



BOARD OF COMMISSIONERS

BOARD OF COUNTY COMMISSIONERS MEETING

9:00 AM, WEDNESDAY, DECEMBER 6, 2023

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

AGENDA

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

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

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

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

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

- To join the meeting via Zoom from a computer, use this link: <http://bit.ly/3h3oqD>.
- To join by phone, call 253-215-8782 and enter webinar ID # 899 4635 9970 followed by the passcode 013510.
- If joining by a browser, use the raise hand icon to indicate you would like to provide public comment, if and when allowed. If using a phone, press *9 to indicate you would like to speak and *6 to unmute yourself when you are called on.
- When it is your turn to provide testimony, you will be promoted from an attendee to a panelist. You may experience a brief pause as your meeting status changes. Once you have joined as a panelist, you will be able to turn on your camera, if you would like to.



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

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

CALL TO ORDER

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 or you may leave a brief voicemail at 541.385.1734.

CONSENT AGENDA

1. Consideration of Board Signature on letter appointing Denney Kelley for Service on the Sunriver Service District Budget Committee
2. Consideration of Board Signature on letter reappointing John Carrigg for Service on the Pinewood Country Estates Special Road District
3. Approval of minutes of the BOCC November 1, 2023 meeting

ACTION ITEMS

- [4.](#) **9:05 AM** Public Hearing: Draft 2020-2040 Tumalo Community Plan Update
- [5.](#) **10:35 AM** Economic Development Loan Conversion for Holy Kakow
- [6.](#) **10:45 AM** Proposed purchase of property at 640-652 SE Wilson Avenue in Bend to provide shelter and housing for clients of Adult Parole and Probation
- [7.](#) **11:00 AM** Convert 1.0 FTE from limited duration to regular in Health Services
- [8.](#) **11:10 AM** Discussion and Consideration of Safe Parking Board Orders

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.

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: December 6, 2023

SUBJECT: Public Hearing: Draft 2020-2040 Tumalo Community Plan Update

RECOMMENDED MOTIONS:

Open the public hearing for the draft 2020-2040 Tumalo Community Plan Update.

The Board has several options at the conclusion of the staff presentation and public comments. The Board may:

- Hold 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
- Close both the oral and written record and begin deliberations

BACKGROUND AND POLICY IMPLICATIONS:

On December 6, 2023, the Board of County Commissioners will hold a public hearing to consider the Draft 2020-2040 Tumalo Community Plan (TCP) Update (Files 247-23-000509-PA, 510-TA). 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
Peter Russell, Senior Transportation Planner



MEMORANDUM

TO: Deschutes County Board of County Commissioners

FROM: Tarik Rawlings, Senior Transportation Planner

DATE: December 6, 2023

RE: December 6, 2023, Public Hearing: Draft 2020-2040 Tumalo Community Plan Update, File 247-23-000509-PA, 510-TA

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

The purpose of this memo is to summarize the public comments received regarding the TCP either in person or online, and to provide a recap of the public process undertaken for this project. Following a work session before the Board on December 4, 2023, the Board will hold a public hearing on December 6, 2023.

I. BACKGROUND

Tumalo is an Unincorporated Community under Oregon Administrative Rule (OAR) 660-022, meaning the land use pattern is quasi-urban in terms of density and land uses and predated the Oregon's land use system, which began in 1973. The state classifies Tumalo as a Rural Unincorporated Community¹ and the County administers it under Deschutes County Code (DCC) 18.67. The Tumalo Community Plan is Section 4.7 of the Comprehensive Plan and appears as Appendix B of the Comprehensive Plan.

Staff prepared a website, 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

¹ OAR 660-020-010(7) "Rural Community is an unincorporated community which consists primarily of permanent residential dwellings but also has at least two other land uses that provide commercial, industrial, or public uses (including but not limited to schools, churches, grange halls, post offices) to the community, the surrounding area, or to persons traveling through the area."

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 then 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, 1st 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, 2nd version)

II. KEY ASPECTS OF THE 2020-2040 TCP

The prevailing sentiment of the public who attended or commented was they wanted to preserve Tumalo’s feel of being a small town. There were also concerns about the possibility of private sewer which serves the higher density residential neighborhood on the south side of U.S. 20 extending across the highway into Tumalo. A number of public comments focused on limiting the number of dwelling units that could be approved in association with a multi-family complex. Other concerns included balancing economic development with Tumalo’s historically rural nature, the side effects of tourism, protecting the Deschutes River, and concerns about rising traffic volumes and the speed of traffic.

Below is a summary of the differences between the current TCP and the draft update.

Differences Between Draft 2020 TCP and 2010 TCP

SECTION TITLE	GOALS			POLICIES			
	Same	Changed	New	Same	Changed	New	Deleted
Land Use		X		2	2		2
Natural Resources, Open Space, Rec			X	1	9	6	
Residential Area			X	2		2	4
Econ Development			X	2	3	1	1
Public Facilities		X			6	5	2
Transportation		X		NA	NA	NA	NA
Road Network	NA	NA	NA		3	1	1

Roads & sidewalks	NA	NA	NA	2	3	2	
Totals		3	3	9	26	17	10

An attached color-coded version of the TCP is included to show how various goals and policies address these and other issues. Additionally, the attached spreadsheet compares and contrasts the 2020-2040 TCP goals and policies to the 2010-2030 TCP and provides a summary of why the text remained the same, was changed, or new language was added.

III. KEY ASPECTS OF THE TGM GRANT FOR BIKE/PED/TRANSIT IN TUMALO

The Tumalo portion of the TGM grant had an overlap with the TCP, including having consultant staff at the May 11, 2022, Kick Off meeting. Other public outreach occurred via:

- Walking downtown tour of Tumalo, focusing on bike/ped/transit, June 8, 2022
- Interactive StoryMap, June 8-July 13, 2022
- Virtual Open House, October 5-24, 2022

The dominant themes were safety and improvements to lower speeds; pedestrian connectivity; location of future transit stop; and potential amendments to bike standards in Deschutes County Code (DCC) at 17.48, Table A (Road Standards) and Table B (Bikeway Standards). The specific recommendations are found in two memos, Final Concept Plan (December 7, 2022) and TCP Active Transportation Update and SCVAP Trails Expansion Outreach – Implementation Measures Deschutes County Code (January 31, 2023).

IV. RELATIONSHIP TO TUMALO SEWER FEASIBILITY STUDY

While the TCP and sewer feasibility unfolded at roughly the same time, they have no regulatory relationship. The sewer feasibility study was an economic analysis of various alternatives to bring sewer to Tumalo via either extension of Tumalo Property Owners Association (TPOA) existing private system; a new local and collector system; or having a pipeline connect to the City of Bend system. The study’s assumption and conclusions can be found at this link:

[full_report_and_appendices.pdf \(deschutes.org\)](https://www.deschutes.org/files/2023/01/full_report_and_appendices.pdf)

While the sewer feasibility study was a separate process, staff repeatedly heard from the community about its concerns regarding cost, effect of development, fees, and potential implications for denser development. Staff crafted policies in response to these concerns that appear in the TCP Public Facilities section.

V. PLANNING COMMISSION REVIEW AND RECOMMENDATION

Staff held a July 27, 2023, work session² with the Planning Commission (PC) to provide an overview of the updated TCP and the process to create it. The PC held a public hearing³ on August 10, 2023, on the draft 2020-2040 TCP. The PC voted to continue the public hearing to August 24, 2023⁴ 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, 2023⁵ with the PC voting to continue deliberations until October 26, 2023. The PC held continued deliberations on October 26, 2023⁶, ultimately making a recommendation to the Board to adopt the TCP document including the following amendments:

- Remove Policies #10 and #11 from the Natural Resources, Open Space, and Recreation Policies section of the TCP’s goals and policies. *(5 Commissioners in favor, 1 Commissioner in opposition, 1 Commissioner abstained)*
- Add a policy to explore legislative changes to limit multi-family housing to 4 units in Tumalo. *(7 Commissioners unanimously in favor)*
- Support for public art in Tumalo. *(7 Commissioners unanimously in favor)*
- Encourage residents and community groups to reach out to Deschutes County for updates and information. *(5 Commissioners in favor, 2 Commissioners in opposition)*

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.

VI. NEXT STEPS

The Board will open the hearing on December 6, 2023. Staff will provide a brief review of the TCP process; the Board may then ask if there are any public agencies present that may wish to provide comment; then request comments from the public. This can include those present and those on Zoom or the telephone. At the conclusion of public testimony, the Board can ask if staff has any responses to the comments from agencies or the public. The Board may then:

- Hold 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
- Close both the oral and written record and begin deliberations

VII. CONCLUSION

² <https://www.deschutes.org/bc-pc/page/planning-commission-37>
³ <https://www.deschutes.org/bc-pc/page/planning-commission-38>
⁴ <https://www.deschutes.org/bc-pc/page/planning-commission-39>
⁵ <https://www.deschutes.org/bc-pc/page/planning-commission-41>
⁶ <https://www.deschutes.org/bc-pc/page/planning-commission-42>

Staff is prepared to answer any questions.

ATTACHMENTS:

1. Draft Tumalo Community Plan (2020-2040)
2. TCP Findings
3. Color-coded version of goals and policies
4. Spreadsheet of 2020 and 2010 TCP text with notes
5. Final memos for Tumalo bike/ped/transit portion of TGM grant
 - Final Concept Plan (December 7, 2022)
 - TCP Active Transportation Update and SCVAP Trails Expansion Outreach - Implementation Measures Deschutes County Code (January 31, 2023)

Community Development Department

Public Hearing – December 6, 2023

File No. 247-23-000509-PA, 510-TA

Tumalo Community Plan 2020-2040 Update

Case Planner: Tarik Rawlings, Senior Transportation Planner
Email: Tarik.Rawlings@deschutes.org
Phone: (541) 317-3148



Hearing Procedure

The Board's decision on this application will be based upon the record, the staff report, and the testimony and evidence presented at this hearing and following the hearing, if the record should be left open.

HEARING ORDER – The hearing will be conducted in the following order:

1. Staff will provide a brief report
2. CDD staff as the applicant, will present testimony and evidence
3. Interested persons and agencies will present testimony and evidence
4. Closing remarks from Staff



Notices & Record Materials

Project Website and Full Record

<https://www.deschutes.org/cd/page/tumalo-community-plan-update-2020-2040-247-23-000509-pa-510-ta>



Hybrid Hearing

- **In Person – Fill out blue sign-up sheet and submit to the Board’s Secretary**
- **Chair DeBone will call up each person to provide their testimony**
- **Before starting testimony provide:**
 - **First and Last Name**
 - **Mailing Address**
- **3-minute limit per party**



Remote Participants

- To testify remotely you must attend using Zoom
- Chair DeBone will request that all Zoom participants use the “raise hand” feature to notify the Board that you would like to testify

- ***Computer / Smart Device***

- ❖ ***Press the Raise Hand button***



- ***Raise Hand (Dial-in)***

- ❖ ***Enter *9 on your keypad***



Hearing Procedures

- Written testimony can be submitted to staff
 - ❖ In-person - Hand to staff
 - ❖ Remote - Email to staff: Tarik.Rawlings@deschutes.org
- Orderly & respectful hearing
- Commissioner disclosures



Staff Report

Purpose of Public Hearing

- ❖ **Provide context and background on the Tumalo Community Plan (TCP)**
- ❖ **Recap development of the draft TCP**
 - ❖ Including Planning Commission Recommendation
- ❖ **Collect testimony**
- ❖ **Identify next steps**



What Is A Community Plan?

- ❖ **Appendix to Comprehensive Plan**
- ❖ **Like Comprehensive Plan, has a 20-year horizon**
- ❖ **Deals with a specific geographic area**
- ❖ **Sets an overall vision for that defined area**
- ❖ **Contains goals and policies**
- ❖ **Guidance document for land use, but does not contain approval criteria**

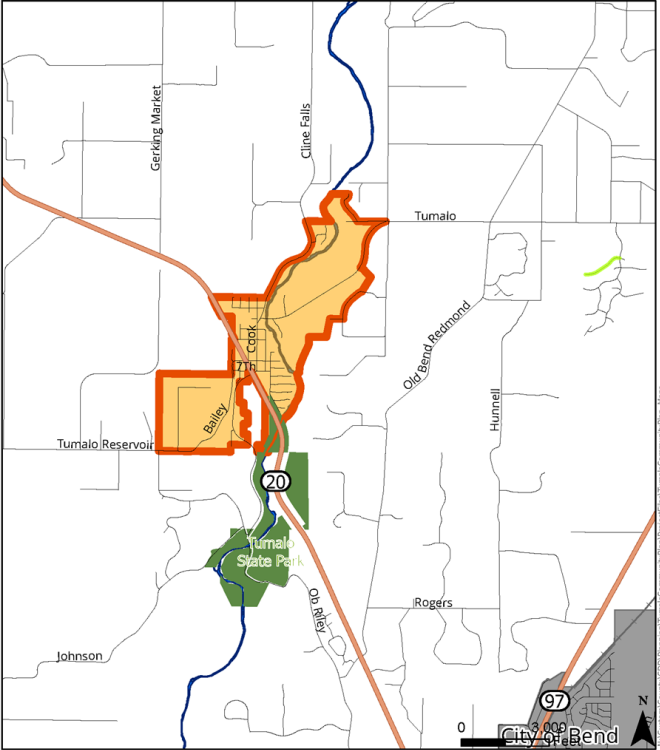


What Is Tumalo?

- ❖ **Unincorporated Community per OAR 660-022**
- ❖ **Specifically, a Rural Unincorporated Community per OAR 660-022-0010(7)**
- ❖ **Administered under Deschutes County Code (DCC) 18.67 (Tumalo Rural Community)**
- ❖ **TCP does not propose any changes to DCC 18.67**



Where Is Tumalo?

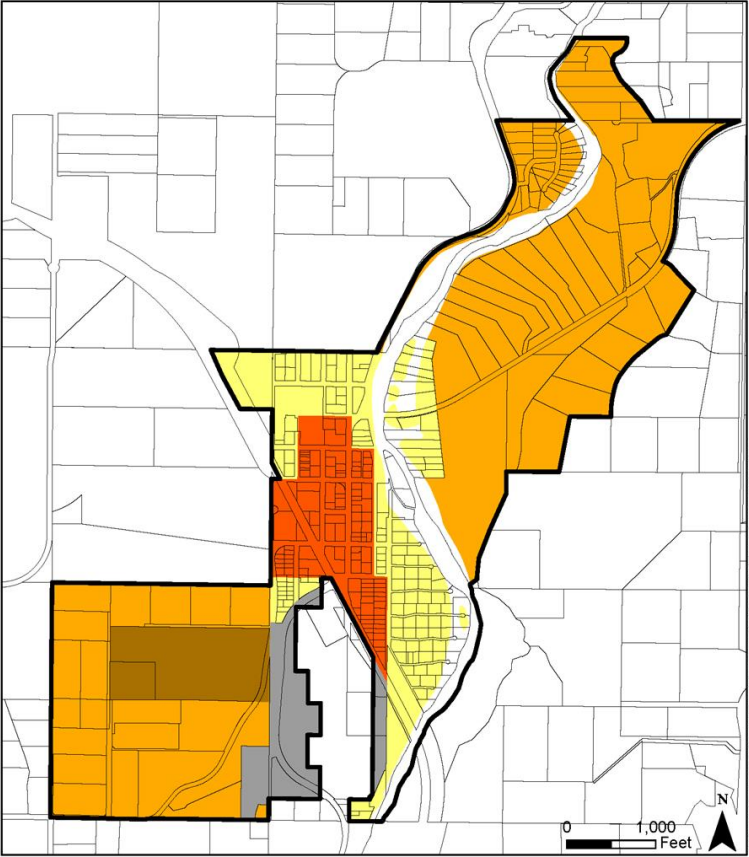


Tumalo Vicinity Map

- Tumalo State Park
- City of Bend
- Unincorporated Community



6/15/2022

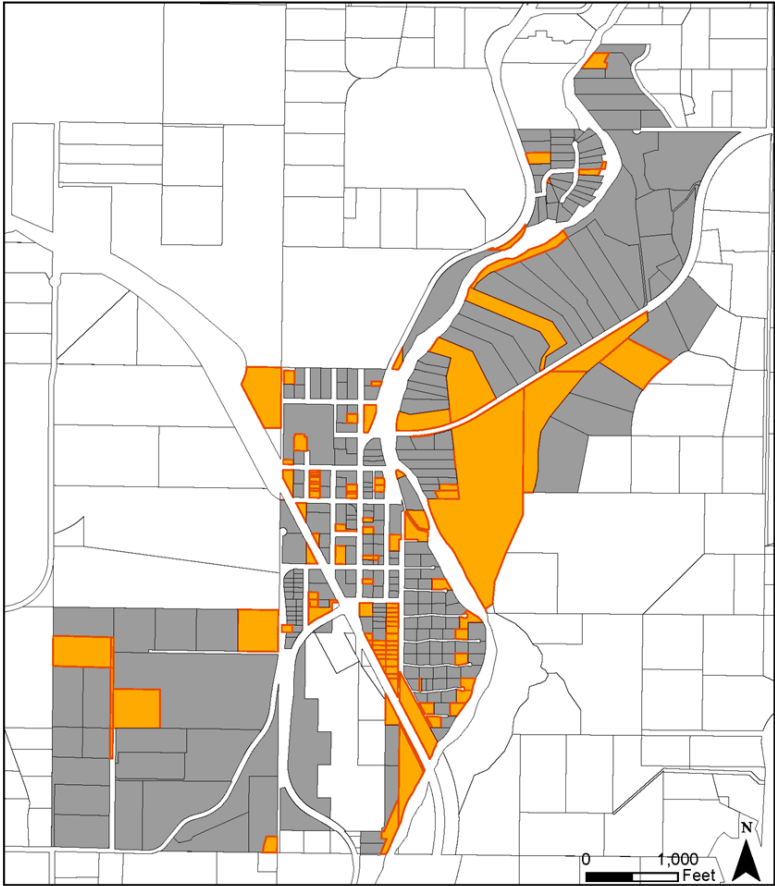


Tumalo Zoning 2020

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



6/15/2022



Tumalo Vacant/Built Lots 2020

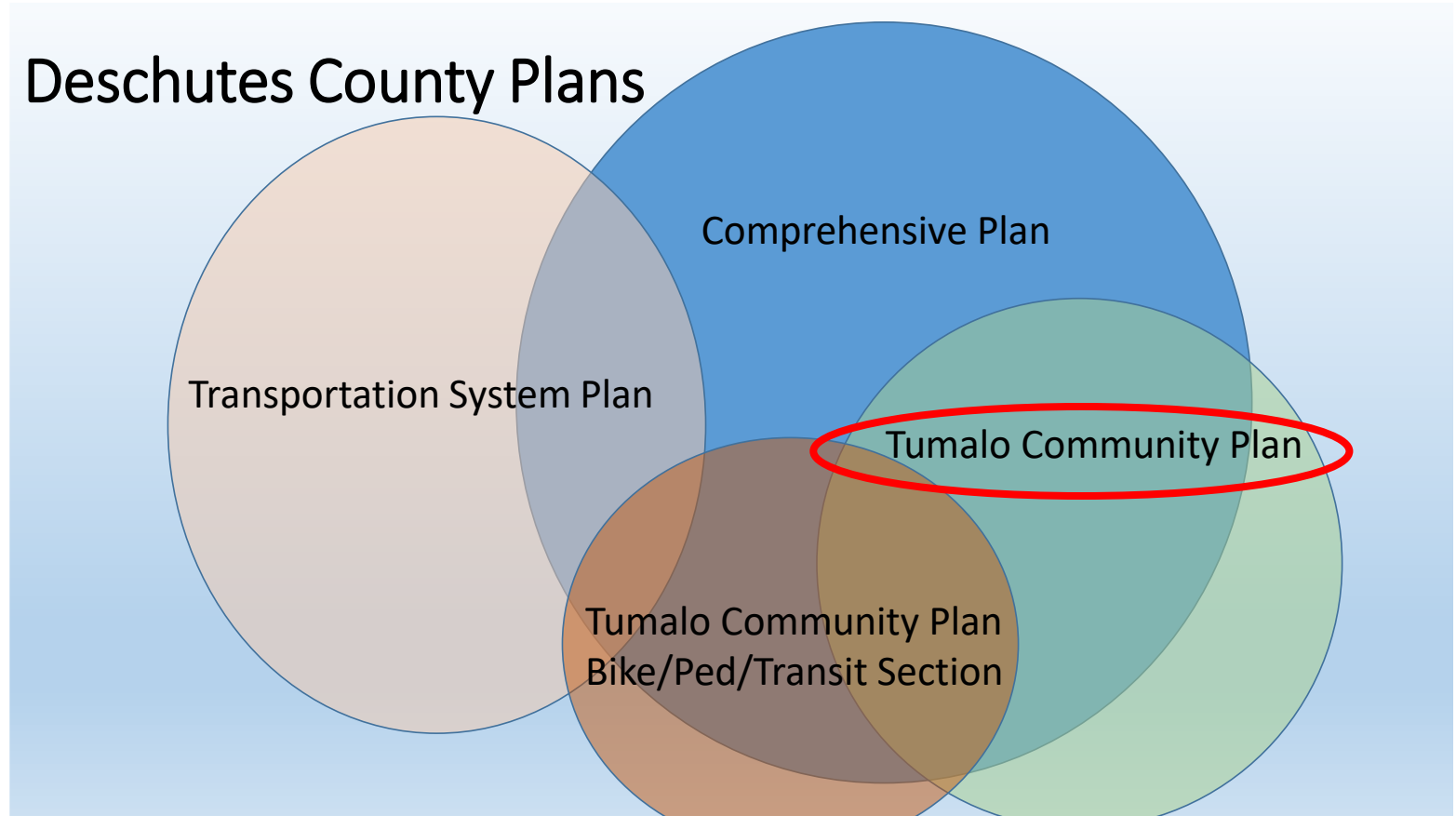
- Vacant
- Built Out



6/15/2022

County Plans That Affect Tumalo

- ❖ County has multiple planning efforts
- ❖ These overlap in terms of time
- ❖ Staff has worked to ensure coordination



Other Activities in Tumalo

- ❖ **County funded a request for sewer feasibility study**
- ❖ **ODOT constructing two-lane roundabout at U.S. 20/O.B. Riley-Cook**
- ❖ **County approved multiuse path going underneath U.S. 20 at 4th St. down to Strickler to provide easy route for pedestrians and bicyclists to cross the highway**



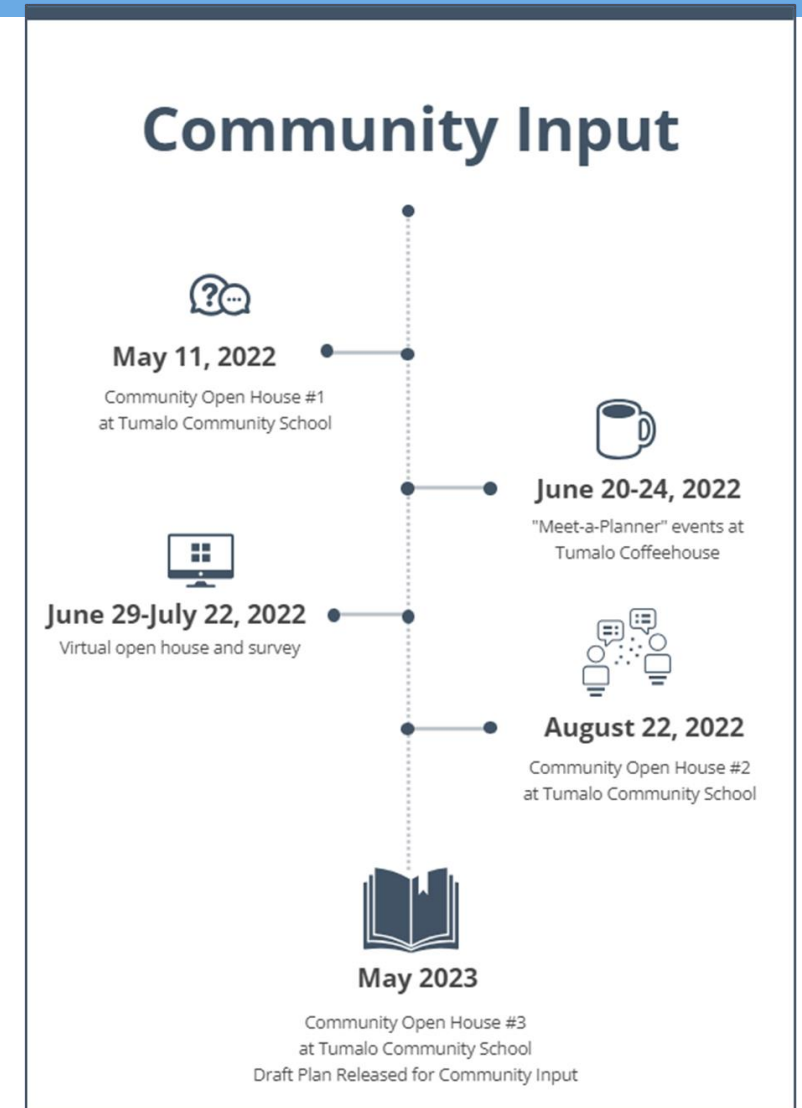
Why Update 2010-2030 TCP?

- ❖ Typically plans are updated at the halfway mark
- ❖ Population growth
- ❖ Rise of local businesses such as food carts, artisan goods, cideries, and others
- ❖ Small sewer system and new neighborhood south of US 20
- ❖ US 20/Cook-OB Riley roundabout (2022-23)
- ❖ Increase in traffic on US 20, Cook Ave/Cline Falls Hwy



Public Outreach to Tumalo for TCP

- ❖ Flyers prior to first Open House
- ❖ Website for TCP
- ❖ Story Map
- ❖ Three Open Houses
- ❖ Developed contact list for email
- ❖ Meet A Planner sessions
- ❖ Stakeholder interviews
- ❖ Planning Commission Public Hearing
- ❖ Notice for December 4 Board hearing



Topics raised by the public

- ❖ Fear of losing rural or small-town feel amid rapid growth
- ❖ Code amendments for multi-family dwellings
- ❖ Signage and vehicle safety in Tumalo
- ❖ Need to protect the Deschutes River
- ❖ Various views on recent economic development
- ❖ Drawbacks of tourism
- ❖ Concerns about sewer costs and effects
- ❖ Roundabout art and other public art



TCP 2020-2040 response to public

- ❖ Kept Vision Statement
- ❖ Added 3 new goals; 17 new policies
- ❖ Changes to 3 existing goals; 26 existing policies
- ❖ No changes to 9 existing policies
- ❖ Deleted 10 outdated policies or irrelevant text
- ❖ See color-coded version of TCP Goals and Policies
- ❖ See spreadsheet of 2010 vs. 2020 TCP for specifics



Planning Commission Recommendation

- ❖ **Remove Policies #10 and #11 from the Natural Resources, Open Space, and Recreation Policies section of the TCP's goals and policies. *(5 Commissioners in favor, 1 Commissioner in opposition, 1 Commission abstained)***
- ❖ **Add a policy to explore legislative changes to limit multi-family housing to 4 units in Tumalo. *(7 Commissioners unanimously in favor)***



Planning Commission Recommendation

- ❖ Support for public art in Tumalo. *(7 Commissioners unanimously in favor)*
- ❖ Encourage residents and community groups to reach out to Deschutes County for updates and information. *(5 Commissioners in favor, 2 Commissioners in opposition)*



Why colors for goals, policies

- ❖ Using underline and ~~strikethrough~~ made draft unreadable
- ❖ Green = No change between 2010 and 2020 TCP
- ❖ Blue = 2010 TCP text modified in 2020 TCP
- ❖ Yellow = New text for 2020 TCP
- ❖ Red = 2010 TCP text deleted
- ❖ Spreadsheet has verbatim 2010, 2020 TCP text
- ❖ Spreadsheet has notes explaining changes



Next steps for TCP Update

- ❖ **Board holds public hearing on December 6, 2023**
- ❖ **Potential open record period following public hearing**
- ❖ **Board holds deliberations on date yet to be set**
- ❖ **Staff sends post-adoption notice to DLCD, assuming Board approval of TCP**



Questions?

Thank you

Tarik Rawlings, Senior Transportation Planner
Tarik.Rawlings@deschutes.org
(541)-317-3148



Deschutes County

Tumalo Community Plan

2020-2040



Deschutes County Community Development
Updated 2023

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 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 8th 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 5th 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.

