate for, but limited to, the needs and requirements of rural areas to be served. Public facility plans are not required (with some exceptions); in fact, Goal 11 and the associated rule set limits to the provision of sewers and water systems in rural areas, in order to limit rural growth.

There are several important issues relating to the provision of public facilities and services that this Comprehensive Plan addresses, including:

- Meeting the needs of county residents while supporting the protection of resource lands;
- Maintaining health, safety, and security throughout the county; and
- Cooperation among the various providers of public services.



## Context

Deschutes County plays a role in ensuring that public facilities and services are planned for, however the facilities and services are often not provided by county government directly. The discussion below highlights who provides the services listed and how the County will manage development impacts on existing facilities and services.

## County Facilities and Services

### LAW ENFORCEMENT

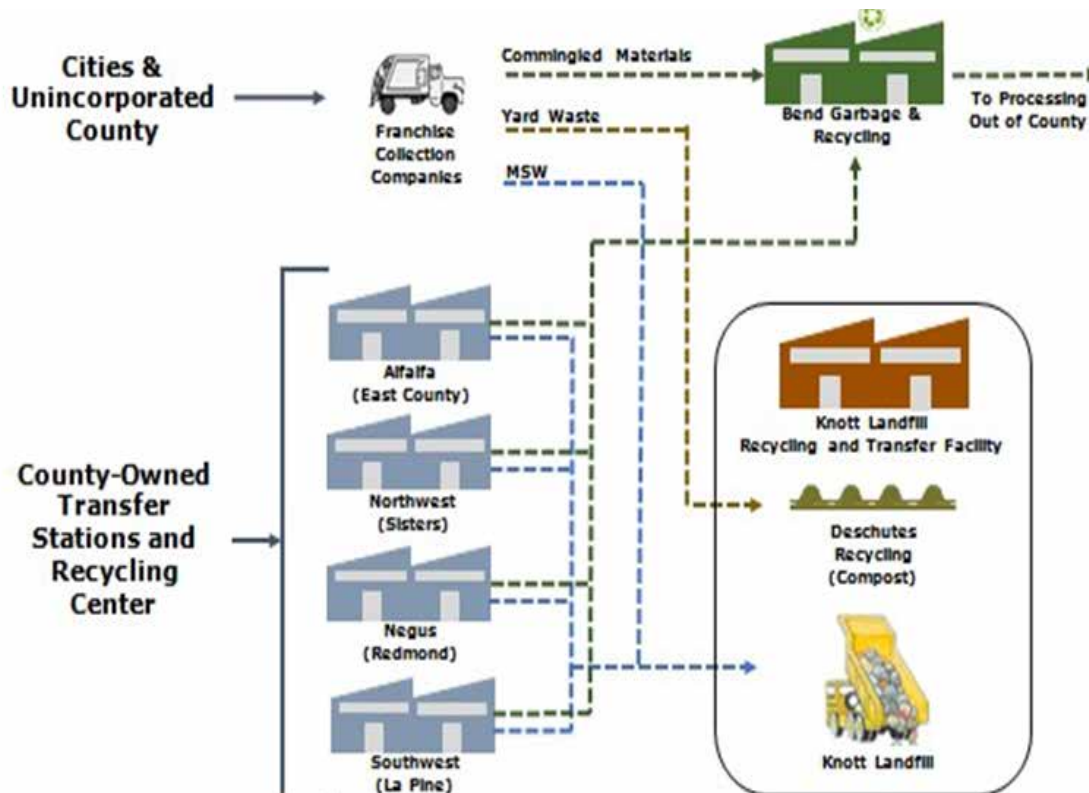
The Deschutes County Sheriff's Office is a full service organization providing patrol, traffic team, criminal investigations, corrections, civil and search and rescue. Special operations include a Marine Patrol, K-9 units, and Forest Patrol. The Sheriff is an elected public official who serves a four-year term. Housed within the Sheriff's office is the County's Emergency Management Unit, which coordinates the countywide response to natural hazards events.

## SOLID WASTE

The County manages Knott Landfill Recycling and Transfer Station, which is the only landfill in Deschutes County. In addition to this, the department manages four additional transfer stations throughout the County which gather waste in convenient locations, before transferring to the Knott Landfill facility. Operations at the landfill include recycling, hazardous waste disposal, and composting. This landfill site is anticipated to remain open until 2029 at which time it is projected to reach maximum capacity.

The Deschutes County Solid Waste Department is currently undertaking a new landfill siting process, which is anticipated to be completed in 2024. In the future, the County will likely need to site additional facilities to support composting, recycling, and waste stream diversion facilities.

## Deschutes County Solid Waste System, Source: Solid Waste Management Plan, 2019



## COUNTY HEALTH DEPARTMENT

Deschutes County Health Services has a primary responsibility to help address the basic health and wellness of Deschutes County residents. The department offers services at more than 40 locations in Deschutes County including public schools; health clinics in Bend, La Pine, Redmond and Sisters; five school-based health clinics; agencies such as the KIDS Center and the State of Oregon Department of Human Services; area hospitals; care facilities and homes.

## FAIRGROUNDS

The County maintains the County Fairgrounds and Expo Center. With panoramic views of the snow-capped Cascade range, the Deschutes County Fair and Expo Center is situated on the outskirts of Redmond just off of Hwy 97 and adjacent to the Redmond Municipal Airport. Due to its central location, the fairgrounds also serves as an emergency center. The fairgrounds hosts the annual County Fair and numerous other events throughout the year.

## Other Agency Facilities and Services

Where other agencies provide facilities and services, the County coordinates with numerous other providers of facilities and services for the benefit of County residents. Where there are gaps in the coverage for specific areas, the County can work with providers to fill them. A selection of other agencies and entities are noted below.

## CENTRAL OREGON INTERGOVERNMENTAL COUNCIL (COIC)

COIC began serving the residents and communities of Central Oregon in 1972 as a Council of Governments organized under ORS 190 by Crook, Deschutes and Jefferson Counties and Bend, Culver, Madras, Metolius, Prineville, Redmond and Sisters. COIC provides a wide variety of educational and economic development services such as workforce training, alternative high school education, business loans

and public transportation. COIC continues to evolve to meet the needs of Central Oregon.

COIC is governed by a 15-member board made up of elected officials who are appointed by each of the member governments as well as appointed representatives of key economic sectors – business and industry, tourism and recreation, agribusiness and agriculture, timber and wood products, and the unemployed/underemployed.

## SCHOOL DISTRICTS

There are three school districts in Deschutes County:

- Bend-La Pine (SD 1),
- Redmond (SD 2J) and
- Sisters (SD 6).

Additionally, the Brothers Community School is owned and operated by Crook County School District (SD 15). The High Desert Education Service District (ESD) partners with the districts to provide support services such as special education, school improvement, administrative and legal services.

## FIRE DISTRICTS

The following fire districts support rural residents: Bend Fire Department, Black Butte Ranch Rural Fire Protection District, Cloverdale Rural Fire Protection District, Crooked River Ranch Rural Fire Protection District, Deschutes County Rural Fire Protection District #1 and #2, La Pine Rural Fire Protection District, Sisters-Camp Sherman Rural Fire Protection District, and Sunriver Service District. Public lands are protected by federal agencies. There are some areas in Deschutes County that are not covered by a fire district. (See Chapter 7 for more on fire protection.)

## IRRIGATION DISTRICTS

Irrigation districts in Oregon are organized as Special Districts under ORS Chapter 545. Six irrigation districts operate in Deschutes County: Arnold, Central Oregon, North Unit, Swalley, Tumalo, the Three Sisters Irrigation Districts. They are quasi-municipal corporations under Oregon Law, with prescribed rules for purpose, boards, elections, staffing, charges, etc. The districts operate as political subdivisions of the State of Oregon created for the purpose of delivering water to their patrons. In addition to irrigation uses, these districts also supply a number of other services, including municipal, industrial, and pond maintenance, warranting coordination with municipalities.

## LIBRARIES

Deschutes Public Library has branches in Bend, Redmond, Sisters, La Pine and Sunriver. They also operate a bookmobile program that focuses on children and parenting books and a program for supplying books to homebound residents.

## HIGHER EDUCATION

Deschutes County is home to Oregon State University Cascades Campus (Bend) and Central Oregon Community College (Bend and Redmond). These campuses are expected to grow significantly in the future.

## SOIL AND WATER CONSERVATION DISTRICT

Soil and Water Conservation Districts are authorized by the State of Oregon to provide for the conservation of its soil and water resources. Working in cooperation with stakeholders, the districts address issues such as control and prevention of soil erosion, conservation and development of water resources, water quality, and wildlife preservation. The Deschutes Soil and Water Conservation District is a legally defined subdivision of the state government, but, like all soil and conservation districts, functions as a local unity led by a locally elected board of directors who serve without pay.

## PUBLIC WATER SYSTEMS

Public Water Systems are defined as those that have more than three connections, supply water at least 60 days/year and are used by at least 10 persons/day. All water systems are regulated under the federal 1974 Safe Drinking Water Act and 1981 Oregon Drinking Water Quality Act. Public Water Systems serving over 3,300 people are overseen by the Oregon Department of Human Services Drinking Water Program. The County acts as a contractor for the Department of Human Services to monitor approximately 180 Public Water Systems. Some privately owned systems are, for various reasons, regulated by the Public Utility Commission, which sets rates and rules for public utilities.

## Privately Owned Facilities and Services

### UTILITIES

#### Electric

Electricity is provided by Pacific Power around Bend and Redmond. Central Electric Cooperative and Midstate Electric provide service in the rest of the County. Phone service is provided by Qwest and numerous cell phone providers. Cable is provided by Bend Cable and satellite providers. Internet access is provided by a variety of entities.

#### Hospitals

Cascade Healthcare Community manages two hospitals: St. Charles Bend and St. Charles Redmond. Additionally there are numerous health providers and clinics in the County.

#### Sewer Districts

Creating or expanding existing sewer systems outside an urban growth boundary or unincorporated community is governed by Statewide Goal 11 and OAR 660-011-0060. In order to protect rural areas from urban-style development, the rules regulate where and when rural sewers are appropriate. Some sewer districts, such as Oregon Water Wonderland Unit

2, have used the Statewide Goal 2 exception process to create or expand a sewer system.

## INDIVIDUAL FACILITIES AND SERVICES

### Private wells

Most rural properties are served by private wells that are approved and managed by the Oregon Water Resources Department. The County currently does not track the number of wells.

### Individual septic systems

Most rural properties are served by septic systems that are approved by the Onsite Wastewater Division.

## Key Community Considerations

The role that Deschutes County plays in the provision of public facilities and services was part of the community discussion during the update of this Comprehensive Plan. Highlights included:

- City governments currently own property outside of urban growth boundaries and within County jurisdiction. In some instances, these lands are used for water and wastewater treatment facilities. As the County continues to grow, additional facilities are likely to be needed, and coordination among jurisdictions regarding placement of these facilities will be key.
- Significant population growth will lead to an increase in solid waste, requiring at minimum the siting of a new landfill. Community members expressed a desire for consideration of livability among other factors when considering the placement of key public facilities.





## Goals and Policies

**Goal 12.1:** Support the orderly, efficient, and cost-effective siting of rural public facilities and services.

**Policy 12.1.1.** Encourage and support the formation of special service districts to serve the need for public facilities in rural areas.

**Policy 12.1.2.** Encourage and support planning for and acquisition of sites needed for public facilities, such as transportation, water, and wastewater facilities.

**Policy 12.1.3.** Support the siting of community health clinics, hospitals, and private medical practices to serve rural residents throughout the County.

**Policy 12.1.4.** Continue to support the County Fairgrounds as a community gathering place, event facility and home to the annual County Fair.

**Policy 12.1.5.** Maintain the County Fairgrounds as an emergency readiness location and staging area in the event of a Cascadia Subduction Zone earthquake or other large disaster.

**Policy 12.1.6.** Prior to disposing of County-owned property, consider whether the land is appropriate for needed public projects such as schools, health clinics, fire stations, senior centers, or affordable housing.

**Policy 12.1.7.** Coordinate with rural service districts and providers to review development proposals.

**Policy 12.1.8.** Use the land use entitlement process to ensure new development addresses and mitigates impacts on existing and planned public facilities.

**Policy 12.1.9.** Support education districts, library districts and recreation districts in meeting community needs, such as meeting spaces.

**Policy 12.1.10.** Where practicable, locate utility lines and facilities within or adjacent to existing rights-of-way to avoid dividing farm or forest lands.

**Policy 12.1.11.** Use the development code to mitigate visual and other impacts of public facilities and cell towers.

**Policy 12.1.12.** Use the Comprehensive Plan and Development Code to guide rural development in a manner that supports the orderly and cost-efficient provision of public facilities and services.

**Policy 12.1.13.** Support siting and development of city owned water and wastewater facilities on rural lands, including innovative facilities that include additional community amenities.

**Goal 12.2:** Pursue sustainable, innovative, and cost-effective waste management practices.

**Policy 12.2.1.** Allow for siting of waste management facilities on rural lands, including but not limited to landfill facilities, transfer stations, organics management facilities, material recovery facilities, and recycling modernization facilities, in a manner that is sensitive to environmental and community concerns.

**Policy 12.2.2.** Provide incentives, education, and resources to promote reuse and recycling of construction waste.

**Policy 12.2.3.** Encourage waste reduction through community education and partnerships with community groups such as the Environmental Center

**Policy 12.2.4.** Support the creation of a landfill overlay zone.

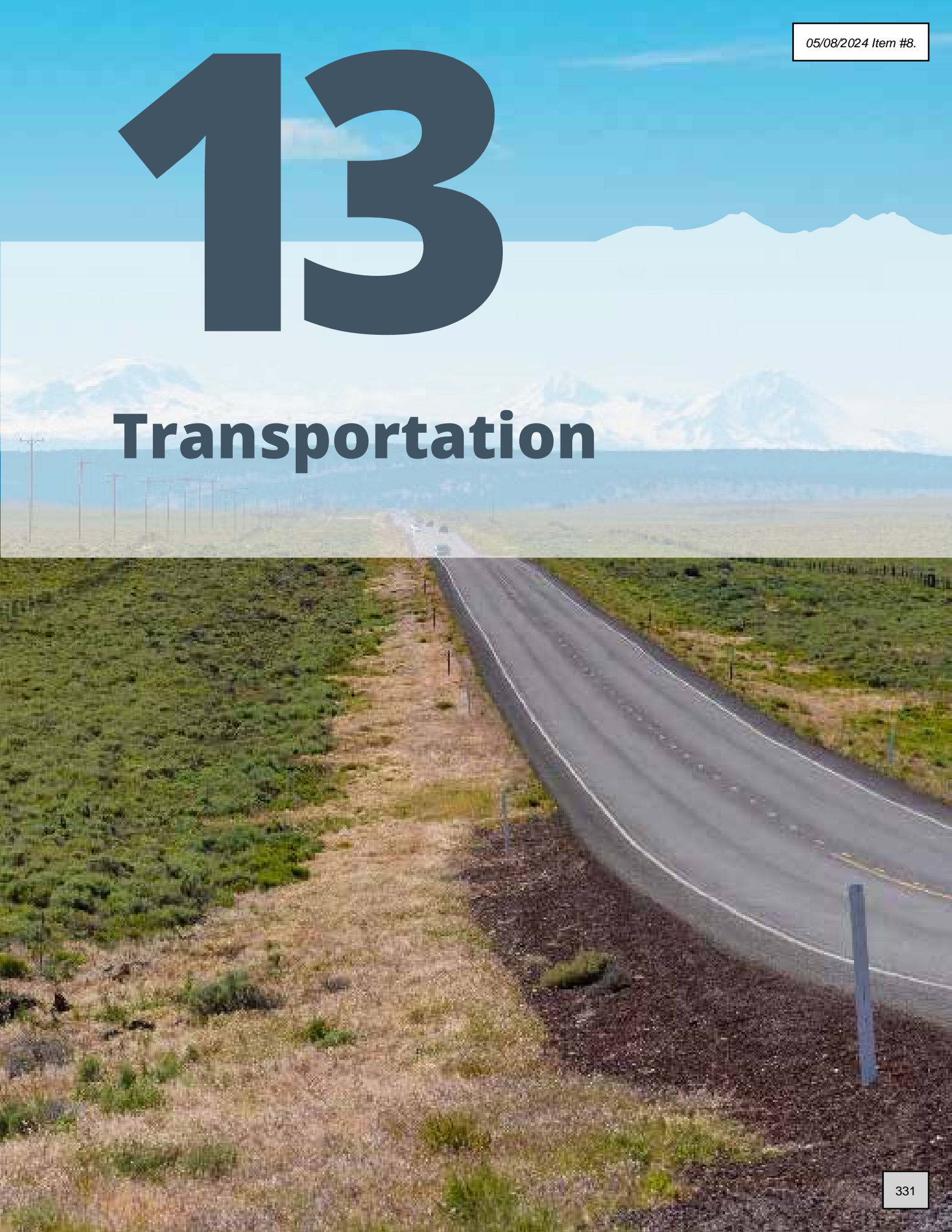
**Goal 12.3:** Serve as a conduit for countywide resources.

**Policy 12.3.1.** Provide resources to connect community members with a variety of housing and health related issues in Deschutes County



# 13

## Transportation





The Deschutes County transportation system includes roadways, bicycle facilities, pedestrian facilities, and transit facilities, as well as rail, air, marine, and pipeline systems. In general, the County only owns, manages, and maintains facilities in the unincorporated portions of the County. Facilities within the Urban Growth Boundaries of the incorporated cities of Bend, Redmond, Sisters, and La Pine are managed and maintained by those cities. In addition, the Oregon Department of Transportation (ODOT) owns and maintains a number of state highways throughout the County.

Information about existing conditions, planned investments, and policies related to transportation are contained in the Deschutes County Transportation System Plan (TSP), which is adopted as Appendix B of this Comprehensive Plan.



# 14

## Energy





## Opportunities, Challenges, and Considerations

The amount, source, and distribution of energy used in Deschutes County is a fundamental component of how we live our lives, and it is influenced by land use and other decisions made at the County level. The State of Oregon requires land uses to be managed with an eye to their energy impacts.

**Statewide Planning Goal 13**

Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.



In Deschutes County, the key energy issues include:

- Community design in more urban areas to limit the need for large vehicles (generally powered with fossil fuel) for everyday tasks.
- Generating, transporting, and storing energy locally from a variety of sources, and managing the impacts of these facilities.
- Conservation of energy through building design and orientation, the use of energy-efficient technologies, and incentives/regulations/education to encourage others to do so.