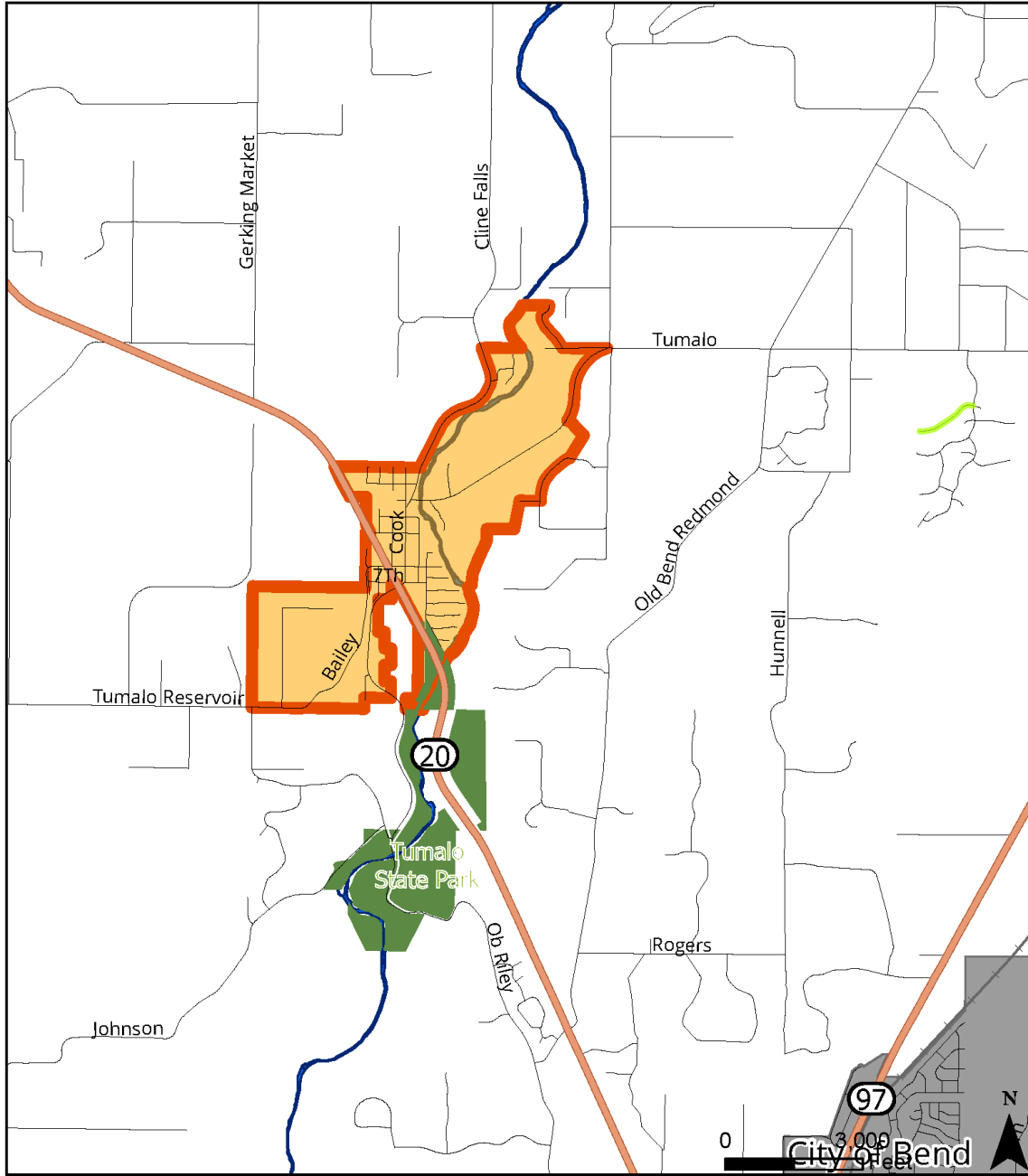
Based on the changes noted above and the population growth in the community, the County determined it was time to update the 2010-2030 TCP. The County also received a Transportation Growth Management (TGM) grant to focus on bicycling, walking, and transit, aka active transportation, in Tumalo. Both efforts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

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.

DRAFT

Tumalo Vicinity Map



Tumalo Vicinity Map

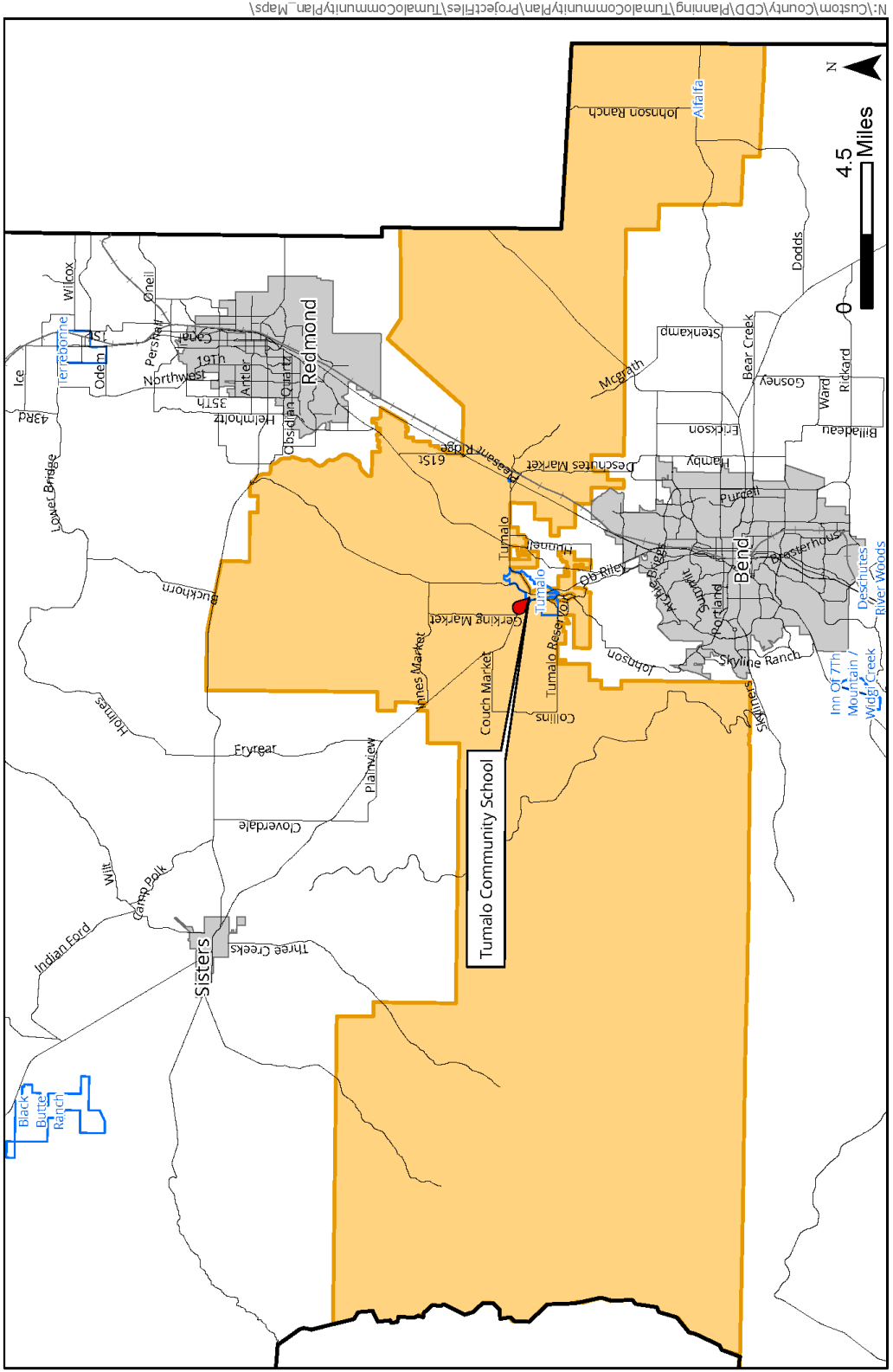
- Tumalo State Park
- City of Bend
- Unincorporated Community



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 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.

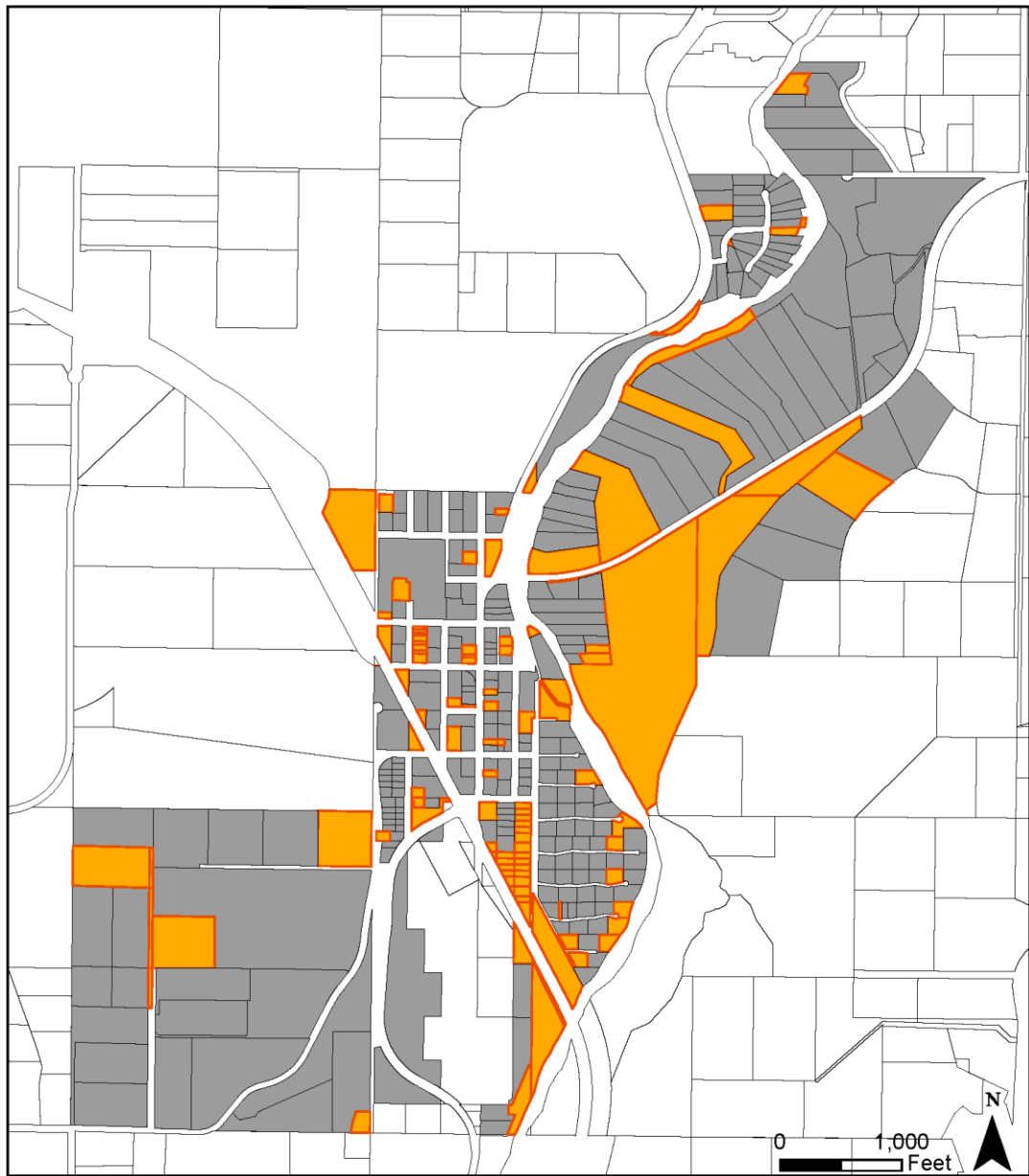
Table 1 - 2021 Tumalo Population Estimate

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
574	101	2.47	250	824
*Assessor's Data 2021				

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



Tumalo Comprehensive Plan 2020

-  Vacant
-  Built Out



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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

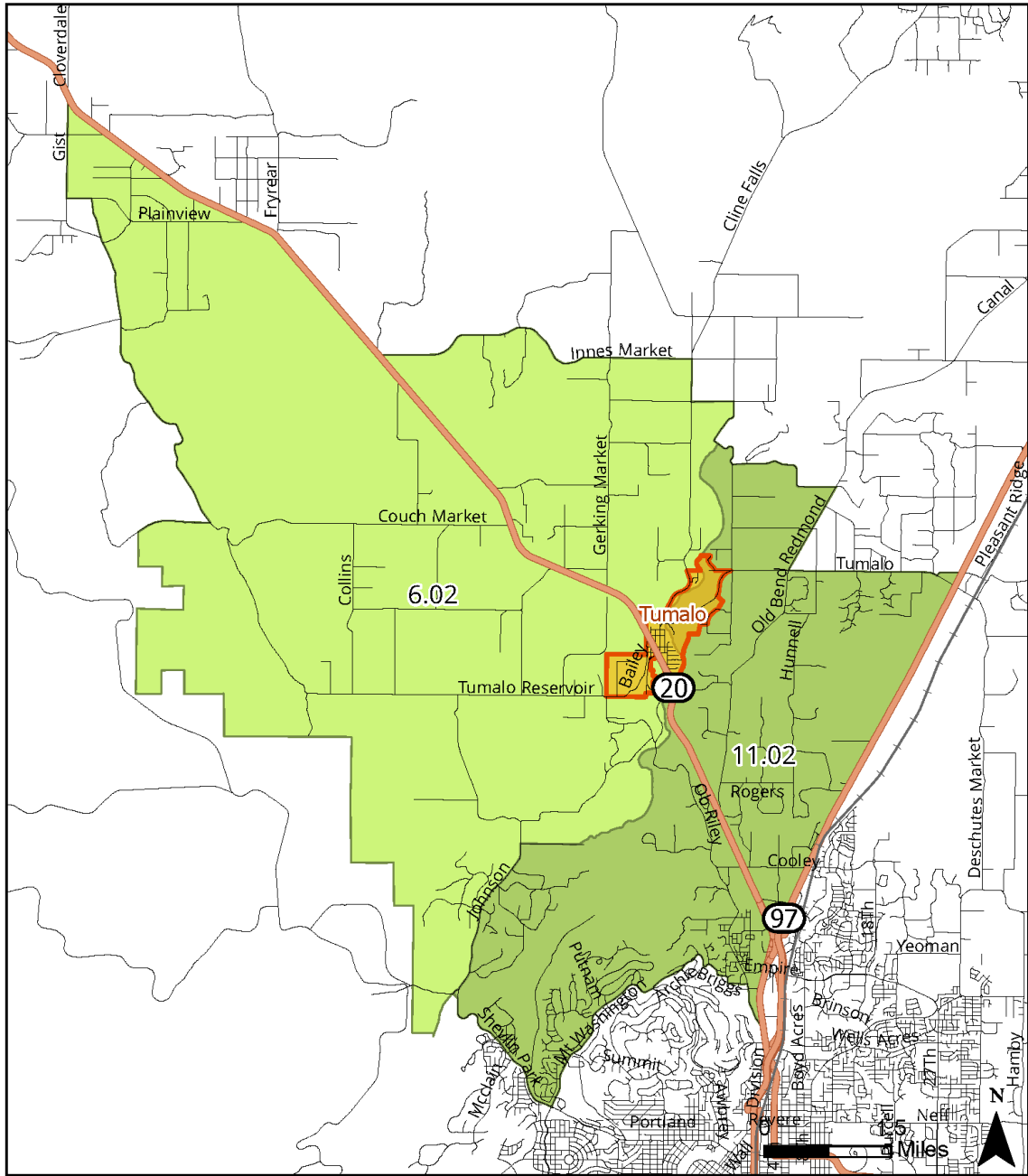
2010 and 2020 is seen in the “White alone” single-race individuals, with the percentage of individuals decreasing from 93.2% of the total population (2010) to 88.5% (2020).

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

	Tumalo (2010)	Tumalo (2020)
Total Population:	488	558
Hispanic or Latino	16 (3.3%)	37 (6.6%)
Not Hispanic or Latino:	472 (96.7%)	521 (93.4%)
Population of one race:	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%)
Two or More Races:	12 (2.5%)	15 (2.7%)
Population of two races:	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%)
Population of three races:	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



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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

Comprehensive Plan Designations	Zoning Districts
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

Zone	Residential Units / Number of Lots	Commercial & Industrial Developments / Number of Lots	Undeveloped Parcels	Total Number of Parcels
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
Total	237 Units / 222 Lots	45 Buildings / 34 Lots	105	361

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 3rd Street between Wood and Wharton Avenues. Commercial lands

also comprise an area west of U.S. 20 between 5th and 8th 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 4th 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.

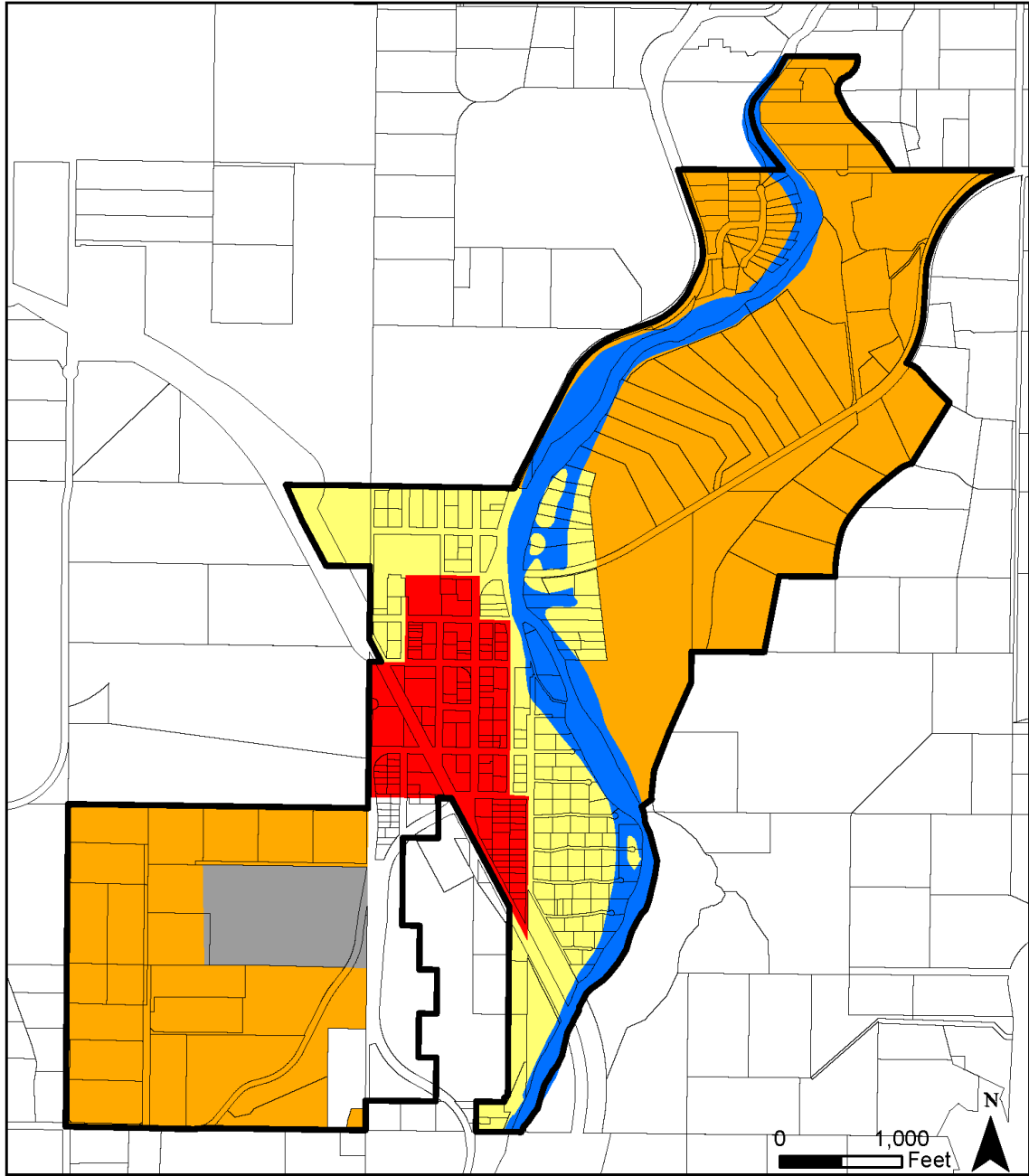
Residential (TUR). A “Residential” designation allows a mixture of housing types and densities suited to the level of available water and wastewater facilities. The purpose of this zoning district is to allow new residential development that is compatible with the rural character of the area. Originally, 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



W:\Custom\County\CDD\Planning\TumaloCommunityPlan\ProjectFiles\TumaloCommunityPlan_Maps

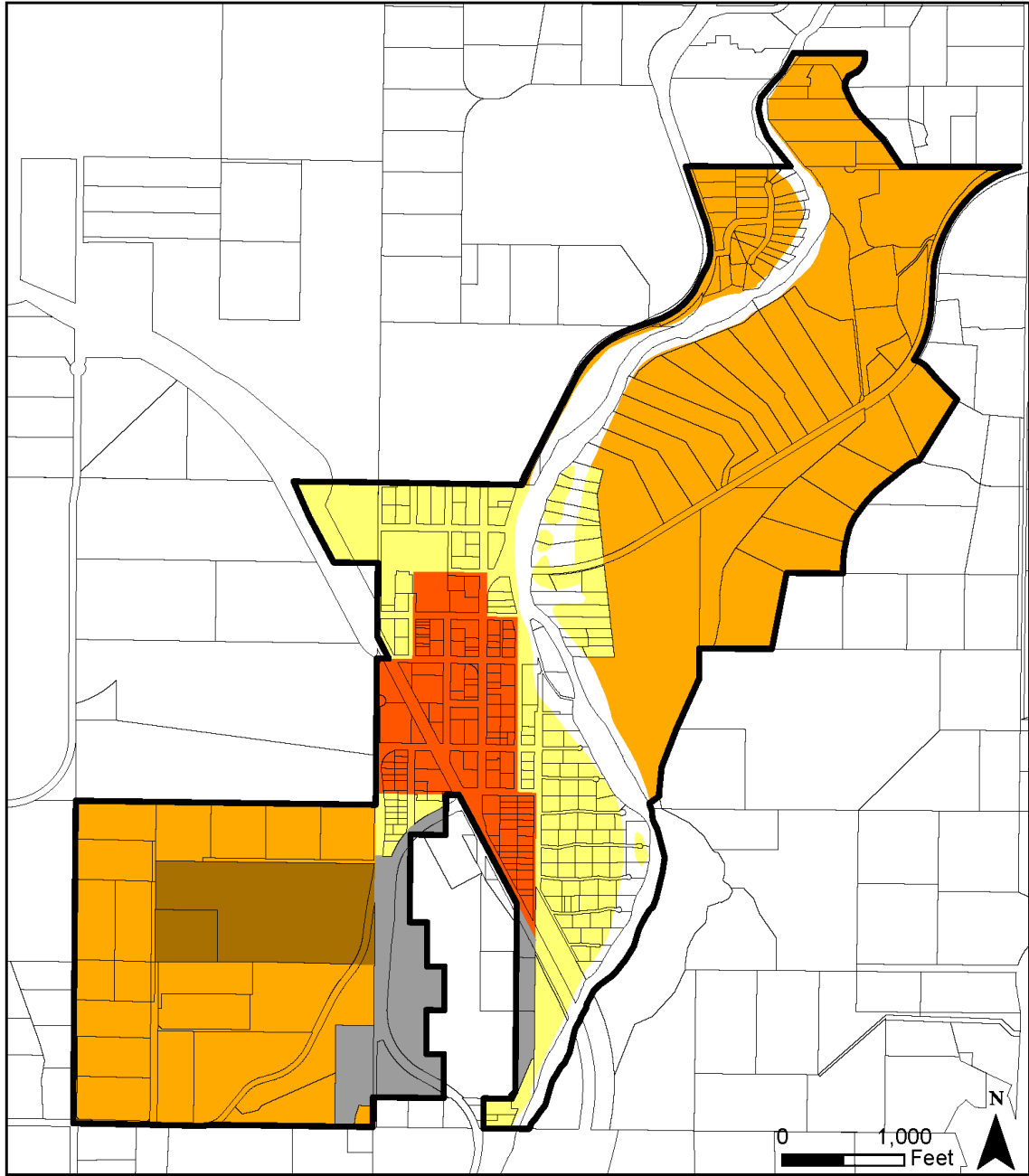
Tumalo Comprehensive Plan 2020

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



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Tumalo Zoning Map



Tumalo Comprehensive Plan 2020

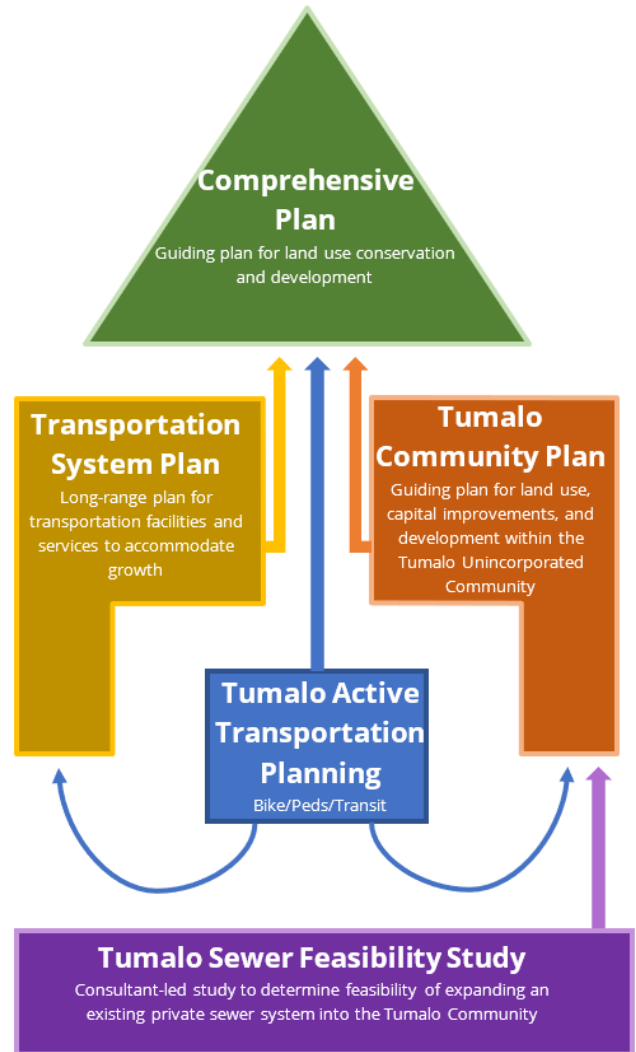
- TUC - Commercial
- TUR - Residential
- TUR5 - Residential 5 Acre Minimum
- TURE - Research & Development
- TUI - Industrial



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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 Division. 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, 2022.¹ 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.

¹ <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 4th 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 gardens².