Deschutes County coordinates with utility providers that serve the area, including:

- Central Electric Cooperative
- Midstate Electric Cooperative
- Pacific Power (PacifiCorps)
- Cascades Natural Gas

## Context

The role of Deschutes County in planning for energy is addressed in more detail below.

### SOLAR ORIENTATION

The solar orientation of structures can create significant energy savings and allows for photovoltaic energy generation. The County has long promoted energy conservation through a passive solar code that requires new structures to be sited so that they do not block the sun from falling on adjacent properties.

### SITING LARGE-SCALE ENERGY FACILITIES

In general, cities and counties have siting authority over energy projects below a certain size or generating capacity. This includes individual projects powering or supplementing homes and businesses or small commercial projects which produce energy for sale. Larger facilities are regulated by the Oregon Energy Facility Siting Council. The thresholds for Siting Council jurisdiction are determined by the Legislature and are defined in Oregon Revised Statutes (ORS) 469.300. The Siting Council does not regulate hydroelectric development. Instead, the Oregon Water Resources Commission has the authority to issue licenses for hydroelectric development.

Deschutes County currently has five developed large-scale energy facilities, primarily located on the eastern side of the County, approved between 2015-2017. In 2018, the Department of Land Conservation and Development altered statewide rules related to these types of large-scale energy facilities on high value farmland, limiting development opportunities in parts of the County. Community members have expressed concern regarding impacts of these facilities on wildlife habitat and aesthetics.

In addition to solar, several irrigation districts have developed in conduit hydroelectric facilities in which existing canals are upgraded with equipment for power generation. Three of these facilities currently exist, two of which are owned

and operated by Central Oregon Irrigation District, and the third owned and operated by Three Sisters Irrigation District.

### SMALL-SCALE RESIDENTIAL, BUSINESS, AND COMMERCIAL ENERGY GENERATION

The State oversees construction and approval of large commercial energy facilities, as noted above. However, there is a role for local governments to oversee smaller commercial projects. Commercial energy generation is considerably more complex than permitting small projects for homes and businesses. From a land use perspective, the scale, extended time frame, investment required and required off-site components all complicate the approval process. For example, to move the electricity generated at an alternative energy facility to market there is often a need for approval of roads, transmission lines or substations. The accessory facilities may or may not be in place at the same site as the main facility, but are an integral part of the project and are currently reviewed separately, based on State regulations.

### Wind Energy Generation

As shown in the following figure, wind energy is most abundant in the eastern portion of Deschutes County.

Potential impacts of this type of facility include temporary construction impacts, habitat loss and animal fatalities due to collision with turbines, visual impacts from towers and accessory structures, and noise. Deschutes County regulates small scale wind energy development generating less than 100 kilowatts of power. This allowance was added to the Deschutes County Code in 2010, although since that time no applications have been received to establish this type of facility.



### Solar Energy Generation

The following figure gives a broad sense of where in the US solar irradiance is highest, and therefore where solar generation will be most efficient. Deschutes County is generally favorable to solar generation.

Potential impacts of this type of facility include temporary construction impacts, habitat loss, animal fatalities due to reflected sunlight (for some solar facilities), and visual impacts. As noted previously, the Department of Land Conservation and Development amended its rules in 2018 to limit solar development on high value farmland. Typically, solar developments require large acreage and relatively flat terrain for their operations. This requirement is a limiting factor in Deschutes County, as many of the properties that would meet large acreage and terrain requirements are actively used for farming purposes. The Bureau of Land Management is exploring an amendment to its rules to allow for greater opportunity for solar development in the western United States. The County anticipates limited solar development on private land going forward and an increase of leased BLM land for this type of development in the future.

### Commercial Biomass

Commercial biomass uses organic material such as wood, agricultural waste or crop residues to power boilers to generate heat. According to the Oregon Forest Resources Institute an estimated 4.25 million acres (about 15% of Oregon’s forestland) have the potential to provide useful woody biomass through thinning to reduce the risk of uncharacteristic forest fires.

Potential impacts include temporary construction impacts, transportation impacts (as materials need to be transported to a central location), visual impacts, and air quality and climate impacts due to combustion of biofuels.

The County’s first biomass facility is under construction through a partnership with the Deschutes National Forest and Mt. Bachelor Ski Resort. The project is located on federal land and outside of the purview of Deschutes County regulations.

### Geothermal Energy Generation

Geothermal energy is a form of renewable energy derived from heat in the earth. This heat is transferred to water through various means and the steam produced is used to produce electricity. Geothermal energy is dependent on the location of geothermal resources; central Oregon may contain some of the best prospects for geothermal exploration in the continental United States.

Potential impacts include construction and visual impacts of geothermal facilities.

Deschutes County regulates geothermal energy in accordance with state law, although no geothermal development projects have been proposed to date.

### Hydroelectric Energy Generation

Currently, Deschutes County has three approved “in conduit” hydroelectric facilities that are owned and operated by irrigation districts within existing irrigation district canals. Approval of these facilities have previously been contentious, with community members expressing concern about wildlife and impacts to other basin users. Irrigation districts have noted challenges in utilizing the existing county code for these projects, which were drafted to address “in channel” hydroelectric facilities. To promote renewable energy development using man-made waterways, irrigation districts have expressed interest in helping the County update the Deschutes County Code to more appropriately address “in conduit” hydroelectric facilities separate and apart from “in-channel” hydroelectric facilities”.

## Key Community Considerations

Community discussions related to energy have revolved around the following topics:

- Interest in planning for and adapting to climate change, including using more renewable energy sources.
- Concern about the design and location of energy facilities and their impacts on environmental resources and scenic views.
- Preparation for more use of electric vehicles in the future, which often require specialized charging infrastructure.

## Goals and Policies

### Goal 14.1: Promote Energy Conservation and Alternative Energy Production

**Policy 14.1.1.** Continue to incorporate energy conservation into the building and management of all County operations and capital projects using regular energy audits to refine the results.

**Policy 14.1.2.** Reduce energy demand by supporting energy efficiency in all sectors of the economy.

**Policy 14.1.3.** Encourage energy suppliers to explore innovative alternative energy conservation technologies and provide energy audits and incentives to patrons.

**Policy 14.1.4.** Provide flexibility and exemptions for small properties and anomalous sites in the development code to promote energy conservation. Promote affordable, efficient, reliable, and environmentally sound commercial energy systems for individual homes, and business consumers.

**Policy 14.1.5.** Promote development of solar, hydropower, wind, geothermal, biomass and other alternative energy systems while mitigating impacts on neighboring properties and the natural environment.

**Policy 14.1.6.** Provide incentives for homes and businesses to install small-scale on-site alternative energy systems consistent with adopted County financing programs.

**Policy 14.1.7.** Support development of electric vehicle charging stations and facilities to help promote use of electric vehicles.

**Policy 14.1.8.** Use the development code to promote commercial renewable energy projects while addressing and mitigating impacts on the community and natural environment.

**Policy 14.1.9.** Use Oregon’s Rural Renewable Energy Development Zones to support the creation of renewable energy projects.

**Policy 14.1.10.** Identify, protect, and support the development of significant renewable energy sites and resources.

**Policy 14.1.11.** Include evaluation of adverse impacts to natural resources as part of renewable energy siting processes.



# Appendix A - Terrebonne Community Plan

# Appendix B - Tumalo Community Plan

# Appendix C - Transportation System Plan



# Appendix D - Newberry Country Plan

# Appendix E - Goal 5 Supplemental Sections

## Section 5.1 Introduction

### Background

This chapter provides material that supplements the other chapters of the Plan. There are no goals or policies in these sections.

### Purpose

The purpose of this chapter is to provide a glossary, list all acknowledged Goal 5 resources in one location (see Section 2.4) and list all Goal Exceptions and Goal 5 inventories. The final section in this Chapter is a table to track all amendments to this Plan. This table will ensure a clear legislative history is maintained.

The following information is covered in this chapter:

- Glossary and Acronyms
- Goal 5 Water Resources
- Goal 5 Wildlife Resources
- Goal 5 Open Space and Scenic Views and Sites Resources
- Goal 5 Energy Resources
- Goal 5 Wilderness, Natural Areas and Recreation Trails
- Goal 5 Surface Mining Resources
- Goal 5 Cultural and Historic Resources
- Goal Exception Statements
- Goal 5 Adopted Ordinances
- Ordinance History

## Section 5.2 Glossary and Acronyms

### Glossary

*Note: Terms defined in Deschutes County Code 18.04 (Zoning Code) are not repeated here, but have the same meaning as DCC 18.04.*

“Agricultural-tourism” or “Agri-tourism” means a commercial enterprise at a working farm or ranch, operated in conjunction with the primary farm or ranch use, conducted for the enjoyment and/or education of visitors, that promotes successful agriculture, generates supplemental income for the owner and complies with Oregon Statute and Rule.

“Aquifer” means a water-bearing rock, rock formation or a group of formations.

“Common Area” means ‘common property’ as defined in the Oregon Planned Communities Act at ORS 94.550(7).

“Comprehensive Plan” means a generalized, coordinated land use map and policy statement of the governing body of a state agency, city, county or special district that interrelates all functional and natural systems and activities relating to the use of lands, including but not limited to sewer and water, transportation, educational and recreational systems and natural resources and air and water quality management programs. “Comprehensive” means all-inclusive, both in terms of the geographic area covered and functional and natural activities and systems occurring in the area covered by the plan. “Generalized” mean a summary of policies and proposals in broad categories and does not necessarily indicate specific locations of any area, activity or use. A plan is “coordinated” when the needs of all levels of governments, semi-public and private agencies and the citizens have been considered and accommodated as much as possible. “Land” includes water, both surface and subsurface, and the air.

“Conservation” means limiting or minimizing the use or depletion of natural resources, including such things as land, energy, water or wildlife habitat.

“Ecosystem” means the physical and biological components and processes occurring in a given area, which interact to create a dynamic equilibrium.

“Findings” means a fact, determination or reason, based on existing information, which, by itself or in conjunction with other findings, leads to a particular conclusion or course of action.

“Goal Exception” means a land use process through which a local jurisdiction justifies, based on factual evidence, that a policy embodied in a particular statewide planning goal should not apply to a particular property or set of properties.

“Green infrastructure” means design and construction practices that significantly reduce the negative impacts of buildings on the environment and occupants.

“Groundwater” means water beneath the earth's surface between saturated soil and rock that supplies wells and springs.

“Habitat” means a place that provides seasonal or year-round food, water, shelter and other necessities for an organism, community or population of plants and animals.

"In-stream" as defined in ORS 537.332, means within the natural stream channel or lake bed or place where water naturally flows or occurs.

"Instream flow" means the minimum quantity of water necessary to support the public use requested by an agency.

"Post-acknowledgement plan amendment" means an amendment to an adopted and acknowledged Comprehensive Plan.

"Regional" is used in the context of projects and collaborative efforts with impacts beyond Deschutes County.

"Riparian (zone, habitat, or vegetation)" means of, or pertaining to, the bank of a river, or of a pond or small lake. Riparian habitat is riverbank vegetative cover and food for many wildlife species.

"Rural lands" means those lands outside recognized urban growth boundaries which are necessary and suitable for such uses as:

- A. Exclusive farm use;
- B. General agriculture;
- C. Forest;
- D. Rural residential;
- E. Rural service center;
- F. Destination resort, dude ranch, planned community;
- G. Landscape management;
- H. Special interest;
- I. Open space;
- J. Fish and wildlife protective area;
- K. Recreation;
- L. Surface mining.

"Special District" means any unit of local government, other than a city or county, authorized and regulated by statute, which includes but is not limited to water control, irrigation, port districts, fire, hospital, mass transit and sanitary districts, as well as regional air quality control authorities.

"Statewide Planning Goals" means the 19 statewide planning standards adopted by the Land Conservation and Development Commission pursuant to OAR 660-015 to express Statewide policies on land use and related topics. Local comprehensive plans must be consistent with the statewide planning goals.

"Surface mining" means all or any part of the process of mining by removal of the overburden and extraction of natural mineral deposits.



"Urban Growth Boundary" (UGB) means a boundary established to identify for each city, the land area needed to accommodate 20 years of growth for the city, which is determined to be necessary and suitable for future urban uses capable of being served by urban facilities and services.

"Urbanized lands" means those lands within the urban growth boundaries which can be served by urban services and facilities and are necessary and suitable for future expansion of an urban area.

"Urban Reserve Area" means a boundary established to identify for each city, the land area needed to accommodate from 20-50 years of growth for the city.

### Frequently Used Acronyms

"BLM" stands for Bureau of Land Management

"CCI" stands for Committee for Community Involvement "DCC" stands for Deschutes County Code

"DLCD" stands for Oregon Department of Land Conservation and Development. "DEQ" stands for Oregon Department of Environmental Quality

"DOGAMI" stands for Oregon Department of Geology and Mineral Industries "ESA" stands for the federal Endangered Species Act

"ESEE" stands for Economic, Social, Environmental and Energy in regards to required Goal 5 analyses

"FEMA" stands for Federal Emergency Management Agency

"LCDC" stands for Oregon Land Conservation and Development Commission "NOAA" stands for National Oceanic Atmospheric Administration

"OAR" stands for Oregon Administrative Rules

"ODFW" stands for Oregon Department of Fish and Wildlife "ORS" stands for Oregon Revised Statute

"OWRD" stands for Oregon Water Resources Department "RPS" stands for Regional Problem Solving

"TSP" stands for Transportation System Plan "UGB" stands for Urban Growth Boundary "URA" stands for Urban Reserve Area

"USFS" stands for United States Forest Service

"USFWS" stands for United States Fish and Wildlife Service "USGS" stands for United States Geological Survey

## Section 5.3 Goal 5 Inventory - Water Resources

### Background

This section contains information from the 1979 Deschutes County Comprehensive Plan as revised and the 1986 Deschutes County/City of Bend River Study. It lists the water resources in Deschutes County. These inventories have been acknowledged by the Department of Land Conservation and Development as complying with Goal 5. No changes have been proposed for the 2010 Comprehensive Plan update.

Goal 5 requires the following water resources be inventoried and the inventories are listed below.

- Riparian corridors, including water and riparian areas and fish habitat
- Wetlands
- Federal Wild and Scenic Rivers
- State Scenic Waterways
- Groundwater Resources

Also included in these inventories are Significant Lakes and Reservoirs.

### Riparian Corridors

#### INVENTORIES

**Table 5.3.1 Deschutes County River Miles**

Waterway	Miles
Deschutes River	97
Little Deschutes River	42
Whychus Creek (lower 6 miles in Jefferson County)	39
Tumalo Creek	16
Paulina Creek	10
Fall River	8
Crooked River	7

Source: Deschutes County/City of Bend River Study 1986

**Table 5.3.2 Deschutes County Goal 5 Riparian Inventory**

Streams	Riparian Acres

**Table 5.3.3 Deschutes County Goal 5 Floodplains Adjacent to Rivers and Streams**

Deschutes River	Little Deschutes River
Crooked River	Spring River
Dry River	Paulina Creek
Indian Ford Creek	Long Prairie
Whychus Creek	

Source: 1979 Deschutes County Comprehensive Plan as revised and Federal Emergency Management Agency maps

## Wetlands

Inventory: In 1992 Deschutes County Ordinance 92-045 adopted all wetlands identified on the U.S. Fish and Wildlife Service National Wetland Inventory Maps as the Deschutes County wetland inventory. Additionally, Deschutes County Ordinance 2011-008 adopted a Local Wetland Inventory (LWI) covering 18,937 acres in South Deschutes County.

**Table 5.3.4 Deschutes County Goal 5 Perennial Streams**

Bottle Creek	Full Creek	Spring Creek
Bridge Creek	Goose Creek	Three Creek
Brush Draw	Indian Ford Creek	SF Tumalo Creek
Bull Creek	Jack Creek	NF Whychus Creek
Cache Creek	Kaleetan Creek	Soda Crater Creek
Charlton Creek	Metolius Creek	NF Trout Creek
Cultus Creek	Park Creek EF	NF Tumalo Creek
Cultus River	Park Creek WF	MF Tumalo Creek
Deer Creek	Pole Creek	First Creek
Dry Creek	Rock Creek	Soap Creek
Fall Creek	Snow Creek	Todd Lake Creek

Note: All of these streams, except portions of Indian Ford Creek, Cache Creek and Dry Creek, are located on federal land and are subject to either the Deschutes National Forest or the Bureau of Land Management Resource Management Plans.

Source: 1979 Deschutes County Comprehensive Plan as revised

**Table 5.3.5 Deschutes County Riparian Ownership**

<i>River or Stream</i>	<i>Ownership</i>
Deschutes River	Private/Federal
Little Deschutes River	Private/Federal
Fall River	Private/Federal
Tumalo Creek	Private/Federal
Three Creek	Private/Federal
Whychus Creek	Private/Federal
Trout Creek	Private/Federal
Dry Creek	Private/Federal
Cache Creek	Private/Federal
Indian Ford Creek	Private/Federal
Cultus River	Federal
Charlton Creek	Federal
Deer Creek	Federal
Cultus Creek	Federal
Quinn Creek	Federal
Fall Creek	Federal
Moore Creek	Federal

Source: 1979 Deschutes County Comprehensive Plan as revised

## FEDERAL WILD AND SCENIC RIVERS

Inventory: The following segments of the Deschutes River have been designated as Federal Recreation and Scenic rivers by the passage of the 1988 Omnibus Oregon Wild and Scenic Rivers Act of 1988. Congress mandates the US Forest Service to prepare a management plan for these segments of the Deschutes River.

**Table 5.3.6 Deschutes County Wild and Scenic River Segments**

<i>Waterway</i>	<i>Description</i>
Deschutes River	From Wickiup Dam to Fall River (22 miles)
Deschutes River	Fall River to N boundary Sun River (20 miles)
Deschutes River	N boundary Sun River to Bend UGB (13 miles)
Whychus Creek (formerly Squaw Creek)	Includes all tributaries within the Three Sisters Wilderness, Soap Creek and the main stem from the wilderness boundary to the stream flow gauge station

Source: County Ordinance 92-052

**Table 5.3.8 Deschutes County Significant Lakes and Reservoirs**

<i>River or Stream</i>	<i>Township</i>	<i>Range</i>	<i>Section</i>
Bobby Lake	T 22S	R 06E	14
Charlton Lake	T 21S	R 06E	14
Crane Prairie Reservoir	T 21	R 08E	16
Cultus Lake	T 20S	R 07E	24
Deer Lake	T 20S	R 07E	
Devils Lake	T 18 S	R 08E	NW1/2 SEC. 10
Davis Lake	T 22S	R 07E	
East Lake	T 21S	R 13E	31
Elk Lake	T 18S/19S	R 07E	5
Hosmer Lake	T 19S	R 08E	4
Lava Lake	T 19S	R 08E	22
Little Cultus Lake	T 20S	R 07E	
Little Lava Lak	T 19S	R 08E	22
North Twin Lake	T 21S	R 08E	28
Paulina Lake	T 21S	R 12E	84
South Twin Lake	T 21S	R 08E	28
Sparks Lake	T 18S	R 08E	23
Three Creeks Lake	T 17S	R 09E	14
Todd Lake	T 18S	R 09E	8
Upper Tumalo Reservoir	T 16S	R 11E	33
Winopee Lake	T 19S	R 11E	33
Wickiup Reservoir	T 22S	R 09E	7

Source: Deschutes County Ordinance 92-052

scenic

surface

and

adjacent to  
ed lakes and  
nt.

## Section 5.4 Goal 5 Inventory - Wildlife Habitat

### Background

This section contains wildlife resource information from the 1979 Deschutes County Comprehensive Plan as revised. These inventories have been acknowledged by the Department of Land Conservation and Development as complying with Goal 5. No changes have been proposed for the 2010 Comprehensive Plan update. However, an updated inventory has been provided as described in Section 2.6 of this Plan and will be incorporated at a later date.



## Bird Sites

(source: 1979 Deschutes County Comprehensive Plan as revised)

### Bald Eagle Habitat Sites on Non-Federal Land or with Non-Federal Sensitive Habitat Areas.

Site #	Taxlot	Quarter Section	Site Name
DE0035-00	15-10-00-1400	23NWNE	Cloverdale NW
DE0035-01	15-10-00-1400	23NENE	Cloverdale NE

**Table 5.4.1 – Bird Inventory**

<b>Birds</b> Selected List 1992	<b>Use Period</b> S = Summer W = Winter X = Year round	<b>Relative Abundance</b> A = Abundant C = Common F = Few R = Rare U = Unknown
American Avocet	S	F
American Bittern	S	F
American Coot	X	C
American Goldfinch	S	C
American Osprey	X	C
American Widgeon	X	C
Anna's Hummingbird	S	F
Ash-throated Flycatcher	S	F
Bald Eagle	X	F
Bank Swallow	S	F
Barn Owl	X	C
Barn Swallow	S	C
Barred Owl	X	U
Belted Kingfisher	X	F
Bewick's Wren	X	F
Black-backed Woodpecker	X	F
Black-billed Magpie	X	C
Black-capped Chickadee	W	F
Black-chinned Hummingbird	S	F
Black-crowned Night Heron	S	F
Black-headed Grosbeak	S	F
Black-throated Grey Warbler	S	F
Blue Grouse	X	F
Blue-winged Teal	S	F
Bohemian Waxwing	W	F
Boreal Owl	X	F
Brewer's Blackbird	X	C
Brewer's Sparrow	S	F
Brown Creeper	X	F

<b>Birds</b> Selected List 1992	<b>Use Period</b> S = Summer W = Winter X = Year round	<b>Relative Abundance</b> A = Abundant C = Common F = Few R = Rare U = Unknown
Brown-headed Cowbird	S	C
Bufflehead	X	C
Burrowing Owl	S	R
California Valley Quail	X	C
Calliope Hummingbird	S	F
Canada Goose	X	C
Canyon Wren	X	C
Caspian Tern	S	F
Cassin's Finch	X	C
Cedar Waxwing	X	C
Chipping Sparrow	S	C
Chukar Partridge	X	R
California Gull	X	C
Clark's Nutcracker	X	C
Cliff Swallow	S	C
Common Bushitit	X	C
Common Crow	X	R
Common Loon	S	R
Common Merganser	X	C
Common Nighthawk	S	C
Common Raven	X	C
Common Snipe	S	F
Coopers Hawk	X	C
Dark-eyed Junco	X	A
Dipper	X	F
Double-crested Cormorant	S	C
Downy Woodpecker	X	C
Dusky Flycatcher	S	F
Eared Grebe	W	F
Eastern Kingbird	S	F
Evening Grosbeak	X	C
Ferruginous Hawk	S	F
Flammulated Owl	S	F
Fox Sparrow	S	C
Franklin's Gull	S	F
Gadwall	W	F
Golden Eagle	X	F
Golden-crowned Kinglet	X	F
Goldeneye	X	C
Goshawk	X	F
Gray Jay	X	C
Gray Partridge	X	R
House Sparrow	X	C

<b>Birds</b> Selected List 1992	<b>Use Period</b> S = Summer W = Winter X = Year round	<b>Relative Abundance</b> A = Abundant C = Common F = Few R = Rare U = Unknown
House Wren	S	F
Killdeer	X	C
Lark Sparrow	S	F
Lazuli Benging	S	F
Least Sandpiper	S	F
Lesser Goldfinch	X	R
Lesser Scaup	W	C
Lewis' Woodpecker	S	F
Lincoln's Sparrow	X	F
Loggerhead Shrike	X	F
Long-billed Curlew	S	R
Long-billed Marsh Wren	S	F
Long-eared Owl	X	F
MacGillivray's Warbler	S	F
Mallard	X	C
Merlin	W	R
Mountain Bluebird	X	C
Mountain Chickadee	X	C
Mourning Dove	X	C
Nashville Warbler	X	F
Northern Harrier	X	F
Northern Oriole	S	F
Northern Phalarope	S	F
Three-toed Woodpecker	X	F
Olive-sided Flycatcher	S	C
Orange-crowned Warbler	S	F
Osprey	S	C
Peregrine Falcon	X	R
Pileated Woodpecker	X	F
Pine Grosbeak	X	R
Pine Siskin	X	C
Pinon Jay	X	C
Pintail	W	C
Prairie Falcon	X	C
Purple Finch	X	F
Pygmy Nuthatch	X	C
Pygmy Owl	X	F
Red Crossbill	X	F
Red-breasted Nuthatch	X	C
Redhead	W	F
Red-shafted Flicker	X	C
Red-tailed Hawk	X	C
Red-winged Blackbird	X	C

<b>Birds</b> Selected List 1992	<b>Use Period</b> S = Summer W = Winter X = Year round	<b>Relative Abundance</b> A = Abundant C = Common F = Few R = Rare U = Unknown
Ring-billed Gull	X	C
Ring-neck Duck	W	F
Ring-necked Pheasant	X	F
Robin	X	C
Rock Dove	X	C
Rock Wren	S	C
Rosy Finch	X	R
Rough-legged Hawk	W	C
Rough-winged Swallow	S	F
Ruby-crowned Kinglet	X	F
Ruffed Grouse	X	F
Rufous Hummingbird	S	F
Rufous-sided Towhee	X	F
Sage Grouse	X	F
Sage Sparrow	S	R
Sage Trasher	S	C
Sandhill Crane	S	F
Song Sparrow	X	F
Sora	S	F
Spotted Owl	X	F
Spotted Sandpiper	S	F
Starling	X	C
Steller's Jay	X	F
Swainson's Hawk	S	R
Swainson's Thrush	S	F
Townsend's Solitaire	X	C
Tree Swallow	S	C
Turkey	X	C
Turkey Vulture	S	C
Varied Thrush	X	F
Vaux's Swift	S	F
Vesper Sparrow	S	F
Violet-green Swallow	S	C
Virginia Rail	S	F
Warbling Vireo	S	F
Water Pipit	X	F
Western Bluebird	S	F
Western Flycatcher	S	F
Western Grebe	S	C
Western Kingbird	S	F
Western Meadowlark	S	C
Western Sandpiper	S	F
Western Taager	S	F

<b>Birds</b> Selected List 1992	<b>Use Period</b> S = Summer W = Winter X = Year round	<b>Relative Abundance</b> A = Abundant C = Common F = Few R = Rare U = Unknown
Western Wood Pewee	S	F
White-breasted Nuthatch	X	F
White-crowned Sparrow	S	F
White-headed Woodpecker	X	F
Wigeon	X	F
Williamson's Sapsucker	X	F
Willow Flycatcher	S	R
Wilson's Phalarope	S	R
Wilson's Warbler	S	F
Winter Wren	X	F
Wood Duck	S	F
Yellow Warbler	S	F
Yellow-bellied Sapsucker	X	F
Yellow-headed blackbird	S	F
Yellowthroat	S	F

Source: 1979 Deschutes County Comprehensive Plan as revised

The Oregon Department of Fish and Wildlife (ODFW) has identified two bald eagle nests in Township

**Table 5.4.2 – Amphibian and Reptile Inventory**

<b>Amphibians and Reptiles</b> Selected List 1992	<b>Use Period</b> S = Summer W = Winter X = Year round	<b>Relative Abundance</b> A = Abundant C = Common F = Few R = Rare U = Unknown
Bullfrog	X	F
Cascades Frog	X	F
N. Grasshopper Mouse	X	F
Northern Water Shrew	X	F
Norway Rat	X	F
N. Pocket Gopher	X	U
Ord's Kangaroo Rat	X	C
Pacific Mole	X	U
Pallid Bat	S	U
Pine Marten	X	C
Pinon Mouse	X	F
Porcupine	X	C
Pronghorn Antelope	X	C
Raccoon	X	C
Red Fox	X	F
River Otter	X	C
Rocky Mtn Elk	X	C
Roosevelt Elk	X	C
Sagebrush Vole	X	C



<b>Amphibians and Reptiles</b> Selected List 1992	<b>Use Period</b> S = Summer W = Winter X = Year round	<b>Relative Abundance</b> A = Abundant C = Common F = Few R = Rare U = Unknown
Shorttail Weasel	X	F
Silver-haired Bat	S	U
Small-footed Myotis	S	U
Snowshoe Hare	X	F
Striped Skunk	X	C
Townsend Ground Squirrel	X	C
Townsend's Big-eared Bat	X	F
Trowbridge Shrew	X	F
Vagrant Shrew	X	U
Water Vole	X	C
Western Gray Squirrel	X	C
Western Harvest Mouse	X	C
Western Jumping Mouse	X	F
Western Pipitrel	S	U
Whitetail Jackrabbit	X	R
Wolverine	X	R
Yellow Pine Chipmunk	X	C
Yellow-bellied Marmot	X	F
Yama Myotis	X	F
Common Garter Snake	X	F
Ensatina	X	R
Gopher Snake	X	C
Great Basin Spadefoot Toad	X	F
Long-toed Salamander	X	F
Night Snake	X	U
Northern alligator Lizard	X	F
Pacific Tree Frog	X	C
Racer	X	F
Red-legged Frog	X	F
Roughskin Newt	X	R
Rubber Boa	X	F
Sagebrush Lizard	X	F
Sharp-tailed Snake	X	U
Short-horned Lizard	X	R
Side-blotched Lizard	X	U
Spotted Frog	X	F
Striped Whipsnake	X	U
Tailed Frog	X	F
Western Fence Lizard	X	C
Western Rattlesnake	X	F
Western Skink	X	F
Western Toad	X	F

Source: 1979 Deschutes County Comprehensive Plan as revised

Table 5.4.3 – Goal 5 Fish Distribution Inventory

	Pacific Salmon	Coho Salmon	Rainbow Trout	Brown Trout	Cutthroat Trout	Brook Trout	Lake Trout	Dolly Varden Trout	Kokanee	Mountain Whitefish	Largemouth Bass	Bluegill	Brown Bullhead	Bridglist Sucker	Tui Chub	Gayling	Crayfish
Tyee Creek					2												
Hell Creek					2												
Spring River				2	2			1							2		1
Tumalo Creek			1		2												
Bridge Creek					2												
Fall Creek					2												
Satan Creek					2												
Soda Creek					2												
Crater Creek					2												
Goose Creek					2												
Indian Ford Creek			1		2								2				
Trout Creek			1														
Alder Creek			1														
Whychus Creek			1		2												
Pole Creek					2												
Snow Creek			1		2												
Deschutes River		3	*	2	2			3	1						2		1
Little Deschutes River			1	2	2				1			2			2		1
Park Creek					2												
Three Creeks Creek			3		3												
Sink Creek					2												
Deer Creek			1		2												
Quinn River			*		2			2	1						2		1
Quinn Creek	3				2												
Cultus Creek			*		2												
Cultus Lake, Big			3		2	2			1						2		1
Cultus Lake, Little			2		3												
Cultus River					2			2	1								
Moore Creek					2												
Charlton Creek					2												
Long Prairie Slough												2					2
Browns Creek			2	2	2			#	1								1
Fall River			*	2	2				1						2		1
Paulina Creek			3												2		1
Cache Creek			1														
Crane Prairie Res.			*		#			2	1	2					2		1
Wickiup Reservoir		3	3	#				#	1						2		1
Three Creeks Lake			3		3												
Devil's Lake			3		2												
Hosmer Lake	3				3												1
Irish Lake					3												

- 1 - Native, naturally reproducing
- 2 - Introduced, naturally reproducing
- 3 - Introduced, periodic stocking required to maintain population
- \* - 1 and 3
- # - 2 and 3

Source: 1979 Deschutes County Comprehensive Plan as revised

**Table 5.4.4 Recommended Minimum Flows for Fish Life**

Stream	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Deschutes River (1)	200	200	200	200	200	200	200	200	200	200	200	200
Deschutes River (2)	400	400	400	400	400	400	400	400	400	400	400	400
Deschutes River (3)	660	660	660	660	660	660	660	660	660	660	660	660
Deschutes River (4)	300	300	300	300	300	300	300	300	300	300	300	300
Deschutes River (5)	80	80	80	80	80	80	80	80	80	80	80	80
Deschutes River (6)	40	40	60	60	60	40	40	40	60	60	60	60
Whychus Creek (7)	20	10	10	10	10	10	10	10	10/20	30	20	20
Whychus Creek (8)	10	10/20	30	30	30	20	10	10	10	10	10	10
Indian Ford Creek	4	3	3	3	3	3	3	3	3/4	6	4	4
Tumalo Creek	35	35	47	47	47	5	10	10	10/35	47	35	35
Spring River	300	300	300	300	300	300	300	300	300	300	300	300
Little Deschutes River	80	80	80	200	200	150	100	100	100	100	200	200
Fall River	70	70	100	100	100	70	50	50	50	100	100	100
Browns Creek	15	15	25	25	25	15	15	15	25	25	25	25
Quinn River	20	20	20	20	20	20	20	20	20	20	20	20
Cultus Creek	20	20	32	32	32	20	5	5	5/20	32	20	20
Cultus River	50	50	50	50	50	50	50	50	70	70	70	70
Snow Creek	15	15	30	30	30	20	15	15	15	30	30	20
Quinn Creek	20	20	20	12	12	12	12	12	12/20	35	35	35
Soda Creek	20	20	20	6	6	6	6	6	6/20	31	31	31
Fall Creek	35	35	35	20	20	20	20	20	20/35	46	46	46
Goose Creek	7	7	7	4	4	4	4	4	4/7	10	10	10
Three Creek	7	7	10	10	10	7	2	2	2/7	10	7	7

<sup>1</sup> Flows are expressed in cubic feet per second. The recommended flows should arrive at the point of recommendation and continue to the mouth of the stream or to the next point for which a different flow is recommended. Stream flows recommended in Appendix I are designed for game fish production and are not necessarily adequate for wildlife, especially waterfowl and furbearers. Neither would they necessarily be recommended below future impoundments.

- (1) Bend to Round Butte Reservoir
- (2) L. Deschutes R. to Spring River
- (3) Spring River to Bend
- (4) Wickiup Dam to Little Deschutes River
- (5) Crane Prairie Dam to Wickiup Reservoir
- (6) At USGS Gate 14-0500
- (7) Below USGS Gage 14-0750
- (8) Below Camp Polk

Source: 1979 Deschutes County Comprehensive Plan as revised

15S, Range 10E, Section 23, Tax Lot 1400. The ODFW identifiers for these sites are DE0035-00 and DE0035-01. The sites are also known as Cloverdale. The sites are described in the Oregon Department of Fish and Wildlife Central Region Administrative Report No. 93-1. The sensitive habitat area is identified as the area east of Highway 20 that is within a 1/4-mile radius of each nest site.

Site #	Taxlot	Site Name
DE0036-00	17S-11E-26-5900	Shevlin Park

The Oregon Department of Fish and Wildlife (ODFW) has inventoried a former bald eagle nest site in Township 17S, Range 11E, Section 26, Tax Lot 5900. The ODFW identifier for this site is DE0036-00. The site is also known as Shevlin Park. The site is described in the Oregon Department of Fish and Wildlife Central Region Administrative Report No. 93-1.

Site #	Taxlot	Site Name
DE0037-00	22S-09E-04-4500	Wickiup Reservoir

**Table 5.4.5 – Instream Water Right Program (3/1/92) Database Summary Report**

BASIN 05	STREAM > PARENT STREAM	UPSTREAM LIMIT	DOWNSTREAM LIMIT	SPECIES	APP NO.	CERT #	DATE
05	Deschutes R > Columbia R	Crn Prairie Res	Wickiup Res	RB, BT, BR, CO, K	070764		10/11/90
05	Deschutes R > Columbia R	Little Lava Lk	Crn Prairie Res	RB, BT, K, WF	070763		10/11/90
05	Deschutes R > Columbia R	193.0	190.0		MPS	59777	11/03/83
05	Deschutes R > Columbia R	227.0	193.0		MPS	59776	11/03/83
05	Deschutes R > Columbia R	190.0	165.0		MPS	59778	11/03/83
05	Fall R > Deschutes R	Gage 14057500	Mouth	RB, BT, BR, WF	070762		10/11/90
05	Indian Ford Cr > Whychus Cr	Headwaters	Mouth	RB	070760		10/11/90
05	Little Deschutes R > Deschutes R	Crescent Cr	Mouth	RB, BT, BR, WF	070757		10/11/90
05	Metolius R > Deschutes R	Metolius Spring	Canyon Cr	BUT, K	070699		09/24/90
05	Snow Cr > Deschutes R	Headwaters	Mouth	RB, BT	070756		10/11/90
05	Whychus Cr > Deschutes R	S Fk Whychus Cr	Indian Ford Cr	RB, BT	070754		10/11/90
05	Tumalo Cr > Deschutes R	S Fk Tumalo Cr	Mouth	RB, BT, BR	070752		10/11/90

Source: 1979 Deschutes County Comprehensive Plan as revised

The Oregon Department of Fish and Wildlife (ODFW) has identified a bald eagle nest in Township 22S, Range 09E, Section 04, Tax Lot 500. The ODFW identifier for this site is DE0037-00, Wickiup Reservoir. The site is described in the Oregon Department of Fish and Wildlife Central Region Administrative Report No. 93-1.