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 uses³. 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

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

³ <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. 20/4th 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-7th 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: 5th Street; 7th 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:

- 5th Street recorded 3,118 ADT (2022)
- Bailey Road, 1,234 ADT (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-7th to right-in, right-out only (RIRO) for 7th and RIRO and left-in at Bailey. There is also a raised refuge for bicyclists and pedestrians at U.S. 20/Bailey-7th. The two-lane roundabout will make U.S. 20/Bailey-7th into

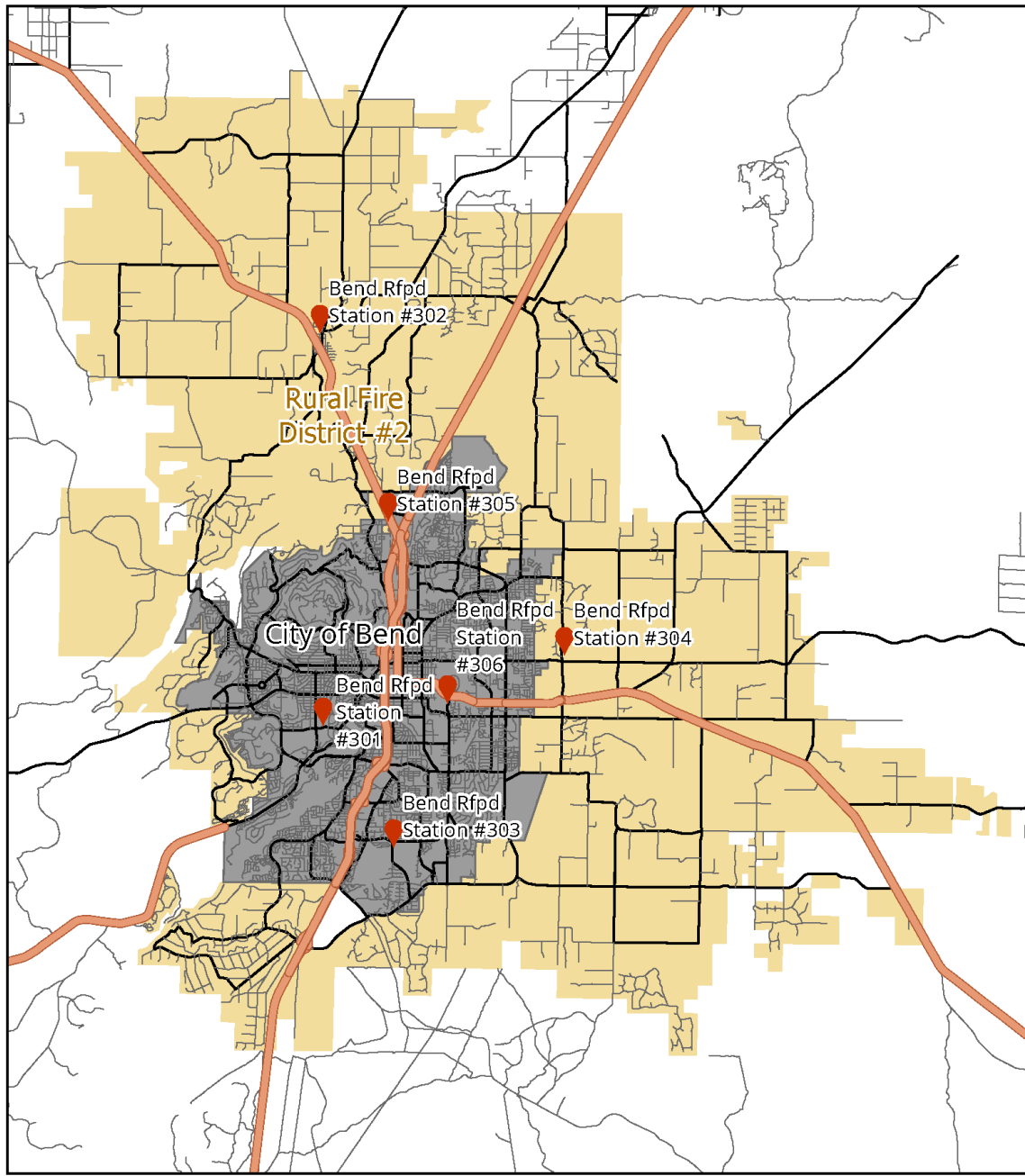
a RIRO intersection and Cook/8th will become a RIRO intersection as well. This will reduce the number of conflict points at these intersections. A conflict point is a location where vehicles turning or passing through can collide. By restricting turn movements or redirecting property access to side streets 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 5th and 7th 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).

DRAFT

Rural Fire Protection District #2 Map



-  Fire Departments
-  Rural Fire District #2

Tumalo Fire District



6/23/2022

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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 12th grade independent private school⁴.

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.

⁴ <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 space⁵.



Photo: Tumalo State Park, Photo Credit: Hike Oregon

⁵ DCC 18.48.010

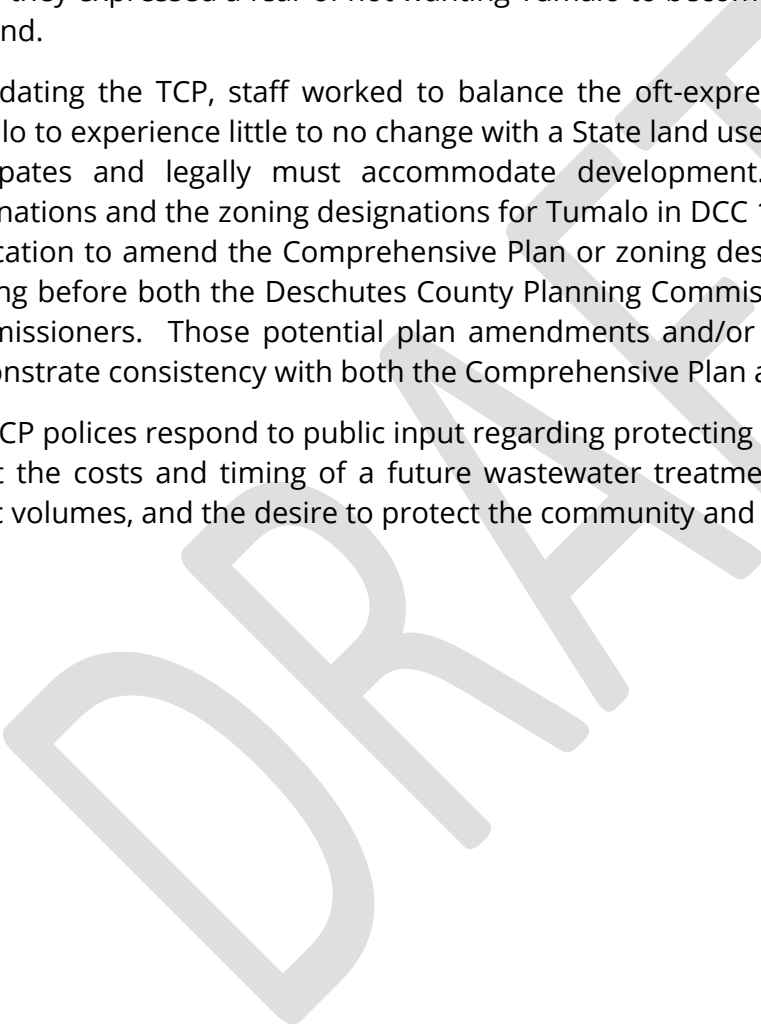
Conclusion

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.

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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.

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. Assist in outreach to Oregon State Parks Department or municipal parks and recreation districts to explore the annexation of Tumalo into an existing district. Assess opportunities for access and parking improvements at heavily used river access points.
11. Explore whether the County should form a Parks and Recreation District as part of the County's Comprehensive Plan Update.
12. Coordinate with community partners on efforts to designate new parks and maintain local parks.
13. Encourage preservation or improvement of groundwater quality and the conservation of groundwater supplies.

- 14. Provide public educational outreach on the importance and benefits of water conservation, encouraging low water use, and drought tolerant landscaping.
- 15. 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.

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).

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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

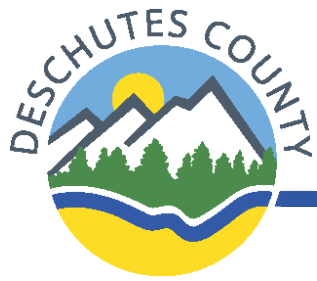
Provide a safe and efficient system for all modes of transportation, including bicycle, pedestrian, and transit, to support local economic development, recreational uses, and community health.

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.



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
RECORD:	Record items can be viewed and downloaded from: 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 20th, 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.

Goals and Policies

Green = Unchanged language in 2010-2030 TCP or unchanged but in a new section

Blue = Language in 2010-2030 TCP, but slightly modified for tense, terms, clarity (See spreadsheet for actual changes and further details in "Notes" section)

Yellow = Brand new language for 2020-2040 TCP in response to public comments

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.

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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. Assist in outreach to Oregon State Parks Department or municipal– parks and recreation districts to explore the annexation of Tumalo into an existing district. Assess opportunities for access and parking improvements at heavily used river access points.
11. Explore whether the County should form a Parks and Recreation District as part of the County’s Comprehensive Plan Update.
12. Coordinate with community partners on efforts to designate new parks and maintain local parks.
13. Encourage preservation or improvement of groundwater quality and the conservation of groundwater supplies.
14. Provide public educational outreach on the importance and benefits of water conservation, encouraging low water use, and drought tolerant landscaping.
15. 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.

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).

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.

TUMALO COMMUNITY PLAN REVISIONS TO GOALS AND POLICIES				
Action	2020 Text	2010 Text	Notes	Key
<i>GOAL AND POLICIES INTRO PARAGRAPH</i>				
Modification	The following goals 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 with input received from community members, stakeholders, and relevant agency partners.	The following goals and policies were developed from community and stakeholder meetings, and input from ODOT and the Oregon Department of Land Conservation and Development. Staff also revisited Deschutes County's existing Comprehensive Plan and Transportation System Plan, as well as applicable state law and administrative rules.	Text specifies to area zoned as Tumalo; ODOT, DLCD minimally involved in update; deleted reference to state laws and administrative rules as staff found these redundant; the County would not create a plan that violated and was inconsistent with state laws and administrative rules.	Unchanged = 2020 & 2010 text is the same; Modification = Minor change in text; Revision = Major change in text; Addition = new text; Deletion = text eliminated
<i>COMMUNITY VISION STATEMENT</i>				
Modification	Retain the livability of Tumalo as a rural small town, by ensuring safe and efficient public services and collaborating with the surrounding rural area.	Retain the livability of Tumalo as a rural small-town, by ensuring safe and efficient public services and collaborating with the surrounding rural community.	Delete hyphen in small-town; change community to area as "community" has specific use in OAR 660-022; "area" consistent with intent of vision statement.	
<i>LAND USE GOAL</i>				
Revision	Continue to implement a clear and transparent planning process framework and policy reflective of the community's small town rural character.	Protect and enhance the rural small-town character of Tumalo by supporting public services, healthy active lifestyles and social connections among residents and stakeholders	2010 goal went far beyond land use; seemed to be more of a vision. 2020 text more closely related to land use planning.	
<i>LAND USE POLICIES</i>				
Unchanged	Conform land use regulations to the requirements of Unincorporated Communities as defined in OAR 660 Division 22 or any successor	2020 and 2010 language are the same	None	
Revision	Ensure County plans and land use regulations comply with state requirements for agricultural uses in the Exclusive Farm Use (EFU) zone; explore larger setback requirements structures from property lines shared with EFU properties.	Ensure County plans and land use regulations require that new uses authorized within Tumalo do not adversely affect agricultural uses in the surrounding exclusive farm use (sic) zones.	Edited for brevity, but consistent with intent of 2010 text.	
Unchanged	Encourage the preservation of historical structures such as the Tumalo Community Church (1905) and the Laidlaw Bank and Trust (1910).	2020 and 2010 language are the same	None	
Modification	Review the Tumalo Community Plan periodically to determine if it meets the current and future needs of the area.	Review the Tumalo community goals and policies every five years to determine if they meet the current and future needs of the area.	Changed goals and policies to entire plan; changed five years to periodically for flexibility; moved from 2010 Community Policies to 2020 Land Use Policies. Review could be sooner than five years or longer, depending upon circumstances.	
Deletion	N/A	Apply setbacks for homes built along the rim forming Deschutes River Canyon and Laidlaw Butte to protect scenic views visible from the community.	Issue addressed in Deschutes County Code (DCC) 18.116.160 for the river; a butte by geographic terms is not a rim.	

Deletion	N/A	Coordinate with Tumalo Community Association, Tumalo Business Association, and similar local organizations on land use issues, where appropriate.	TCA and TBA apparently no longer exist nor have any analogous entities appeared. DCC 22 requires notice of land use applications both by sign and mailed notice to properties within 250 feet of subject property and notices of public hearings. DCC 22.20 and 22.24 contain public notice requirements for quasi-judicial land use applications; DCC 22.12 sets notice requirements for legislative land use applications.
<i>NATURAL RESOURCES, OPEN SPACE, AND RECREATIONAL GOAL</i>			
Addition	Support the preservation and conservation of natural resources, cultural resources, and open space while providing ample and diverse opportunities for recreation.	None	Natural Resources, Open Space, and Recreation Goal added to 2020 plan; 2010 did not have one.
<i>NATURAL RESOURCES, OPEN SPACE, AND RECREATION POLICIES</i>			
Revision	Continue to support Tumalo as a regional bicycle destination.	Establish Tumalo as a regional bicycle destination through land use, transportation, and recreation policies and programs.	2020 language recognizes Tumalo's current status, especially after establishment of Twin Bridges State Scenic Bikeway through town.
Revision	Support community and agency partners in planning and development of a multi-use trail system from Tumalo State Park to Tumalo	Establish a multi-use trail system from Tumalo State Park to Tumalo.	New text recognizes County does not have Parks and Recreation District and thus cannot let, yet 2020 text remains consistent with intent of 2010 text.
Revision	Encourage consolidation of designated access points to the Deschutes River and education of trail users to preserve riparian areas.	Preserve public access to the river.	Addressed access to the Deschutes consistent with 2010 text, but added text about education and protecting banks of river.
Addition	Encourage voluntary designation of open space and public access to the Deschutes River on adjacent private properties.	None	Addresses community concerns about loss of undeveloped areas and access to river.
Addition	Provide County perspective and support for community-based restoration projects to protect the health and vitality of the Deschutes River and its tributaries.	None	Added language that can be cited to indicate County support when third parties seek grant applications.
Revision	Preserve publicly-owned lands along the Deschutes River as designated open space.	Preserve publicly owned lands along the Deschutes River by designating them as open space.	County-owned lands are currently zoned Flood Plain, which does act as open space. County parcels are 16-12-31A, TL 099 and 16-12-30, TL 1900.
Revision	Collaborate with public, private, and nonprofit organizations on infrastructure improvements near recreation areas including formal river access points, wayfinding signage, lighting, or sanitary facilities.	Support infrastructure improvements including formal access river points, public signage, sanitary facilities and improved parking conditions.	Add references to other parties to help with any grant applications as 2020 text indicates County support. Parking is addressed in a policy further down on Tumalo State Park and park districts.

Unchanged	Support community efforts to designate the segment of the Deschutes River through Tumalo as an Oregon Scenic Waterway for its recreational values.	2020 and 2010 language are the same	None
Revision	Coordinate with community partners on the development of a trails and recreation master plan.	Support the development of a trails and recreation master plan.	2020 text recognizes entities other than County would develop a plan given the County's lack of a Parks and Rec District, but is consistent with intent of 2010 text.
Revision	Assist in outreach to Oregon State Parks Department or municipal parks and recreation districts to explore annexation of Tumalo into an existing district. Support assessment opportunities for access and parking improvements at heavily used river access points.	Consider adding Tumalo State Park to the Tumalo Rural Community boundary.	2010 language was Community Policy 1. However, its is difficult under OAR 660-022-020 and 660-004-0022(4) to expand Tumalo UUC boundaries to include Tumalo State Park. Easier process for OSPRD to extend into Tumalo or have a local parks district annex Tumalo. New text captures intent of 2010 plan and adds parking. Topic moved from 2010 Community Polices to 2020 Natural Resources, Open Space, and Recreation Policies.
Revision	Assist in outreach to Oregon State Parks Department or municipal parks and recreation districts to explore annexation of Tumalo into an existing district. Support assessment opportunities for access and parking improvements at heavily used river access points.	Explore the future expansion of Bend Metro Park and Recreation District to include the Tumalo area.	2010 language was Open Space and Recreation Policy 16. 2020 text captures intent of 2010 plan but adds the potential of other districts annexing Tumalo as Tumalo Community School is in the Redmond School District.
Addition	Explore whether the County should form a Parks and Recreation District as part of the County's Comprehensive Plan Update.	N/A	Added text based on numerous public comments input pertaining to parks and open space and desire for the County to have a Parks and Rec district or department.
Revision	Coordinate with community partners on efforts to create and maintain new local parks.	Support community efforts to create and maintain local parks.	Word choice as "coordinate" implies earlier joint efforts while being consistent with 2010 text.
Addition	Encourage preservation or improvement of groundwater quality and the conservation of groundwater supplies.	N/A	Added text based on numerous public comments input pertaining to concerns about water and drought.
Addition	Provide public educational outreach on the importance and benefits of water conservation, encouraging low water use, and drought-tolerant landscaping.	N/A	Added text based on numerous public comments input pertaining to concerns about water and drought.
Addition	Encourage Tumalo to become a fire-adapted community through the Firewise Program.	N/A	Added text based on numerous public comments input pertaining to concerns about wildfire risks and drought.
<i>RESIDENTIAL AREA GOAL</i>			
Addition	Maintain the small town character and feel of Tumalo, while accommodating the community's residential growth.	N/A	2010 plan did not have a residential goal, only policies.

<i>RESIDENTIAL AREA POLICIES</i>			
Addition	Encourage density and design features that are compatible with existing development.	N/A	Added text based on public comments on concerns about future development to blending in with existing structures.
Unchanged	Permit livestock in the residential districts subject to use limitations.	2020 and 2010 language are the same	None
Unchanged	Plan and zone for diversity of housing types and densities suited to the capacity of the land to accommodate water and sewage requirements.	2020 and 2010 language are the same	None
Deletion	N/A	Designate residential lands on the comprehensive plan map with a corresponding residential district on the zoning map.	Action needs to be applicant initiated for his/her subject property(ies).
Deletion	N/A	Designate residential land so they are proximate to the commercial area.	Action needs to be applicant initiated for his/her subject property(ies).
Deletion	N/A	Designate Residential 5 acre lands on the perimeter of the community	Action needs to be applicant initiated for his/her subject property(ies).
Deletion	N/A	Designate higher density residential lands in the bowl formed by the Deschutes River canyon	Action needs to be applicant initiated for his/her subject property(ies). Unclear if there is adequate area for septic tanks to serve higher density lots.
<i>ECONOMIC DEVELOPMENT GOAL</i>			
Addition	Retain the economic vibrancy of Tumalo's historic core and industrial area while providing economic development opportunities that are compatible with the small town rural character of the community.	N/A	2010 plan did not have an Economic Development goal, only Commercial Area Policies.
<i>ECONOMIC DEVELOPMENT POLICIES</i>			
Unchanged	Explore 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.	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.	Changed "Encourage" to "Explore"; moved text from 2010 Commercial Area Policies to 2020 Economic Development Policies.
Addition	Explore alternatives to the solar setback standards for development within the commercial zoning district of Tumalo.	N/A	Added based on public input on challenge of applying solar setbacks to the small lots of the Laidlaw plat.
Revision	Allow residential uses and mixed residential/commercial uses, without inhibiting future commercial development opportunities in the Commercial Zoning Districts.	Allow residential and mixed residential/commercial uses, while preventing residential uses from dominating or setting development standards in the commercial district.	Doubtful 2010 text is enforceable; 2020 revision captures intent of 2010 text of having the residential and commercial zoning districts' uses remain compatible.
Unchanged	Support economic development initiatives and tourism in the Tumalo area.	Support economic development initiatives and tourism in the Tumalo area.	Moved 2010 language from Community Policies to 2020 Economic Development Policies.

Deletion	N/A	Prohibit additional lands from being designated commercial until an economic analysis review is completed.	2010 policy's vagueness would make it difficult to implement. A plan amendment/zone change to commercial in the burden of proof must provide findings for Goal 9 (Economic Development) and Goal 12 (Transportation). Essentially, address the economic reason why the use should occur on this subject property and whether there are any adverse effects on transportation. If there are, explain how they will be mitigated. In other words, PAPA/ZC process would address 2010 intent.
Revision	Allow for existing and future uses without producing adverse effects upon water resources or wastewater disposal. Coordinate with relevant agencies to ensure proposed uses meet requirements for water availability and wastewater disposal.	New uses that will not exceed the capacity of water and sewer service available to the site on the effective date of this rule (OAR 660-004-0022(3)(a)); or, if such services are not available to the site, the capacity of the site itself to provide water and absorb sewage.	2010 text only applied to industrial zoned lands; 2020 text applies to all lands within Tumalo. 2010 language appeared in Industrial Policies Section, which has been replaced in 2020 by Economic Development Policies Section.
Revision	Limit industrial activities to low-impact uses that rely on rural resources.	Allow only the following new or expanded uses in the Tumalo rural community boundary: Uses authorized under Goals 3 and 4 (farm and forest uses); expansion of use existing on the date of this rule; small-scale, low impact uses; uses that require proximity to rural resources as defined in OAR 660-004-0022(3)(a). New uses that will not exceed the capacity of water and sewer service available to the site on the effective date of OAR 660-004-0022, or if such services are not available to the site, the capacity of the site itself to provide water and absorb sewage. Newer uses more intensive than this section, provided an analysis set forth in the Comprehensive Plan demonstrates, and land use regulations, ensure that such uses are necessary to provide employment that does not exceed the total projected work force within the community and the surrounding rural area; that such uses would not rely upon a work force employed by uses within urban growth boundaries; and that the determination of the work force of the community and surrounding rural area considers the total industrial and commercial employment in the community and is coordinated with employment projections for nearby urban growth boundaries.	2010 text edited for brevity while 2020 text remains consistent with intent of 2010 language. 2010 verbiage more akin to development code than a policy document and has requirements that are of dubious legality and/or difficult to demonstrably prove.

<i>PUBLIC FACILITY GOAL</i>			
Revision	Ensure irrigation, domestic water, wastewater, and other utility systems are safe, efficient, and economical.	Ensure water and sewage treatment systems encompass the appropriate scale and cost.	Based on massive public input about concerns of cost of sewer hook-ups, added the "economical" qualifier.
<i>PUBLIC FACILITY POLICIES</i>			
Addition	Consider water and wastewater capacity when assessing development capabilities on individual lots in Tumalo.	N/A	Based on public input regarding concerns about water and staff input on septic issues.
Addition	Promote efficient water and wastewater systems in new development to manage water resources carefully.	N/A	Based on public input regarding concerns about water and staff input on septic issues.
Revision	Encourage early planning and acquisition of sites needed for public facilities.	Encourage early planning and acquisition of sites needed for public facilities (e.g. school, roads, water supply facility, parks.)	Shortened 2010 text as County as school districts, water districts, and parks districts acquire their own properties based on their own master plans.
Revision	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 disposal system, or connection to a public sewer system if available, consistent with the findings of the Tumalo Sewer Feasibility Study (2022).	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 disposal system.	Added reference to a public sewer and Tumalo Sewer Feasibility Study based on public input against a private sewer system.
Modification	Coordinate with local irrigation districts and the Tumalo Town Ditch to avoid adverse effects on their infrastructure and distribution systems.	Coordinate development within the Laidlaw Water District to determine if connection to its water system is required. Support the protection of the Tumalo Town Ditch easement and its distribution system.	2020 text melds and shortens 2010 Public Facility Goals #4 and #6.
Revision	Maintain efforts to ensure the Tumalo domestic water system complies with public health regulations and state and federal water quality regulations.	Support the development and management of the domestic water system for Tumalo so that cumulative development will not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations.	2020 text edited 2010 language for brevity, but remains consistent with 2010 text's intent.
Revision	If Tumalo residents initiate district formation, coordinate with residents and business owners on the creation of a public sewer district.	Coordinate with the Tumalo residents and business owners on the creation of a sewer district, if the community initiates district formation.	2020 text shortens 2010 text, makes clear that community input was for a public sewer system; 2010 text did not have that distinction.
Addition	Explore legislative approaches to preclude non-voluntary connections to private sewer systems.	N/A	Policy is in response to community input on the topic of private sewers in Tumalo.

Addition	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.	N/A	Policy is in response to community input on the topic of private sewers in Tumalo.
Addition	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.	N/A	Policy is in response to community input on the topic of private sewers in Tumalo.
Deletion	N/A	Determine residential minimum lot sizes by the capacity of the land to accommodate available water and wastewater facilities.	Tumalo dimensional standards are already set forth in DCC 18.67.080 for all districts and DCC 18.67.020 and 18.67.030 for residential districts. County does not have staff expertise to conduct a study to determine minimum lot sizes by carrying capacity. Additionally, technological changes and/or sewer availability will change a lot's carrying capacity.
Modification		Ensure high quality fire protection in Tumalo and the surrounding area.	2010 text modified to call out Fire Wise program and moved to Natural Resources, Open Spaces and Recreation Policies.
Deletion	N/A	Encourage early planning and acquisition of sites needed for public facilities (e.g. school, roads, water supply facility, parks.)	County does not have the authority to acquire sites for schools, water supply facilities, or parks. County only plans for County facilities such as roads, but new roads would be in the Transportation System Plan (TSP).
TRANSPORTATION GOAL			
Modification	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.	Provide a safe and efficient system for all modes of transportation, including active modes, to support local economic development, recreational uses, and community health.	2020 text specified modes for plain English rather than use 2010 phrase of "active modes".
ROAD NETWORK POLICIES			
Modification	Periodically review the Transportation System Plan policies and standards for Tumalo to reflect best practices.	Review the existing Transportation System Plan policies and standards for Tumalo.	2020 text added "periodically" to indicate this would happen more than once.
Modification	Periodically review existing roadway design requirements to ensure complete streets which accommodate all modes of travel.	Review existing roadway design requirements to ensure complete streets which accommodate all modes of travel.	2020 text added "periodically" to indicate this would happen more than once.

Addition	Collaborate with the Oregon State Police and Deschutes County Sheriff's Office to address speeding within Tumalo.	N/A	2020 text added after public concerns regarding speeding on Cook Avenue, Cline Falls Highway, Tumalo Road, and US 20. Consistent with 2010 plan's intent to lower speeds.
Deletion	N/A	Coordinate with the Tumalo community and Oregon Department of Transportation to implement both short- and long-term improvements to solve transportation problems, including at the Cook Avenue and US 20 intersection.	2010 US 20 Policy no longer needed with ODOT's construction of bike/ped refuge at US 20/Bailey Hill-7th; construction of a bike/ped underpass at US 20/4th; and the construction underway for a two-lane roundabout at US 20/Cook-O.B. Riley.
Revision	Encourage ODOT to use its "Blueprint for Urban Design" for US 20 projects to enhance the roadside environment by signage, accommodating alternate modes, and roadside amenities and landscaping.	Enhance the roadside environment, through tree planting, signage, or other means.	County does not have authority to require roadside amenities within US 20 right of way; reference to "Blueprint for Urban Design," which also includes amenities and all modes, and thus 2020 text is consistent with intent of 2010 text.
<i>ROAD AND SIDEWALK POLICIES</i>			
Modification	Implement road development standards for Tumalo that are consistent with the small-scale character of the community	Implement road development standards for Tumalo that minimize pavement width and are consistent with the small-scale character of the community.	2020 text deleted 2010 phrase "minimize pavement width" but remains consistent with intent of 2010 text.
Unchanged	Utilize land development and grant funding opportunities to improve street segments identified for improvements in the Transportation System Plan.	2020 and 2010 language are the same.	None
Revision	Provide functional, cost-effective sidewalks within the commercial core while preserving the rural character of the residential areas.	Provide functional cost effective sidewalks that are consistent with the rural character of the community.	2020 text addresses need for sidewalk in the commercial core while respecting public input on not wanting sidewalks in residential areas from Wharton to the river. 2020 language is consistent with the intent of 2010 text.
Unchanged	Provide sidewalks or multiuse paths where they are needed for safety, as set forth in the Transportation System Plan.	2020 and 2010 language are the same	None
Modification	Construct sidewalks specified on community roads without curbs and gutters and allow adequate room for utilities.	Construct sidewalks specified on community roads without curbs and gutters, distant from property lines, to allow for utilities.	2020 text deletes "distant from property lines" reference, but remains consistent with intent of 2010 text.
Addition	Provide wayfinding signage and maintenance best practices on County arterials and collectors to ensure safe and accessible routes for all users.	N/A	2020 text resulted from TGM Bike/Ped/Transit update, public input, especially for bicyclists, pedestrians, rafters, and tourists.
Addition	Review Deschutes County Code (DCC) 17.48, Table B, Minimum Bikeway Design Standards and consider revising widths of multiuse path from 8 feet to 10 feet and up to 12 feet in areas with high mixed use.	N/A	2020 text resulted from TGM Bike/Ped/Transit update.

May 17, 2023

Tumalo Community Plan (TCP) Trails Update

This project is partially funded by a grant from the Transportation and Growth Management (TGM) Program, a joint program of the Oregon Department of Transportation and the Oregon Department of Land Conservation and Development. This TGM grant is financed, in part by federal Moving Ahead for Progress in the 21st Century (MAP-21), local government, and State of Oregon funds.

The contents of this document do not necessarily reflect the views or policies of the State of Oregon.