<i>Site #</i>	<i>Taxlot</i>	<i>Site Name</i>
DE0038-00	22S-09E-34-500	Haner Park

The Oregon Department of Fish and Wildlife (ODFW) has identified a bald eagle nest in Township 22S, Range 09E, Section 34, Tax Lot 500. The ODFW identifier for this site is DE0038-00, Haner Park. The site is described in the Oregon Department of Fish and Wildlife Central Region Administrative Report No. 93-1. The sensitive habitat area includes the area within one-quarter mile of the nest site.

<i>Site #</i>	<i>Taxlot</i>	<i>Site Name</i>
DE0039-00	22S-09E-06-500	Wickiup Dam

The Oregon Department of Fish and Wildlife (ODFW) has identified a bald eagle nest in Township 22S, Range 09E, Section 06, Tax Lot 500. The ODFW identifier for this site is DE0039-00, Wickiup Dam. The site is described in the Oregon Department of Fish and Wildlife Central Region Administrative Report No. 93-1.

<i>Site #</i>	<i>Taxlot</i>	<i>Quarter Section</i>	<i>Site Name</i>
DE0046-00	20-10-34-3401	34NWSE	Bates Butte

The Oregon Department of Fish and Wildlife (ODFW) has identified a bald eagle nest in Township 20S, Range 10E, Section 34, Tax Lot 3401. The ODFW identifier for this site is DE0046-00, Bates Butte. The site is described in the Oregon Department of Fish and Wildlife Central Region Administrative Report No. 93-1. The sensitive habitat area includes the area within one-quarter mile of the nest site.

**Great Blue Heron Rookery - Black Butte Ranch**

The Oregon Department of Fish and Wildlife (ODFW) identified a great blue heron rookery in Township 14S, Range 9E, Section 10 SENE. The County inventoried and adopted this site as a Goal 5 resources in Ordinance 92-041.



## Golden Eagle Sites

**Table 5.4.6 – Golden Eagle Nest Site Inventory on Non-Federal Land or with Non-Federal Sensitive Habitat Area**

<i>ODFW Site #</i>	<i>Taxlot</i>	<i>Quarter Section</i>	<i>General Location</i>
DE-0002-00	14-13-11-100	11/SENW	Smith Rock State Park
DE-0002-01	14-13-11-100	11/SENW	Smith Rock State Park
DE-0002-02	14-13-11-100	11/SENW	Smith Rock State Park
DE-0002-03	14-13-11-100	11/NWNE	Smith Rock State Park
DE-0002-04	14-13-11-100	11/NWNE	Smith Rock State Park
DE-0002-05	14-13-11-100	11/NWNE	Smith Rock State Park
DE-0002-06	14-13-11-100	11/NWNE	Smith Rock State Park
DE-0006-00	15-12-00-1502	35/SENE	Mid Deschutes
DE-0006-01	15-12-00-1502	35/SENE	Mid Deschutes
DE-0006-02	15-12-00-1502	35/SENE	Mid Deschutes
DE-0006-04	15-12-00-1502	35/SENE	Mid Deschutes
DE-0006-05	15-12-00-1503	35/NESE	Mid Deschutes
DE-0009-00	14-12-22D-300	23/NWSW	N. Odin Falls
DE-0011-00	15-12-00-100	1/NWSE	Radio Tower/Deschutes
DE-0011-01	15-12-00-100	1/NESE	Radio Tower/Deschutes
DE-0012-00	15-11-00-800	3/NENE	Upper Deep Canyon
DE-0014-00	16-11-00-7800	29/NWSE	Tumalo Dam
DE-0015-01	14-11-00-400	3/NENW	Whychus Creek
DE-0015-00	14-11-00-400	3/SESW	Rimrock Ranch
DE-0029-00	20-17-00-3801	36/NWSE	Twin Pines
DE-0034-00	15-10-00-1400	15/SENW	Lazy Z/USFS
DE-0034-01	15-10-00-1400	15/SENW	Lazy Z/USFS

Source: 1979 Deschutes County Comprehensive Plan as revised

**Table 5.4.7 – Prairie Falcon Nest Site Inventory on Non-Federal Land or with Non-Federal Sensitive Habitat Area**

<i>ODFW Site #</i>	<i>Taxlot</i>	<i>Quarter Section</i>	<i>General Location</i>
DE-0016-00	22-16-00-100	12/SWSE	Dickerson Flat
DE-0031-00	16-11-00-5600	20/NESE	Tumalo Dam
DE-0031-01	16-11-20-400	20/SESW	Tumalo Dam
DE-0794-01	14-13-11-100	11/NWSW	Smith Rock State Park

Source: 1979 Deschutes County Comprehensive Plan as revised

**Table 5.4.8– Osprey Nest Site Inventory on Non-Federal Land or with Non-Federal Sensitive Habitat Area**

<i>ODFW Site #</i>	<i>Taxlot</i>	<i>Quarter Section</i>	<i>General Location</i>
DE-0080-00	20-11-00-1300	07/NWNE	Sunriver/ Meadowland

Source: 1979 Deschutes County Comprehensive Plan as revised

**Table 5.4.9 – Upland Game Bird Habitat**

Ring-necked Pheasant	200
Valley Quail	10,000
Mountain Quail	50
Chukar Partridge	300
Turkey	50
Blue Grouse	900
Sage Grouse	1,800
Ruffed Grouse	100
Mourning Dove	8,000

Source: 1979 Deschutes County Comprehensive Plan as revised

**Table 5.4.10 – Sage Grouse Lek Inventory on Non-Federal Lands or with Non-Federal Sensitive Habitat Areas**

<i>ODFW Site #</i>	<i>Taxlot</i>	<i>Quarter Section</i>	<i>General Location</i>
DE 0994-01	20-18-00-700	05/SWSE	Circle F Reservoir
DE 0995-01	20-19-00-800	06/NWSE	Merril Rd
DE 0996-01	22-17-00-600	06/SWSW	Dickerson Well
DE 0997-01	20-16-00-2400	25/SESW	Moffit Ranch
DE 0997-02	20-16-00-2400	26/NENE	Moffit Ranch Satellite
DE 0998-01	20-14-00-400	10/NWNW	Evans Well
DE 0998-02	20-14-00-400	10/SWNW	Evans Well Satellite
DE 0999-01	19-14-00-2200	26/SESE	Millican Pit

Source: 1979 Deschutes County Comprehensive Plan as revised

## Section 5.5 Goal 5 Inventory - Open Spaces, Scenic Views and Sites

### Background

This section contains information from the 1979 Deschutes County Comprehensive Plan as revised. It lists the open spaces, scenic views and sites resources in Deschutes County. These inventories have been acknowledged by the Department of Land Conservation and Development as complying with Goal 5. No changes have been proposed for the 2010 Comprehensive Plan update.

To protect scenic views, landscape management areas have been defined and a combining zone created. On lands outside urban growth boundaries and rural service centers along the portions of roadways listed below, landscape management zoning applies and a case-by-case site plan review is required. The area extends  $\frac{1}{4}$  mile on either side from the centerline of the roadways and includes all areas designated as State and Federal Wild, Scenic or recreational waterways and within 660 feet from either side of designated rivers and streams as measured from the ordinary high water level.

### Landscape Management Roads, Rivers and Streams

Inventory: All land within one-quarter of a mile, as measured at right angles from the centerline, of any of the following designated Landscape Management Roadways. All land within the boundaries of a state scenic waterway or a federal wild and scenic river corridor; and all land within 660 feet of the ordinary high water mark of portions the following designated rivers and streams which are not designated as state scenic waterways or federal wild and scenic rivers.

**Table 5.5.1 – Deschutes County Landscape Management Areas**

<i>Landscape Management Roads</i>	<i>Miles</i>
U.S. Highway 97 North County line to Redmond UGB	7.5
U.S. Highway 97 Redmond UGB to Bend UGB	12
U.S. Highway 97 Bend UGB to South County line	35
U.S. Highway 20-126 North County line to Sisters UGB	11
U.S. Highway 126 Sisters UGB to Redmond UGB	21.5
U.S. Highway 20 Sisters UGB to Bend UGB	23
Smith Rock Road Highway 97 to Smith Rock	3.5
Sisemore Road Cloverdale to Bend UGB	19
Skyliner Road	15.5
Century Drive Bend to Mt Bachelor	25
South Century Drive	27
Cascade Lakes Highway	46
Waldo Lake Road	10
Cultus Lake Road	2
Little Cultus Lake Road	6

<i>Landscape Management Roads</i>	<i>Miles</i>
Twin Lakes Road	6
Keefer Road (East Crane Prairie Road)	16.5
East Deschutes Road	14
Deschutes Road	9
Wickiup Road	4
Pringle Falls Loop	8
La Pine Recreation Area Access Road	10
Paulina-East Lake Road	22.5
Lava Cast Forest Road	20.5
Highway 20 east to the County Line	25
Pine Mountain Road	7.5
Ford Road	6.5
Three Creeks Lake Road	16
Three Trappers Road	20.5
Dillon Falls Road	60
Matsen Road	2
State Highway 31	2.5
Road to Benham Falls	4.5
State Highway 242 McKenzie Highway	
<i>Landscape Management Rivers and Streams</i>	<i>Miles</i>
Deschutes River	
Little Deschutes River	43
Paulina Creek	19
Fall River	8
Spring River	1.2
Tumalo Creek	16.3
Whychus Creek (formerly Squaw Creek)	
Crooked River	10

Source: Deschutes County Ordinance 92-052

### Areas of Special Concern Inventory

Inventory: The Resource Element of the Deschutes County Year 2000 Comprehensive Plan (1979) identified sites as Open Spaces and Areas of Special Concern. Table 5.5.2, lists the inventory of sites identified as Areas of Special Concern located on federal land.

**Table 5.5.2 "2A" Areas of Special Concern**

<b>ID #</b>	<b>Name</b>	<b>Location</b>
9	Bachelor Butte	T18S R09E SEC 29-32
11	Pine Mt. Observatory	T20S R15E SEC 33
13	Dry River	T19S R15E SEC 19 & 30 T19S R14E SEC 2, 11, 13, 14 & 24
14	Arnold Ice Caves	T19S R13 E SEC 22
15	Charcoal Cave	T19S R13 E SEC 22
16	Skeleton Cave	T19S R13E SESE SEC 4
17	Wind Cave	T19S R13E NW ¼ SEC 23; SW ¼ SEC 14
31	Tumalo Falls	T18S R10E NW ¼ SEC 08
33	Lava River Caves	T19S R11E SE ¼ SEC 26

ID #	Name	Location
34	Pringle Falls Experimental Forest	T21S R09E SEC 21-23, 27 & 28
39	Benham Falls	T19S R11E SW ¼ SEC 9
45	Paulina Mountain	T22S R12E SEC 1-3 & 10-12
49	Lavacicle Cave	T22S R16E SENE SEC 05
50	Lava Cast Forest	T20S R12E SEC 15, 16, 21, 22, 27-35
51	Lava Butte Geologic Area	T19S R11E SEC 18
52	Pine Mountain North Slope	T20S R15E SEC 28, 29 & 33
54	McKenzie Summit	T15S R07E SEC 17
55	Newberry Crater	T21 R12E SEC 34-36
65	Bend Watershed	T17S R09E SEC 35 & 26 T18S R09E SEC 1, 2, 3, 10, 11, & 12
66	Bat Cave	T19S R13E SE ¼ SEC 14
68	Boyd Cave	T19S R13E SENW SEC 8
69	Frederick Butte	T22S R19E SEC 32

Source: Deschutes County Ordinance 92-052

### Land Needed and Desirable for Open Space and Scenic Resources

Inventory: The following list shows land needed and desirable for open space and scenic resources:

**Table 5.5.3 Land Needed and Desirable for Open Spaces and Scenic Resources**

State Parks	Location	Size
Smith Rock State Park	T14S, R13 E, SEC 10, 11, 14 & 15	600 acres
Cline Falls State Park	T15S, R12E, SEC 14	9.04 acres
Tumalo State Park	T17S, R12E, SEC 6	320.14 acres
Pilot Butte State Park	T17S, R12E, SEC 33 & 34	100.74 acres
La Pine State Recreation Area	T20S, R10E, SEC 33 & 34 T21S, R10E, SEC 3, 4, 8, 9, 10, 11, 12 T21S, R11E, SEC 7	2,333.12 acres

Source: Deschutes County Ordinance 92-052



## Section 5.6 Goal 5 Inventory - Energy Resources

### Background

This section contains information from the 1979 Deschutes County Comprehensive Plan as revised. It lists the energy resources in Deschutes County. These inventories have been acknowledged by the Department of Land Conservation and Development as complying with Goal 5. No changes have been proposed for the 2010 Comprehensive Plan update.

### Hydroelectric Resources of the Upper Deschutes River Basin

Inventory: Available information is adequate to indicate that the resource is significant. The City of Bend/Deschutes County River Study inventoried 16 proposed hydroelectric project sites in Deschutes County. Twelve were located on the Deschutes River; two on Tumalo Creek; two on Whychus Creek; and one on the Crooked River in Deschutes County. For a more detailed discussion of the hydroelectric resources in Deschutes County see the Deschutes County/City of Bend River Study, April 1986 (River Study), Chapters 2, 3, and 4. Also refer to the River Study staff report. The River Study and River Study staff report are incorporated herein by reference.

**Table 5.6.1 Hydroelectric Resources of the Upper Deschutes Basin\***

<i>Deschutes River</i>	<i>River Mile</i>	<i>Capacity (megawatts)</i>
Crane Prairie	239	0.6
Wickiup Dam	226.8	7.0
Pringle Falls	217	1.6
Lava Diversion	182.4	11.5
Dillon Falls	177.6	7.2
Aspen Diversion	175.2	3.2
Island Diversion	174.6	7.5
Arnold Flume	174.5	4.2
COI Siphon	170.0	6.5
North Canal Dam	164.8	2.0
Bend Canal Diversion	162.4	3.0
<i>Tumalo Creek</i>	<i>River Mile</i>	<i>Capacity (megawatts)</i>
Columbia Southern	9.5	9.3
<i>Whychus Creek</i>	<i>River Mile</i>	<i>Capacity (megawatts)</i>
Whychus Creek	25	0.6
Whychus Creek	30.5	3.5
<i>Crooked River</i>	<i>River Mile</i>	<i>Capacity (megawatts)</i>
Crooked River Drop	164.8	10.7

Source: Deschutes County Ordinance 92-052

\* Note that the conflicting use analysis from the River Study and subsequent amendments prohibit new hydroelectric facilities that are not physically connected to an existing dam, diversion or conduit. (Ord.86-017, 86-018, 86-019, 92-052)

\* Note that the conflicting use analysis from the River Study and subsequent amendments prohibit new hydroelectric facilities that are not physically connected to an existing dam, diversion or conduit. (Ord.86-017, 86-018, 86-019, 92-052)

The prohibition refers to the following:

1. Deschutes River, from its headwaters to River Mile 227, above but not including Wickiup Dam, and from Wickiup Dam to River Mile 171 below Lava Island Falls;
2. Crooked River;
3. Fall River;
4. Little Deschutes River;
5. Spring River;
6. Paulina Creek;
7. Whychus Creek (was Squaw Creek);
8. Tumalo Creek.

### Geothermal Resources

Inventory: The County adopted Ordinance 85-001 which complies with Goal 5 (OAR 660-016). The ordinance amended the Comprehensive Plan and adopted a Geothermal Resource Element including a resource inventory and ESEE analysis.

## Section 5.7 Goal 5 Inventory - Wilderness, Natural Areas, and Recreation

### Background

This section lists wilderness areas, natural areas and recreation trail resources in Deschutes County.

### Wilderness Areas

Inventory: Wilderness areas are represented by all lands within the existing Mt. Washington and Three Sisters Wilderness Areas as shown on the Deschutes National forest Land and Resource Management Plan Map, and all lands included in the Bureau of Land Management's (BLM) State of Oregon Wilderness Status Map for Deschutes County and BLM Wilderness Study Areas (WSA) as shown on the Brothers / La Pine Resource Management Plan.

### Ecologically and Scientifically Significant Natural Areas

Inventory: The following sites are the inventories ecologically significant natural areas in Deschutes

**Table 5.7.1 Wilderness Areas**

Name	Acres
Mt. Washington Wilderness Area	13,563
Three Sisters Wilderness Area	92,706
Badlands	32,261
Hampton Butte	10,600
Steelhead Falls	920

Source: Deschutes County Ordinance 92-052

County by the Oregon Natural Heritage Program and there is sufficient information based on site reports from the Heritage Program to complete the Goal 5 review process.

### Approved Oregon Recreation Trails

None listed

**Table 5.7.2 Ecologically and Scientifically Significant Natural Areas**

Name	Location	Quality	Quantity
Pringle Falls Research Natural Area	T21S, R9E, SEC 3, 34 & 35	Excellent	1,160 acres
Horse Ridge Research Natural Area	T19S, R14S, SEC 15 & 22	Excellent	600 acres
West Hampton Butte	T22S, R20E, SEC 31 & 32	Good	1,280 acres
Little Deschutes River / Deschutes River Confluence	T20S, R11E, SEC 7	Excellent	400 acres
Davis Lake	T22S, R7 E, SEC 25 & 26 T22S, R8E, SEC 31	Good	4,000 acres

Source: Deschutes County Ordinance 92-052

## Section 5.8 Goal 5 Inventory - Mineral and Aggregate Resources

### Background

This section contains information from the 1979 Deschutes County Comprehensive Plan as revised. It lists the surface mining resources in Deschutes County. These inventories have been acknowledged by the Department of Land Conservation and Development as complying with Goal 5. No changes have been proposed for the 2010 Comprehensive Plan update.

**Table 5.8.1 – Deschutes County Surface Mining Mineral and Aggregate Inventory**

#	Taxlot	Name	Type	Quantity*	Quality	Access/Location
246	151010-00-00205, 207, 300, 302, 303	Tewalt	S & G	10,000	Good	Hwy 20
248	151012-00-00100	Cyrus	Cinders	30.2 M	Excellent	Cloverdale Road
251	151211-D0-01400, 151214-A0-00800	Cherry	S & G	125,000	Good	
252	151200-00-04700, 04701	Thornburgh	Rock	2.5 M	Good	
271	151036-00-00800	Deschutes County	S & G	2 M	Mixed	Harrington Loop Road
273	151117-00-00100	Deschutes County	S & G	75,000	Excellent	Fryrear Rd/Redmond-Sisters
274	151117-00-00700	Deschutes County	S & G		Excellent	Fryrear Road
275	151100-00-02400	Deschutes County	S & G	175,000	Good	Fryrear Landfill
277	151011-00-01100	Oregon State Hwy	S & G	100,000	ODOT Specs	
278	151140-A0-00901, 151211-D0-01200	State of Oregon	S & G	18,000	ODOT Specs	
282	171000-00-00100	Crown Pacific	Cinders	100,000	Fair	
283	171000-00-00100	Crown Pacific	Cinders	50,000	Fair	
288	171111-00-00700	Tumalo Irrigation	S & G	250,000	Good	
292	171112-00-00900	RL Coats	S & G	326,000	ODOT Specs	
293	17112-00-00500, 600, 700, 800	RL Coats	S & G	3 M	ODOT Specs	

#	Taxlot	Name	Type	Quantity*	Quality	Access/Location
296	171100-00-02702	Crown Pacific	Cinders	100,000	Excellent	Shevlin Park/Johnson Rd
297	171123-00-00100	Crown Pacific	Cinders	60,000		Johnson Rd/Tumalo
303	171207-00-00300	Cascade Pumice	Pumice	750,000	Good	
303	171207-00-00300	Cascade Pumice	S & G	10,000	Good	
313	171433-00-00600	Deschutes County	S & G	100,000	Good	
313	171433-00-00600, 120	Deschutes County	Storage			Dodds Road/Alfalpa
314	171332-00-01100	Deschutes County	Dirt	150,000	Good	
315	140900-00-02100	Stott	Rock	93,454 tons	ODOT Specs	Highway 20
316	140900-00-00202	Black Butte Ranch	S & G	7 M	Good	
317	140900-00-01300	Willamette Ind	Cinders	1.2 M	Good	
322	141200-00-01801	Fred Gunzner	S & G	1.5 M	Mixed	Lower Bridge/Terrebonne
322	141200-00-01801	Gunzner	Diatomite	500,000	Good	Lower Bridge/Terrebonne
324	141200-00-00702	ODVA	S & G	490,000	Good	Lower Bridge/Terrebonne
326	141236-00-00300, 301	US Bank Trust	S & G	1.5 M	Good	
330	141328-00-00702, 703	Larry Davis	Cinders	50,000	Good	
331	141329-00-00100, 103	EA Moore	Cinders	100,000	Good	
332	141329-00-00102	RL Coats	Cinders	2 M	Good	Northwest Way/Terrebonne
333	141329-00-00104	Robinson	Cinders	2.7 M	Good	
335	141333-00-00890	Erwin	Cinders	100,000	Excellent	Pershall Way/Redmond
336	141333-00-00400, 500	US Bank Trust	Cinders	4.5 M	Good	Cinder Butte/Redmond
339	141132-00-01500	Deschutes County	Dirt	200,000	Fill	Goodard Loop/Bend
341	161000-00-00106	Young & Morgan	S & G	1 M	Good	



#	Taxlot	Name	Type	Quantity*	Quality	Access/Location
342	220900-00-00203	Crown Pacific	Cinders	200,000	Good	
345	161000-00-01000	Crown Pacific	Cinders	50,000	Good	
346	161000-00-01000	Crown Pacific	Cinders	50,000	Good	
347	161101-00-00300	Deschutes County	Dirt	10,000	Good	
351	161112-00-01401, 1700, 2000	Gisler/Russell	Cinders	150,000	Good	Innes Mkt/Innes Butte
357	161136-D0-00100, 161100-00-10400, 10300	Tumalo Irrigation	Cinders	1 M		Johnson Road/Tumalo
357	161136-D0-00100, 161100-00-10400, 10300	Tumalo Irrigation	S & G	500,000	Good	
357	161136-D0-00100, 161100-00-10400, 10300	Tumalo Irrigation	Pumice	500,000	Good	
358	161231-D0-01100	Gisler	S & G	100,000	ODOT Specs	Hwy 20/Tumalo
361	161222-C0-02800	Oregon State Hwy	Cinders	700,000	Good	
366	161230-00-00000	Oregon State Hwy	S & G	40,000	ODOT Specs	
368	161220-00-00200	Bend Aggregate	S & G	570,000	Excellent	Twin Bridges/Tumalo
370	161231-D0-00400	Bend Aggregate Plant Site	Storage			
379	181100-00-01600	Oregon State Hwy	S & G	500,000	ODOT Specs	
381	181125-C0-12600, 181126-00-01600	Pieratt Bros	Cinders	50,000	Good	
390	181214-00-00500, 100	Deschutes County	Dirt	2 M		Landfill
392	181223-00-00300	Rose	Rock	10 M Est	Mixed	
392	181223-00-00300	Rose	Dirt	7.5 M	Good	

#	Taxlot	Name	Type	Quantity*	Quality	Access/Location
393	181225-00-01400	LT Contractors	Cinders	12.5 M	Good	Arnold Mkt Rd/SE of Bend
394	181200-00-04400, 04411	Windlinx	Cinders	270,000	Coarse	Hwy 97/South of Bend
395	181200-00-04300	Oregon State Hwy	Cinders		100,000	Good
400	181300-00-04501, 04502	Eric Coats	S & G	2.5 M	ODOT Specs	
404	191400-00-00200	Moon	S & G	1.3 M	Good	
404	191400-00-00200	Moon	Rock	800,000 - 2 M	Good	Hwy 20/East of Bend
405	191400-00-00600	Oregon State Hwy	Aggregate	50,000	ODOT Specs	
408	191600-00-01500	RL Coats	S & G	3 M	Good	
413	201500-00-01400	Deschutes County	S & G	30,000	Good/Excellent	Hwy 20/East of Bend
414	201500-00-01500	Deschutes County	S & G	30,000	Good/Excellent	Hwy 20/East of Bend
415	201716-00-00700	Deschutes County	S & G	30,000	Good/Excellent	Hwy 20/East of Bend
416	201716-00-00200	Deschutes County	S & G	30,000	Good/Excellent	Hwy 20/East of Bend
417	201716-00-00900	Deschutes County	S & G	30,000	Good/Excellent	Hwy 20/East of Bend
418	201716-00-01000	Deschutes County	S & G	30,000	Good/Excellent	Hwy 20/East of Bend
419	201716-00-01300	Deschutes County	S & G	30,000	Good/Excellent	Hwy 20/East of Bend
421	212000-00-00900	RL Coats	S & G	500,000	Excellent	Hwy 20/Tumalo
423	211106-C0-00700	Ray Rothbard	S & G	100,000	Good	
426	211100-00-00702	La Pine Redi-Mix	S & G	1 M	Good	
427	211100-00-00701	Bill Bagley	S & G	40,000	Good	
431	221100-00-00600	Russell	Cinders/Rock	12 M/1.2 M	Good	Finley Butte
432	221100-00-00500	State of Oregon	Cinders	160,000	Good	
433	211300-00-00101	La Pine Pumice	Lump Pumice	10 M	Excellent	
441	150903-00-00300	Willamette Ind	S & G	11 M	Good	
442	150909-00-00400	Willamette Ind	S & G	6 M	Good	

#	Taxlot	Name	Type	Quantity*	Quality	Access/Location
443	150917-00-00600	Willamette Ind	Rock	150,000	Fair	
453	161209, 10-00-00600, 301	Robert Fullhart	S & G	704,000	ODOT Specs	
459	141131-00-05200	Deschutes County	Cinders	50,000	Good	
465	141333-00-00900	Oregon State Hwy	Cinders	100,000	Good	
466	141333-00-00600	Fred Elliott	Cinders	5.5 M	Good	
467	141333-00-00601	Knorr Rock Co	Cinders	5 M	Good	
469	141131-00-00100	Deschutes County	Cinders	2 M	Fair	
475	151012-00-00600	Deschutes County	Cinders	200,000	Good	Cloverdale Road
482	151300-00-00103	Deschutes County	Dirt	2 M	Good	Negus Landfill
488	161230-00-00100, 600, 2000, 2100	Bend Aggregate	S & G	400,000	ODOT Specs	
496	191400-00-00500	Taylor	S & G	1.8 M	Mixed	Hwy 20
498	191400-00-02200	Oregon State Hwy	S & G	200,000	ODOT Specs	
499	191533-00-00200	Oregon State Hwy	S & G	50,000	ODOT Specs	
500	191500-00-00099	Oregon State Hwy	S & G	130,000	ODOT Specs	
501	191500-00-01600	Oregon State Hwy	S & G	50,000	ODOT Specs	
503	191600-00-01300	Oregon State Hwy	S & G	200,000	ODOT Specs	
505	201600-00-00400	Oregon State Hwy	S & G	275,000	ODOT Specs	
506	201600-00-00600, 700, 800	Oregon State Hwy	S & G	36,000	ODOT Specs	
508	201700-00-01000	State of Oregon	S & G	100,000	ODOT Specs	
515	201801-00-00100	Oregon State Hwy	S & G	100,000	ODOT Specs	
522	211900-00-01000	Oregon State Hwy	S & G	300,000	ODOT Specs	
524	212000-00-01900	Oregon State Hwy	S & G	300,000	ODOT Specs	
528	222110-00-00600	Oregon State Hwy	S & G	45,000	ODOT Specs	

#	Taxlot	Name	Type	Quantity*	Quality	Access/Location
529	221100-00-00300	Oregon State Hwy	S & G	31,000	ODOT Specs	
533	222100-00-00800	Oregon State Hwy	S & G	1 M	ODOT Specs	
541	141035-00-02000, 2100, 2200, 2300, 2400, 2500, 2600	Cyrus	Aggregate	528,000	Good	Inc Portions of TL 1800/1900
542	151001-00-02700	Swarens	Aggregate	80,000	Good	
543	151013-00-00100	Cyrus	Aggregate	1.1 M	Good	
600	191400-00-00700	Robinson	S & G	3.8 M	Good	Hwy 20/East of Bend
601	211100-00-00700	La Pine Redi Mix	S & G	479,000	DEQ Specs	Paulina Lake Road

\* Quantity in cubic yards unless otherwise noted

Source: 1979 Deschutes County Comprehensive Plan as revised

**Table 5.8.2 – Deschutes County Non-Significant Mining Mineral and Aggregate Inventory**

Site #	Taxlot	Name	Type	Quantity*	Comments
100	15-10-14-700	Whychus Creek Irrigation District—Watson Reservoir I.	Silt, sand, & dirt	200,000 cy	Reservoir Size is 80 acres.
101	15-10-14-700	Whychus Creek Irrigation District—Watson Reservoir II.	sand & dirt	600,000 cy	Reservoir size is 40 acres.
102	14-11-33-500	Whychus Creek Irrigation District—McKenzie Reservoir	Silt, sand, & dirt	100,000 cy	Reservoir size is 12 acres
103	14-11-33-500	Whychus Creek Irrigation District—McKenzie Reservoir	Sand & dirt	250,000 to 300,000 cy	Reservoir expansion size is 20 acres

Site #	Taxlot	Name	Type	Quantity*	Comments
		Expansion			

\* Quantity in cubic yards unless otherwise noted

Source: 1979 Deschutes County Comprehensive Plan as revised



## Section 5.9 Goal 5 Inventory - Cultural and Historic Resources

### Background

This section lists Locally Significant Historic Resources and National Register Resources in rural Deschutes County. These inventories are acknowledged by the Department of Land Conservation and Development. In 2020, Deschutes County's inventories were updated to comply with Oregon Administrative Rule (OAR) 660-023-0200, Historic Resources. OAR 660-023-0200 was amended in 2017.

### Locally Significant Historic Resources

1. Alfalfa Grange: Grange building and community center, built in 1930, located on Willard Road, Alfalfa. 17-14-26 TL 400.
2. Allen Ranch Cemetery: Oldest cemetery in Deschutes County. 30' by 40' fenced cemetery plot. Situated 100 yards west of South Century Drive, one-half mile south of Road 42. Two marble gravestones, two wooden markers. 20-11-7 TL 1700.
3. Fall River Fish Hatchery "Ice House": The hatchery "Ice House" dates from the beginning of fishery management in Oregon, circa 1920. It is an 18 foot by 18 foot improvement, the only original building remaining on the property, and the only significant building or structure on the site. Located at 15055 S. Century Drive, E½; NE¼; Section 32, Township 20S, Range 10 E, Tax Lot 100. (Ordinance 94-006 §1, 1994).
4. Long Hollow Ranch – Black Butte: Headquarters complex of historic ranch, located on Holmes Road in Lower Bridge area, including headquarters house, ranch commissary, equipment shed, barn and bunkhouse. 14-11-1 TL 101.
5. Swamp Ranch – Black Butte: The present day site of the Black Butte Ranch was part of the vast holdings of the Black Butte Land and Livestock Company in 1904. No buildings from the period exist. 14-9-10A, 10B, 15B, 15C, 16A, 21A, 21B, 21C, 22A, 22B.
6. Brothers School: Only one-room schoolhouse currently in use in Deschutes County, located on Highway 20 in Brothers. 20-18-00 TL 3200.
7. Bull Creek Dam: The Bull Creek Dam, a component of the Tumalo Irrigation Project was constructed in 1914 to form a water storage reservoir to increase the amount of irrigated acreage at Tumalo. It is a gravity type of overflow dam. Two cut off walls are extended into solid formation, one at the upper toe and the other at the lower toes of the concrete dam. The dam proper is about 17 feet high from the foundation, although the completed structure is about 25 feet. Located on Tumalo Reservoir-Market Road. 16-11-33 TL 2700 SW-¼; SW-¼.
8. Bull Creek Dam Bridge (Tumalo Irrigation Ditch Bridge): Built in 1914, the bridge, which spans the dam, consists of five continuous filled spandrel, barrel-type concrete deck arch spans, each 25 feet long. The concrete piers are keyed into notches in the arch structure. The structure is the oldest bridge in Deschutes County. On Tumalo Reserve-market Road. 16-11-33 TL 2700/ SW-¼; SW-¼.

9. Camp Abbot Site, Officers' Club: Officers' Club for former military camp, currently identified as Great Hall in Sunriver and used as a meeting hall. 20-11-5B TL 112.
10. Camp Polk Cemetery: One of the last remaining pioneer cemeteries, located off Camp Polk Road near Sisters. The site is composed of a tract of land, including gravestones and memorials, containing 2.112 acres in the Southwest Quarter of the Southeast Quarter of Section 27, Township 14 South, Range 10 E.W.M., TL 2100, described as follows: Beginning at a point North 20 degrees 06' 20" West 751 feet from the corner common to Sections 26, 27, 34 and 35 in Township 14 South Range 10 E.W.M. and running thence  
  
South 88 degrees 30' West 460 feet; thence North 1 degree 30' East 460 feet; thence South 1 degree 30' 200 feet to the point of beginning.
11. Camp Polk Military Post Site: One of the oldest military sites in Deschutes County. Located on Camp Polk Cemetery Road. Site includes entire tax lots, listed as follows 14- 10-00 TL 2805 & 14-10-34 TL 100, 300.
12. Cloverdale School: School building in Cloverdale, located near 68515 George Cyrus Road. First building built in Cloverdale. 15-11-7 TL 600.
13. Eastern Star Grange: Grange hall for earliest grange organized in Deschutes County, located at 62850 Powell Butte Road. 17-13-19 TL 1900.
14. Enoch Cyrus Homestead Hay Station and Blacksmith Shop: The Enoch Cyrus Homestead was the original homestead of Oscar Maxwell, built in 1892 and purchased in 1900 by Enoch Cyrus. Important stage/store stop for early travelers. The homestead house, including a back porch and cistern, and the Blacksmith Shop are designated. 15-11-10 TL 700.
15. Fremont Meadow: A small natural meadow on Tumalo Creek in Section 34, Township 17 South, Range 11 East, lying within Shevlin Park. TL 5900. Campsite for 1843 Fremont expedition. 17-11-34 TL 5900.
16. Harper School: One-room schoolhouse, located west of South Century Drive, south of Sunriver, moved halfway between the Allen Ranch and the Vandever Ranch from the former townsite of Harper. 20-11-17 TL 1200.
17. Improved Order of Redmond Cemetery: Historic cemetery used by residents of La Pine/Rosland area. Located on Forest Road 4270, east of Highway 97. A 40-acre parcel described as: The Southwest one-quarter of the Southeast one-quarter (SW-¼; SE-¼) Section 7, Township 22 south, Range 11, East of the Willamette Meridian, Deschutes County, Oregon.
18. Laidlaw Bank and Trust: One of the few remaining commercial buildings from the community of Laidlaw, located at 64697 Cook Avenue, Tumalo. 16-12-31A TL 2900.
19. La Pine Commercial Club: Building was built in 1912 as a community center, serving as a regular meeting place for civic organizations and occasionally served as a church. One of the oldest and continuously used buildings in La Pine. Located at 51518 Morrison Street, La Pine. 22-10-15AA TL 4600.