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MEMORANDUM

Date: Tuesday, May 3rd, 2022

To: Project Management Team

From: Karen Swirsky, Carrie Theus, and Katie Popp, Kittelson & Assoc.

Subject: TCP Advisory Committee Meeting #1 Minutes

Attendees:

- Brandon Crawford, MIG bcrawford@migcom.com
- Carrie Theus, Kittelson & Associates ctheus@kittelson.com
- Chris Cheng, Oregon Department of Transportation (ODOT) Chris.CHENG@odot.state.or.us
- Devin Hearing, Oregon Department of Transportation (ODOT) devin.hearing@odot.oregon.gov
- Jim Crouch, Heritage Brand, jim@heritagebrand.com
- Karen Swirsky, Kittelson & Associates kswirsky@kittelson.com
- Katie Popp, Kittelson & Associates kpopp@kittelson.com
- Peter Russell, Deschutes County, peter.russell@deschutescounty.gov
- Rachel Zakem, Cascades East Transit (CET) rzakem@coic.org
- Susan Altman, Deschutes County Planning Commission dcpcsusan@gmail.com
- Tarik Rawlings, Deschutes County Planning tarik.rawlings@deschutes.org
- Theresa Conley, Oregon Department of Transportation (ODOT) Theresa.L.CONLEY@odot.state.or.us
- Tony DeBone, Deschutes County Board of County Commissioners Tony.DeBone@deschutescounty.gov
- Tony Vicknair, Tumalo School Tony.Vicknair@redmondschools.org (Note: Sam Platt will be taking over for Tony Vicknair after he retires this month)

Absent Committee Members:

- Andrea Breault, CET abreault@coic.org
- Steve Davidson, The Bite steven.davidson@fib.com
- Serena Gordon, Twin Bridges Scenic Highway serena@visitbend.com
- Dave Thomson, County Bicycle & Pedestrian Advisory Committee (BPAC) d.a.thomson@icloud.com

Notes:

Project Background, Objectives, and Desired Outcomes

- Karen Swirsky discussed project boundaries, background, and objectives ([See website for slides](#))
 - The Active Transportation component is just one sub-component of the planning updates to come in the Tumalo Community Plan (TCP) and Deschutes County Transportation Systems Plan (TSP)
- Objective of this project is to identify gaps in active transportation networks in Tumalo, develop a list of needed projects in Tumalo, and provide recommendations to the TCP and TSP for implementation

Background of Existing Plans

- Tumalo Health Impact Assessment (THIA) (2008)
- Tumalo Community Plan (TCP) update
 - Tumalo's long-term planning project, part of the county's comprehensive plan
 - Peter Russell - This project is one sub-set of the TCP and will inform the TCP for that Active Transportation segment.
 - There will be a TCP Open House on Wednesday, May 11th for the project team to collect input from community members and other stakeholders
 - Most accurate estimate of Tumalo population is 574, but future build-out population is estimated to be ~772
- Deschutes County Transportation System Plan Update
 - Anticipating that will be done late summer/ early Fall 2022
- Twin Bridges Scenic Bikeway
 - Chris Cheng - Currently the plan is to reroute the scenic bikeway through the proposed 4th Street underpass

Planned Projects

- US 20/ Cook Ave/ OB Riley Rd roundabout
- Tumalo Multi-Use Path & Underpass at 4th Street
 - Chris Cheng: Most of the funding for this project is coming from the county
- Cline Falls Rd/ Tumalo Rd/ Cook Ave Intersection Improvement
 - Potential roundabout or realignment of intersection
 - There's a takeout spot for people on the river located here, so this area could be more pedestrian-friendly
- Other sidewalk improvements (from the draft TSP)
 - Some of them will be accomplished as part of the roundabout project in 2023
- Cascades East Transit 2040 Master Plan
 - Rachel Zakem: CET is waiting for 2 roundabouts on US-20 to determine where the Tumalo stop will go
 - Rachel Zakem will touch base with Andrea Breault this week on any additional materials to provide to the project team

Other Needs?

- Karen Swirsky – Potential connection from the fitness track to 4th Street
 - Tony Vicknair – It’s a walking track with several fitness stations. It’s more popular with community members than with students at the school.
- Chris Cheng – A connection from the “downtown” Tumalo area to Tumalo State Park
 - There is a trail along the east side of the river that almost goes to the undercrossing. Connection could be used for people to get from campground to town, vice versa, without having to drive.
 - State parks used to own it the existing trail, then there was a jurisdictional transfer – Chris will send a state park contact to Karen.
- Devin Hearing - With the roundabout and undercrossing, wayfinding will be very important for bikes to continue to go to the undercrossing, not through the roundabout.
 - Peter Russell – The Tumalo trail idea [from Chris Cheng] was part of a discussion in 2009. The County got a grant from the state, but it was shut down by the State Historic Preservation Office (SHPO) because of the presence of artifacts (lithic scatter). The trail is probably feasible but may need environmental remediation which would add to the costs. Peter will look through his files and see if he can locate any documentation. Potential contact: Tumalo State Park Manager (Susan Bether)
- Peter Russell – How can the school drop-off/ pick-up be improved? Is a school traffic speed zone along Cook Avenue possible?
 - Cook Avenue is generally slow because of urban development, but Cline Falls Road has its challenges.
- Peter Russell – There are some pedestrian accommodations along the Tumalo Road bridge, but it’s not comfortable at all due to fast drivers.
- Tony Vicknair – The school recently changed their school drop-off/ pick-up process, and it is working well. Parents drop-off along 2nd Street and loop around through the bus lane. Students cross the adjacent field to get to the buses.
 - There are only 4 buses, but ~170 parents in drop-off/ pick-up.
 - Bus drop-off is at 8:25am, pick-up at 3:25pm
 - The school would be enthusiastic about additional improvements to the drop-off/ pick-up process.
- Theresa Conley – Proposed a partnership between CET and school to propose a bus pull-out for student pickup and CET stop.
 - Karen Swirsky: Mini mobility hub that’s multi-use if it’s not too far away from the school.
 - Rachel Zakem: Not much more info on where to place the stop, just waiting to see the roundabouts.
 - Chris Cheng: Need to make sure there are walking/ biking facilities wherever the new stop is located.
- Tony Vicknair:
 - Since there will be bike and pedestrian facilities along 4th (Re: ODOT project), 4th/ Bruce/ SE side of the field would be a good location for a bus pull-out.
 - The field is very large and only used during the school day – so the school would be open to improvements along 4th Street.

- Jim Crouch - It would make a lot of sense to have a circular path that people could walk around – under the highway to 4th Street, walk under the bridge, back into the Bite, Cook Avenue, and loop around
 - There are many elderly people in Tumalo that would enjoy a walking loop – including Jim’s parents.
 - Lots of things long-term to think about as Tumalo continues to grow (commercial → industrial growth in southern part of Tumalo).
 - Karen asked Jim to provide a sketch of his proposed walking route.
- Peter Russell: SHPO and ODOT have certain requirements that could be challenging to the trail under the bridge.

Action Items

Need to follow up with:

- Tony Vicknair – share contact information for Sam Platt, incoming Tumalo Community School principal
- Peter Russell – send SHPO and other related documents (Re: Tumalo trail) to Karen Swirsky
- Rachel Zakem/ Andrea Breault (CET) – send any information on CET stop in Tumalo to Karen Swirsky
- Jim Crouch - sketch a potential walking loop in Tumalo on a map

Chat/Comment Log

[None]



MEMORANDUM

Date: Wednesday, June 22, 2022

To: Project Management Team

From: Karen Swirsky and Katie Popp, Kittelson & Assoc.

Subject: TCP Advisory Committee Meeting #2 Minutes

Attendees:

- Chris Cheng, Oregon Department of Transportation (ODOT) Chris.CHENG@odot.state.or.us
- Devin Hearing, Oregon Department of Transportation (ODOT) devin.hearing@odot.oregon.gov
- Jim Crouch, Heritage Brand, jim@heritagebrand.com
- Karen Swirsky, Kittelson & Associates kswirsky@kittelson.com
- Katie Popp, Kittelson & Associates kpopp@kittelson.com
- Peter Russell, Deschutes County, peter.russell@deschutescounty.gov
- Rachel Zakem, Cascades East Transit (CET) rzakem@coic.org
- Tarik Rawlings, Deschutes County Planning tarik.rawlings@deschutes.org
- Theresa Conley, Oregon Department of Transportation (ODOT) Theresa.L.CONLEY@odot.state.or.us
- Jeannie Fraley
- Gabriel Coler

Absent Committee Members:

- Nicole Mardell, Deschutes County Nicole.Mardell@deschutescounty.gov
- William Groves, Deschutes County William.Groves@deschutescounty.gov
- Andrea Breault, CET abreault@coic.org
- Steve Davidson, The Bite steven.davidson@fib.com
- Serena Gordon, Twin Bridges Scenic Highway serena@visitbend.com
- Dave Thomson, County Bicycle & Pedestrian Advisory Committee (BPAC) d.a.thomson@icloud.com
- Tony DeBone, Deschutes County Board of County Commissioners Tony.DeBone@deschutescounty.gov
- Sam Platt, Tumalo School samuel.platt@redmondschools.org

Notes:

StoryMap Overview

- [Tumalo Active Transportation StoryMap](#) is accepting input from the public until July 12th
- Advisory committee to spread the word about the StoryMap
- Theresa Conley – It would be helpful to have a visual/ story about what the transit stop would look like in Tumalo
 - Would look similar to Sisters and Redmond stops
 - Rachel – share some pictures of the raised stop in Sisters

Tumalo Open House Debrief

- Peter Russell and Tarik Rawlings – Great turnout for the Tumalo Open House. Attendees very very involved and provided a lot of input. There are clearly two differing viewpoints in Tumalo: (1) Keep Tumalo the way it is and (2) Wish for a bit more growth in Tumalo.
- Karen Swirsky and Katie Popp – Three emerging themes from Tumalo Open House and Tumalo Walking Tour

Three Emerging Themes from Public Events

- Speed Control & Safety
- Pedestrian Connectivity
- Transit

Speed Control & Safety

- Karen and Katie went through several potential concepts to address speed control and safety, including (1) traffic signal at Cook Ave and Cline Falls Hwy, (2) Roundabout at Cook Ave and Cline Falls Hwy, (3) Raised intersection at Cook Ave and 4th St, (4) Entryway art, (5) Safety improvements such as shoulder widening on Bailey Road and Tumalo Road.
- Raised intersection
 - Peter Russell: County would be okay with a raised intersection. Another option is rumble strips.
 - Gabriel: Dan of raised intersection but wouldn't be necessary with the roundabout.
 - Jim: Agreed with Gabriel – Raised intersection would not be necessary with the roundabout.
- Roundabout
 - Jim: Supportive of a roundabout at Cline Falls Hwy/ Cook Avenue. Roundabout would improve safety for pedestrians, especially those at the river takeout heading to Tumalo downtown.

Pedestrian Connectivity

- Karen discussed opportunities for additional sidewalk connectivity on Bruce Avenue, Cline Falls Hwy, and Tumalo Road. Possible 1-2 mile walking loop routes were presented.

Transit

- Karen discussed opportunities for additional sidewalk connectivity on Bruce Avenue, Cline Falls Hwy, and Tumalo Road. Possible 1-2 mile walking loop routes were presented.
- Rachel Zakem – Deschutes River Woods currently has a country store stop. Rachel connected with the country store owner who didn't seem opposed, but a follow-up conversation needs to follow.

- Gabriel – Tumalo country store has a large parking lot but it can get chaotic with people coming in and out during busy times.
 - Alternative: Right before the Tumalo country store entrance on 5th Street
- Rachel – Transit stop must have sidewalks that are ADA compliant and connect to the Tumalo sidewalk network
 - Jim – Is there a need for a transit stop?
 - Rachel – A stop in Tumalo has been on CET’s radar for a few years based on input from the public that specifically request a stop in Tumalo.
 - Peter – Out of the 55 people who took the TCP survey, 29% said they wanted a transit stop in Tumalo
 - Karen – The transit vehicle is a Ford Transit van which is very small (transporting max. 7-8 people).
 - Rachel – The route would be 3 stops a day in both directions.

Discussion

- Jeanine would like to see a community survey on transit & roundabout at Cline Falls Hwy/ Tumalo Road
- Most seemed to like the roundabout; Devin Hearing (Deschutes County) shared concerns sight distance and the constraint of the river and Tumalo Road bridge
- Mixed reviews on raised intersection. Some were not big fans but others like; general consensus is that there isn’t a need for both the raised intersection and the roundabout
- Roundabout could be a good thing for all the folks using the river put-in, encouraging them to walk to downtown instead of driving
- Agreement that sidewalks on Bruce are important, maybe just on one side
- Most favored transit stop is on Bruce across from the Church – but the Country store could be a good interim location until sidewalks are built on Bruce
 - Country store can be chaotic at peak times
- Lots of support for a connection from Tumalo State Park to Tumalo downtown area, possibly as part of the walking loop

Action Items

- Advisory committee to spread the word about the [StoryMap](#)
- Send StoryMap to TCP Advisory Committee

Need to follow up with:

- Rachel Zakem – Share photos of transit stops that are representative of the future Tumalo stop

Chat/Comment Log

[Katie Popp] How would walking & biking fit in with these concepts?

[Theresa Conley] There are numerous driveways along that stretch that people riding bikes & driving need to navigate, I think

[Theresa Conley] Webpage for the broader ODOT project: <https://www.oregon.gov/odot/projects/pages/project-details.aspx?project=20011>

[Katie Popp] If you have more thoughts after the meeting, the StoryMap would be a great space to share



MEMORANDUM

Date: Wednesday, August 31, 2022
To: Project Management Team
From: Karen Swirsky and Katie Popp, Kittelson & Assoc.
Subject: TCP Advisory Committee Meeting #3 Minutes

Attendees:

- Andrea Breault, Cascades East Transit (CET) abreault@coic.org
- Chris Cheng, Oregon Department of Transportation (ODOT) Chris.CHENG@odot.state.or.us
- Dave Thomson, County Bicycle & Pedestrian Advisory Committee (BPAC) d.a.thomson@icloud.com
- Devin Hearing, Oregon Department of Transportation (ODOT) devin.hearing@odot.oregon.gov
- Gabriel Coler gabrielcoler@gmail.com
- Jeannine Fraley jeanninefraley@gmail.com
- Karen Swirsky, Kittelson & Associates kswirsky@kittelson.com
- Katie Popp, Kittelson & Associates kpopp@kittelson.com
- Peter Russell, Deschutes County, peter.russell@deschutescounty.gov
- Rachel Zakem, CET rzakem@coic.org
- Tarik Rawlings, Deschutes County Planning tarik.rawlings@deschutes.org
- Theresa Conley, Oregon Department of Transportation (ODOT) Theresa.L.CONLEY@odot.state.or.us

Notes:

Tumalo Open House Overview; Peter Russell, Deschutes County

There were approximately 45 people at the open house. Many were confused that it was a meeting about the sewer feasibility study.

The County presented draft goals and policies for transportation, natural resources, open space, land use, environment, etc. Focusing on active transportation, the following generalizations can be made:

- Many attendees expressed opposition to Recreation policy #1. Peter feels that this is a result of an anti-tourist sentiment. In particular, people were uncomfortable with proposed policies that could make Tumalo more of a destination. Specifically, designating the river as Wild and Scenic, improving access to the river, or advertising Tumalo as the key destination on the Twin Bridges Scenic Bikeway. However, most were supportive of wider shoulders for cyclists and pedestrians.

- On the topic of transit in Tumalo, some attendees expressed opposition to a transit stop in Tumalo, mostly on social concerns but also wondering if there is a real need.
- There was support for road standards consistent with rural policy and sidewalk infill – but residents do not want sidewalks in residential areas away from the commercial core.

The County’s next steps with Goals and Policies is to take all the feedback and simplify the language. The County is going to wait until the sewer feasibility study is done to reduce confusion, sometime in October. Therefore, the Active Transportation work will probably have its own online Open House in October in order to meet the grant deadlines.

Initial Concept Plan

Karen Swirsky (Kittelson) walked through the three key topics in the initial concept plan. Discussions from the meeting are documenting as they relate to each topic.

1. Safety & Speed Improvements. *Advisory Committee support, no comments.*
2. Pedestrian Connectivity

Tumalo to Tumalo State Park Trail

Chris asks if we have run the “Reconsidering trail from Tumalo to Tumalo State Park” proposal by Oregon State Parks. It’s possible that ODOT swapped right-of-way with Oregon State Parks. Kittelson will check to make sure OSP is okay with the inclusion of the trail concept in the County Transportation Plan. Chris suggested Peter Wanamaker at OSP as a potential contact.

Jeannie asked for clarification on what the issue is with having a trail to Tumalo State Park. Karen explained the known archaeological sites along the trail. Jeannie expressed support for a river trail but there is a greater need on OB Riley Road for a separated path or shoulder widening.

Gabe lives near the existing user trail in that neighborhood and feels that it would be great to have an established trail that is cleaner and nicer than the existing makeshift trail which is often used by dirt bikers. A designated trailhead with parking might attract too many people. The surface could be wood chips or rolled granite, Shevlin Parks style – something that would be better than the existing ankle-deep sand. He understands that everyone wants things to stay the way they are now, but right now they’re not clean and could be nicer.

Transit

Jeannie noted that many people she’s talked to are not positive about a stop in Tumalo.

Peter pointed out that the Bend MPO, city and county are under new pressure to provide transit under the new rules to reduce greenhouse gases.

Karen reminded the Committee that the final decision is with CET. Our scope is to identify a potential location for CET.

Andrea said that CET has been collecting customer comment forms for about 12 years and the need to stop in Tumalo has been brought up over the past decade. She will provide these comment to us.

Gabe feels that the Country Store location might induce more negativity from the public and that it might possibly be better to wait until the sidewalks along Bruce Avenue can be constructed.

Theresa asked if we know timing for constructing sidewalks on Bruce. Peter’s response is that most County sidewalks are development-driven. However, in order for the stop to be accessible, the sidewalk would only have to go to the nearest intersection, such as from 7th to the Bruce stop.

Theresa suggested that examples of transit stops from Prineville and La Pine might be useful to illustrate the concept. Peter suggested that we also include a photo of the van that would be used so folks don’t get the idea that it’s going to be a large bus.

Action Items

- Kittelson to check to make sure OSP is okay with the inclusion of the trail concept in the County Transportation Plan. Chris suggested Peter Wanamaker at OSP as a potential contact.
- CET to provide Kittelson with customer comments from the past decade that are related to a stop in Tumalo.

Chat/Comment Log

[Monday 4:36 PM] CONLEY Theresa L

Do we know the timing for constructing sidewalks on Bruce?

[Monday 4:40 PM] CONLEY Theresa L

I agree and same with transit stops - what if we bring examples from Sisters, Prineville or La Pine on how the bus stops work and what the stops and stop usage looks like?



MEMORANDUM

Date: Wednesday, December 14, 2022

To: Project Management Team

From: Karen Swirsky and Katie Popp, Kittelson & Assoc.

Subject: TCP Advisory Committee Meeting #4 Minutes

Attendees:

- Dave Thomson, County Bicycle & Pedestrian Advisory Committee (BPAC) d.a.thomson@icloud.com
- Devin Hearing, Oregon Department of Transportation (ODOT) devin.hearing@odot.oregon.gov
- Jeannine Fraley, Tumalo Resident jeanninefraley@gmail.com
- Karen Swirsky, Kittelson & Associates kswirsky@kittelson.com
- Katie Popp, Kittelson & Associates kpopp@kittelson.com
- Peter Russell, Deschutes County, peter.russell@deschutescounty.gov
- Rachel Zakem, Cascades East Transit (CET) rzakem@coic.org
- Steve Davidson, The Bite steven.davidson@fib.com
- Tarik Rawlings, Deschutes County Planning tarik.rawlings@deschutes.org

Notes:

Update from County Staff (Peter Russell)

- The next steps for the Tumalo Community Plan-Active Transportation will be to present the plan to the Planning Commission as part of the overall TCP update in January or February when the Sewer Feasibility Study is completed
- The TCP recommendations will eventually be incorporated into the County Transportation System Plan (TSP)

Update from Consultants (Kittelson)

- Karen presented a summary of comments received via the [online open house](#) held from October 5th-24th, 2022
- Karen went through a brief overview of what is included in the Final Concept Plan. There have not been any significant changes from the Draft Concept Plan to the Final Concept Plan.
- The last major step of the project is the Implementation Plan (Development Code updates)

Questions/ Comments

- Peter Russell: Would a formal trailhead for the Tumalo to Tumalo State Park be required if that trail is developed along Riverview Ave?
- Karen Swirsky: That would be up to the County and State Park, but likely not.
- Steve Davidson: Riverview Avenue and surrounding roadways are on the border of county maintenance, so those roads are very rustic.
- Peter Russell: Yes, that's correct. These roads are local access roads, which means they're publicly maintained but the county does not spend money on them.

Next Steps

- Implementation Plan
- Final concept plan to decision makers
- Incorporation into the Tumalo Community Plan (TCP) update
- Revisions to the Deschutes County Transportation Plan (TCP)

Action Items

- None

Chat/Comment Log

- None



MEMORANDUM

Date: Wednesday, December 07, 2022

To: PMT and TCP Active Transportation Advisory Committee

From: Karen Swirsky and Katie Popp, Kittelson & Associates

Subject: Final Concept Plan

INTRODUCTION

Overview

The Tumalo Community Plan (TCP) Active Transportation Update project focuses on planning efforts for the Active Transportation component of the 2040 Tumalo Community Plan (TCP). Over the past two decades, there have been significant changes in and around Tumalo that have galvanized the transition of the Tumalo core into an active community center. These changes have warranted an update to the Active Transportation element of the Tumalo Community Plan (TCP) to support the growth of a vibrant, livable community with increased transportation choices, including to bicycling, walking, and transit.

The desired outcomes of this project include:

1. Reviewing state, regional, and local plans regarding active transportation
2. Identifying gaps in the Tumalo bicycle and sidewalk system
3. Reaching out to Tumalo residents and business owners regarding active transportation needs
4. Recommending improvements to infrastructure to support active modes of transportation within Tumalo, including potential transit access
5. Creating a list of needed active transportation projects in Tumalo
6. Providing materials and exhibits for amendments to the Tumalo Community Plan and County Transportation System to implement the suggested recommendations for active transportation (provided as separate memorandum to the County)

This Final Concept Plan addresses the outcomes of parts 1-5 of this project, which were accomplished with multiple virtual and in-person Tumalo public engagement events and discussions with the Tumalo Active Transportation Advisory Committee and Project Management Team. These outcomes are organized into three themes for active transportation that emerged throughout the public engagement process:

1. Safety and Speed Improvements
2. Pedestrian Connectivity
3. Transit

Public Outreach

This section discusses public input from multiple public engagement events, including:

1. Tumalo Active Transportation Walking Tour (Wednesday, June 8th, 2022)
2. Interactive StoryMap (June 8th – July 13th, 2022)
3. Virtual open house (October 5th- 24th, 2022)

The Tumalo Community Plan Open House, walking tour, and interactive StoryMap supported the development of the Initial Concept Plan. The Initial Concept Plan was then presented in the virtual open house, which gave the public the opportunity to comment on the initial plan and provide any additional feedback to be included in the development of this Final Concept Plan.

In addition to the three public events that were specifically created to receive public input on the Tumalo Active Transportation Plan update, Deschutes County held an Open House for the entire Tumalo Community Plan Update on Wednesday, May 11th, 2022. The Open House included a table introducing the Active Transportation plan update.

Public Event #1: Tumalo Active Transportation Walking Tour

On Wednesday, June 8th from 2-4pm, Kittelson hosted a Tumalo Active Transportation Walking Tour for community members and project stakeholders to share their input on walking, biking, and transit infrastructure in the community. The tour had at least 10-15 participants at a time, with some people joining the tour later and others dropping off before it was complete. The tour started at the fire station and traveled west on 4th Street, then north to the Fit trail Park and Tumalo Community School, east on 2nd Street to Cline Falls Highway and Tumalo Road intersection, then south on Cook Avenue to end at The Bite. Due to time constraints, the tour did not walk along Bruce Avenue, but sidewalks and a CET stop on Bruce were discussed and input is summarized in this memorandum. A map of the walking tour is shown in Figure 1.

While passing by the Tumalo Community School, the tour group observed the afternoon pick-up process. A teacher at the school emphasized that the current process, which has vehicle pick-up at the front of the school and bus pick-up behind the school field on 4th Street, is the most pick-up/ drop-off strategy for student safety and general efficiency.

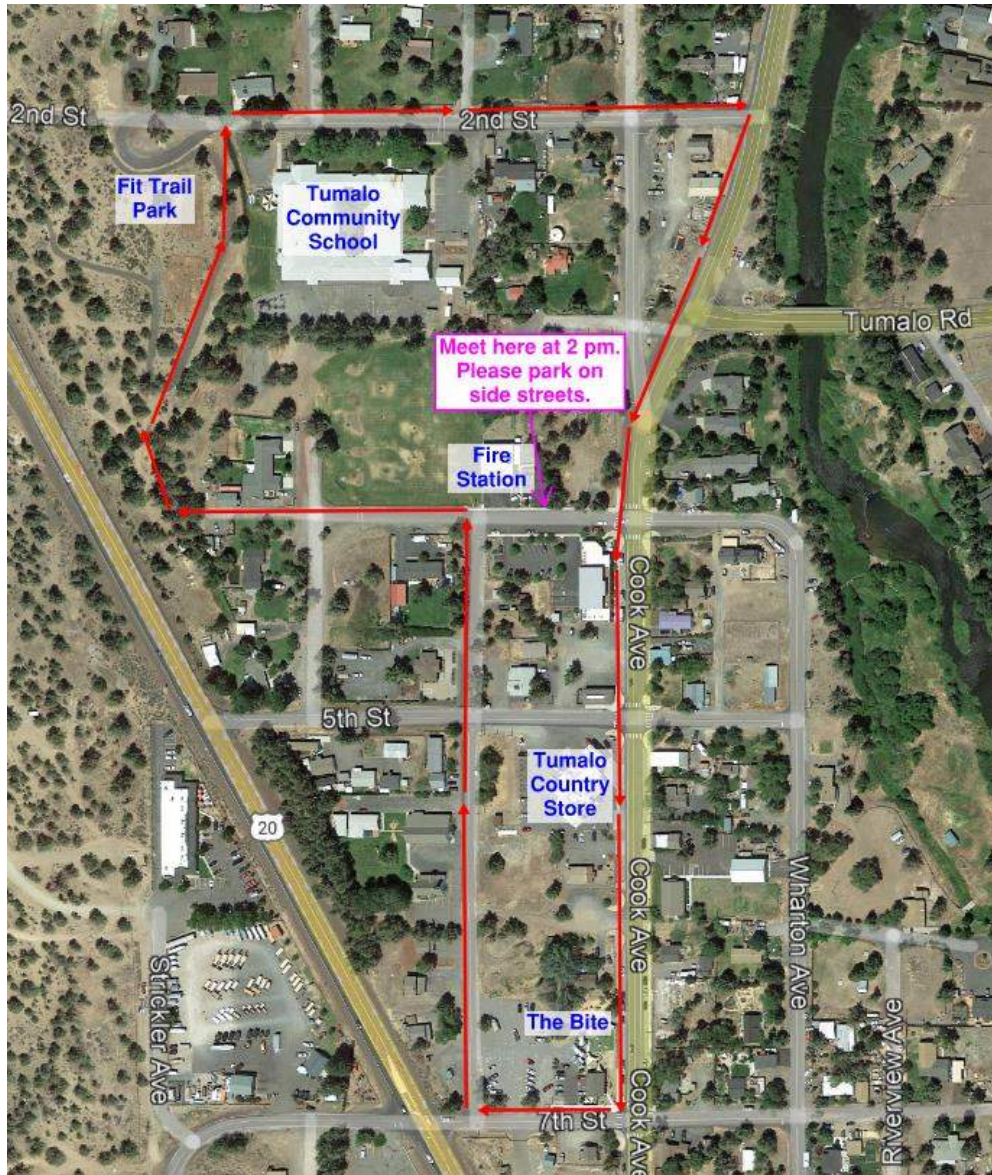


Figure 1: Tumalo Active Transportation Walking Tour Map.