20. Lynch and Roberts Store Advertisement: Ad advertising sign painted on a soft volcanic ash surface. Only area example of early advertising on natural material. Lynch and Roberts established mercantile in Redmond in 1913. Roberts Field near Redmond was named for J.R. Roberts. Site includes the bluff. 14-12-00 TL 1501.
21. Maston Cemetery: One of the oldest cemeteries in County. Oldest grave marker is 1901. About one-half mile from site of Maston Sawmill and Homestead. Site includes the gravestones and memorials and the entire tax lot, identified as 22-09-00 TL 1800.
22. George Millican Ranch and Mill Site: Ranch established in 1886. Well dug at or near that date. Remains of vast cattle ranching empire. 19-15-33 Tls 100, 300.
23. George Millican Townsite: Town established 1913. Site includes store and garage buildings, which retain none of the architectural integrity from era. 19-15-33 TL 500.
24. Petersen Rock Gardens: The Petersen Rock Gardens consist of stone replicas and structures erected by Rasmus Petersen. A residence house and museum are part of the site. The site has been a tourist attraction for over 60 years. Located at 7930 SW 77th, Redmond. Site includes entire tax lot. 16-12-11 TL 400.
25. Pickett's Island: After originally settling in Crook County, Marsh Awbrey moved to Bend and then homesteaded on this island in the Deschutes River south of Tumalo. The site was an early ford for pioneers. Located in Deschutes River near Tumalo State Park. 17- 12-6 NE-¼ TL 100. Portion between Deschutes River and Old Bend Road is designated.
26. Rease (Paulina Prairie) Cemetery: Historic cemetery on Elizabeth Victoria Castle Rease and Denison Rease's homestead. Earliest known grave is of their son, George Guy Rease, born in 1879, who was also a homesteader on Paulina Prairie. George Guy Rease died of smallpox on the Caldwell Ranch on May 2, 1903. Other known burials are William Henry Caldwell, 1841-October 15, 1910, died on the Caldwell Ranch of injuries sustained on a cattle drive; Melvin Raper, 1892-1914, died in a tent of tuberculosis; Addie Laura Caldwell, 1909-November 16, 1918, died of the Spanish influenza epidemic; and Emma Nimtz Deedon, 1886-April 15, 1915, died of complications from a pregnancy. There are several unmarked graves. The cemetery is a county-owned one-acre parcel on the north edge of Paulina Prairie, two miles east of Highway 97. 210-11-29, SE-¼; NW-¼ TL 99.
27. Terrebonne Ladies Pioneer Club: The Club was organized in 1910. The building has been a community-meeting place since 1911. Located at 8334 11th Street, Terrebonne. 14-13- 16DC TL 700.
28. Tetherow House and Crossing: Site is an excellent example of an early Deschutes River crossing. Major route from Santiam Wagon Road to Prineville. Tetherow House was built in 1878. The Tetherows operated a toll bridge, store and livery stable for travelers. Oldest house in County. Site includes house and entire tax lot. 14-12-36A TL 4500.
29. Tumalo Creek – Diversion Dam The original headgate and diversion dam for the feed canal was constructed in 1914. The feed canal's purpose was to convey water from Tumalo Creek to the reservoir. The original headworks were replaced and the original 94.2 ft low overflow weir dam was partially removed in 2009/2010 to accommodate a new fish screen and fish ladder. The

- remaining original structure is a 90 foot (crest length) section of dam of reinforced concrete. Tax Map 17-11-23, Tax Lot 800 & 1600.
30. Tumalo Community Church: The building is the oldest church in the County, built in 1905. It stands in the former town of Laidlaw, laid out in 1904. Located at 64671 Bruce Avenue, Tumalo. 16-12-31A TL 3900.
  31. Tumalo Project Dam: Concrete core, earth-filled dam 75 feet high. First project by State of Oregon to use State monies for reclamation project. On Tumalo Creek. 16-11-29.
  32. William P. Vandever Ranch Homestead House: The Vandever Ranch House stands on the east bank of the Little Deschutes River at 17600 Vandever Road near Sunriver. The homestead was established in 1892, and has been recently relocated and renovated. Vandever family history in the area spans 100 years. 20-11-18D TL 13800.
  33. Kathryn Grace Clark Vandever Grave: Kathryn Grace Vandever, daughter of William P. Vandever, died of influenza during the epidemic of 1918. Her grave is located across a pasture due south of the Vandever House, 50 feet east of the Little Deschutes River. Site includes gravestone and fenced gravesite measuring is approximately 15 feet by 25 feet. 20-11-00 TL 1900.
  34. Young School: Built in 1928, it is an excellent example of a rural "one-room" school which served homesteaders of the 1920s. Located on Butler Market Road. 17-13-19 TL 400.
  35. Agnes Mae Allen Sottong and Henry J. Sottong House and Barn: House and barn are constructed with lumber milled on the property in a portable sawmill run by the Pine Forest Lumber Company in 1911. Henry was awarded homestead patent 7364 issued at The Dalles on Dec 1, 1904. Henry was president of the Mountain States Fox Farm. A flume on the Arnold Irrigation District is named the Sottong Flume. The structures are also associated with William Kuhn, a president of the Arnold Irrigation District; Edward and Margaret Uffelman, who were part of the group that privatized and developed the Hoo Doo Ski Resort; and Frank Rust Gilchrist, son of the founder of the town of Gilchrist and Gilchrist Mill and president of the Gilchrist Timber Company from the time of his father's death in 1956 to 1988. Frank R. Gilchrist served on the Oregon Board of Forestry under four governors and was appointed by the governors to serve as a member of the Oregon Parks and Recreation Advisory Committee. He served on the Oregon State University's Forest Products Research Lab and was a director and president of the National Forest Products Association. T18 R12 Section 22, 00 Tax lot 01600.

*Inventory note: Unless otherwise indicated the inventoried site includes only the designated structure. No impact areas have been designated for any inventoried site or structure.*

### **National Register Resources listed before February 23, 2017**

36. Pilot Butte Canal: A gravity-flow irrigation canal constructed in 1904 that diverts 400 cubic feet of Deschutes River water per second. The canal conveys water through a 225- miles-long distribution system of successively narrower and shallower laterals and ditches on its way to those who hold water rights, serving about 20,711 acres by 1922. The canal was built in an area that had a population of 81 people when it was constructed. The historic district measures 7,435 feet long and encompasses 50 feet on either side of the canal centerline to create a 100-foot corridor. The district has a character-defining rocky, uneven bed, and highly irregular slopes, angles, cuts, and embankments.

37. Elk Lake Guard Station: A wagon road built in 1920 between Elk Lake and Bend sparked a wave of tourism around the scenic waterfront. To protect natural resources of the Deschutes National Forest and provide visitor information to guests, the Elk Lake Guard Station was constructed in 1929 to house a forest guard.
38. Deedon (Ed and Genvieve) Homestead: The homestead is located between the Deschutes River and the Little Deschutes River. All of the buildings were constructed between 1914 and 1915.
39. Gerking, Jonathan N.B. Homestead: Jonathan N.8. Gerking, "Father of the Tumalo Irrigation Project," played a crucial role in getting the project recognized and funded.
40. McKenzie Highway: The McKenzie Salt Springs and Deschutes Wagon Road, a predecessor to the modern McKenzie Highway, was constructed in the 1860s and 1870s.
41. Paulina Lake Guard Station: The station typifies the construction projects undertaken by the Civilian Conservation Corps and signifies the aid to the local community provided by the emergency work-relief program through employment of youth and experienced craftsmen, purchase of building materials and camp supplies, and personal expenditures of enrollees.
42. Paulina Lake I.O.O.F Organization Camp: The Paulina Lake I.O.O.F. Organization camp was constructed during the depression era and are the result of cooperative efforts by nonprofessional builders. Such camp buildings are important in Oregon's recreational history as an unusual expression of both its rustic style and its vernacular traditions.
43. Petersen Rock Gardens: The Petersen Rock Gardens consist of stone replicas and structures erected by Rasmus Petersen. The site has been a tourist attraction for over 60 years.
44. Rock O' the Range Bridge: Rock O' The Range is the only covered span east of the Cascades in Oregon. To gain access to his property, William Bowen instructed Maurice Olson – a local contractor – to build a bridge inspired by Lane County's Goodpasture Bridge.
45. Skyliners Lodge: The Skyliners are a Bend-based mountaineering club organized in 1927. In 1935, the group started building the Skyliners Lodge with help from the Deschutes National Forest, the Economic Recovery Act and the City of Bend.
46. Santiam Wagon Road: The Santiam Wagon Road went from Sweet Home to Cache Creek Toll Station. The road was conceived of in 1859 to create a route across the Cascades. By the 1890s, the road had become a major trade route.
47. Wilson, William T.E. Homestead: This homestead house was built in 1903 and has an "American Foursquare" architectural style.

#### **National Register Resources listed on / after February 23, 2017**

48. Central Oregon Canal: A gravity-flow irrigation canal constructed in 1905 and enlarged in 1907 and 1913. The canal retains its impressive historic open, trapezoidal shape, dimensions and characteristics. It is characterized by the volcanic rock flows, native materials, rocky bed and sides, and its hurried hand-hewn workmanship. The historic district is 3.4 miles long, crossing rural land between the Ward Road Bridge on the western edge and the Gosney Road Bridge on the eastern edge. In the historic district, the canal ranges in width from 34' to 78', averaging around 50', and



its depth varies from 1' to 9', averaging around 4' deep, depending on the amount of volcanic lava flows encountered, the terrain, and slope. The canal through the historic district carries nearly the full amount of water diverted from the Deschutes River, 530 cubic feet per second during the irrigation season, April through October. The historic district encompasses 50' on either side of the canal centerline to create a 100' corridor that includes the whole of the easement held by COID, and all the contributing resources. (Date listed: 03/18/2019)

## Section 5.10 Goal Exception Statements

### Background

The purpose of this section is to identify the lands where Deschutes County demonstrated an exception to meeting the requirements of the Statewide Planning Goals. The intent of goal exceptions is to allow some flexibility in rural areas under strictly defined circumstances. Goal exceptions are defined and regulated by Statewide Planning Goal 2 and Oregon Administrative Rule 660-004 (excerpt below).

*660-004-0000(2) An exception is a decision to exclude certain land from the requirements of one or more applicable statewide goals in accordance with the process specified in Goal 2, Part II, Exceptions. The documentation for an exception must be set forth in a local government's comprehensive plan. Such documentation must support a conclusion that the standards for an exception have been met.*

### Statewide Planning Goals with Deschutes County Exceptions

- Goal 3 Agricultural Lands
- Goal 4 Forest Lands
- Goal 11 Public Facilities and Services
- Goal 14 Urbanization

Three types of exceptions are permitted by Oregon Administrative Rule 660-004

- Irrevocably committed
- Physically developed
- Reasons

The summary below identifies approved goal exceptions and identifies the adopting ordinance for those interested in further information. The ordinances listed are incorporated by reference into this Plan.

### 1979 Exceptions

*Comprehensive Plan entire County – PL 20 - 1979*

During the preparation of the 1979 Comprehensive Plan it was apparent that many rural lands had already received substantial development and were committed to non-resource uses. Areas were examined and identified where Goal 3 and 4 exceptions were taken. At this time exceptions to Goals 11 and 14 were not required.

The total area excepted was 41,556 acres. These lands were residentially developed, committed to development or needed for rural service centers.

### Additional Exceptions

*Bend Municipal Airport – Ordinances 80-203, 1980 and 80-222, 1980*

The Bend Municipal Airport received an exception to Goal 3 to allow for the necessary and expected use of airport property.

*La Pine UUC Boundary – Ordinance 98-001, 1998*

Exceptions to Goals 3, 11 and 14 were taken to allow lands to be included in the La Pine UUC boundary and planned and zoned for commercial use.

*Spring River Rural Service Center – Ordinances 90-009, 1990; 90-010, 1990; 96-022, 1996; 96-045, 1996*

A reasons exception was taken to Goal 14 to allow the establishment of the Spring River Rural Service Center on residentially designated lands.

*Burgess Road and Highway 97 – Ordinance 97-060, 1997*

An exception was taken to Goal 4 to allow for road improvements.

*Rural Industrial Zone – Ordinances 2010-030, 2010; 2009-007, 2009*

Two separate ordinances for rural industrial uses. The 2009 exception included an irrevocably committed exception to Goal 3 and a reasons exception to Goal 14 with a Limited Use Combining Zone for storage, crushing, processing, sale and distribution of minerals. The 2010 exception took a reasons exception to Goal 14 with a Limited Use Combining Zone for storage, crushing, processing, sale and distribution of minerals.

*Prineville Railway – Ordinance 98-017*

An exception was taken to Goal 3 to accommodate the relocation of the Redmond Railway Depot and the use of the site for an historic structure to be utilized in conjunction with the Crooked River Dinner Train operations.

*Resort Communities – Ordinance 2001-047, 2001*

An exception was taken to Goal 4 for Black Butte Ranch and Inn of the 7th Mountain/Widgi Creek during the designation of those communities as Resort Communities under OAR 660- 22.

*Barclay Meadows Business Park – Ordinance 2003-11, 2003*

A reasons exception was taken to Goal 3 to include certain property within the Sisters Urban Growth Boundary.

*Sisters School District # 6 – Ordinance 2003-11, 2003*

A reasons exception was taken to Goal 3 to include certain property within the Sisters Urban Growth Boundary.

*Sisters Organization of Activities and Recreation and Sisters School District #6 – Ordinance 2003-017, 2003*

A reasons exception was taken to Goal 4 to include certain property within the Sisters Urban Growth Boundary.

*Oregon Water Wonderland Unit 2 Sewer District – Ordinances 2010-015, 2010; 2003-015, 2003*

A reasons exception was taken to Goals 4 and 11 to allow uses approved by the Board of County Commissioners in PA-02-5 and ZC-02-3 as amended by PA-09-4.

*City of Bend Urban Growth Boundary Amendment (Juniper Ridge) – Ordinance 97-060. 1997*

An exception was taken to Goal 3 to allow an amendment of the Bend Urban Growth Boundary to incorporate 513 acres for industrial uses.

*Joyce Coats Revocable Trust Johnson Road and Tumalo Reservoir Road Properties – Ordinance 2005- 015, 2005*

An irrevocably committed exception was taken to Goal 3 to allow a change of comprehensive plan designation from Surface Mining to Rural Residential Exception Area and zoning from Surface Mining to Multiple Use Agriculture for Surface Mine Sites 306 and 307.

*Watson/Generation Development inc – Ordinance 2005-015*

An exception was taken to Goal 3 to include a portion of agricultural property.

*Oregon Department of Transportation – Ordinance 2005-019, 2005*

An exception was taken to Goal 3 to include a portion of agricultural property.

*Conklin/Eady Property – Ordinance 2005-035, 2005*

An exception was taken to Goal 3 to include a portion of agricultural property.

*City of Sisters Property – Ordinance 2005-037, 2005*

An exception was taken to Goal 4 to include a portion of forest property.

*McKenzie Meadows Property – Ordinance 2005-039, 2005*

An exception was taken to Goal 4 to include a portion of forest property.

*Bend Metro Park and Recreation District Properties – Ordinance 2006-025*

A reasons exception was taken to Goal 3 to include a portion of agricultural property.

*Harris and Nancy Kimble Property and Portion of CLR, Inc Property A.K.A. the Klippel Pit Property – Ordinance 2008-001, 2008*

An irrevocably committed exception was taken to Goal 3 to allow reclassification and zoning from Surface Mine to Rural Residential Exception Area and Rural Residential 10 acre for Surface Mine Site 294.

*Sunriver Service District, Sunriver Fire Department – Ordinance 2014-021, 2014*

A reasons exception was taken to Goal 4 to include a portion of forest property. To ensure that the uses in the Sunriver Utility District Zone on the approximate 4.28 acre site of Tax Lot 102 on Deschutes County Assessor's Map 19-11-00 are limited in nature and scope to those justifying the exception to Goal 4 for the site, the Sunriver Forest (SUF) zoning on the subject site shall be subject to a Limited Use Combining Zone, which will limit the uses on the subject site to a fire training facility and access road for the Sunriver Service District and Sunriver Fire Department.

*Frances Ramsey Trust Property – Ordinance 2014-027, 2014*

An "irrevocably committed" exception was taken to Goal 14 to allow for reclassification and rezoning from agricultural property to Rural Industrial for a 2.65 acre portion of a parcel zoned EFU/RI.

## Section 5.11 - Goal 5 Adopted Ordinances

As noted in Chapter 5 of this Plan, adopted and acknowledged Goal 5 inventories, ESEEs and programs are retained in this Plan. Generally the Goal 5 inventories and ESEEs were adopted into the previous Comprehensive Plan or Resource Element and the Goal 5 programs were adopted into the Zoning Code. The County does not have a complete listing of Goal 5 inventory and ESEE ordinances, but will continue to research those ordinances. The following list is a start in listing all Goal 5 ordinances that are retained in this Plan.

- 80-203 Misc. Goal 5
- 85-001 Geothermal Resources
- 86-019 Deschutes River Corridor
- 90-025 Mining
- 90-028 Mining
- 90-029 Mining
- 92-018 Historic and Cultural
- 92-033 Open Space, LM
- 92-040 Fish and Wildlife
- 92-041 Fish and Wildlife (wetlands and riparian)
- 92-045 Wetlands RE
- 92-051 Misc. including Goal 5
- 92-052 Misc. Goal 5
- 92-067 Mining
- 93-003 Misc. Goal 5
- 94-003 Misc. Goal 5
- 94-006 Historic and Cultural
- 94-007 Wetlands and Riparian areas
- 94-050 Mining
- 95-038 Misc. Goal 5
- 95-041 Mining
- 96-076 Mining
- 99-019 Mining
- 99-028 Mining
- 2001-027 Mining
- 2001-038 Mining
- 2001-047 Mining
- 2001-018 Fish and Wildlife
- 2003-019 Mining
- 2005-025 Historic and Cultural
- 2005-031 Mining
- 2007-013 Mining
- 2008-001 Mining
- 2011-008 South Deschutes County LWI
- 2011-014 Mining



## Section 5.12 - Legislative History

### Background

This section contains the legislative history of this Comprehensive Plan.