Public Event #2: Online Interactive StoryMap

The [online StoryMap](#) was open for comments from June 8th to July 13th, 2022. The interactive StoryMap allowed users to provide comments related to active transportation in Tumalo by clicking a location on a map within the Tumalo boundary. Users could also reply to and “Like” other comments in support. Overall, 22 comments and replies were collected. The responses are provided in Appendix A.

Public Event #3: Virtual Open House

The Tumalo Community Plan (TCP) Active Transportation Update [virtual open house](#) was open from October 5-24, 2022. Visitors were introduced to the three leading topics included in the Initial Draft Concept, including (1) Safety and Speed Improvements; (2) Pedestrian Connectivity; and (3) Transit in Tumalo. The open house received 23 total comments provided in Appendix B.

SAFETY AND SPEED IMPROVEMENTS

Cline Falls Hwy/ Tumalo Road Intersection

Over the past decade, Tumalo has seen significant growth in its core business area along Cook Avenue. In conjunction with its role as the community's core business area, Cook Avenue north of 4th Street provides a connection to the rural area outside of the Tumalo core via Cline Falls Highway, a rural two-lane roadway with a posted speed of 45mph north of Tumalo Road. Based on input from public events and the online StoryMap tool, many residents are concerned about high vehicle speeds traveling southbound on Cline Falls Highway and eastbound on Tumalo Road.

On Tumalo Road, the 45 mph posted speed limit sign is located before a curve that limits sight distance for all modes of transportation as vehicles are increasing their speed heading eastbound. The Cline Falls Highway and Tumalo Road intersection is especially challenging for pedestrians and cyclists because of high speeds and lack of dedicated infrastructure to separate active modes of transportation from vehicular travel. Additionally, a popular river takeout located on the northeast corner of the intersection prompts pedestrian crossings through the intersection to access the Tumalo core area from the takeout. Improved active transportation infrastructure at the intersection would provide a vital connection to neighborhoods east of the river and the Tumalo Community School.

Residents suggest (1) implementing variable speed warning signs and/or (2) relocating existing posted speed limit signs so that vehicles are not prompted to increase their speeds from 25 mph to 45 mph so close to the intersection, as they do today. Based on discussions with the County, relocating existing posted speed limit signs is not a feasible option due to Speed Zone Orders adopted by the Oregon Department of Transportation (ODOT). However, due to the challenges of the intersection as a transition from a business area to more rural land use patterns, a more significant treatment at the intersection is warranted to enhance the safety of pedestrians and cyclists as well.

Several intersection alternatives for the Cline Falls Highway and Tumalo Road intersection were considered, including a traffic signal, all-way stop, turn lanes, and a roundabout. Based on discussions with the public, project management team, and Active Transportation Advisory Committee, a roundabout is the preferred alternative due to the safety benefits for both motorized and non-motorized transportation users. In further support of the roundabout alternative, a preliminary analysis of projected safety benefits of each potential intersection alternative was conducted using ODOT's Crash Reduction Factors (CRFs) from the All Roads Transportation Safety Program¹. The CRF estimates the projected percent decrease in crashes that would result from converting the existing intersection (side street stop control intersection in a rural area) to a given alternative. For example, a CRF of 82% for a roundabout alternative indicates that converting an intersection that has stop control on the side street (such as the Cline Falls Highway/ Tumalo Road intersection) to a roundabout is expected to reduce the number of crashes at the intersection by 82%. CRFs are often used to

¹ Oregon Department of Transportation (ODOT) (2020). *HSIP Countermeasures and Crash Reduction Factors*. <<https://www.oregon.gov/odot/Engineering/ARTS/CRF-Appendix.pdf>>.

quantify safety benefits of an intersection improvement alternative. A summary of CRFs for each of the initial alternatives considered is shown in **Table 1**.

Table 1. Crash Reduction Factors (CRFs) of Intersection Alternatives

Alternative	Crash Reduction Factor
All Way Stop Control	48% for all crashes, all severities
Traffic Signal	77% for angle crashes, -58% for rear end crashes ¹
Turn Lanes	37% ² for all crashes, all severities
Roundabout	82% for all crashes, all severities

¹ A traffic signal would reduce the number of angle crashes by 77% but increase the number of rear-end crashes by 58%.

² Combined CRF of installing a right turn lane on a single major road approach and a left turn lane on a single major road approach (Cline Falls Hwy). The CRF was calculated using guidance from FHWA and the CMF Clearinghouse.

Kittelson & Associates, Inc. is working with Deschutes County to develop a preliminary roundabout concept at Cline Falls Hwy and Tumalo Road. In the short term, variable speed warning signs or a raised intersection at Cook Avenue and 4th Street may be appropriate interim traffic calming treatments that could be implemented before a more significant treatment is developed.

Enhanced Entry Statement

The Cline Falls Highway and Tumalo Road intersection serves as the northern entry point to the Tumalo business area, which has become a popular spot for locals and visitors to shop and eat over the past few years. In addition to speed control and safety measures at the intersection, a more significant entry statement could signify to vehicles entering from the surrounding rural area that the environment is shifting to a downtown/business area, thus prompting lower speeds. Examples of significant entry statements for nearby communities include roundabout art at Prineville/Tom McCall Road and an archway in Redmond, shown in Figure 2. A similar treatment for Tumalo is suggested as a possible treatment to signify the change in environment for all modes of transportation and provide an opportunity for a public art display that embodies the unique character of the Tumalo community.



Figure 2. Examples of entry statements signifying a change of setting.

Shoulder Widening

The project team received several comments in support of widening the shoulders along Cline Falls Highway and Tumalo Road to enhance safety for bicyclists. Both roadways are popular routes for bicyclists and Tumalo Road is included as a segment in the most current map of the Twin Bridges Scenic Bikeway. Widening the shoulders could reduce vehicle-bicycle conflict on these roadways, which are both rural two-lane highways with vehicles traveling at higher speeds.

Safety and Speed Improvement Recommendations

The Safety and Speed Improvements concept is comprised of the following recommendations shown in Figure 3:

- Intersection improvement at Cline Falls Highway and Tumalo Road (roundabout concept)
- Implement a raised intersection at Cook Avenue and 4th Street as an interim treatment before a more significant improvement is developed
- Implement variable speed warning signs on Cline Falls Highway and Tumalo Road
- Enhanced Entry statement at Cline Falls Hwy/ Tumalo Road as a suggestion to signify a change of setting
- Widen shoulders on Tumalo Road from the Deschutes River bridge to Swalley Road (approx. 1 mile)
- Widen shoulders on Cline Falls Highway from Tumalo Road to Highland Drive

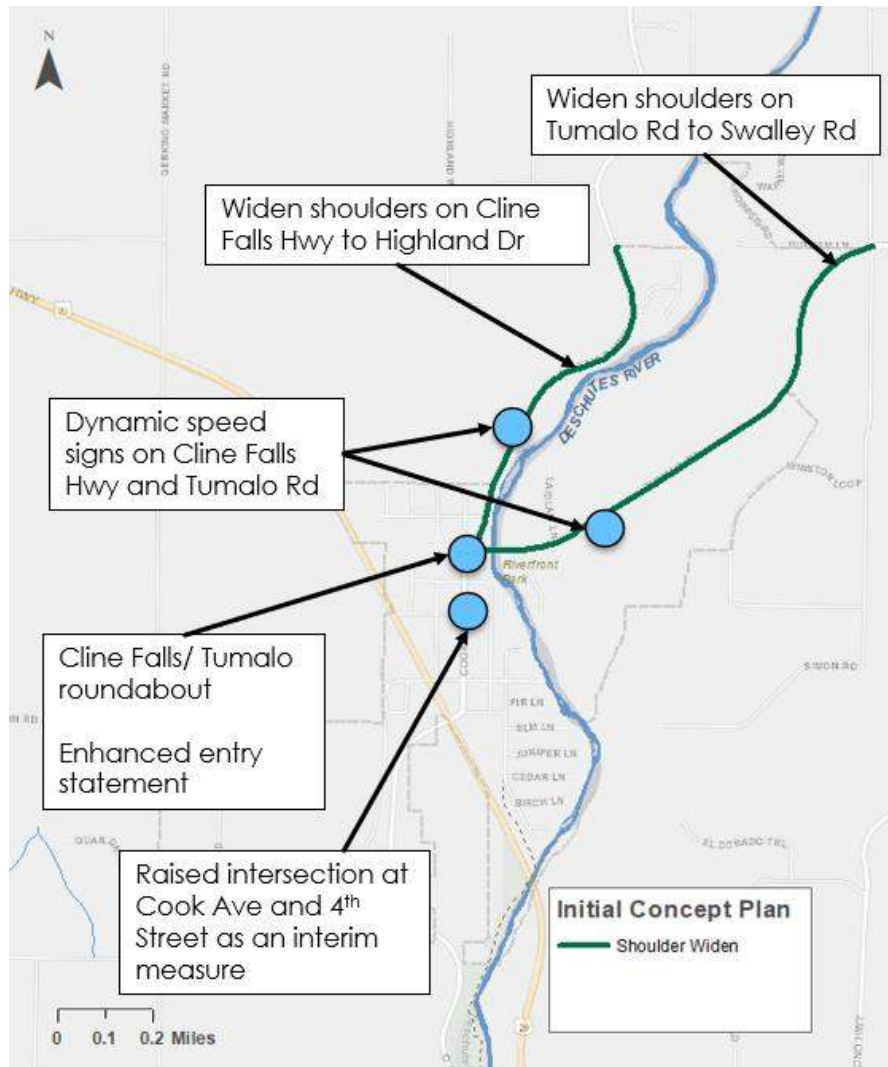


Figure 3. Safety and Speed Improvement Concept #2: Pedestrian Connectivity

PEDESTRIAN CONNECTIVITY

Existing pedestrian infrastructure in Tumalo is primarily located on Cook Avenue from 7th Street to 4th Street with some east-west extensions off Cook Avenue on 4th Street towards the school and on 7th Street along The Bite property. Currently, pedestrian infrastructure consists mainly of curbed sidewalks. The planned ODOT US 20/4th Street bike/ped underpass offers an opportunity to develop a more complete pedestrian network that targets better access to the Tumalo Community School and accommodates continued growth of businesses in downtown Tumalo that are starting to expand outside of Cook Avenue. The following gaps are identified as priorities for the improvement of the pedestrian infrastructure in Tumalo.

Bruce Avenue

Bruce Avenue is a north-south roadway that parallels Cook Avenue to the west. Several businesses, Tumalo Community Church, and the west boundary of parking lots for The Bite, Tumalo Country Store, and a commercial area at 5th Street/Cook are located along Bruce Avenue between 7th Street and 4th Street. As business continues to grow in the Tumalo core area and abutting properties are zoned commercial, Bruce Avenue will likely transition to a more developed business corridor like Cook Avenue. Consequently, incorporating Bruce Avenue into the pedestrian infrastructure network will accommodate growing foot traffic throughout the core area. Bruce Avenue connects to the back side of Tumalo Community School at 4th Street and would provide an additional connection to the planned 4th Street underpass. Bruce Avenue is also a viable candidate for a CET stop in Tumalo, as described in the *Transit* section.

4th Street to Fitness Trail

A connection between the planned US 20/4th Street underpass and the Fit Trail Park on the west side of the school is a feasible addition to the active transportation network in Tumalo (Figure 4). The connection would require paving approximately 200 feet of a dirt path that already connects the Fit Trail Park to 4th Street, which is a welcomed connection for residents that frequent the Fit Trail.



Figure 4: Fit Trail Park connection to planned 4th Street underpass

Wharton Avenue

Based on input from public events and the online StoryMap, Wharton Avenue is identified as a roadway in need of sidewalks to accommodate future development in Tumalo. Wharton Avenue is a north-south roadway that parallels Cook Avenue to the east. Today, Wharton Avenue is primarily residential. However, Heritage Brand is constructing a 10,000-square-foot facility on the corner of 7th Street and Wharton Avenue that could bring more foot traffic to Wharton Avenue. Additionally, a river access point is located on Wharton Avenue where it transitions to 4th Street. Like Bruce Avenue, Wharton Avenue will likely see additional development as properties on the west side are zoned commercial and an increased need for pedestrian infrastructure as Tumalo’s main business area continues to grow and expand past Cook Avenue.

Tumalo Walking Loop

There is support from local residents for a formalized 1-2 mile walking loop through Tumalo that would promote physical fitness for residents of all ages. With the construction of the planned 4th Street underpass and US20/Cook roundabout, there are opportunities to incorporate the new infrastructure into a walking loop identified by wayfinding signage. The walking loops would be established using existing infrastructure in addition to new infrastructure that will be developed with the 4th Street Underpass and US20/ Cook Avenue roundabout. Residents also identified the frequent use of makeshift dirt trails to access Tumalo State Park at the southern end of the Tumalo unincorporated community boundary. Based on discussions within the

Advisory Committee, some suggested walking loop routes are identified in Figure 5. Ultimately, any formalized walking route loops will be decided by the community.



Figure 5: Walking loop routes

Tumalo to Tumalo State Park Trail

A formalized trail connection to Tumalo State Park from the Tumalo core area has been a recurring topic of discussion in the community over the past two decades. A few years ago, the County received a grant from the state to further explore the possible connection. However, the idea was shut down by the State Historic Preservation Office (SHPO) due to the presence of artifacts. The forthcoming update to the Tumalo Community Plan has revived discussions about the potential trail connection. The proposed trail connection would likely utilize existing makeshift trails along Riverview Avenue in southwest Tumalo that connect to State Park via an undercrossing at US20. Based on input through several public outreach events, support for the proposed trail is divided amongst community members. Those against the proposed trail expressed concerns about a trailhead located in the residential area along Riverview Avenue. Trails that pass through County-administered land or private property in unincorporated areas must go through County land use review and approval processes. Trails that pass through Tumalo State Park will need to be approved by

Oregon State Parks. Trails that pass through or along ODOT rights-of-way will need to be approved by the ODOT.

Based on the recommendation of the Advisory Committee, a Tumalo to Tumalo State Park Trail connection is included in this Final Concept Plan. However, due to the mixed support from the community, future planning efforts including additional community engagement would be necessary prior to identifying a final alignment and initiating local, state, or federal approvals.

Pedestrian Connectivity Recommendations

The Safety and Speed Improvements concept is comprised of the following recommendations shown in Figure 6:

- Sidewalk on both sides of Bruce Avenue. For project prioritization purposes, sidewalk should be prioritized on the east side if funds are limited.
- Walkway/ multi-use path on west side of Wharton Avenue.
- Continuation of pedestrian facilities north of 4th Street to 2nd Street on both sides (to tie into selected improvement at Cline Falls Hwy/ Tumalo Road).
- Wayfinding for a walking loop in Tumalo.
- Consider opportunities to develop a trail from Tumalo to Tumalo State Park (though much of the trail would be outside of the Tumalo unincorporated community boundaries)

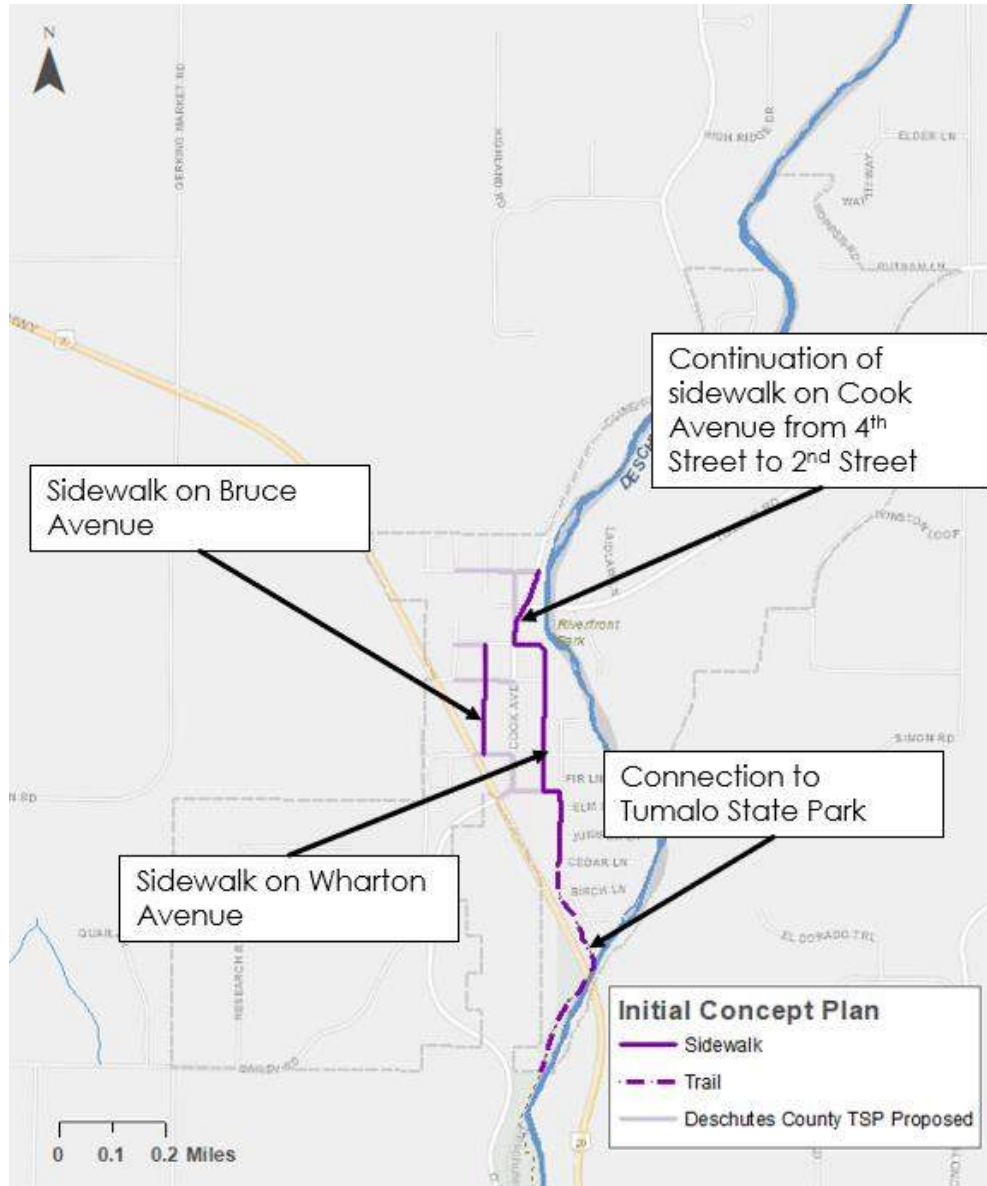


Figure 6. Pedestrian Connectivity Concepts

TRANSIT

CET has identified a stop in Tumalo as a new addition to Route 29 as part of the 2040 Master Plan. At the public event, several residents expressed concerns about locating a stop near the school. With those concerns in mind, the following locations are under initial consideration. Ultimately, the location will be decided by CET. The CET vehicle for this new connection in Tumalo would be a Ford Transit van, which has a maximum capacity of 8 people. Additionally, the CET stop must be ADA accessible and connect to a sidewalk network.

Bruce Avenue Stop

The east side of Bruce Avenue between 7th Street and the Tumalo Community Church has been identified as a viable location for a CET stop due to its proximity to downtown Tumalo. This stop would be located behind the parking lot for The Bite which is a primarily commercial area of town. A stop on Bruce Avenue would necessitate the construction of sidewalks on the east side of the street before the development of the stop.

Country Store (5th Street) Stop

The Tumalo Country Store is identified as a potential interim location for a CET stop before pedestrian facilities on Bruce Avenue are improved. CET has partnered with Country Stores in the past and is in favor of locating a stop where drivers can access a restroom and food.

Transit Recommendations

Both the Bruce Avenue and 5th Street stops are viable options for a CET stop in Tumalo, as shown in Figure 7. Ultimately, the location of the stop will be decided by CET.



Figure 7. Transit stop recommended locations



APPENDIX A

StoryMap Comments Summary

A summary of the StoryMap comments is shown in Table 2.

Table 2. StoryMap comments summary.

#	Comment	Likes
1	Add sidewalk to Bruce Avenue between 4 th and ultimately 7th	1
2	Is it possible to improve ped facilities on the Tumalo Bridge to get across the Deschutes River? Add a ped walkway to the outside of the existing structure on either both sides or one side?	2
3	As traffic increases on Cook, should Wharton receive more bike/ped amenities as a parallel alternate route to Cook? <i>Reply: There absolutely needs to be additional alternatives to get through town. Traffic on Cook has increased tremendously and bikes aren't safe on the road. (3 likes)</i>	1
4	Where practical, widen shoulders on Tumalo Road between Putnam/Tumalo Road and Cline Falls Hwy/Tumalo Road intersections <i>Reply: Immediately after the bridge on Tumalo road there are about 3 main neighborhoods where people use Tumalo road to walk towards town. There isn't a great shoulder for pedestrians or bikes so the walk is pretty dangerous. Would be great to have wider shoulders and more accessible walking conditions (i.e. flatter). (1 like)</i>	1
5	Any safety improvements to this busy intersection would be great. RAB is the best option in my opinion. <i>Reply: need electronic speed control..by the time they reach this intersection they are speeding up Cline falls road or Tumalo road, I believe this road is not designed for this much traffic...We need a bi-pass away from downtown Tumalo</i>	3 3
6	If Bruce Rd is to house a future transit stop, it will be critical to ensure that the stop is connected to the sidewalk network. It may be a good idea to include sidewalk improvements to Bruce in your plan.	1
7	This stretch of Cline Falls is very close to the river and it would be good to see active measures taken to prevent road pollution from entering the waterway. Aside from exhaust, oil, grease, and trash, tire fragments have been shown to make their way to the water in high concentrations. Ideally the road could be moved away from the river. <i>Reply: The noise pollution on this road as people speed up the hill is also out of control. Would be ideal to have stronger speed enforcement around this corner. It's also very dangerous for the wildlife crossing here - which happens very often - because people are just flooring it as soon as they get out of town.</i>	2 2
8	The speed limit jumps from 25 to 40 here when heading east. Cars are approaching the bridge from the west at 40 mph. There are often pedestrians on the bridge, or on the northwest side of the river with little protection. There is a house east of the sign that is only 30 feet from the road and on the curve. There are several other houses that are not setback too far from the road further to the east. I think it would be good to move the 40mph speed limit further east.	2

	<i>Reply: I agree with this.</i>	1
13	Great idea to have a bus stop in Tumalo for Route 29. Please consider a small covered and safe bus stop station either at 4th St near the pedestrian underpass and/or at the Cline Falls/Hwy20 round about. <i>Reply: The risks associated with homeless people getting access to our town far outweigh the benefits for the couple of people in Tumalo who would make use of public transport. It is essential that the consultant run a cost versus benefit analysis on any such investments.</i>	1 1
14	Large commercial building (Heritage Brand) is nearing completion on corner of 7th and Wharton. It appears there will be several driveway entries for this business. As a result, traffic will increase on 7th Street, on Wharton Ave., and on Cook Avenue. Please consider sidewalk needs on 7th and on Wharton.	1
15	I see only one proposed pedestrian path (providing sidewalks) that will cross Cook Ave. And that is the one marked at 8th Street. 8th Street is only a few car lengths off of Hwy. 20; and with the Hwy 20 round-about, I question crossing safety. Especially for children who walk or ride bikes to school. Cook Ave. (at any intersection) can be difficult to cross for pedestrians and bikers.	1
17	Please complete continuous sidewalk son Cook Ave. from Tumalo Road to the OB Riley Rd/HWY 20 round about.	0
18	Please add bike lanes to Tumalo Road between Cline Falls and the community boundary.	0
19	Public trail access along the Deschutes, connecting to the street ends (Pine, Fir, etc.) would enhance the rural village feel of Tumalo. Please add trail access to the west side of the river within the community boundary.	0
21	County nor consultant seem to understand that most of the 'bicycling' actually consists of amateur cyclists using the farm roads outside of Tumalo unincorporated. It's not people on eBikes getting their lunch at a food cart. The real issue to be addressed is coexistence between cyclist and farm equipment on rural roads	0
22	Highly congested with parked vehicles from river rafters. Congestion causes blind spots (ie: difficult crossing and pull-out) for vehicles, bicycles, and cars.	0



APPENDIX B

Open House Comments Summary

The Tumalo Community Plan (TCP) Active Transportation Update [virtual open house](#) was open from October 5-24, 2022. Visitors were introduced to the three leading topics included in the draft concept, including (1) Safety and Speed Improvements; (2) Pedestrian Connectivity; and (3) Transit in Tumalo. The open house received 23 total comments shown in Table 3.

Table 3. Virtual Open House Comments

No.	Response	Comments
1	I don't like this	A roundabout at tumalo road is not needed, a 3 way stop would be more than adequate, and utilize the tax payers money much better. A raised intersection isn't necessary either the stop at tumalo road would take care of this as well. Your roundabout plan would cause all traffic to go through the front lawn of two homes, are they ok with this? Pretty sure no one asked them.
2	I like this	I would like to see the speed limit reduced to 25 MPH for the first 2 tenths of a mile past the river while heading east on Tumalo road. There is housing density and activity for almost a quarter of a mile there. It would be even better if there was some law enforcement to support the speed limit already in place. Currently 40 MPH
3	I don't like this	I dont agree that a roundabout is the best solution for the TumaloRd/Cline Falls intersection. Most roundabouts in Bend are already obsolete by the time they are built and put into use. Also, they are expensive and will encroach on residential properties. A roundabout should be a LAST resort -- after all other means of controlling traffic there have been exhausted. How about a 3 way stop, or traffic light? Other options deserve to be explored!
4	I like this	I live off Swalley so having a roundabout at Tumalo and Cline falls Highway would be a great benefit as cars come fast from both directions and the back-up wait is getting worse. With all the bicyclists would be nice to have shoulders on Swalley as well. Slowing cars down on Cook through downtown with better crosswalks is an excellent idea. With Knife River and other similar rock companies in area the amount of rocks thrown from these trucks onto many of the roads in Tumalo is unbelievable. The new roundabouts are only going to make this worse. As a daily on-road motorcyclist I have almost gone down three times from hitting a patch of lose

		gravel. Please do something about better street cleaning and start charging these companies a surcharge for this or have them coverer their loads. My calls about this issue fall on deaf ears.
5	I like this	<p>I like the idea of the raised intersection; the ones I've encountered seem effective, and it's a minimal modification.</p> <p>I'm skeptical of an enhanced entry - I feel like that's been tried with the granite Tumalo sign at the Cook/Tumalo Ave. intersection, and at least 2 people have run right into it! I'd rather not see a grand entry like the Prineville or Redmond examples - that seems too grand for Tumalo. There are so many changes coming - it'd be nice to retain Tumalo's humble character.</p> <p>I used to be an avid cyclist in Portland, and to this day I'd feel more comfortable riding in traffic there than I do on the scenic bikeway in Tumalo. Traffic simply moves too fast all along Cline Falls Hwy, much further than a wide shoulder is proposed. I don't think the shoulder will do anything to slow speeds or cure the aggressive drivers who seem to not want to share the road. Having a few extra feet of space would not make me feel any safer, or markedly change my reluctance to ride. I live on the bikeway and find this really unfortunate.</p>
6	-	<p>I have lived in Tumalo on 7th Street for 36 years. Mule deer have migrated through the proposed new roundabout area</p> <p>forever. I think a couple deer crossing signs are needed in this area if no signs are in the area yet when the new roundabout goes in this December.</p> <p>Regards, Jim Mooers</p> <p>[Submitted via email – not part of open house comments]</p>
Pedestrian Connectivity Concept Map		
6	I like this	It's ok, I didn't gather really one way or another from the residents I spoke with on this. It was mixed comments.
7	I don't like this	<p>I agree sidewalks need to be improved in town.</p> <p>But the trail connection to the State park is asinine! Have you considered the effects of this "walkway" to the residents on 4th street and the school? including: light pollution, invitation to homeless to sleep in the tunnel, and a general increase in foot traffic in front of all those folk's homes and the school? Seems like the trail could be moved close to the river -- Adjacent to the Antique store just South of Cook Ave.</p>
8	I like this	Isn't there a pedestrian path planed for under hwy 20? If not, that was an excellent idea.