Ordinance	Date Adopted/ Effective	Chapter/Section	Amendment
2011-003	8-10-11/11-9-11	All, except Transportation, Tumalo and Terrebonne Community Plans, Deschutes Junction, Destination Resorts and ordinances adopted in 2011	Comprehensive Plan update
2011-027	10-31-11/11-9-11	2.5, 2.6, 3.4, 3.10, 3.5, 4.6, 5.3, 5.8, 5.11, 23.40A, 23.40B, 23.40.065, 23.01.010	Housekeeping amendments to ensure a smooth transition to the updated Plan
2012-005	8-20-12/11-19-12	23.60, 23.64 (repealed), 3.7 (revised), Appendix C (added)	Updated Transportation System Plan
2012-012	8-20-12/8-20-12	4.1, 4.2	La Pine Urban Growth Boundary
2012-016	12-3-12/3-4-13	3.9	Housekeeping amendments to Destination Resort Chapter
2013-002	1-7-13/1-7-13	4.2	Central Oregon Regional Large-lot Employment Land Need Analysis
2013-009	2-6-13/5-8-13	1.3	Comprehensive Plan Map Amendment, changing designation of certain property from Agriculture to Rural Residential Exception Area
2013-012	5-8-13/8-6-13	23.01.010	Comprehensive Plan Map Amendment, including certain property within City of Bend Urban Growth Boundary
2013-007	5-29-13/8-27-13	3.10, 3.11	Newberry Country: A Plan for Southern Deschutes County
2013-016	10-21-13/10-21-13	23.01.010	Comprehensive Plan Map Amendment, including certain property within City of Sisters Urban Growth Boundary
2014-005	2-26-14/2-26-14	23.01.010	Comprehensive Plan Map Amendment, including certain property within City of Bend Urban Growth Boundary
2014-012	4-2-14/7-1-14	3.10, 3.11	Housekeeping amendments to Title 23.
2014-021	8-27-14/11-25-14	23.01.010, 5.10	Comprehensive Plan Map Amendment, changing designation of certain property from Sunriver Urban Unincorporated Community Forest to Sunriver Urban Unincorporated Community Utility

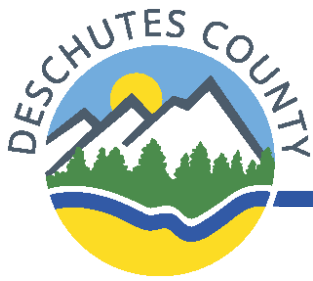
Ordinance	Date Adopted/ Effective	Chapter/Section	Amendment
2014-021	8-27-14/11-25-14	23.01.010, 5.10	Comprehensive Plan Map Amendment, changing designation of certain property from Sunriver Urban Unincorporated Community Forest to Sunriver Urban Unincorporated Community Utility
2014-027	12-15-14/3-31-15	23.01.010, 5.10	Comprehensive Plan Map Amendment, changing designation of certain property from Agriculture to Rural Industrial
2015-021	11-9-15/2-22-16	23.01.010	Comprehensive Plan Map Amendment, changing designation of certain property from Agriculture to Surface Mining.
2015-029	11-23-15/11-30-15	23.01.010	Comprehensive Plan Map Amendment, changing designation of certain property from Tumalo Residential 5-Acre Minimum to Tumalo Industrial
2015-018	12-9-15/3-27-16	23.01.010, 2.2, 4.3	Housekeeping Amendments to Title 23.
2015-010	12-2-15/12-2-15	2.6	Comprehensive Plan Text and Map Amendment recognizing Greater Sage-Grouse Habitat Inventories
2016-001	12-21-15/04-5-16	23.01.010; 5.10	Comprehensive Plan Map Amendment, changing designation of certain property from, Agriculture to Rural Industrial (exception area)
2016-007	2-10-16/5-10-16	23.01.010; 5.10	Comprehensive Plan Amendment to add an exception to Statewide Planning Goal 11 to allow sewers in unincorporated lands in Southern Deschutes County
2016-005	11-28-16/2-16-17	23.01.010, 2.2, 3.3	Comprehensive Plan Amendment recognizing non- resource lands process allowed under State law to change EFU zoning
2016-022	9-28-16/11-14-16	23.01.010, 1.3, 4.2	Comprehensive plan Amendment, including certain property within City of Bend Urban Growth Boundary
2016-029	12-14-16/12/28/16	23.01.010	Comprehensive Plan Map Amendment, changing designation of certain property from, Agriculture to Rural Industrial
2017-007	10-30-17/10-30-17	23.01.010	Comprehensive Plan Map Amendment, changing designation of certain property from Agriculture to Rural Residential Exception Area
2018-002	1-3-18; 1-25-18	23.01, 2.6	Comprehensive Plan Amendment permitting churches in the Wildlife Area Combining Zone
2018-006	7-23-18/7-23-18	23.01.010, 5.8, 5.9	Housekeeping Amendments correcting tax lot numbers in Non-Significant Mining Mineral and Aggregate Inventory; modifying Goal 5 Inventory of Cultural and Historic Resources

Ordinance	Date Adopted/ Effective	Chapter/Section	Amendment
2018-011	9-12-18/12-11-18	23.01.010	Comprehensive Plan Map Amendment, changing designation of certain property from Agriculture to Rural Residential Exception Area
2018-005	9-19-18/10-10-18	23.01.010, 2.5, Tumalo Community Plan, Newberry Country Plan	Comprehensive Plan Map Amendment, removing Flood Plain Comprehensive Plan Designation; Comprehensive Plan Amendment adding Flood Plain Combining Zone purpose statement.
2018-008	9-26-18/10-26-18	23.01.010, 3.4	Comprehensive Plan Amendment allowing for the potential of new properties to be designated as Rural Commercial or Rural Industrial
2019-002	1-2-19/4-2-19	23.01.010, 5.8	Comprehensive Plan Map Amendment changing designation of certain property from Surface Mining to Rural Residential Exception Area; Modifying Goal 5 Mineral and Aggregate Inventory; Modifying Non-Significant Mining Mineral and Aggregate Inventory
2019-001	1-16-19/4-16-19	1.3, 3.3, 4.2, 5.10, 23.01	Comprehensive Plan and Text Amendment to add a new zone to Title 19: Westside Transect Zone.
2019-003	02-12-19/03-12-19	23.01.010, 4.2	Comprehensive Plan Map Amendment changing designation of certain property from Agriculture to Redmond Urban Growth Area for the Large Lot Industrial Program
2019-004	02-12-19/03-12-19	23.01.010, 4.2	Comprehensive Plan Map Amendment changing designation of certain property from Agriculture to Redmond Urban Growth Area for the expansion of the Deschutes County Fairgrounds and relocation of Oregon Military Department National Guard Armory.
2019-011	05-01-19/05-16/19	23.01.010, 4.2	Comprehensive Plan Map Amendment to adjust the Bend Urban Growth Boundary to accommodate the refinement of the Skyline Ranch Road alignment and the refinement of the West Area Master Plan Area 1 boundary. The ordinance also amends the Comprehensive Plan designation of Urban Area Reserve for those lands leaving the UGB.
2019-006	03-13-19/06-11-19	23.01.010,	Comprehensive Plan Map Amendment, changing designation of certain property from Agriculture to Rural Residential Exception Area

Ordinance	Date Adopted/ Effective	Chapter/Section	Amendment
2019-016	11-25-19/02-24-20	23.01.01, 2.5	Comprehensive Plan and Text amendments incorporating language from DLCD’s 2014 Model Flood Ordinance and Establishing a purpose statement for the Flood Plain Zone.
2019-019	12-11-19/12-11-19	23.01.01, 2.5	Comprehensive Plan and Text amendments to provide procedures related to the division of certain split zoned properties containing Flood Plain zoning and involving a former or piped irrigation canal.
2020-001	1-8-20/4-20-20	23.01.01, 2.6, 3.5, 5.2	Comprehensive Plan and Text amendments relating to Religious Institutions to ensure compliance with RLUIPA.
2020-002	2-26-20/5-26-20	23.01.01, 4.2, 5.2	Comprehensive Plan Map Amendment to adjust the Redmond Urban Growth Boundary through an equal exchange of land to/from the Redmond UGB. The exchange property is being offered to better achieve land needs that were detailed in the 2012 SB 1544 by providing more development ready land within the Redmond UGB. The ordinance also amends the Comprehensive Plan designation of Urban Area Reserve for those lands leaving the UGB.
2020-003	02-26-20/05-26-20	23.01.01, 5.10	Comprehensive Plan Amendment with exception to Statewide Planning Goal 11 (Public Facilities and Services) to allow sewer on rural lands to serve the City of Bend Outback Water Facility.
2020-008	06-24-20/09-22-20	23.01.010, Appendix C	Comprehensive Plan Transportation System Plan Amendment to add roundabouts at US 20/Cook-O.B. Riley and US 20/Old Bend-Redmond Hwy intersections; amend Tables 5.3.T1 and 5.3.T2 and amend TSP text.
2020-007	07-29-20/10-27-20	23.01.010, 2.6	Housekeeping Amendments correcting references to two Sage Grouse ordinances.
2020-006	08-12-20/11-10-20	23.01.01, 2.11, 5.9	Comprehensive Plan and Text amendments to update the County’s Resource List and Historic Preservation Ordinance to comply with the State Historic Preservation Rule.
2020-009	08-19-20/11-17-20	23.01.010, Appendix C	Comprehensive Plan Transportation System Plan Amendment to add reference to J turns on US 97 raised median between Bend and Redmond; delete language about disconnecting Vandevent Road from US 97.

<b>Ordinance</b>	<b>Date Adopted/ Effective</b>	<b>Chapter/Section</b>	<b>Amendment</b>
2020-013	08-26-20/11/24/20	23.01.01, 5.8	Comprehensive Plan Text And Map Designation for Certain Properties from Surface Mine (SM) and Agriculture (AG) To Rural Residential Exception Area (RREA) and Remove Surface Mining Site 461 from the County's Goal 5 Inventory of Significant Mineral and Aggregate Resource Sites.
2021-002	01-27-21/04-27-21	23.01.01	Comprehensive Plan Map Designation for Certain Property from Agriculture (AG) To Rural Industrial (RI)





COMMUNITY DEVELOPMENT

STAFF FINDINGS

**FILE NUMBER(S):** 247-23-000644-PA

**APPLICANT:** Deschutes County Planning Division

**REQUEST:** Repeal and Replace 2030 Comprehensive Plan with Deschutes 2040 Comprehensive Plan.

**STAFF CONTACT:** Nicole Mardell, AICP, Senior Planner  
 Phone: 541-317-3157  
 Email: [nicole.mardell@deschutes.org](mailto:nicole.mardell@deschutes.org)

**RECORD:** Record items can be viewed and downloaded from:  
[www.deschutes.org/2040](http://www.deschutes.org/2040) by clicking on the "Hearing Page" link

**I. APPLICABLE CRITERIA**

Deschutes County Code (DCC)  
 Title 22, Deschutes County Development Procedures Ordinance  
 Chapter 22.012, Legislative Procedures  
 Oregon Administrative Rule (OAR)  
 OAR 660-015, Statewide Planning Goals and Guidelines

**II. BASIC FINDINGS**

**PROPOSAL**

This is a legislative plan and text amendment to replace the 2030 Deschutes County Comprehensive Plan with the Deschutes 2040 Comprehensive Plan. The proposal does not seek to replace the Tumalo Community Plan, Terrebonne Community Plan, Newberry Country Plan, nor the Transportation System Plan. This proposal does not include any amendments to the County's Goal 5 Inventory. The proposal does not include any Comprehensive Plan or Zoning Map amendments.

**BACKGROUND**

The Board of County Commissioners initiated the process to update the County's Comprehensive Plan in November 2021. Staff worked extensively with the project consultant MIG, on creating the project scope and budget for this process. Over the last 18 months, staff has conducted widespread community engagement and analysis of existing conditions and projected trends. This in turn, has

informed updates to chapter narrative, goal, and policy language to provide an up-to-date approach to managing growth and development in rural Deschutes County.

**REVIEW CRITERIA**

Deschutes County lacks specific criteria in DCC Titles 18, 22, or 23 for reviewing a legislative plan and text amendment. Nonetheless, since Deschutes County is initiating one, the County bears the responsibility for justifying that the amendments are consistent with Statewide Planning Goals and the County’s Comprehensive Plan.

**III. FINDINGS & CONCLUSIONS**

**CHAPTER 22.12, LEGISLATIVE PROCEDURES**

Section 22.12.010.  
**Hearing Required**

**FINDING:** This criterion will be met because a public hearing will be held before the Deschutes County Planning Commission on October 26, 2023, and before the Board of County Commissioners on April 10, 2024.

Section 22.12.020, Notice  
**Notice**

**A. Published Notice**

- 1. Notice of a legislative change shall be published in a newspaper of general circulation in the county at least 10 days prior to each public hearing.**
- 2. The notice shall state the time and place of the hearing and contain a statement describing the general subject matter of the ordinance under consideration.**

**FINDING:** This criterion is met as notice was published in the Bend Bulletin newspaper on October 13<sup>th</sup>, 2023, for the Planning Commission public hearing and on March 27<sup>th</sup>, 2024 for the Board of County Commissioners public hearing.

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

**FINDING:** Posted notice was determined by the Planning Director not to be necessary.

**C. Individual notice. Individual notice to property owners, as defined in DCC 22.08.010(A), shall be provided at the discretion of the Planning Director, except as required by ORS 215.503.**

**FINDING:** Given the proposed legislative amendments do not apply to any specific property, no individual notices were sent.

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

**FINDING:** Notice was provided to the County public information official for wider media distribution. Staff provided additional notice beyond the legal requirements. This was done through the project’s constant contact mailing list, including over 550 contacts, through press releases, and coordination with community organizations. This criterion is met.

Section 22.12.030 Initiation of Legislative Changes.

**A legislative change may be initiated by application of individuals upon payment of required fees as well as by the Board of County Commissioners.**

**FINDING:** The application was initiated by the Deschutes County Planning Division at the direction of the Board of County Commissioners and has received a fee waiver. This criterion is met.

Section 22.12.040. Hearings Body

- A. The following shall serve as hearings or review body for legislative changes in this order:**
  - 1. The Planning Commission.**
  - 2. The Board of County Commissioners.**
- B. Any legislative change initiated by the Board of County Commissioners shall be reviewed by the Planning Commission prior to action being taken by the Board of Commissioners.**

**FINDING:** The Deschutes County Planning Commission will hold the initial public hearing on October 26, 2023. The Board will hold a public hearing on April 10, 2024. These criteria are or will be met.

Section 22.12.050 Final Decision

**All legislative changes shall be adopted by ordinance.**

**FINDING:** The proposed legislative changes will be implemented by ordinance 20xx-xxx, upon approval and adoption by the Board of County Commissioners. This criterion will be met.

**OAR 660-015, Statewide Planning Goals and Guidelines**

Goal 1: Citizen Involvement:

**FINDING:** The development of the Deschutes County 2040 Comprehensive Plan document was a multi-year process with significant public outreach and community member involvement.

The following is a short summary of engagement leading up to the initial public hearing:

- o Established a project email list with over 500 contacts.
- o Provided 7 project update emails.

- o Established a new, user-friendly website.
- o Received over 29,000 social media impressions.
- o Coordinated with media on 13 news stories.
- o Held 66 small group meetings with over 400 participants.
- o Held 8 open houses with 296 attendees.
- o Held an online open house with 361 survey responses.
- o Hosted a virtual and interactive forum with over 100 responses.
- o Held 11 planning commission meetings.
- o Provided incentives through a raffle, prizes, and food and beverages.

Community member input was essential to the development of the resulting Deschutes County 2040 document and staff utilized several novel and innovative techniques to reach rural residents. Chapter 1 of the plan, Community Engagement, outlines numerous policies that reduce barriers to and support community involvement throughout planning processes.

**Key Policy Changes**

*Comprehensive Plan - 2030:* Chapter 1, Section 1.2

*Deschutes County 2040 Plan:* Chapter 1 - Community Engagement

*Amendments:* Citizen involvement (now Community Engagement) was completely rewritten.

The section listed above and this Plan as a whole, complies with Goal 1, Citizen Involvement, as described:

- The adoption process for these amendments included public hearings before the Planning Commission (Committee for Citizen Involvement) and before the Board of County Commissioners.
- The updated goal and policies were created through an extensive two-year public/Planning Commission process that generated considerable public input which was incorporated throughout this Plan.
- The new policies recognize the Planning Commission as the required Committee for Community Involvement.
- This section complies with the following six components of Statewide Goal 1:
  - Policies 1.1.1-1.1.8 promote opportunities to involve community members at all stages of planning processes by providing adequate opportunities for input, promoting two-way communication, and continuously improving on outreach activities.
  - Policies 1.2.1-1.2.6 support the activities and funding of the Committee for Community Involvement.
  - Policies 1.1.2 and 1.1.4 ensure technical information is available in an understandable form

Consistency with Goal 1 is thereby met.

Goal 2: Land Use Planning:

**FINDING:** The purpose of the chapter is to ensure the Comprehensive Plan was built with a factual base and will be followed when making future land use decisions. In updating this plan document, information was gained from numerous studies, technical documents, and subject matter experts. ORS 197.610 prescribes the process for local governments to initiate post-acknowledgement plan

amendments. 45-day notice was provided to the Oregon Department of Land Conservation (DLCD) and Development on August 30, 2023 – no comments have been received from DLCD.

The draft Plan contains detailed, factual background information in each chapter narrative to provide context for the goals and policies. The Deschutes County 2040 plan update does propose any changes to Comprehensive Plan designations or zoning designations, nor the County's Goal 5 inventories or community plans as part of this update.

**Key Policy Changes**

*Comprehensive Plan – 2030:* Chapter 1, Section 1.3 and Chapter 5, Section 5.10  
*Deschutes County 2040 Plan:* Chapter 2 Land Use and Regional Coordination

*Amendments:* Land use (previously Section 1.3) was completely rewritten.

The sections listed above, and this Plan update as a whole, comply with Statewide Planning Goal 2 as described:

- Policies 2.1.1 and 2.1.5 recognize that when making land use regulations, private property rights, economic impacts, sustainability and carrying capacity all need to be considered.
- Policy 2.1.2 and 2.1.4 recognize the importance of implementing the plans recommendations through the annual department work plan process and updating the document to incorporate new information.
- Policy 2.1.3 clarifies the official Comprehensive Plan map is retained as an electronic layer with the Deschutes County GIS system.
- Goal 2.2 and its associated policies support regional coordination and partnership on regional issues and are further discussed under Goal 14 – Urbanization.
- Policies 2.3.1-2.3.2 speaks to coordinate and management of County owned land use for park purposes.
- Policies 2.4.1-2.4.2 recognize the importance of reducing onerous barriers to land use and planning applications.
- There are no amendments to Comprehensive Plan map designations incorporated into this Plan update, although definitions of existing designations are provided.

Consistency with Goal 2 is thereby met.

Goal 3: Agricultural Lands:

**FINDING:** Goal 3 seeks to preserve and maintain agricultural lands. Deschutes County inventoried agricultural lands as required by Goal 3 in 1979 and refined the agricultural land designations as a result of a farm study in 1992. This plan update does not propose to rezone or redesignate any agricultural lands. Staff finds that the goals and policies within the document are supportive of retaining productive and valuable lands for agricultural uses within Deschutes County and reducing barriers to a healthy agricultural economy.

**Key Policy Changes**

*Comprehensive Plan – 2030:* Chapter 2, Section 2.2  
*Deschutes County 2040 Plan:* Chapter 3 - Farm and Forest Resources



*Amendments:* Chapter 2, Section 2.2 Agricultural Lands and Section 2.3 Forest Lands were combined and rewritten, although existing designations and regulations were retained.

The section listed above, and this Plan update as a whole, complies with Statewide Planning Goal 3 as described:

- Policies 3.1.1-3.1.2 retain the existing Exclusive Farm Use Zoning and subzones. No map changes are proposed as part of this Plan update.
- Policy 3.1.4 ensures the County’s farm policies and codes remain compliant with State regulations.
- Policies 3.2.1-3.2.9 support the business of agriculture and review of county regulations to reduce common issues that impact farming operations and activities.
- Policies 3.1.3, 3.3.1, 3.3.2, and 3.3.6 support the accurate designation of agricultural lands in compliance with State rules, while responding to local concerns that there are Deschutes County farmlands that are incorrectly designated.
- Policy 3.3.4 addresses the newly allowed state allowance for rural accessory dwelling units.
- Policy 3.3.5 encourages coordination between farmers and fish/wildlife managers.

Consistency with Goal 3 is thereby met.

Goal 4: Forest Lands:

**FINDING:** Goal 4 seeks to conserve forest lands. Deschutes County inventoried forest lands as required by Goal 4 in 1979 and refined the forest land designations to conform to OAR 660-006. Deschutes County is not proposing to rezone or redesignate any forest lands as part of this update process. Staff consolidated the goals that were previously in Section 2.3 Forest Lands into *Chapter 3 – Farm and Forest Resources*.