9	I don't like this	I oppose the pedestrian trail running the length of Riverview Avenue -- which in the map is the north-south (vertical) dotted line between Fir and Birch Lanes. Riverview Avenue is a private, unimproved road that homeowners and nearby property owners already have to deal with wear-and-tear issues such as dust and pothole problems. Again, Riverview is NOT a public road -- how can a trail be established on private property?
10	I like this	Support this!
11	-	Regarding a trail connection to Tumalo State Park, several years ago a similar plan was overwhelmingly rejected by the neighborhoods on streets connected to Riverview Drive. That plan included a trailhead West of the river and north of the Hwy 20 bridge. I personally canvassed the neighborhood collecting signatures against. These were provided to Anthony Raguine and, consequently, the plan was abandoned. Re-writing the trail connection effort will still bring folks driving to the pathway and parking in our neighborhood. Be SURE to include road improvements, parking, security and sanitary considerations with any trail connection thoughts, and then still plan for an overwhelming push-back from the neighborhood.
12	-	<p>The trail connection should be a real trail. Not too sure about the sidewalk on Wharton Avenue..... At least enough room to walk on.</p> <p>Another issue I have that I want this to get to the right people.....Tumalo is a small community and we need to route all the very large trucks..(like knife river trucks) bypass this town. They all need to be on the big hways not driving down our small town pass small houses.</p> <p>I come from the Portland area and I have not seen anything like it..... Thx Larry</p>
13	I like this	Connectivity to Tumalo State Park will be nice.
14	I like this	Looks great. Downtown Tumalo needs a park as this community is underserved for parks in Bend. Having these pedestrian trails connect to a park in downtown would be ideal.
15	I like this	<p>I am all for accessibility and sidewalks. I would love to see sidewalks continued up Cline Falls so that folks who live less than a mile from Tumalo didn't have to drive to the Bite!</p> <p>I am concerned that a walkway on Wharton, past a popular river access point at 4th and Wharton, and then again by the Hwy 20 bridge might bring undesirable impacts on the riverbank and the river itself. The informal parking area at Cook Ave. and Tumalo Ave. is overused, dangerous for drivers and pedestrians, and is a disaster for the riverbank and the riparian area alongside. Is there any work being done to mitigate the impacts of creating access to a part of the river that will see an increase of traffic?</p>

		I would also love to be able to walk to Tumalo State Park from its namesake town, but my above concerns apply here, as well.
Transit Concept		
16	I don't like this	From the people who I have talked to about this, only 3 out of 79 thought this was a good idea. That is only 3.7%. This shows me that a transit stop is not necessary for Tumalo. This would cause a much larger carbon footprint than we currently have.
17	I don't like this	I STRONGLY oppose a transit stop in Tumalo. And I am not sure why Tumalo would need one -- it is not really a "destination" for shopping or services. You are inviting trouble into this tiny rural hamlet. Mass transit will bring homeless, drugs, and crime. My experiences in Bend with Hawthorne station have been horrific! I was assaulted by a homeless man while walking my young children to Juniper, and refuse to shop in that area due to it being unsafe, presence of drug paraphernalia, theft, violence, and loitering of unsavory characters. This is NOT wanted or needed in Tumalo!
18	I don't like this	I don't see the need for this.
19	I like this	I think it's important to have transit in Tumalo, either location seems fine -- Country Store and gas station is currently super congested as it is, so maybe Bruce?
20	I don't like this	No transit bus stops in Tumalo. I do not believe these are necessary and will only invite homeless people to Tumalo.
21	I like this	Either location. Needs to include parking.
22	I like this	I'm happy to have transit at all! Seems like the Bruce Ave. option might be better in terms of not disrupting the flow of traffic within Tumalo - there's less traffic on Bruce Ave, while the 5th St/Cook Ave intersection sees quite a bit of turning traffic, both for the gas station and due to 5th ave being the safer street from which to make a left turn onto Hwy 20. I know the left turn issue will be resolved by a roundabout, but it seems like the gas station traffic might be snarled by having a close bus stop.
23	I don't like this	Tumalo doesn't really have a draw for Transit. Those that live here have cars to go to town for groceries and socialization. A bus transit stop would bring transient persons into town. We are so small we don't have the infrastructure to care for those individuals. We also don't need transients hanging around town with our children at the school so close. Nor do we need to foster any ideas of a houseless camp in Tumalo on any private or public land.

TCP Active Transportation Update/ SCVAP Trails Outreach Update - Adoption



MEMORANDUM

Date: Tuesday, January 31, 2023

To: Peter Russell, Nicole Mardell, and Tarik Rawlins, Deschutes County
Devin Hearing, ODOT

From: Karen Swirsky and Katie Popp, Kittelson and Associates, Inc.
Brandon Crawford and Matt Hastie, MIG | APG

Subject: TCP Active Transportation Update and SCVAP Trails Expansion Outreach – Implementation Measures (Deschutes County Code)

INTRODUCTION

This memo provides proposed amendments to the Deschutes County Code (DCC) to support implementation of the Tumalo Community Plan (TCP) Active Transportation Update and the Sisters Country Vision Action Plan (SCVAP) Trails Expansion project.

The proposed amendments are a result of a thorough review of Oregon county and state codes, design standards, and active transportation guidance that aligns with the context of Tumalo and Sisters Country. The reviewed documents include:

- Oregon Bicycle and Pedestrian Design Guide (2011)
- AASHTO Guide for Development of Bicycle Facilities, 4th Edition (2012)
- Hood River County Bicycle Plan (2010)
- Clackamas County Active Transportation Plan (2015)
- Lane County Bicycle Master Plan (2022)
- Washington County Road Design and Construction Standards (2011)
- Washington County Bicycle Facility Design Toolkit (2012)

Proposed Amendments to the Deschutes County Code (DCC)

The County may consider amendments to the Minimum Road Design Standards (DCC 17.48 Table A) and the Minimum Bikeway Design Standards (DCC 17.48 Table) to support implementation of the TCP Active Transportation Update and Sisters Country Vision Action Plan (SCVAP) Trails Expansion project. The proposed amendments as a result of the outcomes of both projects are discussed in this section.

Tumalo Community Plan (TCP) Active Transportation Update

The proposed amendments associated with the outcomes of the TCP Active Transportation Update support the ongoing effort to develop a safe, livable, and connected active transportation network in the growing Tumalo unincorporated community. Based on outcomes from the project and a review of state and county design guidance, amendments to both Table A (Minimum Road Design Standards) and Table B (Minimum Bikeway Design Standards) are proposed. Proposed deletions are shown in ~~strikeout~~ and additions are shown in underline.

Proposed amendments for the Tumalo section of DCC 17.48 Table A:

1. Update the Tumalo Incorporated Community section of DCC 17.48 Table A to include guidance specific to arterials. Based on the Deschutes County “Roads Under Deschutes County Jurisdiction” document updated in September 2022, both Cook Avenue from Cline Falls Highway to US20 and Cline Falls Highway from the northern Tumalo – UGB boundary to Tumalo Road are designated urban arterials.
2. Update the minimum paved width of Path/ Trail to 10 feet for paved paths. Add language that defines the minimum separation from roadways for both trails and paths as 2 feet. Remove language about an 8’ minimum paved path from footnote (23), shown with the ~~strikeout~~ text below.
 - a. ~~(23) The minimum width is 8 ft. However, 8 ft. wide multiuse paths are not recommended in most situations because they may become over crowded. They should only be constructed as short connectors, or where long term usage is expected to be low, and with proper horizontal and vertical alignment to assure good sight distances.~~ 10 ft is the standard width for a two-way multi-use path but they should be 12 ft wide in areas with high mixed-use. Optimum use should be based on the relative use by cyclists and pedestrians. High use by skaters may also require greater width.

The proposed DCC 17.48 Table B (Minimum Bikeway Standards) amendments support the implementation of both the TCP Active Transportation Plan Update and the SCVAP Trails Expansion Outreach project and are shown in **17.48 Table** (after the “SCVAP Trails Expansion Outreach” section).

SCVAP Trails Expansion Outreach

The County should consider updates to the County Bikeway Design Standards (DCC 17.48 Table B Minimum Bikeway Design Standards) to support implementation of proposed trails in Sisters Country and the rest of the County. Given the relatively large portion of Forest Service land in the region, the County should consider adopting trail/bikeway design standards and guidelines that are consistent with US Forest Service Standard Trail Plans and Specifications to help ensure consistent trail designs and dimensions.¹

18.48.140 Bikeways

E. Mountain Bike Trails.

1. Mountain bike (dirt or other unpaved surface) trails may be used as recreational or interim transportation facilities.

¹ <https://www.fs.usda.gov/managing-land/trails/trail-management-tools/trailplans>

2. Trails used for transportation shall have a two-foot minimum tread width and a six-foot minimum clearing width centered over the trail, and a minimum overhead clearance of seven feet. ~~Trails used solely for recreational use may be narrower with less clearing of vegetation.~~

3. Trail design specifications are encouraged to follow USDA Forest Service Standard Trail Plans and Specifications to ensure a consistent and coherent bike trail network between County and Forest Service lands throughout Deschutes County.



17.48 Table B. Minimum Bikeway Design Standards

Type	Stripe	On/Off Road	Width ¹			Vertical Clearance		Lateral Clearance		Cross Slope Grade	Grade	Pavement Structure		Multi-use	ROW	
			Min.	Stand.	High Use	Min.	Stand.	Min.	Stand.			Stand.	Max.			Aggregate Base
Paved Multiuse Path		Off	Min.	Stand.	High Use	Min.	Stand.	Min.	Stand.	2%	Stand.	Max.	Aggregate Base	A. C.	Yes	Min.
			8' 10'	10' 12'	12' 14'	8'	10'	2'	3'		5%	>5% up to distance of 500'				
Mt. Bike Trail ²		Off		2'		7'	10'							Yes		
Bike Lane	8" with painted stencil	On	4' w/open shoulder 5' w/curb or parking	6'								Use on <i>urban</i> arterial or major collector, or rural roads near urban areas with high anticipated bike use	Same as parent roadway	No		
Shoulder Bikeway	4"	On	4' minimum or 6' on high volume roads (state highway or arterials), roads with high use of heavy trucks, buses, and recreational vehicles (Washington Co & Oregon Bicycle and Pedestrian Plan), or on a steep grade (Hood River)	6' standard, 4' w/open shoulder 5' w/curb or other barrier	6' 8'							Recommended on higher speed, and traffic volume rural roads	Same as parent roadway	No		
Shared Roadway		On										Recommended only on local roads with speeds of 25 mph or less, and <3,000 ADT 14-15' lanes preferred; max 16' (Oregon Bicycle and Pedestrian Plan) 10-14' travel lanes with shared land markings and other traffic calming measures to ensure slow speeds; 12-20' total roadway width, if there is no centerline stripe (not including parking lane)	Same as parent roadway	Yes		

Note: A.C. is asphalt-concrete

¹ 10 ft is the standard width for a two-way multi-use path; they should be 12 ft wide in areas with high mixed-use. Faster moving bicyclists require greater width than pedestrians; optimum width should be based on the relative use by these two modes. High use by skaters may also require greater width. ~~The minimum width is 8 ft. However, 8 ft. wide multi-use paths are not recommended in most situations because they may become over-crowded. They should only be constructed as short connectors, or where long term usage is expected to be low, and with proper horizontal and vertical alignment to assure good sight distances.~~

² Mountain bike trails and other trails may follow the design specifications of the US Forest Service Standard Trail Plans and Specifications in lieu of County standards. In some cases, US Forest Service standards may be required where trails span County and Forest Service land.



MEMORANDUM

Date: Tuesday, January 31, 2023

To: Peter Russell, Nicole Mardell, and Tarik Rawlins, Deschutes County
Devin Hearing, ODOT

From: Karen Swirsky and Katie Popp, Kittelson and Associates
Brandon Crawford and Matt Hastie, MIG | APG

Subject: TCP Active Transportation Update and SCVAP Trails Expansion Outreach – Implementation Measures (Deschutes County TSP)

INTRODUCTION

This memo provides recommendations for implementing the Sisters Country Vision Action Plan (SCVAP) Trails Expansion Concept Plan and the Tumalo Community Plan (TCP) Active Transportation Final Concept into the Deschutes County Transportation Systems Plan (TSP). The County is currently updating its TSP, and updated goals, policies, and projects should consider the proposed trails and recommendations from both the SCVAP and TCP Active Transportation Concept Plans.

TSP COORDINATION

SCVAP Trails Expansion Outreach

In early 2022, Deschutes County received a Transportation and Growth Management Grant to implement Action 4.1 of the Sisters Country Vision Action Plan¹. The strategy reads:

Livable Sisters Strategy 4 Action 4.1 (Trails Expansion Outreach)

“Conduct community outreach to gain input for trail connections between Sisters and Sisters Country.”

Community engagement and outreach was conducted via an online open house and survey that was designed to gather input on Sisters Country trail needs and to solicit feedback on conceptually proposed

¹ Sisters Country Vision Action Plan: https://www.ci.sisters.or.us/sites/default/files/fileattachments/community_development/page/12721/scv-final-action-plan-updated_june_2019.pdf

trails. The open house and survey collected 83 comments. A stakeholder advisory committee² was also formed to help inform and guide trail proposal recommendations over 3 meetings. Stakeholder advisory committee and community involvement helped inform the Sisters Country Trails Expansion Concept Plan.

TSP Adoption Recommendations

Proposed trails will be identified in the TSP in the form of a Sisters subarea trails map showing potential alignments (Figure 1³).

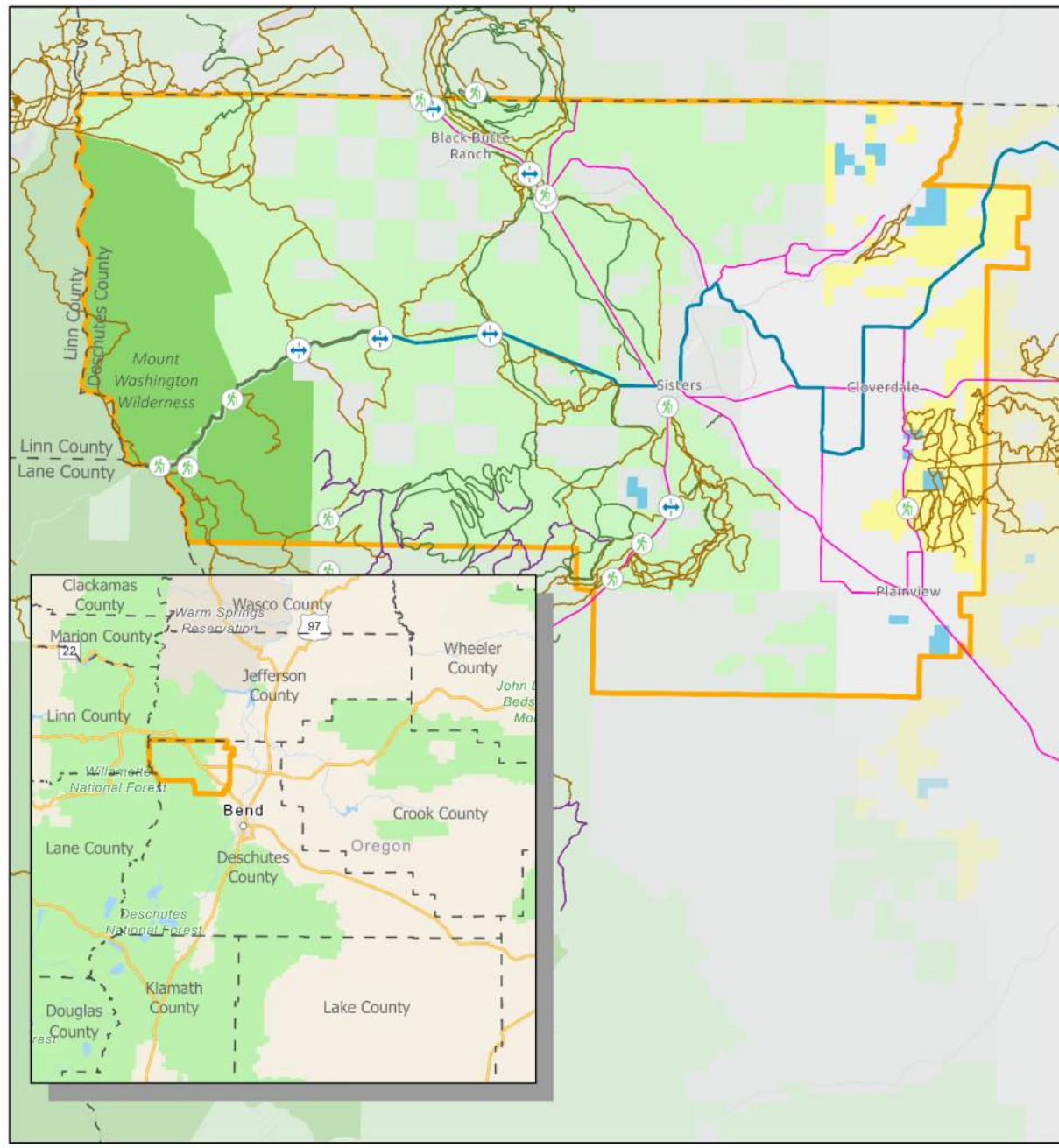
In addition to the proposed trails, the County may consider adopting policies based on the outcomes of this project. This could be done by incorporating those findings directly into a section of the TSP devoted to this topic or the Concept Plan could be cited in the TSP as a supporting document and potentially included as an appendix or exhibit to the TSP. Specific policy recommendations for incorporation in the TSP include the following:

- Consider input from regional non-motorized trails advocacy organizations, such as the STA, COTA, and OET regarding new trails, trail connections, and trail improvements.
- Provide trails that are safe and accessible for bicyclists, pedestrians, and equestrian users.
- Support trail connections to the County’s regional services and amenities.
- Support a trail system that includes trails that are accessible to all users and abilities.
- Coordinate with neighboring counties and other jurisdictions on inter-county or inter-jurisdictional trails.

² The advisory committee included representatives from the following entities: BOCC, US Forest Services, City of Sisters, ODOT, Deschutes County, BPAC, Equestrian Board, Sisters Trails Alliance, COTA, and Sisters District, among other community representatives.

³ Note this map is only for reference. The adopted regional trails map for the TSP will be in a different format.

Figure 1: Sisters Trails System



Sisters Country Trail System

- Existing Trails
- State Scenic Bikeway
- Proposed Equestrian Trails
- Proposed Bike/Hike Trails
- Sisters Country
- County Boundaries
- State Land
- National Wilderness
- BLM
- National Forest
- Trailhead
- Crossing Points/Potential Crossings



Tumalo Community Plan (TCP) Active Transportation Update

Over the past decade, the Tumalo unincorporated community has seen significant growth in its core area, including several new businesses, restaurants, and other amenities. As a result of this growth, Deschutes County is currently going through the process of updating the 2010-2030 Tumalo Community Plan (TCP) to 2020-2040⁴. The County received a Transportation Grant Management (TGM) from the State, of which a portion is dedicated to updating the active transportation element (bike/ped/transit) of the Tumalo Community Plan.

Two public engagement opportunities and discussions with the TCP Active Transportation Advisory committee informed the Final Concept Plan, which established recommendations for sidewalk, trail, traffic calming, and bicycle improvements in Tumalo. The Final Concept Plan will be identified in the TSP in the form of a Tumalo area map showing proposed improvements to active transportation facilities in Tumalo, shown in Figure 2⁵.

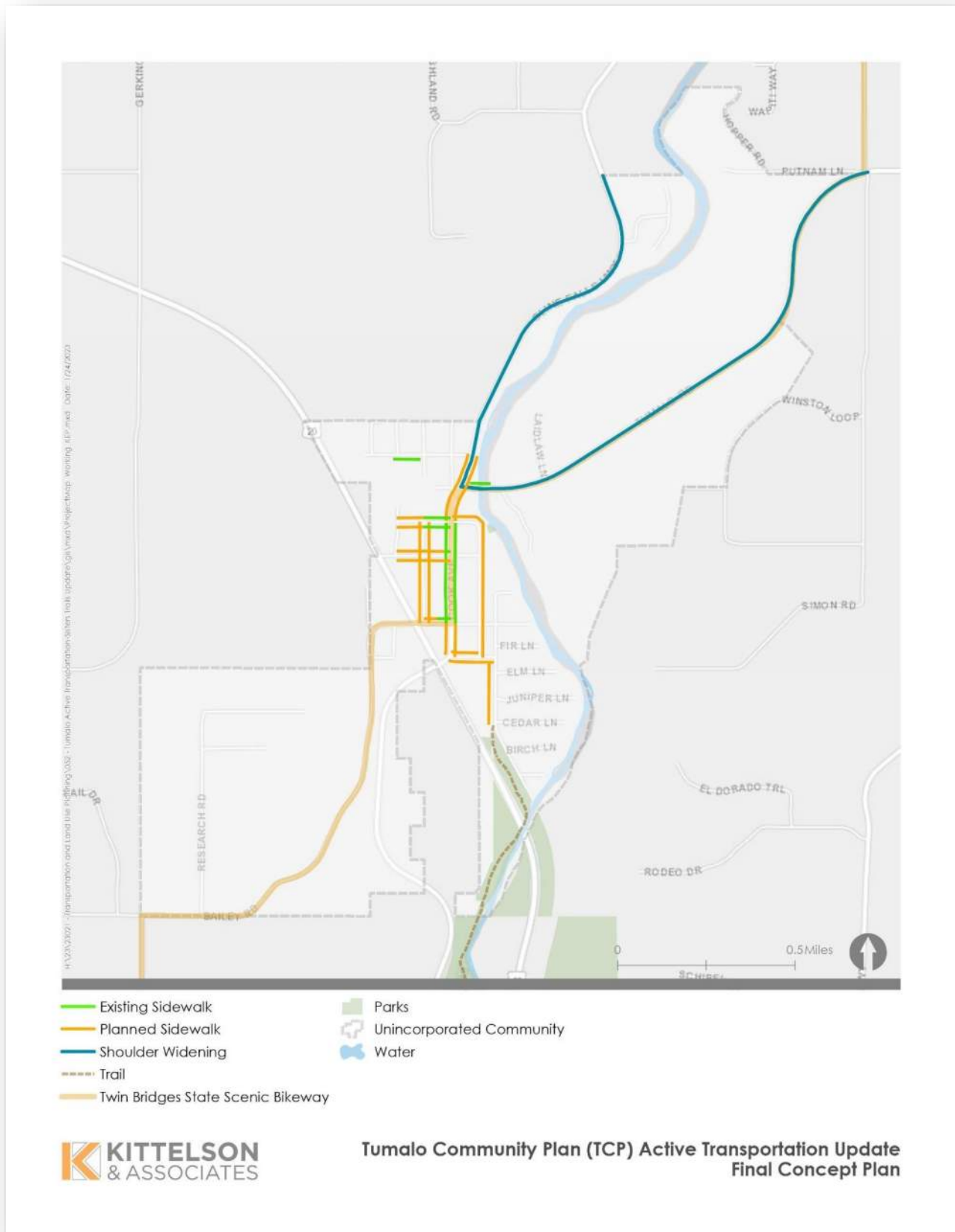
TSP Adoption Recommendations

The project team does not recommend any additional recommendations beyond Figure 2 to incorporate into the TSP as a result of this project.

⁴ Tumalo Community Plan (TCP) update website: <https://www.deschutes.org/cd/page/tumalo-community-plan-update>

⁵ Note this map is only for reference. The adopted regional trails map for the TSP will be in a different format.

Figure 2: TCP Active Transportation Update Final Concept





Project Overview

The Tumalo Community Plan (TCP) Active Transportation Update project focuses on planning efforts for the Active Transportation component of the 2040 Tumalo Community Plan (TCP). Over the past two decades, there have been significant changes in and around Tumalo that have galvanized the transition of the Tumalo core into an active community center. These changes have warranted an update to the Active Transportation element of the Tumalo Community Plan (TCP) to support the growth of a vibrant, livable community with increased transportation choices, including to bicycling, walking, and transit.



15 people attended the Tumalo Active Transportation Walking Tour held on June 8th, 2022, to identify needs and deficiencies in the active transportation network in Tumalo.

Analysis

- Review state, regional, and local plans regarding active transportation (bicycle, pedestrian, and transit) for relevant goals, policies, and objectives.
- Identify context sensitive projects related to Safety and Speed Improvements, Pedestrian Connectivity, and Transit to address existing gaps and deficiencies in the active transportation network in Tumalo.

Key Elements

- Active community engagement (virtual and in-person)
- Improve safety, access, and mobility for people walking, and biking in Tumalo.
- Identify a preferred intersection improvement for the Cline Falls Highway and Tumalo Road intersection.
- Identify a preferred transit stop location if a transit stop is added to a Cascade East Transit (CET) route.

Outreach and Public Involvement

Public involvement and outreach for the TCP Active Transportation Update project included the following:

1. Tumalo Active Transportation Walking Tour (Wednesday, June 8th, 2022)
2. Interactive Virtual StoryMap (June 8th – July 13th, 2022)
3. Virtual open house (October 5th- 24th, 2022)

The Tumalo Community Plan Open House, walking tour, and interactive StoryMap supported the development of the Initial Concept Plan. The Initial Concept Plan was then presented in the virtual open house, which gave the public the opportunity to comment on the initial plan and provide any additional feedback to be included in the development of the Final Concept Plan.

In addition to the three public events that were specifically created to receive public input on the Tumalo Active Transportation Plan update, Deschutes County held an Open House for the entire Tumalo Community Plan Update on Wednesday, May 11th, 2022. The Open House included a table introducing the Active Transportation plan update.

The TCP Active Transportation Advisory Committee also met four times throughout the project. The Committee consisted of community, regional, and State agencies with local and technical expertise related to active transportation in Tumalo. Some of the interests represented included school districts, local businesses, bicycle and pedestrian advocates, and County and State agencies. Committee members were responsible for reviewing and providing input on various elements of the project.



Tumalo Community Plan (TCP) Active Transportation Update

Project Information Sheet

March 2023

Project Overview

The Tumalo Community Plan (TCP) Active Transportation Update project focuses on planning efforts for the Active Transportation component of the 2040 Tumalo Community Plan (TCP). Over the past two decades, there have been significant changes in and around Tumalo that have contributed to the transition of the Tumalo core into an active community center. These changes have warranted an update to the Active Transportation element of the Tumalo Community Plan (TCP) to support the growth of a vibrant, livable community with increased active transportation choices including bicycling, walking, and transit.



Looking at east sidewalks on 4th Street east of the downtown core.

Project Outcomes

- Reviewed state, regional, and local plans regarding active transportation (bicycle, pedestrian, and transit) for relevant goals, policies, and objectives.
- Provided multiple opportunities for public engagement and involvement, including virtual and in-person engagement opportunities.
- Developed a Final Concept Plan that identifies context sensitive projects related to Safety and Speed Improvements, Pedestrian Connectivity, and Transit to address existing gaps and deficiencies in the active transportation network in Tumalo.
- Provided materials and exhibits for amendments to the Tumalo Community Plan (TCP) and County Transportation System Plan (TSP) to implement the suggested recommendations for active transportation.

Outreach and Public Involvement

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The TCP Active Transportation Advisory Committee also met four times throughout the project. The Committee consisted of community, regional, and State agencies with local and technical expertise related to active transportation in Tumalo. The interests represented included residents, school districts, local businesses, bicycle and pedestrian advocates, and County and State agencies. Committee members were responsible for reviewing and providing input on various elements of the project.

What's Next?

The County will consider adopting the revised Active Transportation Elements map as part of the County Transportation Plan Update, with adoption expected the spring of 2023.



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: December 6, 2023

SUBJECT: Economic Development Loan Conversion for Holy Kakow

RECOMMENDED MOTION:

Move to authorize the County Administrator to convert \$12,000 Economic Development Loan Program funds issued to Holy Kakow into a grant.

BACKGROUND AND POLICY IMPLICATIONS:

The Deschutes County Economic Development Loan Program was initiated to encourage and assist companies seeking to relocate to and/or create new jobs within Deschutes County. To receive a loan, companies must agree to create a specific number of jobs within a defined period, then maintain this level of employment for an additional set period of time.

After relocating to Deschutes County in 2021, Holy Kakow was approved to participate in the economic development forgivable loan program upon the following conditions:

1. Create at least six new full-time positions by October 1, 2022;
2. Maintain these new positions for a 12-month period; and
3. Provide average wages of \$48,0987 per year (excluding commissions) for each new position.

As EDCO has certified that Holy Kakow has met all three conditions, the recommendation is to convert its \$12,000 loan into a grant.

BUDGET IMPACTS:

There is no budget impact as the loaned funds were accounted for in the previous year's budget.

ATTENDANCE:

Jen Patterson, Deschutes County, Strategic Initiatives Manager
Erik Strobel, EDCO, Sisters Country Director
Wyatt Woods, Holy Kakow, Owner



November 1, 2023

Deschutes County Board of County Commissioners
1300 NW Wall Street
Bend, OR 97702

RE: Deschutes County Economic Development Loan Program – Conversion to grant for Holy Kakow.

Board of County Commissioners:

With respect to Holy Kakow’s \$12,000 forgivable loan from the Deschutes County Economic Development Loan Program, Economic Development for Central Oregon (EDCO) recommends that the Deschutes County Board of Commissioners approve conversion to a grant.

Summary of Agreement and Support for Recommendation

Agreement Date:	June 2, 2021
Loan amount:	\$12,000
Agreement #:	DC: 2021-484
Employment Requirement:	From base of 2 full-time employees, create 6 full-time jobs between October 1, 2021, and October 1, 2022, and maintain 8 full-time employees through October 31, 2023.
Average Wage for New Jobs:	\$48,097

Company Background:

Holy Kakow is a manufacturer of organic chocolate sauces, latte syrups, chai and cacao powder. They have been operating since 2009 and moved to Sisters in 2021. Primary customers are coffee roasters, coffee shops and allied product distributors within the coffee industry. They continue to see healthy annual growth as they witness greater market penetration and brand awareness with significant room for expansion both domestically and internationally within the coffee industry and other foodservice channels.

2021-2022

Seven employees at an average wage of \$59,311.

2022-2023

Eight employees at an average wage of \$77,964.

**Economic Development
for Central Oregon**

705 SW Bonnett Way, Suite 1000
Bend, OR 97702

541.388.3236
www.edcoinfo.com



Attached is the certification prepared by Economic Development for Central Oregon regarding the information above.

EDCO recommends conversion to a grant of \$12,000.

Eric Strobel
Sisters Country Director

**Economic Development
for Central Oregon**

705 SW Bonnett Way, Suite 1000
Bend, OR 97702

541.388.3236
www.edcoinfo.com

DESCHUTES COUNTY
Economic Development Forgivable Loan Program

Loan Recipient: Holy Kakow

Agreement No.: DC: 2021-484

Date of Agreement: June 2, 2021

On behalf of Economic Development for Central Oregon (EDCO), I certify that Holy Kakow has met the conditions of the Deschutes County Economic Development Forgivable Loan Program and is available to be converted to a grant and repaid as specified in Agreement DC: 2021-484, paragraph 3.3.3 (attached).

I further attest that a representative of Economic Development for Central Oregon has reviewed employment and payroll records furnished by BTCC and that such records confirm that the company:

- a) Created six new full-time jobs within and/or relocated to Deschutes County as described in the attached memo.

I therefore request that the Deschutes County Board of Commissioners authorize the \$12,000 loan granted to Holy Kakow under the Deschutes County Economic Development Loan program be converted to a grant.

Eric Strobel, EDCO Sisters Country Director
Economic Development for Central Oregon
November 1, 2023



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**DESCHUTES COUNTY
ECONOMIC DEVELOPMENT LOAN PROGRAM
DC: 2021-484**

AGREEMENT WITH Holy Kakow

This Economic Development Loan Agreement ("Agreement") is entered:

BETWEEN: Deschutes County (*hereinafter referred to as "County"*)
PO Box 6005
Bend, OR 97708-6005
541-330-4640

AND: Holy Kakow (*hereinafter referred to as "Company"*)
260 E Sun Ranch Drive
Sisters, OR 97759
503-484-8316

RECITALS

WHEREAS, County finds that the program set forth in this Agreement will promote state and local economic activity by creating new jobs and investment; and

WHEREAS, Company wishes to expand its existing equipment and business operations within Sisters, Oregon by increasing employment and investing in equipment and building improvements; and

WHEREAS, the said expansion in Redmond, Oregon will create at least six (6) new full-time, jobs between October 1, 2020 and October 1, 2022 for total employment by Company of 8 full-time equivalent employees; and

WHEREAS, once filled, the new full-time jobs will be maintained for an additional consecutive 12-month period to occur on or before October 1, 2023; and

WHEREAS, County desires to promote the expansion of Company's facility by loaning funds in the amount of \$12,000 for certain hiring and training expenses and such loan will later be converted to a grant upon the condition that Company satisfy certain requirements; and

WHEREAS, County has engaged Economic Development for Central Oregon (EDCO) to assist in administering and implementing the loan;

NOW, THEREFORE, in consideration of the mutual benefits and promises contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree to as follows:

DC-2021-484

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**SECTION 1
DEFINITIONS**

- Section 1.1** Dollars and \$ shall mean lawful money of the United States of America.
- Section 1.2** Loan shall mean funds loaned by County to Company as provided under Section 3.
- Section 1.3** Project shall mean relocation and expansion of Company employment in Deschutes County, Oregon.
- Section 1.4** Full-Time Employee shall mean any employee who has been hired with the expectation that the job will last for at least one (1) year and who will work at least forty (40) hours per week or the equivalent of 2,080 hours per year.

**SECTION 2
TERM**

This Agreement shall be effective as of the date of execution by all parties and continue until the loan is paid in full or the loan is converted to a grant as provided in Section 3.3 below.

**SECTION 3
LOAN**

Section 3.1 Loan

County agrees to loan Company the sum of \$12,000 no later than 30 days following delivery of this signed Agreement to County.

Section 3.2 Loan Purpose and Representations of the Company

The purpose of the loan is to carry out the project, and for no other purposes. Company represents and warrants that it will diligently pursue and complete the following:

- 3.2.1** Company will employ at least six (6) additional full-time employees between October 1, 2020 and October 1, 2022 for a total of 8 full-time employees.
- 3.2.2** Company will maintain these new positions from the date all are filled for an additional consecutive 12-month period to occur on or before October 1, 2023.
- 3.2.3** Aggregate wages for the new and relocated positions will average \$48,097 per year excluding commissions, per annum.
- 3.2.4** Company will submit quarterly and annual progress reports to EDCO with documentation for job creation, capital investment relating to new facilities, and equipment associated with the project.

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3.2.5 Company shall comply with all applicable federal, state, regional, and local laws, regulations, and ordinances.

3.2.6 Company shall timely pay all Deschutes County real and personal property tax when due and shall satisfy all delinquent property tax accounts in full.

Section 3.3 Loan Repayment or Conversion to Grant

3.3.1 Unless the loan is converted to a grant as provided below, Company agrees to pay to the order of County the full amount of the loan as well as interest at the rate of 5% per annum beginning from the date County releases funds to Company until the earlier of: (a) the occurrence of an event of default, as defined below, or (b) October 1, 2024.

3.3.2 County agrees to convert the loan to a grant that does not need to be repaid, if and when County determines in its sole discretion that Company has satisfied all of the obligations in Section 3.2 and its other obligations under this Agreement. Such conversion shall only be effective upon written verification by the County Administrator that the loan has been converted to a grant.

3.3.3 County may, in its sole discretion, convert a portion of the loan to a grant if all of the obligations under Section 3.2 and this Agreement have been fulfilled to the reasonable satisfaction of County. In the event of such partial conversion of the loan, the loan shall continue to be payable on a pro-rated basis in an amount determined by multiplying \$2,000 by the difference between six (6) and the number of full-time employees employed in Deschutes County by Company as of October 1, 2022. Interest will accrue on this portion of the loan at a rate of five percent (5%) per annum from the time the Company received the loan monies to the time they are repaid.

**SECTION 4
DEFAULT**

Section 4.1 Events of Default

The following shall be considered events of default:

1. Company fails to complete, or County reasonably determines that Company will not be able to complete, the obligations described in Section 3.2 and its other obligations under this Agreement; provided, however, that upon such failure or determination, County shall first provide to Company written notice of such failure or determination, and Company shall have thirty (30) days to correct the matter. If the matter has not been corrected by Company within such thirty (30) day period to the reasonable satisfaction of County, County shall be entitled to declare Company

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in default of its obligations under this Agreement and the loan and accrued interest shall be payable in full.

2. Company effects a change of ownership or change of control of its business which results in dissolution or conversion of the original business entity or relocates its business operations outside of Deschutes County, Oregon on or before the end of the contract period. Change of ownership and/or change of control of the business will not be deemed a default if Company notifies County which may then condition consent on any reasonable term(s) necessary to adequately secure the loan. A change in majority stock ownership will not constitute a default if all other provisions in this agreement are met.
3. The occurrence of any event that has or may reasonably be expected to have a material adverse effect on Company's financial condition or Company's ability to make any payment required by this Agreement.
4. Company fails to pay, becomes insolvent or unable to pay, or admits in writing an inability to pay Company's debts as they become due, or makes a general assignment for the benefit of creditors.
5. A proceeding with respect to Company is commenced under any applicable law for the benefit of creditors, including, but not limited to, any bankruptcy or insolvency law, or an order for the appointment of a receiver, liquidator, trustee, custodian, or other officer having similar powers over Company is entered.

SECTION 5 MISCELLANEOUS

Section 5.1 Right to Inspect

Company agrees that County, their agents, and employees shall be entitled, upon reasonable prior notice to Company, to access and inspect the property and employment records of Company and its affiliates in order to insure that Company is complying with the terms of this Agreement and all applicable federal, state, and local laws and regulations. The right to inspection shall also include any property or employment records that are in the possession of any affiliate of Company. The right of inspection shall continue until all of the obligations of Company under this Agreement have been satisfied.

Section 5.2 Attorney's Fee Provision

In the event suit or action is instituted to enforce any of the terms or conditions of this Agreement, the unsuccessful party shall pay to the prevailing party, in addition to the costs and disbursements allowed by statute, such sum as the court may adjudge reasonable as attorney fees in such suit or action, in both trial court and appellate courts.

Section 5.3 Indemnification

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Company shall defend, indemnify and hold harmless County and EDCO, their officers, agents, employees, and members from all claims, suits, and causes of action, including attorney’s fees, of any nature whatsoever relating to claims by third parties resulting from or arising out this Agreement or funds provided to Company under this Agreement.

Except as otherwise provided in this Section 5.3, County and EDCO shall defend, indemnify, and hold harmless Company, their officers, agents, employees, and members from all claims, suits, and causes of action, including attorney’s fees, relating to claims by third parties as to the validity under public finance law of this Agreement or funds provided to the Company under this Agreement.

Section 5.4 Entire Agreement

This Agreement constitutes the entire agreement between the parties regarding the matters herein.

Section 5.6 Titles and Subtitles

The titles in this Agreement are for convenience only and in no way define, limit, or describe the scope or intent of any provision of this Agreement.

Section 5.7 Notice

All notices, requests demands, and other communications to or upon the parties hereto shall be in writing and shall be deemed to have been duly given or made: Upon actual receipt, if delivered personally or by fax or an overnight delivery service; and at the end of the third business day after the date of deposit in the United States mail, postage pre-paid, certified, return receipt requested; and to the addresses set forth on page 1 of this Agreement or at such other address of which such party shall have notified in writing the other parties hereto.

Section 5.8 Time is of the Essence

All parties agree that time is of the essence under this Agreement.

Section 5.9 Applicable Law

This Agreement is made, and shall be construed and interpreted under the laws of the State of Oregon without regard to the principles of conflicts of law. Venue shall lie in state courts located in Deschutes County, Oregon, provided, however, if the claim must be brought in a federal forum, then it shall be brought and conducted solely and exclusively within the United States District Court for the District of Oregon.

Section 5.10 Disclosure

Under Oregon law, most agreements, promises, and commitments made by a lender after October 3, 1989 concerning loans and other credit extensions which are not for personal, family, or household purposes or secured solely by borrower’s residence must be in writing, express consideration, and be signed by the lender to be enforceable.

Section 5.11 No Waiver

No failure or delay of County in exercising any right, power or remedy under this Agreement shall operate as a waiver of such right, power or remedy of County, or of any other right. A waiver of any provision of this Agreement shall not constitute a waiver of or prejudice County's right otherwise to demand strict compliance with that provision or any other provision. Any waiver, permit, consent or approval of any kind or character on the part of County must be in writing and shall be effective only to the extent specifically set forth in such writing.

Section 5.12 No Assignment by Company

No obligation or right under this Agreement may be assigned by the Company without the prior consent of County, which consent may be withheld, conditioned, or delayed in the sole discretion of County.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be duly executed as of the dates set forth below their respective signatures.

Deschutes County

Holy Kakow

By: 
Tom Anderson, County Administrator

By: 
Wyatt Woods | CEO + Founder

Date: 6-2-21

Date: 6/2/21



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: December 6, 2023

SUBJECT: Proposed purchase of property at 640-652 SE Wilson Avenue in Bend to provide shelter and housing for clients of Adult Parole and Probation

RECOMMENDED MOTIONS:

1. Move approval of the purchase of property located at 640-652 SE Wilson Avenue in Bend to provide shelter and housing for clients of Adult Parole and Probation.
2. Move approval of Board signature on Order No. 2023-055 designating an authorized representative to sign closing documents on behalf of Deschutes County.

BACKGROUND AND POLICY IMPLICATIONS:

On May 31, 2023 Deschutes County Community Justice through its Adult Parole and Probation division (Adult P&P) was awarded a grant for \$1,078,518 out of funds provided as part of the Governor's Emergency Order 23-02. This grant provides funds to purchase through a private provider a house in Deschutes County to provide shelter and housing for clients of Adult P&P. The Board accepted the funding in July 2023 through a subrecipient agreement (2023-690).

The Adult Parole and Probation division (Adult P&P) received approval from the Board on August 21, 2023 to issue RFP 2023-751 to select a provider who would be the owners of the purchased property and will operate a program that creates short-term shelter and longer-term housing options. Originally, the plan was for up to 24 supervised individuals annually be able to participate in the housing program, but given the size of the property we anticipate this can likely increase up to 40-50 individuals each year.

Adult P&P conducted an RFP process with a multi-disciplinary review panel which recommended that RFP 2023-751 be awarded to Free On The Outside, a 501(c)(3) non-profit organization which has over 15 years of experience operating transitional housing in Oregon and manages over 200 beds. They utilize a live in onsite manager and will work closely with Adult P&P to create a program where clients are good neighbors and working toward more long term housing options while also meeting the conditions of their supervision. The Board issued a Notice of Intent to Award on October 25, 2023 and the 7-day protest period passed without protest.

Free On The Outside and Deschutes County Community Justice have reviewed available properties in Deschutes County that fall within the funding constraints of the grant and public safety considerations and have made the recommendation to move forward with a triplex located at 640-652 SE Wilson Ave., Bend, Oregon.

About 25 men with sex offense conditions are chronically homeless making it very difficult to find short-term or long-term shelter or housing, find or maintain employment, or afford or continue treatment. About 50% of people who are supervised and have serious mental health diagnoses are homeless. People with other crime types also experience homelessness. Because the property is a triplex with separate units we will have more flexibility to use it to create stability and public safety where there is greatest need.

An initial offer has been made and accepted. This offer has three contingencies before the property can close. These include;

- County and Free On The Outside reviewing and accepting property based on the results of due diligence inspections and reports.
- Current landlords working with tenants who reside in the units to ensure that we have at least one vacant unit before the property can close.
- Board of County Commissioners approving the purchase of the property as a site for operations of the program as outlined in RFP.

As previously shared, the grant requires that some beds be available as of January 10th, 2024. The grant will provide full operation costs through end of June 2024 with a likely renewal of funds available for continued operations. Should renewal of funds not occur, operational costs are expected to be paid from rental income from participants, and existing Adult P&P budget for transitional and supported housing along with additional funding opportunities provided to Free On The Outside through grants or other sources.

The property is 0.18-acres, which includes a +/- 3256 square feet structure that consists of three units. Two units are 3 bedrooms and 1.5 bathrooms and one unit is 3 bedrooms with 1 bathroom. All three units have a single car garage. The structure was constructed as a multi-family resident in 1977.

As part of the due diligence process a title report and inspections were conducted. Free On The Outside and Deschutes County Community Justice have reviewed the inspection reports and at this time are good to move forward with the property as agreed to with the seller. Deschutes County Property Manager has also had the opportunity to review the title reports and inspections. As noted in the inspection there are maintenance and repairs that need to be completed, but overall nothing significant was discovered that would have an impact to the health or safety of the property or prevent it from being occupied by clients on or before January 10th, 2024.

At this time all units are occupied, but at least one tenant has agreed to vacate by December 15th so closing can occur. The seller's agent is working with the other tenants on a transition plan that will include the proper notice periods. There is potential that the other tenants will vacate by January 31, 2024, otherwise they will be out on or before March 31, 2024.

Free On The Outside and Deschutes County Community Justice worked together to create a flyer for a community notification process. On November 27th, 2023 Free On The Outside Executive Director Mike Cross and his staff visited 25 residences directly around the potential property. This included 6 triplexes, 3 duplexes, and 1 single residence.

- Of the 25 residences, 11 did not answer or no one was home. A flyer was left at the door for each of these residences.
- 14 of the residences had someone answer the door.
- Mike and his staff introduced themselves and explained that they were from Free On The Outside and were looking at opening a potential transitional/shelter house in the neighborhood. They provided the flyer and gave individuals the opportunity to ask any questions.
- Most occupants had no questions at time of the initial information being provided, but said they would follow up if they had any once they reviewed the flyer/information.
- One resident did ask if the house was for reentry services and they explained that yes it would include those clients releasing from prison. Resident did not ask any additional questions.
- Contact information for Free On The Outside and Community Justice was listed on the flyer and staff from both agencies will monitor and respond to any additional feedback or questions.

At this point staff recommend Board approval to move forward with the purchase of the property, as long as all other contingencies are met.

The County will initially purchase the property using the awarded grant funds. A quit claim deed with a reversionary interest will be issued to Free On The Outside. They will be responsible for 100% of ownership costs of the property and operation costs of the program. The grant requires a 10-year restrictive covenant be put onto the property requiring that it be used for shelter and transitional housing. At the end of the 10-year period (expires December 31, 2034) the property will belong to Free On The Outside without any restrictions. Deschutes County will retain the revisionary interest, and a grant agreement will be in place, during the 10 year period.

Closing will occur around December 15, 2023.

BUDGET IMPACTS:

The total amount of grant funds awarded for the project is \$1,078,518. Staff is still working to finalize details of the purchase price, but the final amount is not expected to exceed \$825,000, which is within the maximum grant-allowed cost for property purchase. Some of the grant funding will be used for administration, operations, and repairs and maintenance.

ATTENDANCE:

Deevy Holcomb, Community Justice Director
Trevor Stephens, Community Justice Business Manager
Kristie Bollinger, Property Manager

REVIEWED

LEGAL COUNSEL

12/06/2023 Item #6.

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Order Designating the Deschutes County *
Property Manager, Kristie Bollinger or Deevy * ORDER NO. 2023-055
Holcomb as the Deschutes County Representative *
to Sign Documentation for the Purchase and *
Acceptance of Property Located at 640-652 SE *
Wilson Ave., Bend, Oregon 97702

WHEREAS, the Board of County Commissioners of Deschutes County has authorized the purchase of property located at 640-652 SE Wilson Ave., Bend, Oregon 97702; and

WHEREAS, Free On The Outside and/or assigns entered into a Purchase and Sale Agreement with Seller on November 17, 2023 to purchase the property in the amount not to exceed Eight Hundred Twenty Five Thousand (\$825,000) Dollars, subject to a due diligence period and contingencies as outlined in the signed Sales Agreement and Addendums; and

WHEREAS, currently the transaction is scheduled to close around December 15, 2023, and at the time of closing, the documents necessary to conclude the transaction need to be signed on behalf of Deschutes County as the purchaser; now, THEREFORE,

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, HEREBY ORDERS as follows:

Section 1. The Deschutes County Property Manager, Kristie Bollinger or Deschutes County Community Justice Director, Deevy Holcomb is designated as the Deschutes County representative to sign the necessary documents for the purchase and acceptance of property located at 640-652 SE Wilson Ave., Bend, Oregon 97702.

Dated this _____ of _____, 2023

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

ANTHONY DEBONE, Chair

PATTI ADAIR, Vice Chair

ATTEST:

Recording Secretary

PHIL CHANG, Commissioner



Free On The Outside is looking at a property in your neighborhood to create housing for men who have involvement with the justice system. We are working with Deschutes County Community Justice on this program.

Why: We believe everyone should have the opportunity to better themselves, that housing is a basic need that presents a major barrier for many, and that everyone in our community is safer when people involved in the justice system have a stable home in which to take pride and get back on their feet.

Where: 640 SE Wilson Ave, Bend, Oregon 97702

When: Our first residents would move in starting January 2024.

Who: **Free On The Outside** has 15 years of experience providing housing. Right now we work with 200 individuals in more than 20 houses in Oregon. Our Central Oregon program will be open to men ready to live safely and as good neighbors who are on community supervision with Deschutes County Parole & Probation. Some will be returning home from prison. Some men will be residents for a long time, while others may stay a short time only as they move to their own housing.

What: Our model is based on compassion and accountability. A fulltime house manager lives on our properties to support residents to be successful. Residents will need to follow house rules and be good neighbors in order to be in the program. Deschutes County Parole & Probation will work with all of the residents and make home visits to help support their success.

You: Please let us know if you have questions or concerns about our program. Please contact Mike Cross 503-867-3157 if you would like to share your thoughts and questions. Free On The Outside Staff are available to meet with people individually. Thank you.



Adult Parole and Probation Division provides supervision for clients on probation or being released from prison. Our mission is to protect the public, repair harm, hold clients accountable, and facilitate pro-social thinking and behavior change. Contact 541-330-8261 or housing@deschutes.org to share thoughts and questions with the county.

Deschutes County encourages persons with disabilities to participate in all programs and activities. This flyer can be provided in a different format to make it more accessible to people with disabilities. If you need accommodations to make participation possible, please call (Community Justice Department) (541) 330-8261 or send email to housing@deschutes.org.



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: December 6, 2023

SUBJECT: Convert 1.0 FTE from limited duration to regular in Health Services

RECOMMENDED MOTION:

Move approval of Resolution No.2023-065 to convert 1.0 limited duration FTE to a regular FTE position within the Health Services Fund.

BACKGROUND AND POLICY IMPLICATIONS:

In 2021 the Board approved a Central Oregon Health Council (COHC) grant to expand services to vulnerable older adults living with mental health and substance use disorders. The funds allowed Deschutes County Health Services (DCHS) to support two positions to provide case management along with other supports which are not typically covered by Medicare, such as pre-treatment and outreach and engagement services. The original grant award was for \$833,589 and the grant term was July 1, 2021 through June 2024.

Due to position vacancies, DCHS projects there will be \$236,000 in grant funds unspent at the end of the grant term. DCHS has received approval from COHC to extend the term of the funding to continue this important work.

DCHS is seeking Board approval to convert one Behavior Health Specialist II (position #3181, currently expiring on June 30, 2024) from limited duration to regular. The remaining funds will cover the position through November 2025. DCHS is recommending this position be converted to regular due to the increasing need for services and supports for our aging community. It's estimated that by 2030, older adults will account for 24% of Deschutes County residents, making this demographic the fastest growing segment of the population. When COHC funding has been exhausted, DCHS will consider the future of this position within the budgeting process.

BUDGET IMPACTS:

No impact for fiscal year 2024.

ATTENDANCE:

Kara Cronin, Manger, Behavioral Health Program
Dan Emerson, Manager, Budget & Financial Planning

REVIEWED

LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY,
OREGON

A Resolution Converting FTE Within *
the 2023-24 Deschutes County * RESOLUTION NO. 2023-065
Budget *

WHEREAS, the Deschutes County Health Services department presented to the Board of County Commissioners on 12/6/23, with regards to converting 1.00 limited duration FTE to regular FTE with Central Oregon Health Council (COHC) grant funds, and

WHEREAS, Deschutes County Policy HR-1 requires that the creation of or increase in FTE outside the adopted budget be approved by the Board of County Commissioners; now, therefore,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, as follows:

Section 1. That the following FTE be converted from limited duration to regular:

Job Class	Position Number	Type	Effective Date	FTE
Behavioral Health Specialist II (1162)	3181	Conversion of 1.00 limited duration to regular duration	December 6, 2023	-
Total FTE				-

Section 5. That the Human Resources Director make the appropriate entries in the Deschutes County FTE Authorized Positions Roster to reflect the above FTE changes.

DATED this _____ day of December 2023.

BOARD OF COUNTY COMMISSIONERS OF
DESCHUTES COUNTY, OREGON

ANTHONY DEBONE, Chair

ATTEST:

PATTI ADAIR, Vice-Chair

Recording Secretary

PHIL CHANG, Commissioner



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: December 6, 2023

SUBJECT: Discussion and Consideration of Safe Parking Board Orders

RECOMMENDED MOTION:

Direct staff as appropriate.

BACKGROUND AND POLICY IMPLICATIONS:

The cities of Bend and Redmond have implemented Safe Parking programs to allow for limited overnight parking for people experiencing homelessness. The Board of County Commissioners has directed staff to develop a draft safe parking program in the unincorporated County for consideration.

City of Bend's Safe Parking Program

The City of Bend's Safe Parking Program has two levels: overnight camping (up to three vehicles) and transitional overnight parking accommodation (up to 6 vehicles). Key elements of each level are listed below.

- Overnight Camping
 - Property owner/lessee must provide access to sanitation, including a bathroom, hand washing facilities, and trash disposal.
 - No formal City authorization required.
 - Property must be leased or owned by a business, non-profit, or public entity.
- Transitional Overnight Parking Accommodation
 - Property owner/lessee must provide a plan and provide access to sanitation, including a bathroom; hand washing facilities; trash disposal; supervision, and policies on who can stay, how long, and what hours.
 - Notice of an application to neighboring property owners.
 - Applicants need to accept liability and demonstrate insurance coverage acceptable to the City.

- Individual residential property owners are not eligible to participate.
- This program requires case management or supervision.
- Applications are processed administratively, not through land use.
- City Manager approves/denies applications.

City of Redmond's Safe Parking Program

The City of Redmond's program is limited to properties operated by a religious institution, non-profit, public, or commercial entity, and not currently used for residential use. Other key elements include the following:

- The property owner/lessee applies for and receives approval from the Community Development Department.
- The property owner/ lessee accepts liability and demonstrates insurance coverage.
- Limited to up to six vehicles.
- Property owner/lessee makes available on the premises sanitary facilities, including a restroom, handwashing facility, and trash disposal.
- Reasonable policies that set out what supervision will be provided.

Proposed Deschutes County Safe Parking/Overnight Camping Program

Attached are two draft Board Orders to implement safe/parking/overnight parking program: one for land within the Urban Growth Boundary (Board Order 2023-052) and the other for lands within 1-mile of an Urban Growth Boundary (Board Order 2023-053). Under the proposed County program, the criteria will be generally consistent with each city's program.

Also attached are the following documents:

- Board PowerPoint presentation for December 6, 2023.
- HB 2006
- City of Bend Municipal Code, Chapter 4.10, Safe Parking Programs
- Code of the City of Redmond, Chapter 5.720, Safe Parking and Vehicle Camping Guidelines

BUDGET IMPACTS:

N/A.

ATTENDANCE:

Erik Kropp, Deputy County Administrator

REVIEWED

LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF
DESCHUTES COUNTY, OREGON

An Order Implementing Portions of Oregon *
House Bill 2006 (2021) and Allowing for * ORDER NO. 2023-052
Individuals or Families to Reside Overnight *
in a Vehicle, Yurt, or Tent Within an UGB

WHEREAS, Sections 5 and 6 of Oregon House Bill 2006 (2021), hereinafter “HB 2006,” broadly allows a local government to authorize overnight camping in a vehicle, yurt, or tent on property owned or operated by any public or private entity, including any person, partnership, joint stock company, unincorporated association or society, or municipal or other corporation of any character whatsoever (“Entity”), inside an urban growth boundary, provided that Entity providing camping spaces under these Sections must also provide access to sanitary facilities, including toilet, handwashing and trash disposal facilities; and

WHEREAS, Deschutes County recognizes the continuing need for options to address homelessness in Central Oregon; and

WHEREAS, consistent with Sections 5 and 6 of HB 2006 and applicable public health, life and safety regulations, Deschutes County is prepared to authorize Entities to allow individuals or families to reside overnight in a vehicle on such Entity’s property;

now therefore,

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, hereby ORDERS as follows:

Section 1. Effective upon the date of this Order and continuing until June 30, 2028 (unless sooner extended or terminated by subsequent Board Order), within the City of Redmond Urban Growth Boundary, Entities are authorized to offer properties they own or lease (with written authorization from the property owner) for overnight camping by homeless individuals or families in a vehicle on designated property, subject to all applicable public health, life and safety

regulations, and additionally consistent with the Safe Parking and Vehicle Camping Guidelines contained in Code of the City of Redmond (Section 5.720).