**Key Policy Changes**

*Comprehensive Plan – 2030:* Chapter 2, Section 2.3  
*Deschutes County 2040 Plan:* Chapter 3 - Farm and Forest Lands

*Amendments:* Forest Lands (previously Section 2.3) was rewritten and combined into the same chapter as agricultural lands, although existing designations and regulations were retained.

The section listed above, and this Plan update as a whole, comply with Statewide Planning Goal 4 as described:

- Goal 3.4 and Policies 3.4.1-3.4.4 provide the characteristics and criteria for the County’s Forest Zones. These policies remain unchanged from the previous 2010 plan.
- Policy 3.4.5 ensures forest codes are compliant with State regulations.
- Policies 3.4.6-3.4.7, 3.4.9, and 3.4.10 recognize the need for coordination with federal agencies and tribal government in forest management.
- Policy 3.4.8 supports economic opportunities within forest zoned lands while meeting other community goals.
- Policy 3.4.11 recognizes the need to review and revisit county code to reduce impacts from development on forest health and dependent species.

Consistency with Goal 4 is thereby met.

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

**FINDING:** Statewide Planning Goal 5 addresses natural resources, historic and cultural resources, and mineral and aggregate resources. In this update, these topics were divided into three chapters to ensure adequate depth and policy response to each particular topic.

**Key Policy Changes**

*Comprehensive Plan – 2030:* Chapter 2, Sections 2.4-2.7 and 2.10-2.11 and Chapter 5, Sections 5.3-5.9, 5.11

*Deschutes County 2040 Plan:* Chapter 4 - Mineral and Aggregate Resources, Chapter 5 - Natural Resources, Chapter 6 - Historic Resources

*Amendments:* The narratives for each topic were rewritten. The Goal 5 inventories for these resources (as well as ESEEs and programs) were retained and remained unchanged in Appendix A.

The sections listed above, and this Plan update as a whole, comply with Statewide Planning Goal 5 as described:

Chapter 5 – Natural Resources

- Water Goals and Policies
  - Policies 5.1.1 directs the county to participate in statewide regional and water planning efforts including implementation of the Upper Deschutes Basin Study, Habitat Conservation Plan, and Biological Opinion.
  - Policy 5.1.2 supports grants for improvements, upgrades, or expansions to water systems.
  - Policies 5.1.4 promotes increased consideration of water quality, water availability, and treaty rights of Confederated Tribes of Warm Springs in the land use review process.
  - Policies 5.2.1-5.2.3 support water conservation efforts through a mixture of incentives, educational opportunities and partnerships with local and regional organizations and agencies.
  - Policies 5.3.1-5.3.4 seek to maintain a healthy ecosystem in the Deschutes River Basin including partnerships with agencies, implementation of study recommendation, and education.
  - Policies 5.4.1-5.4.11 seek to maintain and enhance fish and riparian dependent wildlife habitat. These polices address coordination with agencies and organizations during land use review process, implementation of Habitat Conservation Plans and other scientific studies, and additional regulations and educational programs to limit impacts to riparian areas.
  - Policies 5.5.1-5.5.7 aspire to coordinate land use and water policies to address water allocation and management. These policies address coordination, support to revisit Oregon Water Resources Departments Groundwater Allocation and Mitigation Rules, improvement of stormwater and wastewater facilities, and consideration of hydrology during land use review process.
  
- Open Spaces and Scenic Views
  - Policies 5.6.1-5.6.4 recognize the importance of working with stakeholders to establish and maintain connected open spaces and scenic view areas.
  - Policies 5.6.5-5.6.6 support protection for visually significant areas.

• Wildlife Habitat

- Policy 5.7.1 promotes stewardship of wildlife habitat.
- Policy 5.7.2 is directed at updating wildlife habitat inventories and protections through future public processes, informed by public process, expert sources, and current or recently updated plans.
- Policy 5.7.3 and 5.7.4 seek to incentive or require greater compatibility between development and habitat areas, including clustering of development.
- Policy 5.7.5 directs the County to coordinate with Confederate Tribes of Warm Springs on co-management on wildlife resources.
- Policies 5.8.-5.8.3 seek to balance the economic and recreation benefits of wildlife with the protection of these resources.
- Policies 5.9.1-5.9.3 address federal and state protected species.

Chapter 4 - Mineral and Aggregate Resources

- Policies 4.1.1-4.1.3 seek to implement the Goal 5 program for mineral and aggregate sites.
- Policy 4.1.4 supports reclamation of sites following exhaustion of mineral or aggregate resources.

Chapter 6 - Historic and Cultural Resources

- Policies 6.1.1- 6.1.3 define roles of the County in promoting a historic landmarks program, including coordination with the State Historic Preservation office and the Confederated Tribes of Warm Springs.

Consistency with Goal 5 is thereby met.

Goal 6: Air, Water and Land Resources Quality:

**FINDING:** Goal 6 instructs local governments to consider protection of air, water, and land resources from pollution and pollutants when developing Comprehensive Plans. This chapter supports maintaining and improving air, water and land quality, which goes beyond the requirements of Goal 6 to comply with State and Federal regulations. Staff notes that there are no comprehensive map or zoning changes associated with this amendment, nor are any amendments to the County's Goal 5 inventory proposed.

**Key Policy Changes**

*Comprehensive Plan – 2030:* Chapter 2, Section 2.5 and 2.9  
*Deschutes County 2040 Plan:* Chapter 5 - Natural Resources

*Amendments:* This section was entirely rewritten, the policies pertaining to Air, Water, and Land Resources Quality have been integrated into an “Environmental Quality” section of the larger natural resources chapter.

The sections listed above, and this Plan update as a whole, comply with Statewide Planning Goal 6 as described:

- Policies 5.10.1 and 5.11.2 promote use of environmentally friendly building practices in County operations and on public property.
- Policy 5.10.2 supports implementation of a dark skies program to impacts of light pollution.
- Policies 5.10.3-5.10.4, and Policy 5.11.2 promote public education regarding controlled burning, noxious weeds, and reuse and recycling.
- Policies 5.11.3-5.11.4 support the process for siting new waste management facilities and implementing best practices in solid waste management.
- Policy 5.11.5 seeks to develop and implement a Climate Action Plan to mitigate impacts of climate change in Deschutes County.
- Policy 5.11.6 promotes green infrastructure to improve stormwater.

Consistency with Goal 6 is thereby met.

Goal 7: Areas Subject to Natural Disasters and Hazards:

**FINDING:** Goal 7 requires comprehensive plans to address Oregon’s natural hazards. Deschutes County has been proactive in addressing natural hazards, through periodic updates to the County’s Natural Hazards Mitigation Plan (NHMP). That Plan provides extensive information on natural hazards in Deschutes County and detailed recommendations to protect people and property.

**Key Policy Changes**

*Comprehensive Plan – 2030:* Chapter 3, Section 3.5  
*Deschutes County 2040 Plan:* Chapter 7 - Natural Hazards

*Amendments:* Natural hazards (now Chapter 7) was completely rewritten.

The section listed above, and this Plan update as a whole, comply with Statewide Planning Goal 7 as described:

- Policies 7.1.1-7.1.3, and 7.2.4 promote coordination agency partners to regularly update the NHMP, update hazard risk maps, review land use applications, and clarify responsibilities pertaining to natural hazard events.
- Policy 7.1.4 seeks to utilize development code provisions to manage development in hazard prone areas.
- Policies 7.1.5 – 7.1.10 aspires to address wildfire risk and mitigate impacts to wildlife and people.
- Policy 7.1.11 provides recommendations to review and revise County code to address common hazard risk issues.
- Policies 7.2.1-7.2.2 mitigate risk to essential infrastructure following natural hazard events.
- Policy 7.2.3 supports the siting of a regional emergency services training facility.
- Policy 7.2.5-7.2.7 provides required and incentivized standards to mitigate risk for new development in hazard prone areas.
- Policy 7.2.8 provides compliance with the FEMA flood insurance program.
- Policies 7.3.1-7.3.5 promote development of programs to inform the public of increased risk of natural hazards.

Consistency with Goal 7 is hereby met.

Goal 8: Recreational Needs:

**FINDING:** Goal 8 requires local governments to plan for the recreation needs of their residents and visitors. Unlike cities, the County is not required to adopt a parks master plan, but instead coordinate recreational activities among government and private agencies in the rural portions of the County.

**Key Policy Changes**

*Comprehensive Plan – 2030:* Chapter 3, Section 3.8  
*Deschutes County 2040 Plan:* Chapter 8 - Recreation

*Amendments:* This section was completely rewritten.

The sections listed above, and this Plan update as a whole, comply with Statewide Planning Goal 8 as described below.

- Goal 8.1 and policies 8.1.1-8.1.6 address the need for cooperation in recreation planning.
- Policy 8.1.7 discusses working with Unincorporated Communities that express interest in parks.
- Policy 8.1.8 refers to integrating trail designs from other agencies within the Transportation System Plan where appropriate.
- Policy 8.1.9 explores an increased role of the County in parks and recreation to serve rural areas not already within a parks and recreation district.
- Policy 8.1.10 supports the community effort to acquire and manage Skyline Forest as a community asset.
- Policy 8.1.11 speaks to balancing new recreational opportunities with the integrity of the natural environment.

Consistency with Goal 8 has been met.

Goal 9: Economic Development:

**FINDING:** Goal 9 seeks to provide adequate opportunities for economic development throughout the state. Goal 9 primarily applies to urban development within acknowledged growth boundaries. The County is not required to provide an economic feasibility study or designate land to fulfill employment needs. Rather, these policies are intended to provide guidance for regional economic development activities and rural economic activities allowed under state law.

**Key Policy Changes**

*Comprehensive Plan – 2030:* Chapter 3, Section 3.4  
*Deschutes County 2040 Plan:* Chapter 9 - Economic Development

*Amendments:* The economy chapter was completely rewritten.

The section listed above, and this Plan update as a whole, comply with Statewide Planning Goal 9 as described:

- Policy 9.1.1 speaks to promote rural economic initiatives, while balancing impacts to rural livability and natural resources.



- Policy 9.1.2 supports Economic Development for Central Oregon as the regional coordinator for economic development.
- Policy 9.1.3 supports growth and expansion of higher education in Central Oregon to support the regional workforce.
- Policy 9.1.4 supports renewable energy generation as an economic tool, with consideration for community concerns or goals such as livability and impact on natural resources.
- Policy 9.1.5 promotes master planning for airport facilities to reduce noise and safety concerns as the region grows.
- Policy 9.1.6 speaks to allowing local oriented rural commercial uses as state law allows.
- Policy 9.1.7-9.1.10 addresses planning for economic development lands, including large lot industrial lands, supporting childcare, and expansion of internet infrastructures.
- Policies 9.2.1-9.3.15 are retained from the 2011/1979 Plan. These policies govern existing Rural Commercial and Rural Industrial designated properties. These properties were previously evaluated under OAR 660-023 and determined to have pre-existing commercial or industrial uses that do not fit into any of the unincorporated community categories.

Consistency with Goal 9 is met.

Goal 10: Housing:

**FINDING:** Goal 10 directs cities to provide an adequate supply of housing for their residents. Unlike cities, Counties are not required to comply with the requirements of Goal 10 to provide a 20-year supply of housing for its community members, nor undertake any analysis pertaining to housing demand and supply. The County does not have any statutory obligations in providing findings to Goal 10. Instead, staff and community members identified important emerging issues that pertain to rural housing and drafted aspirational policies to address these issues.

**Key Policy Changes**

*Comprehensive Plan – 2030:* Chapter 3, Section 3.3  
*Deschutes County 2040 Plan:* Chapter 10 - Housing

*Amendments:* Housing (now Chapter 10) was completely rewritten.

The policies below and this section as a whole complies with statewide land use Goal 10 as described:

- Goal 10.1 was refined from the previous Comprehensive Plan and speaks to balancing housing choice for rural residents with health, safety, environmental, and resource land impacts.
- Policy 10.1.1 speaks to establishing a tracking system for cumulative impacts associated with rural housing development.
- Policy 10.1.2 addresses health and safety issues associated with housing.
- Policy 10.1.3 encourages subdivisions alternative development patterns for subdivisions (such as clustering) to mitigate community and environmental impacts.
- Policies 10.1.4-10.2.2 speak to providing affordable housing options and alternatives in Deschutes County and exploring programs to support housing where allowed by state law in rural areas.
- Policies 10.3.1-10.3.7 provide guidance for development in the Westside Transect Zone.
- Policies 10.4.1-10.4.6 support coordination with cities on affordable housing.

Consistency with Goal 10 is thereby met.

Goal 11: Public Facilities and Services:

**FINDING:** Goal 11 directs local governments to plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for rural development. The County does not provide any water or sewer services. The primary services provided by Deschutes County, aside from Transportation which is addressed in the County’s Transportation System Plan) pertains to waste management. The County may also serve as a conduit for other resources and may support other local governments in siting of regional facilities.

**Key Policy Changes**

*Comprehensive Plan – 2030: Chapter 3, Section 3.6*  
*Deschutes County 2040 Plan: Chapter 12 - Public Facilities*

*Amendments:* Public facilities and services (now Chapter 12) was completely rewritten.

The section listed above, and this Plan update as a whole, comply with Statewide Planning Goal 11 as described:

- Goal 12.1 and policies 12.1.1-12.1.13 supports orderly, efficient and cost-effective siting of rural public facilities and services including natural hazard preparedness, intergovernmental coordination, and reduction of impact to natural and community resources.
- Goal 12.2 and policies 12.2.1-12.2.4 promote sustainable, innovative, and cost-effective waste management practices.
- Goal 12.3 and Policy 12.3.1 encourages the County to be a conduit for resources.

Consistency with Goal 11 is met.

Goal 12: Transportation:

**FINDING:** The Deschutes County 2040 plan does not directly address transportation, but rather refers directly to an appendix for the County’s Transportation System Plan. The adoption of the 2020-2040 Transportation System Plan is still under review and is required to comply with this goal and applicable statute and implementing rule.

Goal 13: Energy Conservation:

**FINDING:** Goal 13 aspires to conserve energy, by maximizing land and uses to maximize conservation of all forms of energy. This section primarily provides guidance for conservation and alternative energy production in the rural county, as allowed by state law.

**Key Policy Changes**

*Comprehensive Plan – 2030: Chapter 2, Section 2.8*  
*Deschutes County 2040 Plan: Chapter 13 - Energy*

*Amendments:* Energy (now Chapter 13) was completely rewritten as a standalone chapter.

The sections listed above, and this Plan update as a whole, comply with Statewide Planning Goal 13 as described:

- Goal 14.1 promotes energy conservation and alternative energy production.
- Policies 14.1.1-14.1.3 aspire to reduce energy usage in County operations and support working with energy suppliers to promote energy efficiency in all economic sectors.
- Policies 14.1.4-14.1.10 seek to promote development of renewable energy projects at a commercial and personal scale, including development of vehicle charging stations, while balancing environmental and community resources.

Consistency with Goal 13 is thereby met.

Goal 14: Urbanization:

**FINDING:** Two chapters within the 2040 Plan touch on the topic of urbanization - Land Use and Regional Coordination, and Unincorporated Communities and Destination Resorts. Staff notes the key policies pertaining to urbanization below. Staff notes that the unincorporated community policies pertain to those designated under OAR 660-022. Rural industrial and rural commercial policies are noted in review of Goal 9 above. More specific policies for the unincorporated communities of Tumalo and Terrebonne are included in the small area plans included as appendices to this document. The community plans are not updated or amended through the Deschutes County 2040 update process.

**Key Policy Changes**

*Comprehensive Plan – 2030:* Chapter 4, Sections 4.2-4.4 and 4.57-4.8

*Deschutes County 2040:* Chapter 2 - Land Use and Regional Coordination, Chapter 11 - Unincorporated Communities and Destination Resorts

*Amendments:* Urbanization (now retitled and reorganized into the two chapters above) was completely rewritten. Urban Unincorporated Communities, Resort Communities and Rural Service Centers (previously Sections 4.4, 4.7, 4.8) have been moved to Chapter 11.

The sections listed above, and this Plan update as a whole, comply with Statewide Planning Goal 14 as described below.

Chapter 2 - Land Use and Regional Coordination

- Goal 2.2 seeks to coordinate regional planning efforts between the local, regional, and state governments.
- Policies 2.2.1-2.2.4, 2.2.10 and 2.2.11 encourage periodic review of intergovernmental and urban management agreements, coordination on land use actions, and support the use of land for public purposes as needed.
- Policy 2.2.5 encourages cities to conduct urban reserve planning in partnership with the County.
- Policies 2.2.6 and 2.2.7 encourage collaboration with federal agencies and tribal governments on key land management issues.
- Policy 2.2.8 seeks to support regional infrastructure projects with community benefit, while mitigating negative impacts.
- Policy 2.2.9 supports updates to unincorporated community area plans.

Chapter 11- Unincorporated Communities and Destination Resorts

- Policies 11.1.1 -11.1.5 are general resort community policies and remain unchanged through this update.
- Policies 11.2.1-11.3.6 govern the Black Butte Ranch resort community and remain unchanged.
- Policies 11.4.1-11.5.7 pertain to Inn of 7<sup>th</sup> Mountain and Widgi Creek. These polices are unchanged.
- Destination Resort Goal 11.6, 11.7 and Policies 11.6.1-11.7.1, 11.7.4-11.7.5 remain unchanged. The goals and policies were moved from the rural recreation element of the 2011 Comprehensive Plan to Chapter 11 – Unincorporated Communities and Destination Resorts and reorganized for consistency.
- Policy 11.7.2 was created with Planning Commission and community feedback and seeks to add additional requirements to consider water quality, recreational resources, and community values during Destination Resort siting.
- Policy 11.7.3 seeks to integrate affordable housing for workers within or near destination resorts.
- Policies 11.8.1-11.20.4 provide guidance for the unincorporated community of Sunriver and are unchanged through this proposal.

Consistency with Goal 14 is thereby met.

Goals 15 through 19

**FINDING:** These goals are not applicable to the proposed plan and text amendments because the County does not contain these types of lands.

**IV. CONCLUSION**

The proposed Deschutes County 2040 Comprehensive Plan complies with all relevant Deschutes County and OAR requirements.

Attachment D

Policy Tracker

To view the policy tracker, which serves as an extensive reference document comparing iterations of language throughout the update process, click on the link below. It can also be found on the project hearing page under “BOCC Hearing – Applicant Submittals”.

Note: due to the amount of information, this policy tracker is best viewed on an electronic device rather than as a printed copy.

<https://weblink.deschutes.org/CDD/DocView.aspx?dbid=0&repo=LCDD&id=1244335>