Section 2. Effective upon the date of this Order and continuing until June 30, 2028 (unless sooner extended or terminated by subsequent Board Order), within the City of Bend Urban Growth Boundary, Entities are authorized to offer properties they own or lease (with written authorization from the property owner) for overnight camping by homeless individuals or families in a vehicle on designated property, subject to all applicable public health, life and safety regulations, and additionally consistent with the Safe Parking Programs Guidelines contained in City of Bend Municipal Code Chapter 4.10.

Section 3. Entities shall receive written approval from Deschutes County, County Administrator’s Office prior to allowing homeless individuals or families to reside overnight in a vehicle on designated Entity property inside the Bend or Redmond Urban Growth Boundary. The County Administrator or designee shall have the authority to revoke approval for overnight camping based on health and/or safety issues. Initial approval shall be for no more than two (2) years. Applications for extensions are allowed. Each extension is limited to two (2) years. There is no limit to the number of extensions.

Section 4. County staff is directed to coordinate administration of this Order. There shall be no application fee to apply for this program.

Section 5. This Order is effective upon signing.

Dated this ____ day of _____, 2023.

THE BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

ANTHONY DEBONE, Chair

PATTI ADAIR, Vice-Chair

ATTEST:

Recording Secretary

PHIL CHANG, Commissioner

REVIEWED

LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF
DESCHUTES COUNTY, OREGON

An Order Implementing Portions of Oregon *
House Bill 2006 (2021) and Allowing for * ORDER NO. 2023-053
Individuals or Families to Reside Overnight *
in a Vehicle Within One Mile of an UGB

WHEREAS, Section 6 of Oregon House Bill 2006 (2021), hereinafter “HB 2006,” broadly allows a local government to authorize overnight camping in a vehicle on property owned or operated by any public or private entity, including any person, partnership, joint stock company, unincorporated association or society, or municipal or other corporation of any character whatsoever (“Entity”) outside an urban growth boundary, provided that Entity providing camping spaces under this Section must also provide access to sanitary facilities, including toilet, handwashing and trash disposal facilities; and

WHEREAS, Deschutes County recognizes the continuing need for options to address homelessness in Central Oregon; and

WHEREAS, consistent with Section 6 of HB 2006 and applicable public health, life and safety regulations, Deschutes County is prepared to authorize Entities to allow individuals or families to reside overnight in a vehicle on such Entity’s property;

now therefore,

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, hereby ORDERS as follows:

Section 1. Effective upon the date of this Order, within one mile of the City of Redmond Urban Growth Boundary, Entities are authorized to offer properties they own or lease (with written authorization from the property owner) for overnight camping by homeless individuals or families in a vehicle on designated property, subject to all applicable public health, life and safety regulations, and additionally consistent with the Safe Parking and Vehicle Camping Guidelines contained in Code of the City of Redmond (Section 5.720). To be eligible for overnight camping

under this Ordinance, properties owned by an Entity shall meet the applicable requirements outlined in Sections 3 and 4.

Section 2. Effective upon the date of this Order, within one mile of the City of Bend Urban Growth Boundary, Entities are authorized to offer properties they own or lease (with written authorization from the property owner) for overnight camping by homeless individuals or families in a motor vehicle on designated property, subject to all applicable public health, life and safety regulations, and additionally consistent with the Overnight Camping Guidelines contained in the City of Bend Municipal Code Chapter 4.10. To be eligible for overnight camping under this Ordinance, properties owned by an Entity shall meet the applicable requirements outlined in Section 3.

Section 3. To be eligible for overnight camping, properties owned by an Entity within one mile of the Redmond Urban Growth Boundary must be designated by one of the following zones: MUA-10, Rural Industrial, and Rural Residential-10. To be eligible for overnight camping, properties owned by an Entity within one mile of the Bend Urban Growth Boundary must be designated by one of the following zones: Mixed Use Agricultural (MUA)-10, Public Facility, Rural Commercial, Rural Industrial, and Rural Residential-10.

Section 4. Entities shall receive written approval from Deschutes County, County Administrator’s Office, prior to allowing homeless individuals or families to reside overnight in a vehicle on designated Entity property or facilities within one mile of the Urban Growth Boundary. The County Administrator or designee shall have the authority to revoke approval for overnight camping based on health and/or safety issues. Initial approval shall be for no more than two (2) years. Applications for extensions are allowed. Each extension is limited to two (2) years. There is no limit to the number of extensions.

Section 5. County staff is directed to coordinate administration of this Order. There shall be no application fee to apply for this program.

Section 6. This Order is effective upon signing.

Dated this ____ day of _____, 2023.

THE BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

ANTHONY DEBONE, Chair

PATTI ADAIR, Vice-Chair

ATTEST:

Recording Secretary

PHIL CHANG, Commissioner

Department of Administrative Services

Safe Parking Discussion

BOCC meeting:
December 6, 2023



Two Draft Board Orders

- Not land use
- General approach: for consistency, develop a program very similar to Bend and Redmond's programs
- Board Order 2023-052: within an Urban Growth Boundary
- Board Order 2023-053: within one-mile of an Urban Growth Boundary



Board Order 2023-052 (within UGB)

City of Bend UGB - Overnight Camping

- Up to 3 vehicles
- Property owner: business, non-profit, public agency
- Access to sanitation, including bathroom, hand washing, and trash disposal facilities
- No fee may be required for overnight stays



Board Order 2023-052 (within UGB)

City of Bend UGB – Transitional Overnight Parking

- Plan for access to bathroom, hand washing, trash disposal, case management/supervision*
- Notification to neighbors*
- Up to six vehicles and/or temporary huts/tents
 - Public entities may allow more than 6 vehicles or huts/tents

(* indicates item is not required for overnight camping category)



Board Order 2023-052 (within UGB)

City of Redmond UGB

- Up to 6 vehicles; vehicles only
- Plan for access to bathroom, hand washing, trash disposal, case management/supervision
- Allowed at religious institutions, non-profits, public agencies, commercial property.
- Not allowed on residential property



Board Order 2023-053 (outside UGB)

- Within 1- mile of UGB

City of Bend

- Only vehicles
- Zones: MUA-10, Public Facility, RC, RI, RR-10

City of Redmond

- Only vehicles
- Zones: MUA-10, RI, RR-10



Next Steps



Enrolled House Bill 2006

Sponsored by Representative KOTEK; Representatives CAMPOS, DEXTER, EVANS, FAHEY, GRAYBER, HOLVEY, KROPF, LEIF, MARSH, MCLAIN, MEEK, MORGAN, NATHANSON, NERON, NOBLE, REARDON, SOLLMAN, WILDE, WILLIAMS, ZIKA, Senator PATTERSON

CHAPTER

AN ACT

Relating to housing; creating new provisions; amending ORS 203.082, 446.265 and 458.650; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Sections 2 and 3 of this 2021 Act are added to and made a part of ORS chapter 197.

SECTION 2. (1) As used in this section, “emergency shelter” means a building or cluster of buildings that provides shelter on a temporary basis for individuals and families who lack permanent housing.

(2) A building or cluster of buildings used as an emergency shelter under an approval granted under section 3 of this 2021 Act or section 11, chapter 12, Oregon Laws 2020 (first special session):

(a) May resume its use as an emergency shelter after an interruption or abandonment of that use for two years or less, notwithstanding ORS 215.130 (7).

(b) May not be used for any purpose other than as an emergency shelter except upon application for a permit demonstrating that the construction of the building and its use could be approved under current land use laws and local land use regulations.

(3) An approval of an emergency shelter under section 3 of this 2021 Act or section 11, chapter 12, Oregon Laws 2020 (first special session) is void unless the shelter is operating within two years following the approval.

SECTION 3. (1) A local government shall approve an application for the development or use of land for an emergency shelter, as defined in section 2 of this 2021 Act, on any property, notwithstanding ORS chapter 195, 197, 197A, 215 or 227 or any statewide plan, rule of the Land Conservation and Development Commission or local land use regulation, zoning ordinance, regional framework plan, functional plan or comprehensive plan, if the emergency shelter:

(a) Includes sleeping and restroom facilities for clients;

(b) Will comply with applicable building codes;

(c) Is located inside an urban growth boundary or in an area zoned for rural residential use as defined in ORS 215.501;

(d) Will not result in the development of a new building that is sited within an area designated under a statewide planning goal relating to natural disasters and hazards, in-

cluding flood plains or mapped environmental health hazards, unless the development complies with regulations directly related to the hazard;

- (e) Has adequate transportation access to commercial and medical services; and
- (f) Will not pose any unreasonable risk to public health or safety.

(2) An emergency shelter allowed under this section must be operated by:

- (a) A local government as defined in ORS 174.116;

(b) An organization with at least two years' experience operating an emergency shelter using best practices that is:

- (A) A local housing authority as defined in ORS 456.375;
- (B) A religious corporation as defined in ORS 65.001; or
- (C) A public benefit corporation, as defined in ORS 65.001, whose charitable purpose includes the support of homeless individuals, that has been recognized as exempt from income tax under section 501(a) of the Internal Revenue Code on or before January 1, 2018; or

(c) A nonprofit corporation partnering with any other entity described in this subsection.

(3) An emergency shelter approved under this section:

(a) May provide on-site for its clients and at no cost to the clients:

- (A) Showering or bathing;
- (B) Storage for personal property;
- (C) Laundry facilities;
- (D) Service of food prepared on-site or off-site;
- (E) Recreation areas for children and pets;
- (F) Case management services for housing, financial, vocational, educational or physical or behavioral health care services; or
- (G) Any other services incidental to shelter.

(b) May include youth shelters, winter or warming shelters, day shelters and family violence shelter homes as defined in ORS 409.290.

(4) An emergency shelter approved under this section may also provide additional services not described in subsection (3) of this section to individuals who are transitioning from unsheltered homeless status. An organization providing services under this subsection may charge a fee of no more than \$300 per month per client and only to clients who are financially able to pay the fee and who request the services.

(5) The approval of an emergency shelter under this section is not a land use decision and is subject to review only under ORS 34.010 to 34.100.

SECTION 4. (1) Section 3 of this 2021 Act is repealed on July 1, 2022.

(2) The repeal of section 3 of this 2021 Act by subsection (1) of this section does not affect an application for the development of land for an emergency shelter that was completed and submitted before the date of the repeal.

SECTION 5. ORS 446.265 is amended to read:

446.265. (1) Inside an urban growth boundary, a local government may authorize the establishment of transitional housing accommodations used as individual living units by one or more individuals. Use of transitional housing accommodations is limited to *[persons]* **individuals** who lack permanent or safe shelter and who cannot be placed in other low income housing. A local government may limit the maximum amount of time that an individual or a family may use the accommodations.

(2) Transitional housing accommodations are intended to be used by individuals or families on a limited basis for seasonal, emergency or transitional housing purposes and may include yurts, huts, cabins, fabric structures, tents and similar accommodations, **as well as areas in parking lots or facilities for individuals or families to reside overnight in a motor vehicle, without regard to whether the motor vehicle was designed for use as temporary living quarters.** The transitional housing accommodations may provide parking facilities, walkways and access to water, toilet, shower, laundry, cooking, telephone or other services either through separate or shared facilities.

The Oregon Health Authority may develop public health best practices for shared health and sanitation facilities for transitional housing accommodations.

(3) Transitional housing accommodations are not subject to ORS chapter 90.

(4) As used in this section, “yurt” means a round, domed tent of canvas or other weather resistant material, having a rigid framework, wooden floor, one or more windows or skylights and that may have plumbing, electrical service or heat.

SECTION 6. ORS 203.082 is amended to read:

203.082. *[(1) Any political subdivision in this state may allow churches, synagogues and similar religious institutions to offer overnight camping space on institution property to homeless persons living in vehicles.]*

[(2) In addition to any conditions or limitations imposed by a political subdivision, a religious institution located within the political subdivision and offering camping space described under subsection (1) of this section must:]

[(a) Limit camping space at the institution site to three or fewer vehicles at the same time; and]

[(b) Provide campers with access to sanitary facilities, including but not limited to toilet, hand washing and trash disposal facilities.]

(1) Any political subdivision may allow any public or private entity to allow overnight camping by homeless individuals living in vehicles on the property of the entity.

(2) A political subdivision may impose reasonable conditions upon offering camping space under this section, including establishing a maximum number of vehicles allowed.

(3) Entities providing camping spaces under this section must also provide access to sanitary facilities, including toilet, handwashing and trash disposal facilities.

SECTION 7. ORS 458.650 is amended to read:

458.650. (1) The Emergency Housing Account *[shall be]* **is** administered by the Housing and Community Services Department to assist homeless *[persons]* **individuals** and those *[persons]* **individuals** who are at risk of becoming homeless. An amount equal to 25 percent of moneys deposited in the account pursuant to ORS 294.187 is dedicated for expenditure for assistance to veterans who are homeless or at risk of becoming homeless. For purposes of this section, “account” means the Emergency Housing Account.

(2) The Oregon Housing Stability Council, with the advice of the Community Action Partnership of Oregon, shall develop policy for awarding grants to organizations that shall use the funds:

(a) To provide to low and very low income *[persons]* **individuals**, including but not limited to, *[persons]* **individuals** more than 65 years of age, persons with disabilities, farmworkers and Native Americans:

(A) Emergency shelters and attendant services;

(B) Transitional housing services designed to assist *[persons]* **individuals** to make the transition from homelessness to permanent housing and economic independence;

(C) Supportive housing services to enable *[persons]* **individuals** to continue living in their own homes or to provide in-home services for such *[persons]* **individuals** for whom suitable programs do not exist in their geographic area;

(D) Programs that provide emergency payment of home payments, rents or utilities; or

(E) Some or all of the needs described in subparagraphs (A) to (D) of this paragraph.

(b) To align with federal strategies and resources that are available to prevent and end homelessness.

(3)(a) The council shall require as a condition of awarding a grant that the organization demonstrate to the satisfaction of the council that the organization has the capacity to deliver any service proposed by the organization.

(b) Any funds granted under this section *[shall]* **may** not be used to replace existing funds. Funds granted under this section may be used to supplement existing funds. An organization may use funds to support existing programs or to establish new programs.

(c) The council, by policy, shall give preference in granting funds to those organizations that receive grants from the Housing Development Grant Program established under ORS 458.625.

(4) The department may expend funds from the account for:
(a) The administration of the account as provided for in the legislatively approved budget, as that term is defined in ORS 291.002, for the department.

(b) The development of technical assistance and training resources for organizations developing and operating emergency shelters as defined in section 2 of this 2021 Act and transitional housing accommodations as described in ORS 446.265.

SECTION 8. Section 9 of this 2021 Act is added to and made a part of ORS 458.600 to 458.665.

SECTION 9. (1) As used in this section, “low-barrier emergency shelter” means an emergency shelter, as defined in section 2 of this 2021 Act, that follows established best practices to deliver shelter services that minimize barriers and increase access to individuals and families experiencing homelessness.

(2) The Housing and Community Services Department shall award grants and provide technical assistance to organizations to fund:

(a) The construction, purchase or lease of facilities to be used as low-barrier emergency shelters;

(b) The operation, use or staffing of low-barrier emergency shelters, including the costs to provide clients with access to the shelters;

(c) The development or use of amenities or facilities that provide no-cost services to individuals and families who are homeless, including restroom and hygiene facilities, laundry facilities, dining facilities, storage for personal property, meeting or gathering spaces and facilities providing case management services; or

(d) Rapid rehousing services and supports for individuals and families.

(3) In awarding grants and providing technical assistance under this section, the department shall:

(a) Ensure that funds are distributed among different regions of the state; and

(b) Prioritize funding areas of highest need as identified in the August 2019 Oregon Statewide Shelter Study.

(4) Grants under this section must be awarded:

(a) Through a competitive process that emphasizes collaborative proposals; or

(b) To one or more community action agencies.

SECTION 10. (1) As used in this section, “navigation center” means a low-barrier emergency shelter, as defined in section 9 of this 2021 Act, that is open seven days per week and connects individuals and families with health services, permanent housing and public benefits.

(2) The Oregon Department of Administrative Services may award grants to local governments to:

(a) Plan the location, development or operations of a navigation center;

(b) Construct, purchase or lease a building for use as a navigation center;

(c) Operate a navigation center that has been constructed, purchased or leased under paragraph (b) of this subsection; or

(d) Contract for the performance of activities in this subsection.

(3) The department shall require that each local government receiving a grant under this section agree to return all moneys granted unless the local government has developed a navigation center that is operating on or before July 1, 2022.

SECTION 11. Notwithstanding ORS 458.650 (2) and (3), the Housing and Community Services Department may expend funds from the Emergency Housing Account to award grants and provide technical assistance under section 9 of this 2021 Act.

SECTION 12. Sections 9, 10 and 11 of this 2021 Act are repealed on January 2, 2024.

SECTION 13. This 2021 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect on its passage.

Passed by House April 5, 2021

.....
Timothy G. Sekerak, Chief Clerk of House

.....
Tina Kotek, Speaker of House

Passed by Senate May 3, 2021

.....
Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2021

Approved:

.....M,....., 2021

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2021

.....
Shemia Fagan, Secretary of State

City of Bend
Municipal Code –
Chapter 4.10
Safe Parking Programs

Chapter 5.70 SAFE PARKING PROGRAMS

5.70.005 Purpose and Scope

A. Safe parking, provided through overnight camping and transitional overnight parking accommodations described in this chapter, is intended to be used by individuals, families, or households who lack permanent or safe shelter and who cannot obtain other low income housing on a limited basis for seasonal, emergency or transitional shelter purposes.

B. For purposes of this chapter, the term "vehicle" includes a car, camper, trailer, or recreational vehicle, and "tent" includes fabric structures, hard-shelled huts (so-called Conestoga hut or similar), or similar movable structure. All vehicles must be operable and movable, either by their own power or towing if designed to be towed.

5.70.010 Overnight Camping.

A. Notwithstanding any other provision of this code or the Bend Development Code up to three vehicles may be used by people who lack access to permanent or safe shelter and who cannot obtain other low income housing for overnight camping in a parking lot, or paved or gravel surface of a parcel of any size owned or leased by a religious institution, nonprofit, business or public entity, with permission of the property owner and lessee, if applicable.

B. A property owner or lessee who allows overnight camping on a property pursuant to this section shall:

1. Provide persons camping overnight with access to sanitary facilities, including but not limited to toilet, hand washing and trash disposal facilities at all times people are authorized to be present for overnight camping; and
2. Not require payment of any fee, rent or other monetary charge for overnight camping authorized by this section.

C. A property owner who permits overnight camping pursuant to this section, may revoke that permission at any time and for any reason. Any person who has permission to sleep on that property as provided in this section shall leave the property immediately after permission has been revoked.

D. The provisions of this section are not intended to limit or otherwise change any land uses that may be permitted on property under the Bend Development Code.

5.70.015 Transitional Overnight Parking Accommodations

- A. With authorization from the City, up to six (6) vehicles and/or tents may be used for overnight accommodation of people who lack permanent or safe shelter and who cannot obtain other
-

EXHIBIT A

low income housing in a parking lot, or paved or gravel surface of property owned or leased by a religious institution, nonprofit, business or public entity, with permission of the property owner and lessee, if applicable, as temporary transitional overnight parking accommodations. A public entity may allow more than six (6) vehicles and/or tents on property owned or leased by the public entity, with a plan approved by the City, based on the size of the parcel, supervision plan, and sanitation plan proposed by the public entity. Temporary transitional overnight parking accommodations must be located at least 150 feet from a child care facility or school, unless the parking accommodations are located on property owned or leased by a public entity or religious institution.

- B. These temporary transitional overnight parking accommodations are intended to be used by individuals, families, or households on a limited basis for seasonal, emergency or transitional housing purposes. The transitional overnight parking accommodations may provide parking facilities, walkways and access to water, toilet, shower, laundry, cooking, telephone or other services either through separate or shared facilities. Any sanitation or other facilities added to the location for temporary transitional overnight parking accommodation must be temporary and removable.
- C. Temporary transitional overnight parking accommodations must, at a minimum:
1. Apply for and receive authorization for operation from the City Manager or designee, and agree to abide by all conditions, including acceptance of liability and demonstration of insurance coverage in amounts acceptable to the City. City authorization is not a land use decision;
 2. Provide access to sanitary facilities, including but not limited to toilet, hand washing and trash disposal facilities at all hours people are authorized to be present for overnight parking, including the additional hours campers may stay at the site;
 3. Provide supervision, case management, or supportive services. Supervision must include at a minimum nightly contact with each camper;
 4. Develop policies that set out how individuals who may stay at the site will be selected, number of continuous days that someone may stay at the site, hours that overnight campers may stay at the site in addition to 9:00 p.m. to 7:00 a.m., what supervision will be provided, and what structures and other items may be placed on the site;
 5. Not require payment of any fee, rent, or other monetary charge for temporary transitional housing accommodation; and
 6. Prior to allowing any person to stay overnight as part of a temporary transitional overnight parking accommodation, provide notice of the intention to allow temporary transitional overnight parking to each property owner and occupant of each adjacent

EXHIBIT A

property, and, every night any person stays overnight, post a notice at a prominent location on the site. These notices must include the following information:

- a. The name of the property owner or lessee and person or entity providing site supervision, and a telephone number where the entity or individual providing supervision may be contacted;
 - b. The number of approved vehicles and/or tents; and
 - c. The hours that overnight campers may stay at the site in addition to 9:00 p.m. to 7:00 a.m.
- D. Property owners who allow temporary transitional overnight parking under this section may revoke permission for program operation at any time and for any reason. Any person who is on property for temporary transitional overnight parking accommodations under this section must leave the property immediately after permission has been revoked.
- E. The provisions of this section for temporary transitional overnight parking are not intended to limit or otherwise change any land uses that may be permitted on property under the Bend Development Code.

5.70.020 Enforcement

- A. Notwithstanding any other provision of this section, the City Manager or designee may:
 1. Revoke authorization for temporary transitional overnight parking for violations of the requirements of this chapter;
 2. Prohibit overnight camping or temporary transitional overnight parking on a property if the City finds that any activity related to the overnight camping or temporary transitional overnight parking on that property constitutes a nuisance or other threat to the public welfare; or
 3. Revoke permission for a person to camp overnight, whether in a temporary transitional overnight parking accommodation or not, on City-owned property if the City has a reasonable suspicion that the person has violated any applicable law, ordinance, rule, guideline or agreement, or that the activity constitutes a nuisance or other threat to the public welfare.
- B. No activity associated with overnight camping or temporary transitional overnight parking is allowed to occur that constitutes a nuisance or other threat to the public welfare.
- C. Violation of the provisions of this chapter is a Class A infraction each day a violation occurs.
- D. The City Manager may adopt administrative rules in the manner provided in Section 1.30.005 of this code to implement this section.
- E. Nothing in this section of this code creates any duty on the part of the City or its agents to ensure the protection of persons or property with regard to permitted overnight camping or temporary transitional overnight parking accommodations.

CODE OF THE CITY OF REDMOND

Revised January, 2003

Continuous revision from this date
forward.

- 2. Items that have no apparent value, utility or are in unsanitary condition may be immediately discarded.
- 3. Weapons, controlled substances other than prescription medication, and items that appear to be either stolen or evidence of a crime shall be retained and disposed of by the Police Department in accordance with applicable legal requirements for the property in question.
- 5. Notwithstanding the provisions of tis Section, the City Manager or designee may temporarily authorize camping or storage of personal property on public property by written order the specified the period of time and location:
 - A. In the event of emergency circumstances; or
 - B. In conjunction with a public assembly, special event or temporary use permit.

[Section 5.710 added by Ord. #2021-09 passed October 5, 2021 (as Safe Parking and Vehicle Camping)]

[Section 5.710 amended by Ord. #2023-02 passed March 14, 2023]

[Section 5.710 amended by Ord. #2023-04 passed May 9, 2023]

5.715 Penalties and Enforcement (Camping).

- 1. Violation of any provisions in Section 5.700 et al is a Class C violation pursuant to the City Code and may result in a violation of ORS Chapter 153. Each day that a violation occurs will considered a separate offense.
- 2. In addition to any other penalties that may be imposed, any campsite used for overnight sleeping in a manner not authorized by Section 5.710 or other provisions of the City Code shall constitute a public nuisance and may be abated as such and in accordance with State law.

[Section 5.715 amended by Ord. #2023-02 passed March 14, 2023]

5.720 Safe Parking and Vehicle Camping Guidelines. Safe parking, provided through overnight camping and transitional overnight parking accommodations as described in this section, is intended to be used on a limited basis for emergency or transitional shelter purposes by individuals, families, or households who lack permanent or safe shelter. Vehicle-camping is hereby authorized, subject to the standards and requirements set forth below:

- 1. Vehicle-camping is limited to properties operated by a religious institution or place of worship, non-profit, public, or commercial entity, and not currently used for a residential use. Vehicle-camping is not allowed within the Downtown Overlay District (DOD) or on Limited Service Commercial (C-4) zoned properties without City Council approval.
- 2. Notwithstanding any other provision of the Redmond City Code, persons may sleep overnight in a vehicle on a premises by an entity that owns or leases real property on which a structure and an associated parking lot are located, provided:
 - A. That said persons have obtained the permission of the Person in Charge.
 - B. The property owner has applied for and received approval for operation and registers the location with the City’s Community Development Department.
 - C. The property owner agrees to abide by all conditions, including acceptance of liability and demonstration of insurance coverage in amounts acceptable to the City.
- 3. A person in charge who allows a person or persons to sleep overnight in a vehicle on the premises pursuant to this section shall:
 - A. Not grant permission for more than six (6) vehicles used for sleeping to utilize the parking lot at any one (1) time.

- B. Provide or make available on the premises sanitary facilities including, but not limited to, toilet, handwashing, and trash disposal facilities at all hours people are authorized to be present for overnight parking.
- C. Require all vehicles used for camping be licensed, and operable.
- D. Not require payment of any fee, rent, or other monetary charge for overnight sleeping in a vehicle as authorized by this section.
- E. Not allow open flames at the premises, or within vehicles unless contained in a Recreational Vehicle (RV) currently titled and registered with the State of Oregon Department of Motor Vehicles.
- F. Develop reasonable policies that set out:
 - 1. How individuals who may stay on the premises will be selected.
 - 2. How many continuous days someone may stay at the premise.
 - 3. What supervision will be provided.
 - 4. What structures or other items may be placed on the premises.
 - 5. Any other safety or aesthetic requirements for staying on the premises.
- 4. A person in charge who permits overnight sleeping in a vehicle pursuant to this section may revoke that permission at any time and for any reason. Any person who receives permission to sleep on a premises as provided in this section shall leave the premises immediately after permission has been revoked. The owner-operator has the right to refuse entry or discontinue use for any individual.
- 5. Parking spaces used for vehicle camping, and storage and sanitary facilities are located at a minimum:
 - A. No less than 10 feet from property lines of the premises/subject site.
 - B. Storage and sanitary facilities are no less than 20 feet from property lines.
 - C. Clear of pedestrian walkways, fire lanes, or other emergency access areas, or areas needed for corner vision or sight distance.
 - D. Applicable siting standards are subject to specific site constraints.
- 6. Camping is prohibited within 500 feet of a Safe Parking and Vehicle Program site permitted by the City.

[Section 5.710 amended by Ord. #2023-02 passed March 14, 2023]

[Section renumbered from 5.710 to 5.720 amended by Ord. #2023-02 passed March 14, 2023]

5.725 Enforcement (Safe Parking and Vehicle Camping).

- 1. This section shall not be construed to abrogate or limit the jurisdiction or authority of the Redmond Police Department or any other law enforcement agency.
- 2. Notwithstanding any other provision of this section, the City Manager or designee may:
 - A. Revoke authorization for safe parking programs and vehicle camping for violations of the requirements of this section.
 - B. Prohibit safe parking programs and vehicle camping on a property if the City finds that any activity related to safe parking or vehicle camping on that property constitutes a nuisance or other threat to the public welfare.
- 3. Nothing in this section of this code creates any duty on the part of the City or its agents to ensure the protection of persons or property with regard to permitted safe parking programs and vehicle camping accommodations.

[Section 5.715 added by Ord. #2021-09 passed October 5, 2021]

[Section renumbered from 5.715 to 5.725 by Ord. #2023-02 passed March 14, 2023]